

CITY OF VAN BUREN, ARKANSAS

REGULAR CITY COUNCIL MEETING

MONDAY, JUNE 22, 2020 @ 5:30 PM

PUBLIC LIBRARY – 1409 MAIN STREET, VAN BUREN

AGENDA

1. Invocation and Pledge of Allegiance.
2. Roll Call.
3. CONSENT AGENDA:
 - Minutes from the May 18, 2020 Regular City Council Meeting.
 - Resolution – Fixed Asset Disposal.
 - Resolution – Accepting a Sealed Bid from James Young for Fixed Asset.
 - Resolution – Adopting a Revised Employee Policy Manual.
4. Resolution – Renew the Annual Software Subscription for Police Department.
5. Resolution – Awarding a Bid for Asphalt Milling.
6. Resolution – Entering into an Agreement with the Van Buren Boys and Girls Club.
7. Resolution – Agreement with Center for Arts and Entertainment.
8. Ordinance – Abandon an Alleyway in the Vista Place Addition.
9. Ordinance – Establishing Procedures for Temporary Revocable Licenses.
10. Ordinance – Master Street Plan Amendment.
11. Ordinance – Rezoning Certain Real Property.
12. Financial Statements.
13. Boards and Commissions:
 - Van Buren Public Library – Re-appoint Ms. Robin Holt Wright.
 - Planning Commission – Re-appoint Lynne Graham, Philip Bagby and Mason Shirey.
 - Historic District Commission – Re-appoint Lonnie London and Vickie Davis
14. Department Reports:
 - Police – Fire – Building Department – Public Works/Planning – Ambulance.
15. Miscellaneous and General Discussion.
 - Almost Home Shelter Report – Connie Martin.
16. Adjournment.

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ___ - ___ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS,
A RESOLUTION TO BE ENTITLED:

A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO REMOVE AND DISPOSE OF CERTAIN FIXED ASSETS FROM THE CITY OF VAN BUREN'S FIXED ASSET INVENTORY, BY SEALED BID, AUCTION OR OTHER METHODS AUTHORIZED UNDER THE LAW, AND FOR OTHER PURPOSES.

WHEREAS, the City of Van Buren has certain fixed assets on its Fixed Asset Inventory List which are obsolete, and/or beyond repair, and are no longer cost effective, so as to no longer be needed by the City; and

WHEREAS, after an inventory of fixed assets, it is therefore recommended by our State Auditor that said items or item be removed from the City's Fixed Asset Inventory and disposed of by sealed bid, auction or as otherwise authorized under A.C.A § 14-54-302.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The Mayor and City Clerk are hereby authorized to remove the following asset or assets from the Fixed Asset Inventory and to dispose of same by sealed bid, auction or other such methods authorized under the law:

Department	Amount	Description	Control #
Police	\$31,863.00	2018 Chevrolet Tahoe VIN: 1GNLCDEC8JR323778	PD – 785

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ___ for and ___ against the foregoing Resolution at its regular meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ___ - ___ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, A RESOLUTION TO BE ENTITLED:

**A RESOLUTION ACCEPTING BIDS FOR PROPERTY
SOLD BY SEALED BID.**

WHEREAS, the Council previously approved certain property to be removed from fixed assets and to be sold by sealed bid; and

WHEREAS, bids have been received and opened in accordance with Arkansas law and Mr. James Young, a city employee, was the highest bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The City of Van Buren, Arkansas accepts the bid from James Young, a city employee, and approves conducting business with a city employee, regarding the following property:

Department	Bid Amount	Description	Bidder
Street	\$200.00	Tapco Graphtec Pro Commercial Quality Vinyl Cutting Machine – Model # FC5100-75 – S# 3102092	Mr. James Young

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ___ for and ___ against, the foregoing Resolution at its regular meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ___ - ___ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION ADOPTING THE REVISED POLICY MANUAL GOVERNING CITY EMPLOYEES FOR THE CITY OF VAN BUREN, ARKANSAS, AND REPEALING THE EXISTING POLICY MANUAL; AND FOR OTHER PURPOSES.

WHEREAS, it is necessary to update and revise the existing Employee Policy Manual for the City of Van Buren to conform to changes in law and policy; and

WHEREAS, a copy of the revised Employee Policy Manual is attached hereto and all employees shall receive a copy of the revised policy manual.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The revised Employee Policy Manual for the City of Van Buren, Arkansas, attached hereto is hereby adopted and the existing Policy Manual dated July 2, 2001 is hereby repealed. All current employees shall receive a copy of the new policy manual.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ___ for and ___ against, the foregoing Resolution at its regular meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ____ - ____ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE MAYOR TO RENEW THE ANNUAL SOFTWARE SUBSCRIPTION AND SUPPORT FOR THE POLICE DEPARTMENT.

WHEREAS, the Police Department has been using Omnigo (formerly Information Technologies, LLC.) records management software to draft and store police reports since 1998; and

WHEREAS, in 2007 the Van Buren City Council approved upgrading the software from the Standard Edition to the Enterprise Edition; and

WHEREAS, the software subscription and software support payment is due for the annual renewal.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The Mayor is authorized to renew the software subscription and software support for the Enterprise Edition of Records Management at a price of \$33,885.37.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ____ for and ____ against, the foregoing Resolution at its meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ___ - ___ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION ACCEPTING THE BID OF GOODWIN AND GOODWIN, INC. FOR ASPHALT MILLING WORK AS PART OF THE 2020 IN-HOUSE STREET OVERLAY PROJECT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Van Buren has advertised for bids for asphalt milling work as part of the 2020 In-House Overlay Project; and

WHEREAS, bids have been received and opened in accordance with Arkansas law and Goodwin and Goodwin, Inc. was the lowest bidder meeting the bid specifications; and

WHEREAS, the City of Van Buren has determined that the bid of Goodwin and Goodwin, Inc. is the best bid.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The City of Van Buren, Arkansas accepts the bid \$6.00 per square yard for asphalt milling as submitted by Goodwin and Goodwin, Inc., as set forth in "Exhibit A" attached hereto.

SECTION 2: The Mayor and City Clerk are hereby authorized by the City Council for the City of Van Buren to pay all expenses relating to the project from Capital Improvement funds and to execute all documents necessary to effectuate the agreement.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ___ for and ___ against, the foregoing Resolution at its regular meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ___-___-2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE VAN BUREN BOYS AND GIRLS CLUB IN THE CITY OF VAN BUREN, ARKANSAS.

WHEREAS, the Van Buren Boys and Girls Club (VBBGC) has been serving area children since 1958; and

WHEREAS, the VBBGC's mission is to enable all young people, especially those with the greatest needs, to reach their full potential as productive, caring, responsible citizens; and

WHEREAS, the proposed agreement will continue the successful partnership between the City and the VBBGC that has benefitted the social and recreational interests of city residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The Mayor is hereby authorized to enter into an agreement (Exhibit "A") with the Van Buren Boys and Girls Club to benefit the social and recreational interests of city residents, and has budgeted a total of \$20,000.00 to be paid in two increments: \$10,000.00 by July 31, 2020, and \$10,000.00 by December 31, 2020.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ___ for and ___ against, the foregoing Resolution at its regular meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ____ - ____ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION APPROVING AN AGREEMENT WITH THE CENTER FOR ARTS AND EDUCATION AND FOR OTHER PURPOSES.

- WHEREAS, The Center for Arts and Education is renovating buildings adjacent to the King Opera House that the Center owns in the four-hundred block of Main Street for the purpose of establishing a new art center facility;
- WHEREAS, The Center for Arts and Education and the City of Van Buren wish to create a passage-way between the Center and the King Opera House to promote cross-utilization of the facilities and to promote tourism; and
- WHEREAS, The Center and the City also wish to construct a paved parking lot on a vacant lot owned by the City directly behind the King Opera House to allow for additional parking and access to the downtown area generally and to the Center and King Opera House specifically; and
- WHEREAS, The Center has agreed to pay for the cost of the improvements, including professional design and construction, as set forth in the attached agreement; and
- WHEREAS, The improvements will greatly benefit the City of Van Buren and its citizens by promoting tourism and utilization of City facilities, and allowing for additional parking for easier access to Main Street for the public, and it is the desire of the City of Van Buren, Arkansas to enter into such an agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The City of Van Buren, Arkansas approves the attached agreement with the Center for Arts and Education, and the Mayor is authorized to execute same, along with any documents necessary to allow for the temporary use and access to the vacant lot behind the King Opera House or to execute any other documents necessary to effectuate this purpose.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ____ for and ____ against, the foregoing Resolution at its regular meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. ___ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE TO ABANDON A PUBLIC ALLEYWAY IN THE VISTA PLACE ADDITION, INSIDE THE CITY OF VAN BUREN, CRAWFORD COUNTY, ARKANSAS.

WHEREAS, a petition has been filed with the City Council of Van Buren, Arkansas, by Mac Werthmuller, represented by Satterfield Surveying, to vacate and abandon the public alleyway lying between lots 17 through 19 and lots 20 through 22 in Block 14 Vista Place Addition to the City of Van Buren, Arkansas; and

WHEREAS, after due notice as required by law, the Council has heard all persons desiring to be heard on the question of abandoning the alleyway in the hereinabove subdivision, and has ascertained that the public alleyway hereinabove designated has therefore been dedicated to the public use as a public alleyway and that the same has not been used for a period of more than five (5) years preceding this date; and that the owners of the property abutting the public alleyway to be abandoned have filed with the City Council or have expressed their consent to such abandonment and the public interest and welfare are not adversely affected by abandonment of said public alleyway; and

WHEREAS, the City Council of Van Buren, acting under the authority of A.C.A. § 14-199-103 and A.C.A. § 14-301-302, has the authority to abandon public alleyways or segments thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The City of Van Buren, Arkansas, hereby releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the public alleyway specifically described as follows:

Part of a platted alley in Block 14, Vista Place Addition to the City of Van Buren, Crawford County, Arkansas, being more particularly described as follows:

Beginning at a set rebar with cap marking the Northeast Corner of Lot 22, Block 14. Thence along the North line of Lots 22 thru 20, North 84 degrees 37 minutes 36 seconds West, 88.27 feet to a set rebar with cap. Thence North 03 degrees 15 minutes 13 seconds East, 20.01 feet to a set rebar with cap. Thence along the South line Lots 19 thru 17, South 84 degrees 37 minutes 36 seconds East, 88.53 feet to the Southeast Corner of Lot 17 Block 14. Thence South 03 degrees 58 minutes 07 seconds West, 20.01 feet to the Point of Beginning, containing 0.04 of an acre and subject to any Easements of Record.

SECTION 2: A copy of this Ordinance bearing original signatures and duly certified by the City Clerk shall be filed in the Miscellaneous Records of the Circuit Clerk of Crawford County, Arkansas.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ___ for and ___ against the foregoing Ordinance at its regular meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. ___ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE SETTING FORTH A PROCEDURE FOR THE SUBMISSION AND CONSIDERATION OF TEMPORARY REVOCABLE LICENSES; SETTING FORTH AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, there is a need for the implementation of a procedure for the approval and/or denial of Temporary Revocable Licenses for development and improvements to public rights-of-way within the City of Van Buren; and

WHEREAS, the City Council desires to set forth that procedure as set out below; and

WHEREAS, in order to prevent the loss of revenue and benefits to the City and its citizens, a state of emergency exists and the fees are needed to be made effective immediately for the health, safety and welfare of the citizens of the City of Van Buren.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The following procedure will be followed with respect to the consideration and application for a Temporary Revocable License within the City of Van Buren:

Temporary revocable licenses within public easements and rights-of-way.

- (a) The Planning Department will accept written applications for temporary revocable licenses within the City for the purpose of allowing limited development and improvements of real property, including, without limitation, items such as temporary or portable buildings, flagpoles, light poles, fencing, signs and landscaping, temporarily utilizing identified, limited portions of public rights-of-way and public easements. The Mayor shall determine whether said request warrants review by the City Council or should be denied pursuant to the criteria and conditions set out herein. When referencing "Mayor" in this Ordinance, "Mayor" includes his/her designated representative. Upon a determination by the Mayor that the request warrants review by the City Council, the request will first be reviewed by the Planning Commission. The Planning Commission shall make a recommendation to the City Council and the request will be placed on the City Council Agenda for the consideration of the request by the Council.
- (b) With reference to any application for temporary revocable license, the Planning Department shall provide a written notice of the application and shall allow the submission of information by all franchised utility companies and City departments

in advance of the administrative decision regarding submitting the application to the City Council for review.

- (c) The application shall include information that adequately describes the encroachment of the public rights-of-way or public easements. Minimum information required include the following items:
 - i. The applicant's name, address and contact information
 - ii. A written description of the encroachment and the reason for the request including an explanation why the right-of-way or easement is needed.
 - iii. A metes and bounds legal description of the area for which the Temporary Revocable License is requested.
 - iv. A hard copy and an electronic copy of the property survey depicting the perimeter property lines and area for which the Temporary Revocable License is requested with dimensions shown of the proposed encroachment.
 - v. A dimensioned drawing showing elevations of any structure to be located in the area for which the Temporary Revocable is requested.
 - vi. A non-refundable application fee of \$250.00.
- (d) In deciding whether to deny a temporary revocable license request or submit the request to the City Council, the Mayor shall consider the following: the impact on pedestrian and vehicular traffic; the impact on the City's ability to access and maintain public utility easements and public rights-of-way; the size and dimension of the structure or improvement; all federal, state and local disability accessibility laws and regulations; the approval by all franchised utility companies, the health, safety and welfare of the public, and all relevant construction and fire codes. If the Mayor is satisfied after consideration of the evaluation criteria and factors listed herein that the grant of a temporary revocable license will further the public interest, the Mayor shall submit the request to the City Council. Otherwise, the Mayor shall deny the application.
- (e) With reference to any issued temporary revocable license, the following conditions shall apply. The City shall have no responsibility for the maintenance of the licensed structure or improvements. If the structure or improvements are damaged in any manner, same shall be removed by the licensee at the licensee's sole cost and expense in a manner meeting the approval of the Mayor. Upon 30 days notice from the Mayor, for any reason determined by the Mayor, the licensee shall remove the structure or improvements from the right-of-way or public easement at the licensee's sole cost and expense and in a manner meeting the approval of the Mayor. The licensee shall hold the City and franchised utility companies harmless from and indemnify the City and franchise utility companies from all expenses, losses, costs, causes of action and judgments, including legal expenses, arising from the placement and maintenance of said improvements. Should any City department or any franchised utility company require access to any existing right-of-way or public easement for any purpose, said department or utility company shall have no duty to give prior notice to the licensee and shall have no responsibility to protect or replace any structure or improvements of the licensee that are within the right-of-way or public easement.
- (f) The Mayor may deny or submit the request for temporary revocable license to the Planning Commission for a recommendation and to the City Council for review after consideration of the above factors. The Mayor shall give written notice of the decision to the applicant and to any interested person who has made a written request for a notice of decision on a specific application.

- (g) Any approval by the City Council shall be designated as a temporary revocable license which shall specify the address and general location of the improvement, a description of the improvement, and shall include the conditions listed in subsection (d) of this section.
- (h) The applicant may appeal the denial of the request to the City Council by written request to the City Council made within thirty (30) days of the issuance of the denial.
- (i) The terms of the temporary revocable license shall be deemed accepted by the licensee's initial or continued placement or maintenance of the improvement at the licensed location.
- (j) The City Clerk shall file a copy of the Temporary Revocable License bearing original signatures with the Circuit Clerk of Crawford County, Arkansas.
- (k) It shall be unlawful for any person to begin the construction or to cause the beginning of construction of any improvement within a public right-of-way or public easement without first obtaining a temporary revocable license from the City. Any person determined to be guilty of violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided by Section 1.32.01 of the Municipal Code of the City of Van Buren.

SECTION 2: The various provisions and parts of this Ordinance are hereby declared to be severable, and, if any section or part of a section, or any provision or part of a provision herein, is declared to be unconstitutional, inappropriate, or invalid by any court of competent jurisdiction, such holding shall not invalidate or affect the remainder of this Ordinance and to that extent the provisions hereto are declared to be severable.

SECTION 3: As there are not currently any procedures in place for the provision of a temporary revocable license and since the failure to have a procedure in place that allows for the use of City right-of-way or public easement for such purposes can result in a loss of revenue and benefits to the City and its citizens, an emergency is declared and this Ordinance being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage, approval and publication.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ___ for and ___ against, the foregoing Ordinance at its regular meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. ___ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE TO AMEND VAN BUREN'S MASTER STREET PLAN; AND FOR OTHER PURPOSES.

WHEREAS, the City of Van Buren adopted Ordinance No. 31-2009 for the purpose of adopting a Master Street Plan to provide for the orderly growth and development of the City through the development of a roadway system that provides internal circulation within the City while connecting to other population centers in the River Valley, which constitutes the official policy of the City with regard to the future location and function of all roadway systems; and

WHEREAS, the proposed amendment to the Master Street Plan was reviewed by the Van Buren Planning Commission, and upon notice of a Public Hearing and publication, was set for a Public hearing, conducted by the Planning Commission, in accordance with A.C.A. § 14-56-422(1); and

WHEREAS, the proposed amendments to the Van Buren Municipal Code herein were recommended by a majority vote of the entire Planning Commission in accordance with A.C.A. § 14-56-422 (3).

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The 2009 Master Street Plan is hereby amended to add the Legacy Boulevard extension to Northridge Drive East as shown on Exhibit A. The street shall be shown as a Collector Street Class II, Proposed.

SECTION 2: The passage, approval, and adoption of the amended Master Street Plan made in accordance with A.C.A. § 14-56-422 (5), and shall be filed in the office of the City Clerk, who shall also file, with the County Recorder for Crawford County, a copy hereof.

SECTION 3: The various provisions and parts of this Ordinance are hereby declared to be severable, and, if any section or part of a section, or any provision or part of a provision herein, is declared to be unconstitutional, inappropriate, or invalid by any court of competent jurisdiction, such holding shall not invalidate or affect the remainder of this Ordinance and to that extent the provisions hereto are declared to be severable.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas by its City Council, did pass, approve and adopt, by a vote of _____ for and _____ against, the foregoing Ordinance at its Meeting held on the 22rd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. ___ - 2020

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE TO AMEND ORDINANCE NO. 7-1963 VAN BUREN MUNICIPAL CODE NO.14.04.01 FOR THE PURPOSE OF REZONING CERTAIN PROPERTY IN THE CITY OF VAN BUREN, ARKANSAS, AMENDING THE ZONING MAP OF THE CITY OF VAN BUREN, ARKANSAS, AND FOR OTHER PURPOSES.

- WHEREAS, the City of Van Buren, Arkansas, is duly incorporated under the law of the State of Arkansas, with all powers, authority and duties of a city of the first class; and
- WHEREAS, the City of Van Buren has adopted the Zoning Ordinance for the City of Van Buren (Ordinance No. 7-1963); and
- WHEREAS, a request has been made by Chad Cox to rezone certain property within the city limits of the City of Van Buren; and
- WHEREAS, notice of a Public Hearing was duly published in the Press Argus Courier on April 15, 2020, and a public hearing was conducted as required by law (A.C.A § 14-56-422) on May 5, 2020; and
- WHEREAS, as a result of this hearing, the Planning Commission did not recommend that certain property within the city limits of the City of Van Buren be rezoned from its previous classification to the following:

Property Zoned

New Zoning

R-2 (Two-Family Residential District)

R-3 (Multi-Family Residential District)

Legal Description:

Commencing at an existing railroad spike marking the Southwest Corner of the Northwest Quarter of the Southeast Quarter. Thence along the West line of said Forty, North 02 degrees 44 minutes 56 seconds East, 190.97 feet to a set p/k nail and the Point of Beginning. Thence continuing along said West line, 02 degrees 44 minutes 56 seconds East, 85.00 feet. Thence leaving said West line, South 87 degrees 52 minutes 14 seconds East, 281.50 feet to an existing iron pin. Thence South 85 degrees 53 minutes 45 seconds East, 35.30 feet to a tree occupying the corner. Thence South 02 degrees 44 minutes 56 seconds West, 85.00 feet to a set rebar with cap. Thence North 87 degrees 39 minutes 04 seconds West, 316.78 feet to the Point of Beginning, containing 0.62 of an acre and subject to Road Rights of Way and any Easements of Record.

Layman's Description

420 North 20th Street, Van Buren, Arkansas

WHEREAS, the proposed rezoning herein was not recommended by a majority vote of the entire Planning Commission, in accordance with A.C.A. § 14-56-422.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The above-described property is hereby rezoned from R-2 to R-3 and the Van Buren Zoning Map is amended to reflect this rezoning.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of ___ for and ___ against, the foregoing Ordinance at its regular meeting held on the 22nd day of June 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney