

CITY OF VAN BUREN, ARKANSAS

REGULAR CITY COUNCIL MEETING

MONDAY, JULY 27, 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 June 22, 2020 Regular City Council Meeting.
 - Resolution – Fixed Asset Disposal.
 - Financial Statements.
 - Department Reports: Police – Fire – Building Department – Public Works/Planning – Ambulance.
4. Ordinance – Consider Vehicle Purchase for the Police Department.
5. Ordinance – Consider a Rezone of Certain Real Property at 420 North 20th Street.
6. Ordinance - Consider Doing Business Relative of a City Official
7. Miscellaneous and General Discussion.
8. 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 City Council authorized the removal of the following fixed asset (Resolution No. 04-01-2020) however, paying 20% of auction proceeds to the State Crime Lab as noted was incorrect. All proceeds will be paid to the State Forfeiture Fund. After review, a corrected resolution is needed to satisfy record keeping for State Auditors.

<u>Department</u>	<u>Amount</u>	<u>Description of Inventory</u>	<u>Control #</u>
City Inspector	\$17,260.00	2001 Ford F150 Pickup Truck VIN# FTRX17W41CA47917	CI-76

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 27th day of July 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 WAIVE COMPETITIVE BIDDING AND AUTHORIZE A CONTRACT FOR, AND PURCHASE OF POLICE VEHICLES FROM SUPERIOR CHEVROLET; FOR THE APPROPRIATION OF FUNDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Van Buren is in need of certain police vehicles for the safety of life and protection of property by the City of Van Buren Police Department; and

WHEREAS, after extensive research and inquiry, the City of Van Buren Police Chief has determined that the purchase of the vehicles from Superior Chevrolet of Siloam Springs at the 2020 state purchase price would be the most practical, feasible, and cost effective method for the department; and

WHEREAS, the City Council has determined, pursuant to A.C.A. § 14-58-303(b)(2)(B), that exceptional circumstances exist which render the competitive bidding process to not be practical or feasible; and

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

SECTION 1: The Police Department of the City of Van Buren, Arkansas has an immediate need to purchase two 2020 Chevrolet Tahoes. One for the total sum of \$ 34,277.00, and a second for the total sum of \$ 42,807.11.

SECTION 2: The purchase of said vehicles from Superior Chevrolet, located in Siloam Springs, Arkansas, for the total sum of \$ 77,084.11 as detailed in the attached quotes, are necessary to protect the life and safety of Van Buren citizens.

SECTION 3: The City Council in accordance with the terms of A.C.A. § 14-58-303(b)(2)(B) hereby waives the requirement of competitive bidding and directs the Mayor to purchase the above described vehicles for the price set forth in Section 2 above.

SECTION 4: It is further found that due to the immediate need to acquire these vehicles before the quotes expire an emergency is declared to exist and this ordinance being necessary for the preservation of the public health, safety, and welfare, it shall take effect from and after its passage and approval.

SECTION 5: The Mayor and City Clerk are hereby authorized by the City Council for the City of Van Buren to execute all documents, contracts, and agreements necessary to effectuate this Ordinance.

SECTION 6: 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 regular meeting held on the 27th day of July 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 June 20, 2020, and a public hearing was conducted as required by law (A.C.A & 14-56-422) on July 7, 2020; and

WHEREAS, as a result of this hearing, the Planning Commission recommends 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, North 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 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 27th day of July 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 FOR COMPLIANCE WITH ARK. CODE ANN. § 14-42-107,
AUTHORIZING THE CITY TO CONDUCT BUSINESS WITH AN OFFICIAL OR
EMPLOYEE OF THE CITY OF VAN BUREN, ARKANSAS.**

WHEREAS, A.C.A § 14-42-107 requires an ordinance be enacted specifically permitting the
conducting of any business between an official or employee of the city and the City of
Van Buren; and

WHEREAS, the City of Van Buren wishes to conduct business on an ongoing basis with The Forging
Place, co-owned by the Clinical Director, Haley Bryant, sister of Van Buren City Council
Member Tyler Wood; and

WHEREAS, it is the desire of the city administration and the Van Buren City Council to comply with
A.C.A. § 14-42-107 for the conducting of all city business.

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

SECTION 1: The Forging Place, co-owned by the Clinical Director, Haley Bryant, sister of City
Council Member Tyler Wood, is hereby authorized to conduct business with the City of
Van Buren.

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 27th day of July 2020.

Joseph P. Hurst
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney