

CITY OF VAN BUREN, ARKANSAS
REGULAR CITY COUNCIL MEETING
MONDAY, AUGUST 27, 2018
MUNICIPAL COMPLEX – 5:30 PM

AGENDA

1. Invocation and Pledge of Allegiance – Mr. Mike Kneeland, VBSD Educator.
2. Recognize Mr. Dillon Marr for his recent heroic efforts.
3. Minutes from the July 23, 2018 Regular City Council Meeting.
4. Resolution – A Cooperative Agreement with the Van Buren School District.
 - 4a. Swearing in of the new police officers.
5. Resolution – Fixed Asset Disposal.
6. Resolution – Setting a Public Hearing Date to Abandon Certain Real Property in the Bouren Addition.
7. Resolution – Adopting a Revised Incentive Pay Plan.
8. Resolution - Final Payment for Veterans Memorial Plaza.
9. Ordinance – Rezone Certain Real Property on Baldrige Lane.
10. Ordinance – Rezone Certain Real Property on Fayetteville Road.
11. Financial Statements.
12. Boards and Commissions:
 - Municipal Auditorium Commission – Reappoint Mrs. Carole Williamson.
13. Reports:
 - Police – Fire – Building Department – Public Works/Planning – Ambulance.
14. Miscellaneous and General Discussion.
 - Legislative Audit Discussion.
15. Adjournment.

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ____ - ____ - 2018

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

A RESOLUTION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE VAN BUREN PUBLIC SCHOOL DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, it is the intention of the Van Buren Police Department and the Van Buren School District to maintain collaborative efforts to provide a safe and healthy school environment for the students, staff, faculty, and visitors.

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

SECTION 1: The City Council hereby authorizes the Van Buren Police Department, through its Chief of Police, to enter into the attached Cooperative Agreement with the Van Buren Public School District for the providing and funding of School Resource Officers within the Van Buren Public Schools.

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 August 2018.

Robert D. Freeman
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ___ - ___ - 2018

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 Arkansas law.

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:

<u>Department</u>	<u>Amount</u>	<u>Description of Inventory</u>	<u>Control #</u>
Police Department	\$24,062.00	2010 Ford Crown Victoria Sedan VIN# 2FABP7BV5AX102912	PD-687
Police Department	\$ 1,500.00	MPH Python Radar Unit S# PYT380000484	PD-355
Police Department	\$ 5,421.60	Watchguard Video System S# DV10-133727	PD-694
Police Department	\$22,711.00	2009 Ford Crown Victoria VIN# 2FAHP71V5X111083	PD-659
Police Department	\$ 5,265.00	Watchguard Mobile Video System S# DV10-124324	PD-655
Police Department	\$ 1,663.08	MPH Python Radar Unit S# PYT546006472	PD-654

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 August 2018.

Robert D. Freeman
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ____ - ____ - 2018

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

A RESOLUTION SETTING A PUBLIC HEARING DATE FOR ABANDONING A PUBLIC ALLEYWAY IN THE BOUREN ADDITION INSIDE THE CITY OF VAN BUREN, CRAWFORD COUNTY, ARKANSAS.

WHEREAS, David Benham, represented by Satterfield Surveying, has petitioned the City Council of Van Buren, Arkansas, to vacate and abandon the public Alleyway along certain lots inside the Bouren Addition more particularly described as follows:

Description of Existing 20.00 Foot Alleyway

Part of an alley between Lots 1 and 2 and the North 40.00 feet of Lot 3, and Lot 20, Block 17, Amended Plat of the Bouren Addition to the City of Van Buren, Crawford County, Arkansas, being more particularly described as follows:

Beginning at an existing rebar marking the Northeast Corner of Lot 20, said point being on the South Right-of-Way line of Harrison Street. Thence along the North Line of Block 17 and the South Right-of-Way line of Harrison Street, South 86 degrees 59 minutes 52 seconds, East, 20.00 feet. Thence leaving the North line of said Block 17 and the South Right-of-Way line of Harrison Street, along the West lines of Lots 1 through 3, South 02 degrees 20 minutes 05 seconds West, 140.00 feet to a set rebar with cap. Thence leaving the West line of Lot 3, North 86 degrees 59 minutes 52 seconds West, 20.00 feet to an existing rebar, said point being the Southeast Corner of Lot 20. Thence along the East line of said Lot 20, North 02 degrees 20 minutes 05 seconds East, 140.00 feet to the Point of Beginning containing 2,800.00 square feet and subject to any Easements of Record

; and

WHEREAS, all of the property owners and adjacent property owners being affected by this Alleyway abandonment have consented by signed petition; 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 vacate public alleyways or segments thereof.

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

SECTION 1: A Public Hearing is set for September 24, 2018, at 5:30 P.M. in the Van Buren City Council Room, at which time said Petition shall be presented to the City Council and the City Council will determine at that time if such portion of said public alleyway should be vacated and that all affected property owners and other persons directly interested have consented to such vacating.

SECTION 2: The City Clerk of Van Buren, Arkansas, is hereby directed to give notice by publication once a week for two consecutive weeks in some newspaper, published in Crawford County, advising the property owners and others affected, of said date and time the Council will hear said Petition.

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 August 2018.

Robert D. Freeman
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ___ - ___ - 2018

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

A RESOLUTION ADOPTING A REVISED INCENTIVE PAY PLAN FOR THE EMPLOYEES OF THE CITY OF VAN BUREN, ARKANSAS, AND FOR OTHER PURPOSES.

WHEREAS, the City Council approved incentive and longevity pay plans for employees by passage of Resolution No. 3-06-1985, Resolution No. 12-04-2003 and Resolution No. 12-01-2006; and

WHEREAS, it is the desire to of the City Council to revise the incentive and longevity pay plans with the belief that the revision will benefit both the employees and citizens of the City of Van Buren, Arkansas.

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

SECTION 1: The incentive and longevity pay plans for employees of the City of Van Buren, Arkansas adopted pursuant to Resolution No. 3-06-1985, Resolution No. 12-04-2003 and Resolution No. 12-01-2006 is hereby abolished and replaced by the Comprehensive Pay Incentive Program attached hereto.

SECTION 2: All current employees shall receive a copy of the revised policy.

SECTION 3: The new program shall go into effect immediately upon passage of this Resolution.

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 August 2018.

Robert D. Freeman
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

RESOLUTION NO. ___ - ___ - 2018

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

A RESOLUTION APPROVING THE FINAL PAYMENT FOR VETERANS MEMORIAL PLAZA, AND FOR OTHER PURPOSES.

WHEREAS, Crawford Construction Company acting as the Construction Manager for the City of Van Buren, Arkansas advertised for bids for construction of a new park within the City; and

WHEREAS, the City Council approved the Mayor entering into a construction contract with Crawford Construction Company and other contractors in the amount not to exceed \$683,640.00 by Resolution #10-01-2017; and

WHEREAS, the City's final payment schedule increased the total amount of the contracts by \$32,752.84.

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

SECTION 1: The City of Van Buren, Arkansas accepts and approves the total payments of \$716,392.84 to Crawford Construction Company and various contractors as attached.

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 new Veterans Memorial Plaza and to execute all documents necessary to effectuate said changes.

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 August 2018.

Robert D. Freeman
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. ___ - 2018

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 Tim and Cathy Organ, 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 Southwest Times on August 8, 2018, and a public hearing was conducted as required by law (A.C.A & 14-56-422) on August 23, 2018; and

WHEREAS, as a result of this hearing, the Planning Commission has recommended 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

C-2(Thoroughfare Commercial District)

R-3(Multi-family Residential District)

Legal Description:

PTE/2N/2NW/4SE/4 Section 12, Township 9 North, Range 32 West, Van Buren, Crawford County, Arkansas, being more particularly described as follows:

Layman's Description

610 Baldrige Lane, Van Buren, Arkansas

; and

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 C-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 August 2018.

Robert D. Freeman
Mayor

ATTESTED:

APPROVED AS TO FORM:

Phyllis Thomas
City Clerk/Treasurer

Candice A. Settle
City Attorney

CITY OF VAN BUREN, ARKANSAS

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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 Hawkins Weir Engineers 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 July 18, 2018, and a public hearing was conducted as required by law (A.C.A & 14-56-422) on August 23, 2018; and

WHEREAS, as a result of this hearing, the Planning Commission has recommended 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

C-2(Thoroughfare Commercial District)

R-3(Multi-family Residential District)

Legal Description:

Part of the Northwest quarter (NW ¼) of the Northwest quarter (NW ¼) of the Southeast quarter (SE ¼) Section 12, Township 9 North, Range 32 West, Van Buren, Crawford County, Arkansas, being more particularly described as follows:

Beginning at the Northwest Corner of the East half of the NW ¼ of the NW ¼ of the SE ¼ ; Thence S89degree30feet East, along the north line of said East ½,177.0 feet; thence S02 degree 46 feet East, a distance of 222.3 feet; thence South 89 degree 29 feet East a distance of 148.9 feet; thence South 01 degree 28 feet East a distance of 437.7 feet; thence North 89 degree 30 feet West a distance

of 311.0 feet; thence North 01 degree 28 feet West a distance of 250.5 feet; thence South 88 degree 32 feet West a distance of 134.94 feet; thence North 01 degree 28 feet West a distance of 250.0 feet; thence North 88 degree 32 feet East a distance 47.0 feet; thence North 01 degree 28 feet West a distance of 160.0 feet to the north line of the West half of the Northwest ¼ of the Northwest ¼ of the Southeast ¼ of said section; thence along said north line North 88 degree 32 feet East a distance of 68.0 feet to the point of beginning, containing 219,104 square feet or 5.03 acres more or less, subject to existing right of ways.

Layman's Description

2320 Fayetteville Road, 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 C-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 August 2018.

Robert D. Freeman
Mayor

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Phyllis Thomas
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