

CITY OF VAN BUREN, ARKANSAS  
REGULAR CITY COUNCIL MEETING  
MONDAY, MARCH 25, 2019  
MUNICIPAL COMPLEX – 5:30 PM

**AGENDA**

1. Invocation and Pledge of Allegiance – Pastor Chris Johnson, First Baptist Church.
2. Roll Call.
3. Minutes from the February 25, 2019 Regular City Council Meeting.
4. Resolution – Fixed Asset Disposal.
5. Resolution – Authorizing the Purchase of Certain Real Property for Van Buren Municipal Utilities.
6. Resolution – Entering Into a Contract with Hawkins-Weir Engineers, Inc. for Various Projects.
7. Resolution – Award the Construction Bid for the Pointer Trail Sidewalk Improvement Project.
8. Ordinance – Approve Purchase of Vehicles for the Police Department.
9. Financial Statements.
10. Boards and Commissions:
  - Civil Service Commission – Reappoint Ms. Karen Pharis.
11. Reports:
  - Police – Fire – Building Department – Public Works/Planning – Ambulance – Annual Library Report.
12. Miscellaneous and General Discussion.
13. Adjournment.

**CITY OF VAN BUREN, ARKANSAS**

**RESOLUTION NO. \_\_\_ - \_\_\_ - 2019**

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:

<u>Department</u>	<u>Amount</u>	<u>Description of Inventory</u>	<u>Control #</u>
Police Department	\$ 5,421.60	Watchguard DV1 Mobile Video Sys. SN DV10-133785	PD – 695
Street Department	\$13,523.00	Tapco Sign Machine Graphtec Pro Model #FC5100-75 SN 3102092	SD – 217

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 25<sup>th</sup> day of February 2019.

\_\_\_\_\_  
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. \_\_\_ - \_\_\_ - 2019**

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

**A RESOLUTION APPROVING THE PURCHASE OF CERTAIN REAL PROPERTY; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Van Buren, Arkansas, owns a water works system and a wastewater collection and treatment system, both being operated, maintained and administered by the City of Van Buren Municipal Utilities Commission (Commission) pursuant to Ordinance 9-1965; and

WHEREAS, the Commission has determined that additional real property is needed for the purpose of land application of biosolids generated by the City's three (3) Wastewater Treatment Plants; and

WHEREAS, after negotiating with the seller of the certain real property, as described in the attached Resolution dated March 19, 2019, the Commission wishes to offer in good faith to purchase said property for the amount of \$387,000.00; and

WHEREAS, the Commission has expressed its desire to purchase said real property as described in the attached Commission Resolution, subject to the approval of the Van Buren City Council.

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

**SECTION 1:** The Van Buren City Council hereby authorizes the Van Buren Municipal Utilities Commission to purchase certain real property for the total sum of \$387,000.00 utilizing City of Van Buren Municipal Utilities Capital Improvement Funds.

**SECTION 2:** The Mayor is authorized and directed to execute such documents and instruments as may be necessary to proceed with and finalize the purchase of said property, and the City Clerk is hereby authorized and directed to attest same.

**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 25<sup>th</sup> of March 2019.

\_\_\_\_\_  
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. \_\_\_ - \_\_\_ - 2019**

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 A CONTRACT FOR ENGINEERING SERVICES FOR THE CITY OF VAN BUREN, ARKANSAS, AND FOR OTHER PURPOSES.**

WHEREAS, the City of Van Buren, Arkansas desires to make various improvements within the City to include streets, drainage, bridges and sidewalks; and

WHEREAS, in order to commence the projects and to seek grant funding, the City is in need of professional engineering services for the development of plans and designs, cost estimates, and supervision for said projects.

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

SECTION 1: The Mayor is authorized to enter into a contract (Exhibit "A") with Hawkins-Weir Engineers, Inc. to provide engineering services for the development of preliminary engineering and designs, and cost estimates for the above listed projects. Payment for such engineering services shall not exceed \$25,000.00 including reimbursable expenses.

**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 25<sup>th</sup> day of March 2019.

\_\_\_\_\_  
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. \_\_\_ - \_\_\_ - 2019**

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 HARRIS UNITED, LLC FOR THE POINTER TRAIL SIDEWALK IMPROVEMENT PROJECT, AND FOR OTHER PURPOSES.**

WHEREAS, the City of Van Buren has advertised for bids for the Pointer Trail Sidewalk Improvement Project; and

WHEREAS, bids have been received and opened in accordance with Arkansas law and Harris United, LLC was the lowest bidder meeting the bid specifications; and

WHEREAS, the City of Van Buren has determined that the bid of Harris United, LLC 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 of \$286,694.00 as submitted by Harris United, LLC as set forth in "Exhibit A" attached hereto, contingent on receiving concurrence from Arkansas Department of Transportation.

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 Pointer Trail Sidewalk Improvement Project 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 25<sup>th</sup> day of March 2019.

\_\_\_\_\_  
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. \_\_\_ - 2019**

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 NEW VEHICLES FOR THE POLICE DEPARTMENT; 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 Breeden Truck Center of Van Buren, Arkansas and Superior Fleet and Commercial Sales of Siloam Springs, Arkansas at the 2019 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

WHEREAS, a state of emergency exists because the vehicle will provide improved life safety and protection of property and because the units are currently available.

**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 is in immediate need to purchase two (2) 2019 Chevrolet Tahoe's and one (1) 2019 Ram 1500 Classic vehicles.

SECTION 2: The said two (2) Chevrolet Tahoe vehicles are authorized to be purchased from Superior Fleet and Commercial Sales, located in Siloam Springs, Arkansas, for the total sum of \$63,796.00 as detailed in the attached quote.

SECTION 3: The said one (1) Ram 1500 Classic vehicle is authorized to be purchased from Breeden Truck Center, located in Van Buren, Arkansas, for the total sum of \$18,453.00 as detailed in the attached quote.

SECTION 4: 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 for the price set forth in Section 2 and 3 above from Capital Improvement Funds.

**SECTION 5:** It is further found that due to the immediate need to acquire this vehicle before the quote expires, 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 6:** 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 7:** 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 25<sup>th</sup> day of March 2019.

\_\_\_\_\_  
Joseph P. Hurst  
Mayor

**ATTESTED:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Phyllis Thomas  
City Clerk/Treasurer

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Candice A. Settle  
City Attorney