



**A G E N D A**  
**SILOAM SPRINGS BOARD OF DIRECTORS**  
**MARCH 15, 2016**

**WORKSHOP: OVERVIEW OF PROPOSED RENOVATIONS FOR ONE-STOP PERMIT SHOP 6:00 PM**  
**BOARD MEETING - 6:30 PM ADMINISTRATION BUILDING, 400 N. BROADWAY**

**Workshop: Overview of Proposed Renovations for One-Stop Permit Shop – 6:00 pm**

**Regular Board of Directors Meeting:**

**Opening of Regularly Scheduled Meeting**

Call to Order

Roll Call

Prayer

Pledge of Allegiance

**Approval of Minutes**

Regular Meeting of March 1, 2016

**I. Public Input**

Items from the Public not on the Agenda (public may address any City business not listed on the agenda)

**II. Presentations**

**A.** Workforce Development and Tourism Development Awards / Crews & Associates

**III. Public Hearing**

**B.** AEDC Economic Development Grant / Gates Corporation / Grant Closeout Report

**IV. Regularly Scheduled Items**

**Contracts and Approvals**

**C.** Memorandum of Agreement / Renewal of Emergency Medical Services for 2016 / City of Gentry

**D.** Memorandum of Agreement / Renewal of Emergency Medical Services for 2016 / Benton County

**E.** Maintenance Agreement / Veterans Fallen Soldiers Memorial

**Ordinances**

**F.** Ordinance 16-04 / Amend Municipal Code 66-17 / Graffiti

**Resolutions**

**G.** Resolution 8-16 / Local Government Endorsement of State of Arkansas Tax Back Program / Simmons Feed Ingredients, Inc.

**H.** Resolution 09-16 / Naming of Southside Park / Eliana Chacon Memorial Park

**Staff Reports**

**I.** Community Development

1. Tree City USA

2. Volunteer City

**J.** Administrator's Report

**V. Directors Reports**

**VI. Executive Session**

City Administrator Employment

**VII. Adjournment**

MINUTES OF THE REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CITY OF SILOAM SPRINGS, BENTON COUNTY,  
ARKANSAS, HELD MARCH 1, 2016

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building, on March 1, 2016.

The Meeting was called to order by Mayor Turner.

Roll Call: Burns, Beers, Smith, Jones, Coleman, Johnson, Smiley –Present

Phillip Patterson, City Administrator; Jay Williams, City Attorney; Renea Ellis, City Clerk; James Wilmeth, Police Chief; Greg Neely, Fire Chief; Don Clark, Community Services Director; Steve Gorszcyk, Public Works Director; present.

Opening prayer was led by Amy Smith.

Mayor John Turner led the Pledge of Allegiance.

A copy of the February 16, 2016 minutes of the regular meeting had previously been given to each Director. A Motion was made by Smiley and seconded by Jones to accept the minutes. Mayor called for a voice vote. Motion passed unanimously.

The first agenda item was the Open Hearing for Citizens Present.  
No one came forward.

The next item on the agenda: Purchase Request / Ford F450 4x4 dump truck / Superior Automotive / \$53,545.

Discussion: Steve Gorszcyk, Public Works Director, briefed the item. A Motion to approve the purchase of Ford F450 4x4 dump truck from Superior Automotive in the amount of \$53,545 was made by Burns and seconded by Beers.

Roll Call:

Beers, Smith, Jones, Coleman, Johnson, Smiley, Burns –Aye.

7 Ayes.                      No Nays.                      Motion passed.

The next item on the agenda: Purchase Request / 2016 Freightliner Knuckle Boom Truck / River City Hydraulics / \$131,831.94.

Discussion: Steve Gorszcyk, Public Works Director, briefed the item. Coleman asked if the money was currently collected and not based on the renewal of the pending extension of the 3/8% sales tax. Gorszcyk stated it was collected. A Motion to approve the purchase of 2016 Freightliner Knuckle Boom Truck from River City Hydraulics in the amount of \$131,831.94 was made by Smiley and seconded by Coleman.

Roll Call:

Smith, Jones, Coleman, Johnson, Smiley, Burns, Beers –Aye.

7 Ayes.                      No Nays.                      Motion passed.

The next item on the agenda: Resolution 06-16 / Employee Handbook Amendments.

Discussion: Phillip Patterson, City Administrator, briefed the item and highlighted specific changes. Burns expressed concerns regarding Section 7-07; a ‘verbal warning’ being on a permanent record. A Motion to approve Resolution 06-16 / Employee Handbook Amendments, with delineated changes, was made by Coleman and seconded by Smiley.

Smith asked about options if she voted ‘no’. She expressed her concerns. Patterson explained the process involving her concerns. Coleman pointed out the importance of documentation. Smiley expressed her support of written documentation. Beers asked about informal verbal warnings. Patterson explained managers have that option. Beers stated he supported written documentation. Coleman stated he was encouraged that managers would receive proper training. Burns expressed appreciation of explanation.

Roll Call:

Jones, Coleman, Johnson, Smiley, Burns, Beers, Smith –Aye.

7 Ayes.                      No Nays.                      Motion passed.

The next item on the agenda: Resolution 07-16 / AHTD Real Estate Sale / Cheri Whitlock Overpass / \$3,275.

Discussion: Don Clark, Community Services Director, briefed the item. A Motion to approve Resolution 07-16 / AHTD Real Estate Sale / Cheri Whitlock Overpass / \$3,275 was made by Smiley and seconded by Jones.

Roll Call:

Coleman, Johnson, Smiley, Burns, Beers, Smith, Jones –Aye.

7 Ayes.                      No Nays.                      Motion passed.

Administrator’s Report: Phillip Patterson, City Administrator, reported the purchase of materials for continued work on Basin 5 for Wastewater and Transportation and Infrastructure departments in the amount of \$42,000. He then stated the library is now complete, and thanked the staff involved. He announced the ribbon cutting for the new library would be Monday, March 7, at 10am and encouraged everyone to attend. He then stated City Hall doors will now be locked at 5pm on meeting days, and they will be unlocked 30 minutes prior to the meeting. He said the IT department will be installing a new podium with a computer and a timer in the Board room tomorrow.

Open Hearing of Directors: Beers stated it was fun getting to vote today, and then expressed his excitement for the new library opening and Veterans’ Memorial. Burns stated the citizens paid for the library. He then stated he passed around a magazine titled *Edibles Arkansas*, which features a small business in downtown Siloam Springs, which also made it in the top 10 of its category. Johnson expressed his gratitude and enjoyment of attending these meetings. He stated he read the Employee Handbook. He said he found it interesting, especially the acknowledgement page. Smith expressed her excitement for both the opportunity to vote, and the opening of the new library. Jones stated he toured the library and thinks it’s very beautiful. He announced he will be moving to Moscow, and will vacate his seat in August. He then stated he understands the Board will appoint a replacement for the rest of the year, and encouraged interested parties to let it be known. Smiley congratulated Jones, and expressed her excitement to vote and the ribbon cutting at the new library. Coleman stated he thought some staff were more

deserving of having the library named after them, than he. He stated the library is spectacular, and went into the details of the staff areas in the library. He then stated he is happy he made the motion, and that he is looking forward to the ribbon cutting on Monday.

A Motion to enter into Executive Session to discuss City Administrator Employment was made by Smiley and seconded by Jones.

Roll Call:

Johnson, Smiley, Burns, Beers, Smith, Jones, Coleman –Aye.

7 Ayes.                      No Nays.                      Motion passed.

Meeting reconvened at 8:15pm. The Mayor called the meeting back to order and announced no action was taken.

Coleman made a motion to adjourn; seconded by Smiley. The Mayor called for a voice vote. All Ayes. Motion passed.

Meeting adjourned.

APPROVED:

ATTEST:

\_\_\_\_\_  
John Mark Turner, Mayor

\_\_\_\_\_  
Renea Ellis, City Clerk

{seal}



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## STAFF REPORT

TO: Mayor and Board of Directors  
FROM: Phillip Patterson, City Administrator  
DATE: March 9, 2016  
RE: AEDC Economic Development Grant / Gates Corporation / Grant Closeout Report

**Recommendation:** N/A

**Background:** In 2012, the Gates Corporation received a \$200,000 economic development grant from the Arkansas Economic Development Commission for the purposes of relocating out of state equipment and jobs to their Siloam Springs facility. As part of the grant process, the State uses local governments (cities or counties) to pass the grants through to the local industry. For this reason, the City of Siloam Springs actually applied for and was responsible for administering the grant. In 2013, AEDC awarded an additional grant to Gates for the creation of more jobs.

These AEDC grants are in the process of being closed, and one of the requirements, prior to closeout, is for the local government to hold a public hearing on the final status of the grant. Cassie Elliott of Visionary Milestones, who was contracted with the City to write and managed the grant, will provide the Board with the final grant report at the public hearing. According to Ms. Elliott, all grant funds have been expended, and she has tracked the job creation (125 in total) and has completed all reporting as required by AEDC.

**Fiscal Impact:** Staff is not aware of any fiscal impact associated with this item.

**Attachments:**

Copy of Visionary Milestones' letter, dated March 9, 2015

## Visionary Milestones

P.O. Box 44 Centerton, AR 72719

479.531.8897

vmilestones@gmail.com

www.visionarymilestones.com



March 9, 2016

City of Siloam Springs

Board of Directors

Re: Gates Grant 790-08732-11

Dear Board of Directors,

Ms. Renea Ellis contacted me yesterday and asked that I write a letter to the board regarding the public hearing to be conducted at your next meeting on Tuesday, March 15. It is standard procedure on the Arkansas Economic Development Commission grants for Economic Development projects to conduct a second public hearing to give the status of the grant prior to final closeout. We have been working on this grant since 2012 when Gates set out to hire a minimum of 21 new full-time permanent positions in exchange for \$200,000 to move equipment from a facility out of state, as per the grant agreement. In October of 2013, AEDC awarded Gates an additional \$230,000 for creation of 36 more positions.

This week, a final job report was completed by Gates and 125 new jobs were created. All money has been expended for the grant and I have tracked the jobs and completed reporting as also required by the funding agency. I have met several of you as I have also been working on the Sager Creek Vegetable Company grant which was very similar. These grants are federal funds and must be disbursed through the city or county as a pass through to give incentives for job creation. I will report on all of this at the public hearing and answer any questions the public has regarding the grant. If you have any questions regarding this matter prior to the public hearing, please do not hesitate to give me a call. I appreciate the opportunity to work with you.

Sincerely,

A handwritten signature in black ink that reads "Cassie Elliott". The signature is written in a cursive, flowing style.

Cassie Elliott

Grant Writer/Administrator

EASEMENT ACQUISITION— LICENSED REAL ESTATE BROKER  
GRANT WRITING & ADMINISTRATION



## STAFF REPORT

TO: Phillip Patterson, City Administrator  
FROM: Greg H. Neely, Fire Chief  
DATE: 03-09-2016  
RE: Memorandum of Agreement / Renewal of Emergency Medical Services for 2016 / City of Gentry

### **Recommendation: Approval of MOA with City of Gentry for EMS Services**

**Background:** In 2012 the city began imposing a fee to the City of Gentry to provide EMS into its incorporated areas. For years 2012 & 2013 that amount was \$15,000. In each subsequent year they have increased their contribution by \$10,000. An approved 2016 agreement would provide \$45,000 which staff recommends for approval. Gentry continues to make significant advances in remunerating the City of Siloam Springs for this service, coupled with providing very reliable Automatic Aid and being the only plausible backup when our resources are stretched and when our aerial ladder is down for maintenance and repairs. This continuation of a current agreement has previously been through Attorney Review and contains no risks or limitations that the FD is not aware or uncomfortable with.

An overview of the contract provisions include:

- Agreement is for one year and retroactive to January 01, 2016
- Total paid for EMS to the City of Siloam Springs for this year would be \$45,000 (28% increase over last year's \$35,000 amount)
- Gentry will continue to provide backfill and augment FD staffing when we experience coverage voids during significant events as well as augment our aerial ladder capabilities.
- We continue to bill the patients for services rendered

**Fiscal Impact:** We calculate this and other Inter-Municipal Services in our revenue, under account number 03-01-463200-100.

**Attachments:** None



## STAFF REPORT

TO: Phillip Patterson, City Administrator  
FROM: Greg H. Neely, Fire Chief  
DATE: March 09, 2016  
RE: Memorandum of Agreement / Renewal of Emergency Medical Services for 2016 / Benton County

### Recommendation: Approval of EMS Agreement with Benton County

**Background** The Siloam Springs Fire Department has now completed four years of history providing EMS into unincorporated areas of Benton County whereby we have begun seeing some level of remuneration. Upon Benton County's successful completion of a Countywide Referendum to create a revenue source for this service, we agreed to provide this service in incorporated Benton County for \$437,243.96 in 2015. After reviewing our call volume and run data into the County we have assessed that the current level of payment remains agreeable going forward in 2016. This continuation of a current agreement has previously been through Attorney Review and contains no risks or limitations that the FD is not aware or uncomfortable with.

An overview of the contract provisions include:

- Agreement is for one year and retroactive to January 01, 2016
- Total paid for EMS to the City of Siloam Springs for this year would be \$437,243.96 (no increase)
- We continue to bill the patients for services rendered
- We agree to certain reporting requirements to show our competency along with a breakdown of our financials for data comparison purposes

**Fiscal Impact:** We calculated this in our 2016 revenue, under account number 03-01-463600-000.

**Attachments:** None



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## STAFF REPORT

TO: Phillip Patterson, City Administrator  
FROM: Don Clark, Community Services Director  
DATE: March 03, 2016  
RE: Maintenance Agreement / Veterans Fallen Soldiers Memorial

**Recommendation:** Approval of the Veterans Fallen Soldiers Memorial Maintenance Agreement

**Background:** The City has been working with The American Legion Siloam Post 29 and VFW Post 1674 to allow for the construction of a fallen soldier's memorial. On June 17, 2014 the City Board of Directors agreed that the best location for the memorial would be at the location of the new library site (205 E. Jefferson). On August 4, 2015 the City Board of Directors granted an easement to the KIA Committee for placement of the memorial at the site on City property. The next step was to draft a maintenance agreement to determine who is responsible for the upkeep and maintenance of the memorial.

The agreement defines the responsibilities of both the KIA Committee and the City as follows:

- American Legion Post 29 and VFW Post 1674 shall be responsible for maintenance of the monuments, flag pole and premise as described in the agreement.
- American Legion Post 29 and VFW Post 1674 will also be responsible for the daily raising and lowering of the flag, or maintaining appropriate lighting that eliminates the need for lowering and raising of the flag, as well as for purchasing new flags when necessary.
- American Legion Post 29 and VFW Post 1674 shall improve the Licensed Premises to the extent necessary to provide for suitable installation and maintenance of the monuments.
- City shall be entitled to inspect the premises from time to time and notify American Legion Post 29 and VFW Post 1674 in writing of any items in a state of disrepair.
- If American Legion Post 29 and VFW Post 1674 fail to maintain, clean or make repairs within thirty (30) days of receipt of notice, City may, at its sole discretion, perform such maintenance, clean-up or repair, and bill American Legion Post 29 and VFW Post 1674 for such work.
- American Legion Post 29 and VFW Post 1674 shall be responsible for arranging and paying for the cost of all utilities related in any way to use of the Licensed Premises. Provided, however, that the City, at its own expense, shall provide general area lighting
- Upon completion of the improvements, the Park shall become available for use by the general public and/or to be utilized by City for public events, in City's sole and absolute discretion. City agrees not to schedule any events in the Park on Pearl Harbor Day, D-Day, Independence Day, Memorial Day and Veterans Day, without prior written consent of American Legion Post 29 and VFW Post 1674

- American Legion Post 29 and VFW Post 1674, at their own expense, shall keep in force and at all times maintain during the term of the agreement, Commercial General Liability Insurance with limits of not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) annual aggregate, for Bodily Injury (BI) and Property Drainage (PD) and the City shall be named as an Additional Insured on the insurance policy.
- If the premises or any part is destroyed or damaged so as to materially hinder effective use, within thirty (30) days of the casualty, American Legion Post 29 and VFW Post 1674 must either (1) repair or reconstruct the affected improvements at its sole cost and expense, or (2) terminate the agreement by giving written notice to City.
- The City shall have no obligation to repair or reconstruct any improvements within the Park should there be a loss. If American Legion Post 29 and VFW Post 1674 exercise their option to repair or reconstruct the improvements, it shall do so in a manner that restores the premises to its condition as it existed prior to such damage or destruction.

**Fiscal Impact:** No impact will be incurred with entering the proposed agreement, except for the general area lighting.

**Attachments:**

None



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## STAFF REPORT

TO: Phillip Patterson, City Administrator  
CC: Don Clark, Community Services Director  
FROM: James Harris, Code Enforcement Manager  
Chief Jim Wilmeth, Police Chief  
Troy Kirkendall, Parks and Recreation Manager  
DATE: March 3, 2016  
RE: Ordinance 16-04/ Amend Municipal Code 66-17 / Graffiti

**Recommendation:** Place Ordinance No. 16-04 on its \_\_\_\_ (1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup>) reading, suspending the rules and reading by title only.

**Background:** Over the last two years, staff has noticed an increase in vandalism through graffiti. The main areas that have been affected are our park areas and downtown, but the problem is starting to expand to other areas of town. Currently our city code has nothing in it about graffiti.

The proposed ordinance will be added to Chapter 66 – Nuisance of our city code. The proposed ordinance gives a definition of what constitutes graffiti and who is responsible for the abatement of graffiti based on public or private property.

The proposed ordinance will allow staff to have the abatement of graffiti done in a timely manner. Reducing the time that the graffiti is seen by the public will hopefully reduce the graffiti being put on public and private property. The Parks and Recreation Department has noticed that if an area is left alone with graffiti on it, the area will normally end up with more graffiti than if it is removed quickly.

**Fiscal Impact:** The proposed ordinance will have minimum fiscal impact on the city as we currently abate any graffiti on city property.

**Attachments:**  
Ordinance No. 16-04

**ORDINANCE NO. 16-04**

**AN ORDINANCE AMENDING CHAPTER 66, ARTICLE 1 OF THE SILOAM SPRINGS MUNICIPAL CODE TO ADD SECTION 66-17 DEFINING GRAFFITI, PROHIBITING ITS PLACEMENT AND REQUIRING ITS REMOVAL FROM PUBLIC AND PRIVATE PROPERTY.**

**WHEREAS**, the presence of graffiti within the city limits is unsightly, costly to remove, reduces quality of life, hampers the promotion of tourism and commerce, and emboldens criminals; and

**WHEREAS**, in order to discourage and combat the placing of graffiti and to encourage its swift removal, a legal framework, specifically addressing this issue, is needed to provide the tools necessary for law enforcement and city staff to effectively respond to graffiti incidents; **Now Therefore:**

**BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF SILOAM SPRINGS, ARKANSAS, THAT:**

The Siloam Springs Municipal Code is amended to add Section 66-17 to read as follows:

**Sec. 66-17. - Graffiti.**

- (a) Graffiti, as defined hereunder, is declared to be a nuisance within the corporate limits of the city.
- (b) Definition. For the purpose of this section, unless otherwise apparent from the context, certain words and phrases used in this section are defined as follows:
  - (1) Defacement shall mean the intentional altering of the physical shape or physical appearance of property.
  - (2) Graffiti shall mean any painting, marking, symbol, design, inscription or other defacement which is visible from premises open to the public, and which is written, sprayed, painted, dyed, scratched, etched, engraved, placed with an indelible marker or otherwise applied to the real or personal property of another without the prior consent of the owner or person in possession thereof.
  - (3) Indelible marker shall mean any marker, pen or similar implement which contains a fluid which is not soluble in water and has a flat, pointed or angled writing surface.
- (c) Permitting graffiti to remain is prohibited. It shall be the duty of both the owner of the property to which the graffiti has been applied, and any person who may be in possession or who has a right to possess said property, to, at all times, keep said property clean and free from graffiti. It shall be unlawful to fail to abate graffiti after receipt of notice and within the time permitted by the notice.

- (d) Notice to owners and possessors of private property. Whenever the city administrator, or his or her designee, determines that graffiti is being maintained upon any premises within the city in violation of subsection (c) of this section, the city administrator, or his or her designee, shall send written notice to the owner and possessor of the premises of such condition and shall require that the graffiti be removed. The notice and order shall be sent to the owner as shown on the most recent tax assessment record, and if such record includes an address that is not the same as the subject property, a copy of the notice and order shall also be sent to the physical address of the subject property. The notice shall state that the owner and/or possessor must remove the graffiti within seven (7) days from the date the notice was mailed.
- (e) Removal.
  - (1) Public property. Whenever the city administrator, or his or her designee, determines that graffiti exists upon property owned by the city, it shall be removed as soon as possible.
  - (2) Private Property. It shall be the responsibility of the owner and or possessor of the premises to remove graffiti from the property within seven (7) days of notification of a violation.
  - (3) The graffiti shall be removed as authorized herein, but the removal shall not require the painting or repair of a more extensive area than is necessary for such removal.
- (f) Removal by city without consent of property owner. The city administrator, or his or her designee, may initiate proceedings to abate any graffiti maintained contrary to the provisions of this section only after the following has occurred:
  - (1) The city administrator, or his or her designee, has determined that graffiti within public view exists on particular premises in the city;
  - (2) A notice of such condition has been sent to the property owner pursuant to section (d); and,
  - (3) The property owner and possessor have failed to remove the graffiti. In an event of removal pursuant to this subsection, the city administrator, or his or her designee, shall pursue collection of the city's cost of abatement from the owner and possessor pursuant to the provisions of Code of Ordinance sections 66-13 and 66-15 and other applicable provisions of state law.
- (g) Permission required. It shall be unlawful for any person to apply graffiti to any wall, rock, street, bridge, building, fence, gate, structure, tree or other real or personal property, either publicly or privately owned, without the permission of the owner, lessee, or grantor of such property.

- (h) Penalties. Any person convicted of violating the provisions of this section shall upon conviction be subject to the penalties set forth in section 1-7 of the Municipal Code.

**Ordained and Enacted** this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Renea Ellis, City Clerk

\_\_\_\_\_  
John Mark Turner, Mayor

(SEAL)



## STAFF REPORT

TO: Phillip Patterson, City Administrator  
FROM: Jay Williams, City Attorney  
DATE: March 3, 2016  
RE: Resolution 08-16 / Local Government Endorsement of State of Arkansas Tax Back Program /  
Simmons Feed Ingredients, Inc.

**Recommendation:** Approval of Resolution No. 08-16.

**Background:** Pursuant to the Arkansas Consolidated Incentive Act of 2003 (A.C.A. § 15-4-2701, et seq.), Simmons Feed Ingredients, Inc., (Simmons) has requested that the City endorse it for participation in the Act, and authorize the refund of local sales and use tax payments arising from the construction and equipping of a new manufacturing facility in the 1100 block of E. Ashley Street.

The Consolidated Incentive Act, better known as the Tax Back Program, allows qualifying entities to recover certain sales tax payments related to developing new or expanded Arkansas businesses. The incentive terminates once the facility has been constructed and equipped. Eligibility of purchases is determined by the Arkansas Economic Development Commission, which administers the program.

In order to be considered for participation in the Tax Back Program, a business must first receive an endorsement for participation in the program, and authorization for refund of local sales and use taxes from its local government.

The City of Siloam Springs has received such a request from Simmons. Having reviewed the request, staff recommends approval via the attached resolution.

**Fiscal Impact:** Anticipated to be minimal. The vast majority of material and equipment necessary to construct and outfit the plant are specialty items not sold in Siloam Springs, and thus would not generate sales and use taxes for the City in any event. It is expected that any such loss will be offset by gains resulting from increased payroll, greater utility sales, additional property taxes, and increased local commerce generated by the project.

**Attachments:**

Resolution No. 08-16

**RESOLUTION NO. 08 - 16**

**A RESOLUTION CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF  
BUSINESS TO PARTICIPATE IN THE STATE OF ARKANSAS TAX BACK  
PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE  
CONSOLIDATED INCENTIVE ACT OF 2003)**

WHEREAS, the State of Arkansas has created an incentive to provide rebates of certain sales tax payments for growth and expansion of Arkansas businesses (Tax Back Program); and

WHEREAS, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program; and

WHEREAS, the local government must authorize the refund of local sales and use tax as provided in the Consolidated Incentive Act of 2003 (A.C.A. § 15-4-2701, et seq.); and

WHEREAS, said endorsement must be made on a specific form available from the Arkansas Department of Economic Development; and

WHEREAS, **Simmons Feed Ingredients, Inc.**, located at 352 N. Lincoln St., has sought to participate in the program and more specifically has requested benefits accruing from the construction and equipping of a new, approximately 86,402 square foot facility in the 1100 block of E. Ashley Street (the "Project"); and

WHEREAS, **Simmons Feed Ingredients, Inc.**, has agreed to furnish the local government all necessary information for compliance.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE  
CITY OF SILOAM SPRINGS THAT:**

Section 1: **Simmons Feed Ingredients, Inc.**, is endorsed by the Board of Directors of the City of Siloam Springs for benefits from the Sales & Use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.

Section 2: The Department of Finance and Administration is authorized to refund local sales and use taxes to **Simmons Feed Ingredients, Inc.** for the construction and equipping of the Project.

Section 3: This resolution shall take effect immediately.

**Done and Resolved** this \_\_\_\_ day of March 2016.

Attest:

Approved:

\_\_\_\_\_  
Renea Ellis, City Clerk

\_\_\_\_\_  
John Mark Turner, Mayor



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## STAFF REPORT

TO: Phillip Patterson, City Administrator  
FROM: Troy Kirkendall, Parks and Recreation Manager  
CC: Don Clark, Community Services Director  
DATE: March 8, 2016  
RE: Resolution 09-16 / Naming of Southside Park/ Eliana Chacon Memorial Park

**Recommendation:** Approval of Resolution 09-16

**Background:** A new park on the south side of town is under construction and will be completed in the spring of this year. The park is not yet named. Among several recommendations, staff has received suggestions to name the park in memory of a young girl that was killed in her home previously located at this site. On May 4, 2008 the City experienced a strong storm that produced straight-line winds. As a result of the strong winds, a tree fell through the Chacon home killing 15 year-old Eliana Chacon and injuring her then 10-year old brother.

Suggested names for the memorial park included: Chacon Park, Eliana Chacon Memorial Park and Chacon Memorial Park.

The Chacon family is supportive of the recommendation.

**Fiscal Impact:** Expenses will include cost associated with park signage which is a budgeted item.

**Attachments:**  
Resolution 09-16

**RESOLUTION NO. 09-16**

**A RESOLUTION ASSIGNING THE NAME "ELIANA CHACON  
MEMORIAL PARK" TO THE PARK BEING CONSTRUCTED AT 228  
LAKE FRANCIS DRIVE.**

**WHEREAS**, the City of Siloam Springs, ("City") has committed to construct a park on the South part of town. The said park is located at 228 Lake Francis Drive; and

**WHEREAS**, Eliana Chacon, was a fifteen-year-old resident of Siloam Springs who died in her home previously located at this site. Ms. Chacon's death was caused by a tree that had fallen through the home as a result of strong straight-line winds.

**WHEREAS**, the tragic death of Eliana Chacon, a resident of Siloam Springs Arkansas, who passed away in 2008, is worthy of remembrance;

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Directors of the City of Siloam Springs, as follows:

That the park located at 228 Lake Francis Drive, be named and henceforth known as Eliana Chacon Memorial Park. The City Administrator is authorized to purchase and install appropriate signage, provide notifications to the US Postal Service, Utilities, Emergency Services, and other affected public agencies, and take such other and further action as may be appropriate to carry out the intent of this Resolution.

**Done and Resolved** this \_\_\_\_\_ day of March, 2016.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
John Mark Turner, Mayor

\_\_\_\_\_  
Renea Ellis, City Clerk

(SEAL)