



CITY OF
Siloam Springs
It's a natural.

A G E N D A

SILOAM SPRINGS BOARD OF DIRECTORS
ADMINISTRATION BUILDING, 400 N. BROADWAY
OCTOBER 18, 2016

WORKSHOP: BUDGET (CONT) DEPT ONE-BY-ONE / 5:30 PM
BOARD MEETING / 6:30 PM

Workshop: Budget (cont) Dept one-by-one 5:30 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 October 4, 2016

I. Public Input

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

II. Regularly Scheduled Items

Contracts and Approvals

A. Bid Acceptance / Airport Precision Approach Path Indicator (PAPI) Lights Relocation / Broadway Electric / \$120,000

Ordinances

B. 2nd Reading / Ordinance 16-14 / Amend Section 102-21 of the City Municipal Code / rezone R-2 to G-I / 1405 W. Jefferson St.

C. 2nd Reading / Ordinance 16-15 / Amend Section 102-21 of the City Municipal Code / rezone R-4 to C-2 / 3300 Block of Hwy. 412 E.

D. Ordinance 16-16 / Waive Competitive Bidding for Defense Program / Arkansas Municipal League / Approximately \$52,636.50

Resolutions

E. Resolution 35-16 / Accepting Land Donation / Lot 3 & the E½ of Lot 2, Block 5, Beauchamp's Addition / Roy D. and Rebecca F. James

Staff Reports

F. Community Services / New City Entrance Sign Design

G. Administrator's Report

III. Directors Reports

IV. Adjournment

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD OCTOBER 4, 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 October 4, 2016.

The Meeting was called to order by Mayor Turner.

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

Phillip Patterson, City Administrator; Jay Williams, City Attorney; Renea Ellis, City Clerk; Jeremy Criner, Fire Chief; Jim Wilmeth, Police Chief; Geoff Lewis, Police Deputy Chief; Don Clark, Community Services Director; Justin Bland, City Engineer; present.

Opening prayer was led by Steve Beers.

Mayor John Turner led the Pledge of Allegiance.

A copy of the September 20, 2016 minutes of the regular meeting had previously been given to each Director. A Motion was made by Smiley and seconded by Johnson to accept the minutes. Mayor called for a voice vote. Motion passed unanimously.

The first agenda item was the Open Hearing for Citizens Present.

Bob Highfill, 340 Primrose, stated that the City should do away with merit raises; if an employee isn't worth what they're being paid, get rid of them. He stated that people that deserve it and should get a 5% raise across the board. He also said he thinks the speed table in front of the Library needs revised due to cars scraping away the street.

The next item on the agenda: Presentations / Life Saver Awards.

Discussion: Jim Wilmeth, Police Chief, briefed the item. Mayor and City Administrator presented awards to Crystal Wright, Lieutenant Derek Spicer, and Lieutenant Scott Miller.

The next item on the agenda: Presentations / Dog Park Action Committee.

Discussion: Renae Sasnett, Dog Park Action Committee Member, briefed the item, along with Ken Krafft. She said the City received a \$50,000 matching grant. She said they are asking the City to donate \$50,000 towards the Dog Park. She said with the matching grant, they are required to spend \$100,000 in order to receive the \$50,000 from the grant. She stated Simmons will donate up to \$150,000 to this park. Johnson asked who is buying the property. Sasnett said Simmons will purchase the property and then will donate it to the City. Johnson asked. Sasnett said, including with the purchase of the property, \$300,000. Johnson asked if such an elaborate design is necessary, and if it can be downgraded in attempts to lower cost. Sasnett said it could be downgraded some, but they want it to be pleasing to visitors. She said fencing cannot be reduced, which is \$100,000. Johnson asked if money is raised, will there still be a request to the City for funding. Sasnett answered no; but would like the City to do some in-kind work, if possible. Burns said he doesn't want amenities cut. He asked if the goal is 2017. Sasnett answered yes, Spring of 2017. Smiley clarified the grant has a two year expiration date. She asked how much has been raised in fundraising. Sasnett stated there is \$2,000 in the bank right now. Sasnett went on to say Simmons is asking customers and vendors

within the pet food company for donations. Smiley expressed her appreciation for Simmons involvement. She stated at the previous presentation, no funds were requested from the City. Sasnett stated they were not asking at that time; they were hoping to get \$150,000 in grant funding. Smiley asked if \$150,000 is not raised, will Simmons still match the amount. Sasnett said it is unknown, but the Simmons family is behind the project. She said they will get the money needing for this project. Smiley asked what they are looking for in regards to in-kind work. Ken Krafft, Dog Park Action Committee Member, said it could be dirt work, help with fencing, labor, etc. He stated some vendors said they could reduce their price in return for a donation certificate. Beers said it is amazing that citizens are raising money for a park for everyone to use. He thanked them for the work they're doing. He said one of the things a construction project can have is value engineering, or there could be phasing. He asked if they have looked at ways to phase this in for earlier usage. Krafft said the fencing is Phase I for off-leash. He said, in working with the Parks and Recreation department, wanting to minimize the amount of work they have to do on this, the cement below fence sets the park off and eliminates weed-eating. He then said the Administrator for the grant wants to see moving parts soon, which is why there is a push to get this on the 2017 budget. Smith asked if it's known what the City would've matched in in-kind work. Phillip Patterson, City Administrator, said it was never determined. He said they have looked at the timeline with the other projects in the schedule. Cavness asked if the property has been purchased yet. Sasnett said the property has not been purchased yet; they ran into an issue getting it surveyed and appraised. Cavness asked if it's possible to run into a problem with the property owners wanting more money than offered. Sasnett said they have expressed willingness to sell, but they did not know a value of the land, which is why they are waiting for the survey and appraisal. Coleman asked when the clock started. Sasnett said it started on February 8, 2016 making its deadline in 2018. Coleman asked what started the clock. Sasnett stated the grant approval. She said she has been in contact with Parks and Tourism in Little Rock, and they said the end date is flexible if progress is being made. Coleman asked if there's no room in the 2017 budget, can the 2018 budget be considered. Sasnett said they'd like to see it start sooner than later but that was a possibility. Mayor asked if the Felts family has been approached about donating the land. Sasnett said, with the grant, the land must be purchased and cannot be leased; not sure about if the land is donated. Smiley clarified this is only a presentation, and not something they're voting on. Krafft said they have approached the Felts family, and they initially wanted to lease the property, and they do not want to donate. Burns asked the City Administrator to try and fit the \$100,000 in the 2017 budget, knowing the City will receive \$50,000 back. Smiley thanked Sasnett for her determination.

The next item on the agenda: 2016 Affidavit for Destruction.

Discussion: Renea Ellis, City Clerk, briefed the item. A Motion to approve the 2016 Affidavit for Destruction was made by Beers and seconded by Smiley.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

The next item on the agenda: Budget Amendment / Mt. Olive Street Diet / Community Services / \$80,000.00.

Discussion: Justin Bland, City Engineer, briefed the item. Bob Highfill, 340 Primrose, stated no one he has spoken to about this is pleased with the reduction; it's created a hazard instead of improvement. Smiley asked if thermoplastic included in the requested amount. Bland answered yes. Burns asked if the sidewalks will be the same level, or if there will be an overlay. Bland said they will feather down, but all the concrete will stay. Burn said people comment about how narrow it is, but we all should get accustomed to it over time. He said he isn't pleased being \$86,000 short on a

project this size, and the \$60,000+ for landscaping. He said he is struggling with it being over budget by almost \$100,000. Bland said these improvements were not included when originally budgeted. Mayor asked if the Board was aware the landscaping cost was not involved in the original approval. Bland said that is correct. Phillip Patterson, City Administrator, confirmed that a discussion was had weighing other options besides grass due to maintenance; that the majority of the \$86,000 is related to not putting down grass, but executing a better landscaping plan. Bland said yes, that is correct. Cavness expressed his concerns with the funding coming from the Library project. Johnson asked if the overlay will be done by the end of the month. Don Clark, Community Services Director, answered yes. Johnson asked if the thermoplastic is slippery, and if it's something we have to worry about in the future. Clark said that is not the case. Beers said one of the reasons for the road diet was for safety in speeding. Bland said the narrowing slows speeds, and is more pedestrian friendly. Smith thanked them for considering native vegetation and understands it's more costly upfront, but it saves in water and fertilizer later. Coleman said he thinks it feels unsafe because the cones are a hindrance. Patterson said the Library came in under budget. There was money set aside from the hospital sale funds to build the Library. He said that total today is \$75,000 and isn't earmarked for Library improvements. He said the funding is available for other uses. He said there is other funding for Medical Springs Park. Smiley echoed Coleman's thoughts regarding the road hazards. A Motion to approve the budget amendment in the amount of \$86,000 for the Mt. Olive Street Diet to accommodate landscaping costs was made by Smiley and seconded by Coleman. Burns asked if cost saving is possible. He said the Native stone for this area limestone, and asked if we can use surplus stone from other projects and possibly save money and stay Native. Bland said yes; they originally went with brown rock because there is a lot of brown brick downtown, but will look into using limestone.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

The next item on the agenda: 3rd Reading / Ordinance 16-12 / Amend Section 74 of the City Municipal Code / Establish Rental Rates for Sager Creek Soccer Complex.

Discussion: Don Clark, Community Services Director, briefed the item. A Motion to Place Ordinance 16-12 / Amend Chapter 74 of the City Municipal Code / Establish Rental Rates for Sager Creek Soccer Complex on its third reading, suspending the rules and reading title only, was made by Smiley and seconded by Burns.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

An Ordinance entitled:

**AN ORDINANCE PROVIDING RENTAL RATES FOR THE SAGER CREEK SOCCER
COMPLEX LOCATED AT 608 SUE ANGLIN DRIVE.**

Was read on its third reading.

A Motion to Adopt Ordinance 16-12 was then made by Smiley and seconded by Cavness.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

The next item on the agenda: 1st Reading / Ordinance 16-14 / Amend Section 102-21 of the City Municipal Code / Rezone R-2 to G-I / 1405 W. Jefferson St.

Discussion: Don Clark, Community Services Director, briefed the item. A Motion to Place Ordinance 16-14 / Amend Section 102-21 of the City Municipal Code / Rezone R-2 to G-I / 1405 W. Jefferson St. on its first reading, suspending the rules and reading title only, was made by Johnson and seconded by Smith.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

An Ordinance entitled:

AN ORDINANCE AMENDING SECTION 102-21 OF THE SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING MAP); REZONING (FROM R-2 TO G-I) THE PROPERTY LOCATED AT 1405 WEST JEFFERSON STREET.

Was read on its first reading.

The next item on the agenda: 1st Reading / Ordinance 16-15 / Amend Section 102-21 of the City Municipal Code / Rezone R-4 to C-2 / 3300 Block of Highway 412 East.

Discussion: Don Clark, Community Services Director, briefed the item. A Motion to Place Ordinance 16-15 / Amend Section 102-21 of the City Municipal Code / Rezone R-4 to C-2 / 3300 Block of Highway 412 East on its first reading, suspending the rules and reading title only, was made by Burns and seconded by Smiley.

Roll Call:

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

7 Ayes. No Nays. Motion passed.

An Ordinance entitled:

AN ORDINANCE AMENDING SECTION 102-21 OF THE SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING MAP); REZONING (FROM R-4 TO C-2) THE PROPERTY LOCATED AT THE 3300 BLOCK OF U.S. HWY. 412 EAST.

Was read on its first reading.

The next item on the agenda: Resolution 33-16 / Significant Development Permit / Nottingham Apartments / 2200 E. Little John St., 2220 E. Sherwood St., and 2225 E. Sherwood St.

Discussion: Don Clark, Community Services Director, briefed the item. Jeff Stewart, 1803 Dawn Hill, stated he is in favor of this project, and then went over his reasoning. He stated Krein is a superior neighbor. Pam Sled, 14441 Country Club, stated she wasn't sure the reason to have Boards if criteria is the all that needs to be met. She stated this density is too much for the area, and will make a significant change. She went over the different nuisances this building will bring, and then went over reasons they moved to that area. She stated there is no apartment building this size nor has there ever been, and suggested looking over rezoning regulations. Cheryl Whalen, 3507A North Robin Court, stated this hit the minimum zoning requirements, but hit the maximum allowable unit density. She stated accessing Country Club Road is the issue. She went over several issues including poor visibility when accessing the road, child safety, and lack of greenspace. Roy Drake, 21751 Davidson Road, stated property value will go down due to noise, light, and run-off pollution. He

stated he finds it ludicrous that the memo stated no one's property will be adversely affected. Jim Krein, 1907 North Mesa Court, gave a brief history of the subdivision. He stated this project has taken semis off the road. He stated property owners purchased their homes after it was a light industrial area. He stated the previous property owner sent letters to everyone regarding the rezoning, and received zero push-back. He stated he would rather encounter other families than anything industrial. He then gave a brief family history. He stated they are spending extra money to help the building fit in. He stated they manage their tenants well, and run full background checks on everyone above 18. He said this falls within zoning requirements and meets or exceeds City guidelines. Roger Holroyd, 16728 Old Highway 68, stated more multifamily housing is needed; very low vacancy rate in the City. Jeff Farmer, 21923 Davidson Road, expressed his concerns about drainage and pointed out this area already has a flooding issue. Burns said he met with residents and discussed their concerns. He said the drainage needs to be addressed. He said he is a proponent of annexation. He then said apartment complexes are needed as the City is continuing to grow. Justin Bland, City Engineer, addressed the drainage issues and went over the detention details. Beers asked if detention can be increased. Bland answered yes, and then showed proposed detention ponds. Burns asked if the City maintained original pond. Bland answered dyes. Burns said it is not maintained well; would like it looked into. Bland explained the purpose of the detention pond. Burns asked if permeable asphalt would work. Bland said it's an option, but depends on how the land perks. Beers asked about the playground issue and child safety. Krein said that children could play around the ponds and areas to the east. He said they are looking to put some benches and covered seating areas out there. Beers encouraged him to look at playgrounds. Krein said they plan on putting a fence around the property, and will look at ways to make it more kid friendly. A Motion to recess was made by Cavness, then failed due to lack of a second. A Motion to approve Resolution 33-16, authorizing a Significant Development Permit for 2200 E. Little John St., 2220 E. Sherwood St., and 2225 E. Sherwood St., subject to staff conditions was made by Smiley and seconded by Coleman.

Roll Call:

Smiley, Burns, Beers, Smith, Cavness, Coleman, Johnson –Aye.
7 Ayes. No Nays. Motion passed.

A Motion to recess was made by Smiley and seconded by Cavness.

After a brief recess, the meeting reconvened.

Administrator's Report: Phillip Patterson, City Administrator, reported an expenditure in the Maintenance Department for two tool boxes and two sets of tools in the amount of \$42,022.26. He reported a family member of the supervisor in Animal Services was hired. He stated the Sidewalk Master Plan was presented a couple of weeks ago. He said the Public Feedback Meeting is scheduled for October 25 from 5pm-6:30pm at the Library. He said the plans for the development of the splash pad and amphitheater around the Library was presented at a previous workshop. He announced the project has been awarded a \$300,000 grant for the design cost from the Design Excellence Program by the Walton Family Foundation. He stated they will start interviewing vendors shortly. He said he may propose using staff and a Board member to choose and interview vendors. He said \$20,000 of the grant funds is set aside for vendor travel costs. He thanked the Walton Family Foundation for inviting the City to participate in the competition.

Open Hearing of Directors: Mayor reminded everyone that Pickin' on 59 is this weekend. He also reminded everyone of the City-wide cleanup starting the week of October 24th and that staff would only pick up on the one day your service is scheduled. He expressed his appreciation of the Board's dialogue this meeting. He said no one likes change and if you want country living, don't move to the

edge of City limits. Burns expressed his excitement for the Design Excellence Program. He thanked all the citizens he met with this week, and all of their interactions. He reminded everyone of the Home Grown Festival downtown on Saturday. Smiley congratulated Crystal Wright, Lieutenant Derek Spicer, and Lieutenant Scott Miller on their awards. She expressed her appreciation of the staff and everything they do, and thanked them. She then said it is home improvement season, and that some projects may need a Building Permit. She staff could put something together going over the guidelines and send with utility bills to help inform citizens and prevent future issues. Smith said it was a pleasure to fill-in for the Mayor in presenting the Shelley Simmons proclamation last Thursday at the Chamber event. Cavness congratulated the City on receiving the grant from the Walton Family Foundation. He then said the Purple Heart signs are up at the entry ways of the City. Johnson said he was glad to receive positive feedback on the last item. Beers expressed his appreciation for the citizen's involvement and communication. He encouraged the City to keep thinking about the Design Excellence Program progressively. He congratulated the officers on their awards. He thanked Shelley Simmons and family for all they do for the community. He then said they had a great first mountain bike race on the JBU campus, in which Director Burns participated in. Coleman expressed his appreciation to the Police personnel. He echoed the Mayors statements regarding voiced concerns on agenda items. He said he has not had much communication from citizens in the last 4 years he's been on the Board. He said Board members are here because they were elected, and that one responsibility they have taken on, is to hear citizen's comments. He encouraged citizens to reach out and voice their complaints or praises.

Coleman then made a motion to adjourn; seconded by Beers. 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: Phillip Patterson, City Administrator
From: Don Clark, Community Services Director
Date: October 4, 2016
Subject: Bid Acceptance / Airport Precision Approach Indicator (PAPI) Lights Relocation /
Broadway Electric / \$120,000

Recommendation: Accept the PAPI Relocation bid from Broadway Electric for \$120,000.

Background: The airport has been encountering issues with the runway visual aids. The Precision Approach Path Indicators (PAPIs) have been out of service since early 2016. Due to the safety risks associated with no visual aids for landing aircraft, the airport approached the Arkansas Department of Aeronautics (ADA) to obtain a grant that would replace both PAPI and REIL fixtures on the airport. The airport has since received an ADA grant for the relocation of the existing incandescent PAPIs with new LED PAPI fixtures.

On September 22, 2016 bids were opened for the PAPI Relocation project at Siloam Springs Municipal Airport. Three companies picked up copies of the plans and staff expected to receive a bid from all three, however, the only one actually submitted was Broadway Electric in the amount of \$152,650. The lone bid was in excess of the \$120,000 construction amount listed in the recently acquired ADA grant. As a result, and in an effort to avoid a project delay through rebidding, Garver approached Broadway electric to determine if they were willing to negotiate the project scope and bid prices.

The project scope was adjusted such that the existing PAPI foundations would remain in place, airport staff would remove the existing PAPI fixtures, and the existing PAPI regulator would be reused, as it is still functioning properly. This change in scope results in a project cost reduction of \$17,500. In addition, Garver negotiated with Broadway to reduce the unit price of the LED PAPIs from \$49,200 to \$41,625. This change in unit price results in a total cost reduction of \$15,150. By reducing the project scope and bid item, the total construction cost is reduced to \$120,000 and is within the limits of the ADA grant.

Fiscal Impact: The fiscal impact will be \$21,500.00 (as approved on April 19th) and will come from Capital Outlay (40-01-599999-000).

Attachments: None



CITY OF
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STAFF REPORT

TO: Phillip Patterson, City Administrator 
FROM: Ben Rhoads, AICP, Senior Planner 
Cc: Don Clark, Community Services Director
DATE: September 23, 2016
RE: Ordinance 16-14/ Amend Section 102-21 of the City Municipal Code / rezone R-2 to G-I / 1405 W. Jefferson St.

Recommendation: Place Ordinance No. 16-14 on its ____ (1st, 2nd or 3rd) reading, suspending the rules and reading by title only.

Background: The applicant, First Christian Church, requests to rezone their property at 1405 W. Jefferson St. from R-2 (Residential, medium) to G-I (General Institutional).

The Planning Commission reviewed the rezoning application at the September 13, 2016 regular meeting. There was one question from the public; staff answered the question to the satisfaction of the Commission. The Commission recommended approving the rezoning permit by a 6-0 vote, with no abstentions. One Planning Commissioner was absent.

Fiscal Impact: No fiscal impact is anticipated.

Attachments:

Staff Report with attachments
Ordinance No. 16-14



CITY OF
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STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *BZR*
Cc: Don Clark, Community Services Director
DATE: August 30, 2016
RE: Rezoning Development Permit, RZ16-08/ Rezone from R-2 to G-I.

Recommendation: Motion to approve RZ16-08 (Rezone Development Permit).

Background:

APPLICATION REVIEW DATES

Planning Commission review: September 13, 2016

Board of Directors review: October 4, 2016

APPLICANT AND AGENT

Applicant/Owner: First Christian Church

Agent: Terry Eaves

SUBJECT PROPERTY ADDRESS

1405 W. Jefferson St.

INTERNET MAP INFORMATION

Planning staff has created a map made with Google My Maps.

Attribution: Map data ©2016 Google Imagery ©2016, Arkansas GIS, DigitalGlobe, Landsat, State of Arkansas, USDA Farm Service Agency, Washington County.

Please click on the following link to access. This link will only operate if reading this report digitally.

<https://drive.google.com/open?id=1CQGfMbtvBBbExp0jw2SEVv8cc7Y&usp=sharing>

PROJECT INTENT

The applicant desires to rezone a 4.09 acre metes and bounds parcel from R-2 (Residential, medium) to G-I District (General Institutional).

EXISTING LAND USES AND ZONING

| <i>EXISTING LAND USE</i> | | <i>EXISTING ZONING</i> | |
|-----------------------------|------------------------------------|--------------------------------------|---|
| Institutional—Church | | R-2 District (Residential, medium) | |
| <i>PROPOSED LAND USE</i> | | <i>PROPOSED ZONING</i> | |
| Institutional—Church | | G-I District (General Institutional) | |
| <i>SURROUNDING LAND USE</i> | | <i>SURROUNDING ZONING</i> | |
| North: | Residential, single-family | North: | R-2 District (Residential, medium) |
| South: | Institutional—School | South: | G-1 District (General Institutional) |
| East: | Residential, single-family | East: | R-2 District (Residential, medium) |
| West: | Office/ Residential, single-family | West: | C-1A District (Light Commercial)/ R-2 District (Residential, medium) |

APPROVAL CRITERIA

The following criteria are shown to indicate if this proposal meets the minimum criteria for approval:

- I. ZONING USE UNIT CONSISTENCY
Religious Institutions fall within Use Unit 14 (Large Government, Religious or Healthcare facilities). Use Unit 14 is permitted in the proposed G-I District.

- II. LOT STANDARDS CONSISTENCY
The minimum G-I zone standards are compared with the subject property’s tracts below.

| <i>MINIMUM (G-I) ZONING REQUIREMENTS</i> | <i>SUBJECT PROPERTY PROPOSAL</i> |
|--|----------------------------------|
| Lot Area: 5,000 sq. ft. | 4.09 acres |
| Lot Width: 50 ft. | Approx. 643 ft. |
| Maximum Lot Coverage: 60% | Approx. 40 % |
| Maximum Floor to Area Ratio: 0.6 (60%) | Approx. 0.11 or 11% |

- III. COMPREHENSIVE PLAN CONSISTENCY
The 2030 future land use map describes this area as medium residential. Staff believes, due to the nature of the existing church, that the G-I zone is appropriate for this property. The following zone(s) are appropriate according to the designation: R-2, G-I (see explanation above).

- IV. LAND USE CODE REQUIREMENTS
Staff received no information that:
 - the proposal interferes with the reasonable peace or enjoyment of the neighboring properties;
 - the property values may be substantially damaged;
 - the proposal may impact the present or future uses of neighboring properties;
 - the proposal is not adequately supported by infrastructure.

STAFF DISCUSSION

The applicant requests rezoning 1405 W. Jefferson St. from R-2 to G-I, the site of First Christian Church, located at the northwest corner of S. Dogwood St. and W. Jefferson St., north of the Siloam Springs Middle School. The church is rezoning to bring the property into conformance with the zone appropriate for religious institutions. The site exceeds all lot standards for the proposed zone. The future land use map does not designate individual religious uses; therefore staff feels this rezoning is appropriate due to the historic usage at this site. Staff received no information as to future development plans for the church. This request is the seventh church in Siloam Springs to rezone to G-I.

LEGAL NOTICE

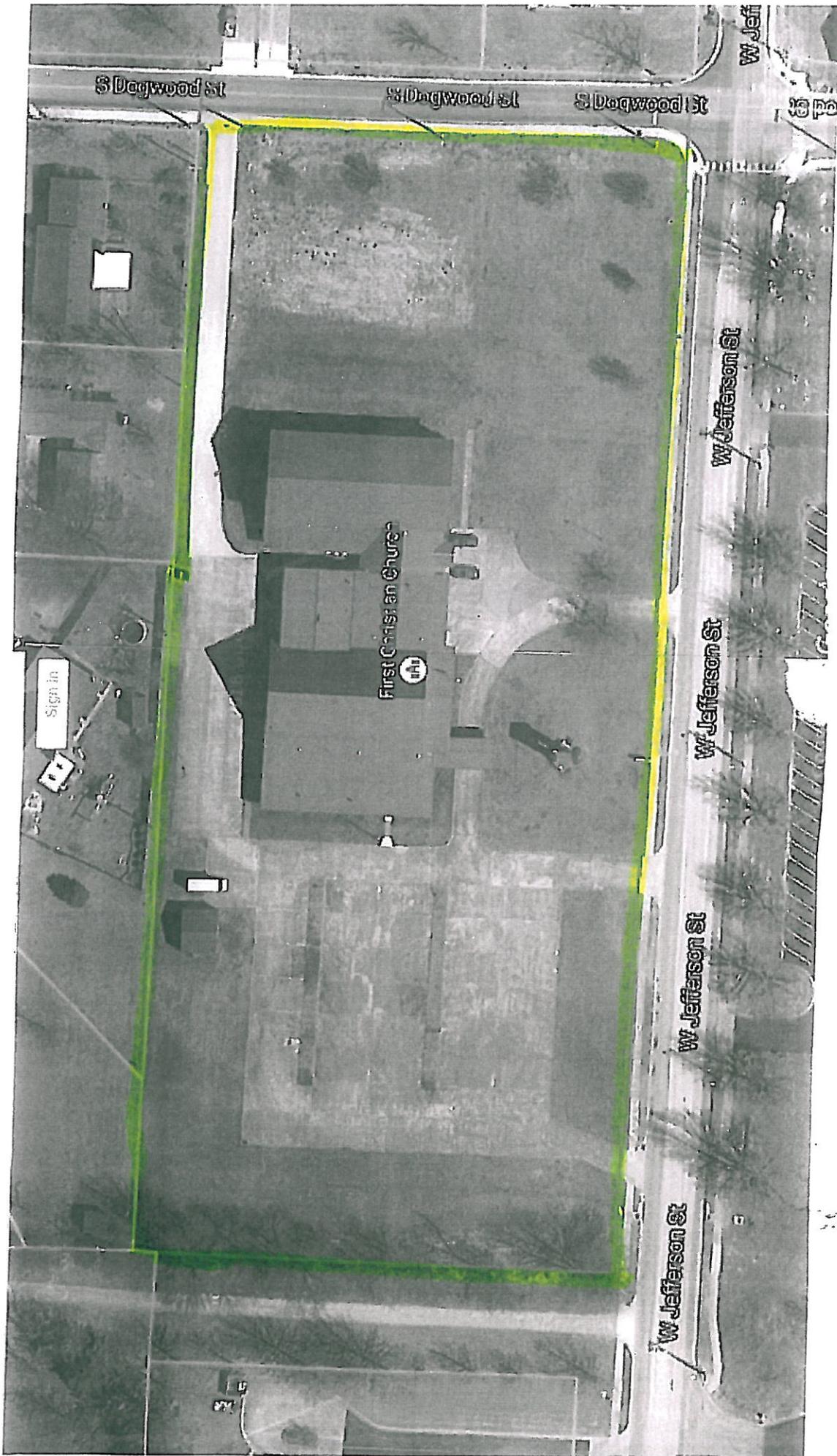
- Site posted: August 2, 2016.
- Newspaper legal notification: August 21, 2016 (Herald-Leader).
- Letter legal notification: August 25-28, 2016.
- Staff received two phone calls and one office visit of a questioning nature. Staff answered the callers' questions to their satisfaction. No correspondence was received.

Fiscal Impact:

No impact is anticipated.

Attachments:

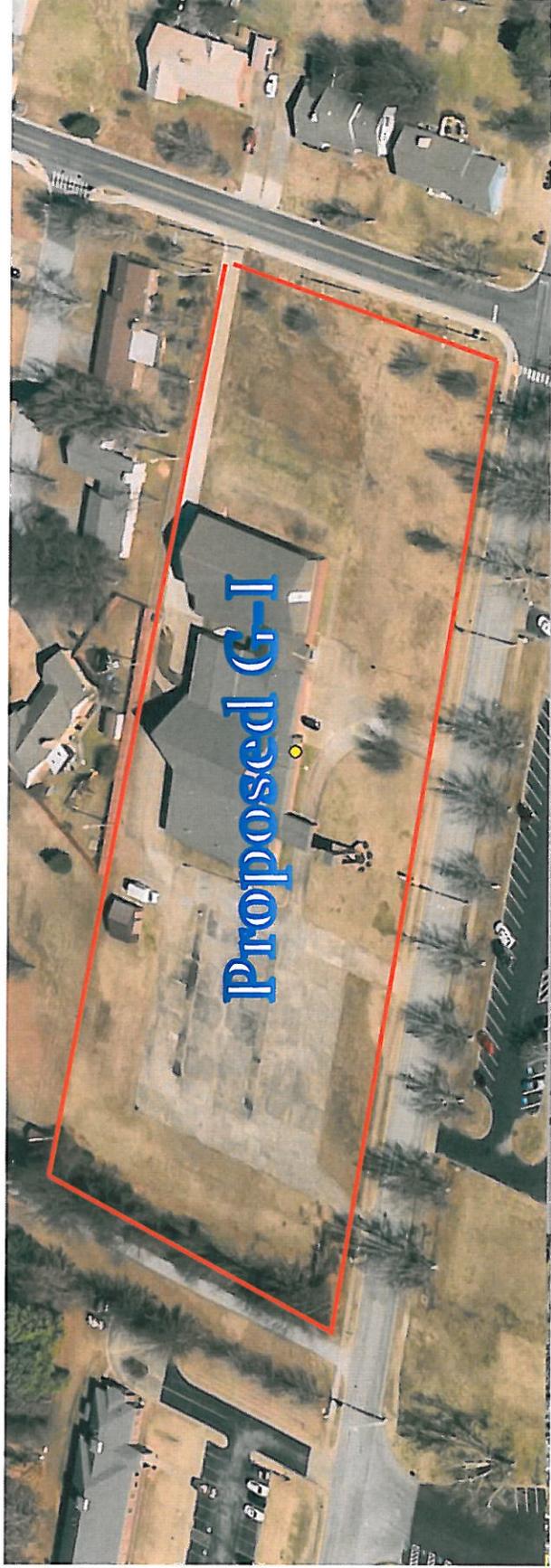
Site Plan
Bird's Eye View
General Area Map



From R-2 to G-1

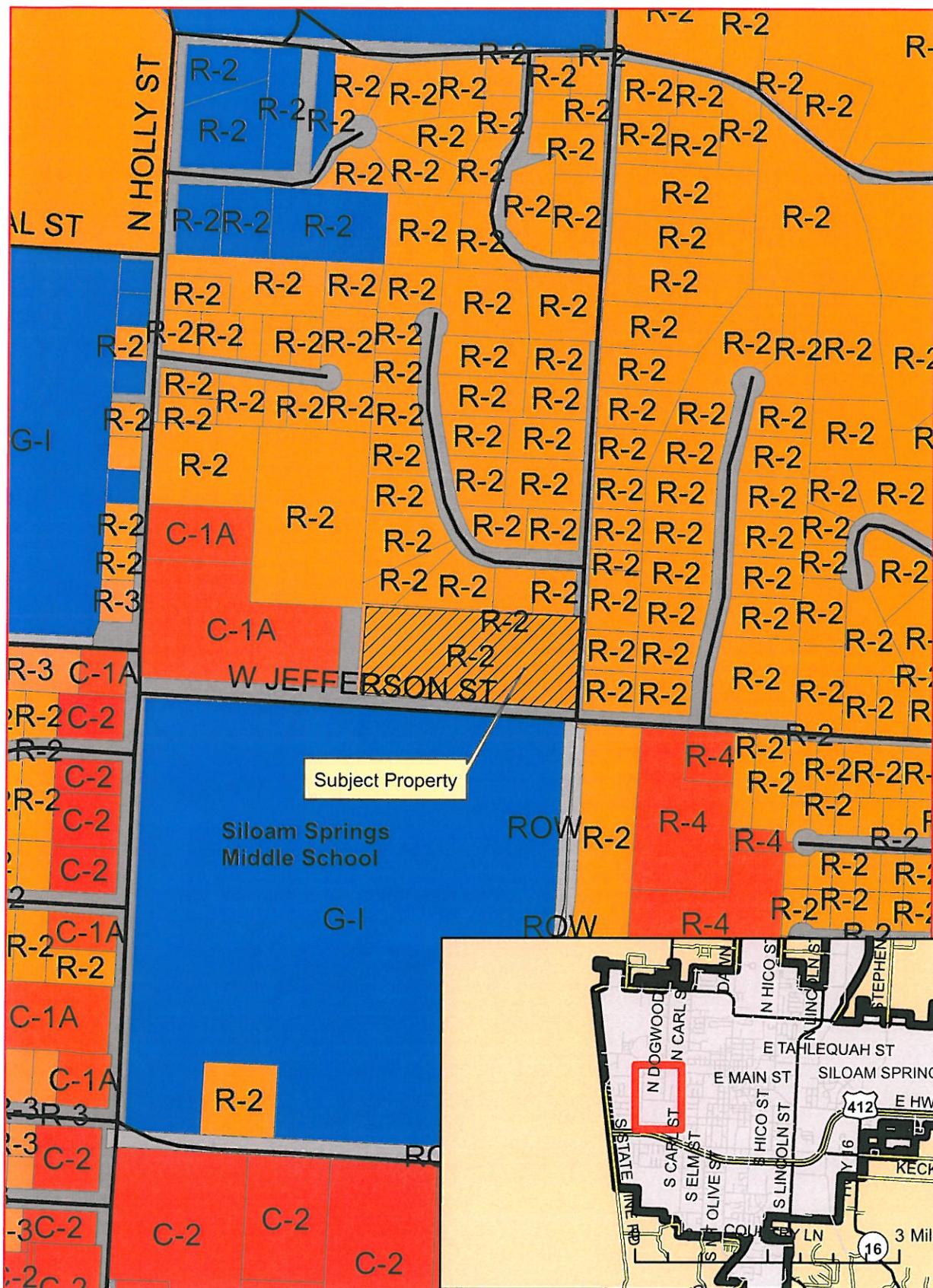
RZ16-08 -- First Christian Church

Bird's Eye View- Looking North



GENERAL AREA MAP

Rezone Development RZ 16-08



0 0.0425 0.085 0.17 Miles

ORDINANCE NO. 16-14

**AN ORDINANCE AMENDING SECTION 102-21 OF THE
SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING
MAP); REZONING (FROM R-2 to G-I) THE PROPERTY
LOCATED AT 1405 WEST JEFFERSON STREET**

Whereas, the landowner, First Christian Church, has requested that the below-described land be changed from the present zoning district of R-2 (Residential, medium) to G-I (General Institutional); and

Whereas, a public hearing on the proposed change was held on the 13th day of September 2016, before the City of Siloam Springs Planning Commission, after proper notice required by law; and

Whereas, after receiving public comments at said hearing, a motion approving the rezone was passed by the Planning Commission; and

Whereas, the proposal is generally consistent with the City's comprehensive land use plan; and

Whereas, upon review and deliberation it appears that the zoning change is in the best interest of the City of Siloam Springs; **Now Therefore:**

Be It Enacted by the Siloam Springs Board of Directors, as follows:

The zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the G-I zoning district the property located at 1405 W. Jefferson, and described as follows:

Beginning at a point 60 feet North of the SE corner of E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, Township 17 North, Range 34 West, running thence West 660 feet to the West line of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence North 270 feet; thence East 660 feet; thence South 270 feet to place of beginning.

Ordained and Enacted this _____ day of _____ 2016.

APPROVED:

ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk

(SEAL)



CITY OF
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STAFF REPORT

TO: Phillip Patterson, City Administrator 
FROM: Ben Rhoads, AICP, Senior Planner 
Cc: Don Clark, Community Services Director
DATE: September 23, 2016
RE: Ordinance 16-15 / Amend Section 102-21 of the City Municipal Code / rezone R-4 to C-2 / 3300 Block of Hwy. 412 E.

Recommendation: Place Ordinance No. 16-15 on its _____ (1st, 2nd or 3rd) reading, suspending the rules and reading by title only.

Background: The applicant, William and Kerri Low, requests to rezone their property at 3300 Block of Hwy. 412 East from R-4 (Residential, multi-family) to C-2 (Roadway Commercial).

The Planning Commission reviewed the rezoning application at the September 13, 2016 regular meeting. There was one comment from the public regarding the driveway; staff responded to the comment to the satisfaction of the Commission. The Commission recommended approving the rezoning permit by a 6-0 vote, with no abstentions. One Planning Commissioner was absent.

Fiscal Impact: No fiscal impact is anticipated.

Attachments:

Staff Report with attachments
Ordinance No. 16-15



STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *ZLR*
Cc: Don Clark, Community Services Director
DATE: August 5, 2016
RE: Rezoning Development Permit, RZ16-07 / Rezone from R-4 to C-2.

Recommendation: Motion to approve RZ16-07 (Rezone Development Permit).

Background:

APPLICATION REVIEW DATES

Planning Commission review: September 13, 2016

Board of Directors review: October 4, 2016

APPLICANT AND AGENT

Applicant/Owner: William and Kerri Low

Agent: CEI Engineering – Nate Bachelor / LP Retail, LLC

SUBJECT PROPERTY ADDRESS

3300 block of Hwy. 412 E.

INTERNET MAP INFORMATION

Planning staff has created a map made with Google My Maps.

Attribution: Map data ©2016 Google Imagery ©2016, Arkansas GIS, DigitalGlobe, Landsat, State of Arkansas, USDA Farm Service Agency, Washington County.

Please click on the following link to access. This link will only operate if reading this report digitally.

<https://drive.google.com/open?id=1CQGfMbtvBBbExp0jw2SEVv8cc7Y&usp=sharing>

PROJECT INTENT

The applicant desires to rezone part of Lot 2 of Block 4 of the Sun Haven Addition, a 1.08 acre lot, from R-4 (Residential, multi-family) to C-2 District (Roadway Commercial).

EXISTING LAND USES AND ZONING

| <i>EXISTING LAND USE</i> | <i>EXISTING ZONING</i> |
|---|--|
| Vacant | R-4 District (Residential, multi-family) |
| <i>PROPOSED LAND USE</i> | <i>PROPOSED ZONING</i> |
| Commercial—Retail | C-2 District (Roadway Commercial) |
| <i>SURROUNDING LAND USE</i> | <i>SURROUNDING ZONING</i> |
| North: Commercial—Retail | North: C-2 District (Roadway commercial) |
| South: Residential—Multi-Family | South: R-4 District (Res., multi-family) |
| East: Commercial—Retail (liquor) | East: C-2 District (Roadway commercial) |
| West: Commercial—Retail (under development) | West: C-2 District (Roadway commercial) |

APPROVAL CRITERIA

The following criteria are shown to indicate if this proposal meets the minimum criteria for approval:

I. ZONING USE UNIT CONSISTENCY

Large and Medium Impact Retail commercial uses fall within Use Unit 15 (Medium Impact Commercial or Office) or Use Unit 16 (Large Impact Commercial or Office). Use Units 15 and 16 are permitted in the proposed C-2 District through.

II. LOT STANDARDS CONSISTENCY

The minimum C-2 zone standards are compared with the subject property's tracts below.

| <i>MINIMUM (C-2) ZONING REQUIREMENTS</i> | <i>SUBJECT PROPERTY PROPOSAL</i> |
|--|----------------------------------|
| Lot Area: 8,000 sq. ft. | 1.08 acres |
| Lot Width: 80 ft. | Approx. 253 ft. |
| Maximum Lot Coverage: 85% | N/A |
| Maximum Floor to Area Ratio: 0.6 (60%) | N/A |

III. COMPREHENSIVE LAND USE MAP CONSISTENCY

The 2030 future land use map describes this area as commercial and office. The following zone(s) are appropriate according to the designation: C-2; C-1A.

IV. LAND USE CODE REQUIREMENTS

Staff received no information that:

- the proposal interferes with the reasonable peace or enjoyment of the neighboring properties;
- the property values may be substantially damaged;
- the proposal may impact the present or future uses of neighboring properties;
- the proposal is not adequately supported by infrastructure.

STAFF DISCUSSION

The applicant requests rezoning the 3300 block of 412 East from R-4 to C-2. This is an undeveloped lot north of the Spring Valley Apartments, west of Stock Tank Liquor and east of the Shoppes of Siloam shopping center, which is under development. On September 1, 2016, an application for a significant development permit was filed. The permit is to develop the lot into a small shopping center. This permit will be reviewed by the Planning Commission on October 11, 2016. The applicant desires to first rezone the property before seeking approval for the significant development permit. The site exceeds all lot standards for the proposed zone. Future development on this site will use the existing drive access to the east and a shared access easement (per the Shoppes of Siloam) to the west, so no new drives are proposed on the property. The future land use map describes this area as commercial and office, the proposal will bring the zoning into conformance with the future land use map. Finally, staff believes future commercial uses at the subject property will be the highest and best use of the property due to its prime location on Hwy 412 E.

LEGAL NOTICE

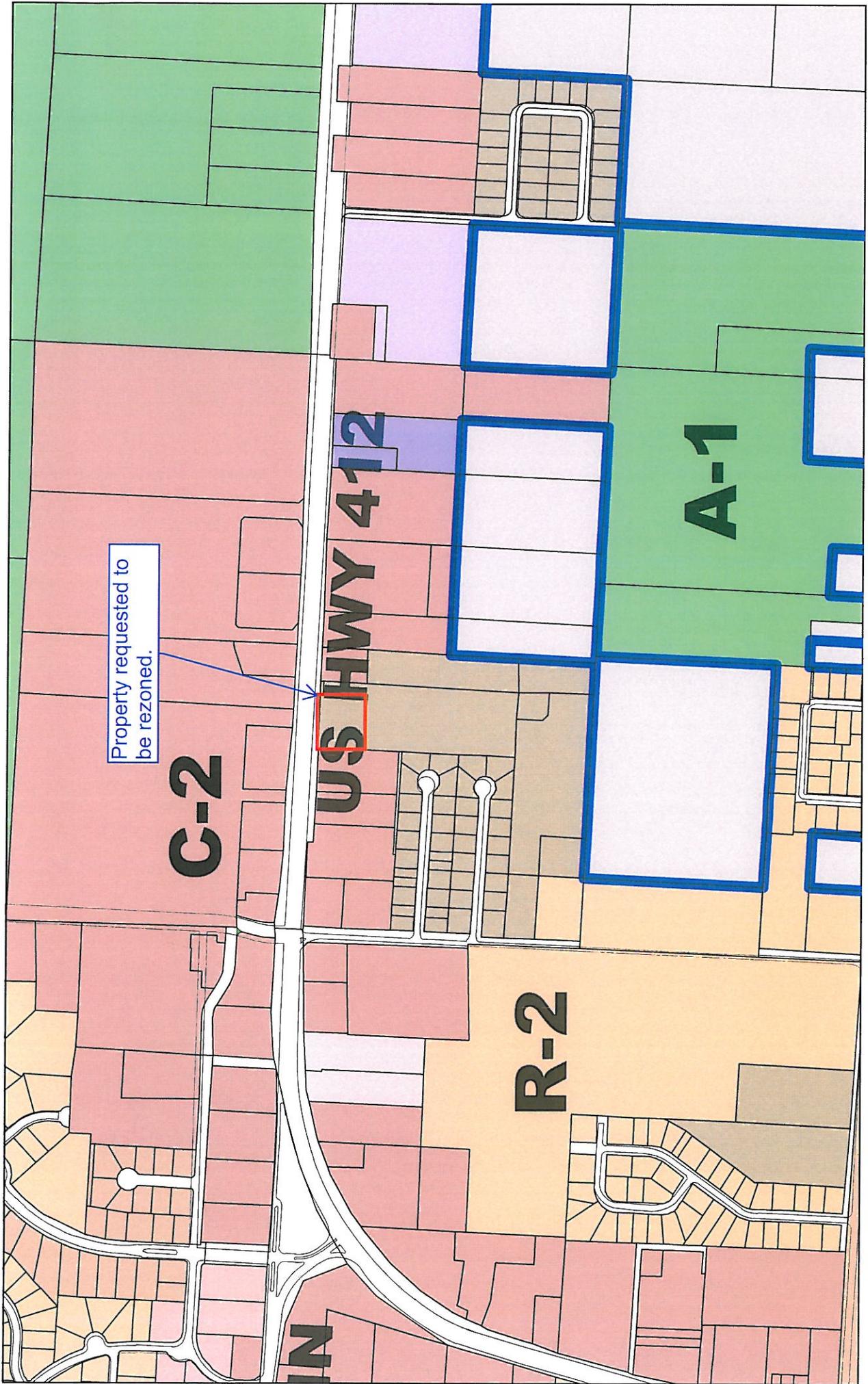
- Site posted: August 2, 2016.
- Newspaper legal notification: August 21, 2016 (Herald-Leader).
- Letter legal notification: August 15-18, 2016.
- Staff received no phone calls or correspondence.

Fiscal Impact:

No impact is anticipated.

Attachments:

Site Plan
Bird's Eye View
General Area Map



Property requested to be rezoned.

C-2

US HWY 412

A-1

R-2

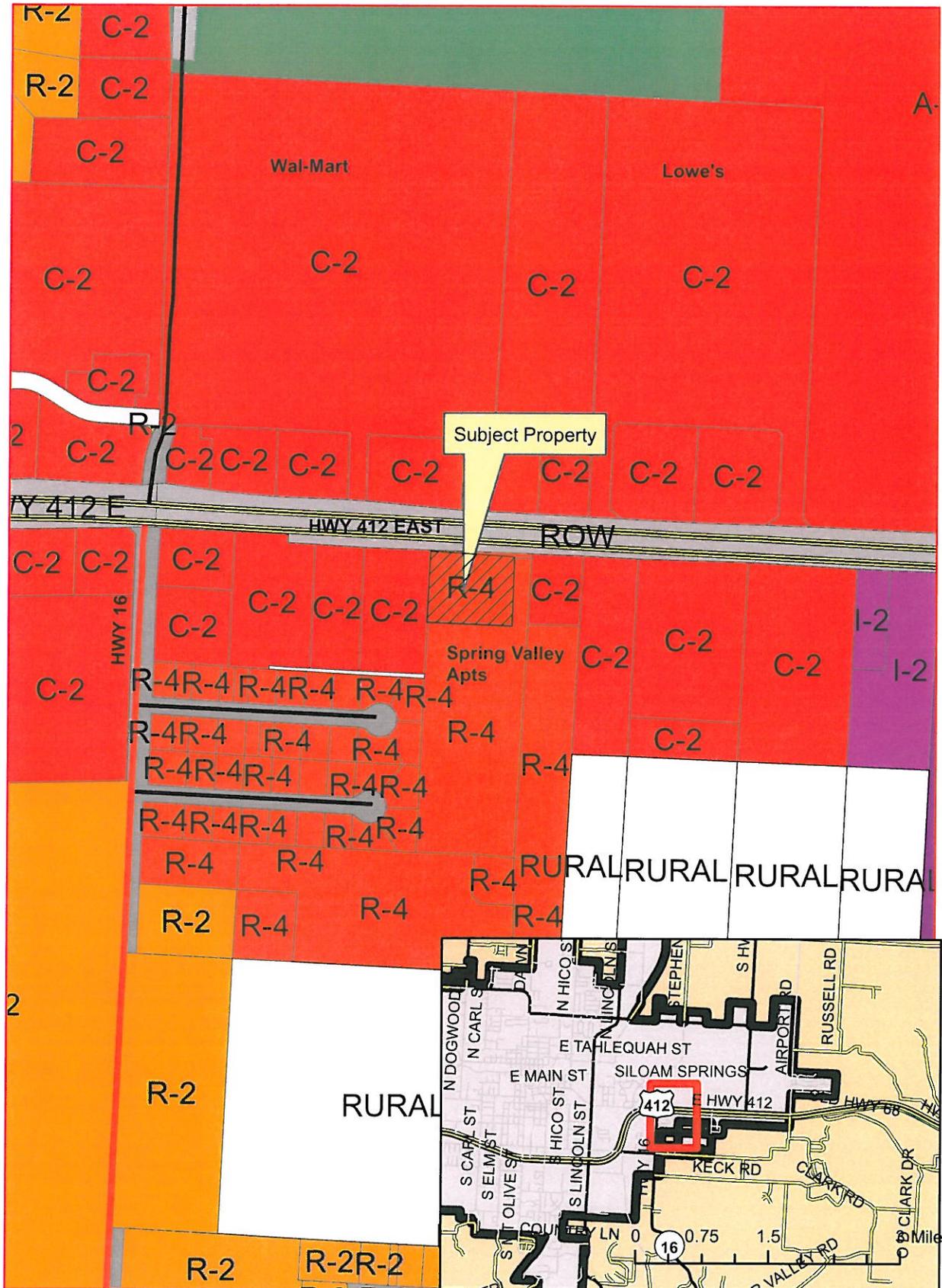
IN

RZ16-07 - Low Bird's Eye View- Looking South



GENERAL AREA MAP

Rezone Development RZ 16-07



ORDINANCE NO. 16-15

**AN ORDINANCE AMENDING SECTION 102-21 OF THE
SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING
MAP); REZONING (FROM R-4 to C-2) THE PROPERTY
LOCATED AT THE 3300 BLOCK OF U.S. HWY. 412 EAST**

Whereas, the landowners, William Low and Kerri Low, have requested that the below-described land be changed from the present zoning district of R-4 (residential, multi-family) to C-2 (Roadway Commercial); and

Whereas, a public hearing on the proposed change was held on the 13th day of September 2016, before the City of Siloam Springs Planning Commission, after proper notice required by law; and

Whereas, no objections were registered at said hearing, and a motion approving the rezone was passed by the Planning Commission; and

Whereas, the proposal is consistent with the City's comprehensive land use plan; and

Whereas, upon review and deliberation it appears that the zoning change is in the best interest of the City of Siloam Springs; **Now Therefore:**

Be It Enacted by the Siloam Springs Board of Directors, as follows:

The zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the C-2 zoning district the property located at the 3300 Block of Hwy. 412 E., and described as follows:

HWY 412 Lot – Deed Book 2010, Page 11455

The tract of land being described in Deed Book 2010, Page 11455, being a portion of Tract 2, Block 4 of Sun Haven Addition to the City of Siloam Springs recorded as Plat Book 20, Page 189 and lying in the Northwest Quarter of the Southwest Quarter of Section 4, Township 17 North, Range 33 West, Benton County, Arkansas, being described by metes and bounds as follows:

COMMENCING at the Northeast Corner of said 40 acre tract as shown on said Sun Haven Addition; THENCE South 00°32'51" East a distance of 70.74 feet to the South Right-of-Way line of Highway 412; THENCE along said Right-of-Way, South 89°44'10" West a distance of 160.00 feet; THENCE continuing along said Right-of-Way, South 89°25'34" West a distance of 50.00 feet to the POINT OF BEGINNING; THENCE South 00°32'51" East a distance of 200.00 feet; THENCE South 89°25'34" West a distance of 253.01 feet; THENCE North 00°49'00" West a distance of 200.00 feet to the aforementioned South Right-of-Way of Highway 412; THENCE along said Right-of-Way, North 89°25'34" East a distance of 253.95 feet to the POINT OF BEGINNING and containing 1.079 acres, more or less.

This description is based on the bearing and distances shown on said Sun Haven Addition to the City of Siloam Springs as recorded in Plat Book 20, Page 189 and is being provided to correct the commencing courses of said Deed Book 2010, Page 11455.

Ordained and Enacted this _____ day of _____ 2016.

APPROVED:

ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk

(SEAL)



CITY OF
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ADMINISTRATOR'S CERTIFICATION FOR SOLE-SOURCE PURCHASE

TO: Honorable Mayor and Board of Directors
FROM: Phillip Patterson, City Administrator
DATE: 10/12/16
RE: Ordinance 16-16 / Waive Competitive Bidding for Defense Program / Arkansas Municipal League / \$52,636.50

Recommendation: Approve Ordinance No. 16-16, suspending the rules and reading by title; (only one reading required)

Background: The AR Municipal League Defense Program serves as a co-op for municipalities that provides such resources as limited protection for the personal assets of officials, board or commission members, and employees, as well as protection from civil rights lawsuits, and other forms of guidance to ensure legal compliance in various areas. Participation in this program minimizes potential financial loss to the City should it experience matters of civil litigation. No other entity provides this service, making them the sole source for these benefits. The City has been using the program for quite some time, however, a recent rate increase will now require the request for payment to go before the board.

Fiscal Impact: Participation in the program will cost the City \$52,636.50.

Certification: For the reasons set forth above, I certify that sourcing the above referenced service from the AR Municipal League constitutes an exceptional situation whereby the requirements of competitive bidding are not feasible, pursuant to Sec. 14-48-129 of the Arkansas Statutes and Sec. 2-223 of the Siloam Springs City Code.

Phillip Patterson, City Administrator

Attachments:
Ordinance No. 16-16

ORDINANCE NO. 16-16

**AN ORDINANCE AUTHORIZING AN AGREEMENT
WITH THE ARKANSAS MUNICIPAL LEAGUE (AML)
FOR THE CITY TO PARTICIPATE IN THEIR
MUNICIPAL LEGAL DEFENSE PROGRAM, WAIVING
THE REQUIREMENT OF COMPETITIVE BIDDING AND
DECLARING AN EMERGENCY**

WHEREAS, it is in the public interest that the City of Siloam Springs participate in the AML's Municipal Legal Defense Program; and

WHEREAS, the City must move quickly to continue participation and reduce its ongoing risk and minimize the potential for significant financial loss, and

WHEREAS, Ark. Code Ann. §14-58-303(b) (2) (B) provides that the Board of Directors may, by ordinance, waive the requirements of competitive bidding in exceptional situations where the bidding procedure is deemed not feasible or practical; and

WHEREAS, the need to make a provision for participation in AML's Municipal Legal Defense Program is immediately necessary to protect the health, safety and welfare of the citizens of the City.

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

SECTION 1. *Authorization.* The City Administrator or his designee is hereby authorized to execute and documents; submit payment to AML for participation in the Municipal Legal Defense Program.

SECTION 2. *Waiver.* The requirement of formal competitive bidding regarding these contracts is hereby deemed not feasible or practical, and is therefore waived.

SECTION 3. *Repealer and severability.* Prior Ordinances in conflict with the provisions enacted herein are repealed to the extent of the conflict. If any provision of a section of this Ordinance or the application thereof to any person or circumstances is held invalid by a court of competent jurisdiction, the invalidity does not affect the provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

ORDINANCE NO. 16-16, PAGE 2

Ordained and Enacted this 18th day of October 2016.

Approved:

John Mark Turner, Mayor

ATTEST:

Renea Ellis, City Clerk

{Seal}



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STAFF REPORT

To: Phillip Patterson, City Administrator
From: Don Clark, Community Services Director
Date: October 5, 2016
RE: Resolution 35-16 / Accepting Land Donation / Lot 3 & the E½ of Lot 2, Block 5,
Beauchamp's Addition / Roy D. and Rebecca F. James

Recommendation: Approve Resolution 35-16 authorizing the acceptance of property donation from Roy and Rebecca James.

Background: On August 25, 2016, the Mayor of Siloam Springs received a letter from Roy D. and Rebecca F. James of Rogers, Arkansas expressing their interest in donating a vacant lot they own in city limits to the City of Siloam Springs.

The vacant lot owned by Mr. & Mrs. James is not addressed as of yet, but is located in the Beauchamp's Addition on the 600 block of East University Street and is referenced as Parcel Number 03-00962-000 by the Benton County Assessor's Office. This parcel is 0.26 acres of land and does have several potential uses for City purposes in the future.

At the time the deed is signed over to the City of Siloam Springs, the City Administrator will issue a letter to the donors acknowledging the City's receipt of a donation in the amount of the appraised value of the property as established by the Benton County Assessor's Office for the fiscal year 2016.

Fiscal Impact: The estimated fiscal impact will be \$21.00 annually in property taxes.

Attachments:

Letter from Roy D. and Rebecca F. James
Resolution 35-16

August 25, 2016

Roy D. and Rebecca F. James
2100 West New Hope Road, Unit 1301
Rogers, AR 72758

Mayor of the City of Siloam Springs
P.O. Box 80
1450 Cheri Whitlock Drive
Siloam Springs, AR 72761

Dear Mayor:

We are in our 60's and retired. We've owned a vacant lot in Siloam Springs, AR, for many, many years. We once thought we might build a home on this property but we now know this will never happen. Our lot is located in Beauchamps Addition very near Washington Street on East University Street. The parcel number is: 03-00962-000. For some reason in 2016 the Benton County Assessor's Office increased the value of this property to \$28,000. When FEMA reworked the flood plain maps a few years ago they changed the status of this property. From what we were told this lot can no longer be built on.

If The City of Siloam Springs has any use for this lot we would agree to donate it to the city. All we would ask is that we are given a statement that we could use for tax purposes stating the value of this donation as \$28,000. Please consider this matter and let us know by October 1st, 2016, if the City of Siloam would like us to donate this property to the city. Thanks!

Sincerely,

A handwritten signature in blue ink that reads "Roy James". The signature is written in a cursive style with a large, stylized "R" and "J".

Roy James

RESOLUTION NO. 35 - 16

**RESOLUTION ACCEPTING DONATION OF REAL PROPERTY
DESCRIBED AS LOT 3 AND EAST ONE-HALF OF LOT 2, BLOCK 5,
BEAUCHAMPS ADDITION TO SILOAM SPRINGS**

WHEREAS, the City of Siloam Springs is generally authorized to accept donations of real and personal property for the benefit of its citizens; and

WHEREAS, Roy and Rebecca James have offered to contribute the real property as set forth in the attached deed; and

WHEREAS, staff has determined that the referenced property, by virtue of location size and layout is of potential future use for City purposes; and

WHEREAS, the Board of Directors finds that it is appropriate to accept the donation offered.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SILOAM SPRINGS, ARKANSAS, AS FOLLOWS:

1. The donation described above is accepted. The mayor and city clerk are authorized and directed to execute such deeds and conveyance documents as may be reasonably necessary to complete the transfer to the City; and

2. The city administrator is hereby authorized and directed to issue a letter to the donors acknowledging the city's receipt of a donation in the amount of the appraised value of the property as established by the Benton County Assessor's Office for fiscal year 2016.

Done and Resolved this _____ day of October 2016.

APPROVED:

ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk

(SEAL)