

ORDINANCE NO. 428

AN ORDINANCE REZONING IDENTIFIED PROPERTY WITHIN THE CITY OF BARLING, ARKANSAS; AMENDING THE ZONING MAP; and DECLARING AN EMERGENCY

WHEREAS, the City Planning Commission of the City of Barling, Arkansas has heretofore held a public hearing(s) upon a request to rezone certain property within the City of Barling, Arkansas hereinafter described; and

WHEREAS, the City Planning Commission of the City of Barling, Arkansas, having considered said request, and finding it to be in the best interest of said City, has recommended to the Board of Directors that said request for rezoning be granted;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Directors of the City of Barling, Arkansas, that:

SECTION 1. The following specifically described real property is hereby rezoned and classified as C-1 under the zoning regulations for the City of Barling, Arkansas, the same being Ordinance No. 267, as amended:

Part of Government Lot 2 of the Northeast Quarter (NE1/4) of Section 4, Township 7 North, Range 31 West, of the Fifth Principal Meridian, Greenwood District of Sebastian County, Arkansas, and being more particularly described as follows:

COMMENCING at the Southeast Corner of the Northeast Quarter (NE1/4) of said Section 4, said Southeast Corner being marked by an existing 1/2" rebar with PLS 147 cap and having coordinates of which are referred to the Arkansas State Plane Coordinate System, being N 365,843.05 usft and E 627,111.23 usft, North Zone (0301), NAD 1983;

Thence from the point of commencement and by bearing and distance (basis of bearing, Grid North),

North 02°44'33" East along the east line of said Northeast Quarter (NE1/4) of Section 4 a distance of 1,879.99 feet to a point on the north right-of-way line of the Fort Smith Railroad (formerly the Missouri-Pacific Railroad); thence 198.11 feet along said north right-of-way line and a non-tangent curve to the right, said curve having a radius of 1,878.15 feet and being subtended by a chord bearing and distance of North 74°56'41" West, 198.02 feet; thence North 71°54'01" West continuing along said north right-of-way line a distance of 23.62 feet to a point on the northwesterly right-of-way line of Frontier Road (relocated Fort Smith Blvd) being established by AHTD Job 040376, said point being marked by an existing AHTD 3" aluminum monument stamped by PS 1201; thence leaving said northwesterly right-of-way line, North 71°47'53" West continuing along said north right-of-way line of the Fort Smith Railroad a distance of 402.92 feet to an existing 3/4" iron pipe; thence leaving said north right-of-way line, North

A motion was made by Director Brigham to suspend the rule to read the ordinance on three separate occasions, seconded by Director Gattis. The motion passed unanimously.

A motion was made by Director Farrar to approve Ordinance 427, seconded by Director McMahan. The motion passed unanimously.

A motion was made by Director Gattis to approve the emergency clause in Ordinance 427, seconded by Director Brigham. The motion passed unanimously.

CONSIDERATION OF PAY REQUEST FROM EDM CONSULTANTS FOR ENGINEERING SERVICES FOR SEWER LINE AT 22ND AND MOODY ROAD

Administrator Tanner provided a copy of the request for payment from EDM Consultants for the engineering services for the Moody Road sewer replacement in the amount of \$2,546.50. This has been reviewed and Administrator Tanner recommends payment to EDM Consultants.

A motion was made by Director Farrar to approve payment to EDM Consultants in the amount of \$2,546.50, seconded by Director Sharum. The motion passed unanimously.

CONSIDERATION OF PAY REQUEST FROM EDM CONSULTANTS FOR ENGINEERING SERVICES FOR PARK EXPANSION

Administrator Tanner provided a copy of the request for payment from EDM Consultants for the engineering services for the park expansion in the amount of \$4,375.00. This has been reviewed and Administrator Tanner recommends payment to EDM Consultants.

A motion was made by Director Brigham to approve payment to EDM Consultants in the amount of \$4,375.00, seconded by Director Gattis. The motion passed unanimously.

CONSIDERATION OF PAY REQUEST FROM M. PHILLIPS CONSTRUCTION FOR PARK EXPANSION

Administrator Tanner provided a copy of the request for payment from M. Phillips Construction for water line to the Barling park in the amount of \$70,435.00. This has been reviewed and Administrator Tanner recommends payment to M. Phillips Construction.

A motion was made by Director Farrar to approve payment to M. Phillips Construction in the amount of \$70,435.00, seconded by Director Brigham. The motion passed unanimously.

DISCUSSION OF REPLACEMENT OF 12 INCH WATER LINE – MAYO TO “H” STREET

Administrator Tanner stated according to Mickle Wagner Coleman Engineering firm is it not recommended to slip-line the water lines since there is asbestos on the outside of the water line. Administrator Tanner recommended this water line replacement be the next major water line project. Director Gattis agreed this needs to be a priority project. Also, decided the best way to finance this would be to get a low interest loan from the United States Department of Agriculture for ten years and not touch the City’s CD’s. Administrator Tanner recommended M. Phillips to do the work and since this is an emergency situation, apply Ordinance 188 so as not to have to bid this project. Administrator Tanner will provide more information at the September 22nd meeting and begin the process of the loan.

OLD BUSINESS

None.

NEW BUSINESS

None.

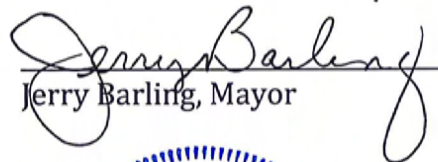
31 11'43" East a distance of 314.17 feet to a set 1/2" rebar with PS 1507 cap and the POINT OF BEGINNING; thence North 31 11'43" East a distance of 291.83 feet to an existing 1/2" rebar on the southerly right-of-way line Arkansas Highway 22 (Fort Street) according to AHTD Job 4680; thence South 58 51'21" East along said southerly right-of-way line a distance of 116.24 feet to a set 1/2" rebar with PS 1507 cap on the southerly right-of-way line of U.S. Highway 71 Relocation (Interstate Highway 49) established by said AHTD Job 040376, and from which, an existing 4" AHD brass monument in concrete bears South 58 51'21" East, 1.00 feet; thence South 30 52'07" West along said southerly right-of-way line of U.S. Highway 71 Relocation a distance of 6.71 feet to an existing 3" AHTD aluminum monument stamped by PS 1201; thence South 56 25'10" East continuing along said southerly right-of-way line of U.S. Highway 71 Relocation a distance of 86.46 feet to a set 1/2" rebar with PS 1507 cap; thence leaving said southerly right-of-way line of U.S. Highway 71 Relocation, South 04 07'06" West a distance of 316.29 feet to a set 1/2" rebar with PS 1507 cap; thence North 58 48'19" West a distance of 346.64 feet to the Point of Beginning, containing 1.807 acres, more or less, and being subject to easements or rights-of-way of record or fact.

According to Survey by Morrison Shipley Engineers, Inc., Project # CAS-41, by AR PS #1507.

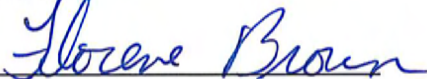
SECTION 2. Said rezoning shall be duly reflected upon the Zoning District Maps of the City of Barling, Arkansas.

SECTION 3. It being necessary to preserve the City's public health, safety, and welfare, and for the immediate development of the City's infrastructure, an emergency is hereby declared to exist and this Ordinance shall take effect and be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 22nd day of September, 2015.


Jerry Barling, Mayor

ATTEST:


City Clerk, Florene Brown

