

ORDINANCE NO. 1487

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO WAIVE THE REQUIREMENT OF COMPETITIVE BIDDING AS REQUIRED BY ARKANSAS CODE ANNOTATED SECTION 14-58-303 FOR THE PURCHASE OF HEAVY EQUIPMENT INSURANCE"

WHEREAS, the City Board of Directors has determined that an exceptional situation exists in the purchase of insurance for heavy equipment in that it is not feasible or practical to seek competitive bids for these services because of the urgent need by the City to purchase these services.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION I: The Board of Directors of the City of Hope, Arkansas, hereby determines that the requirements for competitive bidding for the purchase of insurance for heavy equipment is deemed not feasible or practical and is thereby waived because there is an urgent need by the City of Hope to purchase these services.

SECTION II: This action being necessary to the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on this 16th day of January 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1488

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO WAIVE THE REQUIREMENT OF COMPETITIVE BIDDING AS REQUIRED BY ARKANSAS CODE ANNOTATED SECTION 14-58-303 FOR THE PURCHASE OF ELECTRONIC SURVEILLANCE EQUIPMENT FOR USE BY THE CITY OF HOPE POLICE DEPARTMENT"

WHEREAS, the City Board of Directors has determined that an exceptional situation exists for the purchase of electronic surveillance equipment for use by the City of Hope Police Department in that it is not feasible or practical to seek competitive bids for this item because of the urgent need by the City to purchase this item and place same in use.

NOW THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION I: The Board of Directors of the City of Hope, Arkansas, hereby determines that the requirements for competitive bidding for the purchase of electronic surveillance equipment for use by the City of Hope Police Department is deemed not feasible or practical and is thereby waived because there is an urgent need by the City of Hope to purchase this item and place same in use.

SECTION II: This action being necessary to the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on this 16th day of January, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1489

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO WAIVE THE REQUIREMENT OF COMPETITIVE BIDDING AS REQUIRED BY ARKANSAS CODE ANNOTATED SECTION 14-58-303 FOR PURCHASE OF POLICE VEHILCES"

WHEREAS, the City Board of Directors has determined that an exceptional situation exists to purchase 2 police vehicles (one Chevrolet Impala, one Ford Crown Victoria) and that it is not feasible or practical to seek competitive bids for the vehicles because local venders matched state bid prices and because of the urgent need by the City to obtain such for use by the Hope Police Department to provide needed law enforcement services.

NOW THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION I: The Board of Directors of the City of Hope, Arkansas, hereby determines that the requirement for competitive bidding for the purchase of police vehicles is deemed not feasible or practical and is thereby waived because local venders matched state bid prices and there is an urgent need by the City of Hope to obtain such for its implementation and use by the Hope Police Department.

SECTION II: This action being necessary to the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on this 20th day of February, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1490

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO WAIVE THE REQUIREMENT OF COMPETITIVE BIDDING AS REQUIRED BY ARKANSAS CODE ANNOTATED SECTION 14-58-303 FOR PURCHASE OF LAPTOP COMPUTERS FOR USE BY THE CITY OF HOPE BOARD OF DIRECTORS"

WHEREAS, the City Board of Directors has determined that an exceptional situation exists in the purchase of laptop computers for use by the City of Hope Board of Directors in that it is not feasible or practical to seek competitive bids for these items because of the urgent need by the City to purchase these items and place same in use.

NOW THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION I: The Board of Directors of the City of Hope, Arkansas, hereby determines that the requirements for competitive bidding for the purchase of laptop computers for use by the City of Hope Board of Directors is deemed not feasible or practical and is thereby waived because there is an urgent need by the City of Hope to purchase these items and place same in use.

SECTION II: This action being necessary to the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on this 20th day of February, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1491

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO WAIVE THE REQUIREMENT OF COMPETITIVE BIDDING AS REQUIRED BY ARKANSAS CODE ANNOTATED SECTION 14-58-303 FOR PURCHASE OF REPAIR SERVICES FOR THE CITY OF HOPE SEWER SYSTEM

WHEREAS, the City Board of Directors has determined that an exceptional situation exists in the purchase of repair services for the City of Hope sewer system in that it is not feasible or practical to seek competitive bids for this item because of the urgent need by the City to purchase this item and place same in use.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION I: The Board of Directors of the City of Hope, Arkansas, hereby determines that the requirements for competitive bidding for the purchase of repair services for the City of Hope sewer system is deemed not feasible or practical and is thereby waived because there is an urgent need by the City of Hope to purchase this item and place same in use.

SECTION II: This action being necessary to the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on this 28th day of February, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1492

AN ORDINANCE ESTABLISHING THE RATES FOR SERVICES TO BE FURNISHED BY THE SEWER SYSTEM OF THE CITY OF HOPE, ARKANSAS; AND, FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

ARTICLE I

Section 1: General

Subject to the provisions of Article V hereof, the City hereby establishes the rates to be charged for sewer services furnished by the City's system, which the City Board of Directors finds and declares to be reasonable and necessary, which rates shall be charged to all users who contribute wastewater to the City of Hope treatment works. The proceeds of such charges so derived will be used for the purpose of operating and maintaining, including replacements (OM&R) to, the City's public wastewater treatment works and for paying debt service on bonds secured by wastewater system revenues. (Replacements are defined as expenditures for obtaining and installing equipment, accessories or appurtenances during the useful life of the treatment works necessary to maintain the capacity and performance for which they were designed and constructed.)

Section 2: OM&R Charges

(a) Metered Users:

Subject to the provisions of Article V hereof, all users of the municipally owned wastewater treatment system shall be charged \$1.50 per month for each 1,000 gallons of metered water consumption in such month for operation and maintenance including replacement.

(b) Non-Metered Users:

In the case of residential users not on a metered basis the standard consumption of 6,000 gallons shall be the monthly basis for charges. In the case of commercial users not on a metered basis the standard consumption of 26,000 gallons shall be the monthly basis for charges. All factory or industrial users shall be metered and charged according to Section 2(a) above.

Section 3: Excessive Strength Charges

Subject to the provisions of Article V hereof, for any user, when the BOD exceeds 200 mg/L, the suspended solids exceed 200 mg/L, or when other pollutant concentrations exceed the range of concentrations of such pollutants in normal domestic sewage, a surcharge shall be added to the basic charge. This surcharge shall be calculated by the following formula:

$$Cs = (Bc(B) + Sc(S) + Pc(P)) (Vu)$$

Symbols and Definitions:

- Cs = A surcharge for wastewaters of excessive strength
- Bc = O&M cost for treatment of a unit of biochemical oxygen demand (BOD)
- B = Concentration of BOD from a user above a base level
- Sc = O&M cost for treatment of a unit of suspended solids (SS)
- S = Concentration of SS from a user above a base level
- Pc = O&M cost for treatment of a unit of any pollutant
- P = Concentration of any pollutant from a user above a base level
- Vu = Volume contribution from a user per unit of time

Section 4: Charges for Extraneous Flows

The costs of operation and maintenance of all flows not directly attributable to users (such as Infiltration/Inflow) shall be distributed among users on the same basis as operation and maintenance charges.

Section 5: Toxic Pollutants Charges

Each user that discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the treatment works shall pay for such increased cost

Section 6: Debt Service/Base Rate

Subject to the provisions of Article V hereof, all users of the municipally owned wastewater treatment system shall be charged \$6.30 as a base rate for debt service on the system.

Section 7: Minimum User Charge

The minimum monthly bill per user will be \$7.80 which is OM&R charges for 1,000 gal. of \$1.50 plus Debt Service Charge of \$6.30. All metered users shall pay the minimum user charge if they have an active water account for that meter.

Section 8: Billing

Users will be billed on a monthly basis with payment due ten (10) days after the date of billing. Users on metered water service will be billed on the same notice as water charges and sewer charges will be designated as a separate entry. Users of the wastewater system not on metered water service will be billed monthly on an individual notice for wastewater service at the rate established by the utility.

Users with delinquent accounts of ten (10) days will be notified in writing by the utility where, during which hours of the day, and before whom disputed bills appropriately may be considered.

If the user waives the opportunity to be heard, the water and wastewater services will be discontinued until such bill is paid.

Section 9: Records

A financial management system shall be established and maintained by the City of Hope to document compliance with Federal regulations pertaining to the Revolving Loan. The system will account for all revenues generated and expenditures made for operation, maintenance and replacement.

ARTICLE II

Section 1: Review and Revision

The Board of Directors of the City of Hope will review its sewer rate structure at least annually and will revise the rates as necessary to ensure that adequate revenues are generated to pay the costs of operation and maintenance, including replacement, and that the system continues to provide for the proportional distribution of operation and maintenance, including replacement costs, among users and user classes.

Section 2: Notification

Each user shall be notified at least annually, in conjunction with the regular bill, of the sewer use rate and the portion of the user charges which are attributable to wastewater treatment. Costs shall be broken down to show the operation and maintenance costs attributable to that user.

ARTICLE III

Section 1: Any user who feels his user charge is unjust and inequitable may make written application to the City Manager requesting a review of his user charge. Said written request shall, where necessary, show the actual or estimated average flow or strength of his wastewater in comparison with the values upon which the charge is based, including how the measurements or estimates were made.

Section 2: Review of the request shall be made by the City Manager and if substantiated, the user charges for that user shall be recomputed based on the revised flow or strength data and the new charges shall be applicable to the next billing cycle or billing period.

ARTICLE IV

Section 1: All ordinances or parts of ordinances in conflict herewith are hereby repealed. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Section 2: The user charge system shall take precedence over any terms or conditions of agreements or contracts between the City of Hope and any of the users which are inconsistent with applicable Federal regulations regarding user charge systems.

ARTICLE V

Section 1: The rate components described in Article I hereof shall commence with the May, 2007 billing cycle. Until such time, those rates and charges currently effective with respect to the use of the City's wastewater treatment system shall remain in full force and effect.

PASSED AND ADOPTED by the City Board of Directors of the City of Hope, Arkansas, on this 8th day of March, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1493

AN ORDINANCE TO REQUIRE ELECTRONIC RECORDKEEPING BY OWNERS AND OPERATORS OF PAWNSHOPS, PAWNBROKES AND DEALERS IN SECOND-HAND GOODS DOING BUSINESS IN THE CITY OF HOPE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Ark. Code Ann. 12-12-103 requires each and every pawnshop and pawnbroker doing business in the State of Arkansas to keep a record showing in detail all property pawned with them, and

WHEREAS, pursuant to Ark. Code 12-12-103, such records are required to be made available to police agencies of the municipality in which the pawnshop or pawnbroker is located at any and all reasonable times, and

WHEREAS, in order to maintain an accurate and efficient system for inputting such records and information for law enforcement purposes, there is a substantial need for local law enforcement officers to access such records electronically.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

Section 1. Each and every owner or operator of a pawnshop, pawnbroker and dealer in second-hand goods doing business in the City of Hope, Arkansas, shall, within one (1) year of the adoption of this ordinance, maintain an electronic inventory-tracking system which is capable of delivery and transmission of all statutorily-required information via computer to the entity designated by the Hope Police Department.

Section 2. The failure on the part of any owner or operator of a pawnshop, pawnbroker or dealer in second-hand goods to comply with the provisions of this ordinance shall be deemed a misdemeanor. Upon conviction, the offender shall be punished by a fine of not more than Twenty-five dollars (\$25.00) for each separate offense. Each day of noncompliance with this ordinance shall be deemed a separate offense.

Section 3. Severability. In the event any title, section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

Section 4. Repealer. All laws, ordinance, resolution, or parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Emergency and Effective Date. This ordinance is necessary to more efficiently and effectively deal with the items that are sold to pawnshops and dealers in second-hand goods in order to assure that stolen items can be retrieved; as such, this ordinance is necessary to protect the public health, safety, and welfare, and therefore, shall be in full force and effect from and after the date a contract with Leads On Line is executed by the City Manager; if that time frame is less than thirty (30) days after the passage of this ordinance, then this ordinance shall be effective on that date.

PASSED AND APPROVED on this 20th day of March, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1494

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$1,830,000 SEWER REVENUE CAPITAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2007, BY THE CITY OF HOPE, ARKANSAS; AUTHORIZING A TRUST INDENTURE SECURING THE BONDS; AUTHORIZING THE SALE OF THE BONDS AND THE EXECUTION OF A BOND PURCHASE AGREEMENT; AUTHORIZING A CONTINUING DISCLOSURE AGREEMENT; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Hope, Arkansas (the "City"), a city of the first class, presently owns and operates a sewer system (the "System") which is operated and maintained by the City's Wastewater Department; and

WHEREAS, pursuant to the Constitution and laws of the State of Arkansas, including particularly the Local Government Capital Improvement Revenue Bond Act of 1985, as amended, the City is authorized to issue its bonds to finance capital improvements to the System, pledge the revenues of the System to the repayment of the bonds, and issue bonds to refund bonds issued for such purpose; and

WHEREAS, the City has determined to accomplish capital improvements to the System consisting generally of improvements to wastewater holding tanks, repair of sludge drying beds, and other improvements to the System (the "Project"); and

WHEREAS, there are outstanding the City's \$2,285,000 original principal amount Sewer Revenue Bond, Series 1997A (the "Series 1997A Bond"), and the City's \$2,450,000 original principal amount Sewer Revenue Bonds, Series 1997B (the "Series 1997B Bonds"); and

WHEREAS, the City has determined that it is necessary to refund the Series 1997B Bonds in order to finance the Project while maintaining debt service payments at an affordable level; and

WHEREAS, in order to provide moneys for the Project and the refunding, to establish a debt service reserve, and pay the costs of bond issuance, the City has determined to issue its Sewer Revenue Capital Improvement and Refunding Bonds, Series 2007 (the "Bonds"), in the principal amount of \$1,830,000; and

WHEREAS, the City has made arrangements for the sale of the Bonds to Stephens Inc. (the "Underwriter"), pursuant to a Bond Purchase Agreement, dated April 3, 2007 (the "Bond Purchase Agreement"), which has been presented to and is before this meeting; and

WHEREAS, the City desires to accept the Underwriter's offer to purchase the Bonds and to authorize the issuance of the Bonds and the execution and delivery of various documents pertaining to the issuance of the Bonds, including the Bond Purchase Agreement and a Continuing Disclosure Agreement (identified below);

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS, as follows:

SECTION 1. The issuance of the Bonds in the aggregate principal amount of \$1,830,000 is hereby authorized for the purpose of financing the Project, refunding the Series 1997B Bonds, establishing a debt service reserve, and paying the costs of issuing the bonds, and the Mayor and City Clerk are hereby authorized to execute, by manual or facsimile signature, and deliver the Bonds to or upon the direction of the Underwriter. The Bonds shall not be general obligations of the City, but shall be special obligations, payable from and secured by the revenues of the System. The Bonds shall be secured by a lien on the revenues of the System on a parity with the lien in favor of the Series 1997A Bond. The Bonds shall be dated May 1, 2007, and shall be issued in the form and denominations, shall be numbered, and shall be subject to mandatory sinking fund and optional redemption prior to maturity all upon the terms and conditions set forth in the Bond Purchase Agreement and Trust Indenture, which are authorized below. The Bonds shall mature on August 1 of the years and in the amounts and shall bear interest payable semiannually on February 1 and August 1 of each year, commencing August 1, 2007, at the rates as follows:

<u>Due August 1</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2009	\$190,000	3.55%
2011	205,000	3.65
2013	215,000	3.75
2015	235,000	3.85
2017	255,000	3.95
2019	275,000	4.05
2022	455,000	4.15

The Bonds shall be subject to mandatory sinking fund redemption as set forth in the Bond Purchase Agreement and Trust Indenture.

SECTION 2. The Bonds shall be sold pursuant to the specific terms conditions set forth in the Bond Purchase Agreement for the purchase price of 98.20% of the principal amount thereof plus accrued interest from May 1, 2007. The Mayor is hereby authorized and directed to execute the Bond Purchase Agreement on behalf of the City in substantially the form submitted at this meeting. An executed copy of the Bond Purchase Agreement shall be filed in the permanent records of the City and kept by the City Clerk.

SECTION 3. To prescribe the terms and conditions upon which the Bonds are to be executed, authenticated, delivered, issued, accepted, held, and secured, the Mayor is hereby authorized and directed to execute and acknowledge a Trust Indenture, dated as of May 1, 2007 (the "Trust Indenture"), by and between the City and Simmons First Trust Company, N.A., as Trustee (the "Trustee"). The City Clerk is hereby authorized and directed to execute and acknowledge the Trust Indenture and to affix the seal of the City thereto, and the Mayor and City Clerk are hereby authorized and directed to cause the Trust Indenture to be accepted and executed by the Trustee. The Trust Indenture is hereby approved in substantially the form submitted at this meeting, and the Mayor and City Clerk are hereby authorized, upon the advice of bond counsel, to confer with the Trustee and the Underwriter in order to complete the Trust Indenture with such modifications as shall be approved by the Mayor and City Clerk, their execution to constitute conclusive evidence of such approval.

SECTION 4. To provide for ongoing disclosure obligations of the City with respect to the Bonds, a Continuing Disclosure Agreement, dated as of May 1, 2007, between the City and the Trustee, is hereby approved in substantially the form exhibited at this meeting, and the Mayor is hereby authorized and directed to execute, acknowledge, and deliver the Continuing Disclosure Agreement. Any changes to the Continuing Disclosure Agreement may be approved by the officers of the City executing such document, their execution and delivery to constitute conclusive evidence of such approval.

SECTION 5. There is hereby authorized, ratified and confirmed the preparation and distribution to various prospective and actual purchasers of the Bonds of the Official Statement dated April 3, 2007 (and the Preliminary Official Statement dated March 21, 2007) in the name of the City, describing the City, the Bonds, the System, the Trust Indenture, and the Continuing Disclosure Agreement, and setting forth such other information as may be determined to be necessary or desirable. The Mayor, for and on behalf of the City, is authorized to execute the Official Statement, an executed copy of which shall be filed in the permanent records of the City.

SECTION 6. All actions heretofore taken by the City and the Underwriter in connection with the offer and sale of the Bonds are hereby in all respects ratified and approved.

SECTION 7. The City hereby calls the outstanding Series 1997B Bonds for redemption prior to maturity at a redemption price of 100% of the principal amount thereof, plus accrued interest to the redemption date, on or before August 1, 2007, and instructs the trustee for the Series 1997B Bonds to provide notice of the redemption.

SECTION 8. The Mayor and City Clerk, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the Bonds, the Bond Purchase Agreement, the Trust Indenture, and the Continuing Disclosure Agreement; the execution, delivery, and distribution of the Preliminary Official Statement and Official Statement; the execution and delivery of such other papers and documents necessary to effect the issuance of the Bonds and the refunding of the Series 1997B Bonds; and the performance of all acts of whatever nature necessary to effect and carry out the authority conferred by this Ordinance. The Mayor and the City Clerk are hereby further authorized and directed, for and on behalf of the City, to execute all papers, documents, certificates, and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

SECTION 9. The City Clerk shall maintain, as a part of the minutes of the meeting at which this Ordinance is adopted, and in the permanent records of the City, for inspection by any interested person, a copy of the Trust Indenture, Continuing Disclosure Agreement, and the Bond Purchase Agreement.

SECTION 10. The City hereby declares its expectation and intention that bonds issued and to be issued by the City during calendar year 2007 will not in the aggregate exceed \$10,000,000 in principal amount, and the City hereby declares the Bonds to be "qualified tax-exempt obligations" within the meaning of section 265(b) of the Internal Revenue Code of 1986, as amended.

SECTION 11. Emergency Clause. The Board of Directors hereby determines that the Project must be accomplished as soon as possible in order to alleviate immediate hazards to the health, safety, and welfare of the City, its inhabitants, and their property, and that the Project can be accomplished only by the refunding of the Series 1997B Bonds and the issuance of the Bonds. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of the public peace, health, and safety shall take effect and be enforced from and after its passage.

ADOPTED: April 3, 2007

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1495

AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 937 OF THE CITY OF HOPE, ARKANSAS AND FOR OTHER PURPOSES.

WHEREAS, the City of Hope, Arkansas, by Ordinance No. 937, adopted on May 6, 1975, levied a gross receipts tax, created the City of Hope Advertising and Tourist Promotion Fund, and created the City of Hope Advertising and Tourist Promotion Commission; and,

WHEREAS, Section 5 of Ordinance No. 937 created the City of Hope Advertising and Tourist Promotion Commission and established the number of commissioners, residency requirements for commissioners, established how the commissioners were to be appointed, and established the length of the commissioners terms; and,

WHEREAS, the Board of Directors of the City of Hope, Arkansas has determined that Section 5 of Ordinance No. 937 dealing with membership of the City of Hope Advertising and Tourist Promotion Commission should be amended to conform this section with current Arkansas law.

NOW THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Hope, Arkansas:

Section 1: That Section 5 of Ordinance No. 937 is hereby amended to read as follows:

"...Section 5. Creation of City Advertising and Tourist Promotion Commission.

(A) The City of Hope Advertising and Tourist Promotion Commission is hereby created. The Commission shall be composed of seven (7) members as follows:

(a) Four (4) members shall be the owners or the managers of businesses in the tourism industry operating inside the corporate limits of the City of Hope, Arkansas. Of these four (4) members not more than two (2) may reside outside the corporate limits of the City of Hope but within Hempstead County, Arkansas. Additionally, at least three (3) of these four (4) members shall be the owners or the managers of a hotel, motel or restaurant doing business within the corporate limits of the City of Hope, Arkansas.

(b) Two (2) members shall be members of the Board of Directors of the City of Hope. One (1) of these two (2) will be the Mayor of the City of Hope with the other one being appointed by the Board of Directors of the City of Hope from its remaining members.

(c) One (1) member shall be from the public at large who shall reside within the corporate limits of the City of Hope and who may also be a member of the Board of Directors of the City of Hope.

The five (5) members representing the tourism industry and the at large position shall be appointed by the Mayor of the City of Hope and confirmed by the Board of Directors. These members will be appointed for staggered terms of four (4) years. The first five (5) members at the first commission meeting after being appointed shall draw lots for terms so that one (1) of such members shall serve for a term of one (1) year, one (1) shall serve for a term of two (2) years, one (1) shall serve for a term of three (3) years, and two (2) shall serve for a term of four (4) years each.

In the event of a vacancy occurring on said commission from the members representing the tourism industry and the at large position after their initial appointment by the Mayor of the City of Hope, the remaining members of the commission shall nominate a replacement with the replacement nomination being confirmed and approved by the Board of Directors of the City of Hope.

Each commissioner shall file the oath of office required by law in the State of Arkansas for public officials.

Each commissioner shall furnish to the City of Hope a surety bond in the amount of \$5,000.00 that will serve to insure the City against any misappropriation or mishandling of funds. The surety on said bond shall be a reputable surety company with the premiums for said bond being paid from the City of Hope Advertising and Tourism Promotion Fund.

B. Any commissioner appointed pursuant to the provisions of this ordinance may be removed for cause upon a two-thirds (2/3) vote of the Board of Directors of the City of Hope. A replacement shall be appointed in the manner provided in Section 5 A..."

Section 2: All parts of Ordinance 937 not specifically modified or repealed by this ordinance shall remain in full force and effect.

Section 3: EMERGENCY CLAUSE.

It is found and determined by the Board of Directors that the terms and provisions of this ordinance are necessary for the preservation of the public peace, health, and safety. Therefore, an emergency is hereby declared to exist and this ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED by the City Board of Directors of the City of Hope, Arkansas, on this 17th day of April, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1496

AN ORDINANCE TO REPEAL ORDINANCE 1080-A AND TO CLOSE A CERTAIN ALLEY LOCATED WITHIN BLOCK 11 OF THE SENTER AND ARNOLD'S ADDITION IN THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES

WHEREAS, Ordinance 1080-A was adopted by the Board of Directors of the City of Hope, Arkansas on June 19, 1984 to close a certain alley; and

WHEREAS, Said ordinance contained a typographical error inaccurately stating the location of the alley to be closed it is necessary to repeal ordinance 1080-A and correctly describe the alley.

NOW, THEREFORE, be it ordained by the Board of Directors of the city of Hope, Arkansas:

SECTION 1: Ordinance 1080-A and all other ordinances in conflict herewith be, and the same are hereby, repealed.

SECTION 2: The City of Hope, Arkansas hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the alley designated as follows:

That certain alley being located wholly within Block Eleven (11) of the Senter and Arnold's Addition in the City of Hope, Hempstead County, Arkansas.

SECTION 3: It being determined by the Board of Directors of the City of Hope, Arkansas, that this ordinance is necessary for the public convenience, health, safety and welfare, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force from and after its passage and approval.

ADOPTED THIS 3rd DAY OF JULY, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1497

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO VACATE AND ABANDON A CERTAIN PUBLIC RIGHT OF WAY BEING SITUATED IN THE BRUNDIDGE ADDITION, AND FOR OTHER PURPOSES."

WHEREAS, a petition was duly filed with the City Clerk for consideration by the Board of Directors of the City of Hope, Arkansas, asking the Board of Directors to vacate and abandon the undeveloped Right Of Way between Block 14 and Block 15 designated on the plat of the Brundidge Addition in the City of Hope, Arkansas, and

WHEREAS, after due notice as required by law, the Board of Directors has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the Right of Way, herein described, has not been actually used by the public generally for a period of five (5) years subsequent to the filing of the plat; that all owners of property abutting upon the Right of Way to be vacated have filed with the Board of Directors their written consent to such abandonment; and that the public interest and welfare will not be adversely affected by the abandonment of said Right Of Way.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION I: The City of Hope, Arkansas hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the Right Of Way designated as follows:

All the Right Of Way located between Block 14 and Block 15 of the Brundidge Addition in the City of Hope, Hempstead County, Arkansas.

SECTION II: A copy of the Ordinance duly certified by the City Clerk shall be filed in the Office of the Recorder of Hempstead County, Arkansas and recorded in the deed records of said County.

SECTION III: This ordinance shall take effect and be in full force from and after its passage.

ADOPTED THIS 18th day of September, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1498

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO LEVY A TAX OF TWO POINT TWO (2.2) MILLS UPON THE ASSESSED VALUE OF THE REAL AND PERSONAL PROPERTY IN THE CITY OF HOPE, ARKANSAS, FOR THE YEAR 2007, AND FOR OTHER PURPOSES."

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION 1: That a tax of two point two (2.2) mills be, and the same is hereby levied upon, all taxable property, both real and personal, within the City of Hope, Arkansas, for the year 2007 to be collected in 2008.

SECTION 2: All monies collected and raised by said tax shall constitute a general fund to defray the general and ordinary expenses of the said City of Hope, Arkansas.

SECTION 3: The Clerk of the City of Hope, Arkansas, shall certify this levy to the Clerk of Hempstead County, Arkansas, to be placed upon the books and collected at the same time and in the same manner as State and County taxes are collected.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed and this ordinance being necessary for the public health, safety, and general welfare of the inhabitants of the City of Hope, Arkansas, an emergency is hereby declared, and this Ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND APPROVED this 6th day of November, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1499

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO LEVY A TAX OF ONE (1) MILL UPON THE ASSESSED VALUE OF THE REAL AND PERSONAL PROPERTY IN THE CITY OF HOPE, ARKANSAS, FOR THE YEAR 2007, FOR THE PURPOSE OF PAYING PENSIONS TO THE RETIRED FIREMEN AND PENSIONS TO THE WIDOWS AND MINOR CHILDREN OF DECEASED AND RETIRED FIREMEN, AND FOR OTHER PURPOSES."

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOPE, ARKANSAS:

SECTION 1: That a tax of one (1) mill be, and same is hereby levied upon, all taxable property, both real and personal, within the City of Hope, Arkansas, for the year 2007 to be collected in 2008.

SECTION 2: All monies collected and raised by said tax shall be used only for the purpose of helping to pay pensions to retired firemen, to widows and minor children of deceased firemen, and to widows and minor children of deceased retired firemen, as now provided by the law.

SECTION 3: The Clerk of the City of Hope, Arkansas, shall certify this levy to the Clerk of Hempstead County, Arkansas, to be placed upon the books and collected at the same time and in the same manner as State and County taxes are collected.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed, and this ordinance being necessary for the public, health, safety, and general welfare of the inhabitants of the City of Hope, Arkansas, an emergency is hereby declared, and this Ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND APPROVED this 6th day of November, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1500

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO WAIVE THE REQUIREMENT OF COMPETITIVE BIDDING AS REQUIRED BY ARKANSAS CODE ANNOTATED SECTION 14-58-303 FOR PURCHASE OF A SMALL PUMP STATION FOR THE CITY OF HOPE WASTEWATER DEPARTMENT"

WHEREAS, the City Board of Directors has determined that an exceptional situation exists for the purchase of a small pump station for the City of Hope Wastewater Department in that it is not feasible or practical to seek competitive bids for this item because of the urgent need by the City to purchase this item and place same in use.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION I: The Board of Directors of the City of Hope, Arkansas, hereby determines that the requirements for competitive bidding for the purchase of a small pump station for the City of Hope Wastewater Department is deemed not feasible or practical and is thereby waived because there is an urgent need by the City of Hope to purchase this item and place same in use.

SECTION II: This action being necessary to the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on this 20th day of November, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1501

AN ORDINANCE TO REZONE A PORTION OF THE HILLCREST
ADDITION IN THE CITY OF HOPE, ARKANSAS, AND FOR
OTHER PURPOSES

WHEREAS, after due notice as required by law, the Planning and Zoning Commission of the City of Hope, Arkansas, at the time and place mentioned in the notice, and in a public hearing, heard all persons desiring to be heard on the question; and

WHEREAS, after said hearing, the Planning and Zoning Commission of the City of Hope, Arkansas, voted to recommend that the said rezoning be granted; and

WHEREAS, the Board of Directors of the City of Hope, Arkansas, has determined that a rezoning of said property from the current classification of R-2 to the new classification of C-4 would be appropriate.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION 1: The following described real property in the City of Hope, Arkansas, to-wit:

Lot 6 and the North ½ of Lot 7 of Block 3 in the Hillcrest Addition

Is hereby rezoned from its current zoning classification of R-2 to the new zoning classification of C-4, and the zoning map of the City of Hope, Arkansas, shall be amended to reflect said changes.

SECTION 2: All ordinances in conflict herewith be, and the same are hereby, repealed.

SECTION 3: It being determined by the Board of Directors of the City of Hope, Arkansas, that this ordinance is necessary for the public convenience, health, safety and welfare, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force from and after its passage and approval.

ADOPTED THIS 4th DAY OF DECEMBER, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1502

AN ORDINANCE TO REZONE A PORTION OF THE SENTER AND
ARNOLDS ADDITION IN THE CITY OF HOPE, ARKANSAS, AND
FOR OTHER PURPOSES

WHEREAS, after due notice as required by law, the Planning and Zoning Commission of the City of Hope, Arkansas, at the time and place mentioned in the notice, and in a public hearing, heard all persons desiring to be heard on the question; and

WHEREAS, after said hearing, the Planning and Zoning Commission of the City of Hope, Arkansas, voted to recommend that the said rezoning be granted; and

WHEREAS, the Board of Directors of the City of Hope, Arkansas, has determined that a rezoning of said property from the current classification of R-5 to the new classification of C-2 would be appropriate.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION 1: The following described real property in the City of Hope, Arkansas, to-wit:

The Westerly 38 feet of Lot 6 and all of Lots 7, 8, 9, 10 and 11 of Block 11 in the Senter and Arnold's Addition

Is hereby rezoned from its current zoning classification of R-5 to the new zoning classification of C-2, and the zoning map of the City of Hope, Arkansas, shall be amended to reflect said changes.

SECTION 2: All ordinances in conflict herewith be, and the same are hereby, repealed.

SECTION 3: It being determined by the Board of Directors of the City of Hope, Arkansas, that this ordinance is necessary for the public convenience, health, safety and welfare, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force from and after its passage and approval.

ADOPTED THIS 4th DAY OF DECEMBER, 2007

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1503

AN ORDINANCE TO REZONE A PORTION OF THE ORIGINAL CITY IN THE CITY OF HOPE, ARKANSAS, AND FOR OTHER PURPOSES

WHEREAS, after due notice as required by law, the Planning and Zoning Commission of the City of Hope, Arkansas, at the time and place mentioned in the notice, and in a public hearing, heard all persons desiring to be heard on the question; and

WHEREAS, after said hearing, the Planning and Zoning Commission of the City of Hope, Arkansas, voted to recommend that the said rezoning be granted; and

WHEREAS, the Board of Directors of the City of Hope, Arkansas, has determined that a rezoning of said property from the current classification of C-2 to the new classification of C-4 would be appropriate.

NOW, THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION 1: The following described real property in the City of Hope, Arkansas, to-wit:

Lots 4, 5 and 6 of Block 48 in the Original City Addition

Is hereby rezoned from its current zoning classification of C-2 to the new zoning classification of C-4, and the zoning map of the City of Hope, Arkansas, shall be amended to reflect said changes.

SECTION 2: All ordinances in conflict herewith be, and the same are hereby, repealed.

SECTION 3: It being determined by the Board of Directors of the City of Hope, Arkansas, that this ordinance is necessary for the public convenience, health, safety and welfare, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force from and after its passage and approval.

ADOPTED THIS 4th DAY OF December, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk

ORDINANCE NO. 1504

AN ORDINANCE TO BE ENTITLED: "AN ORDINANCE TO WAIVE THE REQUIREMENT OF COMPETITIVE BIDDING AS REQUIRED BY ARKANSAS CODE ANNOTATED SECTION 14-58-303 FOR PURCHASE OF A DOUBLE BEADED STEEL BELT REPLACEMENT CONVEYOR INCLUDING INSTALLATION AND FREIGHT FOR USE AT THE CITY OF HOPE LANDFILL"

WHEREAS, the City Board of Directors has determined that an exceptional situation exists in the purchase of a double beaded steel belt replacement conveyor, including installation and freight, for use at the city of hope landfill in that it is not feasible or practical to seek competitive bids for this item because of the urgent need by the City to purchase this item and place same in use.

NOW THEREFORE, be it ordained by the Board of Directors of the City of Hope, Arkansas:

SECTION I: The Board of Directors of the City of Hope, Arkansas, hereby determines that the requirements for competitive bidding for the purchase of a double beaded steel belt replacement conveyor, including installation and freight, for use at the City of Hope landfill is deemed not feasible or practical and is thereby waived because there is an urgent need by the City of Hope to purchase this item and place same in use.

SECTION II: This action being necessary to the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED on this 4th day of December, 2007.

Dennis Ramsey, Mayor

Carol Almond, City Clerk