

ORDINANCE NO. 2195

AN ORDINANCE FOR THE CREATION OF A LAND BANK COMMITTEE FOR USE IN DISPOSING OF CERTAIN UNNEEDED PROPERTIES AND OBTAINING CERTAIN OTHER NEEDED PROPERTIES AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Eureka Springs, Arkansas, desires to create a Land Bank Committee and a Land Bank account to aid in the receiving and expending of funds for purchase and disposal of real property deemed to be in the best interests of the City of Eureka Springs, Arkansas; and,

WHEREAS, in order to preserve the unique green spaces and parks of the City of Eureka Springs, Arkansas, for the quiet enjoyment of its residents and visitors, funds resulting from the sale of City property that has no benefit to the City should be expended for the purchase of other properties that will enhance green spaces and parks within the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THAT:

Section 1. A Land Bank Committee shall be formed consisting of seven members. Membership will include the Director of the Eureka Springs Parks and Recreation Commission, one Eureka Springs Alderperson, the Director of Eureka Springs Public Works, the Director of the Eureka Springs Finance Department, one Eureka Springs Parks Commissioner and two at-large members. The members will be nominated by the Mayor and approved by the City Council to serve 2-year terms.

Section 2. The Land Bank Committee will review and categorize real property owned by the City into three classifications:

- 1) Developable Spaces - areas that have reasonable access and are large enough to be used for parking, gardens, parks, or building sites
- 2) Conforming Open Spaces - areas adjacent to Spring Reservations, trails, parks, greenways, or open spaces that contribute to the welfare of the community
- 3) Non-Conforming Open Spaces - areas that meet none of the above criteria and are typically, but not always, isolated single lots or parts of lots of no value to the City

Section 3. The Land Bank Committee may bring Non-Conforming Open Spaces to the City Council from time to time for authorization by ordinance for sale of said property in accordance with City Code and Arkansas State Statutes. That any funds received from such sales shall be held in the Land Bank Account. That all funds held in that line item shall remain in that line item until spent, irrespective of the length of time which may pass. Should the City Council

see fit to dissolve the Land Bank Committee at some future date, said funds would be transferred to the City General Fund

Section 4. The funds in the Land Bank Account shall be expended only in accordance with the direction of the Land Bank Committee with approval of the City Council.

Section 5. The Land Bank Committee will bring other real property to the City Council from time to time, property which the Committee deems to be in the best interests of the City to purchase or lease, as part of an Ordinance authorizing the purchase or lease of said properties with funds held in the Land Bank Account.

Section 6. The Finance Director of the City of Eureka Springs, Arkansas, is hereby directed to create a budget line item for the establishment of a Land Bank Account.

Section 7. The Land Bank Account may also be funded through private donations made specifically for the acquisition of real property and easements.

Section 8. Any appraisal costs, survey costs, or other attendant costs in the sale or acquisition of real property associated with the Land Bank Committee will be funded from the Land Bank Account, unless said expenses are paid by the buying/selling party with whom the City is engaged.

Section 9. All ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 10. Provisions of this ordinance are hereby declared to be separable, and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this ordinance.

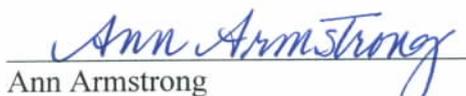
PASSED AND APPROVED THIS 13th DAY OF JANUARY, 2014

APPROVED:



James DeVito
Mayor pro tem

ATTEST:



Ann Armstrong
City Clerk /Treasurer

Four voted "Aye" – Joyce Zeller, Dee Purkeypile, Terry McClung, and Mickey Schneider
(There were no "No" votes)