

City of Fayetteville Staff Review Form

**City Council Agenda Items
and
Contracts, Leases or Agreements**

5/7/2013

City Council Meeting Date
Agenda Items Only

Yolanda Fields Community Services Development Services
Submitted By **Division** **Department**

Action Required:

A Public Hearing and Resolution certifying to the Tax Collector of Washington County the costs of the Razing and Removal of a dilapidated and unsafe structure located at 320 W. North St. (WC Parcel # 765-10576-000)

\$ -	\$ -	
Cost of this request	Category / Project Budget	Program Category / Project Name
	\$ -	
Account Number	Funds Used to Date	Program / Project Category Name
	\$ -	
Project Number	Remaining Balance	Fund Name

Budgeted Item Budget Adjustment Attached

Jimmy C. Pate 04-17-2013 Previous Ordinance or Resolution # _____
Department Director Date

Original Contract Date: _____

[Signature] 4-19-13 Original Contract Number: _____
City Attorney Date

Paul A. Bunker 4-19-2013
Finance and Internal Services Director Date

Received in City Clerk's Office 04-13-13A10:58 RCVD
Kim J.

[Signature] 4-19-13
Chief of Staff Date

Received in Mayor's Office ENTERED
4/19/13
PA

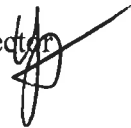
[Signature] 4/28/13
Mayor Date

Comments: Staff recommends approval of the Resolution

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Jeremy Pate, Development Services Department Director &

From: Yolanda Fields, Community Services Director 

Date: April 16, 2012

Subject: Resolution certifying to the Tax Collector of Washington County the costs of the Razing and Removal of a dilapidated and unsafe structure located at 320 W. North St. (WC Parcel # 765-10576-000)

RECOMMENDATION

Staff recommends imposing a lien against real property for the amount of \$5,358.60, plus a 10% penalty for collection.

BACKGROUND

On May 15, 2012, the City Council of the City of Fayetteville passed Resolution No. 249-12. The resolution ordered the razing and removal of a dilapidated and unsafe structure owned by Robert W. Wilkes at 320 W. North St., Fayetteville, AR.

On February 27, 2013, the property was posted with a letter stating Resolution 249-12 was passed. The letter also stated that our office would begin the Raze and Removal process on March 18, 2013. On March 26, 2013, the raze and removal process was completed.

On March 27, 2013, the property owners were notified of the Public Hearing to consider this resolution.

DISCUSSION

The total costs incurred include the bid awarded to raze and remove in the amount of \$4,875.00, administrative costs in the amount of \$453.60 and \$30.00 in fees to file the lien.

BUDGET IMPACT

If passed, a lien will be placed on the parcel for the incurred costs, plus a 10% penalty for collection. Once paid, the moneys will return to the General Fund.

RESOLUTION NO. _____

A RESOLUTION CERTIFYING TO THE TAX COLLECTOR OF WASHINGTON COUNTY, ARKANSAS THE COSTS OF RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE UPON THE PROPERTY OWNED BY ROBERT W. WILKES LOCATED AT 320 W. NORTH STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS

WHEREAS, pursuant to the provisions of §§ 95.03 and 173.08 of the Code of Fayetteville, as authorized by Arkansas Code § 14-56-203, the City Council of the City of Fayetteville directed the owners of the property located at 320 W. North Street (Washington County Parcel No. 765-10576-000) to raze and remove forthwith, the dilapidated, unsightly, and unsafe structure located on the aforementioned real property; and

WHEREAS, Robert W. Wilkes, record owners of the property, failed to raze and remove the dilapidated, unsightly, and unsafe structure on their property; and

WHEREAS, the City of Fayetteville, in accordance with the above-cited ordinances and statute, entered upon the property and razed and removed the dilapidated, unsightly, and unsafe structure; and

WHEREAS, the City Council of the City of Fayetteville, Arkansas is required to determine the appropriate amount of the lien, and certify this amount to the Tax Collector of Washington County, Arkansas to be placed upon the tax books as delinquent taxes,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That, by the authority granted pursuant to Arkansas Code §§ 14-56-203 & 14-54-901 *et seq.*, and in accordance with the provision of § 173.08 of the Code of Fayetteville, the City Council of the City of Fayetteville, Arkansas hereby determines the appropriate amount of the lien against the property located at 320 W. North Street (Washington County Parcel No. 765-10576-000) to be \$3,495.00.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby certifies this amount to the Tax Collector of Washington County, Arkansas so that this amount, plus ten percent (10%) penalty for collection, be placed on the tax books as delinquent taxes against the property located at 320 W. North Street (Washington County Parcel No. 765-10576-000).

PASSED and APPROVED this 7th day of May, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

March 27, 2013

Robert W. Wilkes
2766 N. Club Drive #4
Fayetteville, AR 72703

RE: Resolution No. 249-12
Enforcement of Fayetteville Code 173.09, and 95.03
Arkansas Code Ann. 14-56-203 , 14-54-901

NOTICE TO PROPERTY OWNERS

Pursuant to A.C.A. § 14-56-203, § 14-54-901, et seq. and § 173.09 and § 95.03 of the Fayetteville Code, you are placed upon Notice that the Fayetteville City Council will conduct a public hearing to consider a Resolution certifying to the Tax Collector of Washington County the costs of the Razing and Removal of a dilapidated and unsafe structure located at **320 W. North Street (Parcel #765-10576-000)**. The amount of the asserted lien is \$5,328.60, plus a 10% penalty for collection.

You are free to appear at this hearing to present any evidence or statements. If you need additional information concerning this process or if you have information that we are not aware of, please call the Code Compliance Office at (479) 575-8260.

The hearing will be part of a regular City Council meeting on May 7, 2013 beginning at 6:00 p.m. at the City Administration Building, 113 W. Mountain St, Fayetteville, AR 72701. The City Council Meetings are advertised in local newspapers and will contain an item concerning this hearing. You may also call the Fayetteville City Clerk's Office (479-575-8323) for information confirming the date of the public hearing.

Sincerely,



Chad Ball

Code Compliance Administrator

Cc: file

LJB CONSTRUCTION INC.

P.O. Box 705
Rogers, AR 72756
(479) 899-6140 ofc, (479) 899-6141 fax

March 25, 2013

Community Code Enforcement
City of Fayetteville
Attn: Rachael Fields
113 W. Mountain St.
Fayetteville, AR 72701

Re: P.O. # 13-0000124-001
Raze & Remove 320 North St.
Per Res #249-12

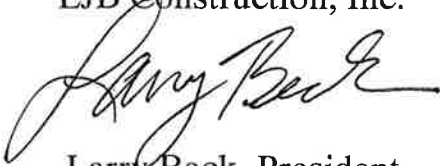
Scope of Work:

Demolition of residential building located @ 320 North St., Fayetteville, AR.

Request for Payment

Purchase Order Amount.....	\$ 4,875.00
Amount Completed To Date.....	\$ 4,875.00
Retainage.....	\$ 0
Current Amount Due.....	\$ 4,875.00

LJB Construction, Inc.



Larry Beck, President





RESOLUTION NO. 249-12

A RESOLUTION ORDERING THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY ROBERT W. WILKES LOCATED AT 320 W. NORTH STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND APPROVING A BUDGET ADJUSTMENT

WHEREAS, Robert W. Wilkes is the record owner of the real property situated at 320 W. North Street, City of Fayetteville, Washington County, Arkansas, more particularly described as follows:

WC Parcel Number 765-10576-000; and,

WHEREAS, the City Council has determined that the structure located on said property is dilapidated, unsightly, unsafe, and detrimental to the public welfare; and,

WHEREAS, Robert W. Wilkes, having been properly served with a Violation Notice via Certified Mail, Return Receipt Requested, and given thirty (30) days to correct said violation, has refused to repair, or raze and remove said dilapidated, unsightly, and unsafe structure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That, by the authority granted pursuant to A.C.A. §14-56-203, and in accordance with the provisions of Ordinance No. 3948 of 1996, Robert W. Wilkes is hereby ordered to raze and remove forthwith, the dilapidated, unsightly, and unsafe structure located on the aforementioned real property. The manner of removing said structure shall be: dismantle by hand or bulldozer, and haul all debris to a landfill.

Section 2: That, if Robert W. Wilkes does not comply with this order, the Mayor is hereby directed to cause the dilapidated, unsightly, and unsafe structure to be razed and removed; and a lien against the real property shall be granted and given the City, pursuant to A.C.A. §14-54-904, for the costs associated therewith.

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution as Exhibit "A".

PASSED and **APPROVED** this 18th day of December, 2012.

APPROVED:

By: 
LIONEL JORDAN, Mayor

ATTEST:

By: 
SONDRA E. SMITH, City Clerk/Treasurer





THE CITY OF FAYETTEVILLE, ARKANSAS

www.accessfayetteville.org

February 27, 2013

Robert W. Wilkes
2766 N. Club Drive #4
Fayetteville, AR 72703

RE: Enforcement of Ordinance 173.09
Arkansas Code Ann. 14-56-203

NOTICE TO PROPERTY OWNERS

On December 18, 2012, the Fayetteville City Council passed and approved Resolution No. 249-12. The resolution states that, by the authority granted pursuant to A.C.A. 14-56-203, and in accordance with the provisions of Ordinance No. 3948 of 1996, Robert W. Wilkes is hereby ordered to raze and remove the dilapidated, unsightly, and unsafe structure located on 320 W. North Street (Parcel #765-10576-000). The manner of removing said structure shall be: dismantle by hand or bulldozer, and haul all debris to a landfill.

The resolution also says that if Robert W. Wilkes does not comply with this order, the Mayor is hereby directed to cause the structure to be razed and removed; and a lien against the real property shall be granted and given the City, pursuant to A.C.A. 14-54-904, for the costs associated therewith.

Our office will begin the Raze and Removal process of the aforementioned real property on March 18, 2013.

If you plan to remove anything from the structure, make arrangements before our process begins. Any vehicles left on the property will be removed for the duration of the Raze and Removal process. Costs associated with the removal and replacement of said vehicles will be added to the lien against the real property.

Please contact the Code Compliance Office at (479) 575-8260 if you have any questions or updates concerning the property.

Sincerely,

Chad Ball
Code Compliance Administrator

Cc:file