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#### Ordinance No. 2024-14

AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE HALF OF ONE PERCENT (0.50%) SALES AND USE TAX WITHIN THE CITY OF BEEBE, ARKANSAS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City Council of the City of Beebe, Arkansas (the "City") has determined that there is a need for a source of revenue to be used for one or more of the following: (a) to acquire, construct, improve, expand, equip, furnish, operate and maintain park and recreational facilities; and (b) to pay and secure the repayment of bonds approved by the voters and issued by the City from time to time to finance park and recreational facilities; and

WHEREAS, Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation") provides for the levy of a city-wide sales and use tax at the rate of 0.125%, 0.25%, 0.5%, 0.75% or 1%, or any combination thereof; and

WHEREAS, the City is currently levying sales and use taxes under the authority of the Authorizing Legislation at the aggregate rate of 1.25%; and

WHEREAS, the City Council has proposed the levy of a city-wide sales and use tax at the rate of 0.50% under the authority of the Authorizing Legislation, the net collections of which will be used for the purposes described herein;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beebe, Arkansas:

Under the authority of the Authorizing Legislation, there is hereby levied a 0.50% tax on the gross receipts from the sale at retail within the City of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. §§26-52-101, et seq.), and the imposition of an excise (or use) tax on the storage, use, distribution or other consumption within the City of tangible personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. §§26-53-101, et seq.), at a rate of 0.50% of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively, the "Sales and Use Tax"). The Sales and Use Tax shall be levied, and the net collections received after deduction of the administrative charges of the State of Arkansas and required rebates shall be used for one or more of the following: (a) to acquire, construct, improve, expand, equip, furnish, operate and maintain park and recreational facilities; and (b) to pay and secure the repayment of bonds approved by the voters and issued by the City from time to time to finance park and recreational facilities. The Sales and Use Tax shall be levied and collected on the gross receipts, gross proceeds or sales price in the maximum amount allowed from time to time by Arkansas law, subject to rebates and limitations as from time to time required by Arkansas statutes for certain single transactions.

Section 2. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

This Ordinance shall not take effect until an election is held on the Section 3. question of levying the Sales and Use Tax at which a majority of the electors voting on the question shall have approved the levy of the Sales and Use Tax.

PASSED: July 22, 2024

ATTEST:

APPROVED:

This publication paid for by the City of Beebe at a cost of \$385.00

## **LEGAL NOTICES**

#### **Public Hearing Notice**

The White River Regional Solid Waste Management District will conduct a public hearing at 1:00 p.m. on Wednesday, August 7, 2024, in the Beebe City Hall, Community Room, Beebe, Arkansas. The purpose of the hearing will be to discuss the proposed need for a transfer station. The Certificate of Need is for the construction of a new transfer station located at 1820 Hwy 31, Beebe (near Antioch). The public hearing is required by the Policies and Procedures, Criteria for the Certificate of Need Program for Solid Waste Landfill Facilities. All interested persons are invited to attend the public hearing.

Anyone wishing to view the petition for a Certificate of Need may do so between the hours of 8:00 a.m. and 4:00 p.m. at the White River Planning and Development District, 4441 Harrison Street, Batesville, Arkansas. The review period will begin on the date of publication of this notice of the review period and will run for thirty (30) days. All comments must be received in writing and will become a part of the application. Comments should be sent to the White River Regional Solid Waste Management District, P.O. Box 2396, Batesville, AR. 72503-2396. Any comments received after August 23, 2024, cannot be considered.

White River Regional Solid Waste Management Board P.O. Box 2396 Batesville, Ar. 72503-2396

#### Ordinance No. 2024-15

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF BEEBE, ARKANSAS ON THE QUESTION OF LEVYING A CITY-WIDE ONE HALF OF ONE PERCENT (0.50%) SALES AND USE TAX; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City Council of the City of Beebe, Arkansas (the "City") has passed, on July 22, 2024, Ordinance No.2024-15 (the "Tax Ordinance") providing for the levy of a 0.50% sales and use tax within the City (the "Sales and Use Tax"); and

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the Sales and Use Tax;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beebe, Arkansas:

There is hereby called a special election to be held on November 5, 2024, at which election there shall be submitted to the electors of the City the question of the levy of the Sales and Use Tax.

The question of levying the Sales and Use Tax shall be placed on Section 2. the ballot for the election in substantially the following form:

Adoption of a 0.50% local sales and use tax within the City of Beebe, the net collections of which remaining after deduction of the administrative charges of the State of Arkansas and required rebates will be used for one or more of the following: (a) to acquire, construct, improve, expand, equip, furnish, operate and maintain park and recreational facilities; and (b) to pay and secure the repayment of bonds approved by the voters and issued by the City from time to time to finance park and recreational facilities. The levy of the tax is not dependent on any bonds being approved or issued.

AGAINST.

The results of the election shall be proclaimed by the Mayor, and such Proclamation shall be published one time in a newspaper having a general circulation in the City, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

A copy of this Ordinance shall be (a) filed with the White County Section 5. Clerk at least 70 days prior to the election date and (b) given to the White County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

Section 6. 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 call and hold the special election as herein provided and, if the levy of the Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

Section 7. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

The provisions of this Ordinance are separable and if a section, Section 8. phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Ordinance.

PASSED: July 22, 2024

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ATTEST:

APPROVED:

Mayor
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# The **Postscript**

By Carrie Classon



## "Climbing the Stairs"

I told my husband, Peter, when he first announced the idea, that I thought it was dumb. I probably didn't say "dumb," because I try to be nicer than that. But I let him know that I thought his idea of getting exercise by climbing stairs in the stairwell was, well, kind of dumb.

"Find out if I can access the stairs in the stairwell!" he told me, after we had purchased this condo, sight unseen, during the pandemic. We didn't see it for almost two years. When we were finally ready to move, the movers were late, and we had to change our airplane tickets. So I flew out to see our condo for the first time without Peter. I'm going to tell you honestly, it was not impressive.

The condo had been occupied by the woman who bought it when the building was built in the 1980s. She died right there at home, and things had gone downhill toward the end. Other than a fresh coat of paint on the walls and ceiling, very little updating had been done. So I was seeing all this for the first time, and Peter's big concern was whether the stairwell was accessible so he could climb the stairs.

It was, I reported. But I couldn't imagine how that would be any fun at all. When Peter finally moved in to the condo, he started climbing the steps in the stairwell— 12 rounds a day. The building is 20 stories high, and the top 17 are accessible, which means he climbs 238 stories every day.

That works out to 2,856 stairs, if you are interested in doing the math.

While I walked the neighborhood and admired the old mansions and the manicured gardens and the friendly dogs, Peter climbed the stairs every day, seven days a week. If this wasn't dumb, it certainly seemed a little crazy to me.

But the thing I didn't count on is that Peter didn't go down the stairs. That would be hard on his knees, he explained. He took the elevator down to the third floor and then climbed up those 17 stories. Then he did it again. And every time he took the elevator down, he had a conversation with a different person in our building.

He got to know the young working professionals and the retired folks. He got to know the housekeeper who cleans up the public areas and the maintenance man. He got to know all the dogs who were going out for a walk and all the people who owned them. And Peter became kind of famous.

He started carrying business cards with our name and picture on them and handed them out when he met new people. "You're the wife of the guy who does the stairs!" strangers

So when there was a vacancy on the condo board, it should have come as no surprise that Peter was asked to fill it. Campaigning for a seat on the board was about the last thing Peter would ever do, but everyone on the board knew him by now, and he seemed like a smart choice.

Of course he was.

Now Peter spends a lot of time reading documents and attending meetings for his new duties as board member.

Eventually, after the weather warmed, he bought a bike, and he started riding around town. I have to believe this is more enjoyable. But if there is rain in the forecast, Peter doesn't hesitate. He climbs the stairs.

And when the weather is fine, I'm sure everyone in the elevator misses him.

Till next time Carrie

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#### **LEGAL NOTICES**

Ordinance No. 2024-16

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF BEEBE, ARKANSAS ON THE QUESTION OF ISSUING BONDS UNDER AMENDMENT NO. 62 TO THE CONSTITUTION OF THE STATE OF ARKANSAS FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF PARK RECREATIONAL IMPROVEMENTS; PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City Council of the City of Beebe, Arkansas (the "City") has determined that the City is in need of park and recreational facilities and any necessary land acquisition and parking, landscaping, signage, drainage, lighting, road and utility improvements related thereto (collectively, the "Park and Recreational Improvements"); and

WHEREAS, the Park and Recreational Improvements are expected to include particularly, without limitation, a new ball complex; and

WHEREAS, the City can finance all or a portion of the costs of the Park and Recreational Improvements by the issuance of capital improvement bonds (the "Bonds") in the maximum aggregate principal amount of \$13,940,000 under the authority of Amendment No. 62 to the Constitution of the State of Arkansas ("Amendment 62") and Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation"); and

WHEREAS, the City can pay the principal of and interest on the Bonds from a pledge as collateral of the collections received by the City from the City's 0.50% sales and use tax levied by Ordinance No. 2024-16 , adopted July 22, 2024 (the "Tax") if separately approved by the voters; and

WHEREAS, the purpose of this Ordinance is to submit to the electors of the City the question of issuing the Bonds under Amendment 62 and the Authorizing Legislation at a special election to be called for that purpose;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beebe, Arkansas:

There is hereby called a special election to be held on November 5, Section 1. 2024, at which election there shall be submitted to the electors of the City, the question of issuing the Bonds under Amendment 62 and the Authorizing Legislation to finance Park and Recreational Improvements in the aggregate principal amount of not to exceed \$13,940,000 and to be payable from a pledge as collateral of the collections of the Tax.

The question of issuing the Bonds shall be placed on the ballot for Section 2. the election in substantially the following form:

#### BONDS

Bonds of the City of Beebe in one or more series in the maximum aggregate principal amount of \$13,940,000 to finance all or a portion of the costs of acquiring, constructing, and equipping park and recreational facilities, including particularly, without limitation, a new ball complex, and any necessary land acquisition and parking, landscaping, signage, drainage, lighting, road and utility improvements related thereto and, in order to pay the bonds, the pledge as collateral of a 0.50% local sales and use tax levied within the City by Ordinance No. 2024-\_\_, adopted July 22, 2024 (the "Tax") if separately approved by the voters. Collections of the Tax not necessary to pay the bonds may be used for purposes as approved from time to time by the voters.

AGAINST....

The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections unless otherwise provided in the Authorizing Legislation and only qualified voters of the City shall have the right to vote at the election.

Section 5. The results of the election shall be proclaimed by the Mayor, and the Proclamation shall be published one time in a newspaper having a general circulation in the City, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

A copy of this Ordinance shall be (a) filed with the White County Section 6. Clerk at least 70 days prior to the election date and (b) given to the White County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

Section 7. 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 call and hold the special election as herein provided and, if the issuance of the Bonds is approved by the electors, to cause the Sales and Use Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary to carry out the authority conferred by this

If the Bonds are approved and issued, the City intends to negotiate Section 8. with Stephens Inc., which has assisted the City in preparation of the Bond size and repayment structure, for the sale of the Bonds.

Section 9. The provisions of this Ordinance are separable and if a section, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Ordinance.

Section 10: All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED: July 22, 2024

ATTEST:

& Count Westerfren

APPROVED:

Mayor

This publication paid for by the City of Beebe at a cost of \$671.00

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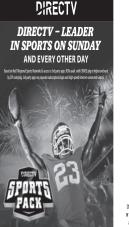
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