

- The next Committee Meeting will be held on Monday, May 16th, 2022 in the Tiered Training Room.
- Committee agendas will be available on the Friday before the meeting.

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
TIERED TRAINING ROOM
2ND FLOOR OF NEW CRIMINAL JUSTICE BUILDING
Tuesday, May 10th, 2022**

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance
Invocation – Jeff Watson

6:00 p.m. **OFFICIAL AGENDA**

1. *Large Print* agendas are available.

2. Call to Order – Mayor Doug Sprouse

3. Roll Call – Denise Pearce, City Clerk/Treasurer

4. Recognition of a Quorum.

5. Comments from Citizens

The Council will hear brief comments from citizens present at the meeting during this period on issues not on the Agenda. No action will be taken tonight. All comments will be taken under advisement.

6. **A Public Hearing** on a petition to vacate a portion of a Utility Easement at 2310 Willow Bend Circle. Presented by Ernest Cate, City Attorney

7. Approval of Minutes – April 26th, 2022: **Minutes located at the back of Agenda.**
Pgs. 72-86

8. Procedural Motions

A. Entertain Motion to read all Ordinances and Resolutions by title only.

B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item number(s) **9B-9D and 12.** Motion must be approved by two-thirds (2/3) of the council members).*

9. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development

A. **An Appeal** of the Board of Zoning Adjustment's denial of a variance request for property located on Raymond Lane. **Pgs. 1-40**

B. **An Ordinance** accepting the re-plat of lots 13 and 14, Spring Subdivision into 13A, Spring Ridge Subdivision to the City of Springdale, Arkansas, and declaring an emergency. **Pgs. 41-44**

C. **An Ordinance** accepting the re-plat of lots 1, 2, and 3, and the East 22 feet of lot 4, block 22 of railroad addition to the City of Springdale, Arkansas, and declaring an emergency. **Pgs. 45-47**

- D. **An Ordinance** accepting the final plat of Phase 2 of Cottages at the Park Subdivision to the City of Springdale, Arkansas, and declaring an emergency. Pgs. 48-52

10. Finance Committee by Chairman

- A. **A Resolution** expressing the willingness of the City of Springdale to utilize federal funding for the following project: Dean's Trail Phase IIIA. Forwarded from Committee with recommendation for approval. Presented by Mike Peters, Active Transportation Coordinator. Pg. 53
- B. **A Resolution** authorizing the expenditure of funds to acquire a portion of land from Juniper Springdale, LLC, for Dean's Trail, Phase IIIA Project (Project NO. ST1802). Forwarded from Committee with recommendation for approval. Presented by Mike Peters, Active Transportation Coordinator. Pgs. 54-59

11. Police and Fire Committee by Chairman Brian Powell

A Resolution to waive competitive bidding for purchase of SCBA Compressor and Equipment for the Fire Department. Forwarded from Committee with recommendation for approval. Presented by Blake Holte, Fire Chief. Pgs. 60-63

12. **An Ordinance** releasing, vacating, and abandoning a portion of a Utility Easement located on property in Springdale, Arkansas, Washington County, to declare an emergency, and for other purposes. Presented by Ernest Cate, City Attorney. Pgs. 64-66

13. **A Resolution** setting a hearing date on a petition to vacate a portion of Putman Street. Presented by Ernest Cate, City Attorney. Pgs. 67-68

14. **A Resolution** authorizing the conveyance of land owned by the City of Springdale to E & S Anderson Properties, LLC, in exchange for property owned by E & S Anderson Properties, LLC. Presented by Ernest Cate, City Attorney. Pgs. 69-71

15. Comments from Council Members.

16. Comments from City Attorney.

17. Comments from Mayor

18. Adjournment.

FILED
DATE 4/11/22
Denise Pearce
CITY CLERK SPRINGDALE, AR

April 11, 2022

Ray and Lesa Dotson are appealing the decision of the Springdale Planning Commission in regards to the property at 3495 Raymond Ln. Springdale to the Springdale City Council.

Ray Dotson



From: glazer419@aim.com
To: [Sarah Curry](#)
Subject: Fw: 3495 Raymond Lane
Date: Friday, April 15, 2022 1:54:36 PM

[Sent from the all new AOL app for iOS](#)

Begin forwarded message:

On Friday, April 15, 2022, 1:40 PM, glazer419@aim.com <glazer419@aol.com> wrote:

Denise,

We are appealing the planning commissions ruling due to these simple reasons.

- new structure sits in the exact same footprint as the old structure, which was there for 50 years. Only thing we did different is we added 20 feet to the west to be able to connect it to the house.

- the planning commission referenced the side yard as the back yard which is incorrect due the house facing the west.

- both the old and the new structure sit 10 feet from the north property line

- the neighbors house is approximately 300 yards to the north of this fence, thru 2 thick tree rows and can't even be seen from our property.

Thanks you
Ray Dotson

[Sent from the all new AOL app for iOS](#)

From: [Patsy Christie](#)
To: [Rick Barry](#); [Sharon Tromburg](#); [Debbie Pounders](#); [Sarah Curry](#)
Subject: FW: Ray Dotson Appeal
Date: Wednesday, April 20, 2022 4:18:53 PM

[Patsy Christie, Director](#)
[Planning & Community Development](#)
[201 Spring Street](#)
[Springdale, AR 72764](#)
[\(479\) 750-8588](#)

From: Ernest Cate [<mailto:ecate@springdalear.gov>]
Sent: Wednesday, April 20, 2022 10:41 AM
To: timsnively@gmail.com
Cc: Ernest Cate; Patsy Christie
Subject: RE: Ray Dotson Appeal

Thanks Tim. I have advised the Planning Director about this as well, so it will be on the 5/10/22 City Council agenda. Thanks! Ernest

From: timsnively@gmail.com [<mailto:timsnively@gmail.com>]
Sent: Wednesday, April 20, 2022 10:09 AM
To: 'Ernest Cate'
Cc: 'Tim Snively'
Subject: Ray Dotson Appeal

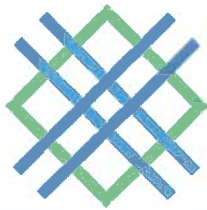
Ernest,
I have been retained by Ray Dotson to assist him on his appeal of the planning commissions decision. Could you please reset this matter to the May 10 th meeting.
Tim

Tim Snively
Snively Law Firm
129 W. Sunbridge Drive
Fayetteville, AR 72703

(479) 695-2444
(479) 695-1120 fax

yourarkansasattorney.com

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SPRINGDALE
WE'RE MAKING IT HAPPEN

www.SpringdaleAR.gov

Application for Variance – Board of Adjustment

STAFF USE ONLY

Date Application Submitted: 2-17-2022

Date Accepted as Complete: _____

Project Number: B22-31

APPLICATION CONTACTS:

Indicate one person of contact for this request: RAY DOTSON Property Owner _____ Representative

Applicant (person making request) Name: <u>RAY DOTSON</u> E-mail: <u>GLAZER419@ADL.COM</u> Address: <u>3495 Raymond Ln</u> Phone: <u>(817) 773-6518</u> Site/ Location: <u>3495 Raymond Ln</u> <u>Springdale, AR 72762</u> Assessor's Parcel Number(s): <u>815-29126-130</u>	Property Owner (if other than Applicant): Name: <u>RAY DOTSON</u> E-mail: <u>GLAZER419@ADL.COM</u> Address: <u>"</u> Phone: <u>(817) 773-6518</u> Current Zoning District: <u>A-2</u> Rezone required: <u>NO</u> Total Acreage: _____
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Fee for Variance Application is \$75

Variance requested: (attach visual representation of request)

Reduction of Rear Setback from 35' → 10'

Difficulty or hardship: (why strict application of the provision would prohibit or unreasonably restrict the use of the property)

See attached letter.

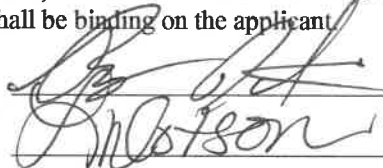
Planning and Community Development Division
(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764

Effect of variance: (how variance would alleviate a demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant)

The **Applicant** understands that he/she is responsible to send a notice of the public hearing to owners of adjacent properties in accordance with the requirements set forth in the instruction given with this application and that an affidavit must be submitted with supporting documents no later than seven (7) calendar days prior to the meeting date. It is further understood that the cost of such notice(s) is borne by the Applicant.

The **Applicant** understands that he/she must be present at the meeting to present the variance request and to answer questions. If the **Applicant** is unable to attend, written authorization must be attached designating a representative and any decisions made by this individual shall be binding on the applicant.

APPLICANT SIGNATURE(S)



DATE

2-17-22

GARAGE WAS DAMAGED BY A WIND STORM.
BLEW TREES DOWN. ONTO THE BACK
PART OF THE GARAGE. AND NORTH FENCE.
GARAGE IS LOCATED ON THE NORTH EAST
SIDE OF PROPERTY. (GARAGE WAS BUILT IN
1975.) NEW GARAGE WAS ~~REBUILT~~ EXTENDED
TO THE WEST TO ATTACH TO DWELLING.
PROPERTY ADDRESS 3495 RAYMOND LN.
SPRINGDALE AR 72762.



SPRINGDALE
WE'RE MAKING IT HAPPEN

February 7, 2022

Ray & Lesa Dotson
3900 Shorts LN.
Springdale, AR. 72764

RE: 3495 Raymond LN., Springdale, AR.

Dear Ray & Lesa Dotson,

The Buildings Department exists to confirm adherence to minimum construction standards, codes, and local ordinances. We also serve the community by responding to complaints from citizens regarding potentially unsafe and unsanitary conditions.

Our office discovered an "Unpermitted structure in setbacks" at the referenced address. Our office searched records and did not find a permit and noted the following items, some of which are items that are required by Code or by city ordinance to be remediated and some are items which we felt a property owner should be apprised of in order to insure you can safeguard your property from loss. The items are separated below.

Required items:

1. Brand new large shed/garage is being built to the north of the home.
2. This structure is too close to the house and violates Fire Code.
3. Structure has been built within the northern setbacks and possibly the eastern.
4. No permit has been pulled and a licensed contractor will be required to do so.
5. The city has an ordinance that requires all rentals to have smoke alarms in all bedrooms and hallways.
6. The city also has an ordinance requiring property owners to have all rentals registered with the City Clerk's office on the Landlord Registry; if this is not you can do so by call 750-8518.

Recommendations for your property preservation:

1. All smoke alarms should be replaced every ten years.
2. Our office recommends that all existing homes served by gas appliances or has an attached garage install CO/smoke alarms in hallways on each level.

Mike Chamlee Chief Building Official

(479) 750.8154 phone | (479) 756.7701 fax | 201 Spring Street | Springdale, Arkansas 72764

We appreciate your assistance with these matters and look forward to hearing from you within 14 days of receipt of this letter. Please feel free to contact this office with any questions you may have.

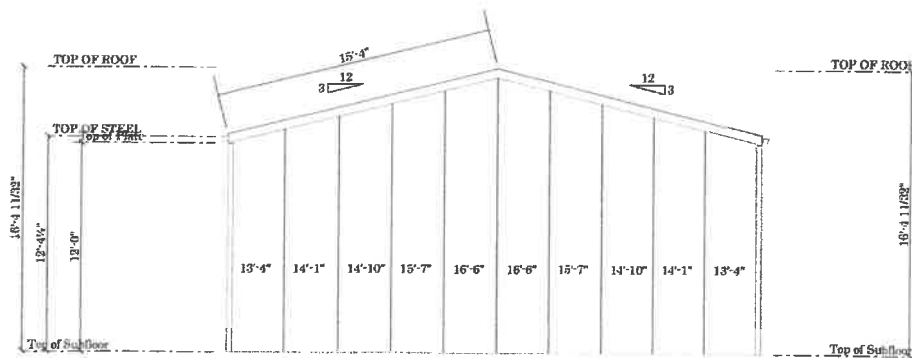
Respectfully,

A handwritten signature in cursive script, appearing to read "Tom Evers".

Tom Evers
Chief Building Inspector
Master Code Professional
479-750-8154

Hand-drawn elevation drawing of a building facade. The drawing shows a gabled roof with a peak height of 15'-4" and a pitch of 12/3. The roofline is labeled "TOP OF ROOF". The building has a main section with a door and a window, and a smaller section to the right with a door. The main section has a height of 16'-4 11/32" and a width of 12'-4". The smaller section has a height of 12'-0" and a width of 12'-0". The drawing includes various dimensions and labels such as "TOP OF STEEL", "TOP OF ROOF", "TOP OF SUBFLOOR", and "58" IN. ROOF".

SCALE: 3/16" = 1'-0"



SCALE: 3/16" = 1'-0"



Residential Home Improvement License

Limited (Projects Less than \$50,000)

RAY DOTSON, D/B/A DOTSON GLASS AND MIRROR
419 E EMMA AVE
SPRINGDALE, AR 72764

This is to Certify That

RAY DOTSON, D/B/A DOTSON GLASS AND MIRROR

is duly licensed under the provisions of Act 1208 of 2011 Acts and is entitled to practice Home Improvement Contracting in the State of Arkansas within the following RESIDENTIAL specialties:

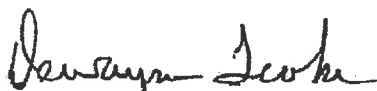
SPECIALTY

Residential Remodeler

This is a Residential Home Improvement License. This License applies to single family residences only. This is not a commercial contracting license.

from August 25, 2021 **until** August 31, 2022 **when this Certificate expires.**

Witness our hands of the Committee, dated at North Little Rock, Arkansas:



CHAIRMAN

August 25, 2021 - dsa



SECRETARY









WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That we, **Raymond Dotson and Pauline Dotson,**
Husband and Wife

hereinafter called Grantor(s), for and in consideration of the sum of
One Dollar (1.00) and other good and valuable consideration to us in
hand paid by **Ray N. Dotson and Lesa G. Dotson,**
Husband and Wife

hereinafter called Grantee(s), do hereby grant, bargain and sell unto
the said Grantee(s) and Grantee(s) heirs and assigns, the following
described land, situate in

Washington County, State of Arkansas, to-wit:

Part of the Southeast Quarter (SE- $\frac{1}{4}$) of the Southwest Quarter (SW- $\frac{1}{4}$)
of Section Ten (10), Township Seventeen (17) North, Range Thirty (30)
West, described as beginning at a point 279 feet West of the South-
east corner of said 40 acre tract, and running, thence West 250 feet;
thence North 412 feet; thence East 250 feet; thence South 412 feet
to the point of beginning, containing 2.3 acres, more or less.
LESS AND EXCEPT a part of the Southeast Quarter (SW- $\frac{1}{4}$) of the South-
west Quarter (SW- $\frac{1}{4}$) of Section 10, Township 17 North, Range 30 West,
described as beginning at a point 404 feet West and 312 feet North
of the South East corner of said 40 acre tract, and running thence
North 100 feet; thence West 125 feet; thence South 100 feet; thence
East 125 feet to the point of beginning. ALSO LESS AND EXCEPT a part
of the Southeast Quarter (SE- $\frac{1}{4}$) of the Southwest Quarter (SW- $\frac{1}{4}$) of
Section 10 in Township 17 North, Range 30 West, described as beginning
at a point 404 feet West of the Southeast corner of said 40 acre
tract, and running thence West 125 feet; thence North 112 feet;
thence East 125 feet; thence South 112 feet to the point of beginning.

TO HAVE AND TO HOLD the said lands and appurtenances thereunto belonging unto the said Grantee(s) and Grantee(s)
heirs and assigns, forever, And we, the said Grantor(s) **Raymond Dotson and Pauline Dotson,**
Husband and Wife
hereby covenant that we are lawfully seized of said land and premises; that the same is unincumbered, and we will forever
warrant and defend the title to the said lands against all legal claims whatever.

And We, the said Grantor(s)

in consideration of said sum of money, do hereby release and relinquish unto the said Grantee(s)

all my interest, right, title and dower/curtesy and convey my homestead in and to said lands.

WITNESS our hand and seal on this 7 day of AUGUST, 19 92

DAVIS & WATSON, P.. A.
P. O. Drawer 6
Springdale, AR 72765-0006

Raymond Dotson (Seal)
RAYMOND DOTSON
Pauline Dotson (Seal)
PAULINE DOTSON
(Seal)

ACKNOWLEDGMENT

STATE OF ARKANSAS ss.
County of WASHINGTON

On this the 7 day of AUGUST, 19 92, before me, a notary public,
personally appeared whose name is subscribed to the foregoing instrument and acknowledged that they had
executed the same for the purposes therein set forth.

In witness whereof I hereunto set my hand and official seal.

My Commission Expires

6-1-2001

Notary Public

Jeff H. Watson

92 41698



REDEMPTION DEED NO. 293808

JOHN THURSTON
COMMISSIONER OF STATE LANDS
STATE OF ARKANSAS

Issued under the provisions of Act 151 of 1891,
Act 626 of 1983 and Act 814 of 1987

Doc ID: 014507130001 Type: REL
Kind: REDEMPTION DEED
Recorded: 03/30/2012 at 12:45:08 PM
Fee Amt: \$15.00 Page 1 of 1
Washington County, AR
Bette Stamps Circuit Clerk
File **2012-00008796**

THE STATE OF ARKANSAS:

To All Whom these Presents Shall Come ~ GREETINGS:

KNOW YE THAT, WHEREAS: The following described lands situated in the County of **WASHINGTON** in the State of Arkansas, to Wit:

Description: 3495 RAYMOND LN PT SE1/4 SW1/4 1.69 A. Section: 10 Township: 17N Range: 30W Acreage: Lot:

Block: City: SPRINGDALE Addition: SPRINGDALE OUTLOTS SD: 501

Parcel Number: **815-29126-130**

Year Forfited: **79-8 2007**

Receipt #: **338351**

were certified to the Commissioner of State Lands, by the County Collector for the non-payment of taxes for the years hereinbelow set forth; and that the taxes, penalties, interest and cost outline below have been paid to the Commissioner of State Lands;

AND WHEREAS **RAY & LESA DOTSON**
%RAY N & LESA G DOTSON
3576 RAYMOND LANE
SPRINGDALE, AR 72762

claiming to be the owner(s) of said real property, filed a petition to redeem duly verified according to the law, showing such ownership.

NOW THEREFORE, I, JOHN THURSTON, Commissioner of State Lands within the State of Arkansas, for and in consideration of **\$7,512.38** so paid and by virtue of the authority in me vested by law, do hereby release and quitclaim unto the said **RAY & LESA DOTSON** and their heirs and assigns forever all right, title and interest the State of Arkansas acquired under any forfeiture, sale or condemnation for taxes.

WITNESS MY HAND AND OFFICIAL SEAL **03/26/2012**

Taxes	2007 - 2010	\$5,674.15
ID Taxes		\$0.00
Interest		\$1,082.53
Penalty		\$567.42
County Costs		\$18.00
State Costs		\$170.28

Total Paid: **\$7,512.38**

John Thurston
John Thurston
Commissioner of State Lands

kkelly
kkelly
Deputy Commissioner of State Lands

Deed Mailed to:

RAY & LESA DOTSON
3576 RAYMOND LANE
SPRINGDALE, AR 72762

List of Adjacent Property Owners for 3495 Raymond Lane

Parcel #815-29126-150	Sofia M Bayyari Jay 3024 Carley Rd Springdale, AR 72762
Parcel #815-29126-162	Fadil Bayyari Revocable Living Trust 2025 Creek View Suite B Fayetteville, AR 72704
Parcel #815-29557-060	Robert V. & Beverly K. Carter 3616 Carley Rd Springdale, AR 72764
Parcel #815-29557-070	Charles D. Redding JR. 19457 Davis Ford Rd Springdale, AR 72764
Parcel #815-29126-140	Ray N. & Lesa G. Dotson 3900 Shorts Ln Springdale, AR 72764
Parcel #815-36268-000	Jeremy L. & Genoa M. Price 3133 N. Bellagio Dr. Fayetteville, AR 72703
Parcel #815-36269-000	Andrew & Crystal McDonagh 3583 Hamm Ln Springdale, AR 72762
Parcel #815-36270-000	Jesse D. Core 3571 Hamm Ln Springdale, AR 72762
Parcel #815-29126-120	Ray N. & Lesa G. Dotson 3900 Shorts Ln Springdale, AR 72764
Parcel #815-29126-060	James S. & Katherine C. Counce 3232 Carley Rd Springdale, AR 72762

**NOTICE OF PUBLIC HEARING BEFORE THE
SPRINGDALE PLANNING COMMISSION
ON A BOARD OF ADJUSTMENT APPLICATION**

To All Owners of land lying adjacent to the property at:

Location: 3495 Raymond Ln 72762

Owned by: Ray & Lesa Dotson

NOTICE IS HEREBY GIVEN THAT an application has been filed to the Board of Adjustment (Variance) for above property.

If approved, the variance will occur only upon the property described above. It will not change anything pertaining to your property.

The purpose of this request is to:

Reduce Rear Setback from 35' → 10' in
order to re-build garage damaged from
wind storm.

A public hearing on said Board of Adjustment request will be held by the Springdale Planning Commission in room A205, in the new Criminal Justice building, 201 Spring Street, on April 5, 2022 at 5:00 p.m.

All parties interested in this matter may appear and be heard at said time and place or may notify the Planning Commission of their views on this matter by letter. All persons interested in this request are invited to call or visit the Planning Office, 206 S. Blair Street, 479-750-8550, and to review the application and discuss the same with the Planning staff.

7021 2720 0002 6182 8385

U.S. Postal Service™
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 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Springdale, AR 72762

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$7.38

Sent To: Jessie K. Gore
 3571 Hamm Rd.
 Springdale, AR 72762

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0002 6182 8361

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Springdale, AR 72762

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Extra Services & Fees (check box, add fee as appropriate)

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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$7.38

Sent To: James S. & Katherine C. Gounce
 3233 Carley Rd.
 Springdale, AR 72762

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0002 6182 8439

U.S. Postal Service™
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For delivery information, visit our website at www.usps.com®.

Fayetteville, AR 72703

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$7.38

Sent To: Jeremy L. & Genae M. Price
 3813 N. Bellagio Dr.
 Fayetteville, AR 72703

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0002 6182 8378

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Springdale, AR 72762

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$7.38

Sent To: Andrew & Crystal McMonagh
 3583 Hamm Rd.
 Springdale, AR 72762

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0002 6182 8415

U.S. Postal Service™
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Springdale, AR 72762

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

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☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$7.38

Sent To: Robert V. & Beverly K. Carter
 3606 Carley Rd.
 Springdale, AR 72762

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0002 6182 8422

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For delivery information, visit our website at www.usps.com®.

Springdale, AR 72762

Certified Mail Fee \$3.75

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.58

Total Postage and Fees \$7.38

Sent To: Charles D. Redding Jr.
 19457 Davis Ford Rd.
 Springdale, AR 72762

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0002 6182 8408

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Springdale, AR 72762	
Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate) ☐ Return Receipt (hardcopy) \$0.00 ☐ Return Receipt (electronic) \$0.00 ☐ Certified Mail Restricted Delivery \$0.00 ☐ Adult Signature Required \$0.00 ☐ Adult Signature Restricted Delivery \$0.00	
Postage	\$0.58
Total Postage and Fees	\$7.38
Sent To: <i>Sofia M. Bayyasi</i> Street and Apt. No. or PO Box No.: <i>3034 Carley Rd.</i> City, State, ZIP+4®: <i>Springdale, AR 72762</i>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7021 2720 0002 6182 8392

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Fayetteville, AR 72704	
Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate) ☐ Return Receipt (hardcopy) \$0.00 ☐ Return Receipt (electronic) \$0.00 ☐ Certified Mail Restricted Delivery \$0.00 ☐ Adult Signature Required \$0.00 ☐ Adult Signature Restricted Delivery \$0.00	
Postage	\$0.58
Total Postage and Fees	\$7.38
Sent To: <i>Fadi Bayyasi Rescable Living Trust</i> Street and Apt. No. or PO Box No.: <i>2025 Creek View Suite B</i> City, State, ZIP+4®: <i>Fayetteville, AR 72704</i>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

AFFIDAVIT

I herby certify that I RAY DOTSON
Print or type name

acting as agent/owner, have provided notice to affected parties in accordance with the requirements set forth in the instruction given with the application and that the notice information provided is to the best of my knowledge true and factual. I am hereby enclosing the following supporting documents: copies of the notice, mailing receipts, return cards and any notices that were undeliverable.

Name: 

Date: 2/23/22

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jeremy L. & Leona M. Price
3313 N. Bellagio Dr.
Fayetteville, AR 72703



9590 9402 6987 1225 3964 73

2. Article Number (Transfer from service label)

7021 2720 0002 6182 8439

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Jeremy Price

☐ Agent☐ Addressee

B. Received by (Printed Name)

Jeremy Price

C. Date of Delivery

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Safia M. Beyyari Gay
3024 Carley Rd.
Springdale, AR 72762



9590 9402 6987 1225 3965 03

2. Article Number (Transfer from service label)

7021 2720 0002 6182 8408

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Safia Beyyari

☐ Agent☒ Addressee

B. Received by (Printed Name)

Safia Beyyari

C. Date of Delivery

3-1-22

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☒ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
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PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James S. & Katherine C. Counce
3232 Carley Rd.
Springdale, AR 72762



9590 9402 6987 1225 3965 27

2. Article Number (Transfer from service label)

7021 2720 0002 6182 8361

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

James Counce

☒ Agent☐ Addressee

B. Received by (Printed Name)

James Counce

C. Date of Delivery

2/26/22

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
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PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature ☒ Agent ☐ Addressee	
.. Article Addressed to: Charles O. Pidding Jr. 19457 Davis Ford Rd. Springdale, AR 72764		B. Received by (Printed Name) C. Date of Delivery	
1. Article Addressed to: Charles O. Pidding Jr. 19457 Davis Ford Rd. Springdale, AR 72764		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
2. Article Number (Transfer from service label) 7021 2720 0002 6182 8422		3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500) ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature ☒ Agent ☐ Addressee	
1. Article Addressed to: Robert V. & Beverly K. Carter 3616 Carley Rd. Springdale, AR 72762		B. Received by (Printed Name) C. Date of Delivery	
2. Article Addressed to: Robert V. & Beverly K. Carter 3616 Carley Rd. Springdale, AR 72762		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
2. Article Number (Transfer from service label) 7021 2720 0002 6182 8415		3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500) ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	

Variance for Ray & Lesa Dotson

Pursuant to the provision of Ordinance Number 3307 of the Code of Ordinances of the City of Springdale, Arkansas, the Zoning Board of Adjustment of the Springdale Planning Commission does herewith call a formal hearing on the petition and appeal of Ray & Lesa Dotson from a decision of the enforcement officer. The applicant is requesting a variance for a reduction of rear setback from 35' to 10' on property located at 3495 Raymond Lane. Persons desiring to present arguments for/or against said petition and appeal are hereby notified to appear at

5:00 p.m., on Tuesday, April 5, 2022

a public hearing to be held in the City Administration Building, Council Chambers. All persons desiring to contest said petition or the action of the Planning Commission thereon is warned to appear at said time and place to be heard and upon their failure to do so; such persons will be forever barred from further contest.

Ben Peters, Secretary
Springdale Planning Commission

Sarah Curry

From: Cathy Wiles <cwiles@nwaonline.com>
Sent: Thursday, March 10, 2022 4:30 PM
To: 'Sarah Curry'; legalads@nwadg.com
Cc: 'Sharon Tromburg'; 'Debbie Pounders'; 'Patsy Christie'
Subject: RE: Legals for Sunday's Paper

These are all set to run 3/13 breakdown below

75528696	03/13/22	03/13/22	R22-25 BJM Rentals	NL4	BL	1230	68.400
75528693	03/13/22	03/13/22	R22-24 Starks	NL4	BL	1230	68.400
75528689	03/13/22	03/13/22	R22-23 Rowland Davis	NL4	BL	1230	68.400
75528687	03/13/22	03/13/22	R22-22 Signature Bank	NL4	BL	1230	76.000
75528682	03/13/22	03/13/22	R22-21 Youth Bridge	NL4	BL	1230	69.920
75528676	03/13/22	03/13/22	R22-20 264 Trailers	NL4	BL	1230	63.840
75528673	03/13/22	03/13/22	R22-19 Dharwadker	NL4	BL	1230	69.920
75528671	03/13/22	03/13/22	R22-18 Dorman	NL4	BL	1230	65.360
75528669	03/13/22	03/13/22	R22-16 Hart	NL4	BL	1230	68.400
75528667	03/13/22	03/13/22	R22-15 Martinez	NL4	BL	1230	69.920
75528595	03/13/22	03/13/22	R22-13 Elmdale	NL4	BL	1230	65.360

75528749	03/13/22	03/13/22	B22-33 The After School Prog	NL4	BL	1230	68.400
75528747	03/13/22	03/13/22	B22-32 The after school prog BOA	NL4	BL	1230	69.920
75528745	03/13/22	03/13/22	B22-37 Elm Springs Flex	NL4	BL	1230	69.920
75528743	03/13/22	03/13/22	B22-36 Gabriela Leach	NL4	BL	1230	69.920
75528741	03/13/22	03/13/22	B22-35, Discount Tire	NL4	BL	1230	65.360
75528717	03/13/22	03/13/22	B22-34 Martin's Plastering	NL4	BL	1230	69.920
75528711	03/13/22	03/13/22	B22-31 Ray Dotson	NL4	BL	1230	68.400
75528707	03/13/22	03/13/22	B22-02 Jesus Alcantara	NL4	BL	1230	76.000
75528703	03/13/22	03/13/22	C22-04 Karen White	NL4	BL	1230	63.840
75528698	03/13/22	03/13/22	C22-03, Rosa Garcia	NL4	BL	1230	68.400



Cathy Wiles

Classified & Legal | cwiles@nwaonline.com

479-571-6421 |

Northwest Arkansas Democrat-Gazette www.nwaonline.com
Our community. Our paper.

212 N. East Ave. Fayetteville, AR 72701

From: Sarah Curry [<mailto:scurry@springdalear.gov>]
Sent: Thursday, March 10, 2022 11:56 AM
To: legalads@nwadg.com
Cc: Sharon Tromburg; Debbie Pounders; Patsy Christie
Subject: RE: Legals for Sunday's Paper

I already found an error, I am so sorry.

[Variances](#)

**NOTICE OF
PUBLIC HEARING
ON AN APPLICATION FOR A
VARIANCE FOR A REDUCTION
OF REAR SETBACK
FROM 35' TO 10' AT
3495 RAYMOND LANE**

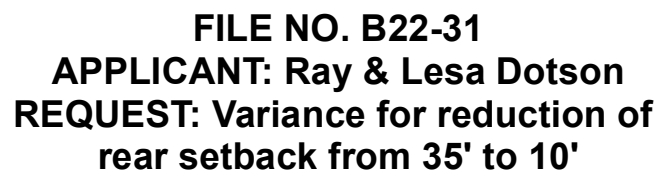
File No. B22-31

Applicant: RAY & LESA DOTSON

**TUESDAY, APRIL 5, 2022 AT
5:00 P.M.
CRIMINAL JUSTICE BUILDING,
WAYNE HYDEN TRAINING
ROOM, A205, 201 SPRING ST.**

**For More Information Contact Springdale Planning and
Community Development Office 479-750-8588**

DO NOT REMOVE THIS SIGN.



Page 28

3-31-2022

To: Springdale Planning

Re: FOIA request

I am a citizen of
the state of Arkansas and
request:

- Procedures before the Springdale Commission
- Agenda for the April 5th Meeting with attachments
- The entire file of the Commission concerning the matter concerning Ray & Lesa Dutzon's application to reduce setback from

Kent@hirschlawfirm.com

E. Kent Hirschlaw
307 Lake Rd.
Springdale, AR 72784

10:18 Am.

3-31-2022

Mr. E. Kent Hirsch, Attorney, requested all within Mr. Dotson's File B22-31. The Following was given to him.

- ① Application (1.5) Application Explanation
- ② Newspaper Legal
- ③ proof of newspaper Legal publishing 3/13/22
- ④ Warranty Deed
- ⑤ "Redemption Deed"
- ⑥ Site Plan
- ⑦ Elevations
- ⑧ Residential Home Improvement License
- ⑨ List of Adjacent Property Owners
- ⑩ Notice to Adjacent Property Owners
- ⑪ White mail Receipts
- ⑫ Affidavit of mailing
- ⑬ Green Card Returns from Notices
- ⑭ Public Hearing Yard Signage

Sarah Curry

Sarah Curry March 31, 2022

This variance was approved by a unanimous vote in conjunction with the large scale development.

- C. B22-08 A-Tech Building Expansion
2901 Chapman Avenue
Variance of Commercial Design Standards
A. Structure back & sides
B. Pedestrian flow
C. Central features & community spaces
D. Facades & exterior walls
E. Detail features
F. Entryways
G. Foundation landscaping
I. Lighting
Presented by David Gilbert

This variance was approved by a unanimous vote in conjunction with the large scale development.

The following variance request will be verbatim.

- D. B22-31 Ray & Lesa Dotson
3495 Raymond Lane
Variance for reduction of rear setback from 35' to 10'
Presented by Ray Dotson

Mr. Tyler: I've got B22-31, Ray and Lesa Dotson, 3495 Raymond Lane, variance for reduction of rear setback from 35' to 10', presented by Ray Dotson.

Mr. Dotson: Thank y'all. My name is Ray Dotson and I live at 3900 George Lane. Property in question here is 3495 Raymond Lane. I lived there about 4 years ago. Just to give you a little history on the property. We bought the property in 1972, my father did and it was just bare land, A-1 land with no fences, no nothing and we come in and we built a fence 250' wide and 450' deep. 450' to the north and about '75 my dad built a house there and that is the 3495. So a couple of weeks ago, it may have been more than a couple of weeks maybe a month ago we had the big storm that came through and it blew one of the neighbors trees over onto my garage there at the back of the house. And we had to take the fence down and obviously to get the tree off the building. We got the tree off the building we started trying to repair the building and we figured it was too far gone. So my son-in-law, Mike over here, we started building the building and we set the corners exactly where the corners was in 1972 or 3 when we built the garage there for the horses.

So from that, once we got into it, the building was no good and like I said we started building the new structure and we added to the west about 20' to the building. My daughter and son-in-law live on the property now. My daughter wanted a way to go from the house into the garage with the baby without having to get out in the weather.

So that's what we did and there was, I guess, an issue come up with the neighbor and I want to apologize to Dr. Counce here. Didn't think that there would be a problem; his tree on his property blew over and we did as a neighbor took care of it. So we cut it up, moved it but we're here today because I guess I didn't get a building permit and I probably should have known I should have got one but you know, storms come in, you try to rebuild back and I think we had a tornado you all will be running across this same problem, probably the same thing I got you want to build back and with this property better. It was an old barn, the garage it was 30 years since 1972 or 73 but now it has a nice concrete floor a nice roof, nice metal building. The structure looks, I want it to look perfect when I get it done. My closest neighbor is probably (couldn't understand whose property) probably his house is probably, I don't know it's probably 100-200' from me. Dr. Counce is probably 600' 700' to the north of me. Like I said, we started the building right where the old building was and the only thing that we did is we added 20' because we wanted to make it better. So we're asking you for a variance on this setback.

Now the way, to me, my house faces west, the north property is Dr. Counce's property and that's my side yard which is 10' from the property line and then 20' to the east of the property is Fadil Bayyari's property which is 20' from where the building was originally setting. So you know, if we do this repaired it I guess you know, no big deal we have been grandfathered in but since we added 20' to the building to make it better then the building code said we had to get a variance. That's why I'm here tonight to ask you for a variance on the property. I don't see it hurting anything we are just trying to improve the property the building is on and all my property is A-1 there. I've got another house there that is A-1 on the property and I got approximately 2 acres there that is A-1 property. I'm just asking for your consideration of giving me the variance where I can build my structure.

Mr. Tyler: Staff comments.

Ms. Christie: Because it is zoned A-1 it has that 35' setback, if it wasn't zoned A-1 it would be 20'.

Mr. Dotson: Yeah and that's another thing. I talked to the City Attorney about this. You are basically you're penalizing me for owning a house on A-1 property. The city annexed us in in 1985; we was in the County. And then when they came in, to me if is a residential structure, it is a residential structure. So once you say well you're A-1 property and you give me different setbacks than you do the guy that lives in the subdivision that can build 5' from his fence or 10' from the fence; that's not fair. I mean we live in that house, my son-in-law lives in that house just like you would live on any other house in a subdivision in town. So, you know, we need the subdivision, residential setbacks right now but you throw the A-1 in there then obviously I don't need it.

Ms. Christie: You could rezone it to a

Mr. Dotson: I don't want to rezone it. But Patsy, you're generalizing me making me do

Ms. Christie: I'm telling you what the Ordinance says.

Mr. Dotson: I understand that, I'm very aware of what the Ordinance says. I don't want to argue with you I'm just asking you is a residential subdivision or a residential house treat it like a residential house. A-1 has nothing to do with it. We ain't gonna do anything on that property except raise my grandkids. I got three grandkids that live there. That's their home. We're not going to do anything; they are going to live there. Hope they are going to grow up and be happy there. But, building this garage is not going to hurt anybody. It's like I talked to the City Attorney.

I can go back and build it on the same footprint. But, why not let me make it a little better so my daughter can bring the baby out from the house into the garage without having to go outside come around and get in the car. I'm just saying use a little common sense, please because that is what we need is this approval. Thank you.

Mr. Tyler: Any comments from the audience?

Mr. Kent Hirsch: Thank you. My name is Kent Hirsch and I'm here representing Jim and Kathy Counce. They contacted me. I live at 307 Lake Road is my address. The Counce's live at 3232 Carley Road in Springdale.

February 6, I was called walked out to the site noticed that the fence had been partially moved; those photographs are in the packet. I took those photographs on the 6th. On the 7th Tom Evers came out and he took a photograph also in your packet. Letter from the building department is in your packet also dated February 7. An unpermitted building is being constructed in the setback, obviously, that's why we are here.

On or about the 15th I talked with Ray and told him to rebuild the fence. Show up out there again on the 31st and we see not only has the fence not been rebuilt but the fence has been removed so that you can't measure adequately and accurately from the fence post to the new building. That is the reason I submit to you this new packet, which includes our survey showing a fence line from the time the Counce's bought this property what 20 or 30 years ago and also the photographs which will also show you that the way we measured this thing, it looks like a seven and a half foot as opposed to a ten foot distance from the old fence line to the foundation.

I've got in the packet some of the, excuse me, in the most recently delivered packet we got our yard stick, our measuring apparatus and pictures of the fence. You will also notice in the new photographs that there is new lighting that has been installed between the time of February 7, and March 31 on the structure there.

Also I noticed that the structure, the way it is, it doesn't fit above the posts that are up there provide for a wide area, a large door, barn door. Maybe it's for a tractor trailer, I don't know, but the way that thing is structured, if you look at the photographs and the posts theirs is a huge entry and a pad for entry right in the middle. It looked like a tractor trailer shed to me. Maybe it is for those extra long livestock trailers that is parked on the property, I don't know. But I know this, you are not going to be able to put those little doors the way he's got it on that structure the way it is built.

Now, we didn't get any notice of this. We don't know anything about a tree falling down. We never gave permission to tear our fence down. Definitely, it is a new installation. If you will notice, the way this thing is written, it's like we're trying to rebuild an existing structure. But if you read the paperwork it had you believe that all he is doing is rebuilding an existing structure; but that's not so. I submitted some of the county documents and also city documents that's in the packet to show the way the structure was and it's built, a dirt floor structure now you see a pad and nobody was requested, no permit was requested. This thing is essentially half built and what has happened, your applicant put himself in a pickle. He has put himself in a position and now he wants to ask you for forgiveness after not asking for the proper permission.

I reference to Article 2 Section 10 of your code where it explains that the authority you have is under special conditions and circumstances, if they exist, which is peculiar to the land and structure you can grant the variance. It goes on about the literal interpretation is this and that and grants you some leeway but then C. says that the special conditions and circumstances do not result from the actions of the applicant.

That's exactly what we have here. The applicant came forward, built a structure, didn't ask for a permit. There's a letter from the building inspector in your packet, not only is it well, let's say that's the way I am but you all are not authorized, if he created the problem, to give him permission. Now, in any event, notwithstanding that there is violation of the Ordinance there is unpermitted structures within the setback that we object to, the violations of the fire code at least so the letter says from the building department. It's not built as the same size as the City and County records show. It certainly is not grandfathered. The esthetics would be terrible. We got this 20 or 30', you can't tell how tall it is, but if you could see those posts, it's a tall structure. It's right up against our property the Counce's property. If you grant this, it is not going to resolve the issue because it is not a 10' measurement, it's 7 and a half foot measurement. That's why I submit the survey and the photographs.

What we're asking for is to meet justice, you know, the Counce's own this piece of property over there and they need to get the same justice as anyone else. Just because they have a big piece of property doesn't mean they shouldn't be able to have the same benefits of the laws as other people.

Your applicant, I think, comes before you with unclean hands and I don't believe if I read the statute or this Ordinance correctly that you have authority to grant permission for, excuse me, you would have perhaps the opportunity to grant permission but you can't grant the forgiveness after the applicant comes forward and creates this situation for himself.

Cathy, (Mrs. Counce) do you have anything that you want to say? I know, emotions run high with property and obviously our Constitution provides for property owners, no taking without due process. The legislature passes property owners Bill of Rights and this City has their own set of rules too and we just want to enforce those. We do not want that structure built up against our property line. If he builds it according to code, we got nothing to say about it.

Jim (Mr. Counce) do you have something to say?

Mr. Counce: My name is Jim Counce. My wife and I own property and live at 3232 Carley Road. I will try to be as succinct as possible. We were never informed that a tree from our property fell on Mr. Dotson's garage. We would have been glad to have examined that and try to get them some relief, if that were the case. But, we were never told about that. If you will look at the supplemental material that I gave you right here, a picture that is in the foreground that shows the measuring tape, the eighty-four inches is just right over the property line, where the previous fence was. The fence has been taken down. Not by us but it was done by Mr. Dotson. Mr. Dotson claims that this fence was his, although the fence extends all the way to our southern boundary of our property and apparently we own all of it except this that runs adjacent to Mr. Dotson that pre-existed us purchasing the property so all I know is what he says about it.

If you will look at that photo, you can see that right down there is the fence line and in the background you can see leaning up against the tree are some fence posts that have been taken down. Everything that is to the right of that is our property. Everything to the left of that is Mr. Dotson's property.

On the right hand side you can see that that area has been brush hogged in the past and there's no large tree on the left hand side which is Mr. Dotson's property, there are some large trees. There is no evidence of a big root ball that has been torn up from our property that had fallen on anything.

The setback calls for 35 feet, but he's built so far, and asking that it be approved for a 10' setback and the border is only seven feet. I would ask that you deny that. I would also say, Ray and I have never had any animosity. We have never had any problems or anything like this at all. I hate that we are here in this position now, but I don't feel like it is our responsibility that we are here like this.

I went out and hired a qualified attorney because I wanted to investigate this and here we are in this position. I think it is probably best that I not say anything more at this point in time.

Mr. Tyler: Any other comments from the audience? To the Commission. It will be a call for the vote.

Mr. Covert: Call for the vote.

Mr. Peters: I have a question. Did we find property pins? We did the investigation. Are the property pins out there? Did we measure off a known property line? Tom did the investigation.

Mr. Stith: Tom Evers did the investigation. I am assuming that he measured from the existing fence, which I believe was there at the time.

Mr. Peters: We didn't find pins.

Mr. Stith: The pins would have been way, far away.

Mr. David: We are being asked tonight is on the rear setback. 35' to 10'. O.K.

Mr. Tyler: It will be call for the vote. Mr. Covert.

Ms. Pounders: Compton – No, Covert – No, David – No, Mueller – No, Parker – No, Peters – No, Tyler – No, Austin – No, Cloud – No.

Mr. Tyler: Fails nine to zero.

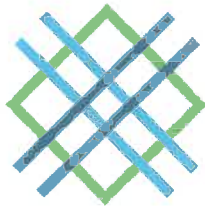
Ms. Christie: You have the right to appeal the Planning Commission's decision denial of this variance request to the City Council. The variance request, I mean the appeal has to be filed within fifteen days to the City Clerk's Office. You have to make the same notification and if the variance is denied, you can't apply for the same one for a period of one year.

E. B22-32 The After School Program Gym Expansion
866 S. 48th Street
Variance for reduction of required parking
Presented by Engineering Services, Inc.

This variance was approved by a unanimous vote in conjunction with the large scale development,

F. B22-33 The After School Program Gym Expansion
866 S. 48th Street
Variance of Commercial Design Standards
A. Foundation landscaping
Presented by Engineering Services, Inc.

This variance was approved by a unanimous vote in conjunction with the large scale development,



SPRINGDALETM
WE'RE MAKING IT HAPPEN

www.SpringdaleAR.gov

April 6, 2022

Ray & Lesa Dotson
3445 Raymond Lane
Springdale, AR 72762

RE: B22-31 Variance 3445 Raymond Lane

At the April 5, 2022 meeting of the Springdale Planning Commission, your variance request for a reduction of rear setback from 35' to 10' at the above location was denied.

You have the right to appeal the Planning Commission's decision within fifteen (15) days. You must appeal in writing to the City Clerk's office stating why you think the Planning Commission erred in its decision. You must also re-notify the adjacent property owners.

Respectfully,



Rick Barry, Assistant Director
Planning and Community Development Division

Cc: File
Building Inspection









ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE RE-PLAT OF LOTS 13 AND 14, SPRING RIDGE SUBDIVISION INTO 13A, SPRING RIDGE SUBDIVISION TO THE CITY OF SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Benton County, Arkansas, being more particularly described as follows, to-wit:

LOT 13A OF SPRING RIDGE SUBDIVISION IN SPRINGDALE, ARKANSAS, FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF LOT 13 AS FOUND IN THE FINAL PLAT OF SPRING RIDGE SUBDIVISION; THENCE NORTH 42°59'33" WEST 302.57 FEET; THENCE SOUTH 87°43'18" EAST 267.11 FEET; THENCE SOUTH 87°46'35" EAST 137.72 FEET; THENCE SOUTH 01°42'44" WEST 246.45 FEET; THENCE NORTH 88°22'23" WEST 86.39 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET AND A LENGTH OF 30.62 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET AND A LENGTH OF 42.18 FEET, THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET AND A LENGTH OF 58.50 FEET, CONTAINING 1.53 ACRES MORE OR LESS.

AND WHEREAS, said Planning Commission after conducting a public hearing, has approved the re-plat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said re-plat and join with the said petitioner in petitioning the City Council to accept the said REPLAT OF SPRING RIDGE SUBDIVISION to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the RE-PLAT OF SPRING RIDGE SUBDIVISION, TO THE City of Springdale, Arkansas, as shown on the re-plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Benton County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2022.

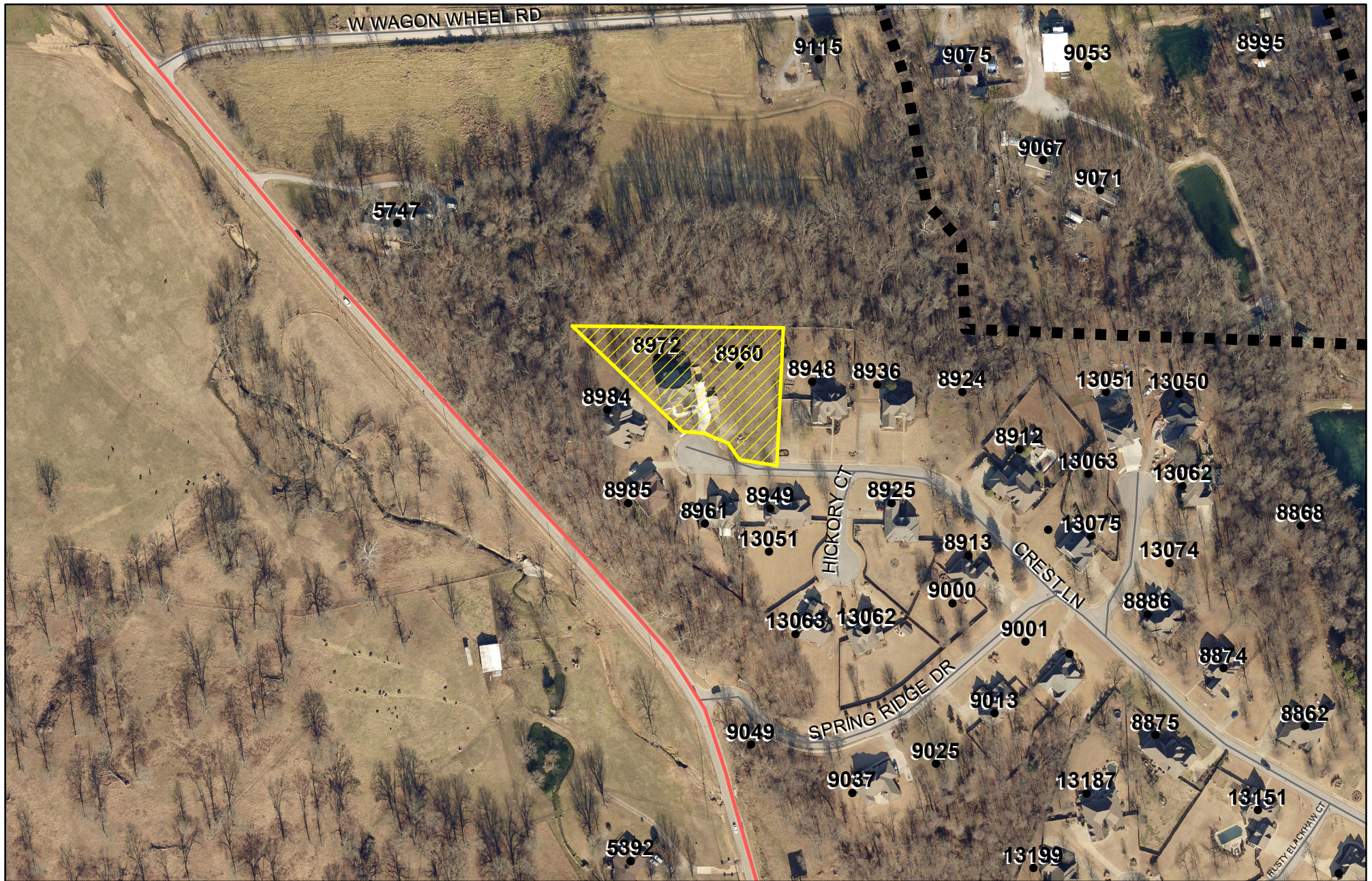
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest Cate, CITY ATTORNEY



0 50 100 200 300 400
 Feet
 For Location Reference Only

FILE NO. RP22-05
APPLICANT: Cecilie Pinkley
REQUEST: Replat of Spring Ridge Subdivision Lot 13 & 14

PLANNING COMMISSION MEETING
 May 3, 2022

A-1 ZONING SETBACKS

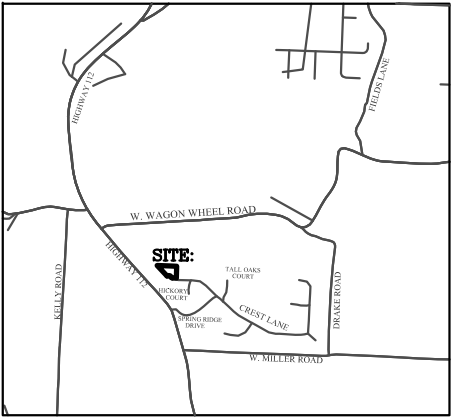
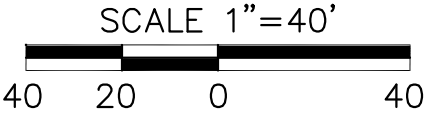
FRONT SETBACK	30'
SIDE SETBACK	20'
REAR SETBACK	35'

PLAT BUILDING SETBACKS

FRONT SETBACK	30'
SIDE SETBACK	10'
REAR SETBACK	25'

*SPRING RIDGE SUBDIVISION, 2004-1335

PARCEL #: 21-00272-405
TOMLINSON, MAXIE W TRUSTEE
9115 W WAGON WHEEL RD
SPRINGDALE AR 72762-9791
ZONING A-1



VICINITY MAP

PROPERTY DESCRIPTION (#21-02487-000)
& (#21-02488-000)

LOT 13 AND 14 OF A RECORDED FINAL PLAT OF SPRING RIDGE SUBDIVISION AS FILED IN BOOK 2004, PAGE 1335 ON NOVEMBER 17, 2004.

NEW LOT 13A

LOT 13A OF SPRING RIDGE SUBDIVISION IN SPRINGDALE, ARKANSAS, FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF LOT 13 AS FOUND IN THE FINAL PLAT OF SPRING RIDGE SUBDIVISION; THENCE NORTH 42°59'33" WEST 302.57 FEET; THENCE SOUTH 87°43'18" EAST 267.11 FEET; THENCE SOUTH 87°46'35" EAST 137.72 FEET; THENCE SOUTH 01°42'44" WEST 246.45 FEET; THENCE NORTH 88°22'23" WEST 86.39 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET AND A LENGTH OF 30.62 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET AND A LENGTH OF 42.18 FEET, THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET AND A LENGTH OF 58.50 FEET, CONTAINING 1.53 ACRES MORE OR LESS.

CERTIFICATE OF ACCURACY

I, DAVID B. PLATZ, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION: _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1553
STATE OF ARKANSAS

NOTES

- PARENT DEED FOR PROPERTY:
LOT 13 - L2020 - 22151
LOT 14 - L2020 - 22151
- TAX PARCEL NUMBERS:
LOT 13 = 21-02487-000
LOT 14 = 21-02488-000
- PROPERTY ACERAGE:
LOT 13A = 1.53 ACRES
LOT 13 = 0.772 ACRES
LOT 14 = 0.758 ACRES
- ALL EASEMENTS AVAILABLE TO THE SURVEYOR ARE SHOWN, A TITLE SEARCH IS REQUIRED TO FIND ANY/ALL EASEMENTS OF RECORD.
- THE PROPERTY IS IN THE EXTENDED JURISDICTION OF THE CITY OF SPRINGDALE AND DOES NOT HAVE A ZONING.
- SITE BENCHMARK IS A PK NAIL IN THE CENTER OF THE CUL-DE-SAC.
- THE SITE IS ROTATED TO THE FRONT LOT LINE OF LOT 13 AND LOT 14 AS SHOWN ON THE FINAL PLAT DONE BY EDA AND FILED FOR RECORD AT BOOK 2004 AT PAGE 1335.

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT.

ACCEPTANCE OF DEDICATIONS	_____ CITY CLERK
	_____ MAYOR
APPROVAL FOR RECORDING	_____ DIRECTOR, PLANNING AND COMMUNITY DEVELOPMENT DIVISION
COMMISSION	_____ SECRETARY, PLANNING COMMISSION
	_____ CHAIRMAN, PLANNING COMMISSION
WATER AND SEWER	_____ ENGINEER, SPRINGDALE WATER UTILITIES
STREETS AND DRAINAGE	_____ CITY ENGINEER

CERTIFICATE OF TRANSMITTAL, OWNERSHIP, AND ORDINANCE

FLOOD CERTIFICATION

NO PART OF THIS PROPERTY LIES IN A ZONE "A" FLOOD ZONE AS SHOWN ON THE FIRM/FEMA FLOOD PANEL NO 05007C0430 J, EFFECTIVE DATE SEPT. 28, 2007.

THE UNDERSIGNED HEREBY TRANSMIT THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AND HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LOCAL OR OTHER LAW. THE UNDERSIGNED FURTHER CERTIFY THAT THE REQUIRED ORDINANCE OF ACCEPTANCE IS IN ORDER HAVING BEEN APPROVED BY THE CITY ATTORNEY ON



REPLAT		REVISIONS	
A REPLAT OF LOTS 13 AND 14, SPRING RIDGE SUBDIVISION INTO 13A, SPRING RIDGE SUBDIVISION		No.:	DATE:
OWNER: CECILIE PINKLEY 8972 CREST LANE SPRINGDALE AR 72762			
DRAWN BY: DP/ZS		DATE: 2/21/22	
CHECKED BY: DAVID B. PLATZ LAND SURVEYOR		JOB No.: 2022077	
SCALE: 1"=40'		SHEET: 1	

CITY OF SPRINGDALE PROJECT NUMBER: RP22-05

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE RE-PLAT OF LOTS 1, 2, 3 AND THE EAST 22 FEET OF LOT 4, BLOCK 22 OF RAILROAD ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

PARENT TRACT PARCEL #815-25300-000:

LOTS 1, 2, 3, AND THE EAST 22 FEET OF LOT 4, ALL IN BLOCK 22 OF RAILROAD ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER THE RECORDED PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS. SUBJECT TO RECORDED INSTRUMENTS, COVENANTS, RIGHTS-OF-WAY AND EASEMENTS.

NEW LOT 1:

A PART OF LOTS 1, 2, 3, AND A PART OF THE EAST 22 FEET OF LOT 4, ALL IN BLOCK 22 OF RAILROAD ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER THE RECORDED PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR ON THE WEST RIGHT-OF-WAY OF HOLCOMB STREET MARKING THE NORTHEAST CORNER OF SAID LOT 1 AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY S02°51'26"W 44.28', THENCE LEAVING SAID RIGHT-OF-WAY N87°40'11"W 128.97', THENCE N02°52'34"E 44.28' TO AN EXISTING REBAR ON THE NORTH LINE OF SAID BLOCK 22, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY OF WEST ALLEN AVENUE, THENCE ALONG SAID NORTH LINE COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY S87°40'11"E 128.96' TO THE POINT OF BEGINNING, CONTAINING 0.131 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

NEW LOT 2:

A PART OF LOTS 1, 2, 3, AND A PART OF THE EAST 22 FEET OF LOT 4, ALL IN BLOCK 22 OF RAILROAD ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, AS PER THE RECORDED PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE

CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY OF HOLCOMB STREET WHICH IS S02°51'26"W 44.28' FROM AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF SAID LOT 1 AND RUNNING THENCE ALONG SAID RIGHT-OF-WAY S02°51'26"W 95.74', THENCE LEAVING SAID RIGHT-OF-WAY N87°35'22"W 129.00' TO AN EXISTING REBAR, THENCE N02°52'34"E 95.56', THENCE S87°40'11"E 128.97' TO THE POINT OF BEGINNING, CONTAINING 0.283 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

AND WHEREAS, said Planning Commission after conducting a public hearing, has approved the re-plat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said re-plat and join with the said petitioner in petitioning the City Council to accept the said REPLAT OF LOTS 1, 2, 3 AND THE EAST 22 FEET OF LOT 4, BLOCK 22 OF RAILROAD ADDITION to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the REPLAT OF LOTS 1, 2, 3 AND THE EAST 22 FEET OF LOT 4, BLOCK 22 OF RAILROAD ADDITION to the City of Springdale, Arkansas, as shown on the re-plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, WASHINGTON County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

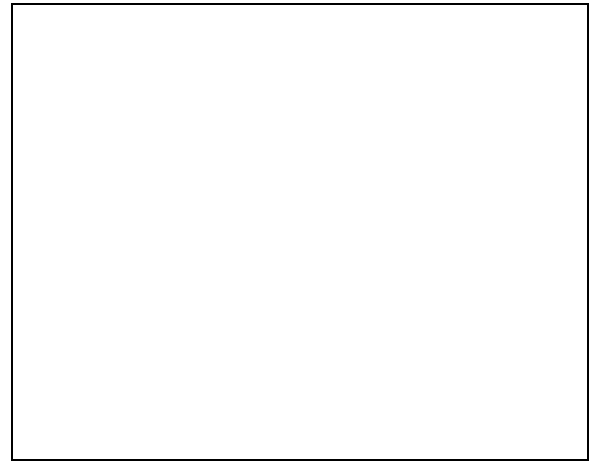
Ernest Cate, CITY ATTORNEY



0 30 60 120 180 240
 Feet
 For Location Reference Only

FILE NO. RP22-07
APPLICANT: Daniel Hintz
REQUEST: Replat of Railroad Addition Block 2, Lots 1, 2, 3 & 4

PLANNING COMMISSION MEETING
 May 3, 2022



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE FINAL PLAT OF
PHASE 2 OF COTTAGES AT THE PARK SUBDIVISION
TO THE CITY OF SPRINGDALE, ARKANSAS, AND
DECLARING AN EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Benton County, Arkansas, being more particularly described as follows, to-wit:

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY (20), TOWNSHIP EIGHTEEN NORTH (T-18-N), RANGE THIRTY WEST (R-30-W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, SAID POINT BEING A FOUND RAILROAD SPIKE IN WEST COUNTY LINE ROAD; THENCE ALONG THE SOUTH LINE OF SAID SW 1/4, S86°35'37"E A DISTANCE OF 659.90 FEET TO A FOUND RAILROAD SPIKE IN WEST COUNTY LINE ROAD; THENCE LEAVING SAID SOUTH LINE, N02°27'18"E A DISTANCE OF 705.55 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A SET IRON PIN WITH CAP "PLS 1156"; THENCE CONTINUING N02°27'18"E A DISTANCE OF 654.06 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S87°32'42"E A DISTANCE OF 987.96 FEET TO A FOUND COTTON PICKER SPINDLE IN DOWNUM ROAD; THENCE S02°22'15"W A DISTANCE OF 654.06 FEET TO A SET COTTON PICKER SPINDLE IN DOWNUM ROAD; THENCE N87°32'42"W A DISTANCE OF 988.92 FEET TO THE POINT OF BEGINNING, CONTAINING 14.84 ACRES, MORE OR LESS AND SUBJECT TO THE RIGHT-OF-WAY OF DOWNUM ROAD ON THE EAST SIDE THEREOF, AND ALL RIGHTS-OF-WAY, EASMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the plat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said plat and join with said Petitioner in petitioning the City Council to accept the said plat of Phase 2 of Cottages at the Park Subdivision to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the plat of Phase 2 of Cottages at the Park Subdivision, as shown on the plat approved by the Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



FINAL PLAT

OF

COTTAGES AT THE PARK PHASE II

SPRINGDALE

BENTON COUNTY, ARKANSAS

SURVEYOR'S NOTES:

THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR. THE ORIGINAL SIGNATURE, IF NOT BLUE IN COLOR, IS NOT VALID.

FEMA FLOOD PLAIN ZONE:

THIS PROPERTY IS WITHIN THE FLOOD PLAIN ZONE 'X', (NO SHADING) DESIGNATED AS AN AREA DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE F.I.R.M. MAP # 05007C0430J, PANEL 430 OF 560, BENTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: SEPTEMBER 28, 2007.

UTILITIES:

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS BASED ON ABOVE GROUND FEATURES ONLY.

REFERENCES:

EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED BELOW. THE SURVEYOR RESEARCHED OR WAS PROVIDED NECESSARY DEEDS, RIGHT-OF-WAY MAPS, AND OTHER PERTINENT INFORMATION AS SHOWN BELOW. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR COURT CASE DECREES, ADVERSE POSSESSION CLAIMS, SUBSURFACE RIGHTS OR OWNERSHIP, ENCUMBRANCES, OR RESTRICTIVE COVENANTS.

ALL RECORDS LISTED BELOW ARE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS UNLESS OTHERWISE NOTED.

- A. FINAL PLAT:** LANDMARC CUSTOM HOMES, LLC RECORDED AUGUST 13, 2020, DOCUMENT FILE NO. L202049582.
- B. COMMISSIONERS DEED:** LANDMARC CUSTOM HOMES, LLC RECORDED MARCH 1, 2018, DOCUMENT FILE NO. L201810451.
- C. REDEMPTION DEED NO. 333883:** ERNEST GENE DOWNUM TRUST, RECORDED FEBRUARY 2, 2015, BOOK 2015, PAGE 4604.
- D. QUIT CLAIM DEED TO TRUSTEE:** DOWNUM RD, TRUST #21-00167-548, UDT 07/19/2014, AND KEVAN RILEY, AS TRUSTEE, RECORDED 8/10/2015, BOOK 2015, PAGE 43672.
- E. WARRANTY DEED:** CME QUALITY HOMES, LLC, RECORDED JANUARY 24, 2006, DOCUMENT BOOK 2006, PAGE 4656.
- F. BOUNDARY SURVEY:** BY BILLY LAWRENCE SURVEYING, INC., RECORDED MARCH 11, 2016, BOOK 2016, PAGE 173.
- G. BOUNDARY SURVEY:** BY SATTERFIELD LAND SURVEYORS, P.A., RECORDED JUNE 6, 2013, BOOK 2013, PAGE 314.
- H. RIGHT OF WAY EASEMENT:** IN FAVOR OF CITY OF SPRINGDALE, RECORDED FEBRUARY 24, 2006, BOOK 2006, PAGE 10153.
- I. RIGHT OF WAY EASEMENT:** IN FAVOR OF CITY OF SPRINGDALE, RECORDED FEBRUARY 24, 2006, BOOK 2006, PAGE 10146.
- J. EASEMENT AND RIGHT-OF-WAY GRANT:** IN FAVOR OF SPRINGDALE WATER AND SEWER COMMISSION, RECORDED JANUARY 17, 2001, DOCUMENT NO. 1005184.
- K. EASEMENT:** IN FAVOR OF SPRINGDALE WATER AND SEWER COMMISSION, RECORDED NOVEMBER 26, 1996, BOOK 96, PAGE 96263.
- L. EASEMENT:** IN FAVOR OF SPRINGDALE WATER AND SEWER COMMISSION, RECORDED OCTOBER 16, 1996, BOOK 96, PAGE 85171.
- M. EASEMENT:** IN FAVOR OF SPRINGDALE WATER AND SEWER COMMISSION, RECORDED OCTOBER 16, 1996, BOOK 96, PAGE 85173.
- N. EASEMENT:** IN FAVOR OF SPRINGDALE WATER AND SEWER COMMISSION, RECORDED JULY 12, 1996, BOOK 96, PAGE 57095.
- O. REVISED FINAL PLAT OF COTTAGES AT THE PARK PHASE I:** BY ENGINEERING SERVICES INC., S. CRAIG DAVIS, PLS 1156, RECORDED MAY 27, 2021 IN FILE NO. L202139930.
- P. EASEMENT:** IN FAVOR OF SPRINGDALE WATER AND SEWER COMMISSION, RECORDED AUGUST 24, 2020, FILE NO. L202052034.
- Q. EASEMENT:** IN FAVOR OF SPRINGDALE WATER AND SEWER COMMISSION, RECORDED AUGUST 24, 2020, FILE NO. L202052035.
- R. EASEMENT:** IN FAVOR OF SPRINGDALE WATER AND SEWER COMMISSION, RECORDED AUGUST 24, 2020, FILE NO. L202052036.

PARCEL NUMBER: 21-00167-556

SURVEY DESCRIPTION:

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY (20), TOWNSHIP EIGHTEEN NORTH (T-18-N), RANGE THIRTY WEST (R-30-W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, SAID POINT BEING A FOUND RAILROAD SPIKE IN WEST COUNTY LINE ROAD; THENCE ALONG THE SOUTH LINE OF SAID SW 1/4, S86°35'37"E A DISTANCE OF 659.90 FEET TO A FOUND RAILROAD SPIKE IN WEST COUNTY LINE ROAD; THENCE LEAVING SAID SOUTH LINE, N02°27'18"E A DISTANCE OF 705.55 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING A SET IRON PIN WITH CAP "PLS 1156"; THENCE CONTINUING N02°27'18"E A DISTANCE OF 654.06 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S87°32'42"E A DISTANCE OF 987.96 FEET TO A FOUND COTTON PICKER SPINDLE IN DOWNUM ROAD; THENCE S02°22'15"W A DISTANCE OF 654.06 FEET TO A SET COTTON PICKER SPINDLE IN DOWNUM ROAD; THENCE N87°32'42"W A DISTANCE OF 988.92 FEET TO THE **POINT OF BEGINNING**, CONTAINING 14.84 ACRES, MORE OR LESS AND SUBJECT TO THE RIGHT-OF-WAY OF DOWNUM ROAD ON THE EAST SIDE THEREOF, AND ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

CERTIFICATION OF TRANSMITTAL, OWNERSHIP, AND ORDINANCE:

THE UNDERSIGNED HEREBY TRANSMIT THIS PLAT TO THE CITY OF SPRINGDALE, FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AND HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LAW OR OTHER LAW. THE UNDERSIGNED FURTHER CERTIFY THAT THE REQUIRED ORDINANCE OF ACCEPTANCE IS IN ORDER HAVING BEEN APPROVED BY THE CITY ATTORNEY ON _____.

AUTHORIZED REPRESENTATIVE _____ DATE _____

RESOLUTION: RESOLVED THAT _____, MEMBER, IS HEREBY AUTHORIZED TO EXECUTE THE CERTIFICATE OF OWNERSHIP AND DEDICATION SHOWN ON THIS PLAT.

CERTIFICATE OF ACCEPTANCE:

THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE AND REGULATIONS OF THE ARKANSAS STATE BOARD OF HEALTH AS EACH PERTAINS TO THIS PLAT AND TO THE OFFICES OF RESPONSIBILITY SHOWN BELOW.

	DATE	SIGNATURE
ACCEPTANCE OF DEDICATIONS	_____	CITY CLERK CITY OF SPRINGDALE
	_____	MAYOR CITY OF SPRINGDALE
APPROVAL FOR RECORDING	_____	DIRECTOR, PLANNING AND COMMUNITY DEVELOPMENT DIVISION
COMMISSION	_____	CHAIRMAN PLANNING COMMISSION
	_____	SECRETARY, PLANNING
WATER AND SEWER	_____	ENGINEER SPRINGDALE WATER UTILITIES
STREETS AND DRAINAGE	_____	CITY ENGINEER

SURVEYOR'S DECLARATION:

I HEREBY DECLARE THAT I HAVE THIS DAY COMPLETED A SURVEY OF THE ABOVE DESCRIBED PROPERTY. THE PROPERTY LINES AND CORNER MONUMENTS ARE TO THE BEST OF MY KNOWLEDGE AND ABILITY, CORRECTLY ESTABLISHED, AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN ON THIS PLAT. I FURTHER DECLARE THAT THIS SURVEY MEETS THE CURRENT "MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS", PER THE STATE OF ARKANSAS.

S. CRAIG DAVIS, L.P.S. NO.1156, AR.

DATE _____

FP21-05

BY
ENGINEERING SERVICES INC.



CONSULTING ENGINEERS
SPRINGDALE, ARKANSAS
PHONE: 479-751-8733
FAX: 479-751-8746
WWW.ENGINEERINGSERVICES.COM



SHEET 1 of 2

RESOLUTION NO. _____

A RESOLUTION EXPRESSING THE WILLINGESS OF
THE CITY OF SPRINGDALE TO UTILIZE FEDERAL
FUNDING FOR THE FOLLOWING PROJECT: DEAN'S
TRAIL PHASE IIIA.

WHEREAS, the Arkansas Department of Transportation is accepting applications for Transportation Alternatives Program (TAP) funds for projects at the following Federal and City participating ratios, up to the maximum Federal-aid available:

TYPE WORK	WORK PHASE	FEDERAL %	CITY %
Construction of City Project	Project Design	0	0
	Right-of-Way	0	0
	Utilities	0	0
	Construction	80	20
	Construction Engineering	0	0

WHEREAS, the currently approved funds are to be used for project construction, and
WHEREAS, a maximum \$100,000 city match is required with a maximum \$500,000 ArDOT reimbursement, is currently budgeted in the Public Works 2022 budget.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, THAT:

SECTION I: The City will participate in accordance with its designated responsibilities in this project.

SECTION II: The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

PASSED AND APPROVED THIS _____ DAY OF _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXPENDITURE
OF FUNDS TO ACQUIRE A PORTION OF LAND FROM
JUNIPER SPRINGDALE, LLC, FOR THE DEAN'S TRAIL,
PHASE IIIA PROJECT (PROJECT NO. ST1802).**

WHEREAS, the City of Springdale is in need of acquiring a portion of land for the Dean's Trail, Phase IIIA Project, Project No. ST1802, Tracts 17A, 17B, and Tract 19, said lands being owned by Juniper Springdale, LLC;

WHEREAS, the City of Springdale has determined by appraisal that the sum of \$53,300.00 is the estimated just compensation for the property needed from Juniper Springdale, LLC;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$78,774.00 to acquire the land needed for the project, said amount being justified by the nature of these properties, and the increase in property values;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$25,474.00 to acquire the property needed from Juniper Springdale, LLC, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of acquiring this property by eminent domain proceedings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire a portion of land for the Dean's Trail, Phase IIIA Project, Project No. ST1802, Tracts 17A, 17B, and Tract 19, said lands being owned by Juniper Springdale, LLC, for the total sum of \$78,774.00.

PASSED AND APPROVED this ____ day of _____, 2022.

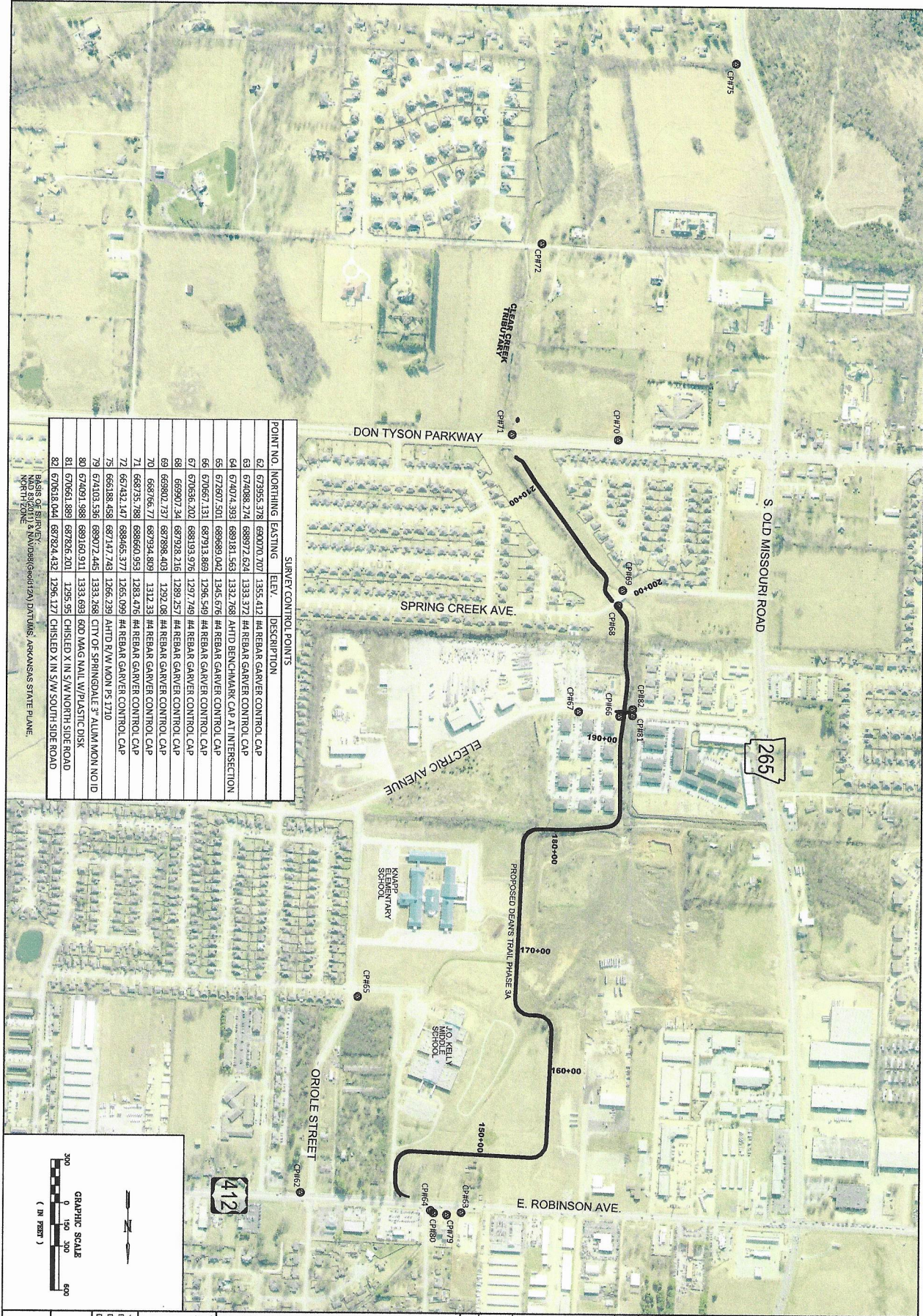
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

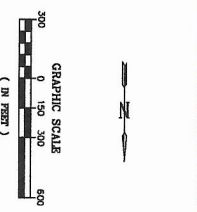
APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



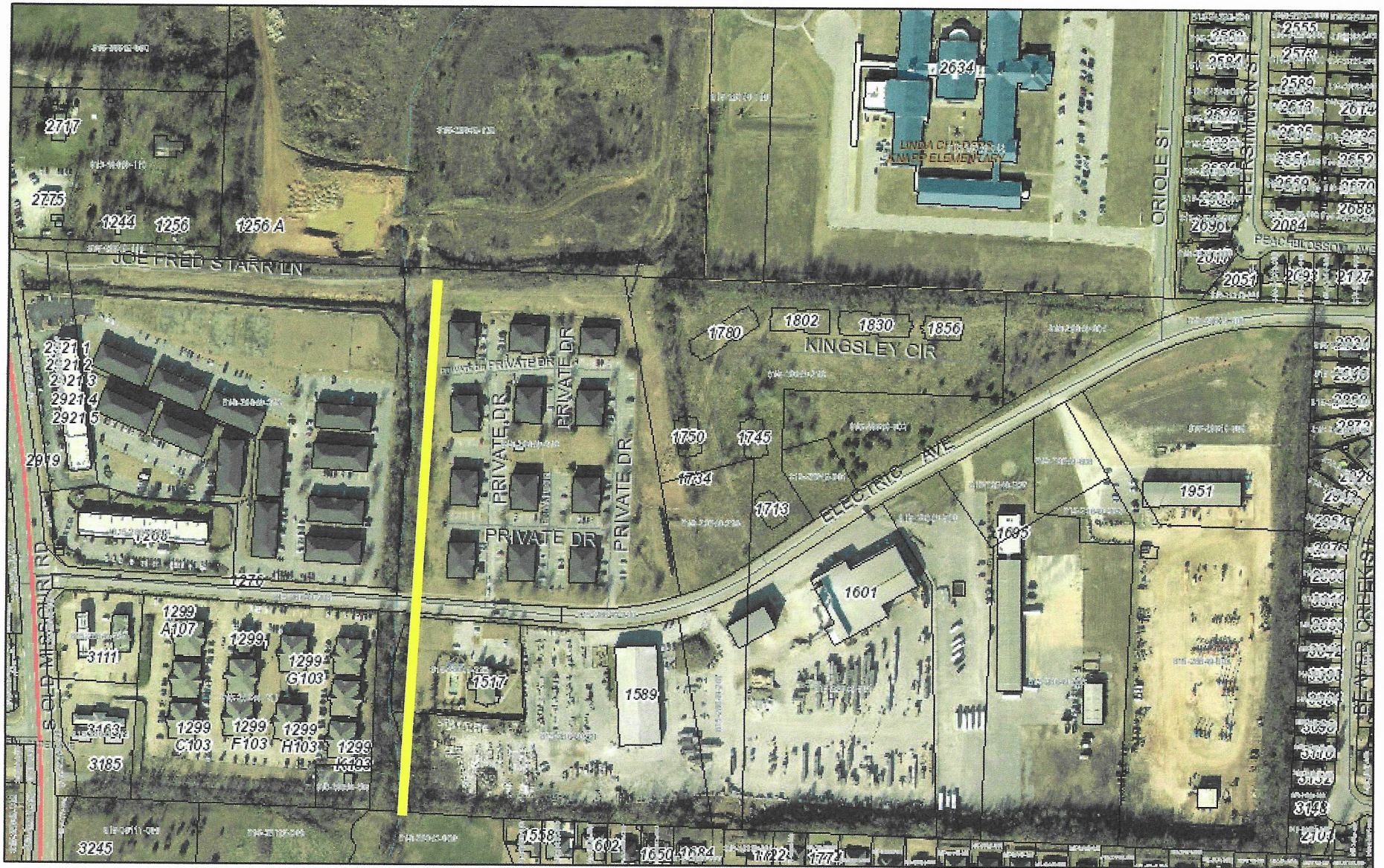
POINT NO.	NORTHING	EASTING	ELEV.	DESCRIPTION
62	673955.378	690070.707	1355.412	#4 REAR GARVER CONTROL CAP
63	674088.274	689972.624	1333.372	#4 REAR GARVER CONTROL CAP
64	674074.393	689181.661	1332.768	AHTD BENCHMARK CAP AT INTERSECTION
65	672607.501	689689.042	1345.676	#4 REAR GARVER CONTROL CAP
66	672607.131	687913.869	1296.549	#4 REAR GARVER CONTROL CAP
67	670636.302	688193.976	1297.749	#4 REAR GARVER CONTROL CAP
68	669907.24	687928.216	1289.257	#4 REAR GARVER CONTROL CAP
69	669802.737	687898.403	1292.08	#4 REAR GARVER CONTROL CAP
70	669766.77	687934.809	1312.33	#4 REAR GARVER CONTROL CAP
71	668735.788	689660.953	1283.476	#4 REAR GARVER CONTROL CAP
72	667432.147	689465.377	1265.099	#4 REAR GARVER CONTROL CAP
75	666388.458	687147.748	1266.239	AHTD N/W MON FS 1710
79	674103.536	689072.445	1333.693	CITY OF SPRINGDALE 3" ALUM MON NO ID
80	674091.988	689160.911	1295.95	CHISLED X IN S/W NORTH SIDE ROAD
81	670651.889	687826.201	1296.127	CHISLED X IN S/W SOUTH SIDE ROAD
82	670618.044	687824.432		

BASE OF SURVEY
 ROAD 820212 N 1/4 NW 38 (661212) PATIAMS, ARKANSAS STATE PLANE,
 NORTH ZONE



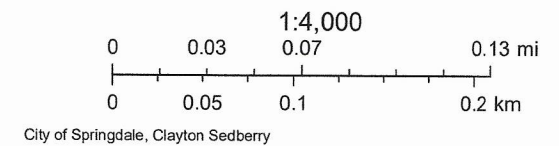
JOB NO. 16047110 DATE: FEB. 2021 DRAWN BY: LAM DESIGNED BY: LAM CHECKED BY: LAM SCALE: AS SHOWN DRAWING NUMBER G-003	CITY OF SPRINGDALE SPRINGDALE, ARKANSAS JOB 040809, SPRINGDALE DEANS TRAIL PH. 3 (TAP-19)(S) F.A.P. TAP-9399(26) WASHINGTON COUNTY	REV.	DATE	DESCRIPTION	BY	100% FINAL PLANS FOR REVIEW ONLY NOT FOR CONSTRUCTION	 SPRINGDALE ARKANSAS

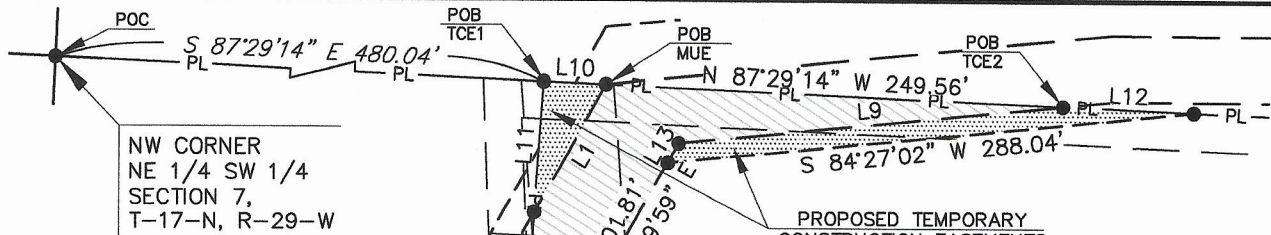
City of Springdale Zoning Map



April 26, 2022

- | | | | |
|-------------------------------------|--------------------|-----------|---------------|
| Form-Based Code District Overlay | Benton Co. Parcels | TRIBUTARY | RAILROAD |
| S.E.E.D. Overlay District - Outline | SCHOOLS | LAKES | STREETS - ALL |
| Washington Co. Parcels | STREAMS | Buildings | INTERSTATE |
| | MAIN CHANNEL | RAMP | |



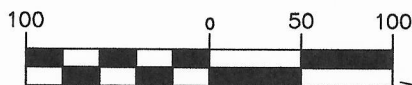


LINE	BEARING	DISTANCE
L1	S 29°09'59" W	79.72'
L2	S 03°57'44" W	83.30'
L3	S 07°47'08" W	186.10'
L4	N 86°25'27" W	15.40'
L5	S 03°34'33" W	9.90'
L6	S 86°02'16" E	59.77'
L7	N 07°47'08" E	9.35'
L8	N 82°12'52" W	10.00'
L9	N 84°27'02" E	210.52'
L10	S 87°29'14" E	33.96'
L11	N 03°57'44" E	71.27'
L12	S 87°29'14" E	71.30'
L13	N 29°09'59" E	12.17'
L14	N 86°02'16" W	5.18'



BEARINGS - GRID
ARKANSAS NORTH ZONE

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

LEGEND

PL	PL	EXISTING PROPERTY LINE
R/W		EXISTING RIGHT OF WAY LINE
		EXISTING EASEMENT LINE
		PROPOSED EASEMENT LINE
		PROPOSED TEMPORARY CONST. EASEMENT LINE

THIS EXHIBIT IS A SKETCH DESCRIPTIVE ONLY OF THE SIZE, SHAPE AND LOCATION OF THE PROPOSED EASEMENTS AND DOES NOT CONSTITUTE A PLAT OR SURVEY OF THE GRANTOR'S PROPERTY.

PARCEL NO. 815-28649-218
JUNIPER SPRINGDALE, LLC
RECORD DEED: 2007-00024846

AREA CALCULATIONS	SQ. FT.	ACRES
PROPOSED MULTI-USE TRAIL EASEMENT	32,472	0.75
PROPOSED TEMP. CONST. EASEMENT	13,488	0.31



2049 EAST JOYCE BOULEVARD
SUITE 400
FAYETTEVILLE, ARKANSAS 72704
479 527-9100

CITY OF SPRINGDALE
SPRINGDALE, ARKANSAS
DEAN'S MULTI-USE TRAIL

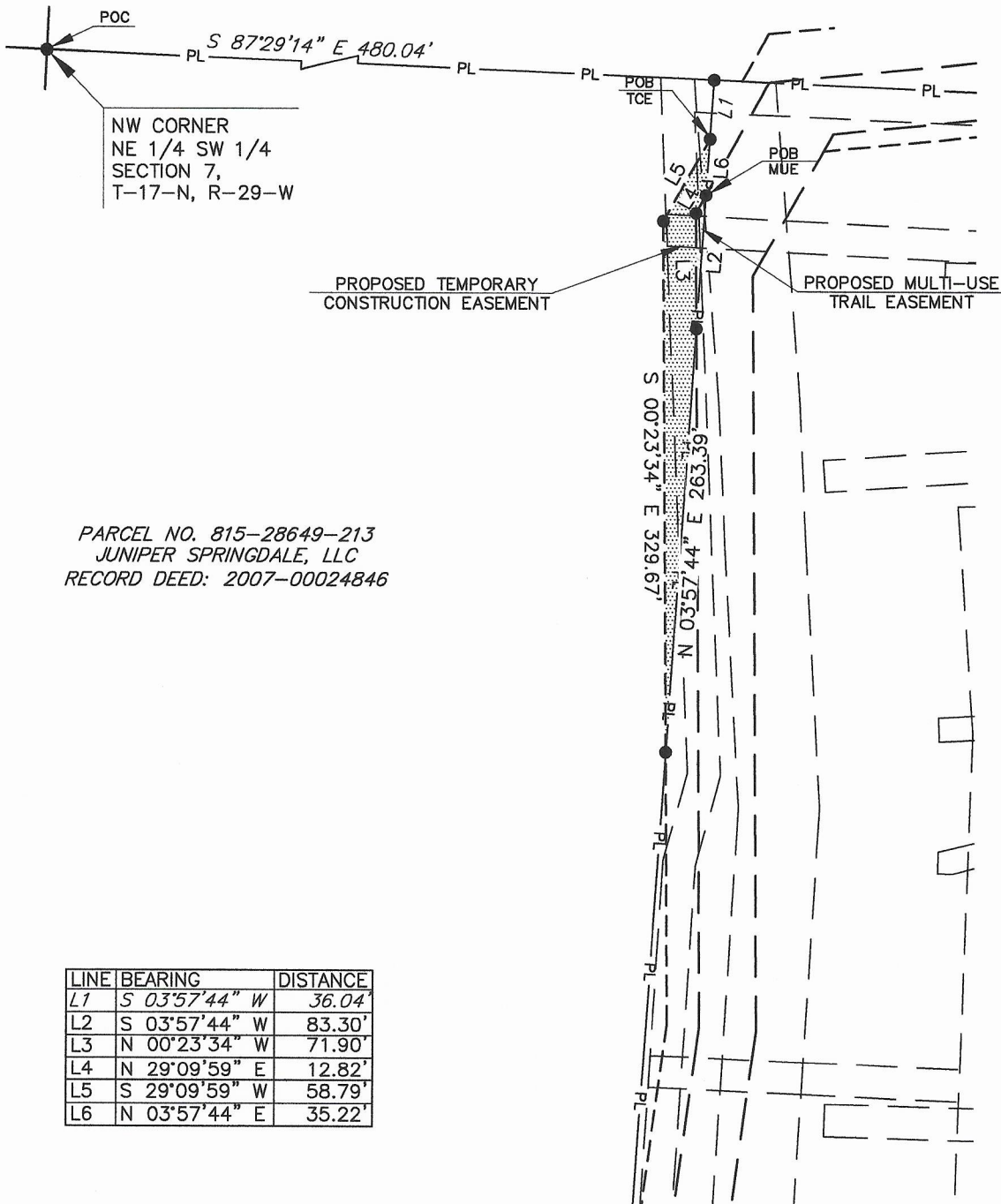


JOB NO.
18047110

DATE
FEB. 20, 2021

"EXHIBIT A"

TRACT 17A



PARCEL NO. 815-28649-213
JUNIPER SPRINGDALE, LLC
RECORD DEED: 2007-00024846

LINE	BEARING	DISTANCE
L1	S 03°57'44" W	36.04'
L2	S 03°57'44" W	83.30'
L3	N 00°23'34" W	71.90'
L4	N 29°09'59" E	12.82'
L5	S 29°09'59" W	58.79'
L6	N 03°57'44" E	35.22'

AREA CALCULATIONS	SQ. FT.	ACRES
PROPOSED MULTI-USE TRAIL EASEMENT	227	0.01
PROPOSED TEMP. CONST. EASEMENT	4,553	0.10

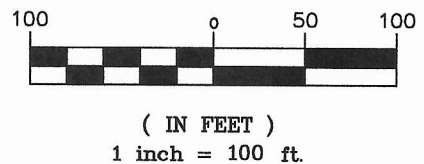
LEGEND

PL	PL	EXISTING PROPERTY LINE
R/W		EXISTING RIGHT OF WAY LINE
		EXISTING EASEMENT LINE
		PROPOSED EASEMENT LINE
		PROPOSED TEMP. CONST. EASEMENT LINE

THIS EXHIBIT IS A SKETCH DESCRIPTIVE ONLY OF THE SIZE, SHAPE AND LOCATION OF THE PROPOSED EASEMENTS AND DOES NOT CONSTITUTE A PLAT OR SURVEY OF THE GRANTOR'S PROPERTY.

BEARINGS - GRID
ARKANSAS NORTH ZONE

GRAPHIC SCALE



2049 EAST JOYCE BOULEVARD
SUITE 400
FAYETTEVILLE, ARKANSAS 72704
479 527-9100

CITY OF SPRINGDALE
SPRINGDALE, ARKANSAS
DEAN'S MULTI-USE TRAIL



JOB NO.
18047110

DATE
FEB. 20, 2021

"EXHIBIT A"

TRACT 17B

ELECTRIC AVE.

PROPOSED TEMPORARY CONSTRUCTION EASEMENT

PROPOSED TEMPORARY CONSTRUCTION EASEMENT

PROPOSED MULTI-USE TRAIL EASEMENT

**PARCEL NO. 815-28649-222
JUNIPER SPRINGDALE, LLC
RECORD DEED: TRACT 4 OF
BOOK 2007 PAGE 00024846**

**NE 1/4 SW 1/4
T-17-N, R-29-W**

LEGEND

LINE	BEARING	DISTANCE
L1	S 85°41'53" E	29.66'
L2	N 02°27'51" W	75.25'
L3	N 06°27'37" E	72.19'
L4	N 83°32'23" W	13.00'
L5	N 06°27'37" E	15.00'
L6	S 83°32'23" E	13.00'
L7	N 06°27'37" E	48.58'
L8	S 85°28'17" E	3.63'
L9	N 49°05'11" E	29.93'
L10	S 85°41'53" E	11.11'
L11	S 06°27'37" W	72.00'
L12	S 83°32'23" E	10.00'
L13	S 06°27'37" W	15.00'
L14	N 83°32'23" W	10.00'
L15	S 06°27'37" W	68.60'
L16	S 02°27'51" E	76.67'
L17	N 85°41'53" W	35.25'
L18	N 06°27'37" E	15.00'
L19	N 83°32'23" W	18.00'
L20	S 06°27'37" W	40.00'
L21	S 83°32'23" E	18.00'
L22	S 06°27'37" W	15.00'
L23	S 06°27'37" W	20.00'
L24	S 83°32'23" E	30.00'
L25	N 06°27'37" E	50.00'
L26	N 83°32'23" W	30.00'

AREA CALCULATIONS	SQ. FT.	ACRES
PROPOSED MULTI-USE TRAIL EASEMENT	8,182	0.19
PROPOSED TEMP. CONST. EASEMENT	1,875	0.04

SE CORNER
NE 1/4 SW 1/4
SECTION 7,
T-17-N, R-29-W

LEGEND

PL — PL — EXISTING PROPERTY LINE
R/W — EXISTING RIGHT OF WAY LINE
— — — — — EXISTING EASEMENT LINE
- - - - - PROPOSED EASEMENT LINE
- - - - - PROPOSED TEMP. CONST. EAST. LINE

BEARINGS — GRID
ARKANSAS NORTH ZONE

GRAPHIC SCALE

50 0 25 50

RESOLUTION NO. _____

**A RESOLUTION TO WAIVE COMPETITIVE BIDDING
FOR PURCHASE OF SCBA COMPRESSORS &
EQUIPMENT FOR THE FIRE DEPARTMENT**

WHEREAS, the Fire Department is in need of replacing the Self Contained Breathing Apparatus equipment and supplemental and essential equipment required to properly operate the apparatuses , and

WHEREAS, after researching SCBA compressors available from supplier the Fire Chief prefers to purchase this equipment from EVS-Emergency Vehicle Services which is a distributor of the necessary equipment, and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
FOR THE CITY OF SPRINGDALE, ARKANSAS, that**

This Council finds that due to the time required for delivery and installation competitive bidding is not feasible and is hereby waived for the purchase with funds from the general fund of SCBA compressors and supplemental equipment from EVS-Emergency Vehicle Services with the purchase price not to exceed \$225,000.

PASSED AND APPROVED this 10th day of May, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

CONWAY, AR

OLIVE BRANCH, MS

MEMPHIS, TN

NASHVILLE, TN

KNOXVILLE, TN

Quote Number 00005917

Date 4/12/2022

Expiration Date 4/29/2022

Contact Name Ron Skelton

Phone 479-751-4510

Company Name Springdale Fire Department (AR)

Account Number 192

Bill To P.O. Box 1521
Springdale, Arkansas 72765-1521
United States

Ship To 471 Holcomb St
Springdale, Arkansas 72764
United States

Telephone

Salesperson Scott Jones

Freight Included No Charge

Salesperson Email sjones@gwevs.com

Quantity	Vendor	Part Number	Description	Unit Price	Total Price
1.00	HGAC	HGAC Contract	Contract EE08-19 HGAC Product Code EE19ADA	\$0.00	\$0.00
11.00	3M Scott Safety	X8914026305A04	Air-Pak X3 Pro SCBA (2018 Edition) with Snap Change Cylinder Connection, 4.5, Standard Harness, Standard Belt, E-Z Flo+ C5 Regulator with Quick Disconnect Hose (Rectus-type fittings), Universal EBSS Accessory Hose, SEMS II Pro, Pass, Gauge	\$6,072.58	\$66,798.38
14.00	3M Scott Safety	FP1MK0000000000	Medium Vision C5 Facepiece (NIOSH/NFPA Approved), Face Seal, Kevlar Headnet,	\$317.68	\$4,447.52
44.00	3M Scott Safety	FP1MK0002M10010	Medium C5 Med Mask KV, RDI, Bone Mic	\$1,265.04	\$55,661.76
12.00	3M Scott Safety	FP1LK0002M10010	Large C5 Med Mask KV, RDI, Bone Mic	\$1,265.04	\$15,180.48
12.00	3M Scott Safety	FP1SK0002M10010	Small C5 Med Mask KV, RDI, Bone Mic	\$1,265.04	\$15,180.48
3.00	3M Scott Safety	201673-02	REGULATOR,ASM, RIT III, E-Z FLO C5	\$835.20	\$2,505.60
26.00	3M Scott Safety	10008912	PACKING, PREFORMED	\$2.08	\$54.08
26.00	3M Scott Safety	31004104	ADAPTER,AIRLINE UEBSS	\$10.96	\$284.96
	3M				



EMERGENCY VEHICLE SPECIALISTS

SALES QUOTE

800-233-5053
www.gwevs.com

CONWAY, AR OLIVE BRANCH, MS MEMPHIS, TN NASHVILLE, TN KNOXVILLE, TN

13.00	Scott Safety	31003994	DUST CAP, 2 PORT, UEBSS	\$28.72	\$373.36
13.00	3M Scott Safety	31003989	QD, MALE, CHECKED, UEBSS	\$209.60	\$2,724.80
13.00	3M Scott Safety	31003990	QD, FEMALE, CHECKED, UEBSS	\$209.60	\$2,724.80
1.00	3M Scott Safety	201564-31	RIT-PAK Fast Attack, 4.5, MED, C5, RECTUS	\$2,239.07	\$2,239.07
1.00	3M Scott Safety	200870-01	CYL&VALVE ASSY, 30/4500,90 DEG For RIT Fast Attack	\$531.10	\$531.10
1.00	3M Scott Safety	200673-01	PAK-LINK PROGRAMMER, ASM,WIRELESS BOOT LOADER	\$979.93	\$979.93
13.00	3M Scott Safety	201825-01	RIT-PAK MASK, VISION C5	\$258.36	\$3,358.68
27.00	3M Scott Safety	CF5V2DH0	C5,VEH CHGR,DBL,DC PWR SUP	\$586.44	\$15,833.88
20.00	3M Scott Safety	201506-01	BATTERY PACK, LITHIUM ION C5	\$77.77	\$1,555.40
1.00	3M Scott Safety	200266-04	PAK-TRACKER HAND HELD RECEIVER (HHR) WITH EXTENDED RANGE	\$1,358.95	\$1,358.95
1.00	3M Scott Safety	200433-01	PAK-TRACKER TRUCK MOUNTED CHARGER, 12V DC	\$499.07	\$499.07
10.00	3M Scott Safety	200774-01	RFID TAG KIT (QTY 10)	\$101.84	\$1,018.40
1.00	3M Scott Safety	8006951	MONITOR TELEMETRY SOFTWARE, PRO PACKAGE ADD-ON (Must be added separately for compatibility with SEMS II Pro Package)	\$0.00	\$0.00
1.00	3M Scott Safety	201088-03	SEMS II USB GATEWAY (Compatible with SEMS II Pro Package; Replaces 201088-02)	\$1,620.63	\$1,620.63

Quoted By	Scott Jones	Subtotal	\$194,931.33
Quoted By Email	sjones@gwevs.com	Tax	\$19,005.80
		Total	\$213,937.13



SALES QUOTE

800-233-5053
www.gwevs.com

CONWAY, AR

OLIVE BRANCH, MS

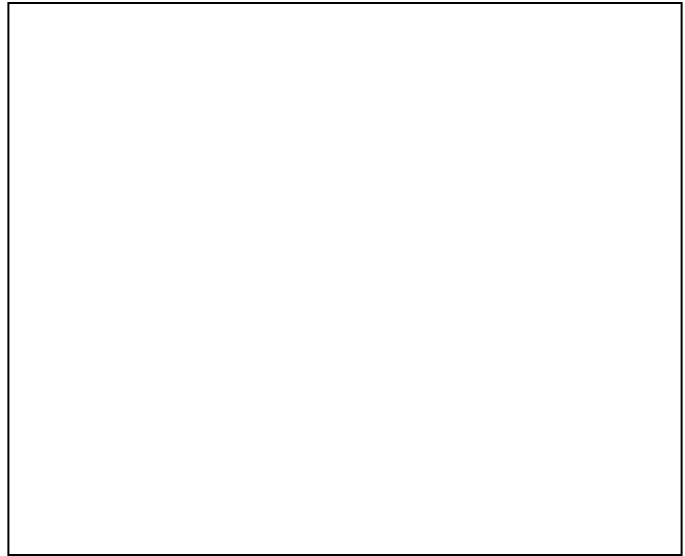
MEMPHIS, TN

NASHVILLE, TN

KNOXVILLE, TN

ORDINANCE NO. _____

**AN ORDINANCE RELEASING,
VACATING, AND ABANDONING A
PORTION OF A UTILITY EASEMENT
LOCATED ON PROPERTY IN
SPRINGDALE, WASHINGTON
COUNTY, ARKANSAS, TO DECLARE
AN EMERGENCY AND FOR OTHER
PURPOSES.**



WHEREAS, John Backus and Jerilynn Backus have petitioned for the abandonment of a portion of a utility easement on Lot 32, Willow Bend Subdivision to the City of Springdale, Washington County, Arkansas, as shown on Plat Record Book 17 at Page 41, records of Washington County, Arkansas, and more particularly described in Section 1 below;

WHEREAS, after legal notice of the hearing was published as required by law, a hearing was held on the matter in front of the Springdale City Council, and at the hearing the City Council made the following findings: That all utility companies have filed their written consents to the releasing, vacating and abandoning a portion of the utility easement as shown on the copy of the plat incorporated by reference and said copy and consents are on file in the office of the City Clerk for the City of Springdale, Arkansas;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

Section 1: That the City of Springdale, Arkansas hereby releases, vacates and abandons all of their rights, together with the rights of the public generally, in the property described as follows:

A part of an existing easement as depicted on Lot 32, Willow Bend Subdivision as recorded at Book 17 Page 41, Washington County, Arkansas and more particularly described as follows: Commencing at a found five-eighths inch rebar accepted as the Southeast Corner of Lot 32, Willow Bend Subdivision: thence South 76°16'29" West along the south line of Lot 32, a distance of 133.60 feet; thence departing said south line, North 00°20'26" East a distance of 5.15 feet to the Point of Beginning; thence North 00°20'26" East a distance of 101.52 feet; thence North 45°32'18" East a distance of 4.16 feet; thence North 37°56'44" East a distance of 12.14 feet; thence North 20°55'01" East a distance of 28.02 feet; thence South 59°40'44" East a distance of 0.64 feet to an existing utility easement as shown on the record plat of Willow Bend Subdivision; thence South 00°13'41" West a distance of 134.71 feet; thence South 76°16'29" West a distance of 21.68 feet to the Point of Beginning.

Tax Parcel No.: 815-35259-000

Address: 2310 Willow Bend Circle

Section 2: Emergency Clause. It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this 10th day of May, 2022.

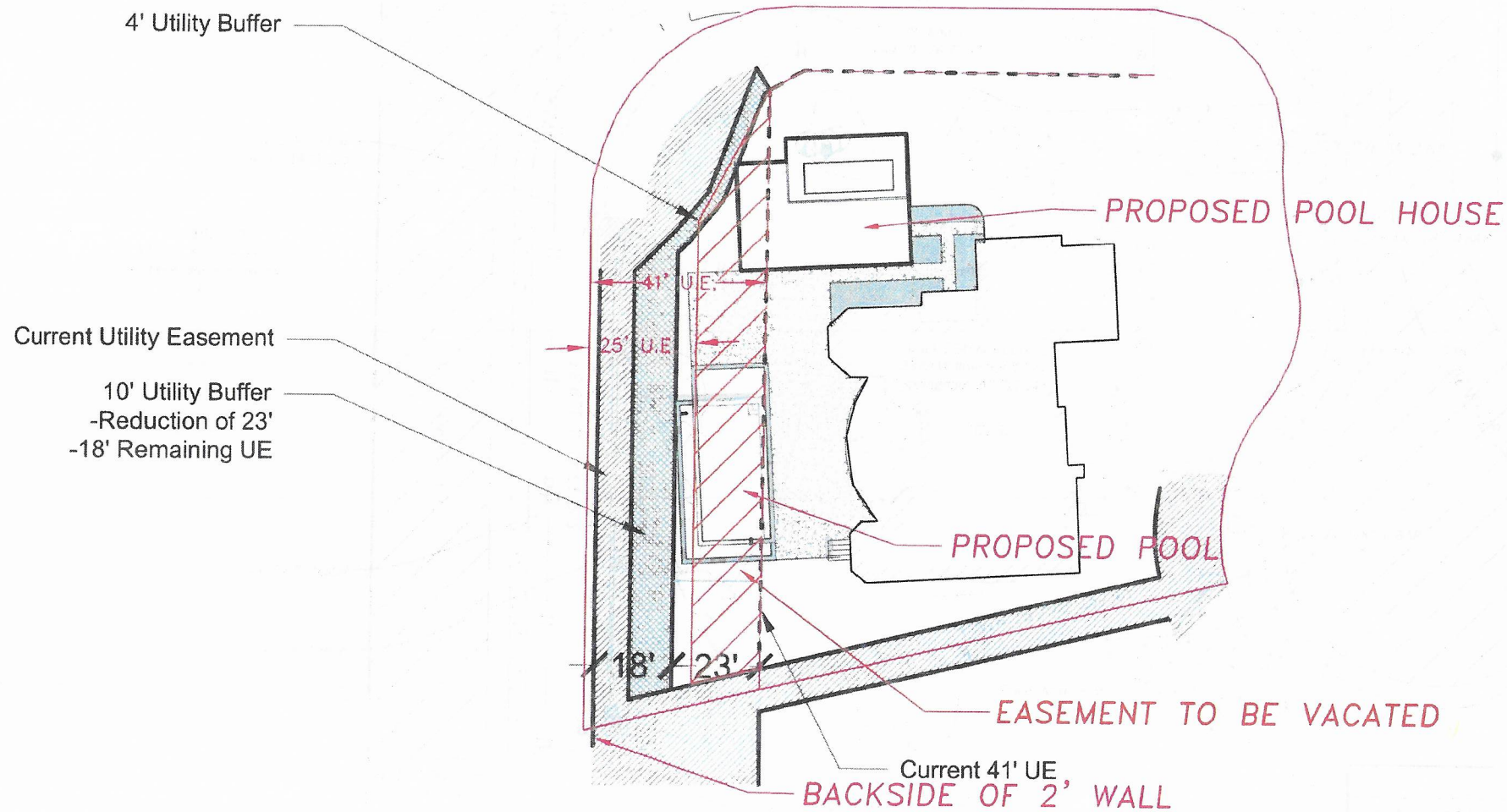
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



RESOLUTION NO. _____

**A RESOLUTION SETTING A HEARING DATE ON A
PETITION TO VACATE A PORTION OF PUTMAN
STREET.**

WHEREAS, Taldo Properties, LLC, and Brothers Rentals, LLC, have petitioned for the abandonment of a portion of a dedicated public street, more commonly known as a portion of Putman Street, described as follows:

Beginning at the Southwest corner of Parcel No. 815-25088-000; thence N 01°59'09" E 111.80 feet to the South right-of-way line of West Huntsville Avenue; thence West along said right-of-way line a distance of 30.00 feet; thence S 01°59'09" W 108.75 feet to the Southeast corner of Parcel No. 815-25093-000; thence East 30.00 feet to the point of beginning.

And as shown on the attached Map.

WHEREAS, the City Council for the City of Springdale, Arkansas, finds that a hearing date should be set on the petition pursuant to Ark. Code Ann. §14-301-301, *et seq.*;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that June 14, 2022, at 6:00 p.m. be set as the date and time for the City Council to hear the petition; that the City Clerk shall give notice of the date and time, as required by law.

PASSED AND APPROVED this _____ day of May, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

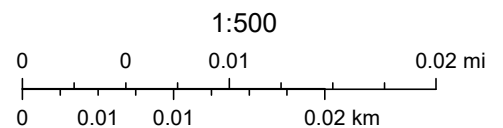
Ernest B. Cate, CITY ATTORNEY

City of Springdale Zoning Map



April 29, 2022

- | | |
|-------------------------------------|----------------------|
| Form-Based Code District Overlay | TRIBUTARY |
| S.E.E.D. Overlay District - Outline | LAKES |
| Washington Co. Parcels | Buildings |
| Benton Co. Parcels | RAILROAD |
| SCHOOLS | STREETS - ALL |
| STREAMS | INTERSTATE |
| MAIN CHANNEL | RAMP |



City of Springdale, Clayton Sedberry

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF
LAND OWNED BY THE CITY OF SPRINGDALE TO E & S
ANDERSON PROPERTIES, LLC, IN EXCHANGE FOR
PROPERTY OWNED BY E & S ANDERSON PROPERTIES,
LLC.**

WHEREAS, on August 13, 2001, a document known as "Replat of Lots 15 and 16 Harp's Addition, Springdale, Arkansas" ("the Replat"), was filed in the Washington County, Arkansas, land records at Plat Book 17, Page 72;

WHEREAS, it has been discovered that the Replat contained an error in the legal descriptions of Lot 15A and Lot 16A, and are in need of being corrected;

WHEREAS, in order to clear up the property boundaries of Lot 15A and Lot 16A of the Replat, it is necessary that certain property owned by the City of Springdale be exchanged for certain property owned by E & S Anderson Properties, LLC, as further described herein;

WHEREAS, the City of Springdale owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the City Property"), and as shown on the attached Exhibit "A":

Lot 15A, of the replat of Lots 15 and 16, in Harp's Addition in the City of Springdale, Arkansas, as per the replat of said subdivision on file in Plat Book 17 page 72 in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, being described as a part of the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of Section 3, Township 17 North, Range 30 West, City of Springdale, Arkansas, being more particularly described as follows: From the Northwest corner of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section 3, run South 65.00 feet; thence S89°51'00"E 492.13 feet to the Point of Beginning; thence North 100.22 feet; thence S89°51'00"E 104.37 feet to the West side of a retaining wall; thence along the West side of said retaining wall, S05°22'13"E 32.46 feet; thence S01°30'18"E 33.02 feet; thence S06°37'06"E 13.87 feet; thence S17°15'50"E 14.32 feet; thence S28°34'55"E 8.51 feet; thence leaving the West said of said retaining wall N89°51'00"W 118.20 feet to the Point of Beginning, containing 0.25 acres, more or less.

WHEREAS, E & S Anderson Properties, LLC, owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows ("the E & S Property"), and as shown on the attached Exhibit "A":

Lot 16A, of the replat of Lots 15 and 16, in Harp's Addition in the City of Springdale, Arkansas, as per the replat of said subdivision on file in Plat Book 17 page 72 in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, being described as a part of the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of Section 3, Township 17 North, Range 30 West, City of Springdale, Arkansas, being more particularly described as follows: From the Northwest corner of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section 3, run South 65.00 feet; thence S89°51'00"E 492.13 feet; thence N89°51'00"W 118.20 feet to a point on the West side of a retaining wall, said point being the Point of Beginning; thence, along the West side of said retaining wall, North 28°34'55" West 8.51 feet; thence North 17°15'50" West 14.32 feet; thence North 6°37'06" West 13.87 feet; thence North 1°30'18" West 33.02 feet; thence North 5°22'13" West 32.46 feet; thence, leaving the West side of said retaining wall, South 89°51'00" East 30.93 feet to a point on the East side of a retaining wall; thence along the East side of said retaining wall, South 8°07'11" East 26.62 feet; thence South 1°27'01" East 38.64 feet; thence South 6°23'22" East 7.73 feet; thence South 18°16'48" East 8.10 feet; thence South 28°28'24" East 7.87 feet; thence South 41°15'29" East 7.60 feet; thence South 52°41'34" East 7.81 feet; thence South 63°23'06" East 5.74 feet; thence leaving

the East side of said retaining wall, North 89°51'00" West 45.35 feet to the Point of Beginning, containing 0.08 acres, more or less.

WHEREAS, the City Property is currently a part of Lot 15A, and the E & S Property is currently a part of Lot 16A of the Replat;

WHEREAS, the City Property and the E & S Property should be exchanged so that the respective properties are a part of the correct lot on the Replat;

WHEREAS, Ark. Code Ann. §14-54-302 empowers and authorizes municipalities to convey real property it owns, subject to approval by the City Council;

WHEREAS, the exchange of property described herein would be in the best interests of the public, and would correct an error on the Replat;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk of the City of Springdale, Arkansas, are hereby authorized to execute all documents necessary to effect the conveyance of the City Property to E & S Anderson Properties, LLC, in exchange for the E & S Property, so that the boundaries of Lots 15A and 16A of the Replat are corrected.

PASSED AND APPROVED this _____ day of May, 2022.

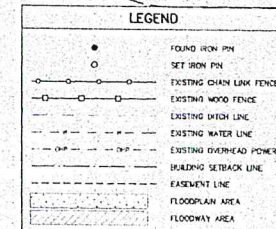
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney



CERTIFICATE OF ACCEPTANCE: The undersigned hereby certify that this pest meets current regulations of the City of Springfield and regulations of the Arkansas State Board of Health as each pertains to this act and to the officers of responsibility shown herein.

ACCEPTANCE OF DEDICATIONS 7-30-07 Denise Pearce
 CITY CLERK
7/30/07 Denise Pearce

TRANSMITTAL, COUNTERDEED, AND ORDINANCE. The undersigned hereby transmit (his/its) to the City of Springfield for approval and acceptance and certify to be the owner(s) of the property described and hereby dedicate all streets, alleys, easements, parks, and other open space to public or private use as noted. The undersigned certify that the platting as filed on record cannot be changed unless vacated pursuant to applicable local or other law. The undersigned further certify that the required ordinance of acceptance is in order having been approved by the City Attorney on 10/11/11

THE CITY OF SPRINGDALE, AR - A MUNICIPAL CORPORATION
201 SPRING ST.

RESOLUTION: Resolved that _____
be hereby authorized to execute the Certificate of Ownership and

DATE: _____ SIGNATURE: _____
OWNER/DEVELOPER: LOT 15A

117 WOODBURY CIRCLE
SPRINGDALE, AR 72764
Eugene C. Cramer 7/21/6

Simon J. Anderson Simon J. Anderson 7-31-01
SIGNATURE DATE

LEGAL DESCRIPTION: LOT 18A.
Part of the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of Section

From the Northwest corner of the Southwest Quarter (SW 1/4) of the North Quarter (NE 1/4) of said Section Three (3), run South 85.00 feet; thence S 80°11'00" East - 102.13 feet; thence North 80°11'00" West - 111.00 feet; thence

Thence North 17°15'50" West - 14.32 feet; Thence North 6°37'08" West - 13.92 feet; Thence North 1°30'18" West - 33.02 feet; Thence North 5°22'13" West - 32.02 feet; Thence along the west side of said adjoining well, South 88°04'13" East

38.04 feet; thence South 6°23'22" East - 7.73 feet; thence South 18°16'48"
6.10 feet; thence South 28°28'24" East - 7.87 feet; thence South 41°55'29"
7.60 feet; thence South 52°41'16" East - 7.81 feet; thence South 63°33'20"

- 40.00 net to the front of building, containing 0.00 acres, more or less, subject to Rights-of-Way and Easements.

Table 1

1

The City Council of the City of Springdale met in regular session on Tuesday, April 26, 2022, in the tiered training room in the new Criminal Justice Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Brian Powell	Ward 1
Amelia Williams	Ward 3
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 4
Kevin Flores	Ward 2
Randall Harriman	Ward 1
Mark Fougerousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Blake Holte	Fire Chief
Frank Gamble	Police Chief
Patsy Christie	Planning Director
Mike Chamlee	Building Official
Ron Findley	Neighborhood Services
James Smith	Public Works Director
Brad Baldwin	Engineering Director
Colby Fulfer	Chief of Staff
Chad Wolf	Parks & Recreation Director

CITIZEN COMMENTS

Curtis Leister, 6537 Apple Shed Avenue, spoke to City Council about Arbor Day coming up. He asked if Springdale could maybe come up with a program to help educate people on Bradford Pear Trees.

Tom Terminella introduced himself to City Council. He is running for Washington County Judge.

REPORT ON ECONOMIC DEVELOPMENT

Scott Edmondson, Director of Business Development with the Springdale Chamber of Commerce, gave a 1st Quarter 2022 report on economic development in the City of Springdale. (Report on file in City Clerk's Office)

APPROVAL OF MINUTES

Council Member Harriman moved the minutes of the April 12, 2022 City Council meeting be approved as presented. Council Member Williams made the second.

There was a voice vote of all ayes and no nays.

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Harriman made the motion to read all Ordinances and Resolutions by title only and to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for all items listed on this agenda. Council Member Williams made the second.

The vote:

Yes: Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams

No: None

RESOLUTION NO. 32-22 – ENDORSING PARTICIPATION BY UNITED PARCEL SERVICE INC., 371 N. MONITOR ROAD, IN THE SALES AND USE TAX REFUND PROGRAM AUTHORIZED BY THE CONSOLIDATED INCENTIVE ACT OF 2003 AND ARK. CODE ANN. §15-4-2706(D)

City Attorney Ernest Cate presented a Resolution endorsing participation by United Parcel Service Inc., 371 N. Monitor Road, in the Sales and Use Tax Refund Program authorized by the Consolidated Incentive Act of 2003 and Arkansas Code Ann. §15-4-2706(d).

RESOLUTION NO. ____

A RESOLUTION ENDORSING PARTICIPATION IN THE SALES AND USE TAX REFUND PROGRAM AUTHORIZED BY THE CONSOLIDATED INCENTIVE ACT OF 2003 AND ARK. CODE ANN. §15-4-2706(d).

WHEREAS, in order for a business to be eligible for the investment tax incentives contained in Ark. Code Ann. §15-4-2706(d), the governing body of the municipality in which the business is located must pass a resolution endorsing the participation of the business in the tax refund program;

WHEREAS, Ark. Code Ann. §15-4-2706(d) provides that the governing body of the municipality must specify that the Department of Finance and Administration is authorized to refund local sales taxes to a business participating in the tax refund program;

WHEREAS, United Parcel Service, Inc., 371 N. Monitor Road, wishes to participate in, and be eligible for, the investment tax incentives contained in Ark. Code Ann. §15-4-2706(d), due to the location of its facility in the City of Springdale, Arkansas;

WHEREAS, United Parcel Service, Inc., has agreed to furnish the City of Springdale all information necessary for its participation in the tax refund program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the participation of United Parcel Service, Inc., in the tax refund program contained in Ark. Code Ann. §15-4-2706(d) is hereby endorsed, and the Department of Finance and Administration is authorized to refund local sales taxes to United Parcel Service, Inc., and this resolution shall take effect immediately.

PASSED AND APPROVED this ____ day of April, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

Council Member Watson moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Resolution was numbered 32-22.

ORDINANCE NO. 5703 – REZONING 13.36 ACRES OWNED BY DE LA GARZA PROPERTIES INC. LOCATED AT THE INTERSECTION OF ROBINS ROAD AND W. GRAHAM ROAD, FROM A-1 TO SF-1; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 13.36 acres owned by De La Garza Properties, Inc. located at the intersection of Robins Road and W. Graham Road, from A-1 to SF-1; and declaring an emergency.

Planning Commission recommended approval at their April 5, 2022 meeting.

After reading the title of the Ordinance, Council Member Overton moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5703.

ORDINANCE NO. 5704 – REZONING 1.16 ACRES OWNED BY ELMDALE LAKE, LLC, CHARLES AND CARL GEORGE, LOCATED AT 8674 W. GIBBS ROAD, FROM A-1 TO SF-1; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 1.16 acres owned by Elmdale Lake, LLC, Charles and Carl George located at 8674 W. Gibbs Road, from A-1 to SF-1; and declaring an emergency.

Planning Commission recommended approval at their April 5, 2022 meeting.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Fougrousse made the second.

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores, Harriman

No: None

The Ordinance was numbered 5704.

ORDINANCE NO. 5705 – REZONING .42 ACRES OWNED BY JOSEPH AND CORINNE HART, LOCATED AT THE SOUTHEAST CORNER OF ELM SPRINGS ROAD AND GENE GEORGE BLVD., FROM A-1 TO SF-1; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .42 acres owned by Joseph and Corinne Hart located at the southeast corner of Elm Springs Road and Gene George Blvd., from A-1 to SF-1; and declaring an emergency.

Planning Commission recommended approval at their April 5, 2022 meeting.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell

No: None

The Ordinance was numbered 5705.

ORDINANCE NO. 5706 – REZONING 3.98 ACRES OWNED BY 264 TRAILERS, LLC, LOCATED AT 2013 OLD MISSOURI ROAD, FROM I-1 TO C-6; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 3.98 acres owned by 264 Trailers, LLC, located at 2013 Old Missouri Road, from I-1 to C-6; and declaring an emergency.

Planning Commission recommended approval at their April 5, 2022 meeting.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Fougrousse made the second.

The vote:

Yes: Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5706.

ORDINANCE NO. 5707 – REZONING 36.92 ACRES OWNED BY YOUTH BRIDGE PROPERTIES INC. LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF DON TYSON PARKWAY AND GEORGE ANDERSON ROAD, FROM P-1 TO SF-3; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 36.92 acres owned by Youth Bridge Properties Inc. located at the southeast corner of the intersection of Don Tyson Parkway and George Anderson Road, from P-1 to SF-3; and declaring an emergency.

Planning Commission recommended approval at their April 5, 2022 meeting.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Lawson, Harriman, Fougrousse, Williams, Overton

No: Flores, Powell, Watson

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5707.

ORDINANCE NO. 5708 – REZONING 3.40 ACRES OWNED BY SIGNATURE BANK OF ARKANSAS, LOCATED ON THE WEST SIDE OF S. OLD MISSOURI ROAD, DIRECTLY WEST OF ELECTRIC AVENUE, FROM C-2 TO MF-16; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 3.40 acres owned by Signature Bank of Arkansas, located on the west side of S. Old Missouri Road, directly west of Electric Avenue, from C-2 to MF-16; and declaring an emergency.

Planning Commission recommended approval at their April 5, 2022 meeting.

After reading the title of the Ordinance, Council Member Powell moved the Ordinance “Do Pass”. Council Member Fougrousse made the second.

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Williams made the second.

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores, Harriman

No: None

The Ordinance was numbered 5708.

ORDINANCE NO. 5709 – REZONING 11.16 ACRES OWNED BY ROWLAND E. AND JUDITH K. DAVIS, LOCATED AT 2022 N. 48TH STREET, FROM A-1 TO MF-24; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 11.16 acres owned by Rowland E. and Judith K. Davis, located at 2022 N. 48th Street, from A-1 to MF-24; and declaring an emergency.

Planning Commission recommended approval at their April 5, 2022 meeting.

After reading the title of the Ordinance, Council Member Williams moved the Ordinance “Do Pass”. Council Member Harriman made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell

No: None

The Ordinance was numbered 5709.

ORDINANCE NO. 5710 – REZONING PROPERTY OWNED BY JOHN M. AND BETHANY STARKS, LOCATED AT 1948 N. 48TH STREET, FROM A-1 TO MF-24; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning property owned by John M. and Bethany Starks, located at 1948 N. 48th Street, from A-1 to MF-24; and declaring an emergency.

Planning Commission recommended approval at their April 5, 2022 meeting.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Fougrousse made the second.

The vote:

Yes: Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5710.

ORDINANCE NO. 5711 – REZONING 12.09 ACRES OWNED BY BJM RENTALS, INC. (BRIAN MOORE) LOCATED ON THE WEST SIDE OF N. 48TH STREET, NORTH OF BOB MILLS ROAD, FROM A-1 TO MF-24; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 12.09 acres owned by BJM Rentals Inc. (Brian Moore), located on the west side of N 48th Street, north of Bob Mills Road, from A-1 to MF-24; and declaring an emergency.

Planning Commission recommended approval at their April 5, 2022 meeting.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Fougrousse made the second.

The vote:

Yes: Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5711.

RESOLUTION NO. 33-22 – APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO A-TECH IN CONNECTION WITH L22-08, A LARGE SCALE DEVELOPMENT LOCATED AT 2901 CHAPMAN AVE.

Planning Director Patsy Christie presented a Resolution approving a waiver of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No 3725 to A-Tech in connection with L22-08, a Large Scale Development located at 2901 Chapman Avenue.

David Gilbert, Engineer, asked that the City Council approve the waiver.

Council Member Powell moved the Resolution be adopted with Option 1. Council Member Overton made the second.

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO A-TECH IN CONNECTION WITH L22-08 A LARGE SCALE DEVELOPMENT

WHEREAS, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L22-08 a Large Scale Development for A-Tech and the Planning Commission recommends approval of the waiver request.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby:

Option 1: Grants a waiver of street improvements to 2901 Chapman Avenue including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L22-08 a Large Scale Development for A-Tech.

PASSED AND APPROVED THIS ____ DAY OF April, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 33-22.

RESOLUTION NO. 34-22 – APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO MARTIN'S PLASTERING & STUCCO IN CONNECTION WITH L22-20, A LARGE SCALE DEVELOPMENT LOCATED ON WEST COUNTY LINE ROAD

Planning Director Patsy Christie presented a Resolution approving a waiver of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No 3725 to Martin's Plastering & Stucco in connection with L22-20, a Large Scale Development located on West County Road.

Council Member Overton moved the Resolution be adopted with Option 1. Council Member Lawson made the second.

The vote on Option 1:

Yes: Overton, Lawson,

No: Fougrousse, Powell, Williams, Watson, Flores, Harriman

Motion failed.

Council Member Fougrousse moved the Resolution be adopted with Option 3. Council Member Williams made the second.

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO MARTIN'S PLASTERING & STUCCO IN CONNECTION WITH L22-20 A LARGE SCALE DEVELOPMENT

WHEREAS, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L22-20, a Large Scale Development for Martin's Plastering & Stucco and the Planning Commission recommends approval of the waiver request.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby:

Option 3: Approves payment in lieu of improvements to W. County Line Road in connection with L22-20 a Large Scale Development for Martin's Plastering and Stucco with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

PASSED AND APPROVED THIS ____ DAY OF APRIL, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

Yes: Williams, Watson, Harriman, Fougrousse

No: Powell, Overton, Lawson, Flores

Mayor Sprouse voted yes.

The Resolution was adopted and numbered 34-22.

RESOLUTION NO. 35-22 – AUTHORIZING THE EXECUTION OF A
CONSTRUCTION CONTRACT AND CHANGE ORDER FOR HAR-BER AVENUE
FROM 40TH STREET TO GUTENSOHN ROAD, PROJECT NO. 18BPS12

Council Member Jeff Watson presented a Resolution authorizing the execution of a construction contract and change order with Crossland Heavy Contractors for Har-Ber Avenue from 40th Street to Gutensohn Road, Project No. 18BPS12.

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
CONSTRUCTION CONTRACT AND A CHANGE ORDER FOR
HAR-BER AVENUE FROM 40TH STREET TO GUTENSOHN ROAD
PROJECT NO. 18BPS12**

WHEREAS, sealed bids were received on March 8, 2022 at 2:00 p.m. for the Har-Ber Avenue Extension from 40th Street to Gutensohn Road, and

WHEREAS, Crossland Heavy Contractors was the low bidder for this project at \$11,386,350.15, and

WHEREAS, the low bid exceeded our expectations, and negotiations with the contractor resulted in a proposed cost reduction of \$1,400,655.30.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR
THE CITY OF SPRINGDALE, ARKANSAS**, that

Section 1. The Mayor and City Clerk are hereby authorized to execute a contract with Crossland Heavy Contractors for the construction of Har-Ber Avenue from 40th Street to Gutensohn Road for \$11,386,350.15 from the 2018 Street Bond Fund.

Section 2. The Mayor is hereby authorized to execute change order number #1 to this contract.

Section 3. The Mayor is authorized to approve additional construction change orders as long as the cumulative total of the additional change orders does not exceed 10% of the original contract price.

PASSED AND APPROVED this ____ day of April, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Harriman moved the Resolution be adopted. Council Member Williams made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell

No: None

The Resolution was numbered 35-22.

RESOLUTION NO. 36-22 – AUTHORIZING THE MAYOR AND CITY CLERK TO RENEW A CONTRACT WITH THE DOWNTOWN SPRINGDALE ALLIANCE TO PROMOTE, PRESERVE, AND ENHANCE DOWNTOWN SPRINGDALE, AND TO FACILITATE THE IMPLEMENTATION OF THE DOWNTOWN MASTER PLAN

Council Member Jeff Watson presented a Resolution authorizing the Mayor and City Clerk to renew a contract with the Downtown Springdale Alliance for the total sum of \$100,000.00 to promote, preserve and enhance Downtown Springdale, and to facilitate the implementation of the Downtown Master Plan.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO RENEW A CONTRACT WITH THE DOWNTOWN SPRINGDALE ALLIANCE TO PROMOTE, PRESERVE, AND ENHANCE DOWNTOWN SPRINGDALE, AND TO FACILITATE THE IMPLEMENTATION OF THE DOWNTOWN MASTER PLAN.

WHEREAS, in 2015, the City Council for the City of Springdale, Arkansas, passed an Ordinance establishing the Downtown Master Plan for downtown Springdale;

WHEREAS, the intent of the Downtown Master Plan is to promote, preserve, and enhance the development, preservation, and beautification of Downtown Springdale, which benefits all the residents of the City of Springdale;

WHEREAS, on March 23, 2021, the City Council of the City of Springdale, Arkansas, passed Ordinance No. 5579, authorizing a contract between the City of Springdale and the Downtown Springdale Alliance ("the DSA"), allowing for the DSA to perform certain services for the City of Springdale related to the Downtown Master Plan;

WHEREAS, the City of Springdale desires to renew the existing contract with the DSA for a period of one (1) year on the same terms and conditions;

WHEREAS, incorporated herein by reference and attached hereto as Exhibit "A" is a contract between the City of Springdale and the DSA, allowing for the DSA to perform certain services for the City of Springdale related to the Downtown Master Plan, as set out in the contract, for the total sum of \$100,000.00;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are hereby authorized to renew a contract, which is incorporated herein by reference, with the Downtown Springdale Alliance, and to pay the sum not to exceed \$100,000.00 to the Downtown Springdale Alliance, as set out in the Contract, said money to be paid from general fund.

PASSED AND APPROVED this ____ day of April, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

Council Member Flores moved the Resolution be adopted. Council Member Powell made the second.

The vote:

Yes: Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams

No: None

The Resolution was numbered 36-22.

RESOLUTION NO. 37-22 – AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT, A CONSTRUCTION MANAGEMENT CONTRACT, AND ACCEPTING A GRANT FOR THE RAZORBACK GREENWAY TRAIL REALIGNMENT AND PUBLIC SPACE (EMMA AVENUE) PROJECT, AND WAIVING COMPETITIVE BIDDING

Council Member Jeff Watson presented a Resolution authorizing the execution of a construction contract, a construction management contract, and accepting a grant for the Razorback Greenway Trail realignment and public space (Emma Avenue) Project, and waiving competitive bidding.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT, A CONSTRUCTION MANAGEMENT CONTRACT, AND ACCEPTING A GRANT FOR THE RAZORBACK GREENWAY TRAIL REALIGNMENT & PUBLIC SPACE (EMMA AVENUE) PROJECT, AND WAIVING COMPETITIVE BIDDING.

WHEREAS, the City of Springdale wishes to undertake a project involving a public open space, Razorback Greenway Trail realignment, and streetscape improvements to Emma Avenue ("the Project");

WHEREAS, the City of Springdale has received a grant from the Walton Family Foundation, Inc., in the amount of \$3,119,121.00 to be applied to the Project;

WHEREAS, the City wishes to retain Milestone Construction Company, LLC, for the construction of the Project, in an amount not to exceed \$4,200,751.06;

WHEREAS, using the procurement procedures required by State Law, the City wishes to utilize the services of McClelland Consulting Engineers, Inc., to continue construction management services for the Project, in an amount not to exceed \$135,000.00; and

WHEREAS, because Milestone Construction has been involved in the planning and design of the Project, they are in a unique position to provide the construction services to the City of Springdale for the Project, and therefore, the requirement of competitive bidding should be waived as it is not deemed feasible or practical in this case;

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

Section 1: The Mayor and City Clerk are hereby authorized to execute a Grant Agreement with the Walton Family Foundation, Inc., for a grant of \$3,119,121.00 for the Project;

Section 2: For the reasons set out herein, the City Council for the City of Springdale, Arkansas, deems it unfeasible and/or impractical to submit this matter for competitive bidding and deems it in the best interest of the citizens and residents of the City of Springdale, Arkansas, to forego such competitive bidding requirements; and therefore, the Mayor and City Clerk are hereby authorized to execute a construction contract with Milestone Construction Company, LLC, for the construction of the Project, in an amount not to exceed \$4,200,751.06;

Section 3: The Mayor and City Clerk are hereby authorized to execute all documents associated with McClelland Consulting Engineers, Inc., for the continuance of construction management services for the Project in an amount not to exceed \$135,000.00;

Section 4: The total amount appropriated from the General Fund for the Project shall not exceed \$1,216,630.06.

PASSED AND APPROVED this ____ day of April, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Powell moved the Resolution be adopted. Council Member Williams made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Resolution was numbered 37-22.

ORDINANCE NO. 5712 - AN ORDINANCE ADOPTING PROVISIONS FOR THE EMPLOYMENT OR ADVANCEMENT OF CIVIL SERVICE EMPLOYEES, PURSUANT TO ARK. CODE ANN. §14-49-304(b)(6)(B); AND DECLARING AN EMERGENCY.

Council Member Brian Powell presented an Ordinance adopting provisions for the employment or advancement of Civil Service Employees, pursuant to Ark. Code Ann. §14-49-304(b)(6)(B); and declaring an emergency.

The City of Springdale has established a Civil Service Commission which prescribes, amends, and enforces rules and regulations governing the fire and police departments of the City of Springdale, pursuant to Ark. Code Ann. §14-51-301, *et seq.*

Ark. Code Ann. §14-49-102 provides that certain Civil Service rules and regulations may be utilized when a city attains a population of at least seventy-five thousand (75,000). The 2020 federal census determined that the population of the City of Springdale exceeds seventy-five thousand (75,000).

Ark. Code Ann. §14-49-304 provides that the governing body may adopt by ordinance certain provisions for the employment or advancement of civil service employees.

It is the wish of the Police Department, the Fire Department, and the Civil Service Commission, that the City Council adopt an ordinance implementing the provisions of Ark. Code Ann. §14-49-304(b)(6)(B), which allows for the "rule of 5" in lieu of the "rule of 3", as it pertains to the eligibility list for hiring for the police and fire departments.

The City of Springdale hereby adopts the following provisions for employment or advancement of civil service employees, pursuant to Ark. Code Ann. §14-49-304(b)(6)(B)(i) and (ii):

-Certification to the department head of the five (5) standing highest on the eligibility list for appointment for that rank of service and the department head to select for appointment one (1) of the five (5) certified to him or her and notify the commission thereof; and

-The promotion or advancement of one (1) of the three (3) standing highest on the eligibility list for that rank of service.

After reading the title of the Ordinance, Council Member Overton moved the Ordinance "Do Pass". Council Member Lawson made the second.

The vote:

Yes: Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5712.

RESOLUTION NO. 38-22 – AUTHORIZING THE CREATION OF A NEW POSITION
AND APPROPRIATING FUNDS FOR THE NEW POSITION IN THE POLICE
DEPARTMENT

Council Member Brian Powell presented a Resolution authorizing the creation of a new Captain position and appropriating funds for the new position in the Police Department.

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE CREATION OF A NEW
POSITION AND APPROPRIATING FUNDS FOR THE NEW
POSITION**

WHEREAS, there is a need for an additional Captain position in the police department, and

WHEREAS, it is important to the structural leadership of the police department, and

WHEREAS, it is in the best interest and welfare of our residents, and

WHEREAS, after careful consideration the Mayor is recommending the creation of the additional position of Police Captain;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR
THE CITY OF SPRINGDALE, ARKANSAS:**

That the position of Police Captain is hereby created at a pay scale grade 55, therefore, \$107,393 is hereby appropriated for salary and \$55,717 is hereby appropriated for benefits for this position.

PASSED AND APPROVED this ____ day of April, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Overton moved the Resolution be adopted. Council Member Fougrousse made the second.

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 38-22.

ADJOURNMENT

Council Member Overton made the motion to adjourn. Council Member Lawson made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 7:21 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer