

- The next Committee Meeting will be on Monday, October 17th, 2022 in the Tiered Training Room.
- Agenda Packet will be available on the Friday before the meeting.

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
TIERED TRAINING ROOM
2ND FLOOR OF CRIMINAL JUSTICE BUILDING
Tuesday, October 11th, 2022**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Mike Lawson

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. Approval of Minutes – **Tuesday, September 27th, 2022.** Pgs. 62-84
7. 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) **10A-10B, 12A-12B, and 14.** Motion must be approved by two-thirds (2/3) of the council members).*
8. **A Presentation** on work happening at the 214 Building. Presented by Amber Perrodin, local artist.
9. Police and Fire Committee by Chairman Brian Powell

A Resolution amending the 2022 Budget of the City of Springdale Police Department. Forwarded from Committee with recommendation for approval. Presented by Frank Gamble, Police Chief. Pgs. 1-2

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

- A. **An Ordinance** accepting the replat of Block 4, Lot 1, Sam's Club Addition in the City of Springdale, Arkansas, and declaring an emergency. Pgs. 3-6
- B. **An Ordinance** accepting the final plat of Deere Creek Subdivision Phase I in the City of Springdale, Arkansas, and declaring an emergency. Pgs. 7-10

11. Finance Committee by Chairman Jeff Watson

- A. **A Resolution** authorizing payment of an invoice (Project No. 18BPS12- Har-Ber: 40th Street to Gutensohn Road). Forwarded from Committee with recommendation for approval. Presented by Ryan Carr, Engineering. Pgs. 11-21
- B. **A Resolution** expressing the willingness of the City of Springdale to utilize federal funding for the following project: Carbon Reduction (CRP), planning and design. Forwarded from Committee with recommendation for approval. Presented by Mike Peters, Active Transportation Coordinator. Pg. 22
- C. **A Resolution** expressing the willingness of the City of Springdale to partner with the Arkansas Department of Transportation for the I-49 to HWY 265 Springdale Bypass (S) Project (Job 090621). Forwarded from Committee with recommendation for approval. Presented by Mayor Doug Sprouse. Pgs. 23-26
- D. **A Resolution** authorizing the sale of property to Leisure Homes Corporation located at 226 McCollough Drive. Forwarded from Committee with recommendation for approval. Presented by Patsy Christie, Planning Director. Pgs. 27-37
- E. **A Resolution** authorizing the Mayor to execute a non-binding Letter of Intent pertaining to property located at 1403 Powell Street, Springdale, Washington County, Arkansas. Forwarded from Committee without a recommendation for approval. Presented by Mayor Doug Sprouse. Pgs. 38-41
- F. **A Resolution** to authorize the provision of government services for the citizens of Springdale, Arkansas from the American Rescue Plan Act (ARPA) funds. Forwarded from Committee with recommendation for approval. Presented by Colby Fulfer, Chief of Staff. Pg. 42
- G. **A Resolution** to authorize recovery pay for city staff to aid in the responding to the public health and economic impacts of COVID-19. Forwarded from Committee with recommendation for approval. Presented by Colby Fulfer, Chief of Staff. Pg. 43

12. Ordinance Committee by Chairman Mike Overton

- A. **An Ordinance** amending Ordinance No. 5498 to amend the Downtown Springdale Outdoor Dining District; declaring an emergency; and for other purposes. Forwarded from Committee with recommendation for approval. Presented by Jill Dabbs, Downtown Springdale Alliance. Pgs. 44-46
- B. **An Ordinance** amending Chapter 22-91 of the Code of Ordinances of the City of Springdale, Arkansas. Forwarded from Committee with recommendation for approval. Presented by Mike Chamlee, Chief Building Inspector. Pgs. 47-48
- 13. **A Resolution** authorizing the grant of a Utility Easement across property owned by the City of Springdale, Washington County, Arkansas. Presented by Ernest Cate, City Attorney. Pgs. 49-52
- 14. **An Ordinance** authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located within the City of Springdale, Arkansas, and declaring an emergency. Presented by Ernest Cate, City Attorney. Pgs. 53-61
- 15. Comments from Council Members.
- 16. Comments from City Attorney.
- 17. Comments from Mayor
- 18. Adjournment.

RESOLUTION NO.

**A RESOLUTION AMENDING THE 2022
BUDGET OF THE CITY OF SPRINGDALE
POLICE DEPARTMENT**

WHEREAS, the Police Department has received funds that have not been appropriated from vehicle insurance settlements, and

WHEREAS, the Police Chief has requested that these funds be appropriated for vehicle maintenance,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the 2022 budget of the City of Springdale Police Department is hereby amended as follows:

		Present		Proposed	
<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Budget</u>	<u>Increase</u>	<u>Budget</u>
Police	1010501-397.00-00	Vehicle Maintenance	\$155,000.00	\$343,092.27	\$498,092.27

PASSED AND APPROVED this 11th day of October, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



CITY of SPRINGDALE

POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

MEMORANDUM

FROM: Chief Frank Gamble
TO: Colby Fulfer and Mayor Doug Sprouse
DATE: 09/20/22
RE: Request to transfer insurance recovery funds

I request permission to transfer funds from the insurance recovery account (101-0501-397.00-00) into the vehicle maintenance account (101-0501-421.51-11). The money deposited into the insurance recovery account comes from insurance claims due to vehicle or building damage. I request that the City Council authorize the transfer of \$343,092.27 from this account to place in the vehicle maintenance account to cover expenses for the repairs from the large amount of hail damage earlier this year. There is currently a balance of \$444,481.39 in the insurance recoveries account. The remaining \$101,389.12 is for damage to the roof of the old Allen's canning building. We are currently working with the city to come up with a plan to have the roof repaired. Please let me know if you have any questions regarding this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "Frank Gamble".

Chief of Police Frank Gamble
Springdale Police Department



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE REPLAT OF
BLOCK 4, LOT 1, SAM'S CLUB ADDITION IN 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:

LOT ONE (1), BLOCK FOUR (4) OF SAM'S CLUB ADDITION TO THE CITY OF SPRINGDALE AS SHOWN ON PLAT FILE 24-338 FILED IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

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 the said petitioner in petitioning the City Council to accept the said replat of Block 4, Lot 1, Sam's Club 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 Block 4, Lot 1, Sam's Club Addition, as shown on the 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.

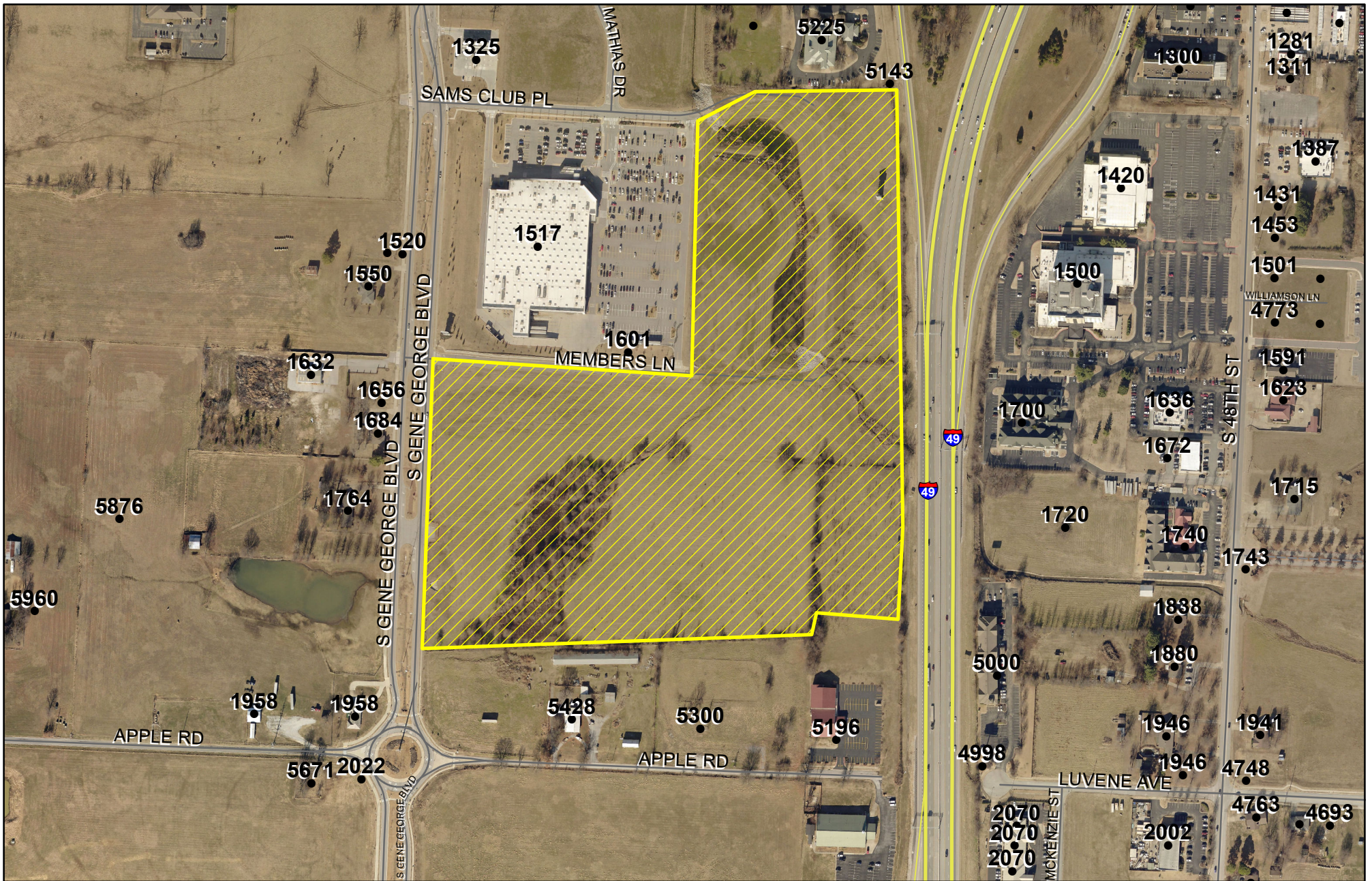
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

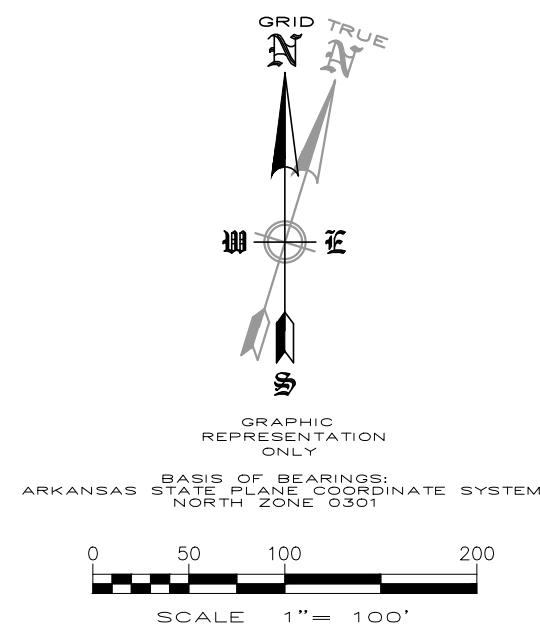
Ernest B. Cate, CITY ATTORNEY



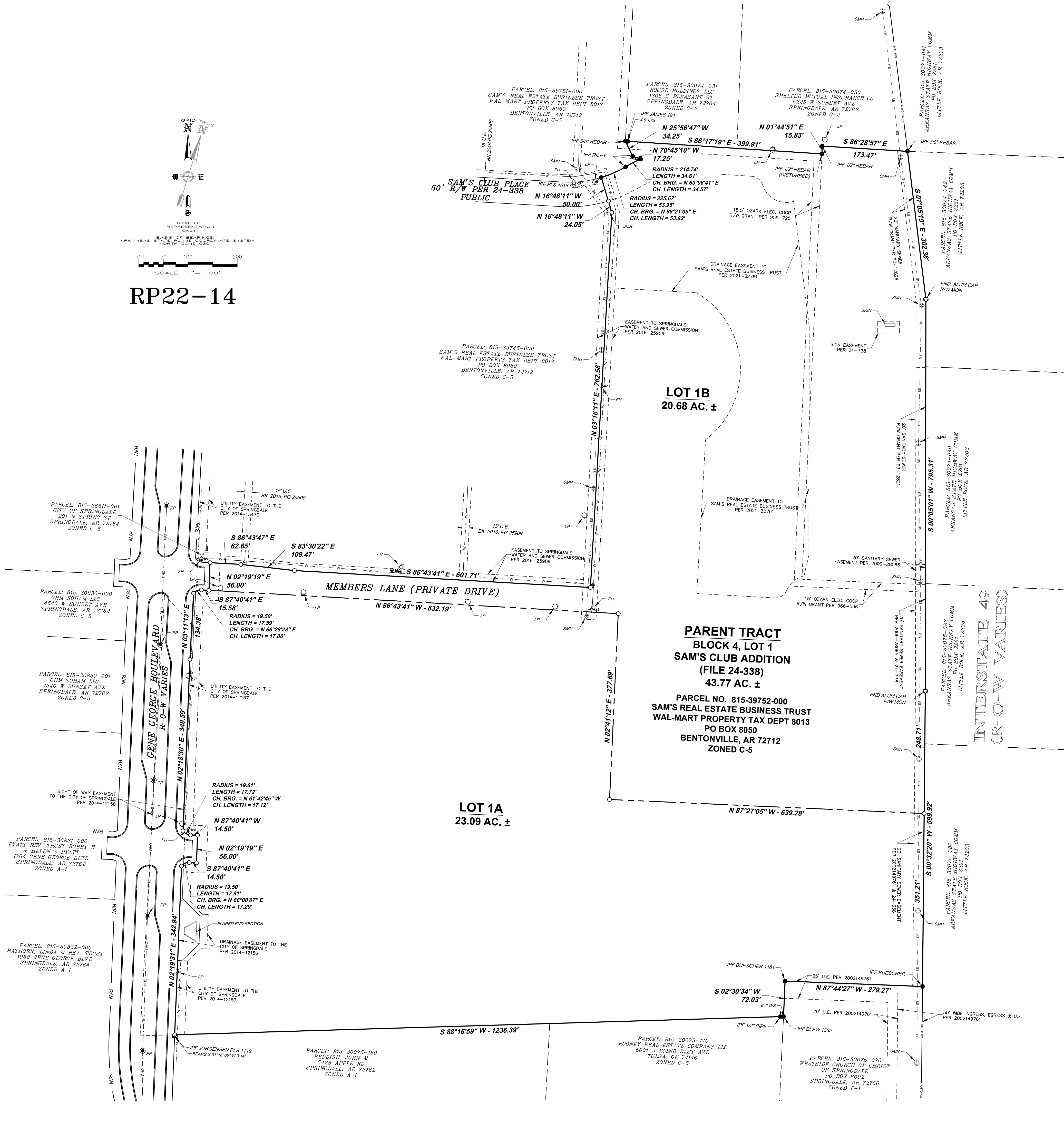
0 87.5175 350 525 700
 Feet
 For Location Reference Only

FILE NO. RP22-14
APPLICANT: Sam's Real Estate Business Trust
REQUEST: Replat of Block 4, Lot 1 Sam's Club Addition

PLANNING COMMISSION MEETING
 October 4, 2022



RP22-14



LEGEND	
—	PROPERTY LINE
- - -	ADJACENT OWNER
- - -	EASEMENT (AS NOTED)
R/W	RIGHT-OF-WAY
X	WIRE FENCE LINE
—	CHU
SS	SANITARY SEWER LINE
W	WATER LINE
●	IPF - IRON PIN FOUND (AS NOTED)
○	FOUND MONUMENT (AS NOTED)
○	IRON PIN SET W/ CAP "PLS 1559"
⊙	SANITARY SEWER MANHOLE (SMH)
⊙	LIGHT POLE (LP)
⊙	WATER METER (WM)
⊙	POWER POLE (PP)
⊙	FIRE HYDRANT (FH)
⊙	WATER VALVE (WV)

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.

PLAT CLOSURE DECLARATION:
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 1,018,975 FEET.

FEMA FLOOD PLAIN ZONE:
THIS PROPERTY IS NOT WITHIN A FLOOD PLAIN ZONE AS SHOWN ON THE F.I.R.M. MAP # 05143C0085F, PANEL 65 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. MAP REVISED: MAY 16, 2008.

UTILITIES:
THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS PROVIDED BY THE SURVEYOR AND IS BASED ON ABOVE GROUND UTILITY FEATURES AND CITY OF SPRINGDALE G.I.S. 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.

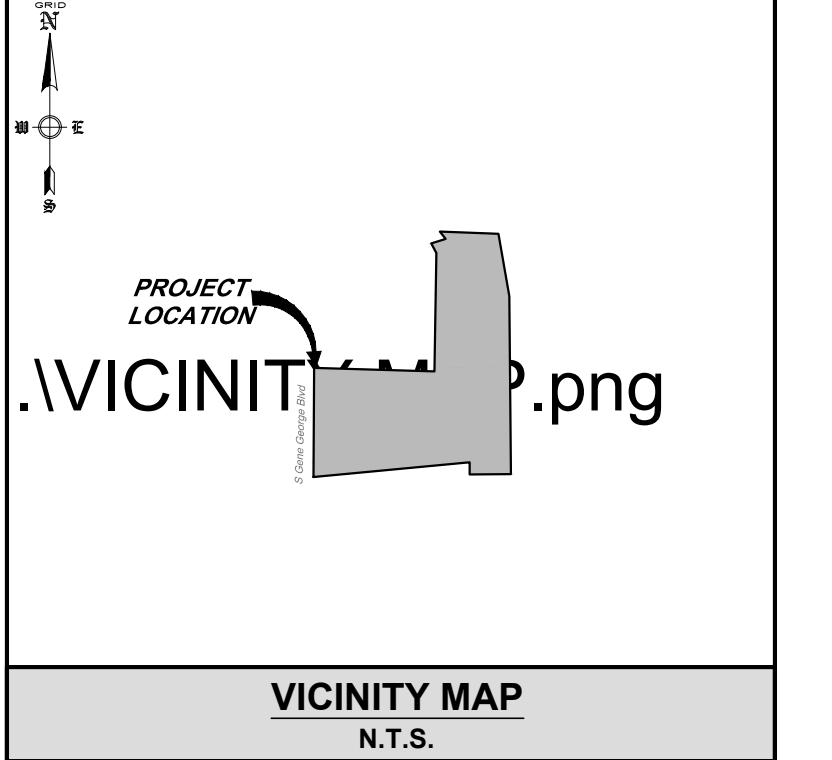
LEGAL DESCRIPTION PARENT TRACT (PARCEL NO. 815-39752-000):
LOT ONE (1), BLOCK FOUR (4) OF SAMS CLUB ADDITION TO THE CITY OF SPRINGDALE AS SHOWN ON PLAT FILE 24-338 FILED IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

LEGAL DESCRIPTION LOT 1A, BLOCK 4:
PART OF LOT ONE (1), BLOCK FOUR (4) OF SAMS CLUB ADDITION TO THE CITY OF SPRINGDALE AS SHOWN ON PLAT FILE 24-338 FILED IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

LEGAL DESCRIPTION LOT 1B, BLOCK 4:
PART OF LOT ONE (1), BLOCK FOUR (4) OF SAMS CLUB ADDITION TO THE CITY OF SPRINGDALE AS SHOWN ON PLAT FILE 24-338 FILED IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

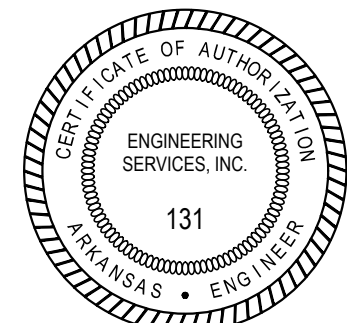
SURVEYOR'S DECLARATION:
I HEREBY DECLARE THAT I HAVE THIS DAY COMPLETED A SURVEY OF THE ABOVE DESCRIBED PROPERTY. THE PROPERTY LINES AND CORNER MONUMENTS ARE TO THE BEST OF MY KNOWLEDGE AND ABILITY, CORRECTLY ESTABLISHED, AND THERE ARE NO ENCUMBRANCES EXCEPT AS SHOWN ON THIS PLAT. I FURTHER DECLARE THAT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

RODNEY WOODS, L.P.S. NO. 1559, AR. DATE

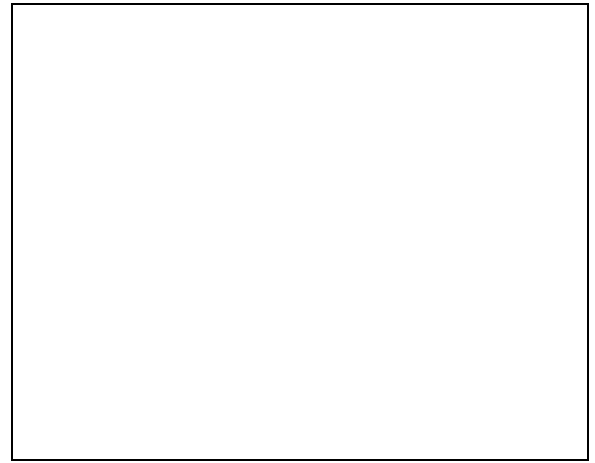


CERTIFICATION OF TRANSMITTAL, OWNERSHIP AND ORDINANCE	
THE UNDERSIGNED HEREBY TRANSMIT THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AND HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VOUCHERED 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 _____.	
AUTHORIZED REPRESENTATIVE SAMS REAL ESTATE BUSINESS TRUST	DATE _____
SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 2022. MY COMMISSION EXPIRES: _____	
NOTARY PUBLIC: _____	
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 _____
_____	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 _____

OWNER	SAMS REAL ESTATE BUSINESS TRUST WAL-MART PROPERTY TAX DEPT 8013 PO BOX 8050 BENTONVILLE, AR 72712
SURVEYOR:	ENGINEERING SERVICES, INC. 1207 S. OLD MISSOURI ROAD P.O. BOX 282 SPRINGDALE, AR 72765
WORK ORDER #:	22960
CITY ZONING:	C-5
SETBACKS:	FRONT - 30' FRONT IF PARKING IS ALLOWED BETWEEN R-O-W AND THE BUILDING - 50' SIDE - 0' SIDE WHEN CONTIGUOUS TO A RESIDENTIAL DISTRICT - 20' REAR - 20'



REPLAT OF BLOCK 4, LOT 1		
SAM'S CLUB ADDITION		
SPRINGDALE, WASHINGTON COUNTY, ARKANSAS		
SCALE: 1"=100'	DATE: September 23, 2022	DRAWN BY: KND
ENGINEERING SERVICES, INCORPORATED SPRINGDALE, ARKANSAS		
© COPYRIGHT 2019, ENGINEERING SERVICES, INC. 9/23/2022 9:14 AM	W.O.# 22960	SHEET 01



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE FINAL PLAT OF
DEERE CREEK SUBDIVISION PHASE 1 IN 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:

PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) AND PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 28, SAID POINT BEING A FOUND RAILROAD SPIKE IN NORTH 56TH/ STREET; THENCE ALONG THE WEST LINE OF SAID SW 1/4 OF THE NW 1/4 AND SAID NORTH 56TH/ STREET, N02°19'20"E A DISTANCE OF 171.63 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A FOUND COTTON PICKER SPINDLE; THENCE CONTINUING N02°19'20"E A DISTANCE OF 588.45 FEET TO A FOUND "MAG" NAIL WITH WASHER "PS 0663"; THENCE LEAVING SAID WEST LINE AND SAID NORTH 56TH/ STREET, N80°52'44"E A DISTANCE OF 118.84 FEET TO A FOUND 5/8 INCH REBAR WITH CAP "PS 0663"; THENCE S87°16'34"E A DISTANCE OF 1208.05 FEET TO A POINT ON THE WEST LINE OF SAID SE 1/4 OF THE NW 1/4, SAID POINT BEING A FOUND 5/8 INCH REBAR WITH CAP "PS 0663"; THENCE S02°27'09"W A DISTANCE OF 42.32 FEET; THENCE S87°36'21"E A DISTANCE OF 171.75 FEET; THENCE N02°23'39"E A DISTANCE OF 257.71 FEET; THENCE S87°36'21"E A DISTANCE OF 49.45 FEET; THENCE S67°35'29"E A DISTANCE OF 385.13 FEET; THENCE S22°28'24"W A DISTANCE OF 100.48 FEET; THENCE S02°15'44"W A DISTANCE OF 121.52 FEET; THENCE N87°36'21"W A DISTANCE OF 287.11 FEET; THENCE S02°23'39"W A DISTANCE OF 170.00 FEET; THENCE S87°36'21"E A DISTANCE OF 251.78 FEET; THENCE S33°49'29"W A DISTANCE OF 96.62 FEET; THENCE S02°23'27"W A DISTANCE OF 227.05 FEET;

THENCE N87°36'26"W A DISTANCE OF 463.66 FEET TO A POINT ON THE WEST LINE OF SAID SE 1/4 OF THE NW 1/4, SAID POINT BEING A FOUND 5/8 INCH REBAR; THENCE N87°19'06"W A DISTANCE OF 1323.22 FEET TO THE POINT OF BEGINNING, CONTAINING 25.90 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT-OF-WAY OF NORTH 56TH/ STREET ON THE WEST SIDE THEREOF AND ALL RIGHTS-OF-WAY, EASEMENTS, AND RESTRICTIVE COVENANTS OF RECORD AND 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 the said petitioner in petitioning the City Council to accept the said plat of Deere Creek Subdivision Phase 1 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 Deere Creek Subdivision Phase 1, as shown on the 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.

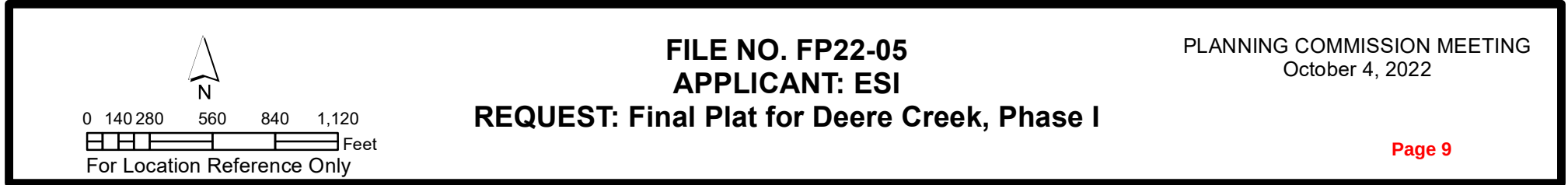
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



LOT SIZE TABLE				LOT SIZE TABLE				LOT SIZE TABLE				LOT SIZE TABLE				LOT SIZE TABLE			
LOT #	LOT SQ. FT.	LOT ACRES		LOT #	LOT SQ. FT.	LOT ACRES		LOT #	LOT SQ. FT.	LOT ACRES		LOT #	LOT SQ. FT.	LOT ACRES		LOT #	LOT SQ. FT.	LOT ACRES	
1	9805.60	0.23		21	14261.73	0.33		41	8855.00	0.20		61	8854.25	0.20		81	9307.39	0.21	
2	8449.35	0.19		22	35271.42	0.81		42	8855.00	0.20		62	8854.20	0.20		82	9209.03	0.21	
3	8473.94	0.19		23	20913.88	0.48		43	8855.00	0.20		63	8854.15	0.20		83	10760.91	0.25	
4	8498.52	0.20		24	22795.17	0.52		44	10447.99	0.24		64	10402.57	0.24		84	113175.91	2.60	
5	8523.11	0.20		25	10606.87	0.24		45	8904.49	0.20		65	11172.30	0.26					
6	8547.69	0.20		26	10366.81	0.24		46	10778.64	0.25		66	9730.34	0.22					
7	8572.28	0.20		27	8855.00	0.20		47	8854.98	0.20		67	9702.14	0.22					
8	8596.86	0.20		28	8855.00	0.20		48	8854.93	0.20		68	9673.94	0.22					
9	8621.45	0.20		29	8855.00	0.20		49	8854.88	0.20		69	9645.75	0.22					
10	8646.03	0.20		30	8855.00	0.20		50	8854.82	0.20		70	9617.55	0.22					
11	8670.62	0.20		31	8855.00	0.20		51	8854.77	0.20		71	9589.35	0.22					
12	8695.20	0.20		32	8855.00	0.20		52	8854.72	0.20		72	9561.16	0.22					
13	8719.79	0.20		33	8855.00	0.20		53	8854.67	0.20		73	9532.96	0.22					
14	8744.37	0.20		34	8855.00	0.20		54	8854.61	0.20		74	9504.77	0.22					
15	8768.96	0.20		35	8855.00	0.20		55	8854.56	0.20		75	9476.57	0.22					
16	8793.54	0.20		36	8855.00	0.20		56	8854.51	0.20		76	9448.37	0.22					
17	8818.13	0.20		37	8855.00	0.20		57	8854.46	0.20		77	9420.18	0.22					
18	8842.71	0.20		38	8855.00	0.20		58	8854.41	0.20		78	9391.98	0.22					
19	8854.94	0.20		39	8855.00	0.20		59	8854.35	0.20		79	9363.78	0.21					
20	9265.97	0.21		40	8855.00	0.20		60	8854.30	0.20		80	9335.59	0.21					

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 ACCURACY:

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED ON THIS PLAT IS A TRUE AND CORRECT SURVEY AND THAT THE MONUMENTS HAVE BEEN PLACED AS STATED AND AS REQUIRED BY THE SUBDIVISION REGULATIONS OF THE CITY OF SPRINGDALE.

RODNEY WOODS, P.S. NO. 1559, AR

DATE _____



Curve Table				
Curve #	Length	Radius	Chord Length	Chord Bearing
C1	47.17'	30.00'	42.46'	N47°21'01"E
C2	47.08'	30.00'	42.39'	N42°38'59"W
C3	47.19'	30.02'	42.48'	N47°22'30"E
C4	47.07'	29.99'	42.39'	N42°38'30"W
C5	22.84'	31.03'	22.33'	S88°45'32"E
C6	43.06'	52.89'	41.88'	S87°39'35"E
C7	44.63'	52.89'	43.32'	N83°58'35"E
C8	42.66'	52.82'	41.51'	N15°50'07"E
C9	30.49'	52.82'	30.07'	N24°29'41"W
C10	22.84'	31.03'	22.33'	N19°27'10"W
C11	78.54'	50.00'	70.71'	S47°23'39"W
C12	47.12'	30.00'	42.43'	S42°36'21"E
C13	47.12'	30.00'	42.43'	N47°23'39"E
C14	47.12'	30.00'	42.43'	S47°23'39"W
C15	47.12'	30.00'	42.43'	N42°36'21"W
C16	117.81'	75.00'	106.07'	N47°23'39"E

PARCEL: 815-29789-276, 815-29789-291

SURVEY DESCRIPTION:

PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) AND PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 28, SAID POINT BEING A FOUND RAILROAD SPIKE IN NORTH 56TH STREET; THENCE ALONG THE WEST LINE OF SAID SW 1/4 OF THE NW 1/4 AND SAID NORTH 56TH STREET, N02°19'20"E A DISTANCE OF 171.63 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A FOUND COTTON PICKER SPINDLE; THENCE CONTINUING N02°19'20"E A DISTANCE OF 588.45 FEET TO A FOUND "MAG" NAIL WITH WASHER "PS 0663"; THENCE LEAVING SAID WEST LINE AND SAID NORTH 56TH STREET, N80°52'44"E A DISTANCE OF 118.84 FEET TO A FOUND 5/8 INCH REBAR WITH CAP "PS 0663"; THENCE S87°16'34"E A DISTANCE OF 1208.05 FEET TO A POINT ON THE WEST LINE OF SAID SE 1/4 OF THE NW 1/4, SAID POINT BEING A FOUND 5/8 INCH REBAR WITH CAP "PS 0663"; THENCE S02°27'09"W A DISTANCE OF 42.32 FEET; THENCE S87°36'21"E A DISTANCE OF 171.75 FEET; THENCE N02°23'39"E A DISTANCE OF 257.71 FEET; THENCE S87°36'21"E A DISTANCE OF 49.45 FEET; THENCE S87°35'29"E A DISTANCE OF 385.13 FEET; THENCE S22°28'24"W A DISTANCE OF 100.48 FEET; THENCE S02°15'44"W A DISTANCE OF 121.52 FEET; THENCE N87°36'21"W A DISTANCE OF 287.11 FEET; THENCE S02°23'39"W A DISTANCE OF 170.00 FEET; THENCE S87°36'21"E A DISTANCE OF 251.78 FEET; THENCE S33°49'28"W A DISTANCE OF 96.92 FEET; THENCE S02°23'27"W A DISTANCE OF 227.05 FEET; THENCE N87°36'28"W A DISTANCE OF 463.66 FEET TO A POINT ON THE WEST LINE OF SAID SE 1/4 OF THE NW 1/4, SAID POINT BEING A FOUND 5/8 INCH REBAR; THENCE N87°19'06"W A DISTANCE OF 1323.22 FEET TO THE POINT OF BEGINNING, CONTAINING 25.90 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT-OF-WAY OF NORTH 56TH STREET ON THE WEST SIDE THEREOF AND ALL RIGHTS-OF-WAY, EASEMENTS, AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

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 NOT WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE F.I.R.M. MAP #05143C0060 F, BENTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: MAY 16, 2008.

UTILITIES:

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS BASED ON ABOVE GROUND FEATURES, FIELD DESIGNATIONS/MARKINGS BY ARKANSAS ONE CALL AND SPRINGDALE G.I.S. ONLY.

THE DESIGNATIONS AND LOCATIONS OF THESE UTILITY FEATURES SHOWN HEREON ARE NOT TO BE CONSTRUED AS ALL INCLUSIVE OR ABSOLUTE AND ARE PROVIDED WITHOUT WARRANTY.

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 WASHINGTON COUNTY, ARKANSAS UNLESS OTHERWISE NOTED.

A. **QUITCLAIM DEED:** DEERE CREEK DEVELOPMENT, LLC, RECORDED SEPTEMBER 20 2021, FILE NO. 2021-00036850.

B. **QUITCLAIM DEED:** DEERE CREEK DEVELOPMENT, LLC, RECORDED SEPTEMBER 20 2021, FILE NO. 2021-00036851.

NOTES:

- 1) ALL STREET RIGHTS-OF-WAY WITHIN SUBDIVISION ARE 50' IN WIDTH.
- 2) ALL LOT CORNER RADI ARE 30' UNLESS OTHERWISE NOTED.
- 3) 1/2" REBAR WITH CAP "PS 1559" SET AT ALL PROPERTY CORNERS.
- 4) NO FENCES SHALL BE ALLOWED WITHIN THE P.O.A. PEDESTRIAN ACCESS EASEMENT.
- 5) SIDEWALKS SHALL BE PLACED BY THE INDIVIDUAL LOT OWNER AS REQUIRED BY SPRINGDALE CITY ORDINANCE. THE SIDEWALKS SHALL BE 5' WIDE AND 1" FROM THE RIGHT-OF-WAY. DEVELOPER SHALL PLACE SIDEWALK ON ALL PORTIONS OF THE STREETS THAT DO NOT HAVE LOT FRONTAGE.
- 6) ALL LOTS TO RECEIVE A SEWER BACKWATER VALVE WHICH SHALL BE INSTALLED ON THE PRIVATE SERVICE LINE BY A LICENSED PLUMBER. (4" PVC EXTENDABLE BACKWATER VALVE BY CLEAN CHECK, MODEL NO. 97304.)

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.

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

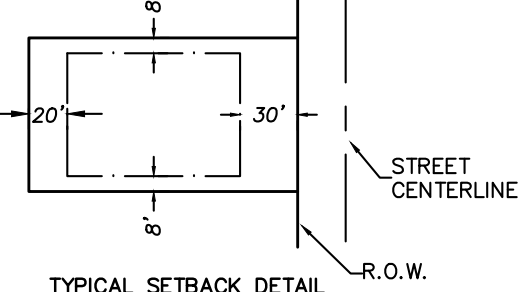
STREET TABLE	
CLASSIFICATION	PUBLIC STREET
LOCAL STREET	3443 L.F.

FINISHED FLOOR TABLE

LOT #	MIN F.F.E.
25	1248.69
85	1248.69

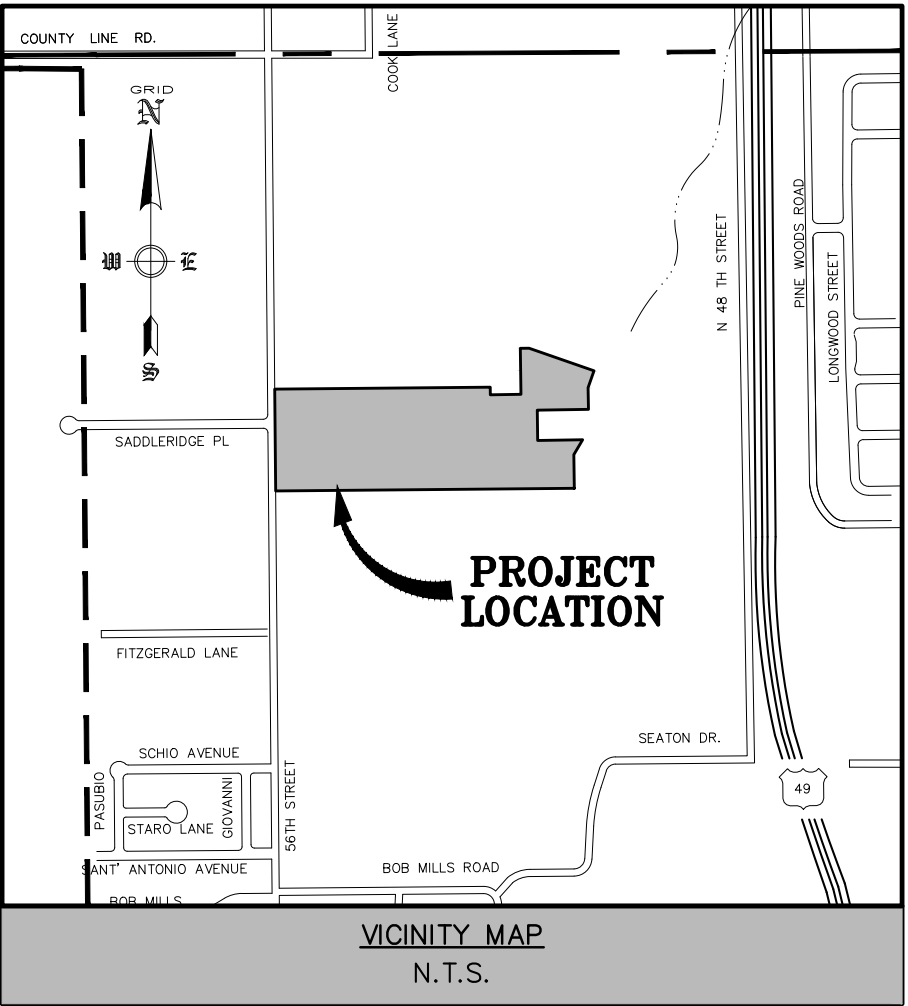
BUILDING SETBACK TABLE

ZONING	SF-2
FRONT	30'
REAR	20'
SIDE	8'



NOTE:

- 1.) DISTANCE SHOWN WILL YIELD TO UTILITY EASEMENTS.



LEGEND

—————	PROPERTY LINE
-----	SECTION LINE
- - - - -	EASEMENT (AS NOTED)
—————	CENTERLINE OF ROAD
- - W - - - - W - - - - W - - - -	WATER LINE
- - SS - - - - SS - - - -	SEWER LINE
—————	FORCE MAIN
P.O.B.	POINT OF BEGINNING
●	IPF - IRON PIN FOUND (AS NOTED)
○	IPS - IRON PIN SET w/ CAP "PLS 1559"
●	FOUND MONUMENT (AS NOTED)
▲	FOUND RAILROAD SPIKE
■	SET CONCRETE MONUMENT
⊗	SEWER MANHOLE
⊕	FIRE HYDRANT

OWNER:	DEERE CREEK DEVELOPMENT LLC PO BOX 1120 TONTOWN AR 72770
ENGINEER/SURVEYOR:	ENGINEERING SERVICES, INC. 1207 S. OLD MISSOURI RD. P.O. BOX 282 SPRINGDALE, AR 72765
EXISTING ZONING:	SF-2
AREA:	25.90 ACRES
PROPOSED LOTS:	TOTAL LOTS: 84 BUILDABLE LOTS: 83

RECORDING INFORMATION

PLAT CODE: 500-18N-30W-0-28-400-72-1559

REVISION	DATE	DESCRIPTION

FINAL PLAT

DEERE CREEK SUBDIVISION PH1

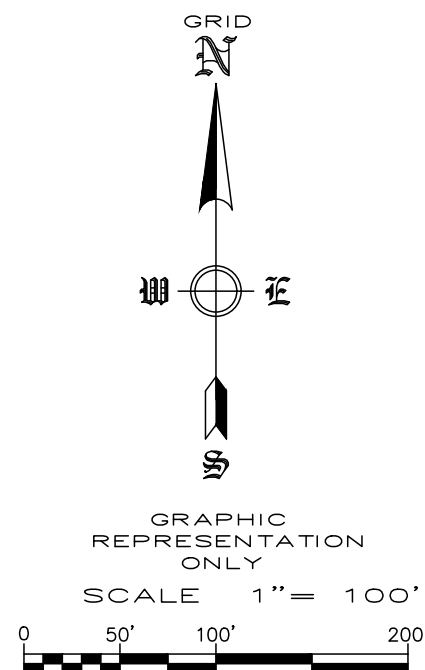
SPRINGDALE, ARKANSAS

SCALE: 1"=100' DATE: September 1, 2022 DRAWN BY: TCE

ENGINEERING SERVICES, INCORPORATED
SPRINGDALE, ARKANSAS

© COPYRIGHT 2022, ENGINEERING SERVICES, INC. 9/1/2022 11:33 AM
2:\S\000\21910 DEERE CREEK SUBDIVISION\FINAL PLAT\PHASE 1\21910 - BASE - FINAL PLAT-04.dwg

W.O.# 21910 SHEET 1



FP22-05



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING PAYMENT OF AN
INVOICE**

PROJECT NO. 18BPS12

WHEREAS, Springdale municipal code sec. 2-158 requires approval of the governing body before paying any bill that exceeds \$1,000,000, and;

WHEREAS, the City of Springdale has contracted with Crossland Heavy Contractors to construct the Har-Ber Avenue Extension from 40th Street to Gutensohn Road, and;

WHEREAS, the City has received an invoice of \$1,528,040.32, and;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the Mayor and City Clerk are hereby authorized to pay Crossland Heavy Contractors \$1,528,040.32 with funds from the 2018 Street Bond Fund.

PASSED AND APPROVED this _____ day of October, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED:

Ernest B. Cate, CITY ATTORNEY



MONTHLY INVOICE PREPARED BY GARVER

PROJECT NAME:	Har-Ber Avenue Extension - 40th Street to Gutensohn	INVOICE NUMBER:	3
OWNER:	City of Springdale 201 Spring Street Springdale, AR 72764	FROM:	08/01/22
		TO:	08/31/22
CONTRACTOR:	Crossland Heavy Contractors, Inc. 501 S. East Avenue Columbus, KS 66725	GARVER PROJECT NUMBER:	1804-7150
		CONTRACT COMPLETION DATE:	06/15/23
CONTRACT DATE:	April 26, 2022	DATE WORK BEGAN:	06/21/22
		SUBSTANTIAL COMPLETION:	
CONTRACT AMOUNT:		CONSTRUCTION TIME:	
ORIGINAL:	\$ 11,386,350.15	ALLOTTED:	360 Calendar Days
CHANGE ORDERS:	\$ (1,400,655.30)	SUSPENDED:	Calendar Days
REVISED:	\$ 9,985,694.85	USED:	71 Calendar Days

25% of Contract Amount Used To-date

20% of Contract Time Used To-Date

Weather Time Added This Invoice	0	Total Weather Time To Date	0
Other Delays Claimed This Invoice	0	Total Other Delays To Date	0

CERTIFICATION, RECOMMENDATION, & APPROVAL

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract referred to above have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by all prior Applications for Payment; (2) title of all Work, materials and equipment incorporated into said Work or otherwise listed in or covered by the Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Lien, security interest or encumbrance); (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective; (4) all contract labor standards requirements have been complied with by Contractor and by each subcontractor employing mechanics or laborers at the site of the work; and (5) the quantities shown on the attached Unit Price Schedule reflect the quantities complete at the closing date of this invoice period.

Certified By:

CONTRACTOR: Crossland Heavy Contractors, Inc.

By: Jason Necessary

Date: 09/12/2022

Recommended By:

ENGINEER: Garver

By: Digitally signed
by Seth Yancey
Date: 2022.09.13
08:00:02-05'00'

Date: _____

Approval for Payment By:

OWNER: City of Springdale

Approved By: [Signature]

Date: 9/17/22

Total Amount of Work Done \$ 2,475,818.25

Plus Materials Stored \$ -

TOTAL \$ 2,475,818.25

Less Retainage (5% of Total Amount of Work Done) \$ 123,790.91

Difference \$ 2,352,027.34

Less Previous Payments \$ 823,987.02

AMOUNT DUE ON CONTRACT
THIS INVOICE \$ 1,528,040.32

WORK COMPLETED TO-DATE

HAR-BER AVENUE EXTENSION - 40TH STREET TO GUTENSOHN

INVOICE NUMBER: 3

TO: 08/31/22

ITEM NUMBER	DESCRIPTION	UNIT	ORIGINAL CONTRACT QUANTITY	UNIT PRICE	REVISED CONTRACT QUANTITY	QUANTITY THIS INVOICE	AMOUNT THIS INVOICE	QUANTITY TO-DATE	AMOUNT TO-DATE
111	Roadway Construction Control	LS	1.00	\$ 269,000.00	1.00	0.10	\$ 26,900.00	0.40	\$ 107,600.00
112	Trench and Excavation Safety Systems	LS	1.00	\$ 62,000.00	1.00	0.00	\$ -	0.00	\$ -
201	Clearing and Grubbing	LS	1.00	\$ 238,000.00	1.00	0.10	\$ 23,800.00	0.90	\$ 214,200.00
202, SP-7	Undercut and Backfill	CY	12,900.00	\$ 37.00	12,900.00	705.00	\$ 26,085.00	756.00	\$ 27,972.00
202, SP-7	Rock Excavation	CY	500.00	\$ 175.00	500.00	0.00	\$ -	0.00	\$ -
202, SP-7	Unclassified Excavation (Plan Quantity)	CY	21,417.00	\$ 15.00	21,417.00	9,480.00	\$ 142,200.00	13,280.00	\$ 199,200.00
202, SP-7	Embankment (Plan Quantity)	CY	7,344.00	\$ 18.75	7,344.00	3,865.00	\$ 72,468.75	4,565.00	\$ 85,593.75
203	Subgrade Preparation (Plan Quantity)	SY	15,996.00	\$ 5.00	15,996.00	0.00	\$ -	0.00	\$ -
204	Curb Backfill and Grading	Sta.	42.00	\$ 3,900.00	42.00	0.00	\$ -	0.00	\$ -
204, SP-8	4" Topsoil Placement (Yard Areas)	SY	36,667.00	\$ 5.00	36,667.00	0.00	\$ -	0.00	\$ -
205	Undercut and Stone Backfill	TON	1,000.00	\$ 55.00	1,000.00	0.00	\$ -	0.00	\$ -
301	18" Class III R.C. Pipe	LF	724.00	\$ 181.00	724.00	0.00	\$ -	0.00	\$ -
301	24" Class III R.C. Pipe	LF	1,107.00	\$ 182.00	1,107.00	0.00	\$ -	0.00	\$ -
301	30" Class III R.C. Pipe	LF	465.00	\$ 205.00	465.00	68.00	\$ 13,940.00	68.00	\$ 13,940.00
301	30"x19" Class III Elliptical R.C. Pipe	LF	68.00	\$ 260.00	68.00	0.00	\$ -	0.00	\$ -
301	53"x34" Class III Elliptical R.C. Pipe	LF	93.00	\$ 401.00	93.00	0.00	\$ -	0.00	\$ -
301	18" R.C. FES	EA	4.00	\$ 925.00	4.00	0.00	\$ -	0.00	\$ -
301	30" R.C. FES	EA	1.00	\$ 1,225.00	1.00	1.00	\$ 1,225.00	1.00	\$ 1,225.00
301	30"x19" Elliptical R.C. FES	EA	1.00	\$ 1,450.00	1.00	0.00	\$ -	0.00	\$ -
301	53"x34" Elliptical R.C. FES	EA	1.00	\$ 4,425.00	1.00	0.00	\$ -	0.00	\$ -
302	4' Drop Inlet (Type MO)	EA	17.00	\$ 9,850.00	17.00	0.00	\$ -	0.00	\$ -
302	5' Drop Inlet (Type MO)	EA	4.00	\$ 10,900.00	4.00	0.00	\$ -	0.00	\$ -
302	6' Drop Inlet (Type MO)	EA	1.00	\$ 11,300.00	1.00	0.00	\$ -	0.00	\$ -
302	5' Junction Box (Type MO)	EA	1.00	\$ 9,900.00	1.00	0.00	\$ -	0.00	\$ -
302	4'x4' Area Inlet	EA	4.00	\$ 9,875.00	4.00	0.00	\$ -	0.00	\$ -
302	9'x4' Area Inlet	EA	1.00	\$ 12,800.00	1.00	0.00	\$ -	0.00	\$ -
302	4'x4.5' Drop Inlet (Type Special Reverse Throat)	EA	1.00	\$ 10,525.00	1.00	0.00	\$ -	0.00	\$ -
302	7'x4' Drop Inlet (Type Special)	EA	1.00	\$ 12,800.00	1.00	0.00	\$ -	0.00	\$ -
302	4' Drop Inlet Extension	EA	15.00	\$ 1,950.00	15.00	0.00	\$ -	0.00	\$ -
302	8' Drop Inlet Extension	EA	1.00	\$ 3,500.00	1.00	0.00	\$ -	0.00	\$ -
302	16' Drop Inlet Extension	EA	2.00	\$ 5,500.00	2.00	0.00	\$ -	0.00	\$ -
302, SP-52	Drop Inlet Back Opening	EA	1.00	\$ 8,900.00	1.00	0.00	\$ -	0.00	\$ -
303	12'x7' Precast Concrete Box Culvert	LF	618.00	\$ 2,525.00	618.00	540.00	\$ 1,363,500.00	540.00	\$ 1,363,500.00
303	Wingwalls & Appurtenances (6 Barrel 12'x7')	LS	1.00	\$ 262,000.00	1.00	0.00	\$ -	0.00	\$ -
305	Channel Excavation (Plan Quantity)	CY	3,202.00	\$ 30.50	3,202.00	2,618.00	\$ 79,849.00	2,618.00	\$ 79,849.00
305	Erosion Control Fabric	SY	949.00	\$ 33.00	949.00	0.00	\$ -	0.00	\$ -
306	Rip Rap (18" Thick) (D50=5")	SY	11.00	\$ 50.00	11.00	0.00	\$ -	0.00	\$ -
306	Rip Rap (20" Thick) (D50=6")	SY	18.00	\$ 55.00	18.00	0.00	\$ -	0.00	\$ -
306	Rip Rap (27" Thick) (D50=12")	SY	1,190.00	\$ 65.00	1,190.00	0.00	\$ -	0.00	\$ -
306	Rip Rap (30" Thick) (D50=14")	SY	105.00	\$ 75.00	105.00	0.00	\$ -	0.00	\$ -
401, SP-9	6" Aggregate Base Course (Class 7)	SY	15,996.00	\$ 16.00	15,996.00	0.00	\$ -	0.00	\$ -
403, SP-10	Asphalt Concrete Hot Mix Surface Course	TON	1,835.00	\$ 157.00	1,835.00	0.00	\$ -	0.00	\$ -
403, SP-10	Asphalt Concrete Hot Mix Binder Course	TON	3,154.00	\$ 129.00	3,154.00	0.00	\$ -	0.00	\$ -
405	Asphalt Concrete Patching for Maintenance of Traffic	TON	25.00	\$ 500.00	25.00	0.00	\$ -	0.00	\$ -
SP-60	ACHM Pavement Permanent Repair	SY	100.00	\$ 250.00	100.00	0.00	\$ -	0.00	\$ -
501, SP-11	Concrete Curb and Gutter	LF	8,450.00	\$ 29.00	8,450.00	0.00	\$ -	0.00	\$ -
502	4" Thick Concrete Sidewalk	SY	2,051.00	\$ 79.00	2,051.00	0.00	\$ -	0.00	\$ -
502, SP-4	6" Thick Concrete Trail	SY	4,832.00	\$ 82.00	4,832.00	0.00	\$ -	0.00	\$ -

WORK COMPLETED TO-DATE

HAR-BER AVENUE EXTENSION - 40TH STREET TO GUTENSOHN

INVOICE NUMBER: 3

TO: 08/31/22

ITEM NUMBER	DESCRIPTION	UNIT	ORIGINAL CONTRACT QUANTITY	UNIT PRICE	REVISED CONTRACT QUANTITY	QUANTITY THIS INVOICE	AMOUNT THIS INVOICE	QUANTITY TO-DATE	AMOUNT TO-DATE
503	Concrete Aprons	SY	805.00	\$ 102.00	805.00	0.00	\$ -	0.00	\$ -
503	Concrete Driveway	SY	900.00	\$ 105.00	900.00	0.00	\$ -	0.00	\$ -
505, SP-16	Seeding	AC	5.00	\$ 6,000.00	5.00	0.00	\$ -	0.00	\$ -
505, SP-16	Sodding	SY	12,467.00	\$ 6.50	12,467.00	0.00	\$ -	0.00	\$ -
505, SP-16	Additional Watering	MG	157.00	\$ 95.00	157.00	0.00	\$ -	0.00	\$ -
SS&507	6" Striping (Thermoplastic)	LF	11,823.00	\$ 1.50	11,823.00	0.00	\$ -	0.00	\$ -
SS&507	12" Striping (Thermoplastic)	LF	480.00	\$ 15.00	480.00	0.00	\$ -	0.00	\$ -
SS&507	Pavement Symbols (Thermoplastic)	EA	31.00	\$ 600.00	31.00	0.00	\$ -	0.00	\$ -
SS&507	Yield Lines (Thermoplastic)	LF	17.00	\$ 38.00	17.00	0.00	\$ -	0.00	\$ -
508, SP-12 CO1.1A	Permanent Regulatory Signs	SF	81.00	\$ 90.00	90.00	0.00	\$ -	0.00	\$ -
509	Erosion Control	LS	1.00	\$ 119,610.00	1.00	0.00	\$ -	0.85	\$ 101,668.50
510, SP-14	Traffic Control	LS	1.00	\$ 39,200.00	1.00	0.00	\$ -	0.00	\$ -
511	Mobilization (not to exceed 5% of contract price)	LS	1.00	\$ 479,540.00	1.00	0.25	\$ 119,885.00	0.50	\$ 239,770.00
512	4' Chain Link Fence	LF	416.00	\$ 36.50	416.00	0.00	\$ -	0.00	\$ -
512	4' Chain Link Gates	LF	22.00	\$ 75.00	22.00	0.00	\$ -	0.00	\$ -
512	8' Wood Privacy Shadow Box Fence	LF	814.00	\$ 36.50	814.00	0.00	\$ -	0.00	\$ -
512	8' Wood Privacy Shadow Box Gate	LF	50.00	\$ 140.00	50.00	0.00	\$ -	0.00	\$ -
512	Barbed Wire Fence	LF	3,378.00	\$ 14.00	3,378.00	0.00	\$ -	0.00	\$ -
SP-54	4' Decorative Fence	LF	405.00	\$ 59.00	405.00	0.00	\$ -	0.00	\$ -
512, SP-53	15' Steel Gate	EA	4.00	\$ 2,100.00	4.00	0.00	\$ -	0.00	\$ -
512, SP-53	Double 15' Steel Gate and Knox Padlock	EA	1.00	\$ 2,600.00	1.00	0.00	\$ -	0.00	\$ -
513	Cast-in-Place Tactile Panel	SF	334.00	\$ 40.00	334.00	0.00	\$ -	0.00	\$ -
513	Handicap Ramp Concrete	SY	171.00	\$ 85.00	171.00	0.00	\$ -	0.00	\$ -
516	Cold Milling Asphalt Pavement	SY	2,126.00	\$ 9.25	2,126.00	0.00	\$ -	0.00	\$ -
SP-13	Building Demolition and Disposal	LS	1.00	\$ 65,100.00	1.00	0.50	\$ 32,550.00	0.50	\$ 32,550.00
SP-61	Remove, Salvage, and Relocate Existing Carport	LS	1.00	\$ 17,500.00	1.00	0.50	\$ 8,750.00	0.50	\$ 8,750.00
SP-48 & 701 CO1.2A	System Local Controller TS 2- Type, E-Net (8 Phases)	EA	0.00	\$ 58,000.00	0.00	0.00	\$ -	0.00	\$ -
SP-48 CO1.3A	Ethernet Switch, T100 Hardened (8-Port)	EA	0.00	\$ 4,500.00	0.00	0.00	\$ -	0.00	\$ -
702 CO1.4A	Traffic Signal Head, LED, (3 Section, 1 Way)	EA	0.00	\$ 1,650.00	0.00	0.00	\$ -	0.00	\$ -
702 CO1.5A	Traffic Signal Head, LED, (4 Section, 1 Way)	EA	0.00	\$ 1,800.00	0.00	0.00	\$ -	0.00	\$ -
704 CO1.6A	Countdown Pedestrian Signal Head, Led	EA	0.00	\$ 2,100.00	0.00	0.00	\$ -	0.00	\$ -
705 CO1.7A	Traffic Signal Cable (5c/14 A.W.G.)	LF	0.00	\$ 3.50	0.00	0.00	\$ -	0.00	\$ -
705 CO1.8A	Traffic Signal Cable (7c/14 A.W.G.)	LF	0.00	\$ 4.25	0.00	0.00	\$ -	0.00	\$ -
705 CO1.9A	Traffic Signal Cable (20c/14 A.W.G.)	LF	0.00	\$ 5.50	0.00	0.00	\$ -	0.00	\$ -
707 CO1.10A	Non-Metallic Conduit (2")	LF	148.00	\$ 31.00	148.00	0.00	\$ -	0.00	\$ -
707 CO1.11A	Non-Metallic Conduit (3")	LF	407.00	\$ 54.00	407.00	0.00	\$ -	0.00	\$ -
708 CO1.12A	Concrete Pull Box (Type 2)	EA	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -
708 CO1.13A	Concrete Pull Box (Type 1 HD)	EA	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -
708 CO1.14A	Concrete Pull Box (Type 2 HD)	EA	11.00	\$ 1,950.00	11.00	0.00	\$ -	0.00	\$ -
709 CO1.15A	24' Traffic Signal Mast Arm and Pole With Foundation	EA	0.00	\$ 36,000.00	0.00	0.00	\$ -	0.00	\$ -

WORK COMPLETED TO-DATE

HAR-BER AVENUE EXTENSION - 40TH STREET TO GUTENSOHN

INVOICE NUMBER: 3

TO: 08/31/22

ITEM NUMBER	DESCRIPTION	UNIT	ORIGINAL CONTRACT QUANTITY	UNIT PRICE	REVISED CONTRACT QUANTITY	QUANTITY THIS INVOICE	AMOUNT THIS INVOICE	QUANTITY TO-DATE	AMOUNT TO-DATE
709	28' Traffic Signal Mast Arm and Pole With Foundation	EA	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -
CO1.16A	709 40' Traffic Signal Mast Arm and Pole With Foundation	EA	0.00	\$ 42,000.00	0.00	0.00	\$ -	0.00	\$ -
CO1.17A	709 48' Traffic Signal Mast Arm and Pole With Foundation	EA	0.00	\$ 43,500.00	0.00	0.00	\$ -	0.00	\$ -
CO1.18A	710 Traffic Signal Pedestal Pole with Foundation	EA	0.00	\$ 5,500.00	0.00	0.00	\$ -	0.00	\$ -
CO1.19A	SP-48&713 Local Radio (E-Net 5.8) With Antenna	EA	0.00	\$ 4,000.00	0.00	0.00	\$ -	0.00	\$ -
CO1.20A	SP-48&713 E-Net Cable (Exterior Cat 5e)	LF	0.00	\$ 6.25	0.00	0.00	\$ -	0.00	\$ -
CO1.21A	714 Electrical Conductors-In-Conduit (1c/8 A.W.G., E.G.C.)	LF	0.00	\$ 2.75	0.00	0.00	\$ -	0.00	\$ -
CO1.22A	714 Electrical Conductors-In-Conduit (2c/6 A.W.G.)	LF	0.00	\$ 5.45	0.00	0.00	\$ -	0.00	\$ -
CO1.23A	SP-44 Battery Backup System	EA	0.00	\$ 17,000.00	0.00	0.00	\$ -	0.00	\$ -
CO1.24A	SP-46 Service Point Assembly (2 Circuits)	EA	0.00	\$ 4,500.00	0.00	0.00	\$ -	0.00	\$ -
CO1.25A	SP-47 18" Street Name Sign	EA	0.00	\$ 1,500.00	0.00	0.00	\$ -	0.00	\$ -
CO1.26A	SP-45 Iteris Vantage Next Video Detector System	EA	0.00	\$ 75,800.00	0.00	0.00	\$ -	0.00	\$ -
CO1.27A	SP-41 Rectangular Rapid Flashing Beacon	EA	2.00	\$ 19,500.00	2.00	0.00	\$ -	0.00	\$ -
SP-42	Standard Mid-Block Crossing	EA	1.00	\$ 41,100.00	1.00	0.00	\$ -	0.00	\$ -
SP-3	2" Non-Metallic Conduit	LF	4,667.00	\$ 24.00	4,667.00	0.00	\$ -	0.00	\$ -
SP-3	Composite Junction Box, Installed	EA	2.00	\$ 1,950.00	2.00	0.00	\$ -	0.00	\$ -
SP-3	Lighting Assembly Type A, Pole, Foundation, Junction Box, and Associated Hardware, Installed	EA	14.00	\$ 14,620.00	14.00	0.00	\$ -	0.00	\$ -
SP-3	Electrical Service Pedestal	EA	2.00	\$ 11,660.00	2.00	0.00	\$ -	0.00	\$ -
SP-3	No. 6 Copper Conductor, Installed in Conduit	LF	14,004.00	\$ 3.90	14,004.00	0.00	\$ -	0.00	\$ -
SP-3	No. 10 Copper Conductor, Installed	LF	1,925.00	\$ 2.75	1,925.00	0.00	\$ -	0.00	\$ -
SP-3	Utility Meter Rack	EA	2.00	\$ 2,340.00	2.00	0.00	\$ -	0.00	\$ -
SP-2	Utility Mobilization	LS	1.00	\$ 31,940.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Utility Trench Excavation Safety Systems	LS	1.00	\$ 16,260.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Spot Dig and Verify Exiting Utility Locations, Hydro-Excavation, Per Location	EA	20.00	\$ 1,175.00	20.00	0.00	\$ -	0.00	\$ -
SP-2	Sewer Bypass Pumping	LS	1.00	\$ 27,820.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	8" Class 50 DI Water Line	LF	157.00	\$ 164.00	157.00	0.00	\$ -	0.00	\$ -
SP-2	3" DR-9 HDPE Water Line	LF	1,117.00	\$ 90.00	1,117.00	0.00	\$ -	0.00	\$ -
SP-2	21" PS115 PVC Sanitary Sewer Line	LF	40.00	\$ 502.00	40.00	0.00	\$ -	0.00	\$ -
SP-2	8" SDR-26 PVC Sanitary Sewer Line	LF	800.00	\$ 151.00	800.00	0.00	\$ -	0.00	\$ -
SP-2	6" SDR-26 PVC Sanitary Sewer Line	LF	20.00	\$ 146.00	20.00	0.00	\$ -	0.00	\$ -
SP-2	4" Sch. 40 PVC Sanitary Sewer Service Line	LF	70.00	\$ 99.00	70.00	0.00	\$ -	0.00	\$ -
SP-2	Ductile Iron Fittings for Water Line	LBS	750.00	\$ 39.00	750.00	0.00	\$ -	0.00	\$ -
SP-2	6"x6" Tapping Sleeve and	EA	3.00	\$ 7,760.00	3.00	0.00	\$ -	0.00	\$ -
SP-2	8"x3" Tapping Saddle and 3" Gate Valve	EA	1.00	\$ 7,620.00	1.00	0.00	\$ -	0.00	\$ -

WORK COMPLETED TO-DATE

HAR-BER AVENUE EXTENSION - 40TH STREET TO GUTENSOHN

INVOICE NUMBER: 3

TO: 08/31/22

ITEM NUMBER	DESCRIPTION	UNIT	ORIGINAL CONTRACT QUANTITY	UNIT PRICE	REVISED CONTRACT QUANTITY	QUANTITY THIS INVOICE	AMOUNT THIS INVOICE	QUANTITY TO-DATE	AMOUNT TO-DATE
SP-2	Connect to Ex. 2-1/2" Galvanized Steel Water Line	EA	1.00	\$ 3,500.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Cut and Cap Existing 6" A.C. Water Line	EA	3.00	\$ 3,970.00	3.00	0.00	\$ -	0.00	\$ -
SP-2	Fire Hydrant Assembly	EA	2.00	\$ 8,800.00	2.00	0.00	\$ -	0.00	\$ -
SP-2	Salvage Fire Hydrant	EA	1.00	\$ 2,720.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Relocate and Reconnect Water Service and Meter Set	EA	8.00	\$ 4,280.00	8.00	0.00	\$ -	0.00	\$ -
SP-2	New Water Service and Meter Set (Paradise Lane)	EA	6.00	\$ 5,210.00	6.00	0.00	\$ -	0.00	\$ -
SP-2	Temporary Blowoff Assembly	EA	1.00	\$ 2,590.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Permanent Blowoff Assembly	EA	1.00	\$ 2,960.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Concrete Anchor Collar	EA	1.00	\$ 5,200.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	4' I.D. Sanitary Sewer Manhole, Cast-in-Place, 0' to 6' Depth	EA	9.00	\$ 6,700.00	9.00	0.00	\$ -	0.00	\$ -
SP-2	6' I.D. Sanitary Sewer Manhole, Cast-in-Place, 0' to 6' Depth	EA	2.00	\$ 9,200.00	2.00	0.00	\$ -	0.00	\$ -
SP-2	4' I.D. Sanitary Sewer Manhole Additional Depth, Over 6'	VF	18.00	\$ 350.00	18.00	0.00	\$ -	0.00	\$ -
SP-2	6' I.D. Sanitary Sewer Manhole Additional Depth, Over 6'	VF	10.00	\$ 498.00	10.00	0.00	\$ -	0.00	\$ -
SP-2	Adjust Existing Manhole to Grade	EA	1.00	\$ 4,750.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Adjust Sewer Cleanout to Grade	EA	1.00	\$ 1,210.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Demolish Existing Manhole	EA	6.00	\$ 1,650.00	6.00	0.00	\$ -	0.00	\$ -
SP-2	Collapse and Fill Existing Septic Tank	EA	1.00	\$ 7,450.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Sewer Service Connection	EA	1.00	\$ 1,610.00	1.00	0.00	\$ -	0.00	\$ -
SP-2	Flowable Fill for Abandoned 8" Pipe	LF	480.00	\$ 37.00	480.00	0.00	\$ -	0.00	\$ -
SP-2	Flowable Fill for Abandoned 6" Pipe	LF	155.00	\$ 36.50	155.00	0.00	\$ -	0.00	\$ -
SP-2	Trench Undercut and Backfill	CY	200.00	\$ 55.00	200.00	0.00	\$ -	0.00	\$ -
SP-2	Rock Excavation for Utilities	CY	100.00	\$ 300.00	100.00	0.00	\$ -	0.00	\$ -
111	Roadway Construction Control	LS	1.00	\$ 29,550.00	1.00	0.00	\$ -	0.00	\$ -
CO1.28A									
112	Trench and Excavation Safety Systems	LS	1.00	\$ 5,570.00	1.00	0.00	\$ -	0.00	\$ -
CO1.29A									
201	Clearing and Grubbing	LS	1.00	\$ 31,200.00	1.00	0.00	\$ -	0.00	\$ -
CO1.30A									
202, SP-7	Undercut and Backfill	CY	1,500.00	\$ 37.00	419.00	0.00	\$ -	0.00	\$ -
CO1.31A									
202, SP-7	Unclassified Excavation (Plan Quantity)	CY	577.00	\$ 19.00	382.00	0.00	\$ -	0.00	\$ -
CO1.32A									
202, SP-7	Embankment (Plan Quantity)	CY	929.00	\$ 29.00	49.00	0.00	\$ -	0.00	\$ -
CO1.33A									
203	Subgrade Preparation (Plan Quantity)	SY	1,088.00	\$ 8.00	526.00	0.00	\$ -	0.00	\$ -
CO1.34A									
204	Curb Backfill and Grading	Sta.	7.00	\$ 3,900.00	4.00	0.00	\$ -	0.00	\$ -
CO1.35A									
204, SP-8	4" Topsoil Placement (Yard Areas)	SY	5,283.00	\$ 6.00	5,021.00	0.00	\$ -	0.00	\$ -
CO1.36A									
301	18" Class III R.C. Pipe	LF	43.00	\$ 205.00	43.00	0.00	\$ -	0.00	\$ -
CO1.37A									
302	6' Drop Inlet (Type MO)	EA	1.00	\$ 11,300.00	1.00	0.00	\$ -	0.00	\$ -
CO1.38A									
302	4'x5' Drop Inlet (Type Special Reverse Throat)	EA	3.00	\$ 10,900.00	1.00	0.00	\$ -	0.00	\$ -
CO1.39A									
302	6'x6' Drop Inlet (Type Special Reverse Throat)	EA	0.00	\$ 11,600.00	0.00	0.00	\$ -	0.00	\$ -
CO1.40A									

WORK COMPLETED TO-DATE

HAR-BER AVENUE EXTENSION - 40TH STREET TO GUTENSOHN

INVOICE NUMBER: 3

TO: 08/31/22

ITEM NUMBER	DESCRIPTION	UNIT	ORIGINAL CONTRACT QUANTITY	UNIT PRICE	REVISED CONTRACT QUANTITY	QUANTITY THIS INVOICE	AMOUNT THIS INVOICE	QUANTITY TO-DATE	AMOUNT TO-DATE
302 CO1.41A	8' Drop Inlet Extension	EA	4.00	\$ 3,500.00	1.00	0.00	\$ -	0.00	\$ -
302, SP-51 CO1.42A	Drop Inlets Adjusted to Grade	EA	0.00	\$ 8,400.00	0.00	0.00	\$ -	0.00	\$ -
401, SP-9 CO1.43A	6" Aggregate Base Course (Class 7)	SY	1,088.00	\$ 18.00	526.00	0.00	\$ -	0.00	\$ -
403, SP-10 CO1.44A	Asphalt Concrete Hot Mix Surface Course	TON	380.00	\$ 172.00	50.00	0.00	\$ -	0.00	\$ -
403, SP-10 CO1.45A	Asphalt Concrete Hot Mix Binder Course	TON	204.00	\$ 149.00	98.00	0.00	\$ -	0.00	\$ -
405 CO1.46A	Asphalt Concrete Patching for Maintenance of Traffic	TON	25.00	\$ 500.00	25.00	0.00	\$ -	0.00	\$ -
SP-60 CO1.47A	ACHM Pavement Permanent Repair	SY	40.00	\$ 201.00	40.00	0.00	\$ -	0.00	\$ -
501, SP-11 CO1.48A	Concrete Curb and Gutter	LF	731.00	\$ 27.00	368.00	0.00	\$ -	0.00	\$ -
502 CO1.49A	4" Thick Concrete Sidewalk	SY	154.00	\$ 84.00	137.00	0.00	\$ -	0.00	\$ -
502, SP-4 CO1.50A	6" Thick Concrete Trail	SY	523.00	\$ 88.00	23.00	0.00	\$ -	0.00	\$ -
503 CO1.51A	Concrete Aprons	SY	90.00	\$ 125.00	90.00	0.00	\$ -	0.00	\$ -
503 CO1.52A	Concrete Driveway	SY	104.00	\$ 95.00	104.00	0.00	\$ -	0.00	\$ -
505, SP-16 CO1.53A	Seeding	AC	1.00	\$ 5,750.00	1.00	0.00	\$ -	0.00	\$ -
505, SP-16 CO1.54A	Sodding	SY	443.00	\$ 6.00	181.00	0.00	\$ -	0.00	\$ -
505, SP-16 CO1.55A	Additional Watering	MG	5.00	\$ 5.50	5.00	0.00	\$ -	0.00	\$ -
SS&507 CO1.56A	6" Striping (Thermoplastic)	LF	2,377.00	\$ 1.50	150.00	0.00	\$ -	0.00	\$ -
SS&507 CO1.57A	12" Striping (Thermoplastic)	LF	502.00	\$ 15.00	117.00	0.00	\$ -	0.00	\$ -
SS&507 CO1.58A	Pavement Symbols (Thermoplastic)	EA	16.00	\$ 600.00	3.00	0.00	\$ -	0.00	\$ -
508, SP-12 CO1.59A	Permanent Regulatory Signs	SF	42.00	\$ 85.00	26.00	0.00	\$ -	0.00	\$ -
509 CO1.60A	Erosion Control	LS	1.00	\$ 8,810.00	1.00	0.00	\$ -	0.00	\$ -
510, SP-14 CO1.61A	Traffic Control	LS	1.00	\$ 9,280.00	1.00	0.00	\$ -	0.00	\$ -
511 CO1.62A	Mobilization (not to exceed 5% of contract price)	LS	1.00	\$ 57,890.00	1.00	0.00	\$ -	0.00	\$ -
512 CO1.63A	4' Chain Link Fence	LF	172.00	\$ 35.00	78.00	0.00	\$ -	0.00	\$ -
512 CO1.64A	4' Chain Link Gates	LF	24.00	\$ 74.00	24.00	0.00	\$ -	0.00	\$ -
513 CO1.65A	Cast-in-Place Tactile Panel	SF	181.00	\$ 40.00	54.00	0.00	\$ -	0.00	\$ -
513 CO1.66A	Handicap Ramp Concrete	SY	92.00	\$ 82.00	38.00	0.00	\$ -	0.00	\$ -
516 CO1.67A	Cold Milling Asphalt Pavement	SY	0.00	\$ 9.20	0.00	0.00	\$ -	0.00	\$ -
SP-48 & 701 CO1.68A	System Local Controller TS 2- Type, E-Net (8 Phases)	EA	0.00	\$ 58,000.00	0.00	0.00	\$ -	0.00	\$ -
SP-48 CO1.69A	Ethernet Switch, T100 Hardened (8-Port)	EA	0.00	\$ 4,300.00	0.00	0.00	\$ -	0.00	\$ -
702 CO1.70A	Traffic Signal Head, LED, (3 Section, 1 Way)	EA	0.00	\$ 1,600.00	0.00	0.00	\$ -	0.00	\$ -
702 CO1.71A	Traffic Signal Head, LED, (4 Section, 1 Way)	EA	0.00	\$ 1,800.00	0.00	0.00	\$ -	0.00	\$ -

WORK COMPLETED TO-DATE

HAR-BER AVENUE EXTENSION - 40TH STREET TO GUTENSOHN

INVOICE NUMBER: 3

TO: 08/31/22

ITEM NUMBER	DESCRIPTION	UNIT	ORIGINAL CONTRACT QUANTITY	UNIT PRICE	REVISED CONTRACT QUANTITY	QUANTITY THIS INVOICE	AMOUNT THIS INVOICE	QUANTITY TO-DATE	AMOUNT TO-DATE
704 CO1.72A	Countdown Pedestrian Signal Head, Led	EA	0.00	\$ 2,100.00	0.00	0.00	\$ -	0.00	\$ -
705 CO1.73A	Traffic Signal Cable (5c/14 A.W.G.)	LF	0.00	\$ 3.50	0.00	0.00	\$ -	0.00	\$ -
705 CO1.74A	Traffic Signal Cable (7c/14 A.W.G.)	LF	0.00	\$ 4.25	0.00	0.00	\$ -	0.00	\$ -
705 CO1.75A	Traffic Signal Cable (20c/14 A.W.G.)	LF	0.00	\$ 5.30	0.00	0.00	\$ -	0.00	\$ -
707 CO1.76A	Non-Metallic Conduit (2")	LF	140.00	\$ 31.00	140.00	0.00	\$ -	0.00	\$ -
707 CO1.77A	Non-Metallic Conduit (3")	LF	446.00	\$ 54.00	446.00	0.00	\$ -	0.00	\$ -
708 CO1.78A	Concrete Pull Box (Type 2)	EA	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -
708 CO1.79A	Concrete Pull Box (Type 1 HD)	EA	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -
708 CO1.80A	Concrete Pull Box (Type 2 HD)	EA	10.00	\$ 1,950.00	10.00	0.00	\$ -	0.00	\$ -
709 CO1.81A	26' Traffic Signal Mast Arm and Pole With Foundation	EA	0.00	\$ 37,000.00	0.00	0.00	\$ -	0.00	\$ -
709 CO1.82A	30' Traffic Signal Mast Arm and Pole With Foundation	EA	0.00	\$ 44,000.00	0.00	0.00	\$ -	0.00	\$ -
709 CO1.83A	32' Traffic Signal Mast Arm and Pole With Foundation	EA	0.00	\$ 41,000.00	0.00	0.00	\$ -	0.00	\$ -
709 CO1.84A	42' Traffic Signal Mast Arm and Pole With Foundation	EA	0.00	\$ 45,000.00	0.00	0.00	\$ -	0.00	\$ -
710 CO1.85A	Traffic Signal Pedestal Pole with Foundation	EA	0.00	\$ 5,500.00	0.00	0.00	\$ -	0.00	\$ -
SP-48&713 CO1.86A	Local Radio (E-Net 5.8) With Antenna	EA	0.00	\$ 4,000.00	0.00	0.00	\$ -	0.00	\$ -
SP-48&713 CO1.87A	E-Net Cable (Exterior Cat 5e)	LF	0.00	\$ 6.25	0.00	0.00	\$ -	0.00	\$ -
714 CO1.88A	Electrical Conductors-In-Conduit (1c/8 A.W.G., E.G.C.)	LF	0.00	\$ 2.75	0.00	0.00	\$ -	0.00	\$ -
714 CO1.89A	Electrical Conductors-In-Conduit (1c/12 A.W.G., E.G.C.)	LF	0.00	\$ 1.95	0.00	0.00	\$ -	0.00	\$ -
714 CO1.90A	Electrical Conductors-In-Conduit (2c/6 A.W.G.)	LF	0.00	\$ 5.45	0.00	0.00	\$ -	0.00	\$ -
716 CO1.91A	Electrical Conductors for Luminaires	LF	0.00	\$ 3.85	0.00	0.00	\$ -	0.00	\$ -
715 CO1.92A	LED Luminaire Assembly	EA	0.00	\$ 1,500.00	0.00	0.00	\$ -	0.00	\$ -
SP-44 CO1.93A	Battery Backup System	EA	0.00	\$ 17,000.00	0.00	0.00	\$ -	0.00	\$ -
SP-46 CO1.94A	Service Point Assembly (2 Circuits)	EA	0.00	\$ 4,500.00	0.00	0.00	\$ -	0.00	\$ -
SP-47 CO1.95A	18" Street Name Sign	EA	0.00	\$ 1,500.00	0.00	0.00	\$ -	0.00	\$ -
SP-45 CO1.96A	Grid Smart Video Detector System	EA	0.00	\$ 105,000.00	0.00	0.00	\$ -	0.00	\$ -
SP-20 CO1.97A	Bridge Construction Control	LS	0.00	\$ 25,000.00	0.00	0.00	\$ -	0.00	\$ -
SP-20 CO1.98A	Class 2 Protective Surface Treatment	SY	0.00	\$ 19.00	0.00	0.00	\$ -	0.00	\$ -
SP-20 CO1.99A	Class 3 Protective Surface Treatment	LF	0.00	\$ 305.00	0.00	0.00	\$ -	0.00	\$ -
SP-20, SS CO.1.100A	Transitional Approach Railing	EA	0.00	\$ 8,800.00	0.00	0.00	\$ -	0.00	\$ -
SP-20 CO1.101A	Modification of Existing Bridge Structure	LS	0.00	\$ 185,000.00	0.00	0.00	\$ -	0.00	\$ -
SP-26 CO1.102A	31' Precast Concrete Curb Units	EA	0.00	\$ 14,700.00	0.00	0.00	\$ -	0.00	\$ -

WORK COMPLETED TO-DATE

HAR-BER AVENUE EXTENSION - 40TH STREET TO GUTENSOHN

INVOICE NUMBER: 3

TO: 08/31/22

ITEM NUMBER	DESCRIPTION	UNIT	ORIGINAL CONTRACT QUANTITY	UNIT PRICE	REVISED CONTRACT QUANTITY	QUANTITY THIS INVOICE	AMOUNT THIS INVOICE	QUANTITY TO-DATE	AMOUNT TO-DATE
SP-26 CO1.103A	31' Precast Concrete Interior Units	EA	0.00	\$ 14,500.00	0.00	0.00	\$ -	0.00	\$ -
SP-26 CO1.104A	31' Precast Parapet Rail Units	EA	0.00	\$ 16,500.00	0.00	0.00	\$ -	0.00	\$ -
SP-56 CO1.105A	Latex Modified Concrete Overlay (1-1/2" Thick)	SY	0.00	\$ 125.00	0.00	0.00	\$ -	0.00	\$ -
CO-1.1	Foundation and Anchor Bolts for 24' Traffic Signal Mast Arm	EA	0.00	\$ 23,200.00	2.00	0.00	\$ -	0.00	\$ -
CO-1.5	Foundation and Anchor Bolts for 26' Traffic Signal Mast Arm	EA	0.00	\$ 23,200.00	1.00	0.00	\$ -	0.00	\$ -
CO-1.6	Foundation and Anchor Bolts for 30' Traffic Signal Mast Arm	EA	0.00	\$ 23,200.00	1.00	0.00	\$ -	0.00	\$ -
CO-1.7	Foundation and Anchor Bolts for 32' Traffic Signal Mast Arm	EA	0.00	\$ 23,200.00	1.00	0.00	\$ -	0.00	\$ -
CO-1.3	Foundation and Anchor Bolts for 40' Traffic Signal Mast Arm	EA	0.00	\$ 23,600.00	1.00	0.00	\$ -	0.00	\$ -
CO-1.8	Foundation and Anchor Bolts for 42' Traffic Signal Mast Arm	EA	0.00	\$ 23,600.00	1.00	0.00	\$ -	0.00	\$ -
CO-1.4	Foundation and Anchor Bolts for 46' Traffic Signal Mast Arm	EA	0.00	\$ 23,600.00	1.00	0.00	\$ -	0.00	\$ -
CO-1.9	Foundation for Pedestrian Signal Pole	EA	0.00	\$ 3,800.00	8.00	0.00	\$ -	0.00	\$ -
CO-1.10	Replace Flowable Fill in Trenches with #57 Clean Rock and Compacted Class 7 Aggregate Base Course (Savings)	LS	0.00	\$ (108,880.00)	1.00	0.00	\$ -	0.00	\$ -
CO-1.11	2" Non-Metallic Conduit with Pull String for Future City Fiber	LF	0.00	\$ 19.50	8,000.00	0.00	\$ -	0.00	\$ -
CO-1.12	Concrete Pull Box (Type 2 HD for Future Fiber)	EA	0.00	\$ 1,950.00	10.0	0.00	\$ -	0.00	\$ -
TOTALS							\$ 1,911,152.75		\$ 2,475,818.25

MATERIALS STORED

HAR-BER AVENUE EXTENSION - 40TH STREET TO GUTENSOHN

INVOICE NUMBER: 3

TO: 08/31/22

COMPANY NAME	DESCRIPTION OF STORED MATERIAL	INVOICE NO.	UNIT	UNIT PRICE	QUANTITY STORED	\$AMOUNT STORED	QUANTITY INSTALLED	\$AMOUNT INSTALLED	BALANCE REMAINING
Scurlock Indust	12' x 7' x 6' Box Culvert	0039054-IN	LF	\$1,040.00	42.00	43,680.00	42.00	43,680.00	0.00
Scurlock Indust	12' x 7' x 6' Box Culvert	0039090-IN	LF	\$1,040.00	42.00	43,680.00	42.00	43,680.00	0.00
Scurlock Indust	12' x 7' x 6' Box Culvert	0039103-IN	LF	\$1,040.00	84.00	87,360.00	84.00	87,360.00	0.00
Scurlock Indust	12' x 7' x 6' Box Culvert	0039113-IN	LF	\$1,040.00	48.00	49,920.00	48.00	49,920.00	0.00
Scurlock Indust	12' x 7' x 6' Box Culvert	0039135-IN	LF	\$1,040.00	30.00	31,200.00	30.00	31,200.00	0.00
Scurlock Indust	12' x 7' x 6' Box Culvert	0039152-IN	LF	\$1,040.00	6.00	6,240.00	6.00	6,240.00	0.00
TOTAL WITHOUT TAXES						262,080.00		262,080.00	0.00
SCURLOCK TAXES @ 9.75%						25,474.80		25,474.80	0.00
GRAND TOTAL						287,554.80		287,554.80	0.00

PAYMENT SUMMARY TO DATE
HAR-BER AVENUE EXTENSION - 40TH STREET TO GUTENSOHN

INVOICE NUMBER: 3
TO: 08/31/22

Invoice Number	Date	Total Work & Materials For Period	Retainage For Period	Payment Owed For Period
1R	06/30/22	\$ 200,487.50	\$ (10,024.38)	\$ 190,463.12
2	07/31/22	\$ 651,732.80	\$ (18,208.90)	\$ 633,523.90
Total To-date for Previous Payments		\$ 852,220.30	\$ (28,233.28)	\$ 823,987.02
Current Invoice 3	08/31/22	\$ 1,623,597.95	\$ (95,557.63)	\$ 1,528,040.32
Total To-date Including This Invoice		\$ 2,475,818.25	\$ (123,790.91)	\$ 2,352,027.34
Original Contract Amount		\$ 11,386,350.15		
Change Order		\$ (1,400,655.30)		
Revised Contract Amount		\$ 9,985,694.85		

RESOLUTION NO. _____

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE TO UTLIZE FEDERAL FUNDING FOR THE FOLLOWING PROJECT: CARBON REDUCTION (CRP), PLANNING AND DESIGN.

WHEREAS, the Northwest Arkansas Regional Planning Commission is accepting applications for Carbon Reduction Program (CRP) funds for projects designed to reduce transportation emissions, up to the maximum Federal-aid available.

TYPE WORK	WORK PHASE	FEDERAL	CITY	TOTAL
Planning and Design of City Project	Project Evaluation, Development and Design	80% \$100,000	20% \$25,000	100% \$125,000

WHEREAS, Planning and design of on-road and off-road trail facilities are eligible activities.

WHEREAS, a maximum \$25,000 city match is required with a maximum \$100,000 Carbon Reduction Program 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 1: The City will participate in accordance with its designated responsibility in this project.

Section 2: The City pledges its full support and hereby authorizes the Northwest Arkansas Planning Commission 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 EXPRESSING THE WILLINGNESS OF
THE CITY OF SPRINGDALE TO PARTNER WITH THE
ARKANSAS DEPARTMENT OF TRANSPORTATION FOR
THE I-49 TO HWY 265 SPRINGDALE BYPASS (S)
PROJECT (JOB 090621).**

WHEREAS, the Arkansas Department of Transportation ("the Department") has programmed a project to construct the portion of the Springdale Northern Bypass from Interstate 49 to Highway 265;

WHEREAS, the City of Springdale ("the City") has requested a modification to the proposed project to include a grade separation and overpass for the Dixieland Road extension and design modifications for the interchanges on Highway 612 with Highway 71B and Highway 265 to accommodate a 12-foot sidepath;

WHEREAS, the City agrees to provide funding for the accommodation of the 12-foot sidepath currently estimated at \$200,000.00;

WHEREAS, the Department has agreed to the requested modifications within the right-of-way of the Highway 71B and Highway 265 interchanges with the assurance that the sidepath accommodations will be cost-neutral for the Department; and

WHEREAS, the portion outside the interchanges will be constructed using the Department's standard design.

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

Section 1: The City will participate in accordance with its designated responsibilities in this project.

Section 2: The Mayor, or his designated representative, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite implementation of this project.

Section 3: The City pledges its full support and hereby requests that the Arkansas Department of Transportation initiate action to implement these improvements.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

ARKANSAS STATE HIGHWAY COMMISSION

ROBERT S. MOORE, JR.
CHAIRMAN
ARKANSAS CITY

DALTON A. FARMER, JR.
VICE CHAIRMAN
JONESBORO

PHILIP TALDO
SPRINGDALE



P.O. Box 2261 • Little Rock, Arkansas 72203-2261
Phone (501) 569-2000 • Voice/TTY 711 • Fax (501) 569-2400
www.AzDOT.gov • www.IDriveArkansas.com

KEITH GIBSON
FORT SMITH

MARIE HOLDER
LITTLE ROCK

LORIE H. TUDOR, P.E.
DIRECTOR

September 9, 2022

The Honorable Doug Sprouse
Mayor of Springdale
201 Spring St.
Springdale, Arkansas 72764

Dear Mayor Sprouse:

Reference is made to our previous correspondence regarding the planned extension of Dixieland Road and the City's request for consideration of a grade separation at Dixieland Road's intersection with the future Springdale Bypass. The City also requested design modifications at the Springdale Bypass' interchanges with Highway 71B and Highway 265 to accommodate a 12-foot sidepath.

The Department has completed the evaluation of your requests and is agreeable to constructing an overpass over the Dixieland Road extension at no cost to the City under Job 090621, which will construct the Springdale Bypass (Highway 612) from Interstate 49 to Highway 265. Additionally, the Department is willing to construct the 12-foot sidepath within the right-of-way of the Highway 71B and Highway 265 interchanges, as shown in the enclosed map, if the City is agreeable to paying for all additional costs associated with this accommodation, currently estimated to be \$200,000.

If you would like to proceed with the 12-foot sidepath, please have your City Council approve a resolution (sample enclosed) authorizing you to enter into any necessary agreements with the Department for construction of the proposed sidepath. An original signed and sealed resolution should be returned to the Department.

Thank you for your interest in Arkansas' transportation system and coordination with the Department on this important project. Should you need further information in the interim, please contact Jessie Jones, Division Head of our Program Management Division, at (501) 569-2262.

Sincerely,

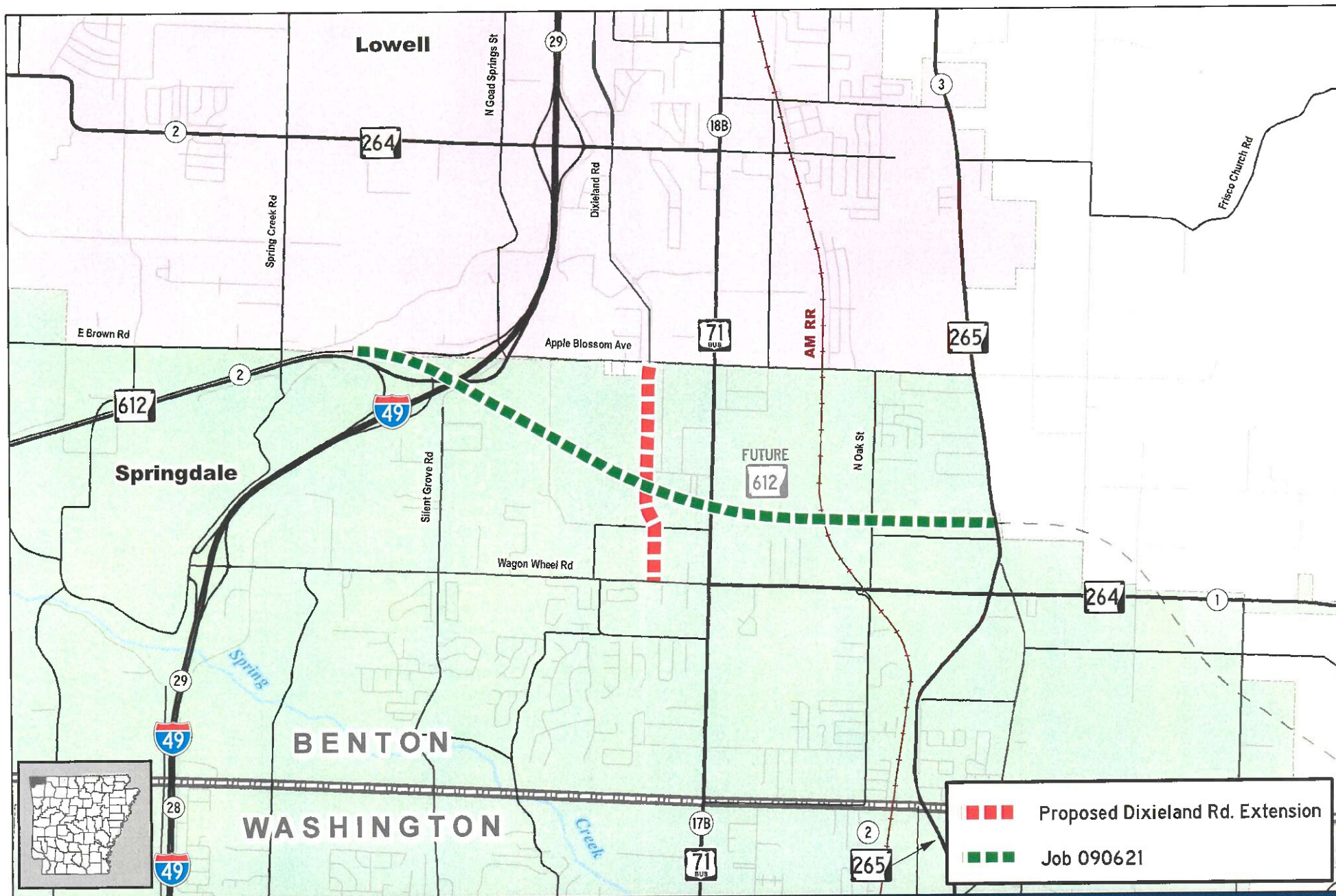
A handwritten signature in blue ink that reads "Lorie H. Tudor".

Lorie H. Tudor, P.E.
Director

Enclosures

c: Highway Commission
Deputy Director and Chief Operating Officer
Deputy Director and Chief Engineer
Assistant Chief Engineers
Bridge
Environmental
Mr. Jeff Hawkins, NWA Regional Planning Commission

Program Management
Right of Way
Roadway Design
Transportation Planning and Policy
District 9
Job 090621 'C' File



Springdale Bypass in the Vicinity of Proposed Dixieland Rd. Ext. **Apple Blossom Ave. – Wagon Wheel Rd.**

Benton County



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE SALE OF
PROPERTY TO LEISURE HOMES CORPORATION
LOCATED AT 226 MCCOLLOUGH DRIVE.**

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 Property"):

Washington County Tax Parcel Nos. 815-28738-210 & 815-28738-230, and as shown on the attached Exhibit "A" which is incorporated herein by reference.

EXHIBIT "A"

Part of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, described as beginning at a point 330 feet West and 200 feet South of the NE Corner of said 40 acre tract, thence South 1120 feet, thence East 165 feet, thence North 1120 feet, thence West 165 feet to the point of beginning. and

Part of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, described as follows, to-wit: Beginning at a point 500 feet South of the NE Corner of said 40 acre tract, thence South 820 feet, thence West 165 feet, thence North 820 feet, thence East 165 feet to the point of beginning.

And an easement for ingress and egress, described as follows, to-wit: Beginning at the NE Corner of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, run thence South 610 feet, thence West 165 feet to the true point of beginning, thence North 610 feet, thence West 15 feet, thence South 610 feet, thence East 15 feet to the true point of beginning.

LESS AND EXCEPT: Part of the SE 1/4 of the SE 1/4 of Section 13, Township 18 North, Range 29 West, described as follows: Beginning at a point 500 feet South of the NE Corner of said 40 acre tract, thence South 110 feet, thence West 165 feet, thence North 110 feet, thence East 165 feet to the point of beginning. LESS AND EXCEPT: Part of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, Washington County, Arkansas, being more particularly described as follows: commencing at a found railroad spike, used as the NE Corner of the SE 1/4 of the SE 1/4; thence North 87 degrees 33 minutes 07 seconds West 165.0 feet; thence South 2 degrees 29 minutes 56 seconds West 203.79 feet to a set 5/8" diameter iron pin and the point of beginning; thence continue South 2 degrees 29 minutes 56 seconds West 120.00 feet to a 5/8" diameter iron pin; thence North 87 degrees 33 minutes 07 seconds West 167.31 feet to a set 5/8" diameter iron pin; thence North 2 degrees 14 minutes 57 seconds East 120.00 feet to a set 5/8" diameter iron pin; thence South 87 degrees 33 minutes 07 seconds East 167.83 feet to the point of beginning, containing 0.46 acres, more or less.

WHEREAS, on May 11, 2021, the City of Springdale passed Resolution No. 56-21, authorizing the Mayor and City Clerk to enter into an option agreement for the purchase of the Property;

WHEREAS, Leisure Homes Corporation wishes to exercise its right to purchase the Property pursuant to the option to purchase agreement for the sum of \$260,000.00;

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

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 sale of the Property to Leisure Homes Corporation for the total sum of \$260,000.00.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

RESOLUTION NO. 56-21

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN "OPTION AGREEMENT FOR THE PURCHASE OF REAL ESTATE" ON PROPERTY OWNED BY THE CITY OF SPRINGDALE.

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 Property"):

Washington County Tax Parcel Nos. 815-28738-210 & 815-28738-230, and as shown on the attached Exhibit "A" which is incorporated herein by reference.

EXHIBIT "A"

Part of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, described as beginning at a point 330 feet West and 200 feet South of the NE Corner of said 40 acre tract, thence South 1120 feet, thence East 165 feet, thence North 1120 feet, thence West 165 feet to the point of beginning. and

Part of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, described as follows, to-wit: Beginning at a point 500 feet South of the NE Corner of said 40 acre tract, thence South 820 feet, thence West 165 feet, thence North 820 feet, thence East 165 feet to the point of beginning.

And an easement for ingress and egress, described as follows, to-wit: Beginning at the NE Corner of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, run thence South 610 feet, thence West 165 feet to the true point of beginning, thence North 610 feet, thence West 15 feet, thence South 610 feet, thence East 15 feet to the true point of beginning.

LESS AND EXCEPT: Part of the SE 1/4 of the SE 1/4 of Section 13, Township 18 North, Range 29 West, described as follows: Beginning at a point 500 feet South of the NE Corner of said 40 acre tract, thence South 110 feet, thence West 165 feet, thence North 110 feet, thence East 165 feet to the point of beginning. LESS AND EXCEPT: Part of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, Washington County, Arkansas, being more particularly described as follows: commencing at a found railroad spike, used as the NE Corner of the SE 1/4 of the SE 1/4; thence North 87 degrees 33 minutes 07 seconds West 165.0 feet; thence South 2 degrees 29 minutes 56 seconds West 203.79 feet to a set 5/8" diameter iron pin and the point of beginning; thence continue South 2 degrees 29 minutes 56 seconds West 120.00 feet to a 5/8" diameter iron pin; thence North 87 degrees 33 minutes 07 seconds West 167.31 feet to a set 5/8" diameter iron pin; thence North 2 degrees 14 minutes 57 seconds East 120.00 feet to a set 5/8" diameter iron pin; thence South 87 degrees 33 minutes 07 seconds East 167.83 feet to the point of beginning, containing 0.46 acres, more or less.

WHEREAS, Community Development Corporation of Bentonville/Bella Vista, Inc., and its assigns, wishes to hold an option to purchase the Property;

WHEREAS, the City of Springdale is acceptable with the terms of an Option Agreement for the Purchase of Real Estate, which is attached hereto as Exhibit "B" and is incorporated herein by reference, which memorializes the agreement between the parties;

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

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 the attached Option Agreement for the Purchase of Real Estate, attached hereto, with Community Development Corporation of Bentonville/Bella Vista, Inc.

PASSED AND APPROVED this 11th day of May 2021.



Doug Sprouse, Mayor

ATTEST:



Denise Pearce, City Clerk

APPROVED:



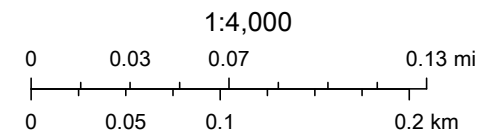
Ernest B. Cate, City Attorney

City of Springdale Zoning Map



April 27, 2021

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



City of Springdale, Clayton Sedberry

OPTION AGREEMENT FOR THE PURCHASE OF REAL ESTATE

THIS OPTION AGREEMENT FOR THE PURCHASE OF REAL PROPERTY (hereinafter "Agreement") is entered on this 12th day of May, 2021, by and between the **City of Springdale** located at 201 N. Spring St., Springdale, AR 72762 (hereinafter "Owner"), and **Community Development Corporation of Bentonville/Bella Vista, Inc. or assigns**, located at 808 N. Main St., Bentonville, AR 72712 (hereinafter "Purchaser").

WITNESSETH

WHEREAS, Owner is owner of certain parcels of real property, located in Washington County, State of Arkansas, more particularly described on attached Exhibit "A" (hereinafter the "Property");

WHEREAS, Owner is holding said Property and is willing to allow Purchaser to complete various predevelopment activities on said Property if Purchaser so chooses, at Purchaser's expense, more particularly described on attached Exhibit "B";

WHEREAS, Purchaser desires to obtain an option to purchase the Property within a certain period of time (hereinafter "Option"), in order to protect Purchaser's potential investment of time and money;

WHEREAS, Owner is willing to give Purchaser said Option in return for the financial consideration as set forth in this Agreement,

WHEREAS, the parties desire to reduce their agreement to writing.

THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties stipulate and agree as follows:

A G R E E M E N T

1. **Property.** Owner represents and warrants that it is the beneficial and rightful owner of the Property, with good and marketable title free and clear of all security interests, mortgages, liens, pledges, charges, claims, or encumbrances of any kind or character.

2. **Granting and Exercising of Option.** Owner grants Purchaser an irrevocable Option to Purchase the Property on the terms and conditions set forth in this Agreement. Purchaser may exercise this Option unilaterally at any time during the term it is offered. Purchaser shall exercise this Option by delivering written notice to Owner's address, as set forth above, with standard U.S. postmarked mail service.

3. **Option Price.** The consideration Purchaser shall pay for the "Option" to purchase the Property, shall be one dollar (\$1.00) (hereinafter "Option Price"). This Option Price shall be non-refundable and payable upon the execution of this Agreement.

Option Agreement
Page- 1

4. **Option Term.** The term of this Agreement, and the term during which Owner grants this Option to Purchaser, is for the period beginning upon the execution of this Agreement and expiring on December 31st, 2022.

5. **Purchase Price.** If Purchaser exercises this Option, the price Purchaser shall pay for the Property shall be Two Hundred Sixty Thousand Dollars (\$260,000.00) (hereinafter "Purchase Price"). Said Purchase Price is based on an appraisal obtained by Owner.

6. **Closing.** Closing for said Purchase under this Option shall take place within sixty (60) days of Purchaser giving written notice to Owner, notifying Owner of said intent to exercise said Option (hereinafter "Closing"). However, at no time shall Closing take place later than March 1st, 2023. Therefore, Purchaser shall notify owner of its intent to exercise this Option no later than December 31st, 2022.

7. **Payment of Purchase Price.** Upon Purchaser's exercise of this Option, the Purchaser shall pay for the entire Purchase Price, in cash or its equivalent, at Closing.

8. **Title.** Upon the terms and conditions agreed to and set forth herein, at the Closing, Owner shall convey to Purchaser, by standard warranty deed, with good and indefeasible marketable title in fee simple to the Property free and clear of any and all liens, encumbrances, conditions, easements, restrictions and other conditions, except for the Permitted Exceptions.

9. **Closing Costs.** The parties agree to apportion Closing costs based on standard real estate sales and purchase agreements in the State of Arkansas, including standard apportionment for costs such as property tax, etc.

10. **Title Policy.** If Purchaser so desires, at Closing, Owner shall deliver to Purchaser a standard coverage form of Owner Policy of Title Insurance in the full amount of the Purchase Price, insuring Purchaser's indefeasible fee simple title to the Property subject only to the Permitted Exceptions and taxes for the year of Closing and subsequent assessments for prior years due to change in land usage or ownership.

11. **Liens Against Property.** Owner and Purchaser hereby agree that there shall be no liens placed upon the Property, by either Owner or Purchaser, during the term of this Agreement and the Property transferred to Purchaser upon the exercise of this Option shall be delivered free of all liens and/or encumbrances of any kind. Additionally, Purchaser shall indemnify and hold harmless the Owner against and from any and all liens, mechanics or otherwise that may be place upon this Property related either directly or indirectly to Purchaser's actions, or its agents or assigns.

12. **Liability for Purchaser's Potential Improvements.** Owner shall not be liable for any damage, either to person or property, sustained due to the operations or actions of Purchaser in its improvement of the property in any tangible or intangible manner. The parties agree that Purchaser shall have no duty or obligation of any kind to improve, upkeep or repair the Property. However, Purchaser shall not negatively impact the value of the Property, below the Purchase Price, due to the happening of any act of Purchaser, its agents, servants or employees, or shall be liable to Owner for said damage.

13. **Option Assignable.** Owner agrees that Purchaser may assign this Option on or before Closing.

14. Miscellaneous

A. **Entire Agreement.** This Agreement embodies the entire agreement between the parties and cannot be varied except by the written agreement of the parties.

B. **Survival.** All promises, representations and warranties intended to extend beyond the closing date shall survive the Closing.

C. **Notices.** Any notice required or permitted to be delivered hereunder shall be deemed to be delivered (a) when delivered, if personally delivered or by an overnight or other courier service, or (b) whether or not actually received, when deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to Seller or Purchaser, as the case may be, addressed as follows:

Seller:

City of Springdale
Attn.: Mayor Doug Sprouse
201 N. Spring St.
Springdale, AR 72762

Purchaser:

CDC Bentonville/Bella Vista Inc.
808 N. Main St. #1
Bentonville, AR 72712

Such addresses may be changed from time to time by either party by providing written notice in the manner set forth above.

D. **Successors and Assigns.** All of the terms and conditions of this Agreement are hereby made binding on the successors and permitted assigns of both parties hereto.

E. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Arkansas, and venue for any disputes shall be in Benton County.

F. **Attorneys' Fees.** In the event that a legal action is brought to enforce the terms of this Agreement, the prevailing party shall be entitled to collect its costs of court, including reasonable attorneys' fees.

G. **Severability.** If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws, such provision shall be fully severable, and this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement, and the remaining provisions of this Agreement shall remain in full force and effect and not be affected by the illegal, invalid or unenforceable provision or by its severance from this Agreement, provided that both parties may still effectively realize the complete benefit of the transaction contemplated hereby.

H. **Amendments.** No modification or amendment of this Agreement shall be effective unless made in writing and executed by both Owner and Purchaser. In the event any approval or consent is required pursuant to any provision of this Agreement, such approval or consent shall be deemed given only if it is in writing, executed by the party whose approval or consent is required.

Option Agreement
Page- 3

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

PURCHASER

Community Development Corporation of
Bentonville/Bella Vista, Inc.

By: _____

The duly authorized and acting Mayor of the City of Springdale, Arkansas, Doug Sprouse, and attested by its duly authorized and acting City Clerk of the City of Springdale, both of whom are authorized to bind the Owner to this Agreement.

Doug Sprouse ATTEST: Denise Pearce
Doug Sprouse, Mayor Denise Pearce, City Clerk

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF WASHINGTON

)SS
)

On this the ____ day of _____, 2021, before me, a Notary Public, qualified and acting, within and for the said County and State, appeared in person the within named _____ (being the person authorized by Purchaser herein to execute such instrument), to me personally known and who stated he/she was the _____ of Community Development Corporation of Bentonville/Bella Vista, Inc., and was duly authorized in his capacity to execute the foregoing instrument for and in the name and behalf of said Purchaser, and further stated and acknowledged that he had so signed, executed and delivered foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of _____, 2021.

My Commission Expires:

Notary Public

ACKNOWLEDGMENT

STATE OF ARKANSAS)SS
COUNTY OF WASHINGTON)

BE IT REMEMBERED, that on this day, came before the undersigned, a Notary Public, within and for the County aforesaid, duly commissioned and acting Doug Sprouse and Denise Pearce, to me well known as the Mayor and City Clerk for the City of Springdale, the Seller in the foregoing Agreement, and stated that they had executed the same for the consideration and purposes therein mentioned and set forth.

Witness my hand and seal as such Notary Public this ____ day of _____, 2021.

My Commission Expires

Notary Public

Option Agreement
Page- 5

Exhibit "A"

Washington County Parcel #s 815-28738-210 & 815-28738-230

EXHIBIT "A"

Part of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, described as beginning at a point 330 feet West and 200 feet South of the NE Corner of said 40 acre tract, thence South 1120 feet, thence East 165 feet, thence North 1120 feet, thence West 165 feet to the point of beginning. and

Part of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, described as follows, to-wit: Beginning at a point 500 feet South of the NE Corner of said 40 acre tract, thence South 820 feet, thence West 165 feet, thence North 820 feet, thence East 165 feet to the point of beginning.

And an easement for ingress and egress, described as follows, to-wit: Beginning at the NE Corner of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, run thence South 610 feet, thence West 165 feet to the true point of beginning, thence North 610 feet, thence West 15 feet, thence South 610 feet, thence East 15 feet to the true point of beginning.

LESS AND EXCEPT: Part of the SE 1/4 of the SE 1/4 of Section 13, Township 18 North, Range 29 West, described as follows: Beginning at a point 500 feet South of the NE Corner of said 40 acre tract, thence South 110 feet, thence West 165 feet, thence North 110 feet, thence East 165 feet to the point of beginning. LESS AND EXCEPT: Part of the SE 1/4 of the SE 1/4 of Section 31, Township 18 North, Range 29 West, Washington County, Arkansas, being more particularly described as follows: commencing at a found railroad spike, used as the NE Corner of the SE 1/4 of the SE 1/4; thence North 87 degrees 33 minutes 07 seconds West 165.0 feet; thence South 2 degrees 29 minutes 56 seconds West 203.79 feet to a set 5/8" diameter iron pin and the point of beginning; thence continue South 2 degrees 29 minutes 56 seconds West 120.00 feet to a 5/8" diameter iron pin; thence North 87 degrees 33 minutes 07 seconds West 167.31 feet to a set 5/8" diameter iron pin; thence North 2 degrees 14 minutes 57 seconds East 120.00 feet to a set 5/8" diameter iron pin; thence South 87 degrees 33 minutes 07 seconds East 167.83 feet to the point of beginning, containing 0.46 acres, more or less.

Exhibit “B”

Anticipated pre-development activities:

- Financing commitment
- Appraisal
- Re-zoning
- Market Study
- Environmental clearance
- Site engineering
- Architectural design

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE A NON-BINDING LETTER OF INTENT
PERTAINING TO PROPERTY LOCATED AT 1403
POWELL STREET, SPRINGDALE, WASHINGTON
COUNTY, ARKANSAS.**

WHEREAS, property located at 1403 Powell Street, City of Springdale, Arkansas (Washington County Tax Parcel No. 815-28751-000), consisting of a 59,400 square foot industrial building on approximately 5.13 acres of land, is of interest to the City, as it would be beneficial for future development of that portion of the City;

WHEREAS, the City would like to engage in negotiations to possibly purchase the Property;

WHEREAS, the City and the owner of the Property desire to enter into a non-binding Letter of Intent, in order to facilitate the drafting of a formal Purchase and Sale Agreement for the Property; and

WHEREAS, the City Council of the City of Springdale wishes to give the Mayor the authority to execute a non-binding Letter of Intent for the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that the Mayor is hereby authorized to execute a non-binding Letter of Intent, in order to facilitate negotiations for the City's possible purchase of the Property.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



NON-BINDING AGREEMENT

September 28, 2022

Mueller Industries
ATTN: Mr. Jack Treas
150 Schilling Blvd, Suite 100
Collierville, TN 38017

RE: Letter of Intent ("LOI") – ATCO Rubber Products Inc, 1403 Powell Street, Springdale AR, Washington County, Parcel ID: 815-28751-000

The City of Springdale ("Purchaser") is pleased to submit the following Letter of Intent ("LOI") for the purchase of the above referenced real estate from ATCO Rubber Products, Inc ("Seller"). The purpose of this LOI is to facilitate the drafting of a formal Purchase and Sale Agreement ("PSA"), which shall specify in greater detail the terms and conditions of this sale. Purchaser shall prepare and deliver the PSA within ten (10) business days after the execution of the LOI.

Property

1403 Powell Street, Springdale AR, Washington County (Parcel: 815-28751-000)
59,400 square foot industrial building on 5.13 acres of land area

Purchase Price

Purchase price to be \$2,475,000.

Earnest Money

Earnest Money of \$20,000 to be paid as follows: \$10,000 payable within 3 business days after acceptance. Remaining \$10,000 payable within 3 business days after Due Diligence period. Earnest Money will apply to Purchase Price and become non-refundable after satisfactory Due Diligence period.

Due Diligence Period

Purchaser will have ninety (90) days from the effective date of the PSA in order to complete Due Diligence, which shall include but not be limited to environmental assessment, physical examination of the Property, and a comprehensive evaluation of all other aspects of the Property.

Leaseback

The Purchaser agrees to enter into a leaseback contract with the Seller for a period of 3 years at a lease rate of \$3.00 per square foot with a one (1) year extension. Terms to be agreed upon within sixty (60) days of the PSA effective date.



Closing

Closing is contingent upon the satisfactory completion of Due Diligence. The Closing is set to occur 30 days after Due Diligence period has been satisfied.

Costs

Each party will bear its own expenses in connection with the evaluation, negotiation, and/or consummation of the transaction, including the fees and expenses of attorneys, accountants, and consultants. Seller is responsible for all costs associated with delivering clear title to the Purchaser, any costs related to extinguishing any existing debt encumbering the Property, and the payment of transfer taxes, if any. Purchaser will be responsible for the payment of its own Due Diligence expenses and recording fees. The parties will equally share the escrow expenses. Any interest, ad valorem taxes, rents, operating expenses, etc., shall be prorated as required.

Exclusivity

Seller agrees to deal exclusively with Purchaser in connection with the transaction beginning on the date that Seller countersigns LOI and continuing through the date of Closing. Seller may enter into back-up offers only.

Access to Information

The Seller will provide Purchaser with prompt and timely access to all information that is relevant and necessary to expeditiously pursue the transaction.

Expiration to Purchase

This LOI counter will expire at 5:00 PM CST on October 30th, 2022, unless said LOI has been agreed to, accepted, and executed by both parties.

Brokerage Commission

Both parties recognize that Griffin Company Realtors represents Purchaser and shall be paid a 5% commission by the Buyer, pursuant to a separate agreement.

Governing Law

This LOI is governed by and shall be construed in accordance with the laws of the State of Arkansas applicable to contract made and performed in that State.



This LOI is only an expression of the mutual intent of the Seller and Purchaser concerning some aspects of the proposed transaction described above, it being understood that all material terms of the proposed transaction are not yet fully specified or agreed upon between the parties. It is understood that this LOI is not legally binding and no liabilities or obligations of any kind whatsoever are created hereby between the parties. Notwithstanding the foregoing, all deal points explicitly identified and agreed to in this LOI shall not be altered during the negotiation of the PSA.

Sincerely,

Greg Taylor
Executive Broker

Purchaser: CITY OF SPRINGDALE

By:

Title:

Agreed to and Accepted by:

Seller: _____

By: _____

Title: _____

Date: _____

RESOLUTION NO. _____

**A RESOLUTION TO AUTHORIZE THE PROVISION OF
GOVERNMENT SERVICES FOR THE CITIZENS OF
SPRINGDALE, ARKANSAS FROM THE AMERICAN
RESCUE PLAN ACT (ARPA) FUNDS.**

WHEREAS, the City of Springdale, Arkansas has been directly affected by the COVID- 19 global pandemic;

WHEREAS, the City of Springdale, Arkansas has experienced a reduction in revenues as a result of the COVID-19 global pandemic;

WHEREAS, the City of Springdale, Arkansas continued to provide essential services to its residents throughout the COVID-19 pandemic;

WHEREAS, the City of Springdale, Arkansas will continue to provide essential services to its residents; and

WHEREAS, the City of Springdale, Arkansas desires to use a portion of the \$9,236,788 American Rescue Plan Act (ARPA) funds previously designated as lost revenue.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS authorizes the obligation of an amount not to exceed \$635,000.00 to the provision of government services for the citizens of Springdale, Arkansas in accordance with eligible use of funds as defined by ARPA, to be paid from funds previously designated as lost revenue by Resolution No. 131-21 passed on October 27, 2021.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

RESOLUTION NO. _____

**A RESOLUTION TO AUTHORIZE RECOVERY PAY FOR
CITY STAFF TO AID IN THE RESPONDING TO THE
PUBLIC HEALTH AND ECONOMIC IMPACTS OF
COVID-19.**

WHEREAS, the City of Springdale, Arkansas has been directly affected by the COVID-19 global pandemic; and

WHEREAS, the City of Springdale, Arkansas continued to provide essential services to its residents during the COVID-19 pandemic; and

WHEREAS, there have been significant health and economic impacts to our residents, including the staff of the City of Springdale, Arkansas, as a result of the COVID-19 global pandemic; and

WHEREAS, the City of Springdale, Arkansas desires to show its support through monetary means to our staff who have ensured the continuity of essential services; and

WHEREAS, the City of Springdale, Arkansas has sufficient funds in the General Fund to fund this Recovery Pay.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS authorizes recovery pay totaling an amount not to exceed \$635,000.00 to eligible municipal staff that have been and continue to provide essential services during the COVID-19 pandemic, to be paid from the General Fund.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 5498 TO
AMEND THE DOWNTOWN SPRINGDALE OUTDOOR
DINING DISTRICT; DECLARING AN EMERGENCY; AND
FOR OTHER PURPOSES.**

WHEREAS, on August 11, 2020, the City of Springdale passed Ordinance No. 5498, which established the Downtown Springdale Outdoor Dining District ("the District"), pursuant to Ark. Code Ann. §14-54-1412, created a designated entertainment district, and set reasonable standards for the regulation of alcohol possession within the boundaries of the District;

WHEREAS, Ordinance No. 5498 granted the Public Events Committee the authority to review and recommend expansion of the boundaries of the District;

WHEREAS, the City Council has determined that the District is in keeping with the vision of the Downtown Master Plan of creating an environment that a diversity of people and businesses are attracted to help ensure long term economic and social sustainability by promoting an atmosphere that highlights restaurant, entertainment, and hospitality options; and

WHEREAS, the City Council finds that it is in the best interests of the City and its residents to amend Ordinance No. 5498 and the District, subject to the regulations set forth in this Ordinance.

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

SECTION 1: That the boundaries of the Downtown Springdale Outdoor Dining District ("District") is hereby amended and established within the boundaries as set forth and designated on the map that is attached as Exhibit A and incorporated by reference. The Public Events Committee shall continue to have the authority to review and recommend expansion of the boundaries of the District, subject to the provisions of Ark. Code Ann. §14-54-1412(a), and this Ordinance.

SECTION 2: That the following regulations shall apply to the Downtown Springdale Outdoor Dining District:

(a) Restaurants, bars, and breweries, within the District boundaries, as well as vendors at special events within the District boundaries, may serve alcoholic beverages that may be carried out of the establishment and consumed within the designated boundaries of the District between the hours of 3:00 p.m. and 10:00 p.m. on Monday through Friday, and 8:00 a.m. and 10:00 p.m. on Saturday and Sunday, as long as the beverage is contained in a designated District cup provided by a participating business in the District.

(b) The Springdale Public Events Committee shall have the right, at its discretion, to exclude Walter Turnbow Park and/or Shiloh Square during specified times.

(c) The boundaries of the District will be designated by signage placed on the sidewalk within the District.

(d) As needed trash and recycling receptacles will be placed at the boundaries of the District.

(e) A document will be prepared showing the boundaries of the District, participating bars and restaurants, information regarding the regulations of the District, and frequently asked questions. The document will be available on Explore Springdale and Downtown Springdale digital platforms.

(f) Participating restaurants and bars may not allow alcoholic beverages to be removed from the premises in glass containers and it shall be unlawful for any person to possess alcoholic beverages in glass containers at Walter Turnbow Park and Shiloh Square, and on the streets, sidewalks, rights-of-way, and parking lots located within the District.

(g) No alcoholic beverages purchased outside the District shall be allowed in open containers in the District.

(h) Nothing in this ordinance shall be construed to allow any person to possess open containers of alcohol beverages or to consume alcoholic beverages in a motor vehicle.

(i) No person shall be permitted to remove an open alcoholic beverage container from the District. All unfinished quantities of alcoholic beverages must be properly disposed of prior to the individual leaving the District

SECTION 3: This Ordinance does not diminish the requirements of the Alcoholic Beverage Control Division of the Department of Finance and Administration concerning permits issued within the designated entertainment district.

SECTION 4: Pursuant to Ark. Code Ann. §14-54-1412(b)(4), the City Clerk shall, within ten (10) days from the passage of this Ordinance, provide notice to the Alcoholic Beverage Control Division of the Department of Finance and Administration of the creation of this Entertainment District.

SECTION 5: Emergency Clause. It is hereby found and determined that the the Downtown Springdale Outdoor Dining District promotes hospitality and tourism by highlighting restaurant, entertainment, and hospitality options, and provides economic benefit to the City and its residents and business owners; thus the immediate passage of this Ordinance is necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, 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:

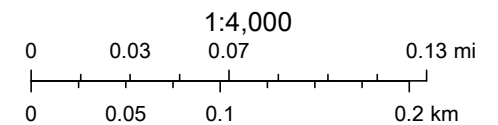
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

An aerial photograph of a residential neighborhood. The map shows a grid of streets including Putnam St, N Main St, N Shiloh St, W Center Ave, E Johnson Ave, W Emma Ave, W Meadow Ave, W Grove Ave, W Allen Ave, S Maple Dr, S Shiloh St, S Commercial St, S Water St, and Berry St. Numerous house numbers are visible on the buildings. A large area is outlined in green, and a smaller area within it is outlined in yellow. The yellow area is located near the intersection of W Grove Ave and S Shiloh St, adjacent to a creek labeled 'Spring Creek' at the bottom.

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



Page 46

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 22-91 OF THE
CODE OF ORDINANCES OF THE CITY OF SPRINGDALE,
ARKANSAS.**

WHEREAS, Chapter 22-91 of the Code of Ordinances of the City of Springdale, Arkansas, provides for the adoption of the National Electrical Code;

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to adopt the updated version of the National Electrical Code;

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

Section 1: Section 22-91 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

Sec. 22-91. National Electricall Code Adopted.

There is hereby adopted by the city, for the purpose for continued maintenance and upgrading of standards for electrical wiring, that certain electrical code known as the ~~2017~~ 2020 National Electricall Code, in its entirety, of which not less than three copies shall be filed in the office of the city clerk.

The ~~2017~~ 2020 National Electricall Code is incorporated herein as though set out fully word for word. ~~Notwithstanding the provisions of the 2017 National Electrical Code, arc fault circuit interrupters shall not be required in kitchens and laundry rooms.~~ The provisions of Section 210.8F of the 2020 National Electrical Code, dealing with the GFCI requirements for Heating, Ventilation and Air Conditioning are excluded from the adoption of the 2020 National Electrical Code.

Section 2: All other provisions of Chapter 22 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Asa Hutchison
Governor



State of Arkansas
Arkansas Department of Labor and licensing
Division of Labor
CODE COMPLIANCE SECTION

Ralph T. Hudson
Director

900 WEST CAPITOL STE 400, LITTLE ROCK, AR 72201

Phone: 501-682-4500 TRS: 800-285-1131

www.labor.arkansas.gov

TO: All Interested Parties
FROM: Lindsay Moore, Code Compliance Manager
DATE: August 25, 2022
SUBJECT: Board of Electrical Examiners NEC 2020 Code Adoption

The Board of Electrical has received formal legislative approval for the adoption of the 2020 National Electrical Code with the following exemption:

010.13-008(B)(1) The National Electrical Code

1. The provisions of Section 210.8F of the 2020 National Electrical Code, dealing with the GFCI requirements for Heating, Ventilation and Air Conditioning are excluded from the adoption of the 2020 National Electrical Code.

These rules are now in effect and a copy of the Rules for the Board of Electrical Examiners is available on the Department's website at:

<https://www.labor.arkansas.gov/labor/code-enforcement/electrical-inspection-and-licensing/>

Please contact David Gray at 501-683-4039 or david.gray@arkansas.gov for additional assistance or questions.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE GRANT OF A
UTILITY EASEMENT ACROSS PROPERTY OWNED BY
THE CITY OF SPRINGDALE, WASHINGTON COUNTY,
ARKANSAS.**

WHEREAS, the City of Springdale, Arkansas, owns property known as Parcel No. 815-25189-000 and Parcel No. 815-25190-000, Washington County, Arkansas ("the Property");

WHEREAS, Southwestern Electric Power Company (SWEPCO) is in need of a utility easement across the Property for the location of electric transmission lines being relocated due to the Razorback Greenway Trail realignment, and streetscape improvements to Emma Avenue project, as shown on the attached Exhibit "A";

WHEREAS, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached easement document (Exhibit "B") when authorized to do so by Resolution approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that the Mayor and City Clerk are hereby authorized to execute the attached easement document granting a utility easement across the Property to SWEPCO.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

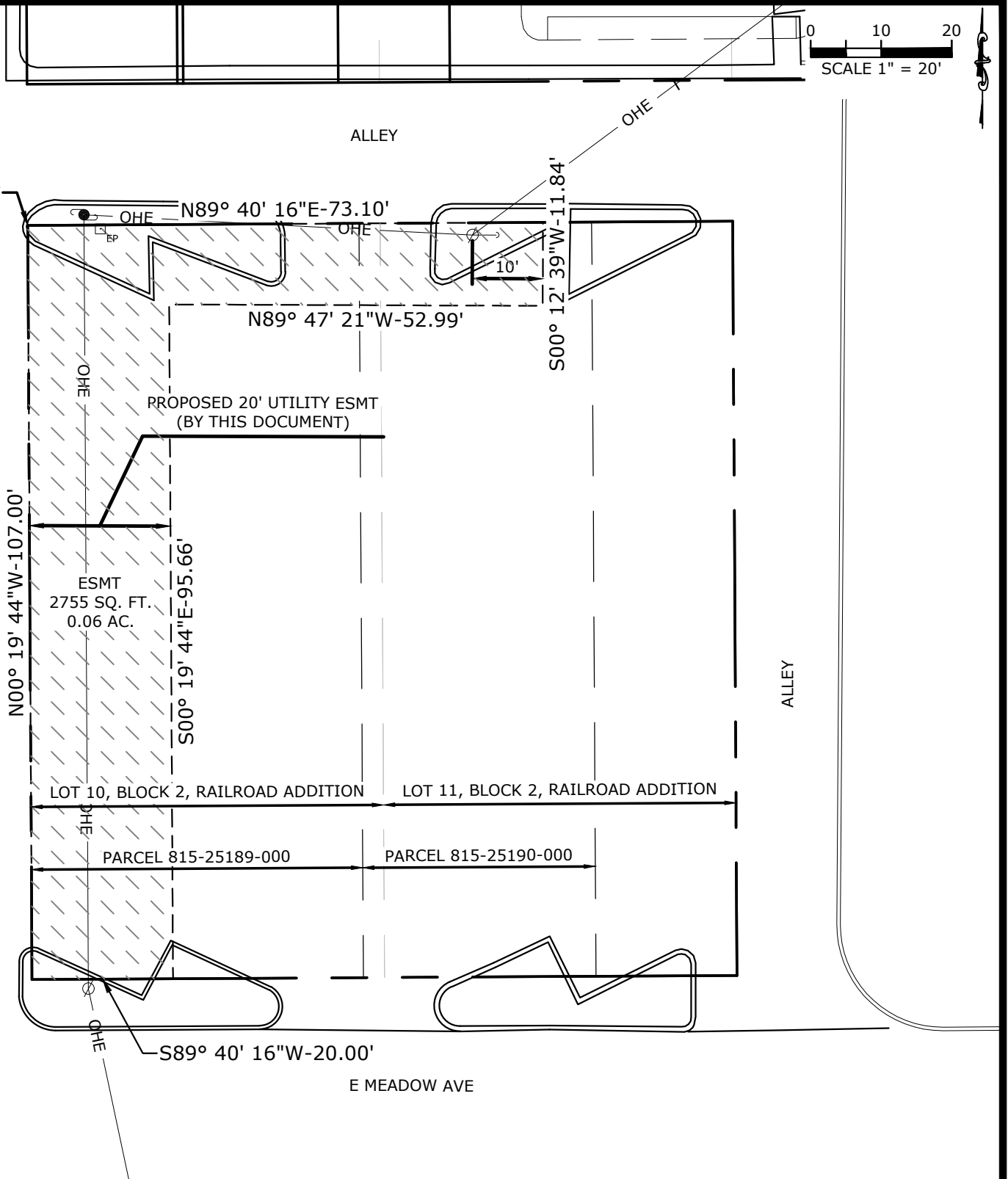
ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

W:201818-2169 - RAZORBACK GREENWAY RE-ALIGNMENT AND PUBLIC SPACE - SPRINGDALE, AR SURVEY 2022 ESMT182169 SURVEY ESMT.DWG



LEGEND

815-25189-000 — TAX PARCEL NUMBER
815-25190-000 —
861-777 — DEED RECORD

PROPOSED UTILITY EASEMENT
EXISTING PROPERTY LINE

BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH ZONE. (NOT A PLAT OF SURVEY)

PROJ. MANAGER:	DRAWN BY:
NS	DB
DATE:	REVISION:
10/05/2022	
SCALE:	PROJ. NUMBER:
AS NOTED	182169

EXHIBIT "A"
MAP

RAZORBACK GREENWAY RE-ALIGNMENT AND PUBLIC SPACE
SPRINGDALE, ARKANSAS
LOTS 10 AND 11, BLOCK 2, RAILROAD ADDITION
CITY OF SPRINGDALE

MCE McCLELLAND
CONSULTING
ENGINEERS, INC.
1580 E. STEARNS ST.
FAYETTEVILLE, AR 72703
861-377
HTTP://WWW.MCE.US.COM

EX-1

©2022

UTILITY EASEMENT

STATE OF ARKANSAS

COUNTY OF WASHINGTON

GRANTORS: CITY OF SPRINGDALE
201 N SPRING ST SPRINGDALE AR 72764

In consideration of one dollar, paid, and other good and valuable considerations, receipt of which is acknowledged, have and by these presents do grant and convey unto GRANTEE, SOUTHWESTERN ELECTRIC POWER COMPANY, a Delaware corporation, whose address is 428 Travis St, P.O. Box 21106, Shreveport, LA 71156, its associated and allied companies and their respective successors and assigns, herein referred to as GRANTEE, a perpetual utility easement over and through a part of the following described property:

Property Description Per Warranty Deed 861-777

LOTS TEN (10) AND ELEVEN (11) IN BLOCK 2, IN THE RAILROAD ADDITION TO THE TOWN (NOW CITY) OF SPRINGDALE, ARKANSAS, AS PER THE RECORDED PLAT THEREOF.

SUBJECT TO EASEMENTS OF RECORD.

Easement Description

A VARIABLE WIDTH UTILITY EASEMENT, SAID EASEMENT BEING A PART OF LOTS 10 AND 11, BLOCK 2, RAILROAD ADDITION TO THE CITY OF SPRINGDALE ARKANSAS, AS DESCRIBED IN WARRANTY DEED 861-777, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING (POB ESMT) AT THE NORTHWEST CORNER OF SAID LOT 10; THENCE N89°40'16"E, 73.10 FEET; THENCE S00°12'39"W, 11.84 FEET; THENCE N89°47'21"W, 52.99 FEET; THENCE S00°19'44"E, 95.66 FEET; THENCE S89°40'16"W, 20.00 FEET; THENCE N00°19'44"W, 107.00 FEET TO THE POINT OF BEGINNING (POB ESMT). CONTAINING 2,755 SQUARE FEET, 0.06 ACRES. SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, OR COVENANTS OF RECORD.

AS SHOWN ON ATTACHED "EXHIBIT A"

With the right to construct, reconstruct, repair, replace, change the size and capacity of, modify, operate, maintain, inspect, remove, a line or lines of underground and/or overhead facilities, including, but not limited to, poles, structures, wires, cables, conduits, guys, anchors, and other fixtures and equipment as the GRANTEE may from time to time require for the distribution of electric current, and other forms of energy, and for the transmission or communication of data, audio and video information. Together with the right of ingress and egress to said easement at all times with equipment and personnel across GRANTOR'S lands for the purpose of constructing, operating and maintaining said lines and related facilities and making all necessary repairs, alterations or removal of any of its property placed thereon, provided that GRANTEE shall repair, replace, or pay for actual damages which may be the result of construction, maintenance and operation of its facilities. GRANTOR shall not construct nor permit to be constructed, any structure or building of any type or nature, including swimming pools, on or adjacent to the said easement right of way that would prevent the use or endanger the said facilities or that would cause a violation of the National Electric Safety Code. In addition, the GRANTEE may trim, treat, cut down, or remove any trees, growth and vegetation without incurring damages (within the right of way or which could grow into the right of way) which may interfere with GRANTEE'S lines and other facilities.

To have and hold the above described easement and rights unto the GRANTEE, its successors and assigns, forever or until said right of way and easement is finally abandoned.

SIGNED AND DATED, this _____ day of _____, 2022.

CITY OF SPRINGDALE, ARKANSAS,
A MUNICIPAL CORPORATION

Doug Sprouse, Mayor

Denise Pearce, City Clerk

Acknowledgement

THE STATE OF ARKANSAS)
) SS
COUNTY OF WASHINGTON)

On this the _____ day of _____, 2022, before me, a Notary Public, personally appeared Mayor Doug Sprouse and City Clerk Denise Pearce, for and on behalf of the City of Springdale, Arkansas, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes herein set forth.

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

Notary Public

My Commission Expires:

SWEPCO Right-of-Way
101 W Township
Fayetteville, AR 72703

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED WITHIN THE CITY OF SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the following real property located in Springdale, Washington County, Arkansas, is owned as set out below:

PROPERTY OWNER: Kelly Ryan; Janet B. Carter

LEGAL DESCRIPTION: Lot Numbered Eleven (11) in Block Two (2) of the Corrected Plat of Indianhead Estates Subdivision, a Subdivision to the City of Springdale, Arkansas, as per plat of said Subdivision on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

LAYMAN'S DESCRIPTION: 408 Midland Avenue

PARCEL NUMBER: 815-23133-000

WHEREAS, the owner was given notice, pursuant to Ark. Code Ann. §14-54-903, of the unsightly and unsanitary conditions on the properties described above, and instructed to clean the properties in accordance with Sections 42-77 and 42-78 of the Springdale Code of Ordinances;

WHEREAS, the property owner of record did not abate the situation on these properties, and as a result, the City of Springdale was required to abate the conditions on these properties and incurred cost as follows, and as shown in the attached Exhibits:

\$534.16 clean-up costs and \$22.53 administrative costs - \$556.69 (Parcel No. 815-23133-000)

WHEREAS, the property owners have been given at least 30 days written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903, as shown in the attached Exhibits;

WHEREAS, Ark. Code Ann. §14-54-904 authorizes the City Council to assert a clean-up lien on these properties to collect the amounts expended by the City in cleaning up these properties;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, pursuant to Ark. Code Ann. §14-54-904, the City Council certifies that the following real property shall be placed on the tax books of the Washington County Tax Collector as delinquent taxes and collected accordingly:

\$556.69 plus 10% for collection – 408 Midland. (Parcel No. 815-23133-000)

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 _____, 20____.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



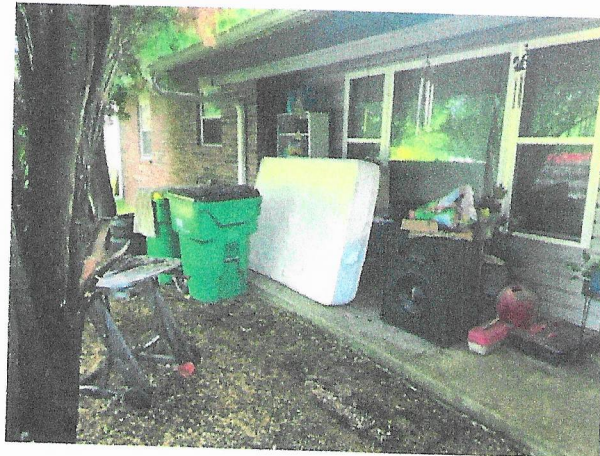
CITY ABATEMENT-2022 - Friday, July 29, 2022 7:51:45 AM (RANDY-CODE 4)

User Name RANDY-CODE 4
User # 4792634221
Form Started 7/29/2022 7:51:45 AM
Form Submitted 7/29/2022 8:14:51 AM
Property Address 408 Midland
Before Picture Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement	Lien
Date of Abatement	Friday, July 29, 2022 7:51:00 AM
Officer on Site-	R. Glenn
Labor Rate Recovery	
Employee	Henry Hernandez,Randy Glenn
HH Benefit Rate	\$54.84
Method of Compliance	
1 Method of Compliance	Junk and Trash Removal from Curb,Property Clean Up - Junk and Trash
Equipment Used	
Equipment	660/652 New Bulky Waste Truck,777 Trailer,6013 Service Pick Up Truck,6050 1-ton Work Truck Landscaping
660 New Bulky Waste Truck	\$200.00
777 Trailor	\$55.00
6013 Service Pick up Truck	\$35.00
6050 1-ton Work Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	5
Temporary Labor Rate Recovery	120.00
Employee labor recovery per hour	54.84
Total Employee Cost	54.84
Equipment Cost per hour	235.00
Total Equipment Cost	235.00
Disposal Cost Recovery	\$118.32
Number of Tires Removed (\$2 Each)	3
Number of Electronics Removed (\$10 Each)	0
Containers of Chemicals (\$1 Each)	0

Freon Removal Recovery (\$20 each)
Total Cost of Abatement
Items Removed from Property
Final Photos

0

534.16

Three tires, fiberglass bed cover (broken), brush, general household trash, metal pipes (broken), one plastic bucket (empty)
Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data

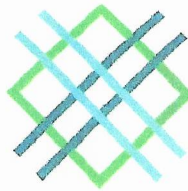


Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

David D. Phillips
Deputy City Attorney
dphillips@springdalear.gov

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



SPRINGDALE™
WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

201 Spring Street • Springdale, Arkansas 72764
Phone (479) 750-8173 • Fax (479) 750-4732
www.SpringdaleAR.gov

Giselle Gonzalez
Case Coordinator/Victim Advocate
ggonzalez@springdalear.gov

Steve Helms
Investigator
shelms@springdalear.gov

Dixie Putt
Administrative Legal Assistant/Paralegal
dputt@springdalear.gov

Jacque Roth
File/Discovery Clerk
jroth@springdalear.gov

August 29, 2022

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND REGULAR MAIL**

Kelly Ryan and Janet Carter
408 Midland Avenue
Springdale, AR 72764

RE: Notice of clean-up lien on property located at 408 Midland Ave., Springdale,
Washington County, Arkansas, Tax Parcel No. 815-23133-000

Dear Property Owner/Lienholder:

On April 29 and July 22, 2022, notice was posted on property located at 408 Midland Avenue, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on April 6, 2022, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied. The notice also applied to any violations that may be found on the property within the next 12 months.

Subsequent to the above-referenced violation notice being issued, a city code violation was found to have existed on the property. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about July 29, 2022. As of this date, the total costs incurred by the City of Springdale to clean this property are \$534.16. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$541.69 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before October 6, 2022, a hearing confirming the amount of the lien will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing confirming the amount of the lien will be held Tuesday, October 11, 2022, at 6:00 p.m. in the City Council

Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. If this amount is paid prior to the hearing, no lien will be pursued.

Please remit the total sum of \$541.69, which includes 534.16 for cleaning up the property and \$7.53 for certified mailing to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

If you desire to contest the amount sought above, you will need to contact Neighborhood Services Division at 479-756-7712 for an appointment and you will be given a court date in Springdale District Court where you will have the opportunity to state your case before the District Court Judge.

This letter is also being mailed by regular mail to Kelly Ryan and Janet Carter at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

If you should have any questions, please let me know.

Sincerely,



Ernest B. Cate
City Attorney

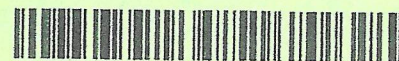
Enclosures
EBC:dp

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:

Kelly Ryan and Janet Carter
408 Midland Avenue
Springdale, AR 72764



9590 9402 7283 2028 6485 76

2. Article Number (Transfer from service label)

7020 0040 0000

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

Kelly Ryan

C. Date of Delivery

9/3/22

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ 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

USPS TRACKING#



9590 9402 7283 2028 6485 76

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•



OFFICE OF THE
CITY ATTORNEY
201 NORTH SPRING STREET
SPRINGDALE, ARKANSAS 72764

The City Council of the City of Springdale met in regular session on Tuesday, September 27, 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 3
Amelia Williams	Ward 4
Jeff Watson	Ward 3
Mike Overton	Ward 2 (Absent)
Mike Lawson	Ward 1
Rex Bailey	Ward 2
Randall Harriman	Ward 1
Mark Fougrousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Colby Fulfer	Chief of Staff
Blake Holte	Fire Chief
Jeff Taylor	Police Captain
Patsy Christie	Planning Director
Mike Chamlee	Building Official
Ron Findley	Neighborhood Services
James Smith	Public Works Director
Ben Peters	Engineering Director
Chad Wolf	Parks & Rec Director
Marcia Ransom	Library Director
Mark Gutte	IT Director
Angie Albright	Museum Director

PUBLIC COMMENTS

Lou Hill, Therapeutic Foster Home Care Manager at Erisa Health, spoke to City Council about a crisis in the community which is the lack of therapeutic foster care homes in the area. She asked that everyone spread the message to people they know.

APPROVAL OF MINUTES

Council Member Williams moved the minutes of the September 13, 2022 City Council meeting be approved as presented. Council Member Harrison made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Williams 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 Harriman made the second.

The vote:

Yes: Powell, Williams, Watson, Lawson, Bailey, Harriman, Fougrousse

No: None

CITY OF SPRINGDALE EMPLOYEE RECOGNITION

Mayor Sprouse recognized City of Springdale employee Christy Pianalto in the District Court.

District Court Clerk Sue Bowman commented on how Christy is a personable co-worker who always brightens the day with a smile and recognized her as employee of the month.

LIBRARY DIRECTOR MARCIA RANSOM’S RETIREMENT

Mayor Sprouse recognized Marcia Ransom who is retiring as Library Director for over 26 years in the City of Springdale.

RESOLUTION NO. 98-22 – EXPRESSING SUPPORT FOR THE LOG CABIN RESTORATION PROJECT AT SHILOH MUSEUM

Mayor Doug Sprouse presented a Resolution expressing support for the Log Cabin Restoration Project at Shiloh Museum.

Museum Director Angie Albright gave the history of the Log Cabin which was built in 1854 and moved to the Shiloh Museum grounds in 1979. They have been working on this renovation since 2011. The Shiloh Museum Board voted last week to spend \$140,000 on the renovation.

RESOLUTION NO. _____

**A RESOLUTION EXPRESSING SUPPORT FOR THE
LOG CABIN RESTORATION PROJECT AT THE
SHILOH MUSEUM**

WHEREAS, the Shiloh Museum has several historic buildings on its property, including an 1850s era log cabin ("the Log Cabin"), which is one of the significant historical exhibits at the Museum;

WHEREAS, the Log Cabin is in need of repairs and restoration, or order to ensure the integrity and longevity of the Log Cabin, and to ensure the safety of the visitors to the Log Cabin;

WHEREAS, the Shiloh Museum Board has procured specifications for the restoration of the Log Cabin, and has utilized the competitive bidding process in order to determine the costs associated with the project, to be paid for by the Shiloh Museum Board; and

WHEREAS, the Shiloh Museum Board has requested an expression of support from the City of Springdale for the restoration of the Log Cabin.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS THAT the City of Springdale recognizes the historical significance of the Log Cabin, as well as the importance of maintaining the integrity, safety, and longevity of the Log Cabin, and therefore expresses its support for the Log Cabin restoration project.

PASSED AND APPROVED this ____ day of SEPTEMBER, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Williams, Watson, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Resolution was numbered 98-22.

RESOLUTION NO. 99-22 – TO APPROPRIATE FUNDS FOR CAPITAL EQUIPMENT PURCHASES FOR THE SPRINGDALE POLICE DEPARTMENT TO BE PAID FROM DRUG SEIZURE FUNDS

Council Member Brian Powell presented a Resolution to appropriate funds for capital equipment purchases for the Springdale Police Department to be paid from Drug Seizure Funds.

RESOLUTION NO. ____

A RESOLUTION TO APPROPRIATE FUNDS FOR CAPITAL EQUIPMENT PURCHASES FOR THE SPRINGDALE POLICE DEPARTMENT TO BE PAID FROM DRUG SEIZURE FUNDS.

WHEREAS, the Springdale Police Department is wishing to make certain capital equipment purchases as follows:

2 Bobcat Utility Vehicles	\$34,980.00
AMV Insight RT2 software for drones	\$ 7,748.35
DJI Matrice 30T Drone with related equipment	\$19,983.25
DJI Mavic 2 Drone with related equipment	\$ 7,648.48
Car scan tool	\$ 3,192.63
4 Precision rifles	\$15,584.50
2 Less lethal devices	\$ 8,055.65
7 Nightforce FX8 scopes	\$13,444.48
2 Getac MDTs	\$11,082.77

TOTAL FOR ALL EQUIPMENT \$121,738.11

WHEREAS, the Police Department has received quotes for each of the items requested; and

WHEREAS, the Police Department has sufficient funds in the Drug Seizure Fund to pay for the improvements to the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that there is hereby appropriated \$121,738.11 from the Drug Seizure funds for the purchases of capital equipment for the Springdale Police Department as provided herein.

PASSED AND APPROVED this ____ day of SEPTEMBER, 2022.

Doug Sprouse, MAYOR

ATTEST:

Denise Pearce, CITY CLERK

APPROVED:

Ernest B. Cate, CITY ATTORNEY

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

The vote:

Yes: Watson, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

The Resolution was numbered 99-22.

RESOLUTION NO. 100-22 – WAIVING COMPETITIVE BIDDING AND
AUTHORIZING THE PURCHASE OF HELMETS FOR THE FIRE DEPARTMENT

Council Member Brian Powell presented a Resolution waiving competitive bidding and authorizing the purchase of helmets for the Fire Department from the Act 833 Fund.

RESOLUTION NO. ____

**A RESOLUTION WAIVING COMPETITIVE BIDDING AND
AUTHORIZING THE PURCHASE OF HELMETS FOR THE FIRE
DEPARTMENT**

WHEREAS, the Springdale Fire Department desires to purchase 160 helmets for the fire department, and

WHEREAS, a prepayment of the helmets would save the city \$8,800.00, and

WHEREAS, the current helmets are in need of replacement, and

WHEREAS, the fire helmets are available on the Arkansas buy board which allows the governing body to waive competitive bidding, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, the Council finds that due to the complexity and variations in this kind of equipment competitive bidding is not feasible or practical in the purchase of a fire helmets and competitive bidding on the purchase of helmets from Casco Industries Inc., is hereby waived for an amount not to exceed \$63,000.00 from the Act 833 fund, and the Mayor is hereby authorized to execute any contracts related to the purchase.

PASSED AND APPROVED this ____ day of September, 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 Lawson made the second.

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Resolution was numbered 100-22.

RESOLUTION NO. 101-22 – WAIVING COMPETITIVE BIDDING AND
AUTHORIZING THE PURCHASE OF A FIRE APPARATUS

Council Member Brian Powell presented a Resolution waiving competitive bidding and authorizing the purchase of a Fire Apparatus from G&W Diesel/ Emergency Vehicle Specialists Inc. for an amount not to exceed \$753,930.00 for the Fire Department. Prepayment of the apparatus would save the city \$34,613.00. Projected date of delivery is 29 months from now.

RESOLUTION NO. ____

**A RESOLUTION WAIVING COMPETITIVE BIDDING AND
AUTHORIZING THE PURCHASE OF A FIRE APPARATUS**

WHEREAS, the Springdale Fire Department desires to purchase a replacement fire apparatus for Fire Engine 5, and

WHEREAS, a prepayment of the apparatus would save the city \$34,613.00, and

WHEREAS, vehicles are hard to obtain at the present time, with long delivery times which would delay the replacement of Fire Engine 5, and

WHEREAS, the apparatus is available on the Arkansas buy board which allows the governing body to waive competitive bidding, and;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Council finds that due to the complexity and variations in this kind of equipment competitive bidding is not feasible or practical in the purchase of a fire apparatus and competitive bidding on the purchase of a fire apparatus from G&W Diesel/ Emergency Vehicle Specialists Inc., is hereby waived for an amount not to exceed \$753,930.00 and the Mayor is hereby authorized to execute any contracts related to the purchase.

PASSED AND APPROVED this ____ day of September, 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 Lawson made the second.

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Lawson

No: None

The Resolution was numbered 101-22.

ORDINANCE NO. 5761– REZONING 6.29 ACRES OWNED BY JP SPECIALTY, LLC, LOCATED ON THE WEST SIDE OF 48TH STREET AT THE END OF CENTRAL DRIVE, FROM A-1 TO C-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 6.29 acres owned by JP Specialty, LLC, located on the west side of 48th Street at the end of Central Drive, from A-1 to C-2 and declaring an emergency.

A public hearing was held at Planning Commission.

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams Watson, Lawson, Bailey

No: None

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Bailey, Harriman,

No: None

The Ordinance was numbered 5761.

ORDINANCE NO. 5762 – REZONING 5.95 ACRES OWNED BY OVC PROPERTIES LLC, LOCATED AT 636 N. 40TH STREET, FROM A-1 TO C-5 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 5.95 acres owned by OVC Properties, LLC, located at 636 N. 40th Street, from A-1 to C-5 and declaring an emergency.

A public hearing was held at Planning Commission.

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

The vote:

Yes: Powell, Williams, Watson, Lawson, Bailey, Harriman, Fougrousse

No: None

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

The vote:

Yes: Williams, Watson, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Ordinance was numbered 5762.

ORDINANCE NO. 5763 – REZONING .59 ACRES OWNED BY COMMERCIAL COMPUTER SERVICES INC. LOCATED AT 4470 N. THOMPSON, FROM C-2 TO C-5 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .59 acres owned by Commercial Computer Services Inc., located at 4470 N. Thompson, from C-2 to C-5 and declaring an emergency.

A public hearing was held at Planning Commission.

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

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

Recuse: Watson

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

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5763.

ORDINANCE NO. 5764 – REZONING .89 ACRES OWNED BY ONC CABLING SERVICES, LLC, LOCATED AT 1107 AND 1121 W. HUNTSVILLE AVENUE, FROM MF-12 TO C-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .89 acres owned by ONC Cabling Services, LLC, located at 1107 and 1121 W. Huntsville Avenue, from MF-12 to C-2 and declaring an emergency.

A public hearing was held at Planning Commission.

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

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Lawson

No: None

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Lawson, Bailey

No: None

The Ordinance was numbered 5764.

ORDINANCE NO. 5765 – REZONING .571 ACRES OWNED BY LONG-LYKINS, LLC, LOCATED SOUTH OF DON TYSON PARKWAY, WEST OF 48TH STREET, FROM A-1 TO C-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .571 acres owned by Long-Lykins, LLC, located south of Don Tyson Parkway, west of 48th Street, from A-1 to C-2 and declaring an emergency.

A public hearing was held at Planning Commission.

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Bailey, Harriman

No: None

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

The vote:

Yes: Powell, Williams, Watson, Lawson, Bailey, Harriman, Fougrousse

No: None

The Ordinance was numbered 5765.

ORDINANCE NO. 5766 – REZONING PROPERTY OWNED BY JASON, JESSICA, FLOYD & LINDA WATSON, LOCATED AT 5191 AND 5147 HAR-BER AVENUE, FROM A-1 AND O-1 TO C-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning property owned by Jason, Jessica, Floyd and Linda Watson located at 5191 and 5147 Har-Ber Avenue, from A-1 and O-1 to C-2 and declaring an emergency.

A public hearing was held at Planning Commission.

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

The vote:

Yes: Williams, Watson, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

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

The vote:

Yes: Watson, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

The Ordinance was numbered 5766.

ORDINANCE NO. 5767 – REZONING PROPERTY OWNED BY BROOKS FAMILY, LLC, LOCATED AT 1506 SHADY GROVE ROAD, FROM A-1 TO C-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning property owned by Brooks Family LLC, located at 1506 Shady Grove Road, from A-1 to C-2 and declaring an emergency.

A public hearing was held at Planning Commission.

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, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

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

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Lawson

No: None

The Ordinance was numbered 5767.

ORDINANCE NO. 5768 – ACCEPTING THE REPLAT OF LOTS 4-8 CONESTOGA PARK RP22-09 TO THE CITY OF SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat of Lots 4-8 Conestoga Park RP22-09 to the City of Springdale, Arkansas, and declaring an emergency.

A public hearing was held at Planning Commission.

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Lawson, Bailey

No: None

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Bailey, Harriman

No: None

The Ordinance was numbered 5768.

RESOLUTION NO. 102-22 – APPROVING CONDITIONAL USE APPEAL BY CLAYTON AND JENNIFER WORMINGTON FOR A TANDEM LOT SPLIT AT 7993 WEST MILLER ROAD, AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by Clayton and Jennifer Wormington for a tandem lot split at 7993 West Miller Road, as set forth in Ordinance No. 4030.

A public hearing was held at Planning Commission.

RESOLUTION NO. ____

A RESOLUTION APPROVING A CONDITIONAL USE AT 7993 WEST MILLER ROAD AS SET FORTH IN ORDINANCE NO. 4030

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on September 6, 2022 on a request by Clayton and Jennifer Wormington for a conditional use for a Tandem Lot Split in an Agricultural District (A-1) at 7993 West Miller Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of seven (7) yes and zero (0) no recommends that a conditional use be granted to Clayton and Jennifer Wormington for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – No conditions set.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Clayton and Jennifer Worminton for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – No conditions set.

PASSED AND APPROVED THIS ____ DAY OF SEPTEMBER, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

Yes: Powell, Williams, Watson, Lawson, Bailey, Harriman, Fougrousse

No: None

The Resolution was numbered 102-22.

RESOLUTION NO. 103-22 – APPROVING CONDITIONAL USE APPEAL BY BONNIE COAT FOR A USE UNIT 5 (INSTITUTIONAL FACILITY) LOCATED AT 1232 STULTZ ROAD, AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by Bonnie Coat for a Use Unit 5 (Institutional Facility) located at 1232 Stultz Road, as set forth in Ordinance No. 4030.

A public hearing was held at Planning Commission.

RESOLUTION NO. ____

A RESOLUTION APPROVING A CONDITIONAL USE AT 1232 STULTZ ROAD AS SET FORTH IN ORDINANCE NO. 4030

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on September 6, 2022 on a request by Bonnie-Coat, LLC for a conditional use for a Use Unit 5 (Institutional Facility) in an Agricultural District (A-1) at 1232 Stultz Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of seven (7) yes and zero (0) no recommends that a conditional use be granted to Bonnie-Coat, LLC for a Use Unit 5 (Institutional Facility) in an Agricultural District (A-1) at 1232 Stultz Road with the following conditions – Necessary permits from State agencies and improvements required by adopted Building and Fire Codes.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Bonnie-Coat, LLC for a Use Unit 5 (Institutional Facility) in an Agricultural District (A-1) at 1232 Stultz Road with the following conditions – Necessary permits from State agencies and improvements required by adopted Building and Fire Codes.

PASSED AND APPROVED THIS ____ DAY OF SEPTEMBER, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

Yes: Williams, Watson, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Resolution was numbered 103-22.

RESOLUTION NO. 104-22 – APPROVING A CONDITIONAL USE APPEAL BY MCFRYAR LLC FOR A USE UNIT 24 (DEDICATED WAREHOUSE) AND USE UNIT 25 (LIMITED MANUFACTURING) LOCATED AT 4784 NORTH THOMPSON, AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by McFryar LLC for a Use Unit 24 (Dedicated Warehouse) and Use Unit 25 (Limited Manufacturing) located at 4784 N. Thompson, as set forth in Ordinance No. 4030.

A public hearing was held at Planning Commission. There was one condition that more detail is needed on the site plan to determine if conditional uses proposed are acceptable and subject to approval of the Large Scale Development.

RESOLUTION NO. ____

A RESOLUTION APPROVING A CONDITIONAL USE AT 4784 NORTH THOMPSON AS SET FORTH IN ORDINANCE NO. 4030

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on September 6, 2022 on a request by McFryar, LLC for a conditional use for a Use Unit 24 (Dedicated Warehouse) and Use Unit 25 (Limited Manufacturing) in a Thoroughfare Commercial District (C-5) at 4784 North Thompson; and

WHEREAS, following the public hearing the Planning Commission by a vote of seven (7) yes and zero (0) no recommends that a conditional use be granted to the McFryar, LLC for a Use Unit 24 (Dedicated Warehouse) and Use Unit 25 (Limited Manufacturing) in a Thoroughfare Commercial District (C-5) at 4784 North Thompson with the following conditions – More detail needed on site plan to determine if conditional uses proposed are acceptable and subject to approval of the Large Scale Development.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to McFryar, LLC for a Use Unit 24 (Dedicated Warehouse) and Use Unit 25 (Limited Manufacturing) in a Thoroughfare Commercial District (C-5) at 4784 North Thompson with the following conditions – More detail needed on site plan to determine if conditional uses proposed are acceptable and subject to approval of the Large Scale Development.

PASSED AND APPROVED THIS ____ DAY OF SEPTEMBER, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

Yes: Watson, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

The Resolution was numbered 104-22.

RESOLUTION NO. 105-22 – APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO SPRINGDALE’S BEST STORAGE QOF, LLC, IN CONNECTION WITH PP22-10, A PRELIMINARY PLAT

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 Springdale’s Best Storage QOF, LLC, in connection with PP22-10, a Preliminary Plat.

A public hearing was held at Planning Commission. A Bill of Assurance was recommended by the Planning Commission not to exceed two years.

Council Member Harriman moved the Resolution be adopted with Option 4. Council Member Fougrousse 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 SPRINGDALE’S BEST STORAGE QOF, LLC IN CONNECTION WITH PP22-10 A PRELIMINARY PLAT

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 Casteel and Emma Avenues including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with PP22-10 a Preliminary Plat for Springdale’s Best Storage QOF, LLC 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 4: **Denies** a waiver and allow a Bill of Assurance for a period not to exceed **Two (2)** years for street improvements to East Emma and Casteel Avenues including drainage improvements related thereto, curbs, gutters, sidewalks and street lights to be built in connection with PP22-10 a Preliminary Plat for Springdale’s Best Storage QOF, LLC.

PASSED AND APPROVED THIS ____ DAY OF SEPTEMBER, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Resolution was numbered 105-22.

RESOLUTION NO. 106-22 – APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO WHISPERING SPRINGS IN CONNECTION WITH PP22-11, A PRELIMINARY PLAT

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 Whispering Springs in connection with PP22-11, a Preliminary Plat.

A public hearing was held at Planning Commission.

Council Member Williams moved the Resolution be adopted with Option 1. Council Member Fougrousse 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 WHISPERING SPRINGS IN CONNECTION WITH PP22-11 A PRELIMINARY PLAT

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 Howard Anderson Road including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with PP22-11 a Preliminary Plat for Whispering Springs 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 Howard Anderson Road including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with PP22-11 a Preliminary Plat for Whispering Springs.

PASSED AND APPROVED THIS ____ DAY OF SEPTEMBER, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

Yes: Bailey, Harriman, Fougerousse, Powell, Williams, Watson, Lawson

No: None

The Resolution was numbered 106-22.

RESOLUTION NO. 107 -22 – APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO NICK AND JILL SCHMIDT IN CONNECTION WITH 6495 COPPERHEAD ROAD, A SINGLE FAMILY DWELLING

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 Nick and Jill Schmidt in connection with 6495 Copperhead Road, a single family dwelling.

Council Member Powell moved the Resolution be adopted with Option 1. Council Member Lawson 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 NICK AND JILL SCHMIDT IN CONNECTION WITH 6495 COPPERHEAD ROAD A SINGLE-FAMILY DWELLING

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 including drainage improvements related thereto, sidewalks in connection with 6495 Copperhead Road a single family dwelling for Nick and Jill Schmidt 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 6495 Copperhead Road including drainage improvements related thereto, sidewalks in connection with 6495 Copperhead Road a single family dwelling for Nick and Jill Schmidt.

PASSED AND APPROVED THIS ____ DAY OF SEPTEMBER, 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, Lawson, Bailey

No: None

The Resolution was numbered 107-22.

RESOLUTION NO. 108 -22 – APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO COUNTY LINE COMMERCIAL PARK IN CONNECTION WITH L22-51, A LARGE SCALE DEVELOPMENT

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 County Line Commercial Park in connection with L22-51, a large scale development.

Council Member Powell moved the Resolution be adopted with Option 3. Council Member Harriman 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 COUNTY LINE COMMERCIAL PARK IN CONNECTION WITH L22-51 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 including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L22-51 a Large Scale Development for County Line Commercial Park 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 East County Line Road in connection with L22-51 a Large Scale Development for County Line Commercial Park with estimated cost to be submitted by the developer’s engineer for confirmation by the Planning Department.

PASSED AND APPROVED THIS ____ DAY OF SEPTEMBER, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Bailey, Harriman

No: None

The Resolution was numbered 108-22.

RESOLUTION NO. 109-22 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE SPRINGDALE CHAMBER OF COMMERCE TO PROMOTE BUSINESS DEVELOPMENT AND ECONOMIC GROWTH; TO WAIVE COMPETITIVE BIDDING AND FOR OTHER PURPOSES

Council Member Jeff Watson presented a Resolution authorizing the Mayor and City Clerk to enter into an agreement with the Springdale Chamber of Commerce to promote business development and economic growth; to waive competitive bidding and for other purposes. This is a two year contract for 2023 and 2024.

RESOLUTION NO. ____

AN RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE SPRINGDALE CHAMBER OF COMMERCE TO PROMOTE BUSINESS DEVELOPMENT AND ECONOMIC GROWTH; TO WAIVE COMPETITIVE BIDDING AND FOR OTHER PURPOSES.

WHEREAS, it has come to the attention of the City Council for the City of Springdale, Arkansas, that in the past the City of Springdale has worked in conjunction with the Springdale Chamber of Commerce to promote business development and economic growth within the City of Springdale;

WHEREAS, incorporated herein by reference and attached hereto as Exhibit "A" is an agreement between the City of Springdale and the Springdale Chamber of Commerce, allowing for the Chamber to perform certain services for the City of Springdale as set out in the agreement for the total sum of \$225,000.00 per year, as set out in the Agreement;

WHEREAS, because the Chamber is actively involved in promoting of business development and economic growth within the City of Springdale, Arkansas, they are in a unique position to provide the services to the City of Springdale, 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 OF THE CITY OF SPRINGDALE, ARKANSAS:

Section 1: That the Mayor and City Clerk are hereby authorized to enter into said Agreement, which is incorporated herein by reference, with the Springdale Chamber of Commerce, and to pay the sum not to exceed \$225,000.00 per year to the Springdale Chamber of Commerce, as set out in the Agreement, said money to be paid from general fund.

Section 2: That because of the exceptional circumstances set out herein, competitive bidding is not deemed feasible or practical for the reasons previously stated herein, and is therefore waived.

PASSED AND APPROVED this ____ day of SEPTEMBER, 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: Powell, Williams, Watson, Lawson, Bailey, Harriman, Fougrousse

No: None

The Resolution was numbered 109-22.

RESOLUTION NO. 110-22 – AUTHORIZING THE EXECUTION OF A TEMPORARY USE AGREEMENT ON PROPERTY OWNED BY THE CITY OF SPRINGDALE, ARKANSAS

City Attorney Ernest Cate presented a Resolution authorizing the execution of a temporary use agreement with CDI Contractors, LLC on property owned by the City of Springdale, Arkansas.

The contractor for the Project, CDI Contractors, LLC, wishes to utilize the Property for the staging of equipment/materials and for the placement of a construction trailer during the construction of the NWA Food Systems Project.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXECUTION OF A TEMPORARY USE AGREEMENT ON PROPERTY OWNED BY THE CITY OF SPRINGDALE, ARKANSAS.

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 Property"):

Washington County Tax Parcel No. 815-28444-000, Washington County Tax Parcel No. 815-28445-000, Washington County Tax Parcel No. 815-28446-000, and Washington County Tax Parcel No. 815-28445-001 (collectively "the Property"), containing 1.47 acres, more or less, as shown on the attached map which is attached hereto and incorporated herein by reference.

WHEREAS, Ark. Code Ann. §14-54-302 empowers and authorizes municipalities to sell, convey, lease, rent, let, or dispose of any real property it owns, subject to approval by the City Council;

WHEREAS, the City has approved a Large Scale Development project known as the NWA Food Systems Project ("the Project") on property adjacent to the Property;

WHEREAS, the contractor for the Project, CDI Contractors, LLC, wishes to utilize the Property for the staging of equipment/materials and for the placement of a construction trailer during the construction of the Project; and

WHEREAS, the City and CDI Contractors, LLC, wish to enter into a Temporary Use Agreement, a copy of which is attached hereto and incorporated herein by reference, governing the terms by which the Property may be used during the Project.

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 a Temporary Use Agreement with CDI Contractors, LLC, for the use of the Property during the construction of the Project, subject to the terms of the Temporary Use Agreement.

PASSED AND APPROVED this ____ day of SEPTEMBER, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Williams, Watson, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Resolution was numbered 110-22.

RESOLUTION NO. 111-22 – TO LEVY BENTON COUNTY AD VALOREM TAXES OF THE CITY OF SPRINGDALE, ARKANSAS

City Attorney Ernest Cate presented a Resolution to levy Benton County Ad Valorem Taxes of the City of Springdale, Arkansas.

RESOLUTION NO. ____

A RESOLUTION TO LEVY BENTON COUNTY AD VALOREM TAXES OF THE CITY OF SPRINGDALE, ARKANSAS.

WHEREAS, governing bodies of the municipalities of the State of Arkansas are required by law to levy ad valorem taxes no later than October of each year; and,

WHEREAS, certain levies are needed to properly finance the operation of the City of Springdale, Arkansas.

WHEREAS, all property taxes will be collected by the County Clerk and Tax Collector of Benton County.

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

SECTION 1: That the following levies be approved for collection in the year 2023 and that copies of this Resolution be sent to the County Clerk and Tax Collector of Benton County.

The 2022 property tax levy to be collected by the Benton County Tax Collector are as follows:

	REAL ESTATE	PERSONAL PROPERTY
GENERAL FUND	.0047	.0047
FIREMEN’S PENSION	.0005	.0005
POLICEMEN’S PENSION	.0005	.0005
TOTAL	<u>.0057</u>	<u>.0057</u>

PASSED AND APPROVED this ____ day of SEPTEMBER, 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 Lawson made the second.

The vote:

Yes: Watson, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

The Resolution was numbered 111-22.

RESOLUTION NO. 112-22 – TO LEVY WASHINGTON COUNTY AD VALOREM TAXES OF THE CITY OF SPRINGDALE, ARKANSAS

City Attorney Ernest Cate presented a Resolution to levy Washington County Ad Valorem Taxes of the City of Springdale, Arkansas.

RESOLUTION NO. ____

A RESOLUTION TO LEVY WASHINGTON COUNTY AD VALOREM TAXES OF THE CITY OF SPRINGDALE, ARKANSAS.

WHEREAS, governing bodies of the municipalities of the State of Arkansas are required by law to levy ad valorem taxes no later than October of each year; and,

WHEREAS, certain levies are needed to properly finance the operation of the City of Springdale, Arkansas.

WHEREAS, all property taxes and voluntary taxes will be collected by the Tax Collector of Washington County.

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

SECTION 1: That the following levies be approved for collection in the year 2023 and that copies of this Resolution be sent to the County Clerk and Tax Collector of Washington County.

The 2022 property tax levy to be collected by the Washington County Tax Collector are as follows:

	REAL ESTATE	PERSONAL PROPERTY
GENERAL FUND	.0047	.0047
FIREMEN’S PENSION	.0005	.0005
POLICEMEN’S PENSION	.0005	.0005
TOTAL	<u>.0057</u>	<u>.0057</u>

SECTION 2: The 2022 voluntary taxes to be collected by the Washington County Tax Collector are as follows:

	REAL ESTATE	PERSONAL PROPERTY
CITY FIRE FUND	.0015	.0015
LIBRARY	.001	.001
TOTAL	<u>.0025</u>	<u>.0025</u>

SECTION 3: The voluntary taxes will be printed in the Washington County Tax Collector’s office and shall be billed and collected by the Washington County Tax Collector's office.

PASSED AND APPROVED this ____ day of SEPTEMBER, 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 Lawson made the second.

The vote:

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Resolution was numbered 112-22.

RESOLUTION NO. 113-22 – AUTHORIZING THE EXECUTION OF A TEMPORARY USE AGREEMENT WITH EMMA HOLDINGS LLC ON PROPERTY OWNED BY THE CITY OF SPRINGDALE

City Attorney Ernest Cate presented a Resolution authorizing the execution of a temporary use agreement with Emma Holdings, LLC on property owned by the City of Springdale, Arkansas.

Emma Holdings, LLC, has a pending development plan and needs to conduct geotechnical testing on the property associated with a project.

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
TEMPORARY USE AGREEMENT ON PROPERTY OWNED BY
THE CITY OF SPRINGDALE, ARKANSAS.**

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 Property"):

Lot 3, Holcombs First Subdivision to the City of Springdale, Washington County, Arkansas, more commonly known as Washington County Tax Parcel No. 815-22945-000, and more commonly known as 100 E. Emma Ave.

-and-

Adjacent public property held by the City of Springdale, currently comprising a portion of the Razorback Greenway Trail, formerly known as Mill Street, immediately to the west of the above described parcel (collectively "the Property").

WHEREAS, Ark. Code Ann. §14-54-302 empowers and authorizes municipalities to sell, convey, lease, rent, let, or dispose of any real property it owns, subject to approval by the City Council;

WHEREAS, Emma Holdings, LLC, has a pending development plan ("the Project") on property west of, and adjacent to, the Property;

WHEREAS, in connection with the Project, it is necessary that geotechnical testing be conducted on the Property; and

WHEREAS, the City and Emma Holdings, LLC, wish to enter into a Temporary Use Agreement, a copy of which is attached hereto and incorporated herein by reference, governing the terms by which the Property may be used for geotechnical testing associated with the Project.

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 a Temporary Use Agreement with Emma Holdings, LLC, for the purposes of conducting geotechnical testing on the Property associated with the Project, subject to the terms of the Temporary Use Agreement.

PASSED AND APPROVED this ____ day of SEPTEMBER, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Lawson

No: None

The Resolution was numbered 113-22.

ORDINANCE NO. 5769 – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED AT 2403 TONI STREET WITHIN THE CITY OF SPRINGDALE, ARKANSAS AND DECLARING AN EMERGENCY

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located at 2403 Toni Street within the City of Springdale, Arkansas and declaring an emergency.

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Lawson, Bailey

No: None

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Bailey, Harriman

No: None

The Ordinance was numbered 5769.

PARKS AND RECREATION EMPLOYEE RECOGNIZED

Parks and Recreation Director Chad Wolf said they attended the State Parks and Recreation Convention in Little Rock this year. Tanner Spangler received an award for Young Professional of the Year. They also received an award for a Horse Camp held at the Rodeo of the Ozarks.

ADJOURNMENT

Council Member Powell 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 7:22 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer