

- The next City Council Committee Meeting date will be discussed during tonight's meeting.

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS
201 SPRING STREET (2ND FLOOR)
Tuesday, March 25th, 2025**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Randall Harriman

1. Call to Order – Mayor Doug Sprouse

2. Roll Call –Anna McKinney

3. Recognition of a Quorum.

4. 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.

5. Approval of Minutes – **Tuesday, March 11th, 2025.** Pgs. 67-77

6. **Proclamation** for the Rotary Club's 100th Anniversary.

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) **8A-E and 14*** (Motion must be approved by two-thirds (2/3) of the council members)

8. Planning Commission Report and Recommendation by Sharon Tromburg, Director of Planning and Community Development

A. An Ordinance amending Ordinance No. 3307, the same being the zoning Ordinance of the city of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R25-11) certain lands located at 3446 Wagon Wheel Road from Agricultural District (A-1) to General Commercial District (C-2) within Springdale, Arkansas, and declaring an emergency. **Pgs. 1-4**

B. An Ordinance amending Ordinance No. 3307, the same being the zoning ordinance of the city of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R25-12) certain lands located east of 8692 East Wagon Wheel Road from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) within Springdale, Arkansas, and declaring an emergency. **Pgs. 5-8**

C. An Ordinance amending Ordinance No. 3307, the same being the zoning ordinance of the city of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R25-14) certain lands located at 5720 E. Wharton Road from Agricultural District (A-1) to General Commercial District (C-2) within Springdale, Arkansas, and declaring an emergency. **Pgs. 9-12**

D. An Ordinance amending Ordinance No. 3307, the same being the zoning ordinance of the city of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R25-16) certain lands located at 1600 W. Graham Road from Agricultural District (A-1) to Institutional District (P-1) within Springdale, Arkansas, and declaring an emergency. **Pgs. 13-16**

E. An Ordinance accepting the replat (RP25-02) of lots 7 & 8 Butterfield Coach Retail Park to the city of Springdale, Arkansas, and declaring an emergency. **Pgs. 17-22**

F. A Resolution approving a waiver (W25-06) of street improvements, drainage, curbs, gutters, sidewalks, and street lights as set forth in Ordinance No. 3725 to Genaro Trujillo in connection with 4255 Kelly Road, a single-family dwelling. **Pgs. 23-24**

- G. A Resolution** approving a waiver (W25-09) of street improvements, drainage, curbs, gutters, sidewalks, and street lights as set forth in Ordinance No. 3725 to Veronica Garcia in connection with 116 Suttle Drive, a single-family dwelling. **Pgs. 25-26**
9. **A Resolution** approving a waiver (W25-05) of street improvements, drainage, curbs, gutters, sidewalks, and street lights as set forth in Ordinance No. 3725 To HKH Residence Trust In connection with LS24-24, an informal plat. (Tabled from 2/25 meeting) **Pgs.27-29**
10. **An Appeal** of the Planning Commission’s denial of a Variance request (B25-02) for HKH Residence Trust at 8781 W. Miller Rd for dedication of Right of Way. (Tabled from 2/25 meeting) **Pgs. 30-46**
11. Community Development Block Grant Committee by Chairman Aaron Huntley– **All Item(s) forwarded from Committee with recommendation for approval.**
- A. A Resolution** adopting and approving the 2025 Action Plan for the Community Development Block Grant Program. Presented by Dean Allen, CDBG Program Manager. **Pgs. 47-48**
12. Finance Committee by Chairman Jeff Watson – **All Item(s) forwarded from Committee with recommendation for approval.**
- A. A Resolution** authorizing the execution of a construction contract for Don Tyson Parkway and I-49 Southbound Signal Project No. 23BPS9. Presented by Ben Peters, Engineering Director. **Pgs. 49-50**
- B. A Resolution** authorizing the execution of a Professional Services Agreement for construction phase services on Don Tyson Parkway and I-49 Southbound Signal, Project No. 23BPS9. Presented by Ben Peters, Engineering Director. **Pgs. 51-57**
13. Police & Fire Committee by Chairman Brian Powell – **All Item(s) forwarded from Committee with recommendation for approval.**
- A. A Resolution** approving an automatic mutual aid agreement between the City of Tontitown Fire Department and the City of Springdale Fire Department. Presented by Blake Holte, Fire Chief. **Pgs. 58-64**
14. **An Ordinance** amending Ordinance No. 6037 “Approving the Private Club Permit for Raise the Bar Foundation and allowing for

the application of the required permits from the Arkansas Alcoholic Beverage Control Division per Arkansas Code annotated §3-9-222 as amended and for other purposes; and declaring an emergency.

Presented by Ernest Cate, City Attorney. Pgs. 65-66

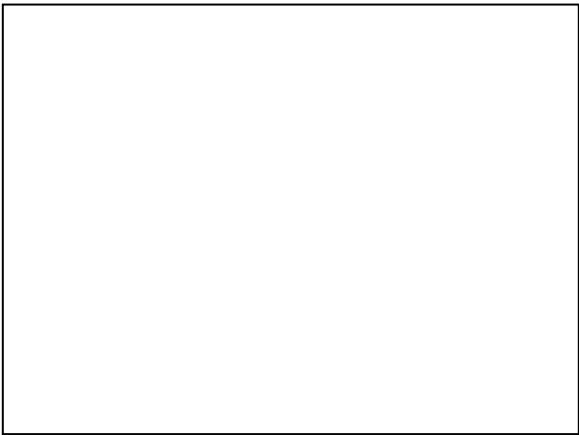
15. **A Discussion** on the 1st City Council Committee Meeting in April 2025.

16. Comments from Council Members.

17. Comments from City Attorney.

18. Comments from Mayor

19. Adjournment.



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-11) CERTAIN LANDS LOCATED AT 3446 WAGON WHEEL ROAD FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) WITHIN SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County gave notice required by law and set a hearing date of March 4, 2025, for hearing the matter of a petition of Kenneth W. & Rosalie A. Dunk, Little Valley Springs Trust requesting that the following described tract of real estate be rezoned from Agricultural District (A-1) to General Commercial District (C-2).

Layman’s Description: 3446 Wagon Wheel Road

Legal Description:

A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S89°27'47" E 329.98' TO A FOUND RAIL ROAD SPIKE, THENCE N00°02'57"W 295.46' TO THE POINT OF BEGINNING, THENCE CONTINUING N00°02'57"W 369.73', THENCE S89°23'24"E 329.54' THENCE S00°05'10E 665.07' THENCE N89°24'39"W 50.00', THENCE N00°05'10"W 295.57', THENCE N89°25'59"W 279.77', TO THE POINT OF BEGINNING, CONTAINING 3.14 ACRES, MORE OR LESS, SUBJECT TO THE RIGHT- OF-WAY OF WAGON WHEEL ROAD ON THE SOUTH SIDE, AND ALL OTHER EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R25-11) from Agricultural District (A-1) to General Commercial District (C-2) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended by rezoning the above-described tract of real estate as follows:

From Agricultural District (A-1) to General Commercial District (C-2).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: 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 _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 02/22/25



PUBLIC HEARING SIGN LOCATION

City Council Meeting
March 25, 2025



0 370 740
Feet

PROJECT: R25-11
APPLICANT: Little Valley Springs Trust
LOCATION: 3446 Wagon Wheel Road
REQUEST: Rezoning from A-1 to C-2

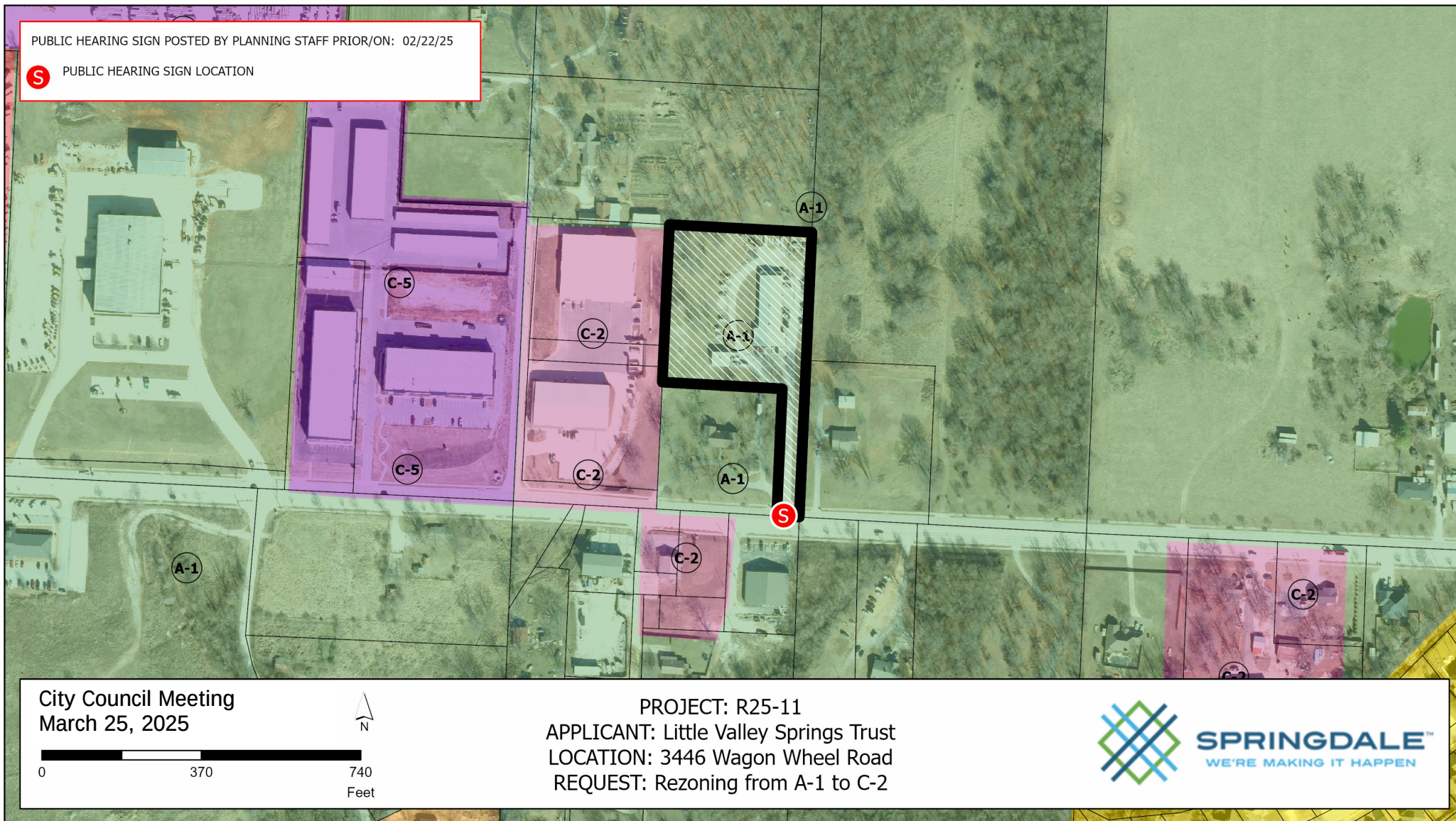


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PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 02/22/25



PUBLIC HEARING SIGN LOCATION



City Council Meeting
March 25, 2025

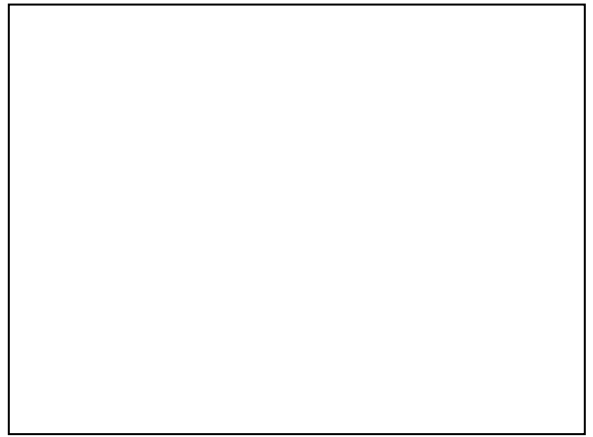


0 370 740
Feet

PROJECT: R25-11
APPLICANT: Little Valley Springs Trust
LOCATION: 3446 Wagon Wheel Road
REQUEST: Rezoning from A-1 to C-2



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ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-12) CERTAIN LANDS LOCATED AT EAST OF 8692 EAST WAGON WHEEL ROAD FROM AGRICULTURAL DISTRICT (A-1) TO LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) WITHIN SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County gave notice required by law and set a hearing date of March 4, 2025, for hearing the matter of a petition of Rebecca Nell Thompson Revocable Trust requesting that the following described tract of real estate be rezoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

Layman's Description: East of 8692 East Wagon Wheel Road

Legal Description:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 30 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS N 89°59'41" E 704.0 FEET AND N 01°50'20" E 185.32 FEET FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17, SAID POINT OF BEGINNING BEING AT THE CENTERLINE OF BENTON COUNTY ROAD NO. 60; THENCE RUNNING S 72°07'15" E 155.50 FEET; THENCE S 83°19'08" E 164.43 FEET; THENCE N 02°01'13" W 201.97 FEET; THENCE N 68°03'42" W 319.07 FEET; THENCE S 01°50'20" W 255.81 FEET TO THE POINT OF BEGINNING, CONTAINING 1.65 ACRES, MORE OR LESS.

SUBJECT TO BENTON COUNTY ROAD NO. 60 RIGHT-OF-WAY
ALONG THE SOUTH SIDE THEREOF AND ALL OTHER
EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIVE
COVENANTS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR
MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R25-12) from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended by rezoning the above-described tract of real estate as follows:

From Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: 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 _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

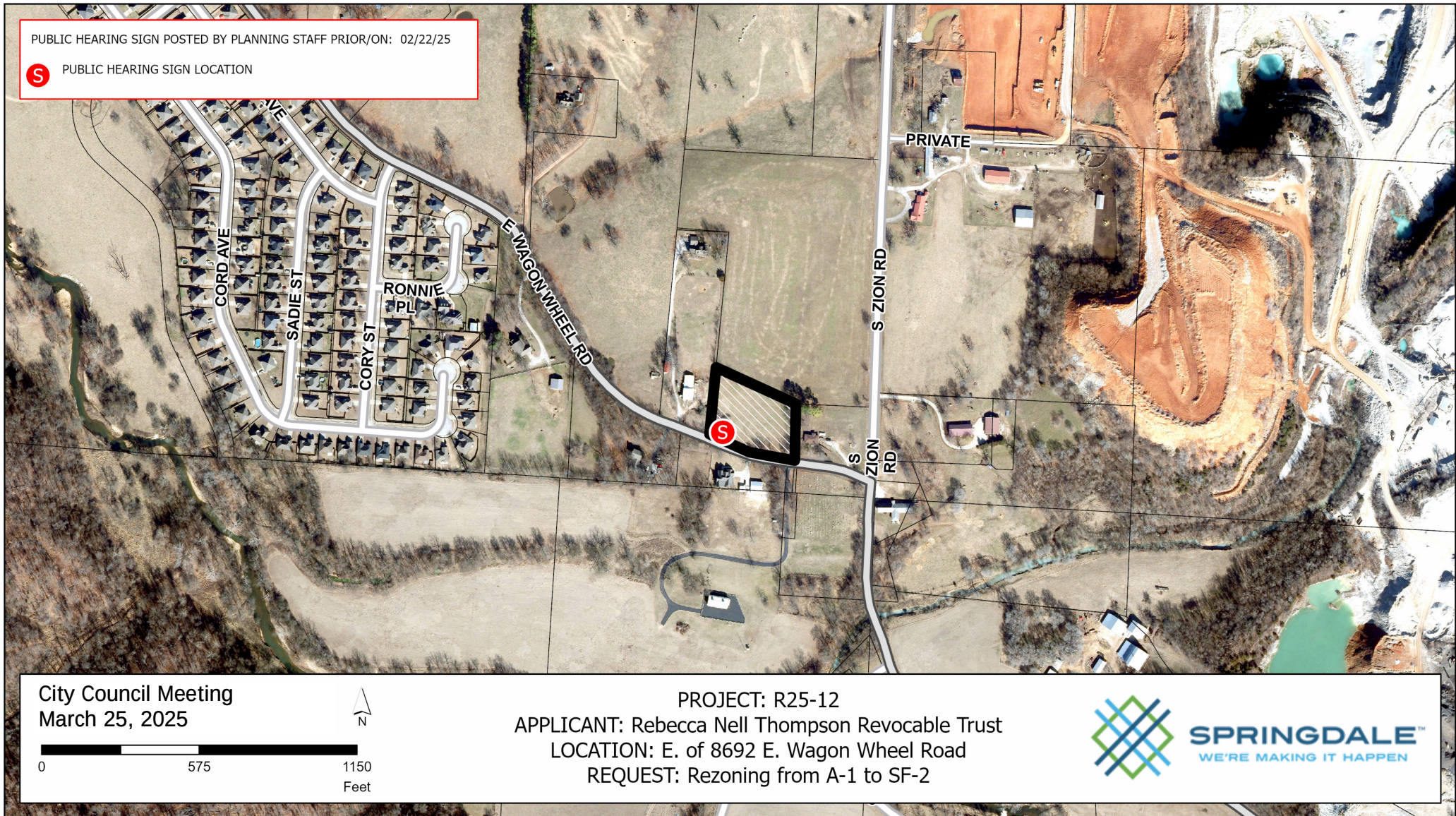
APPROVED AS TO FORM:

Ernest Cate, City Attorney

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 02/22/25



PUBLIC HEARING SIGN LOCATION



City Council Meeting
March 25, 2025



0 575 1150
Feet

PROJECT: R25-12

APPLICANT: Rebecca Nell Thompson Revocable Trust

LOCATION: E. of 8692 E. Wagon Wheel Road

REQUEST: Rezoning from A-1 to SF-2

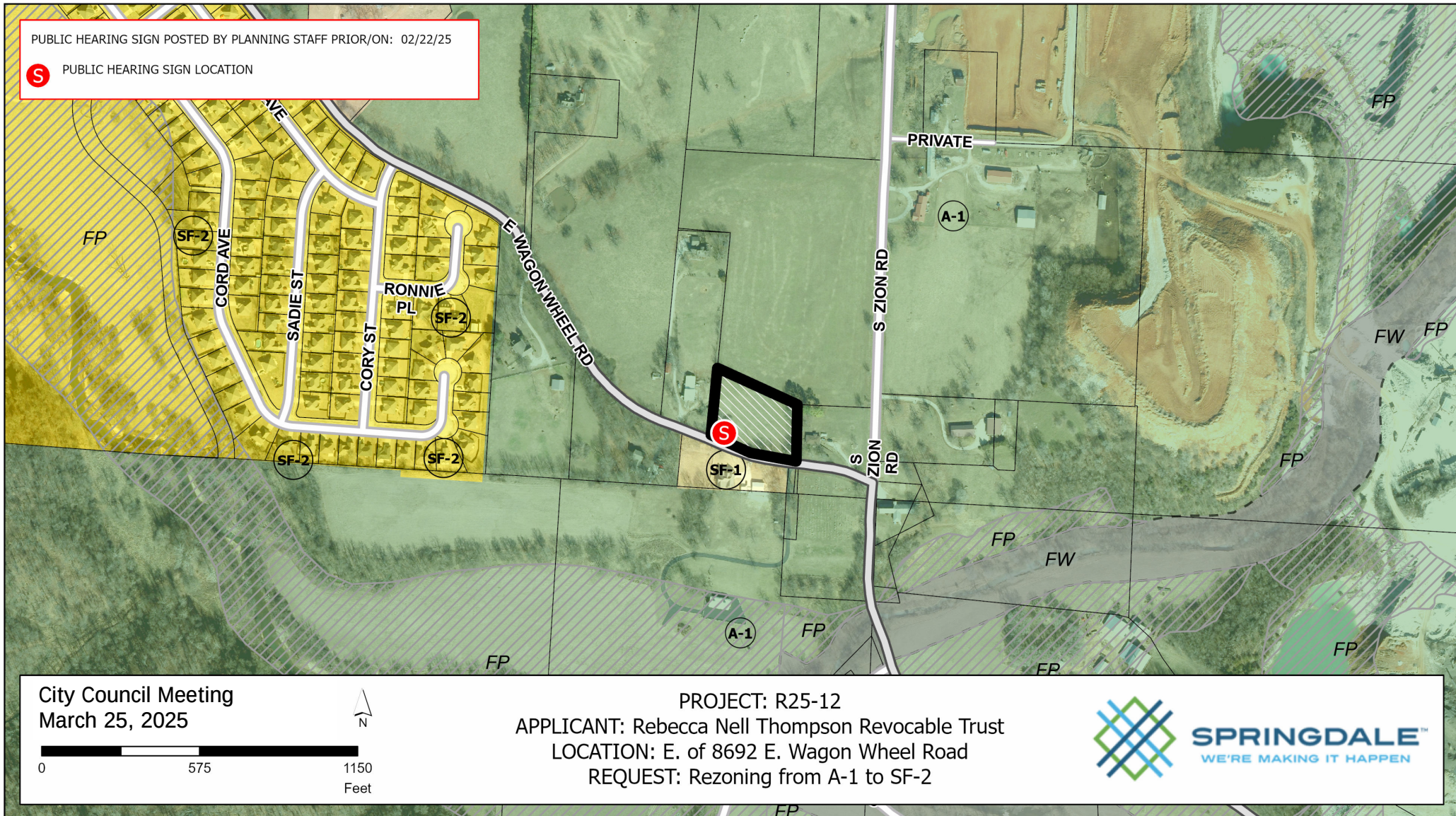


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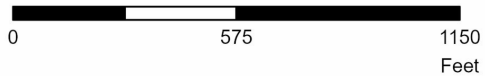
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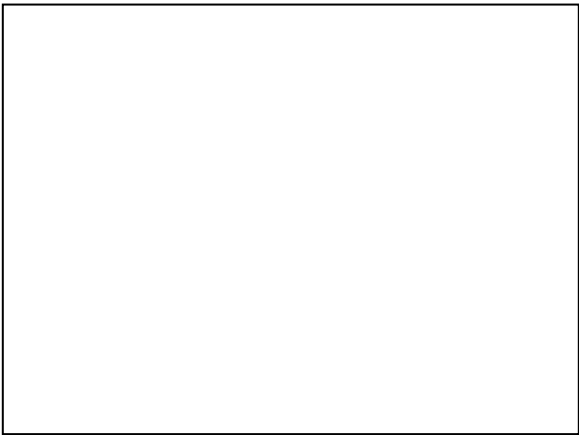


City Council Meeting
March 25, 2025



PROJECT: R25-12
APPLICANT: Rebecca Nell Thompson Revocable Trust
LOCATION: E. of 8692 E. Wagon Wheel Road
REQUEST: Rezoning from A-1 to SF-2





ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-14) CERTAIN LANDS LOCATED AT 5720 E. WHARTON ROAD FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) WITHIN SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County gave notice required by law and set a hearing date of March 4, 2025, for hearing the matter of a petition of Vanzant Fruit Farms, Inc. requesting that the following described tract of real estate be rezoned from Agricultural District (A-1) to General Commercial District (C-2).

Layman’s Description: 5720 E. Wharton Road

Legal Description:

A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE 1/4 NW 1/4) AND A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE 1/4 NW 1/4) OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 29 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND AXLE REPRESENTING THE SOUTHEAST CORNER OF SAID NE ¼ NW 1/4, THENCE SOUTH 02°13’53” WEST A DISTANCE OF 594.26 FEET; THENCE NORTH 87°36’51” WEST A DISTANCE OF 1070.19 FEET; THENCE NORTH 06°48’11” WEST A DISTANCE OF 1063.92 FEET; THENCE NORTH 09°03’45” WEST A DISTANCE OF 435.40 FEET; THENCE NORTH 09°12’09” WEST A DISTANCE OF 466.24 FEET; THENCE NORTH 07°21 11” WEST A DISTANCE OF 48.77 FEET; THENCE SOUTH 88 02’02” EAST A DISTANCE OF 1413.10 FEET; THENCE SOUTH 01°49’20” WEST A DISTANCE OF 1397.97 FEET TO THE POINT

OF BEGINNING, WITH AN AREA OF 2451701.02 SQUARE FEET, OR 56.283 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT. ALSO KNOWN AS BENTON COUNTY TAX PARCEL NO. 18-02900-000.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R25-14) from Agricultural District (A-1) to General Commercial District (C-2) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable harm and damage, and will be substantially deprived of the use of their property.

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

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From Agricultural District (A-1) to General Commercial District (C-2).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: 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 _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 02/22/25



PUBLIC HEARING SIGN LOCATION

City Council Meeting
March 25, 2025

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Feet



PROJECT: R25-14
APPLICANT: Vanzant Fruit Farms, LLC
LOCATION: 5720 N. Wharton Road
REQUEST: Rezoning from A-1 to C-2



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City Council Meeting
March 25, 2025

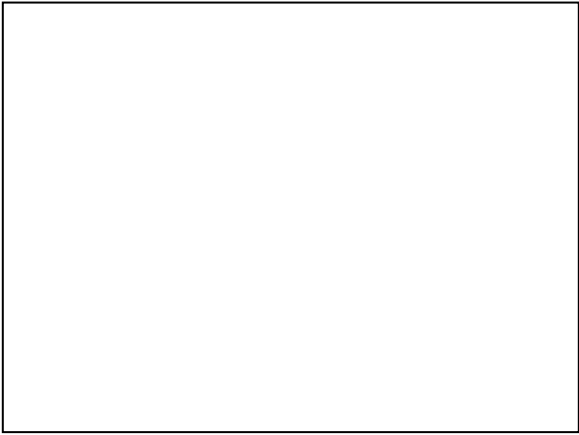
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PROJECT: R25-14
APPLICANT: Vanzant Fruit Farms, LLC
LOCATION: 5720 N. Wharton Road
REQUEST: Rezoning from A-1 to C-2



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ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-16) CERTAIN LANDS LOCATED AT 1600 W. GRAHAM ROAD FROM AGRICULTURAL DISTRICT (A-1) TO INSTITUTIONAL DISTRICT (P-1) WITHIN SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County gave notice required by law and set a hearing date of March 4, 2025, for hearing the matter of a petition of Anthony B. Taylor as Bishop of the Roman Catholic Diocese of Little Rock requesting that the following described tract of real estate be rezoned from Agricultural District (A-1) to Institutional District (P-1).

Layman’s Description: 1600 W. Graham Road

Legal Description:

PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 14, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NE 1/4 OF THE SW 1/4; THENCE ALONG THE SOUTH LINE OF SAID FORTY, N 86°39'23" W 20.00 FEET TO AN EXISTING NAIL AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTH LINE, N 86°39'23" W 296.51 FEET TO A SET P/K NAIL; THENCE LEAVING SAID SOUTH LINE, N 02°25'58" E 185.00 FEET TO A SET REBAR WITH CAP; THENCE N 86°39'23" W 35.49 FEET TO A SET REBAR WITH CAP; THENCE N 02°25'58" E 475.00 FEET TO AN EXISTING REBAR; THENCE S 86°39'23" E 332.00 FEET; THENCE S 02°25'58" W 660.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4.88 ACRES, MORE OR LESS, AND BEING SHOWN AS ADJUSTED TRACT 1 ON TRACT SPLIT FILED FOR RECORD IN BOOK 2015, PAGE 747, RECORDS OF BENTON COUNTY, ARKANSAS.

SUBJECT TO EASEMENTS, RIGHT-OF-WAYS, AND PROTECTIVE COVENANTS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R25-16) from Agricultural District (A-1) to Institutional District (P-1) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended by rezoning the above-described tract of real estate as follows:

From Agricultural District (A-1) to Institutional District (P-1).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: 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 _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 02/22/25

S PUBLIC HEARING SIGN LOCATION

City Council Meeting
March 25, 2025

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Feet



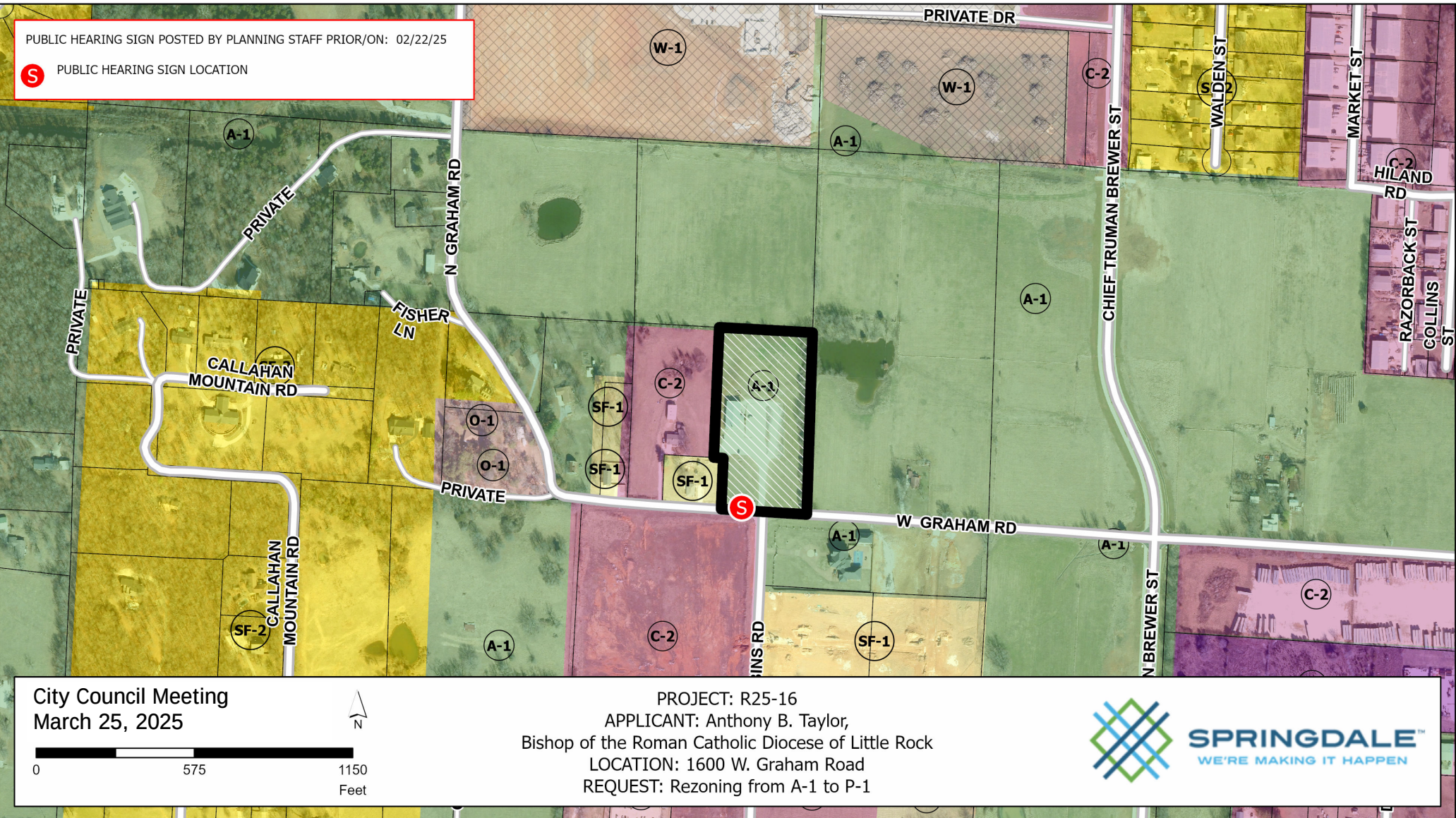
PROJECT: R25-16
APPLICANT: Anthony B. Taylor,
Bishop of the Roman Catholic Diocese of Little Rock
LOCATION: 1600 W. Graham Road
REQUEST: Rezoning from A-1 to P-1



PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 02/22/25



PUBLIC HEARING SIGN LOCATION



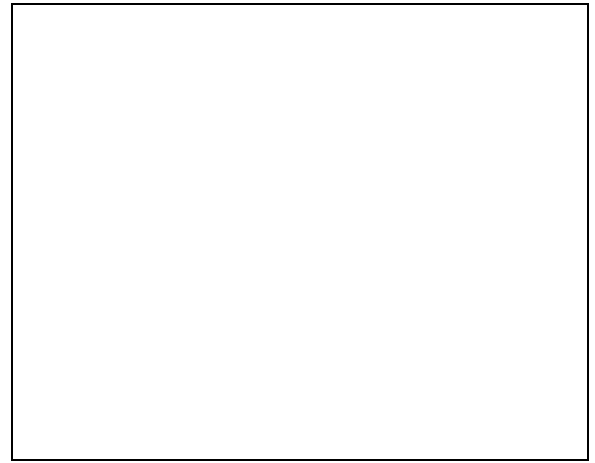
City Council Meeting
March 25, 2025



0 575 1150
Feet

PROJECT: R25-16
APPLICANT: Anthony B. Taylor,
Bishop of the Roman Catholic Diocese of Little Rock
LOCATION: 1600 W. Graham Road
REQUEST: Rezoning from A-1 to P-1





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE REPLAT (RP25-02)
OF LOTS 7 & 8 BUTTERFIELD COACH RETAIL PARK TO
THE CITY OF SPRINGDALE ARKANSAS, AND
DECLARING AN EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

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

**OUTPARCEL #7 AND OUTPARCEL #8 OF THE BUTTERFIELD COACH
RETAIL PARK, BEING PART OF THE NORTHWEST QUATER (NW1/4) OF
THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 17
NORTH, RANGE 29 WEST, CITY OF SPRINGDALE, WASHINGTON
COUNTY, ARKANSAS, FILED FOR RECORD IN FILE 023A-00000355.**

AND WHEREAS, said Planning Commission after conducting a public hearing, has approved the replat as presented by petitioner and has approved the dedication of streets, rights-of-way, and utility easements as shown upon said replat and join with the said petitioner in petitioning the City Council to accept the said replat of (RP25-02) of lots 7 & 8 Butterfield Coach Retail Park 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 (RP25-02) of lots 7 & 8 Butterfield Coach Retail Park, to the City of Springdale, Arkansas, as shown on the replat 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 _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

REPLAT of OUTPARCELS 7 & 8, BUTTERFIELD COACH RETAIL PARK

Butterfield Coach Rd. and Cass Dr.

City of Springdale, Washington County, Arkansas

PARCELS:

815-39000-000
815-38999-000

BOUNDARY DESCRIPTION:

OUTPARCEL #7 AND OUTPARCEL #8 OF BUTTERFIELD COACH RETAIL PARK, BEING PART OF THE NORTHWEST QUATER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 17 NORTH, RANGE 29 WEST, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, FILED FOR RECORD IN FILE 023A-0000335, SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

SURVEY DESCRIPTION:

OUTPARCEL #9 OF BUTTERFIELD COACH RETAIL PARK, BEING PART OF THE NORTHWEST QUATER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 17 NORTH, RANGE 29 WEST, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, BEING FILED FOR RECORD _____, 2025 AS PLAT RECORD _____

FLOOD INFORMATION:

By scaled map location and graphical plotting only. This property is located in unshaded Zone "X" which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Washington County, Arkansas.

Map Number: 05143C0090G
Map Revised: January 25, 2024

ZONING: C-5

This property is zoned C-5.
Building setbacks for zone C-5 are as follows:

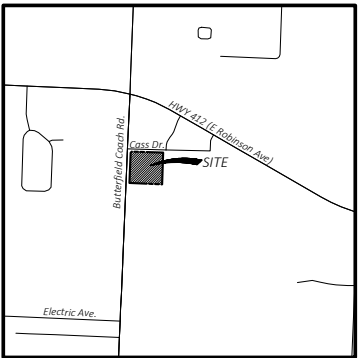
Front : 30 Feet
Side: 0 Feet
Rear: 20 Feet

GENERAL NOTES:

- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.
- Basis of Bearings: All bearings shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, North Zone, as established by a Static observation processed through Trimble RTX.
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets the current Arkansas Standards of Practice for Property Boundary Surveys and Plats.
- No permanent structures, building, footings, air conditioning units or pads, signs, retaining walls, awnings, covered walkways, or other items shall not be erected or constructed within utility easements.
- Fences shall not be erected or constructed within any drainage easement.
- Deviations / Variances / Waivers
B25-13: Variance for entrances, parking lot orientation and landscaping
W25-13: Waiver for ROW improvements

OWNER/DEVELOPER:

WAL-MART REAL ESTATE BUSINESS TRUST
2001 S.E. 10TH STREET, SWDC
BENTONVILLE, ARKANSAS 72716-0550
479-273-4000



VICINITY MAP

NOT TO SCALE
Latitude: 36°09'50"N
Longitude: 94°05'38"W



SURVEYOR'S DECLARATION:

I HEREBY DECLARE THAT I HAVE THIS DAY COMPLETED A SURVEY OF THE HEREIN DESCRIBED PROPERTY, SITUATED IN WASHINGTON COUNTY, ARKANSAS. THE PROPERTY LINES AND CORNER MONUMENTS ARE, TO THE BEST OF MY KNOWLEDGE AND ABILITY, CORRECTLY ESTABLISHED.

JAMES BARNETT, P.L.S. #1666

DATE

CERTIFICATE 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 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 _____, 2025

ALLOTTER: _____

DATE: _____

STATE OF ARKANSAS,
COUNTY OF WASHINGTON,

SWORN AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2025.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

ALLOTTER: _____

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

APPROVAL FOR RECORDING _____

DIRECTOR, PLANNING AND
COMMUNITY DEVELOPMENT DIVISION

COMMISSION _____

SECRETARY, PLANNING COMMISSION

WATER AND SEWER _____

CHAIRMAN, PLANNING COMMISSION

ENGINEER, SPRINGDALE WATER UTILITIES

STREET AND DRAINAGE _____

CITY ENGINEER

State Survey Code: 500-17N-29W-0-08-140-72-1666



CEI ENGINEERING ASSOCIATES, INC.
2600 NE 11TH ST, SUITE 300
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-9844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

REPLAT of
OUTPARCELS 7 & 8, BUTTERFIELD COACH RETAIL PARK
Butterfield Coach Rd. and Cass Dr.
City of Springdale, Washington County, Arkansas

Preliminary
This document shall
not be recorded for any
purpose and shall not
be used or viewed or
relied upon as a final
survey document

PROFESSIONAL OF RECORD JKB
DESIGNER CDG
FIELD WORK FC
CEI PROJECT NUMBER 33794
DATE 3/11/2025
REVISION REV-0

RP25-02

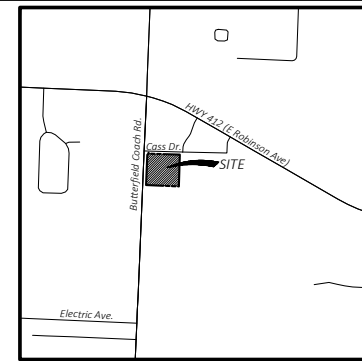
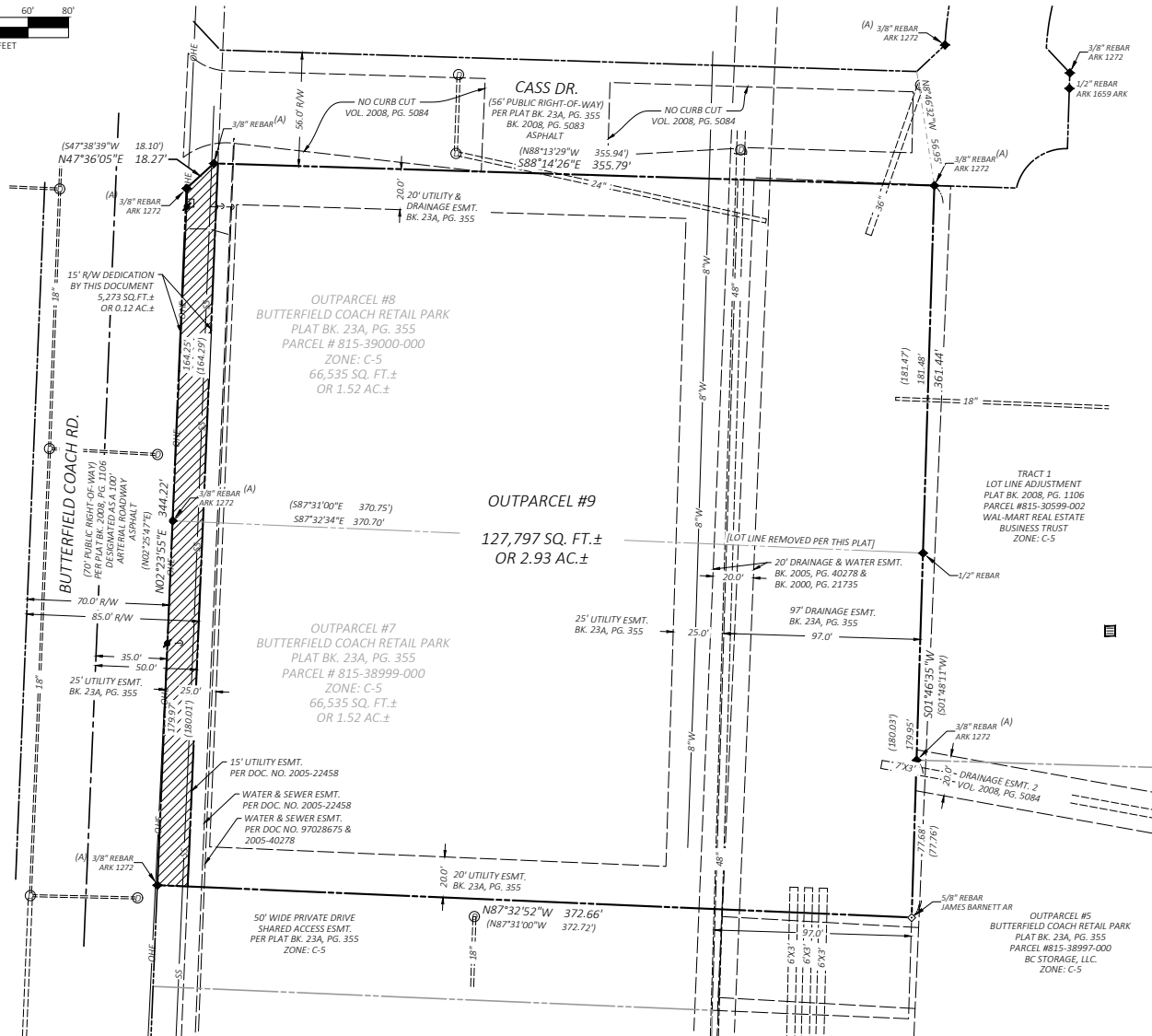
COVER SHEET

SHEET TITLE
SHEET NUMBER

DRAWING LOCATION - S:\31000\31794\DRAWINGS\SURVE\WORKING\31794RP.DWG - SAVED BY - CEGIVANNI



0 40' 60' 80'
SCALE IN FEET



VICINITY MAP

NOT TO SCALE
Latitude: 36°09'50\"/>

Legend

- Boundary Line
- Adjoining Boundary Line
- Right-of-Way Line
- Easement Line
- Found Monument (As Noted)
- Set 5/8\"/>

Record Monuments

(A) Plat Bk. 23A, Pg. 355



CEI ENGINEERING ASSOCIATES, INC.
2600 NE 11TH ST., SUITE 300
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-9844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

REPLAT OF OUTPARCELS 7 & 8, BUTTERFIELD COACH RETAIL PARK Butterfield Coach Rd. and Cass Dr. City of Springdale, Washington County, Arkansas

Preliminary
This document shall
not be recorded for any
purpose and shall not
be used or viewed or
relied upon as a final
survey document

PROFESSIONAL OF RECORD	JKB
DESIGNER	CDG
FIELD WORK	FC
CEI PROJECT NUMBER	33794
DATE	3/11/2025
REVISION	REV-0

RP25-02

RP

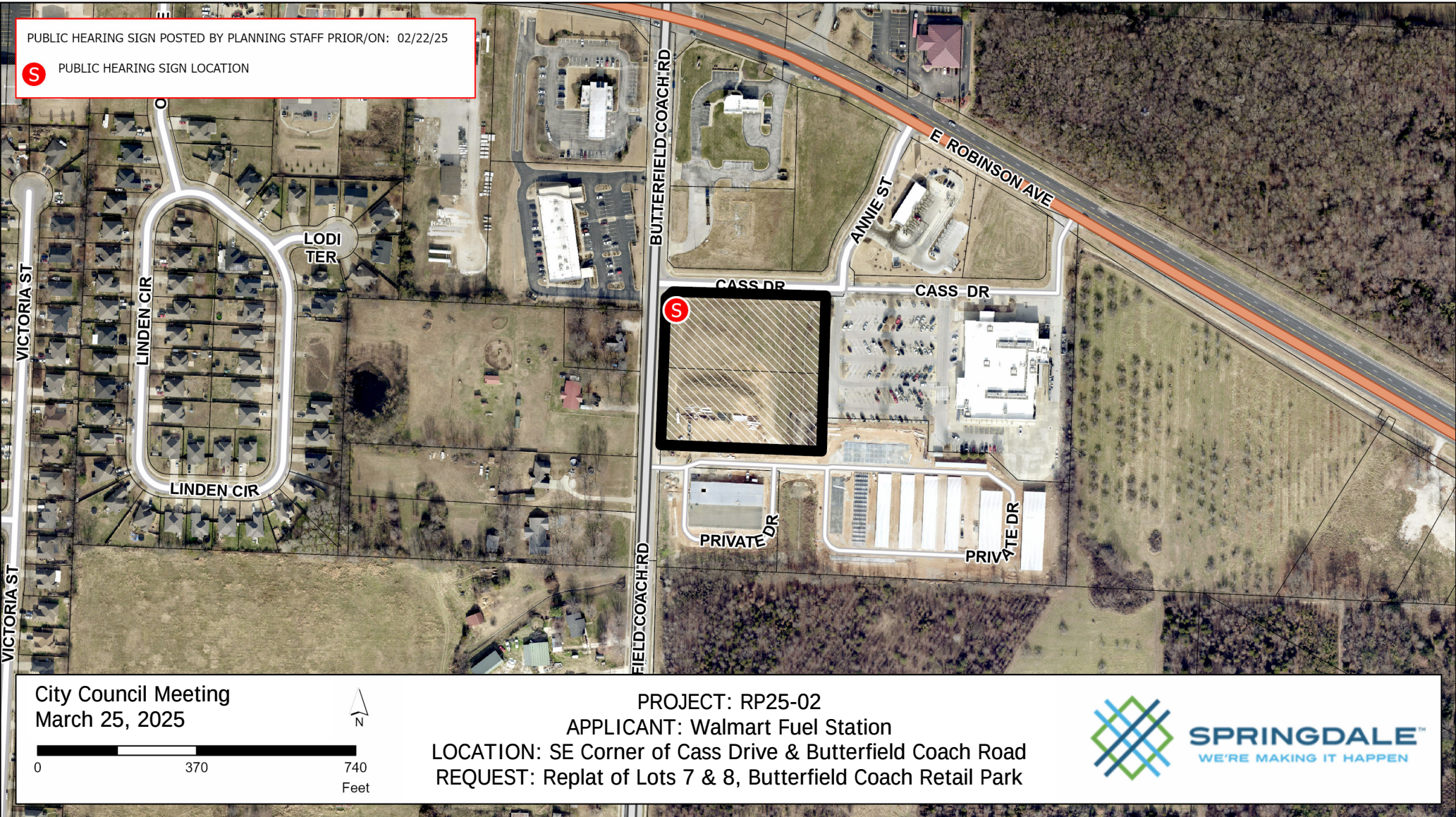
SHEET TITLE
SHEET NUMBER

State Survey Code: 500-17N-29W-0-08-140-72-1666

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 02/22/25



PUBLIC HEARING SIGN LOCATION



City Council Meeting
March 25, 2025



0 370 740
Feet

PROJECT: RP25-02

APPLICANT: Walmart Fuel Station

LOCATION: SE Corner of Cass Drive & Butterfield Coach Road

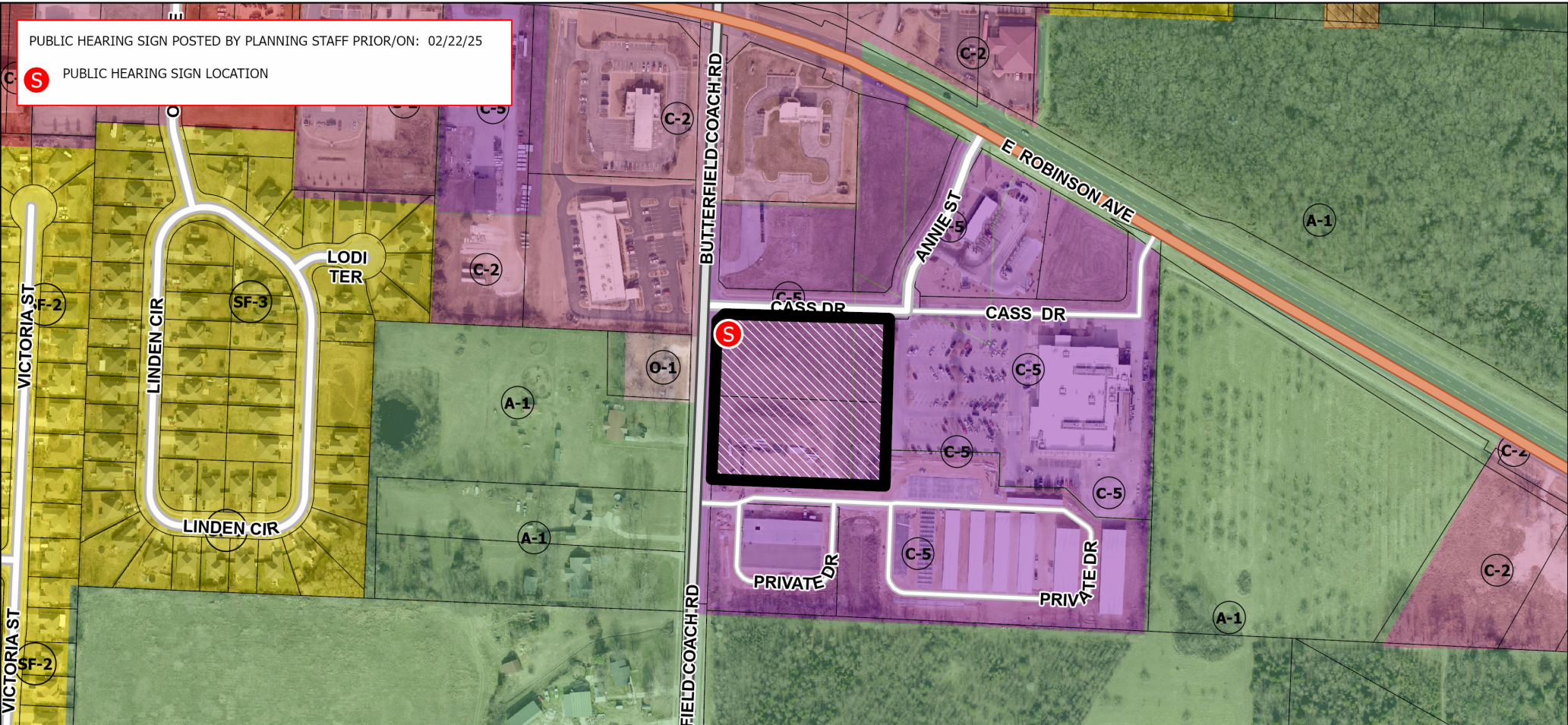
REQUEST: Replat of Lots 7 & 8, Butterfield Coach Retail Park



PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 02/22/25



PUBLIC HEARING SIGN LOCATION



City Council Meeting
March 25, 2025



0 370 740
Feet

PROJECT: RP25-02
APPLICANT: Walmart Fuel Station
LOCATION: SE Corner of Cass Drive & Butterfield Coach Road
REQUEST: Replat of Lots 7 & 8, Butterfield Coach Retail Park



RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER (W25-06) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO GENARO TRUJILLO IN CONNECTION WITH 4255 KELLY ROAD, A SINGLE-FAMILY DWELLING.

WHEREAS, Ordinance #3047 provides for the waiver (W25-06) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights 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 (W25-06) of street improvements to Kelly Road related thereto sidewalks in connection with 4255 Kelly Road, a single-family dwelling, 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 Kelly Road including improvements related thereto sidewalks in connection with 4255 Kelly Road, a single-family dwelling.

Option 2: Denies a waiver of street improvements to Kelly Road including improvements related thereto sidewalks in connection with 4255 Kelly Road, a single-family dwelling.

Option 3: Approves payment in lieu of improvements to Kelly Road including improvements related thereto sidewalks in connection with 4255 Kelly Road, a single-family dwelling with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to Kelly Road including improvements related thereto sidewalks in connection with 4255 Kelly Road, a single-family dwelling.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



City Council Meeting
March 25, 2025



PROJECT: W25-06
APPLICANT: Genaro Trujillo
LOCATION: 4255 Kelly Road
REQUEST: Waiver of Street Improvements



RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER (W25-09) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO VERONICA GARCIA IN CONNECTION WITH 116 SUTTLE DRIVE, A SINGLE-FAMILY DWELLING.

WHEREAS, Ordinance #3047 provides for the waiver (W25-09) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights 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 (W25-09) of street improvements to Suttle Drive including improvements related thereto sidewalks in connection with 116 Suttle Drive, a single-family dwelling, 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 Suttle Drive including improvements related thereto sidewalks in connection with 116 Suttle Drive, a single-family dwelling.

Option 2: Denies a waiver of street improvements to Suttle including improvements related thereto sidewalks in connection with 116 Suttle Drive, a single-family dwelling.

Option 3: Approves payment in lieu of improvements to Suttle Drive including improvements related thereto sidewalks in connection with 116 Suttle Drive, a single-family dwelling with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allows a Bill of Assurance for a period not to exceed _____ years for street improvements to Suttle Drive including improvements related thereto sidewalks in connection with 116 Suttle Drive, a single-family dwelling.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

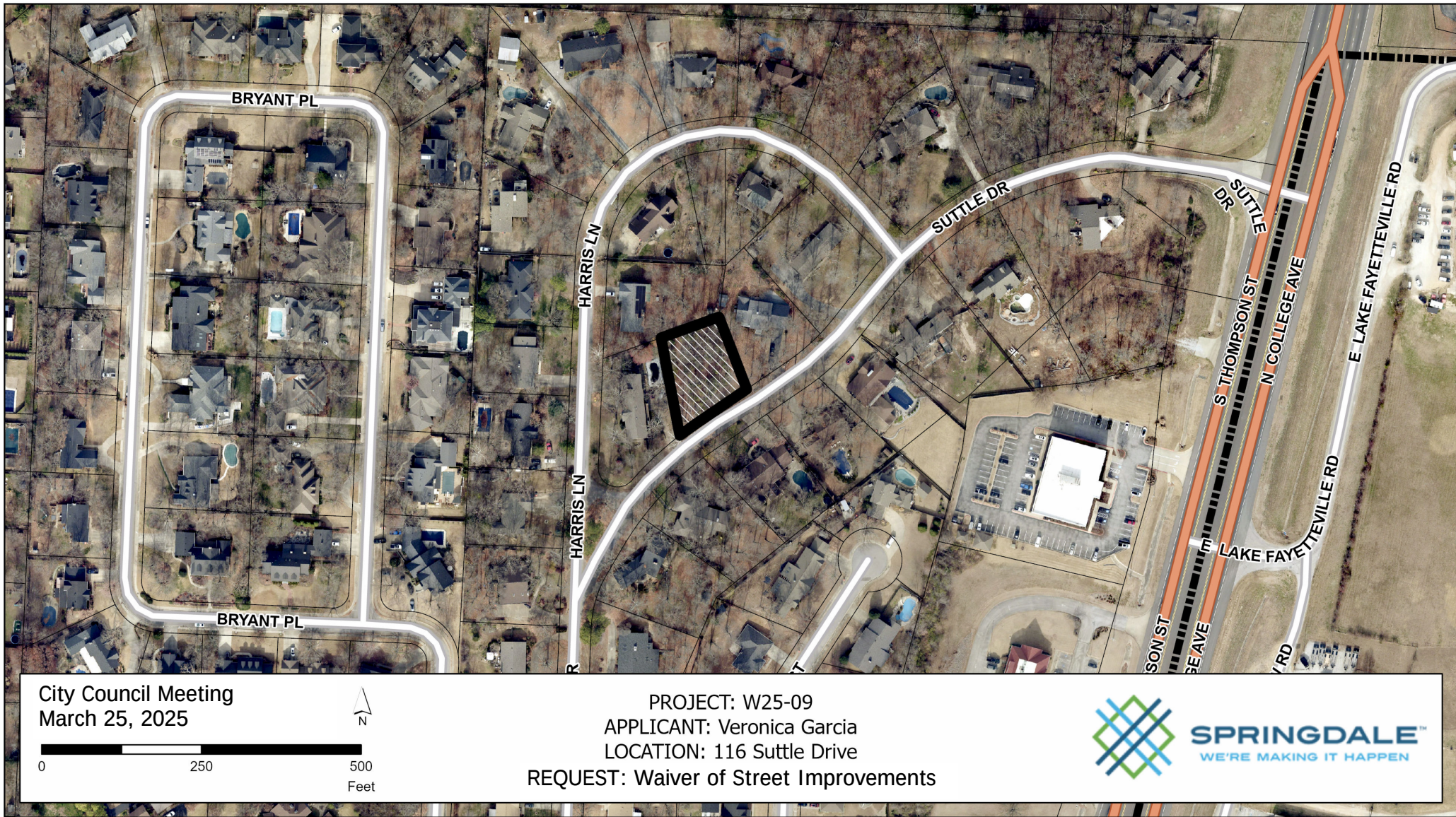
Doug Sprouse, Mayor

ATTEST:
s

Sabra Jeffus, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER (W25-05) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO HKH RESIDENCE TRUST IN CONNECTION WITH 8781 W. MILLER ROAD, A SINGLE-FAMILY DWELLING.

WHEREAS, Ordinance #3047 provides for the waiver (W25-05) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights 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 (W25-05) of street improvements to HKH Residence Trust including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with 8781 W. Miller Road, a single-family dwelling, and the Planning Commission recommends denial 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 West Miller Road including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with 8781 W. Miller Road, a single-family dwelling.

Option 2: Denies a waiver of street improvements to West Miller Road including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with 8781 W. Miller Road, a single-family dwelling.

Option 3: Approves payment in lieu to West Miller Road including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with 8781 W. Miller Road, a single-family dwelling with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to West Miller Road including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with 8781 W. Miller Road, a single-family dwelling.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

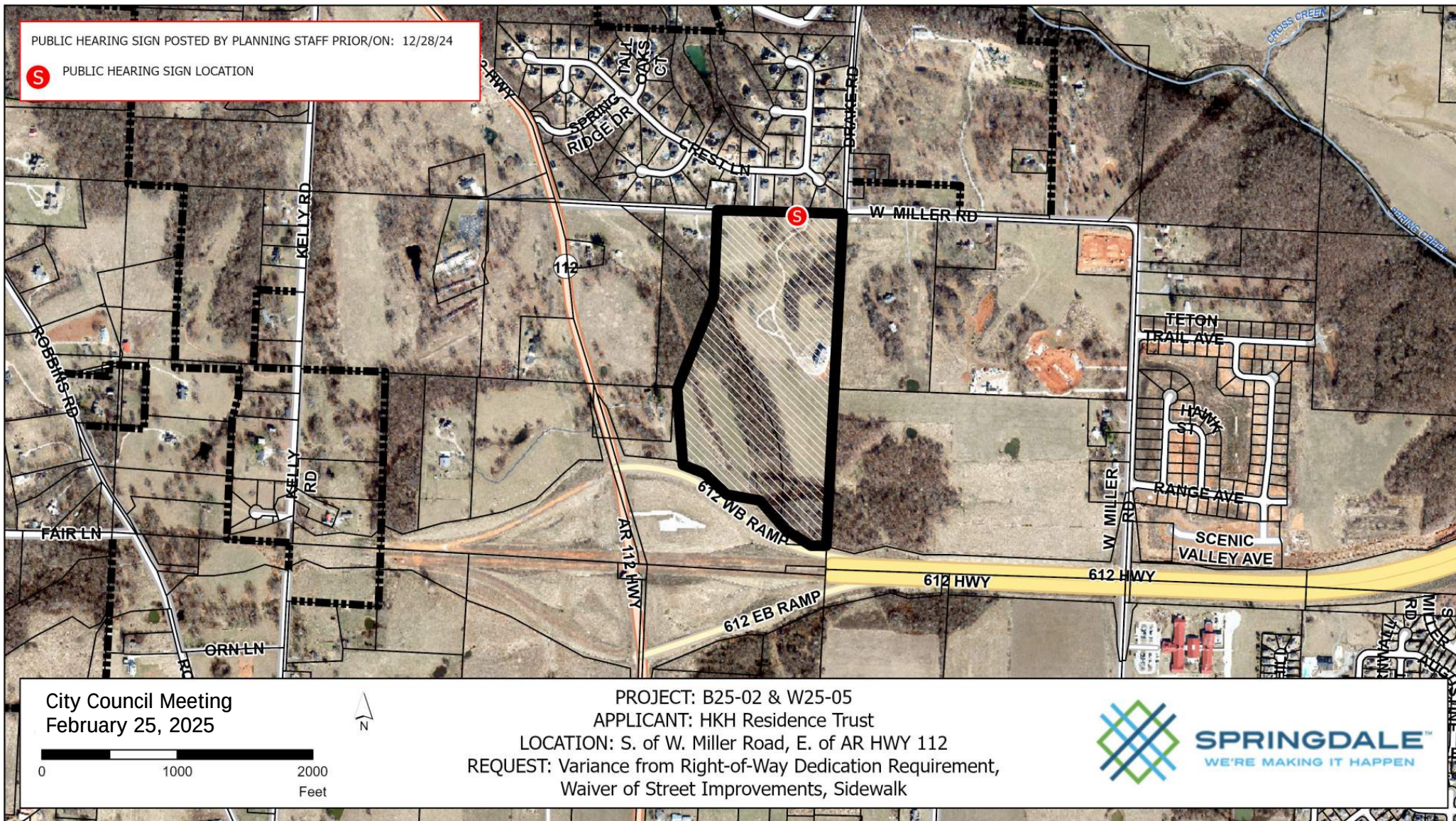
APPROVED AS TO FORM:

Ernest Cate, City Attorney

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 12/28/24



PUBLIC HEARING SIGN LOCATION



City Council Meeting
February 25, 2025

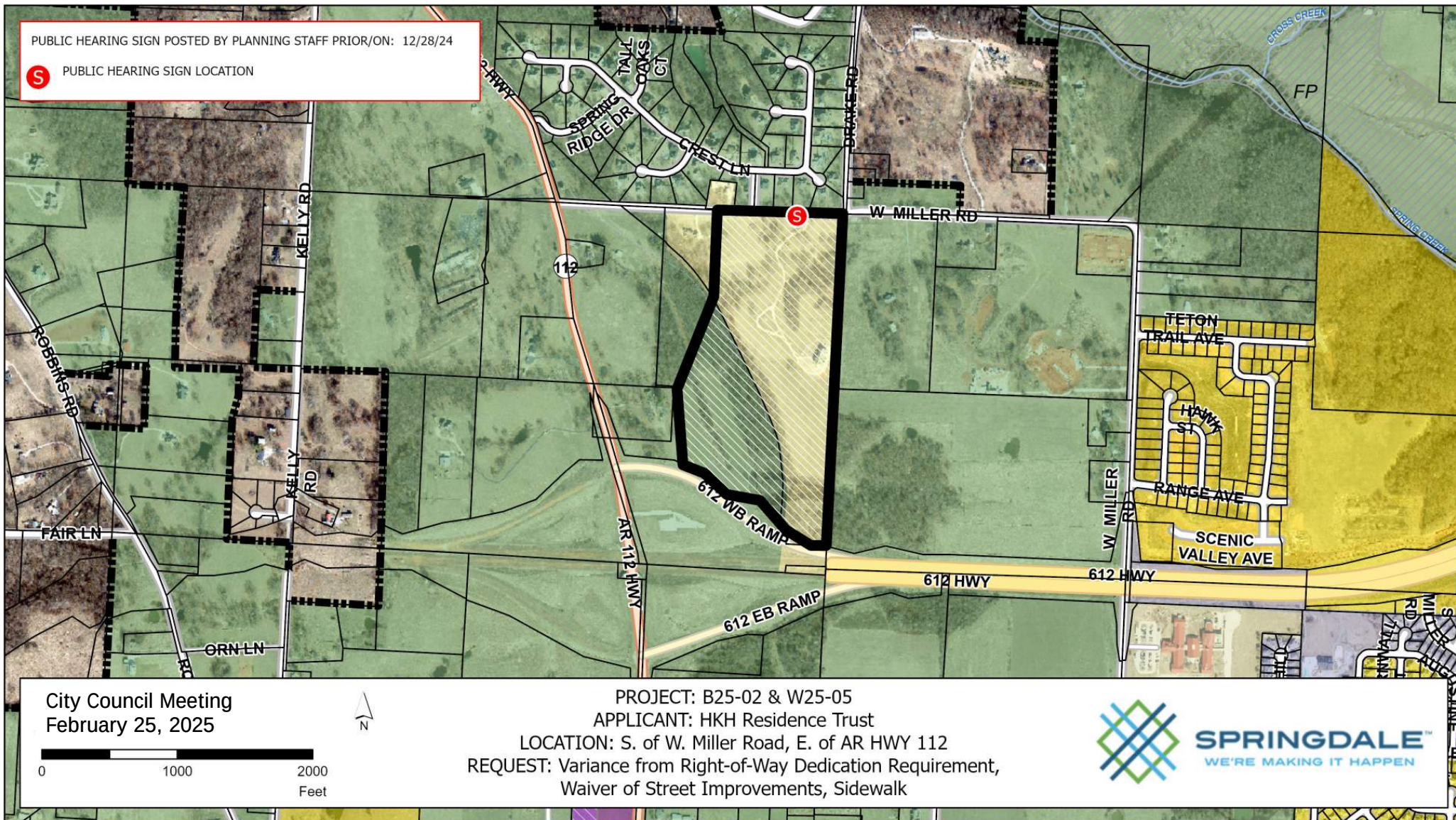
PROJECT: B25-02 & W25-05
APPLICANT: HKH Residence Trust
LOCATION: S. of W. Miller Road, E. of AR HWY 112
REQUEST: Variance from Right-of-Way Dedication Requirement,
Waiver of Street Improvements, Sidewalk



PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 12/28/24



PUBLIC HEARING SIGN LOCATION



City Council Meeting
February 25, 2025

PROJECT: B25-02 & W25-05
APPLICANT: HKH Residence Trust
LOCATION: S. of W. Miller Road, E. of AR HWY 112
REQUEST: Variance from Right-of-Way Dedication Requirement,
Waiver of Street Improvements, Sidewalk





February 19, 2025

Sabra Jeffus
City Clerk
City of Springdale
201 Spring Street
Springdale, AR 72764

RE: B25-09 - Northern Hills Variance – Denial Appeal Letter
Atwell Project Number: 23007301

Ms. Jeffus,

This letter is in response to the denial we (Northern Hills MHC LLC) received at the February 04, 2025, Planning Commission Meeting for the Northern Hills Variance (B25-09) request. This variance request to Springdale Code entailed the reduction of the 30' setback from the roadway centerline to building for 8 manufactured homes at the Northern Hills manufactured housing community. Please note, these are existing homesites that have had homes existing on the lots in the past. The Variance Request Submittal is contained at the end of this Appeal Letter.

At the Planning Commission Meeting, we received feedback from City of Springdale regarding concerns regarding fire response at the community. City of Springdale was concerned with cars parked on the street at Northern Hills MHC impeding fire trucks in the event of a fire. As such, we are revising the community rules to completely prohibit street parking at the community. This will preserve the entire 25' wide roadways at Northern Hills MHC for emergency access.

Furthermore, there were some instances of poor communication between Northern Hills MHC LLC and the Planning Commission at the February 04, 2025 meeting regarding the purpose of this Variance Request. I have added a "Comment-Response" section to this letter to address all open questions from the meeting, and better present the purpose of our Variance Request.

In closing, we believe the Variance Request was wrongfully denied, and we are appealing the denial of our Variance Request. We appreciate your time and consideration of this Appeal, and we appreciate the opportunity to replace these 8 currently vacant homesites with 8 affordable manufactured housing units. We appreciate your consideration of this letter and the opportunity to help address the lack of affordable housing in Springdale.

The below are our responses to the comments and questions made at the February 04, 2025 Planning Commission Meeting regarding our Variance Request. Please allow this Comment Response Letter to serve as our mechanism for appealing the denial of our Variance Request.



1. Comment: Planning Commission stated the community was already overcrowded.

Response: The property is zoned MHP – Manufactured Home Park. Per Springdale Ordinance, the MHP zoning designation allows for a density of 10 units per acre. The property is 23.75 acres (deeded) in area. This would allow for 237 sites at this community.

The community currently has 181 sites, well below the allowed density.

Furthermore, the sites in question are currently existing homesites where homes have existed in the past. We are not proposing any “new” lots or any sites. We are simply attempting to replace once existing homes on these currently vacant homesites.

2. Comment: Planning Commission cited a lack of resident parking.

Response: Per Article 7 of Springdale Ordinance, “Two (2) spaces for each manufactured home outside the primary structure” are required.

All existing and proposed homes at the community feature 2 parking spaces per Springdale Ordinance.

3. Comment: Planning Commission cited a lack of visitor parking.

Response: The community provides 12 visitor parking spots at the community office and 4 parking spots on F Street for additional visitor parking.

Furthermore, the Owner is moving forward to reconfigure the existing RV storage area as additional visitor parking (located in southwestern corner of site).

4. Comment: Planning Commission cited that too many cars currently park on the street.

Response: The current Rules and Regulations of the community do not permit street parking, with exception of guests limited to 5 hours.

The Owner has issued a notice to residents to reiterate the aforementioned rule, and prompt residents to utilize provided driveway parking spaces.

The Owner is now moving to revise community rules to prohibit all street parking (for residents or visitors). The Owner is moving forward to reconfigure the existing RV storage area as additional visitor parking (located in southwestern corner of site).

5. Comment: Fire department concerned with how close homes are to road and cars parked in street.

Response: Per Sec. 66-43 (g) of Springdale Ordinance, all roads “shall have a minimum width of 25 feet”. The required 25’ road width will not be impacted by home placement.

Owner is moving to revise community rules to prohibit all street parking (for residents or visitors), thus preserving the entire 25’ wide roadway for emergency response vehicles.

Lastly, as these are existing homesites, the previously existing homes for these lots were actually larger (and closer to the roadway) than the replacement homes we are proposing.



6. Comment: The Planning Commission was under the impression that we were asking to add “additional homes”.

Response: These home sites are existing and have previously had homes existing on these lots. RHP only intends to replace the quantity of homes that had previously existed. The number of sites at the community will remain at 181 sites.

Again, as these are existing homesites, the previously existing homes for these lots were actually larger (and closer to the roadway) than the replacement homes we are proposing.

7. Comment: Planning Commission was concerned with size of proposed homes.

Response: We are proposing single-wide manufactured housing units. We are only requesting a variance to the CL of roadway to building setback.

Again, the required 25’ roadway width will not be impacted due to home size or home placement, thus preserving the entire 25’ wide roadway for emergency response vehicles.

Again, as these are existing homesites, the previously existing homes for these lots were actually larger (and closer to the roadway) than the replacement homes we are proposing.

8. Comment: Planning Commission stated Unit C-15 would not be allowed as the unit is located within the Floodway.

Response: While this lot is located adjacent to the delineated Floodway, we believe the home orientation can be configured to completely avoid the Floodway. The home would only be located in the delineated Flood Zone AE, which according to the City of Springdale Floodplain Management Program, is completely allowable.

All flood reduction regulations would be met, such as FFE of home sufficiently elevated above BFE and sufficient tiedowns implemented.

Lastly, according to the City of Springdale Floodplain Management Program (Floodplain Development Permit Application), a development can be constructed within a Regulatory Floodway with a No Rise Certificate. Please note, we intend to completely avoid the Regulatory Floodway and avoid the need for a No Rise Certificate.



We hope the above responses sufficiently answer all outstanding questions posed by the Planning Commission and allow the denial to be overturned. Please let me know if anything additional is required to complete the Appeal Process. We appreciate your help in getting this variance approved in order to provide 8 new affordable housing units in an area that is severely lacking affordable housing.

Thanks and please feel free to contact me at 985.773.4017 with any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Fontenot", with a stylized flourish at the end.

Matt Fontenot, PE

Project Manager

ATWELL, LLC

985.773.4017 Mobile

1800 Parkway Place | Suite 700 | Marietta, GA 30067

B25-09 Northern Hills MHC, LLC

1901 W. Shady Grove

Variance for Reduction of Front Setbacks on lots A29, C9, C15, C27, D18, D24, F3, & F9

Presented by Peter Schoppe

Mr. Schoppe: Good evening. My name is Pete Schoppe. I'm here for Northern Hills Manufactured Home LLC. Here requesting a variance to 212 which is the manufactured home park ordinance for 30-foot setbacks from the roadway center line to building. We're proposing eight new homes within our community. The purpose of the variance is requests to allow dimensional variations due to a regular community layout to allow the installation of eight affordable manufactured homes. With this, we are currently matching the existing configuration of the community with these requested dimensional variations. The community has existing homes where the distance from home to roadway is less than the current.

The 25, we currently, well, the 25-foot roadway widths are as required by code would still be met. The roads are not reduced. The roads are still 25 feet as required. And as everyone knows, Northwest Arkansas has severe affordable housing with this will allow us to build eight homes and we typically within the communities we run, we're able to fill those homes within 18 days of completion.

Mr. Cloud: Staff comments.

Mrs. Christie: I want to start with the one location on the south side is in the floodplain. So, you're not gonna be able to put a mobile home there.

Mr. Schoppe: I'm sorry, which one was that?

Mrs. Christie: The one at the very south end of the,

Mrs. Hollingshead: I think it's C18, C15 rather. That one is in the floodway, you can't build anything on that lot.

Mr. Schoppe: I will notate.

Mrs. Christie: Okay, and then the other lots that you have there, if... are you putting smaller manufactured homes on it or are they gonna be the standard size of all the rest of them?

Mr. Schoppe: They'll be smaller than the current footprint, current homes are in there. I believe these are gonna be 16 by 46s.

Mrs. Christie: Okay, and you guarantee they're not gonna be larger than that. Because what you're doing is creating a situation where you're taking up parking spaces which requires people to park in the street. The size of the street is what it was then, when you get everybody parking on the street, you're not gonna be able to get a fire truck down through there. And that gives a little bit of space as it is in those open areas to, you know, create a little extra parking, a little other

place to go when you start putting manufactured homes in there, we've lost that capability and there's not a lot of open space in this whole subdivision.

Mr. Schoppe: There will still be off-street parking for those homes.

Mrs. Christie: Two spaces.

Mr. Schoppe: Two spaces, yes.

Mrs. Christie: And they're not too close to the street.

Mr. Schoppe: Correct. They'll be off the street.

Mrs. Christie: Okay, Steve, you want to comment on this one?

Mr. Goss: Will it increase any on-street parking?

Mr. Schoppe: It will not.

Mrs. Christie: Okay, but we got on-street parking going on now. How are you gonna keep these from increasing on-street parking?

Mr. Schoppe: For the homes that we're putting in, they have off-street parking. They have dedicated spaces. Right now, you know, we enforced that the residents park within their, with the spots that are allowed.

Mrs. Christie: Okay, what about when they have visitors?

Mr. Schoppe: We do have visitor spots located up by the office.

Mrs. Christie: So, if I'm down there at the south end on one of those other streets and I have a visitor, they gotta park up by the office and walk?

Mr. Schoppe: I believe we have two other spots for off-street that are dedicated for non-residents as well for visitors.

Mrs. Christie: Well, I can tell you my opinion is, there's plenty of units in there already and these small little areas, I'm very concerned about what happens if we put mobile homes on there, and I didn't see anything on here that you were guaranteeing that you're gonna put a smaller sized manufactured home on those.

Mr. Cloud: Yeah, I drove through this part today and you got a lot of homes in there, and I counted 14 vehicles on the street at 3:00 in the afternoon. So, I doubt that's, well it could be anything, but my thought is, I agree, we do, you know, we need to look at affordable housing a lot of different ways, but after driving through the site today, it felt really full to me as is. So, personally I can't get comfortable adding more units even if they were smaller. Is there any public comment to this request? Please come up, state your name, address.

Mr. Wygal: Good afternoon. I'm Ken Wygal. I also work for RHP Properties. These plats, they've already had homes on them. We're not adding additional housing but just replacing homes that are not there currently. These have all had houses on them at one point.

Mrs. Christie: How long ago?

Mr. Wygal: That I can't tell you. I have not looked back into the history of it, but there's parking there dedicated for them as they were already on site.

Mrs. Christie: Ed, do you have a comment?

Mr. Stith: I've had to deal with this for many years now with trying to... This is a non-conforming manufactured home park. The Ordinance was adopted after it was created. So, we had many sites on this thing where we had trailer houses. I use an old map, and actually is the old survey from when it was purchased in, I want to say 2003. So, I use that survey where all the houses were at the time, those are existing nonconformities and we let those go. We also let them add trailer houses where they could meet the Ordinance for a manufactured home park. So, both of those things, why we can't fit houses on them now where they're used to be houses, is because they had deemed to put other houses that made them too close to the new house once they moved in it. So, you can look at the old photographs and you can see where there might have been a 50-foot trailer, now there's a 60 or a 70-foot trailer. And so, that intrudes into that space, and now they can't fit another trailer in there. So, they're trying to go through a smaller trailer. The only other thing I will say is that there's one of these that's 14 feet. 14 feet on a 25-foot road, you take half of that, that's a foot and a half from the road. When we fight a fire, there is a sidewalk, generally. There's the road, there's a sidewalk and there is some setback. If you don't have any setback whatsoever, the radiant heat from a trailer fire is too intense to park a truck on the street in order to fight the fire. So, now you have to either park up or down from it and work your way back to it. This has always been a problem with trailer parks in general by the way.

Mr. Wygal: Noted and just for clarity, we have seven of these eight lots that are projected to be 16 by 48-foot houses, which is smaller than what was there to begin with. So, we have some maneuverability to keep them further off the road. We'd have to do some site plans if everything was permitted to be able to give you an exact number off center of road if necessary. One of them was even scheduled to be a 16 by 40 just using near map as a guide to keep us to a point where we were able to determine that distance, and if you can see on there that the closest one was D18 being 14-foot from center of road, but there are homes in there now multiple homes as you guys have probably seen that well encroached even tighter than that. So, we don't want to be pushing that limit, we just want to try to be able to fill these homes and provide something for somebody to move into.

Mr. Stith: Yeah, the existing homes are existing nonconformities. I cannot legally tell you shouldn't have an existing home where there was an existing home, and we've always used the practice where there was a home before of that size, you'll put the exact same size back into that hole.

Mr. Wygal: Yeah. And utilities are already present. I mean even the gas has been redone very well.

Mr. Stith: Yeah, I know the peers are there, everything's there to put a home there. The problem was if you look at them, they'll come in and then there's a house that comes right in like that and now, there's, because they made a, put bigger house over there.

Mr. Wygal: Correct. Because of the layout we're going to be constricted and we realize that as well. And if there's a lot pertinent that just doesn't fit, we wouldn't then fund it for our own safety to a home that we couldn't fill. Right, if it doesn't make sense. So, I guess I just wanted to be clear on that. These are not new spaces. This is a pre-existing home space that just is going to get rebuilt on.

Mrs. Christie: Well, I think what it is saying is a nonconforming use to start with, we'll be making the nonconformity worse in some cases when we start putting homes back in some of these lots because of what's been done over the year. We don't normally make nonconforming uses any worse.

Mr. Cloud: Thank you for clarifying. I appreciate that input. Any other public comment commissioners? If there's no comment, this will be a call for the vote.

Mr. Couch: Call for the vote.

Mr. Cloud: Mr. Couch.

The variance request is voted on electronically.

VOTE:

YES: None.

NO: Couch, Hussein, Ogunyemi, Harlan, Austin, Keith, Cloud, Cardiel, Reynolds.

Mr. Cloud: That fails nine (9) to zero (0).

Mrs. Christie: You have the right to appeal the Planning Commission's decision to the City Council. You have to notify the City Clerk within 15 days that you're filing an appeal to state why you think the Planning Commission was in error and you have to notify the adjacent property owners again. Okay? And once it's filed with the Clerk, we'll tell you when it's going to be heard by City Council.

Mr. Schoppe: Thank you.

Mr. Wygal: Thank you.



SPRINGDALETM
WE'RE MAKING IT HAPPEN

www.SpringdaleAR.gov

Application for Variance – Board of Adjustment

This document is to be submitted to the Springdale Planning & Community Development Division via planningapplications@springdalear.gov.

STAFF USE ONLY

Date Application Submitted: 01/14/2025

Date Accepted as Complete: _____ Project Number: B25-09

APPLICATION CONTACTS:

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

Applicant (person making request) Name: <u>Matthew Fontenot, P.E</u> E-mail: <u>mfontenot@atwell-group.com</u> Address: <u>1800 Parkway Place, Suite 700 Marietta, GA 30067</u> Phone: <u>985-773-4017</u> Site/ Location: <u>1901 West Shady Grove Road H35 Springdale, AR 72764</u> Assessor's Parcel Number(s): <u>815-29536-000</u>	Property Owner (if other than Applicant): Name: <u>Rebecca Wygal</u> E-mail: <u>rwygal@rhp.com</u> Address: <u>1901 W Shady Grove Road 72764 Springdale, AR 72764</u> Phone: <u>248-639-8841</u> Current Zoning District: <u>MHP</u> Rezone required: <u>N/A</u> Total Acreage: <u>23.75 ACRES</u>
--	--

Fee for Variance Application is \$75

Variance requested: (attach visual representation of request)

See final page of this document for a site map detailing all requested lot variances.

The road setback reduction variances are requested as follows: Lot A29 from 30' to 18', Lot C9 from 30' to 18', Lot C15 from 30' to 21', Lot C27 from 30' to 17', Lot D18 from 30' to 14', Lot D24 from 30' to 18', Lot F3 from 30' to 17', and Lot F9 from 30' to 19'. A 2' buffer has been incorporated to account for field variations in all building-to-road centerline setbacks.

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

The existing unique lot configurations have proven difficult to replace vacant lots with units that meet current setback requirements. Please note, without these requested variances, homes are unable to be placed on these lots.

Planning and Community Development Division

(479) 750.8550 phone | (479) 750.8539 fax | 201 Spring Street | Springdale, Arkansas 72764

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

A reduction of the road centerline setbacks in Lot A29 from 30' to 18', Lot C9 from 30' to 18', Lot C15 from 30' to 21', Lot C27 from 30' to 17', Lot D18 from 30' to 14', Lot D24 from 30' to 18', Lot F3 from 30' to 17', and Lot F9 from 30' to 19'. These changes will allow for the installation of affordable manufactured housing units.

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

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

APPLICANT SIGNATURE(S) Matthew Fontenot, P.E

DATE: 01.14.2025

LIST OF ADJACENT PROPERTY OWNERS

815-29507-000
SCREEN DOOR VENTURES LLC
2602 S 38TH ST PMB 42 STE A TACOMA WA 98409-7303

815-29509-000
SHADY GROVE CEMETERY
No address provided on County GIS

815-21988-000
THOMPSON REAL ESTATE HOLDINGS,
1605 SHADY GROVE RD SPRINGDALE AR 72764

815-21989-000
1602 JUNIPER CIRCLE LLC
401 N 7TH FORT SMITH AR 72902

815-21990-000
1602 JUNIPER CIRCLE LLC
401 N 7TH FORT SMITH AR 72902

815-21991-002
GARDEN CENTER PROPERTIES LLC
13660 LOREN LN FAYETTEVILLE AR 72704

815-21991-001
GARDEN CENTER PROPERTIES LLC
13660 LOREN LN FAYETTEVILLE AR 72704

815-29541-002
SPRINGDALE COUNTRY CLUB
608 W LAKEVIEW DR SPRINGDALE AR 72764-2520

815-29537-000
RAZORBACK FARMS INC
2001 WEST SHADY GROVE RD SPRINGDALE AR 72764

**Notice of Public Hearing before the
Springdale City Council on a
VARIANCE APPEAL**

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

Location: 1901 West Shady Grove Road Springdale, Arkansas 72764

Northern Hills Manufactured Housing Community

Owned by: Northern Hills MHC, LLC

NOTICE IS HEREBY GIVEN THAT an appeal has been filed to the Springdale City Council for the above property.

If approved, the variance will occur only upon the property described above.

It will not change anything pertaining to your property.

The purpose of this request is to:

The purpose of this variance appeal request is to allow for dimensional variations, due to irregular community layout, to allow the installation of 8 affordable housing manufactured housing units. The road setback reduction variances are requested as follows: Lot A29 from 30' to 18', Lot C9 from 30' to 18', Lot C15 from 30' to 21', Lot C27 from 30' to 17', Lot D18 from 30' to 14', Lot D24 from 30' to 18', Lot F3 from 30' to 17', and Lot F9 from 30' to 19'.

A public hearing on said Board of Adjustment appeal will be held by the Springdale City Council in the Council Chambers of the City Administration Building at 201 Spring Street, Springdale, AR 72764 on:

March 11 , 2025 at 6:00 p.m.

All parties interested in this matter may appear and be heard at said time and place or may notify the City Council of their views on this matter by letter or email. All persons interested in this request are invited to call or visit the City Administration Building to review and discuss the appeal.

Affidavit of Mailing

This document is to be submitted to the Springdale Planning & Community Development Division via iWorQ, planningapplications@springdalear.gov, or in person at 201 Spring Street, Springdale, AR.

Matthew Fontenot, PE

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



Signature

03/03/25

Date

For delivery information, visit our website at www.usps.com.
Springdale, AR 72764
Certified Mail Fee \$4.85
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) \$4.10
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.73
Total Postage and Fees \$9.68
Sent To Springdale Country Club
Street and Apt. No., or PO Box No. 608 W. Lakeridge Dr.
City, State, ZIP+4® Springdale, AR 72764
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

For delivery information, visit our website at www.usps.com.
Fayetteville, AR 72704
Certified Mail Fee \$4.85
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) \$4.10
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.73
Total Postage and Fees \$9.68
Sent To Garden Center Properties LLC
Street and Apt. No., or PO Box No. 13660 Loren Ln
City, State, ZIP+4® Fayetteville, AR 72704
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Certified Mail Fee \$4.85
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) \$4.10
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.73
Total Postage and Fees \$9.68
Sent To Razor Back Farm Inc
Street and Apt. No., or PO Box No. 2001 West Shady Grove Rd
City, State, ZIP+4® Springdale, AR 72764
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Fayetteville, AR 72704
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☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.73
Total Postage and Fees \$9.68
Sent To GARDEN Center Properties LLC
Street and Apt. No., or PO Box No. 13660 Loren Ln
City, State, ZIP+4® Fayetteville, AR 72704
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

For delivery information, visit our website at www.usps.com.
Fort Smith, AR 72902
Certified Mail Fee \$4.85
Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) \$4.10
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.73
Total Postage and Fees \$9.68
Sent To 7402 Juniper Circle LLC
Street and Apt. No., or PO Box No. 401 N. 7th
City, State, ZIP+4® Fort Smith, AR 72902
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Tacoma, WA 98409
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☒ Return Receipt (hardcopy) \$4.10
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.73
Total Postage and Fees \$9.68
Sent To Screen Door Ventures LLC
Street and Apt. No., or PO Box No. 2602 S. 38th St. PMB 42 Ste A
City, State, ZIP+4® Tacoma, WA 98409
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Extra Services & Fees (check box, add fee as appropriate)
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☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.73
Total Postage and Fees \$9.68
Sent To 7402 Juniper Circle LLC
Street and Apt. No., or PO Box No. 401 N. 7th
City, State, ZIP+4® Fort Smith, AR 72902
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Extra Services & Fees (check box, add fee as appropriate)
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☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.73
Total Postage and Fees \$9.68
Sent To Thompson Real Estate Holdings
Street and Apt. No., or PO Box No. 1605 Shady Grove Road
City, State, ZIP+4® Springdale, AR 72764
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 01/25/25



PUBLIC HEARING SIGN LOCATION



City Council Meeting
March 11, 2025

0 825 1650
Feet

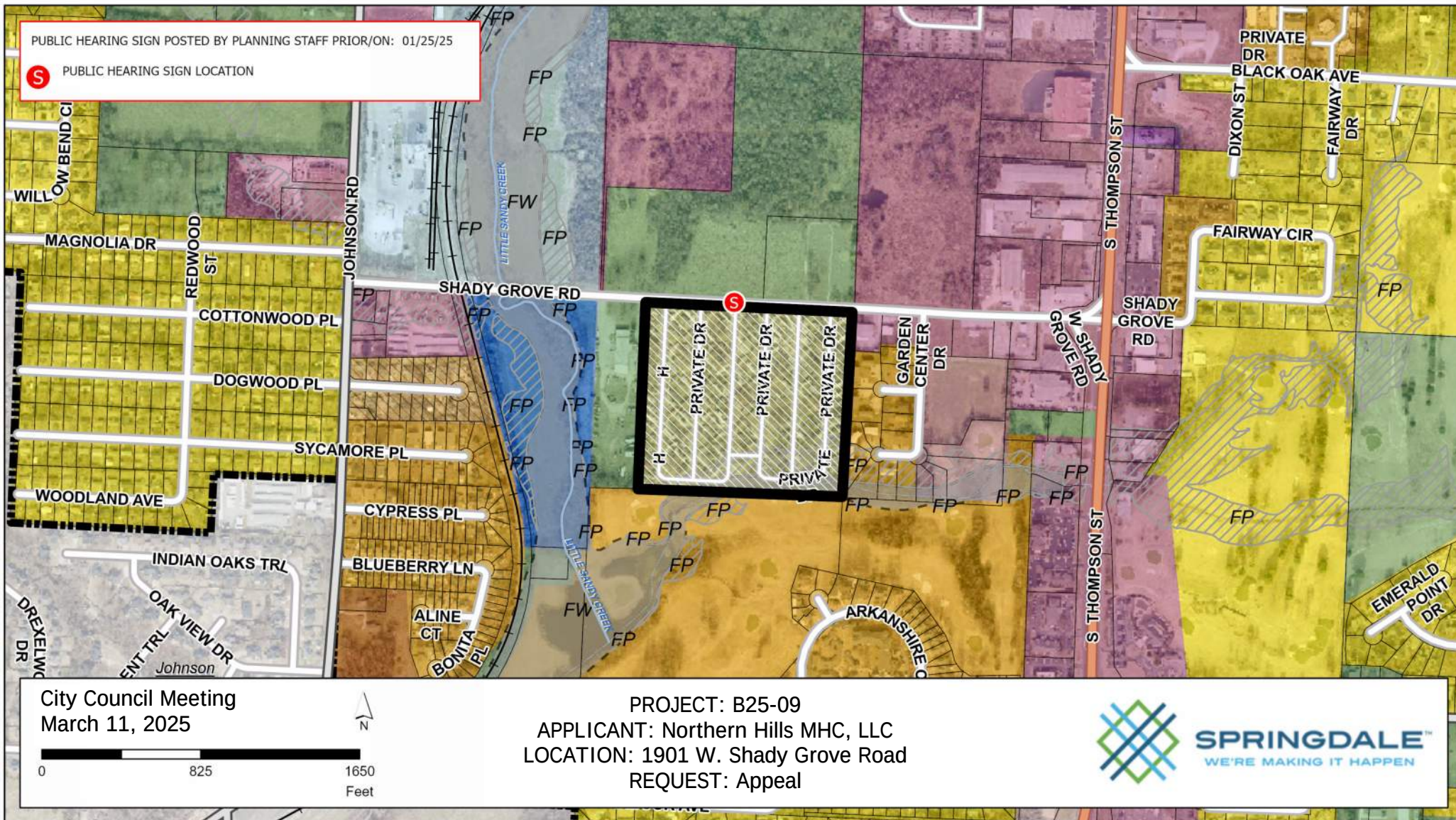
PROJECT: B25-09
APPLICANT: Northern Hills MHC, LLC
LOCATION: 1901 W. Shady Grove Road
REQUEST: Appeal



PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 01/25/25



PUBLIC HEARING SIGN LOCATION



RESOLUTION NO: _____

**A RESOLUTION ADOPTING AND APPROVING THE 2025
ACTION PLAN FOR THE COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM**

WHEREAS, in accordance with the guidelines established by the Department of Housing & Urban Development for the Community Development Block Grant Program, a 2025 Program Year Action Plan was developed, a copy of which is attached and made a part of the resolution; and

WHEREAS, in accordance with the program's citizen participation plan a public meeting was held on February 26, 2025, followed by CDBG committee review at the meeting held on March 17, 2025.

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

1. That the 2025 Program Year Action Plan for use of Community Development Block Grant Program Funds, a copy of which is attached and made a part as though set out herein word or word, is approved and authorized for submission to the United States Department of Housing and Urban Development on or before July 28, 2025.
2. That Mayor Doug Sprouse is hereby designated as the authorized official to execute all documents pertaining to the Community Development Block Grant Program.

PASSED AND APPROVED this 25th day of March, 2025

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

CITY OF SPRINGDALE

CDBG FY 2025 Program Summary

The City of Springdale as an entitlement city in the Department of Housing & Urban Development's (HUD) Community Development Block Grant (CDBG) Program receives a formula grant annually. **The primary objective of the CDBG Program is the preservation and development of viable communities by providing decent housing, a suitable living environment, economic development opportunities, public services and public facilities principally for low- and moderate-income persons.** Entitlement funding for FY2025 is estimated to be \$865,410 for the Program year starting July 1, 2025 and ending June 31, 2026.

The activities contained in the City's work program are as follows:

- 100% dedicated funding for the low-income families
- Rehabilitation of owner-occupied single-family dwellings from 1978 or older, including emergency repairs-- \$622,413 - 71%
- Direct grant to Nonprofit organizations -- \$134,500 – 15%
 - BTX Sports and Fitness- \$24,000
 - VFW Post 2952- \$24,000
 - Feed the 479- \$20,000
 - Community Clinic- \$12,000
 - Compassion House- \$24,000
 - CASA of NWA- \$20,000
 - CoC of NWA- \$10,500
- Program administration -- \$75,000 - 10.4%
- Public Facility- 25%- Spring Creek Bridge- as a continuation of FY24 funds

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A CONSTRUCTION CONTRACT FOR DON
TYSON PARKWAY AND I-49 SOUTHBOUND
SIGNAL
PROJECT NO 23BPS9**

WHEREAS, sealed bids were received on March 4, 2025 at 2:00 p.m. for the Southside Intersection Improvements – I-49 Southbound at Don Tyson Parkway, and

WHEREAS, All Service Electric, Inc. was the low bidder for this project at \$569,708.00,

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

Section 1. The Mayor and City Clerk are hereby authorized to execute a contract with All Service Electric, Inc. for the construction of the Southside Intersection Improvements – I-49 Southbound at Don Tyson Parkway for \$569,708.00 to be paid from the 2023 Street Bond Fund.

Section 2. The Mayor is authorized to approve additional construction change orders as long as the cumulative total of the additional change orders does not exceed 10% of the original contract price.

PASSED AND APPROVED this 25th day of March, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Project Name: Southside Intersection Improvements - I-49 Southbound at Don Tyson Pkwy
BMCD Project Number: 163124
Client Job Number: 23BPS9
Client Job Name: Southside Intersection Improvements - I-49 Southbound at Don Tyson Pkwy
First Advertisement for Bid: 2/9/2025
Bid Opening: March 4, 2025 2:00 PM



BID TABULATION

CONTRACT				ENGINEER'S OPCC		TLS GROUP, INC.		ALL SERVICE ELECTRIC, INC.	
ITEM NO.	ITEM DESCRIPTION	QTY.	UNIT	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
A1	ROADWAY CONSTRUCTION CONTROL	1	LS	\$ 6,750.00	\$ 6,750.00	\$ 1,700.00	\$ 1,700.00	\$ 10,000.00	\$ 10,000.00
A2	TRENCH AND EXCAVATION SAFETY SYSTEMS	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 3,950.00	\$ 3,950.00	\$ 2,000.00	\$ 2,000.00
A3	(4") CONCRETE SIDEWALK	65	SY	\$ 250.00	\$ 16,250.00	\$ 160.00	\$ 10,400.00	\$ 300.00	\$ 19,500.00
A4	SODDING	40	SY	\$ 10.00	\$ 400.00	\$ 19.00	\$ 760.00	\$ 50.00	\$ 2,000.00
A5	EROSION CONTROL	1	LS	\$ 3,250.00	\$ 3,250.00	\$ 16,030.00	\$ 16,030.00	\$ 5,000.00	\$ 5,000.00
A6	TRAFFIC CONTROL	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 7,160.00	\$ 7,160.00	\$ 15,000.00	\$ 15,000.00
A7	MOBILIZATION	1	LS	\$ 35,000.00	\$ 35,000.00	\$ 20,000.00	\$ 20,000.00	\$ 24,000.00	\$ 24,000.00
A8	CURBED ISLAND FOR CHANNELIZATION - REPAIR (8" THICKNESS)	70	SY	\$ 200.00	\$ 14,000.00	\$ 216.00	\$ 15,120.00	\$ 400.00	\$ 28,000.00
A9	6" WHITE PAVEMENT MARKING (THERMOPLASTIC)	1,604	LF	\$ 1.50	\$ 2,406.00	\$ 2.00	\$ 3,208.00	\$ 2.00	\$ 3,208.00
A10	6" YELLOW PAVEMENT MARKING (THERMOPLASTIC)	2,137	LF	\$ 1.50	\$ 3,205.50	\$ 2.00	\$ 4,274.00	\$ 2.00	\$ 4,274.00
A11	10" WHITE PAVEMENT MARKING (THERMOPLASTIC)	462	LF	\$ 6.00	\$ 2,772.00	\$ 9.90	\$ 4,573.80	\$ 9.00	\$ 4,158.00
A12	12" WHITE PAVEMENT MARKING (THERMOPLASTIC)	383	LF	\$ 7.00	\$ 2,681.00	\$ 12.50	\$ 4,787.50	\$ 11.00	\$ 4,213.00
A13	PAVEMENT MARKING ARROW (THERMOPLASTIC)	196	SF	\$ 58.00	\$ 11,368.00	\$ 18.50	\$ 3,626.00	\$ 16.50	\$ 3,234.00
A14	PAVEMENT MARKING WORD (THERMOPLASTIC)	154	SF	\$ 54.00	\$ 8,316.00	\$ 24.50	\$ 3,773.00	\$ 22.50	\$ 3,465.00
A15	PAVEMENT MARKING SYMBOL (THERMOPLASTIC)	8	SF	\$ 50.00	\$ 400.00	\$ 55.50	\$ 444.00	\$ 50.00	\$ 400.00
A16	PAVEMENT MARKING REMOVAL	2,800	SF	\$ 5.00	\$ 14,000.00	\$ 1.40	\$ 3,920.00	\$ 2.00	\$ 5,600.00
A17	STREET SIGN INSTALLATION	7	EA	\$ 1,200.00	\$ 8,400.00	\$ 487.00	\$ 3,409.00	\$ 750.00	\$ 5,250.00
A18	ACTUATED CONTROLLER TS 2-TYPE 2 (16 PHASES)	1	EA	\$ 43,000.00	\$ 43,000.00	\$ 45,500.00	\$ 45,500.00	\$ 30,000.00	\$ 30,000.00
A19	EMERGENCY BATTERY BACKUP SYSTEM	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 22,250.00	\$ 22,250.00	\$ 19,396.00	\$ 19,396.00
A20	TRAFFIC SIGNAL HEAD, LED, (3 SECTION, 1 WAY)	9	EA	\$ 1,650.00	\$ 14,850.00	\$ 1,725.00	\$ 15,525.00	\$ 1,400.00	\$ 12,600.00
A21	TRAFFIC SIGNAL HEAD, LED, (4 SECTION, 1 WAY)	1	EA	\$ 2,325.00	\$ 2,325.00	\$ 2,520.00	\$ 2,520.00	\$ 1,600.00	\$ 1,600.00
A22	CENTRAL CONTROL UNIT	1	EA	\$ 5,000.00	\$ 5,000.00	\$ 5,600.00	\$ 5,600.00	\$ 6,000.00	\$ 6,000.00
A23	POLE MOUNTED ASSEMBLY	4	EA	\$ 1,500.00	\$ 6,000.00	\$ 1,300.00	\$ 5,200.00	\$ 950.00	\$ 3,800.00
A24	COUNTDOWN PEDESTRIAN SIGNAL HEAD, LED	4	EA	\$ 1,250.00	\$ 5,000.00	\$ 1,100.00	\$ 4,400.00	\$ 1,400.00	\$ 5,600.00
A25	TRAFFIC SIGNAL CABLE	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 17,500.00	\$ 17,500.00	\$ 10,200.00	\$ 10,200.00
A26	ELECTRICAL CONDUCTORS-IN-CONDUIT	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 3,750.00	\$ 3,750.00	\$ 1,400.00	\$ 1,400.00
A27	ELECTRICAL CONDUCTORS FOR LUMINAIRES	780	LF	\$ 4.00	\$ 3,120.00	\$ 2.70	\$ 2,106.00	\$ 2.00	\$ 1,560.00
A28	GALVANIZED STEEL CONDUIT (2")	0	LF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
A29	NON-METALLIC CONDUIT (2")	195	LF	\$ 30.00	\$ 5,850.00	\$ 36.00	\$ 7,020.00	\$ 25.00	\$ 4,875.00
A30	NON-METALLIC CONDUIT (3")	625	LF	\$ 55.00	\$ 34,375.00	\$ 40.00	\$ 25,000.00	\$ 45.00	\$ 28,125.00
A31	CONCRETE PULL BOX (TYPE 2)	4	EA	\$ 2,000.00	\$ 8,000.00	\$ 1,910.00	\$ 7,640.00	\$ 1,500.00	\$ 6,000.00
A32	CONCRETE PULL BOX (TYPE 3)	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 2,260.00	\$ 2,260.00	\$ 2,500.00	\$ 2,500.00
A33	CONCRETE PULL BOX (TYPE 2 HD)	3	EA	\$ 2,250.00	\$ 6,750.00	\$ 1,940.00	\$ 5,820.00	\$ 2,000.00	\$ 6,000.00
A34	TRAFFIC SIGNAL MAST ARM AND POLE WITH FOUNDATION (18')	1	EA	\$ 32,000.00	\$ 32,000.00	\$ 24,250.00	\$ 24,250.00	\$ 32,500.00	\$ 32,500.00
A35	TRAFFIC SIGNAL MAST ARM AND POLE WITH FOUNDATION (40')	1	EA	\$ 40,000.00	\$ 40,000.00	\$ 34,530.00	\$ 34,530.00	\$ 40,500.00	\$ 40,500.00
A36	TRAFFIC SIGNAL MAST ARM AND POLE WITH FOUNDATION (32'-54')	1	EA	\$ 60,000.00	\$ 60,000.00	\$ 56,500.00	\$ 56,500.00	\$ 50,500.00	\$ 50,500.00
A37	LED LUMINAIRE ASSEMBLY	4	EA	\$ 1,000.00	\$ 4,000.00	\$ 950.00	\$ 3,800.00	\$ 1,000.00	\$ 4,000.00
A38	TRAFFIC SIGNAL PEDESTAL POLE WITH FOUNDATION	3	EA	\$ 6,500.00	\$ 19,500.00	\$ 4,850.00	\$ 14,550.00	\$ 7,500.00	\$ 22,500.00
A39	SECONDARY DISCONNECT ASSEMBLY	1	EA	\$ 7,000.00	\$ 7,000.00	\$ 11,770.00	\$ 11,770.00	\$ 5,000.00	\$ 5,000.00
A40	18" STREET NAME SIGN	1	EA	\$ 1,200.00	\$ 1,200.00	\$ 950.00	\$ 950.00	\$ 850.00	\$ 850.00
A41	LOUVERS	3	EA	\$ 375.00	\$ 1,125.00	\$ 450.00	\$ 1,350.00	\$ 375.00	\$ 1,125.00
A42	COMMUNICATION CABLE, FIBER (6 CHANNEL)	1550	LF	\$ 20.00	\$ 31,000.00	\$ 15.00	\$ 23,250.00	\$ 6.50	\$ 10,075.00
A43	ADAPTIVE SIGNAL CONTROL SYSTEM	1	LS	\$ 125,000.00	\$ 125,000.00	\$ 122,500.00	\$ 122,500.00	\$ 95,000.00	\$ 95,000.00
A44	WIC FIBER ENCLOSURE	2	EA	\$ 275.00	\$ 550.00	\$ 955.00	\$ 1,910.00	\$ 350.00	\$ 700.00
A45	OPTICAL PREEMPTION SYSTEM	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 11,900.00	\$ 11,900.00	\$ 10,000.00	\$ 10,000.00
A46	TRAFFIC SIGNAL MAST ARM AND POLE WITH FOUNDATION (0')	1	EA	\$ 25,000.00	\$ 25,000.00	\$ 22,000.00	\$ 22,000.00	\$ 18,000.00	\$ 18,000.00
BID TOTALS				\$	691,343.50	\$	608,486.30	\$	569,708.00

Denotes Adjustment

Certified Correct: _____

Date: 03-05-25

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A PROFESSIONAL SERVICES AGREEMENT
FOR CONSTRUCTION PHASE SERVICES ON DON
TYSON PARKWAY AND I-49 SOUTHBOUND
SIGNAL, PROJECT NO. 23BPS9**

WHEREAS, the City of Springdale is in need of construction phase and testing services for the Southside Intersection Improvements – I-49 Southbound at Don Tyson Parkway;

WHEREAS, Burns and McDonnell was selected as the most qualified engineering firm for this project;

WHEREAS, the price not to exceed amount for professional construction services shall be \$75,339.00.

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

Section 1. the Mayor and City Clerk are hereby authorized to enter into a professional services agreement with Burns & McDonnell Engineering Company, Inc. for construction phase and testing services for the Don Tyson Parkway and I-49 Southbound Signal to be paid from the 2023 Street Bond Fund.

Section 2. The Mayor is authorized to approve change orders as long as the cumulative total of the change orders does not exceed 10% of the original agreement price.

PASSED AND APPROVED this _____ day of March, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, CITY CLERK

APPROVED:

Ernest B. Cate, CITY ATTORNEY



**AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
ENGINEER-OWNER AGREEMENT
(Doc. No. AE-6)**

AMENDMENT No. 1

Date: 3/12/2025

THIS AMENDMENT modifies the Agreement dated September 15, 2023 made by and between **Burns & McDonnell Engineering Company, Inc.**, (hereinafter called ENGINEER), and City of Springdale, Arkansas (hereinafter called OWNER) for the following Project: South Side Intersection Improvements. For good and valuable consideration, the sufficiency of which is acknowledged, the parties agree to make the following changes to their Agreement.

1. Appendix 3, Scope of Work: The parties agree that the ENGINEER's Scope of Services is amended to include the following:

Title II - Construction Administration and Observation Services are added to the scope of work for the I-49 Southbound – Don Tyson Parkway portion of the project. See Appendix 3A for full description of services included.

2. Section 7.01, Basis of Payment-Hourly Rates Plus Reimbursable Expenses, Paragraph A., Item 3 is amended as follows:

The total compensation for services and reimbursable expenses is increased by \$75,339 and shall not exceed One million four hundred fifty-seven thousand seven hundred fifty-one dollars (\$1,457,751.00), without prior approval by Owner.

3. Appendix 5, Project Schedule is modified as follows:

Title II – Construction Administration and Observation Services are expected to coincide with award and authorization of the construction contract for the portion of the project mentioned in Line 1 above. Anticipated period for Title II service is approximately April 2025 to March 2026.

4. Appendix 4, Justification of Costs is modified as follows:

Justification of Costs shall be amended to include Appendix 4A as attached.

5. Other changes to the Agreement, if any, are stated below:

NONE

6. The terms of this AMENDMENT supersede any contrary terms of the Agreement. This AMENDMENT will be deemed a part of, and be subject to, all other terms and conditions of the Agreement. Except as modified above, the Agreement will remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT the day and year first written above.

THIS AGREEMENT CONTAINS A BINDING ARBITRATION PROVISION, WHICH MAY BE ENFORCED BY THE PARTIES.

OWNER: City of Springdale, Arkansas

ENGINEER: Burns & McDonnell Engineering Company, Inc.

By: _____

By: _____

Name: Doug Sprouse

Name: Steven Beam, P.E.

Title: Mayor

Title: Director

APPENDIX 3A

SCOPE OF WORK FOR TITLE II – CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES

**City of Springdale Contract No. 23BPS9
Burns & McDonnell JOB 163124
South Side Intersection Improvements –
South Bound I-49 and Don Tyson Pkwy**

A. GENERAL

This work consists of providing construction administration and observation services to assist the OWNER during construction of intersection improvements at I-49 Southbound and Don Tyson Parkway. This is a portion of the overall project known as South Side Intersection Improvements.

The ENGINEER will serve as an extension of the OWNER to administer the project in accordance with project requirements. The ENGINEER shall be the only authorized Project site contact with the OWNER's Representatives; all information, requests for information and correspondence from the Contractor and all other parties at the Project site will be transmitted through the ENGINEER to the OWNER.

The ENGINEER will provide construction administration and observation to include, but not limited to, inspectors, materials testing laboratory equipment and staff, Resident Engineer, office clerical staff, vehicles, equipment, and supplies as required to provide the Service.

The ENGINEER will perform all construction administration and observation to include, but not limited to, identification and recommendation of corrections for omissions, substitutions, defects and deficiencies in the construction plans, the work of the Contractor, its subcontractors, its vendors and its consultants; and coordination of the efforts of the Contractor and the OWNER's Representative in an effort to meet the Project schedule and budget. ENGINEER is in no way responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions or programs, or for Contractor(s)' failure to perform the construction work in accordance with the Contract Documents.

The ENGINEER shall not have the responsibility for the superintendence of construction site conditions, safety, safe practices or unsafe practices or conditions, operation, equipment or personnel other than employees of ENGINEER. ENGINEER's performance of the scope of work contained herein shall in no way relieve the Contractor of complete supervision of the work or the Contractor's obligation to for complete compliance with the Project requirements. The Contractor shall have sole responsibility for safety and for maintaining safe practices and avoiding unsafe practices and conditions.

The ENGINEER's services will not constitute full-time on-site services. Therefore, it should be expected that City staff provide project inspections in addition to those of the ENGINEER.

B. SCHEDULE

These services shall commence at the Notice of Award and continue through Final Acceptance of the Project by the OWNER. The project schedule and duration for Title II services will be closely tied to the construction duration for the project which is anticipated to be a maximum of 90 calendar days, with a flexible start of work which can be up to 180 days.

It is anticipated that some services including project closeout and as-built – record drawing development will be performed after construction is complete, therefore the anticipated total duration of Title II Services

is 11 months. If the construction duration exceeds the 90 calendar day limit, the ENGINEER will be entitled to additional compensation.

C. PROJECT STAFFING

The ENGINEER shall provide sufficient trained personnel to adequately and competently provide the Services and satisfy the requirements of this Task Order. The ENGINEER shall have the necessary qualified personnel available to provide Services for the project. The ENGINEER's personnel assigned to perform the Services must have prior construction experience in the areas of Services that they are to perform.

The ENGINEER shall maintain a good working relationship with the OWNER. Any person employed by the ENGINEER or by any Subconsultant who, in the opinion of the OWNER, does not perform his/her Services in a reasonably proper and skillful manner, or is intemperate or disorderly, shall at the written request of the OWNER, be removed immediately by the ENGINEER or Subconsultant employing such person and shall not be employed again in any portion of the Services without the approval of the OWNER.

C. SURVEY CONTROL

The Contractor shall be responsible for verifying the existence and accuracy of location for the reference points and baseline control points indicated on the plans. The Contractor shall re-establish any missing or disturbed control points as may be required prior to the start of construction.

The Contractor shall establish the survey control baseline(s) along with sufficient baseline control points and benchmarks at appropriate intervals along the project for use by the Contractor and the ENGINEER in performing verification surveys of construction layout. Control and any additional design surveys shall be supervised and certified (stamped) by a Professional Land Surveyor registered in Arkansas.

The ENGINEER shall utilize software and procedures for quality control and quantity computations as required by the OWNER. The ENGINEER shall make and record such measurements as are necessary to calculate and document quantities for pay items. All survey work shall be performed under the supervision of a Professional Surveyor registered in the State of Arkansas.

D. CONSTRUCTION OBSERVATION

The ENGINEER shall be responsible for monitoring the Contractor's on-site construction operations and observation of materials entering into the work as required. The ENGINEER shall keep detailed, accurate records of the Contractor's daily operations in accordance with OWNER's and ARDOT's procedures, rules, standards and policies. The frequency and scope of inspections will vary with the work activity being performed; however, the ENGINEER shall perform observation services in accordance with procedures, policies, directives and industry accepted standards. The observer's site attendance shall be dictated by the nature and needs of the construction work being executed on a day-to-day basis, as such the observer's work hours shall not reflect the Contractor's work hours. Construction observation will not be "full-time", and Contractor is solely liable for constructing the Project in full compliance with the Project requirements.

E. TESTING

The ENGINEER shall perform Project-site sampling and testing of component materials and completed work items to verify the materials and workmanship incorporated in the project are in substantial conformity with the plans, specifications and contract provisions. The ENGINEER shall meet the minimum sampling frequencies and other provisions as contained in the Project Manual. The ENGINEER shall perform all on-site sampling of materials and such testing of materials and completed work items that are normally required to verify conformance with the contract documents.

The ENGINEER shall provide the services of a Testing Laboratory to perform materials testing of the construction materials incorporated in the work. The Testing Laboratory shall perform material tests in accordance with the ARDOT's "Manual of Field Sampling and Testing Procedures" unless the Project Manual specifies differently. The Testing Laboratory shall be certified by the Center for Training of Transportation Professionals (CTTP).

The Testing Laboratory shall furnish a Laboratory Supervisor who shall be responsible for all Project-site materials testing, documentation, and reporting of test results. The Testing Laboratory shall report test results by phone or email on critical construction items within four hours after the test results have been obtained. A written report shall be prepared and sent to the ENGINEER within 48 hours after test results are known on any test performed by the Testing Laboratory. All technicians performing materials testing shall be certified by the Center for Training of Transportation Professionals (CTTP) in every area in which materials testing is to be performed.

The ENGINEER shall be responsible for on-site job control samples to determine the acceptability of all materials and completed work items on the basis of either test results or verification of a certification, certified mill analysis, OWNER's label, OWNER's stamp, etc.

F. UTILITY COORDINATION

The ENGINEER shall provide utility coordination services for the project. This will include coordinating with the contractor, the owner, and the utility providers to resolve conflicts with utility facilities if they are discovered during construction. Conflict resolution may include changes to the planned improvements, to avoid a utility conflict when possible, or possibly relocation of the utility which would be the responsibility of the utility provider. The ENGINEER shall not be responsible for design or execution of any utility relocations, but will communicate with utility providers, the contractor and the owner to help resolve the conflict if it occurs.

G. ENGINEERING SERVICES DURING CONSTRUCTION

The ENGINEER shall be responsible for engineering services during construction until the Project is completed and ready for acceptance by the OWNER. This will require interpretation of the plans and contract documents, coordination of changes to the project, assistance in processing of change and contract documents, coordination of changes to the project, assistance in processing of Change Orders and supplemental agreements, resolving disputes, claims analysis, and all other engineering management tasks normally handled by a Resident Engineer. These tasks include, but are not limited to the following:

1. Schedule and conduct a pre-construction conference for the Project. Document the conference in accordance with the Project Manual.
2. Document any Project delay or potential delay caused by conflicts with utilities.
3. Review and monitor the Contractor's work schedule and make recommendations to the OWNER regarding any changes, or needed changes, to the schedule.
4. Maintain a complete set of project records on each Project to include daily diaries, quantities for pay items, progress estimates, material deliveries, materials, testing, submittals, as-builts, and correspondence.
5. Maintain a record of each pay item and every month prepare a comprehensive progress estimate. Quantities will be based on daily records and calculations.
6. The ENGINEER shall conduct periodic construction meetings on the Project with the Contractor and their subcontractors, the OWNER's Project Representative and other interested parties to

review the work schedule, plan changes, construction problems or other matters. The results of these meetings will be documented on the Engineer's monthly summary.

7. Track and maintain a log on all Contractor submittals including requests for information, shop drawings, catalog cuts, and/or samples. An up-to-date status of each submittal must be maintained at all times through the approval stage. Transmit submittals, in accordance with the OWNER's guidelines, to the OWNER and Engineer of Record for review and approval. Reviewed submittals are to be returned to the Contractor for follow-up action. The ENGINEER shall encourage all reviewers to complete their review in a timely manner. Deficiencies will be immediately reported to the OWNER's Project Representative.
8. Identify and monitor Project permit requirements and notify the Contractor and the OWNER immediately when violations or potential violations occur.
9. Upon notice by the Contractor of pending claims for extra work or work beyond the original scope, maintain records indicating the approximate cost of such work performed by the Contractor.
10. Analyze and make recommendations to the OWNER's Representative on all requests received from the Contractor for time extensions, contract changes, requests for information, extra work, and proposals.
11. Coordinate all contract changes with the Contractor, the Engineer of Record, the OWNER and others as required.
12. Process Supplemental Agreements pursuant to the construction contracts for necessary changes and recommend solutions to the OWNER.
13. Document traffic control devices, lane closures, traffic queue lengths, travel time through project and other impacts on traffic in accordance with the Maintenance of Traffic Plans.
14. The Contractor is fully responsible for the means and methods of jobsite safety for construction personnel. It is the Construction Contractor's obligation to enforce adherence to the Federal, State and local laws, rules and regulations concerning construction and jobsite safety.
15. Prepare the necessary Project close-out documents to include the final estimate and supporting records, plus one set of red lined, as-built contract documents.
16. Assist with inspections and reporting required for National Pollutant Discharge Elimination System (NPDES) permits issued by the Arkansas Department of Environmental Quality.

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN AUTOMATIC MUTUAL
AID AGREEMENT BETWEEN THE CITY OF
TONTITOWN FIRE DEPARTMENT AND THE CITY OF
SPRINGDALE FIRE DEPARTMENT**

WHEREAS, the City of Springdale, Arkansas, and the City of Tontitown, Arkansas, desire to enter into an agreement to provide automatic mutual aid to each other for certain defined incidents, as described in attached Exhibit “1”, in order to provide maximum protection and the fastest service response to their residents, and

WHEREAS, pursuant to authority authorized in the Interlocal Cooperation Act, the parties have prepared an informal agreement setting forth their respective jurisdictional boundaries, and

WHEREAS, the City Council has determined that it is in the best interest and benefit of the community to authorize the Mayor, Fire Chief, and City Clerk to execute the Agreement for Automatic Mutual Aid, attached hereto as Exhibit “1”, by and between the City of Springdale Fire Department and the City of Tontitown Fire Department.

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

Section 1. The Mayor is hereby authorized to execute the informal Agreement for Automatic Mutual Aid, attached thereto as Exhibit “1”, by and between the City of Springdale Fire Department and the City of Tontitown Fire Department.

Section 2. The Mayor, Fire Chief, and City Clerk are hereby authorized and directed to execute the informal Automatic Mutual Aid Agreement on behalf of the City of Springdale, Arkansas, and to take any and all necessary action as may be required to fully completely implement the provisions of said Agreements.

PASSED AND APPROVED this 25th day of March, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

RESOLUTION NO. 2025-02-1143R

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

A RESOLUTION APPROVING AN AUTOMATIC MUTUAL AID AGREEMENT BETWEEN THE CITY OF SPRINGDALE FIRE DEPARTMENT AND THE CITY OF TONTITOWN FIRE DEPARTMENT.

WHEREAS, the City of Tontitown, Arkansas and the City of Springdale, Arkansas, desire to enter into an agreement to provide automatic mutual aid to each other for certain defined incidents, as described in the attached Exhibit "1", in order to provide maximum protection and the fastest service response to their residents; and

WHEREAS, pursuant to authority authorized in the Interlocal Cooperation Act, the parties have prepared an informal agreement setting forth their respective duties, obligations and responsibilities with respect to aid services within their respective jurisdictional boundaries; and

WHEREAS, the City Council has determined that it is in the best interest and benefit of the community to authorize the Mayor, Fire Chief, and City Clerk-Treasurer to execute the Agreement for Automatic Mutual Aid, attached hereto as Exhibit "1", by and between the City of Springdale Fire Department and the City of Tontitown Fire Department.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Tontitown, Arkansas:

Section 1. The Mayor is hereby authorized to execute the informal Agreement for Automatic Mutual Aid, attached hereto as Exhibit "1", by and between the City of Springdale Fire Department, and the City of Tontitown Fire Department.

Section 2. The Mayor, Fire Chief and City Clerk-Treasurer are hereby authorized and directed to execute the informal Automatic Mutual Aid Agreement on behalf of the City of Tontitown, Arkansas, and to take any and all necessary action as may be required to fully completely implement the provisions of said Agreements.

PASSED AND APPROVED this 25 day of February 2025.

APPROVED:

Angela Russell
Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni
Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)

**AGREEMENT FOR AUTOMATIC MUTUAL AID
BETWEEN THE CITY OF SPRINGDALE FIRE DEPARTMENT
AND THE CITY OF TONTITOWN FIRE DEPARTMENT**

THIS AGREEMENT FOR AUTOMATIC MUTUAL AID (the "Agreement") is made and entered into this 26th day of Feb 2025, by and between the City of Springdale ("Springdale"), an Arkansas municipal corporation, and the City of Tontitown ("Tontitown"), an Arkansas municipal corporation.

WITNESSETH

WHEREAS, Springdale and Tontitown both staff and maintain fire departments for the safety and protection of the lives and property within their respective jurisdictions; and

WHEREAS, Springdale and Tontitown, in order to provide the maximum protection by providing the fastest service response to its residents, desire to enter into a mutual aid agreement whereby each entity may render automatic mutual aid to each other for certain defined incidents; and

WHEREAS, each entity is required to have a minimum of three (3) safety equipped firefighters on the scene of an incident prior to making an interior attack or entering into an environment that is an immediately dangerous to health and life (IDHL); and

WHEREAS, each has the ability to provide mutual aid when not committed to another emergency.

NOW, THEREFORE, pursuant to the authority granted by the State of Arkansas under Interlocal Cooperation Act, Ark. Code Ann. § 25-20-101 et seq. (Repl. 2002 and Supp. 2007) the mutual promises, covenants and conditions herein contained, the parties hereto agree as follows:

1. **DEFINITIONS.** For purposes of this Agreement, the following terms shall have those meanings as set forth herein:

- a.) Automatic Mutual Aid as used in this Agreement shall mean the automatic response of the closest identified available resource via emergency dispatch center request to an adjacent fire jurisdiction regardless of jurisdictional boundaries.
- b.) The term incident(s) as used in this Agreement are limited to Fire related incident(s) specifically.

2. AUTOMATIC MUTUAL AID AREA. Springdale and Tontitown agree to provide automatic mutual aid to each other within that geographical area, hereafter referred to as area, identified in the attached "Exhibit A".

3. RESPONSE REQUIREMENTS. Upon receipt of an emergency call, Springdale and Tontitown, if available, shall respond one (1) engine company (minimum type two engine) with a minimum of three (3) personnel, at least one of which who has been trained to a minimum of FFI, FFII, HazMat awareness and Operations, and EMT into the area. When responding, each agency shall insure that:

- a.) All personal protective clothing and equipment shall be used by all participating firefighters on the scene of a fire or emergency incident;
- b.) The Command and Operational radio frequency assigned by Command shall be utilized on an incident;
- c.) The unit first arriving at the scene shall assume command of the incident until relieved by an equal or superior officer of the agency having jurisdiction;
- d.) The agency first arriving may cancel any further response to the incident if that agency is capable of handling the incident and the responsible jurisdiction duty officer is so notified; and

4. TRAINING. Springdale and Tontitown shall coordinate training as necessary on standard operating procedures which apply to each organization. Standard operating procedures and the Incident Command System shall be utilized on all incidents.

5. HOLD HARMLESS. Both Springdale and Tontitown agree to hold each other free and harmless from any and all claims, liability, loss, damage or expenses from liability for acts or omissions of the other, its officers, employees, and agents in connection with the performance of this Agreement.

6. DURATION; TERMINATION. This Agreement shall remain in force and effect indefinitely unless terminated by either of the parties provided the other party is given thirty (30) days notice in writing of such termination.

7. AMENDMENTS: All amendments to this Agreement shall be in writing and signed by authorized representatives of each city.

8. AUTHORITY: This Agreement is entered into under the authority and pursuant to the Constitution and Laws of the State of Arkansas, including Arkansas Code of 1987 annotated, Title 25, Chapter 20, Subchapter 1, the Interlocal Cooperation Act (the "Act"). The Agreement is entered into in accordance with Ark. Code. Ann. §25-20-108 which authorizes cities to contract to cooperate or join with each other to perform any service, activity or undertaking that each is authorized by law to perform alone. It is

understood that this Agreement is entered into pursuant to appropriate authority granted by the governing body of each city.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

City of Springdale

By:

Doug Sprouse,
Mayor of Springdale

Attest:

Sabra Jeffus
Springdale Clerk

Approved:

Blake Holte,
Springdale Fire Chief

City of Tontitown

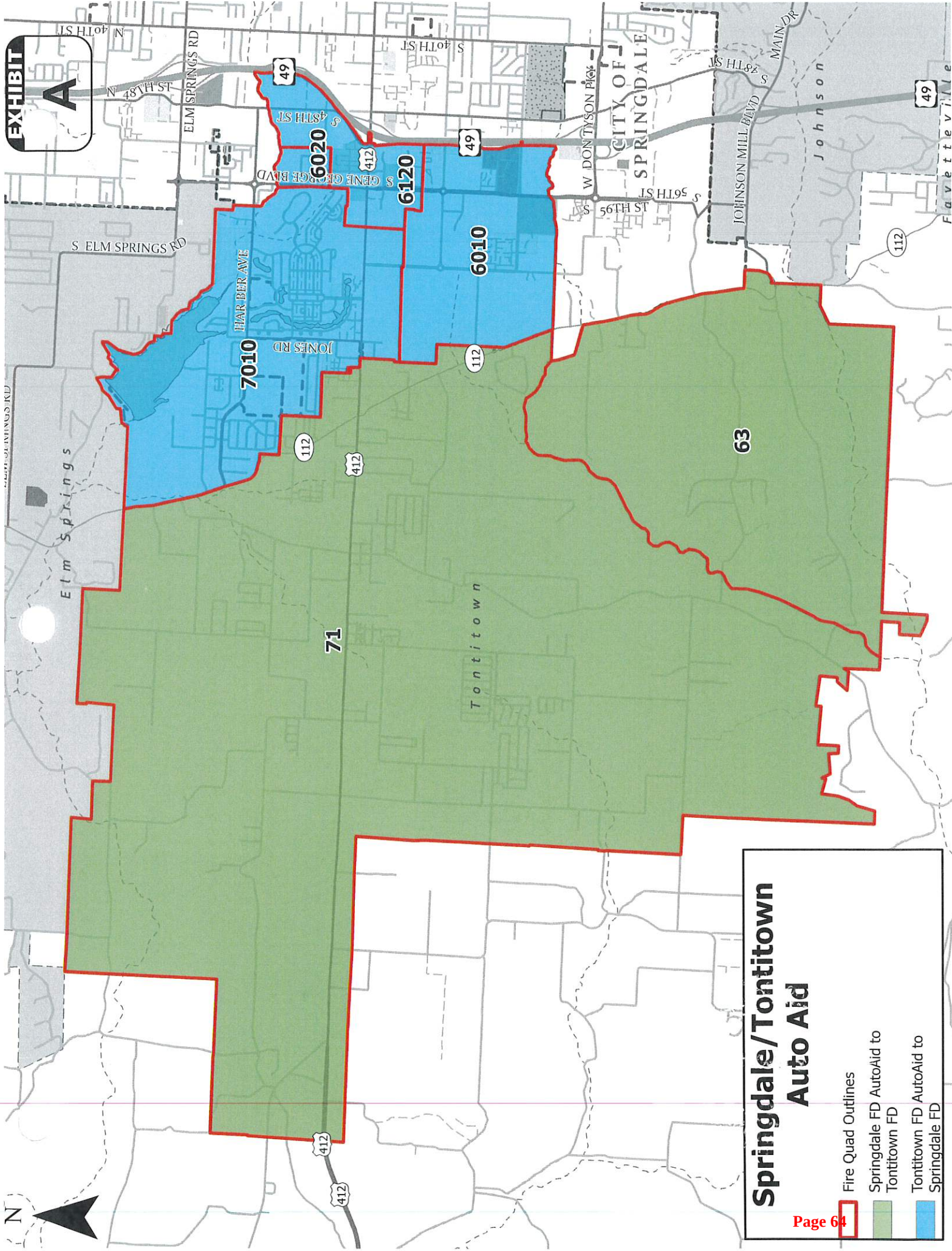
By:

Angela Russell
Angela Russell,
Mayor of Tontitown

Attest:

Rhonda Ardemagni
Rhonda Ardemagni
Tontitown Clerk/Treasurer

Ryan Krug
Ryan Krug,
Tontitown Fire Chief



Springdale/Tontitown Auto Aid

Fire Quad Outlines	
Springdale FD AutoAid to Tontitown FD	
Tontitown FD AutoAid to Springdale FD	

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ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 6037 “APPROVING THE PRIVATE CLUB PERMIT FOR RAISE THE BAR FOUNDATION AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMITS FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED AND FOR OTHER PURPOSES; AND DECLARING AN EMERGENCY”.

WHEREAS, on December 10, 2024, the City Council for the City of Springdale, Arkansas, passed and adopted Ordinance No. 6037, which approved the Private Club Permit for RAISE THE BAR FOUNDATION, as required per Ark. Code Ann. §3-9-222;

WHEREAS, Ordinance 6037 did not accurately identify the manager for RAISE THE BAR FOUNDATION, and therefore needs to be amended to reflect the correct name of the manager; and,

WHEREAS, the City Council for the City of Springdale wishes to reaffirm all other aspects of Ordinance No. 6037.

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

Section 1: Ordinance No. 6037 is hereby amended, and the application for private club permit is hereby approved for **Krista Boling**, as manager for **Raise the Bar Foundation**, located at 202 E Emma Avenue, Suite 109, Springdale, Arkansas 72764.

Section 2: All other provisions of Ordinance No. 6037 are hereby affirmed and ratified.

Section 3: 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 _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

ORDINANCE NO. 6037

AN ORDINANCE APPROVING THE PRIVATE CLUB PERMIT FOR RAISE THE BAR FOUNDATION AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMITS FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED AND FOR OTHER PURPOSES; AND DECLARING AN EMERGENCY

WHEREAS, RAISE THE BAR FOUNDATION, has applied for a private club permit as required per A.C.A. §3-9-222, and

WHEREAS, RAISE THE BAR FOUNDATION, has provided all the information required in permit application process, and

WHEREAS, the City Council for the City of Springdale hereby approves the application for permit for the proposed location to operate a private club within its city limits, and

WHEREAS, this approval does not authorize the operation of a private club within the City of Springdale but does function as an authorization to apply for a private club permit through the Arkansas Alcoholic Beverage Control Division per A.C.A. §3-9-222.

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

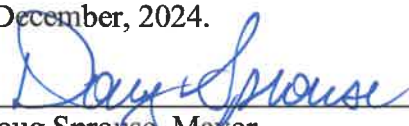
SECTION 1: That the application for private club permit is hereby approved for **Katelyn McMurry**, as manager for **Raise the Bar Foundation**, located at 202 E Emma Avenue, Suite 109, Springdale, Arkansas 72764.

SECTION 2: That no private club operations will begin unless and until a permit to operate a private club is issued by the Arkansas Alcoholic Beverage Division.

SECTION 3: That the approval and permit are subject to suspension or revocation by the City in the event the manager or **Raise the Bar Foundation**., violates any Springdale ordinances pertaining to private club permits or State Law.

SECTION 4: EMERGENCY CLAUSE. IT IS HEREBY ASCERTAINED AND DECLARED THAT THE PERMIT MUST BE ISSUED AS SOON AS POSSIBLE. THEREFORE, IT IS DECLARED THAT AN EMERGENCY EXISTS AND THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT IMMEDIATELY UPON AND AFTER ITS PASSAGE.

PASSED AND APPROVED this 10th day of December, 2024.



Doug Sprouse, Mayor

ATTEST:



Denise Pearce, City Clerk

APPROVED AS TO LEGAL FORM:



Ernest Cate, City Attorney

The City Council of the City of Springdale met in regular session on Tuesday, March 11, 2025 in the Council Chambers, City Administration 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, Position 1
Amelia Taldo	Ward 4, Position 1
Jeff Watson	Ward 3, Position 2
Mike Overton	Ward 2, Position 1
Mike Lawson	Ward 1, Position 1
Aaron Huntley	Ward 2, Position 2
Randall Harriman	Ward 1, Position 2
Mark Fougrousse	Ward 4, Position 2
Ernest Cate	City Attorney
Sabra Jeffus	City Clerk/Treasurer (Absent)

Department heads present:

Mike Chamlee	Buildings Director
Colby Fulfer	Chief of Staff
Frank Gamble	Police Chief
Anne Gresham	Director, Library
Blake Holte	Fire Chief
Anna McKinney	Executive Operations Manager
Ryan Carr	Director of Engineering
Sharon Tromburg	Asst Director of Planning
Derek Wright	Police Captain
Ron Findley	Director of Neighborhood Services

CITIZEN COMMENTS

None

APPROVAL OF MINUTES

Council Member Taldo moved the minutes of the February 25, 2025 City Council meeting be approved as presented. Council Member Overton made the second.

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

City Attorney Ernest Cate stated that two items need to be added to the agenda.

Item #1: A public hearing for Item 12, an Ordinance authorizing the issuance and sale of water and sewer revenue bonds. The Notice of public hearing was published in the newspaper as required by the statute, but we failed to add it to the agenda. This will be item 6B.

Item #2: Also adding a resolution as Item 8B - making an appointment to fill a vacancy to the water and sewer commission.

Ernest stated he would entertain a Motion. Mark Fougrousse made a motion to add both items to the agenda. Council Member Amelia Taldo seconded the motion.

After the vote was taken, motion carried 8-0.

PUBLIC HEARING

Ernest Cate held a Public Hearing for Item #13, an Ordinance vacating and abandoning a portion of a Utility Easement. The public hearing announcement was published in the newspaper, as required by state statute.

Mr. Cate asked if anyone from the public would like to speak and no one came forward.

Ernest Cate held a Public Hearing for Item #12, an Ordinance authorizing the issuance and sale of Water & Sewer Revenue Bonds. Notice of the public hearing was published in the newspaper, as required by state statute.

Mr. Cate asked if anyone from the public would like to speak and no one came forward.

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Taldo 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.

After the vote was taken, motion carried 8-0.

APPOINTMENTS AND REAPPOINTMENTS

RESOLUTION NO. 38-25 – MAKING AN APPOINTMENT TO THE SPRINGDALE LIBRARY BOARD.

Mayor Doug Sprouse & Anne Gresham presented the resolution to appoint Dr. Mara Whiteside to the Springdale Library Board.

RESOLUTION NO. 38-25

**A RESOLUTION MAKING AN APPOINTMENT TO THE
SPRINGDALE LIBRARY BOARD**

WHEREAS, the Springdale Library Board currently has a vacant seat, and

WHEREAS, after interviews with several applicants and careful consideration, the Board has recommended the appointment of Mara Whiteside to the Springdale Library Board for a full term, and

WHEREAS, Arkansas Code 13-2-502, provides for appointments to the Library Board by the Mayor with the approval of the City Council, and

WHEREAS, upon recommendation of the Library Board of the City of Springdale, the Mayor recommends the appointment of Mara Whiteside to the Springdale Library Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that Mara Whiteside is hereby appointed to the Springdale Library Board, with a term set to expire on December 31, 2030.

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

After the vote was taken, motion carried 8-0.

The Resolution was numbered 38-25.

RESOLUTION NO. 39 – 25, MAKING AN APPOINTMENT TO FILL A VACANCY ON THE SPRINGDALE WATER AND SEWER COMMISSION.

Heath Ward presented the resolution, to appoint Eddie Chancellor to the Springdale Water & Sewer Commission.

RESOLUTION NO. 39-25

A RESOLUTION MAKING AN APPOINTMENT TO FILL A VACANCY ON THE SPRINGDALE WATER AND SEWER COMMISSION

WHEREAS, the Springdale City Council has adopted ordinances establishing a five-member board of Water and Sewer Commissioners;

WHEREAS, Al Hanby has stepped down from the Springdale Water and Sewer Commission, creating a vacancy on the Springdale Water and Sewer Commission, with the unexpired term to expire March 6, 2026;

WHEREAS, Ark. Code Ann. §14-234-304(d) provides that in the event of a vacancy on the commission, the vacancy shall be filled by the remaining commissioners appointing a member, subject to the approval of two-thirds ($\frac{2}{3}$) of the elected and qualified members of the city council; and,

WHEREAS, the remaining members of the Springdale Water and Sewer Commission have appointed Eddie Chancellor to fill the vacancy on said commission, with the term to expire on March 6, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the appointment of Eddie Chancellor to fill the unexpired term to the Springdale Water and Sewer Commission, with a term expiring March 6, 2026, be and hereby is approved.

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

After the vote was taken, motion carried 8-0.

The Resolution was numbered 39-25.

PLANNING COMMISSION REPORT & RECOMMENDATIONS

Tabled from February 25, 2025 City Council meeting.

ORDINANCE NO. 6060 – AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-09) CERTAIN LANDS LOCATED AT THE NE CORNER OF WAGON WHEEL ROAD & ROBINS ROAD FROM GENERAL COMMERCIAL DISTRICT (C-2) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) WITHIN SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY.

Sharon Tromburg presented the Ordinance. The property consists of 3.66 acres and is located at the corner of Wagon Wheel & Robins Road. The Planning Commission recommended approval of the Ordinance, voting 7-2.

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

There was much discussion, with the owner of the property present, as well as his attorney. Residents from the area spoke against the Ordinance, including Ron Mynatt, a resident living at

4900 N. Graham Road, and Steve and Julie Monaco, from 1202 Lexington Circle, a neighborhood nearby.

After the vote was taken, the Council vote was split 4-4. Aaron Huntley, Amelia Taldo, Mark Fougrousse & Mike Overton voted yes. Brian Powell, Jeff Watson, Mike Lawson & Randall Harriman voted no. Mayor Sprouse voted yes and Ordinance passed.

Council Member Taldo moved the Emergency Clause be adopted. Council Member Watson made the second.

After the vote was taken, motion carried 8-0.

The Ordinance was numbered 6060.

ORDINANCE NO. 6061 – ACCEPTING THE FINAL PLAT (FP25-02) OF THE LANE ESTATES TO THE CITY OF SPRINGDALE ARKANSAS, AND DECLARING AN EMERGENCY.

Sharon Tromburg presented the Ordinance. The Planning Committee had unanimous approval, voting 9-0

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

After the vote was taken, motion carried 8-0.

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

After the vote was taken, motion carried 8-0.

The Ordinance was numbered 6061.

APPEAL

An Appeal of the Planning Commission’s denial of a variance request (B25-09) by RDP Properties, for reduction of front setbacks on lots A29, C9, C15, C27, D18, D24, F3, & F9 in the Manufactured Home Park District (MHP) at 1901 West Shady Grove.

The Planning Commission denied the request, voting 9-0, against the variance request.

Ernest Cate presented the appeal and stated that the owner, RHP Properties, filed a timely appeal.

A representative from RHP Properties spoke and there was much discussion. Blake Holte, the Springdale Fire Chief, stated the property is non-conforming to current day setback rules, there is a lack of sufficient water and there’s limited access to the property. Holte also stated that this particular setup has great opportunity for structure-to-structure ignition. Matt Fontenot, an engineer with Atwell, LLC, representing RHP Properties, spoke via Zoom.

Mayor Sprouse called for a motion. There was no motion so the Planning Commission’s decision was upheld to deny the request.

FINANCE COMMITTEE

All resolutions were forwarded to City Council with approval from the Finance Committee.

RESOLUTION NO. 40 – 25, EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING PROJECT: SPRINGDALE SMART SCHOOLS CONNECTIONS.

Council Member Jeff Watson read the Resolution and Ryan Carr, City Engineer, presented the resolution.

RESOLUTION NO. 40-25

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING PROJECT: SPRINGDALE SMART SCHOOLS CONNECTIONS

WHEREAS, Northwest Arkansas Regional Planning Commission has issued a call for projects to be funded with Federal-Aid funds suballocated to Northwest Arkansas; and

WHEREAS, the funding for selected projects will be at the following Federal and Local participating ratios, up to the maximum Federal-aid available:

Type Work	Work Phase	Federal %	Local %
Projects that reach construction	Preliminary	80	20
	Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering		
Projects that never progress to construction	All Phases	-0-	100

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

SECTION 1: The City of Springdale authorizes the application submittal for Springdale Smart Schools Connections

SECTION 2: The City of Springdale will participate in accordance with its designated responsibilities in this project, including providing of the local match requirement.

SECTION 3: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

SECTION 4: The City of Springdale pledges its full support and hereby authorizes the Arkansas Department of Transportation and Northwest Arkansas Regional Planning Commission to initiate action to implement this project.

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

After the vote was taken, motion carried 8-0.

The Resolution was numbered 40-25.

RESOLUTION NO. 41 – 25, EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING PROJECT: 40TH STREET SIDE PATH EXTENSION.

Jeff Watson read the resolution and City Engineer, Ryan Carr presented the resolution.

RESOLUTION NO. 41-25

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING PROJECT: 40TH STREET SIDE PATH EXTENSION

WHEREAS, Northwest Arkansas Regional Planning Commission has issued a call for projects to be funded with Federal-Aid funds suballocated to Northwest Arkansas; and

WHEREAS, the funding for selected projects will be at the following Federal and Local participating ratios, up to the maximum Federal-aid available:

Type Work	Work Phase	Federal %	Local %
Projects that reach construction	Preliminary	80	20
	Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering		
Projects that never progress to construction	All Phases	-0-	100

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

SECTION 1: The City of Springdale authorizes the application submittal for 40th St. Side Path Extension

SECTION 2: The City of Springdale will participate in accordance with its designated responsibilities in this project, including providing of the local match requirement.

SECTION 3: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

SECTION 4: The City of Springdale pledges its full support and hereby authorizes the Arkansas Department of Transportation and Northwest Arkansas Regional Planning Commission to initiate action to implement this project.

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

After the vote was taken, motion carried 8-0.

The Resolution was numbered 41-25.

RESOLUTION NO. 42 – 25, AUTHORIZING THE EXECUTION OF A RELOCATION AGREEMENT WITH BLACK HILLS ENERGY FOR DON TYSON PARKWAY EXTENSION, PROJECT NO. 23BPS2.

Jeff Watson read the resolution and Ryan Carr presented.

RESOLUTION NO. 42-25

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELOCATION AGREEMENT WITH BLACK HILLS ENERGY FOR DON TYSON PARKWAY EXTENSION, PROJECT NO. 23BPS2

WHEREAS, Black Hills Energy facilities need to relocate to facilitate the construction of Don Tyson Parkway Extension from Gene George Boulevard to Highway 112, and

WHEREAS, Black Hills Energy has prepared a relocation agreement for the necessary facility relocation:

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

Section 1. The Mayor and City Clerk are hereby authorized to execute a Relocation Agreement for actual cost to relocate with Black Hills Energy for the Don Tyson Parkway Extension for \$253,068.00 from the 2023 Street Bond Fund.

Section 2. The Mayor is authorized to approve construction change orders as long as the cumulative total of the additional change orders does not exceed 10% of the original contract price.

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

After the vote was taken, motion carried 8-0.

The Resolution was numbered 42-25.

RESOLUTION NO. 43 – 25, EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING PROJECT: 040848 – GENE GEORGE SOUTH, PHASE 2

Jeff Watson read the Resolution and Ryan Carr presented.

RESOLUTION NO. 43 - 25

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING PROJECT: 040848 – GENE GEORGE SOUTH, PHASE 2

WHEREAS, Northwest Arkansas Regional Planning Commission has issued a call for projects to be funded with Federal-Aid funds suballocated to Northwest Arkansas; and

WHEREAS, the funding for selected projects will be at the following Federal and Local participating ratios, up to the maximum Federal-aid available:

Type Work	Work Phase	Federal %	Local %
Projects that reach construction	Preliminary Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering	80	20
Projects that never progress to construction	All Phases	-0-	100

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

SECTION 1: The City of Springdale authorizes the application submittal for Gene George South, Phase 2

SECTION 2: The City of Springdale will participate in accordance with its designated responsibilities in this project, including providing of the local match requirement.

SECTION 3: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

SECTION 4: The City of Springdale pledges its full support and hereby authorizes the Arkansas Department of Transportation and Northwest Arkansas Regional Planning Commission to initiate action to implement this project.

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

After the vote was taken, motion carried 8-0.

The Resolution was numbered 43-25.

RESOLUTION NO. 44 – 25, AUTHORIZING THE EXECUTION OF A RELOCATION AGREEMENT WITH BLACK HILLS ENERGY FOR GENE GEORGE BOULEVARD SOUTH EXTENSION.

Jeff Watson read the resolution and Ryan Carr presented.

RESOLUTION NO. 44-25

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELOCATION AGREEMENT WITH BLACK HILLS ENERGY FOR GENE GEORGE BOULEVARD SOUTH EXTENSION

WHEREAS, Black Hills Energy facilities need to relocate to facilitate the construction of Gene George Boulevard South Extension from S 56th Street to Johnson Mill Boulevard, and

WHEREAS, We have approximately \$800,000 of federal STBGP-A grant funding to apply to this relocation at an 80% federal to 20% local match, and

WHEREAS, Black Hills Energy has prepared a relocation agreement for the necessary facility relocation:

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

Section 1. The Mayor and City Clerk are hereby authorized to execute a Relocation Agreement for actual cost to relocate with Black Hills Energy for the Gene George Boulevard South Extension for \$936,537.00 from the 2023 Street Bond Fund.

Section 2. The Mayor is authorized to approve construction change orders as long as the cumulative total of the additional change orders does not exceed 10% of the original contract price.

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

After the vote was taken, motion carried 8-0.

The Resolution was numbered 44-25.

RESOLUTION NO. 45 – 25, AUTHORIZING THE EXECUTION OF A
RELOCATION AGREEMENT WITH OZARKS ELECTRIC COOPERATIVE FOR
DON TYSON PARKWAY EXTENSION, PROJECT NO. 23BPS2

Presented by Ernest Cate.

RESOLUTION NO. 45-25

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELOCATION
AGREEMENT WITH OZARKS ELECTRIC COOPERATIVE FOR DON
TYSON PARKWAY EXTENSION, PROJECT NO. 23BPS2**

WHEREAS, Ozarks Electric Cooperative facilities need to relocate to facilitate the construction of Don Tyson Parkway Extension from Gene George Boulevard to Highway 112, and

WHEREAS, Ozarks Electric has prepared a relocation agreement for the necessary facility relocation:

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

Section 1. The Mayor and City Clerk are hereby authorized to execute a Relocation Agreement for actual cost to relocate with Ozarks Electric Cooperative for the Don Tyson Parkway Extension for \$57,811.24 from the 2023 Street Bond Fund.

Section 2. The Mayor is authorized to approve construction change orders as long as the cumulative total of the additional change orders does not exceed 10% of the original contract price.

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

After the vote was taken, motion carried 8-0.

The Resolution was numbered 45-25.

ORDINANCE NO. 6062 - AUTHORIZING THE ISSUANCE AND SALE OF WATER AND
SEWER REVENUE BONDS TO FINANCE EXTENSIONS, BETTERMENTS AND
IMPROVEMENTS TO THE CITY'S WATER AND SEWER SYSTEM; PROVIDING FOR
THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS;
PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN
EMERGENCY.

Ernest Cate read the Ordinance and Heath Ward & Shep Russell, attorney, presented.

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

After the vote was taken, motion carried 8-0.

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

After the vote was taken, motion carried 8-0.

The Ordinance was numbered 6062

ORDINANCE NO. 6063 - VACATING AND ABANDONING A PORTION OF A UTILITY
EASEMENT, PURSUANT TO ARK. CODE ANN. §14-301-301, et seq., DECLARING AN
EMERGENCY; AND FOR OTHER PURPOSES.

The Ordinance was read and presented by Ernest Cate. The property is located at 1404 Shady Grove Road, Springdale, Arkansas.

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

After the vote was taken, motion carried 8-0.

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

After the vote was taken, motion carried 8-0.

The Ordinance was numbered 6063.

RESOLUTION NO. 46-25 – SETTING A HEARING DATE ON A PETITION TO VACATE A PORTION OF SUCCESS AVENUE.

The Resolution was read and presented by Ernest Cate. The date of the Public Hearing will be April 8, 2025, at the City Council meeting. The City Clerk will post a hearing as required by state statute.

RESOLUTION NO. 46-25

A RESOLUTION SETTING A HEARING DATE ON A PETITION TO VACATE A PORTION OF SUCCESS AVENUE.

WHEREAS, 512 Success, LLC, and Greenway Grove, LLC, have petitioned for the abandonment of a portion of a dedicated public street, more commonly known as a portion of Success Avenue, described as follows:

PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 1, SAID POINT BEING A NAIL IN A CONCRETE MONUMENT; THENCE S01°48'31"W 360.95 FEET TO THE CENTERLINE OF A STREET VACATED BY DOCUMENT 2021-00014073; THENCE ALONG SAID CENTERLINE N88°22'15"W 100.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST LINE OF A STREET VACATED BY DOCUMENT 2021-00014073; THENCE ALONG SAID WEST LINE S01°48'51"W 24.98 FEET TO THE SOUTH RIGHT-OF-WAY OF SUCCESS AVENUE; THENCE ALONG SAID RIGHT-OF-WAY N88°22'22"W 135.84 FEET TO A 1/2" IRON PIN; THENCE LEAVING SAID RIGHT-OF-WAY N02°46'44"E 49.98 FEET TO THE NORTH RIGHT-OF-WAY OF SUCCESS AVENUE, SAID POINT BEING A 1/2" IRON PIN; THENCE ALONG SAID RIGHT-OF-WAY S88°22'09"E 135.00 FEET THE WEST LINE OF A STREET VACATED BY DOCUMENT 2021-00014073, SAID POINT BEING A 1/2" IRON PIN; THENCE ALONG SAID WEST LINE S01°48'51"W 24.98 FEET TO THE POINT OF BEGINNING, CONTAINING 0.16 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

And as shown on the attached Exhibit "A".

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that April 8, 2025, at 6:00 p.m. be set as the date and time for the City Council to hear the petition; that the City Clerk shall give notice of the date and time, as required by law.

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

After the vote was taken, motion carried 8-0.

The Resolution was numbered 46-25.

ORDINANCE NO. 6064 - 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

Ernest Cate presented the Ordinance. The property address is 2010 Bluebird Drive in Springdale and the owner is Maria Torres.

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

After the vote was taken, motion carried 8-0.

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

After the vote was taken, motion carried 8-0.

The Ordinance was numbered 6064.

Comments From Council

Jeff Watson asked for a completion date for the Emma Avenue project. Mayor Sprouse answered end of June. Watson asked if there will be a Ribbon Cutting. Mayor Sprouse said yes and his office will start conversations with the Chamber to schedule that.

Brian Powell complimented James Smith and Public Works for a great job on the Huntsville Avenue overlay

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 7:11 p.m.

Doug Sprouse, Mayor

Sabra Jeffus, City Clerk/Treasurer