

- **The next City Council Committee Meeting will be discussed during tonight's meeting.**
- **Agenda Packet will be available on the Friday before the meeting.**

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS
201 SPRING STREET (2ND FLOOR)
Tuesday, February 13th, 2024**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Mayor Doug Sprouse

1. Call to Order – Mayor Doug Sprouse

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

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, January 23rd, 2024. Pgs. 32-45**

6. Procedural Motions

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

B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item number(s) **10A-10C and 11A** (Motion must be approved by two-thirds (2/3) of the council members).*

7. Appointments and Reappointments

A. **A Resolution** making a reappointment to the Public Facilities Board of the City of Springdale (Brent Hanby). **Pgs. 1-2**

8. **Springdale Chamber of Commerce Quarterly Report.** Presented by Jay Sego, Springdale Chamber of Commerce.
9. **A Resolution** endorsing participation in the Sales and Use Tax Refund Program authorized by the Consolidated Incentive Act of 2023 and Ark. Code Ann. §15-4-2706(d). Presented by Ernest Cate, City Attorney, and Jay Sego, Springdale Chamber of Commerce. **Pgs. 3-4**
10. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development
 - A. **An Ordinance** amending Ordinance No. 5919, which rezoned (R23-62) certain lands from Agricultural District (A-1) to General Commercial District (C-2); and Declaring an Emergency. **Pgs. 5-8**
 - B. **An Ordinance** accepting the Final Plat (FP23-06) of Phase 3 of Cottages at the Park, to the City of Springdale, Arkansas, and Declaring an Emergency. **Pgs. 9-13**
 - C. **An Ordinance** accepting the Final Plat (FP24-03) of Phase 1 of Brentwood Village, to the City of Springdale, Arkansas, and Declaring an Emergency. **Pgs. 14-19**
11. Ordinance Committee by Chairman Mike Overton– **All Items forwarded from Committee with recommendation for approval.**
 - A. **An Ordinance** amending Chapter 26 of the Code of Ordinances of the City of Springdale, Arkansas, by creating a new Article, Article VI. Micromobility Devices, Shared Small Vehicles, and Shared Small Vehicle Companies. Presented by Tristan Hill and Patsy Christie, Planning Department. **Pgs. 20-29**
12. **A Resolution** setting a hearing date on a petition to vacate an alley between Block 12 and Block 13 of the original town of Springdale, Arkansas, plat. Presented by Ernest Cate, City Attorney. **Pg. 30**
13. **A Resolution** recognizing the service of Chief Truman Brewer by naming and designating a newly constructed public street to be known as “Chief Truman Brewer Street”. Presented by Mayor Doug Sprouse. **Pg. 30**
14. **A Discussion** on setting a date for the 2nd City Council Committee Meeting of February 2024.
15. Comments from Council Members.

16. Comments from City Attorney.

17. Comments from Mayor

18. Adjournment.

RESOLUTION NO. _____

**A RESOLUTION MAKING A REAPPOINTMENT
TO THE PUBLIC FACILITIES BOARD
OF THE CITY OF SPRINGDALE**

WHEREAS, Brent Hanby currently serves on the Public Facilities Board with a term that expired on January 31, 2024, and

WHEREAS, the Public Facilities Board has recommended the reappointment of Brent Hanby for a full term set to expire on January 31, 2029, and

WHEREAS, A.C.A. 14-137-108 provide that appointments for these positions will be nominated by a majority of the board and appointed by the Mayor subject to approval of the City Council, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Brent Hanby is hereby reappointed as a board member of the Public Facilities Board with a term expiring on January 31, 2029.

PASSED AND APPROVED this 13th day of February, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Springdale Public Facilities Board

P.O. Box 166
Springdale, AR 72765

Mayor Doug Sprouse
Springdale City Hall
201 Spring Street
Springdale, AR 72764

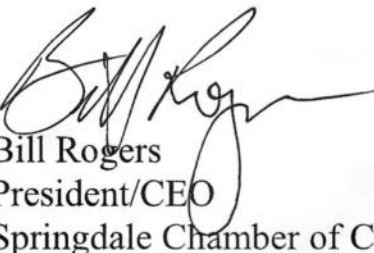
Mayor Sprouse,

Effective January 31, 2024, the term of Brent Hanby on the Springdale Public Facilities Board will expire. State law requires that the Board submit names to recommend for your consideration. On behalf of the Public Facilities Board, I request that you consider reappointing Mr. Brent Hanby to the Board. Mr. Hanby has indicated that he would continue to serve, if appointed.

We feel that Mr. Hanby is extremely capable of serving the interests of our community on this important Board.

Thank you for your consideration on this matter.

Sincerely,



Bill Rogers
President/CEO
Springdale Chamber of Commerce

RESOLUTION NO. _____

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

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

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

WHEREAS, said endorsement must be made on specific form available from the Arkansas Economic Development Commission;

WHEREAS, Central States Manufacturing, Inc., 1546 Kendrick Avenue, Springdale, AR 72764, wishes to participate in, and be eligible for, the investment tax incentives contained in Ark. Code Ann. §15-4-2706(d), due to the location of its facility in the City of Springdale, Arkansas; and,

WHEREAS, Central States Manufacturing, Inc., has agreed to furnish the City of Springdale all information necessary for its participation in the tax refund program.

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

PASSED AND APPROVED this ____ day of _____, 2024.

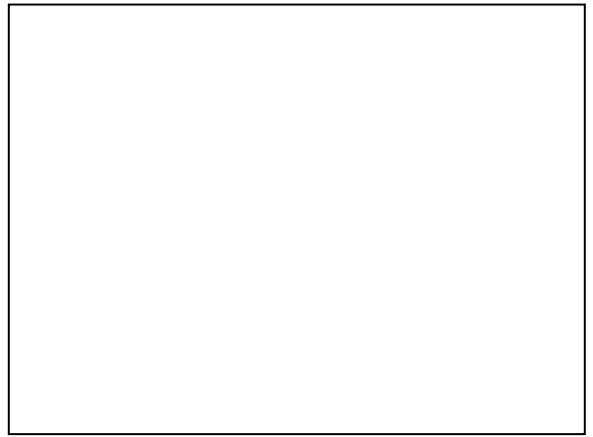
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 5919, WHICH REZONED (R23-62) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2); AND DECLARING AN EMERGENCY

WHEREAS, THE City Council for the City of Springdale, Arkansas, passed Ordinance No. 5919 on December 12, 2023, which amended the zoning ordinance for the City of Springdale by rezoning certain lands from Agricultural District (A-1) to General Commercial District (C-2).

WHEREAS, Ordinance No. 5919 contained a scrivener's error by including in the legal description property not intended to be included in the rezoning ordinance;

WHEREAS, Ordinance No. 5919 should be amended to clarify which property was subject to the rezoning, contains 19.97 acres, more or less to read as follows:

Layman's Description: 4785 E. Don Tyson Parkway

Legal Description: A PORTION OF THAT TRACT OF LAND AS DESCRIBED IN WARRANTY DEED FILE NO. 2022-23186 OF THE WASHINGTON COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE EAST 1/2 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 29 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN WASHINGTON COUNTY, ARKANSAS DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND STATE MONUMENT FOR THE NORTHEAST CORNER OF SAID SECTION 16; THENCE N 86°53'45" W 2619.30 FEET TO A FOUND ALUMINUM MONUMENT FOR THE NORTH 1/4 CORNER OF SAID SECTION 16 FOR THE POINT OF BEGINNING; THENCE S 02°15'31" W 258.76 FEET; THENCE N 86°49'19" W 317.03 FEET; THENCE N 03°02'53" E 261.01 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 16; THENCE ALONG SAID NORTH LINE, S 86°24'13" E 313.48 FEET TO THE POINT OF BEGINNING, CONTAINING 1.88 ACRES, MORE OR LESS.

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

SECTION 1: That Ordinance No. 5919 is hereby amended as provided herein:

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

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 _____, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

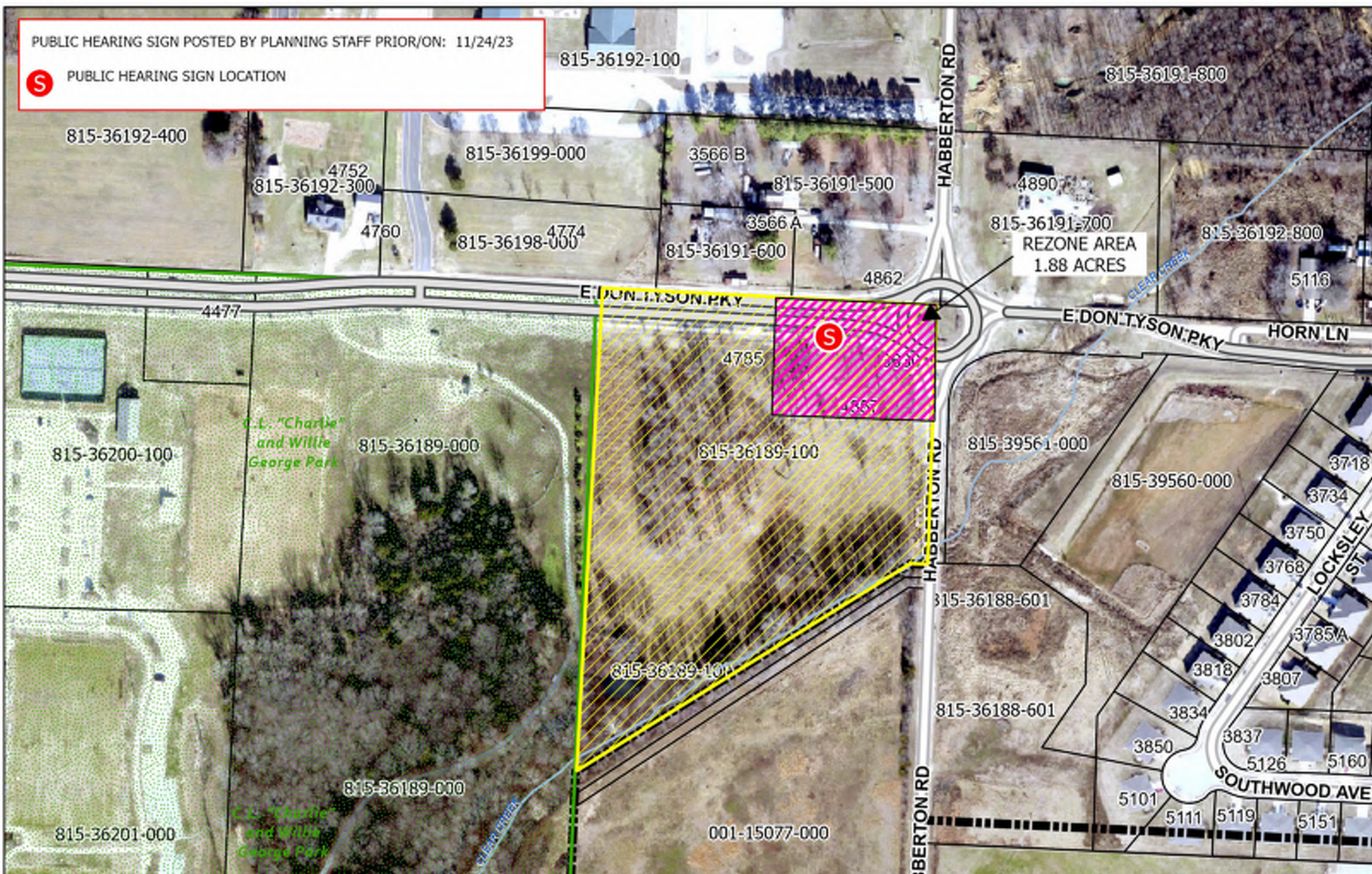
Ernest Cate, City Attorney



PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 11/24/23



PUBLIC HEARING SIGN LOCATION

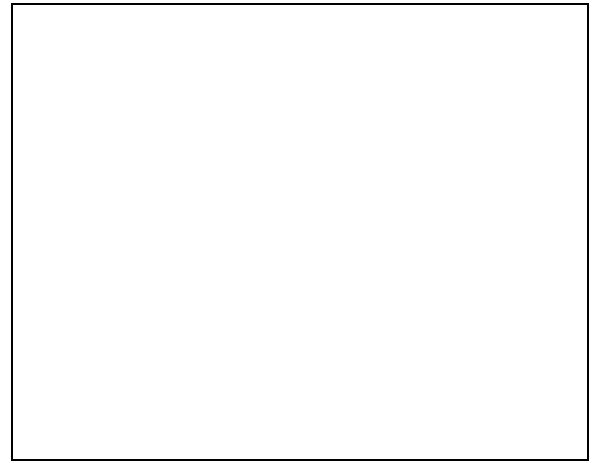


Planning Commission Meeting
December 5, 2023



PROJECT: R23-62
APPLICANT: RMB Investments
LOCATION: 4785 Don Tyson Pkwy
REQUEST: Rezoning from A-1 to C-2





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE FINAL PLAT (FP23-06) OF
PHASE 3 OF COTTAGES AT THE 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 final plat (FP23-06) of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

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

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, SAID POINT BEING A FOUND RAILROAD SPIKE IN WEST COUNTY LINE ROAD; THENCE ALONG THE SOUTH LINE OF SAID SW 1/4, S86°35'37"E A DISTANCE OF 659.90 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A FOUND RAILROAD SPIKE IN WEST COUNTY LINE ROAD; THENCE LEAVING SAID SOUTH LINE, N02°27'18"E A DISTANCE OF 705.55 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S87°32'42"E A DISTANCE OF 988.92 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE S02°22'15"W A DISTANCE OF 721.99 FEET TO THE SOUTH LINE OF SAID SW 1/4 AND A FOUND "MAG" NAIL IN WEST COUNTY LINE ROAD; THENCE ALONG SAID SOUTH LINE, N86°35'37"W A DISTANCE OF 990.12 FEET TO THE POINT OF BEGINNING, CONTAINING 16.21 ACRES, MORE OR LESS AND SUBJECT TO THE RIGHT-OF-WAY OF WEST COUNTY LINE ROAD ON THE SOUTH SIDE THEREOF AND DOWNUM ROAD ON THE EAST SIDE THEREOF AND ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the final plat (FP23-06) as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said final plat and join with the said petitioner in petitioning the City Council to accept the said final plat of Phase 3 of Cottages at the Park to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the final plat (FP23-06) of Phase 3 of Cottages at the Park, as shown on the final plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Washington County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

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

PASSED AND APPROVED this _____ day of _____, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

FINAL PLAT
OF
COTTAGES AT THE PARK PHASE III
SPRINGDALE

RECORDING INFORMATION

SURVEYOR'S NOTES:

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

FEMA FLOOD PLAIN ZONE:

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

UTILITIES:

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

REFERENCES:

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

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

- A. FINAL PLAT OF COTTAGES AT THE PARK PHASE I: BY ENGINEERING SERVICES INC., S. CRAIG DAVIS, PLS 1156, RECORDED AUGUST 13, 2020 IN FILE NO. L202049582.
- B. COMMISSIONERS DEED: LANDMARC CUSTOM HOMES, LLC RECORDED MARCH 1, 2018, DOCUMENT FILE NO. L201810451.
- C. REDEMPTION DEED NO. 333883: ERNEST GENE DOWNUM TRUST, RECORDED FEBRUARY 2, 2015, BOOK 2015, PAGE 4604.
- D. QUIT CLAIM DEED TO TRUSTEE: DOWNUM RD, TRUST #21-00167-548, UDT 07/19/2014, AND KEVAN RILEY, AS TRUSTEE, RECORDED 8/10/2015, BOOK 2015, PAGE 43672.
- E. WARRANTY DEED: CME QUALITY HOMES, LLC, RECORDED JANUARY 24, 2006, DOCUMENT BOOK 2006, PAGE 4656.
- F. BOUNDARY SURVEY: BY BILLY LAWRENCE SURVEYING, INC., RECORDED MARCH 11, 2016, BOOK 2016, PAGE 173.
- G. BOUNDARY SURVEY: BY SATTERFIELD LAND SURVEYORS, P.A., RECORDED JUNE 6, 2013, BOOK 2013, PAGE 314.
- H. REVISED FINAL PLAT OF COTTAGES AT THE PARK PHASE I: BY ENGINEERING SERVICES INC., S. CRAIG DAVIS, PLS 1156, RECORDED MAY 27, 2021 IN FILE NO. L202139930.
- I. FINAL PLAT OF COTTAGES AT THE PARK PHASE II: BY ENGINEERING SERVICES INC., S. CRAIG DAVIS, PLS 1156, RECORDED JUNE 1, 2022 IN FILE NO. L202236614.

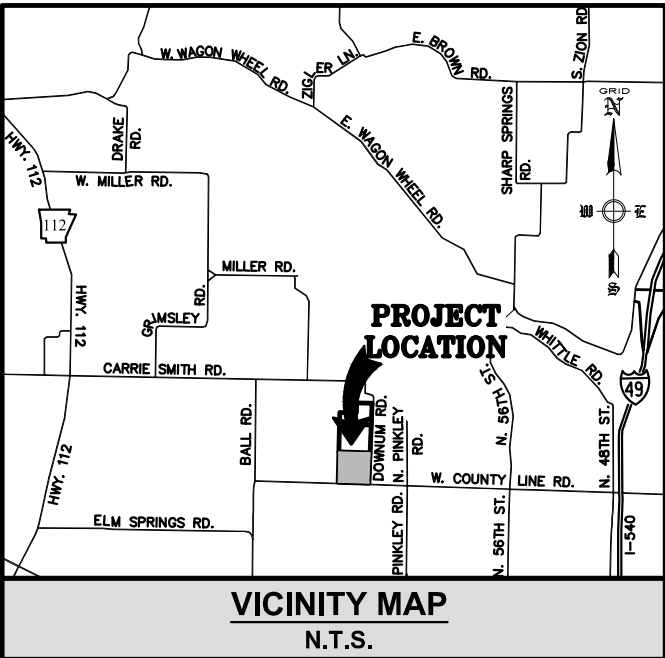
PARCEL NUMBER: 21-00167-556

SURVEY DESCRIPTION:

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

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, SAID POINT BEING A FOUND RAILROAD SPIKE IN WEST COUNTY LINE ROAD; THENCE ALONG THE SOUTH LINE OF SAID SW 1/4, S86°35'37"E A DISTANCE OF 659.90 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A FOUND RAILROAD SPIKE IN WEST COUNTY LINE ROAD; THENCE LEAVING SAID SOUTH LINE, N02°27'18"E A DISTANCE OF 705.55 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S87°32'42"E A DISTANCE OF 988.92 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE S02°22'15"W A DISTANCE OF 721.89 FEET TO THE SOUTH LINE OF SAID SW 1/4 AND A FOUND "MAG" NAIL IN WEST COUNTY LINE ROAD; THENCE ALONG SAID SOUTH LINE, N86°35'37"W A DISTANCE OF 990.12 FEET TO THE POINT OF BEGINNING, CONTAINING 16.21 ACRES, MORE OR LESS AND SUBJECT TO THE RIGHT-OF-WAY OF WEST COUNTY LINE ROAD ON THE SOUTH SIDE THEREOF AND DOWNUM ROAD ON THE EAST SIDE THEREOF AND ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

BENTON COUNTY, ARKANSAS



FP23-06

BY
ENGINEERING SERVICES INC.



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

CERTIFICATION OF TRANSMITTAL, OWNERSHIP, AND ORDINANCE:

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

AUTHORIZED REPRESENTATIVE DATE

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

CERTIFICATE OF ACCEPTANCE:

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

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

SURVEYOR'S DECLARATION:

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

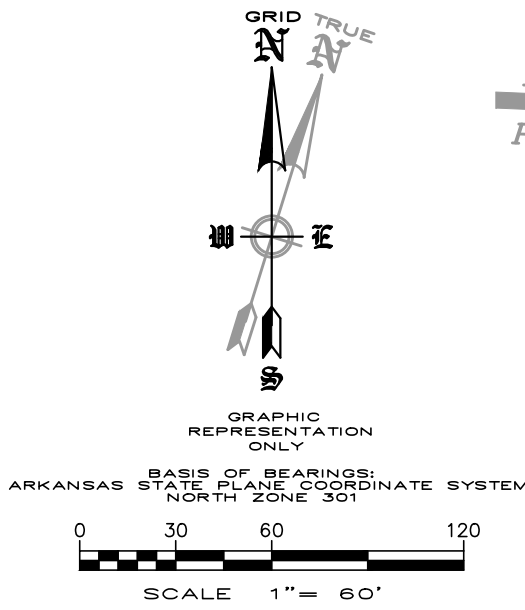
RODNEY WOODS, P.S. NO. 1559, AR.

DATE



SHEET 1 of 2

PLAT CODE: 500-18N-30W-0-20-300-04-1559



PHASE II
PHASE III

COTTAGES AT THE PARK PHASE III (L202236614)

U.E. PER L202236614

STREET AND UTILITY EASEMENT
CITY OF SPRINGDALE
BK 2006 PG 10153

WATER LINE EASEMENT
CITY OF SPRINGDALE
DOC. NO. 1005184

R-O-W DEDICATED
PER THIS PLAT

COLLECTOR PER M.S.P. S 02°22'15" W - 721.99'

WATER LINE EASEMENT
CITY OF SPRINGDALE
DOC. NO. 1005184

STREET AND UTILITY EASEMENT
CITY OF SPRINGDALE
BK 2006 PG 10153

S 1/4 COR., SEC. 20
T-18-N, R-30-W
FND. "MAG" NAIL

LEGEND

---	PROPERTY LINE
---	SECTION LINE
---	ADJACENT OWNER
---	EASEMENT (AS NOTED)
---	ROAD CENTERLINE
---	BUILDING SETBACK LINE
---	WATER LINE
---	SANITARY SEWER LINE
---	STORM PIPE
●	P.O.C.
●	P.O.B.
●	POINT OF COMMENCEMENT
●	POINT OF BEGINNING
●	IPF - IRON PIN FOUND (AS NOTED)
●	FOUND RAILROAD SPIKE
●	FOUND NAIL
●	FOUND COTTON PICKER SPINDLE
●	FIRE HYDRANT
●	LIGHT POLE
●	MANHOLE
●	POWER POLE

OWNER/DEVELOPER: LANDMARC CUSTOM HOMES
1224 S MAESTRI RD (HIGHWAY 112)
SPRINGDALE, AR 72762

ENGINEER/SURVEYOR: ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI RD.
PO BOX 282
SPRINGDALE, AR 72762

ACREAGE: 16.21 ACRES

ZONING: PUD

BUILDING SETBACKS ZONING PUD	
FRONT	12"
REAR	23"
SIDE	5"
EXTERIOR SIDE	5"
*UNLESS A UTILITY EASEMENT IS GREATER	

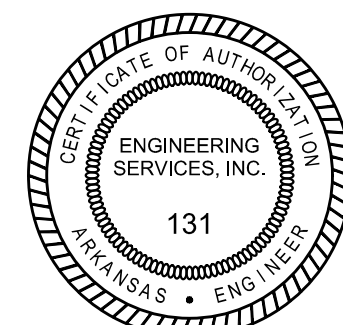
Curve #	Length	Radius	Chord Length	Chord Bearing
C1	29.06'	18.50'	26.16'	N42°32'43"W
C2	5.72'	19.00'	5.70'	N11°05'11"E
C3	6.33'	21.00'	6.30'	N11°05'11"E
C4	26.21'	30.00'	25.38'	N27°28'58"E
C5	26.21'	30.00'	25.38'	S22°34'22"E
C6	29.06'	18.50'	26.16'	S47°27'19"W
C7	29.06'	18.50'	26.16'	N42°32'47"W
C8	26.21'	30.00'	25.38'	N27°28'58"E
C9	26.21'	30.00'	25.38'	N22°34'22"W
C10	29.06'	18.50'	26.16'	N47°27'22"E
C11	46.31'	30.00'	41.85'	S48°13'39"W
C12	47.07'	30.00'	42.39'	N42°35'45"W
C13	47.12'	30.00'	42.43'	S47°27'18"W
C14	26.21'	30.00'	25.38'	N22°34'21"W
C15	26.21'	30.00'	25.38'	N27°28'56"E

Curve #	Length	Radius	Chord Length	Chord Bearing
C16	47.12'	30.00'	42.43'	N42°32'42"W
C17	47.12'	30.00'	42.43'	N42°32'42"W
C18	29.06'	18.50'	26.16'	S47°27'18"W
C19	29.06'	18.50'	26.16'	N42°32'42"W
C20	5.72'	19.00'	5.70'	N11°05'11"E
C21	6.33'	21.00'	6.30'	S11°05'11"W
C22	26.21'	30.00'	25.38'	N27°28'58"E
C23	26.21'	30.00'	25.38'	S22°34'22"E
C24	47.12'	30.00'	42.43'	N47°27'18"E
C25	47.12'	30.00'	42.43'	S42°32'42"E
C26	47.12'	30.00'	42.43'	S47°27'18"W
C27	29.06'	18.50'	26.16'	N42°32'42"W
C28	29.06'	18.50'	26.16'	S47°27'18"W
C29	26.20'	29.95'	25.37'	S22°33'45"E
C30	5.72'	19.00'	5.70'	N11°05'11"E

Curve #	Length	Radius	Chord Length	Chord Bearing
C31	6.33'	21.00'	6.30'	S11°05'11"W
C32	26.18'	30.19'	25.37'	N27°26'49"E
C33	47.12'	30.00'	42.43'	S47°27'18"W
C34	19.17'	18.50'	18.32'	S27°13'52"E
C35	19.17'	18.50'	18.32'	N32°08'28"E
C36	47.12'	30.00'	42.43'	N42°32'42"W
C37	49.74'	30.00'	44.24'	S44°57'18"W
C38	6.50'	30.00'	6.48'	S03°44'56"E
C39	8.15'	30.00'	8.12'	N10°14'06"E
C40	49.74'	30.00'	44.24'	N40°02'43"W
C41	47.12'	30.00'	42.43'	S47°27'18"W
C42	19.17'	18.50'	18.32'	S27°13'52"E
C43	19.17'	18.50'	18.32'	N32°08'28"E
C44	47.12'	30.00'	42.43'	N42°32'42"W

NOTES:

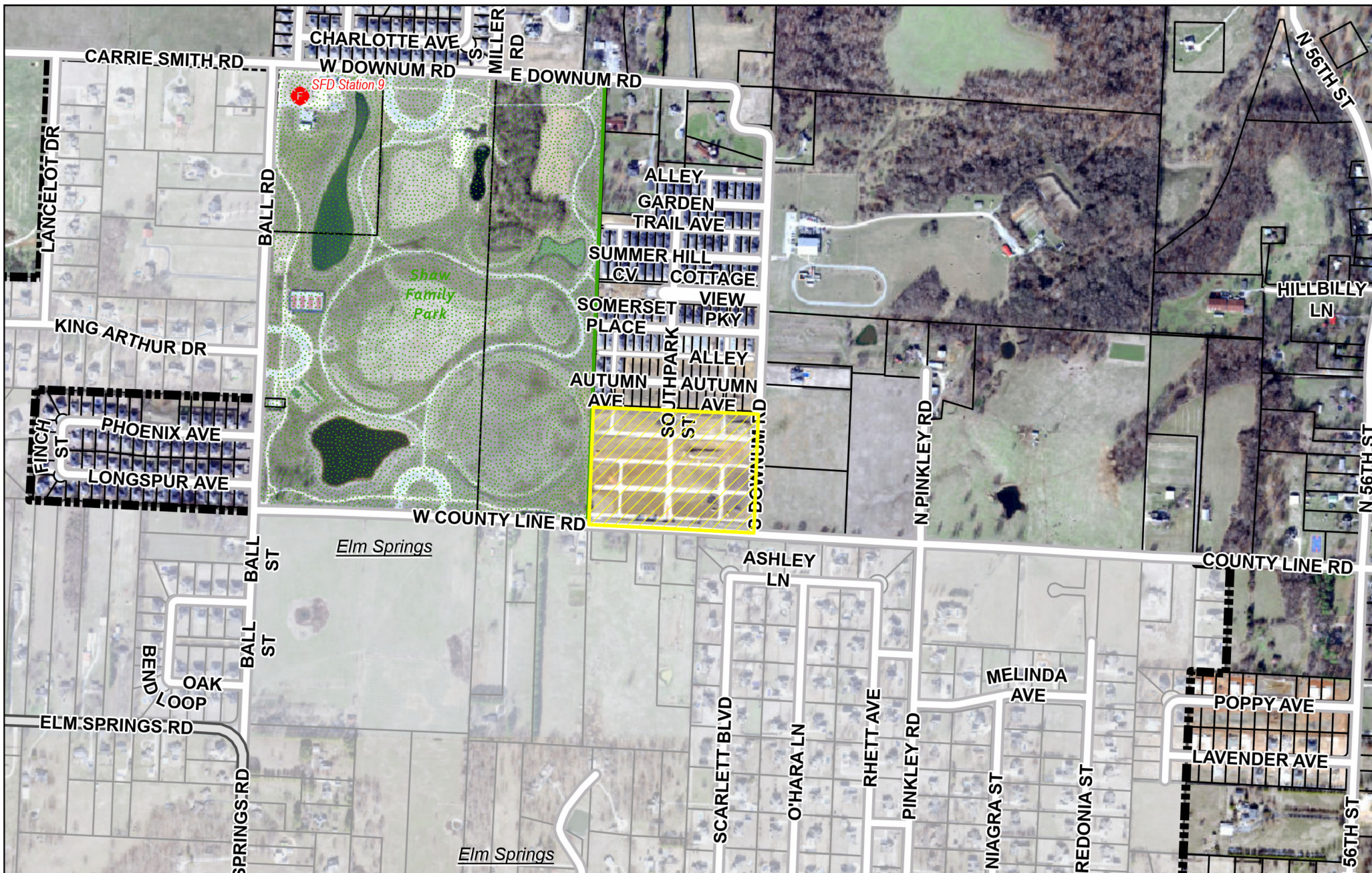
- SIDEWALK SHALL BE PLACED BY THE INDIVIDUAL LOT OWNER AS REQUIRED BY SPRINGDALE CITY ORDINANCE. THE SIDEWALK IS TO BE 5' WIDE AND 1' FROM THE RIGHT-OF-WAY. DEVELOPER SHALL PLACE SIDEWALK ON ALL PORTIONS OF THE STREETS THAT DO NOT HAVE LOT FRONTAGE.
- LOTS 144, 145, 176, AND 177 SHALL NOT HAVE ACCESS TO SOUTH DOWNUM ROAD.
- 4" WROUGHT IRON FENCE ALONG THE ENTIRE EAST AND WEST PROPERTY LINE OF SUBDIVISION.
- ALL LOTS TO RECEIVE A SEWER BACKWATER VALVE. TO BE INSTALLED ON THE PRIVATE SERVICE LINE BY A LICENSED PLUMBER. (4" PVC EXTENDABLE BACKWATER VALVE BY CLEAN CHECK, MODEL NO. 97304).
- LOTS 192 AND 193 TO BE MAINTAINED BY THE POA.



FP23-06



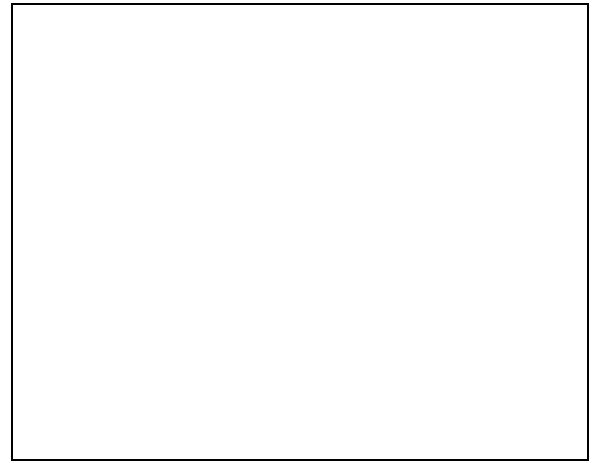
FINAL PLAT OF COTTAGES AT THE PARK PHASE III SPRINGDALE, BENTON COUNTY, ARKANSAS		
SCALE: 1"=60'	DATE: January 15, 2024	DRAWN BY: KND
ENGINEERING SERVICES, INCORPORATED SPRINGDALE, ARKANSAS		
W.O.# 18958	SHEET 2/2	



Planning Commission Meeting
February 6, 2024



PROJECT: FP23-06
APPLICANT: Cottages at the Park Ph. III
LOCATION: NE Corner of County Line and Downum Rd
REQUEST: Final Plat



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE FINAL PLAT (FP24-03) OF
PHASE 1 OF BRENTWOOD VILLAGE, 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:

A PART OF THE NORTHWEST QUARTER (NW 1/4) AND A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION SIXTEEN (16), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF THE NW 1/4 OF SAID SECTION 16, SAID POINT BEING A FOUND BOAT SPIKE; THENCE ALONG THE WEST LINE OF SAID NW 1/4, N02°29'38"E A DISTANCE OF 619.37 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE LEAVING SAID WEST LINE, N84°31'09"E A DISTANCE OF 16.55 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156", THENCE S87°20'46"E A DISTANCE OF 457.76 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE N02°25'08"E A DISTANCE OF 405.92 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE S87°34'41"E A DISTANCE OF 1042.03 FEET; THENCE S03°08'09"W A DISTANCE OF 436.07 FEET; THENCE N86°51'52"W A DISTANCE OF 272.11 FEET; THENCE S03°08'21"W A DISTANCE OF 176.48 FEET; THENCE N86°51'39"W A DISTANCE OF 27.59 FEET; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 47.12 FEET AND A CHORD BEARING AND DISTANCE OF S48°08'21"W – 42.43 FEET; THENCE S03°08'21"W A DISTANCE OF 280.00 FEET; THENCE N86°51'39"W A DISTANCE OF 1.15 FEET; THENCE S03°08'21"W A DISTANCE OF 133.50 FEET; THENCE N86°51'39"W A DISTANCE OF 360.00 FEET; THENCE S03°08'21"W A DISTANCE OF 133.50 FEET; THENCE S02°41'20"W A DISTANCE OF 46.00 FEET; THENCE N86°51'39"W A DISTANCE OF 13.62 FEET; THENCE S02°41'20"W A DISTANCE OF 137.85 FEET; THENCE N86°53'34"W A DISTANCE OF 797.77 FEET TO A POINT ON THE WEST LINE OF SAID SW 1/4 AND A FOUND MAG NAIL WITH

WASHER "PLS 1156"; THENCE ALONG SAID WEST LINE, N02°34'53"E A DISTANCE OF 329.26 FEET TO THE POINT OF BEGINNING, CONTAINING 33.29 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT-OF-WAY OF HYLTON ROAD ON THE WEST SIDE THEREOF AND ALL OTHER RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the plat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said final plat (FP24-03) and join with the said petitioner in petitioning the City Council to accept the said plat of Phase 1 of Brentwood Village to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the final plat (FP24-03) of Phase 1 of Brentwood Village, as shown on the plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Washington County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

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

PASSED AND APPROVED this _____ day of _____, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

FINAL PLAT

OF

BRENTWOOD VILLAGE PHASE 1

SPRINGDALE

WASHINGTON COUNTY, ARKANSAS

FP24-03

SURVEY DESCRIPTION – BRENTWOOD PHASE 1 (PART OF PARCEL NO.'S 815-36188-002 & 815-36188-800):

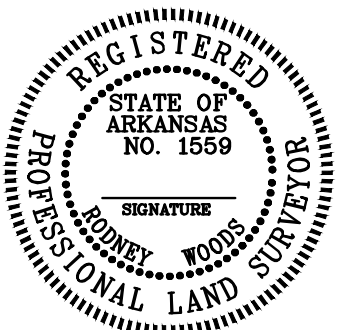
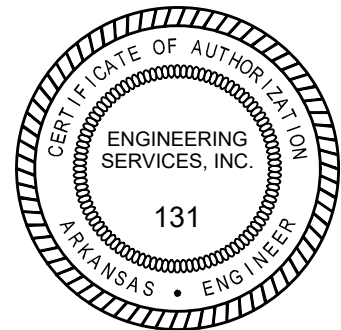
A PART OF THE NORTHWEST QUARTER (NW 1/4) AND A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION SIXTEEN (16), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF THE NW 1/4 OF SAID SECTION 16, SAID POINT BEING A FOUND BOAT SPIKE; THENCE ALONG THE WEST LINE OF SAID NW 1/4, N02°29'38"E A DISTANCE OF 819.37 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE LEAVING SAID WEST LINE, N84°31'09"E A DISTANCE OF 16.55 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S87°20'46"E A DISTANCE OF 457.76 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE N02°25'08"E A DISTANCE OF 405.92 FEET TO A FOUND IRON PIN WITH UNREADABLE CAP; THENCE S87°34'41"E A DISTANCE OF 1042.03 FEET; THENCE S03°08'09"W A DISTANCE OF 436.07 FEET; THENCE N86°51'52"W A DISTANCE OF 272.11 FEET; THENCE S03°08'21"W A DISTANCE OF 176.48 FEET; THENCE N86°51'39"W A DISTANCE OF 27.59 FEET; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 47.12 FEET AND A CHORD BEARING AND DISTANCE OF S48°08'21"W -42.43 FEET; THENCE S03°08'21"W A DISTANCE OF 280.00 FEET; THENCE N86°51'39"W A DISTANCE OF 1.15 FEET; THENCE S03°08'21"W A DISTANCE OF 133.50 FEET; THENCE N86°51'39"W A DISTANCE OF 360.00 FEET; THENCE S03°08'21"W A DISTANCE OF 133.50 FEET; THENCE S02°41'20"W A DISTANCE OF 46.00 FEET; THENCE N86°51'39"W A DISTANCE OF 13.62 FEET; THENCE S02°41'20"W A DISTANCE OF 137.85 FEET; THENCE N86°53'34"W A DISTANCE OF 797.77 FEET TO A POINT ON THE WEST LINE OF SAID SW 1/4 AND A FOUND MAG NAIL WITH WASHER "PLS 1156"; THENCE ALONG SAID WEST LINE, N02°34'53"E A DISTANCE OF 329.26 FEET TO THE POINT OF BEGINNING, CONTAINING 33.29 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT-OF-WAY OF HYLTON ROAD ON THE WEST SIDE THEREOF AND ALL OTHER RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

CERTIFICATE OF ACCURACY OF SURVEY:

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

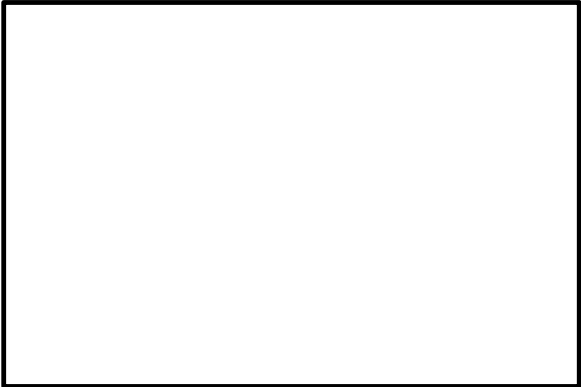
DATE: _____ SURVEYOR: _____
RODNEY WOODS, PS 1559



BY
ENGINEERING SERVICES INC.



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



RECORDING INFORMATION

NOTES:

- 1) CONCRETE MONUMENTS SET AT ALL EXTERIOR PROPERTY CORNERS.
- 2) 1/2" REBAR WITH CAP "PS 1559" SET AT ALL PROPERTY CORNERS.
- 3) NO FENCES SHALL BE CONSTRUCTED WITHIN ANY DRAINAGE EASEMENTS.
- 4) ALL SIDEWALKS ARE 5' UNLESS OTHERWISE NOTED AND SHALL BE PLACED BY THE INDIVIDUAL LOT OWNER AS REQUIRED BY SPRINGDALE CITY ORDINANCE. DEVELOPER SHALL PLACE SIDEWALK ON ALL PORTIONS OF THE STREETS THAT DO NOT HAVE LOT FRONTAGE.
- 5) ANY ABOVE GROUND OR VISIBLE UTILITY PLACED IN THE FRONT UTILITY EASEMENT MAY NOT BE MORE THAN 6' FROM THE SIDE PROPERTY LINE.
- 6) STREET LIGHTS IN SUBDIVISION TO BE A MINIMUM OF 6,800 LUMENS. ALL STREET LIGHTS SHALL BE PUBLIC AND MAINTAINED/BILLED BY THE CITY.
- 7) LOTS 73, 74, 157-162, AND 284 SHALL NOT HAVE ACCESS TO HYLTON ROAD.
- 8) LOT 284 SHALL BE DEDICATED AS DRAINAGE EASEMENTS.

TITLE COMPANY'S CERTIFICATE:

I, _____, A _____, REPRESENTING _____, COUNTY, ARKANSAS, CERTIFY THAT I HAVE EXAMINED THE REAL ESTATE RECORDS OF _____, COUNTY, ARKANSAS AND FIND THAT THE LAST GRANTEE OF RECORD OF THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PARTIES EXECUTING THE OWNERS' CERTIFICATE. THIS CERTIFICATE IS SOLELY FOR THE USE AND BENEFIT OF THE CITY OF _____, ARKANSAS AND MAY NOT BE RELIED UPON BY ANY OTHER PERSON. _____, ARKANSAS SHALL BE EXPRESSLY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

NAME _____
TITLE _____
EXECUTED THIS _____ DAY OF _____, 20_____, A.D.

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 SHOWN ON THE PLAT. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LOCAL OR OTHER LAW.

OWNER / DEVELOPER D.R. HORTON – NW ARKANSAS, LLC
5502 W WALSH LN
ROGERS, AR 72758

SIGNATURE _____ DATE _____

RESOLUTION: RESOLVED THAT D.R. HORTON – NW ARKANSAS LLC, HEREBY AUTHORIZES _____ TO EXECUTE THE CERTIFICATE OF OWNERSHIP AND DEDICATION AS SHOWN ON THIS FINAL PLAT.

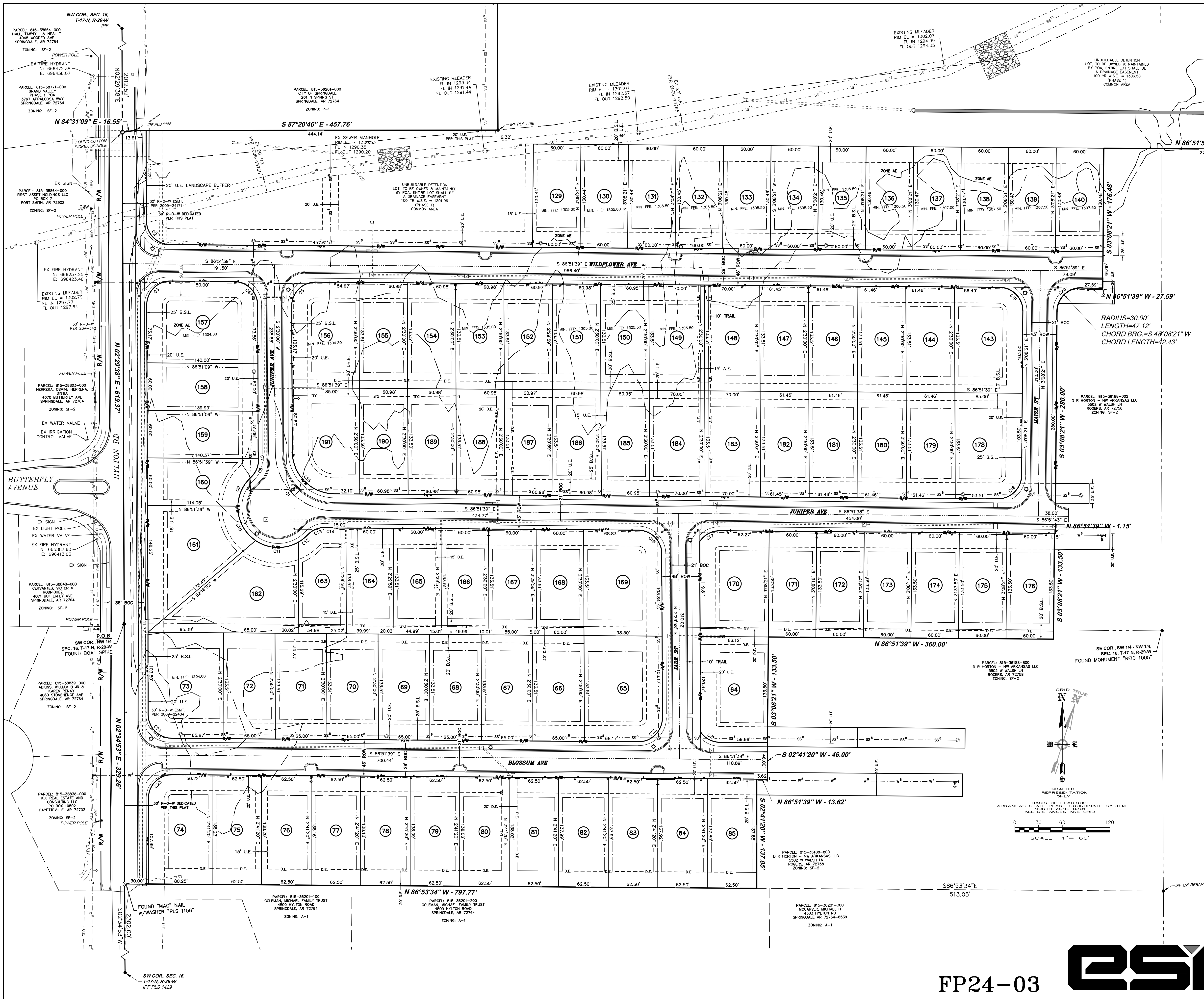
CERTIFICATE: WE, D.R. HORTON – NW ARKANSAS LLC, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE RESOLUTION.

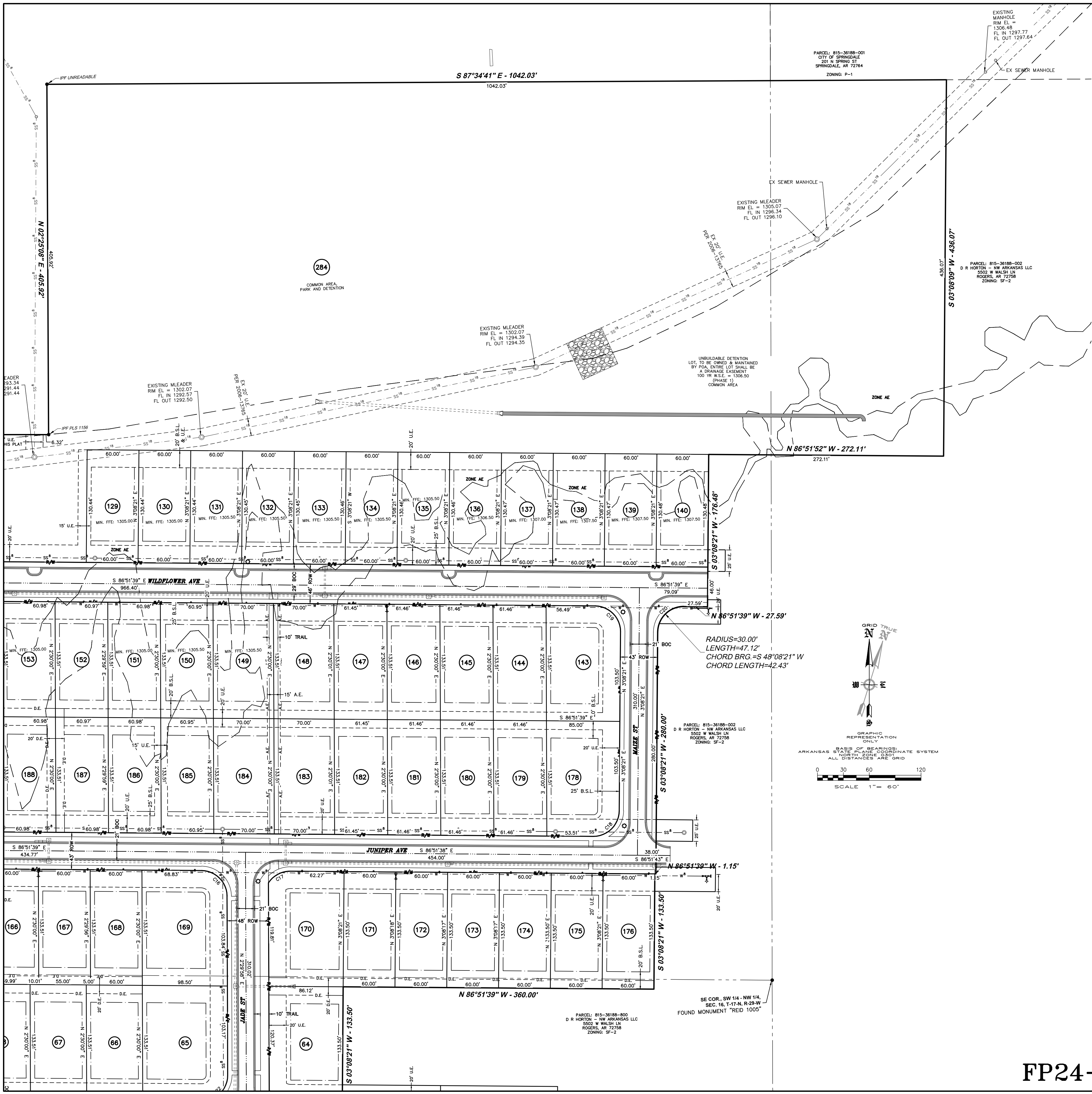
DATE: _____ SIGNATURE: _____

CERTIFICATE OF ACCEPTANCE:

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

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





LOT SIZE TABLE		
LOT #	LOT SQ. FT.	LOT ACRES
64	11301.7	0.26
65	12952.0	0.30
66	8678.1	0.20
67	8678.1	0.20
68	8678.1	0.20
69	8678.1	0.20
70	8678.1	0.20
71	8678.1	0.20
72	8678.1	0.20
73	12557.9	0.29
74	10915.0	0.25
75	8638.5	0.20
76	8636.3	0.20
77	8634.1	0.20
78	8632.0	0.20
79	8629.8	0.20
80	8627.6	0.20
81	8625.4	0.20
82	8623.3	0.20
83	8621.1	0.20

LOT SIZE TABLE		
LOT #	LOT SQ. FT.	LOT ACRES
84	8618.9	0.20
85	8616.8	0.20
129	7826.3	0.18
130	7826.6	0.18
131	7826.8	0.18
132	7827.0	0.18
133	7827.2	0.18
134	7827.5	0.18
135	7827.7	0.18
136	7827.9	0.18
137	7828.1	0.18
138	7828.4	0.18
139	7828.6	0.18
140	7828.8	0.18
143	11254.1	0.26
144	8205.2	0.19
145	8205.2	0.19
146	8205.2	0.19
147	8203.1	0.19
148	9345.1	0.21

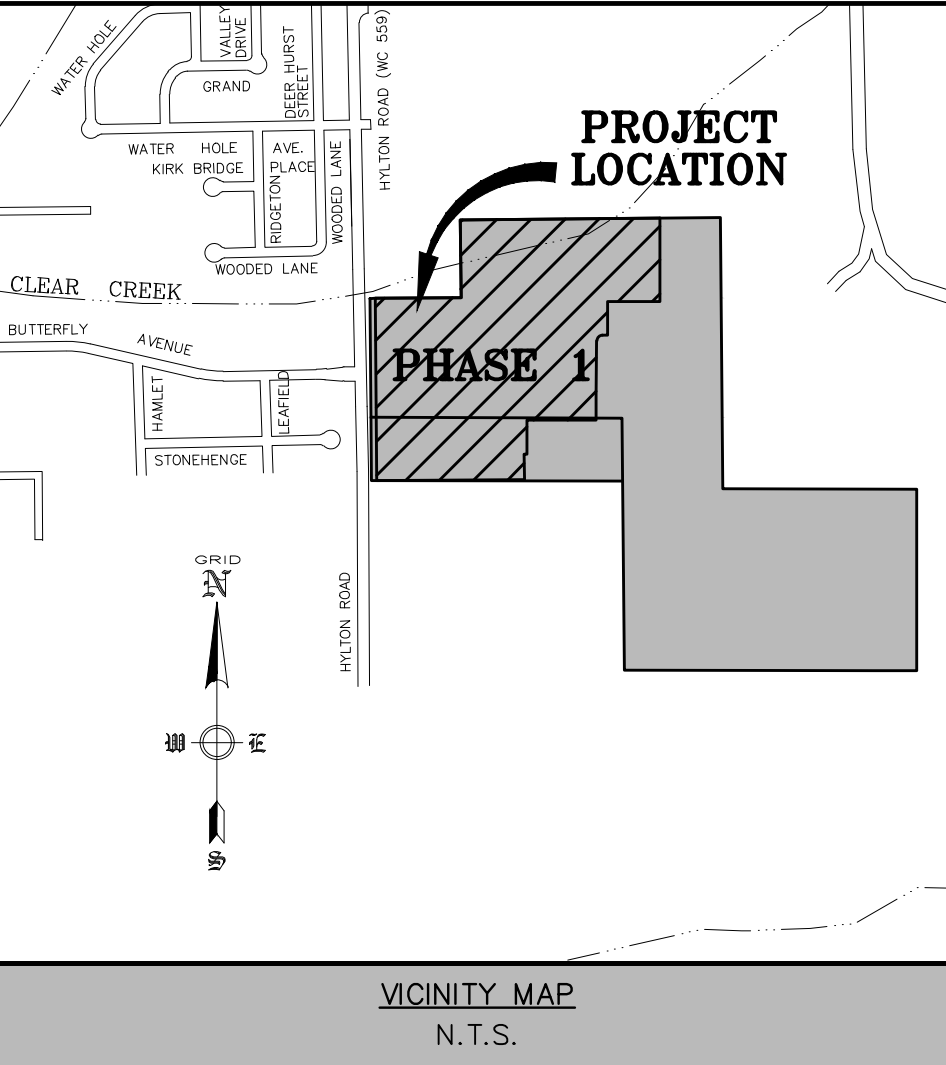
LOT SIZE TABLE		
LOT #	LOT SQ. FT.	LOT ACRES
149	9345.2	0.21
150	8137.3	0.19
151	8140.4	0.19
152	8140.2	0.19
153	8140.3	0.19
154	8140.3	0.19
155	8140.3	0.19
156	11149.7	0.26
157	14105.5	0.32
158	8399.1	0.19
159	8398.5	0.19
160	7588.5	0.17
161	13160.4	0.30
162	13954.8	0.32
163	7795.5	0.18
164	8010.5	0.18
165	8009.6	0.18
166	8010.5	0.18
167	8009.6	0.18
168	8010.6	0.18

LOT SIZE TABLE		
LOT #	LOT SQ. FT.	LOT ACRES
169	12961.9	0.30
170	11493.4	0.26
171	8009.5	0.18
172	8009.9	0.18
173	8009.9	0.18
174	8010.4	0.18
175	8009.9	0.18
176	8009.6	0.18
178	11055.1	0.25
179	8205.0	0.19
180	8205.0	0.19
181	8205.0	0.19
182	8203.0	0.19
183	9344.8	0.21
184	9344.9	0.21
185	8137.0	0.19
186	8140.1	0.19
187	8140.0	0.19
188	8140.0	0.19
189	8140.0	0.19

LOT SIZE TABLE		
LOT #	LOT SQ. FT.	LOT ACRES
190	8140.0	0.19
191	10749.1	0.25
284	51675.4	11.86

CURVE DATA				
	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C1	75.0'	116.97'	S42°10'50"E	105.47'
C2	30.0'	46.79'	S42°11'00"E	42.19'
C3	30.0'	47.46'	S47°49'00"W	42.66'
C4	30.0'	46.79'	N42°10'50"W	42.19'
C5	30.0'	47.46'	S47°49'10"W	42.66'
C6	96.5'	7.78'	N00°11'20"E	7.78'
C7	30.0'	1.15'	N01°01'00"W	1.15'
C8	30.0'	26.17'	N25°04'40"E	25.35'
C9	51.0'	41.00'	N27°02'20"E	39.90'
C10	51.0'	50.89'	N24°34'40"W	48.81'
C11	51.0'	57.11'	N85°15'00"W	54.18'
C12	51.0'	14.73'	S54°23'30"W	14.68'
C13	30.0'	27.33'	S72°12'40"W	26.39'
C14	96.5'	8.70'	N84°16'40"W	8.70'
C15	53.5'	83.44'	S42°10'50"E	75.24'
C16	30.0'	46.79'	N42°10'50"W	42.19'
C17	30.0'	29.89'	S64°35'50"W	28.67'
C18	30.0'	47.12'	N48°08'20"E	42.43'
C19	30.0'	47.12'	N41°51'40"W	42.43'
C20	30.0'	47.12'	S48°08'20"W	42.43'

STREET TABLE			
CLASSIFICATION	PUBLIC STREET		
LOCAL STREET	3,949 L.F.		



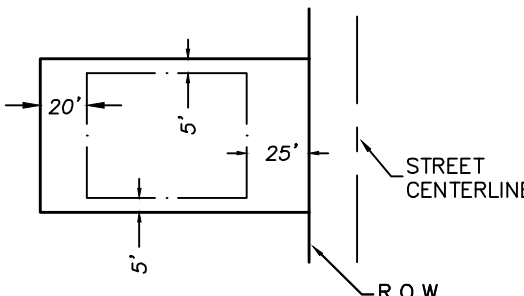
OWNER/DEVELOPER
D.R. HORTON - NW ARKANSAS LLC
5502 W WALSH LN
ROGERS, AR 72758

ENGINEER/SURVEYOR
ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI RD.
P.O. BOX 282
SPRINGDALE, AR 72762

EXISTING ZONING
PUD

SINGLE FAMILY LOTS
1
POA LOTS
84
TOTAL LOTS
85

SETBACKS
FRONT SETBACK = 25'
SIDE SETBACK = 5'
REAR SETBACK = 20'



TYPICAL SETBACK DETAIL
NOTE:
1.) DISTANCE SHOWN WILL YIELD TO UTILITY EASEMENTS.

LEGEND	
PROPERTY LINE	P.O.C. POINT OF COMMENCEMENT
SECTION LINE	P.O.B. POINT OF BEGINNING
SECTION "40" LINE	IPF - IRON PIN FOUND (AS NOTED)
RIGHT-OF-WAY	FOUND MONUMENT (AS NOTED)
EASEMENT (AS NOTED)	FOUND RAILROAD SPIKE
A.E. - ACCESS EASEMENT	FOUND NAIL (AS NOTED)
U.E. - UTILITY EASEMENT	SEWER MANHOLE
D.E. - DRAINAGE EASEMENT	FIRE HYDRANT
BUILDING SETBACK LINE (B.S.L.)	WATER VALVE
CENTERLINE OF ROAD	SANITARY SEWER LINE
W - WATER LINE	POWER POLE
W - WATER LINE	LIGHT POLE
CURB AND GUTTER	
STORM PIPE (SIZE AS NOTED)	

REVISION	DATE	DESCRIPTION

FINAL PLAT

BRENTWOOD VILLAGE PHASE 1

SPRINGDALE, ARKANSAS

SCALE: 1"=60' | DATE: January 18, 2024 | DRAWN BY: JGA

ENGINEERING SERVICES, INCORPORATED

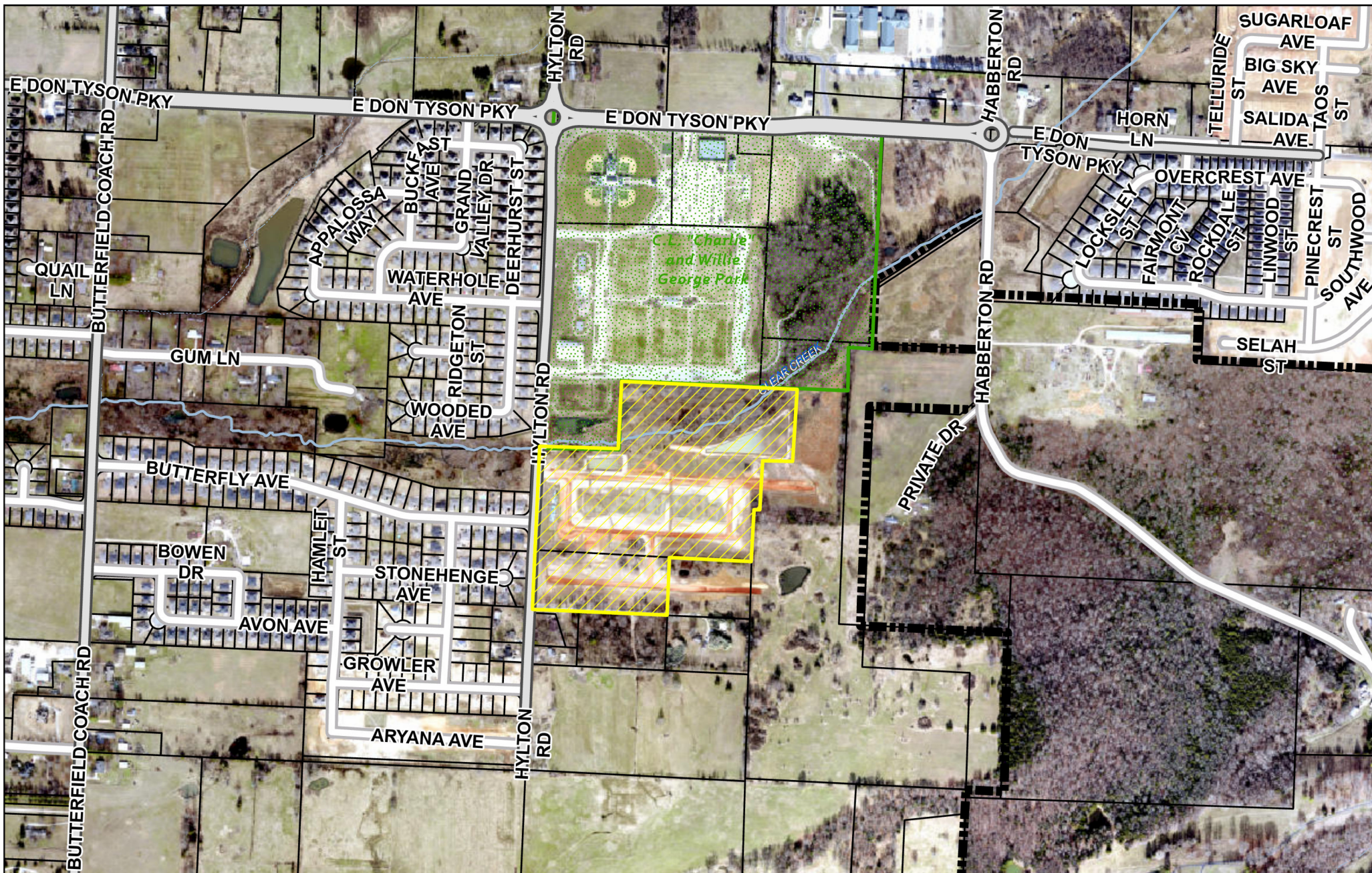
SPRINGDALE, ARKANSAS

© COPYRIGHT 2024, ENGINEERING SERVICES, INC. 1/18/2024 4:41 PM
2:\SUBD\20945 -Hyton PUD\FINAL PLAT\20945 - BRENTWOOD FINAL PLAT PHASE 1.dwg

W.O.# 20945 | SHEET 3/3

FP24-03





Planning Commission Meeting
February 6, 2024

PROJECT: FP24-03
APPLICANT: Brentwood Village Ph. I
LOCATION: 4497 Hylton Rd
REQUEST: Final Plat

0 870 1740
Feet



SPRINGDALE
WE'RE MAKING IT HAPPEN

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 26 OF THE
CODE OF ORDINANCES OF THE CITY OF SPRINGDALE,
ARKANSAS, BY CREATING A NEW ARTICLE, ARTICLE
VI. MICROMOBILITY DEVICES, SHARED SMALL
VEHICLES, AND SHARED SMALL VEHICLE
COMPANIES.**

WHEREAS, Chapter 26 of the Code of Ordinances of the City of Springdale, Arkansas, contains the regulations pertaining to the licensing and regulation of businesses in the City of Springdale;

WHEREAS, the City of Springdale is in need of revising Chapter 26 of the Code of Ordinances of the City of Springdale, Arkansas, to create a new Article (Article VI) pertaining to the licensing and regulation of micromobility devices, shared small vehicles, and shared small vehicle companies;

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to amend Chapter 26 of the Code of Ordinances of the City of Springdale, Arkansas, as provided herein.

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

Section 1: Chapter 26 of the Code of Ordinances of the City of Springdale is hereby amended to add a new Article, to be known as:

ARTICLE VI. - MICROMOBILITY DEVICES, SHARED SMALL VEHICLES, AND SHARED SMALL VEHICLE COMPANIES.

Sec 26-151. – Definitions.

Digital Network shall mean any online enabled application, software, website, or system offered or utilized by micromobility network company that enables the use or operation of micromobility devices.

Micromobility Device shall mean electric-assisted bicycles and electric-assisted scooters.

Shared Small Vehicle shall mean bicycle(s) and/or mobility devices which are part of a fleet of such bicycles and/or micromobility devices that use a digital network to connect such bicycle(s) and/or micromobility devices to riders and operators.

Shared Small Vehicle Company shall mean a corporation, partnership, sole proprietorship, person, or other entity operating in the City of Springdale that uses a digital network to connect micromobility devices and/or bicycle riders or operators to micromobility devices and/or bicycles for transportation.

Sec. 26-152. - Operation of Shared Small Vehicle Company - Agreement Required.

- (a) It is unlawful for any shared small vehicle company, or person on behalf of the company, to deploy, maintain, or allow to be operated, any shared small vehicles owned or operated by the company, on any city streets, sidewalks, right-of-way or City property within the City of Springdale, Arkansas without the valid written agreement approved by the City.

- (b) Violation of this Section shall be punishable by a fine of not more than five hundred dollars for each offense, with each day the violation continues constituting a separate offense. In addition to any penalties associated with violating this chapter, the shared small vehicle company and/or any person violating this chapter, shall be assessed the costs associated with removal of the company's shared small vehicles from City streets, sidewalks, rights-of-way and City property.

Sec. 26-153. - Prohibited Parking of Shared Small Vehicles.

- (a) It is unlawful for any person to park or leave a shared small vehicle on public property where such shared small vehicle blocks pedestrian travel or presents a traffic hazard. It is unlawful for any person to park or leave a shared small vehicle in the area adjacent to, within, or in any manner that obstructs the following areas:
- (1) Loading zones;
 - (2) Disabled parking zones;
 - (3) Curb ramps;
 - (4) Driveways and driveway approaches;
 - (5) Motor vehicle driving lanes or bicycle lanes;
 - (6) Benches; or,
 - (7) Entrances to private property or driveways.
- (b) It is unlawful for any person to park or leave a shared small vehicle in any manner which impedes or interferes with the access to or from any building.

Section 2: All other provisions of Chapter 26 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this Ordinance shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

MEMORANDUM OF UNDERSTANDING

Micromobility Pilot Program

This Micromobility Pilot Program Agreement (“Agreement”) is made this ____ day of ____ 2023, by and between the City of Springdale (“City”) and Skinny Labs Inc. dba Spin (“Spin”). City and Spin are each individually referred to as a “Party,” and collectively, the “Parties.”

Recitals

1. City seeks to provide safe and affordable multimodal transportation options to all residents, reduce traffic congestion, and maximize carbon-free mobility.
2. Micromobility services are a component to help the City achieve its transportation goals, and the City desires to make micromobility services available to residents and visitors.
3. Spin proposes to operate a micromobility program within City grounds.
4. Spin will abide by all City ordinances and rules governing the use of public right of way to efficiently and effectively provide micromobility services.
5. Spin possesses GPS, cell connectivity, Bluetooth and self-locking technology in its e-scooters and e-bikes (“Devices”) such that Devices may be locked and unlocked by users with an app and tracked to provide for operations and maintenance.

In consideration of the mutual covenants and representations set forth in this Agreement, City and Spin hereby agree to launch an exclusive micromobility pilot program as follows:

Agreement

1. Pilot Term. Pursuant to the terms of this Agreement, the City hereby gives Spin the exclusive, revocable, and non-transferable license to utilize City Right of Way in order to provide micromobility services within the City. For purposes of this Agreement, the term Right of Way (“ROW”) refers to sidewalks, roads, and other pathways owned and maintained by the City. City hereby grants Spin the exclusive right to operate a pilot micromobility program for a term of 12 months. Upon conclusion of the initial 12 months, such pilot program shall renew for another 12 month period unless terminated in writing by one or both parties per the terms in Section 14.
2. License to Use City Right of Way. City authorizes Spin an exclusive license to use the City Right of Way solely for the purposes of maintaining and offering its Devices for a pilot micromobility program within the City. Authority to utilize the City Right of Way for these Devices is dependent on compliance with all terms of this Agreement. This authorization is not a lease or an easement, and it is not intended and shall not be construed to transfer any real property interest in City property.

3. Permitted Use. Spin customers may use the City Right of Way solely for parking of Devices owned and maintained by Spin for use in the micromobility pilot program. Spin shall not place or attach any personal property, fixtures, or structures to City Right of Way without the prior written consent of City or private property owners.
 - a. Use of the Right of Way, and Spin's operations within the City, shall, at a minimum: a) not adversely affect City Right of Way or the City's streets or sidewalks; b) not adversely affect the property rights of any third parties; c) not inhibit pedestrian movement within the public way or along other property or rights-of-way owned or controlled by the City; and d) not create conditions which are a threat to public safety and security.
 - b. Upon termination of this Agreement by either party, Spin shall, at its sole cost and expense, immediately remove its property from the Right of Way.
4. Device Parking. Spin Devices may be parked in a legal manner in Right of Ways including City sidewalks by individuals participating in the micromobility pilot program. Spin will actively manage the Devices to ensure orderly parking and the free and unobstructed use of the Right of Way.
5. Condition of City Right of Way.
 - a. City makes the Right of Way available to Spin in an "as is" condition. City makes no representations or warranties concerning the condition of the City Right of Way or its suitability for use by Spin or its customers, and it assumes no duty to warn either Spin or its customers concerning conditions that exist now or may arise in the future.
 - b. City assumes no liability for loss or damage to Spin's Devices or other property. Spin agrees that City is not responsible for providing security at any location where Spin's Devices are stored or located, and Spin hereby waives any claim against City in the event Spin's Devices or other property are lost or damaged.
 - c. The City will notify spin@support.pm, through Spin's customer service app portal listed in Exhibit A, or through another agreed upon mechanism, for any Devices that are found to be adversely affecting the City Right of Way. Spin shall be responsible to correct improperly parked Devices within the timeframes listed in "Exhibit A."
6. Maintenance and Care of Portion of City Right of Way. Spin expressly agrees to repair, replace, or otherwise restore any part or item of real or personal City property that is damaged, lost, or destroyed as a result of the Spin's use of City Right of Way. Should Spin fail to repair, replace, or otherwise restore such real or personal property, Spin expressly agrees to pay City's costs in making such repairs, replacements, or restorations.
7. Operations and Maintenance. Spin shall be responsible to maintain the Devices as set forth in "Exhibit A." Spin shall be solely responsible for all maintenance and service costs in order to maintain the Devices and associated maintenance to minimum level of service and reporting outlined in "Exhibit A."

8. Indemnification. Spin shall defend, pay, indemnify, and hold harmless City, its officers, officials, employees, agents, invitees, and volunteers (collectively “City Parties”) from all claims, suits, actions, damages, demands, costs, or expenses of any kind or nature by or in favor of anyone whomsoever and from and against any and all costs and expenses, including without limitation court costs and reasonable attorneys’ fees, resulting from or in connection with loss of life, bodily or personal injury, or property damage arising directly or indirectly out of or from or on account of:
- a. Any occurrence upon, at, or from City Right of Way or occasioned wholly or in part by the entry, use, or presence upon City Right of Way by Spin or by anyone making use of City Right of Way at the invitation or sufferance of Spin, except such loss or damage which was caused by the sole negligence or willful misconduct of City. Provided, however, that nothing herein shall be construed to constitute a waiver of City’s statutory sovereign tort immunity pursuant to Ark. Code Ann. §21-9-301.
 - b. Use of Spin’s Devices by any individual, regardless of whether such use was with or without the permission of Spin, including claims by users of the Devices or third parties.

9. Insurance. Prior to beginning and continuing throughout the term of this Agreement, Spin, at Spin’s sole cost and expense, shall furnish the City with certificates of insurance evidencing that it has obtained and maintains insurance in the following amounts:
- a. Workers’ Compensation that satisfies the minimum statutory limits.
 - b. Commercial General Liability and Right of Way Damage Insurance in an amount not less than ONE MILLION DOLLARS (\$1,000,000) combined single limit per occurrence, TWO MILLION DOLLARS (\$2,000,000) annual aggregate, for bodily injury, property damage, products, completed operations, and contractual liability coverage.
 - c. Comprehensive automobile insurance in an amount not less than ONE MILLION DOLLARS (\$1,000,000) per occurrence for bodily injury and property damage including coverage for owned and non-owned vehicles.

All insurance policies shall be written on a per occurrence basis and shall name the City Indemnitees as additional insureds. If Spin’s insurance policy includes a self-insured retention that must be paid by a named insured as a precondition of the insurer’s liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer’s liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

10. Compliance with Law. Spin, at its own cost and expense, shall comply with all statutes, ordinances, regulations, and requirements of all governmental entities applicable to its use of City Right of Way and the operation of its micromobility pilot program, including but not limited to laws governing the operation of Devices. If any license, permit, or other governmental

authorization is required for Spin's lawful use or occupancy of City Right of Way or any portion thereof, Spin shall procure and maintain such license, permit, and/or governmental authorization throughout the term of this Agreement. City shall reasonably cooperate with Spin, at no additional cost to City, such that Spin can properly comply with this Section and be allowed to use City Right of Way as specified in Section 3, above.

10. Required Reports. Spin shall provide reports to the City concerning utilization of its Devices and Device route usage not less than quarterly.
11. No Joint Venture. Nothing herein contained shall be in any way construed as expressing or implying that the parties hereto have joined together in any joint venture or liability company or in any manner have agreed to or are contemplating the sharing of profits and losses among themselves in relation to any matter relating to this Agreement.
12. Term. This Agreement shall commence on [_____], (the "Commencement Date") and shall continue per the terms in Section 1, unless earlier terminated pursuant to Section 14, below.
13. Termination. This Agreement may be terminated prior to the expiration date set forth in Section 13, above, upon the occurrence of any of the following conditions:
 - a. Upon delivery of written notice from City to Spin, or vice versa, terminating this agreement for any reason, or for no reason, by giving at least thirty (30) days' notice of such termination. Notice shall be sufficient if delivered either to the mailing address or email address listed in the signatory below.
 - b. An attempt to transfer or assign this agreement.Upon the effective date of termination of this Agreement, Spin shall remove all Devices from the City and restore all City Right of Way to the condition of the City Right of Way at the Commencement Date of this Agreement.
14. Amendment. This Agreement may be amended by mutual agreement of the parties. Such amendments shall only be effective if incorporated in written amendments to this agreement and executed by duly authorized representatives of the parties.
15. Applicable Law and Venue. The laws of Arkansas shall govern the interpretation and enforcement of this Agreement.
16. Counterparts. This agreement may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

Executed the day and year first above written, by the parties as follows:
City of Springdale, Arkansas

By: _____
Name: _____
Title: _____
Address: 201 Spring Street, Springdale, AR 72764
Email address: _____

Skinny Labs Inc. dba Spin

By: _____
Name: _____
Title: _____
Address: _____
Email address: _____

Exhibit A

Spin Operations and Maintenance Plan Micromobility Pilot Program City of Springdale

FLEET SIZE

Spin will deploy an initial fleet of 100 Devices over the course of the first two weeks of the pilot program. The Devices will initially be deployed to help guide Device distribution based on user demand and usage trends.

PLACEMENT PLAN

Spin will also work with the City to determine where to initially deploy Devices. Spin's nimble and flexible operations can adjust Device deployment and distribution based on user demand and usage data.

Spin's ground operations team will place Spin Devices in a neat fashion on sidewalks at least 8 feet wide and at or near bike racks and micromobility corrals. Spin will ensure that Devices are not obstructing pedestrian or motor vehicle traffic.

USER EDUCATION

Spin believes that the most effective, consistent, and efficient method of providing important notices and educating users is through Spin's app. Any Spin user may utilize the app, helping to ensure important information is seen and acknowledged (as opposed to stickers or physical signs that may be unseen or become damaged or lost).

New Spin users will receive informational pop-ups when they use Spin's app to take a ride for the first time. The pop-ups will require the new users to affirm the pop-ups in order to proceed. The informational pop-ups will include: a) reminders about applicable micromobility laws; and b) instructions on how to park responsibly.

CUSTOMER SUPPORT

Spin provides easy mechanisms through which users and the public can contact us to ask questions, report Devices that are damaged or obstructing the public right of way, or otherwise.

Spin's app has a "Help" button on the user interface. The "Help" buttons enable users to report any issues via live chat, email (support@spin.pm), and phone (1-888-249-9698).

Spin Devices display our URL, where the public will be able to easily report relocation requests via in-app messaging, email, or phone. For additional details, please see <https://help.spin.pm>.

GROUND OPERATIONS

Spin's ground operations staff are hired locally and help ensure the safety, accessibility, and responsible placement of Spin devices. The exact number of locally hired staff, including residents, will depend on the fleet size in operation. The ground operations staff perform three primary functions:

- Roving
 - Inspect and tune-up Devices
 - Visually survey the streets and reposition obstructing Devices
- Rebalancing
 - Retrieve Devices that have been marked for repair
 - Visually survey the streets and remove obstructing Devices
- Charging
 - Ensure all Devices are charged and operable

PLACEMENT OF DEVICES

- Devices will be neatly placed by Spin staff on wide sidewalks and at or near bike racks and micromobility corrals.
- Devices will be neatly placed such that they do not obstruct the right of way.

RELOCATION REQUESTS

- Spin users and the general public can report Devices 24/7 via the website or the app.
- Spin will dispatch a ground operations member within three hours between the hours of 9am-6pm on weekdays, with submission of supporting evidence, to deal with Devices reported as obstructing the public right of way.
- Requests received after normal business hours, weekends, and/or holidays will be handled as soon as practical the following day.

MAINTENANCE AND SAFETY

- Every Device is inspected for safety, with a recorded inspection history.
- Devices reported as unusable are remotely disabled and marked for safety inspection.
- All repairs are done by certified mechanics contracted by Spin.
- Safety inspections are performed by the ground operations team, who are trained by certified mechanics. Ground operations staff inspect the following:
 - Handlebars
 - Front and rear brakes
 - Brake levers
 - Grips
 - Pedals and cranks
 - Chains

- Light
- Reflectors
- Dynamo hubs
- Tires
- Bells
- Locks
- Baskets
- Seats and seat posts
- Wheels
- Fenders
- Tune-ups are performed on the spot by the ground operations team during safety inspections. The ground operations team is equipped with the necessary tools.
- Repairs are performed at the warehouse by certified mechanics.
- All Devices are inspected against the above checklist, at a minimum, for:
 - Cleanliness
 - Damage
 - Secureness
 - Safe and reliable operation

REPORTING

Spin will provide quarterly reports to the City with aggregate usage data including:

- Number of users in the system
- Number of trips generated for the month
- Heat maps of usage showing top pick-up spots and drop-off spots
- Average trip length and trip time

RESOLUTION NO. _____

**A RESOLUTION SETTING A HEARING DATE ON A
PETITION TO VACATE AN ALLEY BETWEEN BLOCK 12
AND BLOCK 13 OF THE ORIGINAL TOWN OF
SPRINGDALE, ARKANSAS, PLAT.**

WHEREAS, in August 1946, a Plat of Blocks 12 & 13 of the Original Town, Springdale, Arkansas, was filed with the land records of Washington County, Arkansas, at Plat Book 4, Page 165;

WHEREAS, the plat set forth an alley between Block 12 and Block 13 of the Original Town of Springdale, said alley being twenty (20) feet in uniform width and containing 4,088 square feet, more or less;

WHEREAS, Emma and Turnbow, LLC, has petitioned the City to vacate the above-referenced alley, and the written consent of all property owners abutting the alley to be vacated have been received by the City, said alley being further described as follows:

An alley of twenty feet (20') in uniform width between Block 12 and Block 13 of the Original Town of Springdale, as shown on the plat filed with the land records of Washington County, Arkansas, at Plat Book 4, Page 165, consisting of 4,088 square feet, more or less;

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 March 12, 2024, at 6:00 p.m. be set as the date and time for the City Council to hear the petition; that the City Clerk shall give notice of the date and time, as required by law.

PASSED AND APPROVED this 13th day of February, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

RESOLUTION NO. _____

A RESOLUTION RECOGNIZING THE SERVICE OF CHIEF TRUMAN BREWER BY NAMING AND DESIGNATING A NEWLY CONSTRUCTED PUBLIC STREET TO BE KNOWN AS “CHIEF TRUMAN BREWER STREET”.

WHEREAS, the City of Springdale has undertaken the construction of a new public street in Springdale, said project being known as Project No. 18BPS14 (Dixieland – Apple Blossom to Wagon Wheel), said street running north from Wagon Wheel Road to Apple Blossom Avenue (“the Street”);

WHEREAS, it is the desire of the City Council of the City of Springdale, Arkansas, to honor the life and service of Chief Truman Brewer, who began his service to the City of Springdale, Arkansas, in 1968, twice served as Springdale Chief of Police (from 1981 to 1989, and again from 1997 to 1998); thereafter, he was the Investigator in the Springdale City Attorney’s Office from 2004 to 2010; Chief Brewer passed away on June 25, 2021; and,

WHEREAS, the City Council for the City of Springdale, Arkansas, wishes to express its appreciation for Chief Truman Brewer’s many years of dedicated service to the City of Springdale and its residents by naming the Street “Chief Truman Brewer Street”.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the newly constructed public street (Project No. 18BPS14), running north from Wagon Wheel Road to Apple Blossom Avenue, is hereby named and designated as “Chief Truman Brewer Street” in recognition of Chief Brewer’s many years of dedicated service to the City of Springdale, Arkansas.

PASSED AND APPROVED this ____ day of _____, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

SPRINGDALE CITY COUNCIL
JANUARY 23, 2024

The City Council of the City of Springdale met in regular session on Tuesday, January 23, 2024 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
Amelia Taldo	Ward 4 (Absent)
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 1
Rex Bailey	Ward 2
Randall Harriman	Ward 1
Mark Fougrousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Blake Holte	Fire Chief
Frank Gamble	Police Chief
Patsy Christie	Planning Director
Tom Evers	Buildings Department
Ron Findley	Community Engagement Director
Ben Peters	Engineering Director
James Smith	Public Works Director
Colby Fulfer	Chief of Staff
Mark Gutte	IT Director
Anne Gresham	Library Director

AGENDA ITEM PULLED

At the request of City Attorney Ernest Cate, Council Member Overton made the motion to pull item 11 from tonight’s council agenda regarding a raze and removal. Council Member Lawson made the second.

The vote:

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

No: None

APPROVAL OF MINUTES

Council Member Overton moved the minutes of the January 9, 2024 City Council meeting be approved as presented. Council Member Harriman made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

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

The vote:

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

No: None

RESOLUTION NO. 5-24 – MAKING TWO APPOINTMENTS TO THE SPRINGDALE PLANNING COMMISSION

Mayor Doug Sprouse presented a Resolution making the appointments of Jennifer Keith and Tresa Reynolds to the Springdale Planning Commission.

Shannon Mueller and Payton Parker will no longer be serving on the Planning Commission.

RESOLUTION NO. ____

**A RESOLUTION MAKING APPOINTMENTS TO THE
SPRINGDALE PLANNING COMMISSION**

WHEREAS, Shannon Mueller, Seat 6, has resigned from the Springdale Planning Commission, and

WHEREAS, the term of Payton Parker, Seat 7, is set to expire on January 31, 2024 and will no longer be serving on the Springdale Planning Commission, and

WHEREAS, Section 90-26 of the Springdale Code of Ordinances provides for these appointments by the Mayor with the approval of the City Council; and

WHEREAS, the Mayor has selected Jennifer Keith to be appointed to Seat 6 on the Springdale Planning Commission and Tresa Reynolds to be appointed to Seat 7 on the Springdale Planning Commission; in accordance with Section 90-26 of the Springdale Code of Ordinances; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that Jennifer Keith is hereby appointed to Seat 6 and Tresa Reynolds is hereby appointed to Seat 7 on the Springdale Planning Commission, both for one full term that will on January 31, 2028.

PASSED AND APPROVED this ____ day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Overton, Lawson, Bailey, Harriman, Powell, Watson

No: Fougrousse

The Resolution was numbered 5-24.

RESOLUTION NO. 6-24 – APPROVING THE REAPPOINTMENT OF HOWARD AUSTIN TO THE SPRINGDALE PLANNING COMMISSION

Mayor Doug Sprouse presented a Resolution approving the reappointment of Howard Austin to the Springdale Planning Commission.

RESOLUTION NO. _____

A RESOLUTION APPROVING REAPPOINTMENT OF HOWARD AUSTIN TO THE SPRINGDALE PLANNING COMMISSION

WHEREAS, Howard Austin’s term on the Springdale Planning Commission expires on January 31, 2024; and

WHEREAS, Section 90-26 of the Springdale Code of Ordinances provides for these appointments by the mayor with the approval of the City Council; and

WHEREAS, the Mayor has selected Howard Austin to be reappointed to Seat 8 on the Springdale Planning Commission; in accordance with Section 90-26 of the Springdale Code of Ordinances; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS that the mayor hereby reappoints Howard Austin to Seat 8 on the Springdale Planning Commission for a (4) four-year term expiring on January 31, 2028.

PASSED AND APPROVED this _____ day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No:

The Resolution was numbered 6-24.

ORDINANCE NO. 5931 – ACCEPTING THE FINAL PLAT (FP24-01) OF I-49 INDUSTRIAL PARK IN THE CITY OF SPRINGDALE, ARKANSAS; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Final Plat (FP24-01) of I-49 Industrial Park in the City of Springdale, Arkansas; and declaring an emergency.

Planning Commission recommended approval.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5931.

ORDINANCE NO. 5932 – REZONING (R24-02) 11 ACRES OWNED BY BEREAN PROPERTIES, LLC, LOCATED AT THE NW CORNER OF W. COUNTY LINE ROAD AND S. DOWNUM ROAD, FROM A-1 TO SF-2; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning (R24-02) 11 acres owned by Berean Properties, LLC, located at the northwest corner of W. County Line Road and S. Downum Road, from A-1 to SF-2; and declaring an emergency.

Planning Commission recommended approval.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5932.

ORDINANCE NO. 5933 – REZONING (R24-03) 10 ACRES OWNED BY STEVE AND LINDA GEELS REVOCABLE TRUST LOCATED AT THE NORTHWEST CORNER OF W. COUNTY LINE ROAD AND N. PINKLEY ROAD, FROM A-1 TO SF-2; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning (R24-03) 10 acres owned by Steve and Linda Geels Revocable Trust located at the northwest corner of W. County Line Road and N. Pinkley Road, from A-1 to SF-2; and declaring an emergency.

Planning Commission recommended approval.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5933.

RESOLUTON NO. 7-24 – APPROVING A CONDITIONAL USE APPEAL (C23-19) BY DORALBA BANDERA FOR A USE UNIT 44 (MOBILE VENDING) AT 1229 E. ROBINSON AVENUE IN A C-2 ZONE, AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by Doralba Bandera of a Use Unit 44 (Mobile Vending) at 1229 E. Robinson Avenue in a C-2 Zone, as set forth in Ordinance No. 4030.

RESOLUTION NO. ____

A RESOLUTION APPROVING A CONDITIONAL USE (C23-19) FOR DORALBA BANDERA AT 1229 E. ROBINSON AVENUE AS SET FORTH IN ORDINANCE NO. 4030

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use (C23-19) on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on January 2, 2024, on a request by Doralba Bandera for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2).

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) ayes and zero (0) nays recommends that a Conditional Use (C23-19) be granted to Doralba Bandera with the following conditions:

- Cannot operate between the hours of 10:00 p.m. to 7:00 a.m.
- No obstruction of parking spaces required for the operation of any other use on the site
- Maintain on the site a minimum of three parking spaces designed for their use
- If a health certificate is required, display the health certificate in a manner visible to customers
- No obstruction of pedestrian or motor vehicle traffic flow
- No obstruction of traffic signals or regulatory signs
- No vending upon a public way
- Sound any device that produces a loud and raucous noise in violation of city ordinance, or violate any other city ordinances in connection with the vending operation
- Keep vending sites clean and free of paper or refuse of any kind generated twenty (20) feet of any vending stand collect and deposit into a trash container.
- Submission of approved gray water disposal by Springdale Water Utilities.
- Submission of approved grease disposal method approved by Arkansas Department of Health
- Electric services must be underground permanent services.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to with the following conditions:

- Cannot operate between the hours of 10:00 p.m. to 7:00 a.m.

- No obstruction of parking spaces required for the operation of any other use on the site
- Maintain on the site a minimum of three parking spaces designed for their use
- If a health certificate is required, display the health certificate in a manner visible to customers
- No obstruction of pedestrian or motor vehicle traffic flow
- No obstruction of traffic signals or regulatory signs
- No vending upon a public way
- Sound any device that produces a loud and raucous noise in violation of city ordinance, or violate any other city ordinances in connection with the vending operation
- Keep vending sites clean and free of paper or refuse of any kind generated twenty (20) feet of any vending stand collect and deposit into a trash container.
- Submission of approved gray water disposal by Springdale Water Utilities.
- Submission of approved grease disposal method approved by Arkansas Department of Health
- Electric services must be underground permanent services.

PASSED AND APPROVED THIS ____ DAY OF January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 7-24.

RESOLUTION NO. 8-24 – APPROVING A CONDITIONAL USE APPEAL (C24-01) BY CAROL BLANCHET TO OPERATE A USE UNIT 28 (HOME OCCUPATION) FOR TALKING CROW COFFEE ROASTER LOCATED AT 1117 WEST END STREET, AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal (C24-01) by Carol Blanchet to operate a Use Unit 28 (Home Occupation) for Talking Crow Coffee Roaster located at 1117 West End Street, as set forth in Ordinance No. 4030.

RESOLUTION NO. ____

**A RESOLUTION (C24-01) APPROVING A CONDITIONAL
USE FOR CAROL BLANCHET – TALKING CROW
COFFEE ROASTER AT 1117 WEST END STREET AS SET
FORTH IN ORDINANCE NO. 4030**

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

WHEREAS, the Planning Commission held a public hearing on January 2, 2024 on a request by Carol Blanchet – Talking Crow Coffee Roaster for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2).

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) yeas and zero (0) nays recommends that a Conditional Use (C24-01) be granted to Carol Blanchet – Talking Crow Coffee Roaster with the following conditions:

- No alteration of the outside appearance of the residential structure or provision of a separate outside entrance for the business areas of the residential structure
- No outside storage of materials required for the operation of the business
- Operated only by the resident members of the household and shall not have any employees, concessionaires or any other form of operator or helper whether such business is conducted on the premises or off the premises
- Requires the use of an area no greater than thirty (30) percent of the total heated living space of the residential structure
- Generates no traffic, parking, and sewage or water use in excess of what is normal in the residential neighborhood
- Will not produce any fumes, odors, noise or any other offensive effects that are not normal to residential activity
- Will not involve accessory buildings
- Stock in trade shall not exceed ten (10) percent of the floor area of the accessory use
- Will not require the construction of a duplicate kitchen, or the addition to the existing kitchen
- Will not require or cause the consumption of the premises of any food product produced there on
- Will not provide medical treatment, therapeutic massage or similar activities

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to with the following conditions:

- No alteration of the outside appearance of the residential structure or provision of a separate outside entrance for the business areas of the residential structure
- No outside storage of materials required for the operation of the business
- Operated only by the resident members of the household and shall not have any employees, concessionaires or any other form of operator or helper whether such business is conducted on the premises or off the premises
- Requires the use of an area no greater than thirty (30) percent of the total heated living space of the residential structure
- Generates no traffic, parking, and sewage or water use in excess of what is normal in the residential neighborhood
- Will not produce any fumes, odors, noise or any other offensive effects that are not normal to residential activity
- Will not involve accessory buildings
- Stock in trade shall not exceed ten (10) percent of the floor area of the accessory use
- Will not require the construction of a duplicate kitchen, or the addition to the existing kitchen
- Will not require or cause the consumption of the premises of any food product produced there on
- Will not provide medical treatment, therapeutic massage or similar activities

PASSED AND APPROVED THIS ____ DAY OF January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 8-24.

RESOLUTION NO. 9-24 – APPROVING A CONDITIONAL USE APPEAL (C24-02) BY
SPRING CREEK VILLAGE FOR A TANDEM LOT SPLIT IN A MF-16 ZONE AT 226
MCCOLLOUGH DRIVE, AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal (C24-02) by Spring Creek Village for a tandem lot split in a MF-16 Zone at 226 McCollough Drive

RESOLUTION NO. ____

**A RESOLUTION APPROVING A CONDITIONAL USE
(C24-02) AT 226 MCCOLLOUGH DRIVE FOR SPRING
CREEK VILLAGE AS SET FORTH IN ORDINANCE NO.
4030**

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

WHEREAS, the Planning Commission held a public hearing on January 2, 2024 on a request by Spring Creek Village for a conditional use (C24-02) for a Tandem Lot Split in a Medium/High Density Multi-Family Residential District (MF-16) at 226 McCollough Drive; and

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) yes and zero (0) no recommends that a conditional use be granted to Spring Creek Village for a conditional use for a Tandem Lot Split in a Medium/High Density Multi-Family Residential District (MF-16) at 226 McCollough Drive with the following conditions – No conditions set.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Spring Creek Village for a conditional use (C24-02) for a Tandem Lot Split in a Medium/High Density Multi-Family Residential District (MF-16) at 226 McCollough Drive with the following conditions – No conditions set.

PASSED AND APPROVED THIS ____ DAY OF January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 9-24.

**RESOLUTION NO. 10-24 – AUTHORIZING THE EXECUTION OF A CONSTRUCTION
MANAGER AGREEMENT FOR PRECONSTRUCTION SERVICES ON GENE GEORGE
BOULEVARD NORTH (56TH STREET)**

Council Member Jeff Watson presented a Resolution authorizing the execution of a construction manager agreement with Crossland Heavy Contractors Inc. for preconstruction services on Gene George Boulevard North (56th Street). The not to exceed amount for these services shall be \$77,070.00.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION OF
A CONSTRUCTION MANAGER AGREEMENT FOR
PRECONSTRUCTION SERVICES ON GENE GEORGE
BLVD NORTH (56TH STREET)**

WHEREAS, the City of Springdale is in need of construction management services for the Gene George Blvd. north project;

WHEREAS, Crossland Heavy Contractors Inc. was selected as the most qualified construction management firm for this project;

WHEREAS, the price not to exceed amount for preconstruction services construction services shall be \$77,070.00.

**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 construction management services agreement with Crossland Heavy Contractors, Inc. for preconstruction phase services 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 January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 10-24.

RESOLUTION NO. 11-24 – AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SPRINGDALE, THE CITY OF FAYETTEVILLE AND THE ARKANSAS & MISSOURI RAILROAD FOR THE ADMINISTRATION OF A RAILROAD CROSSING ELIMINATION GRANT

Council Member Jeff Watson presented a Resolution authorizing the execution of an agreement between the City of Springdale, the City of Fayetteville and the Arkansas & Missouri Railroad for the administration of a railroad crossing elimination grant.

The Mayor is hereby authorized to sign a joint agreement between the City of Springdale, the City of Fayetteville, and the Arkansas & Missouri Railroad for the administration of a Railroad Crossing Elimination Grant, with the City of Springdale's expenditures related thereto to be paid from the Street Fund (budgeted Railroad Crossing set aside funds).

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SPRINGDALE, THE CITY OF FAYETTEVILLE, AND THE ARKANSAS & MISSOURI RAILROAD FOR THE ADMINISTRATION OF A RAILROAD CROSSING ELIMINATION GRANT

WHEREAS, in 2022 authorization was given to allow the submission of a joint application with the City of Fayetteville, and the Arkansas & Missouri Railroad for funding assistance through the US Department of Transportation (USDOT), Federal Rail Administration (FRA) Railroad Crossing Elimination (RCE) grant program for a study of a 14-mile corridor of the Arkansas & Missouri Railroad through the cities of Fayetteville and Springdale to identify feasible safety improvement at various street crossing;

WHEREAS, a Railroad Crossing Elimination Grant in the amount of \$576,000 has been awarded to conduct planning activities to scope improvement projects at various at-grade crossings to improve mobility and enhance safety for the area; in the amount of \$576,000;

WHEREAS, staff from the City of Springdale, City of Fayetteville, and the Arkansas & Missouri Railroad have met with the Federal Railroad Administration and identified the steps necessary to move forward towards obligations of the funds; and,

WHEREAS, the first step in the fund obligation process is for the three parties to enter into an agreement for the administration of the grant.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE that the Mayor is hereby authorized to sign a joint agreement, a copy of which is attached and made a part of this resolution, between the City of Springdale, the City of Fayetteville, and the Arkansas & Missouri Railroad for the administration of a Railroad Crossing Elimination Grant, with the City of Springdale's expenditures related thereto to be paid from the Street Fund (Railroad Crossing set aside).

PASSED AND APPROVED THIS ____ day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 11-24.

RESOLUTION NO. 12-24 – TO WAIVE COMPETITIVE BIDDING AND TO APPROPRIATE FUNDS FOR SPRINGDALE FIRE DEPARTMENT EQUIPMENT

Council Member Brian Powell presented a Resolution to waive competitive bidding and to appropriate funds for the Springdale Fire Department to re-mount an ambulance in the amount not to exceed \$237,000. These funds will come from the Ambulance Equipment Replacement Fund.

RESOLUTION NO. ____

**A RESOLUTION TO WAIVE COMPETITIVE BIDDING
AND TO APPROPRIATE FUNDS FOR EQUIPMENT**

WHEREAS, the Springdale Fire Department is in need of a re-mount of an ambulance,
and

WHEREAS, a re-mount is a more cost-efficient and expeditious option for the Fire Department, and

WHEREAS, the equipment is a sole source item and available on the state buy board,
and

WHEREAS, the city council has determined that it is not feasible or practical to follow the procedures of taking competitive bids as described in Arkansas Code 14-58-303, and

WHEREAS, Arkansas Code 14-58-303 states, “The governing body by resolution may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical”;

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

Section 1. This Council finds that due to the specific needs of the Fire Department, it is not feasible or practical to use competitive bidding for the equipment and is here by waived for an amount not to exceed \$237,000.

Section 2. There is hereby appropriated up to \$237,000 of funds from the Ambulance Equipment Replacement Fund.

PASSED AND APPROVED this ____ day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 12-24.

RESOLUTION NO. 13-24 – WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF THERMAL IMAGING CAMERAS FOR THE SPRINGDALE FIRE DEPARTMENT

Council Member Brian Powell presented a Resolution to waive competitive bidding and authorizing the purchase of 18 thermal imaging cameras from Emergency Vehicle Specialists for the Springdale Fire Department. The amount will not exceed \$106,000 and will come from Act 833 Funds. The trade-in program would allow the Fire Department to receive a 40% discount and the current thermal imaging cameras are over 10 years old and have met service life expectation.

RESOLUTION NO. ____

A RESOLUTION WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF THERMAL IMAGING CAMERAS FOR THE FIRE DEPARTMENT

WHEREAS, the Springdale Fire Department desires to purchase 18 thermal imaging cameras for the fire department, and

WHEREAS, the trade-in program would allow the Fire Department to receive a 40% discount, and

WHEREAS, the current thermal imaging cameras are over 10 years old and have met service life expectation, and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, the Council finds that due to the complexity and variations in this kind of equipment competitive bidding is not feasible or practical in the purchase of thermal imaging cameras, competitive bidding on the purchase of thermal imaging cameras from Emergency Vehicle Specialists, is hereby waived for an amount not to exceed \$106,000.00 from the Act 833 fund, and the Mayor is hereby authorized to execute any contracts related to the purchase.

PASSED AND APPROVED this ____ day of January, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 13-24.

ORDINANCE NO. 5934 – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE RAZING AND REMOVAL OF STRUCTURES LOCATED AT 7744 GIBBS ROAD/NICHOLS ROAD LOCATED IN SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for the razing and removal of structures located at 9944 Gibbs Road/Nichols Road located in Springdale, Arkansas.

On July 11, 2023, the City Council passed Ordinance No. 5863 and Ordinance No. 5864, ordering the owner of the property to raze and remove the dilapidated, unsightly and unsafe structures located on this property, and ordered to abate the unsightly conditions on the property. The owner Bobby Cousins, after being given proper notice and after being given adequate time to abate the situation on the property, failed to do so.

The City hired a contractor to remove the structures with the cost being \$15,268.00.

Mr. Cousins was present at council and asked if he could made monthly payments toward the amount or sign a promissory note. A lady with Mr. Cousins asked that she be provided an itemized bill from the contractor.

There were some allegations that the septic system on the property was damaged by the contractor.

Tom Evers, Buildings Department Official, said the city did not damage the septic system. If the owners have a problem, they would need to contact the contractor.

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

The vote:

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

No: None

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

The vote:

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

SPRINGDALE CITY COUNCIL
JANUARY 23, 2024

No: None

The Ordinance was numbered 5934.

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 6:43 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer