

- **The next City Council Committee Meeting will be held on Monday, June 17th, 2024.**
- **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, June 11th, 2024**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Rex Bailey

1. Call to Order – Ernest Cate, City Attorney
2. Roll Call – Debbie Pounders, in place of Denise Pearce
3. Recognition of a Quorum
4. Election of the Pro Tempore
5. **A Public Hearing on a petition to vacate a portion of a drainage and utility easement, and a drainage easement, on property located at 915 N. Jefferson. Presented by Ernest Cate, City Attorney.**

6. 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.

7. Approval of Minutes – **Tuesday, May 28th, 2024. Pgs. 48-56**

8. Procedural Motions

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

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

9. Finance Committee by Chairwoman Amelia Taldo – **All item(s) forwarded from Committee with recommendation for approval.**

A. **A Resolution** accepting a grant from the Walmart Foundation. Presented by Anna McKinney, Mayor's Office, and Angie Albright, Shiloh Museum. **Pg. 1.**

B. **A Resolution** accepting a grant from the Society of American Archivists. Presented by Anna McKinney, Mayor's Office, and Angie Albright, Shiloh Museum. **Pg. 2**

C. **A Resolution** accepting a grant from the Schmieding Foundation. Presented by Anna McKinney, Mayor's Office, and Angie Albright, Shiloh Museum. **Pg. 3**

D. **A Resolution** accepting a grant from Project for Public Spaces [Walton Family Foundation]. Presented by Anna McKinney, Mayor's Office, and Angie Albright, Shiloh Museum. **Pg. 4**

E. **A Resolution** amending the 2024 Budget of the City of Springdale. Presented by Anna McKinney, Mayor's Office. **Pg. 5**

F. **A Resolution** authorizing the Mayor and City Clerk to execute a contract for enhancements to the Shiloh Museum; to appropriate funds; and to waive competitive bidding. Presented by Angie Albright, Director at Shiloh Museum for Ozark History. **Pgs. 6-12**

G. **A Resolution** authorizing the City Attorney to settle a condemnation lawsuit wherein the Fadil Bayyari Revocable Living Trust is defendant (Project No. CP2304). Presented by Ernest Cate, City Attorney. **Pgs. 13-20**

10. **An Ordinance** vacating and abandoning a portion of a utility and drainage easement, and a drainage easement, on Washington County Tax Parcel No. 815-28219-001, pursuant to Ark. Code Ann. §14-301-301, et seq., declaring an emergency; and for other purposes. Presented by Ernest Cate, City Attorney. **Pgs. 21-23**

11. **An Ordinance** authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located within the City of Springdale, Arkansas, and declaring an emergency. Presented by Ernest Cate, City Attorney. **Pgs. 24-45**

12. **A Resolution** setting a hearing date on a petition to vacate a portion of Willella Place. Presented by Ernest Cate, City Attorney.

Pgs. 46-47

13. Comments from Department Heads.

14. Comments from Council Members.

15. Comments from City Attorney.

16. Comments from Mayor.

17. Adjournment.

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A GRANT FROM THE
WALMART FOUNDATION.**

WHEREAS, the Shiloh Museum applied for a grant for a project entitled “Shiloh Front
Porch Series, and

WHEREAS, in April the Shiloh Museum was awarded a grant in the amount of
\$35,705.12, from The Walmart Foundation for connecting community through history,
art, and music.

WHEREAS, the funds will be used for an outdoor art installation on the grounds of
Shiloh Meeting Hall,

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

That the Mayor is hereby authorized to accept and sign the grant agreement for a grant in
the amount of \$35,705.12 from The Walmart Foundation for connecting community
through history, art, and music.

PASSED AND APPROVED this 11th day of June, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A GRANT FROM THE SOCIETY
OF AMERICAN ARCHIVISTS.**

WHEREAS, the Shiloh Museum applied for a grant to assist with a project entitled “Connections to Collections: Archival Education and Outreach in the Arkansas Ozarks”, and

WHEREAS, the Shiloh Museum was awarded a grant in the amount of \$5,000.00, from The Society of American Archivists, and

WHEREAS, the funds will support staff time, honorariums for speakers, food and supplies for events, advertising and workshop materials,

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

That the Mayor is hereby authorized to accept and sign the grant agreement for a grant in the amount of \$5,000.00 from The Society of American Archivists for the “Connections to Collections” project.

PASSED AND APPROVED this 11th day of June, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A GRANT FROM THE
SCHMIEDING FOUNDATION.**

WHEREAS, the Shiloh Museum applied for a grant to assist with a series of family activities, and

WHEREAS, the Shiloh Museum was awarded a grant in the amount of \$4,898.00, from The Schmieding Foundation.

WHEREAS, the funds will be used for the 2024 Shiloh Summer Series, a series of family activities related to current exhibits at the Shiloh Museum,

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

That the Mayor is hereby authorized to accept and sign the grant agreement for a grant in the amount of \$4,898.00 from The Schmieding Foundation for family activities associated with the Shiloh Museum.

PASSED AND APPROVED this 11th day of June, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A GRANT FROM PROJECT FOR
PUBLIC SPACES.**

WHEREAS, the Shiloh Museum applied for a grant for improvements to the museum grounds, and

WHEREAS, in May the Shiloh Museum was awarded a grant from Project for Public Spaces for grounds improvements, and

WHEREAS, the funds will be used to create a more inviting environment to the Shiloh Museum grounds,

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

That the Mayor is hereby authorized to accept and sign the grant agreement for a grant of \$80,000.00 from the Project for Public Spaces for grounds improvements at the Shiloh Museum.

PASSED AND APPROVED this 11th day of June, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION AMENDING THE 2024 BUDGET OF THE CITY
OF SPRINGDALE

WHEREAS, the 2024 budget contained includes a line item for Grant Expenditures for the Shiloh Museum, and

WHEREAS, the Grant Expenditures line item for the Shiloh Museum did not include an anticipated funding amount, and

WHEREAS, the Shiloh Museum has received four grants totaling \$125,603.12, and

WHEREAS, it is appropriate to include these grant amounts into the Grant Expenditures portion of the budget for the Shiloh Museum,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the 2024 budget is hereby amended as follows:

		Present	Proposed
<u>Department</u>	<u>Description</u>	<u>Budget</u>	<u>Budget</u>
Shiloh Museum	Grant Expenditures	\$00.00	\$125,603.12
	101-0106-454.70-20		

PASSED AND APPROVED this ____ day of June, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CITY CLERK TO EXECUTE A CONTRACT FOR
ENHANCEMENTS TO THE SHILOH MUSEUM; TO
APPROPRIATE FUNDS; AND TO WAIVE
COMPETITIVE BIDDING**

WHEREAS, in 2023, Shiloh Museum of Ozark History was awarded a grant from Project for Public Spaces, funded by the Walton Family Foundation, for improvements to their grounds, and

WHEREAS, improvements to the grounds will include colorful and interactive structures, including an outdoor stage, improved seating and other needed enhancements, and

WHEREAS, Natural State Treehouses has submitted a quote in the amount of \$40,589.66, which includes all work necessary to complete the project, to be appropriated and paid for out of Shiloh Museum’s Grant Expenditure account.

WHEREAS, Shiloh Museum would like to waive competitive bidding under Ark. Code Ann. §14-58-303 and select Natural State Treehouses for this project.

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 Natural State Treehouses for the purchase of an outdoor stage, seating and other enhancements.

Section 2. To appropriate funds in an amount not to exceed \$42,000.00, to be paid for out of Shiloh Museum’s Grant Expenditure account.

Section 3. That competitive bidding is not deemed feasible or practical because of the exceptional situation previously set out herein and therefore competitive bidding is hereby waived under Ark. Code Ann. §14-58-303.

Section 4. The Mayor is authorized to approve construction change orders up to a cumulative amount not exceed 10% of the contract amount.

PASSED AND APPROVED this 11th day of June, 2024

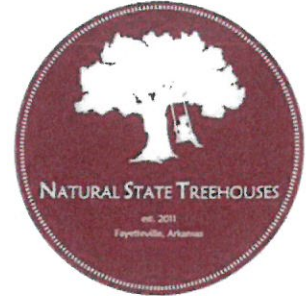
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney



CONTRACT: Outdoor Stage, Seating and Other Enhancements
Shiloh Museum of Ozark History
Springdale, Arkansas
Contract Created 5.22.24

Pricing explanation and summary

Pricing shown here represents Natural State Treehouses' best estimate of complete materials and labor costs. Billing will reflect Natural State Treehouses' actual costs plus 20% - actual tracked labor and material costs plus 20% of total expenses, where labor is tracked at \$38 per hour

Project description and scope

This contract includes a bench seating area, a stage area and a series of steel posts and cable-supported canopies to join the two spaces. The 16'x12' stage area is at ground level to allow accessibility for all, and will include two L-shaped benches. As priced here, the stage surface will be decomposed granite over packed earth. The tiered seating area will be made of wood framing on concrete piers with steel brackets, with seating areas covered with 2x6 western red cedar. The space under the benches and between the benches and the building will be covered with a layer of gravel to encourage drainage and discourage moisture. The front edge of the bench and the area between the north side of the bench and the building will be a packed earth pathway covered in chat to provide a durable, mud-free walkway. The project also includes eight engineered steel posts, four at the stage and four on the building side, which will support shade sail canopies. Designs are based primarily on the Project for Public Spaces design document dated 4.25.24 but with modifications, primarily in the use of stand alone steel posts rather than a full steel framework. Wood surfaces may be painted, stained or left to age naturally; painting and staining is not currently included in the scope of this estimate. Steel posts will be primed but painting is not included in this scope. Shade sails and canopies will be provided by the Client and are not included in the scope of this contract.

BENCH SEATING

Category	Description	Size/ Detail	Qty	Unit Cost	Total Cost	Cost Plus 20%
Materials - bench seating	skirting boards	2x6 wrc, l.f.	682	\$ 2.50	\$ 1,705.00	\$ 2,046.00
Materials - bench seating	bench surface	2x6 wrc, l.f.	396	\$ 2.50	\$ 990.00	\$ 1,188.00
Materials - bench seating	Primary posts 3'	4x4x12' to quarter	6	\$ 21.78	\$ 130.68	\$ 156.82
Materials - bench seating	Primary posts 18"	4x4x12' to eighth	4	\$ 21.78	\$ 87.12	\$ 104.54
Materials - bench seating	Post bases	Simpson ABU44Z	45	\$ 25.91	\$ 1,165.95	\$ 1,399.14
Materials - bench seating	Post base bolts	wedge/epoxy	45	\$ 4.00	\$ 180.00	\$ 216.00
Materials - bench seating	Horizontal members	2x6x2' WRC	60	\$ 5.00	\$ 300.00	\$ 360.00
Materials - bench seating	Horizontal members	2x6x4' WRC	50	\$ 10.00	\$ 500.00	\$ 600.00
Materials - bench seating	Structural screws for post bases	1.5" pack of 300	1	\$ 63.00	\$ 63.00	\$ 75.60
Materials - bench seating	Lags for horizontals	various	300	\$ 2.00	\$ 600.00	\$ 720.00
Materials - bench seating	Deck screws for framing	3" 25#	1	\$ 107.00	\$ 107.00	\$ 128.40
Materials - bench seating	Deck screws - stainless	5# 2.5" #9	8	\$ 60.00	\$ 480.00	\$ 576.00
Materials - bench seating	Concrete	80#	90	\$ 5.60	\$ 504.00	\$ 604.80
Materials - bench seating	Gravel	Tons	3	\$ 30.00	\$ 90.00	\$ 108.00
Labor - bench seating	Materials sourcing/hauling		12	\$ 38.00	\$ 456.00	\$ 547.20

Labor - bench seating	Gravel hauling and spreading	8	\$	38.00	\$	304.00	\$	364.80
Labor - bench seating	Survey and set up	4	\$	38.00	\$	152.00	\$	182.40
Labor - bench seating	Pier excavation	40	\$	38.00	\$	1,520.00	\$	1,824.00
Labor - bench seating	Concrete and brackets	32	\$	38.00	\$	1,216.00	\$	1,459.20
Labor - bench seating	Bench framing	32	\$	38.00	\$	1,216.00	\$	1,459.20
Labor - bench seating	Bench surfaces/decking	32	\$	38.00	\$	1,216.00	\$	1,459.20
Labor - bench seating	Bench skirting/backing	32	\$	38.00	\$	1,216.00	\$	1,459.20

STAGE BENCHES

Category	Description	Size/ Detail	Qty	Unit Cost	Total Cost	Cost Plus 20%
Materials - bench seating	skirting boards	2x6 wrc, l.f.	224	\$ 2.50	\$ 560.00	\$ 672.00
Materials - bench seating	bench surface	2x6 wrc, l.f.	160	\$ 2.50	\$ 400.00	\$ 480.00
Materials - bench seating	Primary posts 3'	4x4x8' to quarter	4	\$ 18.00	\$ 72.00	\$ 86.40
Materials - bench seating	Post bases	Simpson ABU44Z	16	\$ 25.91	\$ 414.56	\$ 497.47
Materials - bench seating	Post base bolts	wedge/epoxy	16	\$ 4.00	\$ 64.00	\$ 76.80
Materials - bench seating	Horizontal members	2x6x2' WRC	10	\$ 5.00	\$ 50.00	\$ 60.00
Materials - bench seating	Horizontal members	2x6x4' WRC	10	\$ 10.00	\$ 100.00	\$ 120.00
Materials - bench seating	Hardware	various	1	\$ 300.00	\$ 300.00	\$ 360.00
Materials - bench seating	Concrete	80#	32	\$ 5.60	\$ 179.20	\$ 215.04
Labor - bench seating	Materials sourcing/hauling		2	\$ 38.00	\$ 76.00	\$ 91.20
Labor - bench seating	Pier excavation		4	\$ 38.00	\$ 152.00	\$ 182.40
Labor - bench seating	Concrete and brackets		4	\$ 38.00	\$ 152.00	\$ 182.40
Labor - bench seating	Bench framing		8	\$ 38.00	\$ 304.00	\$ 364.80
Labor - bench seating	Bench surfaces/decking		8	\$ 38.00	\$ 304.00	\$ 364.80
Labor - bench seating	Bench skirting/backing		8	\$ 38.00	\$ 304.00	\$ 364.80

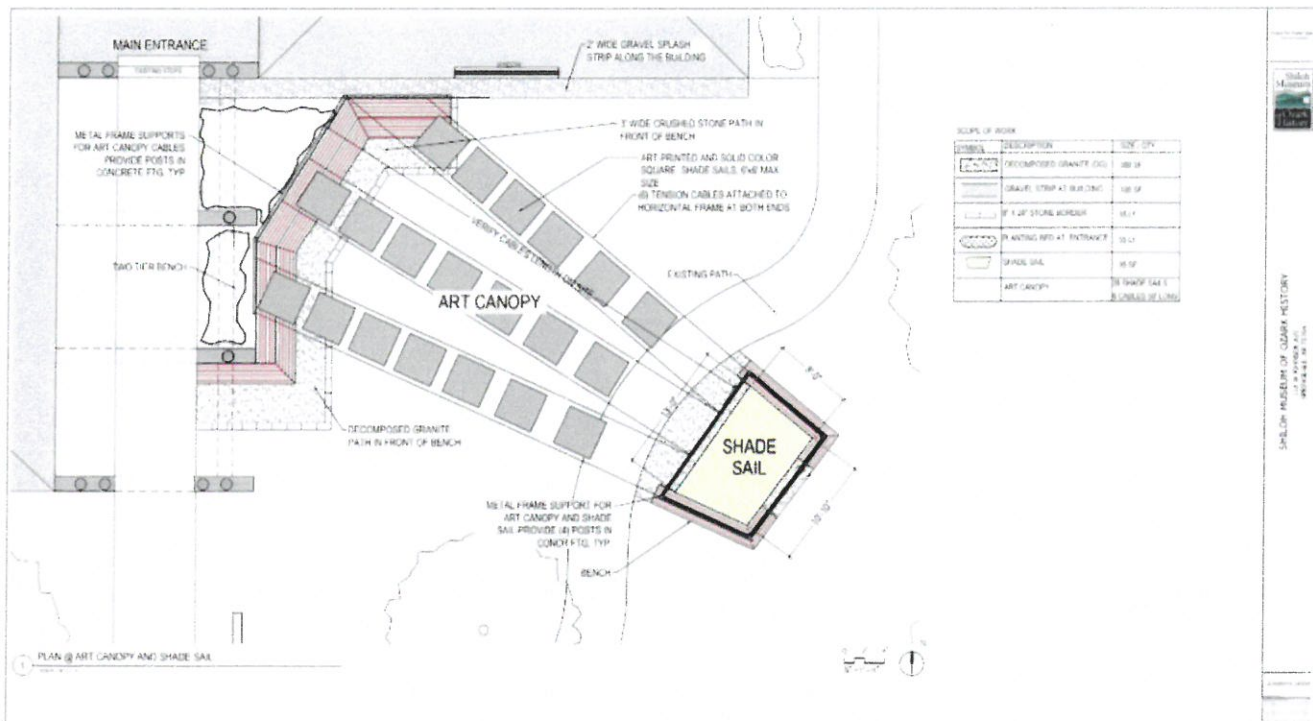
STEEL POSTS, PIERS AND CABLES

Category	Description	Size/ Detail	Qty	Unit Cost	Total Cost	Cost Plus 20%
Engineering	Engineering Fee					\$ 900.00
Materials	Posts, Fabrication, Welding					\$ 3,990.25
Materials	Concrete	Yards	4	\$ 200.00	\$ 800.00	\$ 960.00
Materials	24" sonotubes	12' to third	3	\$ 190.00	\$ 570.00	\$ 684.00
Materials	#4 rebar straight	3'	32	\$ 3.00	\$ 96.00	\$ 115.20
Materials	#3 rebar hoop	12" diameter	40	\$ 3.25	\$ 130.00	\$ 156.00
Materials	Rebar ties		1	\$ 50.00	\$ 50.00	\$ 60.00
Materials	Galvanized allthread	3/4" x 14"	32	\$ 12.00	\$ 384.00	\$ 460.80
Materials	Nuts and washer sets		32	\$ 3.00	\$ 96.00	\$ 115.20
Materials	Eye Bolts	6" x 1/2" galv.	28	\$ 5.25	\$ 147.00	\$ 176.40
Materials	Cables - lf	3/16" stainless lf	400	\$ 1.20	\$ 480.00	\$ 576.00
Materials	Cable hardware	various	1	\$ 300.00	\$ 300.00	\$ 360.00
Labor	Post pick up and delivery		6	\$ 38.00	\$ 228.00	\$ 273.60
Labor	Machine rental	skid str, 24" auger, day	1	\$ 400.00	\$ 400.00	\$ 480.00
Labor	Excavation and clean out		24	\$ 38.00	\$ 912.00	\$ 1,094.40
Labor	Concrete forming		24	\$ 38.00	\$ 912.00	\$ 1,094.40
Labor	Concrete finishing		24	\$ 38.00	\$ 912.00	\$ 1,094.40
Labor	Post installation		24	\$ 38.00	\$ 912.00	\$ 1,094.40
Labor	Eye Bolt and Cable Installation		16	\$ 38.00	\$ 608.00	\$ 729.60

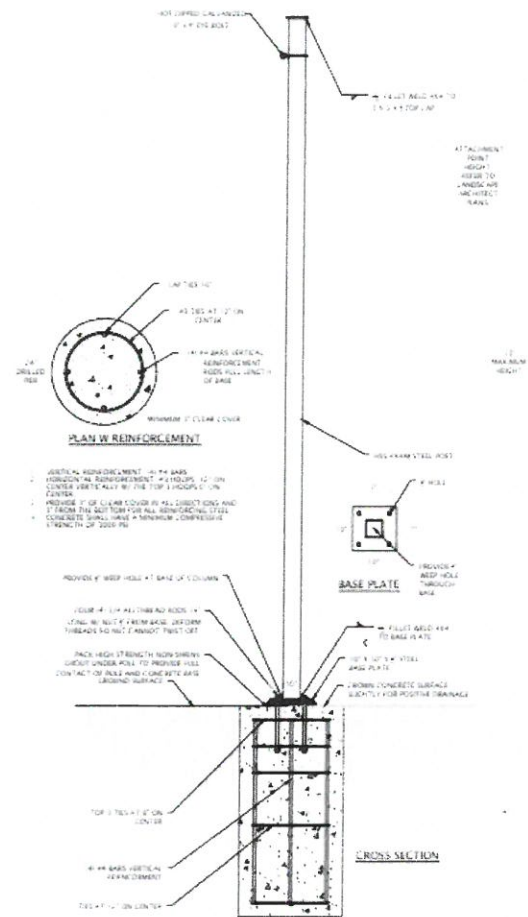
PATHS, DRAINAGE GRAVEL, CHAT GRAVEL

Category	Description	Size/ Detail	Qty	Unit Cost	Total Cost	Cost Plus 20%
Materials	Stone pavers for border	5"x8" tumbled, 55 lf	84	\$ 2.00	\$ 168.00	\$ 201.60
Materials	Decomposed granite	cu ft	30	\$ 6.00	\$ 180.00	\$ 216.00
Materials	Drainage gravel	3/4 clean, yard	1	\$ 40.00	\$ 40.00	\$ 48.00
Materials	Sand for leveling	yard	1	\$ 50.00	\$ 50.00	\$ 60.00
Labor	Machine rental	Small ground prep	1	\$ 400.00	\$ 400.00	\$ 480.00
Labor	Ground clearing, smoothing	hand work	16	\$ 38.00	\$ 608.00	\$ 729.60
Labor	Path installation	hand work	48	\$ 38.00	\$ 1,824.00	\$ 2,188.80
Labor	Gravel installation	hand work	24	\$ 38.00	\$ 912.00	\$ 1,094.40

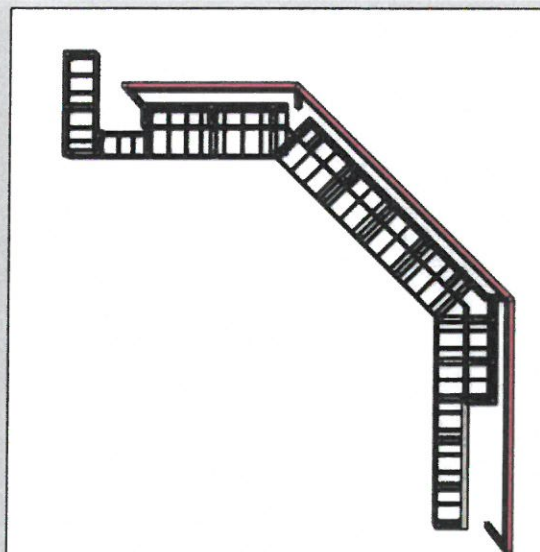
Bench Seating Total Estimate	\$ 17,038.50
Stage Benches Total Estimate	\$ 4,118.11
Steel Posts, Piers, Cables Total Estimate	\$ 14,414.65
Paths and Gravel Total Estimate	\$ 5,018.40
Canopy and Banners	Client will provide
Total Estimate	\$ 40,589.66

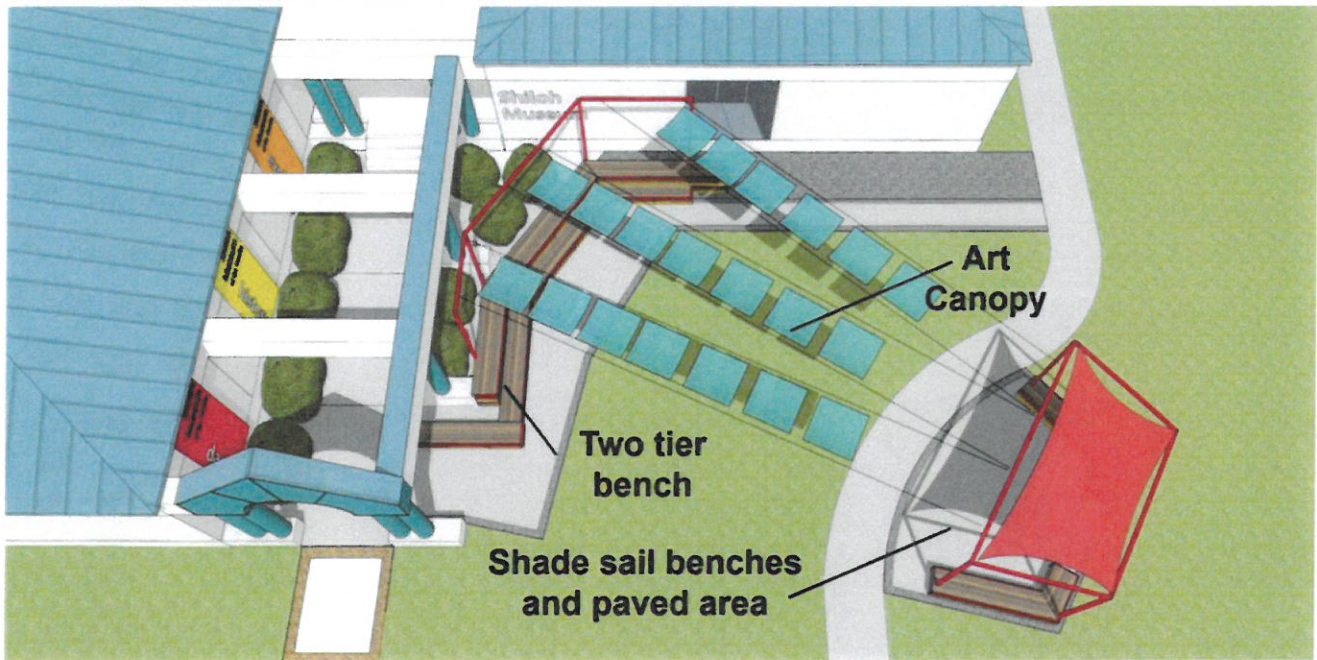
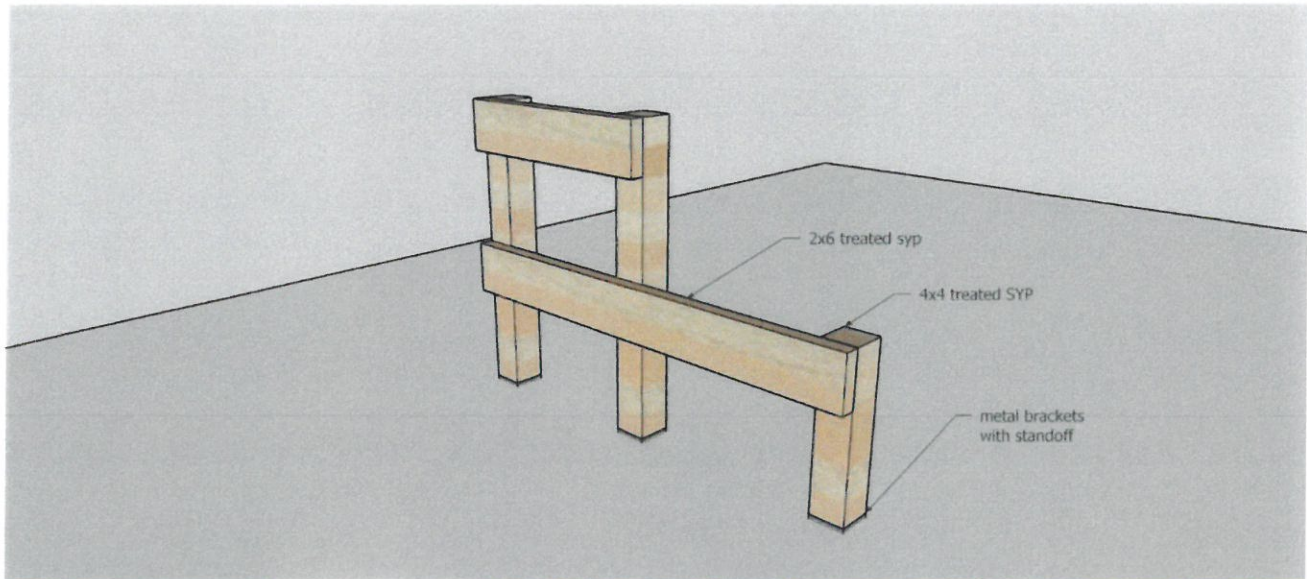


① SHILOH MUSEUM CABLE · TYPICAL



① SHILOH MUSEUM POST - TYPICAL





Warranty

Natural State Treehouses provides a warranty against defects in materials and workmanship for two (2) years from the installation date. Please note that the structure is a natural product made from natural materials which will weather and develop surface cracks over time. Significant defects will be corrected at no cost to the client. Damage caused by severe weather, animals, insects, or rough use/vandalism are not covered by this warranty. Water damage to the structure caused by irrigation or drainage issues independent of the structure construction are not covered by this warranty.

Agreement for Services

This document represents a binding contract between Natural State Treehouses Inc. and **Shiloh Museum of Ozark History**, hereafter referred to as Client. The laws of the State of Arkansas shall apply to this contract, including laws providing for prompt payment of all monies due by client to Natural State Treehouses Inc. and including laws permitting legal action by Natural State Treehouses Inc. to obtain any monies due by client as well as the recovery of any legal or attorney's fees required to obtain such monies. If the project is cancelled by the Client for any reason, Client will be responsible for all expenses incurred by Natural State Treehouses up to the time of the cancellation in accordance with the terms of this contract.

By signing below, Client agrees to pay per the following schedule:

25% estimate due at contract signing \$ 10,147.42

25% estimate due at start of construction \$ 10,147.42

Actual tracked labor and materials costs, plus 20%, less any monies paid previously due within one week of invoicing.

Client

Date

Natural State Treehouses

Date

Please direct questions to:

Josh Hart, Natural State Treehouses

479-387-0701

josh@naturalstatetreehouses.com

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY
TO SETTLE A CONDEMNATION LAWSUIT WHEREIN
THE FADIL BAYYARI REVOCABLE LIVING TRUST IS
DEFENDANT (PROJECT NO. CP2304).**

WHEREAS, on September 26, 2023, the City Council for the City of Springdale, Arkansas, passed Resolution No. 144-23, authorizing the acquisition of a portion of a building on Washington County Parcel No. 815-28145-000 (“the Property”) in connection with the Murphy Park Drainage Improvement Project, and in order to make necessary repairs to a collapsed drainage structure located beneath the Property so that stormwater could adequately flow through the drainage channel;

WHEREAS, the City of Springdale has filed a lawsuit against the Fadil Bayyari Revocable Living Trust to condemn the Property and Drainage Easement needed for the Project;

WHEREAS, the City of Springdale deposited the sum of \$155,000.00 into the Registry of the Court as estimated just compensation for the taking of the Property needed for the Project;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$255,000.00 to acquire the lands needed for the Project, said amount being based on an appraisal conducted on behalf of the property owner;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$100,000.00 to acquire the property needed from the property owner, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of a trial;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City Attorney is hereby authorized to settle the Fadil Bayyari Revocable Living Trust condemnation lawsuit for the total sum of \$255,000.00, with the additional \$100,000.00 to be paid from the unrestricted General Fund.

PASSED AND APPROVED this ____ day of _____, 2024.

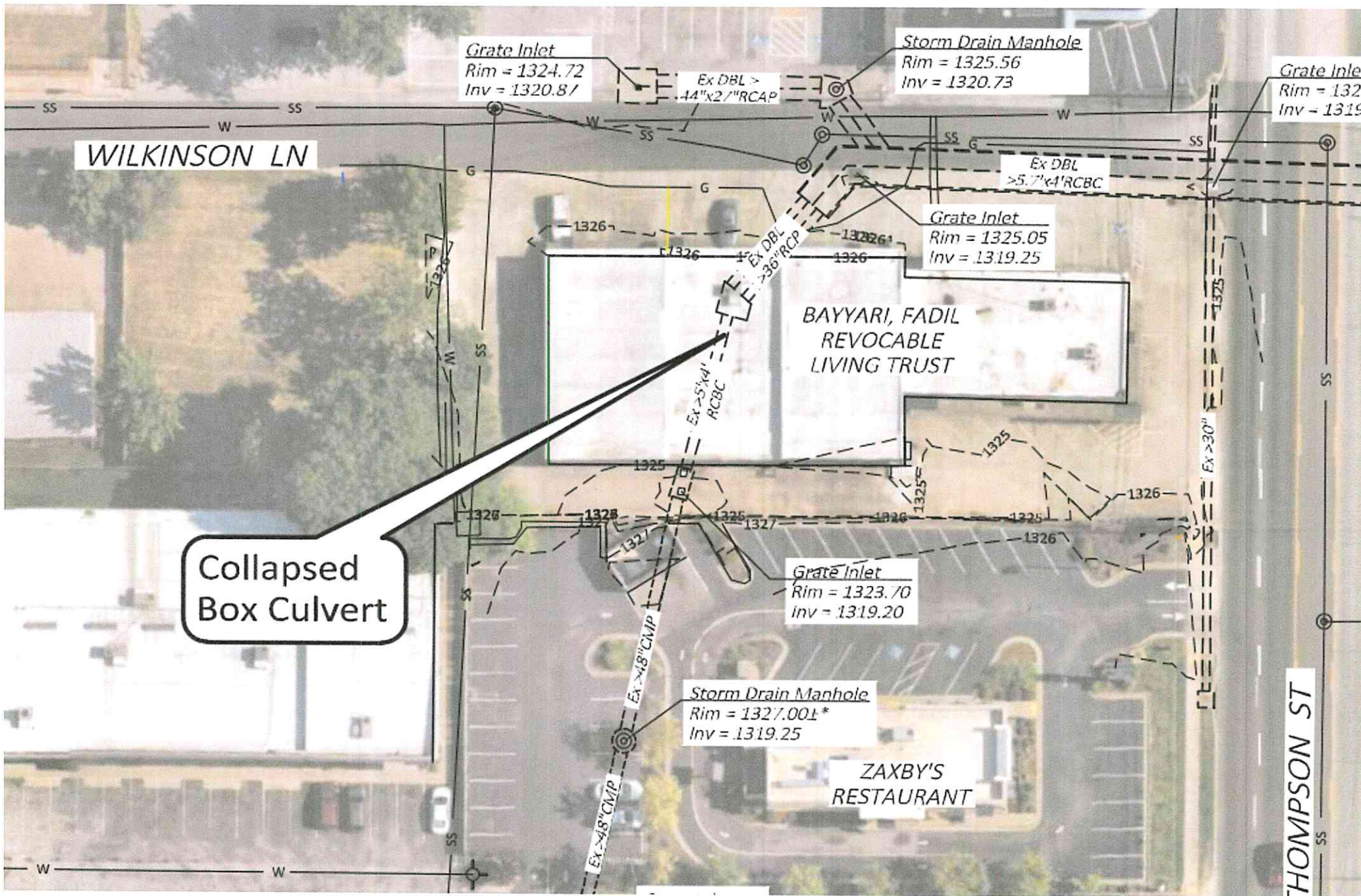
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



APPRAISAL REPORT

ON

THE FADIL BAYYARI REVOCABLE LIVING TRUST PROPERTY
(0.63± ACRE/27,443± SQUARE FEET);
LOCATED AT 312 S. THOMPSON STREET,
SPRINGDALE, ARKANSAS; WASHINGTON COUNTY.

FOR

CITY OF SPRINGDALE
SPRINGDALE, AR

BY

REED & ASSOCIATES, INC.
3739 N. STEELE BLVD., SUITE 322
SPRINGDALE, ARKANSAS 72703

FILE NO. 6698-1

AS OF

JULY 6, 2023
(REVISED)

Reed & Associates, Inc.

Real Estate Appraisers – Consultants

3739 N. Steele Blvd., Suite 322, Fayetteville, AR 72703 * 479-521-6313 * Fax: 479-521-6315 * www.reedappraisal.biz

Tom Reed, MAI • Katie Hampton • Shannon Mueller • E. P. Scruggs III

• Blake Hopper • Ann Julian

September 5, 2023

Ben Peters
Director of Engineering
City of Springdale
201 Spring Street
Springdale, AR 72764

RE: The Fadil Bayyari Revocable Living Trust Property (0.63±
Acre/27,443± Square Feet); Located At 312 S. Thompson Street,
Springdale, Arkansas; Washington County.

Dear Mr. Peters:

In compliance with your request and for the purpose of estimating the market value of the above captioned property, I hereby certify that I have examined the subject property and made a survey of the matters pertinent to the estimation of its value.

I further certify that I have no interest, present or contemplated, in the property appraised, and that my fee was not contingent upon the value estimate reported.

The following real property appraisal report contains data gathered in my investigation, information from my files, and shows the method of appraisal in detail. This report is presented under the Appraisal Report Option. This report represents a Revised Report.

This report addresses: the market value of the Whole Property prior to the City of Springdale acquiring 5,307± square feet (SF), or .12± acre (AC) in right-of-way acquisition (ROW) as of July 6, 2023, and, the market value of the Remainder Property after the acquisition of 5,307± square feet (SF), or .12± acre (AC) in ROW is in place, also as of July 6, 2023.

Based on an analysis of relevant data, and contingent on the Assumptions and Limiting Conditions which follow and appear in the Addenda Section of this report, it is my opinion the market value of the subject property, as of July 6, 2023, was as follows:

		Fee Simple	Leased Fee
Whole Property	=	\$760,000	\$745,000
Remainder Property	=	<u>\$605,000</u>	<u>\$596,800</u>
Damage To Market Value	=	\$155,000	\$148,200

REAL ESTATE APPRAISAL REPORT

Of

Retail/warehouse property

Located at:
312 S Thompson Street,
Springdale, AR, 72764
Washington County

As of
August 17, 2023

Prepared For
Fadil Bayyari Revocable Living Trust
P O Box 6250
Springdale AR 72766

Prepared by

Jeffrey Justis
AR-CG2459

JEFF JUSTIS

21784 Chinquapin
Springdale AR, 72764

4797907663

jeff.justis@just-re.net

August 30, 2023

Mr. Fadil Bayyari
Fadil Bayyari Revocable Living Trust
P O Box 6250
Springdale AR 72766

Re: Real Estate Appraisal Report
Retail/warehouse property
312 S Thompson Street
Springdale, AR, 72764
Washington County

Dear Mr. Bayyari:

At your request, I have prepared an appraisal for the above referenced property, which may be briefly described as follows:

The subject consists of a 0.63-acre commercial lot improved with a retail/warehouse building containing 11,475 SF along with concrete sidewalks and parking lot.

Please reference page 12 of this report for important information regarding the scope of research and analysis for this appraisal, including property identification, inspection, highest and best use analysis and valuation methodology.

I certify that I have no present or contemplated future interest in the property beyond this estimate of value.

The following is a Real Estate Appraisal Report of my appraisal analysis reflecting the data gathered in my investigation, the methods of appraisal employed, and my reasoning in deriving my opinion of value. Some of the supporting documentation is retained in the appraisal file. Your attention is directed to the Limiting Conditions and Assumptions section of this report (page 10). Acceptance of this report constitutes an agreement with these conditions and assumptions. In particular, I note the following:

Hypothetical Conditions:

- That the subject was in average condition as of the effective date, when in fact a large portion of the subject improvements have been damaged beyond repair by a collapsed municipal drainage that runs under the improvements.
- That municipal drainage improvements do not encumber the subject site and improvements when in fact a municipal storm water drainage runs across the subject property and under the subject improvements without an easement of record.

Extraordinary Assumptions:

- Subject land and building sizes are as indicated in this report.
- The extent of the damage requires the demolition of the majority of the building improvements and repair of the subject improvements is economically unfeasible.
- Income and expense information provided by the property owner is accurate and may be relied upon

Based on the appraisal described in the accompanying report, subject to the Limiting Conditions and Assumptions, Extraordinary Assumptions and Hypothetical Conditions, I have made the following value conclusions:

Current As Is Market Value:

The "As Is" market value of the Fee Simple estate of the property, as of August 17, 2023, is:

\$894,000

Eight Hundred Ninety-Four Thousand Dollars

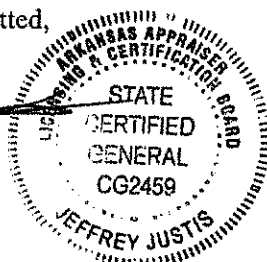
The market exposure time¹ preceding August 17, 2023 would have been 12 months and the estimated marketing period² as of August 17, 2023 is 6 months.

If any or all of the Extraordinary Assumptions prove to be untrue, the value estimates could be influenced. No personal property in the form of Furniture, Fixtures and Equipment is valued in this appraisal.

Respectfully submitted,



Jeffrey Justis,
AR-CG2459

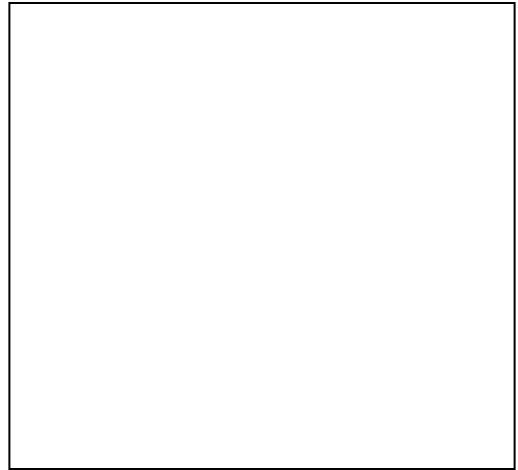


¹ Exposure Time: see definition on page 9.

² Marketing Time: see definition on page 9.

ORDINANCE NO. _____

**AN ORDINANCE VACATING AND ABANDONING
A PORTION OF A UTILITY AND DRAINAGE
EASEMENT, AND A DRAINAGE EASEMENT, ON
WASHINGTON COUNTY TAX PARCEL NO.
815-28218-001, PURSUANT TO ARK. CODE ANN.
§14-301-301, *et seq.*, DECLARING AN
EMERGENCY; AND FOR OTHER PURPOSES.**



WHEREAS, Sonstegard Foods of AR, Inc., has petitioned for the partial abandonment of a utility and drainage easement, and for the abandonment of a drainage easement on Parcel No. 815-28218-001 (915 N. Jefferson St.), said easements having been filed for record as File No. 2003-00039173 and File No. 2003-00039174, respectively, in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and said easements to be vacated being more particularly described as follows, and as shown on the attached Exhibit "A":

PARTIAL UTILITY AND DRAINAGE EASEMENT VACATION DESCRIPTION:

A PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST (SE) CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 36; THENCE NORTH 02°11'22" EAST A DISTANCE OF 949.32 FEET; THENCE NORTH 88°09'39" WEST A DISTANCE OF 238.23 FEET BEING THE POINT OF BEGINNING; THENCE NORTH 88°09'39" WEST A DISTANCE OF 15.00 FEET; THENCE SOUTH 01°20'33" WEST A DISTANCE OF 131.46 FEET; THENCE SOUTH 88°39'27" EAST A DISTANCE OF 15.00 FEET; THENCE NORTH 01°20'33" EAST A DISTANCE OF 131.33 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES OR 1,971 SQUARE FEET MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHTS-OF WAY OF RECORD OR FACT.

DRAINAGE EASEMENT VACATION DESCRIPTION:

A PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST (SE) CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 36; THENCE NORTH 02°11'22" EAST A DISTANCE OF 529.48 FEET; THENCE NORTH 88°08'40" WEST A DISTANCE OF 402.01 FEET TO POINT OF BEGINNING; THENCE NORTH 88°08'40" WEST A DISTANCE OF 535.14 FEET; THENCE NORTH 02°15'09" EAST A DISTANCE OF 400.31 FEET; THENCE SOUTH 87°44'51" EAST A DISTANCE OF 15.00 FEET; THENCE SOUTH 02°15'02" WEST A DISTANCE OF 342.20 FEET; THENCE SOUTH 85°24'38" EAST

A DISTANCE OF 407.25 FEET; THENCE SOUTH 04°35'22" WEST A DISTANCE OF 9.66 FEET; THENCE SOUTH 88°18'16" EAST A DISTANCE OF 113.66 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 90.00 FEET A CHORD BEARING OF NORTH 46°48'43" EAST A CHORD LENGTH OF 127.02 FEET; THENCE NORTH 01°55'41" EAST A DISTANCE OF 193.24 FEET; THENCE SOUTH 88°04'19" EAST A DISTANCE OF 20 FEET; THENCE SOUTH 01°55'41" WEST A DISTANCE OF 202.49 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET A CHORD BEARING OF SOUTH 46°53'31" WEST A CHORD LENGTH OF 155.47 FEET TO THE POINT OF BEGINNING; CONTAINING 0.85 ACRES OR 36,966 SQUARE FEET MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHTS-OF WAY OF RECORD OR FACT.

Tax Parcel No.: 815-28218-001
Address: 915 N. Jefferson St.

WHEREAS, after due notice as required by law, the City Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question;

WHEREAS, public interest and welfare will not be adversely affected by the abandonment of the easements herein described.

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

Section 1: That the City of Springdale, Arkansas, hereby releases, vacates and abandons all its interests, with the rights of the public generally, in and to the easements described hereinabove.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Washington County, Arkansas, and recorded in the Deed records of the County.

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 11th day of June, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

ORDINANCE NO. _____

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

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

PROPERTY OWNER: 1504 Christy Drive Springdale LLC

LEGAL DESCRIPTION: Lot 28, Block 4, Parson Hills Subdivision Phase II, an Addition to the City of Springdale, Washington County, Arkansas as shown on Plat Record 8 at Page 105. Subject to Easement, Rights of Way and Covenants of record. Subject to Restrictions of record and Reservations and Conveyances of Oil, Gas and Other Minerals.

LAYMAN'S DESCRIPTION: 2003 D Christy Drive

PARCEL NO.: 815-24379-000

PROPERTY OWNER: Margie Pribble

LEGAL DESCRIPTION: Part of the North half of the Northeast quarter of the Northeast quarter of Section Fourteen (14), in Township Seventeen (17) North, of Range Thirty (30) West, described as follows: beginning at a point which is 171 feet South and 325 feet West of the Northeast corner of said 20 acre tract, and running thence South 86 feet; thence East 7 feet; then South 40 feet; thence West 7 feet; thence South 69 feet; thence West 50 feet; thence North 195 feet; thence East 50 feet to the point of beginning, subject to 20 feet off of the North side to be used for an open road.

LAYMAN'S DESCRIPTION: 607 Purtle Ave.

PARCEL NO.: 815-29459-000

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

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

\$428.32 clean-up costs and \$22.53 administrative costs – 2003 D Christy Drive (815-24379-000)

\$1,122.64 clean-up costs and \$22.53 administrative costs – 607 Purtle Ave. (815-29459-000)

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

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

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

\$450.85 plus 10% for collection – 2003 D Christy Drive (815-24379-000)

\$1,145.17 plus 10% for collection - 607 Purtle Ave. (815-29459-000)

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

PASSED AND APPROVED this 11th day of June, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



Ernest B. Cate, CITY ATTORNEY

Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

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

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



SPRINGDALETM
WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

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

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

Steve Helms
Investigator
shelms@springdalear.gov

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

Sasha Bennett
File/Discovery Clerk
sabennett@springdalear.gov

April 19, 2024

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

1504 Christy Drive Springdale LLC
780 Third Ave., 44th Floor
New York, NY 10017

RE: Notice of clean-up lien on property located at 2003 D Christy Drive, Springdale, Washington County, Arkansas, Tax Parcel No. 815-24379-000

Dear Property Owner/Lienholder:

On February 8 and 16, 2024 and March 12, 2024, a notice was posted on property located at 2003 D Christy Drive, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on February 16, 2024, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied. The notice also applied to any violations that may be found on the property within the next 12 months.

Subsequent to the above-referenced violation notice being issued, a city code violation was found to have existed on the property. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about March 12, 2024. As of this date, the total costs incurred by the City of Springdale to clean this property are \$428.32. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before June 5, 2024 a hearing confirming the amount of the lien will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing confirming the amount of the lien will be held Tuesday, June 11, 2024, at 6:00 p.m. in the City Council

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

Please remit the total sum of \$435.85, which includes \$428.32 for cleaning up the property and \$7.53 for certified mailing to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

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

This letter is also being mailed by regular mail to 1504 Christy Drive Springdale LLC at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'EBC', with a stylized flourish at the end.

Ernest B. Cate
City Attorney

Enclosures
EBC:dp

City Abatement

City of Springdale
Neighborhood Service
201 Spring Street
Springdale, AR 72764
479-756-7712
Case Number: 2400478



Date: 03/15/2024
Status: Abated
Property: 2003 CHRISTY DR #D
City, State, Zip: Springdale, Arkansas 72764

Officer on Site: Shane Pegram
Abatement Type: Lien
Abatement Date: 03/12/2024
Abatement Start Time: 0830
Abatement End Time: 0840

Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$75.00
Equipment Rate	\$235.00
Total Fee: \$428.32	

Method of Compliance: Removed all junk and trash beside the building. Bulk Truck, Small truck, 1 Temp. and 2 Full time employees.

Shane Pegram
Code Enforcement Officer

03/15/2024
Date





SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

1504 Christy Drive Springdale, LC
780 Third Ave., 44th Floor
New York, NY 10017



9590 9402 8146 3030 4448 18

2. Article Number (Transfer from service label)

7020 0640 0001 3065 6950

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Address

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- | | |
|--|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☐ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☒ Certified Mail Restricted Delivery | ☒ Signature Confirmation |
| ☐ Collect on Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Collect on Delivery Restricted Delivery | |
| ☐ Insured Mail | |
| ☐ Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

INT

2003 D Christy Dr.

SPRINGDALE, ARKANSAS 72764

201 NORTH SPRING STREET

CITY ATTORNEY

OFFICE OF THE

United States Postal Service

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

9590 9402 8146 3030 4448 18



USPS TRACKING #



First-Class Mail

Postage & Fees Paid

USPS

Permit No. G-10

Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

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

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



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shelms@springdalear.gov

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

Sasha Bennett
File/Discovery Clerk
sabennett@springdalear.gov

April 29, 2024

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

Margie L. Pribble
607 Purtle Ave.
Springdale, AR 72764

RE: Notice of clean-up lien on property located at 607 Purtle Ave., Springdale, Washington County, Arkansas, Tax Parcel No. 815-29459-000

Dear Property Owner/Lienholder:

On February 2, 12, 14 and 21, 2024, a notice was posted on property located at 607 Purtle Avenue, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on February 14, 2024 that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied. The notice also applied to any violations that may be found on the property within the next 12 months.

Subsequent to the above-referenced violation notice being issued, a city code violation was found to have existed on the property. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about March 29, 2024. As of this date, the total costs incurred by the City of Springdale to clean this property are \$723.32. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before June 5, 2024 a hearing confirming the amount of the lien will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing confirming the amount of the lien will be held Tuesday, June 11, 2024, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. If this amount is paid prior to the hearing, no lien will be pursued.

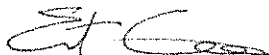
Please remit the total sum of \$730.85, which includes \$723.32 for cleaning up the property and \$7.53 for certified mailing to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

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

This letter is also being mailed by regular mail to Margie L. Pribble at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

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

Sincerely,



Ernest B. Cate
City Attorney

Enclosures
EBC:dp

City Abatement

City of Springdale
Neighborhood Service
201 Spring Street
Springdale, AR 72764
479-756-7712
Case Number: 2400375



Date: 03/29/2024
Status: Abated
Property: 607 Purtle
City, State, Zip: Springdale, Arkansas 72764

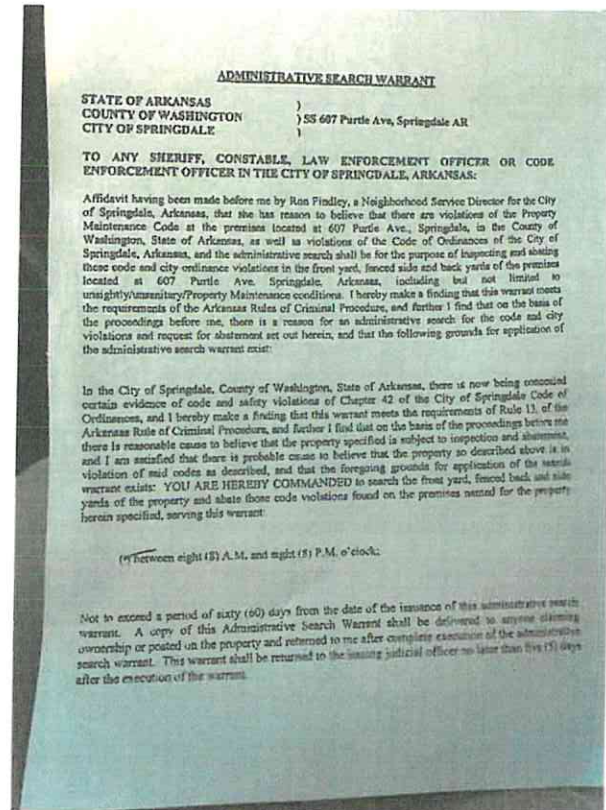
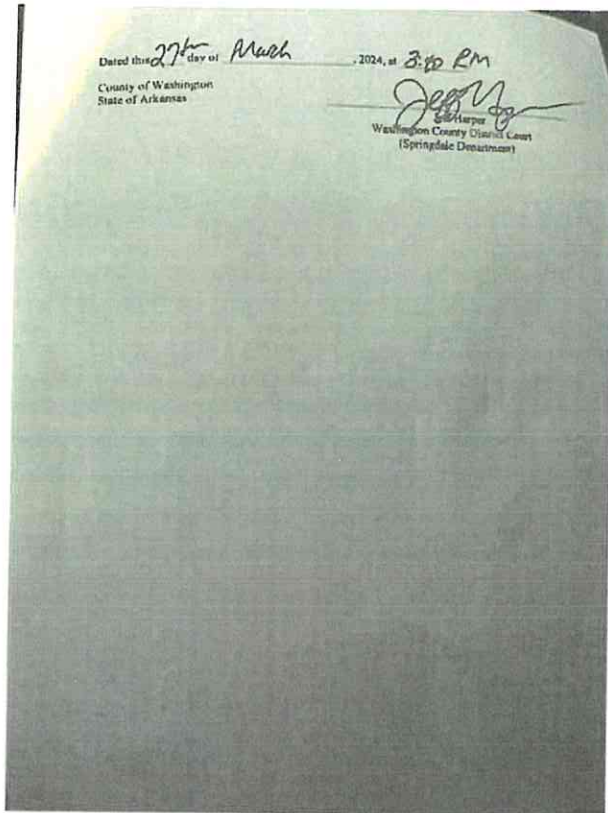
Officer on Site: Randy Glenn
Abatement Type: Lien
Abatement Date: 03/29/2024
Abatement Start Time: 0830
Abatement End Time: 1000

Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$300.00
Equipment Rate	\$305.00
Total Fee: \$723.32	

Method of Compliance: Removal of unsightly and unsanitary conditions on property including, plastic buckets, scrap lumber, broken indoor furniture, pallets, brush, plastic containers, trash, common household trash, and other things as noted in pictures

Randy Glenn
Code Enforcement Officer

03/29/2024
Date











ADMINISTRATIVE SEARCH WARRANT

STATE OF ARKANSAS }
COUNTY OF WASHINGTON } 55 487 Purdie Ave. Springdale AR
CITY OF SPRINGDALE }

TO ANY SHERIFF, CONSTABLE, LAW ENFORCEMENT OFFICER OR CODE ENFORCEMENT OFFICER IN THE CITY OF SPRINGDALE, ARKANSAS:

Affidavit having been made before me by Res Findley, a Neighborhood Service Director for the City of Springdale, Arkansas, that she has reason to believe that there are violations of the Property Maintenance Code at the premises located at 607 Purdie Ave., Springdale, in the County of Washington, State of Arkansas, as well as violations of the Code of Ordinances of the City of Springdale, Arkansas, and the administrative search shall be for the purpose of inspecting and abating those code and city ordinance violations in the front yard, fenced side and back yards of the premises located at 607 Purdie Ave., Springdale, Arkansas, including but not limited to unsightly stationary Property Maintenance conditions. I hereby make a finding that that warrant meets the requirements of the Arkansas Rules of Criminal Procedure, and further I find that on the basis of the proceedings before me, there is a reason for an administrative search for the code and city violations and request for abatement set out herein, and that the following grounds for application of the administrative search warrant exist:

In the City of Springdale, County of Washington, State of Arkansas, there is now being concealed certain evidence of code and city violations of Chapter 42 of the City of Springdale Code of Ordinances, and I hereby make a finding that this warrant meets the requirements of Rule 15, of the Arkansas Rule of Criminal Procedure, and further I find that on the basis of the proceedings before me there is reasonable cause to believe that the property specified is subject to inspection and abatement, and I am satisfied that there is probable cause to believe that the property to be searched is in violation of said codes as described, and that the foregoing grounds for application of the search warrant exist: **YOU ARE HEREBY COMMANDED** to search the front yard, fenced back and side yards of the property and abate those code violations found on the premises named for the property herein specified, serving this warrant

(Between eight (8) A.M. and eight (8) P.M. o'clock.

Not to exceed a period of sixty (60) days from the date of the issuance of this administrative search warrant. A copy of this Administrative Search Warrant shall be delivered to anyone claiming ownership or control of the property and returned to me after complete execution of the administrative search warrant. This warrant shall be returned to the issuing judicial officer no later than five (5) days after the execution of the warrant.

City of Springdale
Res. Findley

City Abatement

City of Springdale
Neighborhood Service
201 Spring Street
Springdale, AR 72764
479-756-7712
Case Number: 2402007



Date: 05/10/2024
Status: Abated
Property: 607 PURTLE AVE
City, State, Zip: Springdale, Arkansas 72764

Officer on Site: Randy Glenn
Abatement Type: Lien
Abatement Date: 05/10/2024
Abatement Start Time: 9:15
Abatement End Time: 9:45

Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$105.00
Equipment Rate	\$176.00
Total Fee: \$399.32	

Method of Compliance: Public works used 2 full time, 3 temps, 2 truck & trailers and 2 mowers. Property was mowed and weed eating done to bring into compliance.

Randy Glenn
Code Enforcement Officer

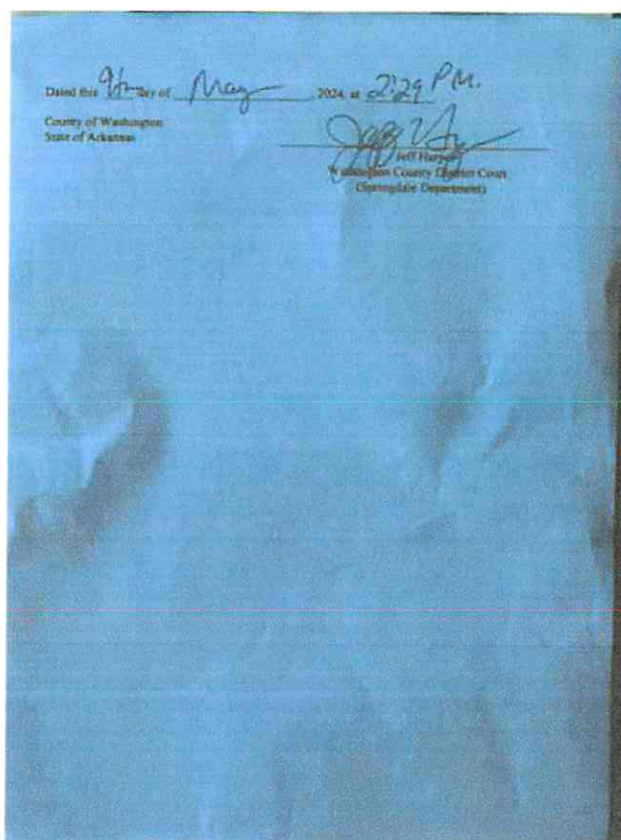
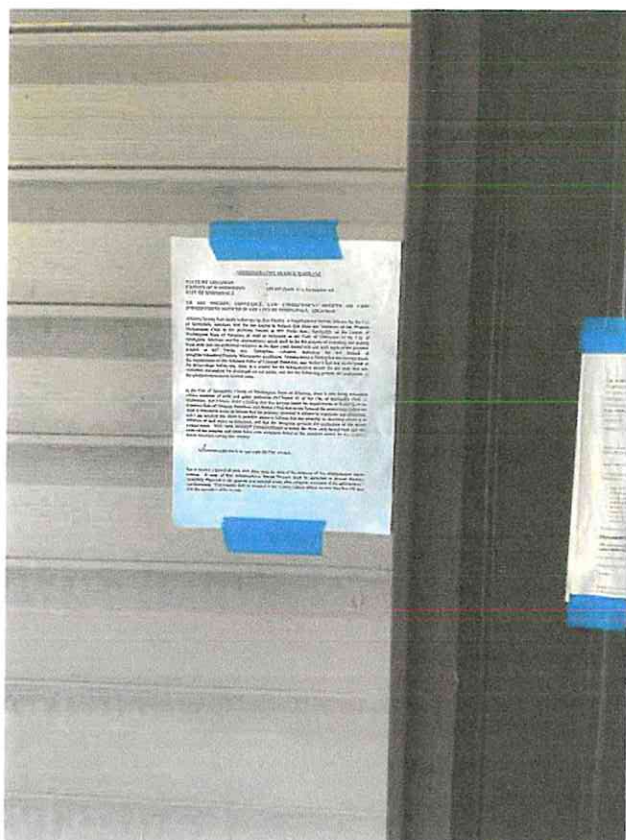
05/10/2024
Date

607 Purthe Abatement

start: 9:15 A.M.
end: 9:45

7 temps
2 full time: ① Ibrahim Mejia ② Maria Steens
2 terake: ① #6014 ② #6055
2 trasker: ① #780 ② #775
Cross happen manure - #779
Kuboh manure - #771





ADMINISTRATIVE SEARCH WARRANT

STATE OF ARKANSAS
COUNTY OF WASHINGTON
CITY OF SPRINGDALE

55 607 Partle Ave, Springdale AR

TO ANY SHERIFF, CONSTABLE, LAW ENFORCEMENT OFFICER OR CODE ENFORCEMENT OFFICER IN THE CITY OF SPRINGDALE, ARKANSAS:

Affidavit having been made before me by Ron Fiedley, a Neighborhood Service Director for the City of Springdale, Arkansas, that she has reason to believe that there are violations of the Property Maintenance Code at the premises located at 607 Partle Ave, Springdale, in the County of Washington, State of Arkansas, as well as violations of the Code of Ordinances of the City of Springdale, Arkansas, and the administrative search shall be for the purpose of inspecting and abating those code and city ordinance violations in the front yard, front-side and back yards of the premises located at 607 Partle Ave, Springdale, Arkansas, including but not limited to unsightly/nuisance/property maintenance conditions. I hereby make a finding that this warrant meets the requirements of the Arkansas Rules of Criminal Procedure, and further I find that on the basis of the proceedings before me, there is a reason for an administrative search for the code and city violations and request for abatement set out herein, and that the following grounds for application of the administrative search warrant exist:

In the City of Springdale, County of Washington, State of Arkansas, there is now being concealed various evidence of code and safety violations of Chapter 42 of the City of Springdale Code of Ordinances, and I hereby make a finding that this warrant meets the requirements of Rule 15 of the Arkansas Rule of Criminal Procedure, and further I find that on the basis of the proceedings before me there is reasonable cause to believe that the property specified is subject to inspection and abatement, and I am satisfied that there is probable cause to believe that the property as described above is in violation of said codes as described, and that the foregoing grounds for application of the search warrant exist: YOU ARE HEREBY COMMANDED to search the front yard, front-side and back yards of the property and abate those code violations found on the premises listed for the property herein specified, serving this warrant.

(Witnessed: eight (8) A.M. and eight (8) P.M. of 2024.)

Not to exceed a period of sixty (60) days from the date of the issuance of this administrative search warrant. A copy of this Administrative Search Warrant shall be delivered to the person standing ownership or control on the property and returned to me after complete execution of the administrative search warrant. This warrant shall be returned to the issuing judicial officer no later than five (5) days after the execution of the warrant.





PRSRT FIRST-CLASS MAIL
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Fayetteville, AR
PERMIT# 1

RETURN TO SENDER

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Margie L. Pribble
607 Purtle Ave.
Springdale, AR 72764



9590 9402 8146 3030 4447 88

2. Article Number (Transfer from service label)

7020 0640 0001 3065 6981

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- | | |
|--|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
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| ☐ Collect on Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Collect on Delivery Restricted Delivery | |
| ☐ Insured Mail | |
| ☐ Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

Margie L. Pribble
607 Purtle Ave.
Springdale,

US POSTAGE
FITNEY BOWES
ZIP 72701
\$ 008.93
0008029153 APR 29 2024



7020 0640 0001 3065 6981



CERTIFIED MAIL

CITY OF SPRINGDALE
OFFICE OF CITY ATTORNEY
201 SPRING STREET
SPRINGDALE, AR 72764



RESOLUTION NO. _____

**A RESOLUTION SETTING A HEARING DATE ON A
PETITION TO VACATE A PORTION OF WILLELLA
PLACE.**

WHEREAS, on September 14, 1955, the plat of Sisson Subdivision, City of Springdale, Arkansas was filed with the land records of Washington County, Arkansas, in Plat Book 1, Page 00000124;

WHEREAS, Sisson Subdivision dedicated right-of-way for a public street, now known as Willella Place, said street extending north from East Emma Avenue;

WHEREAS, the Harvey & Bernice Jones Center for Families, Inc., and the Jones Trust, Inc., have petitioned to abandon a portion of Willella Place, being more particularly described as follows:

PART OF WILLELLA PLACE, A STREET RIGHT-OF-WAY AS DEDICATED ON THE FINAL PLAT OF SISSON SUBDIVISION, AS PER PLAT RECORD 479-132 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH OF 45 FEET OF LOT 4 OF SAID SISSON SUBDIVISION, SAID POINT BEING ON THE WEST RIGHT-OF-WAY OF WILLELLA PLACE; THENCE ALONG SAID RIGHT-OF-WAY N02°16'20"E 109.93 FEET; THENCE ALONG SAID RIGHT-OF-WAY N12°01'00"W 107.78 FEET TO THE NORTH RIGHT-OF-WAY OF WILLELLA PLACE; THENCE ALONG SAID RIGHT-OF-WAY S87°22'45"E 100.00 FEET TO THE EAST RIGHT-OF-WAY OF WILLELLA PLACE; THENCE ALONG SAID RIGHT-OF-WAY S14°58'13"W 106.44 FEET; THENCE ALONG SAID RIGHT-OF-WAY S02°16'20"W 109.93 FEET; THENCE LEAVING SAID RIGHT-OF-WAY N87°43'40"W 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.31 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

And as shown on the attached Exhibit.

WHEREAS, all owners of property abutting the portion of Willella Place proposed to be vacated have consented to the petition; and,

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 July 9, 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 _____ day of June, 2024.

Doug Sprouse, Mayor

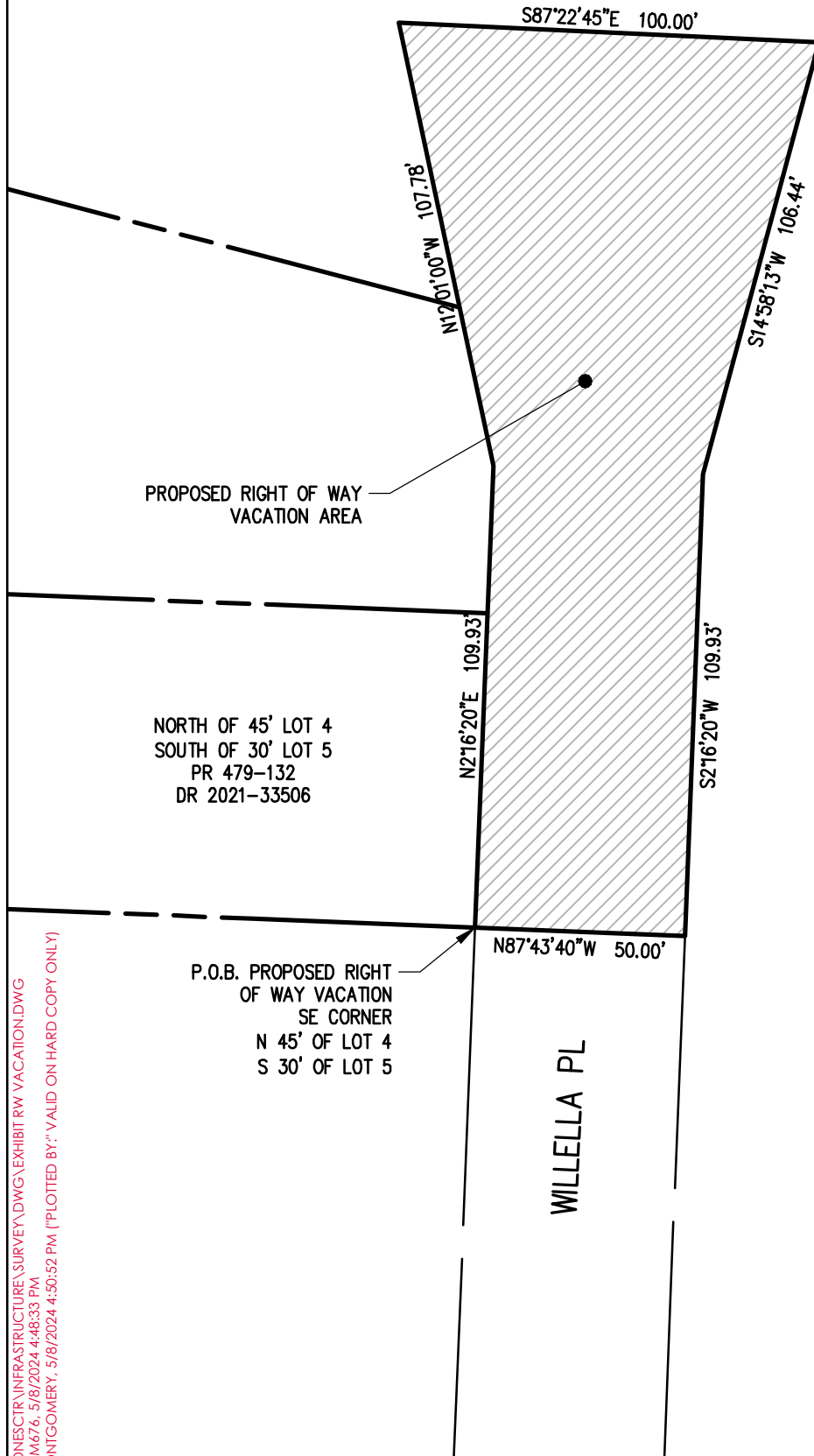
ATTEST:

Denise Pearce, CITY CLERK

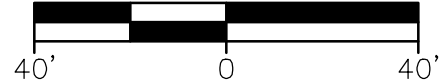
APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

EXHIBIT



GRAPHIC SCALE IN FEET



DRAWING: G:\21100600\JONESCTR\INFRASTRUCTURE\SURVEY\DWG\EXHIBIT RW VACATION.DWG
LAYOUT: ---, LAST SAVED: KM676, 5/8/2024 4:48:33 PM
LAST PLOTTED BY: KEVIN MONTGOMERY, 5/8/2024 4:50:52 PM ("PLOTTED BY:" VALID ON HARD COPY ONLY)

NOTE:
THIS EASEMENT EXHIBIT IS A GRAPHICAL REPRESENTATION OF THE EASEMENT DESCRIPTION, AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.

PROJECT NO.: 21100600		901 N. 47th St, Suite 400 Rogers, Arkansas 72756	
DRAWN BY:	DATE: 05/08/2024	 Crafton Tull	
SHEET: 1 OF 1	CHECKED:		
		Page 47 479.636.4838 † www.craftontull.com	

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The City Council of the City of Springdale met in regular session on Tuesday, May 28, 2024 in the Council Chambers, City Administration Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

MAYOR SPROUSE COMMENTS

Mayor Sprouse gave an update on the Springdale Fire Department sending help to Benton County after they suffered damage from a tornado this past weekend. The Public Works Department is also offering to Rogers the use of some of our equipment to help with tree removal. We are also offering a trailer (portable building that was being used by our Police Department and moved to Public Works) to the City of Little Flock who lost their City Hall in the storm if they would like to use it temporarily.

Roll call was answered by:

Doug Sprouse	Mayor
Brian Powell	Ward 3
Amelia Taldo	Ward 4 (Absent)
Jeff Watson	Ward 3 (Absent)
Mike Overton	Ward 2
Mike Lawson	Ward 1
Rex Bailey	Ward 2
Randall Harriman	Ward 1
Mark Fougerousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Frank Gamble	Police Chief
Blake Holte	Fire Chief
Patsy Christie	Panning Director
Ben Peters	Engineering Director
Colby Fulfer	Chief of Staff
Mart Gutte	IT Director
Mike Chamlee	Buildings Director
Chad Wolfe	Parks & Rec. Director
Anne Gresham	Library Director
Angie Albright	Shiloh Museum Director

APPROVAL OF MINUTES

Council Member Overton moved the minutes of the May 14, 2024 City Council meeting be approved as presented. Council Member Lawson 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 Powell made the second.

After the vote was taken, motion carried 6-0.

PROCLAMATION RECOGNIZING LITON BEASA

Mayor Sprouse presented a proclamation recognizing Liton Beasa for his contributions to the community and Northwest Arkansas as a master craftsman preserving the art of canoe carving, a craft passed down through generations in the Marshallese community.

RESOLUTION NO. 61-24 – MAKING A REAPPOINTMENT TO THE ADVERTISING AND PROMOTION COMMISSION OF THE CITY OF SPRINGDALE

Mayor Doug Sprouse presented a Resolution making the reappointment of Brian Stanley to the Advertising and Promotion Commission of the City of Springdale.

RESOLUTION NO. ____

A RESOLUTION MAKING A REAPPOINTMENT TO THE ADVERTISING AND PROMOTION COMMISSION OF THE CITY OF SPRINGDALE

WHEREAS, Brian Stanley currently serves on the Advertising and Promotion Commission, and

WHEREAS, the term of Brian Stanley, Seat #1, is set to expire on May 31, 2024, and

WHEREAS, A.C.A. 26-75-605 and Ordinance No. 3293 provide that appointments for these positions will be made by the remaining members of the Commission subject to approval of the City Council, and

WHEREAS, the Advertising and Promotion Commission has recommended the reappointment of Brian Stanley, Seat #1, with a new term set to expire on May 31, 2028; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that Brian Stanley, Seat #1, is hereby reappointed to the Advertising and Promotion Commission for a four-year term that is set to expire on May 31, 2028.

PASSED AND APPROVED this ____ day of May, 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 Overton made the second.

After the vote was taken, motion carried unanimously by 6-0.

The Resolution was numbered 61-24.

ORDINANCE NO. 5960 – (R24-12) REZONING TWO TRACTS OF LAND OWNED BY GARY AND CONNIE ELDREDGE TRUST LOCATED ON THE WEST SIDE OF N. GRAHAM ROAD, FROM A-1 TO I-1; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance (R24-12) rezoning two tracts of land (2.4 acres) owned by Gary and Connie Eldredge Trust located on the west side of N. Graham Road, from A-1 to I-1 and declaring an emergency.

Planning Commission recommended approval at their meeting.

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 unanimously by 6-0.

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

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

No: None

The Ordinance was numbered 5960.

ORDINANCE NO. 5961 – (R24-14) REZONING PROPERTY OWNED BY THE RAMSEY AT SPRINGDALE LOCATED AT THE SE CORNER OF OAK GROVE ROAD AND BOB MILLS ROAD, FROM PUD TO PUD REVISED; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance (R24-14) rezoning property owned by The Ramsey at Springdale located at the southeast corner of Oak Grove Road and Bob Mills Road, from PUD to PUD Revised; and declaring an emergency.

This ordinance revises the original PUD to increase parking spaces from 441 to 490, causing a reduction in green space from 41% to 39.5%. All other provisions of the PUD remain in place.

Planning Commission recommended approval at their meeting.

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

After the vote was taken, motion carried unanimously by 6-0.

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

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

No: None

The Ordinance was numbered 5961.

ORDINANCE NO. 5962 – (R24-15) REZONING PROPERTY OWNED BY BRENTWOOD VILLAGE PUD LOCATED EAST OF HYLTON ROAD, SOUTH OF WILLIE GEORGE PARK, FROM PUD TO PUD REVISED; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance (R24-15) rezoning property owned by Brentwood Village PUD located east of Hylton Road, south of Willie George Park, from PUD to PUD Revised; and declaring an emergency.

This ordinance makes some changes to the original PUD revising building setbacks for single family lots and townhouse lots and the specifications of exterior building material requirements.

Planning Commission recommended approval at their meeting.

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

After the vote was taken, motion carried unanimously by 6-0.

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

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

No: None

The Ordinance was numbered 5962.

ORDINANCE NO. 5963 – (R24-16) REZONING .28 ACRES OWNED BY ERIKA AND MICHAEL FOREST LOCATED AT 1100 E. HUNTSVILLE AVENUE, FROM SF-2 TO O-1; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance (R24-16) rezoning .28 acres owned by Erika and Michael Forest located at 1100 E. Huntsville Avenue, from SF-2 to O-1; and declaring an emergency.

Planning Commission recommended approval at their meeting.

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

After the vote was taken, motion carried unanimously by 6-0.

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

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

No: None

The Ordinance was numbered 5963.

ORDINANCE NO. 5964 – (R24-17) REZONING 1.25 ACRES OWNED BY IGLESIA PENTECOSTES EL VERBO DE DIOS, INC. LOCATED AT 1383 WORTH LANE, FROM C-2 TO P-1; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance (R24-17) rezoning 1.25 acres owned by Iglesia Pentecostes El Verbo de Dios, Inc. located at 1383 Worth Lane, from C-2 to P-1; and declaring an emergency.

Planning Commission recommended approval at their meeting.

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

After the vote was taken, motion carried unanimously by 6-0.

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

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

No: None

The Ordinance was numbered 5964.

ORDINANCE NO. 5965 – (R24-20) REZONING 4.87 ACRES OWNED BY NEW VISION CHURCH OF GOD LOCATED AT 785 S. WEST END STREET, FROM SF-2 TO P-1; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance (R24-20) rezoning 4.87 acres owned by New Vision Church of God located at 785 S. West End Street, from SF-2 to P-1; and declaring an emergency.

Planning Commission recommended approval at their meeting.

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

After the vote was taken, motion carried unanimously by 6-0.

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

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

No: None

The Ordinance was numbered 5965.

RESOLUTION NO. 62-24 – APPROVING A WAIVER (W24-01) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO 815 E. EMMA AVENUE IN CONNECTION WITH L24-06, A LARGE SCALE DEVELOPMENT

Planning Director Patsy Christie presented a Resolution approving a waiver (W24-01) of street improvements, drainage, curbs, gutters, sidewalks and street lights as set forth in Ordinance No. 3725 to 815 E. Emma Avenue in connection with L24-06, a Large Scale Development. This is part of the new Senior Center project.

Planning Commission recommended approval at their meeting.

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

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER (W24-01) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO 815 E. EMMA AVENUE IN CONNECTION WITH L24-06, A LARGE SCALE DEVELOPMENT.

WHEREAS, Ordinance #3047 provides for the waiver (W24-01) 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 (W24-01) of street improvements to 815 E. Emma Avenue including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with L24-06, a Large Scale Development at 815 E. Emma Avenue, 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 (W24-01) of street improvements to 815 E. Emma Avenue including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with L24-06, a Large Scale Development.

PASSED AND APPROVED THIS ____ DAY OF MAY, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

After the vote was taken, motion carried unanimously by 6-0.

The Resolution was numbered 62-24.

RESOLUTION NO. 63-24 – APPROVING A WAIVER (W24-05) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO 5876 ELM SPRINGS ROAD IN CONNECTION WITH N24-10, A NON-LARGE SCALE DEVELOPMENT

Planning Director Patsy Christie presented a Resolution approving a waiver (W24-05) of street improvements, drainage, curbs, gutters, sidewalks and street lights as set forth in Ordinance No. 3725 to 5876 Elm Springs Road in connection with N24-10, a Non-Large Scale Development.

Planning Commission recommended approval at their meeting.

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

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER (W24-05) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO 5876 ELM SPRINGS ROAD IN CONNECTION WITH N24-10, A NON-LARGE SCALE DEVELOPMENT.

WHEREAS, Ordinance #3047 provides for the waiver (W24-05) 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 (W24-05) of street improvements to 5876 Elm Springs Road including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with N24-10, a non-large scale development, 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 (W24-05) of street improvements to 5876 Elm Springs Road including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with N24-10, a non-large scale development.

PASSED AND APPROVED THIS ____ DAY OF MAY, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

After the vote was taken, motion carried unanimously by 6-0.

The Resolution was numbered 63-24.

RESOLUTION NO. 64-24 – APPROVING A WAIVER (W24-07) REQUEST BY LEA VIOLANTES AND WALTER VILLATORO FOR STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO 1995 N. MONITOR ROAD, A SINGLE FAMILY DWELLING.

Planning Director Patsy Christie presented a Resolution approving a waiver (W24-07) request by Lea Violantes and Walter Villatoro for street improvements, drainage, curbs, gutters, sidewalks and street lights as set forth in Ordinance No. 3725 to 1995 N. Monitor Road, a single family dwelling.

Planning Commission recommended approval at their meeting.

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

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER (W24-07) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO LEA VIOLANTES AND WALTER VILLATORO IN CONNECTION WITH 1995 N. MONITOR ROAD, A SINGLE FAMILY DWELLING.

WHEREAS, Ordinance #3047 provides for the waiver (W24-07) 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 (W24-07) of street improvements to Lea Violantes and Walter Villatoro including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with 1995 N. Monitor 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 (W24-07) of street improvements to N. Monitor Road including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with 1995 N. Monitor Road, a single family dwelling.

PASSED AND APPROVED THIS ____ DAY OF MAY, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

After the vote was taken, motion carried unanimously by 6-0.

The Resolution was numbered 64-24.

RESOLUTION NO. 65-24 – APPROVING A WAIVER (W24-08) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO NORTH PINKLEY ROAD IN CONNECTION WITH PP24-05, A PRELIMINARY PLAT

Planning Director Patsy Christie presented a Resolution approving a waiver (W24-08) of street improvements, drainage, curbs, gutters, sidewalks and street lights as set forth in Ordinance No. 3725 to North Pinkley Road in connection with PP24-05, a Preliminary Plat.

Planning Commission recommended approval at their meeting.

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

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER (W24-08) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO NORTH PINKLEY ROAD IN CONNECTION WITH PP24-05, A PRELIMINARY PLAT.

WHEREAS, Ordinance #3047 provides for the waiver (W24-08) 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 (W24-08) of street improvements to North Pinkley Road including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with PP24-05, a Preliminary Plat for County Line Square Subdivision, 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 (W24-08) of street improvements to North Pinkley Road including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with PP24-08, a Preliminary Plat for County Line Square Subdivision.

PASSED AND APPROVED THIS ____ DAY OF MAY, 2024.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

After the vote was taken, motion carried unanimously by 6-0.

The Resolution was numbered 65-24.

PROPOSED RESOLUTION WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF A GREENHOUSE FACILITY AT RABBIT’S FOOT LODGE

Mayor Doug Sprouse said this greenhouse project will give the city the ability to grow their own plants and will hopefully be a long-term savings. The Resolution is only for the purchase of the greenhouse so we can get it built and start using it by fall. There are other expenses not included

that will be bid on later for the foundation and setting up utilities. The total estimated cost would be \$495,000 which includes a head house (staging and storage area).

Kaleb Lathrom, Horticulturist with Springdale Public Works Department, gave a presentation on the greenhouse and how we can get the plants we need cheaper and grow them at an affordable cost. This would also have educational value to show off plants and talk to students about Rabbit's Foot Lodge. There would be volunteer labor from outside organizations.

The Parks and Recreation Department and Public Works Department have partnered to conceptualize a plant, tree and wetland plant nursery on property near Rabbit's Foot Lodge. The price and installation of the greenhouse building is \$224,530.45 and is available on an Arkansas approved buy board. This would be paid for out of the Unrestricted General Fund.

Shiloh Museum Director Angie Albright said they would love to have a greenhouse to use for plant growing. They give away lots of plants and they could share in the workload with other departments using the greenhouse. Their nature program is really popular and this would be great for the children that come visit.

After considerable discussion, Council Member Bailey moved the Resolution be adopted. Council Member Powell made the second.

After the vote was taken, motion failed by a 3-3 vote (Overton, Lawson and Fougrousse voting no).

Mayor Sprouse said he will be bringing this back when there is a full council in attendance.

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 7:16 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer