

- **The next City Council Committee Meeting will be held on Monday, April 14th, 2025.**
- **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, April 8th, 2025**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilwoman Amelia Taldo

1. Call to Order – Mayor Doug Sprouse

2. Roll Call –Anna McKinney

3. Recognition of a Quorum.

4. Comments from Citizens

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

5. Approval of Minutes – **Tuesday, March 25th, 2025.** Pgs. 28-36

6. **Public Hearing** on a petition to vacate a portion of Success Avenue.

7. Procedural Motions

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

B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item number(s) **8A-B, 11, and 12** (Motion must be approved by two-thirds (2/3) of the council members)*

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

A. **An Ordinance** amending ordinance no. 6065 (“Amending Ordinance No. 3307, the same being the zoning Ordinance of the city of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R25-11) certain lands located at 3446 Wagon Wheel Road from Agricultural District (A-1) to General Commercial District (C-2) within Springdale, Arkansas”) to add an emergency clause. Pgs. 1-6

B. **An Ordinance** amending ordinance no. 6069 (“Accepting the Replat (RP25-02) of lots 7 & 8 Butterfield Coach Retail Park to the city of Springdale, Arkansas”) to add an emergency clause. Pgs. 7-12

9. Finance Committee by Chairman Jeff Watson – All Item(s) forwarded from Committee with recommendation for approval.

A. **A Resolution** authorizing the expenditure of funds to acquire property from El Centro Cristiano Hispano for the Gene George Blvd. Extension Project (Elm Springs Rd. to County Line Rd.), Project No. 23BPS4. Presented by Ernest Cate, City Attorney. Pgs. 13-20

10. **A Resolution** setting a hearing date on a petition to abandon a utility easement in the City of Springdale, Washington County, Arkansas. Presented by Ernest Cate, City Attorney. Pgs. 21-22

11. **An Ordinance** vacating a portion of a dedicated public street known as Success Avenue, pursuant to Ark. Code Ann. §14-301-301, et seq. Declaring an emergency; and for other purposes. Presented by Ernest Cate, City Attorney. Pgs. 23-25

12. **An Ordinance** amending ordinance no. 6070 (amending ordinance no. 6037 “Approving the Private Club Permit for Raise the Bar Foundation and allowing for the application of the required permits from the Arkansas Alcoholic Beverage Control Division per Arkansas Code annotated §3-9-222 as amended and for other purposes; and declaring an emergency”) to add an emergency clause. Presented by Ernest Cate, City Attorney. Pgs. 26-27

13. Comments from Council Members.

14. Comments from City Attorney.

15. Comments from Mayor

16. Adjournment.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 6065 (“AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-11) CERTAIN LANDS LOCATED AT 3446 WAGON WHEEL ROAD FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) WITHIN SPRINGDALE, ARKANSAS”) TO ADD AN EMERGENCY CLAUSE.

WHEREAS, the City Council for the City of Springdale, Arkansas passed Ordinance No. 6065 on March 25, 2025, which amended Ordinance No. 3307, and approved the rezone petition of Kenneth W. & Rosalie A. Dunk, Little Valley Springs Trust requesting that the following described tract of real estate be rezoned from Agricultural District (A-1) to General Commercial District (C-2).

WHEREAS, the City Council finds that the amendment to Ordinance No. 6065 is of importance to the proper administration and enforcement of city ordinances, and should therefore take effect immediately;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINDGALE, ARKANSAS, that Ordinance No. 6065 is hereby amended to add an Emergency Clause.

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

PASSED AND APPROVED this ____day of _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

ORDINANCE NO. 6065

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

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

Layman's Description: 3446 Wagon Wheel Road

Legal Description:

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

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

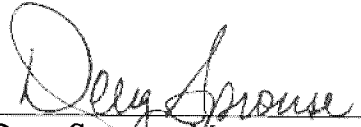
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:

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

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

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

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


Doug Sprouse, Mayor

ATTEST:


Sabra Jeffus, City Clerk/Treasurer

APPROVED AS TO FORM:


Ernest B. Cate, City Attorney



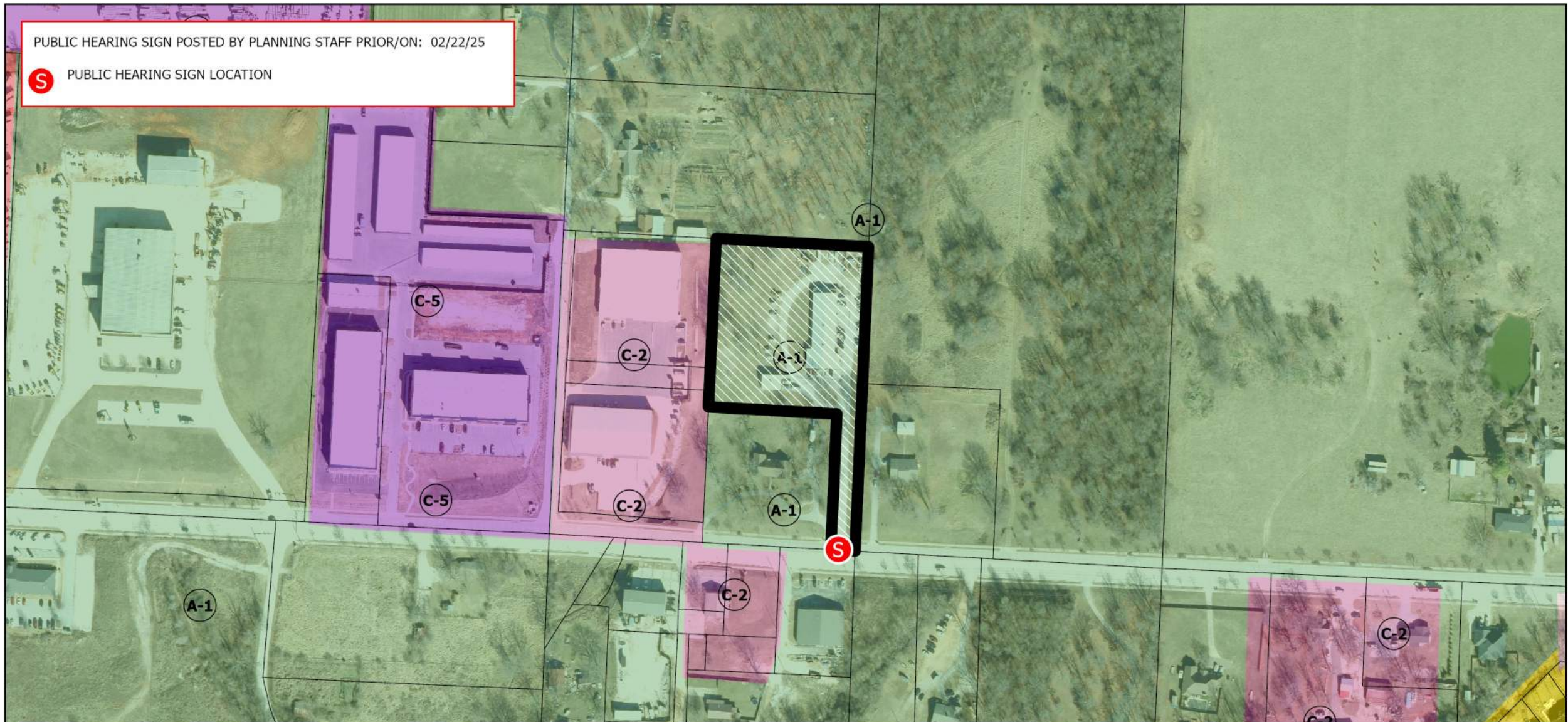


CERTIFICATE OF RECORD
STATE OF ARKANSAS, COUNTY OF BENTON
I hereby certify that this instrument was
Filed and Recorded in the Official Records
in **Doc Num L202516114**
03/27/2025 01:16:24 PM
Brenda DeShields
BENTON COUNTY Circuit Clerk & Recorder

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



PUBLIC HEARING SIGN LOCATION



Planning Commission Meeting
March 4, 2025



0 370 740
Feet

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



SPRINGDALE™
WE'RE MAKING IT HAPPEN

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



PUBLIC HEARING SIGN LOCATION



Planning Commission Meeting
March 4, 2025



0 370 740
Feet

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



SPRINGDALE™
WE'RE MAKING IT HAPPEN

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 6069 (“AN ORDINANCE ACCEPTING THE REPLAT (RP25-02) OF LOTS 7 & 8 BUTTERFIELD COACH RETAIL PARK TO THE CITY OF SPRINGDALE, ARKANSAS”) TO ADD AN EMERGENCY CLAUSE.

WHEREAS, the City Council for the City of Springdale, Arkansas passed Ordinance No. 6069 on March 25, 2025, accepting the replat approved by Planning Commission after conducting a public hearing as presented by petitioner and has approved the dedication of streets, rights-of-way, and utility easements as shown upon said replat (RP25-02) of lots 7 & 8 Butterfield Coach Retail Park to the City of Springdale, Arkansas.

WHEREAS, the City Council finds that the amendment to Ordinance No. 6069 is of importance to the proper administration and enforcement of city ordinances, and should therefore take effect immediately;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINDGALE, ARKANSAS, that Ordinance No. 6069 is hereby amended to add an Emergency Clause.

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

PASSED AND APPROVED this ____day of ____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

ORDINANCE NO. 6069

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

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

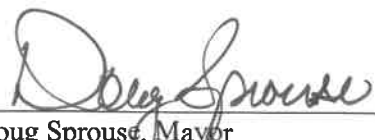
WHEREAS, there has been duly presented to the City Planning Commission of Springdale, Arkansas, a plat of certain lands in the City of Springdale, Washington County, Arkansas, being more particularly described as follows, to-wit:

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

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the replat of (RP25-02) of lots 7 & 8 Butterfield Coach Retail Park, to the City of Springdale, Arkansas, as shown on the replat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Washington County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

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


Doug Sprouse, Mayor

ATTEST:


Sabra Jeffus, City Clerk/Treasurer

APPROVED AS TO FORM:


Ernest B. Cate, City Attorney



REPLAT of OUTPARCELS 7 & 8, BUTTERFIELD COACH RETAIL PARK

Butterfield Coach Rd. and Cass Dr.

City of Springdale, Washington County, Arkansas



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

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



PARCELS:

815-39000-000
815-38999-000

BOUNDARY DESCRIPTION:

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

SURVEY DESCRIPTION:

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

FLOOD INFORMATION:

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

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

ZONING: C-5

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

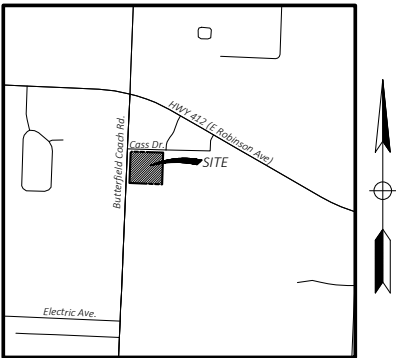
Front : 30 Feet
Side: 0 Feet
Rear: 20 Feet

GENERAL NOTES:

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

OWNER/DEVELOPER:

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



VICINITY MAP

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



SURVEYOR'S DECLARATION:

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

JAMES BARNETT, P.L.S. #1666

DATE

CERTIFICATE OF TRANSMITTAL, OWNERSHIP, AND ORDINANCE:

THE UNDERSIGNED HEREBY TRANSMIT THIS PLAT TO THE CITY OF SPRINGDALE FOR APPROVAL AND ACCEPTANCE AND CERTIFY TO BE THE OWNER OF THE PROPERTY DESCRIBED AND HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. THE UNDERSIGNED CERTIFY THAT THE PLATTING AS FILED ON RECORD CANNOT BE CHANGED UNLESS VACATED PURSUANT TO APPLICABLE LOCAL OR OTHER LAW. THE UNDERSIGNED FURTHER CERTIFY THAT THE REQUIRED ORDINANCE OF ACCEPTANCE IS IN ORDER HAVING BEEN APPROVED BY THE CITY ATTORNEY ON _____, 2025

ALLOTTER: _____ DATE: _____

STATE OF ARKANSAS,
COUNTY OF WASHINGTON,

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

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

ALLOTTER: _____

CERTIFICATE OF ACCEPTANCE:

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

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

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

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

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

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

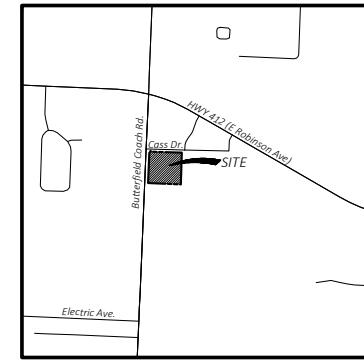
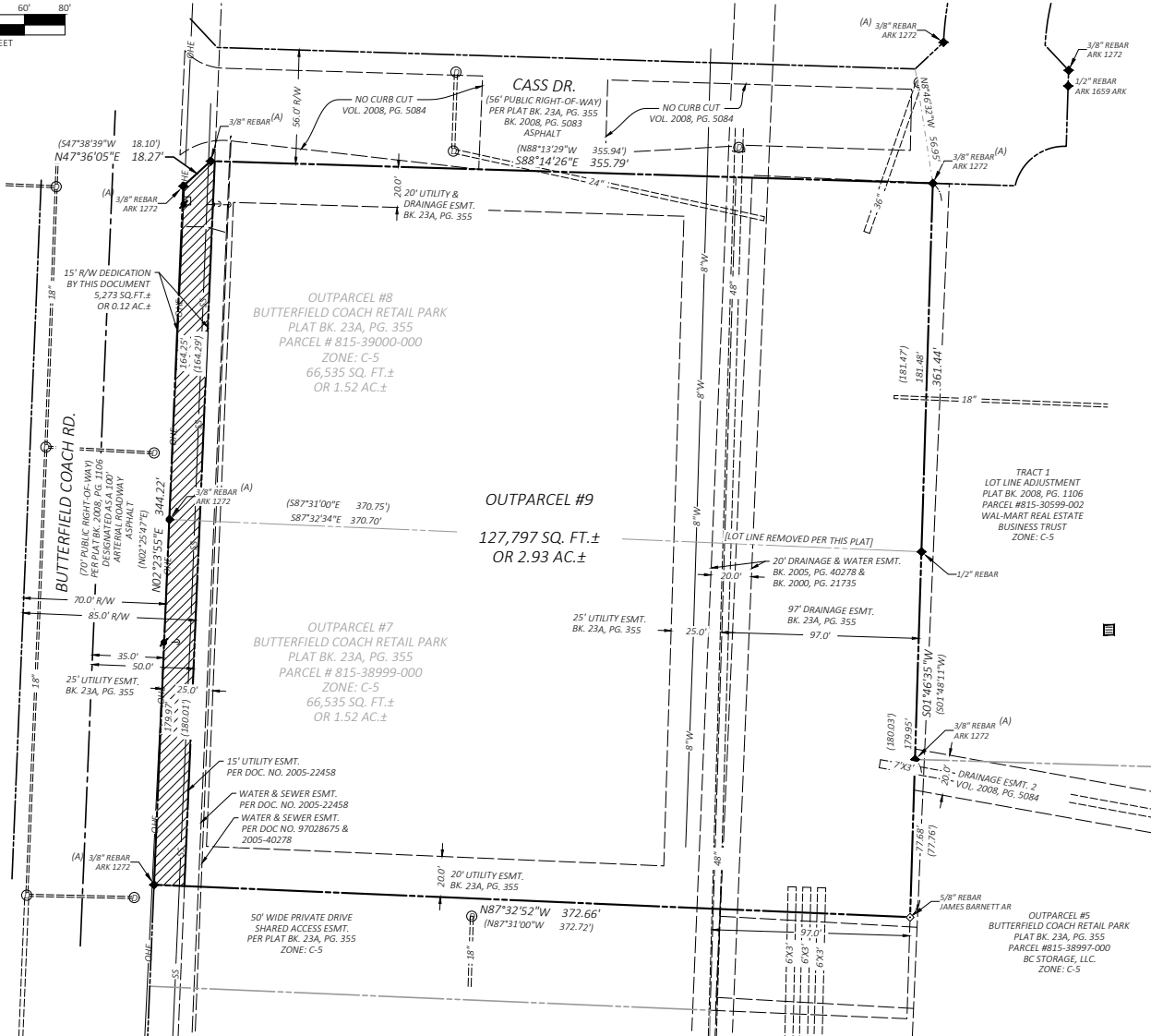
RP25-02

COVER SHEET

SHEET TITLE
SHEET NUMBER



0 40' 60' 80'
SCALE IN FEET



VICINITY MAP

NOT TO SCALE
Latitude: 36°09'50\"/>

Legend

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

Record Monuments

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



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

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

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

Preliminary
This document shall
not be recorded for any
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survey document

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

RP25-02

RP

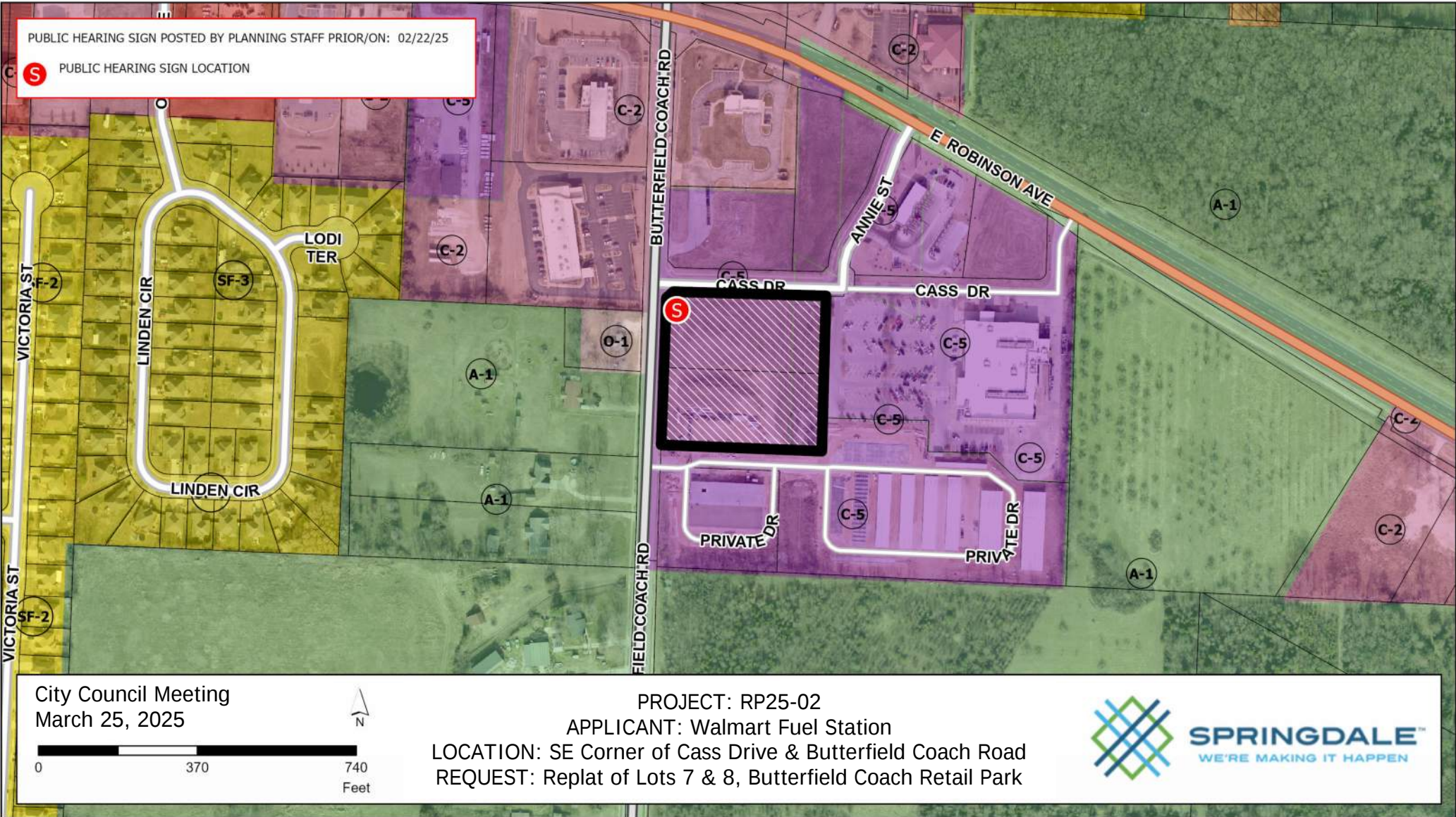
SHEET TITLE
SHEET NUMBER

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

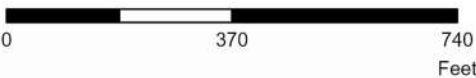
PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 02/22/25



PUBLIC HEARING SIGN LOCATION



City Council Meeting
March 25, 2025



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



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



PUBLIC HEARING SIGN LOCATION



City Council Meeting
March 25, 2025



0 370 740
Feet

PROJECT: RP25-02

APPLICANT: Walmart Fuel Station

LOCATION: SE Corner of Cass Drive & Butterfield Coach Road

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



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE PROPERTY FROM EL CENTRO CRISTIANO HISPANO FOR THE GENE GEORGE BLVD. EXTENSION PROJECT (ELM SPRINGS RD. TO COUNTY LINE RD.), PROJECT NO. 23BPS4.

WHEREAS, the City of Springdale is in need of acquiring easements across lands for the Gene George Blvd. Extension Project (Elm Springs Rd. to County Line Rd.), Project No. 23BPS4 (Tract 39), said lands being owned by El Centro Cristiano Hispano, also known as Washington County Tax Parcel No. 815-29790-055, located at 1751 N. 56th Street, Springdale, Washington County, Arkansas ("the Property");

WHEREAS, the City's estimate of compensation for the easements across the Property, as determined by an appraisal, is \$171,200.00;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$183,640.00; and,

WHEREAS, it is the recommendation of the City Attorney and the Mayor that the City Council approve the additional sum of \$12,440.00 to acquire the easements across the Property, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of acquiring the easements across the Property by eminent domain proceedings.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire the easements needed across the aforementioned parcel of land for the Gene George Blvd. Extension Project (Elm Springs Rd. to County Line Rd.), Project No. 23BPS4 (Tract 39), said lands being owned by El Centro Cristiano Hispano, for the total sum of \$183,640.00 to be paid from the 2023 Street Bond.

PASSED AND APPROVED this ____ day of _____, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



ADMINISTRATIVE SETTLEMENT MEMO

Date: March 18, 2025

To: Ryan Carr, City of Springdale

From: Jennifer Sloan, CLS Project Manager

Project: Gene George North

Re: Tract No. 815-29790-055 – El Centro Cristiano Hispano
Counteroffer Package

CLS made a Total offer of \$171,200 for Tracts 815-29790-055 based on the City's approved appraisal. The owner has had their engineer review the roadway plans and appraisal and has determined that they will lose 26 parking spaces. Additionally, 2 parking spaces will be lost in order to design the egress/ingress with an island to safe design standards. The owners have supplied the estimated cost of the island at \$4,100. Additionally, they would like to be compensated for the additional lost parking spaces, which total \$8,340.

The owner has offered to settle this tract for **\$183,640.00, an increase of \$12,440.00 or 7.26%**. I believe this administrative adjustment is reasonable and within the city's best interest.

Please contact Jennifer Sloan at 832-858-4663 or Jennifer.sloan@contractlandstaff.com if you have any questions or need additional information.

Thanks,

A handwritten signature in blue ink, appearing to read "Jennifer Sloan", is written over a light blue circular stamp.

Jennifer Sloan
CLS Project Manager



January 17, 2025

Centro Cristiano Springdale, an Arkansas corporation formerly known as El Centro Cristiano Hispano
1751 N. 56th Street
Springdale, AR 72762-0418

Re: Gene George North
Property Address: 1751 North 56th Street
Parcel No.: 815-29790-055

Dear Landowner:

The City has hired an appraisal firm to determine the value of easements needed across your property for the construction of improvements to Gene George North along N. 56th Street between Elm Springs Road and County Line Road. This appraisal has been completed and contains an estimated valuation of the proposed acquisitions identified in the attached documents.

The appraisal includes the value of the 16,869± square feet (SF) in right-of-way acquisition (ROW), 5,258± square feet (SF) utility easement (UE), and 15,656± square feet (SF) temporary construction easement (TCE) across your property. Based on the appraisal, compensation for the easements will be \$171,200.00. This amount includes compensation for all trees, shrubs, and any changes to existing conditions within the easement area due to the proposed improvements.

If your property is encumbered by a mortgage or mortgages, your mortgage holder is also being notified of the offer of just compensation. It is suggested that you contact your mortgage holder to determine if your mortgage requires you to apply the offer of just compensation to your mortgage. In some instances, the payment of just compensation may be made jointly to you and the mortgage holder.

We have enclosed a copy of the appraisal, exhibits, easement documents, mortgage authorization, and a blank copy of the IRS form W-9. You have the right to have your own appraisal conducted; however, any other appraisals will be conducted at your own expense.

City staff is available to explain the offer of compensation in person or over the phone. If you have any questions or comments regarding the appraisal, acquisition process, or proposed construction project, please call our office at 750-8105 or e-mail me at rcarr@springdalear.gov. If not, please sign the enclosed easement documents, have them notarized, fill out the W-9 form, and return them to us for recording.

To meet construction schedules, we ask you to have your response by February 17, 2025. Thank you for your attention to this project, and we look forward to your response.

Sincerely,

Ryan Carr
City of Springdale – Engineering

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Location: 1751 N. 56th Street, Springdale, Arkansas
Client: City of Springdale
Fee Owner: El Centro Cristiano Hispano
Mailing Address: 1751 N. 56th Street, Springdale, AR 72762

Area Of The Whole:	13.32± ACS, or 580,242± SF	Permanent Utility Easement:	0.121±
Less: Prescriptive ROW	<u>00.13± AC, or 5,694± SF</u>		AC,
Net Usable Area of Whole	13.19± ACS, or 574,548± SF		5,258± SF

Area Of Remainder:	12.933± ACS, or 563,373± SF	Temporary Construction Easement	0.359± AC, 15,656± SF
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Area Of Acquisition:	0.387± AC, or 16,869± SF
Less Prescriptive ROW:	<u>0.130± AC, or 5,694± SF</u>
Net ROW Acquisition:	0.257± AC, or 11,175± SF

HIGHEST AND BEST USE:

Whole Property As Vacant	Residential Development
Whole Property As Improved	Continued Special Purpose Use
Remainder Property As Vacant	Residential Development
Remainder Property As Improved	Continued Special Purpose Use

ACQUISITION COMPENSATION:

Before

Land: 13.19± ACS @ \$105,000/AC (Rounded)	\$	1,385,000
Improvements: Landscaping, Trees, Signage, Sidewalk	\$	46,500
Total:	\$	1,431,500

After

Land: 12.933± ACS @ \$104,754/AC (Rounded)	\$	1,354,800
Improvements: Cost to Cure	\$	(87,000)
Total	\$	1,267,800

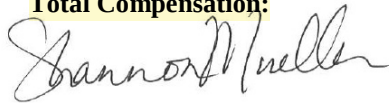
FAIR MARKET VALUE OF ACQUISITION	\$	163,700
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Plus: TCE	\$	7,500
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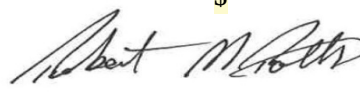
Total Compensation as of: January 9, 2025	\$	171,200
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ALLOCATION OF COMPENSATION

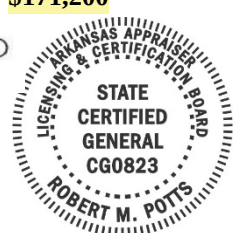
Land: .257± AC @ \$105,000/AC (RND)	\$	27,000
Permanent Utility Easement: .121± AC @ \$105,000/AC (RND) x 25%	\$	3,200
Permanent Drainage Easement: Not Applicable	\$	0
Improvements: Landscaping, Trees, Signage, Sidewalk	\$	46,500
Temporary Construction Easement	\$	7,500
Damages: Not Applicable	\$	0
Cost to Cure Items: Parking, Irrigation, Lighting	\$	87,000
Total Compensation:	\$	\$171,200



Shannon Reed Mueller, MAI, R/W-AC, CG2302
Reed & Associates, Inc.

Robert M. Potts, CG0823
Reed & Associates, Inc.



There is also a 15,656± SF, or 0.359± acre Temporary Construction Easement for the duration of construction. The estimated value of the TCE is calculated as the lease of land for a two-year period. A 10% return is considered applicable. This is based on the RealtyRates.com Investor Survey (see Addenda). Consider the following:

$$.359\pm \text{ AC @ } \$104,754 \text{ @ } 10\% \text{ @ } 2 \text{ Years} = \$7,521$$

Say \$7,500

REMAINDER PROPERTY:

The acquisition will cause the removal of landscaping and parking. Again, the majority of the landscaping has been addressed earlier. However, the underground irrigation system will be relocated near the new west property line, and landscaping will also be added here. Also, ample parking lot and lighting will be relocated to the rear of the east building.

For the relocation of the underground sprinkler system, the cost to cure is estimated at **\$12,000**, based on an estimate from Edwar's & J Landscaping Inc. A copy of this estimate appears in the Addenda of this report.

Next the two front light poles will need to be relocated, and additional lighting will need to be added to the proposed parking area. The cost to cure is estimated at **\$24,863**, based on an estimate from Dynamis. A copy of this estimate appears in the Addenda of this report.

Finally, the cost of adding additional paving/parking is estimated. This will include site preparation, gravel base, asphalt paving, curb and gutters and striped parking. Again, the 20 front spaces will be eliminated by the acquisition, and another 4 spaces will be eliminated due to the relocation of the new drive. Marshall Valuation Service is used as a guide in these estimates. We estimate that between 8,000 – 9,000± SF of asphalt paving will be needed.

COST TO CURE

ITEM	COST PER SPACE	QTY	EXT COST
Engineering	\$200	24	\$4,800
Grading	\$150	24	\$3,600
Drainage	\$275	24	\$6,600
Paving	\$1,400	24	\$33,600
Striping	\$60	24	\$1,440
TOTAL	\$2,085	24	\$50,040

Total of the above costs is \$86,903, Say **\$87,000**.

Barry Jeremiah

From:barry.jeremiah@contractlandstaff.com

To:Eddie Cantu

Cc:Terry McGuire

Tue, Feb 11 at 7:55 PM

Pastor Cantu and Mr. McGuire,

Church response in red. (3/4/2025) to the offer of (\$171200.00)

I spoke with my project manager about the Church's concerns. We discussed that this counteroffer/request you have will be going to the Mayor and City Council. The Mayor will require detailed supporting documentation to back-up your counteroffer. My project manager wants me to convey the following requests to you. (I will list your concern first, then the request in blue)

1. The Church is being compensated for 20 lost parking spaces plus 4 additional spaces that will be lost as a result of the relocated entrance. LO's state that they will lose 8 additional parking spaces for the entrance, not 4. The LO's state the City will need to build an island for the regained parking spaces near the entrance for safety. (LO states the City mandates that for every so many parking spaces there needs to be an island.) Therefore, the Church states they are losing a total of 28 parking spaces and should be compensated for the 4 additional lost spaces.
2. The Church states they cannot touch the engineering cost compensation for the parking relo per space being that they cannot get the 'piece-meal' engineering work completed in the Springdale area for the engineering compensation offered.

(Concerning #1 and #2) The Church needs to supply us with a cost estimate (include concrete island and engineering costs). This is needed as backup for the Mayor/City Council.

The Church is requesting the lost spaces (26) plus 2 spaces to correctly design the egress/ingress drives per SAFE design standards. The island cost is estimated at \$4100.00 (see breakdown below). This should have been considered in the original revised offer (after the City proposed a 5' fence/wall barrier in front of the full width of Church property).

ISLAND COSTING ESTIMATE: 312 S.F. TOTAL +15% = \$4100

--demolition/asphalt cutting = \$800

--concrete curb/gutter 86' = \$1204

--top soil, placement = \$175

--fill material, decorative rock, barrier 256 s.f. = \$896

--shrubs installed = \$485

3. The Church states they are relocating the parking spaces to the NE part of the Church parking area. The Church also owns an adjacent parcel to the South that has access to Bob Mills Road. The Church is wanting to create a new drive, at their own expense, to Bob Mills Road. However, this new drive, along with the reconstruction of the parking spaces, may require large scale requirements per the City.
Whatever the Church decides to do with the new drive to Bob Mills Road, you will need to go through the normal channels and separate from this project. The relocation of the parking spaces is not causing the creation of the new drive to Bob Mills Road; therefore, it is not required because of this acquisition.

It should be pointed out--this drive addition (consideration) is directly related to the 56th. Str. work--as the street will be in VERY poor ingress/egress condition for the Church for a

VERY lengthy extended period. The Church will be clearly impacted in ALL ways by the work. It is reasonable to expect the City to work with the Church (who is the biggest impacted property) on this proposed improvement route section--to attempt to make some corrective options for the Church.

4. The Church is requesting that the City waive all large-scaled requirements (such as but not limited to environmental, drainage, easements, etc.) for any reconstruction of the parking area. Furthermore, the Church requests the City to waive "all" requirements for creating a new drive to Bob Mills Road on the adjacent parcel - after the Church submits a 'simple' site plan for review. As to the waiver, we need something more “specific.” (What kind of waiver, not just a blank slate.) The only thing the City will look at will be directly relating to this transaction (acquisition).

Based on conversations with City staff (meeting on 3/4/2025)--the Church can proceed with parking relocation to the ease side of Church parking lots/east building east side with minimal city requirements (Church is to furnish a signed site layout) for City records-prior to proceeding with work. This requirement meets the Church expectations of requested waivers.

SUMMATION---The Church is requesting an adjustment to the offered amount of the following: (parking spaces lost \$8340 + island costs \$4100 = \$12440.00)

Keep in mind that the counteroffer will go to the Mayor/City Council and require backup and support to state your case.

Let me know if you have any questions.

Thank you,

Barry Jeremiah
Sr. ROW Agent, Arkansas
Contract Land Staff, LLC
Phone: 479-719-7687



RESOLUTION NO. _____

**A RESOLUTION SETTING A HEARING DATE ON A
PETITION TO ABANDON A UTILITY EASEMENT IN THE
CITY OF SPRINGDALE, WASHINGTON COUNTY,
ARKANSAS.**

WHEREAS, New Emma Holdings, LLC, has petitioned for the abandonment of a utility easement on Parcel No. 815-38297-000, said easement having been filed for record in Plat Book 23A at Page 271 in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and said easement to be vacated being more particularly described as follows, and as shown on the attached Exhibit “A”:

UTILITY EASEMENT VACATION DESCRIPTION:

A 20' WIDE UTILITY EASEMENT DEDICATED ON LOT 41 OF WILKINS #6 SUBDIVISION AS SHOWN ON THE FINAL PLAT THEREOF FILED IN BOOK 23A AT PAGE 271, SAID EASEMENT LOCATED IN A PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS S87°15'37"E 273.34' AND N02°20'24"E 398.16' FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34 AND RUNNING THENCE N83°34'02"W 413.57' THENCE N73°11'59"E 50.70' THENCE S93°34'02"E 365.55', THENCE S02°20'24"W 20.05' TO THE POINT OF BEGINNING, CONTAINING 0.18 ACRES, MORE OR LESS.

And as shown on the attached Exhibit “A”.

WHEREAS, the City Council finds that a hearing date should be set on the request to abandon the aforementioned utility easement;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that May 13, 2025, at 6:00 p.m. is 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 of said hearing as required by law.

PASSED AND APPROVED this 8th day of April, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

FIELD WORK
AUGUST 28, 2024

BASIS OF BEARING:
GPS OBSERVATION - AR NORTH ZONE
NAD83(2011) HORIZONTAL DATUM

REFERENCE DOCUMENTS:

- 1) PLAT OF SURVEY FILED IN BOOK 2013 AT PAGE 36637
- 2) REPLAT OF K.C. PROPERTIES OF NW ARKANSAS SUBDIVISION
PHASE 2 FILED IN BOOK 23 AT PAGE 39
- 3) PLAT OF SURVEY FILED IN BOOK 39 AT PAGE 48992
- 4) PLAT OF SURVEY FILED IN BOOK 39 AT PAGE 48993
- 5) FINAL PLAT OF WOODLAND ADDITION
FILED IN BOOK 19 AT PAGE 12
- 6) PLAT OF SURVEY FILED IN BOOK 2005 AT PAGE 22707
- 7) PLAT OF SURVEY FILED IN BOOK 97 AT PAGE 80752
- 8) PLAT OF SURVEY FILED IN BOOK 2017 AT PAGE 9638
- 9) FINAL PLAT OF WILKINS 46 SUBDIVISION
FILED IN BOOK 23A AT PAGE 271
- 10) WARRANTY DEED FILED IN BOOK 2023 AT PAGE 21912

PROPERTY ZONED:
SF-2

BUILDING SETBACKS:

ONE FAMILY (SHOWN):

- FRONT 30R
- SIDE 08R (INTERIOR)
- SIDE 08R (INTERIOR CORNER)
- SIDE 30R (EXTERIOR CORNER)
- REAR 20R

ZERO-LOT LINE:

- FRONT 30R
- SIDE 16R / 06R (INTERIOR)
- SIDE 16R / 06R (INTERIOR CORNER)
- SIDE 30R (EXTERIOR CORNER)
- REAR 20R

CORNER REFERENCE #1:

1. N 82°43'44" W 116.64' TO A STORM MANHOLE
2. N 17°19'19" W 53.72' TO A STREET LIGHT POLE

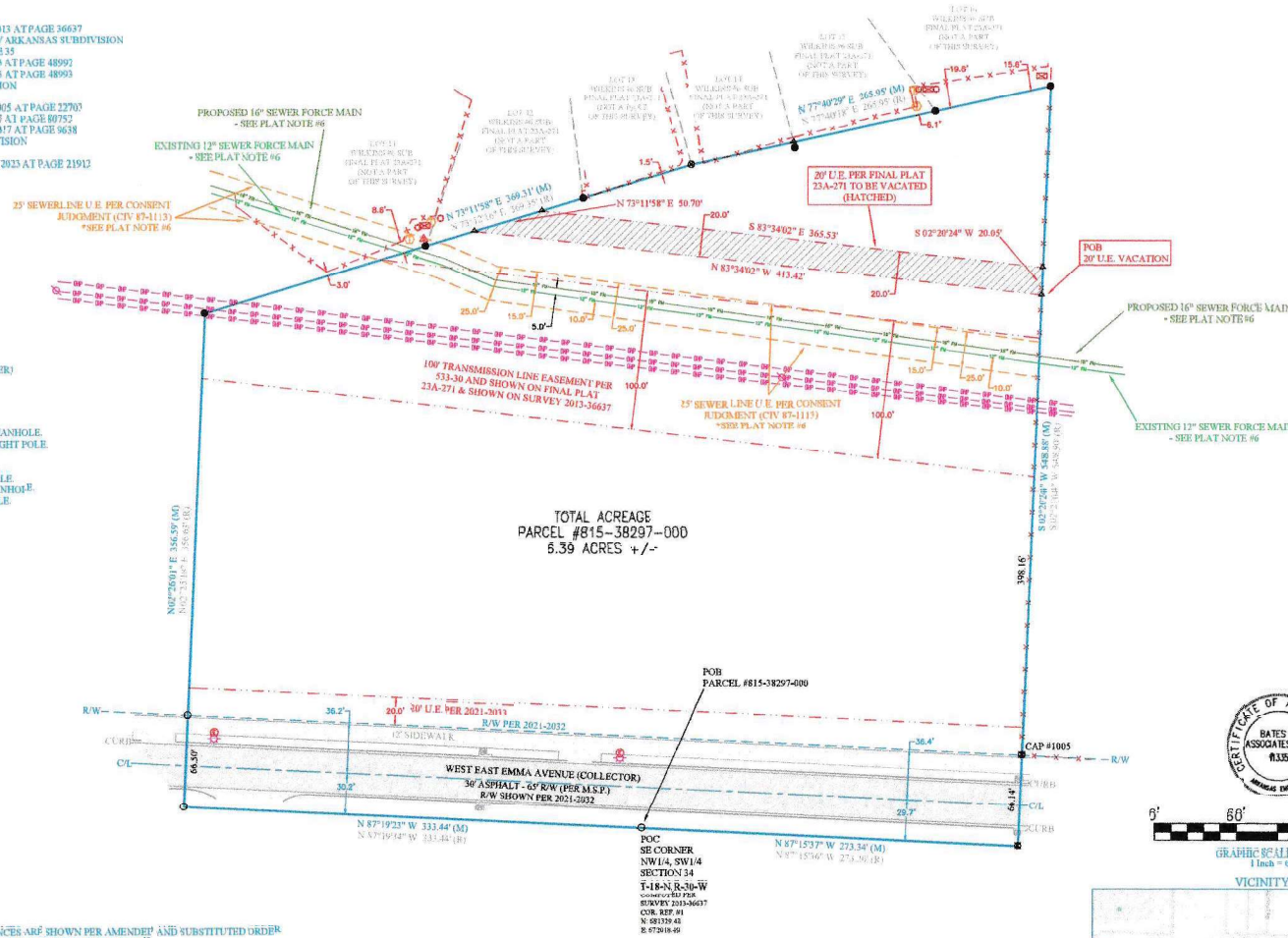
CORNER REFERENCE #2:

1. N 66°21'00" W 46.83' TO A POWER POLE
2. N 87°21'01" E 31.96' TO A SEWER MANHOLE
3. N 87°59'52" E 53.97' TO A POWER POLE

PLAT NOTES:

- 1) RECORD (R) BEARINGS AND DISTANCES ARE SHOWN PER AMENDED AND SUBSTITUTED ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT 2024-0943
- 2) SOME FEATURES AND/OR SYMBOLS ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR VISUAL CLARITY.
- 3) THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES, GIS, AND/OR UTILITY MAPS PROVIDED BY LOCAL UTILITY COMPANIES. NOT ALL UTILITY COMPANIES MAY HAVE RESPONDED TO OUR REQUEST FOR MAPS AND/OR INFORMATION. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDEGROUND, NEED TO BE VERIFIED PRIOR TO GOING ANY TYPE OF EXCAVATION OR DESIGN. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.
- 4) PER AMENDED AND SUBSTITUTED ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT IN 2024-0943, CASE NO. 24CV-22-006, THE SURVEYED PROPERTY IS NO LONGER SUBJECT TO THE 19' PEDESTRIAN EASEMENT SHOWN ON THE FINAL PLAT OF WILKINS 46 SUBDIVISION (23A-271).
- 5) THIS PROPERTY CURRENTLY HAS NO ACCESS TO SPRINGDALE WATER OR A PUBLIC SANITARY SEWER TRAVEL MAIN PER SPRINGDALE GIS.
- 6) THE EXISTING 12" SEWER FORCE MAIN AND PROPOSED 16" SEWER FORCE MAIN LOCATIONS ARE SHOWN PER FILES PROVIDED BY SPRINGDALE WATER UTILITIES. THE EXISTING 23' CONSENT JUDGMENT EASEMENT IS SHOWN AS BEING 18' NORTH AND 10' SOUTH OF THE EXISTING 12" FORCE MAIN AS DESCRIBED IN THE EASEMENT DOCUMENT.

NEW EMMA HOLDINGS LLC UTILITY EASEMENT VACATION EXHIBIT



GRAPHIC SCALE (IN FEET)
1 inch = 60'

VICINITY MAP



RECORDING NUMBER DATE
2024-0943

LEGEND:
EXISTING 12" SEWER FORCE MAIN
PROPOSED 16" SEWER FORCE MAIN
20' U.E. PER FINAL PLAT 23A-271 TO BE VACATED (HATCHED)
POB
CAP
STORM MANHOLE
STREET LIGHT POLE
POWER POLE
SEWER MANHOLE

LEGEND:
EXISTING 12" SEWER FORCE MAIN
PROPOSED 16" SEWER FORCE MAIN
20' U.E. PER FINAL PLAT 23A-271 TO BE VACATED (HATCHED)
POB
CAP
STORM MANHOLE
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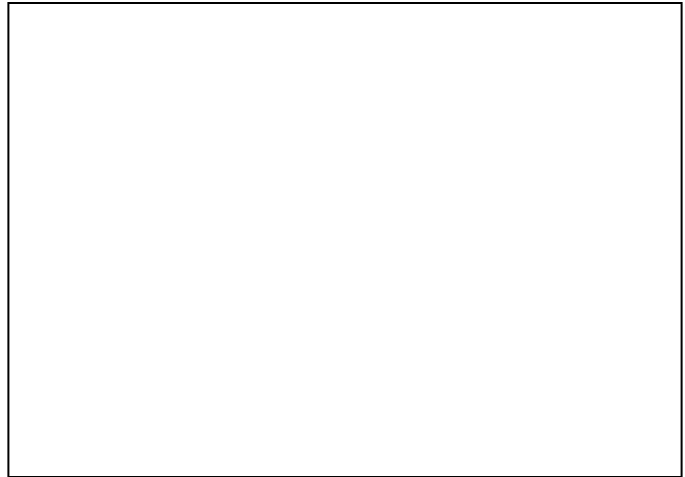
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LEGEND:
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PROPOSED 16" SEWER FORCE MAIN
20' U.E. PER FINAL PLAT 23A-271 TO BE VACATED (HATCHED)
POB
CAP
STORM MANHOLE
STREET LIGHT POLE
POWER POLE
SEWER MANHOLE

DRAWING #13-196 U.E. VAC. EXHIBIT 2025

ORDINANCE NO. _____

**AN ORDINANCE VACATING A
PORTION OF A DEDICATED
PUBLIC STREET KNOWN AS
SUCCESS AVENUE, PURSUANT TO
ARK. CODE ANN. §14-301-301, *et seq.*
DECLARING AN EMERGENCY; AND
FOR OTHER PURPOSES.**



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

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

Generally located between Parcel No. 815-27634-000 and Parcel No. 815-27634-003.
And as shown on the attached Exhibit "A".

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 and has ascertained that the portion of the street herein described has heretofore been dedicated to the public use for a street;

WHEREAS, all owners of property abutting the portion of street herein described have filed their written consent to the abandonment and vacating of the portion of the street herein described; and

WHEREAS, public interest and welfare will not be adversely affected by the abandonment of the portion of the street 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 right-of-way interests, with the rights of the public generally, in and to a portion of a dedicated public street 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: The Council further finds that pursuant to Arkansas law, upon abandonment of this right-of-way, the ownership of the property where the right-of-way is located as shown on the plat, shall vest in the owners of the real estate abutting thereon, with each such abutting owner taking title to the center line of the right-of-way so abandoned, and the ownership shall be free from the easement of the City for public use as a street. Provided, however, that the City of Springdale will retain the rights of any utility/drainage easements which may exist across this property.

Section 4: 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 8th day of April, 2025.

Doug Sprouse, Mayor

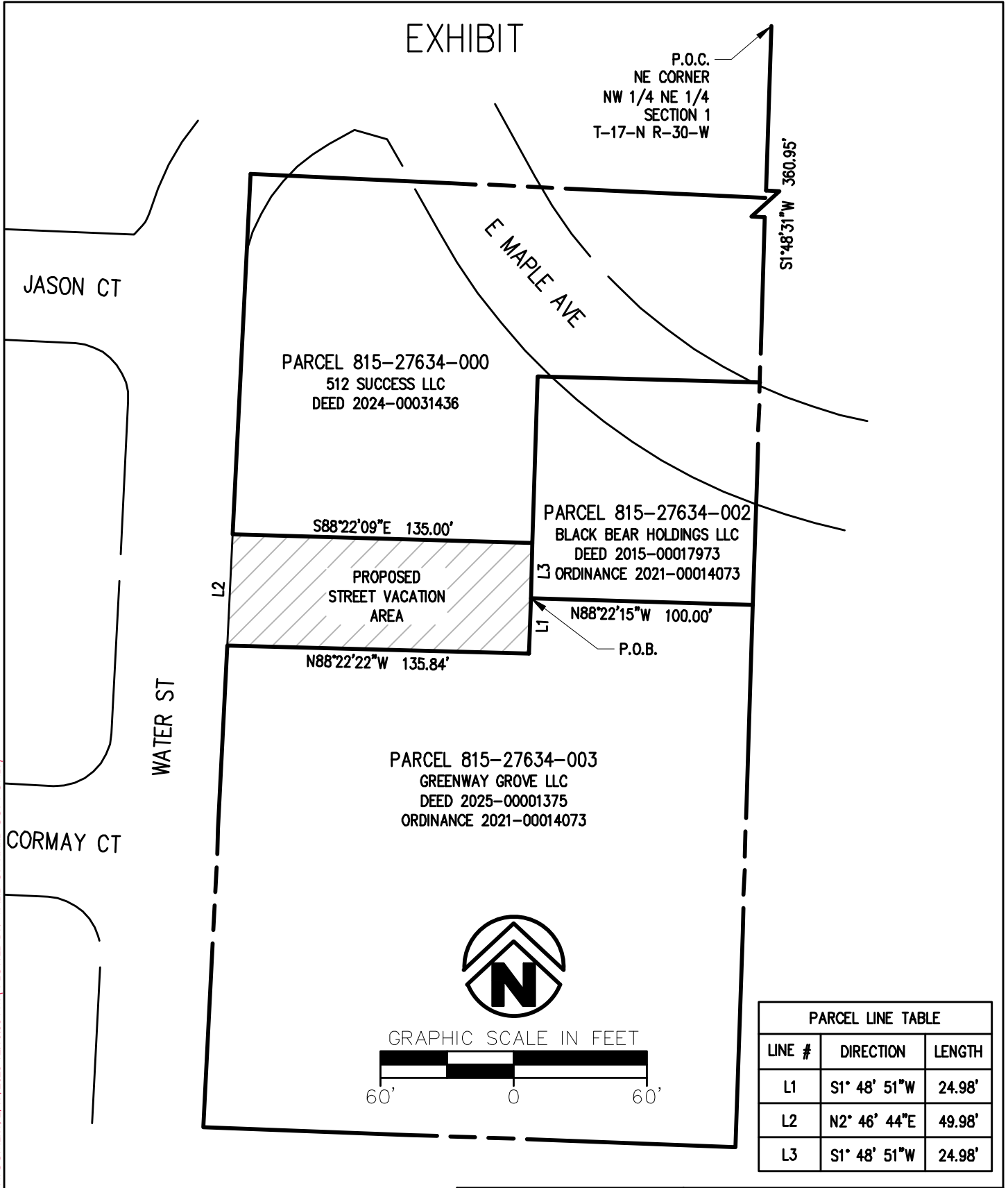
ATTEST:

Sabra Jeffus, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

DRAWING: G:\24110800-WATERSTH-INFRASTRUCTURE\SURVEY\DWG\RW VAC EXHIBIT.DWG
LAYOUT: ---, LAST SAVED: KM676, 2/17/2025 12:10:02 PM
LAST PLOTTED BY: KEVIN MONTGOMERY, 2/17/2025 12:10:33 PM ("PLOTTED BY:" VALID ON HARD COPY ONLY)



PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S1° 48' 51"W	24.98'
L2	N2° 46' 44"E	49.98'
L3	S1° 48' 51"W	24.98'

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

PROJECT NO.: 24110800	
DRAWN BY:	DATE: 02/17/2025
SHEET: 1 OF 1	CHECKED:

901 N. 47th St, Suite 400
Rogers, Arkansas 72756

**Crafton Tull**

479.636.4838 t
www.craftontull.com

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ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 6070 (AMENDING ORDINANCE NO. 6037 “APPROVING THE PRIVATE CLUB PERMIT FOR RAISE THE BAR FOUNDATION AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMITS FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED AND FOR OTHER PURPOSES; AND DECLARING AN EMERGENCY”) TO ADD AN EMERGENCY CLAUSE.

WHEREAS, the City Council for the City of Springdale, Arkansas passed Ordinance No. 6070 on March 25, 2025, which amended Ordinance No. 6037, and approved the Private Club Permit for **Krista Boling**, as manager for **Raise the Bar Foundation**, located at 202 E Emma Avenue, Suite 109, Springdale, Arkansas 72764, as required per Ark. Code Ann. §3-9-222;

WHEREAS, the City Council finds that the amendment to Ordinance No. 6037 is of importance to the proper administration and enforcement of city ordinances, and should therefore take effect immediately;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINDGALE, ARKANSAS, that Ordinance No. 6070 is hereby amended to add an Emergency Clause.

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 8th day of April, 2025.

Doug Sprouse, Mayor

ATTEST:

Sabra Jeffus, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

ORDINANCE NO. 6070

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

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

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

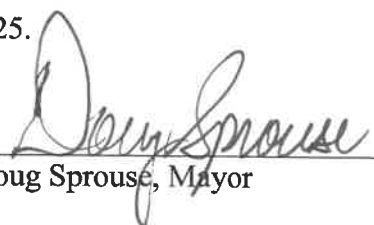
WHEREAS, the City Council for the City of Springdale wishes to reaffirm all other aspects of Ordinance No. 6037.

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

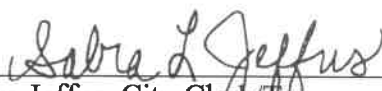
Section 1: Ordinance No. 6037 is hereby amended, and the application for private club permit is hereby approved for **Krista Boling**, as manager for **Raise the Bar Foundation**, located at 202 E Emma Avenue, Suite 109, Springdale, Arkansas 72764.

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

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


Doug Sprouse, Mayor

ATTEST:


Sabra Jeffus, City Clerk/Treasurer

APPROVED AS TO FORM:


Ernest B. Cate, City Attorney



The City Council of the City of Springdale met in regular session on Tuesday, March 25, 2025 in the Council Chambers, City Administration Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Brian Powell	Ward 3, Position 1
Amelia Taldo	Ward 4, Position 1 (absent)
Jeff Watson	Ward 3, Position 2
Mike Overton	Ward 2, Position 1
Mike Lawson	Ward 1, Position 1 (absent)
Aaron Huntley	Ward 2, Position 2
Randall Harriman	Ward 1, Position 2 (absent)
Mark Fougerousse	Ward 4, Position 2 (joined via Zoom)
Ernest Cate	City Attorney
Sabra Jeffus	City Clerk/Treasurer (Absent)

Department heads present:

Mike Chamlee	Buildings Director
Colby Fulfer	Chief of Staff
Jeff Taylor	Police Captain
Blake Holte	Fire Chief
Anna McKinney	Executive Operations Manager
Ryan Carr	Director of Engineering
Sharon Tromburg	Asst Director of Planning
Ron Findley	Director of Neighborhood Services
James Smith	Airport Director/Public Works Director

CITIZEN COMMENTS

Debbie Sauls-Leahy, residing at 806 N Pleasant in Springdale, and her daughter voiced their concerns about businesses operating in residential areas, specifically homes located at 808 & 810 N Pleasant, 229 N West End and 704 Rondale.

City Attorney, Ernest Cate, responded in regards to 808 N. Pleasant, stating a citation has been issued to the owners for storing a commercial vehicle on residential property. A court date has been set for April 1, 2025.

APPROVAL OF MINUTES

Council Member Overton moved the minutes of the March 11, 2025 City Council meeting be approved as presented. Council Member Powell made the second.

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

PROCLAMATION from the Office of the Mayor

Mayor Doug Sprouse read a Proclamation from the Office of the Mayor, recognizing the 100th Anniversary of the Rotary Club of Springdale.

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Overton 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 Huntley made the second.

City Attorney Ernest Cate explained that a 2/3 vote is required to pass this procedural motion. The Mayor is allowed to vote.

After the vote was taken, motion carried 6-0, including all 5 council members and Mayor Sprouse.

Cate added that there are several Ordinances on the Agenda that include Emergency Clauses. Those cannot be voted on with just 5 council members present and the Mayor cannot vote on those. If any applicant desires the emergency clause, a request can be submitted at the next City Council Meeting, to be held April 8, 2025. Otherwise, the Ordinances will go into effect 30 days from today. Each applicant will have the opportunity to choose.

City Attorney Ernest Cate stated that two items on the agenda will need to be tabled, a Resolution and an Appeal, items 9 & 10. Those will be addressed later in the meeting.

PLANNING DEPARTMENT

ORDINANCE NO. 6065 – AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-11) CERTAIN LANDS LOCATED AT 3446 WAGON WHEEL ROAD FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) WITHIN SPRINGDALE, ARKANSAS.

Planning Director Sharon Tromburg presented the Ordinance. The property consists of 3.14 acres.

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 5-0.

The owner stated the tenant’s lease begins June 1, 2025, so the 30-day effective date of the Ordinance is acceptable to him. No Emergency Clause needed.

The Ordinance was numbered 6065

ORDINANCE NO. 6066 – AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-12) CERTAIN LANDS LOCATED AT EAST OF 8692 EAST WAGON WHEEL ROAD FROM AGRICULTURAL DISTRICT (A-1) TO LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) WITHIN SPRINGDALE, ARKANSAS.

Sharon Tromburg presented the Ordinance. The property consists of 1.65 acres.

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

After the vote was taken, motion carried 5-0.

The property owner was present and the 30-day effective date is acceptable to her. No Emergency Clause needed.

The Ordinance was numbered 6066.

ORDINANCE NO. 6067 - AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-14) CERTAIN LANDS LOCATED AT 5720 E. WHARTON ROAD FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) WITHIN SPRINGDALE, ARKANSAS.

Sharon Tromburg read and presented the Ordinance. The property consists of 55.7 acres and was recently annexed into the City of Springdale. Planning Commission was in favor of the Ordinance, voting 9-0.

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

After the vote was taken, motion carried 5-0.

The property owner was present and the 30-day effective date is acceptable to them. No Emergency Clause needed.

The Ordinance was numbered 6067

ORDINANCE NO. 6068 - AMENDING ORDINANCE NO. 3307, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R25-16) CERTAIN LANDS LOCATED AT 1600 W. GRAHAM ROAD FROM AGRICULTURAL DISTRICT (A-1) TO INSTITUTIONAL DISTRICT (P-1) WITHIN SPRINGDALE, ARKANSAS.

Sharon Tromburg read and presented the Ordinance. The property consists of 4.88 acres.

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

After the vote was taken, motion carried 5-0.

The property owner was present and the 30-day effective date is acceptable to them. No emergency clause needed.

The Ordinance was numbered 6068

ORDINANCE NO. 6069 - ACCEPTING THE REPLAT (RP25-02) OF LOTS 7 & 8 BUTTERFIELD COACH RETAIL PARK TO THE CITY OF SPRINGDALE, ARKANSAS.

Sharon Tromburg read and presented the Ordinance. This request would combine 2 parcels into 1, consisting of a total of 2.93 acres.

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

After the vote was taken, motion carried 5-0.

The property owner was present and they will request for an Emergency Clause at the next City Council Meeting on April 8, 2025.

The Ordinance was numbered 6069

RESOLUTION NO. 47 – 25, APPROVING A WAIVER (W25-06) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO GENARO TRUJILLO IN CONNECTION WITH 4255 KELLY ROAD, A SINGLE-FAMILY DWELLING.

Sharon Tromburg read and presented the Resolution.

RESOLUTION NO. 47-25

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

WHEREAS, Ordinance #3047 provides for the waiver (W25-06) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver (W25-06) of street improvements to Kelly Road related thereto sidewalks in connection with 4255 Kelly Road, a single-family dwelling, and the Planning Commission recommends approval of the waiver request.

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

Option 1: Grants a waiver of street improvements to Kelly Road, including improvements related thereto, sidewalks in connection with 4255 Kelly Road, a single-family dwelling.

Council Member Fougrouse moved the Resolution be adopted, **Option 1**. Council Member Powell made the second.

After the vote was taken, motion carried 5-0.

The Resolution was numbered 47-25.

RESOLUTION NO. 48 – 25, APPROVING A WAIVER (W25-09) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO VERONICA GARCIA IN CONNECTION WITH 116 SUTTLE DRIVE, A SINGLE-FAMILY DWELLING.

Sharon Tromburg read and presented the Resolution.

RESOLUTION NO. 48-25

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

WHEREAS, Ordinance #3047 provides for the waiver (W25-09) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver (W25-09) of street improvements to Suttle Drive, including improvements related thereto, sidewalks in connection with 116 Suttle Drive, a single-family dwelling, and the Planning Commission recommends approval of the waiver request.

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

Option 1: Grants a waiver of street improvements to Suttle Drive, including improvements related thereto, sidewalks in connection with 116 Suttle Drive, a single-family dwelling.

Council Member Powell moved the Resolution be adopted, **Option 1.** Council Member Fougousse made the second.

After the vote was taken, motion carried 5-0.

The Resolution was numbered 48-25.

REQUEST TO TABLE

City Attorney Ernest Cate stated that Items #9 & #10, a Resolution and an Appeal, need to be tabled until the City Council Meeting on April 22, 2025.

Item #9, a Resolution approving a waiver (W25-05) of street improvements, drainage, curbs, gutters, sidewalks, and street lights as set forth in ordinance No. 3725 to HKH Residence Trust in connection with LS24-24, an informal plat.

A motion to table the Resolution until April 22, 2025, was made by Council Member Overton and Council Member Fougousse seconded the motion.

After the vote was taken, the motion passed 5-0.

Item #10, an Appeal of the Planning Commission's denial of a Variance request (B25-02) for HKH Residence Trust at 8781 W. Miller Rd for dedication of Right of Way.

A motion to table the Appeal until April 22, 2025, was made by Council Member Watson and Council Member Powell seconded the motion.

After the vote was taken, the motion passed 5-0.

COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

All items were forwarded from Committee with recommendation for approval.

RESOLUTION NO. 49 – 25, ADOPTING AND APPROVING THE 2025 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mayor Sprouse read the Resolution.

RESOLUTION NO. 49-25

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

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

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

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

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

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

After the vote was taken, motion carried 5-0.

The Resolution was numbered 49-25.

FINANCE COMMITTEE

All resolutions were forwarded to City Council with recommendation for approval.

RESOLUTION NO. 50 – 25, AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT FOR DON TYSON PARKWAY AND I-49 SOUTHBOUND SIGNAL PROJECT NO 23BPS9.

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

RESOLUTION NO. 50-25

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

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

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

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

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

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

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

After the vote was taken, motion carried 5-0.

The Resolution was numbered 50-25.

RESOLUTION NO. 51 – 25, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION PHASE SERVICES ON DON TYSON PARKWAY AND I-49 SOUTHBOUND SIGNAL, PROJECT NO. 23BPS9.

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

RESOLUTION NO. 51-25

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

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

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

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

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

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

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

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

After the vote was taken, motion carried 5-0.

The Resolution was numbered 51-25

POLICE AND FIRE COMMITTEE

Chairman Brian Powell stated one Resolution was forwarded from Committee to Council with recommendation for approval.

RESOLUTION NO. 52 – 25, APPROVING AN AUTOMATIC MUTUAL AID AGREEMENT BETWEEN THE CITY OF TONTITOWN FIRE DEPARTMENT AND THE CITY OF SPRINGDALE FIRE DEPARTMENT.

Brian Powell read the Resolution

RESOLUTION NO. 52-25

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

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

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

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

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

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

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

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

After the vote was taken, motion carried 5-0.

The Resolution was numbered 52-25

ORDINANCE NO. 6070 - AMENDING ORDINANCE NO. 6037 “APPROVING THE PRIVATE CLUB PERMIT FOR RAISE THE BAR FOUNDATION AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMITS FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED AND FOR OTHER PURPOSES.

Ernest Cate presented the Ordinance. A request for the Emergency clause will be presented at the City Council meeting on April 8, 2025, to expedite the Ordinance.

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 5-0.

The Ordinance was numbered 6070.

DISCUSSION on the first City Council Committee Meeting in April, 2025

Mayor Sprouse held a discussion in regards to the first City Council Committee meeting in April, 2025.

Council Member Overton made a motion to move the Council Committee meeting to Monday, March 31, 2025, to avoid having a committee meeting the night before the first City Council Meeting. Council Member Watson seconded the motion.

After the vote was taken, motion carried 5-0

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:56 p.m.

Doug Sprouse, Mayor

Sabra Jeffus, City Clerk/Treasurer