

- The 2022 City of Springdale Budget Meeting will be held on Friday, December 3rd, 2021 beginning at 8:00a.m in the Tactical Training Room in the Criminal Justice Building (2nd floor).
- The next Committee Meeting will be held on Monday, December 6th, 2021 in the Tiered Training Room located at 201 Spring Street, Springdale, Arkansas.
- Committee agendas will be available on the Friday before this meeting.

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
TIERED TRAINING ROOM
2ND FLOOR OF NEW CRIMINAL JUSTICE BUILDING
Tuesday, November 23rd, 2021**

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance
Invocation – Jeff Watson

6:00 p.m. **OFFICIAL AGENDA**

1. *Large Print* agendas are available.
2. Call to Order – Mayor Doug Sprouse
3. Roll Call – Denise Pearce, City Clerk/Treasurer
4. Recognition of a Quorum.
5. Recognition of Retiring Fire Chief Mike Irwin- Presented by Mayor Doug Sprouse.
6. **A Public Hearing** on a proposed simultaneous detachment and annexation of land between the City of Springdale and the City of Cave Springs. Presented by Ernest Cate, City Attorney. **Pgs. 1-6**
7. **A Public Hearing** on a petition to vacate a portion of a utility easement in the Worth Lane Commercial Park Subdivision. Presented by Ernest Cate, City Attorney.
8. **A Public Hearing** on a proposed annexation of surrounded lands pursuant to Ark. Code Ann. §14-40-501, et seq. Presented by Ernest Cate, City Attorney.
9. 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.
10. Approval of Minutes – November 9th, 2021: **Minutes located at the back of Agenda. Pgs. 58-66**
11. 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) **12A-C, 14, 15, 16, and 17.** Motion must be approved by two-thirds (2/3) of the council members).*

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

- A. **An Ordinance** amending Ordinance No. 5653 to correct a Scrivener's Error; the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands located at 5324 Elm Springs Road from Agricultural District (A-1) to Thoroughfare Commercial District (C-5) and declaring an emergency. Presented by EarthPlan Design Alternatives. Pgs. 7-8
- B. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands located at 2717 E. Emma Avenue from Agricultural District (A-1) to Institutional District (P-1) and declaring an emergency. Presented by EarthPlan Design Alternatives. Pgs. 9-12
- C. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands located at 803 Quandt from Low/Medium Density Single Family Residential District (SF-2) to Neighborhood Office District (O-1) and declaring an emergency. Presented by James R. Baker. Pgs. 13-15
- D. **A Resolution** approving a Conditional Use for City Point Church at 803 Quandt as set forth in Ordinance No. 4030. Presented by James R. Baker. Pgs. 16-17
- E. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks as set forth in Ordinance No. 3725 to Jim and Betty Cash in connection with LS20-54 a Tandem Lot Split. Presented by Satterfield and Jim Cash. Pgs. 18-19
- F. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks as set forth in Ordinance No. 3725 to Ray Hathaway in connection with 13294 Robbins Road, a Single Family Dwelling. Presented by Ray Hathaway. Pgs. 20-21
- G. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks as set forth in Ordinance No. 3725 to I-49 Industrial Park in connection with L21-34 a Large Scale Development. Presented by Morrison-Shiple and Crossland Realty. Pgs. 22-23

13. Finance Committee by Chairman Jeff Watson

A Resolution authorizing the Mayor and the City Clerk to enter into a lease agreement with Northwest Arkansas Food Bank, Inc., on property owned by the City of Springdale. Forwarded from Committee with recommendation for approval. Pgs. 24-31

- 14. **An Ordinance** releasing, vacating, and abandoning a portion of a Utility Easement on property in the City of Springdale, Washington County, Arkansas, to declare an emergency and for other purposes. Presented by Ernest Cate, City Attorney. Pgs. 32-34
- 15. **An Ordinance** annexing certain lands pursuant to Ark. Code Ann. §14-40-501, et. seq. Presented by Ernest Cate, City Attorney. Pgs. 35-39
- 16. **An Ordinance** authorizing the City Clerk to file a Lien for the razing and removal of a structure within the City of Springdale, Arkansas, located at 1205 Crutcher Street, Springdale, Arkansas,; and declaring an emergency. Presented by Ernest Cate, City Attorney. Pgs. 40-42

17. **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 and declaring an emergency. Presented by Ernest Cate, City Attorney. Pgs. 43-57
18. Comments from Council Members.
19. Comments from City Attorney.
20. Comments from Mayor.
21. Adjournment.



Randall J. Noblett | Mayor P.O. Box 36 | 134 N. Main Street Cave Springs, AR. 72718
Office: (479) 248-1040 | Fax: (479) 248-7521 | Cell: (479) 644-3149 | Email: randall.noblett@cavespringsar.gov

September 30, 2021

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

Re: *Proposed Detachment and Annexation - Blue Ribbon*

Dear Mayor Sprouse,

The City of Cave Springs was approached by landowners, by and through a company known as “Blue Ribbon” which is a landscaping and trucking services company, about a simultaneous detachment and annexation of property from the City of Springdale to the City of Cave Springs. The entire property of concern to Blue Ribbon consists of land that lies in the cities of Cave Springs and Springdale as well as Benton County. Blue Ribbon expressed to the City of Cave Springs that a development involving three different jurisdictions would raise significant issues and that they desired to request this simultaneous detachment and annexation process in order to bring the development within one single jurisdiction. I am sure that you are aware that the property at issue which now lies within the City Springdale used to be within the boundaries of the City of Cave Springs, but through a similar simultaneous detachment and annexation process a few years ago, was brought into the City of Springdale. I am aware of several instances where the City of Cave Springs and the City of Springdale have cooperated with regard to boundary properties between the two cities and we remain committed to continuing to do so in the future.

In conformance with the statutory requirements, the Cave Springs City Council at the September 27, 2021 regular meeting, adopted an ordinance setting the process in motion. A certified copy of the ordinance is enclosed with this letter.

It is my request that you put this matter before your City Council for consideration. The statutory process includes a requirement for a public hearing within sixty (60) days of the passage of the Cave Springs ordinance and before the Springdale City Council considers an ordinance authorizing the detachments. There will be a need to coordinate with the City of Cave Springs with regard to this hearing as the statute requires the City of Cave Springs to publish a notice of that hearing. I have asked our City Attorney, Justin Eichmann, to assist with this coordination. Also, Blue Ribbon has been represented by Mr. Scott Law with the law firm of Quattlebaum, Grooms & Tull, PLLC with regard to this matter.

I very much appreciate your attention to this matter. Please do not hesitate to contact me if there are any questions or concerns.

September 30, 2021

Page 2

Sincerely,

A handwritten signature in black ink that reads "Randall J. Noblett". The signature is written in a cursive style with a large, stylized "R" and a long, sweeping underline.

Randall J. Noblett, Mayor

Encl.

cc: Mr. R. Justin Eichmann
Mr. Scott M. Lar



L202173038 9/29/2021 2:15:30 PM
Recorded - Benton County, AR
Brenda DeShields, Circuit Clerk

ORDINANCE NO. 2021- 35

CITY OF CAVE SPRINGS, BENTON COUNTY, ARKANSAS

AN ORDINANCE PROPOSING THE DETACHMENT OF CERTAIN TERRITORY FROM THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS AND THE ANNEXATION THEREOF INTO THE CITY OF CAVE SPRINGS, BENTON COUNTY, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF CAVE SPRINGS.

WHEREAS, the owners of the lands described below which are located within the city limits of the City of Springdale, Benton County, Arkansas, have requested the detachment of the territory from the City of Springdale and the annexation of same into the City of Cave Springs; and

WHEREAS, at the request of the owners and in order to assist the owners in obtaining needed municipal services, pursuant to Ark. Code Ann. § 14-40-2101, the City Council of the City of Cave Springs desires to detach certain contiguous territory located within the City of Springdale as more particularly described below (the "Proposed Detached Territory") from the City of Springdale and annex the same into the City of Cave Springs to become part and parcel of the municipal limits of the City of Cave Springs; and

WHEREAS, the City Council of the City of Cave Springs has determined that the Proposed Detached Territory is appropriate to allow the best route for the owner to extend to water, sewer, and other municipal services and that the territory is valuable and needed by reason of its adaptability for prospective municipal purposes; and

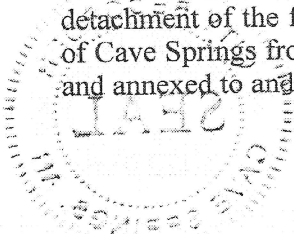
WHEREAS, the owners have properly coordinated with the Arkansas GIS Office as required by Ark. Code. Ann. § 14-56-101; and

WHEREAS, the owners wish the Proposed Detached Territory to be annexed into the City of Cave Springs as zoning district A-1 in accordance with the Cave Springs City Code; and

WHEREAS, the City Council has determined that the public interest and welfare will not be adversely affected by the requested zoning.

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Cave Springs, as follows:

Section 1. The City Council of the City of Cave Springs calls for the simultaneous detachment of the following described lands and territory contiguous and adjoining the City of Cave Springs from the City of Springdale and that the same be hereby accepted as part of and annexed to and made a part of the City of Cave Springs:



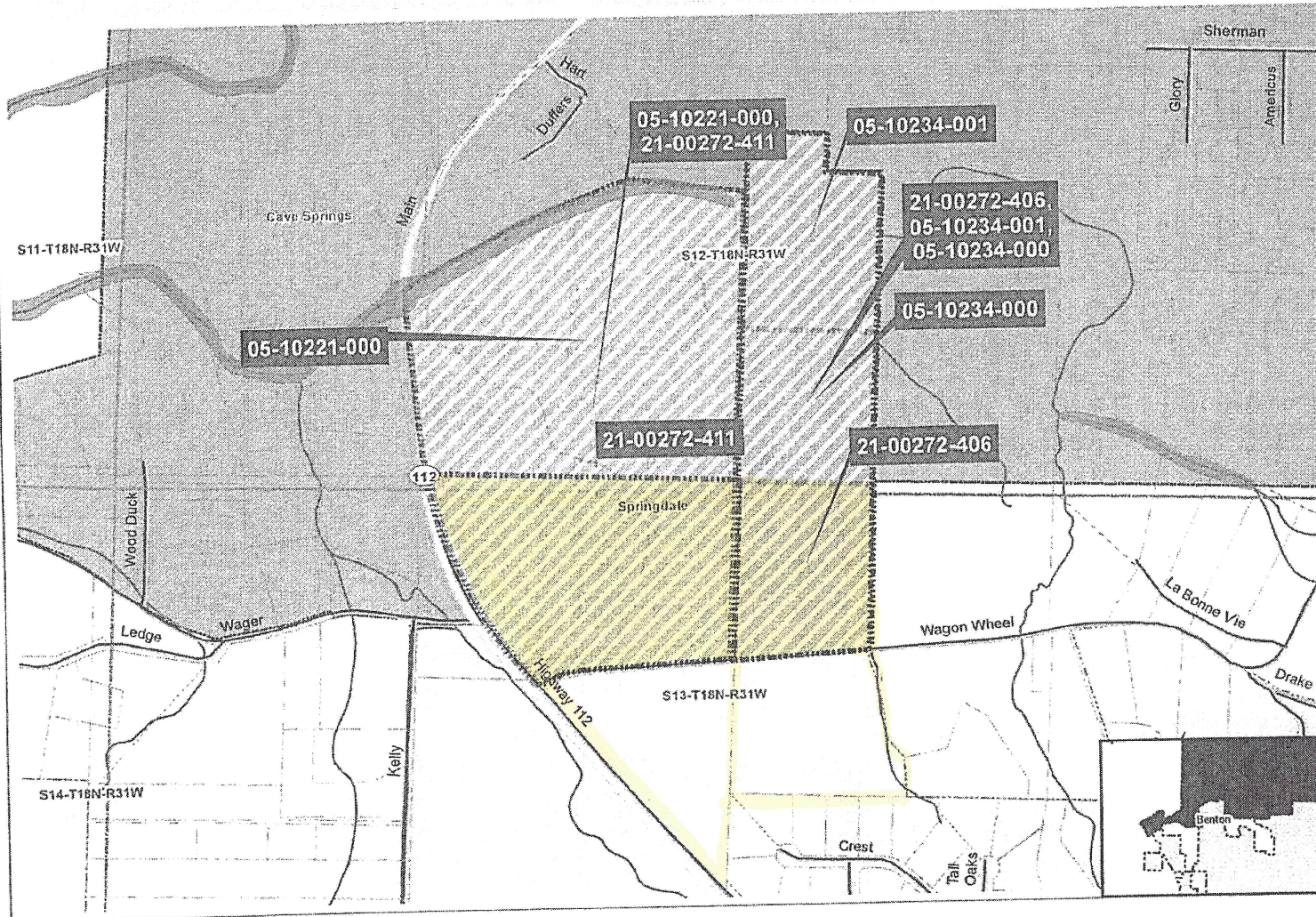
User Name: CLAUDIA
 CERTIFICATE OF RECORD
 STATE OF ARKANSAS, COUNTY OF BENTON
 I hereby certify that this instrument was
 Filed and Recorded in the Official Records
 L202173038 9/29/2021 2:15:30 PM
 City: Cave Springs
 Mayor: Randy Noble
 Brenda D. [unclear] Clerk
 BENTON CO, AR FEE \$40.00

**Proposed simultaneous detachment from Springdale with annex to Cave Springs
 September 2021**

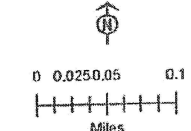
Arkansas Code 14-40-101.

Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



- Proposed Annex
- Sections
- Parcels
- State Route
- Highway
- Minor Road
- River Plowline
- Smaller Water Bodies
- Existing City
- Neighboring City



ARKANSAS
 GIS OFFICE

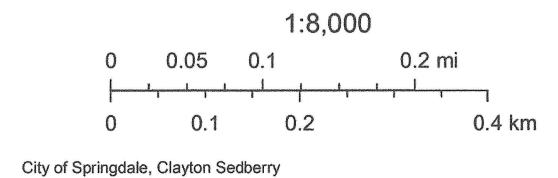
H:\City_Annexations\Cities\Cave_Springs\20210929

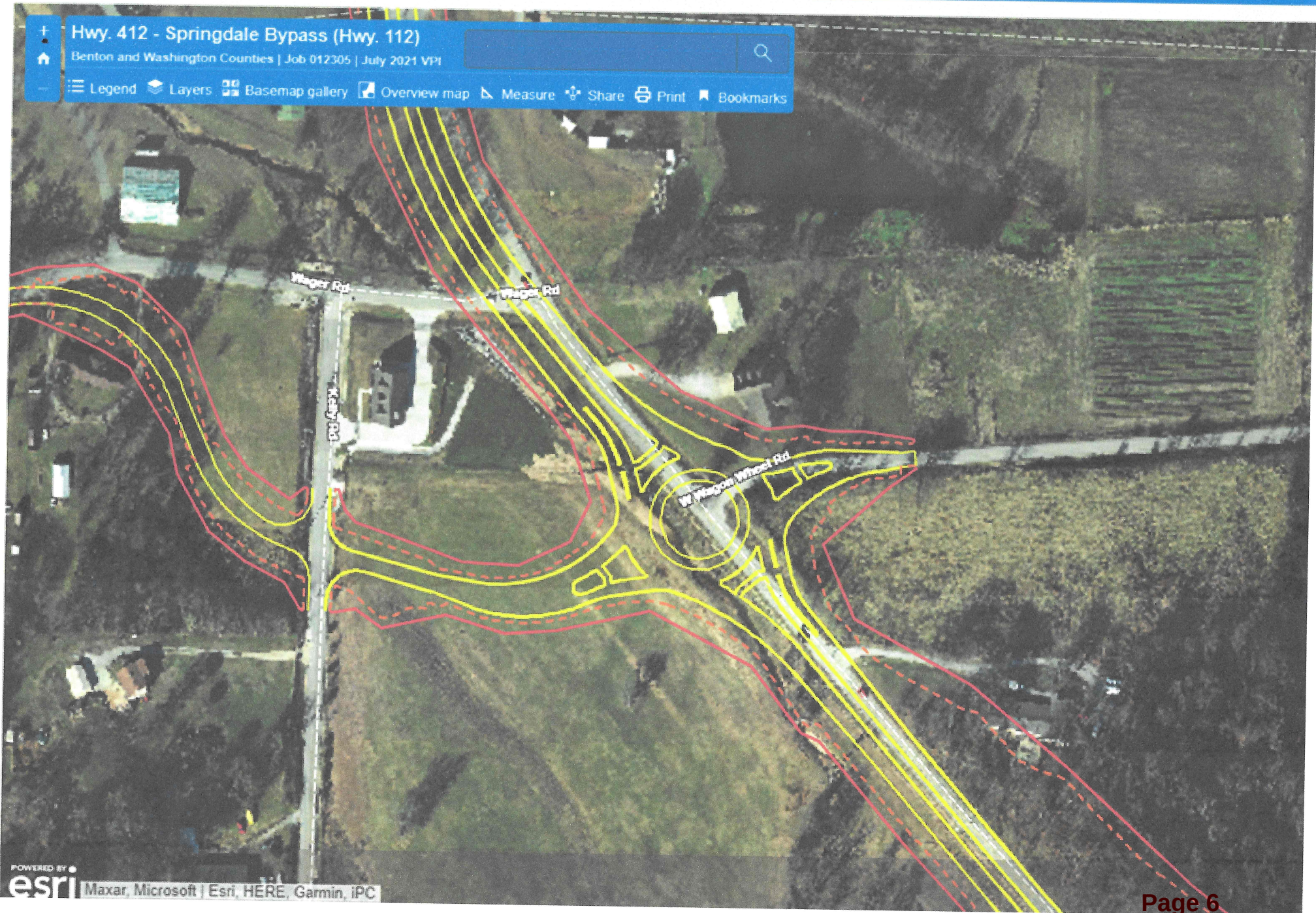
City of Springdale Zoning Map

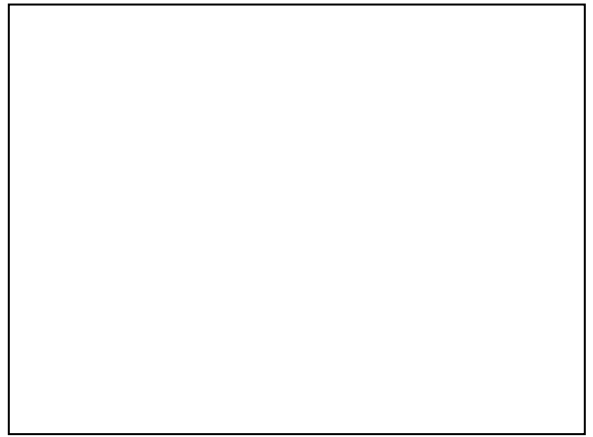


November 12, 2021

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







ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 5653 TO CORRECT A SCRIVENER'S ERROR; THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) AND DECLARING AN EMERGENCY.

WHEREAS, the City Council for the City of Springdale, Arkansas, passed Ordinance No. 5653 on the 27th day of October 2021, which amended the zoning ordinance for the City of Springdale by rezoning certain lands be zoned from Agricultural District (A-1) to Thoroughfare Commercial District (C-5).

WHEREAS, Ordinance No. 5653 contained a scrivener's error by incorrectly stating the legal description of the property subject to the rezoning; and

WHEREAS, Ordinance No. 5653 should be amended to correct the legal description of the property rezoned by Ordinance No. 5653, as follows:

Layman's Description: 5324 Elm Springs Road

Legal Description: A part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section Thirty-Three (33), Township Eighteen (18) North, Range Thirty (30) West, being more particularly described as follows: From the Southeast (SE) corner of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirty-Three (33), run North 88 degrees 25 minutes 43 seconds West along the Forty (40) line 330 feet to the Point of Beginning, and running thence North 88 degrees 25 minutes 43 seconds West along the same Forty (40) line 165.0 feet; thence North 1 degree 11 minutes 37 seconds East 660.0 feet; thence South 88 degrees 25 minutes 43 seconds East 345.0 feet; thence South 1 degree 11 minutes 37 seconds West 230.00 feet, thence North 88 degrees 25 minutes 43 seconds West 180 feet; thence south 1 degree 11 minutes 37 seconds West 430 feet to the Point of Beginning, and containing 3.45 acres, more or less, subject to The Elm Springs Road Right-of-Way along the South property line, and subject to any other easements of record.

With said lands more commonly known as 5324 Elm Springs Rd., Springdale, Arkansas 72762-7864.

THIS DEED IS MADE TO CORRECT A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION CONTAINED IN THE EXECUTRIX'S DEED DATED OCTOBER 4, 2013, AND FILED FOR RECORD OCTOBER 7, 2013, RECORDED AS INSTRUMENT 2013-00034231.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Thoroughfare Commercial District (C-5) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable 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 as follows:

From Agricultural District (A-1) to Thoroughfare Commercial District (C-5)

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

SECTION 3: EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021

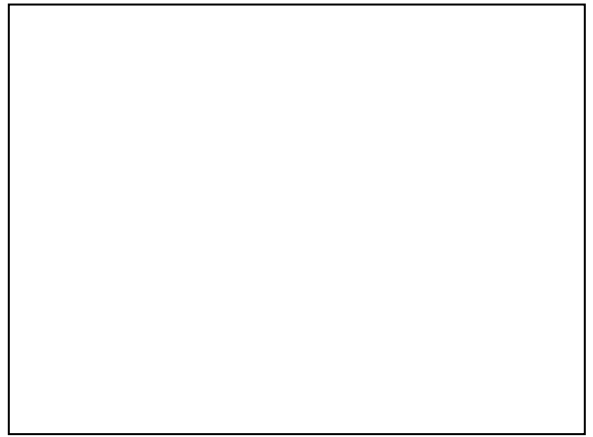
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



ORDINANCE NO. _____

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

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of November 2, 2021 for hearing the matter of a petition of Billy Tatios, Tatios Church, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Institutional District (P-1).

Layman's Description: 2717 E. Emma Avenue

Legal Description: parcel 815-30763-000:
PT LOT 5 .31 AC

FURTHER DESCRIBED FROM 2011-27295 AS:

Part of Lot Numbered Five (5), Tom Carrel Subdivision in Section Thirty-two (32), Township Eighteen

(18) North, Range Twenty-nine (29) West, being more particularly described as follows, to-wit: Beginning at a point which is 660 feet East of the Northwest corner of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section Thirty-two (32), said point also being the Northwest corner of Lot Numbered Five (5) of Tom Carrel Subdivision; thence East 79.08 feet; thence S 00°08' W, 164.27 feet; thence S 74°46' W, 80.78 feet to the West line of said Lot Five (5); thence N 00°14' W, 185.50 feet to the point of beginning, containing 0.31 acres, more or less, subject to that portion in Arkansas State Highway No. 68.

AND

Parcel 815-30764-001:

Tract 5B of the Re-Plat of Lots 5 and 6 of Tom Carrel Subdivision, being a part Lot 5 and a part of Lot 6 of the Tom Carrel Subdivision on the City of Springdale, Washington County, Arkansas as recorded in Plat Book 4 at page 91 of the Plat Records of Washington County, being more particularly described as follows: Commencing at a railroad pike located at the Northwest corner of the Tom Carrel Subdivision, thence along the North line of said Tom Carrel Subdivision S 87° 42' 02" E 739.15 feet and then departing said North line S 02° 46' 12" W 164.27 feet to 1/2" rebar located, the point of beginning; thence continuing S 02° 46' 12" W 22.26 feet to a 1/2" rebar; thence S 86° 56' 46" E 116.47 feet at a 1/2" rebar, thence S 02° 21' 48" W 58.36 feet at a 1/2" rebar, thence S 85° 37' 47" E 70.03 feet to a 1/2" rebar, thence S 02° 21' 48" W 409.84 feet to a 1/2" rebar located on the South line of said Lot 6; thence N 87° 38' 12" W 264.21 feet to the Southwest corner of said Lot 5; thence N 02° 21' 48" E 472.99 feet along the West line of said Lot 5 to a PK nail; thence departing said West line N 77° 03' 31" E 80.78 feet to the point of beginning, containing 2.78 acres, more or less. Subject to Barker Lane Right-of-Way along the West line, and a 35 foot wide utility easement of and contiguous to said Right-of-Way, and any other easements, covenants of restrictions of record or fact.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Institutional District (P-1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable 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 as follows:

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

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

SECTION 3: EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and

welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021

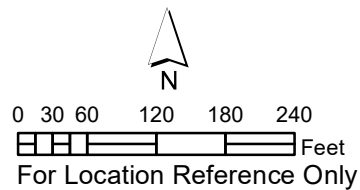
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

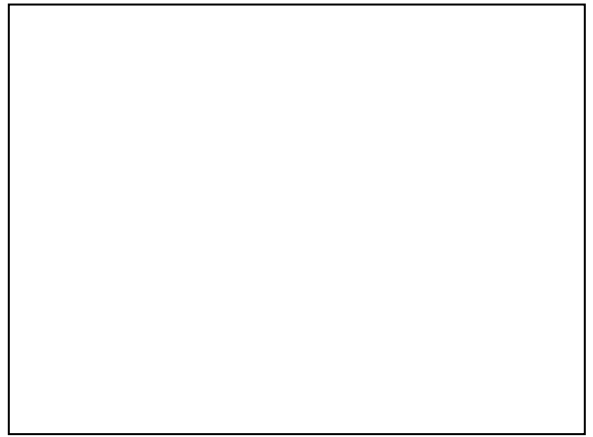
APPROVED AS TO FORM:

Ernest Cate, City Attorney



FILE NO. R21-56
APPLICANT: Billy Tatios
REQUEST: Rezoning from A-1 to P-1

PLANNING COMMISSION MEETING
November 2, 2021



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) TO NEIGHBORHOOD OFFICE DISTRICT (O-1) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of November 2, 2021 for hearing the matter of a petition of City Point Church, requesting that the following described tract of real estate to be zoned from Low/Medium Density Single Family Residential District (SF-2) to Neighborhood Office District (O-1).

Layman's Description: 803 Quandt

Legal Description: Lot 29 and Lot 30 Block 1, RL Hayes Park Addition, City of Springdale, County of Washington, Parcel #815-22544-000

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Low/Medium Density Single Family Residential District (SF-2) to Neighborhood Office District (O-1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable 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 as follows:

From Low/Medium Density Single Family Residential District (SF-2) to Neighborhood Office District (O-1).

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

SECTION 3: EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE FOR
CITY POINT CHURCH AT 803 QUANDT AS SET FORTH
IN ORDINANCE NO. 4030**

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

WHEREAS, the Planning Commission held a public hearing on November 2, 2021, on a request by City Point Church for a Use Unit 42 (Church/Synagogue) in a Low/Medium Density Single Family Residential District (SF-2).

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) yes and zero (0) no recommends that a Conditional Use be granted to City Point Church with the following conditions: Modifications to the building as outlined by Building and Fire Department's compliant with adopted code ordinance.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to City Point Church with the following conditions: Modifications to the building as outlined by Building and Fire Department's compliant with adopted code ordinance.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO JIM AND BETTY CASH IN CONNECTION WITH LS20-54 A TANDEM LOT SPLIT

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

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements in connection with LS20-54, a Tandem Lot Split 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 Jim and Betty Cash including improvements related thereto, sidewalks in connection with LS20-54 a Tandem Lot Split.

Option 2: Denies a waiver of street improvements to Jim and Betty Cash including improvements related thereto, sidewalks in connection with LS20-54 a Tandem Lot Split.

Option 3: Approves payment in lieu of improvements to Jim and Betty Cash in connection with LS20-54, a Tandem Lot Split with an estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements including improvements related thereto, sidewalks to be built in connection with LS20-54 a Tandem Lot Split for Jim and Betty Cash.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



0 50 100 200 300 400
Feet
For Location Reference Only

FILE NO. W21-17
APPLICANT: Jim & Betty Cash
REQUEST: Waiver of sidewalk requirements

PLANNING COMMISSION MEETING
November 2, 2021

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO RAY HATHAWAY IN CONNECTION WITH 13294 ROBBINS ROAD, A SINGLE FAMILY DWELLING

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

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to Ray Hathaway in connection with 13294 Robbins 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 Ray Hathaway including improvements related thereto, sidewalks in connection with 13294 Robbins Road a single family dwelling.

Option 2: Denies a waiver of street improvements to Ray Hathaway including improvements related thereto, sidewalks in connection with 13294 Robbins Road a single family dwelling.

Option 3: Approves payment in lieu of improvements to Ray Hathaway in connection with 13294 Robbins Road, a single family dwelling with an estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to Ray Hathaway including improvements related thereto, sidewalks to be built in connection with 13294 Robbins Road a single family dwelling.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

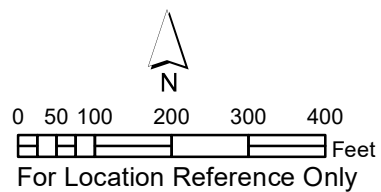
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



FILE NO. W21-18
APPLICANT: Ray Hathaway
REQUEST: Waiver of sidewalk requirements

PLANNING COMMISSION MEETING
November 2, 2021

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO I-49 INDUSTRIAL PARK IN CONNECTION WITH L21-34 A LARGE SCALE DEVELOPMENT

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

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L21-34 a Large Scale Development for I-49 Industrial Park and the Planning Commission recommends approval of the waiver request.

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

Option 1: Grants a waiver of street improvements to W. Apple Blossom & Graham Road including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with L21-34, a Large Scale Development for I-49 Industrial Park.

Option 2: Denies a waiver of street improvements to W. Apple Blossom and Graham Road including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with a L21-34, a Large Scale Development for I-49 Industrial Park.

Option 3: Approves payment in lieu of improvements to W. Apple Blossom and Graham Road Avenues in connection with L21-34, a Large Scale Development for I-49 Industrial Park with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to W. Appleblossom and Graham Road including drainage improvements related thereto, curbs, gutters, sidewalks and street lights to be built in connection with L21-34, a Large Scale Development for I-49 Industrial Park.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

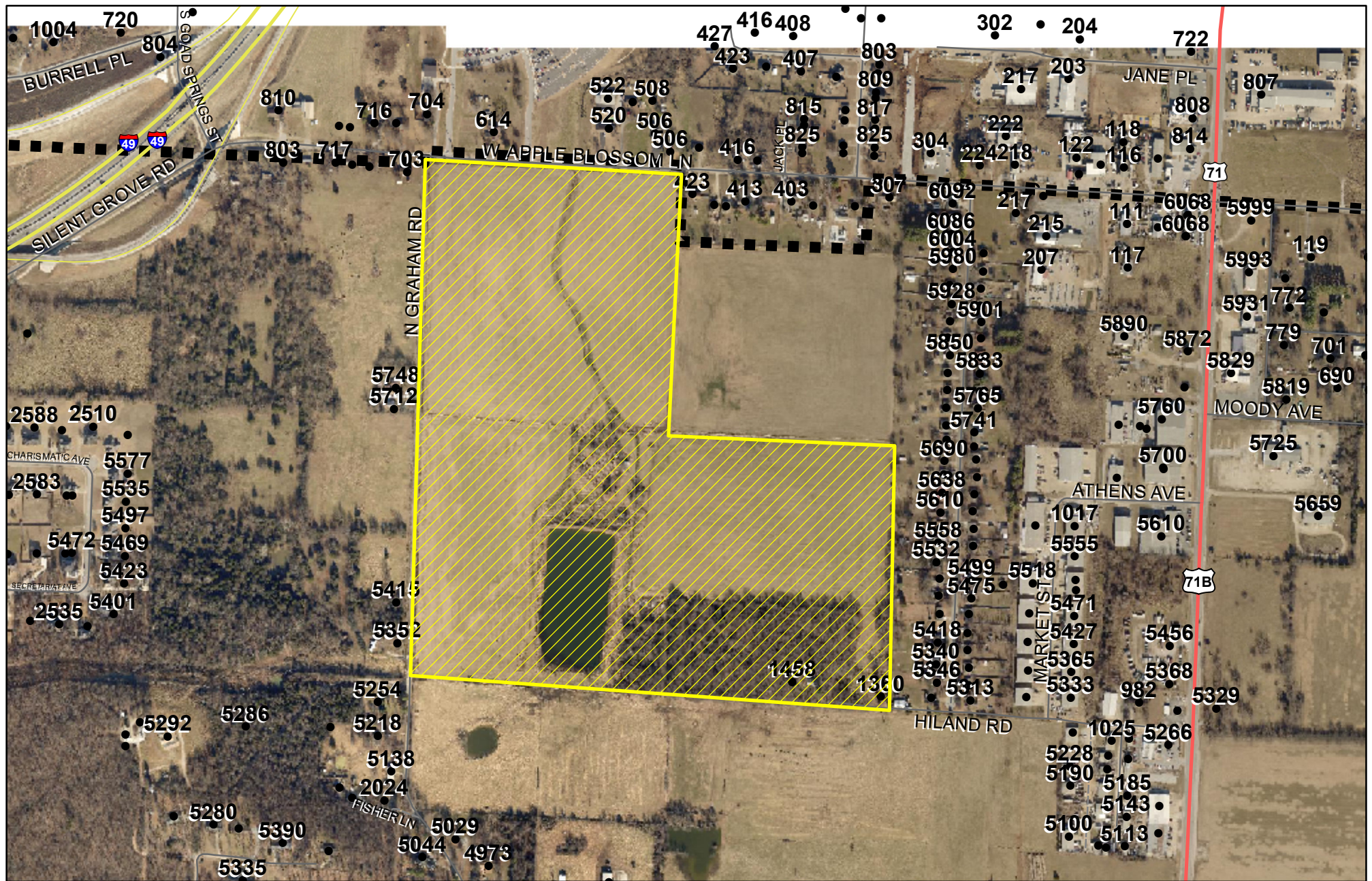
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



0 140 280 560 840 1,120
 Feet
 For Location Reference Only

FILE NO. W21-19
APPLICANT: I-49 Industrial Park (Morrison-Shipley)
REQUEST: Waiver of street requirements

PLANNING COMMISSION MEETING
 November 2, 2021

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CITY CLERK TO ENTER INTO A LEASE AGREEMENT
WITH NORTHWEST ARKANSAS FOOD BANK, INC.,
ON PROPERTY OWNED BY THE CITY OF
SPRINGDALE**

WHEREAS, the City owns property located in Benton County, Arkansas, more commonly known as 530 Sunrise Drive, Arkansas ("the Property");

WHEREAS, Northwest Arkansas Food Bank, Inc., has requested to rent the Property in connection with its mission of providing food for many food insecure residents in Northwest Arkansas, and to better reach the most vulnerable in our community;

WHEREAS, the City of Springdale wishes to enter into a lease agreement with Northwest Arkansas Food Bank, Inc., to memorialize the terms of their use of the Property;

WHEREAS, Northwest Arkansas Food Bank, Inc., wishes to enter into the Lease Agreement attached hereto as Exhibit "A" and incorporated herein by reference;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are authorized to execute the Lease Agreement, attached as Exhibit "A" hereto, with Northwest Arkansas Food Bank, Inc., for the purposes contained therein.

PASSED AND APPROVED this _____ day of _____, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

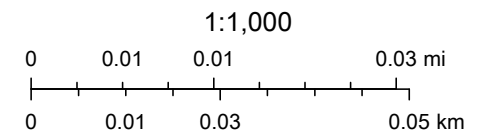
Ernest B. Cate, CITY ATTORNEY

City of Springdale Zoning Map



November 2, 2021

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



City of Springdale, Clayton Sedberry

LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into by and between the City of Springdale, Arkansas, hereinafter referred to as "Lessor," and Northwest Arkansas Food Bank, Inc., an Arkansas Nonprofit Corporation, hereinafter referred to as "Lessee."

WITNESSETH:

1. **Lease of Premises.** The Lessor, in consideration of the public advantages described herein, other good and valuable consideration, and the covenants and agreement to be performed by Lessee, does hereby let, lease and demise unto Lessee the following described premises, and improvements thereon, situate in Springdale, Benton County, Arkansas, to-wit:

The property commonly known as 530 Sunrise Drive, Springdale, Arkansas, as well as all areas adjacent thereto and associated therewith ("the Premises"), and as delineated on the attached Map which is attached hereto and incorporated herein by reference.

2. **Term.** To have and to hold the Premises unto Lessee beginning the 1st day of January, 2022, and ending the 31st day of December, 2023. Thereafter, upon mutual agreement of the parties, this Lease may continue (under the same terms provided herein) as a month to month tenancy until terminated by either party.

3. **Rent.** In consideration for Lessee's use and enjoyment of the Premises, Lessee agrees and covenants to provide a \$1,000 monthly credit to the Springdale Senior Center for food purchases made by the Springdale Senior Center from Lessee, as follows:

- (a) any unused monthly credit shall roll over to successive months, and be added to the monthly \$1,000 credit;
- (b) the food purchased from Lessee with this monthly credit will be as selected and determined by the Springdale Senior Center; and
- (c) Lessee will provide a monthly statement to the Springdale Senior Center detailing the amount of credit utilized during the previous month, detailing the amount(s) rolled over to the successive month, if any, and detailing the total food purchase credit available to the Springdale Senior Center at the beginning of each month;

4. **Taxes.** Lessee shall be responsible for paying any taxes on any personal property Lessee owns on the Premises.

5. **Lessor Maintenance.** Lessor agrees to:

- (a) maintain the grounds of the Premises (mowing, etc.), as well as the playground area, and exterior restrooms;
- (b) maintain the roof and outbuildings;
- (c) repair HVAC system as necessary to keep system operational;
- (d) repair defective electrical or plumbing not the fault of the Lessee;
- (e) repair defective keyless entry system not the fault of the Lessee; and
- (f) repair any defects in the building not the fault of the Lessee.

6. **Lessee Improvements, Maintenance, and Utilities.** Lessee agrees to:

- (a) repair the interior or exterior of the building, electrical systems, plumbing, roof structure and any component damaged due to the actions of the Lessee, including outbuildings;
- (b) be responsible for all costs associated with routine maintenance of the Premises, including but not limited to replacing air filters on a timely basis, replacing light bulbs and ballasts, replacing door knobs and closers, replacing toilet tank floats and handles, lubricating and cleaning;
- (c) be responsible for payment of all utility costs on the Premises during the term of this Agreement;
- (d) make alterations to the Premises, at Lessee's cost, to include:
 - (1) remove the raised platform in the former council chambers;
 - (2) add a wall to separate the former council chambers from the existing kitchen area; and
 - (3) incorporate an office into the area opposite the existing kitchen area.
- (e) Any and all improvements installed or made by Lessee during the term of this Agreement shall become Lessor's property upon the termination of this Agreement.

7. **Insurance.** Lessor shall provide the requisite insurance on the structure on the Premises, but Lessee shall be responsible for any insurance on any of Lessee's personal property kept at the Premises. Lessee shall at all times herein maintain a public liability insurance policy with coverage limits of \$1,000,000.

8. **Damage or Destruction of Improvements.** It is mutually agreed that in the event that any of the improvements located on the Premises should be damaged by fire, windstorm, tornado, or other casualty to the extent that such Premises cannot be repaired, and put in condition for their intended use within 90 days from the happening of any of the casualties described above, then the Lessor or Lessee shall have the option to declare this Agreement terminated and at an end, and in that event neither of the parties hereto shall have any further liability under such Agreement.

9. **Covenant Against Liens.** Lessee shall not, by its acts, permit to exist any lien upon the Premises, unless such lien or claim of lien is contested by Lessee, and in such event such contest shall be prosecuted to a final conclusion as speedily as possible, and Lessee shall save and hold harmless Lessor against any and all losses and costs which may necessarily be incurred by Lessor by reason of such lien, and after final determination of such contest, Lessee shall fully pay and discharge any judgment resulting from such contest. Nothing in this Agreement shall be construed as constituting the consent or request of Lessor, expressed or implied, to any contractor, subcontractor, or other person or firm for the performance of any labor, services or materials for use on the Premises or any part thereof, and notice is hereby given that Lessor shall not be liable for any such labor, services or materials furnished to Lessee, nor shall any such liens affect the interest of Lessor in and to the Premises.

10. **Assignment and Subletting.** Lessee shall not assign this Agreement nor shall Lessee have the right to sublet the premises without the express written consent of Lessor.

11. **Termination of Lease.** Either party may terminate this lease by giving 30 days written notice to the other party. Notice shall be deemed good if made by sending such notice by regular mail to the party at the address specified in paragraph 15, or by personal delivery.

12. **Default.** The happening of any one or more of the following events shall constitute default by Lessee:

- (a) Failure to comply with the terms and provisions herein as same relate to Lessee;
- (b) Failure to use the Premises consistent with the purposes described in Paragraph 3 herein, or if Lessor determines that the use of the Premises is no longer in the public interest as described in Paragraph 3 herein.

In the event Lessor shall elect to take possession of the Premises as permitted under this paragraph, Lessor shall be entitled to such possession without being guilty in any manner of trespass, and Lessee agrees to deliver possession immediately upon demand to Lessor.

13. **Hold Harmless and Indemnity.** Lessee agrees to hold Lessor harmless for any damages caused by, or arising from, Lessee's use and possession of the Premises, and further agrees to indemnify Lessor in the event any claim for damages is brought against Lessor as a result of, or arising from, Lessee's use and possession of the Premises. This Agreement is in no way intended to waive the sovereign immunity of Lessor provided in Ark. Code Ann. §21-9-301.

14. **Waiver.** Failure of Lessor or Lessee to complain of any act or omission on the part of the other party, no matter how long the same may continue, shall not be deemed to be a waiver by said party of any of its rights hereunder or a waiver by Lessor or Lessee at any time, expressed or implied, of any breach of any provisions of this lease or a consent to any subsequent breach of the same or any other provision.

15. **Notices.** All notices to be given by the parties hereunder shall be addressed to the party to receive such notice, with postage prepaid, mailed via U.S. Certified Mail, Return Receipt Requested, to the following:

LESSOR: City of Springdale
Attention: Mayor's Office
201 N. Spring Street
Springdale, AR 72764

LESSEE: Northwest Arkansas Food Bank, Inc.
Attn: Kent Eikenberry, President/CEO
1378 June Self Drive
Springdale, AR 72764

The parties hereto may change the above address by notification to the other in writing, as above required.

16. **Binding Agreement.** This agreement shall inure to the benefit and be binding upon the respective parties, their heirs, successors and assigns.

17. **Number and Gender.** Whenever necessary in this agreement and where the context admits, the singular term and the related pronoun shall include the plural and the appropriate gender.

18. **Full Agreement.** The parties acknowledge this Agreement to be their complete and full agreement in regard to the Premises, and neither is relying upon any oral representations not made in this document.

IN WITNESS WHEREOF, the party identified as Lessee has set its hand and seal the day and year written opposite his respective signature, and Lessor has caused this Agreement to be signed by the person who represents that he has the authority to bind Lessor to this Agreement on the day and year written opposite their respective signatures.

LESSEE:

Northwest Arkansas Food Bank, Inc.

Date

By: _____
Kent Eikenberry, President/CEO

LESSOR:

City of Springdale, Arkansas

Date

BY: _____
Doug Sprouse, Mayor

Date

BY: _____
Denise Pearce, City Clerk

ACKNOWLEDGMENT

STATE OF ARKANSAS)
)SS
COUNTY OF WASHINGTON)

BE IT REMEMBERED, that on this day came before the undersigned, a Notary Public, duly commissioned and acting within and for the County and State aforesaid, _____, personally known to me to be the person subscribing to the foregoing document, and who stated to me that he had executed the same for the purposes and considerations therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of _____, 20__.

My Commission Expires:

Notary Public

ACKNOWLEDGMENT

STATE OF ARKANSAS)
)SS
COUNTY OF WASHINGTON)

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

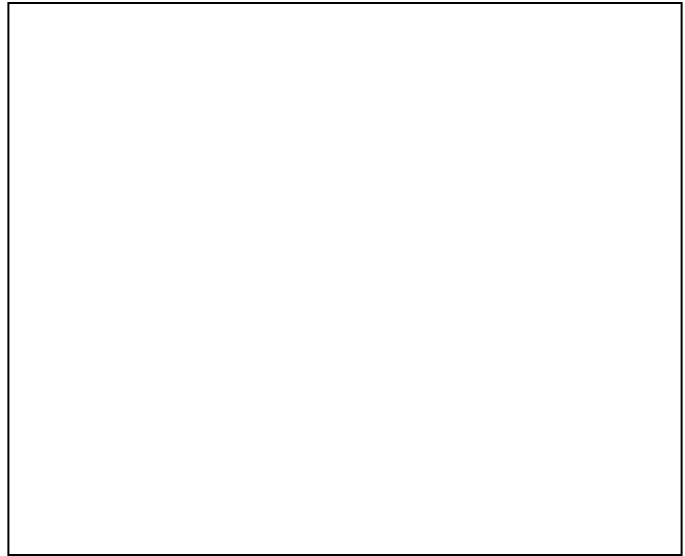
IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of _____, 20__.

My Commission Expires:

Notary Public

ORDINANCE NO. _____

**AN ORDINANCE RELEASING,
VACATING, AND ABANDONING A
PORTION OF A UTILITY EASEMENT
ON PROPERTY IN THE CITY OF
SPRINGDALE, WASHINGTON
COUNTY, ARKANSAS, TO DECLARE
AN EMERGENCY AND FOR OTHER
PURPOSES.**



WHEREAS, MT NWA Ventures, LLC, has petitioned the City Council for the City of Springdale, Arkansas, to release, vacate and abandon a portion of a utility easement on a part of Lot 3A, Worth Lane Commercial Park Subdivision, to the City of Springdale, Washington County, Arkansas, as per plat of said addition on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, as Plat Record 23A-269, and being more particularly described in Section 1 below;

WHEREAS, after legal notice of the hearing was published as required by law, a hearing was held on the matter in front of the Springdale City Council, and at the hearing the City Council made the following findings: That all utility companies have filed their written consents to the releasing, vacating and abandoning a portion of the utility easement as shown on the copy of the plat incorporated by reference and said copy and consents are on file in the office of the City Clerk for the City of Springdale, Arkansas;

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

Section 1: That the City of Springdale, Arkansas hereby releases, vacates and abandons all of their rights, together with the rights of the public generally, in the property described as follows:

A part of Lot 3A, Worth Lane Commercial Park, City of Springdale, Washington County, Arkansas, as shown on Boundary Survey for MT NWA Ventures, LLC, completed September 9, 2021, by Engineering Services as work order number 21975, and being further described as follows: Beginning at the Southeast Corner of said Lot 3A, thence along the South line of said Lot 3A, N87°07'00"W a distance of 20.00 feet; thence leaving the South line of said Lot 3A, N01°48'39"E a distance of 118.35 feet; thence S88°11'21"E a distance of 20.00 feet to a point on the east line of said Lot 3A; thence along the east line of said Lot 3A, S01°48'39"W a distance of 118.73 feet to the point of beginning, containing 0.05 acres (2,371 sq. ft.), more or less.

PARCEL NO.: 815-38252-000

A survey showing the property abandoned is hereby incorporated by reference.

Section 2: 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 23rd day of November, 2021.

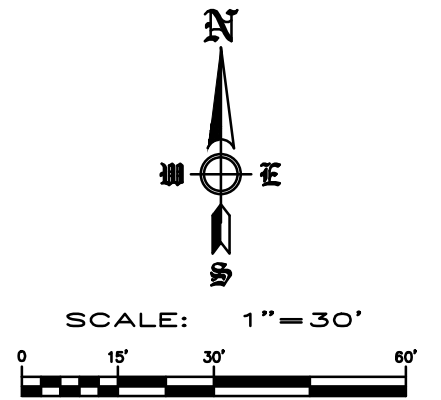
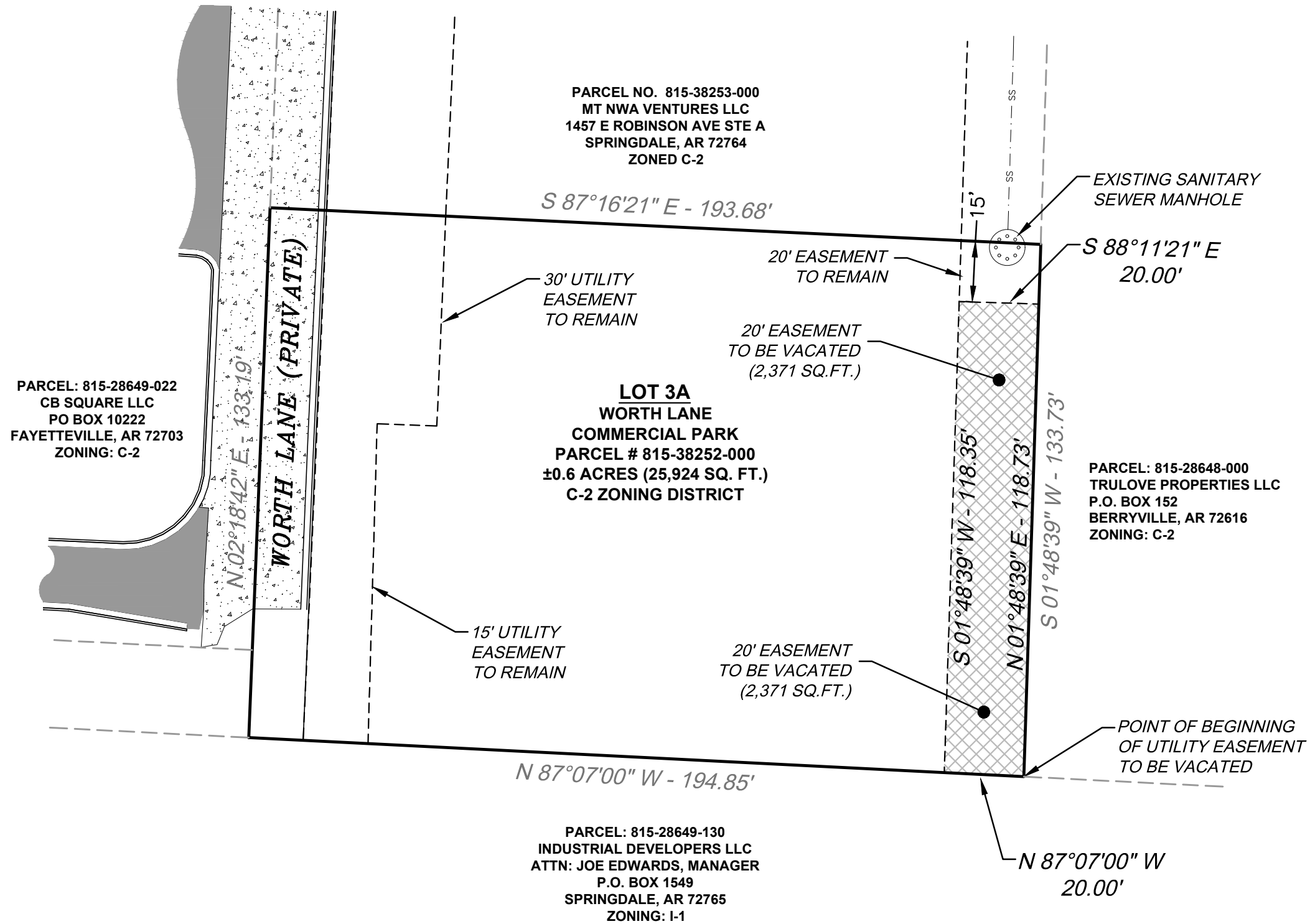
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



LEGAL DESCRIPTION - SUBJECT PROPERTY

LOT 3A, WORTH LANE COMMERCIAL PARK, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD BOOK 23A, PAGE 269. BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 3E, AS SHOWN IN PLAT RECORD BOOK 23A, PAGE 269; THENCE S87°36'01"E A DISTANCE OF 156.80 FEET TO A FOUND 5/8 INCH REBAR; THENCE S01°48'39"W A DISTANCE OF 623.10 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING A SET IRON PIN WITH CAP, "PLS 1156"; THENCE S01°48'39"W A DISTANCE OF 133.73 FEET TO A FOUND IRON PIN WITH CAP, "PLS 1156"; THENCE N87°07'00"W A DISTANCE OF 194.85 FEET TO A SET IRON PIN WITH CAP, "PLS 1156"; THENCE N02°18'42"E A DISTANCE OF 133.19 FEET TO A SET "MAGNETIC NAIL"; THENCE S87°16'21"E A DISTANCE OF 193.68 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.60 ACRES (25,924 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

LEGAL DESCRIPTION - UTILITY EASEMENT TO BE VACATED:

A PART OF LOT 3A, WORTH LANE COMMERCIAL PARK, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AS SHOWN ON BOUNDARY SURVEY FOR MT NWA VENTURES, LLC COMPLETED SEPTEMBER 9, 2021 BY ENGINEERING SERVICES AS WORK ORDER NUMBER 21975, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3A, THENCE ALONG THE SOUTH LINE OF SAID LOT 3A, N87°07'00"W A DISTANCE OF 20.00 FEET; THENCE LEAVING THE SOUTH LINE OF SAID LOT 3A, N01°48'39"E A DISTANCE OF 118.35 FEET; THENCE S88°11'21"E A DISTANCE OF 20.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 3A; THENCE ALONG THE EAST LINE OF SAID LOT 3A, S01°48'39"W A DISTANCE OF 118.73 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES (2,371 SQ.FT.) MORE OR LESS.

**UTILITY EASEMENT
VACATION EXHIBIT**

Lot 3A of Worth Commercial Park
Washington County Parcel Number 815-38252-000
Springdale, Washington County, Arkansas

DWG: d:\Eng Proj\21975-Worth Lane\UE Vacation\Vacat

DATE: October 1, 2021

SCALE: 1" = 30'

ENGINEERING SERVICES, INC.
CONSULTING ENGINEERS AND SURVEYORS
1207 S. OLD MISSOURI ROAD
SPRINGDALE, ARKANSAS



ORDINANCE NO. _____

**AN ORDINANCE ANNEXING CERTAIN LANDS
PURSUANT TO ARK. CODE ANN. §14-40-501, *et. seq.***

WHEREAS, the boundaries of the city limits of the City of Springdale have changed over time, causing certain lands which are not in the City of Springdale to become surrounded by land which is located in the City of Springdale;

WHEREAS, Ark. Code Ann. §14-40-501(a)(1)(B) provides that if the incorporated limits of two (2) or more municipalities have completely surrounded an unincorporated area, the governing body of the municipality with the greater distance of city limits adjoining the unincorporated area's perimeter may propose an ordinance calling for the annexation of the land surrounded by the municipalities;

WHEREAS, the City of Springdale has the greater distance of city limits adjoining the unincorporated area's perimeter;

WHEREAS, given the foregoing, it would be in the public interest for the City of Springdale to provide municipal services, such as police protection, fire protection, etc., to these surrounded lands;

WHEREAS, Ark. Code Ann. §14-40-501, *et. seq.*, provides that the governing body of a municipality may propose an ordinance calling for the annexation of land that is surrounded by the municipality;

WHEREAS, it is in the best interest of the City of Springdale that these surrounded lands be annexed into and be made a part of the City of Springdale, and the legal descriptions of the land to be annexed, as well as a map of the land to be annexed, are attached hereto and made a part hereof; and

WHEREAS, a public hearing was held on November 23, 2021, after publishing notice and notifying property owners as required by law;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the surrounded lands contained in the attached Exhibits be and hereby are annexed into the City of Springdale, Arkansas in accordance with Ark. Code Ann. §14-40-501, *et. seq.*, and are hereby assigned to Ward 2.

PASSED AND APPROVED this _____ day of _____, 2021.

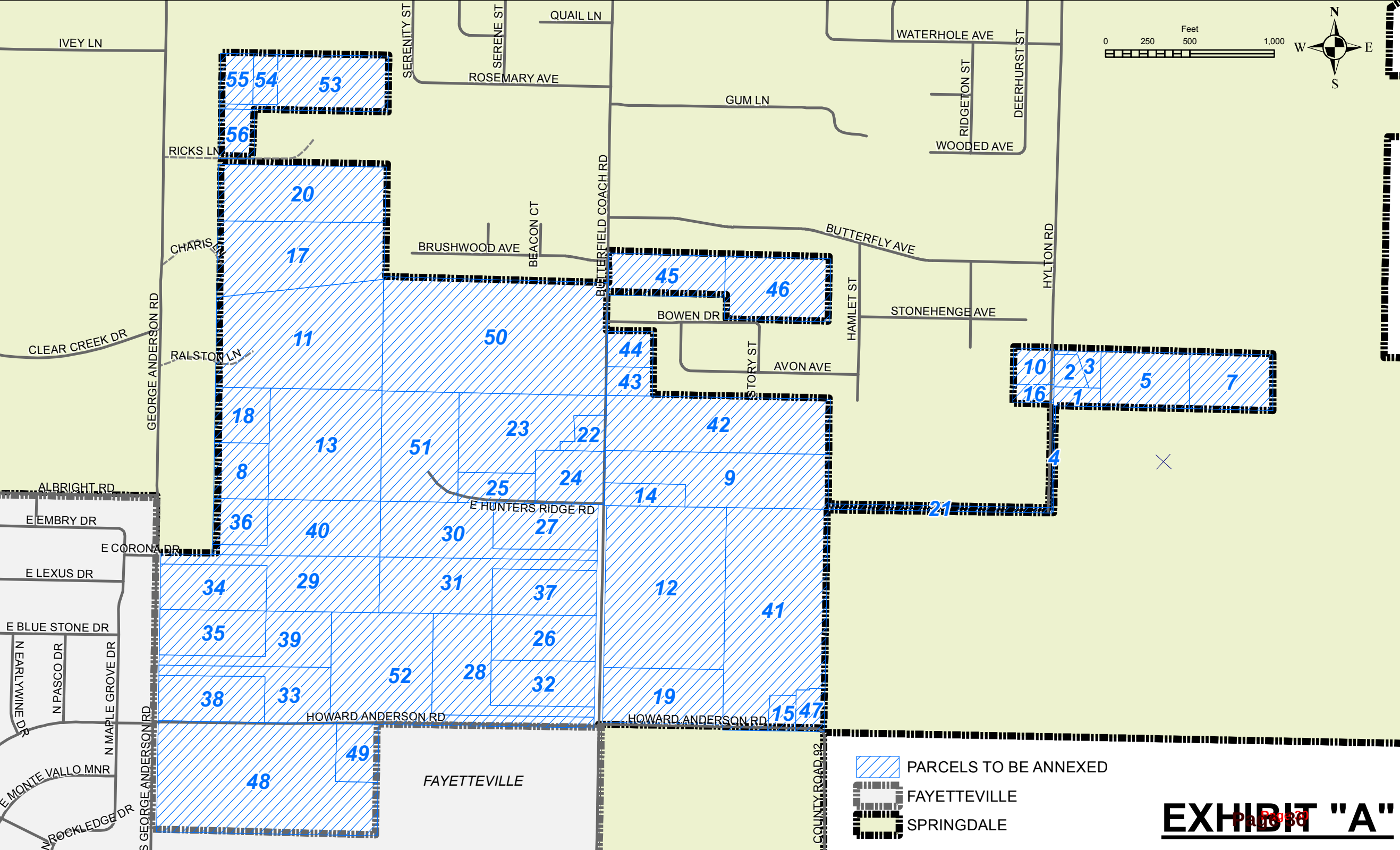
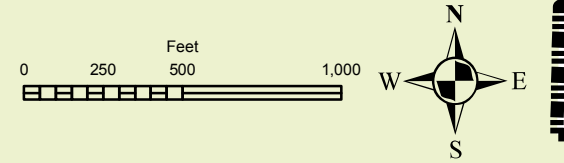
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



-  PARCELS TO BE ANNEXED
-  FAYETTEVILLE
-  SPRINGDALE

EXHIBIT "A"



**ARKANSAS
GIS OFFICE**

**Department of Transformation
and Shared Services**
Governor Asa Hutchinson
Secretary Amy Fecher
Director Shelby Johnson

December 2, 2020

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

RE: City of Springdale Annexation Coordination Requirement

Mayor Sprouse,

Thank you for coordinating with our office as you seek to annex property into the City of Springdale, AR described as "Island Annexation B" and located in Sections 16, 17 & 20, Township 17 North, Range 29 West. This letter represents confirmation that you have properly coordinated with our office (Arkansas GIS Office) as specified in § 14-40-101 (Act 914 of 2015) of the 90th General Assembly.

Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Thank you,

Jennifer Wheeler, GIS Analyst

Attachments:
GIS Office Map of Proposed Annexation
Legal Description
Secretary of State Municipal Change Checklist

H:\City_Annexations\Cities\Springdale\20201201\Doc\20201201_Springdale_Annexation_Coordination_Letter_IslandB.docx



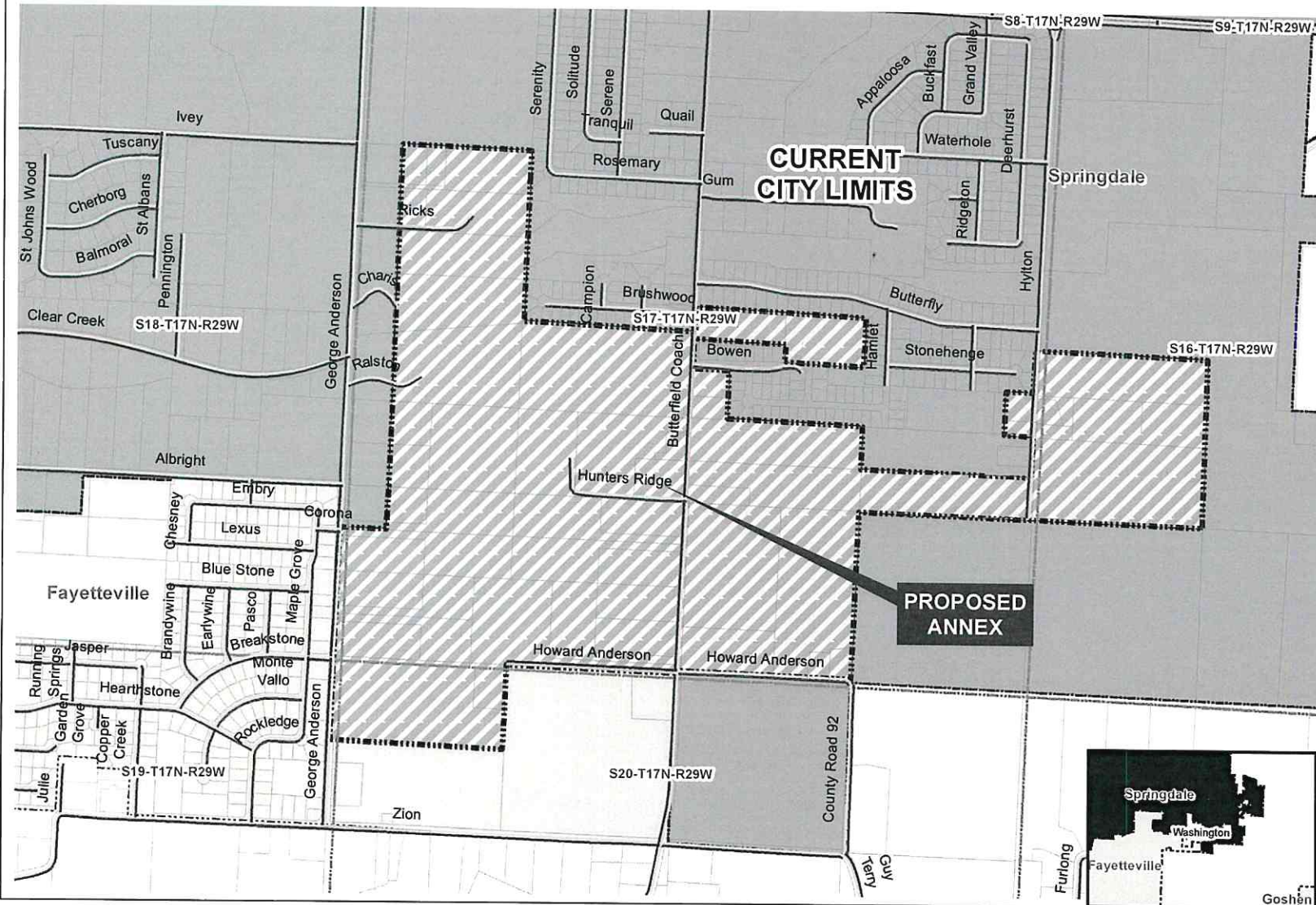
Proposed Annex "Island B": City of Springdale
December 2020

City: Springdale
Mayor: Doug Sprouse

Arkansas Code 14-40-101.

Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



- Proposed Annex
- Parcels
- Highway
- Minor Road
- Sections
- Existing City
- Neighboring City

0 0.0450.09 0.18
Miles



ARKANSAS
GIS OFFICE

H:\City_Annexations\Cities\Springdale\20201201

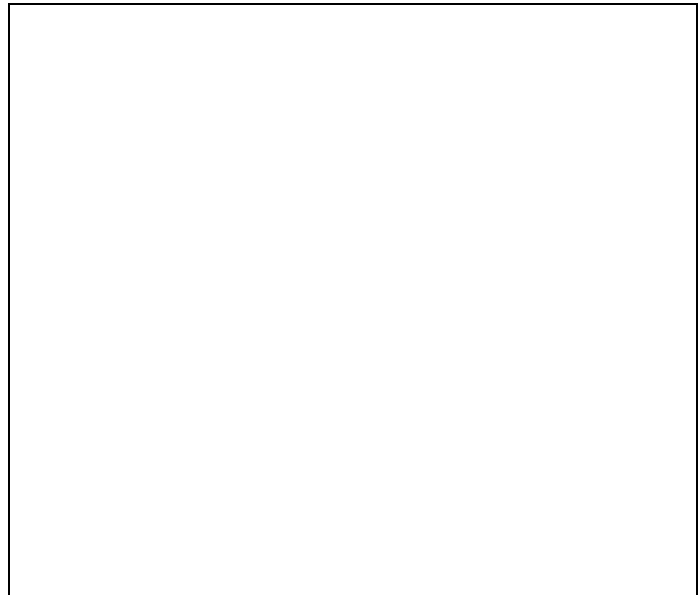
Legal Descriptions

Annex B

All of the unincorporated territory in S17, T17N, R29W; in the W $\frac{1}{4}$ of S16, T17N, R29W; and in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of S20, T17N, R29W, all being in Washington County, Arkansas.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY CLERK TO FILE A LIEN FOR THE RAZING AND REMOVAL OF A STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 1205 CRUTCHER STREET, SPRINGDALE, ARKANSAS; AND DECLARING AN EMERGENCY



WHEREAS, Dorothy Laird is the owner of certain real property situated in Springdale, Washington County, Arkansas, more particularly described as follows:

Beginning at the Southwest Corner of the North Half (N1/2) of the South Half (S1/2) of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of Section One (1) in Township Seventeen (17) North, Range 30 West for a beginning corner, and running thence North 63 feet; thence East 174 feet; thence South 63 feet; then West 174 feet to the beginning.

Commonly known as 1205 Crutcher Street, Tax Parcel No. 815-28757-000

WHEREAS, on August 24, 2021, the City Council for the City of Springdale, Arkansas, passed Ordinance No. 5637, ordering the owner of 1205 Crutcher to raze (demolish) and remove the dilapidated, unsightly and unsafe structure located on the aforesaid property, and was further ordered to abate the unsightly conditions on the property;

WHEREAS, Ordinance No. 5637 provided that said work was to be commenced within ten (10) days and was to be completed within thirty (30) days from the passage of the ordinance, and that if the work was not commenced within ten (10) days or completed within thirty (30) days, the Mayor, or the Mayor's authorized representative, were directed to cause the aforesaid structure to be razed (demolished) and removed and to abate the unsafe, unsanitary, and unsightly conditions on the property;

WHEREAS, Dorothy Laird, after being given proper notice of Ordinance No. 5637, and after being given adequate time to abate the situation on the property, failed to remove the dilapidated, unsightly and unsafe structure located on the aforesaid property, and failed to abate the unsightly conditions on the property;

WHEREAS, pursuant to Ordinance No. 5637, the Mayor's authorized representative caused the aforesaid structure to be razed (demolished) and removed, and caused the unsafe, unsanitary, and unsightly conditions on the property to be abated;

WHEREAS, as shown on the attached Exhibit 1, the City expended the amount of Seven Thousand Five Hundred Eighty Nine Dollars (\$7,589.00) to raze (demolish) and remove the dilapidated, unsightly and unsafe structure located on the aforesaid property, and to abate the unsightly conditions located thereon;

WHEREAS, Ordinance No. 5637 provides that the City of Springdale shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing said structure and for the cost of abating said aforementioned conditions, said costs to be determined at a hearing before the City Council; and

WHEREAS, the property owner has been given at least 30 days written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903;

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

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, pursuant to Ark. Code Ann. §14-56-203 and Ark. Code Ann. §14-54-904, the City Council certifies \$7,589.00, plus 10.00% for collection, to the Washington County Tax Collector to be placed on the tax books as delinquent taxes on the above-described property and collected accordingly.

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 23rd day of November, 2021.

Mayor

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Invoice

P.O. Box 600
Springdale, AR 72765
479-419-4100
www.redline.me

Date	Invoice #
10/4/2021	21RL114.01

Bill To
City of Springdale, AR 201 Spring St. Springdale, AR 72764

P.O. No.	Terms	Due Date
	Due on receipt	10/4/2021

01 General Condit...	Demolition of building, foundation, footings, slabs, outbuildings and removal of waste. Leveling and seed and straw at demolition site. Sewer line capped, marked and inspected by city.	7,589.00	100.00%	7,589.00
	1205 Crutcher St., Springdale, AR 72764			
Transaction # _____ Date _____ Account # 101-0403-423, 70-35 Project # _____ Invoice # 21RL114.01 Amount 7,589.00 Description Demolition of 1205 Crutcher St. Approved By <u>M. D. U. U.</u> 10/5/21				

No Change

Total

~~7,589.00~~
\$7,639.00

Payments/Credits

\$0.00

Balance Due

\$7,639.00

~~7,589.00~~
Page 42

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: Steve Tomlinson

LEGAL DESCRIPTION: Lot 37, Dreamcatcher subdivision, Springdale, Arkansas, as per plat of said subdivision on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas

LAYMAN'S DESCRIPTION: 2012 Collins
PARCEL NO.: 815-37420-000

PROPERTY OWNER: Maria & Miguel Torres

LEGAL DESCRIPTION: Lot 6, Bock 3 to Parson Hills Subdivision, Phase I, to the City of Springdale, Washington County, Arkansas. Subject to easements, right of way, and protective covenants of record, if any.

LAYMAN'S DESCRIPTION: 2010 Bluebird
PARCEL NUMBER: 815-24242-000

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:

\$365.16 clean-up costs and \$36.48 administrative costs – 2012 Collins (815-37420-000)
\$332.90 clean-up costs and \$29.32 administrative costs-2010 Bluebird (815-24242-000)

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;

J:LyndaBel/2021files/2021files/ordinances/clean-up/11-23-21ord

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:

\$401.64, plus 10% for collection – 2012 Collins (Parcel No.815-37420-000)
\$362.22 plus 10% for collection-2010 Bluebird (Parcel No. 815-24242-000)

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

PASSED AND APPROVED this _____ day of _____, 20____.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



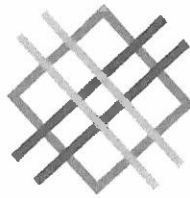
Ernest B. Cate, CITY ATTORNEY

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

Ryan Renauro
Deputy City Attorney
rrenauro@springdalear.gov



SPRINGDALE™

WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

201 Spring Street • Springdale, Arkansas 72764

Phone (479) 750-8173 • Fax (479) 750-4732

www.SpringdaleAR.gov

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

Steve Helms
Investigator
shelms@springdalear.gov

Lynda Belvedersi
Administrative Legal Assistant
lbelvedersi@springdalear.gov

Jacque Roth
File/Discovery Clerk
jroth@springdalear.gov

October 20, 2021

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

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Maria & Miguel Torres 5875
2010 Bluebird
Springdale, AR 72764

Mortgage Electronic Registration Systems, Inc. 5899
Registered Agent, CT Corporation Systems
124 West Capitol Avenue, Suite 1900
Little Rock, AR 72201

RE: Notice of clean-up lien on property located at 2010 Bluebird, Springdale,
Washington County, Arkansas, Tax Parcel No. 815-24242-000

Dear Property Owner/Lienholder:

On February 1, 2021, notice was posted on property located at 2010 Bluebird, 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 September 16, 2021, 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 September 15, 2021. As of this date, the total costs incurred by the City of Springdale to clean this property are \$332.90. 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 \$7.16 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 November 23, 2021, 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, November 23, 2021, 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 \$347.22, which includes \$332.90 for cleaning up the property and \$14.32 for certified mailings 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 Lynda Belvedresi, 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 Maria and Miguel Torres at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

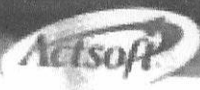
If you should have any questions, please let me know.

Sincerely,



Ernest Cate
City Attorney

Enclosures
EC:lb



CITY ABATEMENT-2021 - Wednesday, September 15, 2021 4:20:19 PM (RANDY-CODE 4)

User Name RANDY-CODE 4
User # 4792634221
Form Started 9/15/2021 4:20:19 PM
Form Submitted 9/15/2021 4:23:41 PM
Property Address 2010 Bluebird
Before Picture Attached Data



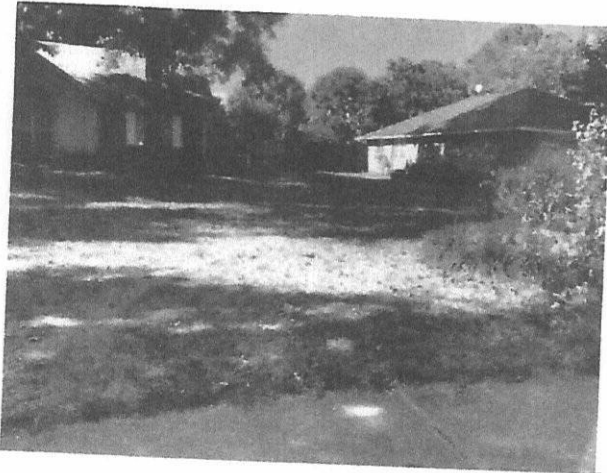
Type of Abatement Lien
Date of Abatement Wednesday, September 15, 2021 4:20:00 PM
Officer on Site- R. Glenn
Labor Rate Recovery
Employee Travis Ambrose
RD Benefit Rate \$14.58
Method of Compliance
1 Method of Compliance Junk and Trash Removal from Curb
2 Method of Compliance Junk and Trash Removal from Curb
Equipment Used
Equipment 660/652 New Bulky Waste Truck
660 New Bulky Waste Truck \$200.00
Time of Abatement in Hours 1
Number of Temporary Laborers 0
Temporary Labor Rate 0.00
Recovery
Employee labor recovery per hour 14.58
Total Employee Cost 14.58
Equipment Cost per hour 200.00
Total Equipment Cost 200.00

Disposal Cost Recovery	\$118.32
Number of Tires Removed (\$2 Each)	0
Number of Electronics Removed (\$10 Each)	0
Containers of Chemicals (\$1 Each)	0
Freon Removal Recovery (\$20 each)	0

Total Cost of Abatement	332.90
-------------------------	--------

Items Removed from Property	Indoor furniture, boards, and junk and trash.
-----------------------------	---

Final Photos	Attached Data
--------------	---------------



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:



9590 9402 5688 9346 5656 36

2. Article Number (Transfer from service label)

7019 2970 0000 7254 5899

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

☐ Age☐ Adc

C. Date of C

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

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Restricted Delivery
- ☐ Priority Mail Express
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Rec

USPS TRACKING #



9590 9402 5688 9346 5656 36

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

United States
Postal Service

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



OFFICE OF THE

CITY ATTORNEY

201 NORTH SPRING STREET

SPRINGDALE, ARKANSAS 72764

2019 Bluebird

Track Another Package +

Tracking Number: 70192970000072545875

Remove X

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

In Transit to Next Facility

October 28, 2021

Feedback

Get Updates ∨

Text & Email Updates



Tracking History



Product Information



See Less ^

Can't find what you're looking for?

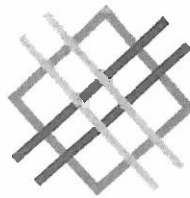
Go to our FAQs section to find answers to your tracking questions.

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

Ryan Renauro
Deputy City Attorney
rrenauro@springdalear.gov



SPRINGDALE™

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

Lynda Belvedersi
Administrative Legal Assistant
lbelvedersi@springdalear.gov

Jacque Roth
File/Discovery Clerk
jroth@springdalear.gov

October 21, 2021

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

Steven Tomlinson 5844
2012 Collins Avenue
Springdale, AR 72764

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Quicken Loans, Inc. 5851
1050 Woodward Avenue
Detroit, MI 48226-1906

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mortgage Electronic Systems Inc. 5868
Registered Agent: CT Corporation Systems
124 West Capitol, Suite 1900
Little Rock, AR 72201

RE: Notice of clean-up lien on property located at 2012 Collins, Springdale,
Washington County, Arkansas, Tax Parcel No. 815-37420-000

Dear Property Owner/Lienholder:

On August 10, 2021, notice was posted on property located at 2012 Collins, 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 August 28, 2021, 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 September 3, 2021. As of this date, the total costs incurred by the City of Springdale to clean this property are \$356.16. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.16 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 November 23, 2021, 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, November 23, 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 \$386.64, which includes \$365.16 for cleaning up the property and \$21.48 for certified mailings 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 Lynda Belvedresi, 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 Steven Tomlinson at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

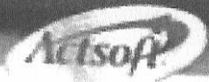
If you should have any questions, please let me know.

Sincerely,



Ernest Cate
City Attorney

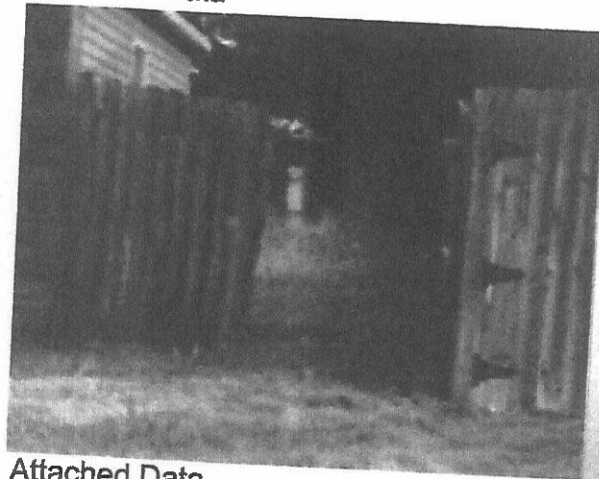
Enclosures
EC:lb



CITY ABATEMENT-2021 - Friday, September 03, 2021 9:00:47 AM (ISIDRO CODE 1)

User Name
User #
Form Started
Form Submitted
Property Address
Before Picture
Attached Data

ISIDRO CODE 1
4792631144
9/3/2021 9:00:47 AM
9/3/2021 9:06:14 AM
2012 Collins
Attached Data



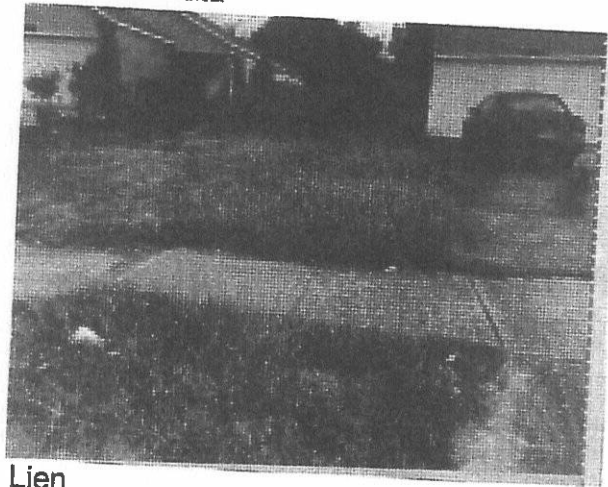
Before Picture

Attached Data



Before Picture

Attached Data



Lien

Friday, September 03, 2021 9:00:00 AM
J. Oliver

Type of Abatement

Date of Abatement

Officer on Site-

Labor Rate Recovery

Employee

HH Benefit Rate

Method of Compliance

1 Method of Compliance Mowing

Equipment Used

Equipment

755 Grasshopper

743 Kubota

781 Trailor

6013 Service Pick up Truck

Time of Abatement in
HoursNumber of Temporary
LaborersTemporary Labor Rate
RecoveryEmployee labor recovery
per hour

Total Employee Cost

Equipment Cost per hour

Total Equipment Cost

Disposal Cost Recovery

Number of Tires Removed
(\$2 Each)Number of Electronics
Removed (\$10 Each)Containers of Chemicals
(\$1 Each)Freon Removal Recovery
(\$20 each)

Total Cost of Abatement

755 Grasshopper, 743 Kubota, 781 Trailor, 6013 Service Pick Up Truck

\$55.00

\$65.00

\$55.00

\$35.00

1

3

72.00

54.84

54.84

120.00

120.00

\$118.32

0

0

0

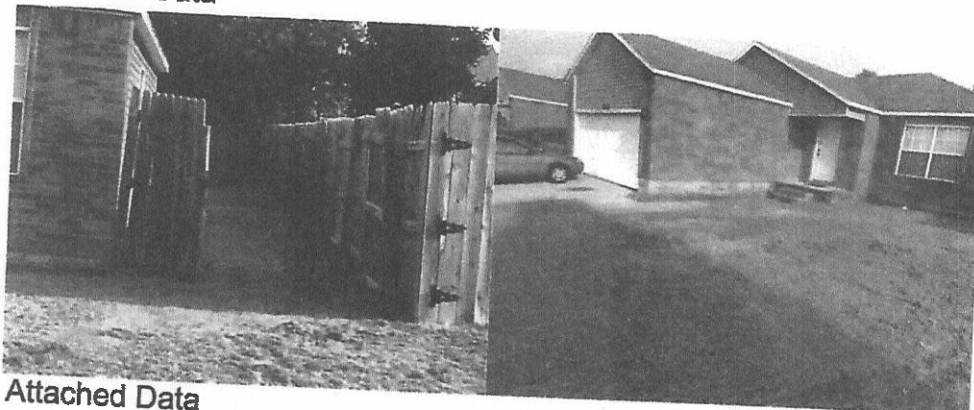
0

365.16

Items Removed from
Property
Final Photos

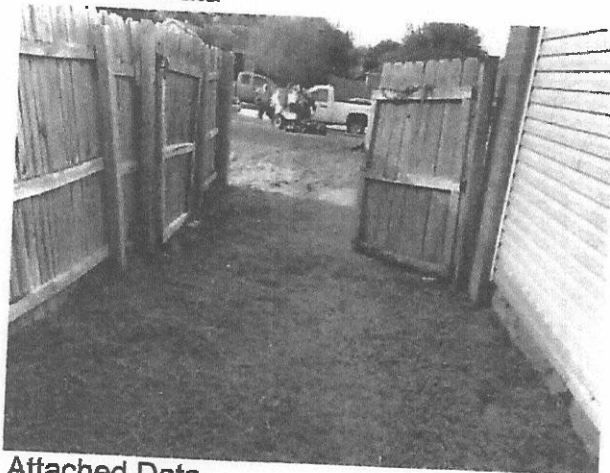
0

Attached Data



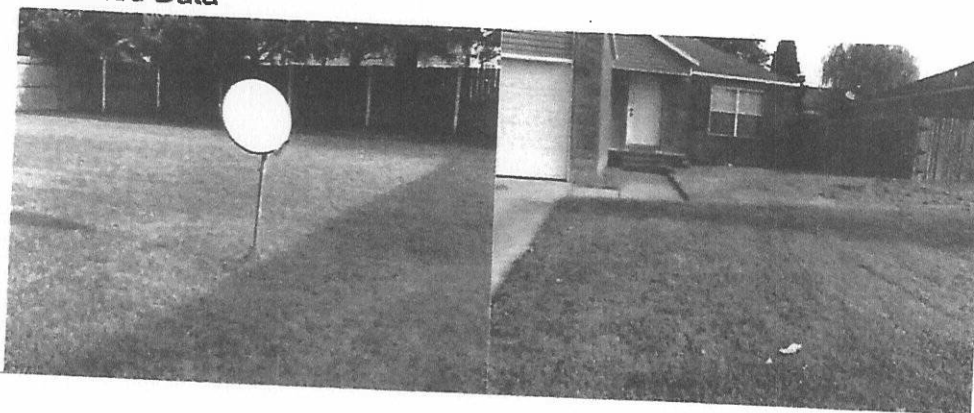
Final Photos

Attached Data



Final Photos

Attached Data



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:

Mortgage Electronic Systems Inc.
Registered Agent: CT Corporation Systems
124 West Capitol, Suite 1900
Little Rock, AR 72201



9590 9402 5688 9346 5656 43

2. Article Number (Transfer from service label)

7019 2970 0000 7254 5868

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X CT CORPORATION ☐ Agent ☐ Address

B. Received by (Printed Name)

OCT 28 2021

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 | ☒ Return Receipt for Merchandise |
| ☐ Collect on Delivery | ☐ Signature Confirmation |
| ☐ Collect on Delivery Restricted Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ All Restricted Delivery | |

Domestic

USPS TRACKING #



9590 9402 5688 9346 5656 43

United States
Postal Service

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

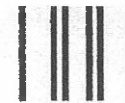


OFFICE OF THE
CITY ATTORNEY
201 NORTH SPRING STREET
SPRINGDALE, ARKANSAS 72764

2012 COLLINS



9590 9402 4536 8278 3803 01



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

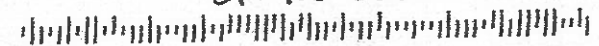
United States
Postal Service

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



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

2012 Collins



USPS TRACKING #



9590 9402 5688 9346 5656 50

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

United States
Postal Service

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



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



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 Number

Quicken Loans, Inc.
1050 Woodward Avenue
Detroit, MI 48226-1906



9590 9402 4536 8278 3803 01

2. Article Number (Transfer from service label)

7019 2970 0000 7254 5851

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *William Gibson*☐ Agent☐ Addressee

B. Received by (Printed Name)

William Gibson

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☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Restricted Delivery☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☒ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

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:

Steven Tomlinson
2012 Collins Avenue
Springdale, AR 72764



9590 9402 5688 9346 5656 50

2. Article Number (Transfer from service label)

7019 2970 0000 7254 5844

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Tomlinson*☐ Agent☐ Addressee

B. Received by (Printed Name)

X *SPS Could 19*

C. Date of Delivery

10-25-21

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

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Restricted Delivery☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☒ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

Before the meeting was called to order, Council Member Kevin Flores presented a video and recognized the 246th Birthday of the Marine Corps.

The City Council of the City of Springdale met in regular session on Tuesday, November 9, 2021, in the tiered training room in the new Criminal Justice Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Brian Powell	Ward 1
Amelia Williams	Ward 3
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 4
Kevin Flores	Ward 2
Randall Harriman	Ward 1
Mark Fougrousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Mike Irwin	Fire Chief
Mike Peters	Police Chief
Patsy Christie	Planning & Comm. Dev. Director
Brad Baldwin	Public Works & Eng. Director
Ron Findley	Community Engagement
Mike Chamlee	Chief Building Official
Colby Fulfer	Chief of Staff

APPROVAL OF MINUTES

Council Member Williams moved the minutes of the October 27, 2021 City Council meeting be approved as presented. Council Member Flores made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

RESOLUTION NO. 138-21 – CONFIRMING THE APPOINTMENT OF CAMRON MCAHREN TO THE SPRINGDALE AIRPORT COMMISSION OF THE CITY OF SPRINGDALE, ARKANSAS

Mayor Doug Sprouse presented a Resolution confirming the appointment of Camron McAhren to the Springdale Airport Commission of the City of Springdale, Arkansas.

RESOLUTION NO. ____

**A RESOLUTION CONFIRMING AN APPOINTMENT TO THE
SPRINGDALE AIRPORT COMMISSION OF THE CITY OF
SPRINGDALE**

WHEREAS, Andrew Barker has resigned from Seat #3 of the Springdale Airport Commission. He was originally appointment to Seat #3 of the Springdale Airport Commission on July 1, 2017; and

WHEREAS, according to Section 18-26 of the Springdale Code of Ordinances, commissioners shall be appointed by the Mayor and confirmed by three-fourths of the elected City Council, and

WHEREAS, the Mayor received recommendations from individual members of the Springdale Airport Commission and has decided to appoint Camron McAhren to complete the term vacated by Commissioner Barker and to a full term beginning July 1, 2022; and

WHEREAS, Mayor Doug Sprouse has appointed Camron McAhren to the Springdale Airport Commission,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the appointment of Camron McAhren to Seat #3 of the Springdale Airport Commission for the remainder of Andrew Barker's term which expires July 1, 2022 and a full term thereafter which expires on July 1, 2027 is approved.

PASSED AND APPROVED this ____ day of November, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores, Harriman

No: None

The Resolution was numbered 138-21.

ORDINANCE NO. 5655 – AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS, THE DOWNTOWN DISTRICT FORM BASED CODE; REVISING SECTION 2.0 THE REGULATING PLAN; DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance amending Chapter 32 of the Code of Ordinances of the City of Springdale, Arkansas, to adopt revisions to the Downtown District Form Based Code, Section 2.0, The Regulating Plan, by removing

parcels 815-21342-000; 815-21343-000; and, 815-21344-000 from Campus Type 1 District and making said parcels Neighborhood Center Type 2.

These parcels are located at the corner of Deaver and Maple Streets. They were originally included in with the Hospital Campus but have since been purchased by a private company who wants to develop it and make it a neighborhood center type 2.

Planning Commission recommended approval at their November 2, 2021 meeting.

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

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse

No: None

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

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell

No: None

The Ordinance was numbered 5655.

ORDINANCE NO. 5656 – ACCEPTING THE RE-PLAT OF LOT 143 OF THE APPLE ORCHARD SUBDIVISION TO THE CITY OF SPRINGDALE

Planning Director Patsy Christie presented an Ordinance accepting the Re-Plat of Lot 143 of the Apple Orchard Subdivision to the City of Springdale.

Planning Commission recommended approval at their meeting.

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

The vote:

Yes: Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams

No: None

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

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5656.

ORDINANCE NO. 5657 – ACCEPTING THE RE-PLAT OF LOTS 2A, 2B, 2C-1, 2-C-2 AND 2D OF WESTFIELD SUBDIVISION, PHASE I, TO THE CITY OF SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Re-Plat of Lots 2A, 2B, 2C-1, 2C-2 and 2D of Westfield Subdivision, Phase I, to the City of Springdale, Arkansas, and declaring an emergency.

Planning Commission recommended approval at their meeting.

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

The vote:

Yes: Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton

No: None

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

The vote:

Yes: Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5657.

RESOLUTION NO. 139-21 – AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 900 E. EMMA AVENUE AND 902 E. EMMA AVENUE, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS

Council Member Jeff Watson presented a Resolution authorizing the purchase of property from Kasim Ventures, LLC, located at 900 E. Emma Avenue and 902 E. Emma Avenue, Springdale, Washington County, Arkansas. The City plans to use the property, along with other adjacent properties, for the relocation and construction of a Springdale Senior Center.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 900 E. EMMA AVENUE AND 902 E. EMMA AVENUE, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.

WHEREAS, Kasim Ventures, LLC, currently owns property located at 900 East Emma Avenue and 902 East Emma Avenue, Springdale, Washington County, Arkansas, ("the Property"), and being more particularly described as follows:

Parcel No. 815-27556-000 (900 East Emma Ave.)

Part of the Northwest Quarter of the Southwest Quarter of Section 31, Township 18 North, Range 29 West, Washington County, Arkansas, described as: Beginning at the southwest corner of said 40 acre tract, and running thence East 65 feet; thence North 165 feet; thence West 65 feet; thence South 165 feet to the place of beginning.

Parcel No. 815-25753-000 (902 East Emma Ave.)

Lot 1, Sisson Subdivision, to the City of Springdale, Washington County, Arkansas, as shown on Plat Record 479 at Page 132. LESS AND EXCEPT that portion that lies within the right of way of the public roads.

WHEREAS, the owner has agreed to sell the Property to the City of Springdale for the total sum of \$500,000.00;

WHEREAS, the City believes the proposed purchase price is reasonable based on the current real estate market conditions, particularly in Downtown Springdale; and

WHEREAS, the City plans to use the Property, along with other adjacent properties, for the relocation and construction of a Springdale Senior Center.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that the Mayor is hereby authorized to execute all documents necessary for the acquisition of the Property in the amount of \$500,000.00, plus associated costs, to be paid from the City's general fund unreserved, to be reimbursed out of the proceeds of the sale of the current Senior Center, or from the proceeds any future Bond funds.

PASSED AND APPROVED this ____ day of November, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 139-21.

RESOLUTION NO. 140-21 – AUTHORIZING A CONSTRUCTION CONTRACT FOR PHASE II OF THE RESTORATION OF RABBIT FOOT LODGE

Council Member Jeff Watson presented a Resolution authorizing a construction contract with Pick-It Construction for Phase II of the restoration of Rabbit Foot Lodge. This is the same contractor used for Phase I. The total spent will be \$1.2 million for both phases.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING A CONSTRUCTION CONTRACT FOR PHASE II OF THE RESTORATION OF RABBIT FOOT LODGE

WHEREAS, Phase I of the restoration of Rabbit Foot Lodge is complete with a

final construction cost of \$411,759.12 and

WHEREAS, three companies picked up construction plans as a result of an advertisement seeking sealed bids, and

WHEREAS, one bid was received from Pick-It Construction in the amount of \$748,830.00.;

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

Section 1. Expenditures for this project will be paid from the General Fund reserves, and

Section 2. The Mayor and City Clerk are hereby authorized to execute a construction contract in the amount of \$748,830 with Pick-It Construction Inc. for phase II of the Restoration of Rabbit Foot Lodge.,

Section 3. The Mayor is also authorized to sign changer orders as long as the accumulated cost of the change orders does not exceed 10% of the original contract.

PASSED AND APPROVED this ____ day of November, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores, Harriman

No: None

The Resolution was numbered 140-21.

RESOLUTION NO. 141-21 – TO APPROPRIATE FUNDS FOR THE PURCHASE OF TWO FINGERPRINT UNITS FOR THE POLICE DEPARTMENT FROM JUSTICE ASSISTANCE GRANT (JAG) AND DRUG SEIZURE FUNDS

Council Member Brian Powell presented a Resolution to appropriate funds for the purchase of two fingerprint units for the Police Department from Justice Assistance Grant (JAG) and drug seizure funds.

RESOLUTION NO. ____

A RESOLUTION TO APPROPRIATE FUNDS FOR THE PURCHASE OF TWO FINGERPRINT UNITS FOR THE POLICE DEPARTMENT FROM A JUSTICE ASSISTANCE GRANT (JAG) AND DRUG SEIZURE FUND.

WHEREAS, the Police Department needs to replace two fingerprint systems; and

WHEREAS, the price for the two units total \$25,060.20; and

WHEREAS, the City of Springdale has received a Justice Assistance Grant in the amount of \$21,282; and

WHEREAS, the remaining \$3,778.20 will be appropriated from the Drug Seizure fund.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS that there is hereby appropriated \$21,282 from the Justice Assistance Grant and \$3,778.20 from the Drug Seizure funds for the purchase of two fingerprint systems for the Police Department.

PASSED AND APPROVED this ____ day of November, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

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

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Flores, Harriman, Fougerousse

No: None

The Resolution was numbered 141-21.

RESOLUTION NO. 142-21 – CERTIFYING AN UNDERSTANDING OF USING A CASH FLOW MODEL FOR A SMALL GROUP, IN ORDER TO INCREASE THE BENEFITS FOR RECIPIENTS OF THE FIREMEN'S PENSION AND RELIEF FUND, PURSUANT TO ARKANSAS CODE ANN. §24-11-102 AND RULE 4 OF THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD

Council Member Brian Powell presented a Resolution certifying an understanding of using a cash flow model for a small group, in order to increase the benefits for recipients of the Firemen's Pension and Relief Fund, pursuant to Arkansas Code Ann. §24-11-102 and Rule 4 of the Arkansas Fire and Police Pension Review Board.

RESOLUTION NO. ____

A RESOLUTION CERTIFYING AN UNDERSTANDING OF USING A CASH FLOW MODEL FOR A SMALL GROUP, IN ORDER TO INCREASE THE BENEFITS FOR RECIPIENTS OF THE FIREMEN'S PENSION AND RELIEF FUND, PURSUANT TO ARK. CODE ANN. §24-11-102 AND RULE 4 OF THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD.

WHEREAS, on April 14, 2021, the Firemen’s Pension and Relief Fund for the Fire Department of the City of Springdale, Arkansas (hereinafter referred to as the “Fund”), passed Resolution No. 21-1 to increase the benefits for recipients of the Fund, pursuant to Ark. Code Ann. §24-11-102;

WHEREAS, the Fund submitted its request to the Arkansas Fire and Police Pension Review Board (PRB) to complete an actuarial valuation;

WHEREAS, the Fund has now received an actuarial valuation dated September 28, 2021, from the PRB indicating that the proposed benefit increases contained in Resolution 21-1 could be approved;

WHEREAS, PRB Rule 4 requires that both the Fund and the Springdale City Council certify their understanding of using a cash flow model for a small group;

WHEREAS, on October 21, 2021, the Fund passed Resolution No. 21-2 to certify their understanding of using a cash flow model for a small group;

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

Section 1: The City of Springdale, Arkansas, hereby certifies its understanding of using a cash flow model for a small group, as required by PRB Rule 4, and that the proposed benefit increases contained in Resolution 21-1 passed by the Fund on April 14, 2021, should be, and hereby are, approved;

Section 2: Such benefits shall be paid from the Firemen’s Relief and Pension Fund to all present and future retired firefighters or their surviving spouses or other beneficiaries to be effective April 14, 2021.

Section 3: The Mayor and City Clerk are hereby authorized to execute the attached "Alternate Cash Flow Valuation for the Springdale Fire Relief and Pension Fund", and submit the same to the Arkansas Fire and Police Pension Review Board.

PASSED AND APPROVED this ____ day of November, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell,

No: None

The Resolution was numbered 142-21.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:28 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer