

- The next Committee Meeting will be held on Monday, June 19th, 2023 at 5:30p.m.
- Agenda Packet will be available on the Friday before the meeting.

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
TIERED TRAINING ROOM
2ND FLOOR OF CRIMINAL JUSTICE BUILDING
Tuesday, June 13th, 2023**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilwoman Amelia Williams

1. Call to Order – Mayor Doug Sprouse
2. Roll Call – Denise Pearce, City Clerk/Treasurer
3. Recognition of a Quorum.

4. Comments from Citizens

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

5. Approval of Minutes – **Tuesday, May 23rd, 2023. Pgs. 32-48**

6. Procedural Motions

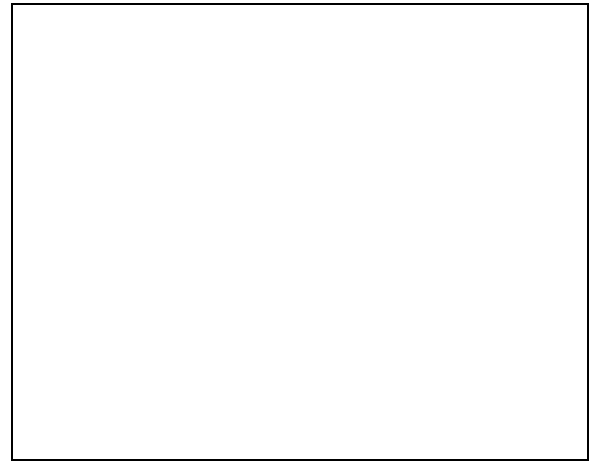
A. Entertain Motion to read all Ordinances and Resolutions by title only.

B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item number(s) **7A – 7D, and 9** (Motion must be approved by two-thirds (2/3) of the council members).*

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

A. **An Ordinance** accepting the Final Plat (FP23-04) of Hylton Place Phase III, to the City of Springdale, Arkansas, and Declaring an Emergency. **Pgs. 1-4**

- B. **An Ordinance** accepting the Replat (RP23-09) of Block 1, Lots 1-4 & Block 2, Lots 1-5 of the Deaver Addition, to the City of Springdale, Arkansas, and Declaring an Emergency. Pgs. 5-8
- C. **An Ordinance** accepting the Replat (RP23-10) of Lots 3A-3E of Worth Lane Commercial Park, to the City of Springdale, Arkansas, and Declaring an Emergency. Pgs. 9-12
- D. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-30) certain lands located at 5301 W. Sunset Avenue from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) and declaring an emergency. Pgs. 13-16
8. **A Resolution** authorizing the grant of a water/sewer easement to the Springdale Water and Sewer Commission across property owned by the City of Springdale, Washington County, Arkansas. Presented by Ernest Cate, City Attorney. Pgs. 17-20
9. **An Ordinance** authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located within the City of Springdale, Arkansas, and declaring an emergency. Presented by Ernest Cate, City Attorney. Pgs. 21-31
10. Comments from Council Members.
11. Comments from City Attorney.
12. Comments from Mayor
13. Adjournment.



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE FINAL PLAT (FP23-04) OF
PHASE 3 OF HYLTON PLACE SUBDIVISION IN THE CITY OF
SPRINGDALE ARKANSAS, AND DECLARING AN EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

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

PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NE 1/4 OF THE SE 1/4 OF SAID SECTION 17, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG THE WEST LINE OF SAID NE 1/4 OF THE SE 1/4, N02°21'08"E A DISTANCE OF 333.03 FEET; THENCE LEAVING SAID WEST LINE, S87°40'46"E A DISTANCE OF 1320.93 FEET TO A POINT ON THE EAST LINE OF SAID NE 1/4 OF THE SE 1/4; THENCE ALONG SAID EAST LINE, S02°34'52"W A DISTANCE OF 329.17 FEET TO THE SOUTHEAST CORNER OF SAID NE 1/4 OF THE SE 1/4, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE SE 1/4, N87°50'49"W A DISTANCE OF 1319.63 FEET TO THE POINT OF BEGINNING, CONTAINING 10.04 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the plat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said plat and join with the said petitioner in petitioning the City Council to accept the said plat (FP23-04) of Phase 3 of Hylton Place Subdivision to the City of Springdale, Arkansas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the plat (FP23-04) of Phase 3 of Hylton Place Subdivision, as shown on the plat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Washington County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

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

PASSED AND APPROVED this _____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

Curve Table				
Curve #	Length	Radius	Chord Length	Chord Bearing
C1	113.34'	75.27'	102.83'	S40°55'24"E
C2	21.03'	19.50'	20.03'	S29°01'19"W
C3	43.93'	50.00'	42.53'	S30°45'16"W
C4	40.63'	50.00'	39.52'	S17°41'46"E
C5	84.69'	50.00'	74.92'	S89°29'58"E
C6	14.27'	18.50'	13.95'	N62°56'10"E
C7	6.77'	19.50'	6.73'	S88°02'45"E
C8	27.42'	17.36'	24.66'	S46°19'15"W
C9	38.27'	18.00'	25.45'	S42°35'49"E
C10	24.20'	18.15'	22.52'	S40°57'48"W
C11	14.16'	100.31'	14.16'	S01°49'40"E
C12	14.57'	100.28'	14.56'	S80°22'55"E
C13	74.86'	50.27'	68.22'	N40°31'37"W

TRANSMITTAL, OWNERSHIP, AND ORDINANCE:

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

OWNER / DEVELOPER: D.R. HORTON - NW ARKANSAS, LLC
1341 HORTON CIRCLE
ARLINGTON, TX 76011

AUTHORIZED MEMBER: _____
SIGNATURE: _____
DATE: _____

RESOLUTION: RESOLVED THAT _____, HEREBY AUTHORIZES TO EXECUTE THE CERTIFICATE OF OWNERSHIP AND DEDICATION AS SHOWN ON THIS FINAL PLAT.

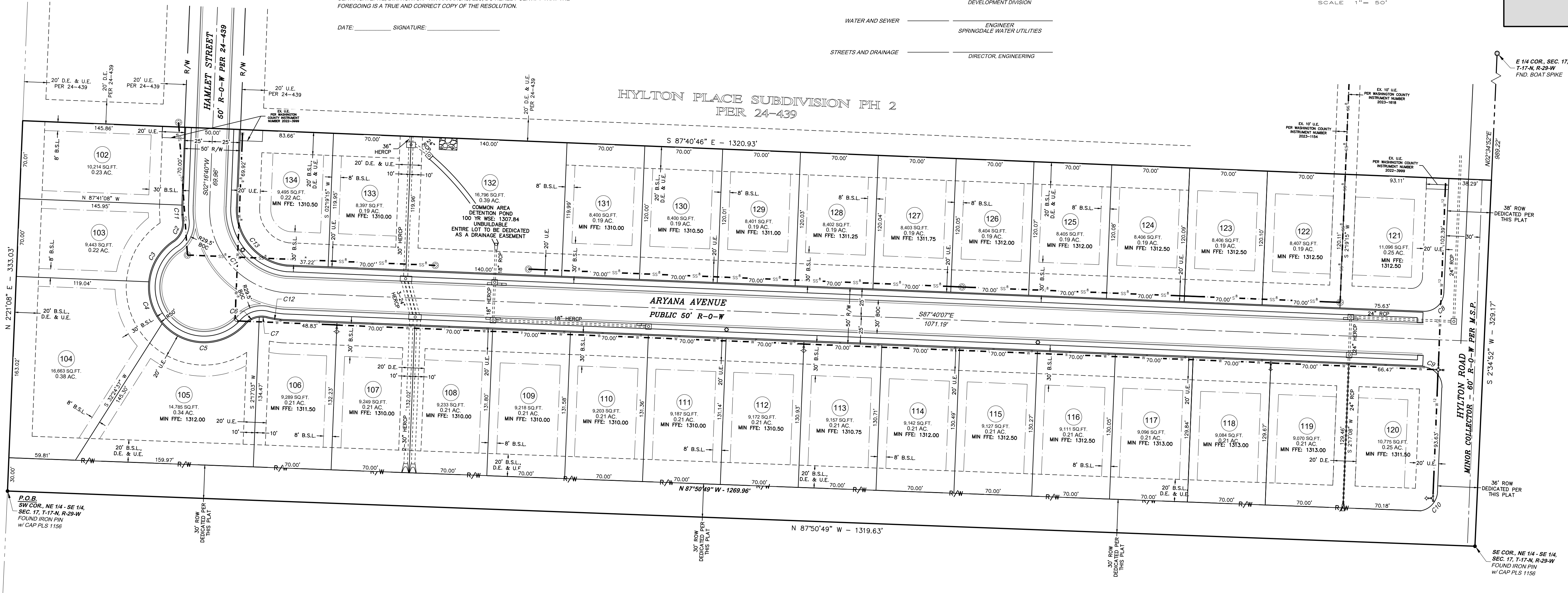
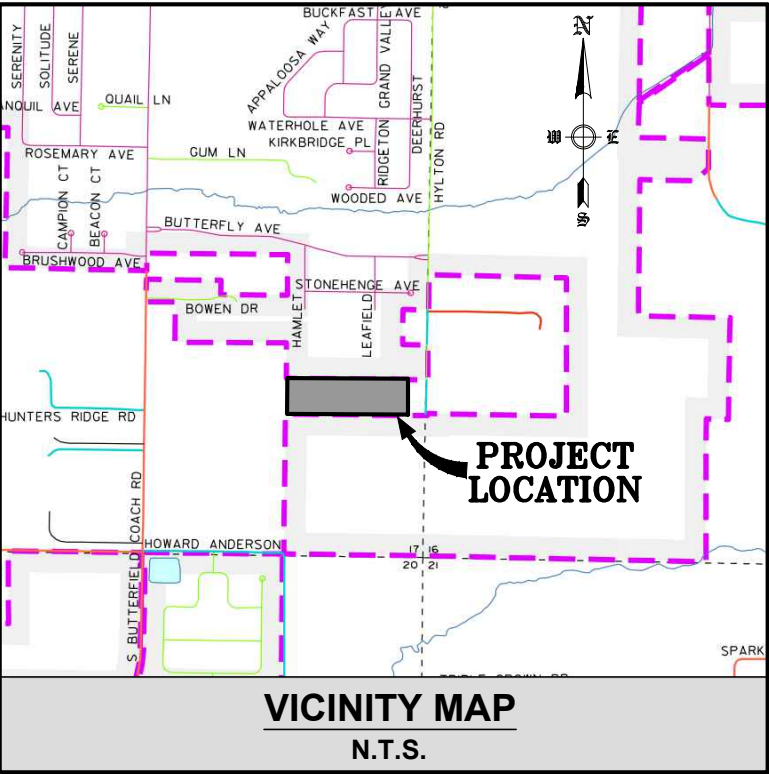
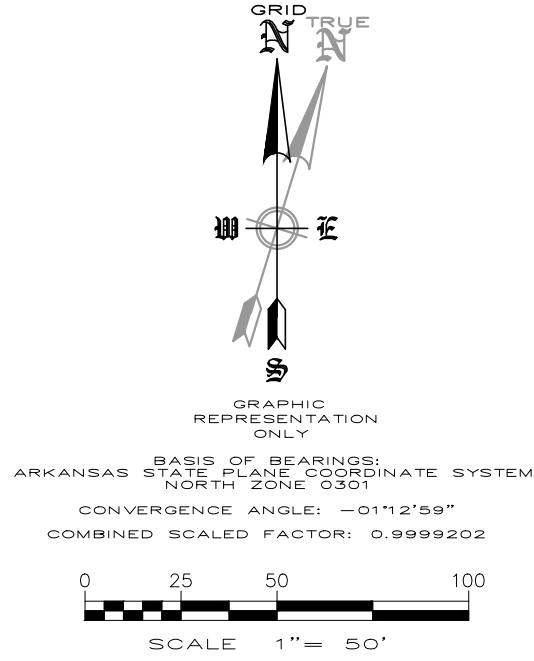
CERTIFICATE: WE, D.R. HORTON - NW ARKANSAS, LLC, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE RESOLUTION.

DATE: _____
SIGNATURE: _____

CERTIFICATE OF ACCEPTANCE:

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

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



STREET TABLE	
CLASSIFICATION	PUBLIC STREET
LOCAL STREET	997 L.F.

BENCHMARKS:

- 1) CITY DISK IN DROP INLET - TBD (NAVD 88)
- 2) CITY DISK IN DROP INLET - TBD (NAVD 88)

SURVEYOR'S NOTES:

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

PLAT CLOSURE DECLARATION:

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 363.731 FEET.

FEMA FLOOD PLAIN ZONE:

THIS PROPERTY IS NOT WITHIN A FLOOD ZONE AS SHOWN ON THE F.I.R.M. MAP # 05143C0080 F, PANEL 90 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. MAP REVISED, MAY 16, 2008.

UTILITIES:

THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS BASED ON ABOVE GROUND FEATURES ONLY AND THE CITY OF SPRINGDALE GIS MAP.

REFERENCES:

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

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

1. **WARRANTY DEED:** HYLTON ROAD REAL ESTATE, LLC, RECORDED AUGUST 26, 2020, FILE NO. 2020-29967.
2. **FINAL PLAT OF HYLTON PLACE SUBDIVISION PH 2:** BY ENGINEERING SERVICES, INC., RODNEY WOODS, AR PLS NO. 1559, RECORDED SEPTEMBER 14, 2022, FILE NO. 24-439.
3. **BOUNDARY SURVEY:** BY ENGINEERING SERVICES, INC., S. CRAIG DAVIS, AR PLS NO. 1156, RECORDED IN STATE FILE NO. 202205102054.

BENCHMARKS:

- 1) CITY DISK IN DROP INLET - TBD (NAVD 88)
- 2) CITY DISK IN DROP INLET - TBD (NAVD 88)

SURVEY DESCRIPTION (PARCEL NO.'S 815-30631-800 & 815-36207-700):

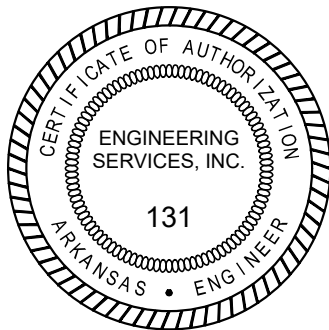
PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NE 1/4 OF THE SE 1/4 OF SAID SECTION 17, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG THE WEST LINE OF SAID NE 1/4 OF THE SE 1/4, N02°21'08"E A DISTANCE OF 333.03 FEET; THENCE LEAVING SAID WEST LINE, S87°40'46"E A DISTANCE OF 1020.93 FEET TO A POINT ON THE EAST LINE OF SAID NE 1/4 OF THE SE 1/4; THENCE ALONG SAID EAST LINE, S02°34'52"W A DISTANCE OF 329.17 FEET TO THE SOUTHEAST CORNER OF SAID NE 1/4 OF THE SE 1/4, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE SE 1/4, N87°50'49"W A DISTANCE OF 1319.63 FEET TO THE **POINT OF BEGINNING**, CONTAINING 10.04 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

CERTIFICATE OF ACCURACY OF SURVEY:

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

DATE: _____ SURVEYOR: _____
RODNEY WOODS, PS 1559



NOTES:

- 1) CONCRETE MONUMENTS SET AT ALL EXTERIOR PROPERTY CORNERS.
- 2) 1/2" REBAR WITH CAP "PS 1559" SET AT ALL INTERIOR PROPERTY CORNERS.
- 3) NO FENCES SHALL BE CONSTRUCTED WITHIN ANY DRAINAGE EASEMENTS.
- 4) ALL SIDEWALKS ARE 5' UNLESS OTHERWISE NOTED AND SHALL BE PLACED BY THE INDIVIDUAL LOT OWNER AS REQUIRED BY SPRINGDALE CITY ORDINANCE. DEVELOPER SHALL PLACE SIDEWALK ON ALL PORTIONS OF THE STREETS THAT DO NOT HAVE LOT FRONTAGE.
- 5) ANY ABOVE GROUND OR VISIBLE UTILITY PLACED IN THE FRONT UTILITY EASEMENT MAY NOT BE MORE THAN 6' FROM THE SIDE PROPERTY LINE.
- 6) STREET LIGHTS IN SUBDIVISION TO BE A MINIMUM OF 6,800 LUMENS. ALL STREET LIGHTS SHALL BE PUBLIC AND MAINTAINED BY THE CITY.
- 7) LOT 132 SHALL BE DEDICATED AS A DRAINAGE EASEMENT.

OWNER/DEVELOPER

D.R. HORTON - NW ARKANSAS, LLC
1341 HORTON CIRCLE
ARLINGTON, TX 76011

ENGINEER/SURVEYOR:

ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI ROAD
P.O. BOX 282
SPRINGDALE, AR 72765

CITY ZONING:

SETBACKS (PUD):

SF-2
FRONT - 30'
SIDE - 8'
REAR - 20'

PLAT CODE: 500-17N-29W-0-17-210-72-1559

REVISION	DATE	DESCRIPTION

FINAL PLAT OF		
HYLTON PLACE SUBDIVISION PH 3		
SPRINGDALE, WASHINGTON COUNTY, ARKANSAS		
SCALE: 1"=50'	DATE: May 17, 2023	DRAWN BY: KND
ENGINEERING SERVICES, INCORPORATED		
SPRINGDALE, ARKANSAS		
© COPYRIGHT 2023, ENGINEERING SERVICES, INC. 5/17/2023 2:53 PM	W.O.# 20946	SHEET 1/1



City of Springdale, Clayton Sedberry

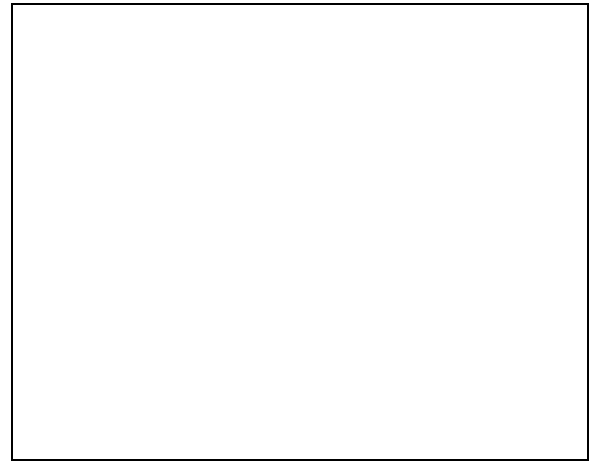
Planning Commission Meeting
June 6, 2023

00.00 0.04 0.07 0.11 0.14 Miles



PROJECT: FP23-04
APPLICANT: Hylton Place, Ph. III
LOCATION: South of Don Tyson Parkway,
west of Hylton Road
REQUEST: Final Plat for Hylton Place, Ph. III





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE REPLAT (RP23-09) OF PART OF
BLOCKS 1 & 2 IN DEAVER'S ADDITION IN THE CITY OF
SPRINGDALE ARKANSAS.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

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

LOTS 1 & 2 AND PART OF LOTS 3 AND 4 IN BLOCK 1, DEAVER'S ADDITION AND PART OF LOTS 1 AND 2, ALL OF LOTS 3 AND 4, AND PART OF LOT 5 IN BLOCK 2, DEAVER'S ADDITION, AS SHOWN IN PLAT BOOK 5 AT PAGE 31 FILED IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the replat (RP23-09) as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said replat and join with the said petitioner in petitioning the City Council to accept the said REPLAT OF PART OF BLOCKS 1 & 2 IN DEAVER'S ADDITION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the REPLAT OF PART OF BLOCKS 1 & 2 IN DEAVER'S ADDITION as shown on the replat (RP23-09) approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Washington County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

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

PASSED AND APPROVED this _____ day of _____, 2023.

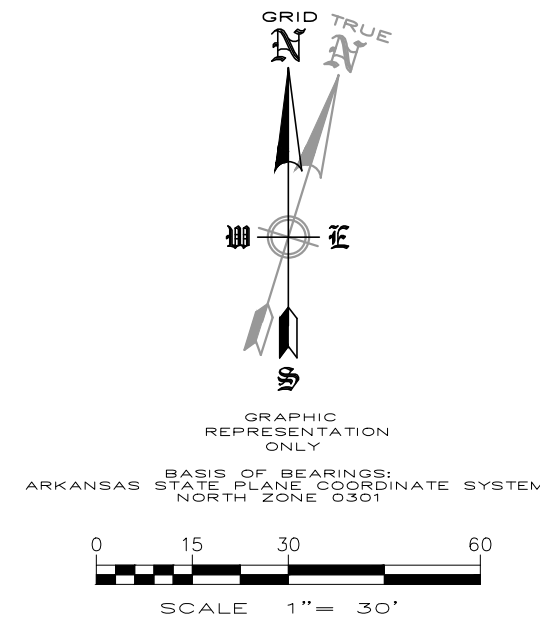
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

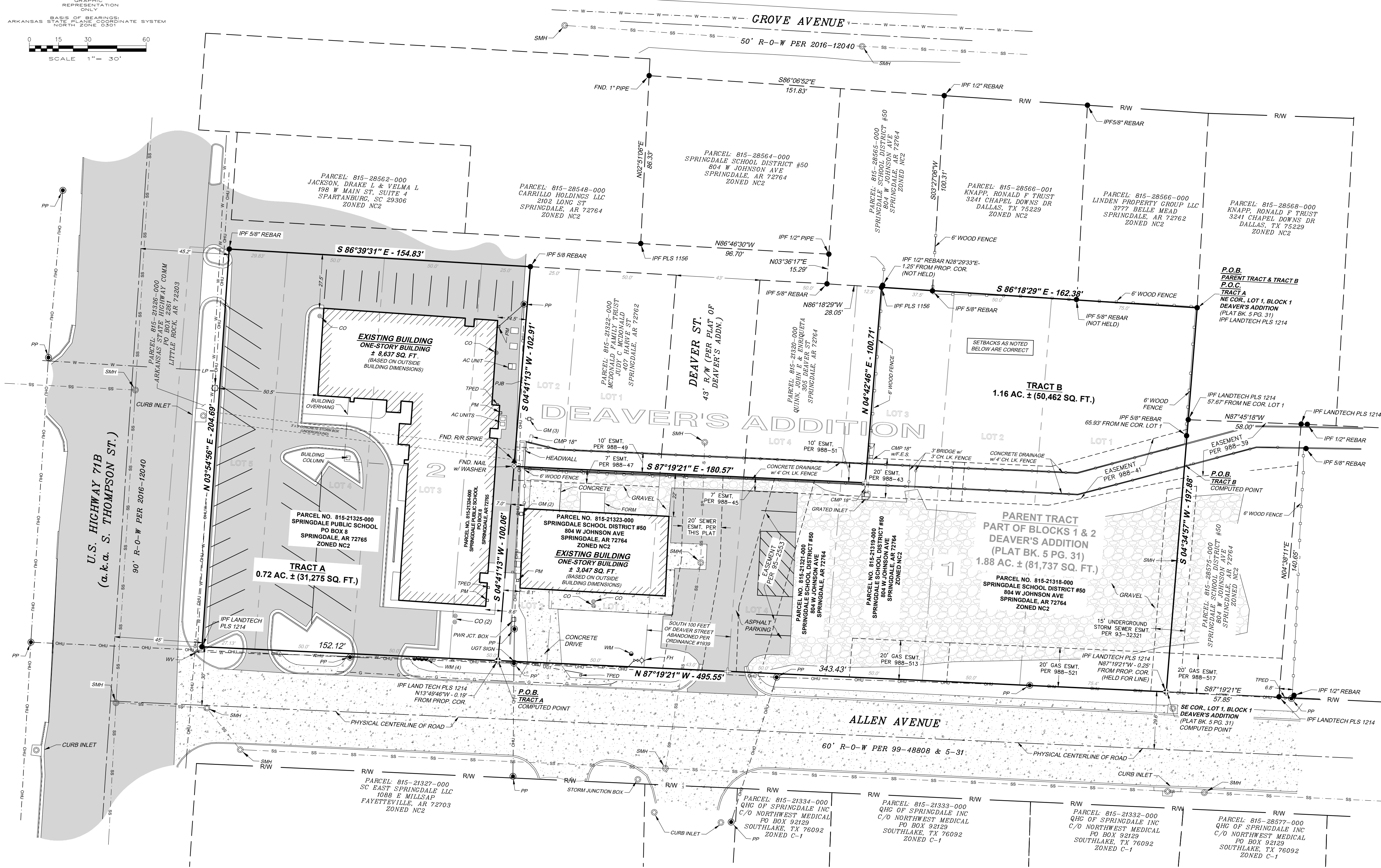
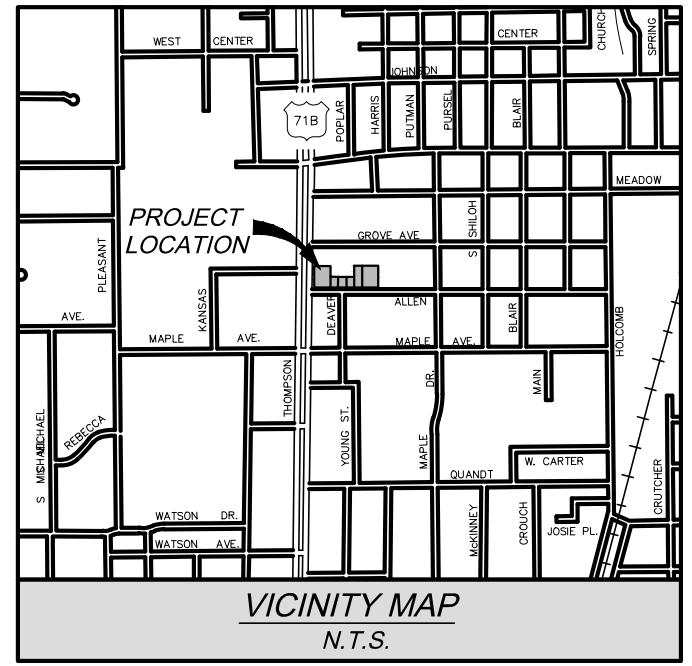
Ernest B. Cate, CITY ATTORNEY



REPLAT of

LOTS 1 AND 2 AND PART OF LOTS 3 AND 4 IN BLOCK 1, DEAVER'S ADDITION

AND PART OF LOTS 1 AND 2, ALL OF LOTS 3 AND 4, AND PART OF LOT 5 IN BLOCK 2, DEAVER'S ADDITION



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

PLAT CLOSURE DECLARATION:
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 214,804 FEET.

FEMA FLOOD PLAIN ZONE:
THIS PROPERTY IS WITHIN THE FLOOD PLAIN ZONE 'X' (NO SHADING) DESIGNATED AS AN AREA DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON F.I.R.M. MAP # 051400007F, PANEL 70 OF 575, WASHINGTON COUNTY, ARKANSAS & INCORPORATED AREAS. EFFECTIVE DATE: MAY 16, 2008.

UTILITIES:
THE UTILITY INFORMATION, IF ANY SHOWN HEREON, IS PROVIDED BY THE SURVEYOR AND IS BASED ON ABOVE GROUND UTILITY FEATURES AND CITY OF SPRINGDALE G.I.S. ONLY. THE DESIGNATIONS AND LOCATIONS OF THESE UTILITY FEATURES SHOWN HEREON ARE NOT TO BE CONSTRUED AS ALL INCLUSIVE OR ABSOLUTE AND ARE PROVIDED WITHOUT WARRANTY.

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

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

A. TRUSTEES WARRANTY DEED: SPRINGDALE PUBLIC SCHOOLS, RECORDED DECEMBER 5, 2017, FILE NO. 2017-36719.
B. SPECIAL WARRANTY DEED: SPRINGDALE SCHOOL DISTRICT NO. 50, RECORDED FEBRUARY 25, 2021, FILE NO. 2021-7017.
C. SPECIAL WARRANTY DEED: SPRINGDALE SCHOOL DISTRICT NO. 50, RECORDED MARCH 5, 2021, FILE NO. 2021-8142.
D. FINAL PLAT OF DEAVER'S ADDITION: RECORDED MAY 23, 1895, BOOK 5 AT PAGE 31.
E. ALTAICSM LAND TITLE SURVEY: BY LANDTECH ENGINEERING, INC., PAUL J. WALLA, AR PLS NO. 1214, RECORDED JUNE 2, 1999 IN BOOK 1999 PAGE 48808.
F. PLAT OF SURVEY: BY BATES & ASSOCIATES, INC., DERRICK L. THOMAS, AR PLS NO. 1642, RECORDED NOVEMBER 21, 2014 IN STATE FILE NO. 201508240020.
G. LOT SPLIT: BY BATES & ASSOCIATES, INC., DERRICK L. THOMAS, AR PLS NO. 1642, RECORDED MAY 4, 2016 IN FILE NO. 2016-12040.
H. BOUNDARY SURVEY: BY ENGINEERING SERVICES, INC., S. CRAIG DAVIS, AR PLS NO. 1158, ESI W.O. # 17338.
I. ALTAICSM LAND TITLE SURVEY: BY LANDTECH ENGINEERING, INC., PAUL J. WALLA, AR PLS NO. 1214, RECORDED JUNE 2, 1999 IN BOOK 1999 PAGE 48816.
J. BOUNDARY SURVEY: BY ENGINEERING SERVICES, INC., S. CRAIG DAVIS, AR PLS NO. 1158, RECORDED JULY 29, 2022 IN FILE NO. 2022-25331.

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

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

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF ARKANSAS
NO. 1559
SIGNATURE: _____

CERTIFICATE OF ACCEPTANCE:
THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAT MEETS CURRENT REGULATIONS OF THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

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

AUTHORIZED REPRESENTATIVE SPRINGDALE SCHOOL DISTRICT #50 DATE _____
SUBSCRIBED AND SWORN BEFORE ME THIS ____ DAY OF _____, 2023.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

AUTHORIZED REPRESENTATIVE SPRINGDALE PUBLIC SCHOOL DATE _____
SUBSCRIBED AND SWORN BEFORE ME THIS ____ DAY OF _____, 2023.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

OWNER: SPRINGDALE SCHOOL DISTRICT #50
804 W JOHNSON AVE
SPRINGDALE, AR 72764
SPRINGDALE PUBLIC SCHOOL
P.O. BOX 8
SPRINGDALE, AR 72765

SURVEYOR: ENGINEERING SERVICES, INC.
1207 S. OLD MISSOURI ROAD
P.O. BOX 282
SPRINGDALE, AR 72765
22913

WORK ORDER #: NC2 (NEIGHBORHOOD CENTER TYPE 2)

CITY ZONING: NC2 (NEIGHBORHOOD CENTER TYPE 2)

SETBACKS: BUILD-TO-LINE: PRIMARY STREET: 25' MIN / 50' MAX
SIDE STREET: 10' MIN / 25' MAX

SETBACK: SIDE: 0' MIN / 10' MAX
ALLEY: 5' MIN / 10' MAX

LEGEND	
—	PROPERTY LINE
—	SPLIT LINE
—	LOT LINE
—	ADJACENT OWNER
—	EASEMENT (AS NOTED)
—	RIGHT-OF-WAY
—	BUILDING SETBACK LINE (B.S.L.)
—	CENTERLINE OF ROAD
—	WIRE FENCE LINE
—	CHAIN LINK FENCE LINE
—	WOOD FENCE LINE
—	OVERHEAD UTILITIES
—	SANITARY SEWER LINE
—	WATER LINE
—	UNDERGROUND GAS LINE (UGL)
—	UNDERGROUND TELEPHONE LINE
●	P.O.C. POINT OF COMMENCEMENT
●	P.O.B. POINT OF BEGINNING
●	IPF - IRON PIN FOUND (AS NOTED)
●	FOUND RAILROAD SPIKE
●	FOUND NAIL (AS NOTED)
●	COMPUTED POINT
●	MANHOLE (AS NOTED)
●	SEWER MANHOLE (SMH)
●	CLEANOUT (CO)
●	GAS METER (GM)
●	POWER POLE (PP)
●	FIRE HYDRANT (FH)
●	WATER VALVE (WV)

SURVEY DESCRIPTION - PARENT TRACT (PARCEL NO. S 815-21318-000, S 815-21319-000, S 815-21321-000, S 815-21323-000, S 815-21324-000, S 815-21325-000):
PART OF BLOCKS 1 AND 2 IN DEAVER'S ADDITION AS SHOWN IN PLAT BOOK 5 AT PAGE 31, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

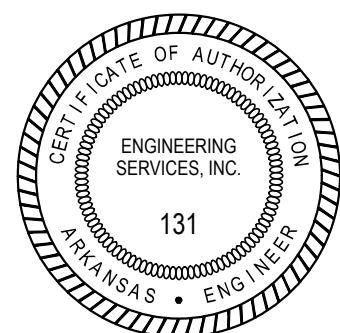
BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1 IN SAID DEAVER'S ADDITION, SAID POINT BEING A FOUND IRON PIN WITH CAP "LANDTECH PLS 1214"; THENCE ALONG THE EAST LINE OF SAID LOT 1, S04°34'57"W A DISTANCE OF 197.88 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF ALLEN AVENUE; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID BLOCKS 1 AND 2 AND SAID NORTHERLY RIGHT-OF-WAY LINE, N87°19'21"W A DISTANCE OF 495.55 FEET TO A FOUND IRON PIN WITH CAP "LANDTECH PLS 1214" ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 718 (SOUTH THOMPSON STREET); THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND SAID SOUTH LINE OF BLOCKS 1 AND 2 AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N03°54'56"E A DISTANCE OF 204.69 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK 2, SAID POINT BEING A FOUND 5/8 INCH REBAR; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG SAID NORTH LINE, S88°39'31"E A DISTANCE OF 154.83 FEET TO A FOUND 5/8 INCH REBAR; THENCE LEAVING SAID NORTH LINE, S04°41'13"W A DISTANCE OF 102.91 FEET TO A FOUND NAIL WITH WASHER; THENCE S87°19'21"E A DISTANCE OF 180.57 FEET; THENCE N04°42'46"E A DISTANCE OF 100.71 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK 1, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID NORTH LINE, S88°18'29"E A DISTANCE OF 162.38 FEET TO THE **POINT OF BEGINNING**, CONTAINING 1.88 ACRES (51,737 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

SURVEY DESCRIPTION - TRACT A:
PART OF BLOCKS 1 AND 2 IN DEAVER'S ADDITION AS SHOWN IN PLAT BOOK 5 AT PAGE 31, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

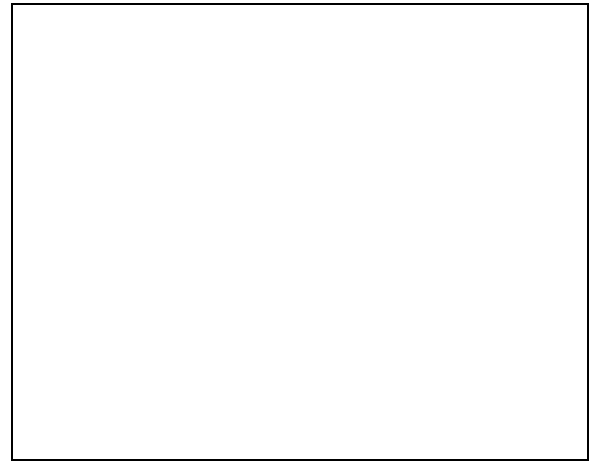
COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1 IN SAID DEAVER'S ADDITION, SAID POINT BEING A FOUND IRON PIN WITH CAP "LANDTECH PLS 1214"; THENCE ALONG THE EAST LINE OF SAID LOT 1, S04°34'57"W A DISTANCE OF 197.88 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF ALLEN AVENUE; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID BLOCKS 1 AND 2 AND SAID NORTHERLY RIGHT-OF-WAY LINE, N87°19'21"W A DISTANCE OF 495.55 FEET TO A FOUND IRON PIN WITH CAP "LANDTECH PLS 1214" ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 718 (SOUTH THOMPSON STREET); THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND SAID SOUTH LINE OF BLOCKS 1 AND 2 AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N03°54'56"E A DISTANCE OF 204.69 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK 2, SAID POINT BEING A FOUND 5/8 INCH REBAR; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG SAID NORTH LINE, S88°39'31"E A DISTANCE OF 154.83 FEET TO A FOUND 5/8 INCH REBAR; THENCE LEAVING SAID NORTH LINE, S04°41'13"W A DISTANCE OF 102.91 FEET TO A FOUND NAIL WITH WASHER; THENCE CONTINUING S04°41'13"W A DISTANCE OF 100.06 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.72 ACRES (31,275 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.

SURVEY DESCRIPTION - TRACT B:
PART OF BLOCKS 1 AND 2 IN DEAVER'S ADDITION AS SHOWN IN PLAT BOOK 5 AT PAGE 31, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1 IN SAID DEAVER'S ADDITION, SAID POINT BEING A FOUND IRON PIN WITH CAP "LANDTECH PLS 1214"; THENCE ALONG THE EAST LINE OF SAID LOT 1, S04°34'57"W A DISTANCE OF 197.88 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF ALLEN AVENUE; THENCE LEAVING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID BLOCKS 1 AND 2 AND SAID NORTHERLY RIGHT-OF-WAY LINE, N87°19'21"W A DISTANCE OF 495.55 FEET TO A FOUND IRON PIN WITH CAP "LANDTECH PLS 1214" ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 718 (SOUTH THOMPSON STREET); THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND SAID SOUTH LINE OF BLOCKS 1 AND 2 AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N03°54'56"E A DISTANCE OF 204.69 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK 2, SAID POINT BEING A FOUND 5/8 INCH REBAR; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG SAID NORTH LINE, S88°39'31"E A DISTANCE OF 154.83 FEET TO A FOUND 5/8 INCH REBAR; THENCE LEAVING SAID NORTH LINE, S04°41'13"W A DISTANCE OF 102.91 FEET TO A FOUND NAIL WITH WASHER; THENCE CONTINUING S04°41'13"W A DISTANCE OF 100.06 FEET TO THE **POINT OF BEGINNING**, CONTAINING 1.16 ACRES (50,462 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD AND FACT.



PLAT CODE: 500-18N-30W-0-36-330-72-1559		
REVISION	DATE	DESCRIPTION
1	5/15/23	REVISED PER CITY COMMENTS
REPLAT OF		
PART OF BLOCKS 1 & 2 IN DEAVER'S ADDITION		
SPRINGDALE, WASHINGTON COUNTY, ARKANSAS		
SCALE: 1"=30'	DATE: May 15, 2023	DRAWN BY: KND
ENGINEERING SERVICES, INCORPORATED		
SPRINGDALE, ARKANSAS		
W.O.# 22913		SHEET 1/1



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE REPLAT (RP23-10) OF LOTS 3A-3E OF WORTH LANE COMMERCIAL PARK CREATING LOT 3F, CITY OF SPRINGDALE ARKANSAS.

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

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

FINAL PLAT FOR WORTH LANE COMMERCIAL PARK, A COMMERCIAL SUBDIVISION OF THE CITY OF SPRINGDALE, ARKANSAS AS SHOWN IN RECORD BOOK 23A AT PAGE 269.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the replat (RP23-10) as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said replat and join with the said petitioner in petitioning the City Council to accept the said REPLAT OF LOTS 3A-3E CREATING LOT 3F OF WORTH LANE COMMERCIAL PARK.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the REPLAT OF LOTS 3A-3E WORTH LANE COMMERCIAL PARK CREATING LOT 3F as shown on the replat (RP23-10) approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Washington County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

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

PASSED AND APPROVED this _____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

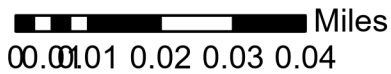
Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

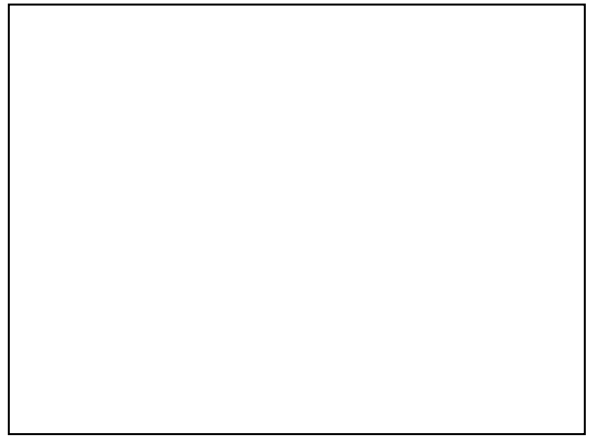


Planning Commission Meeting
June 6, 2023



PROJECT: RP23-10
APPLICANT: Worth Lane Commercial Park
LOCATION: Worth Lane, south of Hwy 412 E
REQUEST: Replat for Lots 3A through 3E





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 (R23-30) CERTAIN LANDS FROM GENERAL COMMERCIAL DISTRICT (C-2) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) 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 June 6, 2023 for hearing the matter of a petition of Rouse Holdings, LLC that the following described tract of real estate to be zoned from General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

Layman's Description: 5301 W. Sunset

Legal Description: PART OF THE NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 17 NORTH, RANGE 30 W, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, RUN N1°02' WEST 867.7 FEET TO AN EXISTING IRON PIN ON THE EAST LINE OF SAID FORTY ACRE TRACT; THENCE RUN NORTH 89°46'40" WEST 163.84 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 1°02' WEST 376.98 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 412; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE NORTH 89°46'40" WEST 231.16 FEET TO AN EXISTING RIGHT OF WAY MONUMENT THAT IS 395 FEET WEST OF THE EAST LINE OF SAID FORTY ACRE TRACT; THENCE SOUTH 1°02' EAST 376.98 FEET; THENCE SOUTH 89°46'40" EAST 231.16 FEET TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES, MORE OR LESS. SUBJECT TO AN EASEMENT IN FAVOR OF SHELTER MUTUAL INSURANCE COMPANY, ITS SUCCESSORS AND ASSIGNS, DESCRIBED AS: A PERPETUAL EASEMENT FOR THE PURPOSE OF CONSTRUCTION, MAINTAINING, REPAIRING AND REPLACING A PRIVATE STREET, AND

APPURTENANCES THERETO ON, OVER AND ACROSS THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: AN ACCESS EASEMENT, 40 FEET IN WIDTH, OVER A PART OF THE N/W ¼ OF THE SW ¼ OF SECTION 4, TOWNSHIP 17 NORTH, RANGE 30 WEST, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS , BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: FROM THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, RUN NORTH 1°02' WEST 867.7 FEET TO AN EXISTING IRON PIN ON THE EAST LINE OF SAID FORTY ACRE TRACT; THENCE RUN NORTH 89°46'40" WEST 163.84 FEET; THENCE NORTH 1°02' WEST 63.84 FEET; THENCE NORTH 1°02' WEST 316.98 FEET FOR THE POINT OF BEGINNING FOR SAID ACCESS EASEMENT; THENCE NORTH 76°46'56" WEST 88.87 FEET; THENCE NORTH 89°46'40" WEST 145.0 FEET; THENCE NORTH 1°02' WEST 40.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 412; THENCE SOUTH 89°46'40: EAST ALONG SAID HIGHWAY RIGHT OF WAY 150.43 FEET; THENCE LEAVING SAID HIGHWAY RIGHT OF WAY S 76°46'56" EAST 83.27 FEET; THENCE SOUTH 1°02' EAST 41.27 FEET TO THE POINT OF BEGINNING.

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 (R23-30) from General Commercial District (C-2) 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 General Commercial District (C-2) 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 _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



Public Hearing Sign Posted on or Prior to: 05/26/2023
Public Hearing Sign Posted By Planning Department Staff
S Public Hearing Sign Location

Planning Commission Meeting
June 6, 2023

0 00.01 0.01 0.02 0.03 Miles



PROJECT: R23-30
APPLICANT: Rouse Holdings, LLC
LOCATION: 5301 W. Sunset Avenue
REQUEST: Rezone From C-2 to C-5



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE GRANT OF A
WATER/SEWER EASEMENT TO THE SPRINGDALE
WATER AND SEWER COMMISSION ACROSS
PROPERTY OWNED BY THE CITY OF SPRINGDALE,
WASHINGTON COUNTY, ARKANSAS.**

WHEREAS, the City of Springdale, Arkansas, owns properties located at Luther George Park, known as Parcel No. 815-22080-000, Parcel No. 815-28484-000, and Parcel No. 815-22090-000, Washington County, Arkansas ("the Properties");

WHEREAS, the Springdale Water and Sewer Commission is in need of a water/sewer easements across the Properties for water/sewer improvements, as shown on the map attached as Exhibit "A";

WHEREAS, the water/sewer easement is necessary for the construction and improvement of water/sewer facilities to enhance capacity in the area of the Properties, and will be beneficial to future growth and development of the area; and

WHEREAS, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached easement document (Exhibit "A") when authorized to do so by Resolution approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that the Mayor and City Clerk are hereby authorized to execute the attached easement document granting a water/sewer easement across the Properties to the Springdale Water and Sewer Commission.

PASSED AND APPROVED this _____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT the undersigned **City of Springdale, Arkansas**, Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to us in hand paid by the **Springdale Water and Sewer Commission, Springdale, Arkansas**, Grantee, does hereby grant, bargain and sell unto the said **Springdale Water and Sewer Commission, Springdale, Arkansas**, and unto its successors and assigns, an easement for a water transmission line(s), and/or sewer collection or force main line(s), over, under or across the hereinafter described land in **Washington County, Arkansas**, to-wit:

PROPERTY DESCRIPTION:

(Parcel No. 815-22080-000 Washington County, Deed Record 895, Page 569)
(Parcel No. 815-28484-000 Washington County, Deed File 2018-21185)
(Parcel No. 815-22090-000 Washington County, Deed Record 918, Page 453)
(A part of Allen Street as now established, and Water Street as now established).

PERMANENT EASEMENT DESCRIPTION: (See attached Exhibit "A")

All that part of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section 36, Township 18 North, Range 30 West, in the City of Springdale, Washington County, Arkansas, being a part of the tract of land recorded in the Washington County Recorder's Office in Book 918, at Page 453; Book 895, at Page 569; Book 2018, at Page 21185; and part of Allen Street, as now established, and Water Street, as now established, and being more particularly described as follows:

A strip of land 20.0 feet in width, lying 10.00 feet of each side of the following described sanitary sewer line, and whose sidelines are lengthened to end 10.00 feet past the point of beginning and point of termination of said sanitary line:

COMMENCING at the Southeast corner of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section 36, Township 18 North, Range 30 West, in the City of Springdale, Washington County, Arkansas; thence N02°31'13"E along the East line of said Quarter Quarter, a distance of 301.80 feet; thence departing said East Line N87°28'47"W, a distance of 186.27 feet to the POINT OF BEGINNING of the sanitary sewer line; thence N21°14'03"W, a distance of 18.00 feet; thence N80°15'34"W, a distance of 330.00 feet; thence S65°36'10"W, a distance of 36.00 feet to the POINT OF TERMINATION of said sewer line.

Containing **8,080** square feet or **0.185** acres, more or less, and subject to any rights-of-way, easements, and restrictions of record.

Together with the right of ingress and egress across adjacent lands for the purpose of laying, repairing, inspecting, maintaining, removing, or replacing, said water transmission line(s) and/or sewer collection or force main line(s), and the right of exercising all other rights necessary to carry out the purposes for which

this Easement is created.

TO HAVE AND TO HOLD the above-described easement and rights unto said Grantee, its successors, and assigns, forever or until said right of way is abandoned.

And Grantor agrees to warrant and forever defend all and singular the above-described easement and rights unto said Grantee, its successors, and assigns, against every person whomsoever lawfully claiming or seek to claim the same or any part thereof.

This Easement is declared to and does inure to the benefit of the public generally, and shall be binding upon the successors in title to the lands herein described or any other part thereof, their mortgagees, lessees, heirs, administrators, executors, successors, and assigns.

IN WITNESS WHEREOF, the hands and seals of Grantor are hereunto set, this the _____ day of _____, 2023.

City of Springdale, Arkansas

By: _____
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk/Treasurer

ACKNOWLEDGMENT

STATE OF ARKANSAS }
 }**SS**
COUNTY OF WASHINGTON }

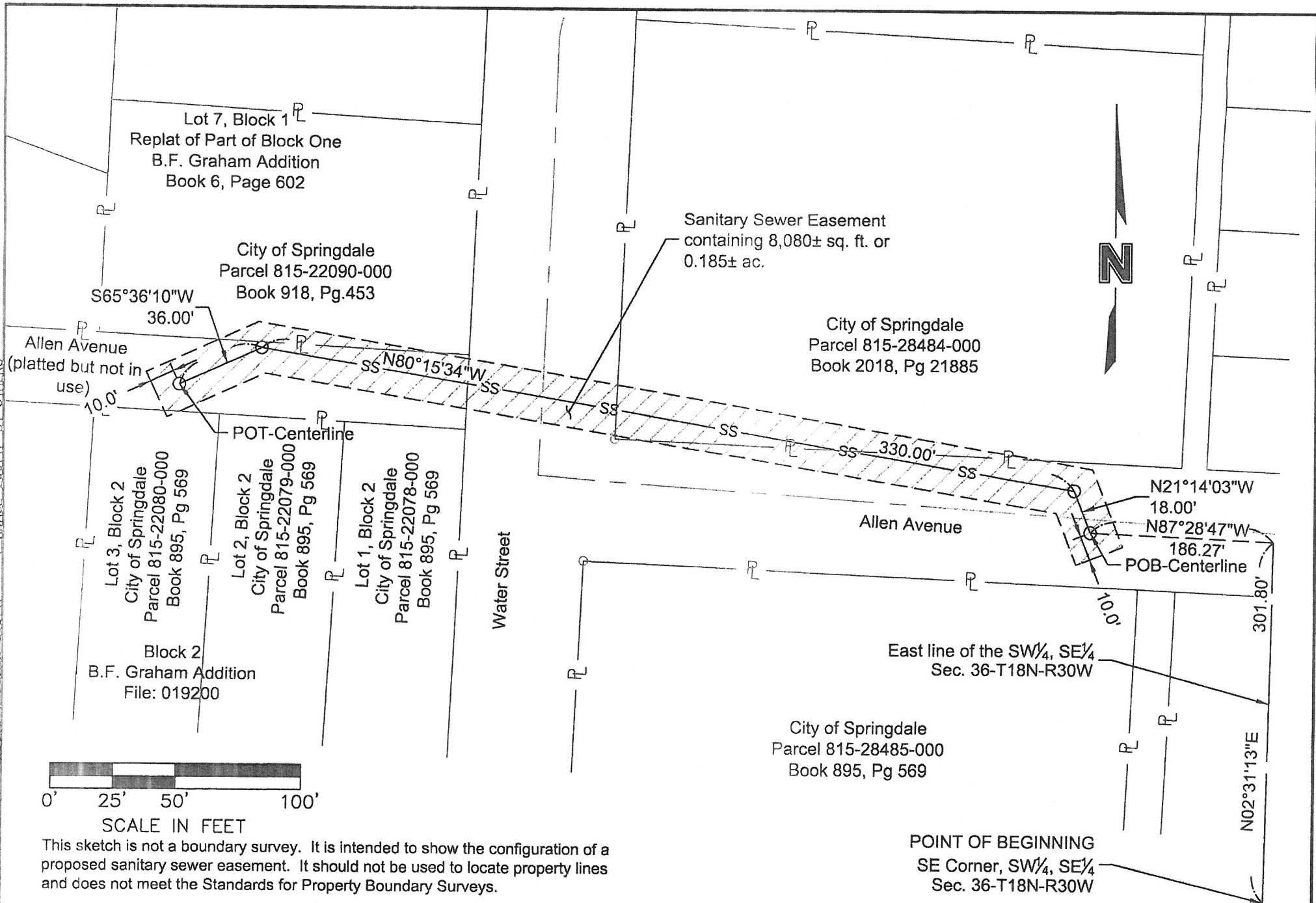
On this the _____ day of _____, 2023, before me, _____, the undersigned Notary Public, personally appeared **Doug Sprouse** and **Denise Pearce**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, who acknowledged themselves to be respectively, the **Mayor** and **City Clerk/Treasurer** of the **City of Springdale, Arkansas**, and that they, as such **Mayor** and **City Clerk/Treasurer**, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

FILE: Dec 19 2022 11:43am XREFS: C PBASE 200147 Y XBASE 200147-BY OTHERS



PROJECT NO:	20-00147
DRAWN BY:	DRC
DATE:	12.19.2022

EASEMENT DRAWING
PARCEL NO. 815-28484-000, 815-22090-000, 815-22080-000
CITY OF SPRINGDALE

olsson	302 East Millsap Road Fayetteville, AR 72703 TEL 479.443.3400	EXHIBIT A
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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: Yougquiang Wang & Yongmei Bu

LEGAL DESCRIPTION: Tract #2 of a plat for the Arkansas Conference Association of Seventh Day Adventist, Inc., AND Part of the West Half of the West Half of the fractional Northeast Quarter of the fractional Northwest Quarter of Section 7, Township 17 North, Range 29 West of the Fifth Principal Meridian in Washington County, Arkansas, and being more particularly described as follows: Commencing at a found iron pin, said pin accepted and used as the Southwest Corner of Tract #3 of a plat for the Arkansas Conference Association of Seventh Day Adventist, Inc.; thence along the West boundary of "Worth Lane Commercial Park" (instrument no. 023A-00000269) the following calls: N87°29'28"W a distance of 29.99 feet; thence N02°13'42"E a distance of 270.05 feet; thence N02°48'18"E a distance of 387.23 feet; thence S87°32'46"E a distance of 27.42 feet; thence N02°20'47"E a distance of 98.20 feet to a found 5/8" rebar pin for the Point of Beginning; thence leaving said boundary of "Worth Lane Commercial Park" N02°22'16"E a distance of 162.18 feet to a found chiseled "X" in concrete; thence S87°38'26"E a distance of 154.90 feet to a found 5/8" diameter iron pin; thence S01°43'31"W a distance of 162.16 feet to a found 5/8" diameter iron pin; thence along the North boundary of said "Worth Lane Commercial Park" N87°38'58"W a distance of 156.73 to a found 5/8" diameter iron pin to the Point of Beginning, containing 0.58 acre, more or less and subject to easements and/or rights of way if any.

LAYMAN'S DESCRIPTION: 2143 Worth

PARCEL NO.: 815-28649-010

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:

\$717.75 clean-up costs and \$7.53 administrative costs – 2143 Worth (815-28649-010)

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

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

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

\$725.28 plus 10% for collection – 2143 Worth Lane – (Parcel No. 815-28649-010)

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 13th day of June, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



CITY ABATEMENT-2022 - Thursday, March 30, 2023 9:33:31 AM (RANDY-CODE 4)

User Name	RANDY-CODE 4
User #	4792634221
Form Started	3/30/2023 9:33:31 AM
Form Submitted	3/30/2023 10:23:58 AM
Property Address	2143 Worth
Before Picture	Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement	Lien
Date of Abatement	Thursday, March 30, 2023 9:33:00 AM
Officer on Site-	R. Glenn
Labor Rate Recovery	
Employee	Henry Hernandez, Horatio Jose Mejia
HH Benefit Rate	\$54.84
JM Benefit Rate	\$13.59
Method of Compliance	

1 Method of Compliance	Junk and Trash Removal from Curb,Property Clean Up - Junk and Trash
Equipment Used	
Equipment	660/652 New Bulky Waste Truck,780 Traylor,781 Traylor,6001/6005 Service Pick Up Truck,6014 Flat Bed Dump Truck,6013 Service Pick Up Truck,6050 1-ton Work Truck Landscaping
660 New Bulky Waste Truck	\$200.00
780 Traylor	\$55.00
781 Traylor	\$55.00
6001 Service Pick Up Truck	\$35.00
6014 Flat Bed Dump Truck	\$55.00
6013 Service Pick up Truck	\$35.00
6050 1-ton Work Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	7
Temporary Labor Rate Recovery	168.00
Employee labor recovery per hour	68.43
Total Employee Cost	68.43
Equipment Cost per hour	325.00
Total Equipment Cost	325.00
Disposal Cost Recovery	\$118.32
Number of Tires Removed (\$2 Each)	19
Number of Electronics Removed (\$10 Each)	0
Containers of Chemicals (\$1 Each)	0
Freon Removal Recovery (\$20 each)	0
Total Cost of Abatement	717.75
Items Removed from Property	19 tires, brush, mattress, boards, plywood, tarps, general junk and trash piled around property as noted in pictures.

Final Photos

Attached Data



Final Photos

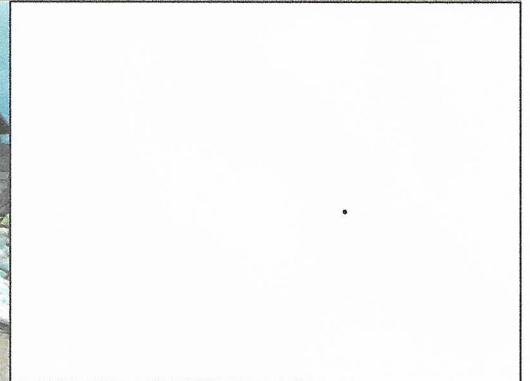
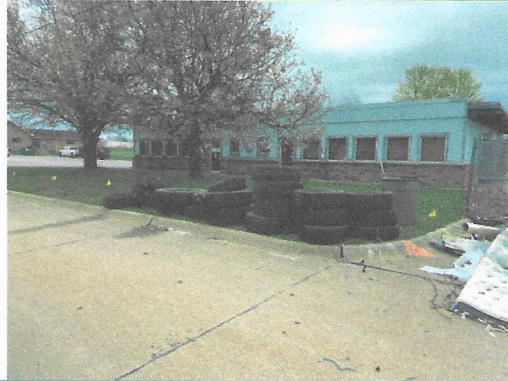
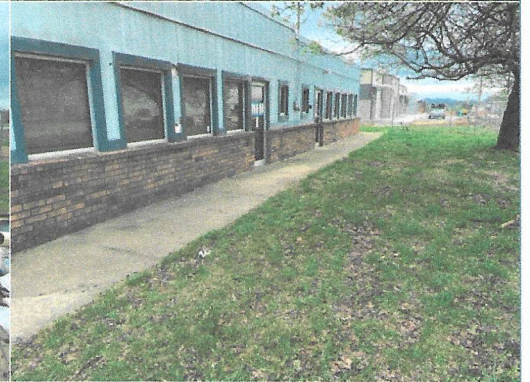
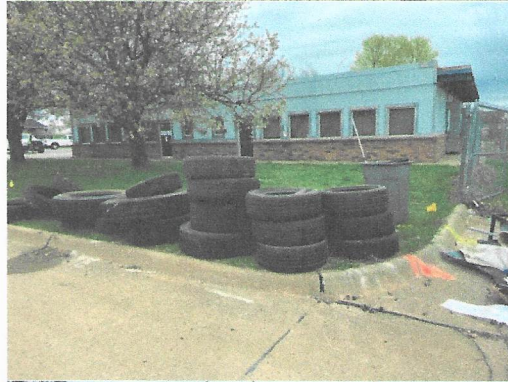
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Final Photos

Attached Data



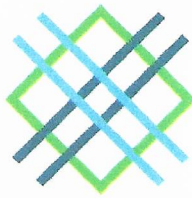


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SPRINGDALE™
WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

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Sasha Bennett
File/Discovery Clerk
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May 2, 2023

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

Yongquiang Wang & Yongmei Bu
7964 Arjons Drive, Suite 3G
San Diego, CA 92126-4392

RE: Notice of clean-up lien on property located at 2143 Worth Lane, Springdale, Washington County, Arkansas, Tax Parcel No. 815-28649-010

Dear Property Owner/Lienholder:

On February 9th and March 15, 2023, notice was posted on property located at 2143 Worth Lane, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on February 9, 2023, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied. The notice also applied to any violations that may be found on the property within the next 12 months.

Subsequent to the above-referenced violation notice being issued, a city code violation was found to have existed on the property. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about March 30, 2023. As of this date, the total costs incurred by the City of Springdale to clean this property are \$717.75. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before June 7, 2023, a hearing confirming the amount of the lien will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing confirming the amount of the lien will be held Tuesday, June 13, 2023, 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 \$725.28, which includes 717.75 for cleaning up the property and \$7.53 for certified mailing to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

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

This letter is also being mailed by regular mail to Yougquiang Wang & Yongmei Bu at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'E. Cate', with a stylized flourish at the end.

Ernest B. Cate
City Attorney

Enclosures
EBC:dp



9590 9402 7283 2028 6482 24

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

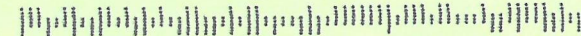
United States
Postal Service

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



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

2143 Worth



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.

Article Addressed to:

Yongmei Wang & Yongmei Bu
7964 Arjons Drive
San Diego, CA 92126-4392



9590 9402 7283 2028 6482 24

Article Number (Transfer from service label)

7020 0640 0001 3065 6233

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☒ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

The City Council of the City of Springdale met in regular session on Tuesday, May 23, 2023 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 3
Amelia Williams	Ward 4 (Absent)
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 1
Rex Bailey	Ward 2
Randall Harriman	Ward 1
Mark Fougrousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Frank Gamble	Police Chief
Dustin McDonald	Fire Chief
Patsy Christie	Planning Director
Chad Wolfe	Parks & Recreation Director
James Smith	Public Works Director
Ben Peters	Engineering Dept.
Ron Findley	Community Eng. Director
Mark Gutte	IT Director

APPROVAL OF MINUTES

Council Member Powell moved the minutes of the May 9, 2023 City Council meeting be approved as presented. Council Member Harriman made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

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

The vote:

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

No: None

CITY OF SPRINGDALE EMPLOYEE RECOGNITION

Mayor Sprouse recognized City of Springdale employee Luis Garcia who works in the City of Springdale IT Department as a support manager.

IT Director Mark Gutte said Luis started 8 years ago and plays a critical role in the IT Department.

ORDINANCE NO. 5843 – AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS, THE DOWNTOWN DISTRICT FORM BASED CODE; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance amending Chapter 32 of the Code of Ordinances of the City of Springdale, Arkansas, The Downtown District Form Based Code; and declaring an emergency.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5843.

ORDINANCE NO. 5844 – REZONING (R23-19) 35.31 ACRES OWNED BY SCHUBER MITCHELL HOMES, LLC, LOCATED AT THE NORTHEAST INTERSECTION OF MARCHANT AND KELLY ROADS, FROM A-1 TO SF-3; AND DECLARING AN EMERGENCY

Assistant Planning Director Rick Barry presented an Ordinance rezoning (R23-19) 35.31 acres owned by Schuber Mitchell Homes, LLC, located at the northeast intersection of Marchant and Kelly Roads, from A-1 to SF-3; and declaring an emergency.

Planning Commission recommended approval.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5844.

ORDINANCE NO. 5845 – REZONING (R23-20) 1.71 ACRES OWNED BY JAMES AND MICHELLE DUGGER LOCATED AT 2703 CHAPMAN, FROM A-1 TO SF-2; AND DECLARING AN EMERGENCY

Assistant Planning Director Rick Barry presented an Ordinance rezoning (R23-20) 1.71 acres owned by James and Michelle Dugger located at 2703 Chapman, from A-1 to SF-2; and declaring an emergency.

Planning Commission recommended approval.

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

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5845.

ORDINANCE NO. 5846 – REZONING (R23-21) 1.12 ACRES OWNED BY TERESA REED LOCATED AT 1749 N. 48TH STREET, FROM SF-2 TO C-2; AND DECLARING AN EMERGENCY

Assistant Planning Director Rick Barry presented an Ordinance rezoning (R23-21) 1.12 acres owned by Teresa Reed located at 1749 N. 48th Street, from SF-2 to C-2; and declaring an emergency.

Planning Commission recommended approval.

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

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5846.

ORDINANCE NO. 5847 – REZONING (R23-22) 1 ACRE OWNED BY DERICK AND REBECCA NOLAN LOCATED AT 875 E. DON TYSON PARKWAY, FROM SF-2 TO C-2; AND DECLARING AN EMERGENCY

Assistant Planning Director Rick Barry presented an Ordinance rezoning (R23-22) 1 acre owned by Derick and Rebecca Nolan located at 875 E. Don Tyson Parkway, from SF-2 to C-2; and declaring an emergency.

Planning Commission recommended approval.

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

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5847.

ORDINANCE NO. 5848 – REZONING (R23-23) .49 ACRES OWNED BY LD GIBON PROPERTIES LLC LOCATED AT 2608 POWELL STREET, FROM SF-2 TO MF-4; AND DECLARING AN EMERGENCY

Assistant Planning Director Rick Barry presented an Ordinance rezoning (R23-23) .49 acres owned by LD Gibson located at 2608 Powell Street, from SF-2 to MF-4; and declaring an emergency.

Planning Commission recommended approval.

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

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5848.

ORDINANCE NO. 5849 – REZONING (R23-24) PROPERTY OWNED BY KIANGTA XAYSANASY & DLAVANH XAYSINGKHAM LOCATED AT 3295 HABBERTON ROAD, FROM A-1 TO SF-2; AND DECLARING AN EMERGENCY

Assistant Planning Director Rick Barry presented an Ordinance rezoning (R23-24) property owned by Kiangta Xaysanasy & Dlavanh Xaysingkhram located at 3295 Habberton Road, from A-1 to SF-2; and declaring an emergency.

Planning Commission recommended approval.

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

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5849.

RESOLUTION NO. 55-23 – APPROVING A CONDITIONAL USE TAMDEM LOT SPLIT (C23-05) FOR CCO INVESTMENTS, LLC LOCATED AT 2380 N. MOUNTAIN ROAD AS SET FORTH IN ORDINANCE NO. 4030

Assistant Planning Director Rick Barry presented a Resolution approving a conditional use appeal (C23-05) by CCO Investments, LLC for a tandem lot split at 2308 N. Mountain Road as set forth in Ordinance No. 4030.

Planning Commission recommended approval.

RESOLUTION NO. ____

A RESOLUTION APPROVING A CONDITIONAL USE (C23-05) AT 2308 N. MOUNTAIN ROAD 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 May 2, 2023 a request by CCO Investments for a conditional use for a Tandem Lot Split in an Agricultural District (A-2) at 2380 N. Mountain Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) yes and zero (0) no recommends that a conditional use be granted to CCO Investments, LLC for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – No conditions set.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use (C23-05) to CCO Investments, LLC for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – No conditions set.

PASSED AND APPROVED THIS ____ DAY OF May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 55-23.

RESOLUTION NO. 56-23 – APPROVING A WAIVER (W23-14) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 IN CONNECTION WITH 5503 W. COUNTY LINE ROAD, A SINGLE-FAMILY RESIDENCE

Assistant Planning Director Rick Barry presented a Resolution approving a waiver (W23-14) of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 in connection with 5503 W. County Line Road, a single-family residence. The owners are CJCJ Holdings, LLC.

Planning Commission recommended approval with a Bill of Assurance.

After discussion, Council Member Harriman moved the Resolution be adopted with Option 1 to grant a waiver. Council Member Overton made the second.

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER (W23-14) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO IN CONNECTION WITH 5503 W. COUNTY LINE ROAD, A SINGLE-FAMILY RESIDENCE

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 (W23-14) of street improvements to 5503 W. County Line Road in connection with a single-family dwelling and the Planning Commission recommends approval of the waiver request subject to a Bill of Assurance.

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 including improvements related thereto, sidewalks in connection with 5503 W. County Line Road a single-family dwelling.

PASSED AND APPROVED THIS ____ DAY OF May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

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

No: Watson

The Resolution was numbered 56-23.

RESOLUTION NO. 57-23 – ADOPTING AND APPROVING THE CONSOLIDATION PLAN FOR 2023-2028 AND THE 2023 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Council Member Rex Bailey presented a Resolution adopting and approving the Consolidation Plan for 2023-2028 and the 2003 Action Plan for the Community Development Block Grant Program. The program is budgeting 15% for each non-profit applicant.

Discussion was held on the percentage allocated to non-profits.

RESOLUTION NO. ____

A RESOLUTION ADOPTING AND APPROVING THE CONSOLIDATION PLAN 2023-2028 AND THE 2023 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, in accordance with the guidelines established by the Department of Housing & Urban Development for the Community Development Block Grant Program, the Consolidation Plan (5- Year) and the 2023 Program Year Action Plan was developed, a copy of which is attached and made a part of the resolution; and

WHEREAS, a first public meeting was held on January 16, 2023 and the first committee meeting was held on May 15, 2023.

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

1. That the 2023 Program Year Action Plan for use of Community Development Block Grant Program Funds, and the Consolidation Plan a copy of which is attached and made a part as though set out herein word or word, is approved and authorized for submission to the United States Department of Housing and Urban Development on June 1, 2023.
2. That Mayor Doug Sprouse is hereby designated as the authorized official to execute all documents pertaining to the Community Development Block Grant Program.

PASSED AND APPROVED this 23rd day of May, 2023

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Public Service Applicants

2023 Program Year: July 1, 2023-June 30, 2024

The City will have \$130,479 (15%) available for Public Services

(Anticipating for FY23 - \$869,863)

Applicant	Funds Requested
CASA of Northwest Arkansas <i>With CDBG funding, CASA of NWA will provide advocacy to 25 foster children from Springdale. Services provides are around \$400 per child and this will be around 25 children. All are in the extremely low-income and it also fulfills the National Objective of providing services to low to moderate income persons.</i>	\$8,953.22
Compassion House <i>Healthy Lives Program for Pregnant Teen Youth and their Babies – case management for pregnant teens and their infants, curriculum for life skills classes, fuel costs for transporting residents to and from prenatal care, counseling, school, and mentoring. The expenses include, life skill classes, fuel costs in transporting to and from parental care, counseling, school and mentoring.</i>	\$22,953.22
Feed the 479 <i>Providing food to residents that are food insecure through their food pantry. The funding will go for purchasing food and other essential items that are in the food pantry.</i>	\$13,953.22
Hydration for Life <i>Providing education and bottled water to students in low-income schools. The funds will be used for a presentation/ education for the students, a squeeze bottle, water bottles, hydration fact and essential information about hydration. This is following the nation objective with serving the low-income children in the schools. 90% of funding will be going to supplies and materials.</i>	\$6,253.22

VFW Auxiliary <i>Providing food, shelter and essential items to Veterans in the community, to include hotels, vouchers and assistance. The funds go to “Go Buckets” these buckets are around \$100+ and is filled with essential items like food, shower items, towels. These are for the veterans coming out of homelessness and have nothing.</i>	\$13,953.22
RootEd NWA <i>Provides assistance to the Hispanic community, this will include education, support, workshops. The funds will help update part of the classroom to help educate the parents of the children. They also provide a monthly digital literacy course to help Hispanics learn English.</i>	\$22,953.22
NWA CoC <i>The funds will be used for hotels in the event of inclement weather. Provides food and shelter for the homeless. Funds are distributed as such: around 90% will be used for hotel stays, plus food.</i>	\$7,553.22
Community Clinic <i>Providing critical transportation to low-income residents who do not have reliable transportation and therefore are unable to access consistent quality healthcare.</i>	\$10,953.22
The Bread of Life <i>Assist as many persons as possible, with efficient use of limited resources, to decrease hunger and homelessness. The funds will be used to purchase food, essential items for the pantry, utility and financial support for residents in an emergency situation.</i>	\$22,953.22
Total Funds Requested	\$130,478.98 (14.9%)

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

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell

No: Lawson, Watson, Overton

Mayor Sprouse voted yes. Motion carried.

The Resolution was numbered 57-23.

RESOLUTION NO. 58-23 – AUTHORIZING PAYMENT OF AN INVOICE FOR THE HARBER AVENUE EXTENSION PROJECT (PROJECT NO. 18BPS12)

Mayor Sprouse presented a Resolution authorizing payment of an invoice for the Har-Ber Avenue extension project (Project No. 18BPS12)

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING PAYMENT OF AN INVOICE FOR THE HARBER AVENUE EXTENSION PROJECT (PROJECT NO. 18BPS12).

WHEREAS, Section 2-158 of the Code of Ordinances of the City of Springdale, Arkansas, requires City Council approval before paying any bill which exceeds \$1,000,000.00;

WHEREAS, the City has contracted with Crossland Heavy Contractors, Inc., for the construction of the Harbor Avenue Extension Project (Project No. 18BPS12); and,

WHEREAS, the City has received an invoice for \$1,124,599.70 from Crossland Heavy Contractors, Inc., for construction expenses for the Project for April 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are authorized to pay Crossland Heavy Contractors, Inc., \$1,124,599.70 with funds from the 2018 Street Bond fund.

PASSED AND APPROVED this ____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 58-23.

RESOLUTION NO. 59-23 – REGARDING THE INTENT ON BOND IMPROVEMENT PROJECTS FINANCED WITH PROCEEDS OF SALES AND USE TAX BONDS THAT WERE APPROVED BY THE VOTERS AT THE SPECIAL ELECTION HELD MAY 9, 2023

Council Member Brian Powell presented a Resolution of intent regarding the bond improvement projects financed with proceeds of sales and use tax bonds that were approved by the voters at the special election held May 9, 2023.

RESOLUTION NO. ____

A RESOLUTION OF INTENT REGARDING THE BOND IMPROVEMENT PROJECTS

WHEREAS, the City of Springdale, Arkansas (the "City") proposes to undertake senior center projects to be financed with proceeds of sales and use tax bonds that were approved by the voters at the special election held May 9, 2023, in the maximum principal amount of \$16,250,000, and

WHEREAS, the City proposes to undertake park and recreational improvement projects to be financed with proceeds of sales and use tax bonds that were approved by the voters at the special election held May 9, 2023, in the maximum principal amount of \$16,250,000, and

WHEREAS, the City proposes to undertake fire department projects to be financed with proceeds of sales and use tax bonds that were approved by the voters at the special election held May 9, 2023, in the maximum principal amount of \$7,750,000, and

WHEREAS, the City proposes to undertake street improvement projects to be financed with the proceeds of sales and use tax bonds that were approved by the voters at the special election held May 9, 2023, in the maximum principal amount of \$135,000,000.

WHEREAS, the purpose of this Resolution is for the City to declare its "official intent" for the reimbursement of certain expenditures from the proceeds of the Bonds, within the meaning of Regulation No. 1.150-2 promulgated by the United States Treasury Department (the "Regulation").

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

Section 1: The City hereby expresses its official intent under the Regulation to advance up to the project amounts shown below from the City's General Fund balances to pay the capital costs of the projects prior to the issuance of the Bonds and to reimburse itself from Bond proceeds for such expenditures.

Senior Center	\$900,000
Parks and Recreational	\$300,000
Fire Department	\$500,000
Streets	\$1,000,000

Section 2: Proceeds of the Bonds will be applied to reimburse the City for any capital expenditures related to the projects made before the Bonds are issued within eighteen (18) months after the later of (a) the date of the expenditure or (b) the date on which the particular project is placed in service and, in any event, within three (3) years after the date of the expenditure.

PASSED AND APPROVED this ____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 59-23.

RESOLUTION NO. 60-23 – AUTHORIZING THE PURCHASE OF TRAFFIC DETECTION PROGRAM SOFTWARE AND EQUIPMENT; TO WAIVE COMPETITIVE BIDDING AND FOR OTHER PURPOSES

Council Member Brian Powell presented a Resolution authorizing the purchase of traffic detection program software and equipment; to waive competitive bidding and for other purposes.

The Mayor is authorized to enter into an agreement with Miovision Technologies, Inc., for the purchase and implementation of the TrafficLink program for the Public Works Department, in an amount not to exceed \$153,120.00, to be paid from the 2023 Budget of the Public Works Department.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE PURCHASE OF TRAFFIC DETECTION PROGRAM SOFTWARE AND EQUIPMENT; TO WAIVE COMPETITIVE BIDDING, AND FOR OTHER PURPOSES.

WHEREAS, the City of Springdale, Arkansas, is in need of traffic monitoring, detection, and reporting technology to better assist in the flow and safety of traffic within the City;

WHEREAS, Miovision Technologies, Inc., is the owner and sole source provider of TrafficLink, a remote corridor monitoring, detection, and reporting system which will meet the City's traffic needs as stated herein;

WHEREAS, the TrafficLink program is reasonably priced, is considered the state of the art in this type of software, and is the exclusive provider of this type of software; and

WHEREAS, the 2023 Budget of the City of Springdale contemplated the purchase and implementation of this program, and the costs thereof were included in the 2023 Budget of the Public Works Department;

WHEREAS, the City Council finds that the TrafficLink system would be beneficial to those using the public streets of the City;

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

Section 1: That the Mayor is hereby authorized to enter into an agreement with Miovision Technologies, Inc., for the purchase and implementation of the TrafficLink program for the Public Works Department, in an amount not to exceed \$153,120.00, to be paid from the 2023 Budget of the Public Works Department.

Section 2: That competitive bidding is not deemed feasible or practical because of the exceptional situation previously set out herein and therefore competitive bidding is hereby waived under Ark. Code Ann. §14-58-104.

PASSED AND APPROVED this ____ day of May, 2023.

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 Bailey made the second.

The vote:

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

No: None

The Resolution was numbered 60-23.

RESOLUTION NO. 61-23 – AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE PORTIONS OF LAND FROM TJ HOMES, LLC, FOR THE DON TYSON PARKWAY PROJECT (HWY. 112 TO 56TH STREET), PROJECT NO. CP1518

Council Member Brian Powell presented a Resolution authorizing the expenditure of funds to acquire portions of land from TJ Homes, LLC, for the Don Tyson Parkway Project (Hwy. 112 to 56th Street), Project No. CP1518.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE PORTIONS OF LAND FROM TJ HOMES, LLC., FOR THE DON TYSON PARKWAY PROJECT (HWY 112 TO 56TH STREET), PROJECT NO. CP1518.

WHEREAS, the City of Springdale is in need of acquiring portions of land for the Don Tyson Parkway Project (Hwy 112 to 56th Street), Project No. CP1518, Tract 17 and Tract 18, said lands being owned by TJ Homes, LLC;

WHEREAS, the City of Springdale has determined by appraisal that the sum of \$108,900.00 (\$55,200.00 for Tract 17 and \$53,700.00 for Tract 18) is the estimated just compensation for the property needed from TJ Homes, LLC;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$122,000.00 to acquire the lands needed for the project, said amount being justified by the nature of these properties, and the increase in property values;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$13,100.00 to acquire the property needed from TJ Homes, LLC, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of acquiring this property by eminent domain proceedings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire a portion of land for the Don Tyson Parkway Project (Hwy 112 to 56th Street), Project No. CP1518, Tract 17 and Tract 18, said lands being owned by TJ Homes, LLC, the total sum of \$122,000.00 to be paid from the general fund.

PASSED AND APPROVED this ____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 61-23.

RESOLUTION NO. 62-23 – TO APPROPRIATE FUNDS FOR ARCHITECTURAL DESIGN SERVICES FOR RENOVATIONS AT THE SPRINGDALE PARKS AND RECREATION FACILITY

Council Member Mike Lawson presented a Resolution to appropriate funds for architectural design services for renovations at the Springdale Parks and Recreation Facility.

Parks and Recreation Director Chad Wolf said that Hight Jackson Associates will be hired in the amount of \$25,750.00 to design the renovation of the first floor at the Springdale Parks and Recreation facility.

RESOLUTION NO. ____

A RESOLUTION TO APPROPRIATE FUNDS FOR ARCHITECTURAL DESIGN SERVICES FOR RENOVATIONS AT THE SPRINGDALE PARKS AND RECREATION FACILITY

WHEREAS, the Springdale Parks and Recreation Department would like to renovate the first floor of the Springdale Parks and Recreation facility, and

WHEREAS, the Springdale Parks and Recreation Department has received a quote from Hight Jackson Associates in the amount of \$25,750.00 for renovations, and

WHEREAS, the Springdale Parks and Recreation Department is requesting to appropriate funds from the city's General Fund in the amount of \$25,750.00 for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that funds in the amount of \$25,750.00 be appropriated out of the city's General Fund, to be paid to Hight Jackson Associates for the renovation of the first floor at the Springdale Parks and Recreation facility.

PASSED AND APPROVED this ____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 62-23.

RESOLUTION NO. 63-23 – TO APPROPRIATE FUNDS FOR EQUIPMENT FOR THE SPRINGDALE FIRE DEPARTMENT

Council Member Brian Powell presented a Resolution to appropriate funds for equipment for the Springdale Fire Department. Many of their current iPads are at end-of-life cycle and need to be replaced, which will also replace 1/2 of their currently deployed devices. The iPads and cases will be paid for out of Act 833 Funds with a total not to exceed \$28,000.

RESOLUTION NO. ____

A RESOLUTION TO APPROPRIATE FUNDS FOR EQUIPMENT FOR THE SPRINGDALE FIRE DEPARTMENT

WHEREAS, the Springdale Fire Department is requesting 22 iPads and cases for Apparatus and Ambulances, and

WHEREAS, iPads are a heavily used and mission critical piece of equipment; used for CAD/AVL dispatch, EMS Reporting and in-field inspections/preplans, and

WHEREAS, many of their current iPads are at end-of-life cycle and need to be replaced, which will also replace 1/2 of their currently deployed devices, and

WHEREAS, the iPads and cases will be paid for out of Act 833 Funds with a total not to exceed \$28,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Springdale City Council hereby appropriates up to \$28,000 of funds from Act 833 Funds to purchase 22 iPads and cases for Apparatus and Ambulances.

PASSED AND APPROVED this ____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 63-23.

RESOLUTION NO. 64-23 – TO APPROPRIATE FUNDS FOR EQUIPMENT FOR THE SPRINGDALE FIRE DEPARTMENT AND TO WAIVE COMPETITIVE BIDDING

Council Member Brian Powell presented a Resolution to appropriate funds for new automated external defibrillators (AEDs) for the Springdale Fire Department and to waive competitive bidding. The new AEDs will be purchased through TIPS, the Inter-local Purchasing System in the amount of \$39,510.00 with the money coming from the Act 833 Fund.

RESOLUTION NO. ____

**A RESOLUTION TO APPROPRIATE FUNDS FOR EQUIPMENT FOR
THE SPRINGDALE FIRE DEPARTMENT AND TO WAIVE
COMPETITIVE BIDDING**

WHEREAS, the Springdale Fire Department is requesting new automated external defibrillators (AEDs), and

WHEREAS, the current AEDs are at end of life and are no longer supported by the manufacturer, nor are replacement supplies available, and

WHEREAS, the new AEDs will be purchased through TIPS, the Inter-local Purchasing System in the amount of \$39,510.00, and

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

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

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

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

Section 1. This Council finds that due to the specific needs of the Fire Department, it is not feasible or practical to use competitive bidding for the equipment and is here by waived for an amount of \$39,510.00.

Section 2. City Council hereby appropriates \$39,510.00 of funds from the Act 833 Fund for this project.

PASSED AND APPROVED this ____ day of May, 2023.

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 Overton made the second.

The vote:

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

No: None

The Resolution was numbered 64-23.

HAR-BER BASEBALL TEAM RECOGNIZED

Council congratulated the Har-Ber Baseball Team who won state this year.

COMMITTEE MEETING

The July council committee meeting will be held on July 5th due to the July 4th Holiday.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 7:04 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer