

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

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
CITY COUNCIL CHAMBERS
201 SPRING STREET (2ND FLOOR)
Tuesday, December 12th, 2023**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Mike Lawson

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, November 28th, 2023.**
Pgs. 159-171
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) **9B-9E, 9G-9N, 12A, 14, 15, and 16*** (*Motion must be approved by two-thirds (2/3) of the council members*).
7. **A Presentation** by the Arkansas Municipal League.
8. Appointments and Reappointments
- A. **A Resolution** making appointments to the Springdale Library Board. Presented by Anne Gresham, Library Director. Pgs. 1-4
 - B. **A Resolution** making a reappointment to the Springdale Library Board. Presented by Anne Gresham, Library Director. Pgs. 5-6
9. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development
- A. **A Resolution** adopting a revised Master Street Plan for the City of Springdale, Arkansas. Pgs. 7-19
 - B. **An Ordinance** to replat Spring Creek Farms Subdivision Phase I to replace street names. Pgs. 20-21
 - 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 (R23-49) certain lands from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) and declaring an emergency. Pgs. 22-24
 - 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 (R23-50) certain lands from

Agricultural District (A-1) to Planned Unit Development (PUD) and declaring an emergency. Pgs. 25-31

- E. **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 (R23-52) certain lands from General Industrial District (I-2) to Light Industrial District (I-1) and declaring an emergency. Pgs. 32-35
- F. **A Resolution** approving a Conditional Use (C23-17) for United Rentals at 1609 N. Old Missouri Road as set forth in Ordinance No. 4030. Pgs. 36-37
- G. **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 (R23-54) certain lands from Low/Medium Density Single Family Residential District (SF-2) to Institutional District (P-1) and declaring an emergency. Pgs. 38-41
- H. **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 (R23-55) certain lands from General Industrial District (I-2) to Medium Density Multi-Family Residential District (MF-12) and declaring an emergency. Pgs. 42-44
- I. **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 (R23-56) certain lands from Agricultural District (A-1) to General Commercial District (C-2) and declaring an emergency. Pgs. 45-47
- J. **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 (R23-57) certain lands from Agricultural District (A-1) to Thoroughfare Commercial District (C-5) and declaring an emergency. Pgs. 48-53

- K. **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 (R23-58) certain lands from Low/Medium Density Single Family Residential District (SF-2) to Low Density Multi-Family Residential District (MF-2) and declaring an emergency. **Pgs. 54-56**
- L. **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 (R23-59) certain lands from Neighborhood Office District (O-1) to General Commercial District (C-2) and declaring an emergency. **Pgs. 57-59**
- M. **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 (R23-61) certain lands from Medium Density Multi-Family Residential (MF-12) to General Commercial District (C-2) and declaring an emergency. **Pgs. 60-62**
- N. **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 (R23-62) certain lands from Agricultural District (A-1) to General Commercial District (C-2) and declaring an emergency. **Pgs. 63-65**
- O. **A Resolution** approving a waiver (W23-27) of Subdivision Requirements as set forth in Ordinance No. 3725 to Charles and Linda Harwell Trust, in connection with LS23-43 an Informal Plat for Harwell Family Trust. **Pg. 66**
10. Finance Committee by Chairwoman Amelia Williams – **All Items forwarded from Committee with recommendation for approval.**
- A. **A Resolution** to authorize a subaward to Business and Industry Training from the City of Springdale's American Rescue Plan Act (ARPA) Funds to help fund costs associated with increasing City of Springdale, Arkansas, participation in their Workforce Development

and Job Training Program. Presented by Cody Loerts, Finance Director. Pgs. 67-73

B. **A Resolution** authorizing the grant of easements to the Arkansas Department of Transportation over and across property owned by the Springdale Water & Sewer Commission, Benton County, Arkansas, and concurring with the amount of compensation related thereto. Presented by Ernest Cate, City Attorney. Pgs. 74-75

C. **A Resolution** authorizing the expenditure of funds to acquire land from Eso Properties, LLC for the Senior Center Project (2023 Bond Project No. 23BSC1). Presented by Ernest Cate, City Attorney. Pgs. 76-78

D. **A Resolution** authorizing the purchase of various city vehicles. Presented by Colby Fulfer, Chief of Staff. Pg. 79

E. **A Resolution** amending the 2024 Budget of the City of Springdale, Arkansas. Presented by Colby Fulfer, Chief of Staff. Pg. 80

F. **A Resolution** authorizing the Mayor and City Clerk to enter into a contract for consultant services with Meshek & Associates for design and construction services for Parson Hills Drainage Replacement. Presented by Ben Peters, Engineering Director. Pgs. 81-94

11. Parks and Recreation Committee by Chairman Mike Lawson – **All Items forwarded from Committee with recommendation for approval.**

A. **A Resolution** authorizing the purchase of fencing, dugout benches, and other field improvements for the Springdale Parks

and Recreation Department (2023 Bond Project No. 23BPP6).
Presented by Chad Wolf, Parks and Recreation Director.
Pgs. 95-101

12. Ordinance Committee by Chairman Mike Overton – **All Items forwarded from Committee with recommendation for approval.**

A. **An Ordinance** amending Chapter 50 Floods, Article II Flood Damage Prevention, Section 50-27. Amendments of the Springdale Code of Ordinance; Declaring an Emergency; and for other purposes. Presented by Katie Hollingshead, Engineering Department. **Pgs. 102-103**

13. Police and Fire Committee by Chairman Brian Powell – **All Items forwarded from Committee with recommendation for approval.**

A. **A Resolution** authorizing the purchase of a K-9 for the Springdale Police Department. Presented by Frank Gamble, Police Chief.
Pgs. 104-113

14. **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. *Tabled from the 11/28/2023 City Council Meeting.* **Pgs. 114-121**

15. **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, Benton County, Arkansas, and declaring an emergency. Presented by Ernest Cate, City Attorney.
Pgs. 122-133

16. **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, Washington County, Arkansas, and declaring an emergency. Presented by Ernest Cate, City Attorney.

Pgs. 134-146

17. **A Resolution** approving a taxicab operator permit for Westark Taxi, LLC, pursuant to Chapter 122 of the Code of Ordinances for the City of Springdale, Arkansas. Presented by Ernest Cate, City Attorney.

Pgs. 147-148

18. **A Resolution** authorizing the destruction of old accounting records. Presented by Denise Pearce, City Clerk. Pgs. 149-158

19. **A Discussion** regarding the 2nd City Council Committee meeting in December 2023.

20. **A Discussion** regarding the 2nd City Council meeting in December 2023.

21. **A Discussion** regarding the 1st City Council Committee meeting in January 2024.

22. Comments from Council Members.

23. Comments from City Attorney.

24. Comments from Mayor

25. Adjournment.

RESOLUTION NO. _____

**A RESOLUTION MAKING APPOINTMENTS TO
THE SPRINGDALE LIBRARY BOARD**

WHEREAS, Felice Barrett vacated her seat on the Springdale Library Board earlier this year with a term set to expire on December 31, 2023, and

WHEREAS, Zelda Parson will be stepping down from the Springdale Library Board following the expiration of her term on December 31, 2023, and

WHEREAS, the Springdale Library Board has been conducting interviews with various applicants to fill the two vacant seats, and

WHEREAS, Arkansas Code 13-2-502, provides for appointments to the Library Board by the Mayor with the approval of the City Council, and

WHEREAS, upon recommendation of the Library Board of the City of Springdale, the Mayor recommends the appointments of Debbie Keen and Megan Godfrey to the Springdale Library Board for a full-term beginning January 1, 2024; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that Debbie Keen and Megan Godfrey are hereby appointed to the Springdale Library Board, beginning January 1, 2024, for a full term that is set to expire on December 31, 2028.

PASSED AND APPROVED this 12th day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



Springdale Public Library
Library in the Park

November 28, 2023:

Mayor Sprouse and Springdale City Council:

The seven-member Springdale Public Library Board seeks to fill three vacant positions for 2024. The first position was vacated by Felice Barrett earlier this year. After interviewing **Debbie Keen** and speaking with her references, the board recommends that she be appointed to this seat.

Two members' terms are also expiring at the end of 2023.

First, **Laurie Marshall** has served one full term on our board and served as the board's vice president in 2023. The board recommends renewing her appointment for another term, and Laurie has expressed her willingness to do so.

Zelda Parson's term is also expiring, and she will regretfully be unable to continue serving on our board. After interviewing **Megan Godfrey** and speaking with her references, the board recommends that she be appointed to fill this position.

Ms. Keen and Dr. Godfrey's cover letters are attached for your review as well.

Regards,

Paula Wilson
Board President
Springdale Public Library

Anne Gresham
Library Director
Springdale Public Library

Debbie S. Keen
2177 Pump Station Rd.
Springdale, AR 72762
479-530-2604
dkeen64@live.com

Education

- Springdale High School, Class of 1983
- University of Arkansas, Bachelors of Science – Education, Class of 1997
- University of Arkansas, Masters of Arts & Teaching, Class of 1998

Employment

- John Tyson Elementary, Teacher, 1998-Present

Community Involvement

- Sonora Baptist Church, Children's Ministry, Youth Ministry, Outreach Ministry
- Northwest Arkansas Rabbit Club, Volunteer
- Washington County 4-H, Volunteer

Statement of Interest

As a lifelong resident of Springdale and an avid reader, I have a passion for our public library. I hope to see it grow and offer something that every member of our community -- regardless of their race, ethnicity, or socioeconomic status -- can enjoy. I raised two children in this community, and my grandchildren are growing up here. We have a responsibility to ensure that our City is meeting the needs of our local children; those needs are academic and intellectual, of course, but they are also spiritual and emotional, and the library can be a place which offers support to families and children in those areas, too. I look forward to offering my voice and unique perspective as an elementary teacher, mother, grandmother, and Christian to the Library Board and hope that the City will look favorably upon my application.

August 17, 2023

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

Dear Mayor Sprouse,

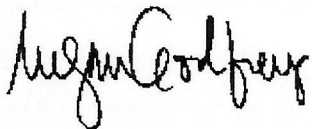
It is with enthusiasm and Springdale pride that I express my interest in an appointment to the Springdale Public Library Board. My commitment to public service and deep Springdale roots make me a worthy candidate for this position.

I have called Springdale home since I was in junior high, and the present and future of this community are extremely important to me. Not only do I want to build a brighter Springdale for my own two children, I also want to ensure that this community feels safe, supportive, and successful for everyone who lives here. I have shown my commitment to that vision throughout my time as a public educator in Springdale Public Schools and as a Springdale state representative for two terms, and serving on the library board would give me the opportunity to humbly continue my public service to my hometown.

In regards to the Springdale Public Library specifically, our "library in the park" is a true gem. I am a dedicated patron of the library, and my kids enjoy the programming every summer. To me, the public library represents the best of Springdale: welcoming, empowering, inclusive, and nurturing. I would be honored to join the other board members in supporting the library that our entire community can be proud of.

Thank you so much for your consideration of my appointment to the Springdale Public Library Board. I appreciate your steadfast and admirable leadership for our city.

Best,

A handwritten signature in black ink, appearing to read "Megan Godfrey". The script is fluid and cursive, with the first name "Megan" and last name "Godfrey" clearly distinguishable.

Megan Godfrey, PhD
500 Janet Street
Springdale, AR 72762
megancgodfrey@gmail.com
(479) 200-4460

RESOLUTION NO. _____

**A RESOLUTION MAKING A REAPPOINTMENT
TO THE SPRINGDALE LIBRARY BOARD**

WHEREAS, Laurie Marshall currently serves on the Springdale Library Board with a term set to expire on December 31, 2023, and

WHEREAS, Marshall also serves as the board’s vice president, and

WHEREAS, Arkansas Code 13-2-502, provides for appointments to the Library Board by the Mayor with the approval of the City Council, and

WHEREAS, upon recommendation of the Library Board of the City of Springdale, the Mayor recommends the reappointment of Laurie Marshall to the Springdale Library Board for a full-term beginning January 1, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS that Laurie Marshall is hereby reappointed to the Springdale Library Board for a full term that is set to expire on December 31, 2028.

PASSED AND APPROVED this 12th day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



Springdale Public Library
Library in the Park

November 28, 2023:

Mayor Sprouse and Springdale City Council:

The seven-member Springdale Public Library Board seeks to fill three vacant positions for 2024. The first position was vacated by Felice Barrett earlier this year. After interviewing **Debbie Keen** and speaking with her references, the board recommends that she be appointed to this seat.

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First, **Laurie Marshall** has served one full term on our board and served as the board's vice president in 2023. The board recommends renewing her appointment for another term, and Laurie has expressed her willingness to do so.

Zelda Parson's term is also expiring, and she will regretfully be unable to continue serving on our board. After interviewing **Megan Godfrey** and speaking with her references, the board recommends that she be appointed to fill this position.

Ms. Keen and Dr. Godfrey's cover letters are attached for your review as well.

Regards,

Paula Wilson
Board President
Springdale Public Library

Anne Gresham
Library Director
Springdale Public Library

RESOLUTION NO. _____

**A RESOLUTION ADOPTING A REVISED MASTER
STREET PLAN FOR THE CITY OF SPRINGDALE,
ARKANSAS**

WHEREAS, Ordinance No. 3195 adopted by the City Council on March 12, 2002 requires that the Planning Commission conduct a review of the Master Street Plan to determine if revisions should be considered before March 1 of odd numbered years. If it is determined by the Commission that revisions are needed proposed changes shall be presented for public review and comment and recommended to the City Council for review and adoption, and

WHEREAS, the Springdale Planning Commission reviewed the Master Street Plan and has determined that revisions were needed; and

WHEREAS, a revised Master Street Plan was developed and made available for public hearing on December 5, 2023, and

WHEREAS, after the public hearing the planning commission discussed the public comments received and feels that the documents as presented should be adopted and recommended to the City Council.

NOW, THEREFORE BE IT RESOLVED BY THE SPRINGDALE CITY COUNCIL that the above mentioned Master Street Plan map, dated December 5, 2023 is hereby adopted to be used in guiding future decisions regarding transportation facilities and traffic circulation relationships within the City's area of planning jurisdiction.

PASSED AND APPROVED THIS ____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B Cate, City Attorney



CITY OF SPRINGDALE

2023 MASTER STREET PLAN

Highway/Freeway Arterial Collector Industrial/Heavy Commercial Commercial Downtown Commercial Local Alley



Guiding Principles and Policies

The Master Street Plan identifies and classifies the streets designed to carry traffic throughout the city. The plan is the City's Official Statement of meeting transportation goals, determining improvements of existing streets and indicating the location of future streets. The city uses the plan to establish priorities for street improvements and to coordinate the development of new streets. It in no way establishes the centerline of future streets but merely indicates the need for traffic flow in the area. Centerlines for new street construction will be determined through development and engineering practices as development occurs and capital improvement projects are undertaken.

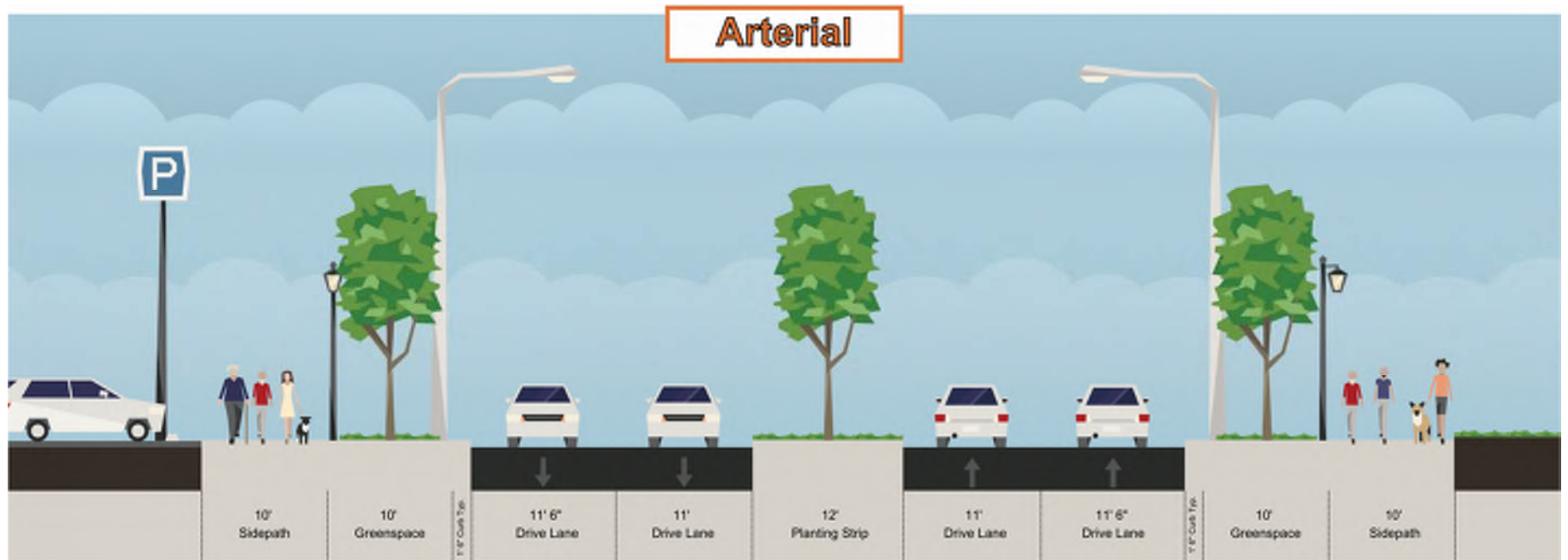
Classifications: Freeway/Highway, Arterial, Collector, Industrial/Heavy Commercial, Commercial, Downtown Commercial, Local, Alley

Federal Freeways and State Highways

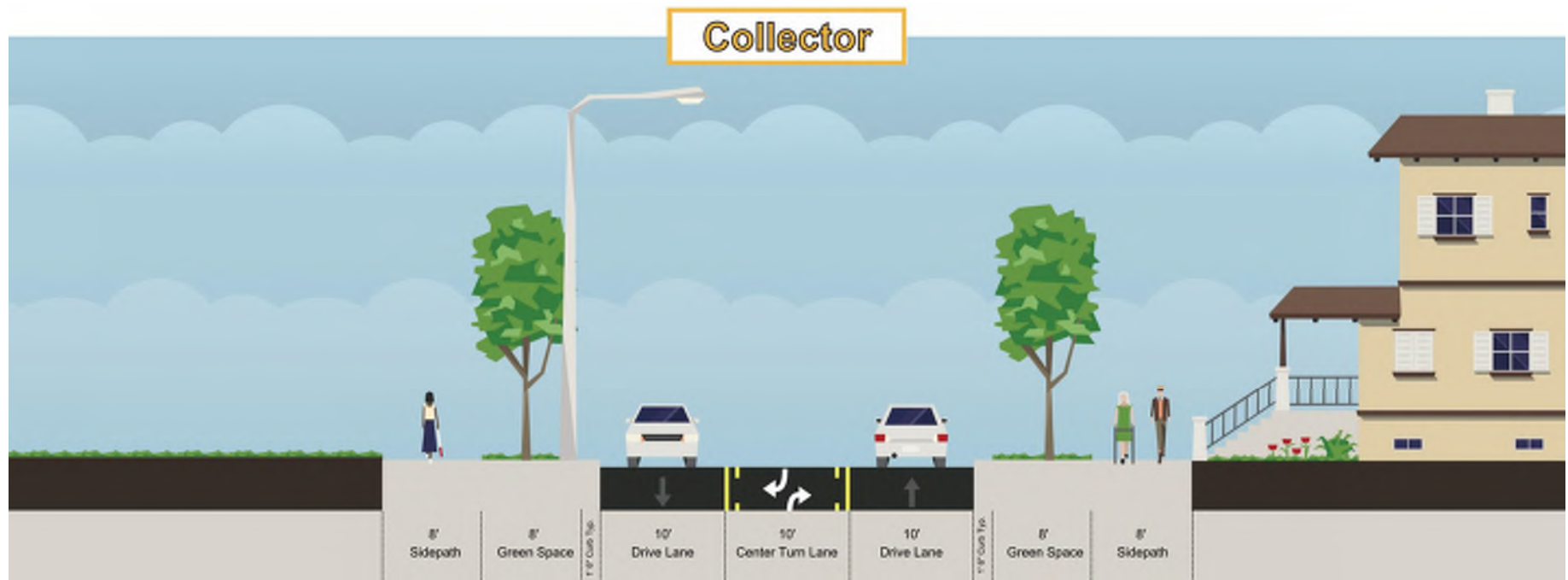


Federal Freeways and State Highways - State and Federal highways and freeways serve as intercity and interstate connections. Roadway sections and design speeds are variable. ARDOT creates and maintains these corridors. These facilities also serve as truck routes to convey heavy vehicles through the city.

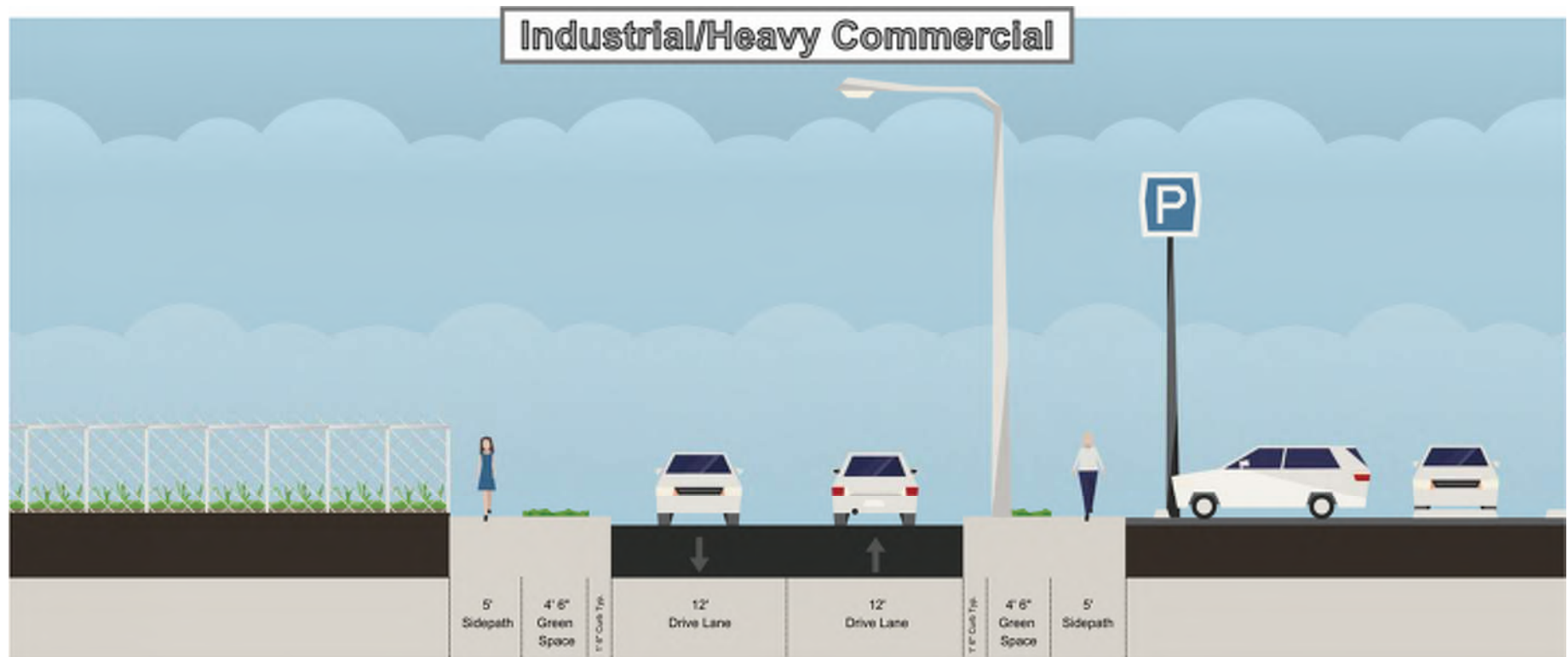
The Arkansas Department of Transportation maintains freeways and highways within the city limits including Highway 112, Highway 71B, Highway 264, Highway 265, and Highway 412 East and West, and Interstate 49.



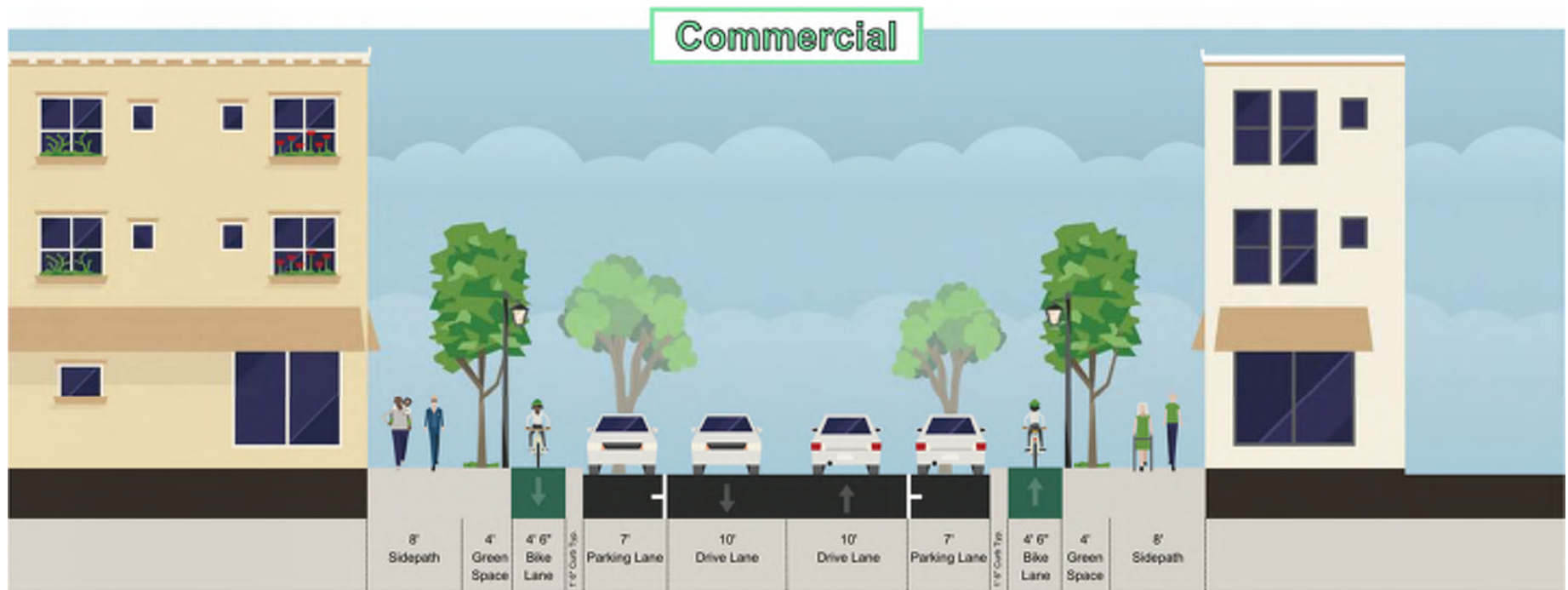
Arterial – Arterial streets provide connections from collector streets to intercity connectors such as state and federal highways through many different types of land uses. They allow movement for vehicles of all modes with direct access limited to city streets and shared property accesses at planned intervals. Cyclists are intended to be outside the roadway with multi-use paths provided on both sides of the street due to vehicular speeds and volumes. Bicycle and pedestrians are restricted to side paths except at designated crossings. Trees are expected in green spaces and medians. Streetlights and trail lights shall be provided. Design volumes are <35000 VPD with design speeds of 45 mph, typically posted at 40 mph. Right of way width is 100'



Collector - Collector streets provide direct access to shared commercial driveways at planned intervals and connect local streets to arterial streets. Cyclists are intended to be outside the roadway on multiuse paths provided on both sides of the street due to vehicular speeds and volumes. Residential driveways are expressly discouraged. On street parking is not permitted. Trees and streetlights are expected to be in the greenspace between the curb and paths. Medians will be provided for pedestrian refuge and limit driveway access at recommended intervals. Design speeds are 35 mph with desired operating speeds of 30 mph, with design volumes <15000 VPD. Right of way width is 65'.

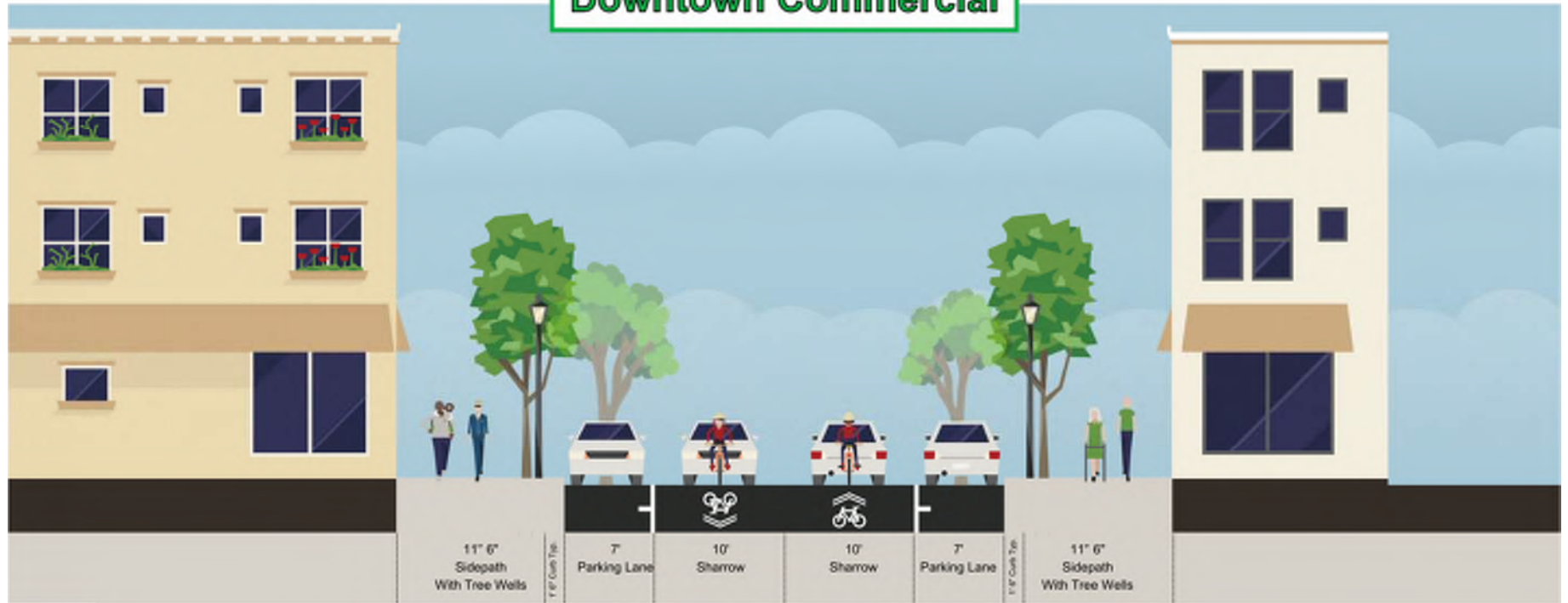


Industrial/Heavy Commercial – These streets serve industrial and heavy commercial areas. They primarily convey large vehicle movements from designated truck routes and provide direct property access. On street parking is discouraged. They should provide pedestrian facilities for employees to commute to work. Landscaping is excluded inside the public right of way. Design speeds are 25 mph with design volumes <5000 VPD. Right of way width is 46'.

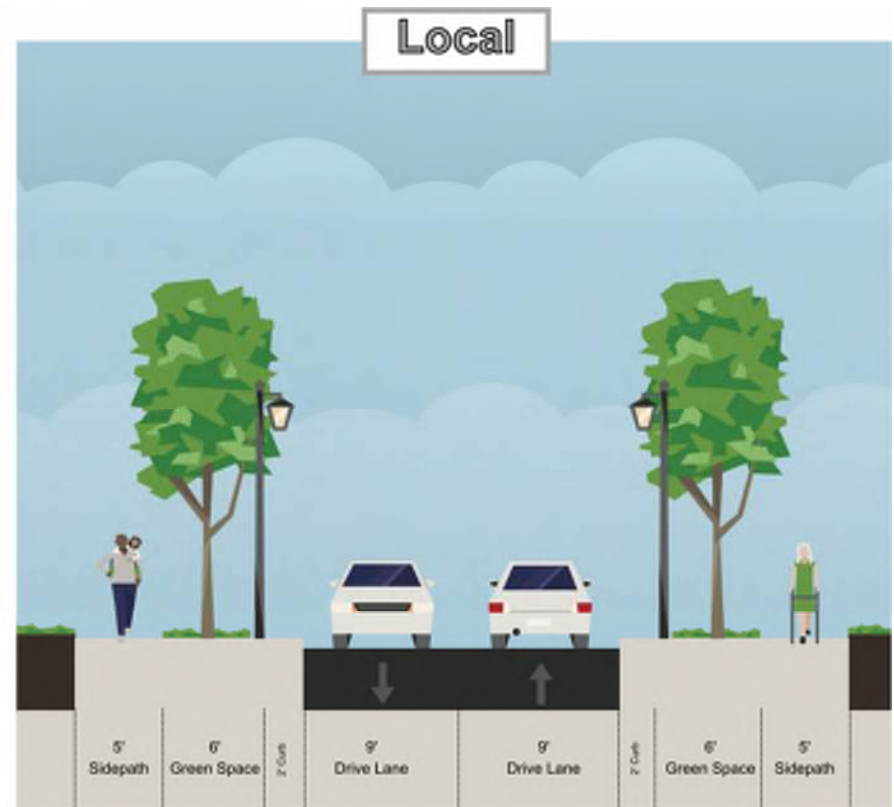


Commercial – Commercial streets serve commercial areas. They have slower vehicular speeds in order to increase pedestrian comfort and utilization of dedicated paths for pedestrians and bicyclists. On street parking is encouraged with loading zones provided for business use. Trees and landscaping are expected in the greenspace and parking islands with irrigation. Public transit stops should be provided as needed. Curb bump outs will be provided at street intersections. Landscape islands will be provided between every 5 parking spaces. Design speeds are 25 mph with a desired operating speed of 20 mph, and volumes are <8000 VPD. Right of way width is 70'.

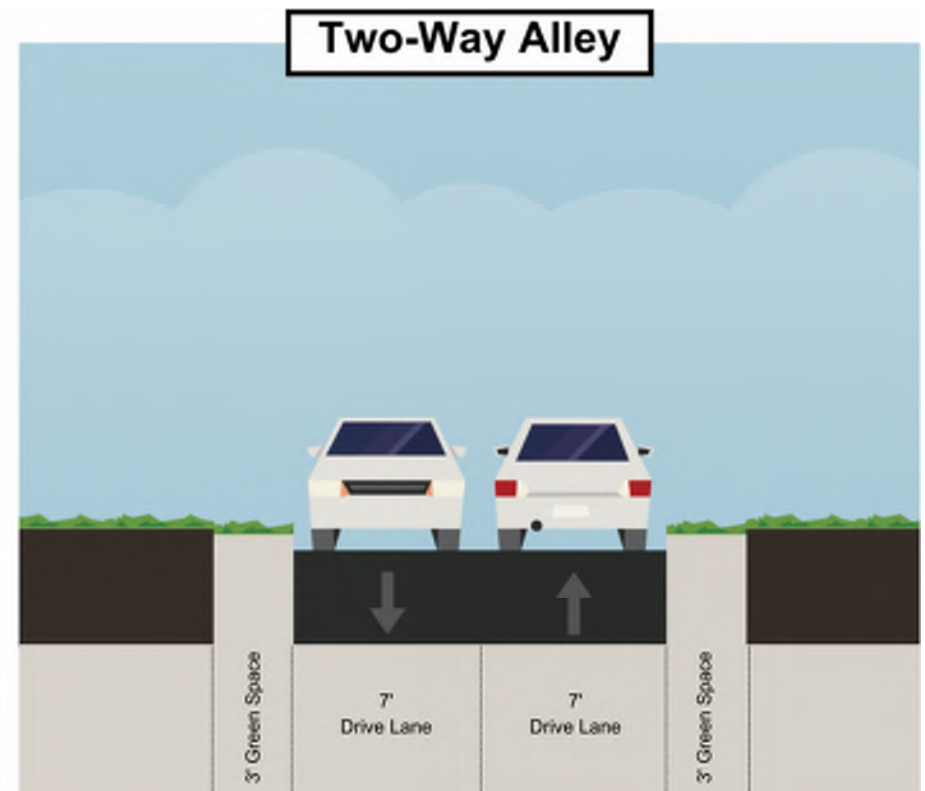
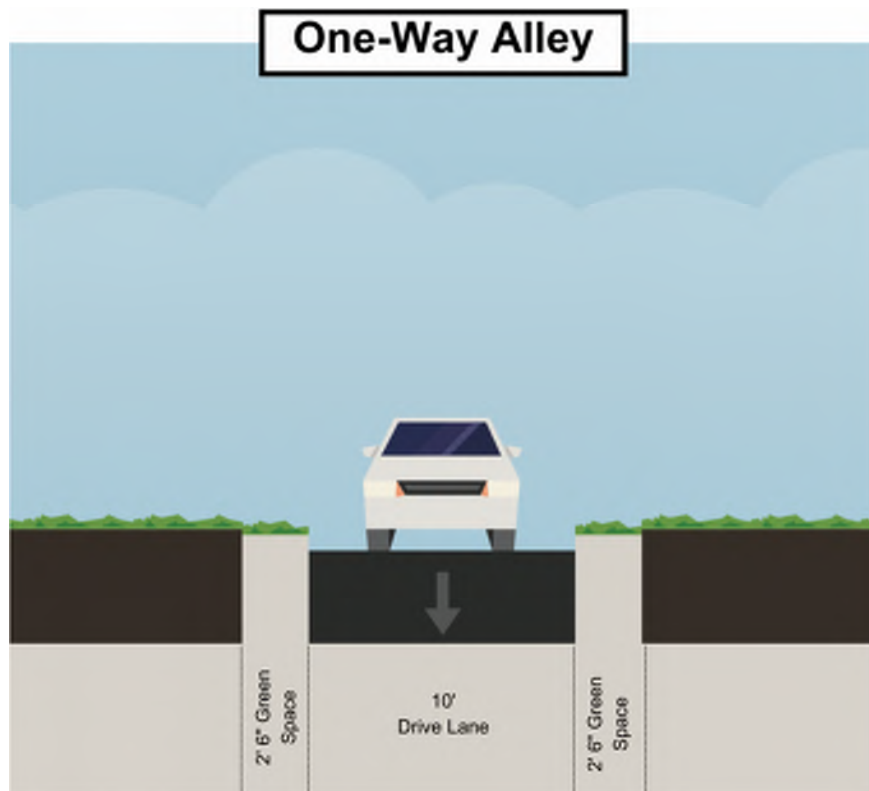
Downtown Commercial



Downtown Commercial – Downtown commercial streets serve commercial areas within the downtown district. They have slower vehicular speeds to increase pedestrian comfort and utilization. Bicyclists are expected to intermix with traffic or walk their bicycles on the sidewalk. On street parking is encouraged in both parallel and angled form with loading zones provided for business use. Trees and landscaping are expected in tree wells and parking islands with irrigation. Curb bump outs will be provided at street intersections. Landscape islands will be provided between every 5 parking spaces. Public transit stops should be provided as needed. Design speeds are 25 mph with a desired operating speed of 20 mph, and volumes are <6000 VPD. Right of way width is 60'.



Local – Local streets are intended to provide access to adjacent residential properties. These streets also connect to collector streets and above. Two sections are available, one with on street parking and one for parking restricted within the ROW. Trees are required to be planted between the sidewalk and curb. In the section with parking, tree islands shall be provided every 200'-250' to match lot lines. If parking is provided on one side only, the parking should swap sides occasionally to calm traffic. Design volume >250 VPD and <5000VPD. Right of way width is 44' without parking, 46' with parking on one side and 48' with parking on both sides. Parking shall be required unless adequate off street parking is provided.



Alley – Alleys are used in conjunction with local streets to provide rear access to properties, garages and off-street parking. Driveways connected to Alleys should have sufficient depth to allow vehicles to park without encroaching into Alley ROW. A two-way alley consists of 14' driving surface centered in 20' ROW. A one-way alley consists of a 10' driving surface centered in 15' ROW. Intersections with streets shall utilize Commercial driveway standards. Alleys should be paved in commercial areas and paved or gravel with concrete ribbon curbs on each side in residential areas. Design speed is 10 mph and design volume is <200 VPD. If Alleys are to be utilized as fire access, they will need to comply with the adopted Fire Code.

Other Design Criteria

- ❖ Designs shall comply with the current edition of AASHTO “A Policy on Geometric Design of Highways and Streets.”
- ❖ Minimum distance from street intersections to Driveways shall be 40’ for local, 60’ for collector and 120’ for Arterial streets.
- ❖ Centerline of streets across from one another shall align or be offset a minimum of 200’.
- ❖ Streets shall intersect at 75-90 degree angles.
- ❖ Street curb radii shall be 20’ for local, 30’ for collector and 40’ for Industrial and Arterial streets.
- ❖ Cul-de-sac radius shall be 40’ for local and 50’ for commercial and industrial streets.
- ❖ Subdivisions shall provide connections or street stubs in all four cardinal directions.
- ❖ Cut and Fill slopes should be 4:1 or flatter when possible.
- ❖ Pavement Sections shall be by formal design based on existing soil conditions.
- ❖ Streetlights shall be provided for all sections except alleys, in accordance with section 112-4 of Springdale’s City Ordinances.
- ❖ Truck routes shall be limited to State and Federal Highways and designated routes per the truck route map.
- ❖ Refer to Springdale Ordinance Chapter 110; Streets, Sidewalks and Other Public Places, Chapter 112; Subdivisions, and Chapter 114; Traffic and Vehicles, for more detailed information.



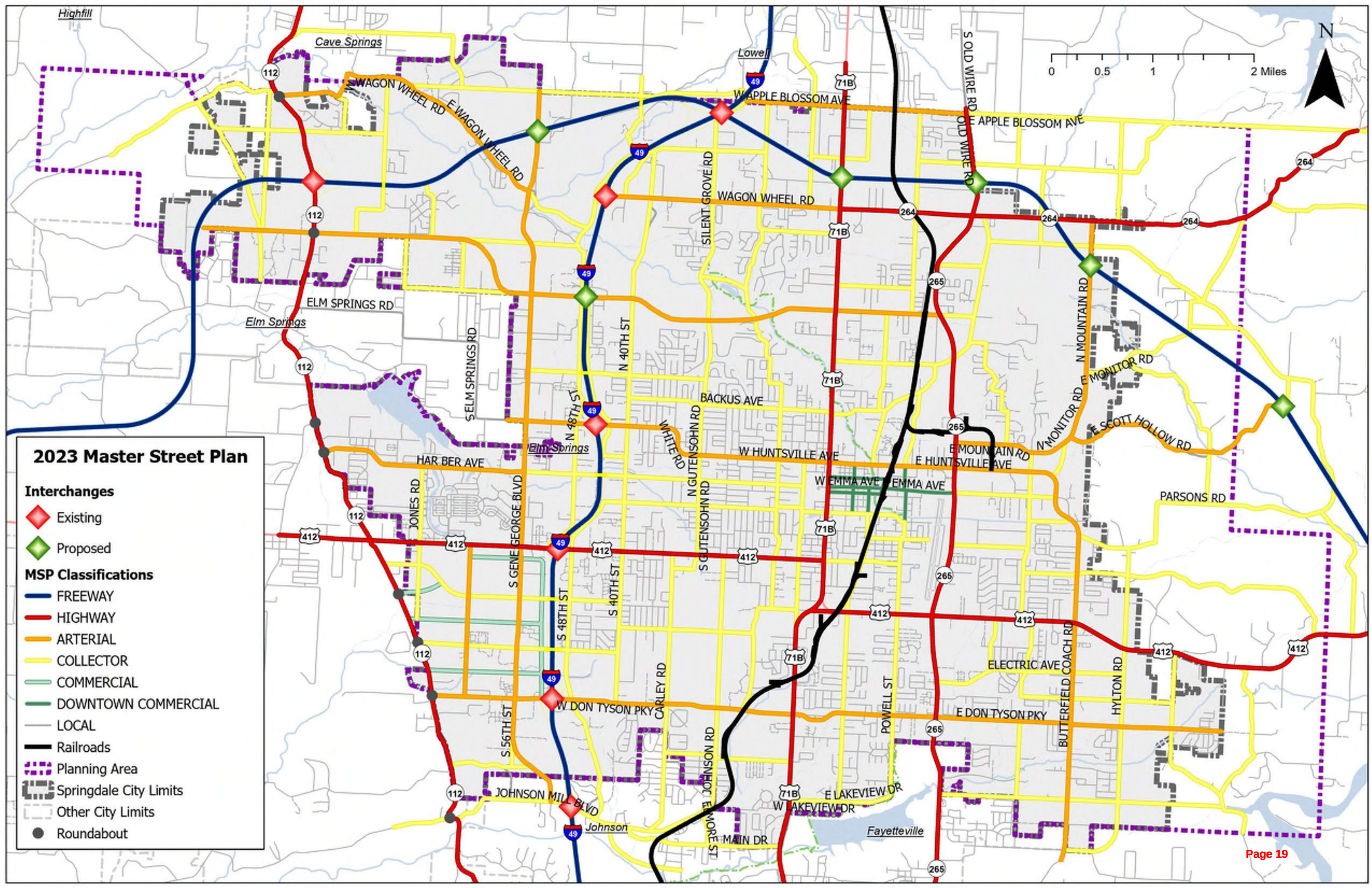
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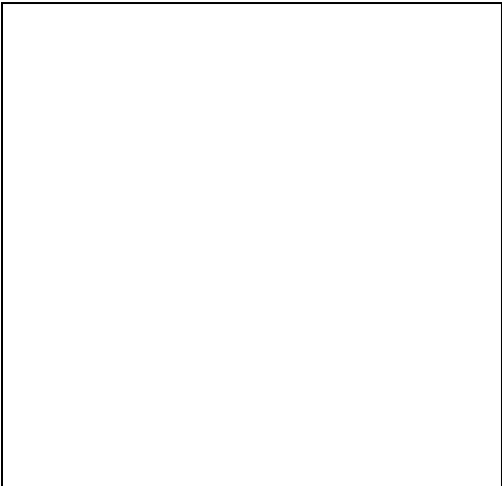
Cover page: McClelland Consulting Engineers

Pages 4-10: Streetmix

Page 11: Garver – Don Tyson Parkway I-49 interchange

Aerial Photos: Springdale Engineering Department





ORDINANCE NO. _____

AN ORDINANCE TO REPLAT SPRING CREEK FARMS SUBDIVISION PHASE I TO REPLACE STREET NAMES.

WHEREAS, a Final Plat was filed under Instrument Number L202353785 in the Washington County Circuit Clerk Office. Said Plat stating Street Names “Teton Trail, Cowboy Cove, Farmhouse Way, Hillcrest Terrace, Hawk Lane and Range Road”.

NOW THEREFORE, the street names have been corrected on Replat Final Plat Spring Creek Farms, Phase I with updated names “Teton Trail Avenue, Cowboy Street, Farmhouse Street, Hillcrest Street, Hawk Street, and Range Avenue”.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the Replat of Spring Creek Farms Subdivision Phase I, 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 through set out herein word for word, be and the same is hereby accepted by the City of Springdale, Benton County, Arkansas, and the City hereby accepts for the use and benefit of the public the dedications contained therein.

EMERGENCY CLAUSE: It is hereby declared that an emergency exists in that the owner of property will be deprived of the full use and enjoyment of their property and will not be able to complete the sale of their property within thirty days and therefore an emergency exists.

PASSED AND APPROVED this _____ day of _____, 2023.

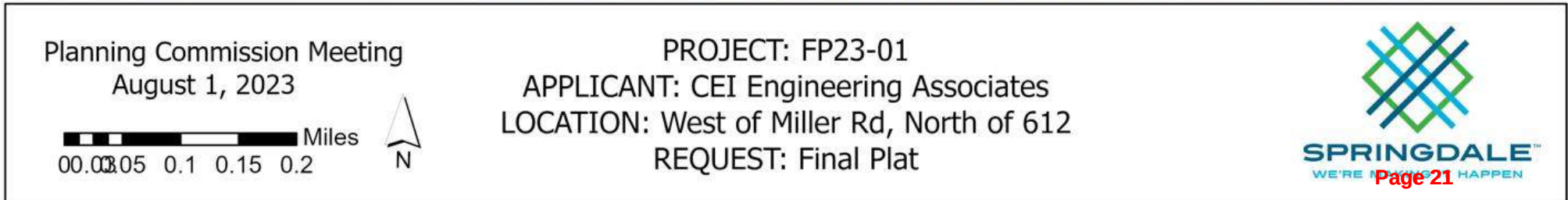
Doug Sprouse, Mayor

ATTEST:

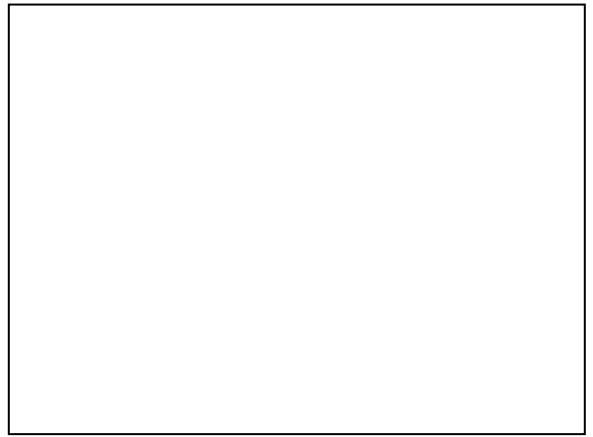
Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



SPRINGDALE™
WE'RE THINKING HAPPEN



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 (R23-49) 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 December 5, 2023 for hearing the matter of a petition of 3724 Sunset Avenue, Springdale, 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: 3724 W. Sunset Avenue

Legal Description: A PART OF THE W $\frac{1}{2}$ OF THE E $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID 10 ACRE TRACT, AND RUNNING THENCE N 89° 48' W 200 FEET; THENCE NORTH 00° 24' E 200 FEET, THENCE S 89° 49' E 200 FEET; THENCE S 00° 24' W 200 FEET TO THE POINT OF BEGINNING, CONTAINING 0.92 ACRES, MORE OR LESS. LESS AND EXCEPT THAT PART IN STATE HIGHWAY NO. 412 (FORMERLY HWY. NO. 68) RIGHT OF WAY ALONG THE SOUTH SIDE THEREOF.

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 (R23-49) 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

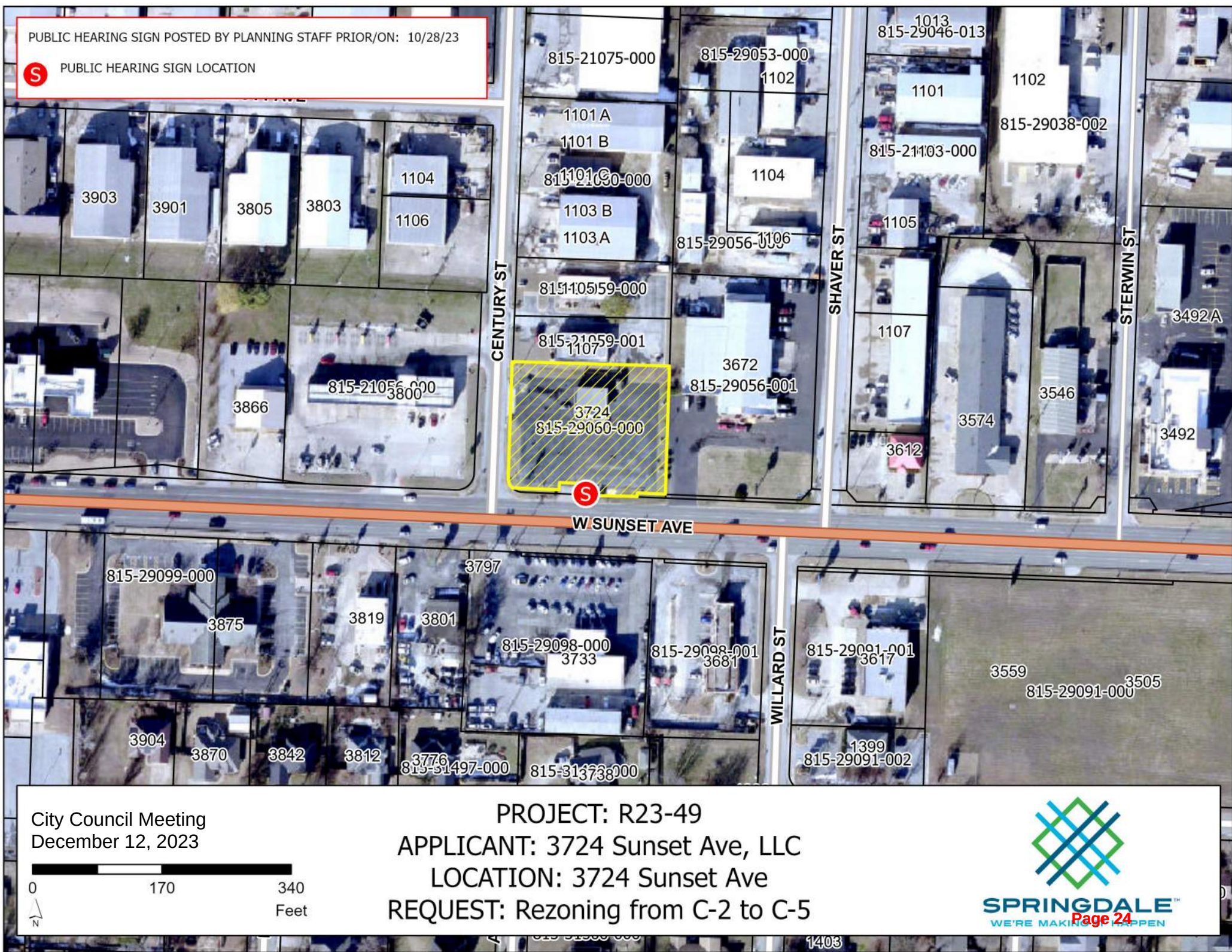
APPROVED AS TO FORM:

Ernest Cate, City Attorney

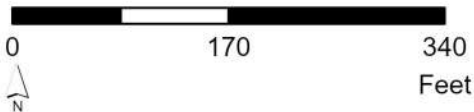
PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 10/28/23



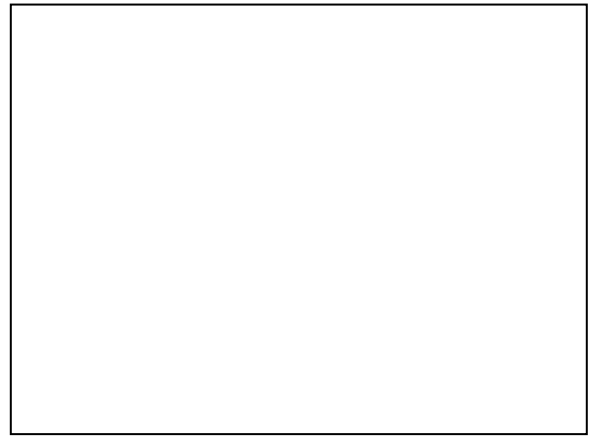
PUBLIC HEARING SIGN LOCATION



City Council Meeting
December 12, 2023



PROJECT: R23-49
APPLICANT: 3724 Sunset Ave, LLC
LOCATION: 3724 Sunset Ave
REQUEST: Rezoning from C-2 to C-5



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 (R23-50) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO PLANNED UNIT DEVELOPMENT (PUD) 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 December 5, 2023 for hearing the matter of a petition of The Trails at the Crossings Apartments, LP that the following described tract of real estate to be zoned from Agricultural District (A-1) to Planned Unit Development (PUD).

Layman's Description: 6200 W. Watkins Avenue

Legal Description: TRACT ONE OF AN INFORMAL PLAT RECORDED IN THE PLAT RECORDS OF WASHINGTON COUNTY, ARKANSAS AS FILE NUMBER 0024-00000244. CONTAINING 22.04 ACRES MORE OR LESS LOCATED WITHIN THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 08, TOWNSHIP 17 NORTH, RANGE 30 WEST, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.

AND

ALL THAT PART OF REVISED TRACT THREE OF AN INFORMAL PLAT RECORDED IN THE PLAT RECORDS OF WASHINGTON COUNTY, ARKANSAS AS FILE NUMBER 0024-00000393 THAT IS CONTAINED WITHIN THE SW/4 OF THE NE/4 OF SECTION 08, TOWNSHIP 17 NORTH, RANGE 30 WEST, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.

BOTH OF THE ABOVE-DESCRIBED

TRACTS BEING JOINTLY KNOWN AS ALL OF THE SW/4 OF THE NE/4 OF SECTION 08, TOWNSHIP 17 NORTH, RANGE 30 WEST, CITY OF

SPRINGDALE, WASHINGTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SW/4 OF THE NE/4 NOW OR FORMERLY MARKED BY A CHISELED X IN CONCRETE CURB; THENCE NORTH 87°33'24" WEST ALONG THE SOUTH LINE OF SAID SW/4 OF THE NE/4, A DISTANCE OF 1319.85 FEET TO THE SOUTHWEST CORNER THEREOF NOW OR FORMERLY MARKED BY A 1/2" REBAR NEAR THE INTERSECTION OF SOUTH 64TH STREET AND WATKINS AVE; THENCE NORTH 02°27'35" EAST ALONG THE WEST LINE OF SAID SW/4 OF THE NE/4, A DISTANCE OF 1319.44 FEET TO THE NORTHWEST CORNER THEREOF NOW OR FORMERLY MARKED BY A MAGNAIL WITH WASHER EMBOSSED "PS 1304"; THENCE SOUTH 87°36'09" EAST ALONG THE NORTH LINE OF SAID SW/4 OF THE NE/4, A DISTANCE OF 1319.66 FEET TO THE NORTHEAST CORNER THEREOF NOW OR FORMERLY MARKED BY A 5/8" REBAR WITH PLASTIC CAP EMBOSSED "PS 1304"; THENCE SOUTH 02°27'06" WEST ALONG THE EAST LINE OF SAID SW/4 OF THE NE/4, A DISTANCE OF 1320.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 39.99 ACRES MORE OR LESS.

BASIS OF BEARING FOR THE HERE-IN-ABOVE DESCRIPTION IS ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 DETERMINED BY GPS OBSERVATION ON THE CITY OF SPRINGDALE CONTROL MONUMENTS USING THE PUBLISHED VALUES.

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 (R23-50) from Agricultural District (A-1) to Planned Unit Development (PUD) 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 Planned Unit Development (PUD).

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

TRAILS AT THE CROSSINGS AMMENDMENT FOR PHASE 2
PLANNED UNIT DEVELOPMENT
DEVELOPMENT PLAN

NOTE: The approved final development plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in Chapter 130 of the Springdale Code of Ordinances.
--

1. General Project Information

- A. Project Name: Trails at The Crossing Phase 2
- B. Location: (The intent is to apply the PUD district to areas designated as agricultural, residential or commercial on the land use plan)
At the intersection of Watkins Ave and 64th Street
- C. Ownership: (Eligible applicants for preliminary plan review must be the landowners of record, holders of a lease for not less than fifty (50) years, or their authorized agent and beneficiaries of all properties in question. The approved final development plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in this article.)
C.L. George and Sons Limited Partnership
- D. Developer: Trails at Legacy, LLC
- E. Civil Engineer & Land Surveyor: Site Engineer: Crafton Tull; Land Surveyor: Crafton Tull
- F. Size: 36.81 acres (Eligible properties must be ten (10) acres in size) :
- G. Staging: (Submissions of proposals of entire ownerships is encouraged, however, applicants may submit a phased development plan for incorporating incremental final development plans and plats for subareas of the entire ownership.)
- The development will be split into 13 phases to acquire Certificates of Occupancy in 13 groups.

2. Development Strategy:

This apartment complex will serve the community in enhancing social connectivity between the residents of the Trials at the Crossing Phase 1 & 2 and the surrounding amenities. Being constructed near Arvest Ballpark, the apartment complex will integrate sidewalks from all outer buildings and a perimeter walking trail to maximize social and community interactions. The property has multiple central open space locations with amenities for all residents that promote relaxation, recreation, and social activity.
--

3. Permitted Use (List all use units to be included in the project)

This project will be a multi-family high density residential site.

4. Site Development Requirements

A. Density, Bulk, Area and Yard Requirements

Density – 26.13 units/ac

Type of Units by number of bedrooms –
387 units total: 627 bedrooms

Total Developed Area 36.81 acres

Total Common Area 15.40 acres

Impervious Area 932,231 (sq. ft.) 21.4 acres

Open Space 396,221 + (sq. ft.) 15.40 acres

Total Space 1,603,380 (sq. ft.) 36.81 acres

Setbacks – Front- 30'

Interior Side

Exterior Side- 8'

Rear- 20'

B. Building Types – Elevations as attached:

Setbacks – As shown on attached site plan

C. Parking

Total Parking Spaces Required – 1510 stalls

Total Parking Spaces Provided – 1210 stalls

D. Amenities Provided (locations shown on site plan):

Walking trail, dog park, benches, hammock poles, planting areas, BBQ patios,
large trees, clubhouse, swimming pool, frills, volleyball court, horseshoe pits,
playground, lighting.

E. Exterior Building Materials: Painted fiber-cement products, brick, and stone.

5. Property Management:

- A. Property to remain in single ownership with all common areas to be maintained by the owner or through an agreement with a management company.
- B. Garages to be used for the parking of the vehicles and shall not be used as storage units or living space. Parking on the grass is prohibited.
- C. The development will be accessed from the extension of George Ave, Watkins Ave or 64th Street. Drives shall be labeled as private drives. Sidewalks shall be constructed on all common areas as shown on the site plan.
- D. Privacy fences are not being proposed. No chain link type fence will be allowed.
- E. Service lines for all public or quasi-public utilities shall be located underground.
- F. Common areas will be landscaped as constructed with 2" caliper shade trees, established grass areas and an automatic irrigation system.
- G. Amenities installation will follow the plan associated with this PUD on sheet L-100 and subsequent sheets.

6. Miscellaneous Requirements

- A. Parking stalls along the fire access road will be 9'X17' with adjacent 7' sidewalks. The 17' deep parking stall with the adjacent 7' sidewalk will allow the ability for oversized vehicles to hang over for a total length of 19' leaving a standard 5' sidewalk. This will allow maximum green space between the building and the parking lot for aesthetics and additional landscaping.
- B. The number of parking stalls required are to supply the need of one parking stall per building. Lindsey Management is one of the largest multi-family real estate developers in the state of Arkansas. Using their historical data, for a development of more than 200 units, 1 parking space per bedroom is sufficient. With the lower parking count, the development can provide additional common space, greenspace, amenities, and increased safety by eliminating empty parking lot areas.
- C. The 30' front setback helps to generate a street scape along the extension of George Ave. Sidewalks leading from each perimeter building will promote connectivity between the residents and the nearby communities. The planned landscaping will add to the aesthetic pleasure of the street.
- D. Absence of privacy fence promotes connectivity to surrounding communities. Apartment building entrances will be accessible through residential key fobs increasing the security. Lighting and landscaping will promote security and surveillance.

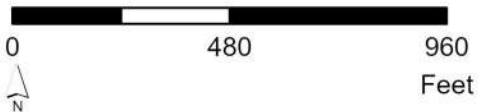
PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 10/28/23

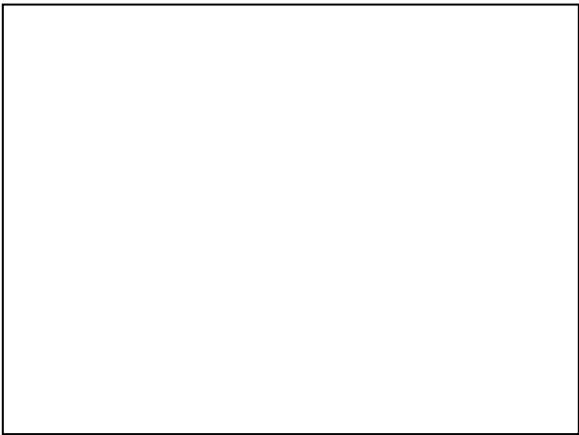
 PUBLIC HEARING SIGN LOCATION



Planning Commission Meeting
November 7, 2023

PROJECT: R23-50
APPLICANT: Trails at the Crossings Apartments, LP
LOCATION: 6200 Watkins Ave
REQUEST: Rezoning from A-1 to PUD





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 (R23-52) CERTAIN LANDS FROM GENERAL INDUSTRIAL DISCTRICK (I-2) TO LIGHT INDUSTRIAL DISTRICT (I-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 December 5, 2023 for hearing the matter of a petition of Old Mo East, LLC that the following described tract of real estate to be zoned from General Industrial District (I-2) to Light Industrial District (I-1).

Layman's Description: 1609 N. Old Missouri Road

Legal Description: WARRANTY DEED 2019-00003055:
A PART OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 29 WEST, OF THE 5TH P.M., COUNTY OF WASHINGTON, STATE OF ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE CENTER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 30, AND RUNNING THENCE NORTH 88 DEGREES 24 MINUTES 30 SECONDS WEST, 284.80 FEET, TO THE EAST RIGHT-OF-WAY OF THE OLD MISSOURI ROAD; THENCE WITH SAID R.O.W. NORTH 1 DEGREES 32 MINUTES 20 SECONDS EAST 604.11 FEET; THENCE SOUTH 88 DEGREES 24 MINUTES 30 SECONDS EAST 254.63 FEET; THENCE NORTH 1 DEGREE 31 MINUTES 20 SECONDS EAST 121.00 FEET; THENCE SOUTH 88 DEGREES 24 MINUTES 30 SECONDS EAST 379.14 FEET; THENCE NORTH 1 DEGREE 31 MINUTES 20 SECONDS EAST 132.90 FEET; THENCE SOUTH 88 DEGREES 24 MINUTES 30 SECONDS EAST 970.86 FEET, TO THE EAST LINE OF THE NE 1/4 OF THE SW 1/4; THENCE SOUTH 1 DEGREE 31 MINUTES 20 SECONDS WEST 858.00 FEET TO THE SE CORNER OF SAID NE 1/4 OF THE SW

1/4; THENCE NORTH 88 DEGREES 24 MINUTES 30 SECONDS WEST 1320.00 FEET TO THE POINT OF BEGINNING.

OVERALL REZONE AREA DESCRIPTION

A PART OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 29 WEST, OF THE 5TH P.M., COUNTY OF WASHINGTON, STATE OF ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT; THENCE, ALONG THE EAST LINE OF SAID FORTY ACRE TRACT, NORTH 02°48'41" EAST 2,196.32 FEET; THENCE, LEAVING SAID EAST LINE, NORTH 87°38'50" WEST 307.11 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE ARKANSAS-MISSOURI RAILROAD, BEING THE TRUE POINT OF BEGINNING; THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 260.00 FEET, WITH A CHORD BEARING AND DISTANCE OF SOUTH 41°33'09" EAST 367.69 FEET; THENCE, SOUTH 02°48'39" WEST 193.35 FEET; THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE, NORTH 88°00'05" WEST 933.33 FEET; THENCE, SOUTH 01°59'55" WEST 61.39 FEET; THENCE, NORTH 88°00'05" WEST 592.60 FEET TO THE EAST RIGHT-OF-WAY LINE OF NORTH OLD MISSOURI ROAD; THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00°40'03" WEST 191.14 FEET; THENCE, NORTH 87°34'09" WEST 22.00 FEET; THENCE, NORTH 02°48'51" EAST 88.22 FEET TO A FOUND 1" PIPE; THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE, SOUTH 87°07'11" EAST 247.00 FEET; THENCE, NORTH 02°48'39" EAST 124.03 FEET TO A FOUND 1/2" REBAR CAPPED "1005"; THENCE, SOUTH 87°38'58"E 379.15 FEET; THENCE NORTH 02°29'46"E 128.20 FEET TO A FOUND 1/2" REBAR; THENCE SOUTH 87°38'50" EAST 675.99 FEET TO THE POINT OF BEGINNING. CONTAINING 9.723 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

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 General Industrial District (I-2) to Light Industrial District (I-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 General Industrial District (I-2) to Light Industrial District (I-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 _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

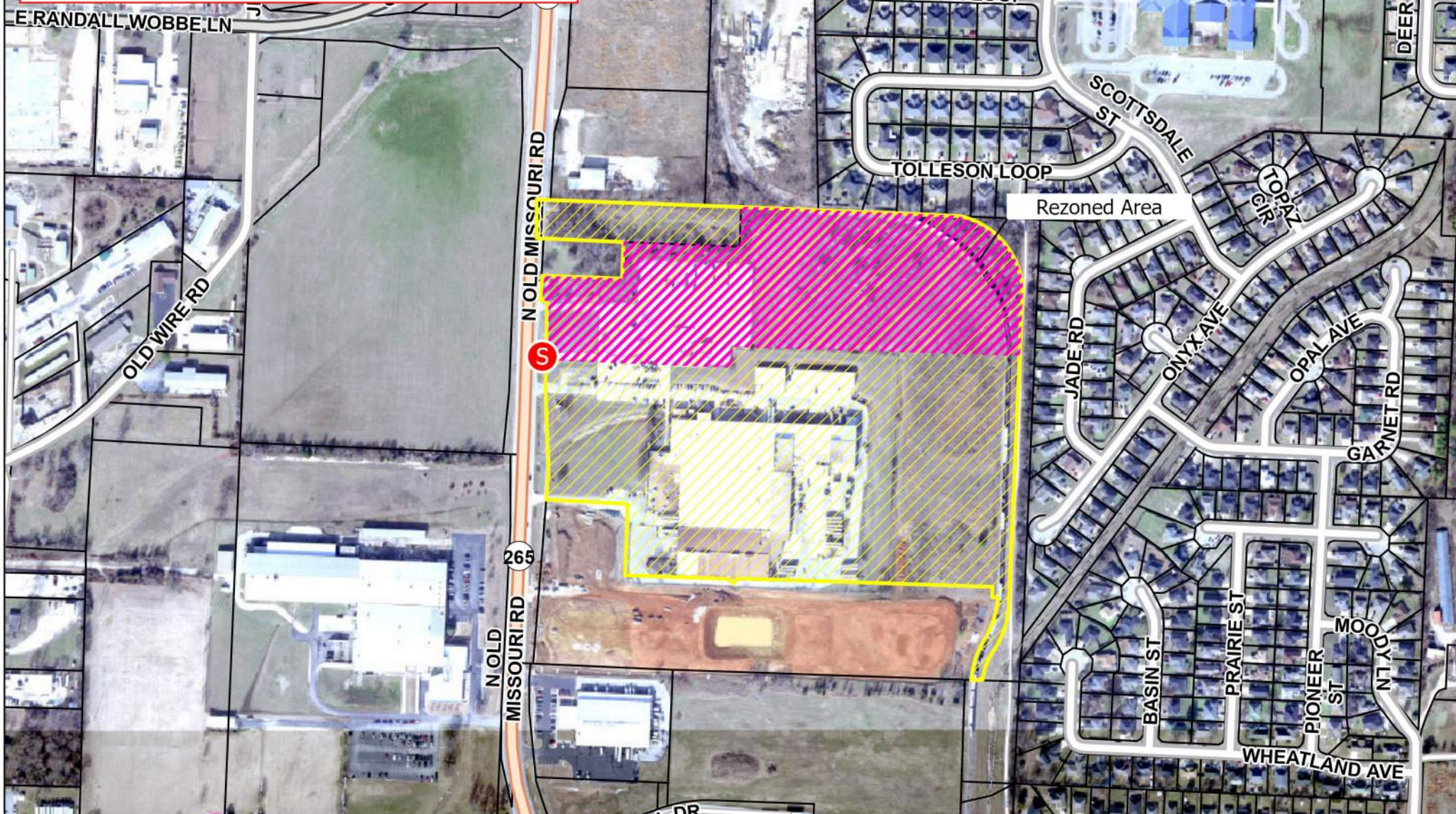
APPROVED AS TO FORM:

Ernest Cate, City Attorney

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 10/28/23



PUBLIC HEARING SIGN LOCATION



Planning Commission Meeting
November 7, 2023

PROJECT: R23-52
APPLICANT: Old MO East LLC
LOCATION: 1609 S Old Missouri Rd
REQUEST: Rezoning from I-2 to I-1



RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE
(C23-17) FOR UNITED RENTALS AT 1609 N. OLD
MISSOURI 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 December 5, 2023, on a request by United Rentals for a Use Unit 48 (Automotive, Machinery & Equipment Open Display Retails Sales) in a Light Industrial District (I-1).

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) yes and zero (0) nays recommends that a Conditional Use (C23-17) be granted to United Rentals with the following conditions:

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

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 BY PLANNING STAFF PRIOR/ON: 10/28/23



PUBLIC HEARING SIGN LOCATION

E. RANDALL WOBBE LN

OLD WIRE RD

Conditional Use
Area

N OLD MISSOURI RD

265

N OLD
MISSOURI RD

TUCSON LOOP

TOLLESON LOOP

SCOTTSDALE
ST

DEER VALLEY
ST

TOPAZ
CIR

JADE RD

ONYX AVE

OPAL AVE

GARNET RD

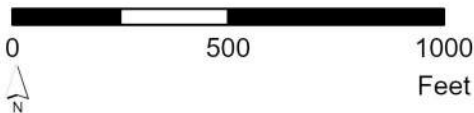
PRAIRIE ST

PIONEER
ST

MOODY LN

WHEATLAND AVE

Planning Commission Meeting
November 7, 2023



PROJECT: C23-17

APPLICANT: United Rentals

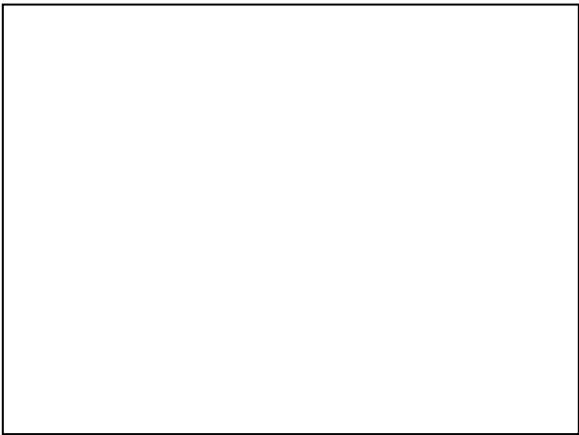
LOCATION: 1609 S Old Missouri Rd

REQUEST: Use Unit 48 in
Parking Area (Open Display Retail)



SPRINGDALE
WE'RE MAKING IT HAPPEN

Page 37



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 (R23-54) CERTAIN LANDS FROM LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) 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 December 5, 2023 for hearing the matter of a petition of City of Springdale that the following described tract of real estate to be zoned from Low/Medium Density Single Family Residential District (SF-2) to Institutional District (P-1).

Layman's Description: 606 Mill Street

Legal Description: A PART OF THE SE ¼ OF THE NW ¼ OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF LOT 1, BLOCK 1 OF RUGEL ADDITION TO THE CITY OF SPRINGDALE, THENCE S13°21'03" W49.83 FEET; THENCE S13°44'17" W50.23 FEET; THENCE S03°45'46" E 61.78 FEET; THENCE N89°31'49" W351.71 FEET; THENCE N42°14'16" W219.36 FEET; THENCE N69°52'15" W188.12 FEET; THENCE N56°22'46" W289.28 FEET; THENCE N01°54'26" W90.02 FEET; THENCE N23°47'39" E46.88 FEET; THENCE N47°51'36" E 10.74 FEET; THENCE S58°52'13" E392.28 FEET; THENCE N01°01'44" E189.74 FEET; THENCE S89°07'23" E 409.89 FEET; THENCE S14°02'36" W203.90 FEET; THENCE S76°06'53" E242.87 FEET; THENCE S13°34'46" W98.65 FEET TO THE POINT OF BEGINNING, CONTAINING 6.55 ACRES, MORE OR LESS

AND

A PART OF THE SE ¼ OF THE NW ¼ OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, AND

BEING DESCRIBED AS FOLLOWS: COMENCING AT THE SE CORNER OF LOT 1, BLOCK 1 OF RUGEL ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS, ON THE WEST LINE OF MILL STREET, SAID POINT BEING A FOUND IRON PIN; THENCE S12°34'07" W49.77 FEET TO A FOUND IRON PIPE; THENCE S12°54'47" W50.23 FEET; THENCE S04°35'28" E61.78 FEET TO A FOUND IRON PIN; THENCE S89°38'39" W351.71 FEET; THENCE N42°04'19" W207.96 FEET; THENCE N70°04'19" W210.00 FEET; THENCE N78°04'19" W200.00 FEET; THENCE S54°55'41" W65.20 FEET; THENCE N01°35'46" W234.30 FEET TO THE POINT OF BEGINNING; THENCE N01°35'46" W83.58 FEET; THENCE S59°37'19" E53.53 FEET; THENCE S47°02'04" W10.74 FEET; THENCE S22°30'22" W47.42 FEET; THENCE S73°18'09" W18.63 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES, MORE OR LESS.

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 (R23-24) from Low/Medium Density Single Family Residential District (SF-2) 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 Low/Medium Density Single Family Residential District (SF-2) 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 _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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



PUBLIC HEARING SIGN LOCATION



City Council Meeting
December 12, 2023

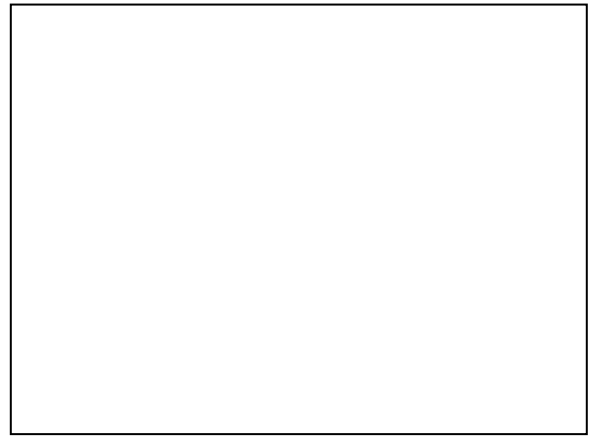


PROJECT: R23-54
APPLICANT: City of Springdale
LOCATION: 606 Mill St
REQUEST: Rezoning from SF-2 to P-1



SPRINGDALE
WE'RE MAKING IT HAPPEN

Page 41



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 (R23-55) CERTAIN LANDS FROM GENERAL INDUSTRIAL DISTRICT (I-2) TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-12) 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 December 5, 2023 for hearing the matter of a petition of L.D. Gibson, LLC that the following described tract of real estate to be zoned from General Industrial District (I-2) to Medium Density Multi-Family Residential District (MF-12).

Layman's Description: 1216 & 1216 ½ Crutcher Street and 314 Gaines Ave.

Legal Description: PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTON ONE (1) IN TOWNSHIP 17 NORTH OF RANGE 30 WEST, DESCRDIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE NORTH 100 FEET; THENCE WEST 200 FEET; THENCE SOOUTH 100 FEET; THENCE EAST 200 TO THE PLACE 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 (R23-55) from General Industrial District (I-2) to Medium Density Multi-family Residential District (MF-12) 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 Industrial District (I-2) to Medium Density Multi-Family Residential District (MF-12).

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 BY PLANNING STAFF PRIOR/ON: 11/24/23



PUBLIC HEARING SIGN LOCATION

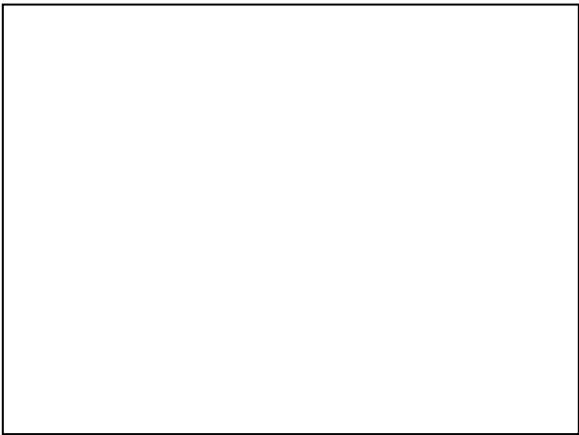


City Council Meeting
December 12, 2023



PROJECT: R23-55
APPLICANT: LD Gibson Properties
LOCATION: 1216 A/B, 314 Crutcher
REQUEST: Rezoning from I-2 to MF-16





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 (R23-56) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) 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 December 5, 2023 for hearing the matter of Richard and Janet Harris that the following described tract of real estate to be zoned from Agricultural District (A-1) to General Commercial District (C-2).

Layman's Description: 5876 Elm Springs Road

Legal Description: A PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT IN ELM SPRINGS ROAD WHICH IS S88°57'57" E329.83' FROM THE SOUTHWEST CORNER OF SAID WEST HALF AND RUNNING THENCE N00°03'58" W220.00', THENCE S88°57'57" E134.04', THENCE S00°03'58" E220.00', THENCE N88°57'57" W134.004 TO THE POINT OF BEGINNING, CONTAINING 0.68 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION OF THE RIGHT-OF-WAY FOR ELM SPRINGS ROAD AND ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD

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 (R23-56) from Agricultural District (A-1) to General Commercial District (C-2) 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 General Commercial District (C-2)

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 BY PLANNING STAFF PRIOR/ON: 11/24/23



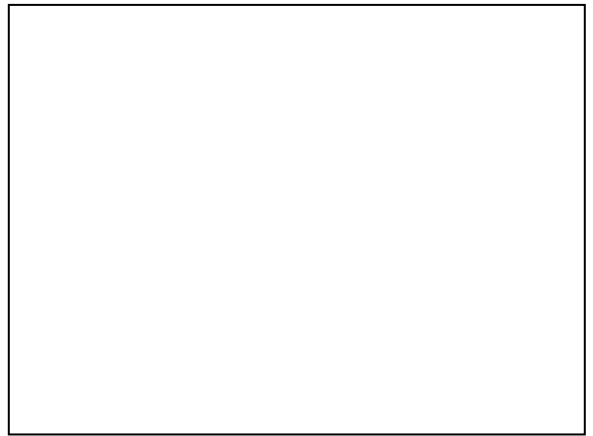
PUBLIC HEARING SIGN LOCATION



City Council Meeting
December 12, 2023

PROJECT: R23-56
APPLICANT: Richard and Janet Harris
LOCATION: 5876 Elm Springs Rd
REQUEST: Rezoning from A-1 to C-2





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 (R23-57) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) 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 December 5, 2023 for hearing the matter of a petition of C. L. George and Sons, LP that the following described tract of real estate to be zoned from Agricultural District (A-1) to Thoroughfare Commercial District (C-5).

Layman's Description: 5671 Apple Road

Legal Description: BEING A PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 17 NORTH, RANGE 30 WEST OF THE 5TH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 8; THENCE SOUTH 02° 26' 55" WEST ALONG THE EAST LINE THEREOF, A DISTANCE OF 173.55 FEET; THENCE DEPARTING SAID EAST LINE NORTH 87° 33' 05" WEST A DISTANCE OF 41.06 FEET TO THE EXISTING WEST RIGHT-OF-WAY OF SOUTH GENE GEORGE BOULEVARD AND THE POINT OF BEGINNING; THENCE SOUTH 02° 18' 59" WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 495.35 FEET TO THE HEREIN DESCRIBED SOUTH BOUNDARY OF THE REZONE; THENCE ALONG SAID SOUTH BOUNDARY FOR THE FOLLOWING FIVE (5) CALLS:

- 1) DEPARTING SAID RIGHT-OF-WAY NORTH 87° 33' 05" WEST A DISTANCE OF 529.51 FEET TO A TANGENT CURVE TO THE RIGHT;
- 2) 254.22 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 464.50 FEET BEING SUBTENDED BY A CHORD BEARING NORTH 71° 52' 20" WEST A DISTANCE OF 251.06 FEET;
- 3) NORTH 56° 11' 34" WEST A DISTANCE OF 151.73 FEET TO A TANGENT CURVE TO THE LEFT;
- 4) 402.54 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 735.50 FEET SUBTENDED BY A CHORD BEARING NORTH 71° 52' 20" WEST A DISTANCE OF 397.54 FEET;
- 5) NORTH 87° 33' 05" WEST A DISTANCE OF 1.76 FEET TO THE HEREIN DESCRIBED WEST LINE OF THE REZONE.

THENCE DEPARTING SAID SOUTH BOUNDARY NORTH 02° 05' 28" EAST ALONG SAID WEST LINE, A DISTANCE OF 387.50 FEET TO THE SOUTH RIGHT-OF-WAY OF APPLE ROAD; THENCE ALONG SAID RIGHT-OF-WAY FOR THE FOLLOWING SIX (6) CALLS:

- 1) THENCE DEPARTING SAID WEST LINE SOUTH 87° 49' 42" EAST A DISTANCE OF 1018.43 FEET;
- 2) SOUTH 02° 55' 42" WEST A DISTANCE OF 3.03 FEET;
- 3) SOUTH 86° 42' 55" EAST A DISTANCE OF 157.42 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 4) 81.34 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 80.50 FEET SUBTENDED BY A CHORD BEARING SOUTH 57° 46' 11" EAST A DISTANCE OF 77.92 FEET TO THE POINT OF TANGENCY;
- 5) SOUTH 28° 49' 28" EAST A DISTANCE OF 46.60 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 6) 70.93 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 130.50 FEET SUBTENDED BY A CHORD BEARING SOUTH 13° 15' 14" EAST A DISTANCE OF 70.06 FEET

TO THE POINT OF BEGINNING CONTAINING 16.52 ACRES MORE OR LESS BEING SUBJECT TO ANY EASEMENTS 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 (R23-57) 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 _____, 2023.

Doug Sprouse, Mayor

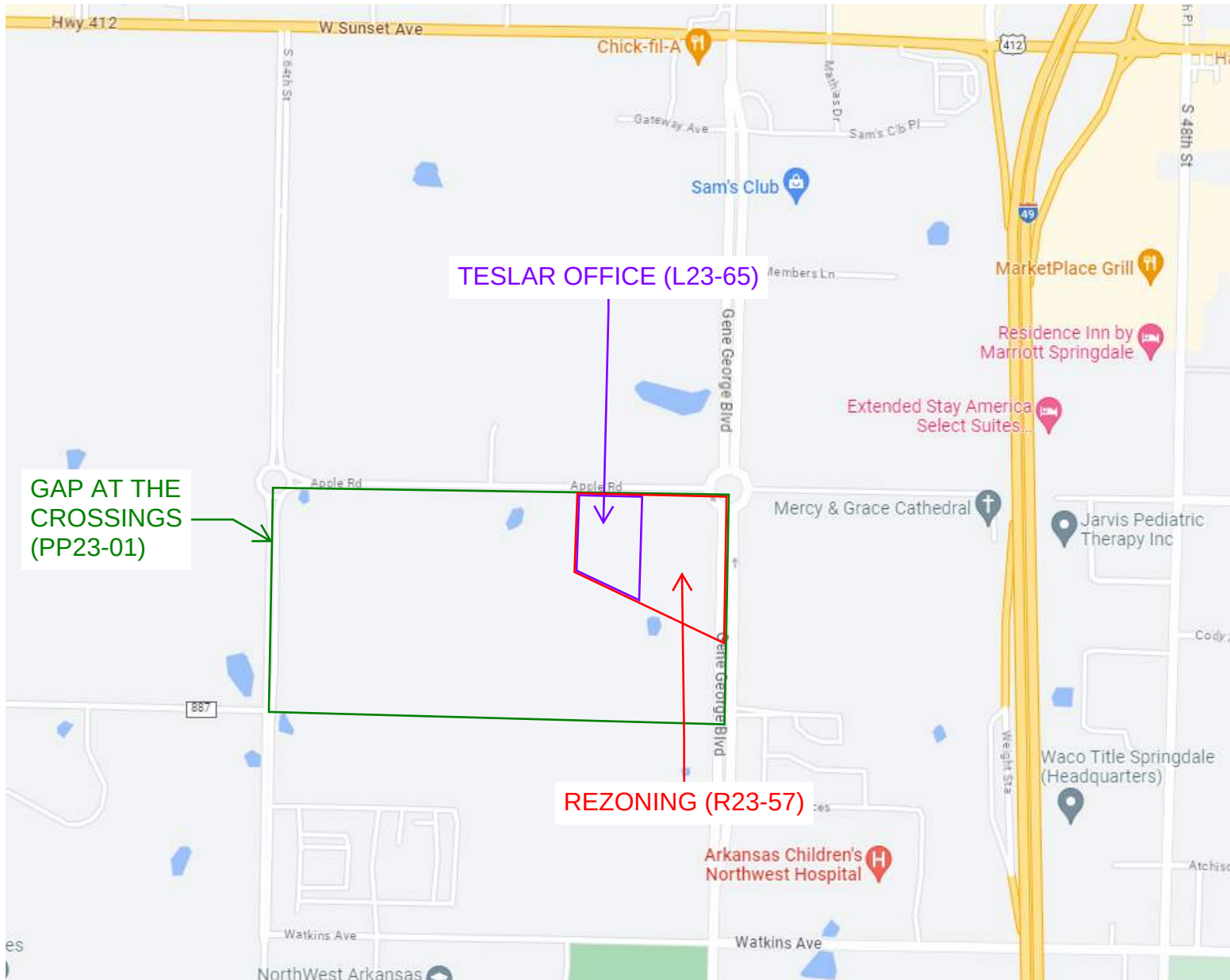
ATTEST:

Denise Pearce, City Clerk

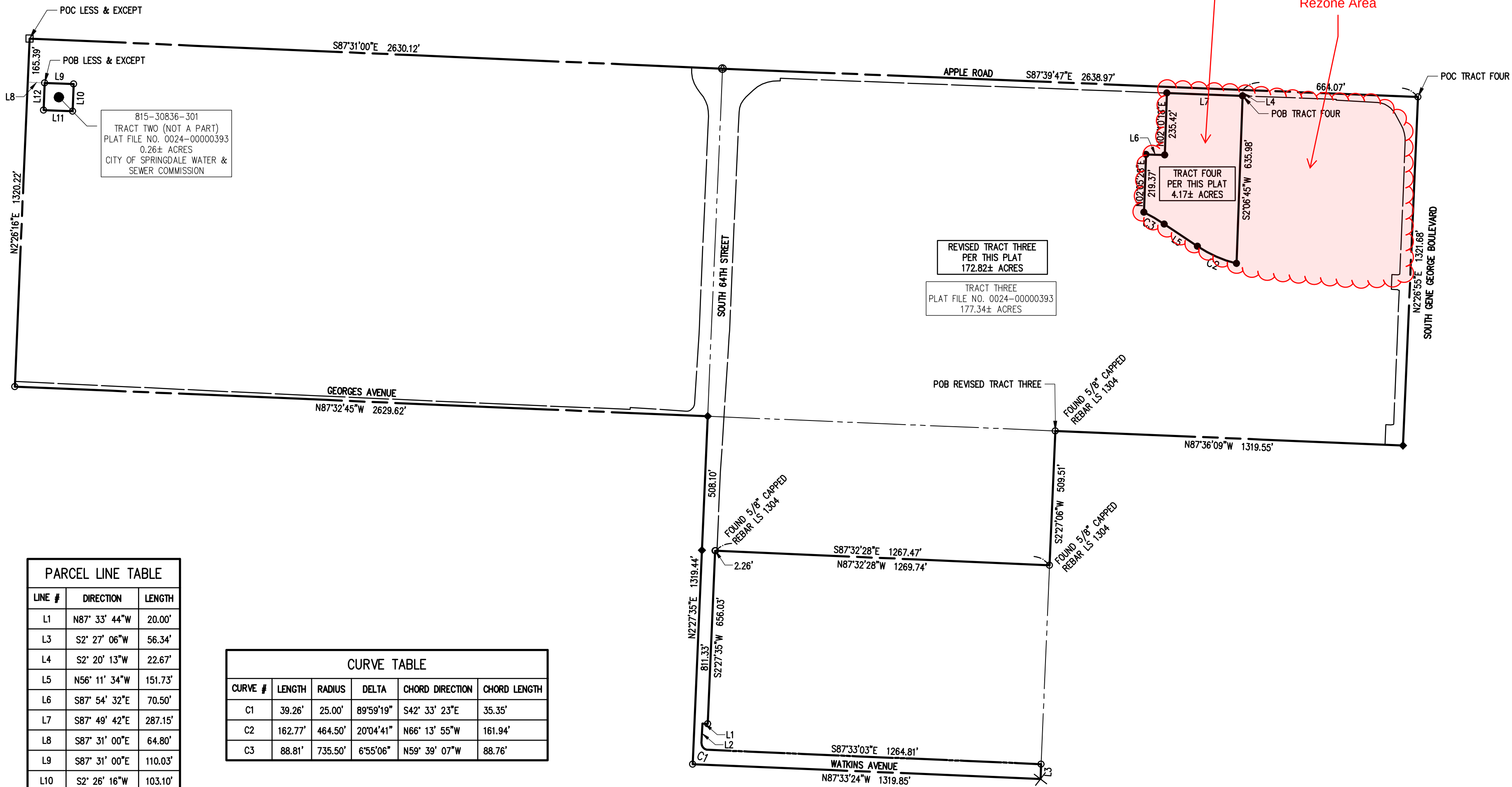
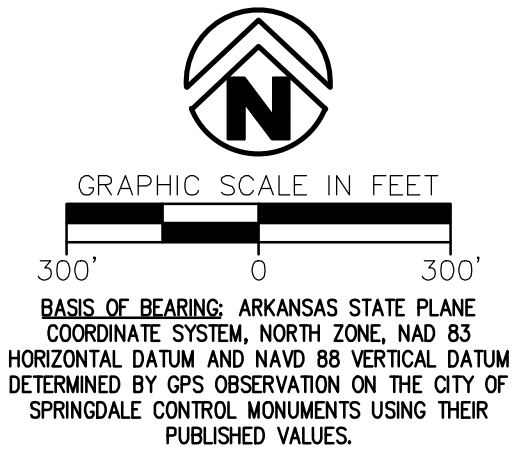
APPROVED AS TO FORM:

Ernest Cate, City Attorney

VICINITY MAP



BOUNDARY SHEET



PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N87° 33' 44"W	20.00'
L3	S2° 27' 06"W	56.34'
L4	S2° 20' 13"W	22.67'
L5	N56° 11' 34"W	151.73'
L6	S87° 54' 32"E	70.50'
L7	S87° 49' 42"E	287.15'
L8	S87° 31' 00"E	64.80'
L9	S87° 31' 00"E	110.03'
L10	S2° 26' 16"W	103.10'
L11	N87° 31' 00"W	110.03'
L12	N2° 26' 16"E	103.10'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	39.26'	25.00'	89°59'19"	S42° 33' 23"E	35.35'
C2	162.77'	464.50'	20°04'41"	N66° 13' 55"W	161.94'
C3	88.81'	735.50'	6°55'06"	N59° 39' 07"W	88.76'

- FOUND FENCE CORNER POST
- ×

FOUND CHISELED "X"
- ◆

FOUND MAGNAIL
- ◇

SET MAGNAIL W/WASHER EMBOSSED LS1304
- FOUND IRON PIN AS NOTED
- SET 5/8" REBAR W/CAP EMBOSSED LS1304
- ⊙

FOUND STATE MONUMENT
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- SECTION SUBDIVISION LINE

RECORD INFORMATION

STATE PLAT CODE:
500-17N-30W-0-08-412-72-1304

SEAL



INFORMAL PLAT OF TRACT 3 OF PLAT 24-393
CREATING TRACT 4
OF THE N/2 NE/4, N/2 NW/4, & SW/4 NE/4 OF
SECTION 08, TOWNSHIP 17 NORTH, RANGE 30 WEST
WASHINGTON COUNTY, ARKANSAS
PREPARED FOR:
C.L. GEORGE AND SONS, LP
SPRINGDALE
ARKANSAS

DATE: 10/31/2023
PROJECT NO: 22104900
CONTACT: M. MEADOR



CERTIFICATE OF AUTHORIZATION:



© 2023 Crafton, Tull & Associates, Inc.

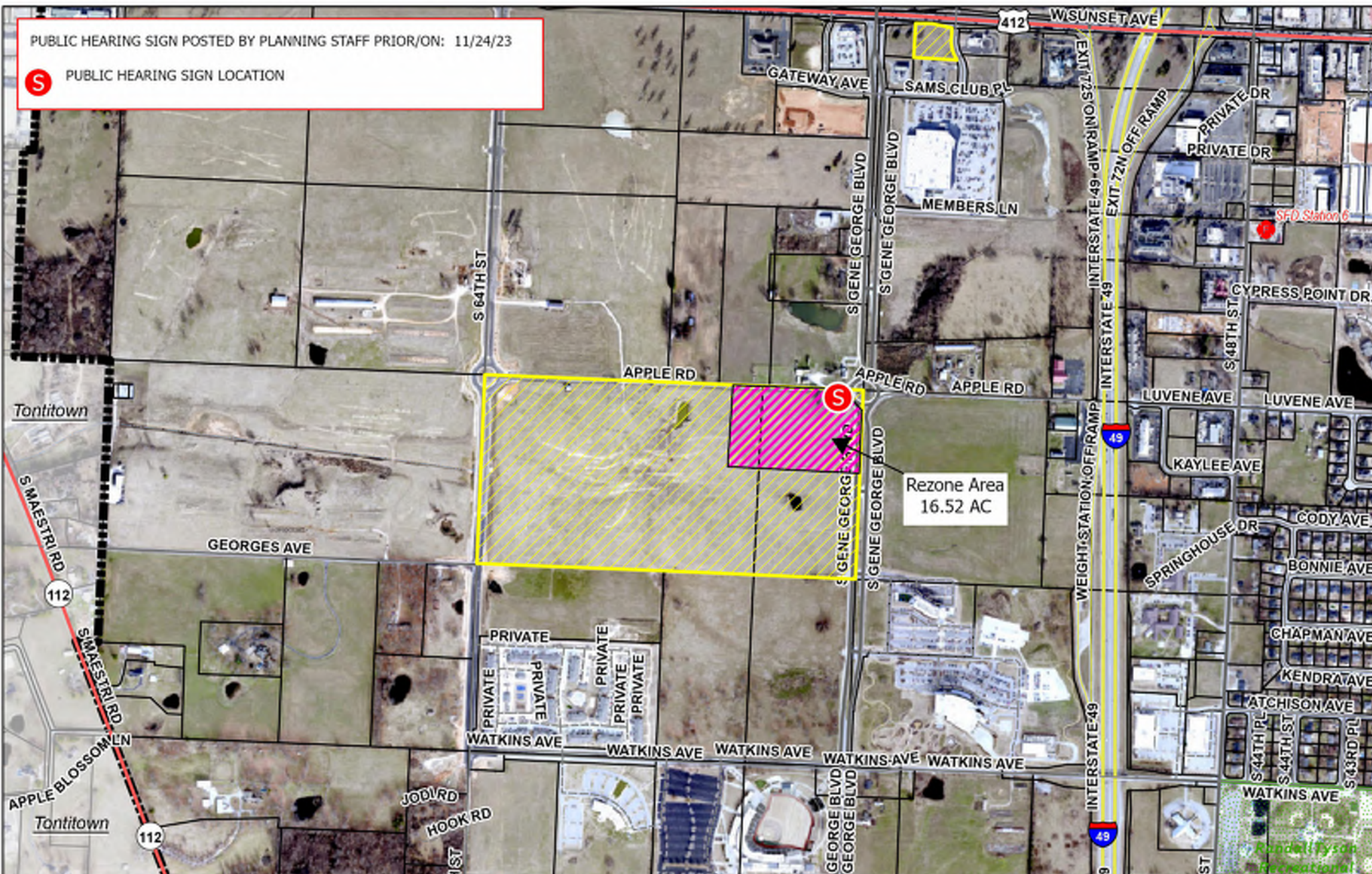
DELTA	DESCRIPTION	DATE

SHEET NO.:

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



PUBLIC HEARING SIGN LOCATION

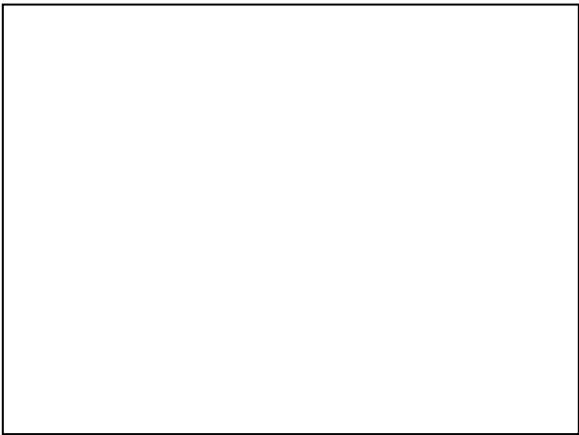


City Council Meeting
December 12, 2023

PROJECT: R23-57
APPLICANT: CL George & Sons, LP
LOCATION: 5671 Apple Rd
REQUEST: Rezoning from A-1 to C-5



SPRINGDALE
WE'RE MAKING IT HAPPEN



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 (R23-58) CERTAIN LANDS FROM LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) TO LOW DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-2) 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 December 5, 2023 for hearing the matter of a petition of Justina Mejia that the following described tract of real estate to be zoned from Low/Medium Density Single Family Residential District (SF-2) to Low Density Multi-Family Residential District (MF-2).

Layman's Description: 501 N. West End Street

Legal Description: PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION THIRTY-FIVE (35) IN TOWNSHIP EIGHTEEN (18) NORTH OF RANGE THIRTY (30) WEST, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT SIXTY (60) RODS NORTH OF THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING, THENCE EAST ONE HUNDRED SIXTY (160) FEET; THENCE NORTH NINETY-TWO (92) FEET; THENCE WEST ONE HUNDRED SIXTY (160) FEET; THENCE SOUTH NINETY-TWO (92) FEET TO THE PLACE OF BEGINNING, LESS AND EXCEPT THE SOUTH TWENTY-FIVE (25) FEET OF SAID LOT WHICH IS EMBRACED IN THE LIMITS OF CHRISTIAN STREET.

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 (R23-58) from Low/Medium Density Single Family Residential District (SF-2) to Low Density Multi-Family Residential District (MF-2) 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 District (SF-2) to Low Density Multi-Family Residential District (MF-2).

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 LOCATION

502

500

N WEST END ST

815507038-000

815-55040-000

815-59339-000

815501035-000

815-280380620

815-28037-000

0000

FAYE ST

815:86619-000

803 18018 000

801

815-24303-000 808

815-21302-806

815-243-0100

815-2130(8020

815-212-9980

CHRISTIAN AVE

815-29899-000

815-29899-000

815-28043-000

815-28043-141

845-28047-000

815-28048-000

815-28054-000

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815-27439-000

815-27437-000 704

815-27436-002

0.7

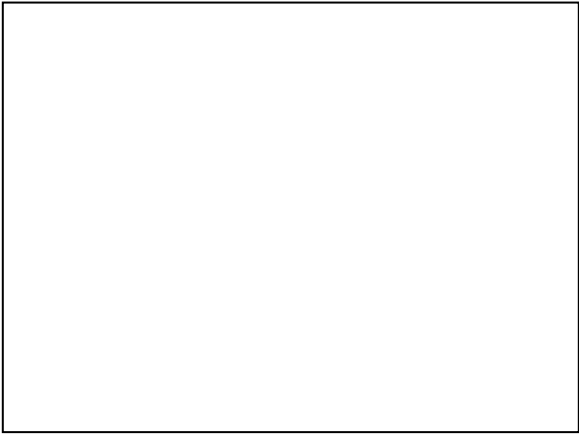
110

220
Feet

PROJECT: R23-58
APPLICANT: Justina Mejia
LOCATION: 501 N West End
REQUEST: Rezoning from SF-2 to MF-2



Page 56



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 (R23-59) CERTAIN LANDS FROM NEIGHBORHOOD OFFICE DISTRICT (O-1) TO GENERAL COMMERCIAL DISTRICT (C-2) 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 December 5, 2023 for hearing the matter of a petition of Berean Properties, LLC that the following described tract of real estate to be zoned from Neighborhood Office District (O-1) to General Commercial District (C-2).

Layman's Description: NE corner of McRay Ave. & S. 40th Street

Legal Description:

PARCEL #815-35607-000 AND 815-35608-000
LOTS 8 AND 9 OF KC SUBDIVISION, PHASE I, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD 18 AT PAGE 6.

PARCEL #815-35609-000 AND 815-35610-000
LOTS 10 AND 11 IN KC SUBDIVISION, PHASE I, TO THE CITY OF SPRINGDALE, AS PER THE REVISED FINAL PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS

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 (R23-59) from Neighborhood Office District (O-1) to General Commercial District (C-2) 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 Neighborhood Office District (O-1) to General Commercial District (C-2).

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 LOCATION

328 815-29801-325

815-29801-330 248

370 B 370 A
815-29801-335

4122
815-298040947

4121	815-30047-010		
4097	4065	422	

815-30047-050

522

S. 40TH ST -

399

CAWOOD LN

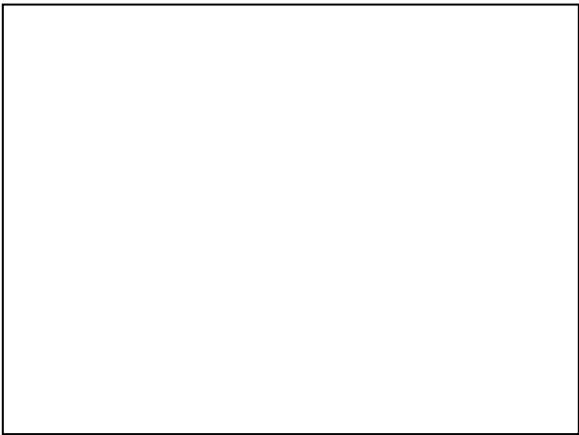
MCRAV AVE

PRIVATE DR

APPLICANT: Berean Properties, LLC
LOCATION: Lots 8, 9, 10, 11, KC Subdivision
REQUEST: Rezoning from O-1 to C-2



Page 59



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 (R23-61) CERTAIN LANDS FROM MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-12) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County, gave notice required by law and set a hearing date of December 5, 2023 for hearing the matter of a petition of Gary and Wendy Stith that the following described tract of real estate to be zoned from Medium Density Multi-Family Residential District (MF-12) to General Commercial District (C-2).

Layman's Description: 3162 N. Thompson Street

Legal Description: A PART OF THE SOUTH HALF (S ½) OF THE NORTH HALF (N ½) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST, BEING MORE PARTICULARLY DESCRIBED FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼); THENCE NORTH 00 DEGREES 09 MINUTES 46 SECONDS EAST 658.40 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼); THENCE SOUTH 88 DEGREES 22 MINUTES 04 SECONDS EAST 16.00 FEET TO AN EXISTING IRON REBAR FOR THE TRUE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 06 MINUTES 32 SECONDS EAST 329.03 FEET TO AN EXISTING IRON REBAR; THENCE SOUTH 88 DEGREES 25 MINUES 37 SECONDS EAST 903.35 FEET TO AN EXISTING IRON REBAR; THENCE SOUTH 90.00 FEET TO A SET ½ INCH IRON REBAR; THENCE SOUTH 88 DEGREES 22 MINUTES 04 SECONDS EAST 368.72 FEET TO A SEET ½ INCH IRON REBAR ON THE WEST RIGHT OF WAY LINE U.S. HIGHWAY #71B (THOMPSON STREET); THENCE SOUTH 00

DEGREES 03 MINUTES 58 SECONDS EAST 50.02 FEET ALONG SAID RIGHT OF WAY LINE TO A SET ½ INCH IRON REBAR; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 88 DEGREES 22 MINUTES 04 SECONDS WEST 368.78 FEET TO A SET ½ INCH IRON REBAR; THENCE SOUTH 189.97 FEET TO AN EXISTING IRON REBR; THENCE NORTH 88 DEGREES 22 MINUTES 04 SECONDS WEST 904 FEET TO THE POINT OF BEGINNING, BENTON COUNTY, ARKANSAS.

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 (R23-61) from Medium Density Multi-family Residential District (MF-12) to General Commercial District (C-2) 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 Medium Density Multi-Family Residential District (MF-12) to General Commercial District (C-2).

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

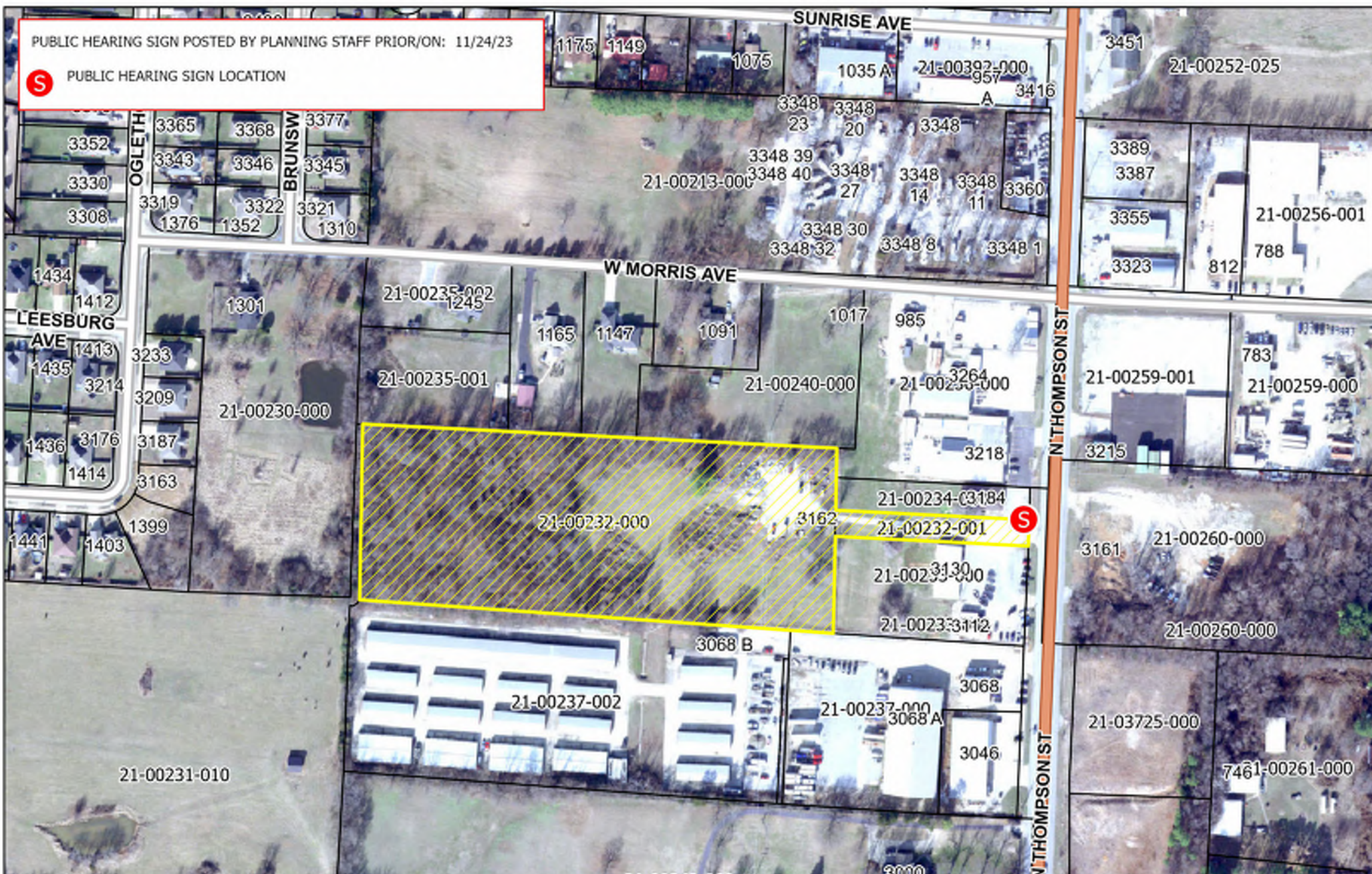
ATTEST:

Denise Pearce, City Clerk
APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

 PUBLIC HEARING SIGN LOCATION



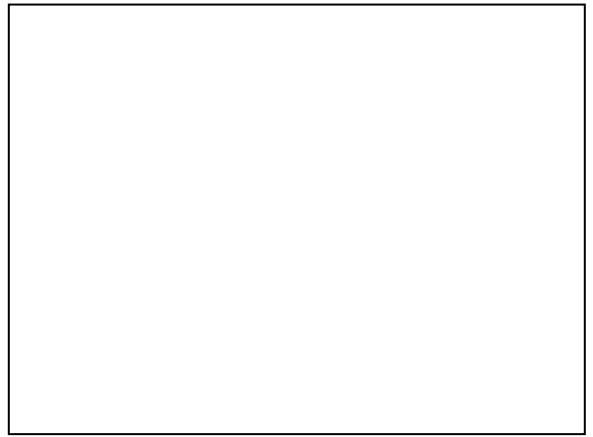
City Council Meeting
December 12, 2023

PROJECT: R23-61
APPLICANT: Gary & Wendy Stith
LOCATION: 3162 N Thompson St
REQUEST: Rezoning from MF-12 to C-2



SPRINGDALE
WE'RE MAKING IT HAPPEN

Page 62



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 (R23-62) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) 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 December 5, 2023 for hearing the matter of a petition of RMB Investments, Inc. that the following described tract of real estate to be zoned from Agricultural District (A-1) to General Commercial District (C-2).

Layman's Description: 4785 E. Don Tyson Parkway

Legal Description:

THE EAST 1/2 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 29 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN WASHINGTON COUNTY, ARKANSAS DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND STATE MONUMENT FOR THE NORTHEAST CORNER OF SAID SECTION 16; THENCE N 86°53'45" W 2619.30 FEET TO A FOUND ALUMINUM MONUMENT FOR THE NORTH 1/4 CORNER OF SAID SECTION 16 FOR THE POINT OF BEGINNING; THENCE S 02°15'31" W 1321.02 FEET TO THE CENTER SOUTH 1/16 CORNER FROM WHICH A SET 1/2" REBAR PIN BEARS N 86°47'53" W 36.18 FEET; THENCE ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE NW 1/4, N 86°47'53" W 658.26 FEET TO A FOUND 5/8" REBAR PIN WITH CAP "ESI COA 131"; THENCE ALONG A DEED FILED AS FILE NO. 2012-00036869 OF THE WASHINGTON COUNTY CIRCUIT CLERK'S OFFICE, N 02°20'23" E 1325.51 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 16 FROM WHICH A SET 1/2" REBAR PIN BEARS N 02°20'23" E 69.72 FEET; THENCE ALONG SAID NORTH LINE, S 86°24'13" E 656.47 FEET TO THE POINT OF BEGINNING,

CONTAINING 19.97 ACRES, MORE OR LESS. SUBJECT TO THE RIGHTS OF WAY OF DON TYSON PARKWAY AND HABBERTON ROAD.

AS DESCRIBED IN WARRANTY DEED FILE NO. 2022-23186 OF THE WASHINGTON COUNTY RECORDS.

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 (R23-62) from Agricultural District (A-1) to General Commercial District (C-2) 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 General Commercial District (C-2).

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

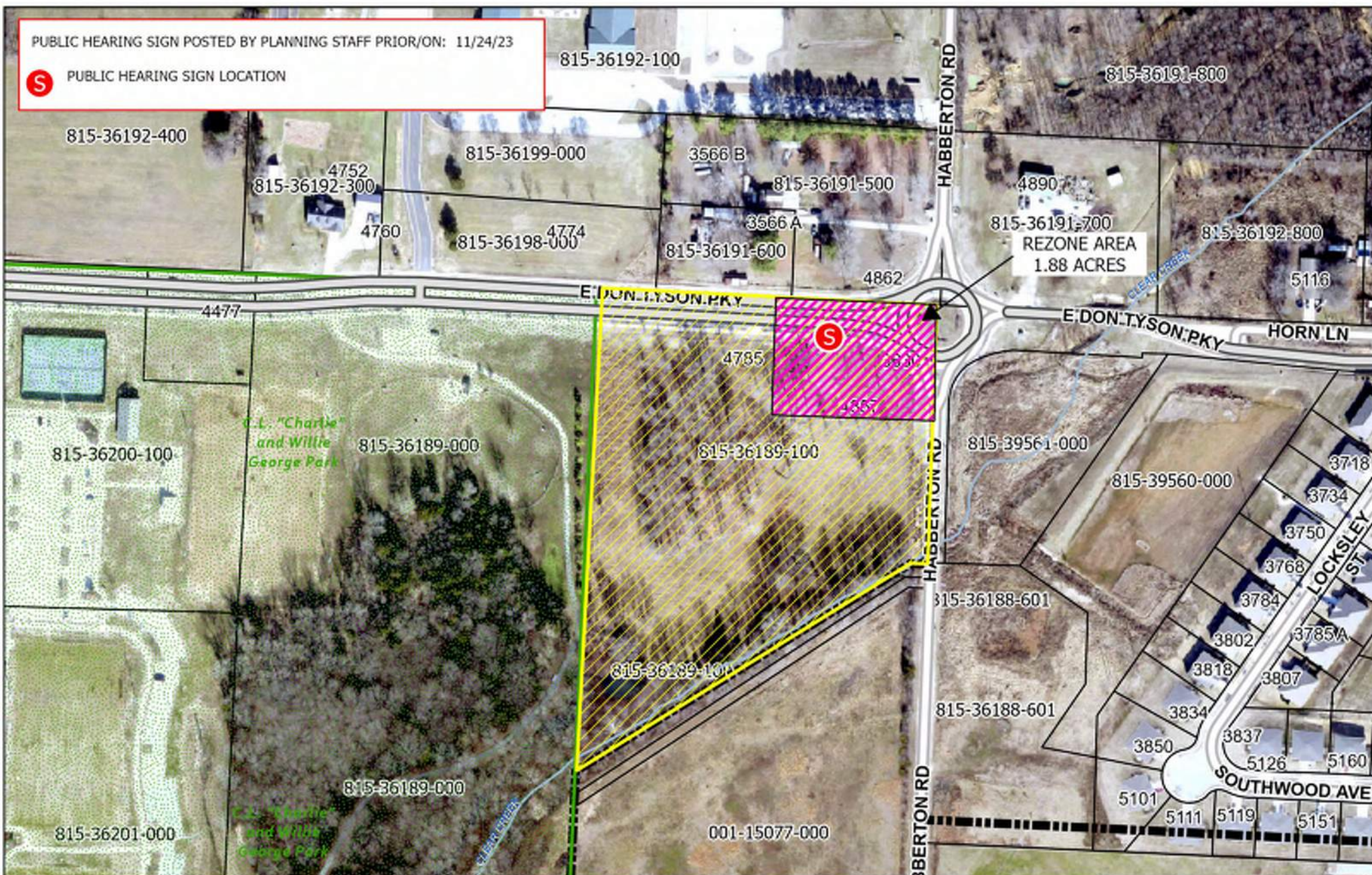
APPROVED AS TO FORM:

Ernest Cate, City Attorney

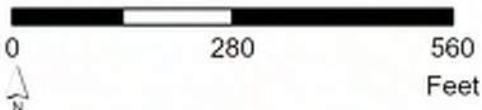
PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 11/24/23



PUBLIC HEARING SIGN LOCATION



City Council Meeting
December 12, 2023



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

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER (W23-27) OF
SUBDIVISION REQUIREMENTS AS SET FORTH IN
ORDINANCE NO. 3725 TO MAESTRI ROAD IN
CONNECTION WITH LS23-43 AN INFORMAL PLAT FOR
HARWELL FAMILY TRUST

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 (W23-27) of

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

Option 1: Grants a waiver (W23-27) of Subdivision Requirements in connection with LS23-43 an Informal Plat for Harwell Family Trust and the Planning Commission recommends approval of the waiver request.

Option 2: Denies a waiver (W23-27) of Subdivision Requirements in connection with LS23-43 an Informal Plat for Harwell Family Trust and the Planning Commission recommends approval of the waiver request.

Option 3: Approves payment in lieu (W23-27) of Subdivision Requirements in connection with LS23-43 an Informal Plat for Harwell Family Trust and the Planning Commission recommends approval of the waiver request.

Option 4: Denies a waiver (W23-27) and allow a Bill of Assurance for a period not to exceed _____ years for Subdivision Requirements in connection with LS23-43 an Informal Plat for Harwell Family Trust and the Planning Commission recommends approval of the waiver request.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE A SUBAWARD TO BUSINESS AND INDUSTRY TRAINING FROM THE CITY OF SPRINGDALE'S AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO HELP FUND COSTS ASSOCIATED WITH INCREASING CITY OF SPRINGDALE, ARKANSAS PARTICIPATION IN THEIR WORKFORCE DEVELOPMENT AND JOB TRAINING PROGRAM

WHEREAS, the City of Springdale, Arkansas has been directly affected by the COVID-19 global pandemic;

WHEREAS, the COVID-19 pandemic has highlighted a need for a trained labor force for essential industries;

WHEREAS, the citizens of City of Springdale, Arkansas could benefit from job training and other assistance to move to jobs that provide better opportunities for economic advancement;

WHEREAS, NORTHWEST ARKANSAS INDUSTRIES FOR EDUCATION DBA Business and Industry Training, or BIT operates a workforce development and job training program that connects participants with educational opportunities to increase their skill sets so they are qualified for higher paying jobs in essential industries;

WHEREAS, Northwest Arkansas Industries For Education DBA Business and Industry Training desires to increase Springdale participation in its workforce development and job training program;

WHEREAS, the City of Springdale, Arkansas desires to use a portion of the American Rescue Plan Act (ARPA) funds awarded to the City to make a subaward to Northwest Arkansas Industries For Education DBA Business and Industry Training to increase participation of Springdale residents in its workforce development and job training program;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that \$332,350.00 be awarded to Northwest Arkansas Industries For Education DBA Business and Industry Training for the purpose of increasing Springdale participation in its workforce development and job placement program, in accordance with eligible use of funds as defined by ARPA; and the Mayor and City Clerk are hereby authorized to execute a Grant Award Agreement for the same.

PASSED AND APPROVED this _____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

Memorandum of Eligibility 015, City of Springdale

November 29, 2023

Purpose

The purpose of the memo is to define the conditions under which the obligation and expenditure of federal funds awarded to the City of Springdale, AR (the City) are eligible for use under the terms and conditions of the State and Local Fiscal Recovery Funds (SLFRF) established by the American Rescue Plan Act (ARPA).

Background

The SLFRF was established in Section 9901 of ARPA (Public Law No. 117-2) signed into law on March 11, 2021. The SLFRF is administered by the United States Department of Treasury (Treasury) to provide metropolitan cities, non-entitlement units of local government, and counties with funds to mitigate the effects from the COVID-19 public health emergency. The City has received an SLFRF award totaling \$21,351,596 to be used to aid in the recovery of the public health and economic impacts of the COVID-19 pandemic on the City and its residents.

Intended Uses of Funds

Northwest Arkansas Industries for Education, Inc. (dba Business and Industry Training), an Arkansas-based 501(c)(3), was established in 1996 to provide short-term, hands-on industrial maintenance training. BIT offers training programs for a fee to individuals. BIT intends to provide 50 scholarships over a three-year period, ten scholarships for each of five targeted employee groups:

- high school students interested in entering the manufacturing workforce
- currently employed individuals displaced by the lockdowns initiated at the start of the COVID-19 pandemic and now barred by new qualification standards
- unemployed individuals interested in acquiring skills that will improve their chances of being hired
- individuals transitioning from incarceration
- individuals with mobility limitations and special needs

Definitions

For the purpose of this memo, the following terms are defined pursuant to applicable statute, administrative rule, or guidance.

Federal award means the Federal financial assistance that a recipient receives directly from a Federal awarding agency. (2 C.F.R. 200.1)

Federal awarding agency means the Federal agency that provides a Federal award directly to a non-Federal entity. (2 C.F.R. 200.1)



Non-Federal entity means a State, local government, Indian tribe, Institution of Higher Education (IHE), or nonprofit organization that carries out a Federal award as a recipient or subrecipient. (2 C.F.R. 200.1)

Recipient means an entity, usually but not limited to non-Federal entities that receives a Federal award directly from a Federal awarding agency. The term recipient does not include subrecipients or individuals that are beneficiaries of the award. (2 C.F.R. 200.1)

Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity (aka, recipient) to carry out part of a Federal program on behalf of the recipient with the recipient's Federal award funding. Recipients are responsible for monitoring and overseeing the subrecipient's use of transferred SLFRF to ensure the subrecipient complies with the statutory and regulatory requirements and the terms and conditions of the award. (2 C.F.R. 200.1)

Beneficiary means an individual or entity impacted by the COVID-19 pandemic that directly benefits from the receipt of SLFRF. (31 C.F.R. Part 35)

Statute and Guidance

Section 9901 of ARPA provides the statutory basis for the SLFRF by creating an amendment to Title VI of the Social Security Act (42 U.S.C. 801 et seq.) that added "Sec. 603. Coronavirus Local Fiscal Recovery Fund." Sec. 603(c)(1)(A) provides that cities can use SLFRF awards:

to respond to the public health emergency with respect to COVID-19 or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality.

Standards for Identifying a Negative Economic Impact

On January 27, 2022, Treasury issued in the Federal Register the Coronavirus State and Local Fiscal Recovery Funds Final Rule (31 CFR Part 35) (the Final Rule). The Final Rule encompasses the administrative rules for the SLFRF and includes clarification on various aspects of the eligible use categories. Specifically, in reference to responses to negative economic impacts, the Final Rule states:

when assessing whether a program or service is an eligible use to respond to the negative economic impacts of the COVID–19 public health emergency, Treasury will consider the two eligibility requirements discussed below.

First, there must be a negative economic impact, or an economic harm, experienced by an individual or a class. The recipient should assess whether, and the extent to which, there has been an economic harm, such as loss of earnings or revenue, that resulted from the COVID–19 public health emergency. A recipient should first consider whether an economic harm exists and then whether this harm was caused or made worse by the COVID–19 public health emergency. ...

Second, the response must be designed to address the identified economic harm or impact resulting from or exacerbated by the public health emergency. In selecting responses, the recipient must assess whether, and the extent to which, the use would respond to or address this harm or impact. This approach is consistent with the text of the statute, which provides that funds may be used to "respond to" the "negative economic impacts" of the



public health emergency “including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality.”...

Responses must be reasonably designed to benefit the individual or class that experienced the negative economic impact or harm. Uses of funds should be assessed based on their responsiveness to their intended beneficiary and the ability of the response to address the impact or harm experienced by that beneficiary.

Responses must also be related and reasonably proportional to the extent and type of harm experienced; uses that bear no relation or are grossly disproportionate to the type or extent of harm experienced would not be eligible uses. Reasonably proportional refers to the scale of the response compared to the scale of the harm. It also refers to the targeting of the response to beneficiaries compared to the amount of harm they experienced...

Treasury’s Final Rule further clarifies:

a recipient may award SLFRF funds to an entity that did not experience a negative economic impact in order to implement a program or provide a service to beneficiaries on its behalf. Such transfers, when implementing a public health or negative economic impact response, should be responsive to and designed to benefit individuals, households, small businesses, nonprofits, or impacted industries that did experience a public health or negative economic impact. ...

Treasury notes that recipients may award SLFRF funds to many different types of organizations to carry out eligible uses of funds and serve beneficiaries on behalf of a recipient. When a recipient provides funds to another entity to carry out eligible uses of funds and serve beneficiaries the entity becomes a subrecipient...

Furthermore, as noted by the Treasury’s Final Rule:

Recipients only need to assess whether the beneficiaries experienced a negative economic impact and whether the eligible use responds to that impact, consistent with the two-part framework described above; the organization carrying out the eligible use does not need to have experienced a negative economic impact if it is serving as the vehicle for reaching the beneficiaries. When making determinations about how to implement a program, recipients should consider whether that method of program implementation is an effective and efficient method to implement the program and do so in accordance with the Uniform Guidance provisions that govern procurements and sub-granting of federal funds, as applicable.

Workforce Development Response to Negative Economic Impacts

The Final Rule maintains eligible services to address workforce development first enumerated in the Interim Final Rule.

The interim final rule included assistance to unemployed workers as an enumerated eligible use, including “services like job training to accelerate rehiring of unemployed workers.” Treasury provided further guidance, based on recipient questions after the interim final rule, that eligible uses under this section also include “other efforts to accelerate rehiring and thus reduce unemployment, such as childcare assistance, assistance with transportation to and from a jobsite or interview, and incentives for newly



employed workers[,]” as well as assistance to unemployed workers seeking to start small businesses. Finally, further guidance also provided that “public jobs programs, subsidized employment, combined education and on-the-job training programs, or job training to accelerate rehiring or address negative economic or public health impacts experienced due to a worker’s occupation or level of training” are all enumerated eligible uses as assistance to unemployed or underemployed workers.

The interim final rule defined eligible beneficiaries of assistance as “individuals who want and are available for work, including those who have looked for work sometime in the past 12 months or who are employed part time but who want are available for full-time work.” This definition is based on definitions used by the Bureau of Labor Statistics to define individuals currently unemployed, as well as persons marginally attached to the labor force and working part-time for economic reasons. The latter two classifications are types of labor underutilization, or “underemployed” workers. Finally, the interim final rule specified that assistance to unemployed workers included both workers who lost their job during the pandemic and resulting recession and workers unemployed when the pandemic began who saw further deterioration of their economic prospects due to the pandemic.

Treasury’s Final Rule also states:

...recognizing that the pandemic has generated broad workforce disruption, ... Treasury is making clear that recipients may provide job training or other enumerated types of assistance to individuals that are currently employed but are seeking to move to a job that provides better opportunities for economic advancement, such as higher wages or more opportunities for career advancement.

Uniform Guidance Cost Principles

Uniform Guidance cost principles enumerates factors affecting allowability of costs:

Except where otherwise authorized by statute, costs must meet the following general criteria in order to be allowable under Federal awards:

- (a) Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.*
- (b) Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.*
- (c) Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-Federal entity.*
- (d) Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.*
- (e) Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part.*
- (f) Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period.*
- (g) Be adequately documented.*



(h) Cost must be incurred during the approved budget period.

Lastly, the Final Rule permits SLFRF funds to be used for eligible costs incurred beginning March 3, 2021 which are obligated no later than December 31, 2024 and expended no later than December 31, 2026.

Eligibility Assessment

According to Deloitte and The Manufacturing Institute, the U.S. manufacturing industry lost approximately 1.4 million jobs at the start of the COVID-19 public health emergency and has struggled to recover fully from the pandemic, in part due to skilled labor shortages.¹ To address the manufacturing industry skills gap issue in Northwest Arkansas, BIT has expressed a desire to offer 50 scholarships over a three-year period to five targeted employee groups:

- high school students interested in entering the manufacturing workforce
- currently employed individuals displaced by the lockdowns initiated at the start of the COVID-19 pandemic and now barred by new qualification standards
- individuals transitioning from incarceration
- unemployed individuals interested in acquiring skills that will improve their chances of being hired
- individuals with mobility limitations and special needs

The proposed scholarships are associated with five distinct plans of study and range in value from \$2,000 to \$11,650 per person.

BIT has provided workforce training for the manufacturing industry in Northwest Arkansas for over 25 years. Workers who earn technical certifications through BIT are often granted a pay raise by their employers. Current course offerings are recognized by over 30 manufacturing companies in the region. In response to the manufacturing industry's need for employees with more advanced technological skills, BIT intends to enhance their curriculum by including additional courses in automation and robotics to ensure workers are trained in the use of emerging equipment and technologies.

The City has reviewed the proposed request to fund 50 scholarships over a three-year period to combat the manufacturing industry's skilled labor shortage in Northwest Arkansas and determined the total cost meets the requirements for the allowability of costs as enumerated in Uniform Guidance, to wit:

- The provision of manufacturing workforce training is a necessary service provided to the community and a scholarship program encouraging potential and current manufacturing employees to acquire the technological skills they need to ensure career stability is a necessary component of this service to meet the needs of the manufacturing industry impacted by the pandemic;
- The costs conform to limitation or exclusions set forth in Uniform Guidance and in the statutory and administrative rules governing the SLFRF;
- The costs are consistent with the City's established policies and procedures;
- The costs will be treated as direct costs and any similar costs would have been and would be treated in the same manner;
- The costs have been estimated in accordance with generally accepted accounting principles (GAAP);
- The costs have not and will not be used to meet cost sharing or matching requirements for any other federally financed program in the current or prior period;
- The costs will be adequately documents; and

¹ Creating pathways for tomorrow's workforce today: Beyond reskilling in manufacturing, Deloitte *Insights*, May 4, 2021; [Manufacturing industry diversity | Deloitte Insights](#).



- The costs will be incurred during the approved period of performance for SLFRF.

Conclusion and Recommendations

An obligation and subaward of up to \$332,350 of SLFRF funds to BIT for the provision of a scholarship program encouraging potential and current manufacturing employees to acquire the technological skills needed to address the skilled labor issues being experienced by the manufacturing industry as a result of the pandemic is likely to be eligible, allowable, and reasonable based on the provisions of ARPA, the Treasury Final Rule, and Uniform Guidance.

Robert Hogan, CFE
Disaster Recovery Services

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE GRANT OF
EASEMENTS TO THE ARKANSAS DEPARTMENT OF
TRANSPORTATION OVER AND ACROSS PROPERTY
OWNED BY THE SPRINGDALE WATER & SEWER
COMMISSION, BENTON COUNTY, ARKANSAS, AND
CONCURRING WITH THE AMOUNT OF COMPENATION
RELATED THERETO.**

WHEREAS, the Springdale Water & Sewer Commission owns certain properties located in Benton County, Arkansas, known as Tax Parcel No. 18-08422-000 and Tax Parcel No. 18-08424-000 ("the Property");

WHEREAS, the Arkansas Department of Transportation is undertaking the Northwest Arkansas National Airport Access project, which will require that right-of-way and other related easements be acquired over and across the Property, and as shown on the attached Exhibit "A";

WHEREAS, the Springdale Water & Sewer Commission has agreed to and approved an amount of compensation to be paid for the easements obtained by ARDOT over and across the Property, in the amount of \$550,000.00, plus remnant value;

WHEREAS, pursuant to Arkansas law, the Ordinances establishing the Springdale Water & Sewer Commission reserved the power to sell or transfer real property to the Springdale City Council; and

WHEREAS, it is the desire of the City of Springdale and the Springdale Water & Sewer Commission to agree upon the terms associated with the grant of easements to ARDOT across the Property for the above-mentioned project.

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 any documents necessary to facilitate the granting of right-of-way and other related easements associated with the Northwest Arkansas National Airport Access project being undertaken by the Arkansas Department of Transportation, and the City hereby concurs with the amount of compensation to be paid by ARDOT for such easements, as approved by the Springdale Water & Sewer Commission, in the amount of \$550,000.00, plus remnant value.

PASSED AND APPROVED this _____ day of _____, 2023.

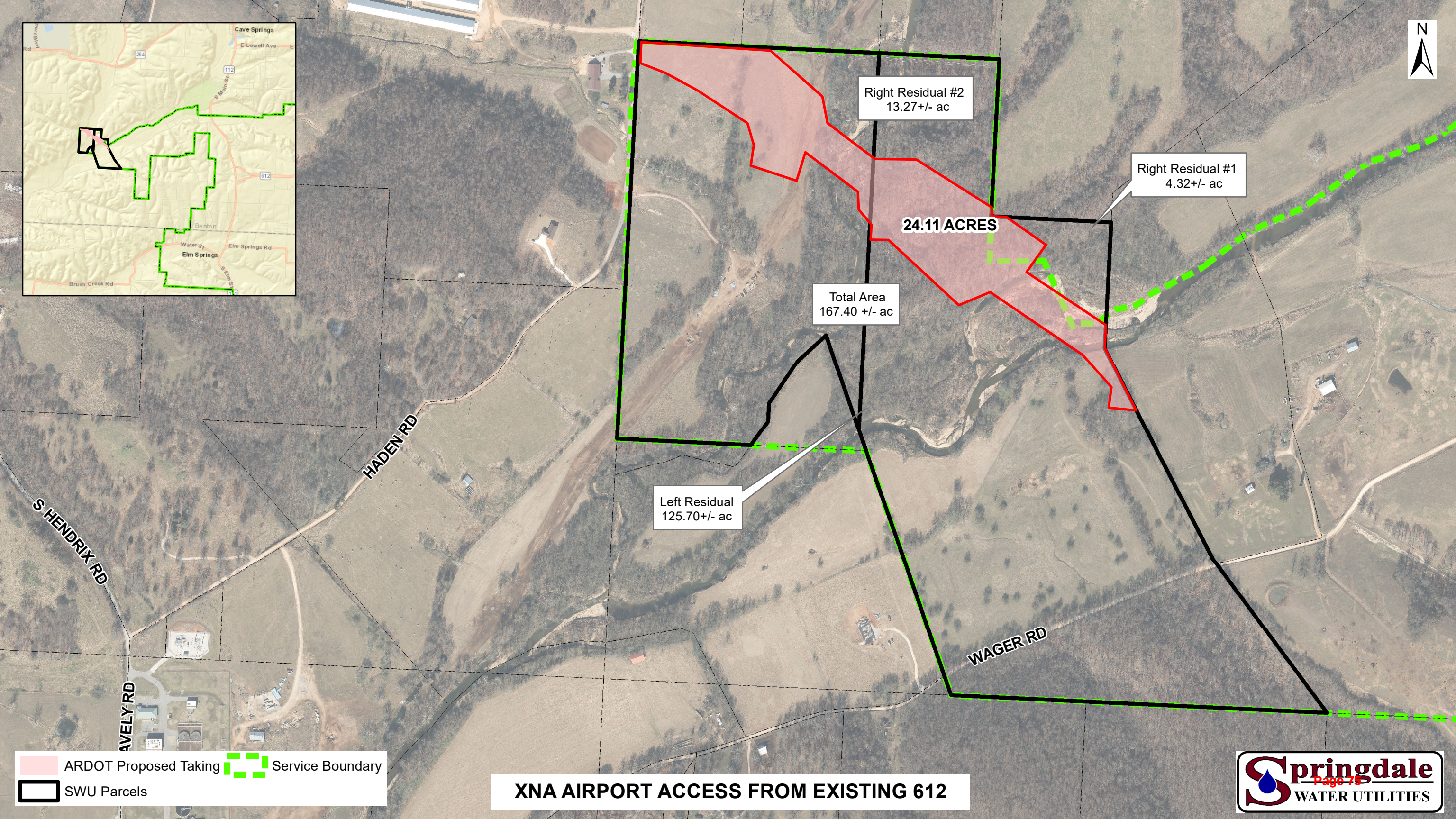
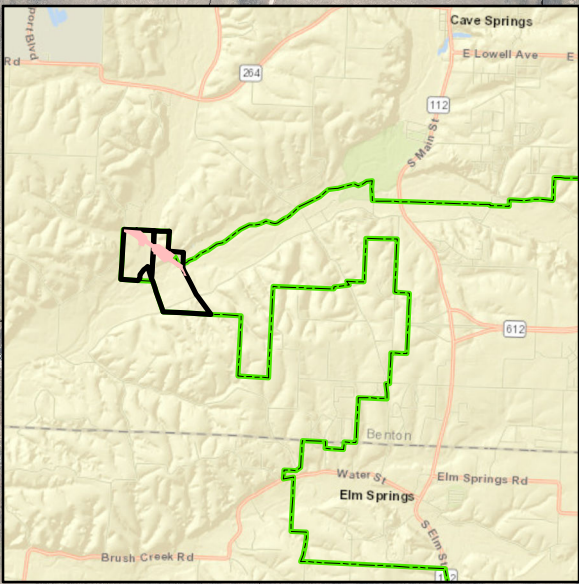
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



ARDOT Proposed Taking

Service Boundary

SWU Parcels

XNA AIRPORT ACCESS FROM EXISTING 612

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXPENDITURE
OF FUNDS TO ACQUIRE LAND FROM ESO
PROPERTIES, LLC, FOR THE SENIOR CENTER
PROJECT, PROJECT NO. 23BSC1.**

WHEREAS, the City of Springdale is in need of acquiring a parcel of land for the Senior Center Project, Project No. 23BSC1, said land being owned by ESO Properties, LLC, also known as Washington County Tax Parcel No. 815-28449-000, located at 103 Baggett St., Springdale, Washington County, Arkansas;

WHEREAS, the City of Springdale has determined by appraisal that the sum of \$120,000.00 is the estimated just compensation for the property;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$185,460.00 to acquire the land needed for the Project, said amount being justified by the nature of the property, 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 \$65,460.00 to acquire the property needed from ESO Properties, 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 the parcel of land for the Senior Center Project, Project No. 23BSC1, said lands being owned by ESO Properties, LLC, for the total sum of \$185,460.00 to be paid from the 2023 Senior Center Bond.

PASSED AND APPROVED this ____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

APPRAISAL REPORT

ON

THE ESO PROPERTIES, LLC
(.25± ACRE/11,000± SQUARE FEET);
LOCATED AT 103 BAGGETT STREET,
SPRINGDALE, ARKANSAS;
WASHINGTON COUNTY

FOR

CITY OF SPRINGDALE
SPRINGDALE, ARKANSAS

BY

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

FILE NO. 6711-1

AS OF

SEPTEMBER 11, 2023

Reed & Associates, Inc.

Real Estate Appraisers – Consultants

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

*Tom Reed, MAI • Katie Hampton • Shannon Mueller, MAI • E. P. Scruggs III
• Blake Hopper • Ann Julian*

September 13, 2023

Colby Fulfer | Chief Of Staff

City of Springdale www.springdalear.gov

201 Spring Street, Springdale, AR 72762

RE: The ESO Properties, LLC Property; Located at 103 Baggett Street, Springdale, Arkansas; Washington County

Dear Mr. Fulfer:

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

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

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

Based on an analysis of relevant data, and contingent on the Assumptions and Limiting Conditions which follow and appear in the Addenda Section of this report, it is my opinion the market value of the fee simple estate of the subject property, as of September 11, 2023, was as follows:

**ONE HUNDRED TWENTY THOUSAND DOLLARS
(\$120,000)**

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS CITY VEHICLES.

WHEREAS, the Springdale Fire, Neighborhood Services, Parks and Recreation, Buildings, Public Works Departments desire to purchase vehicles which are essential to their day-to-day operations, and

WHEREAS, the procurement of vehicles has proven to be an impediment to fulfilling our obligation to adequately return services to our residents, and

WHEREAS, the vehicles are available to be purchased at this time;

WHEREAS, delaying the purchase until 2024 will prove to be more costly;

WHEREAS, A.C.A § 14-58-104 (17) (A) states that the governing body of a city of the first class, city of the second class, or an incorporated town may purchase the following commodities without soliciting bids: New motor vehicles purchased from a licensed automobile dealership located in Arkansas for an amount not to exceed the fleet price awarded by the Office of State Procurement and in effect at the time the municipality submits the purchase order for the same make and model motor vehicle.;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Council authorized the purchase of the following vehicles for an amount not to exceed \$350,000.00 out of the Unrestricted General Fund and the Mayor is hereby authorized to execute any contracts related to the purchase.

Neighborhood Servicves	\$41,727.00
Fire	\$44,235.00
Parks & Rec	\$106,180.00
Buildings	\$41,885.00
Public Works	\$63,163.00
Airport	\$41,885.00

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION AMENDING THE 2024 BUDGET OF THE CITY
OF SPRINGDALE, ARKANSAS.

WHEREAS, the 2024 budget contained \$413,569.00 for vehicles for a portion of vehicles in the Fire, Neighborhood Services, Parks and Recreation, Buildings and Public Works Departments, and

WHEREAS, the administration finds it to be advantageous to procure the vehicles at this time, and

WHEREAS, the state buy boards have had difficulty fulfilling orders due to supply shortages, and

WHEREAS, waiting until 2024 would cause possible delays in securing vehicles as well as increased costs according to buy board pricing,

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

		Present		Proposed
<u>Department</u>	<u>Description</u>	<u>Budget</u>	<u>Decrease</u>	<u>Budget</u>
Fire	Capital Vehicle	\$212,000.00	\$117,967.00	\$94,033.00
Neighborhood Services	Capital Equipment	\$42,000.00	\$42,000.00	\$0.00
Parks and Rec	Capital Equipment	\$257,000.00	\$119,000.00	\$138,000.00
Buildings	Capital Equipment	\$49,000.00	\$49,000.00	\$0.00
Public Works	Capital Equipment	\$66,000.00	\$66,000.00	\$0.00

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR CONSULTANT SERVICES WITH MESHEK & ASSOCIATES FOR DESIGN AND CONSTRUCTION SERVICES FOR PARSON HILLS DRAINAGE REPLACEMENT

WHEREAS, The City of Springdale is aware of failed drainage systems in the Parson Hills Subdivision and is planning to replace all metal storm pipe with concrete pipe; and

WHEREAS, using the procurement procedures required by State Law, the program management team has selected Meshek & Associates as the most qualified firm; and

WHEREAS, the contract has been submitted for approval with a fee not to exceed \$79,060.00 for basic services and reimbursable expenses as shown in the attached documents; and

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

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

Section 2. The Mayor and City Clerk are hereby authorized to execute an engineering services contract with Meshek & Associates for engineering services related to the Parson Hills Drainage Replacement for an amount not to exceed \$79,060.00.

Section 3. The Mayor is hereby authorized to execute change orders to this contract provided the cumulative total does not exceed 10% of the original contract price.

Section 4. The Mayor is hereby authorized to institute eminent domain proceedings in any instance that an agreement has not been reached with the property owner regarding the amount of just compensation to be paid for the acquisition of property and easements for this project. All settlements proposed by the Mayor that exceed the appraised value will be presented to City Council for approval.

PASSED AND APPROVED ON THE __ DAY OF DECEMBER 2023.

ATTEST:

Doug Sprouse, Mayor

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City
Attorney

OWNER INFORMATION:

Owner name: City of Springdale
Address: 201 Spring St
City: Springdale State: AR Zip: 72764
Contact: Katie Hollingshead Title: Senior Project Manager
Telephone: 479-750-8105 Fax: _____ Email: khollingshead@springdalear.gov

Nature of Owner:

☐ Individual/Sole Proprietorship ☐ Corporation ☐ Limited Liability Company ☐ Limited Partnership ☐ Partnership ☒ Other: Municipality
State of formation (if an entity) or residence (if an individual): Arkansas
Tax ID/SSN _____

ENGINEER INFORMATION:

Engineer (company) name: Meshek & Associates, LLC
Address 1437 South Boulder Avenue, Suite 1550
City: Tulsa State: OK Zip: 74119
Contact: Adam Lesso Title: Project Manager
Telephone: 918.392.5620 Fax: 918.392.5621 Email: alesso@meshekengr.com

Nature of Engineer:

☐ Individual/Sole Proprietorship ☐ Corporation ☒ Limited Liability Company ☐ Limited Partnership ☐ Partnership ☐ Other: _____
State of formation (if an entity) or residence (if an individual): Oklahoma
Tax ID/SSN: 73-1322397

All invoices must be addressed and delivered to "Attn: Accounts Payable" at the appropriate address.

TERM/TERMINATION:

THIS IS AN AGREEMENT effective as of _____ (“Effective Date”) between

City of Springdale (“Owner”) and

Meshek & Associates, LLC (“Engineer”).

Owner's Project, of which Consultant's services under this Agreement are a part, is generally identified as follows:

Parson Hills Subdivision Storm Rehab (“Project”).

Engineer's Services under this Agreement are generally identified as follows:

Engineer will evaluate reported flooding near the intersection of Adrian Avenue and Mark Street and near 2101 Bluebird Drive by modeling the nearby inlets and drainage network. The attached map shows areas of concern (see Exhibit C). This work will involve developing construction drawings based on GIS and available information.

Tasks:

- Design Phase
 - Visit Site and take inventory of system to be replaced.
 - Prepare 60% Drawings for City review.
 - Prepare 100% Drawings for City approval.
 - Develop Engineer's Opinion of Probable Cost
- Construction Phase
 - Construction Administration
 - Assist in preparing bidding documents.
 - Answer all bidder questions.
 - Attend Pre-bid meeting, Bid Opening, and Pre-construction meetings.
 - Respond to all contractor requests for information.
 - Review all contractor material submittals.
 - Services During Construction
 - Conduct Site visits
 - Budgeted 10 hours per week for 20 weeks.
 - Provide weekly observation reports to City.
 - Review construction schedule and work completed.
 - Review contractor's pay applications for city approval and payment

Exclusions:

- Survey
- Acquisition of proposed Right-of-way
- Daily construction inspections

AGREEMENT:

Owner and Engineer further agree as follows:

1.01 *Basic Agreement and Period of Service*

- A. Engineer shall provide, or cause to be provided, the services set forth in this Agreement. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above. Owner shall pay Engineer for its services as set forth in Paragraphs 7.01 and 7.02.
- B. Engineer shall complete its services within a reasonable time.

2.01 *Payment Procedures*

A. *Invoices:* Engineer shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for services and expenses within 90 days after receipt of Engineer's invoice, Engineer may, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges. Owner waives any and all claims against Engineer for any such suspension.

3.01 *Termination*

- A. The obligation to continue performance under this Agreement may be terminated:
 - 1. For cause,
 - a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party.
 - b. By Engineer:
 - 1) upon seven days written notice if Owner demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or
 - 2) upon seven days written notice if the Engineer's services for the Project are delayed for more than 90 days for reasons beyond Engineer's control.

Engineer shall have no liability to Owner on account of a termination by Engineer under Paragraph 3.01.A.1.b.

- c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 3.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.
 - 2. For convenience, by Owner effective upon Engineer's receipt of written notice from Owner.
- B. The terminating party under Paragraph 3.01.A may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Engineer to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.

C. In the event of any termination under Paragraph 3.01, Engineer will be entitled to invoice Owner and to receive full payment for all services performed or furnished in accordance with this Agreement and all reimbursable expenses incurred through the effective date of termination.

4.01 *Successors, Assigns, and Beneficiaries*

- A. Owner and Engineer are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 3.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Engineer to any contractor, subcontractor, supplier, other individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party.

5.01 *General Considerations*

- A. The standard of care for all professional consulting and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Subject to the foregoing standard of care, Engineer and its engineers may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
- B. Engineer shall not at any time supervise, direct, control, or have authority over any contractor's work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work.
- C. This Agreement is to be governed by the law of the state or jurisdiction in which the Project is located.
- D. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor. Engineer is not responsible for variations between actual construction bids or costs and Engineer's opinions or estimates regarding construction costs.
- E. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any of their agents or employees or of any other persons (except Engineer's own employees) at the Project site or otherwise furnishing or performing any construction work; or for any decision made regarding the construction contract requirements, or any

application, interpretation, or clarification of the construction contract other than those made by Engineer.

- F. The general conditions for any construction contract documents prepared hereunder are to be the "Standard General Conditions of the Construction Contract" as prepared by the Engineers Joint Contract Documents Committee (EJCDC C-700, 2018 Edition) unless the parties agree otherwise.
- G. All documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Owner shall have a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment for all services relating to preparation of the documents and subject to the following limitations: (1) Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Engineer; (2) any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or to its officers, directors, members, partners, agents, employees, and engineers; (3) Owner shall indemnify and hold harmless Engineer and its officers, directors, members, partners, agents, employees, and engineers from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by Engineer; and (4) such limited license to Owner shall not create any rights in third parties.
- H. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and engineers, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Engineer, whichever is greater.
- I. The parties acknowledge that Engineer's scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste as defined by the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq., or radioactive materials). If Engineer or any other party encounters a Hazardous Environmental Condition, Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (1) retains appropriate specialist engineers or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (2) warrants that the Site is in full compliance with applicable Laws and Regulations.
- J. Owner and Engineer agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If negotiations are unsuccessful in resolving the dispute, then the dispute shall be mediated. If mediation is unsuccessful, then the parties may exercise their rights at law.

6.01 ***Total Agreement***

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral

understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

7.01 Basis of Payment—Hourly Rates Plus Reimbursable Expenses

- A. Using the procedures set forth in Paragraph 2.01, Owner shall pay Engineer as follows:
1. An amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class for all services performed on the Project, plus reimbursable expenses and Engineer's engineers' charges, if any.
 2. Engineer's Standard Hourly Rates are attached as Exhibit A.
 3. The total compensation for services and reimbursable expenses is estimated to be \$79,060 broken down as follows:
 - a. Design Phase Total Not to Exceed: \$35,660.
 - b. Construction Phase Total Not to Exceed: \$43,400.

7.02 Additional Services: For additional services of Engineer's employees engaged directly on the Project, Owner shall pay Engineer an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class; plus, reimbursable expenses and Engineer's sub-consultants' charges, if any. Engineer's standard hourly rates are attached as Exhibit A.

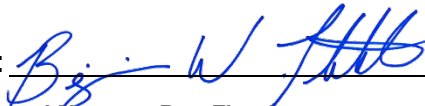
SIGNATURES:

By signing below, each undersigned acknowledges that it has read and understands, and agrees to be legally bound by this Professional Services Agreement. If a person is signing below on behalf of an entity or another person, the person signing represents and warrants that he or she has been properly authorized and empowered to sign this Professional Services Agreement on behalf of that entity or other person and to bind that entity or other person to this Professional Services Agreement. This Agreement may be executed in any number of counterparts, each of which will be considered an original but all of which will constitute one and the same instrument.

City of Springdale

Meshek & Associates, LLC

By: _____

By:  _____

Printed Name: _____

Printed Name: Ben Fletcher

Title: _____

Title: Principal

Date: _____

Date: 11/28/2023

Consultant's License No: _____

Engineer's License No.: 1487 (OK)

Exhibit A Consultant's Standard Hourly Rates

A. *Standard Hourly Rates:*

1. Standard Hourly Rates are set forth in this Exhibit A and include salaries and wages paid to personnel in each billing class plus the cost of customary and statutory benefits, general and administrative overhead, non-project operating costs, and operating margin or profit.
2. The Standard Hourly Rates apply only as specified in Paragraphs 7.01 and 7.02 and are subject to annual review and adjustment.

B. *Schedule of Hourly Rates:*

Hourly rates for services performed on or after the Effective Date are:

Allowance for Office Work			
Project Principal II	\$ 325.00	GIS Project Principal	\$ 240.00
Project Principal I	\$ 300.00	GIS Project Manager II	\$ 230.00
Project Manager II	\$ 265.00	GIS Project Manager I	\$ 185.00
Project Manager I	\$ 190.00	GIS Specialist II	\$ 145.00
Project Engineer II	\$ 190.00	GIS Specialist I	\$ 115.00
Project Engineer I	\$ 135.00	GIS Analyst	\$ 110.00
Engineering Intern	\$ 130.00	GIS Technician	\$ 95.00
Engineering Technician II	\$ 125.00	GPS Field Technician	\$ 85.00
Engineering Technician I	\$ 100.00	ROW Project Manager II	\$ 230.00
CAD Designer	\$ 100.00	ROW Project Manager I	\$ 210.00
3 Man Survey Crew	\$ 315.00	Assistant ROW Project Manager	\$ 140.00
2 Man Survey Crew	\$ 215.00	Acquisition/Relocation Agent	\$ 120.00
Survey CAD Technician	\$ 95.00	Real Estate Trainee	\$ 90.00
Survey Crew Chief I	\$ 100.00	Planning/Grant Project Manager II	\$ 205.00
Survey Crew Chief II	\$ 130.00	Planning/Grant Project Manager I	\$ 170.00
Survey Crew Technician	\$ 85.00	Planner II	\$ 135.00
Survey Project Manager	\$ 205.00	Planner I	\$ 125.00
LiDAR Survey Crew	\$ 250.00	Contract Administrator	\$ 210.00
LiDAR Data Specialist	\$ 140.00	Administrative	\$ 115.00
Allowance for Travel			
Mileage	Billed at Current IRS Rate		
Per Diem	Billed at Current IRS Rate		
Per Diem	Billed at Current GSA Rate		
Reproduction Costs			
8-1/2"x11" print	\$ 0.15	Billed per page printed	
8-1/2"x14" print	\$ 0.20		
11"x17" print	\$ 0.30		
Black and White Plots	\$ 5.00		
Color Plot	\$ 8.00		
Mylars	\$ 13.00		
Miscellanuoues Outside Expenses and Fees			
Outside Direct Project Expenses	Passthrough at Cost		
Subconsultant Services	Cost plus 5% management fee		

Exhibit B

Required Insurance Limits and Coverages for Engineers

Before commencing work, Engineer must provide a Certificate of Insurance certifying that the insurance limits and coverages, with the appropriate endorsements, all as outlined below are in effect.

Commercial General Liability	\$1,000,000 Each Occurrence \$1,000,000 General Aggregate * Must include coverage for blanket contractual liability for the obligations assumed under contract
Comprehensive Automobile Liability	\$1,000,000 Combined Single Limit Each Occurrence * Coverage must extend to all owned, non-owned, leased, hired or borrowed vehicles and must include coverage for blanket contractual liability for the obligations assumed under contract
Workers' Compensation	Statutory Limits where Services are to be performed * Must include coverage for Longshoremen's and Harbor Workers' Compensation, if applicable, and coverage for Federal Employers' Liability Act, if applicable
Employer's Liability	\$1,000,000 Each Occurrence \$1,000,000 Disease per Employee * * An Umbrella liability policy, which follows form, may be used to obtain the aforementioned limits
Professional Liability (If applicable)	\$1,000,000 Each Occurrence \$2,000,000 General Aggregate

Certificate Holder and Endorsement Requirements

- Owner shall be listed as Certificate Holder.
- Engineer and the Consultants identified in the Purchase Order for a Specific Project shall be listed on Owner's general liability policies of insurance as additional insureds.

Other Requirements

- All policies required shall be written by a reputable insurance company reasonably acceptable to Company or with a Best's Guide Rating of A- and Class VII or better, and authorized to do business in the state(s) in which Engineer is performing for Company.
- Failure to provide evidence as required shall entitle, but not require, Owner to terminate immediately. Acceptance of a certificate that does not comply with this document shall not operate as a waiver of Engineer's obligations hereunder.



November 21, 2023

Mr. Ben Peters, PE
City of Springdale
201 Spring Street
Springdale, AR 72764

Parson Hills Subdivision Storm Rehab

Dear Mr. Peters:

Meshek & Associates, LLC appreciates the opportunity to work with the City of Springdale to develop construction documents for replacing the CMP storm sewer pipes at Parson Hills and Oaks Addition Subdivisions. Additionally, Meshek will evaluate reported flooding near the intersection of Adrian Ave and Mark St and near 2101 Bluebird Dr. by modeling the nearby inlets and drainage network. The attached map shows areas of concern.

This work will involve developing construction drawings based on GIS and available information. The proposed tasks include:

- Design Phase
 - Visit Site and take inventory of system to be replaced
 - Prepare 60% Drawings for City review
 - Prepare 100% Drawings for City approval
 - Develop Engineer's Opinion of Probable Cost
- Construction Phase
 - Construction Administration
 - Assist in preparing bidding documents
 - Answer all bidder questions
 - Attend Pre-bid meeting, Bid Opening, and Pre-construction meetings
 - Respond to all contractor requests for information
 - Review all contractor material submittals
 - Services During Construction
 - Conduct Site visits
 - Budgeted 10 hrs per week for 20 weeks
 - Provide weekly observation reports to City
 - Review construction schedule and work completed
 - Review contractor's pay applications for city approval and payment

Services not included in this proposal:

- Survey
- Acquisition of proposed Right-of-way
- Daily construction inspections

See Table 1 below for a breakdown of the fee. All will be billed monthly on a percent complete basis.

Table 1: Meshek Fee Summary

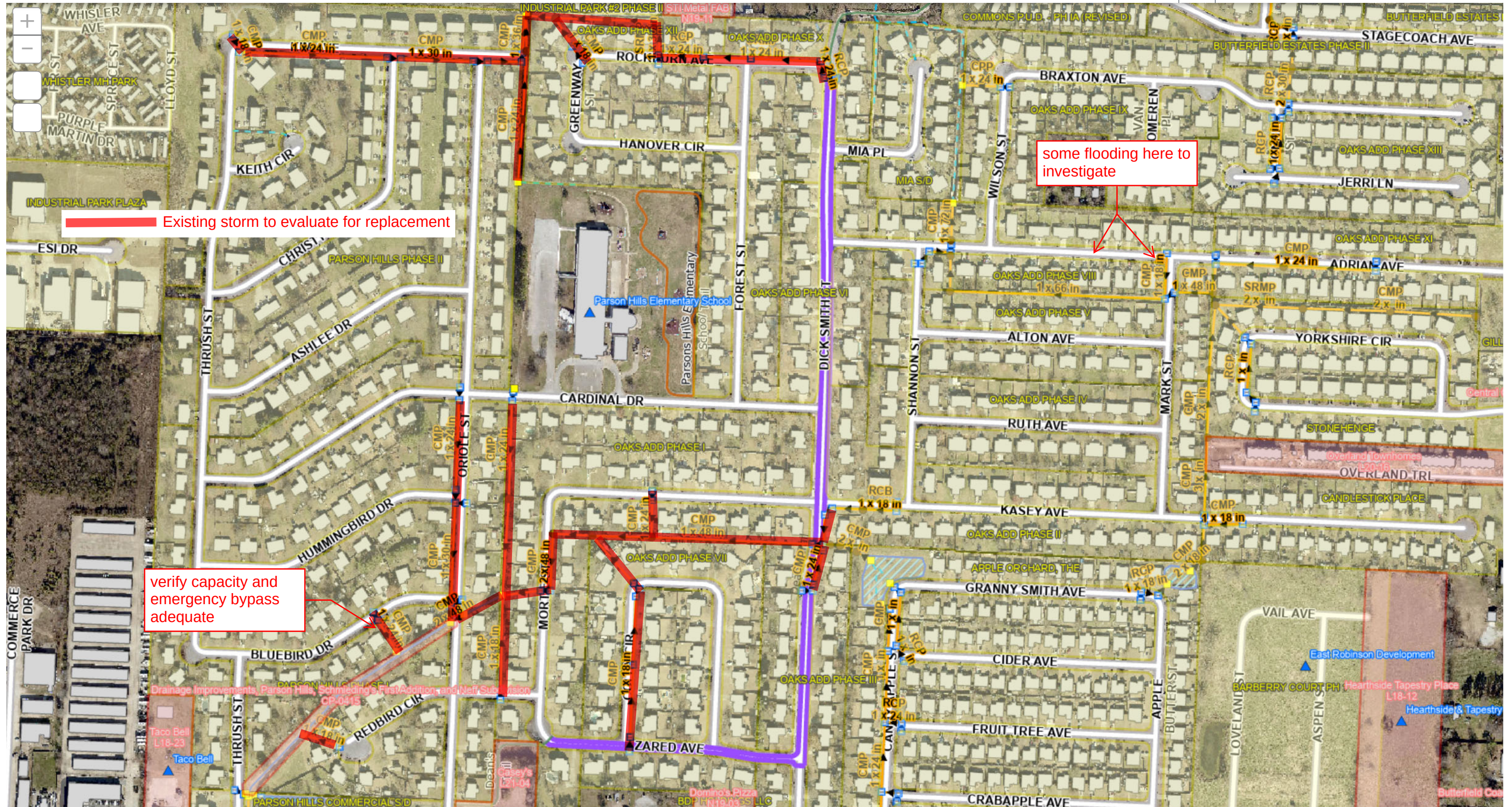
PROJECT NAME	
General Task Description	Cost
Design Phase	\$35,660
Construction Phase	\$43,400
Total:	\$79,060

We are excited about the opportunity to work with the City of Springdale. Should this proposal be acceptable, we will prepare a contract document for your review and execution. If you have any questions, please do not hesitate to contact me directly via phone or email.

Sincerely,



Adam Lesso, PE, CFM, CPESC
Design Project Manager
[o] 918.392.5620, ext. 215
[m] 479-790-4910
alesso@meshekengr.com



verify capacity and emergency bypass adequate

some flooding here to investigate

Existing storm to evaluate for replacement



400ft

690,737.938 675,697.231 Feet

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE PURCHASE OF
FENCING, DUGOUT BENCHES, AND OTHER FIELD
IMPROVEMENTS FOR THE SPRINGDALE PARKS
AND RECREATION DEPARTMENT
(2023 BOND PROJECT NO. 23BPP6)**

WHEREAS, Springdale Parks and Recreation is seeking approval to purchase new fencing for the fields at Randall Tyson Sports Complex and J.B. Hunt, new aluminum dugout benches for Randall Tyson Sports Complex, and Windscreens and Fence Toppers for the fields at J.B. Hunt, to be paid for out of the 2023 Parks and Recreation Bond Fund, and

WHEREAS, these specific sport facilities currently have old, outdated fencing, dugout benches, and lack windscreens and fence toppers, and

WHEREAS, the fields require these improvements to ensure the safety and security of those who utilize them, and

WHEREAS, Springdale residents approved the 2023 Bond for the City of Springdale, Arkansas, which includes improvements and upgrades to existing parks.

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

1. Springdale Parks and Recreation is authorized to purchase new fencing from Thomas Fence for Randall Tyson Sports Complex and J.B. Hunt Park in the amount of \$23,663.44, to be paid for out of the 2023 Parks and Recreation Bond Fund.
2. Springdale Parks and Recreation is authorized to purchase new, aluminum dugout benches from BSN Sports for Randall Tyson Sports Complex in the amount of \$14,793.13, to be paid for out of the 2023 Parks and Recreation Bond Fund.
3. Springdale Parks and Recreation is authorized to purchase windscreens and fence toppers from BSN Sports for J.B. Hunt Park in the amount of \$14,678.07, to be paid for out of the 2023 Parks and Recreation Bond Fund.

PASSED AND APPROVED this ____ day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney



DEPARTMENT FUNDING REQUEST

Department: Parks & Recreation		Date: 12/04/23
Point of Contact: Chad Wolf	Amount Requested: \$ 53,143.64	
Date to be Presented to Committee: <u>Dec</u> / <u>04</u> / <u>2023</u>		
Brief Description of Funding Request: Tyson wood dugout benches have been in place for 33 years and need to be replaced with aluminum benches Tyson and JB Hunt fencing - will be beneficial for security and control to help regulate play and use of the new artificial turf fields Windscreens and fence toppers at JB Hunt have never been replaced. It will help with safety of players on the field from headlights and ball visibility during play		
Funding Source: (General Fund, Special Fund, etc.) To be paid out of 2023 Park Bond fund		
IS IT BUDGETED?		
YES ☐		NO ☒
\$0 - \$34,999 No Council approval needed		☐ \$0 - \$4,999
Request to waive bidding? ☐ Buy Board ☐ Sole Source		☐ \$5,000 - \$34,999 Requires 3 Quotes
Signature:		☐ \$35,000+ Requires Bid
Please attach supplemental information		Request to waive bidding? ☐ Buy Board ☐ Sole Source

Hunt Windscreen and Fence Topper

<u>Company</u>	<u>Cost</u>
BSN	<u>\$14,178.07</u>
Ewing	\$15,497.74 *tax not included
Beacon	\$17,177.00 *tax not included

*All pricing includes freight and taxes unless

Benches for Tyson Dugouts

BSN	<u>\$14,793.13</u>
GameTime	\$15,539.48
Ewing	\$19,187.90 *tax not included
Beacon	\$23,817.00 *tax not included

New Fencing at Hunt

Thomas Fencing	<u>\$9,282.95</u>
Bill's Fencing	\$16,460.00
Modern Fencing	\$21,722.00

New Fencing at Tyson

Thomas Fencng	<u>\$14,380.49</u>
Bill's Fencing	\$18,375.00
Modern Fencing	\$24,369.00



PROPOSAL/CONTRACT

Thomas Fence
653 Kawneer Rd
Springdale, AR 72764
479-636-4732
www.ThomasFenceAR.com
Robert@ThomasFenceAR.co
m 0155010423

QUOTATION:

DATE: 10/30/2023

CUSTOMER: Springale Parks
Chris Gibson
479 283 0071

JOB LOCATION: Hunt Park

NOTES: materail cost

6' 9ga cl
2 7/8" sch 40 ter
1 7/8 sch 40 line 1
12' DD

10' DD

10 single Swing

\$6752.95

Labor to install and
hang Gates

\$2530.00

Bid Price EXCLUDES: Core Drilling,
Staining, Painting, Grading,
Staking/Field Measurements, Clearing,
Forms, Mow Strips, Demolition, Bonds,
Overtime, Hand Digging, Engineering,
Grounding, Panic/Egress Hardware,
Additional Mobilization, Location of
Private Services, Permits, Temporary
Fence, and Windscreen.

Approximate Start Date: _____

☐ Top to follow grade Level with: ☐ High ☐ Low ☐ Rack ☐ Step

Gate Swing: ☐ In ☐ Out

Property pins are: ☐ Exposed and Visible
☐ NOT exposed and visible
☐ To be located by others before installation

Subtotal \$ _____

Tax \$ _____

Grand Total \$ 9282.95

Down Payment \$ _____

BALANCE DUE \$ _____

Buyer / Owner signature _____ Date _____

Printed name _____

Signature _____ Date _____

Printed name Robert Brenner _____



PROPOSAL/CONTRACT

Thomas Fence
653 Kawneer Rd
Springdale, AR 72764
479-636-4732
www.ThomasFenceAR.com
Robert@ThomasFenceAR.co
m 0155010423

QUOTATION:

DATE: 10/30/2023

CUSTOMER: Springale Parks
Chris Gibson
479 283 0071

JOB LOCATION: Tyson Park

NOTES: materail cost

6' 9ga cl
2 7/8" sch 40 ter
1 7/8 sch 40 line
1 12' DD
4 10' DD

\$10060.49

Labor to install and
hang Gates

\$4320.00

Bid Price EXCLUDES: Core Drilling,
Staining, Painting, Grading,
Staking/Field Measurements, Clearing,
Forms, Mow Strips, Demolition, Bonds,
Overtime, Hand Digging, Engineering,
Grounding, Panic/Egress Hardware,
Additional Mobilization, Location of
Private Services, Permits, Temporary
Fence, and Windscreen.

Approximate Start Date: _____

☐ Top to follow grade Level with: ☐ High ☐ Low ☐ Rack ☐ Step

Gate Swing: ☐ In ☐ Out

Property pins are: ☐ Exposed and Visible
☐ NOT exposed and visible
☐ To be located by others before installation

Subtotal\$ _____
Tax\$ _____
Grand Total\$ 14380.49
Down Payment\$ _____
BALANCE DUE\$ _____

Buyer / Owner signature _____ Date _____

Printed name _____

Signature _____ Date _____

Printed name Robert Brenner _____



PO Box 841393
Dallas, TX 75284-1393
Phone: 800-527-7510 Fax: 800-899-0149
Visit us at www.bsnsports.com

Contact Your Rep

Reed Meason Email: rmeason@bsnsports.com | Phone:

Sold to
1024741
CITY OF SPRINGDALE
1906 Cambridge St,
SPRINGDALE AR 72762
USA

Ship To
1924316
SPRINGDALE PARK & REC DEPT
4303 Watkins Ave
SPRINGDALE AR 72765
USA

Payer
1024741
CITY OF SPRINGDALE
1906 Cambridge St,
SPRINGDALE AR 72762
USA

Quote

Quote #: 21495515
Purchase Order #: Chris - Benches
Cart Name:
Quote Date: 10/03/2023
Quote Valid-to: 11/03/2023
Payment Terms: NT30
Ship Via:
Ordered By: Chris Gibson

Item Description	Qty	Unit Price	Total
21' Surface Mount Bench w/Back Item # - BEPH21	14 EA	\$ 939.99	\$ 13,159.86

Subtotal:	\$13,159.86
Other:	\$0.00
Freight:	\$349.85
Sales Tax:	\$1,283.42
Order Total:	\$14,793.13
Payment/Credit Applied:	\$0.00
Order Total:	\$14,793.13



PO Box 841393
Dallas, TX 75284-1393
Phone: 800-527-7510 Fax: 800-899-0149
Visit us at www.bsnsports.com

Contact Your Rep

Reed Meason Email: rmeason@bsnsports.com | Phone:

Sold to
1024741
CITY OF SPRINGDALE
1906 Cambridge St,
SPRINGDALE AR 72762
USA

Ship To
1924316
SPRINGDALE PARK & REC DEPT
4303 Watkins Ave
SPRINGDALE AR 72765
USA

Payer
1024741
CITY OF SPRINGDALE
1906 Cambridge St,
SPRINGDALE AR 72762
USA

Quote

Quote #: 21495651
Purchase Order #: Chris Gibson - Toppers/WS
Cart Name:
Quote Date: 10/03/2023
Quote Valid-to: 11/03/2023
Payment Terms: NT30
Ship Via:
Ordered By: Chris Gibson

Item Description	Qty	Unit Price	Total
FENCE CROWN - BRIGHT YELLOW 250' Item # - 1196733	17 ROL	\$ 227.65	\$ 3,870.05
FENCE CROWN - BRIGHT YELLOW 100' Item # - 1196726	1 ROL	\$ 156.99	\$ 156.99
FENCE CROWN - BLACK 100' Item # - 1269949	1 ROL	\$ 156.99	\$ 156.99
5 x 350 Green WS, 50' sections Item # - NSPHG	28 EA	\$ 161.20	\$ 4,513.60
5 x 470 Green WS, 50' sections Item # - NSPHG	18 EA	\$ 161.20	\$ 2,901.60
5 x 20 Green WS, 20' sections Item # - NSPHG	2 EA	\$ 65.20	\$ 130.40

Subtotal:	\$11,729.63
Other:	\$0.00
Freight:	\$1,675.00
Sales Tax:	\$1,273.44
Order Total:	\$14,678.07
Payment/Credit Applied:	\$0.00
Order Total:	\$14,678.07

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 50 FLOODS, ARTICLE II
FLOOD DAMAGE PREVENTION, SECTION 50-27. AMENDMENTS
OF THE SPRINGDALE CODE OF ORDINANCE; DECLARING AN
EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, it has come to the attention of the Springdale City Council that The Federal Emergency Management Agency (FEMA) has revised certain map panels in the Washington County Flood Insurance Study (FIS) and these maps will become effective on January 25, 2024,

WHEREAS, the changes affect the Special Flood Hazard Areas (SFHA) shown on the map panels within the City of Springdale and require an amendment to the ordinance,

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

Section 1: That Chapter 50 Floods, Article II Flood Damage Prevention, Section 50-27 (a) be amended to read as follows:

Section 50-27-Findings of Fact

- (a) The Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of Springdale in the current scientific and engineering report entitled "The Flood Insurance Study (FIS) for Benton County, Arkansas and Incorporated Areas" dated June 5, 2012, with an effective flood insurance rate map (FIRM) dated June 5, 2012 and "The Flood Insurance Study (FIS) for Washington County, Arkansas and Incorporated Areas," dated January 25, 2024, with an effective flood insurance rate map (FIRM) dated January 25, 2024.

Section 50-27 (d) to be removed due to new map panels including the revision mentioned.

- ~~(d) In addition to the FIS and FIRM for Washington County noted in paragraph (a) above, FEMA has approved the conditional letter of map revision cited in Case Number 13-06-3506R which affects the Special Flood Hazard Area (SFHA) for Spring Creek in the area between Johnson Road and Shiloh Street. This conditional letter of map revision is hereby adopted and will be enforced as the regulatory SFHA for this area until such time a new map is issued by FEMA including this revision and adopted by the city in whole.~~

Section 2: Emergency Clause: It is hereby found and declared by the City of Springdale that in order to effectively comply with minimum standards for

coverage under the Nation Flood Insurance Program; and in order to effectively manage the floodplain in the City of Springdale using the most current flood study, it is necessary that this ordinance become effective immediately. Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

This ordinance passed and approved this ____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

Ernest Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE PURCHASE OF A K-9
FOR THE SPRINGDALE POLICE DEPARTMENT**

WHEREAS, the Springdale Police Department recently retired a K-9 and is requesting permission to purchase a new K-9 from the Drug Seizure Fund, and

WHEREAS, the Springdale Police Department would like to purchase the new K-9 from Von Klein Stein Working Dogs, a business they have purchased from in the past, in the amount of \$15,587.50, and

WHEREAS, the purchase of the K-9 will include four (4) weeks of training with the officer that was selected to receive the K-9.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Springdale Police Department is authorized to purchase a new K-9 from Von Klein Stein Working Dogs in the amount of \$15, 587.50 from Drug Seizure Funds.

PASSED AND APPROVED this 14th day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



MEMORANDUM

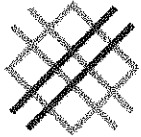
FROM: Chief Frank Gamble
TO: Colby Fulfer and Mayor Doug Sprouse
DATE: 11/28/23
RE: Request to purchase a K-9 using drug seizure funds

We recently retired a K-9 from the Springdale Police Department and need permission to purchase a new K-9. We request the use of \$15,587.50 from drug seizure funds to purchase the K-9. We would like to purchase the K-9 from Von Klein Stein Working Dogs. We have purchased K-9s from this business in the past and were happy with the K-9s we received from them. The purchase of the K-9 will include 4 weeks of training with the officer that was selected to receive the K-9. We expect to replace at least one additional K-9 in 2024 due to a retirement, but will come back with that request at a later time.

Respectfully,

A handwritten signature in blue ink that reads "Frank Gamble".

Chief of Police Frank Gamble
Springdale Police Department



SPRINGDALE
WE'RE MAKING IT HAPPEN

DEPARTMENT FUNDING REQUEST

Department: Springdale Police Department		Date: 11-22-23	
Point of Contact: Chief Frank Gamble		Amount Requested: \$ 15,587.50	
Brief Description of Funding Request: I am requesting the use of drug seizure funds to purchase a K-9 to replace a recently retired K-9.			
IS IT BUDGETED?			
YES ☐		NO ☒	
If YES, No Action Needed		If NO:	
		Date to be Presented to Committee: 12 / 04 / 20 23	
☐ \$35,000+	Requires Bid	☐ \$0 - \$5,000	No Action
Waive Bidding		☒ \$5,000 - \$35,000 Requires 3 Quotes	
☐ Buy Board	☐ Sole Source		
		☐ \$35,000+	Requires Bid
		Waive Bidding	
		☐ Buy Board	☒ Sole Source

Signature: _____

ESTIMATE

Von Klein Stein Working Dogs
9211 Northview Dr
Sherwood, AR 72120

joesmith@vkswd.com
+1 (479) 301-4796
<http://www.vkswd.com>



Springdale PD

Bill to
Springdale PD
201 Spring St.
Springdale, AR 72764

Estimate details
Estimate no.: 1072
Estimate date: 11/19/2023

#	Date	Product or service	SKU	Qty	Rate	Amount
1.		K9-1 Dual Purpose K9 Dual Purpose K9.		1	\$14,500.00	\$14,500.00
2.		4 Week handler school			\$0.00	\$0.00
3.		K9-6 Handler Equipment (Leash and Reward) Basic Handler equipment (Leash, Reward)	K9-6	1	\$0.00	\$0.00

Note to customer

Guarantee: Effective from the date of purchase. 100% Health for 6 months, Skeletal for 12 months, Workability for 3 months and Compatibility for 1 month. If a genetic or hereditary problem is found the K9 will be replaced. Vet report must accompany the K9 on return.

Subtotal	\$14,500.00
Sales tax	\$1,087.50
Total	\$15,587.50
Deposit due	\$7,793.75

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)
	5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

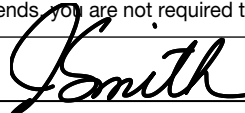
Social security number										
				-				-		
or										
Employer identification number										
				-						

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► 	Date ► 10/27/2023
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.

You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

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: Steven William Sevic

LEGAL DESCRIPTION: Lot 1 E. 30 Feet Lots 11 and 12 further described from 447-533
as: Part of the Southeast Quarter of the Southwest Quarter of Section thirty-five (35), in
Township Eighteen (18) North, of Range Thirty (30) West, of the Fifth P.M. more particularly
described as follows, and described as follows, to wit: beginning at a point Four Hundred
Fifty-five and one-half (455.5) feet North and 20 feet West of the Southeast corner of the
above described forty (40) acre tract for a place of beginning, thence West One Hundred
Fifty-nine (159) feet; thence North One Hundred Fifty-three and one-half (153.5) feet; thence
East bearing North to a point One Hundred Fifty-eight (158) feet North of the beginning
point, thence south One Hundred Fifty-eight (158) feet to the point of beginning.

LAYMAN'S DESCRIPTION: 300 S. West End Street

PARCEL NUMBER: 815-26188-000

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:

\$975.00 clean-up costs and \$22.53 administrative costs – \$997.53 (Parcel No. 815-26188-000)

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

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

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

\$997.53 plus 10% for collection – 300 S. West End Street (Parcel No. 815-26188-000)

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

Abatement Notification Form

Springdale City

201 Spring Street

Springdale, AR 72764

479-750-7712

Case Number: 2302437



Property Address: 300 S WEST END ST

Type of previous notification given:

Lien Letter and posted notice – Please be reminded that pursuant to Arkansas Law, as of the date you received your lien letter or the city received the unsigned, returned lien documents, code enforcement may enter and abate all violations for 12 months. The costs associated with the city's action will include; disposal cost recovery, employee cost per hour, equipment cost per hour and finally and administrative cost associated with filing the lien. Once this letter is issued the city may enter the aforementioned property within the next 12 months to abate future violations without sending a new notice.

Property Status: Owner Occupied

Abatement will occur on/or after: 09/08/2023

Type of abatement will be: Lien

Location of abatement will be: 300 S West End

Narrative: Tree needs to be removed from property.

Code Officers: Isidro Camacho

Notice to Abate:

The city posted notice on this property and sent a certified letter to the Property owner on record within the last 12 months of violations of the city code. At the present time there are violations of the city ordinances on this property. This is to notify you that the property is scheduled for abatement. If all violations are removed when the abatement crew arrives, no abatement will be done. If the property is not in compliance at the time the abatement crew arrives, the city will enter the property and remove all violations from the entire property, including front, sides and back yards. This will result in abatement fees of no less than \$200.00. any fees generated from the abatement will result in a lien on the property pursuant to Ark. Code Ann. §14-54-903, 904. If any fees are generated by an abatement of violations on the property due to tenant activities, the property owner may choose on its own to require the tenant to pay the fees through civil action.

Reinspect picture(s):



JOHN'S TREE SERVICE, LLC

P O BOX 8601

Springdale, AR 72766 US

479-871-1963

johnstreeservice@cox.net

BILL TO

Springdale Community

Engagement

Ron Findley

210 Spring Street

Springdale, AR 72764

INVOICE 3791**DATE** 09/10/2023 **TERMS** Due on receipt

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
09/07/2023	Felling	Removed split sweet gum tree and broken limbs from the neighboring tree	1	975.00	975.00
		Service address: 300 S. West End Street			

TOTAL DUE**\$975.00**

Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

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

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



SPRINGDALETM
WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

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

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

Steve Helms
Investigator
shelms@springdalear.gov

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

Sasha Bennett
File/Discovery Clerk
sabennett@springdalear.gov

October 10, 2023

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

Steve William Sevic
300 S. West End Street
Springdale, AR 72764

RE: Notice of clean-up lien on property located at 300 S. West End Street, Springdale,
Washington County, Arkansas, Tax Parcel No. 815-26188-000

Dear Property Owner/Lienholder:

On May 4, August 14 and September 8, 2023 notice was posted on property located at 300 S. West End Street, 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 May 4, 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 September 8, 2023. As of this date, the total costs incurred by the City of Springdale to clean this property are \$975.00. 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 November 22, 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, November 28, 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 \$982.53, which includes 975.00 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 Steve William Sevic at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

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

Sincerely,



Ernest B. Cate
City Attorney

Enclosures
EBC:dp

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:

Steve William Sevic
300 S. West End
Springdale, AR 72764



9590 9402 8273 3094 8104 47

2. Article Number (Transfer from service label)

7020 0640 0001 3065 6714

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

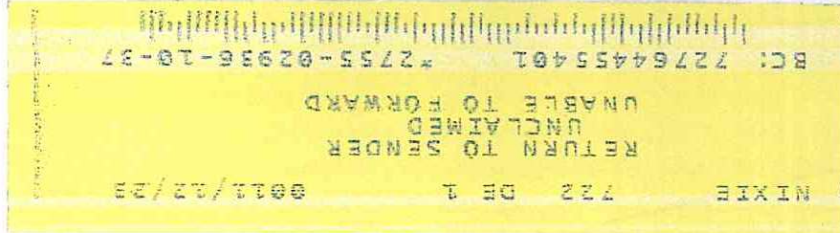
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

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

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

Domestic Return Receipt



Steve William Sevic
300 S. West End Street
Springdale, AR 72764

Handwritten: 154, 10/13/12, 10-2-18, 10-2-18, 10-2-18

Handwritten: 10/16/23, ROK.

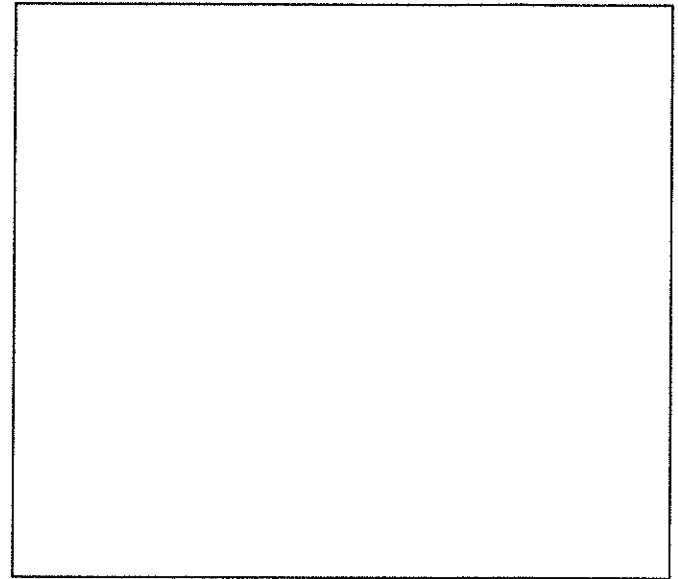


CITY OF SPRINGDALE
OFFICE OF CITY ATTORNEY
201 SPRING STREET
SPRINGDALE, AR 72764



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, Benton County, Arkansas, is owned
as set out below:

PROPERTY OWNER: Dream Structures Investment Properties LLC

LEGAL DESCRIPTION: Lot 60, Thornbury Subdivision, Phase IV, to the City of Springdale,
Benton County, Arkansas, as shown in Final Plat Record "2002" at pages 206 and 207

LAYMAN'S DESCRIPTION: Lankinshire Parcel 21-01159-000

PARCEL NO.: 21-01159-000

PROPERTY OWNER: Steve and Teresa Fisher

LEGAL DESCRIPTION: Lot 59, Thornbury Subdivision, Phase IV, Springdale, Benton
County, Arkansas, as shown in Plat Record 23A at Page 25, Plat Records of Benton County,
Arkansas.

LAYMAN'S DESCRIPTION: Lankinshire Parcel 21-01158-000

PARCEL NO.: 21-01158-000

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:

\$598.32 clean-up costs and \$22.53 administrative costs – Lankinshire Parcel (21-01159-000)

\$598.32 clean-up costs and \$22.53 administrative costs – Lankinshire Parcel (21-01158-000)

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

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

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

\$620.85, plus 10% for collection – Lankinshire Parcel (21-01159-000)

\$620.85, plus 10% for collection – Lankinshire Parcel (21-01158-000)

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 12th day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

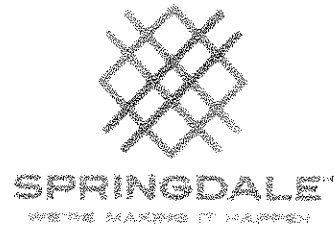
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

City Abatement

City of Springdale
 Neighborhood Service
 201 Spring Street
 Springdale, AR 72764
 479-756-7712
 Case Number: 2301493



Date: 09/14/2023
 Status: Abated
 Property: LANKINSHIRE PL
 City, State, Zip: ,

Officer on Site: Logan West
 Abatement Type: Lien
 Abatement Date: 09/14/2023
 Abatement Start Time: 0738
 Abatement End Time: 0903

Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$120.00
Equipment Rate	\$360.00
Total Fee: \$598.32	

Method of Compliance: At the property of Lankinshire Parcel 21-01159-000, the landscape crew mowed the tall grass and weeds.

2 employees.
 2 tractors with brush hogs.

Logan West
 Code Enforcement Officer

09/14/2023
 Date



Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

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

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



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OFFICE OF CITY ATTORNEY

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

Sasha Bennett
File/Discovery Clerk
sabennett@springdalear.gov

October 18, 2023

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

Dream Structures Investment Properties LLC
P.O. Box 39
Lowell, AR 72745

RE: Notice of clean-up lien on property located at Lankinshire Parcel, Springdale,
Benton County, Arkansas, Tax Parcel No. 21-01159-000

Dear Property Owner/Lienholder:

On April 24, May 16 and September 12, 2023 notice was posted on property located at Parcel No. 21-01159-000, 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 originally mailed to the owner of record on April 24, 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 September 14, 2023. As of this date, the total costs incurred by the City of Springdale to clean this property are \$598.32. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Benton 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 December 6, 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, December 12, 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.

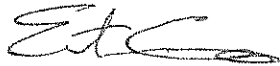
Please remit the total sum of \$605.85, which includes \$598.32 for cleaning up the property and \$7.53 for certified mailings to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's 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 Dream Structures Investment Properties LLC at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

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

Sincerely,



Ernest Cate
City Attorney

Enclosures
EBC:dp

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:

Dream Structures Investment
Properties LLC
P.O. Box 39
Lowell, AR 72745



9590 9402 7987 2305 3126 25

Article Number (Transfer from service label)

7020 0640 0001 3065 6776

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature] ☐ Agent
☐ Addressee

B. Received by (Printed Name)

Steve Fisher

C. Date of Delivery

11/6/20

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes

☐ No

3. Service Type

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

Domestic Return Receipt

Jankovich Parcel
21-011591-000

Office of the City Attorney
201 NORTH SPRING STREET
SPRINGDALE, ARKANSAS 72764



United States Postal Service

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

USPS TRACKING #

6 NOV 2020 PM 1 L

9590 9402 7987 2305 3126 25

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

City Abatement

City of Springdale
 Neighborhood Service
 201 Spring Street
 Springdale, AR 72764
 479-756-7712
 Case Number: 2301491



Date: 09/14/2023
 Status: Abated
 Property: LANKINSHIRE PL
 City, State, Zip: Springdale, Arkansas

Officer on Site: Logan West
 Abatement Type: Lien
 Abatement Date: 09/12/2023
 Abatement Start Time: 0908
 Abatement End Time: 1026

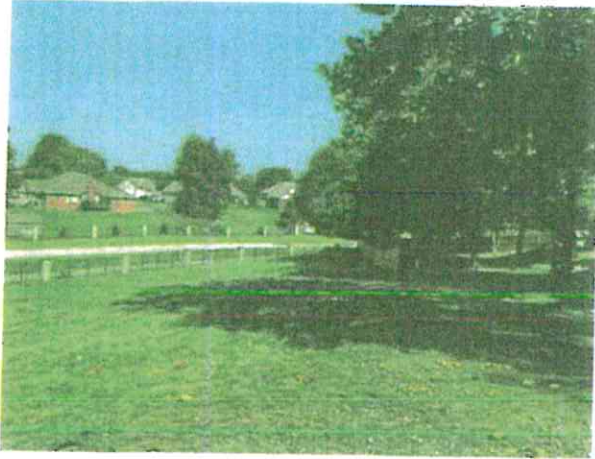
Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$120.00
Equipment Rate	\$360.00
Total Fee: \$598.32	

Method of Compliance: At the property of Lankinshire Parcel 21-01158-000 , the landscape crew mowed the tall grass and weeds.

2 employees.
 2 tractors with brush hogs.

Logan West
 Code Enforcement Officer

09/14/2023
 Date



Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

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

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



SPRINGDALETM
WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

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

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

Steve Helms
Investigator
shelms@springdalear.gov

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

Sasha Bennett
File/Discovery Clerk
sabennett@springdalear.gov

October 18, 2023

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

Steve and Teresa Fisher
P.O. Box 39
Lowell, AR 72745

RE: Notice of clean-up lien on property located at Lankinshire Parcel, Springdale, Benton County, Arkansas, Tax Parcel No. 21-01158-000

Dear Property Owner/Lienholder:

On April 24, May 16 and September 12, 2023 notice was posted on property located at Parcel No. 21-01158-000, 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 originally mailed to the owner of record on April 24, 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 September 14, 2023. As of this date, the total costs incurred by the City of Springdale to clean this property are \$598.32. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Benton 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 December 6, 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, December 12, 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.

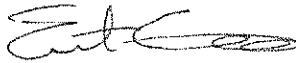
Please remit the total sum of \$605.85, which includes \$598.32 for cleaning up the property and \$7.53 for certified mailings to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's 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 Steve and Teresa Fisher at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest Cate", written in a cursive style.

Ernest Cate
City Attorney

Enclosures
EBC:dp

Garthwin Pacer

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

Office of the City Attorney
Postage & Fees Paid
Permit No. G-10

United States
Postal Service

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

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



USPS TRACKING #
9590 9402 7987 2305 3126 01
NOV 20 2011
AR 727

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:

Steve and Teresa Fisher
P.O. Box 39
Lowell AR 72745

9590 9402 7987 2305 3126 01

Article Number (Transfer from service label)
7020 0640 0001 3065 6745

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)
Steve Fisher

C. Date of Delivery
11/6/23

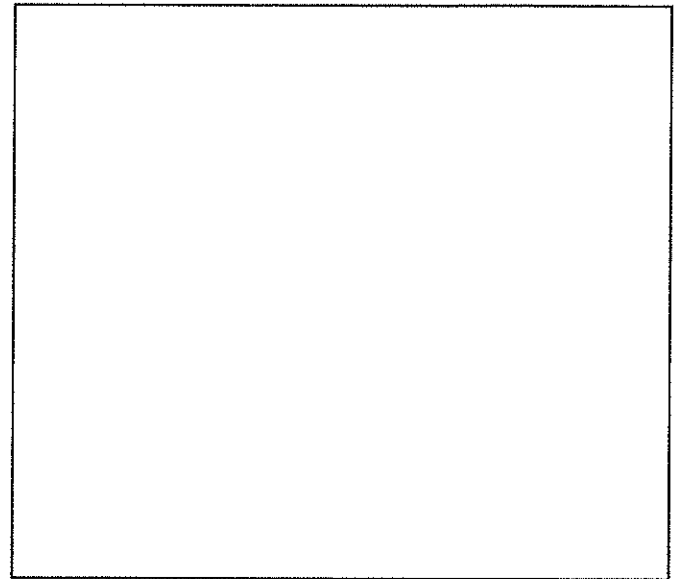
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

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

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: Fort Worth Partners LLC

LEGAL DESCRIPTION: Part of the North-Half (N1/2) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Twelve (12), Township Seventeen (17) North, Range Thirty (30) West, more particularly described as follows, to wit: Beginning at a point 417 feet East of the Northwest corner of said 20 acre tract, thence South 312 feet, thence East 273.08 feet, thence North 312 feet, thence West 273.08 feet to the point of beginning.

LAYMAN'S DESCRIPTION: 1005 East Robinson

PARCEL NO.: 815-29233-000

PROPERTY OWNER: William A. Kuhl

LEGAL DESCRIPTION: Lot numbered thirty-nine (39), Block Numbered One (1), San Jose Estates, the City of Springdale.

LAYMAN'S DESCRIPTION: 101 San Jose Drive

PARCEL NO.: 815-25682-000

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:

\$221.32 clean-up costs and \$22.53 administrative costs – 1005 E. Robinson Ave. (815-29233-000)

\$522.32 clean-up costs and \$22.53 administrative costs – 101 San Jose Drive (815-25682-000)

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

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

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

\$243.85, plus 10% for collection – 1005 East Robinson (815-29233-000)

\$544.85, plus 10% for collection – 101 San Jose Drive (815-25682-000)

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 12th day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

City Abatement

City of Springdale
Neighborhood Service
201 Spring Street
Springdale, AR 72764
479-756-7712
Case Number: 2301752



Date: 09/15/2023
Status: Abated
Property: 1005 E ROBINSON AVE
City, State, Zip: Springdale, Arkansas 72764

Officer on Site: Randy Glenn
Abatement Type: Lien
Abatement Date: 09/15/2023
Abatement Start Time: 0830
Abatement End Time: 0900

Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$30.00
Equipment Rate	\$73.00
Total Fee: \$221.32	

Method of Compliance: Mowing was done by 1 full time employee with truck, trailer and mower.

Randy Glenn
Code Enforcement Officer

09/15/2023
Date



Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

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

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



SPRINGDALETM
WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

201 Spring Street • Springdale, Arkansas 72764
Phone (479) 750-8173 • Fax (479) 750-4732
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Giselle Gonzalez
Case Coordinator/Victim Advocate
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Steve Helms
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shelms@springdalear.gov

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

Sasha Bennett
File/Discovery Clerk
sbennett@springdalear.gov

October 18, 2023

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

Fort Worth Partners LLC
1662 E. Amber Drive
Fayetteville, AR 72703

RE: Notice of clean-up lien on property located at 1005 E. Robinson Avenue,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-29233-000

Dear Property Owner/Lienholder:

On August 2, 16 and 21, 2023, and September 7, 2023 notice was posted on property located at 1005 E. Robinson Avenue, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on August 21, 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 June 20, 2023. As of this date, the total costs incurred by the City of Springdale to clean this property are \$221.32. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before December 6, 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, December 12, 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.

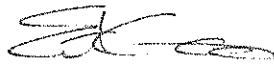
Please remit the total sum of \$228.85, which includes \$221.32 for cleaning up the property and \$7.53 for certified mailing to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

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

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

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ernest B. Cate', with a stylized flourish at the end.

Ernest B. Cate
City Attorney

Enclosures
EBC:dp

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ 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.		A. Signature X ☐ Agent ☐ Addressee	
1. Article Addressed to: Fort Worth Partners LLC 1662 E. Amber Drive Fayetteville, AR 72703		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	
2. Article Number (Transfer from service label) 7020 0640 0001 3065 6752		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	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	



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

CERTIFIED MAIL®



7020 0640 0001 3065 6752

US POSTAGE PAID BY **BC**

ZIP 72701 **\$ 008.5**
02 7W
0008029151 OCT 18 2

10/31/23

Fort Worth Partners LLC
1662 E. Amber Drive
Fayetteville, AR 72703

NIXIE 722 FE 1 0010/26/23

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 72764455401 *1255-00875-26-99

Page 139

UTF
727644554



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

10/25/23

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PRSR LTR



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02 7W
0008029151 OCT 18 2023

Fort Worth Partners LLC
1662 E. Amber Drive
Fayetteville AR 72703

NIXIE 722 FE 1270 0010/23/23

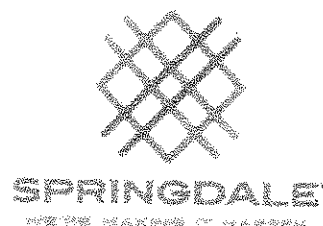
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

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72704 7

BC: 72764455401 *1255-02827-23-18

City Abatement

City of Springdale
Neighborhood Service
201 Spring Street
Springdale, AR 72764
479-756-7712
Case Number: 2300710



Date: 09/15/2023
Status: Abated
Property: 101 SAN JOSE DR
City, State, Zip: ,

Officer on Site: Shane Pegram
Abatement Type: Lien
Abatement Date: 09/15/2023
Abatement Start Time: 0830
Abatement End Time: 0930

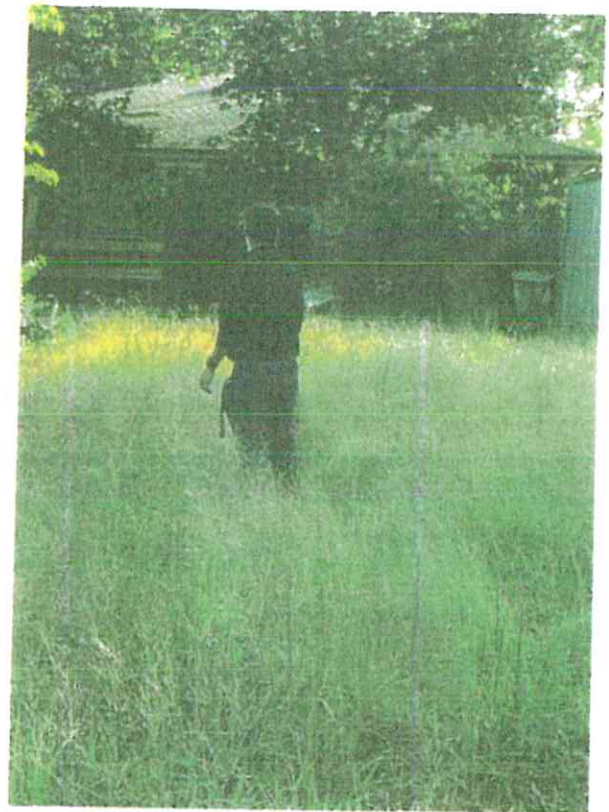
Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$195.00
Equipment Rate	\$209.00
Total Fee: \$522.32	

Method of Compliance: On September 15, 2023 the city of Springdale abated the property at 101 San Jose. A crew of three full-time employees and seven temporary employees removed tall grass and weeds from the property using various city equipment.

Shane Pegram
Code Enforcement Officer

09/15/2023
Date





Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy City Attorney
tsamples@springdalear.gov

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

Garrett Harlan
Deputy City Attorney
gharlan@springdalear.gov



SPRINGDALETM
WE'RE MAKING IT HAPPEN

OFFICE OF CITY ATTORNEY

201 Spring Street • Springdale, Arkansas 72764
Phone (479) 750-8173 • Fax (479) 750-4732
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Giselle Gonzalez
Case Coordinator/Victim Advocate
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Administrative Legal Assistant/Paralegal
dputt@springdalear.gov

Sasha Bennett
File/Discovery Clerk
sabennett@springdalear.gov

October 18, 2023

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

William A. Kuhl
101 San Jose Drive
Springdale, AR 72764

RE: Notice of clean-up lien on property located at 101 San Jose Drive, Springdale,
Washington County, Arkansas, Tax Parcel No. 815-25682-000

Dear Property Owner/Lienholder:

On May 22, 2023 and September 6, 2023 notice was posted on property located at 101 San Jose Drive, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on May 22, 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 September 15, 2023. As of this date, the total costs incurred by the City of Springdale to clean this property are \$522.32. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before December 6, 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, December 12, 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.

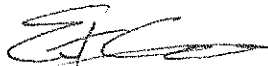
Please remit the total sum of \$529.85, which includes \$522.32 for cleaning up the property and \$7.53 for certified mailing to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'EBC', is positioned above the printed name of the signatory.

Ernest B. Cate
City Attorney

Enclosures
EBC:dp

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ 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.		A. Signature X <i>Connie Smith</i> ☒ Agent ☐ Address	
1. Article Addressed to: William A. Kuhl 101 San Jose Drive Springdale, AR 72764  9590 9402 7987 2305 3125 95		B. Received by (Printed Name) <i>Connie Smith</i> C. Date of Delivery <i>10-25-21</i> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☒ No <i>7721 E. Huntington Wichita KS 67206</i>	
2. Article Number (Transfer from service label) 7020 0640 0001 3065 6769		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	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

United States Postal Service

9590 9402 7987 2305 3125 95

25 OCT 2021 11:21 ZL

146

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



First-Class Mail
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RESOLUTION NO. _____

**A RESOLUTION APPROVING A TAXICAB OPERATOR
PERMIT FOR WESTARK TAXI, LLC, PURSUANT TO
CHAPTER 122 OF THE CODE OF ORDINANCES FOR
THE CITY OF SPRINGDALE, ARKANSAS.**

WHEREAS, the City of Springdale has received an application for a taxicab operator permit from WestArk Taxi, LLC;

WHEREAS, Section 122-27 of the Code of Ordinances for the City of Springdale, Arkansas, provides that no taxicab operator permit shall be issued unless and until the permit application has been reviewed by the taxicab administrator; that a determination has been made that the application meets all requirements of City Ordinance; and, the taxicab administrator refers the application for consideration by the Springdale City Council;

WHEREAS, on December 12, 2023, a hearing was held on WestArk Taxi, LLC's application for a taxicab operator permit, after due notice of said hearing was given to each and every holder of a taxicab operator permit in the City, pursuant to Section 122-27 of the Code of Ordinances for the City of Springdale, Arkansas; and

WHEREAS, the taxicab administrator for the City of Springdale recommends that the taxicab operator permit application for WestArk Taxi, LLC, be approved

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the taxicab operator permit application for WestArk Taxi, LLC, be, and is hereby approved, and that a taxicab operator permit shall be issued to WestArk Taxi, LLC, subject to all requirements of Chapter 122 of the Code of Ordinances for the City of Springdale, Arkansas.

PASSED AND APPROVED this ____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

To: Ernest Cate, Beth Parnell
From: Sgt. Mike Bell
Date: 11-29-23
Re: Westark Taxi Application Review

In September of this year, Westark Taxi submitted an application for a taxicab operator permit. The company, headquartered in Ft. Smith, was founded and is operated by Jerry Burnett. With approximately 35 years of experience at Razorback Cab of Ft. Smith and prior work as an Uber Driver, Mr. Burnett briefly collaborated with Payless Taxi before establishing Westark Taxi. Throughout the review process, Mr. Burnett has been polite, cooperative, and responsive to the review process.

As part of the review process, Mr. Burnett submitted necessary driver, vehicle, and insurance information. A check of Mr. Burnett's and one of his employees', Denice White's, criminal and traffic history revealed no concerns. Additionally, I contacted the insurance company insuring WestArk Taxi and confirmed the validity and adequacy of their insurance coverage.

On November 8th, Mr. Burnett and Denice White presented two vehicles at the police department for inspection. Unfortunately, the vehicles did not pass inspection during that appointment due to meter issues and the need for tire replacements. It is important to note that it's not uncommon for taxis to fail their initial inspections, particularly if they are not familiar with our inspection process.

We hope to re-inspect the two vehicles before December 12th. I am confident that the vehicles will pass inspection without issue during the follow-up assessment.

I recommend granting permission for Westark to operate as a Taxi Service within the city of Springdale.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE
DESTRUCTION OF OLD ACCOUNTING
RECORDS**

WHEREAS, there is presently a shortage of storage space to maintain old records, and

WHEREAS, the storage of a large amount of paper accounting records could present a fire hazard, and

WHEREAS, the City Clerk/Treasurer, District Court and Police Department have identified old accounting records and other documents to be destroyed, and

WHEREAS, Arkansas Code Ann. § 14-59-114 provides for the destruction of old accounting records with the permission of the City Council,

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

Section 1. The Mayor is hereby authorized to arrange for the destruction, by shredding, of the accounting records and other documents indicated on the attached affidavit, in accordance with Arkansas Code Ann. §14-59-114.

PASSED AND APPROVED this 12th day of December, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

CITY OF SPRINGDALE
RECORDS TO BE DESTROYED IN 2023

BOX # DESCRIPTION – BETHEL HEIGHTS DOCUMENTS

1. BETHEL HEIGHTS – 2010 BANK STATEMENTS
2. BETHEL HEIGHTS – 2011 BANK STATEMENTS
3. BETHEL HEIGHTS – 2012 BANK STATEMENTS
4. BETHEL HEIGHTS - 2013 BANK STATEMENTS
5. BETHEL HEIGHTS – 2014 BANK STATEMENTS
6. BETHEL HEIGHTS– 2015 BANK STATEMENTS
7. BETHEL HEIGHTS – 2016 BANK STATEMENTS
8. BETHEL HEIGHTS – 2017 BANK STATEMENTS
9. BETHEL HEIGHTS – 2018 BANK STATEMENTS
10. BETHEL HEIGHTS PAYROLL, TAXES & LIABILITIES – 2010
11. BETHEL HEIGHTS PAYROLL, TAXES & LIABILITIES – 2011
12. BETHEL HEIGHTS PAYROLL, TAXES & LIABILITIES – 2012
13. BETHEL HEIGHTS PAYROLL, TAXES & LIABILITIES – 2013
14. BETHEL HEIGHTS PAYROLL, TAXES & LIABILITIES – 2014
15. BETHEL HEIGHTS PAYROLL, TAXES & LIABILITIES – 2015
16. BETHEL HEIGHTS PAYROLL, TAXES & LIABILITIES – 2016
17. BETHEL HEIGHTS PAYROLL, TAXES & LIABILITIES - 2017
18. BETHEL HEIGHTS CASH RECEIPTS, TREASURY REPORTS, REBATES, DEPOSIT BOOKS,
BUDGETS – 2010
19. BETHEL HEIGHTS CASH RECEIPTS, TREASURY REPORTS, REBATES, DEPOSIT BOOKS,
BUDGETS – 2011
20. BETHEL HEIGHTS CASH RECEIPTS, TREASURY REPORTS, REBATES, DEPOSIT BOOKS,
BUDGETS – 2012

(continued Bethel Heights Documents– page two)

21. BETHEL HEIGHTS CASH RECEIPTS, TREASURY REPORTS, REBATES, DEPOSIT BOOKS, BUDGETS – 2013
22. BETHEL HEIGHTS CASH RECEIPTS, TREASURY REPORTS, REBATES, DEPOSIT BOOKS, BUDGETS – 2014
23. BETHEL HEIGHTS CASH RECEIPTS, TREASURY REPORTS, REBATES, DEPOSIT BOOKS, BUDGETS – 2015
24. BETHEL HEIGHTS CASH RECEIPTS, REBATES, DEPOSIT BOOKS, BUDGETS – 2016
25. BETHEL HEIGHTS CASH RECEIPTS, REBATES, DEPOSIT BOOKS, BUDGETS – 2017
26. BETHEL HEIGHTS ACCOUNTS PAYABLE JULY-DECEMBER 2014
27. BETHEL HEIGHTS RECEIPTS – 2018
28. BETHEL HEIGHTS ACCOUNTS PAYABLE JANUARY-JUNE 2015
29. BETHEL HEIGHTS ACCOUNTS PAYABLE JULY-DECEMBER 2015
30. BETHEL HEIGHTS ACCOUNTS PAYABLE JANUARY-JUNE 2016
31. BETHEL HEIGHTS ACCOUNTS PAYABLE JULY-DECEMBER 2016
32. BETHEL HEIGHTS ACCOUNTS PAYABLE JANUARY-JUNE 2017
33. BETHEL HEIGHTS ACCOUNTS PAYABLE JULY-DECEMBER 2017
34. BETHEL HEIGHTS ACCOUNTS PAYABLE – JANUARY-JUNE 2018
35. BETHEL HEIGHTS PRE-CONSOLIDATION – FNB CDS – GENERAL & STREET FUNDS THRU 2018
36. BETHEL HEIGHTS CHECKS – JANUARY-JUNE 2010
37. BETHEL HEIGHTS CHECKS – JULY- DECEMBER 2010
38. BETHEL HEIGHTS CHECKS – JANUARY-JUNE 2011
39. BETHEL HEIGHTS CHECKS – JULY-DECEMBER 2011
40. BETHEL HEIGHTS CHECKS – JANUARY-JUNE 2012

(continued Bethel Heights Documents– page three)

- 41. BETHEL HEIGHTS CHECKS – JULY-DECEMBER 2012
- 42. BETHEL HEIGHTS CHECKS – JANUARY-JUNE 2013
- 43. BETHEL HEIGHTS CHECKS – JULY-DECEMBER 2013
- 44. BETHEL HEIGHTS CHECKS – JANUARY-JUNE 2014

BOX # DESCRIPTION – CITY CLERK’S OFFICE DOCUMENTS

- 45. SPRINGDALE DEPOSIT SLIPS-GENERAL FUND – 2011-2017
- 46. AIRPORT AGENDAS – 2015-2020
- 47. PAYROLL REGISTERS, TIMESHEETS, HOURS PROOF JANUARY-APRIL 2017
- 48. PAYROLL REGISTERS, TIMESHEETS, HOURS PROOF MAY -JULY 2017
- 49. PAYROLL REGISTERS, TIMESHEETS, HOURS PROOF AUGUST -OCTOBER 2017
EXTRA PAYROLLS 2016 & 2017
- 50. PAYROLL REGISTERS, TIMESHEETS, HOURS PROOF NOVEMBER -DECEMBER 2017
EXTRA PAYROLLS REGISTERS (CITY COUNCIL & PLANNING COMMISSION -2017)
- 51. PAYROLL FILES (DEDUCTIONS, BENEFITS, ACA FORM SUBMISSIONS, CONFIRMATIONS
FOR 1099’S & W-2’S, WORKERS COMP ACTUAL PAYROLL, 941 & 945 FORMS, ARK. NEW
HIRING REPORTING, PAYROLL INVOICES, OTHER MISC. PAYROLL ITEMS – YEARS 2015,
2016, 2017)
- 52. BANK DRAWER – POLICE DEPARTMENT CREDIT CARD RECEIPTS – 2018
- 53. BANK DRAWER – 2018 VARIOUS BANK ACCOUNT STATEMENTS & RECEIPTS AND 2018
1099MISC & 1099S FORMS
- 54. BANK DRAWER – 2014 VARIOUS BANK ACCOUNT STATEMENTS & RECEIPTS AND 2014
1099MISC & 1099S FORMS, SPECIAL COURT COSTS ACT 1256 – 2014
- 55. BANK DRAWER – 2017 COURT BANK STATEMENTS, 2018 SALES & USE TAX, OPERATING
ACCT., COURT, SALES & USE TAX, 2012 BOND RECONS (2018)
- 56. BANK DRAWER – 2018 FIRE, MUSEUM AND BUILDINGS DEPARTMENT

(continued City Clerk's Office Documents– page two)

- 57. FINANCE DIRECTOR WORKAPERS - 2015
- 58. ACCOUNTS PAYABLE – CARROLL ELECTRIC, OZARKS ELECTRIC, SPRINGDALE WATER, BLACK HILLS UTILITIES – 2018
- 59. ACCOUNTS PAYABLE – SWEPCO UTILITIES - 2018
- 60. ACCOUNTS PAYABLE – SPRINT & VERIZON – 2018
- 61. ACCOUNTS PAYABLE – ADVERTISING AND PROMOTION INVOICES – 2017 & 2018
- 62. ACCOUNTS RECEIVABLE – HANGAR RENT, FALSE ALARMS, STREET CUTS, CODE SUPPLEMENTS – 2018
- 63. ACCOUNTS RECEIVABLE – CASH RECEIPTS 2018
- 64. CASH RECEIPTS – 2018
- 65. ACCOUNTS PAYABLE CHECK REGISTERS/EAL – 2015
- 66. ACCOUNTS PAYABLE UPDATES - 2015
- 67. BANK STATEMENTS AND JOURNAL ENTRIES – 2015
- 68. BANK STATEMENTS AND JOURNAL ENTRIES – 2014
- 69. W-9'S THROUGH 2020

SPRINGDALE DISTRICT COURT NOVEMBER 2023 SHRED LIST

Pallet #1:

1 BOX 2014 BANK DEPOSIT SLIPS
1 BOX 2016-2017 SERVED WARRANTS 16-12-5197, 17-35-4822
1 BOX 2013-2015, 2018 - 2019 SERVED WARRANTS
1 BOX 2014 CHECK COPIES GREEN BAR BOOKS
1 BOOK 2001 VOIDED CHECKS
1 BOX 2019 CIVIL CHECK STUBS
1 BOX OF 2000 – 2012 RETURNED WARRANTS
1 BOX RECEIPT BOOKS 2007 – 2019
1 BOX SERVED ARREST WARRANTS/SUMMONS – MISC. YEARS
2 BOXES 2016 END OF MONTH REPORTS

Pallet #2:

1 BOX 2019 SEARCH WARRANTS
1 BOX 2009 – 2019 SERVED BETHEL HEIGHTS WARRANTS
2 BOXES 2009 TRIAL NOTICES
1 BOX 2015 TRIAL NOTICES
1 BOX 2002 SERVED WARRANTS
2 BOXES MISCELLANEOUS 1980 – 1980, 2011 PROBATION FILES
1 BOX 1961 – 1962 AFFIDAVIT WARRANTS
6 BOXES 2014 -2019 BETHEL HEIGHTS END OF MONTH REPORTS
5 BOXES 2013 – 2019 BETHEL HEIGHTS RECEIPTS
1 BINDER 2016 BANK DEPOSIT SUMMARY
7 BOXES OF UNIDENTIFIABLE RECORDS
2 BOXES OF UNIDENTIFIABLE LEDGERS

SPRINGDALE DISTRICT COURT NOVEMBER 2023 SHRED LIST (continued – page two)

1 BOX 2013 – 2016 TRANSFERRED CITATION COPIES

1 BOX 2015 – 2016 BANK DEPOSIT SLIPS

2015 AND 2016 END OF MONTH REPORTS

SPRINGDALE POLICE DEPARTMENT 2023 SHRED LIST

SKID #1

- Box of 1974 Case Files
- Box of 1974 and 1975 Case Files
- Box of 1976 Case Files
- Box of 1977 Case Files
- 1 Box of 1978 Case Files
- 3 Boxes of 1979 Case Files
- 2 Boxes of 1980 Case Files
- 2 Boxes of 1981 Case Files
- 2 Boxes of 1982 Case Files
- 4 Boxes of 1984 Case Files
- 5 Boxes of 1985 Case Files
- 6 Boxes of 1986 Case Files
- 8 Boxes of 1987 Case Files

SKID #2

- 8 Boxes of 1988 Case Files
- 8 Boxes of 1989 Case Files
- 10 Boxes of 1990 Case Files
- 5 Boxes of 1991 Case Files
- 9 Boxes of 1998 Case Files

SKID #3

- Old Bethel Heights

SKID #4

- 11 Boxes of 1995 Case Files
- 11 Boxes of 1996 Case Files
- 11 Boxes of 1997 Case Files

SKID #5

- 5 Boxes of 1991 Case Files
- 9 Boxes of 1992 Case Files
- 7 Boxes of 1993 Case Files
- 8 Boxes of 1994 Case Files
- 7 Boxes of tapes

SPRINGDALE POLICE DEPARTMENT 2023 SHRED LIST (continued page two)

SKID #6

- Old Bethel Heights

SKID #7

- 11 Boxes of 1997 Case Files
- 11 Boxes of 1999 Case Files
- 10 Boxes of 2000 Case Files
- 14 Boxes of 2001 Case Files

SKID #8

- 13 Boxes of 2003 Case Files
- 13 Boxes of 2004 Case Files

SKID #9

- 11 Boxes of 2002 Case Files
- 19 Boxes of 2006 Case Files

SKID #10

- 15 Boxes of 2005 Case Files
- 21 Boxes of 2007 Case Files

SKID #11

- 25 Boxes of 2008 Case Files

CITY OF SPRINGDALE
RECORDS DESTRUCTION
AFFIDAVIT

The attached list of files correctly describes the accounting records being proposed for destruction to the City Council on December 12, 2023. They have been previously audited and will be destroyed by shredding upon approval.

Signature of City Employee

Date

Signature of City Council Member

Date

SPRINGDALE CITY COUNCIL
NOVEMBER 28, 2023

The City Council of the City of Springdale met in regular session on Tuesday, November 28, 2023 in the Council Chambers, City Administration Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

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

Department heads present:

Blake Holte	Fire Chief
Frank Gamble	Police Chief
Patsy Christie	Planning Director
Mike Chamlee	Buildings Director
Ron Findley	Community Engagement Director
Ben Peters	Engineering Department
Chad Wolf	Parks & Recreation Director
James Smith	Public Works Director
Colby Fulfer	Chief of Staff
Anne Gresham	Library Director
Angie Albright	Shiloh Museum Director
Mark Gutte	IT Director

APPROVAL OF MINUTES

Council Member Harriman moved the minutes of the November 14, 2023 City Council meeting be approved as presented. Council Member Williams made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

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

The vote:

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

No: None

ORDINANCE NO. 5903 – REZONING 4.98 ACRES OWNED BY ROBERT AND SHERRY SQUIRES LOCATED AT 2019 E. ROBINSON, FROM A-1 TO C-5; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 4.98 acres owned by Robert and Sherry Squires located at 2019 E. Robinson, from A-1 to C-5; 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 Lawson made the second.

The vote:

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

No: None

The Ordinance was numbered 5903.

ORDINANCE NO. 5904 – REZONING 13.05 ACRES OWNED BY WINFORD AND LINDA PHILLIPS, LOCATED ON WEST EMMA AVENUE BETWEEN NORTH 40TH AND SOUTH GUTENSOHN ROAD, FROM A-1 TO C-1; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 13.05 acres owned by Winford and Linda Phillips located on West Emma Avenue between North 40th and South Gutensohn Road, from A-1 to C-1; 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.

The vote:

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

No: None

The Ordinance was numbered 5904.

ORDINANCE NO. 5905 – REZONING 8.76 ACRES OWNED BY RMB INVESTMENTS, LLC, LOCATED AT 4785 DON TYSON PARKWAY, FROM A-1 TO MF-16; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 8.76 acres owned by RMB Investments, LLC, located at 4785 Don Tyson Parkway, from A-1 to MF-16; and declaring an emergency.

Planning Commission recommended approval.

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

The vote:

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

No: None

The Ordinance was numbered 5905.

ORDINANCE NO. 5906 – REZONING TWO TRACTS OWNED BY MARSHAL AND NANCY MITCHELL LOCATED AT 3830 AND 3884 SOUTH OLD MISSOURI ROAD, FROM A-1 TO C-2; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning two tracts owned by Marshal and Nancy Mitchell located at 3830 and 3884 South Old Missouri Road, from A-1 to C-2; and declaring an emergency. Tract 1 contains 4.57 acres more or less. Tract 2 contains one acre more or less.

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.

The vote:

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

No: None

The Ordinance was numbered 5906.

RESOLUTION NO. 174-23 – APPROVING A WAIVER (W23-26) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO STEVE AND MARY UPSHAW IN CONNECTION WITH 2205 N. 48TH STREET, A SINGLE FAMILY DWELLING

Planning Director Patsy Christie presented a Resolution approving a waiver (W23-26) of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to Steve and Mary Upshaw in connection with 2205 N. 48th Street, a single family dwelling.

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

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER (W23-26) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO STEVE AND MARY UPSHAW IN CONNECTION WITH 2205 N. 48TH STREET, A SINGLE FAMILY DWELLING

WHEREAS, Ordinance #3047 provides for the waiver (W23-26) 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 (W23-26) of street improvements to 2205 N. 48th Street including drainage improvements related thereto, sidewalks in connection with 2205 N. 48th Street, 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 2205 N. 48th Street including drainage improvements related thereto, sidewalks in connection with 2205 N. 48th Street, a single family dwelling.

PASSED AND APPROVED THIS ____ DAY OF NOVEMBER, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

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

No: None

The Resolution was numbered 174-23.

ORDINANCE NO. 5907 – SETTING SALARIES OF THE ELECTED OFFICIALS AND PLANNING COMMISSION MEMBERS OF THE CITY OF SPRINGDALE, ARKANSAS; REPEALING ORDINANCE NO. 5783

Mayor Doug Sprouse presented an Ordinance setting salaries of the elected officials and Planning Commission members of the City of Springdale, Arkansas; repealing Ordinance No. 5783.

The proposed 2024 budget of the City of Springdale, Arkansas, includes increases in compensation for elected officials. Effective January 1, 2024, the annual compensation for Springdale elected officials and Planning Commission members shall be as shown below:

City Council Members	\$	13,229.00
Planning Commission Members	\$	5,291.56
Mayor	\$	162,646.00
City Clerk/Treasurer	\$	113,944.00
City Attorney	\$	149,006.00

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 5907.

RESOLUTION 175-23 – APPROVING THE CITY OF SPRINGDALE, ARKANSAS,
BUDGET FOR THE YEAR 2024

Mayor Doug Sprouse presented a Resolution approving the City of Springdale, Arkansas, Budget for the Year 2024.

RESOLUTION NO. ____

**A RESOLUTION APPROVING THE CITY OF SPRINGDALE,
ARKANSAS, BUDGET FOR THE YEAR 2024.**

WHEREAS, the Mayor of the City of Springdale, Arkansas, has presented a budget for the calendar year 2024 to the City Council for the City of Springdale, Arkansas, as required by Ark. Code Ann. §14-58-201; and

WHEREAS, the Mayor’s proposed budget includes salary increases for City employees;

WHEREAS, the Finance Committee of the Springdale City Council held budget work sessions to review, study, discuss, and adjust the 2024 budget proposed by the Mayor and has requested this resolution be placed on the City Council agenda;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the 2024 Mayor’s budget, the salary increases included therein, the changes in authorized positions included therein, and any changes made by the Finance Committee, are hereby passed and approved with the compensation increases to be effective January 1, 2024.

PASSED AND APPROVED this ____ day of November, 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 Lawson made the second.

The vote:

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

No None

The Resolution was numbered 175-23.

RESOLUTION NO. 176-23 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE CITY OF LOWELL, ARKANSAS, FOR OVERLAY IMPROVEMENTS TO APPLE BLOSSOM AVENUE; AND TO WAIVE COMPETITIVE BIDDING

Council Member Amelia Williams presented a Resolution authorizing the Mayor and City Clerk to enter into an agreement with the City of Lowell, Arkansas, for overlay improvements to Apple Blossom Avenue; and to waive competitive bidding.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE CITY OF LOWELL, ARKANSAS, FOR OVERLAY IMPROVEMENTS TO APPLE BLOSSOM AVENUE; AND TO WAIVE COMPETITIVE BIDDING

WHEREAS, Apple Blossom Avenue is a major collector street, and is a main east-west traffic corridor which is bounded generally by the City of Lowell on the north and the City of Springdale on the south;

WHEREAS, the City of Lowell is planning an overlay project for a portion of Apple Blossom Avenue;

WHEREAS, the City of Lowell has selected Grant Garrett Excavating, Inc., to perform the Apple Blossom Avenue overlay project in the amount of \$273,233.83;

WHEREAS, given the mutual benefit derived from the project, it is the desire of the City of Springdale and Lowell to enter into an Agreement, whereby Lowell will undertake the overlay project, and Springdale will reimburse Lowell for one-half of the costs associated with the overlay project.

WHEREAS, Ark. Code Ann. §14-58-303 states that “[t]he 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 OF THE CITY OF SPRINGDALE, ARKANSAS:

Section 1: That the Mayor and City Clerk are hereby authorized to execute an Agreement with the City of Lowell, Arkansas, whereby the City of Springdale will reimbursement the City of Lowell for one-half of the project costs associated with the Apple Blossom Avenue overlay project.

Section 2: Due to the costs related to such improvements being made by the City of Lowell, and other exceptional circumstances involved, competitive bidding is not feasible or practical and is hereby waived for the improvements to Apple Blossom Avenue as set forth in the Agreement, and that payment for costs associated with the Apple Blossom Avenue overlay project be paid from the Street Fund, in an amount not to exceed \$136,616.92.

PASSED AND APPROVED this ____ day of November, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

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

The vote:

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

No None

The Resolution was numbered 176-23.

RESOLUTION NO. 177-23 – 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 (SPRING CREEK AVENUE, SOUTH OF ELECTRIC AVENUE)

City Attorney Ernest Cate presented 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.

Water Utilities Engineer Rick Pulvirenti explained the Water and Sewer Commission is planning on building a 1½ million-gallon underground storage reservoir for sanitary flows in the Spring Creek Avenue area, south of Electric Avenue. This will help alleviate the sewer situation we have in the southeast quadrant allowing for development to occur.

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 property located on Electric Avenue, being Lot 164, Spring Creek Estates, Phase 2A, City of Springdale, Washington County, Arkansas, and also known as Parcel No. 815-36943-000, Washington County, Arkansas ("the Property");

WHEREAS, the Springdale Water and Sewer Commission is in need of a water/sewer easements across the Property for water/sewer improvements, as shown on the map attached to 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 Property, 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 Property to the Springdale Water and Sewer Commission.

PASSED AND APPROVED this ____ day of November, 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 Powell made the second.

The vote:

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

No None

The Resolution was numbered 177-23.

RESOLUTION NO. 178-23 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR CONSULTANT SERVICES WITH H3 STUDIO FOR AN ELABORATION TO THE DOWNTOWN MASTER PLAN – SOUTHEAST DEVELOPMENT MASTER PLAN AND DOWNTOWN PARKING STUDY

Planning Director Patsy Christie presented a Resolution authorizing the Mayor and City Clerk to enter into a contract in an amount not to exceed \$150,000 for consultant services with H3 Studio for an elaboration to the Downtown Master Plan – Southeast Development Master Plan and Downtown Parking Study.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR CONSULTANT SERVICES WITH H3 STUDIO FOR AN ELABORATION TO THE DOWNTOWN MASTER PLAN-SOUTHEAST DEVELOPMENT MASTER PLAN AND DOWNTOWN PARKING STUDY

WHEREAS, in December 2022, the updated Downtown Springdale Master Plan was adopted to serve as the City's official guide for future development of the downtown area; and

WHEREAS, the updated Plan highlighted the implementation of the plan that had occurred and to build on the strength of those enhanced assets with the goal to continue planning for a complete community that is vibrant, sustainable, built on social capital with equitable opportunities for all citizens while leveraging public investment to attract developers and clear the path for additional private investments; and

WHEREAS, the Southeast Downtown Development Master Plan and Downtown Parking Study is an elaboration of the 2022 Downtown Springdale Master Plan Update and will provide more detailed guidance to the City of Springdale as well as individual property owners and stakeholders to direct and facilitate both public and private investment in Downtown; and

WHEREAS, H3 Studio, Inc, with their outstanding past performance, historical knowledge and perspective on downtown Springdale has been selected to continue their work with the Southeast Downtown Development Master Plan and Downtown Parking Study

NOW, THEREFORE, BE IT RESOLVED BY THE SPRINGDALE CITY COUNCIL, that the Mayor and City Clerk are hereby authorized to enter into an agreement, a copy of which is attached and made a part of this resolution as if set forth word or word, with H3 Studio for the Southeast Downtown Development Master Plan and Downtown Parking Study in an amount not to exceed \$150,000.

PASSED AND APPROVED this ____ day of November, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No None

The Resolution was numbered 178-23.

RESOLUTION NO. 179-23 – AUTHORIZING THE EXECUTION OF A CONTRACT FOR A DRAINAGE PROJECT ON WILKINSON LANE, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS; TO WAIVE COMPETITIVE BIDDING AND FOR OTHER PURPOSES

Council Member Amelia Williams presented a Resolution authorizing the execution of a contract for a drainage project on Wilkinson Lane, Springdale, Washington County, Arkansas; to waive competitive bidding and for other purposes.

City Engineer Ben Peters explained the City has obtained an Order of Possession by way of eminent domain for the portion of the building on Wilkinson Lane to be removed to determine the extent of the damage to the collapsed drainage structure and the necessary repairs needing to be made. Quotes were received for the cost of removing that portion of the building. The city will enter into an agreement with Redline Contractors in an amount not to exceed \$43,017.00, to be paid from the Unrestricted General Fund for the removal.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR A DRAINAGE PROJECT ON WILKINSON LANE, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS; TO WAIVE COMPETITIVE BIDDING, AND FOR OTHER PURPOSES.

WHEREAS, it has been discovered that an underground drainage structure located on Washington County Parcel No. 815-28145-000 (“the Property”) has collapsed;

WHEREAS, the City wishes to make necessary repairs to the drainage structure, as the collapsed drainage structure is not allowing stormwater to adequately flow through the drainage channel;

WHEREAS, a portion of the building located on the Property needs to be removed to determine the extent of the damage to the collapsed drainage structure, and to determine the scope of the repairs needed to make the necessary repairs to the drainage structure;

WHEREAS, the City has obtained an Order of Possession by way of eminent domain for the portion of the building to be removed to determine the extent of the damage to the collapsed drainage structure, and to determine the scope of the repairs needed to make the necessary repairs to the drainage structure; and

WHEREAS, the City of Springdale has solicited quotes for the costs associated with the removal the portion of the building to be removed to determine the extent of the damage to the

collapsed drainage structure, and to determine the scope of the repairs needed to make the necessary repairs to the drainage structure; and

WHEREAS, the City wishes to accept the quote from Redline Contractors, in the amount of \$43,017.00 for this project, and wishes to waive competitive bidding, due to the unique nature of this project, and because time is of the essence is commencing this project.

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 Redline Contractors for the costs associated with the removal the portion of the building to be removed to determine the extent of the damage to the collapsed drainage structure, and to determine the scope of the repairs needed to make the necessary repairs to the drainage structure, in an amount not to exceed \$43,017.00, to be paid from the Unrestricted General Fund.

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 November, 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, Williams, Overton, Lawson, Bailey, Harriman, Fougrousse

No Watson

The Resolution was numbered 179-23.

RESOLUTION NO. 180-23 – ACCEPTING A HIRING PROGRAM GRANT FROM COMMUNITY ORIENTED POLICING SERVICES (COPS) FOR THE SPRINGDALE POLICE DEPARTMENT

Council Member Brian Powell presented a Resolution accepting a 2023 Hiring Program grant from Community Oriented Policing Services (COPS) for the Springdale Police Department in the amount of \$1,000,000 to add eight (8) new additional officers. This will not be applied until the 2025 City of Springdale Budget.

RESOLUTION NO. ____

A RESOLUTION ACCEPTING A HIRING PROGRAM GRANT FROM COMMUNITY ORIENTED POLICING SERVICES (COPS) FOR THE SPRINGDALE POLICE DEPARTMENT

WHEREAS, the Springdale Police Department was awarded a grant from the Community Oriented Policing Services (COPS) 2023 Hiring Program in the amount of \$1,000,000 to add eight (8) new additional officers, and

WHEREAS, the grant will pay for approximately 49% of the salary and benefits for the eight officers over the course of 3 years, and

WHEREAS, the eight new officers will be applied to the 2025 Budget for the City of Springdale, Arkansas.

WHEREAS, the Springdale Police Department is seeking the City Council's approval to accept the grant, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to accept and sign the grant agreement for a grant from the Community Oriented Policing Services (COPS) 2023 Hiring Program to add eight (8) additional officers, which will be applied to the 2025 Budget for the City of Springdale.

PASSED AND APPROVED this ____ day of November, 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 Lawson made the second.

The vote:

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

No None

The Resolution was numbered 180-23.

RESOLUTION NO. 181-23 – SETTING A HEARING DATE ON A PETITION BY SPRINGDALE SCHOOL DISTRICT #50 TO ABANDON A PORTION OF A UTILITY EASEMENT IN THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS

City Attorney Ernest Cate presented a Resolution setting a hearing date for January 9, 2024 on a petition by Springdale School District #50 to abandon a portion of a utility easement at 2878 S. Powell Street in the City of Springdale, Washington County, Arkansas.

RESOLUTION NO. ____

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

WHEREAS, Springdale School District #50, has petitioned for the abandonment of a portion of a utility easement on Parcel No. 815-29300-011, as shown on an Easement filed at Book 1448, Page 087 in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and said portion to be vacated being more particularly described as follows, and as shown on the attached Exhibit "A":

LEGAL DESCRIPTION OF EASEMENT AREA TO BE VACATED:

A PART OF THE NORTHWEST (NW1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWELVE (12) T-17-N R-30-W BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN FOR THE NW CORNER OF SAID NW 1/4 OF THE SE 1/4 AND RUN THENCE S00°01'31"W 85.00 FEET; THENCE N89°47'07"E 529.44 FEET TO THE POINT OF BEGINNING; THENCE N89°47'07"E 15.00 FEET; THENCE S00°12'53"W 104.30 FEET; THENCE S89°47'07"W 15.00 FEET; THENCE N00°12'53"E 104.30 FEET TO THE POINT OF BEGINNING. CONTAINING .036 ACRES MORE OR LESS, IN THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.

Tax Parcel No.: 815-29300-011

Address: 2878 S. Powell St.

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that January 9, 2024, at 6:00 p.m. is set as the date and time for the City Council to hear the petition; that the City Clerk shall give notice of the date and time of said hearing as required by law.

PASSED AND APPROVED this ____ day of November, 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 Williams made the second.

The vote:

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

No: None

The Resolution was numbered 181-23.

PROPOSED ORDINANCE AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR OVERGROWN BRUSH AND DEBRIS AT 300 S. WEST END STREET

Council Member Watson made the motion to table this ordinance until the December 12, 2023 City Council meeting at the request of City Attorney Ernest Cate. Council Member Overton made the second.

The vote:

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

No: None

CITY HALL OPEN HOUSE

Mayor Sprouse invited everyone to come to the new City Administration Building for an open house that will be held in conjunction with the Downtown Springdale Association Cocoa Crawl this Friday, December 1, 2023 from 5-8 p.m.

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 6:34 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer