

## AMENDED

CITY OF SPRINGDALE  
Committee Agendas  
Monday, July 6th, 2015  
Multipurpose Room #236  
City Administration Building  
Meetings begin at 5:30 p.m.

### Ordinance Committee by Chairman Mike Overton:

1. **An Ordinance** amending Chapter 114-56(a) and 114-57(b) of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes (regarding box trucks). Presented by: Chairman Mike Overton.
2. **An Ordinance** amending section 114-58 of the Code of Ordinances of the City of Springdale, Arkansas; and for other purposes (the parking of vehicles in the street of residential areas). Presented by: Ernest Cate, City Attorney
3. **An Ordinance** amending Chapter 94 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes (regarding the disposition of pawned property). Presented by: Ernest Cate, City Attorney.
4. **An Ordinance** amending Chapter 34 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes (procedure for the filing of referendum petitions.) Presented by: Ernest Cate, City Attorney.

### Health, Sanitation, and Property Maintenance by Chairman: Jim Reed

5. **A Discussion and Presentation** on water rate increase. Presented by: Heath Ward, Executive Director of Springdale Water Department
6. **An Ordinance** ordering the razing (demolition) and removal of a certain residential structure within the City of Springdale, Arkansas, located at 512 Caudle Ave; to declare an emergency; and for other purposes. Presented by: Ernest Cate, City Attorney

### Police & Fire Committee by Chairman Rick Culver

7. **An Ordinance** to waive competitive bidding for purchase of mobile data terminals for the Police Department. Presented by: Mike Peters, Interim Chief of Police

### Finance Committee by Chairman Eric Ford:

8. **A Resolution** authorizing a change in the authorized staff of the Fire Department. Presented by: Mike Irwin, Fire Chief.
9. **A Resolution** amending the 2015 budget of the City of Springdale Fire Department. Presented by: Wyman Morgan, Director of Administration and Finance.

### Committee of the Whole:

10. **A Resolution** regarding the transfer of certain real estate from the City of Springdale to the Springdale Water and Sewer Commission; Authorizing the Mayor and City Clerk to execute all necessary documents and otherwise to act in furtherance of this transfer. Presented by: Ernest Cate, City Attorney

### Street & CIP Committee by Chairman Rick Evans:

11. **A Discussion** regarding Paradise Lane. Presented by: Ernest Cate, City Attorney
12. **A Discussion** on street bonds. Presented by: Mayor Doug Sprouse.

### Parks and Recreation Committee by Chairman Mike Lawson:

13. **An Ordinance** to waive competitive bidding for trash compactors for City Parks. Presented by: Wyman Morgan, Director of Administration and Finance.

That which is underlined is added.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 114-56(a) and 114-57(b) OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Chapter 114-56(a) of the Code of Ordinances of the City of Springdale, Arkansas, provides that commercial vehicles shall not be parked or stored on certain properties in the City of Springdale;

**WHEREAS**, Chapter 114-57(b) contains the definition of "commercial vehicle", which needs to be update to include "box trucks";

**WHEREAS**, it is in the best interests of the citizens of the City of Springdale, Arkansas, that Sections 114-56(a) and 114-57(b) of the Code of Ordinances of the City of Springdale, Arkansas, be amended to include box trucks within the definition of commercial vehicle.

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

**Section 1:** Section 114-56(a) of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

(a) *Commercial vehicle.* No commercial vehicle (as defined in section 114-578) shall be parked or stored in any residentially zoned district of the city, or in any platted subdivision zoned agricultural on lots less than one acre in size, as shown on the official zoning map, and shall not be parked or stored in the street right-of-way.

**Section 2:** Section 114-57(b) of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

(b) For purposes of sections 114-56, 114-57, and 114-58, ~~and 114-59~~ the following definitions shall apply:

*All-terrain vehicle* shall mean every three-wheeled, four-wheeled, or six-wheeled vehicle 75 inches or less in width, equipped with low pressure tires designed primarily for off-road recreational use, and having an engine displacement of no more than 1,000 cubic centimeters. The term "all-terrain vehicle" shall not include any golf cart, riding lawnmower, or lawn or garden tractor.

*Boat* shall mean all types of watercraft, whether registered, unregistered, licensed or unlicensed. The term boat shall include any wheeled trailer or other device on which such boat is or may be kept, stored, or transported, whether registered or unregistered, licensed or unlicensed.

*Commercial vehicle* means a vehicle that has any of the following characteristics: (1) has a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating of 20,001 pounds or more or (2) backhoes, bulldozers or other wheeled or tracked vehicles used in construction or (3) regardless of weight, is used in the transportation of waste or hazardous or noxious materials such as but not limited to a garbage truck, pump-out truck, chemical truck, gasoline truck or fuel oil truck, or (4) a "box truck", which includes any truck with a cuboid-shaped fully enclosed cargo area. However, commercial vehicle does not include a recreational vehicle as defined herein.

*Front yard area* shall mean the area between the plane of the front elevation of the main portion of a dwelling unit extending to the side property lines and the front property line abutting the street, including the driveway.

That which is underlined is added.

*Motor vehicle* means a self-propelled device that is required under the laws of the State of Arkansas to be licensed in order to be operated upon the public roadways, but does not include recreational vehicles as defined herein.

*Park, when prohibited*, means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of or actually engaged in loading or unloading.

*Paved* shall mean a surface paved or covered with a constructed surface of concrete, asphalt, or similar materials, but excluding debris, to establish a permanent surface for the parking storage, or placement of any boat, recreational vehicle, or utility trailer.

*Recreational vehicle* shall mean any unit primarily designed as a living quarters for recreation, camping, or travel use which either contains its own motive power as in the case of, but not limited to, motor homes, motor coaches, mini-motor homes, or recreational vans or is permanently mounted on a vehicle such as a truck camper or pickup camper.

*Residential lot* shall mean a parcel of land located in a residentially zoned district, as established on the official zoning map, of at least sufficient size to meet minimum requirements of the district in which it is located. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- (1) A single lot of record.
- (2) A portion of a lot or record.
- (3) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.
- (4) A parcel of land described by metes and bounds.

*Store* shall mean to place for the purpose of preserving, protecting and securing it for a period in excess of 24 hours.

*Trailer* shall mean, but is not limited to, any vehicle designed or utilized for the transportation of a boat, automobile, snowmobile, livestock, cargo or similar items or as living quarters for recreation, camping or travel use as in the case of a travel, tent, camp, popup or 5th wheel trailer, which do not have motive power of its own, but is designed to be drawn by vehicle.

*Utility trailer* shall mean a vehicular structure or device with or without its own motive power, licensed or unlicensed, designed and/or used for the transportation of goods or materials.

**Section 2:** All other provisions of Chapter 114-56 and 114-57 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically modified herein shall remain in full force and effect.

**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 effective immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 114-58 OF THE  
CODE OF ORDINANCES OF THE CITY OF SPRINGDALE,  
ARKANSAS; AND FOR OTHER PURPOSES.**

**WHEREAS**, it has come to the attention of the City Council for the City of Springdale, Arkansas, that Section 114-58 of the Code of Ordinances of the City of Springdale, Arkansas, needs to be amended and clarified as to the parking of vehicles in the street in residential areas of the City of Springdale, Arkansas;

**WHEREAS**, it is in the best interests of the citizens of the City of Springdale, Arkansas, that Section 114-58 of the Code of Ordinances of the City of Springdale, Arkansas, be amended to clarify the issue of parking in the street within the City of Springdale, Arkansas.

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

**Section 1:** Section 114-58 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

**Sec. 114-58. Street parking and emergency access routes.**

- (a) Except as authorized in section 114-53 and section 114-57, no motor vehicles shall be parked or stored:
- (1) On the side of any street which is designated on the master street plan (section 90-51) and built to the standard of a freeway, minor collector, major collector, or principal arterial street, or upon review and recommendation of the Traffic Committee upon submission to the City Council.
  - (2) On the side of any street designated as an emergency access route, and on which a sign has been placed stating "Emergency Access Route: No Parking this Side of Street."
  - (3) On the side(s) of any street which has a designated bicycle lane.
- (b) The city council hereby authorizes and empowers the fire department, police department, and street department to work jointly in such manner as they see fit to designate and make certain city streets as emergency access routes; to purchase or have constructed signs or signals to mark such emergency access routes, and to change or modify such routes or markings as they deem necessary or desirable; and to evaluate the feasibility of parking on the street.
- (c) Street parking in residential areas, where otherwise allowed, shall be limited to parking adjacent to property owned or occupied by the operator of the vehicle, or with permission of the owner or occupant of the property. Provided, however, that this limitation shall not apply to the parking of vehicles for temporary events (such as garage sales or parties) for a period not to exceed three (3) hours.

**Section 2:** All other provisions of Chapter 114 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically modified herein shall remain in full force and effect.

That which is underlined is added, that which is stricken through is deleted.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Pearce, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ernest B. Cate, City Attorney

That which is underlined is added and that which is stricken through is deleted.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 94 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 94-43 of the Code of Ordinances of the City of Springdale, Arkansas, provides a procedure regarding the disposition of pawned property;

**WHEREAS**, Act 1242 of 2015 amended Ark. Code Ann. §18-27-204, regarding the disposition of pawned property;

**WHEREAS**, it is in the best interest of the City of Springdale, Arkansas, to amend Section 94-43 of the Code of Ordinances of the City of Springdale, Arkansas, to be consistent with the change in state law;

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

**Section 1:** Section 94-43 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

**Sec. 94-43. - Removal of property.**

Except for redemption by the person who placed the property in pawn, or when returned to the rightful owner of the personal property, No property bought or received in pawn shall be sold, leased or otherwise removed from the pawnbroker or dealer's place of business, ~~except for redemption by the person who placed the property in pawn,~~ for a period of seven days after the record of acquisition as required in this article has been delivered to the chief of police or his/her designee.

**Section 2:** All other provisions of Chapter 94 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

**Section 3: Emergency Clause:** It is hereby declared that an emergency exists and that this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, become effective immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Pearce, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ernest B. Cate, City Attorney

That which is underlined is added and that which is stricken through is deleted.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 34-2 of the Code of Ordinances of the City of Springdale, Arkansas, provides the procedure for the filing of referendum petitions;

**WHEREAS**, Act 1093 of 2015 created a new statute, to be codified at Ark. Code Ann. §14-55-303, to extend the time period for the filing of a municipal referendum petition;

**WHEREAS**, it is in the best interest of the City of Springdale, Arkansas, to amend Section 34-2 of the Code of Ordinances of the City of Springdale, Arkansas, to be consistent with the change in state law;

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

**Section 1:** Section 34-2 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

**Sec. 34-2. - Referendum petitions.**

- (a) *Filed with city clerk.* All referendum petitions under amendment no. 7 to the constitution of the state shall be filed with the city clerk within ~~30~~ 60 days after the passage of such ordinance.
- (b) *Publication of notice.* Whenever a referendum petition is filed the city council shall give notice by publication for one insertion of a time not less than five days after the publication of the notice at which it shall hear all persons who wish to be heard on the question whether the petition is signed by the requisite number of petitioners. At the time named, the city council shall meet and hear all who wish to be heard on the question, and its decision shall be final, unless suit is brought in the chancery court of the county within 30 days to review its action.
- (c) *Special election.* If the city council finds that the petition is signed by the requisite number of petitioners, it shall order a special election to determine by a vote of the qualified electors whether the ordinance shall stand or be revoked. The date for such election shall be not less than ten days after the order therefor has been made by the council, and such election shall be had and conducted as a general municipal election held in the city.
- (d) *Defeated petitions.* If an ordinance referred to the people is defeated at the polls, the city council shall make note of the fact and shall expunge the ordinance from its files by erasing same with red ink.

**Section 2:** All other provisions of Chapter 34 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

**Section 3: Emergency Clause:** It is hereby declared that an emergency exists and that this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, become effective immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Pearce, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ernest B. Cate, City Attorney

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO WAIVE COMPETITIVE  
BIDDING FOR PURCHASE OF MOBILE DATA  
TERMINALS FOR THE POLICE DEPARTMENT**

**WHEREAS**, the Police department is in need of replacing ten (10) mobile data terminals and related equipment, and

**WHEREAS**, it is important to assure compatibility with existing equipment and programs by purchasing same brand and type of equipment, and

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

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

**Section 1.** This Council finds that due to the need for compatibility with existing equipment competitive bidding is not feasible and is hereby waived for the purchase of ten (10) mobile data terminals from Telrepc with the purchase price not to exceed \$24,017 plus sales tax.

**Section 2. Emergency Clause.** Due to the time required for delivery and installation it is hereby declared that an emergency exists, and this ordinance being necessary for the immediate preservation of the health, safety, and welfare of the citizens of Springdale, Arkansas, shall be effective immediately upon passage and approval.

**PASSED AND APPROVED** this 14<sup>th</sup> day of July, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Ernest B. Cate, City Attorney

**Telreco**  
*Fast Response Forward Thinking*  
 101 North Plains Industrial Road  
 P.O. Box 780  
 Wallingford, CT 06492  
 (203) 284-0566 1-800-537-0509  
 FAX (203) 294-0835



<b>QUOTE</b>	Q0014042
<b>PAGE</b>	1
<b>DATE</b>	04/24/2015

**10677**  
 City of Springdale  
 Attn: Austin Favorite  
 201 Spring Street  
 Springdale, AR 72764-

**Quotation Provided By:**

Justin Ruotolo  
 Executive Sales Account Manager  
 (203) 284-5276 Phone  
 (203) 294-6051 Fax  
 jruotolo@telreco.com

REFERENCE # 10 CF-31 Mk1

Item	Description	Quantity	Price	Extension
CF-31AQ Mk-1	i5-520M 2.4GHZ, 160GB HD/4GB 13.3"TCH/WIFI/GOBI/WIN 7 Pro (WIN 7 COA)/MULTI/DUAL PASS (UPPER: WWAN/LOWER:WLAN) Note: Fully refurbished / Grade A / Like New Includes: 4GB Memory / 160GB Hard Drive / WIN 7 PRO 3 year Telreco warranty	10 EA	1995.00 EA	19,950.00
GOBI Wireless	Verizion Specific modem	10 EA	125.00 EA	1,250.00
WIN7PRO-R	MS Windows 7 Pro Refurb PC's SP1 32bit English DSP OEI CD	10 EA	0.00 EA	0.00
CF-WMBA902G	Memory 2gb DDR3 SODIMM Panasonic CF-31A Note: INSTALLED: To equal 4GB total per unit	10 EA	0.00 EA	0.00
CF-WKB3138M	KEYBOARD BACKLIT EMISSIVE FOR CF-31 Note: NEW / INSTALLED	10 EA	275.00 EA	2,750.00
WAR 3 YEAR	WARRANTY 3 YEAR TELREPCO MAIL IN DEPOT	10 EA	0.00 EA	0.00

PAYMENT TERMS			
To be Advised			
<b>SUBTOTAL</b>	<b>ADD ON CHARGE</b>	<b>TAX</b>	<b>TOTAL</b>
			CONTINUED

**Telreco**  
*Fast Response Forward Thinking*  
 101 North Plains Industrial Road  
 P.O. Box 780  
 Wallingford, CT 06492  
 (203) 284-0566 1-800-537-0509  
 FAX (203) 294-0835



<b>QUOTE</b>	Q0014042
<b>PAGE</b>	2
<b>DATE</b>	04/24/2015

**10677**  
 City of Springdale  
 Attn: Austin Favorite  
 201 Spring Street  
 Springdale, AR 72764-

**Quotation Provided By:**

Justin Ruotolo  
 Executive Sales Account Manager  
 (203) 284-5276 Phone  
 (203) 294-6051 Fax  
 jruotolo@telreco.com

**REFERENCE # 10 CF-31 Mk1**

Item	Description	Quantity	Price	Extension
	Additional Charges:			
	Freight-Out			67.00
	QUOTED BY: jar24			
	QUOTED TO: Austin Favorite			
	EXPIRES: 05/24/2015			

<b>PAYMENT TERMS</b>			
To be Advised			
SUBTOTAL	ADD ON CHARGE	TAX	TOTAL
23,950.00	67.00	0.00	24,017.00

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING A CHANGE IN THE  
AUTHORIZED STAFF OF THE FIRE DEPARTMENT**

**WHEREAS**, the Fire Department is currently authorized twenty-four (24) Captains, and

**WHEREAS**, the Fire Chief has demonstrated a need to add an additional Captain to perform the duties of an accreditation manager, and

**WHEREAS**, the Fire Chief believes that the accreditation process will provide a means of measuring current progress while incorporating solutions to identified problems resulting in a continuous improvement process that ensures quality programs and services;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the authorized staff of the Fire Department is hereby amended by adding one (1) Captain's position.

**PASSED AND APPROVED** this 14<sup>th</sup> day of July, 2015.

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Doug Sprouse, Mayor

ATTEST:

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Denise Pearce, City Clerk

APPROVED AS TO FORM:

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Ernest B. Cate, City Attorney

Post Office Box 1521  
417 Holcomb Street  
Springdale, AR 72765-1521  
Phone (479) 751-4510  
Fax (479) 750-8104

# Springdale Fire Department

## Memorandum

**To:** Mayor Doug Sprouse  
**CC:** Wyman Morgan  
**From:** Mike Irwin, Fire Chief  
**Date:** June 23, 2015  
**Re:** Additional captain position

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I am requesting adding an additional captain position to the Springdale Fire Department to allow for the department to assign an accreditation manager to days to help complete our accreditation of the department. I have a captain who is willing to take on this role, and we anticipate that this will take the department a total time of 18 to 24 months. It is a known fact that having someone dedicated as the accreditation manager to work the 8-5, Monday-Friday slot allows a much more consistent operation in achieving accreditation. It is no secret that I want to assign someone from shift to fill that role and right now we have a captain who is willing to accept that position.

The accreditation (self-assessment) process evaluates current department performance with nationally recognized standards and practices. From this self-assessment, Springdale Fire\*Rescue\*EMS can answer three organizational questions critical to success:

1. Is the organization effective?
2. Are the goals, objectives, and mission of the organization being achieved?
3. What are the reasons for the success of the organization?



The Springdale Fire Department exists to enhance the quality of life in Springdale by minimizing the devastating effects of fires, medical emergencies, and natural and artificial disasters.

Post Office Box 1521  
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Springdale, AR 72765-1521  
Phone (479) 751-4510  
Fax (479) 750-8104

# Springdale Fire Department

## Memorandum

From this understanding, the department is provided with a means of measuring current progress while incorporating solutions to identified problems resulting in a continuous improvement process that ensures the delivery of quality programs and services.

The Self-Assessment Manual represents Springdale Fire\*Rescue\*EMS efforts at providing factual support that the department is meeting industry best practices and standards. Contained within this manual are ten (10) categories upon which the department is evaluated. These categories represent every aspect of department operations or aspects that affect department performance. With the 10 categories, there are 43 criteria with 258 individual performance indicators. Of the 258 indicators, 82 are considered "core competencies." All core competencies must be successfully met to be considered for accreditation.

We are also learning that with the new components of the Affordable Health Care now rolling out, our need for a Compliance Officer is going to become more and more critical. While we feel this is something that will be needed soon, we expect that the request for the additional captain position will allow us to have the Accreditation Manager/ Compliance Officer roll into one full-time position after achieving accreditation. It is more and more evident that we will in fact need to have very stringent oversight on all EMS reports in order to gain payment and to also begin the process of documenting our "pay for performance" role that is being instituted by the new procedures.

This will be for a minimum time of 2 years, with the expectation that we move this to an additional position within the department. The cost of this proposal would not add any additional funding requests to the budget for 2015 as we anticipate we will have enough money to cover the added expense.



The Springdale Fire Department exists to enhance the quality of life in Springdale by minimizing the devastating effects of fires, medical emergencies, and natural and artificial disasters.

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417 Holcomb Street  
Springdale, AR 72765-1521  
Phone (479) 751-4510  
Fax (479) 750-8104

# Springdale Fire Department

## Memorandum

Thank you for your consideration and thought into this proposal and I will be happy to present this to the Fire and Police Committee if you feel this is an appropriate request. Again, thank you!

Mike Irwin

Chief

Springdale Fire Dept.



The Springdale Fire Department exists to enhance the quality of life in Springdale by minimizing the devastating effects of fires, medical emergencies, and natural and artificial disasters.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AMENDING THE 2015  
BUDGET OF THE CITY OF SPRINGDALE FIRE  
DEPARTMENT**

**WHEREAS**, the Fire Department has received insurance proceeds for damages to a vehicle; and

**WHEREAS**, the Fire Chief has requested that these funds be appropriated for the repair of the vehicle;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the 2015 budget of the City of Springdale Fire Department is hereby amended as follows:**

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Proposed Budget</u>
Fire Revenue	10106013970000	Insurance Recoveries	0	68,438		68,438
Fire	10106014225111	Maint. Vehicles	150,000	68,438		218,438

**PASSED AND APPROVED** this 14<sup>th</sup> day of July, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN RESIDENTIAL STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 512 CAUDLE AVE.; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.**

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

Lot 23, Block 1, H.C. Waggoner Addition, Springdale, Washington County, Arkansas as shown on plat records 1 at page 164 and 4 at page 150.

Commonly known as 512 Caudle Ave., Springdale, Washington County, Arkansas  
Tax Parcel No. 815-26173-000

**WHEREAS**, the structure on the property is unfit for human habitation, constitutes a fire hazard, otherwise is dangerous to human life, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, and further is unsightly, and is considered an unsafe and unsightly structure in violation of Springdale City Ordinances (§22-32 and §91-37, *et seq.*);

**WHEREAS**, the owner has been notified by the City of Springdale prior to the consideration of this ordinance, that the structure on the property is in violation of various ordinances of the City of Springdale, as well as the Property Maintenance Code of the City of Springdale;

**WHEREAS**, pursuant to Chapter 22-32 of the Ordinances of the City of Springdale, the owner was given thirty (30) days to purchase a building permit and to commence repairs on the property, or to demolish and remove the building from the property;

**WHEREAS**, the owner has failed, neglected, or refused to comply with the notice to repair, rehabilitate or to demolish and remove the building, and as such, the matter of removing the building may be referred to the City Council pursuant to Chapter 22 and Chapter 91 of the Ordinances of the City of Springdale;

**WHEREAS**, under Ark. Code Ann. § 14-56-203 and pursuant to Chapter 22 and Chapter 91 of the Springdale Code of Ordinances, if repair or removal is not done within the required time, the structure is to be razed (demolished) and/or removed;

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

**Section 1.** That the structure located at 512 Caudle Ave., Springdale, Arkansas, is dilapidated, unsightly, and unsafe; and it is in the best interests of the City of Springdale to proceed with the removal of this dilapidated, unsightly, and unsafe structure.

**Section 2.** That the owner is hereby ordered to raze (demolish) and remove the dilapidated, unsightly and unsafe structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be commenced within ten (10) days and shall be completed within thirty (30) days from the passage of this ordinance. The manner of razing (demolishing) and removing said structure shall be to dismantle by hand or bulldoze and then dispose of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner consistent with the Property Maintenance Code, and all other state laws and regulations pertaining to the demolition or removal of residential structures.

**Section 3.** If the aforesaid work is not commenced within ten (10) days or completed within thirty (30) days, the Mayor, or the Mayor's authorized representative, is hereby directed to cause the aforesaid structure to be razed (demolished) and removed and the unsafe, unsanitary and unsightly conditions abated; and, the City of Springdale shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing said structure and abating said aforementioned conditions, said costs to be determined at a hearing before the City Council.

**Section 4. EMERGENCY CLAUSE:** The City Council hereby determines that the aforesaid unsafe structure constitutes a continuing detriment to the public safety and welfare and is therefore a nuisance, and determines that unless the provisions of this ordinance are put into effect immediately, the public health, safety and welfare of the citizens of Springdale will be adversely affected. Therefore, an emergency is hereby declared to exist and this ordinance begin necessary for the public health, safety and welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Doug Sprouse, MAYOR

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY



*Office Of The City Attorney*

201 Spring Street  
Springdale, Arkansas 72764  
Phone (479) 756-5900  
Fax (479) 750-4732  
www.springdalear.gov  
Writer's Email:

sspartoan@springdalear.gov

May 13, 2015

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

*Ernest B. Cate  
City Attorney*

*Taylor Samples  
Senior Deputy  
City Attorney*

*Sarah Sparleman  
Deputy City Attorney*

*David D. Phillips  
Deputy City Attorney*

*Lynda Belvedere  
Case Coordinator/  
Victim Advocate*

*Steve Helms  
Investigator*

*Cindy Horlick  
Administrative Legal  
Assistant/Paralegal*

Steven Guirl and Connie Guirl  
3352 Corsica Terrace  
Springdale, AR 72764

Doneright Builders, Inc.  
c/o Tim Hill, Registered Agent  
402 Charles Ave.  
Springdale, AR 72764

Wells Fargo Bank, NA  
c/o Corporation Service Company, Registered Agent  
300 Spring St., Ste 900  
Little Rock, AR 72201

RE: Property located at 512 Caudle Ave., Springdale, Washington  
County, Arkansas,  
Tax Parcel No. 815-26173-000

Dear Property Owners/Lienholder:

The Chief Building Inspector for the City of Springdale, Arkansas, has posted notice at 512 Caudle Ave. and has mailed notice in writing to you, via certified mail, that a structure located on property owned by you at 512 Caudle Ave., Springdale, Arkansas, was unsafe and could not be occupied until the property had been repaired. Furthermore, the owner was instructed to obtain a demolition or repair permit within thirty (30) days and to begin work within ten (10) days of obtaining the permit.

As of this date, you have taken no efforts to demolish or repair the structure on this property. As such, please be advised that the City Council for the City of Springdale will be discussing the enclosed ordinance at a committee meeting that will take place in the Multi-Purpose Room on the second floor of the City Administration Building at 5:30 p.m. on Monday, July 6, 2015. This ordinance will be presented to the full Council to be considered at their meeting on Tuesday, July 14, 2015, at 6:00 p.m. in the council chambers located at 201 N. Spring Street, Springdale, Arkansas. I strongly encourage you to attend this meeting.

Should the City adopt the enclosed ordinance, you will be given a final opportunity to repair or remove the structure. Should you not take advantage of this opportunity, the City of Springdale will have the right to raze and remove the structure, and then charge the costs of such as a lien against the property. The amount of any such lien would be determined by the City Council, and you would have the opportunity to be notified and be heard at this meeting. If you should have any questions, please let me know. I am also sending this letter to you via regular mail as well.

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosure  
SS:ch

cc: Mike Chamlee, Chief Building Official  
Tom Evers, Chief Building Inspector

SENDER: COMPLETE THIS SECTION		ADDRESSEE: COMPLETE THIS SECTION	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>[Signature]</i></p>	
<p>1. Article Addressed to:</p> <p>Wells Fargo Bank, N.A. c/o Corporation Service Company, Registered Agent 300 Spring St., Ste 900 Little Rock, AR 72201</p>		<p>B. Received by (Printed Name) Adam Davis</p>	<p>C. Date of Delivery 5/18</p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7014 1200 0001 0759 3655</p>	
PS Form 3811, July 2013		Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION		ADDRESSEE: COMPLETE THIS SECTION	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>[Signature]</i></p>	
<p>1. Article Addressed to:</p> <p>Steven Guizi and Connie Guizi 3352 Cornica Terrace Springdale, AR 72764</p>		<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery</p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7014 1200 0001 0759 3631</p>	
PS Form 3811, July 2013		Domestic Return Receipt	

AFFIDAVIT

STATE OF ARKANSAS            )  
  )SS  
COUNTY OF WASHINGTON        )

I, Steve Helms, upon my oath, state as follows:

1. That I am the Investigator for the Springdale City Attorney's Office.
2. That on May 13, 2015, the City Attorney's Office attempted to mail a letter to Doneright Builders, Inc., c/o Tim Hill, Registered Agent, 402 Charles Ave., Springdale, AR 72764, by certified mail; however, said letter was returned "Unclaimed."
3. That on June 8, 2015 at approximately 3:30 p.m., I made contact with the Tim Hill at 403 Charles Ave. and gave him a copy of the letter from the City Attorney's Office dated May 13, 2015.

FURTHER, affiant sayeth naught.

Steve Helms  
Steve Helms

SUBSCRIBED AND SWORN to before me, a Notary Public, this 8<sup>th</sup> day of June, 2015.

My Commission Expires:

12/1/2020

Cynthia K. Horlick  
Notary Public



RESOLUTION NO. \_\_\_\_

**A RESOLUTION REGARDING THE TRANSFER OF CERTAIN REAL ESTATE FROM THE CITY OF SPRINGDALE TO THE SPRINGDALE WATER AND SEWER COMMISSION; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ALL NECESSARY DOCUMENTS AND OTHERWISE TO ACT IN FURTHERANCE OF THIS TRANSFER.**

**WHEREAS**, the City Council, pursuant to Act 215 of the Acts of 1937 (now Ark. Code Ann. §14-234-301 et seq.) and by Ordinance No. 581, created a board of waterworks commissioners, which pursuant to said statutes and ordinance authorized the Commissioners to "take full and complete control of all properties of every kind and character belonging to the City of Springdale and used in connection with the said water works system, whether situated within or without the city limits of the City of Springdale," which statutes and ordinance also provide that the "Commissioners shall not have authority or power to sell, mortgage or encumber said water works and distribution system unless same shall be done in accordance with Act 131 of the Acts of 1933 (now Ark. Code Ann. §14-234-201 et seq.), as amended . . ." and thus any sale or encumbrance requires the approval of the City Council;

**WHEREAS**, the City Council, pursuant to Act 132 of the Acts of 1933, as amended (now Ark. Code Ann. §14-235-201 et seq.) and by Ordinance No. 589, created a sewer committee, which pursuant to said statutes and ordinance authorized the Commissioners to "take full and complete control of all properties of every kind and character belonging to the City of Springdale and used in connection with the said Municipal Sewer System, whether situated within or without the city limits of the City of Springdale," which statutes and ordinance also provide that the "Commissioners shall not have authority or power to sell, mortgage or encumber said Sewer plant and system unless same shall be done in accordance with Act 132 of the Acts of 1933 (now Ark. Code Ann. §14-235-201 et seq.), as amended . . ." and thus any sale or encumbrance requires the approval of the City Council;

**WHEREAS**, the City Council, pursuant to Act 129 of the Acts of 1957 (now Ark. Code Ann. §14-234-116) and by Ordinance No. 3592, combined the waterworks commission and the sewer committee thus creating a single Water and Sewer Commission, which Commission "shall take full and complete control of all properties of every kind and character belonging to the City of Springdale and used in connection with the waterworks and sewer system, whether situated within or without the city limits of the City of Springdale;

**WHEREAS**, there are certain properties acquired by the Water and Sewer Commission and utilized in connection with the waterworks or sewer systems, but which are titled in the name of the City of Springdale; and

**WHEREAS**, to be consistent with the historical practices of the City of Springdale, it is appropriate that certain real property be transferred by deed to the Springdale Water and Sewer Commission; which properties are more particularly described as:

**WASHINGTON COUNTY**

A part of the E2 of the NE3 of Section 21, a part of the W2 of the NW3 of Section 22, a part of the SE3 of the NW3 of Section 22, the NW3 of the SW3 of Section 22, and a part of the NE3 of the SW3 of Section 22, all in Township 17 North, Range 30 West of the 5th Principal Meridian, Washington County, Arkansas, all of the said lands being more particularly described as follows: Begin at a set iron pipe, said iron pipe being located S 00° 22' 41"E along the west line of said Section 22 a distance of 1155.00 feet from the northwest corner of said Section 22; thence N 73° 22' 39"W a distance of 309.55 feet to a set cotton spindle; thence S 22° 07' 18"W a distance of 366.14 feet to a set iron pin; thence S 65° 22' 49"W a distance of 161.38 feet to a found iron rail; thence S 00° 22' 41"E a distance of 380.62 feet to the main

channel of clear creek; thence with said main channel S 59° 13' 25"E a distance of 328.91 feet; thence S 49° 51' 57"E with said main channel a distance of 396.99 feet to the west line of said Section 22; thence S 00° 22' 41"E and along said west line a distance of 351.90 feet to a set iron pin at the west quarter corner of said Section 22; thence continuing along the west line of said Section 22 S 00° 22' 41"E a distance of 1314.79 feet to a set iron pin at the southwest corner of the NW3 of the SW3 of Section 22; thence N 89° 44' 45"E and along the south line of said NW3 of the SW3 of Section 22 a distance of 1319.49 feet to a set iron pin at the southeast corner of said NW3 of the SW3 of Section 22; thence N 00° 21' 14"W along the east line of said NW3 of the SW3 of Section 22 a distance of 702.33 feet to the main channel of clear creek; thence S 54° 20' 14"E and with said main channel a distance of 513.46 feet; thence S 88° 50' 48"E and with said main channel a distance of 103.35 feet; thence N 67° 51' 07"E and with said main channel a distance of 345.91 feet; thence N 89° 43' 59"E and with said main channel a distance of 297.61 feet to the west right of way of the Burlington Northern Railroad Company; thence N 28° 49' 50"W and with said west right of way a line a distance of 362.71 feet to the point of curvature of a 4° 54' 37" curve to the right said curve having a radius of 1166.83 feet and a central angle of 46° 12' 24"; thence along said curve to the right and the west right of way line a distance of 941.00 feet to a found iron pin; thence N 80° 06' 57"W a distance of 178.61 feet to a found iron pipe; thence N 13° 06' 49"E a distance of 284.38 feet to a found iron pin; thence N 73° 12' 05"W a distance of 415 feet to a set iron pin on the approximate south right of way line of the public road; thence N 72° 51' 06"W a distance of 754.30 feet to a set iron pin; thence N 70° 51' 06"W a distance of 1,033.21 feet to a cotton spindle set on the west line of said Section 22; thence N 00° 22' 41"W a distance of 33 feet to the point of beginning, containing 121.1 acres more or less.

AND

Part of the Southeast Quarter of the Southwest Quarter of Section 11, Township 17 North, Range 30 West of the 5th P.M. described as beginning at the Northeast corner of said forty acre tract, and running thence South 570 feet to a point on the northerly bank of a drainage ditch, thence South 58 degrees 05 minutes West 710 feet to a point, thence South 45 feet more or less to a five foot Elm tree, thence West 32 feet to a point, thence southwesterly 280 feet, more or less, to the South line of said forty acre tract, thence West 353 feet to the easterly right of way line of the St. Louis and San Francisco Railroad as now located, thence in a northeasterly direction with said right of way line 800 feet, thence West 378 feet to the Old Wire Road as now located, thence in a northerly direction with said road 637 feet, more or less to the north line of said 40 acre tract, thence East 865 feet to the place of beginning, LESS AND EXCEPT, Part of the SE3 of the SW3 of Section 11, Township 17 North, Range 30 West, more particularly described as follows: Beginning at a point which is 628.5 feet West and 616.5 feet South of the Northeast corner of said 40 acre tract, thence South 50 degrees 28 minutes West 82 feet along the North right of way line of the St. Louis and San Francisco Railroad, thence North 77 degrees 24 minutes West 250 feet, thence North 18 degrees 37 minutes East 179 feet, thence North 17 degrees 55 minutes East 146.1 feet, thence South 53 degrees 00 minutes East 169 feet, thence South 27 degrees 30 minutes East 56.4 feet, thence South 14 degrees 28 minutes East 168 feet to the Point of Beginning, containing 12 acres, more or less.

AND

Part of the Southwest Quarter (SW3) of the Northwest Quarter (NW3) of Section Thirty-six (36), in Township Eighteen (18) North of Range Thirty (30) West, described as: Beginning at a point 328 feet West of the Southeast corner of said 40 acre tract, or at a point 15 feet South of the Southwest corner of Lot #7 in Graves' Addition to the Town of Springdale; and running thence North 175 feet or to the

Northwest corner of said Lot #7, for a beginning corner to the lands hereby intended to be conveyed, and running thence West 104 feet and 9 inches; thence North 250 feet to the center of Oak Street; thence East 104 feet and 9 inches; thence South 250 feet to the place of beginning, being in the City of Springdale.

**LESS AND EXCEPT:**

A part of the Northeast Quarter of the Northeast Quarter of Section 21, the Northwest Quarter of the Northwest Quarter, and the Southwest Quarter of the Northwest Quarter of Section 22, all being in Township 17 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at a point which is S00E26'25"W 1521.20' and West 344.12' from the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 22 and running thence along a curve to the left having a radius of 338.00' for a chord bearing and distance of S44E13'26"E 50.54'; thence N67E31'38"W 44.54'; thence N67E45'47"W 275.55'; thence N67E41'00"W 209.46'; thence N67E45'05"W 298.10'; thence N69E40'52"W 317.89'; thence N71E59'56"W 131.49'; thence N60E25'22"W 162.36'; thence N67E17'32"E 25.28'; thence S60E20'34"E 143.88'; thence S71E59'56"E 130.87'; thence S69E40'52"E 318.63'; thence S67E45'05"E 298.45'; thence S67E41'00"E 209.46'; thence S67E45'47"E 273.75' to the Point of Beginning, containing 0.65 acres, more or less.

Subject to easements, rights-of-way and restrictive covenants of record, if any.

**BENTON COUNTY**

The East 2 1/3 acres of the Northwest Quarter of the Southeast Quarter and the North 2 1/3 acres of the Southeast Quarter of the Southeast Quarter, and also a part of the Northeast Quarter of the Southeast Quarter described as beginning at the Southwest corner of said forty acre tract, and running thence East to the Southeast Corner of said forty acre tract and running thence North Eight Hundred Thirty-one and seventy-four one hundredths (831.74) feet; thence South Eighty-seven degrees West Three Hundred Thirty-two (332) feet to the Center of Spring Creek; thence down the middle of the main channel of the Spring Creek to the North line of said forty acre tract to a point Three Hundred (300) feet East of the Northwest Corner of the forty acre tract; thence West Three Hundred (300) feet to the Northwest Corner of forty acres; thence South along the West line of said forty acre tract to the Southwest Corner thereof, to the place of beginning, and containing in all 37 2/3 acres more or less, and all being in Section Twenty-one (21) Township Eighteen (18) North Range Thirty (30) West.

**AND**

Lot 81, as shown on the revised preliminary plat and final plat of Spring Hill Subdivision to the City of Springdale, as per plat of said subdivision on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Benton County, Arkansas.

Subject to easements, rights-of-way and restrictive covenants of record, if any.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS,** that in order to facilitate the transfer of the real property owned by the Springdale Water and Sewer Commission, but still titled in the official name of the City of Springdale, the Mayor and Clerk of the City of Springdale be authorized to execute any and all documents, including, without limitation, warranty deeds for this purpose. And the said Mayor and Clerk are further authorized and directed to do every other act and deed necessary to accomplish the purposes of this resolution and all such acts and deeds are hereby ratified and confirmed.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Doug Sprouse, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Pearce, City Clerk

**APPROVED:**

\_\_\_\_\_  
Ernest B. Cate, City Attorney

## WARRANTY DEED

### KNOW ALL MEN BY THESE PRESENTS:

That City of Springdale, Arkansas, by its Mayor and City Clerk, duly authorized by proper resolution of said City of Springdale, Arkansas, for and in the consideration of One Dollar and other valuable consideration, to it in hand paid by the Springdale Water and Sewer Commission, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the said Springdale Water and Sewer Commission, its successors and assigns, the following described land situate in Washington County, State of Arkansas, to-wit:

A part of the E2 of the NE3 of Section 21, a part of the W2 of the NW3 of Section 22, a part of the SE3 of the NW3 of Section 22, the NW3 of the SW3 of Section 22, and a part of the NE3 of the SW3 of Section 22, all in Township 17 North, Range 30 West of the 5th Principal Meridian, Washington County, Arkansas, all of the said lands being more particularly described as follows: Begin at a set iron pipe, said iron pipe being located S 00° 22' 41"E along the west line of said Section 22 a distance of 1155.00 feet from the northwest corner of said Section 22; thence N 73° 22' 39"W a distance of 309.55 feet to a set cotton spindle; thence S 22° 07' 18"W a distance of 366.14 feet to a set iron pin; thence S 65° 22' 49"W a distance of 161.38 feet to a found iron rail; thence S 00° 22' 41"E a distance of 380.62 feet to the main channel of clear creek; thence with said main channel S 59° 13' 25"E a distance of 328.91 feet; thence S 49° 51' 57"E with said main channel a distance of 396.99 feet to the west line of said Section 22; thence S 00° 22' 41"E and along said west line a distance of 351.90 feet to a set iron pin at the west quarter corner of said Section 22; thence continuing along the west line of said Section 22 S 00° 22' 41"E a distance of 1314.79 feet to a set iron pin at the southwest corner of the NW3 of the SW3 of Section 22; thence N 89° 44' 45"E and along the south line of said NW3 of the SW3 of Section 22 a distance of 1319.49 feet to a set iron pin at the southeast corner of said NW3 of the SW3 of Section 22; thence N 00° 21' 14"W along the east line of said NW3 of the SW3 of Section 22 a distance of 702.33 feet to the main channel of clear creek; thence S 54° 20' 14"E and with said main channel a distance of 513.46 feet; thence S 88° 50' 48"E and with said main channel a distance of 103.35 feet; thence N 67° 51' 07"E and with said main channel a distance of 345.91 feet; thence N 89° 43' 59"E and with said main channel a distance of 297.61 feet to the west right of way of the Burlington Northern Railroad Company; thence N 28° 49' 50"W and with said west right of way a line a distance of 362.71 feet to the point of curvature of a 4° 54' 37" curve to the right said curve having a radius of 1166.83 feet and a central angle of 46° 12' 24"; thence along said curve to the right and the west right of way line a distance of 941.00 feet to a found iron pin; thence N 80° 06' 57"W a distance of 178.61 feet to a found iron pipe; thence N 13° 06' 49"E a distance of 284.38 feet to a found iron pin; thence N 73° 12' 05"W a distance of 415 feet to a set iron pin on the approximate south right of way line of the public road; thence N 72° 51' 06"W a distance of 754.30 feet to a set iron pin; thence N 70° 51' 06"W a distance of 1,033.21 feet to a cotton spindle set on the west line of said Section 22; thence N 00° 22' 41"W a distance of 33 feet to the point of beginning, containing 121.1 acres more or less.

AND

Part of the Southeast Quarter of the Southwest Quarter of Section 11, Township 17 North, Range 30 West of the 5th P.M. described as beginning at the Northeast corner of said forty acre tract, and running thence South 570 feet to a point on the northerly bank of a drainage ditch, thence South 58 degrees 05 minutes West 710 feet to a point, thence South 45 feet more or less to a five foot Elm tree, thence West 32 feet to a point, thence southwesterly 280 feet, more or less, to the South line of said forty acre tract, thence West 353 feet to the easterly right of way line of the St. Louis and San Francisco Railroad as now located, thence in a northeasterly direction with said right of way line 800 feet, thence West 378 feet to the Old Wire Road as now located, thence in a northerly direction with said road 637 feet, more or less to the north line of said 40 acre tract, thence East 865 feet to the place of beginning, LESS AND EXCEPT, Part of the SE3 of the SW3 of Section 11, Township 17 North, Range 30 West, more particularly described as follows: Beginning at a point which is 628.5 feet West and 616.5 feet South of the Northeast corner of said 40 acre tract, thence South 50 degrees 28 minutes West 82 feet along the North right of way line of the St. Louis and San Francisco Railroad, thence North 77 degrees 24 minutes West 250 feet, thence North 18 degrees 37 minutes East 179 feet, thence North 17 degrees 55 minutes East 146.1 feet, thence South 53 degrees 00 minutes East 169 feet, thence South 27 degrees 30 minutes East 56.4 feet, thence South 14 degrees 28 minutes East 168 feet to the Point of Beginning, containing 12 acres, more or less.

AND

Part of the Southwest Quarter (SW3) of the Northwest Quarter (NW3) of Section Thirty-six (36), in Township Eighteen (18) North of Range Thirty (30) West, described as: Beginning at a point 328 feet West of the Southeast corner of said 40 acre tract, or at a point 15 feet South of the Southwest corner of Lot #7 in Graves' Addition to the Town of Springdale; and running thence North 175 feet or to the Northwest corner of said Lot #7, for a beginning corner to the lands hereby intended to be conveyed, and running thence West 104 feet and 9 inches; thence North 250 feet to the center of Oak Street; thence East 104 feet and 9 inches; thence South 250 feet to the place of beginning, being in the City of Springdale.

LESS AND EXCEPT:

A part of the Northeast Quarter of the Northeast Quarter of Section 21, the Northwest Quarter of the Northwest Quarter, and the Southwest Quarter of the Northwest Quarter of Section 22, all being in Township 17 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at a point which is S00E26'25"W 1521.20' and West 344.12' from the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 22 and running thence along a curve to the left having a radius of 338.00' for a chord bearing and distance of S44E13'26"E 50.54'; thence N67E31'38"W 44.54'; thence N67E45'47"W 275.55'; thence N67E41'00"W 209.46'; thence N67E45'05"W 298.10'; thence N69E40'52"W 317.89'; thence N71E59'56"W 131.49'; thence N60E25'22"W 162.36'; thence N67E17'32"E 25.28'; thence S60E20'34"E 143.88'; thence S71E59'56"E 130.87'; thence S69E40'52"E 318.63'; thence S67E45'05"E 298.45'; thence S67E41'00"E 209.46'; thence



I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

Grantee \_\_\_\_\_

Address PO Box 769  
Springdale, AR 72765

**When Recorded Return To:**  
P.O. Box 1400  
Springdale, AR 72765-1400

**PREPARED BY:**  
CYPERT, CROUCH, CLARK & HARWELL  
P.O. BOX 1400, SPRINGDALE, AR 72765

**Send Subsequent Tax Bills To:**  
PO Box 769  
Springdale, AR 72765

## **WARRANTY DEED**

### **KNOW ALL MEN BY THESE PRESENTS:**

That City of Springdale, Arkansas, by its Mayor and City Clerk, duly authorized by proper resolution of said City of Springdale, Arkansas, for and in the consideration of One Dollar and other valuable consideration, to it in hand paid by the Springdale Water and Sewer Commission, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto the said Springdale Water and Sewer Commission, its successors and assigns, the following described land situate in Benton County, State of Arkansas, to-wit:

The East  $2 \frac{1}{3}$  acres of the Northwest Quarter of the Southeast Quarter and the North  $2 \frac{1}{3}$  acres of the Southeast Quarter of the Southeast Quarter, and also a part of the Northeast Quarter of the Southeast Quarter described as beginning at the Southwest corner of said forty acre tract, and running thence East to the Southeast Corner of said forty acre tract and running thence North Eight Hundred Thirty-one and seventy-four one hundredths (831.74) feet; thence South Eighty-seven degrees West Three Hundred Thirty-two (332) feet to the Center of Spring Creek; thence down the middle of the main channel of the Spring Creek to the North line of said forty acre tract to a point Three Hundred (300) feet East of the Northwest Corner of the forty acre tract; thence West Three Hundred (300) feet to the Northwest Corner of forty acres; thence South along the West line of said forty acre tract to the Southwest Corner thereof, to the place of beginning, and containing in all  $37 \frac{2}{3}$  acres more or less, and all being in Section Twenty-one (21) Township Eighteen (18) North Range Thirty (30) West.

**AND**

Lot 81, as shown on the revised preliminary plat and final plat of Spring Hill Subdivision to the City of Springdale, as per plat of said subdivision on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Benton County, Arkansas.

Subject to easements, rights-of-way and restrictive covenants of record, if any.

**TO HAVE AND TO HOLD** the same unto the said Grantee, Springdale Water and Sewer Commission, and unto its successors and assigns forever, with all appurtenances thereto belonging. And said Grantor hereby covenants with the said Grantee that it will forever warrant and defend the title to said lands against all lawful claims whatever.



I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

Grantee \_\_\_\_\_

Address PO Box 769  
Springdale, AR 72765

**When Recorded Return To:**  
P.O. Box 1400  
Springdale, AR 72765-1400

**PREPARED BY:**  
CYPERT, CROUCH, CLARK & HARWELL  
P.O. BOX 1400, SPRINGDALE, AR 72765

**Send Subsequent Tax Bills To:**  
PO Box 769  
Springdale, AR 72765

**Megan Workman**

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**Subject:** FW: Cul-de-sac at north end of private drive north end of Paradise Lane

**From:** Sam Goade [<mailto:sgoade@springdalear.gov>]

**Sent:** Tuesday, June 16, 2015 12:36 PM

**To:** Doug Sprouse

**Cc:** Ernest Cate; Brad Baldwin; Mike Irwin; Kevin McDonald; 'Eric Ford'; Jeffrey H. Watson; 'Jim Reed'; 'Kathy Jaycox'; 'Mike Lawson'; 'Mike Overton'; Rick Culver; 'Rick Evans'

**Subject:** Cul-de-sac at north end of private drive north end of Paradise Lane

Mayor Sprouse,

At Monday night's committee meeting a request was made for a cost estimate to construct a cul-de-sac on the subject property. I have attached an aerial photo showing the probable location for a 38-foot radius cul-de-sac that would accommodate turn around movement for a fire truck. It appears the cul-de-sac footprint would encompass three (3) separate properties and would therefore require easements from those three properties. The pavement section of the cul-de-sac would have to be strengthened to accommodate vehicles executing 180 degree turns so the cost to construct would be more than the typical roadway section leading up to the cul-de-sac. Total cost for construction of the cul-de-sac for the materials only is \$10,675. In summary, if the cul-de-sac is included in the project then option 2 would have to be selected per my original cost estimate for a 20-foot wide roadway. The total cost including the cul-de-sac would be:

- Extend Paradise Lane 340 feet to the north at 20-foot wide: \$11,950
- Construct a 38-foot radius cul-de-sac (no curb/gutter): \$10,675

Total  
Cost:  
2,625

\$2

Assuming that four (4) homes are beneficiaries from the project then the cost per residence is \$5,656 per house.

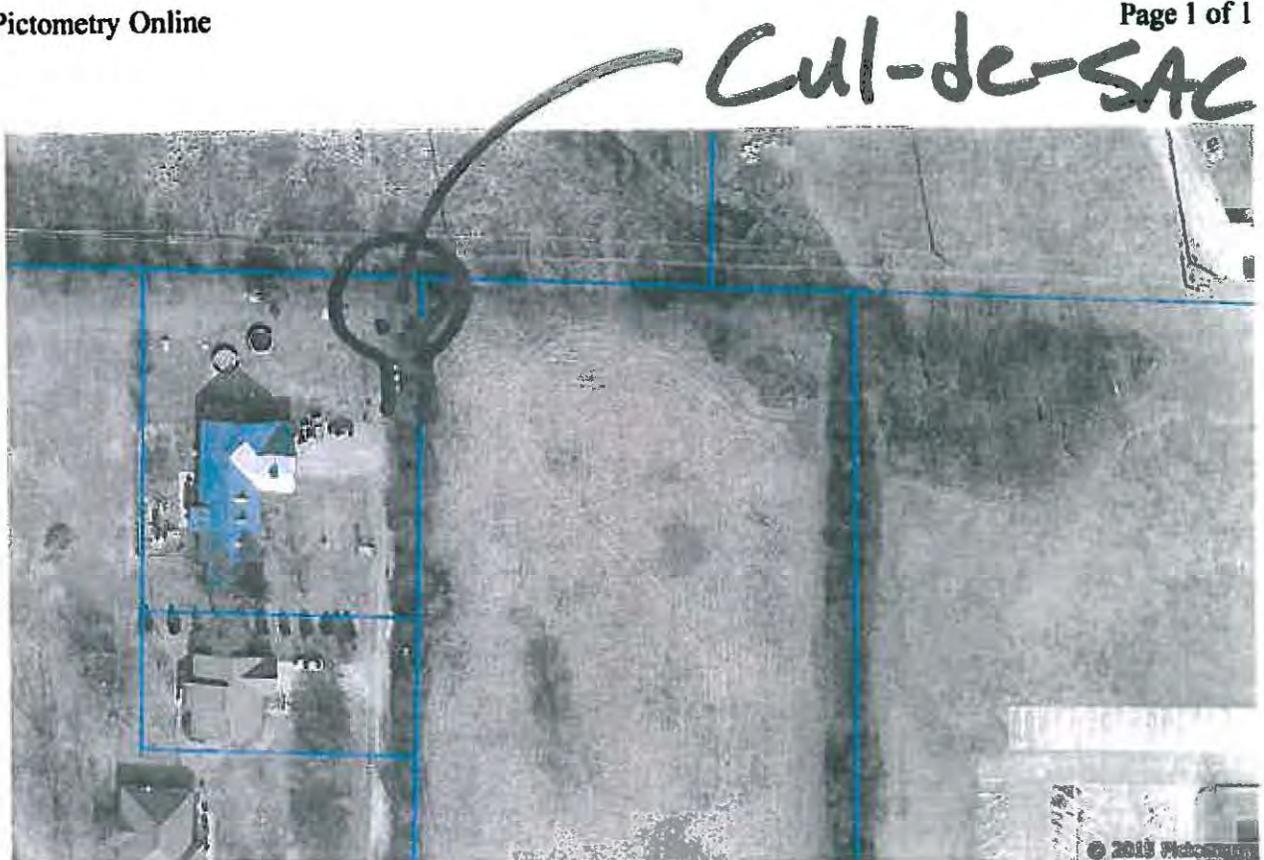
Thanks,

Sam

**Sam Goade**

Public Works Director  
Springdale Public Works  
269 E. Randall Wobbe Lane  
Springdale, Arkansas 72764

Phone 479-750-8135  
Fax 479-750-8504



### Paradise Lane

Print Date: 06/16/2015  
Image Date: 02/06/2015  
Level: Community

Cul-de-Sac Radius - 38'  
Clearing & Grubbing - \$1,500.00  
Undercut & Base - \$1,425.00  
Asphalt - 4" section - \$7,750.00  
No curb/gutter  
Would require easements from 3 property owners  
Total Estimated Cost For Cul-de-Sac  
\$10,675

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO WAIVE COMPETITIVE  
BIDDING FOR TRASH COMPACTORS FOR CITY  
PARKS**

**WHEREAS**, The City of Springdale parks are used very heavily during the summer , and

**WHEREAS**, the amount of trash generated at our parks requires several dumpsters to hold a weekend of trash collection, and

**WHEREAS**, an adequate number of dumpsters would be unsightly, require a large concrete pad and require more movement on the parking lot of the trash truck, and

**WHEREAS**, a trash compactor would require a smaller concrete pad and increase the trash collection capacity, and

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

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

**Section 1.** This Council finds that due to the limited number of local trash compactor companies that provide this type of equipment, competitive bidding is not feasible or practical and is hereby waived on the purchase, from the 2012 Bond Park Construction Fund, of four trash compactors from J.V. Manufacturing, Inc. for \$46,670.00 plus tax.

**Section 2. Emergency Clause.** It is hereby declared that an emergency exists, and this ordinance being necessary for the immediate preservation of the health, safety, and welfare of the citizens of Springdale, Arkansas, shall be effective immediately upon passage and approval.

**EMERGENCY CLAUSE PASSED AND APPROVED this 14<sup>th</sup> day of July, 2015**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Ernest B. Cate, City Attorney

J.V. MANUFACTURING, INC.  
P.O. BOX 229  
SPRINGDALE, AR 72765  
PHONE: (479) 751-7320  
FAX: (479) 872-0037



Fax: (479) 872-0037  
E-Mail: sales@jv.com  
http://www.cram-a-lot.com

### Quotation

<b>Q U O T E</b>	Account No: 24929				<b>T O</b>
	SPRINGDALE PARKS AND RECREATION				
	600 ASH ST				
	PO BOX 42				
	SPRINGDALE AR 72764-5277				
USA				Salesperson EDWARD LAMB	
Attention: BILL MOCK		Cust Req Date 06/14/2015			
Phone: 479-263-0382		Quote Date 6/14/2015			
Fax:		Terms NET 30 DAYS			
Quote No: E000029312		Quote Date 6/14/2015		Salesperson EDWARD LAMB	
Item	Quantity	Description	Unit Price	Extended Price	
CV-06-FL-FF	4.00	COMPACTOR ASM, CV, 6YD, FF	9,997.50	39,990.00	
V0323001	4.00	VOLTAGE,3HP,230V,1PH	607.50	2,430.00	
FREIGHT	1.00	FREIGHT	500.00	500.00	
FORKLIFT	1.00	FORKLIFT RENTAL	450.00	450.00	
INSTALL	4.00	INSTALLATION	825.00	3,300.00	
410004	1.00	PAINT, JV BLUE, AEROSOL	0.00	0.00	
<b>Proudly Designed and Manufactured in the U.S.A.</b>			<b>Sale Amount:</b>	<b>46,670.00</b>	
			<b>Misc Charges:</b>	<b>0.00</b>	
This quote is valid until 07/14/2015 and does not include applicable sales tax. Thank you for your business! Invoice payable in U.S. dollars			<b>Total Amount:</b>	<b>46,670.00</b>	

**WE PROPOSE** hereby to furnish the above materials and/or labor in accordance with above specifications, for the sum of: *forty-six thousand six hundred seventy and xx / 100*      **(46,670.00)**

Terms are: NET 30 DAYS with approved credit

ACCEPTANCE OF PROPOSAL - The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Receipt of the J.V. Mfg., Inc. warranty is hereby acknowledged.  
Date: 6/14/2015  
Customer Name: SPRINGDALE PARKS AND RECREATION

Shipping Dates are approximate and are based on conditions existing at the time of J.V. Manufacturing's receipt of your firm order and full information. J.V. will in good faith endeavor to ship by the estimated shipping date, but it shall not be responsible for any delay or any damage arising there from, including without limitation direct, consequential, or incidental or indirect damages, losses, or claims.  
BY: EDWARD LAMB

Authorized Signature - Title

The equipment referred to in this document remains the sole and absolute property of J.V. Mfg., Inc. which retains the right to possession of same and to terminate without notice any agreement to use the same before this invoice is paid in full. Title to said equipment shall transfer to the party name herein only upon payment in full.