

SCHEDULED COMMITTEE MEETINGS to be held in the Multi-Purpose Room #236, second floor of the City Administration Building, 201 Spring Street:

- Monday, May 2<sup>nd</sup>, 5:30 p.m. is the next Committee meetings.

- **Committee agendas will be available on Friday, April 29<sup>TH</sup>, 2016.**

SPRINGDALE CITY COUNCIL  
REGULAR MEETING  
TUESDAY, APRIL 26<sup>TH</sup>, 2016

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance  
Invocation – KATHYJAYCOX

6:00 p.m. OFFICIAL AGENDA

1. *Large Print* agendas are available at the back of the room, next to the main entrance.
2. Call to Order – Mayor Doug Sprouse
3. Roll Call – Denise Pearce, City Clerk  
  
Recognition of a Quorum.
4. Comments from Citizens  
  
The Council will hear brief comments from citizens during this period on issues not on the agenda. No action will be taken tonight. All comments will be taken under advisement.
5. Economic Development Report- Scott Edmondson, Springdale Chamber of Commerce
6. Approval of Minutes
  - a) April 12<sup>th</sup>, 2016 Pg's 3-14
  - b) April 18<sup>th</sup>, 2016 Pg's 15-16
7. Procedural Motions
  - A. Entertain Motion to read all Ordinances and Resolutions by title only.
  - B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item numbers....11c-h & 12* (Motion must be approved by two-thirds (2/3) of the council members).
8. **A Resolution** making appointment to the Civil Service Commission. Item presented by Wyman Morgan, Director of Finance & Administration. Pg 17
9. **A Resolution** authorizing the temporary operation of a carnival. Item presented by Wyman Morgan, Director of Administration & Finance. Pg's 18-21
10. Parks & Recreation Committee Report and Recommendations by Chairman Mike Lawson:  
  
**A Resolution** authorizing funds for Murphy Park renovations. Committee recommended approval. Pg 22
11. Planning Commission Report and Recommendations by Patsy Christie, Director of Planning:
  - A. **A Resolution** approving a conditional use at 5338 Monica Maris as set forth in Ordinance No. 4030. Pg's 23-24
  - B. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks as set forth in connection with 13184 Robbins Road, a single family dwelling. Pg's 25-26

- C. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of The City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands from Low/Medium Density Single Family Residential District (SF-2) to Planned Unit Development (PUD) and declaring an emergency. (21.15 acres owned by Thomas J. Emback, located at 905 Mill Street) **Pg's 27-29**
- 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 certain lands from Manufactured Home Park District (MPH) to Thoroughfare Commercial District (C-5) and declaring an emergency. (2.74 acres owned by KC Leasing (Kent Dobbs), located at the SW Corner of Don Tyson Parkway & Thompson Street. **Pg's 30-32**
- 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 certain lands from Low/Medium Density Single Family Residential District (SF-2) to General Commercial District (C-2) and declaring an emergency. (1.58 acres owned by Board of Trustees of the University of Arkansas located at 3559 N. Thompson) **Pg's 33-35**
- F. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of The City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands from General Commercial District (C-2) to Neighborhood Office District (O-1) and declaring an emergency. (.082 ± acres owned by River Real Estate, LLC, located at 3531/3505 McRay.) **Pg's 36-38**
- 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 certain lands from Agricultural District (A-1) to Low/ Medium Density Single Family Residential District (SF-2) and declaring an emergency. (0.72 acres owned by Jeff Jech located at 3802 Silent Grove Road.) **Pg's 39-41**
- 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 certain lands from General Commercial District (C-1) to Thoroughfare Commercial District (C-5). (0.926 acres owned by Fish Bridge Investments, LLC, located at 3198 S. Old Missouri Road.) **Pg's 42-44**
- 12. **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 (516 Crutcher Street). Item presented by Ernest Cate, City Attorney. **Pg's 45-57**
- 13. **A Resolution** authorizing the execution of a contract for renovation of The Shiloh Meeting Hall. Item presented by Allyn Lord, Museum Director. **Pg's 58-61**
- 14. Comments from Department Heads.
- 15. Comments from Council Members.
- 16. Comments from City Attorney.
- 17. Comments from Mayor Sprouse
- 18. Adjournment.

SPRINGDALE CITY COUNCIL  
APRIL 12, 2016

The City Council of the City of Springdale met in regular session on April 12, 2016, in the City 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
Rick Culver	Ward 3
Jeff Watson	Ward 3 (Absent)
Mike Overton	Ward 2
Eric Ford	Ward 1
Mike Lawson	Ward 4
Rick Evans	Ward 2
Jim Reed	Ward 1
Kathy Jaycox	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Wyman Morgan	Director of Finance & Admin.
Patsy Christie	Planning & Comm. Dev. Director
Mike Peters	Police Chief
Mike Irwin	Fire Chief
Tom Evers	Chief Building Inspector
Bill Mock	Parks & Recreation Director
Brad Baldwin	Engineering Director
Melissa Reed	Public Relations Director
Gina Kincy	Human Resources Director

APPROVAL OF MINUTES

Alderman Jaycox moved the minutes of the March 22, 2016 City Council meeting be approved as presented. Alderman Reed made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Alderman Reed 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. Alderman Evans made the second.

The vote:

Yes: Reed, Jaycox, Culver, Overton, Ford, Lawson, Evans

No: None

PROCLAMATIONS BY MAYOR SPROUSE

Mayor Sprouse presented a proclamation where the City of Springdale is joining municipalities across the nation who have taken the National Mayor's Monarch Pledge. The city's first Monarch Waystation is in a public area and located on the grounds of the Shiloh Museum for Ozark History under the care of Marty Powers and Master Gardner Volunteers.

Mayor Sprouse presented a proclamation proclaiming May, 2016, as National Preservation Month and Arkansas Heritage Month. "This Place Matters" is the theme for National Historic Preservation Month 2016 and "Arkansas Arts; Celebrating Our Creative Culture" is the theme for Arkansas Heritage Month.

PUBLIC HEARING – RESOLUTION NO. 29-16 – AUTHORIZING THE ISSUANCE OF REVENUE BONDS BY THE CITY OF SPRINGDALE PUBLIC FACILITIES BOARD TO FINANCE A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, EQUIPPING, AND FURNISHING A NEW PEDIATRIC HOSPITAL; AND PRESCRIBING OTHER MATTERS RELATING THERETO

A Public Hearing was held on the question of the issuance by the City of Springdale Public Facilities Board of hospital revenue bonds in the maximum principal amount of \$85,000,000. The Board will issue the bonds for the purpose of financing a portion of the costs of the acquisition, construction, equipping and furnishing of new pediatric hospital facilities to be located in the City.

J. Shepherd Russell III is serving as Bond Counsel for the Public Facilities Board.

Marcie Doderer, CEO of Arkansas Children's Hospital, explained the Hospital initially will be owned and operated by Arkansas Children's Northwest, Inc., an Arkansas non-profit corporation and affiliate of Arkansas Children's Hospital. It will consist of two structures as follows: an approximately 230,000 square foot building containing approximately 24 beds to serve as the hospital facility; and an approximately 20,000 square foot energy building adjacent thereto to serve the hospital building. The Hospital will be located on approximately 36 acres of land at the northeast corner of Watkins Avenue and South 56th Street in the City.

After hearing all those desiring to be heard, the Mayor declared the public hearing closed.

City Attorney Ernest Cate presented a Resolution authorizing the issuance of revenue bonds by the City of Springdale Public Facilities Board to finance a portion of the costs of acquiring, constructing, equipping, and furnishing a new pediatric hospital; and prescribing other matters relating thereto.

RESOLUTION NO. \_\_\_\_

A RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE BONDS BY THE CITY OF SPRINGDALE PUBLIC FACILITIES BOARD TO FINANCE A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, EQUIPPING AND FURNISHING A NEW PEDIATRIC HOSPITAL; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, pursuant to Ordinance No. 3815 adopted January 10, 2006, as amended (the "Creating Ordinance"), the City Council of the City of Springdale, Arkansas (the "City") created the City of Springdale Public Facilities Board (the "Board"); and

WHEREAS, the Board has the power and authority under the Creating Ordinance and Arkansas Code Annotated §§14-137-101, et seq. (the "Authorizing Legislation") to, among other things, finance the acquisition, construction, equipping and furnishing of health care facilities; and

WHEREAS, Arkansas Children's Northwest, Inc., an Arkansas nonprofit corporation (the "Corporation") and an affiliate of Arkansas Children's Hospital (the "ACH"), proposes to acquire, construct, equip and furnish a new pediatric hospital (the "Hospital") at an estimated cost of \$160,000,000; and

WHEREAS, the Hospital initially will be owned and operated by the Corporation and, will consist of two structures as follows: an approximately 230,000 square foot building containing approximately 24 beds to serve as the hospital facility; and an approximately 20,000 square foot energy building adjacent thereto to serve the hospital building; and

WHEREAS, the Hospital will be located on approximately 36 acres of land at the northeast corner of Watkins Avenue and South 56th Street in the City; and

WHEREAS, the Board proposes to finance a portion of the costs of acquiring, constructing, equipping and furnishing the Hospital Facility with the proceeds of revenue bonds to be issued by the Board in the maximum principal amount of \$85,000,000 (the "Bonds") with the balance of the costs to be paid from available funds of ACH and gifts or grants, or a combination thereof; and

WHEREAS, the Bonds will be special obligations of the Board to be payable solely from payments received by the Board under a loan agreement with the Corporation and from guarantees made by ACH, the Foundation and Arkansas Children's, Inc.; and

WHEREAS, a public hearing on the question of the issuance of the Bonds has been held before the City Council on this day following the publication of a notice of such hearing in the Northwest Arkansas Democrat Gazette, a newspaper of general circulation within the City, on March 24, 2016; and

WHEREAS, the City Council has determined that the public purposes for which the Bonds are to be issued serve a proper need;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Springdale, Arkansas:

Section 1. That the issuance of the Bonds by the Board to finance a portion of the costs of acquiring, constructing, equipping and furnishing the Hospital is hereby authorized and is in all respects approved.

Section 2. That by the adoption of this Resolution the City assumes no liability or responsibility for the repayment of the Bonds.

Section 3. That the provisions of this Resolution are hereby declared to be separable, and if any section, phrase or provision shall for any reason be declared illegal or invalid, such declaration shall not affect the validity of the remainder of this Resolution.

Section 4. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This Resolution shall be in force and effect immediately upon and after its passage.

PASSED AND APPROVED THIS \_\_\_\_ day of April, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Alderman Reed moved the Resolution be adopted. Alderman Culver made the second.

The vote:

Yes: Jaycox, Culver, Overton, Ford, Lawson, Evans, Reed

No: None

The Resolution was numbered 29-16.

RESOLUTION NO. 30-16 – AUTHORIZING FUNDS FROM THE CAPITAL  
IMPROVEMENT PROJECT FUND FOR THE SPRINGDALE MUNICIPAL AIRPORT

Alderman Evans presented a Resolution authorizing funds from the Capital Improvement Project Fund for the Springdale Municipal Airport.

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

**A RESOLUTION AUTHORIZING FUNDS FROM THE CAPITAL  
IMPROVEMENT PROJECT FUND FOR THE SPRINGDALE  
MUNICIPAL AIRPORT**

**WHEREAS**, the Springdale Airport Commission has requested funding to replace one pickup and a snow plow, and

**WHEREAS**, the Airport Commission estimates the total cost of the needed equipment to be \$35,475;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the expenditure of a maximum of \$35,475 of funds from the Capital Improvement Projects Fund is hereby approved for the purchase of a pickup and snowplow for the Springdale Municipal Airport, provided that the equipment purchased therewith will be used only for Springdale Municipal Airport purposes, and will not be used for personal use.

**PASSED AND APPROVED** this \_\_\_\_ day of April, 2016.

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

ATTEST:

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

APPROVED AS TO FORM:

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

Alderman Reed moved the Resolution be adopted. Alderman Jaycox made the second.

The vote:

Yes: Culver, Overton, Ford, Lawson, Evans, Reed, Jaycox

No: None

The Resolution was numbered 30-16.

RESOLUTION NO. 31-16 – EXPRESSING THE WILLINGNESS OF THE CITY OF  
SPRINGDALE TO UTILIZE STATE AID STREET MONIES FOR THE FOLLOWING  
PROJECT : SPRINGDALE OVERLAY

Alderman Evans presented a Resolution expressing the willingness of the City of Springdale to utilize state aid street monies for the following project: Springdale Overlay.

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

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE  
CITY OF SPRINGDALE TO UTILIZE STATE AID STREET  
MONIES FOR THE FOLLOWING CITY PROJECT:**

**Springdale Overlay**

WHEREAS, the City of SPRINGDALE understands that State Aid Street Program funds are available for certain city projects at the following participating ratios:

	<u>Work Phase</u>	<u>State Aid %</u>	<u>City %</u>
Reconstruction/Resurfacing Construction of City Projects	Preliminary Engineering	100%	-0-
	Right-of-Way	-0-	100%
	Utilities	-0-	100%
	Construction	100%	-0-
	Construction Engineering	100%	-0-
City projects programmed but not let to contract	All Phases	-0-	100%

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

**SECTION I:** The City will participate in accordance with its designated responsibilities in this project.

**SECTION II:** The Mayor, or his designee, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this city project.

**SECTION III:** The City agrees upon completion of the project to assume the maintenance of the right-of-way by City Forces and/or others including utilities and individuals in accordance with the prevailing Arkansas State Highway and Transportation Department regulations.

**SECTION IV:** The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

**THIS RESOLUTION** adopted this \_\_\_\_ day of April, 2016.

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

**ATTEST:**

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

Alderman Reed moved the Resolution be adopted. Alderman Jaycox made the second.

The vote:

Yes: Overton, Ford, Lawson, Evans, Reed, Jaycox, Culver

No: None

The Resolution was numbered 31-16.

RESOLUTION NO. 32-16 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO MUTUAL AID AGREEMENTS BETWEEN THE SPRINGDALE POLICE DEPARTMENT AND OTHER LAW ENFORCEMENT AGENCIES

Alderman Culver presented a Resolution authorizing the Mayor and City Clerk to enter into mutual aid agreements between the Springdale Police Department and other law enforcement agencies.

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

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO MUTUAL AID AGREEMENTS BETWEEN THE SPRINGDALE POLICE DEPARTMENT AND OTHER LAW ENFORCEMENT AGENCIES.**

**WHEREAS**, the City of Springdale and various law enforcement agencies in Northwest Arkansas all staff and maintain police departments for the safety and protection of the lives and property within their respective jurisdictions; and

**WHEREAS**, the City of Springdale Police Department, in order to provide the maximum protection by providing the fastest and most efficient service response to its residents, desire to enter into an agreement whereby each entity may render mutual aid to each other for certain defined incidents; and

**WHEREAS**, the City of Springdale and various law enforcement agencies wish to enter into mutual aid agreements to memorialize their agreement to provide mutual aid, and to set forth the terms and conditions of providing mutual aid;

**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 and all agreements between the City of Springdale and various law enforcement agencies providing for mutual aid between the City of Springdale Police Department and these law enforcement agencies.

**PASSED AND APPROVED** this \_\_\_\_ day of April, 2016.

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

ATTEST:

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

APPROVED AS TO FORM:

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

Alderman Reed moved the Resolution be adopted. Alderman Overton made the second.

The vote:

Yes: Ford, Lawson, Evans, Reed, Jaycox, Culver, Overton

No: None

The Resolution was numbered 32-16.

ORDINANCE NO. 5026 – ACCEPTING THE FINAL PLAT OF PHASE II OF A LEGENDARY SUBDIVISION TO THE CITY OF SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Final Plat of Phase II of a Legendary Subdivision to the City of Springdale, Arkansas, and declaring an emergency.

After reading the title of the Ordinance, Alderman Reed moved the Ordinance “Do Pass”. Alderman Jaycox made the second.

The vote:

Yes: Lawson, Evans, Reed, Jaycox, Culver, Overton, Ford

No: None

Alderman Reed moved the Emergency Clause be adopted. Alderman Evans made the second.

The vote:

Yes: Evans, Reed, Jaycox, Culver, Overton, Ford, Lawson

No: None

The Ordinance was numbered 5026.

ORDINANCE NO. 5027 – REZONING REQUEST BY EVERETT CDJR LAND COMPANY, LLC, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DON TYSON PARKWAY AND THOMPSON STREET, FROM SF-2 AND C-2 TO C-6 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 1.75 acres owned by Everett CDJR Land Company, LLC, located at the southeast corner of Don Tyson Parkway and Thompson Street, from SF-2 and C-2 to C-6 and declaring an emergency.

Planning Commission recommended approval at their April 5, 2016 meeting.

After reading the title of the Ordinance, Alderman Jaycox moved the Ordinance “Do Pass”. Alderman Evans made the second.

The vote:

Yes: Reed, Jaycox, Culver, Overton, Ford, Lawson, Evans

No: None

Alderman Reed moved the Emergency Clause be adopted. Alderman Evans made the second.

The vote:

Yes: Jaycox, Culver, Overton, Ford, Lawson, Evans, Reed

No: None

The Ordinance was numbered 5027.

ORDINANCE NO. 5028 – AMENDING SECTION 112 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE WHICH CONTAINS THE PROCEDURES FOR THE SUBDIVISION OF LAND IN THE CITY OF SPRINGDALE

Planning Director Patsy Christie presented an Ordinance amending Section 112 of the Code of Ordinances of the City of Springdale which contains the procedures for the subdivision of land in the City of Springdale.

Section 112-3 of the Code of Ordinances of the City of Springdale, Arkansas, contains the procedures for the approval of the subdivision of land in the City of Springdale. Section 112-4 of the Code of Ordinances of the City of Springdale, Arkansas, contains the required improvements associated with the subdivision of land in the City of Springdale. Section 112-3 and Section 112-4 of the Code of Ordinances of the City of Springdale, Arkansas, need to be amended to add certain grading and drainage requirements to the procedures for the approval of the subdivision of land and to the required improvements associated with the subdivision of land.

Planning Commission recommended approval at their April 5, 2016 meeting.

After reading the title of the Ordinance, Alderman Evans moved the Ordinance “Do Pass”. Alderman Culver made the second.

The vote:

Yes: Culver, Overton, Ford, Lawson, Evans, Reed, Jaycox

No: None

The Ordinance was numbered 5028.

ORDINANCE NO. 5029 – AMENDING ARTICLE 6, SECTION 3.5(9)(G) OF THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS AND FOR OTHER PURPOSES

Planning Director Patsy Christie presented an Ordinance amending Article 6, Section 3.5(9)(G) of the Zoning Ordinance of the City of Springdale, Arkansas and for other purposes. Article 6, Section 3.5 of the Zoning Ordinance of the City of Springdale, Arkansas, contains regulations pertaining to temporary open-air enterprises and needs to be amended to show the approved location of the Mill Street Market as below:

Persons operating a temporary open-air enterprise as the Mill Street Market, so long as the temporary open-air enterprise is located totally on Mill Street between ~~Johnson Avenue and Huntsville Avenue~~ Price Street and Johnson Avenue and Johnson Avenue between Spring Street and to the western right-of-way of Mill Street insuring that entrance to the parking lot on the south of Johnson Avenue and the on-street parking along the north side of Johnson Avenue remains open and designated by the City of Springdale as the Mill Street Market. The market place shall open no earlier than 6:00

a.m. and shall close no later than 2:00 p.m. on Saturday and 4:00 p.m. to 9:00 p.m. on Tuesday.

Planning Commission recommended approval at their April 5, 2016 meeting.

After reading the title of the Ordinance, Alderman Reed moved the Ordinance "Do Pass". Alderman Jaycox made the second.

The vote:

Yes: Ford, Lawson, Evans, Reed, Jaycox, Culver, Overton

No: None

Alderman Reed moved the Emergency Clause be adopted. Alderman Evans made the second.

The vote:

Yes: Lawson, Evans, Reed, Jaycox, Culver, Overton, Ford

No: None

The Ordinance was numbered 5029.

PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR RENOVATION OF THE SHILOH MEETING HALL

This item was pulled from tonight's agenda.

ORDINANCE NO. 5030 – GRANTING A PREFERENCE TO SPRINGDALE RESIDENT FIRMS SUPPLYING COMMODITIES TO THE CITY OF SPRINGDALE

Alderman Ford presented an Ordinance granting a preference to Springdale Resident Firms supplying commodities to the City of Springdale.

A.C.A. § 14-58-105 states that cities by ordinance may provide a preference of up to five percent (5%) for a bidder that qualifies as a firm resident in the community, and also states that the ordinance may place a specific dollar cap on the total monetary amount of preference granted.

The Springdale Municipal Code of Ordinances is hereby amended to add Sec. 2-157.1 as presented below:

**Sec. 2-157.1. – Bidder Preference.**

Firms resident in Springdale, as defined in A.C.A. § 14-58-105, shall be provided a five percent (5%) preference up to a maximum of \$5,000 when submitting a bid or quote to the City of Springdale for commodities. Firms resident in Springdale must request the preference be applied to their bid or quote.

Alderman Jaycox supports the idea of the ordinance but feels like \$5,000 is too high. She would rather it be \$2,500.

After reading the title of the Ordinance, Alderman Lawson moved the Ordinance "Do Pass". Alderman Reed made the second.

The vote:

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Yes: Evans, Reed, Culver, Overton, Ford, Lawson

No: Jaycox

Alderman Ford moved the Emergency Clause be adopted. Alderman Evans made the second.

The vote:

Yes: Reed, Jaycox, Culver, Overton, Ford, Lawson, Evans

No: None

The Ordinance was numbered 5030.

ORDINANCE NO. 5031 – ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN RESIDENTIAL STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 1849 MCRAY AVENUE; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES

Alderman Reed presented an Ordinance ordering the razing (demolition) and removal of a certain residential structure within the City of Springdale, Arkansas, located at 1849 McRay Avenue; to declare an emergency and for other purposes.

The owners are Rene Beltran and Claudia Beltran.

After reading the title of the Ordinance, Alderman Overton moved the Ordinance “Do Pass”. Alderman Lawson made the second.

The vote:

Yes: Jaycox, Culver, Overton, Ford, Lawson, Evans, Reed

No: None

The Ordinance was numbered 5031.

ORDINANCE NO. 5032 – ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN RESIDENTIAL STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 5503 W. COUNTY LINE ROAD A/K/A 5503 W. HUDSON (WC 3014) RD; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES

Alderman Reed presented an Ordinance ordering the razing (demolition) and removal of a certain residential structure within the City of Springdale, Arkansas, located at 5503 W. County Line Road a/k/a 5503 W. Hudson (WC 3014) Road; to declare an emergency and for other purposes.

The owner of the property is Katherine Osborne.

After reading the title of the Ordinance, Alderman Ford moved the Ordinance “Do Pass”. Alderman Overton made the second.

The vote:

Yes: Culver, Overton, Ford, Lawson, Evans, Reed, Jaycox

No: None

Alderman Reed moved the Emergency Clause be adopted. Alderman Jaycox made the second.

The vote:

Yes: Overton, Ford, Lawson, Evans, Reed, Jaycox, Culver

No: None

The Ordinance was numbered 5032.

PROPOSED ORDINANCE ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN RESIDENTIAL STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 3984 POWELL STREET; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES

An Ordinance was presented ordering the razing (demolition) and removal of a certain residential structure within the City of Springdale, Arkansas, located at 3984 Powell Street; to declare an emergency and for other purposes. Jack and Dorothy Smith are the owners of the property.

Mr. Evers explained the owner has been cleaning up the residence. He feels like if we gave him 60 more days he will be able to bring the house up to code. This is the third time it has been brought before City Council.

Alderman Jaycox made the motion to table this ordinance for 60 days and consider it at the June 14, 2016 City Council meeting. Alderman Lawson made the second.

The vote:

Yes: Ford, Lawson, Evans, Reed, Jaycox, Culver, Overton

No: None

ORDINANCE NO. 5033 – 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 (1406 CHRISTY DR., 411 HATFIELD LANE, 2008 KEITH CIRCLE, 2009 KIM AVENUE AND 1013 PARKER AVENUE)

City Attorney Ernest Cate presented 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, as follows:

1406 Christy Dr. (#815-24337-000)  
411 Hatfield Ln. (#815-29248-200)  
2008 Keith Circle (#815-24345-000)  
2009 Kim Ave. (#815-24338-000)  
1013 Parker Ave. (#815-24162-000)

After reading the title of the Ordinance, Alderman Overton moved the Ordinance “Do Pass”. Alderman Lawson made the second.

Jeff Hagan, Valley View Drive, spoke about the duplex he owns at 2008 Keith Circle.

The vote:

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Yes: Lawson, Evans, Reed, Jaycox, Culver, Overton, Ford

No: None

Alderman Ford moved the Emergency Clause be adopted. Alderman Overton made the second.

The vote:

Yes: Evans, Reed, Jaycox, Culver, Overton, Ford, Lawson

No: None

The Ordinance was numbered 5033.

ADJOURNMENT

Alderman Reed made the motion to adjourn. Alderman Overton made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 7:10 p.m.

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Doug Sprouse, Mayor

---

Denise Pearce, City Clerk/Treasurer

SPRINGDALE CITY COUNCIL  
APRIL 18, 2016

The City Council of the City of Springdale met in special session on April 18, 2016, in the City Council Chambers, City Administration Building. Mayor Sprouse called the meeting to order at 5:57 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Rick Culver	Ward 3 (Absent)
Jeff Watson	Ward 3
Mike Overton	Ward 2
Eric Ford	Ward 1 (Absent)
Mike Lawson	Ward 4
Rick Evans	Ward 2
Jim Reed	Ward 1
Kathy Jaycox	Ward 4 (Absent)
Ernest Cate	City Attorney (Absent)
Denise Pearce	City Clerk/Treasurer (Absent)

RESOLUTION NO. 33-16 – AUTHORIZING THE SALE OF PROPERTY LOCATED OFF JENNIFER TERRACE TO RICK AND CARLA LONG AND ASSIGNS

Mayor Doug Sprouse presented a Resolution authorizing the sale of property located off Jennifer Terrace to Rick and Carla Long and assigns for \$774.00.

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

**A RESOLUTION AUTHORIZING THE SALE OF PROPERTY LOCATED OFF JENNIFER TERRACE TO RICK AND CARLA LONG AND ASSIGNS.**

**WHEREAS**, the City of Springdale owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows:

PT NE NW .01 A FURTHER DESCRIBED PER WD 2013-6807 TRACT 8: PART OF THE NE/4 OF THE NW/4 OF S16-T17N-R30W, WASHINGTON COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ¾ INCH IRON PIPE FOUND AT THE QUARTER CORNER OF SECTIONS 9 AND 16; THENCE ALONG THE EAST LINE OF SAID NE/4 OF THE NW/4, S 2 DEGREES 33' 26" W A DISTANCE OF 618.22 FEET; THENCE NORTH 85 DEGREES 15' 21" W A DISTANCE OF 472.98 FEET TO THE SOUTHERN RIGHT OF WAY OF THE 48TH STREET ACCESS ROAD AS ESTABLISHED BY AHTD JOB 040527 AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERN RIGHT OF WAY THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 4 DEGREES 44' 39" W A DISTANCE OF 13.63 FEET; N 85 DEGREES 15' 21" W; A DISTANCE OF 28.00 FEET; NORTH 1 DEGREE 43' 53" EAST A DISTANCE OF 13.65 FEET; THENCE SOUTH 85 DEGREES 15' 21" EAST A DISTANCE OF 28.72 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.01 ACRES (387 SQUARE FEET) MORE OR LESS AS SHOWN ON AHTD PLANS REFERENCED, Springdale, Washington County, Arkansas, Washington County Tax Parcel Number 815-30868-002 ("the Property").

**WHEREAS**, the City acquired the Property by way of an eminent domain action in 2013, and is an uneconomic remnant;

SPRINGDALE CITY COUNCIL  
APRIL 18, 2016

**WHEREAS**, Ark. Code Ann. §14-54-302 empowers and authorizes municipalities to sell real property it owns, subject to approval by the City Council;

**WHEREAS**, Rick and Carla Long and assigns have made an offer to purchase the Property from the City for the sum of \$774.00;

**WHEREAS**, the amount offered by Rick and Carla Long and assigns for the Property is reasonable in that it would allow the proposed buyer to combine the Property with adjacent property it is acquiring and/or already owns at this particular location;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the Mayor and City Clerk of the City of Springdale, Arkansas, are hereby authorized to execute all documents necessary to effect the sale of the Property to Rick and Carla Long and assigns, for the total sum of \$774.00.

**PASSED AND APPROVED** this \_\_\_\_ day of April, 2016.

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

ATTEST:

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

APPROVED:

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

Alderman Reed moved the Resolution be adopted. Alderman Evans made the second.

The vote:

Yes: Lawson, Watson, Reed, Evans, Overton

No: None

The Resolution was numbered 33-16.

ADJOURNMENT

Alderman Reed made the motion to adjourn. Alderman Evans made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 6:03 p.m.

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

\_\_\_\_\_  
Denise Pearce, City Clerk/Treasurer

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

**A RESOLUTION MAKING AN APPOINTMENT TO THE  
SPRINGDALE CIVIL SERVICE COMMISSION.**

**WHEREAS**, Eric Harris and Dave Chapman have been serving on the Springdale Civil Service Commission and their terms have expired.

**WHEREAS**, the City Council for the City of Springdale finds that \_\_\_\_\_, and \_\_\_\_\_ should be appointed to the Springdale Civil Service Commission for a six year term from April 1<sup>st</sup>, 2016 to April 1st, 2022;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that \_\_\_\_\_, and \_\_\_\_\_ are hereby appointed to the Springdale Civil Service Commission for a six year term running from April 1, 2016, to April 1, 2022.

**PASSED AND APPROVED** this 26<sup>th</sup> day of April, 2016.

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

**ATTEST:**

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

**APPROVED:**

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

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

**A RESOLUTION AUTHORIZING THE TEMPORARY  
OPERATION OF A CARNIVAL**

**WHEREAS**, Rick Culver, Executive Director from the Rodeo of the Ozarks has requested permission to conduct a Carnival entertainment event at the Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, put on by Betty Burlingame with Pride Amusements, LLC; and

**WHEREAS**, Pride Amusements, LLC carnival dates will be Wednesday, May 25<sup>th</sup>, 2016 thru Sunday, May 29<sup>th</sup>, 2016, and

**WHEREAS**, the carnival's hours of operation will be Wednesday, May 25<sup>th</sup> thru Saturday, May 27<sup>th</sup>, 2016, from 4:00 p.m. – Midnight and Sunday, May 29<sup>th</sup>, 2016 from noon to 8:00 p.m.; and

**WHEREAS**, Sec. 26-43 of the Springdale Code of Ordinances provides that the operation of a carnival, sideshow or other similar amusement facility within the city must be approved by resolution adopted by the city council,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that Rick Culver, Executive Director with the Rodeo of the Ozarks and Ed Burlingame with the Pride Amusements, LLC., is hereby authorized to conduct a carnival entertainment event in Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, May 25<sup>th</sup> thru May 29<sup>th</sup>, 2016, with the carnival opening and closing times listed above. In case of a rain out, the Mayor has the authority to reschedule this event.

**PASSED AND APPROVED** this 26<sup>th</sup> day of April, 2016.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

CITY OF SPRINGDALE  
R E P E R T

\*\*\* CUSTOMER RECEIPT CITY OF SPRINGDALE \*\*\*

Batch ID: CITYCLERK

4/14/16 01

201 Spring Street, Room 203  
Springdale, AR 72764  
479-750-8118

receipt no: 4980

Type	SvcCd	Description	Amount
MP		MISC/ACCT # REQUIRED	
	Qty	1.00	\$100.00

RODEO OF THE OZARKS  
LICENSES & PERMITS 10101013210000  
RODEO OF THE OZARKS  
CARNIVAL APPLICAITON FEE

Tender detail

CK Ref#: 28020 \$100.00  
Total tendered: \$100.00  
Total payment: \$100.00

Trans date: 4/14/16 Time: 14:12:13

THANK YOU FOR YOUR PAYMENT



CITY OF SPRINGDALE  
201 Spring Street, Room 203  
Springdale, AR 72764  
479-750-8118

COPY

**CITY OF SPRINGDALE**  
**APPLICATION FOR CIRCUS/EVENT**

**DATE OF APPLICATION:** 4/14/16

**BUSINESS NAME:** Rodeo of the Ozarks for Betty Burlingame DBA Pride Amusements

**OWNER:**

**BUSINESS ADDRESS:** PO Box 128 Galena, KS 66739

**BUSINESS PHONE:** 479-756-0464

**EMERGENCY PHONE:** 479-790-7425 (Rick Culver)

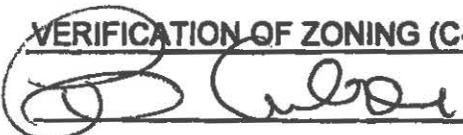
**DATE OF EVENT(7 day maximum):** May 25th-29th, 2016

**PHYSICAL LOCATION OF EVENT:** Parsons Stadium 1423 E Emma Ave Springdale, AR 72764

**HOURS OF OPERATION(Limited hrs. 10 a.m. to midnight):** Wed-Sat: 4pm-12am Sun: 12pm-8pm

**ARKANSAS SALES & USE TAX NUMBER:** 00190912-SLS

**VERIFICATION OF ZONING (C-2, C-5):**



(SIGNATURE OF APPLICANT)

**OFFICE USE ONLY**

**1. APPLICATION FEE OF \$100.00 COLLECTED:**

**2. PROOF OF \$1 MIL PUBLIC LIABILITY INSURANCE:(Non-profits exempt)**

**3. COPY OF WRITTEN PERMISSION FROM PROPERTY OWNER:**

**\*\*\*\*\*Please complete the following inspections after Council Approval\*\*\*\*\***

**DATE OF COUNCIL APPROVAL:**

**FIRE MARSHAL'S SIGNATURE:(Call 479-751-4510)**

**BUILDING OFFICIAL'S SIGNATURE:(Call 479-750-8557)**

ACORD™

Client#: 805 BETTYBUR  
**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)  
 3/14/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Haas & Wilkerson Insurance 4300 Shawnee Mission Parkway Fairway, KS 66205 913 432-4400	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 913 432-4400      FAX (A/C, No): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE      NAIC # INSURER A: ACE American Insurance Company      22667 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
<b>INSURED</b> Betty Burlingame dba Pride Amusements, LLC P. O. Box 128 Galena, KS 66739	

**COVERAGES**      **CERTIFICATE NUMBER:**      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC			G21762556	04/05/2016	04/05/2017	EACH OCCURRENCE      \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence)      \$100,000 MED EXP (Any one person)      \$Excluded PERSONAL & ADV INJURY      \$1,000,000 GENERAL AGGREGATE      \$2,000,000 PRODUCTS - COMP/OP AGG      \$2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)      \$ BODILY INJURY (Per person)      \$ BODILY INJURY (Per accident)      \$ PROPERTY DAMAGE (Per accident)      \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED      RETENTION \$						EACH OCCURRENCE      \$ AGGREGATE      \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> Y/N      N/A WC STATUTORY LIMITS      OTHER E.L. EACH ACCIDENT      \$ E.L. DISEASE - EA EMPLOYEE      \$ E.L. DISEASE - POLICY LIMIT      \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Additional Insureds: Parsons Stadium Rodeo Arena; City of Springdale; Springdale Benevolent Amusement Association, City of Springdale

<b>CERTIFICATE HOLDER</b> Parsons Stadium Rodeo Arena 1423 Emma Springdale, AR 72764	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING FUNDS FOR MURPHY  
PARK RENOVATIONS**

**WHEREAS**, the City of Springdale is preparing to close out the 2012 Bond Park Construction Fund, and

**WHEREAS**, the 2012 Bond Park Construction Fund will have sufficient funds for the completion of the C. L. Charlie & Willie George Park in the south east part of Springdale, and

**WHEREAS**, after the close out of the 2012 Bond Park Construction Fund there will be a need of \$222,000 to complete the renovations to Murphy Park, and

**WHEREAS**, the Capital Improvement Fund has approximately \$650,000 reserved for park land acquisition;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the expenditure of a maximum of \$222,000 of funds reserved for park land acquisition in the Capital Improvement Projects Fund is hereby approved for completion of renovations to Murphy Park.

**PASSED AND APPROVED** this 26<sup>th</sup> day of April, 2016.

---

Doug Sprouse, Mayor

ATTEST:

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Denise Pearce, City Clerk

APPROVED AS TO FORM:

---

Ernest B. Cate, City Attorney

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

**A RESOLUTION APPROVING A CONDITIONAL USE AT  
5338 MONICA MARIA 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 Tuesday, April 5, 2016 on a request by Barbara Herring for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2).

**WHEREAS**, following the public hearing the Planning Commission by a vote of seven (7) yes and zero (0) no recommends that a conditional use be granted to Barbara Herring for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2) with the following conditions – No conditions set.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby grants a conditional use to Barbara Herring for a Use Unit 28 (Home Occupation) in a Low/Medium Density Single Family Residential District (SF-2) with the following conditions – No conditions set.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

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

ATTEST:

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

APPROVED AS TO FORM:

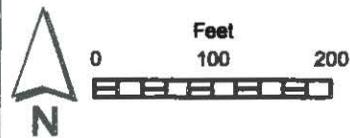
\_\_\_\_\_  
Ernest Cate, City Attorney



Public hearing sign posted:    /    / 2016

Public hearing sign posted by: CS

**S** Public Hearing Sign Location



**FILE NO. C16-02**  
**APPLICANT: BARBARA HERRING**  
**CONDITIONAL USE REQUEST: HOME OCCUPATION (28)**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**APRIL 5TH, 2016**

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

**A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO ROB TANKSLEY IN CONNECTION WITH 13184 ROBBINS ROAD, A SINGLE FAMILY DWELLING**

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

**WHEREAS**, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, sidewalks in connection with 13184 Robbins Road a single family dwelling for Rob Tanksley 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 Robbins Road including drainage improvements related thereto, sidewalks, in connection with 13184 Robbins Road, a single family dwelling for Rob Tanksley.

**Option 2: Denies** a waiver of street improvements to Robbins Road including drainage improvements related thereto, sidewalks in connection with 13184 Robbins Road a single family dwelling for Rob Tanksley.

**Option 3: Approves** payment in lieu of improvements to Robbins Road in connection with 13184 Robbins Road a single family dwelling for Rob Tanksley with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

**Option 4: Denies** a waiver and allow a Bill of Assurance for a period not to exceed \_\_\_\_\_ years for street improvements to Robbins Road including drainage improvements related thereto, sidewalks to be built in connection with 13184 Robbins Road a single family dwelling for Rob Tanksley.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

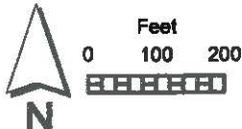
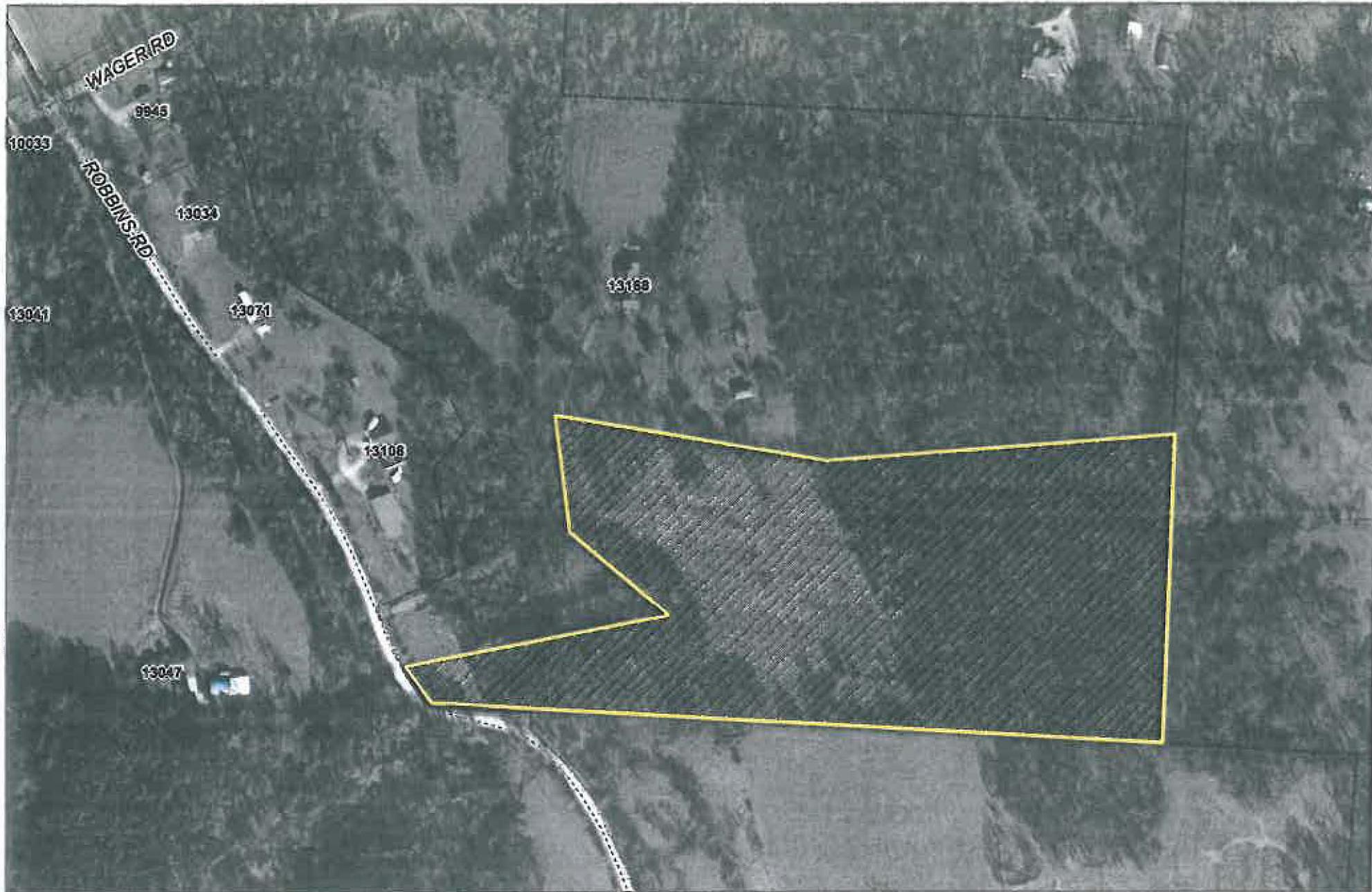
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

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

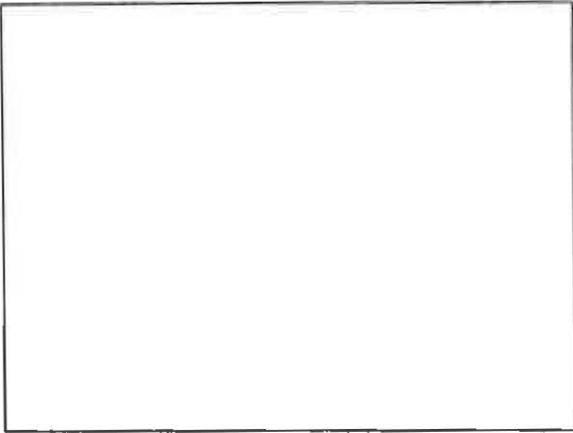
APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



**FILE NO. W16-08**  
**APPLICANT: ROB TANKSLEY**  
**WAIVER REQUEST: SIDEWALK REQUIREMENTS**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**APRIL 5TH, 2016**



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

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) TO 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 April 5, 2016 for hearing the matter of a petition of Thomas J. Embach, Revocable Trust requesting that the following described tract of real estate be zoned from Low/Medium Density Single Family Residential District (SF-2) to Planned Unit Development (PUD).

**Layman's Description: 905 Mill Street**

**Legal Description:** A part of the NW 1/4 of the NE 1/4 and part of the NE 1/4 of the NE 1/4 of Section 36, Township 18, North, Range 30 West, in the City of Springdale, Washington County, Arkansas, described as commencing at 1 1/4 inch found pipe for the NW corner of the NW 1/4 of the NE 1/4 of Section 36, township 18 North, Range 30W; thence along the north line of said Section 36, S87° 56' 05" E a distance of 104.25 feet to a point in Mill Street,; thence leaving said north line and running S15° 41' 50" W in the prescriptive right of way of Mill Street a distance of 544.98 feet to a set cotton picker spindle; thence S88° 32' 15" E 211.02 feet to the Point of Beginning; thence N13° 56' 19" E 72.70 feet; thence N87° 39' 49" W 202.20 feet; thence N15° 34' 00" E 77.00 feet; thence N15° 13' 35" E 76.97 feet; thence N14° 27' 48" E 72.00 feet; thence N14° 27' 49" E 142.87 feet; thence S87° 40' 14" E 30.82 feet; thence S87° 40' 10" E 184.05 feet; thence S87° 40' 15" E 983.60 feet; thence S15° 01' 30" W 232.50 feet; thence N15° 49' 38" W 193.38 feet; thence N60° 59' 01" E 2.98 feet; thence S18° 02' 39" W 465.80 feet; thence S18° 02' 39" W 224.20 feet; thence S89° 44' 18" W 87.20 feet; thence N74° 29' 00" W 56.00 feet; thence N51° 29' 00" W 60.00 feet; thence N58° 46' 00" W 50.00 feet; thence N65° 28' 00" W 90.00 feet; thence N50° 41' 00" W

40.00 feet; thence N36° 55' 00" W 70.00 feet; thence N18° 12' 00" W 90.00 feet; thence N40° 11' 00" W 90.00 feet; thence N51° 44' 00" W. 60 feet; thence N43° 06' 00" W 90.00 feet; thence N63° 42' 00" W 80.00 feet; thence N80° 00' 00" W 70.00 feet; thence N85° 16' 00" W 70.00 feet; thence N02° 19' 29" E 186.17 feet TO THE POINT OF BEGINNING and containing 921,110 square feet or 21.15 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 from Low/Medium Density Single Family Residential District (SF-2) 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 Low/Medium Density Single Family Residential District (SF-2)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 \_\_\_\_\_, 2016**

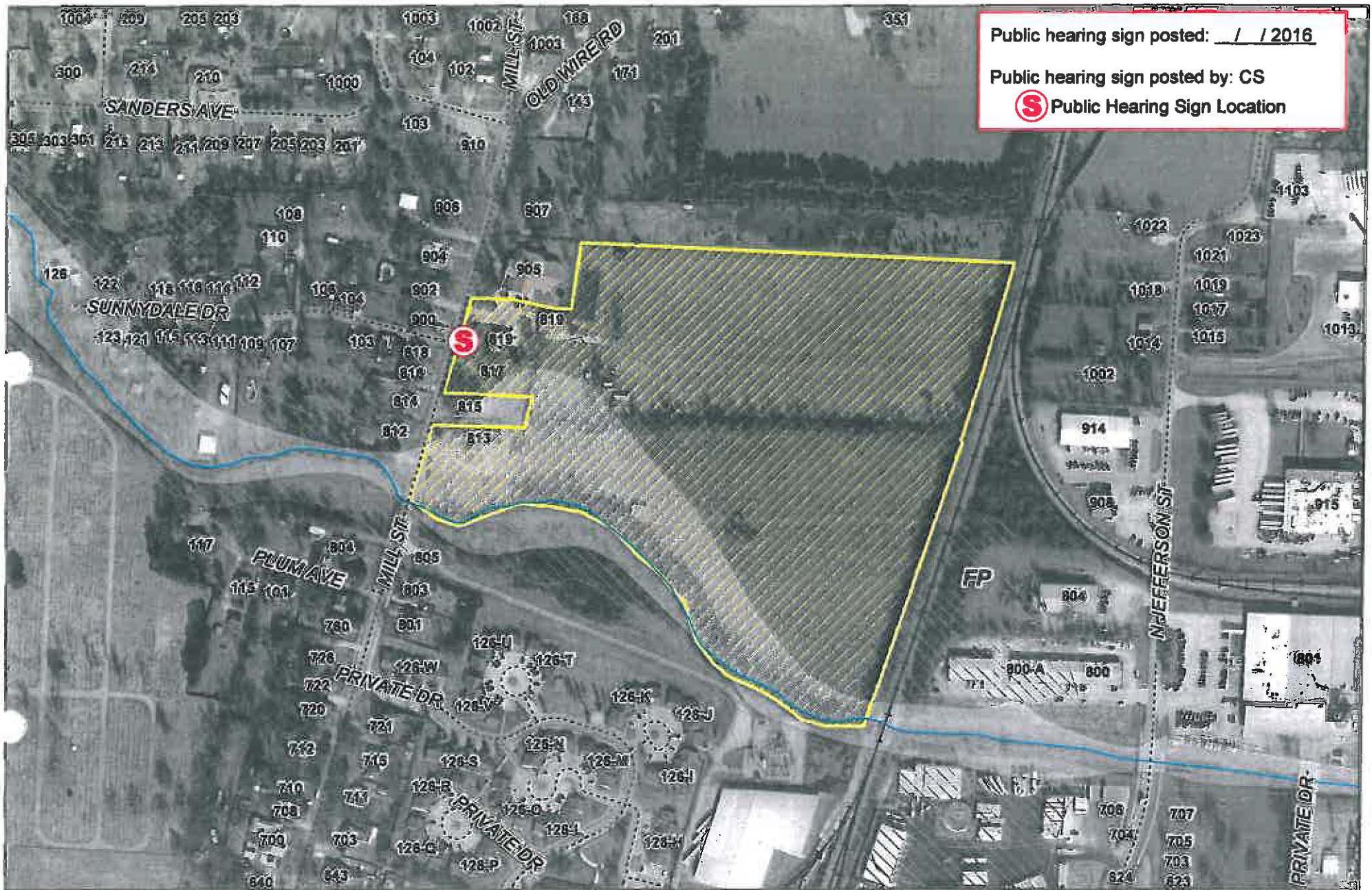
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

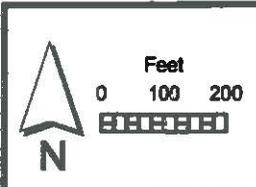
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney

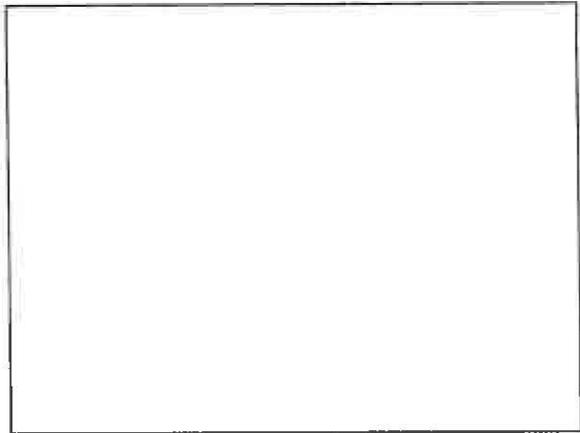


Public hearing sign posted: \_\_\_ / \_\_\_ / 2016  
 Public hearing sign posted by: CS  
 Public Hearing Sign Location



**FILE NUMBER: R16-05**  
**APPLICANT: THOMAS EMBACH REVOCABLE TRUST**  
**REZONING REQUEST: SF-2 TO PUD**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**



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

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM MANUFACTURED HOME PARK DISTRICT (MPH) 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 April 5, 2016 for hearing the matter of a petition of KC Leasing, LLC (Kent Dobbs) requesting that the following described tract of real estate be zoned from Manufactured Home Park District (MHP) to Thoroughfare Commercial District (C-5).

**Layman's Description: SW corner of Don Tyson Parkway & Thompson St.**

**Legal Description:** Part of the NW 1/4 of the NE 1/4 of Section 14, Township 17 North, Range 30 West, Washington County, Arkansas, more particularly described as: Beginning at a point which is 34 rods South and 580 feet West of the Northeast corner of said 40 acre tract and running thence West 740 feet, more or less, to the West line of said 40 acre tract; thence North 165 feet; thence East 740 feet to a point due North of the beginning corner; thence South 165 feet to the point of beginning.

Being also described on Property Survey b G. Alan Reid, RPLS #1005, State of Arkansas, dated April 14, 2015 and designated as Job #15062, as follows:

A part of the Northwest quarter (NW 1/4) of the Northeast quarter (NE 1/4) of Section 14, Township 17 North, Range 30 West, being more particularly described as follows: Commencing at the Northwest corner of said 40 acre tract, said point being an existing aluminum Arkansas State Land survey monument; thence S02° 30' 07" W 395.97 feet along the west line of said 40 acre tract to an existing 1/2" iron rebar for the true point of beginning; thence S87° 12' 17" E 731.08 feet to an existing iron rebar; thence S02° 35' 22" W 162.79 feet to an existing iron rebar; thence N87° 13' 52" W 730.83 feet to a set 1/2" iron rebar on the west line of said

40 acre tract; thence N02° 30' 07" E 163.13 feet to the point of beginning, containing 2.74 acres, more or less, Springdale, 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 from Manufactured Home Park District (MHP) 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 Manufactured Home Park District (MHP) 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 \_\_\_\_\_, 2016**

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

ATTEST:

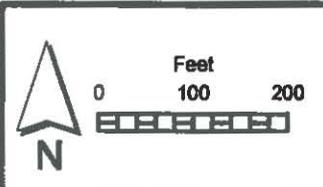
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney

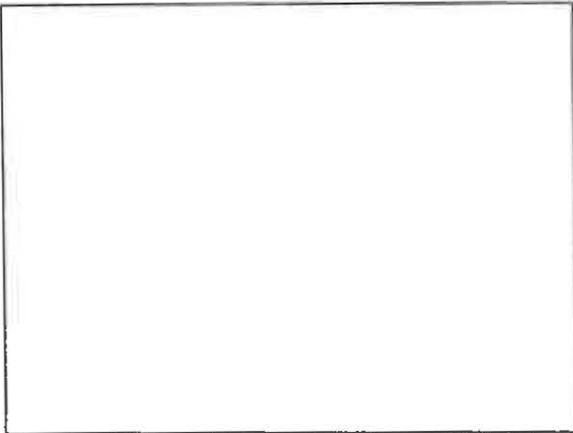


Public hearing sign posted:      /      / 2016  
 Public hearing sign posted by: CS  
 (S) Public Hearing Sign Location



**FILE NO. R16-08**  
**APPLICANT: KC LEASING, LLC**  
**REZONING REQUEST: MHP TO C-5**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**APRIL 5TH, 2016**



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

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM LOW/MEDIUM SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) 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 April 5, 2016 for hearing the matter of a petition of Board of Trustees of the University of Arkansas requesting that the following described tract of real estate be zoned from Low/Medium Single Family Residential District(SF-2) to General Commercial District (C-2).

**Layman’s Description: 3559 N. Thompson**

**Legal Description:**

**TRACT 1:**

Part of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 24, Township 18 North, Range 30 West, Benton County, Arkansas, described as beginning at a point 300 feet North of the Southwest corner of said North Half of the Northwest Quarter, of the SW Quarter running thence North 30 feet; thence East 300 feet; thence South 30 feet; thence West 300 feet to the point of beginning, subject to the highway of the West side thereof.

**TRACT 2:**

Part of the N 1/2 of the NW 1/4 of the SW 1/4 of Section 24, Township 18 North, Range 30 West of the 5<sup>th</sup> Principal Meridian, Benton County, Arkansas, more particularly described as follows: Beginning at a point 100 feet North of the SW corner of the above described 20 acre tract, run thence North 200 feet; thence East 300 feet; thence South 200 feet; thence West 300 feet, more or less to the point of beginning, EXCEPT

any part thereof which lies within U.S. Highway 71 as now constituted, all according to the Government Survey of said quarter section.

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Low/Medium Density Single Family Residential District (SF-2) to 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 Low/Medium Density Single Family Residential District (SF-2) 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 \_\_\_\_\_, 2016**

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

ATTEST:

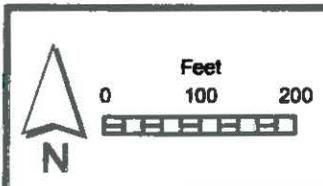
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney

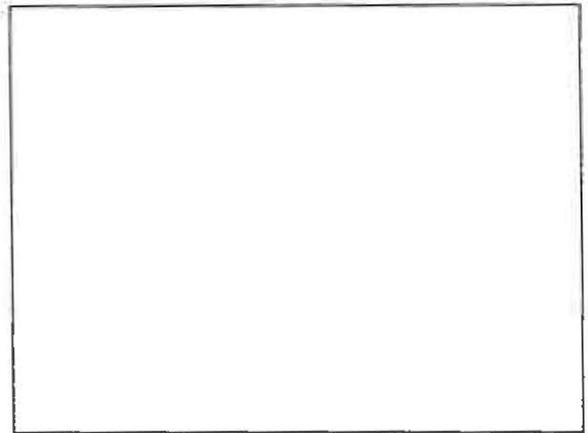


Public hearing sign posted:    /    / 2016  
 Public hearing sign posted by: CS  
 (S) Public Hearing Sign Location



**FILE NO. R16-09**  
**APPLICANT: BOARD OF TRUSTEES - U OF A**  
**REZONING REQUEST: SF-2 TO C-2**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**APRIL 5TH, 2016**



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

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM GENERAL COMMERCIAL DISTRICT C-2) TO NEIGHBORHOOD OFFICE DISTRICT (O-1) AND DECLARING AN EMERGENCY:**

**WHEREAS**, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 5, 2016 for hearing the matter of a petition of River Real Estate, LLC requesting that the following described tract of real estate be zoned from General Commercial District (C-2) to Neighborhood Office District (O-1)

**Layman's Description: 3531/3505 McRay**

**Legal Description:** Part of the Northeast Quarter of the Fractional Northwest Quarter of Section 3, township 17 North, Range 30 West, Washington County, Arkansas, more particularly described as follows: Beginning at a point N 89° 58' 20" W 919.13 feet and S 00° 49' 48" E 23.02 feet from the Northeast corner of the Fractional Northwest Quarter, and running thence S 00° 49' 48" E 155.97 feet; thence S 89° 58' 20" E 228.76 feet; thence N 00° 01' 40" E 156.06 feet; thence S 89° 56' 37" E 226.42 feet to the point of beginning, containing 0.82 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 from General Commercial District (C-2) to Neighborhood Commercial District (O-1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

**SECTION 1:** That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From General Commercial District (C-2) to Neighborhood Office District (O-1).

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

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

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

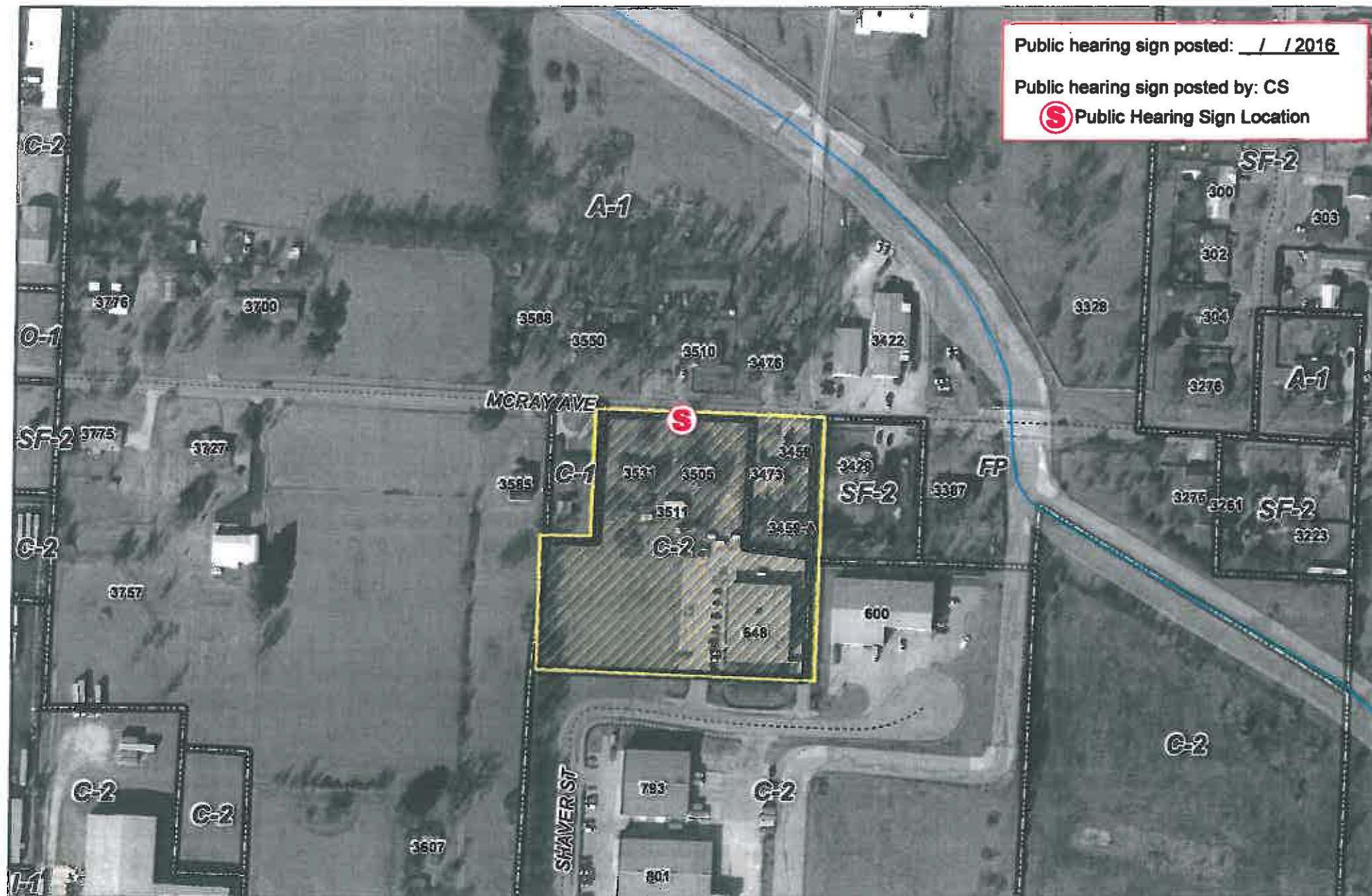
\_\_\_\_\_  
Doug Sprouse, Mayor

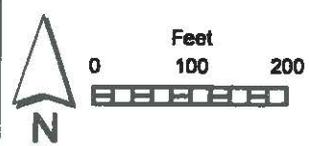
ATTEST:

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

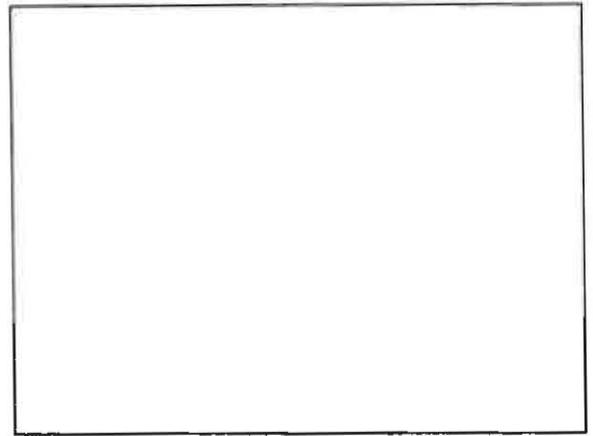
APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney




**FILE NO. R16-10**  
**APPLICANT: RIVER REAL ESTATE, LLC.**  
**REZONING REQUEST: C-2 TO O-1**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**APRIL 5TH, 2016**



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

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-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 April 5, 2016 for hearing the matter of a petition of Jeff Jech requesting that the following described tract of real estate be zoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

**Layman's Description: 3802 Silent Grove Road**

**Legal Description:** Part of the SW/4 of the NE/4 & part of the SE/4 of the NE/4 all in Section 2, Township 18 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Commencing at a stone at the NW corner of the SW/4 of the NE/4, thence S0° 46' 30" E 1089.00feet, thence N89° 05' 00" E 1155.03 feet to the Point of Beginning, thence N0° 55' 00" W 120.00 feet, thence N89° 05' 00" E 244.02 feet to the centerline of Silent Grove Road, thence along said centerline the following courses and distances: S25° 38' 17" E 21.75 feet, S12° 19' 22" E 102.26 feet, thence leaving said centerline S89° 05' 00" W 273.34 feet to the Point of Beginning, containing 0.72 acres.

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-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 Low/Medium Density Single Family Residential District (SF-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 \_\_\_\_\_, 2016**

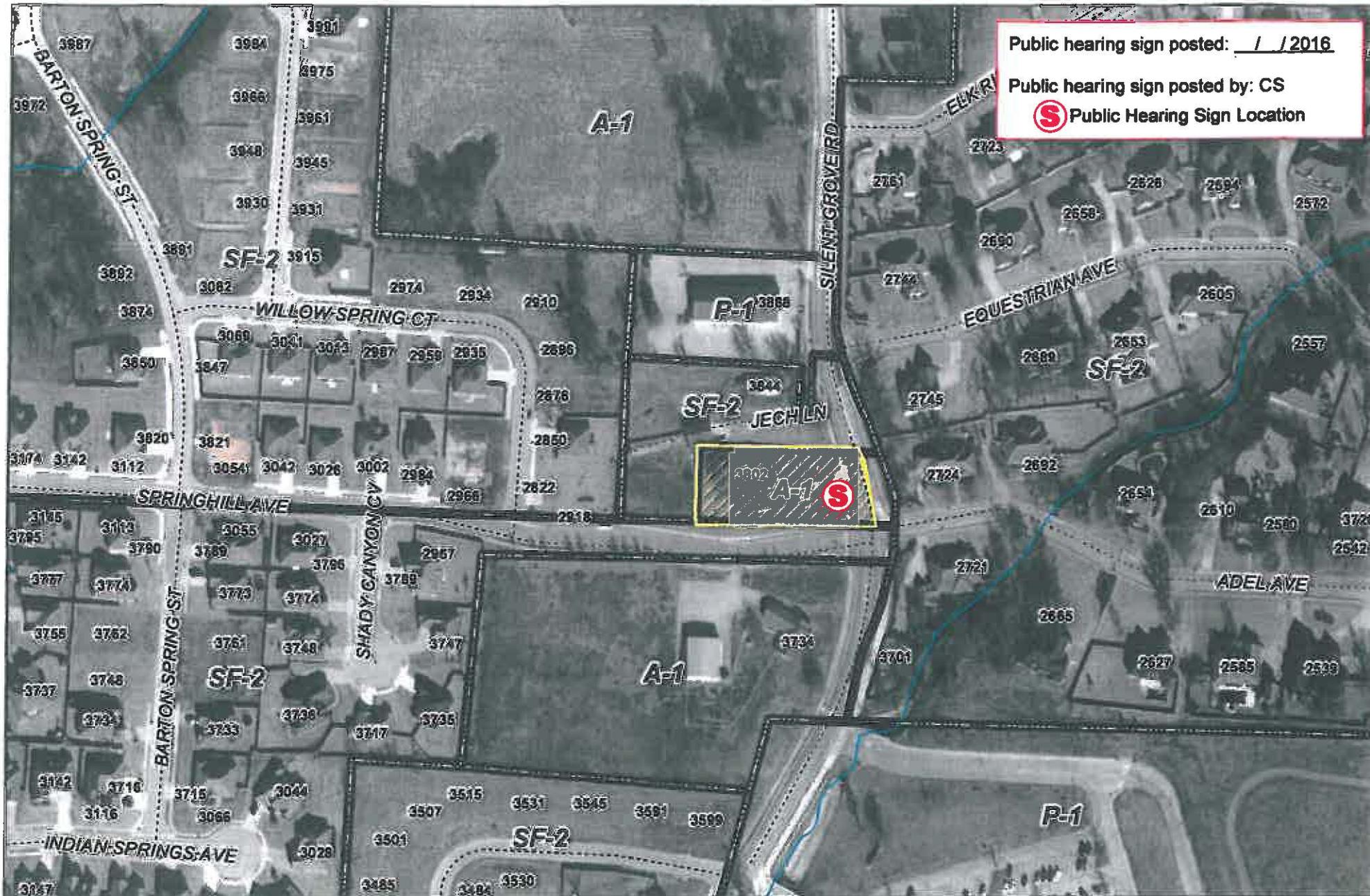
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

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

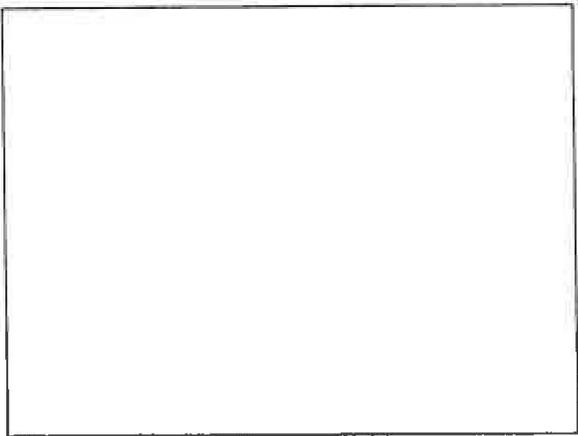
APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



Public hearing sign posted:      /      / 2016  
 Public hearing sign posted by: CS  
 (S) Public Hearing Sign Location

<p>0      100      200 Feet</p>	<p><b>FILE NO. R16-11</b>  <b>APPLICANT: JEFF JECH</b>  <b>REZONING REQUEST: A-1 TO SF-2</b></p>	<p><b>CITY OF SPRINGDALE</b>  <b>PLANNING OFFICE</b>  <b>PLANNING COMMISSION MEETING</b>  <b>APRIL 5TH, 2016</b></p>
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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM 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 April 5, 2016 for hearing the matter of a petition of Fish Bridge Investments, LLC requesting that the following described tract of real estate be zoned from General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

**Layman's Description: 3198 S. Old Missouri Road**

**Legal Description:** A part of the Northwest quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the fractional Section Seven (7), Township Seventeen (17) North, Range Twenty-nine (29) West, more particularly described as commencing at the west quarter (W 1/4) corner of said Section Seven (7) and continuing thence N88° 25' 16" E 565.22 feet and S01° 34' 44" E 1310.85 feet to an AHTD Right of way monument, established for AHTD job number 040490, on the westerly right of way of Arkansas Highway 265, said point being on the south line of said forty and the true point of beginning; Thence along said forty line S87° 59' 57" W 415.35 feet to a point on the common boundary with lot one of the Palisades Subdivision; thence along said boundary N08° 58' 26" W 99.10 feet to a point on the southern and common boundary with Parcel Number 815-34802-100; thence along said boundary N88° 33' 03" E 422.88 feet to a point on said westerly right of way of Highway 265; thence along said right of way S04° 44' 38" E 94.40 feet to the point of beginning, containing 0.926 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 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 \_\_\_\_\_, 2016**

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

ATTEST:

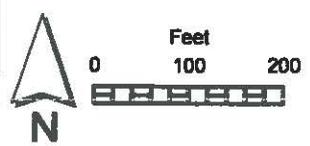
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



Public hearing sign posted:    /    / 2016  
 Public hearing sign posted by: CS  
 (S) Public Hearing Sign Location

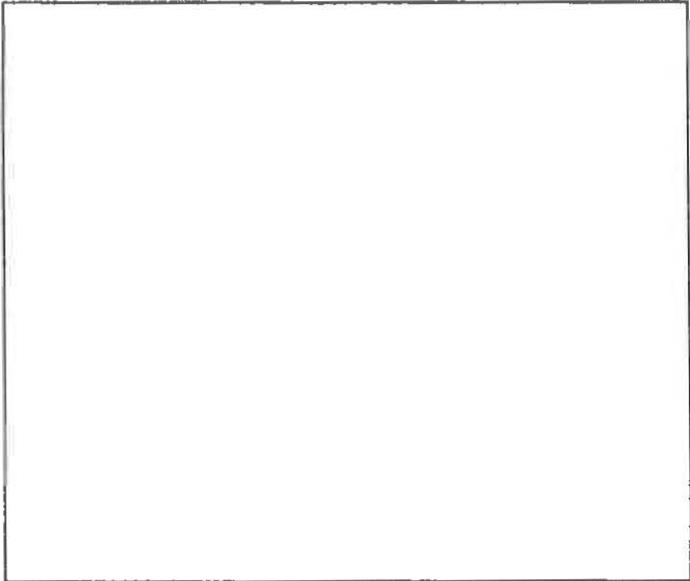


**FILE NO. R16-13**  
**APPLICANT: FISHING BRIDGE INVESTMENTS, LLC**  
**REZONING REQUEST: C-2 TO C-5**

**CITY OF SPRINGDALE**  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**APRIL 5TH, 2016**

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, WASHINGTON COUNTY, ARKANSAS.**



**WHEREAS**, the following real property located in Springdale, Washington County, Arkansas, is owned as set out below:

**PROPERTY OWNER:** Joetta Ethel Bilderback  
**LEGAL DESCRIPTION:** Part of the Northeast Quarter of the Northwest Quarter of Section One (1) in Township Seventeen (17) North, Range Thirty (30) West; Beginning Nineteen (19) rods East and Eight Hundred Twenty-two (822) feet North of where the South line of the said Forty (40) acre tract crosses the East line of the right-of-way of the St. Louis & San Francisco Railroad thence North Two Hundred Fifty-five and Five Tenths (255.5) feet to the East line of the said Railroad right-of-way; thence in a southwesterly direction with the East line of the said Railroad right-of-way, a distance of 265.75 feet; thence East Seventy Four (74) feet to the place of beginning.  
**LAYMAN'S DESCRIPTION:** 516 Crutcher St.  
Springdale, Washington County, Arkansas  
**PARCEL NO.:** 815-27649-000

**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:

\$796.00 clean-up costs and \$21.74 administrative costs – 516 Crutcher St. (#815-27649-000)

**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:

\$817.74, plus 10% for collection – 516 Crutcher St. (#815-27649-000)

**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 April, 2016.

\_\_\_\_\_  
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:  
ssparkman@springdalear.gov

March 25, 2016

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

Ernest B. Cate  
City Attorney

Taylor Samples  
Senior Deputy  
City Attorney

Sarah Sparkman  
Deputy City Attorney

David D. Phillips  
Deputy City Attorney

Lynda Belvedere  
Case Coordinator/  
Victim Advocate

Steve Helms  
Investigator

Cindy Horlick  
Administrative Legal  
Assistant/Paralegal

Joshua T. Edens & Zakary Edens  
c/o Joseph Albert Edens  
2624 Stoneridge Circle, Apt. 204  
Springdale, AR 72764

Beulah L. Bilderback  
12917 Recreation Dr.  
Lowell, AR 72745-8523

RE: Notice of clean-up lien on property located at 516 Crutcher St.,  
Springdale, Washington County, Arkansas, Tax Parcel No. 815-  
27649-000

Dear Heirs of Joetta Bilderback:

On August 5, 2015, notice was posted on property located at 516 Crutcher St., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77, 42-78 and 42-156, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on November 5, 2015, 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.

No action was taken by the owner to clean up the property within seven (7) business days. 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 January 12, 2016. As of this date, the total cost incurred by the City of Springdale to clean this property is \$796.00. I have enclosed invoices 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 \$6.74 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 April 26, 2016, a hearing 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 will be held Tuesday, April 26, 2016 at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. You will be entitled to present evidence at this hearing concerning the amount of the lien the City of Springdale is claiming.

If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$802.74, which includes \$796.00 for cleaning up the property and \$6.74 for certified mailings to the City of Springdale by the date listed above. 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. Please provide me with a copy of any payment you make so that I will be aware of it.

This letter is also being mailed by regular mail to all parties 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,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



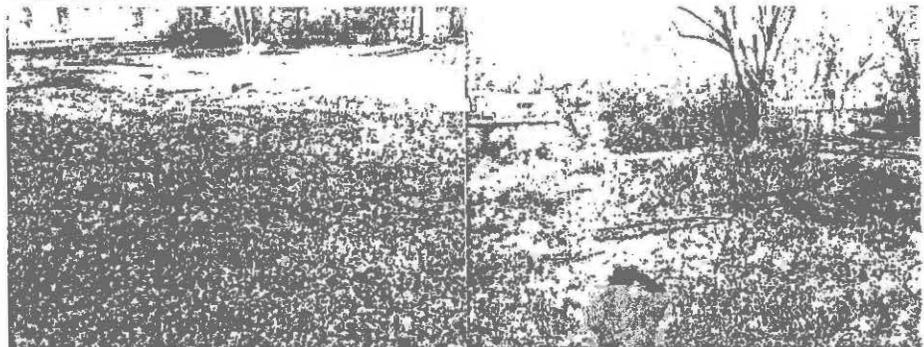
# City of Springdale Code Enforcement

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210 Spring Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Tuesday, January 12, 2016 9:46:43 AM (645 CITY ABATEMENT)**

User Name                   645 CITY ABATEMENT  
User #                        4797993474  
Form Started                1/12/2016 9:46:43 AM  
Property Address          516 Crutcher St  
Before Picture             Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



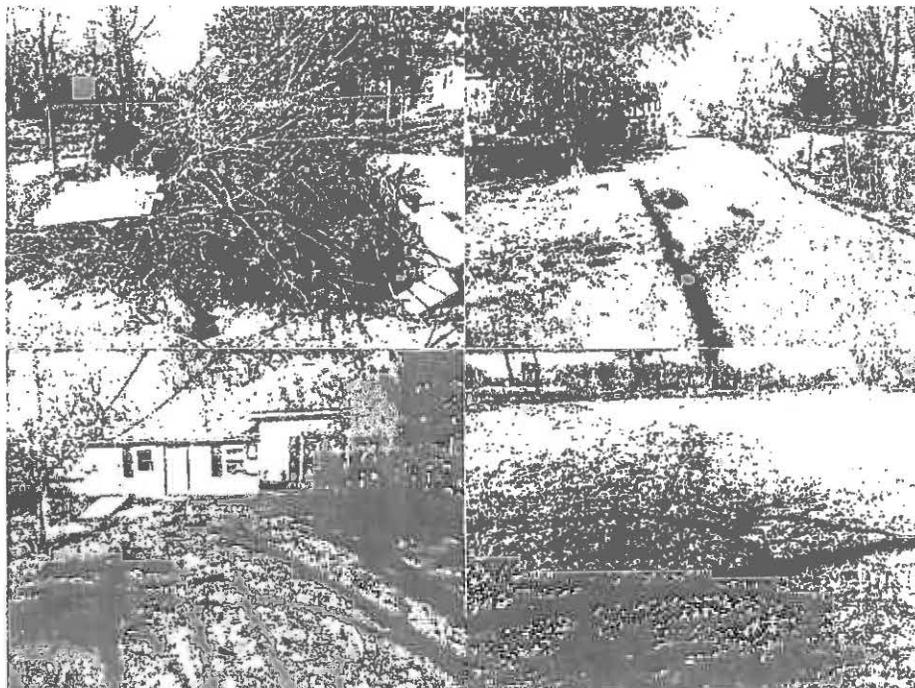
Type of Abatement	Lien
Date of Abatement	Tuesday, January 12, 2016 9:46:00 AM
Officer on Site	Tina Haden
Supervisor on Job	Henry Hernandez,Daniel Combs
<b>Employee</b>	
Employee	Henry Hernandez,Daniel Combs
HH Benefit Rate	\$27.42
DC Benefit Rate	\$16.58
<b>Method of Compliance</b>	
1 Method of Compliance	Mowing,Junk and Trash Removal from Curb,Property Clean Up - Junk and Trash
<b>Equipment Used</b>	
Equipment	721 Kubota Tractor,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping,6038 1-ton Work Truck-Landscaping,6050 1-ton Work Truck Landscaping
721 Kubota Tractor	\$65.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00

6038 1-ton Work Truck-Landscaping	<b>\$35.00</b>
6050 1-ton Work Truck-Landscaping	<b>\$35.00</b>
Time of Abatement in Hours	<b>2</b>
Number of Temporary Laborers	<b>7</b>
Temporary Labor Cost	<b>168.00</b>
Employee Cost per hour	<b>44.00</b>
Total Employee Cost	<b>88.00</b>
Equipment Cost per hour	<b>170.00</b>
Total Equipment Cost	<b>340.00</b>
Mobilization Fee	<b>\$200.00</b>
Extra materials cost	<b>\$0.00</b>
Total Cost of Abatement	<b>796.00</b>
Final Photos	<b>Attached Data</b>



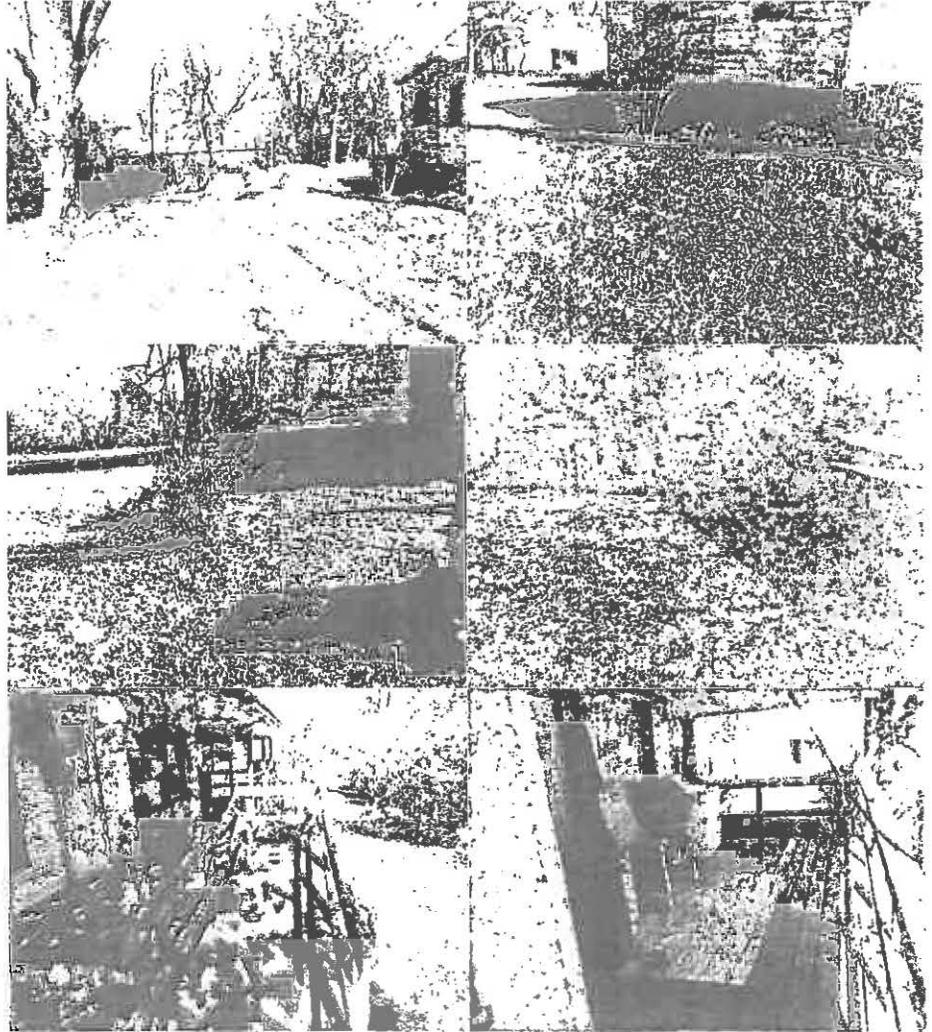
Final Photos

Attached Data



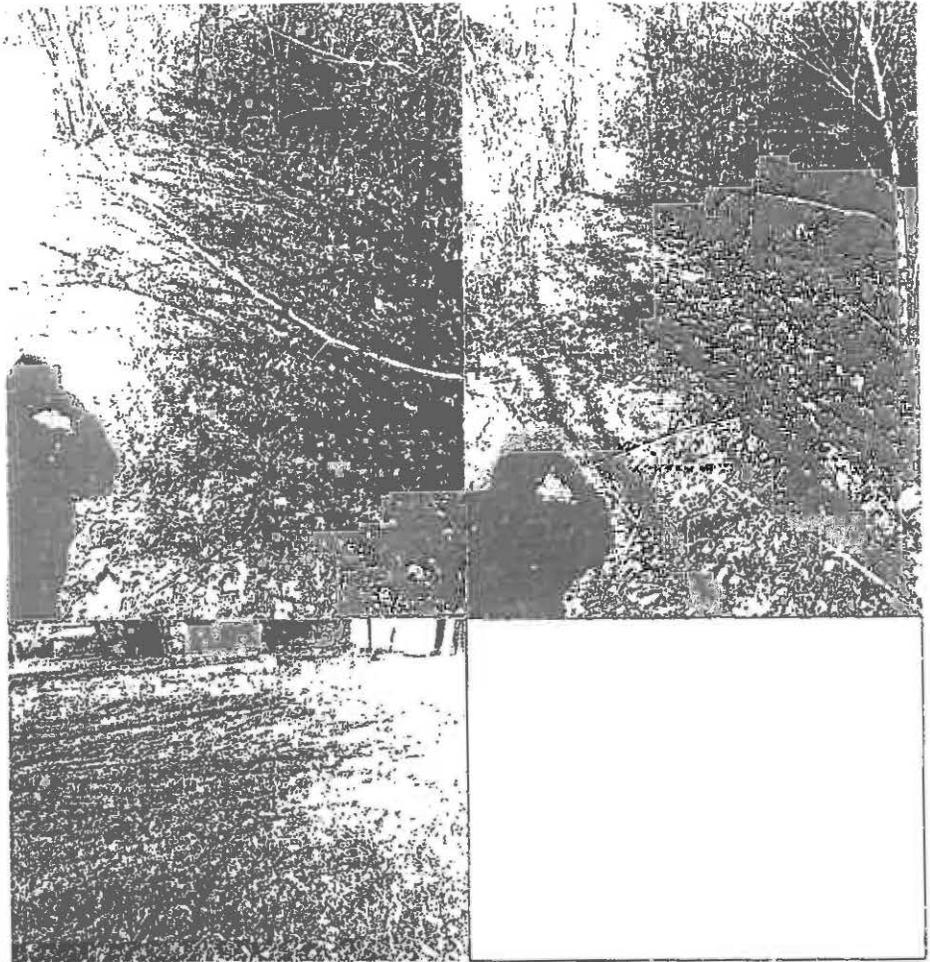
Final Photos

Attached Data



Final Photos

Attached Data





RESOLUTION NO: \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE EXECUTION  
OF A CONTRACT FOR RENOVATION OF THE  
SHILOH MEETING HALL**

**WHEREAS**, the City of Springdale acquired the Shiloh Meeting Hall in January of 2005 and agreed to make improvements to the property within 15 years, and

**WHEREAS**, the Shiloh Museum has spent \$195,142 to restore the exterior of the building, and;

**WHEREAS**, the competitive bidding process was used to obtain a contractor, and

**WHEREAS**, the low bidder was unable to furnish a bond, the Museum Director has recommended proceeding with D. Cameron, Inc. dba Cameron Construction with a negotiated contract in the amount of \$597,260.00;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the Mayor is hereby authorized to execute a contract with D. Cameron, Inc. dba Cameron Construction for an amount not to exceed \$597,260 for renovation of the Shiloh Meeting Hall.

**PASSED AND APPROVED** this 26<sup>th</sup> day of April, 2016.

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney

# AIA<sup>®</sup> Document A101<sup>™</sup> – 2007

## **Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum**

**AGREEMENT** made as of the 15th day of April in the year 2016  
(In words, indicate day, month and year.)

**BETWEEN** the Owner:  
(Name, legal status, address and other information)

Shiloh Museum of Ozark History  
118 West Johnson Avenue  
Springdale, Arkansas 72764

and the Contractor:  
(Name, legal status, address and other information)

D. Cameron, Inc. dba Cameron Construction  
201 North 3<sup>rd</sup> Street  
Ozark, Arkansas 72949

for the following Project:  
(Name, location and detailed description)

Interior Restoration and Rehabilitation - Historic Shiloh Church  
Huntsville and Main Streets, Springdale, Arkansas

The Architect:  
(Name, legal status, address and other information)

Clements & Associates/Architecture, Inc.  
507 Main Street  
North Little Rock, Arkansas 72114

The Owner and Contractor agree as follows.

### **ADDITIONS AND DELETIONS:**

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201<sup>™</sup>-2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

Init.

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**TABLE OF ARTICLES**

- 1 THE CONTRACT DOCUMENTS
- 2 THE WORK OF THIS CONTRACT
- 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
- 4 CONTRACT SUM
- 5 PAYMENTS
- 6 DISPUTE RESOLUTION
- 7 TERMINATION OR SUSPENSION
- 8 MISCELLANEOUS PROVISIONS
- 9 ENUMERATION OF CONTRACT DOCUMENTS
- 10 INSURANCE AND BONDS

**ARTICLE 1 THE CONTRACT DOCUMENTS**

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

**ARTICLE 2 THE WORK OF THIS CONTRACT**

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

**ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**

§ 3.1 The date of commencement of the Work shall be the date of this Agreement unless a different date is stated below or provision is made for the date to be fixed in a notice to proceed issued by the Owner.  
*(Insert the date of commencement if it differs from the date of this Agreement or, if applicable, state that the date will be fixed in a notice to proceed.)*

The date of commencement of the work shall be established by a written notice to proceed prepared by the Architect authorized by the Owner.

If, prior to the commencement of the Work, the Owner requires time to file mortgages and other security interests, the Owner's time requirement shall be as follows:

N/A

§ 3.2 The Contract Time shall be measured from the date of commencement.

§ 3.3 The Contractor shall achieve Substantial Completion of the entire Work not later than One Hundred Eighty ( 180 ) calendar days from the date of commencement,  
*(Insert number of calendar days. Alternatively, a calendar date may be used when coordinated with the date of commencement. If appropriate, insert requirements for earlier Substantial Completion of certain portions of the Work.)*

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**Portion of Work**

**Substantial Completion Date**

, subject to adjustments of this Contract Time as provided in the Contract Documents.  
*(Insert provisions, if any, for liquidated damages relating to failure to achieve Substantial Completion on time or for bonus payments for early completion of the Work.)*

Liquidated damages in the amount of One Hundred Fifty (\$150.00) dollars per calendar day shall be assessed for the incompleteness of this project within the above described construction period to offset expenses to the Owner.

**ARTICLE 4 CONTRACT SUM**

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be Five Hundred Ninety-Seven Thousand Two Hundred Sixty and 00/100--- (\$ 597,260.00 ), subject to additions and deductions as provided in the Contract Documents.

§ 4.2 The Contract Sum is based upon the following alternates, if any, which are described in the Contract Documents and are hereby accepted by the Owner:

*(State the numbers or other identification of accepted alternates. If the bidding or proposal documents permit the Owner to accept other alternates subsequent to the execution of this Agreement, attach a schedule of such other alternates showing the amount for each and the date when that amount expires.)*

N/A

§ 4.3 Unit prices, if any:

*(Identify and state the unit price; state quantity limitations, if any, to which the unit price will be applicable.)*

Item	Units and Limitations	Price Per Unit (\$0.00)
N/A		

§ 4.4 Allowances included in the Contract Sum, if any:

*(Identify allowance and state exclusions, if any, from the allowance price.)*

Item	Price
Allowance No. 1: (Linoleum)	\$40.00 per yard material
Allowance No. 2: (Shelf)	\$100.00 each shelf
Allowance No. 3: (Mirror)	\$250.00 each mirror
Allowance No. 4: (Signage)	\$500.00 lump sum

**ARTICLE 5 PAYMENTS**

**§ 5.1 PROGRESS PAYMENTS**

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the last day of a month, the Owner shall make payment of the certified amount to the Contractor not later than the 15th day of the next month. If an Application for Payment is received by the Architect after the application date fixed above, payment shall be made by the Owner not later than twenty ( 20 ) days after the Architect receives the Application for Payment.  
*(Federal, state or local laws may require payment within a certain period of time.)*

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