

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

- **Monday, January 18th, 5:30 p.m. is the next Committee meetings.**
 - **Committee agendas will be available on Friday, January 15th, 2016.**

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
TUESDAY, January 12th, 2016**

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance
Invocation – **MAYOR SPROUSE**

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 – City Clerk Denise Pearce

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. Approval of Minutes
 - a) December 8th, 2015 **2-21**
6. Procedural Motions
 - A. Entertain Motion to read all Ordinances and Resolutions by title only.
 - B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item numbers....8* (Motion must be approved by two-thirds (2/3) of the council members).
7. Street & CIP Committee Report and Recommendations by Chairman Rick Evans

A Resolution: authorizing funds from the Capital Improvement Project Fund for the airport terminal building. Committee recommended approval. **22**
8. **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, (6519 Apple Shed Ave., 3378 Brian St., 807 Hinshaw Dr., 699 McKinney St., 2403 Sycamore Pl., and 1202 Thelma St.) presented by: Ernest Cate, City Attorney. **23-103**
9. Comments from Department Heads.
10. Comments from Council Members.
11. Comments from City Attorney.
12. Comments from Mayor Sprouse.
13. Adjournment.

SPRINGDALE CITY COUNCIL
DECEMBER 8, 2015

The City Council of the City of Springdale met in regular session on December 8, 2015, in the City Council Chambers, City Administration Building. Mayor 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
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 Director
Ron Hritz	Police Captain
Mike Irwin	Fire Chief
Sam Goade	Public Works Director
Mike Chamlee	Buildings Director
Brad Baldwin	Engineering Director
Bill Mock	Parks and Recreation Director
Gina Kincy	Human Resource Director

AGENDA ITEM TABLED – ORDINANCE REZONING 45 ACRES OWNED BY MACHRICH LLC LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST APPLE BLOSSOM AND NORTH GRAHAM ROAD

At the request of the petitioner, Alderman Overton made the motion to table a rezoning request by Machrich LLC until the January 26, 2016 City Council meeting. Alderman Watson made the second.

The vote:

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

No: None

POLICE AND FIREMEN OF THE YEAR PRESENTATION BY VFW

Randy George, VFW, presented the Police Officer of the Year award to Matt Johnson of the Springdale Police Department and the Fireman of the Year award to Damon Lee of the Springdale Fire Department.

Mr. George asked City Council to consider finding a place for the VFW to build a memorial wall in the City of Springdale.

Mayor Sprouse said he will meet with Mr. George and try to work on this request.

APPROVAL OF MINUTES

Alderman Jaycox moved the minutes of the November 24, 2015 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: Evans, Reed, Jaycox, Culver, Watson, Overton, Ford, Lawson,

No: None

PUBLIC HEARING - RESOLUTION NO. 132-15 - AUTHORIZING THE ISSUANCE OF A REVENUE BOND BY THE CITY OF SPRINGDALE PUBLIC FACILITIES BOARD TO FINANCE ALL OR A PORTION OF THE COSTS OF ACQUIRING AND IMPROVING REAL ESTATE ON 87 ACRES LOCATED AT 1161, 1255 AND 1270 KENDRICK AVENUE, SPRINGDALE, ARKANSAS

A public hearing was held on the issuance of a revenue bond by the City of Springdale Public Facilities Board to finance all or a portion of the costs of acquiring and improving real estate on 87 acres located at 1161, 1255 and 1270 Kendrick Avenue, Springdale, Arkansas. The property is zoned I-1.

Chamber of Commerce President Perry Webb explained the Public Facilities Board proposes to acquire the three separate tracts of land made up of 87 acres by the end of the year. The Board proposes to finance all or a portion of the costs of acquiring and improving the real estate with the proceeds of a revenue bond to be issued by the Board in the maximum principal amount of \$1,160,000.

City Attorney Ernest Cate said the City of Springdale assumes no liability or responsibility for repayment of the bond. State statute requires that the City Council hold a public hearing before the Public Facilities Board can take any action on authorizing the issuance of the bond.

The Public Hearing was closed and Mayor Sprouse read the title of the Resolution.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVENUE BOND BY THE CITY OF SPRINGDALE PUBLIC FACILITIES BOARD TO FINANCE ALL OR A PORTION OF THE COSTS OF ACQUIRING AND IMPROVING REAL ESTATE; 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,

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among other things, acquire, improve, sell or lease facilities for securing or developing industry; and

WHEREAS, in order to secure or develop industry, the Board proposes to acquire and improve three separate tracts of land aggregating 87 acres located at 1161, 1255 and 1270 Kendrick Avenue, Springdale, Arkansas (the "Real Estate"); and

WHEREAS, the Board proposes to finance all or a portion of the costs of acquiring and improving the Real Estate with the proceeds of a revenue bond to be issued by the Board in the maximum principal amount of \$1,160,000 (the "Bond"); and

WHEREAS, a public hearing on the question of the issuance of the Bond has been held before the City Council on this day following the publication of a notice of such hearing in the Springdale Morning News, a newspaper of general circulation within the City, on November 25, 2015; and

WHEREAS, the City Council has determined that the public purposes for which the Bond is 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 Bond by the Board to finance all or a portion of the costs of acquiring and improving the Real Estate 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 Bond.

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 December, 2015.

ATTEST:

Doug Sprouse, Mayor

Denise Pearce, City Clerk

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

The vote:

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

No: None

The Resolution was numbered 132-15.

ORDINANCE NO. 4988 - REZONING 1.33 ACRES OWNED BY CHC HAGER INVESTMENTS I, LLC, FOR PROPERTY LOCATED AT 4600 W. SEATON DRIVE, FROM A-1 TO MF-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 1.33 acres owned by CHC Hager Investments I, LLC located at 4600 W. Seaton Drive, from A-1 to MF-2, and declaring an emergency.

Planning Commission denied the request at their November 3, 2015 meeting but the request was overturned by City Council at their November 24, 2015 meeting and recommended for approval.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4988.

ORDINANCE NO. 4989 – REZONING 2.03 ACRES OWNED BY POULTRY GROWERS INC. LOCATED AT 315, 317 E. EMMA AND 316 E. MEADOW, FROM I-1 TO C-3 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 2.03 acres owned by Poultry Growers Inc. located at 315, 317 E. Emma Avenue and 316 E. Meadow Street, from I-1 to C-3 and declaring an emergency.

Planning Commission recommended approval at their December 1, 2015 meeting.

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

The vote:

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

No: None

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

The vote:

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

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No: None

The Ordinance was numbered 4989.

ORDINANCE NO. 4990 – REZONING 16.5 ACRES OWNED BY JOHN AND KATHRYN TAYLOR JOINT REVOCABLE TRUST LOCATED AT 102 E. RANDALL WOBBE LAND, FROM MF-4 TO I-1 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 16.5 acres owned by John and Kathryn Taylor Joint Revocable Trust located at 102 E. Randall Wobbe Lane, from MF-4 to I-1 and declaring an emergency.

Planning Commission recommended approval at their December 1, 2015 meeting.

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, Watson, Overton, Ford

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4990.

ORDINANCE NO. 4991 – REZONING 10.99 ACRES OWNED BY FIRST SECURITY BANK LOCATED ON THE EAST SIDE OF CLAYTON STREET ALONG BRUSH CREEK, FROM A-1 TO C-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 10.99 acres owned by First Security Bank located on the east side of Clayton Street along Brush Creek, from A-1 to C-2 and declaring an emergency.

Planning Commission recommended approval at their December 1, 2015 meeting.

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

The vote:

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

No: None

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

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The vote:

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

No: None

The Ordinance was numbered 4991.

ORDINANCE NO. 4992 – REZONING .97 ACRES OWNED BY HAAG-BROWN DEVELOPMENT, LLC, LOCATED AT 4224 WEST SUNSET AVENUE, FROM C-2 TO C-5 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .97 acres owned by Haag-Brown Development LLC located at 4224 West Sunset Avenue, from C-2 to C-5 and declaring an emergency.

Planning Commission recommended approval at their December 1, 2015 meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4992.

ORDINANCE NO. 4993 – REZONING 4.31 ACRES OWNED BY JOEY AND TERRY MOUNCE LOCATED ON THE EAST SIDE OF MONITOR ROAD, NORTH OF SCOTT HOLLOW ROAD, FROM A-1 TO SF-1 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 4.31 acres owned by Joel and Terry Mounce located on the east side of Monitor Road, north of Scott Hollow Road, from A-1 to SF-1 and declaring an emergency.

Planning Commission recommended approval at their December 1, 2015 meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4993.

ORDINANCE NO. 4994 – REZONING 1.67 ACRES OWNED BY BRENDA BOHANNAN LOCATED AT 3454 OLD MISSOURI ROAD, FROM A-1 TO C-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 1.67 acres owned by Brenda Bohannan located at 3454 Old Missouri Road, from A-1 to C-2 and declaring an emergency.

Planning Commission recommended approval at their December 1, 2015 meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4994.

ORDINANCE NO. 4995 – REZONING 19.86 ACRES OWNED BY LIFESTYLE DEVELOPMENT INC. LOCATED ON THE NORTH SIDE OF DON TYSON PARKWAY, EAST OF OLD MISSOURI ROAD, FROM SF-1 TO SF-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 19.86 acres owned by Lifestyle Development Inc. located on the north side of Don Tyson Parkway, east of Old Missouri Road, from SF-1 to SF-2 and declaring an emergency.

Planning Commission recommended approval at their December 1, 2015 meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4995.

ORDINANCE NO. 4996 – ACCEPTING THE REPLAT OF PHASE I OF THE GRAND VALLEY SUBDIVISION TO THE CITY OF SPRINGDALE, ARKANSAS AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat of Phase I of the Grand Valley Subdivision to the City of Springdale, Arkansas and declaring an emergency.

Planning Commission recommended approval at their December 1, 2015 meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4996.

RESOLUTION NO. 133-15 – APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO ROSA ECHEUESTE IN CONNECTION WITH A SINGLE FAMILY DWELLING AT 3123 PINOT AVENUE AND JULIO ROAD

Planning Director Patsy Christie presented a Resolution approving a waiver of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to Rosa Echeueste in connection with a single family dwelling at 3123 Pinot Avenue and Julio Road.

Planning Commission recommended the waiver request be denied.

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.

The proposed Resolution provides for four options to consider, either Option 1 to grant waiver, Option 2 to deny waiver, Option 3 to approve payment in lieu of improvements or Option 4 to deny waiver and allow Bill of Assurance.

Alderman Reed moved the Resolution be adopted with Option 2 (To Deny). Alderman Overton made the second.

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO ROSA ECHEUESTE IN CONNECTION WITH 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 3123 Pinot Avenue and Julio Road including drainage improvements related thereto, sidewalks in connection with a single family dwelling, for Rosa Echeueste and the Planning Commission recommends denial of the waiver request.

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

Option 2: Denies a waiver of street improvements to 3123 Pinot Avenue and Julio Road including drainage improvements related thereto, sidewalks in connection with a single family for Rosa Echeueste.

PASSED AND APPROVED THIS ____ day of December, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

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

No: None

The waiver was denied. The Resolution was numbered 133-15.

RESOLUTION NO. 134-15 - APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO ANGELA'S BAKERY, LLC IN CONNECTION WITH N15-09, A NON-LARGE SCALE DEVELOPMENT, LOCATED AT DUSTY LANE AND HIGHWAY 265

Planning Director Patsy Christie presented a Resolution approving a waiver of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to Angela's Bakery LLC in connection with N15-09, a Non-Large Scale Development, located at Dusty Lane and Highway 265.

Planning Commission recommended the waiver request be denied.

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.

The proposed Resolution provides for four options to consider, either Option 1 to grant waiver, Option 2 to deny waiver, Option 3 to approve payment in lieu of improvements or Option 4 to deny waiver and allow Bill of Assurance.

Alderman Reed moved the Resolution be adopted with Option 2 (To Deny). Alderman Overton made the second.

Both the Engineer and the owner's son spoke in favor of the waiver saying there is a turning radius that is wide enough for the delivery truck.

RESOLUTION NO. ____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO ANGELA'S BAKERY, LLC IN CONNECTION WITH N15-09 A NON-LARGE SCALE DEVELOPMENT

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

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with N15-09 a Non- Large Scale Development for Angela's Bakery, LLC and the Planning Commission recommends denial of the waiver request.

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

Option 2: Denies a waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with N15-09 a Non-Large Scale Development for Angela's Bakery, LLC.

PASSED AND APPROVED THIS ____ day of December, 2015.

Doug Sprouse, Mayor

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ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

The vote:

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

No: None

The waiver was denied. The Resolution was numbered 134-15.

ORDINANCE NO. 4997 - 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

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 the following properties located within the City of Springdale, Washington County, Arkansas:

307 S. Cleveland St. (#815-28474-000)
2485 E. Emma Ave. (#815-28738-260)
932 Palisades Ave. (#815-34841-000)
2101 Stout Dr. (#815-31155-000)

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4997.

DECEMBER 21ST AND DECEMBER 22ND COUNCIL MEETINGS

Alderman Watson made the motion to cancel the December 21, 2015 City Council committee meeting. Alderman Jaycox made the second.

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The vote:

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

No: Ford

Alderman Jaycox made the motion to cancel the December 22, 2015 City Council meeting. Alderman Reed made the second.

The vote:

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

No: Ford

CITY COUNCIL MEETING RECESSED

Alderman Reed made the motion to recess tonight's meeting and reconvene on Wednesday, December 16, 2015, at 5:30 p.m. Alderman Culver made the second.

The vote:

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

No: Overton

The meeting was recessed at 6:57 p.m.

SPRINGDALE CITY COUNCIL
DECEMBER 16, 2015
(RECONVENED FROM DECEMBER 8, 2015 MEETING)

The City Council of the City of Springdale reconvened their December 8, 2015 meeting on December 16, 2015, in the City Council Chambers, City Administration Building. Mayor Sprouse called the meeting back to order at 5:30 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Rick Culver	Ward 3
Jeff Watson	Ward 3
Mike Overton	Ward 2 (Absent)
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:

Patsy Christie	Planning Director
Mike Peters	Police Chief
Mike Irwin	Fire Chief
Sam Goade	Public Works Director
Mike Chamlee	Buildings Director
Brad Baldwin	Engineering Director
Bill Mock	Parks and Recreation Director

CITIZEN COMMENTS

Jim McGuire, 2325 Reed Avenue, expressed concern with vehicles driving without their lights in the City of Springdale.

AGENDA ITEM ADDED

Alderman Jaycox made the motion to add agenda items 6-12 to tonight's agenda and to make the Resolution adopting the Downtown Master Plan as item 6B instead of item 12. Alderman Reed made the second.

The vote:

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

No: None

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 except that item 6B be read in its entirety, the Resolution adopting the Downtown Springdale Master Plan. Alderman Jaycox made the second.

The vote:

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

No: Watson

RESOLUTION NO. 135-15 – SETTING A BUDGET FOR PHASE 1B OF THE
WALTER TURNBOW PARK ON THE RAZORBACK GREENWAY, AWARDING
AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR CONSTRUCTION
TO JLA ENTERPRISES INC.

Planning Director Patsy Christie presented a Resolution setting a budget for Phase 1B of the Walter Turnbow Park on the Razorback Greenway, awarding and authorizing the execution of a contract for construction to JLA Enterprises Inc.

RESOLUTION NO. ____

**A RESOLUTION SETTING A BUDGET FOR PHASE 1B OF THE
WALTER TURNBOW PARK ON THE RAZORBACK
GREENWAY, AWARDING AND AUTHORIZING THE
EXECUTION OF A CONTRACT FOR CONSTRUCTION TO JLA
ENTERPRISES, INC.**

WHEREAS, work has been completed on Phase 1a of Walter Turnbow Park through grant funds provided by the CARE Foundation; and

WHEREAS, the City has received a grant from the Walton Family Foundation in the amount of \$2,000,000 for construction of the Phase 1b of the Walter Turnbow Park and with the grant funds for the reimbursement design and construction costs, and

WHEREAS, sealed competitive construction bids were received and opened for said project on December 10, 2015, and

WHEREAS, a low bid of \$1,497,611.00 was submitted by JLA Enterprises, Inc. and after review and verification USI Engineering, Inc, recommends that the bid be accepted and authorization be given to enter into a contract for construction of the project.

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

1. That the budget for the project be established as follows:

Design Services	\$ 164,100
CLOMR/LOMR	45,000
Construction	1,497,611
Construction Management/Testing	75,000
Signage/Amenities/Contingency	<u>218,289</u>
TOTAL PROJECT	\$ 2,000,000

2. That the Mayor and City Clerk are hereby authorized to execute a contract with JLA Enterprises, Inc. for the construction of Phase 1b of Walter Turnbow Park on the Razorback Greenway in an amount not to exceed \$1,497,611.00.

PASSED AND APPROVED this ____ day of December, 2015.

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 Lawson made the second.

The vote:

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

No: None

The Resolution was numbered 135-16.

RESOLUTION NO. 136-16 – ADOPTING A DOWNTOWN SPRINGDALE MASTER PLAN

Planning Director Patsy Christie presented a Resolution adopting a Downtown Springdale Master Plan.

John Hoal, H3 Studio Inc., gave a presentation on how the Downtown Springdale Master Plan came to be with the help of several committees in the City of Springdale. The plan consists of 18 consensus issues. The Downtown Springdale Master Plan articulates the community's vision for the future of Downtown Springdale and provides a variety of tools, programming and policy recommendations, and physical development initiatives to achieve this vision.

The Resolution was read in its entirety.

RESOLUTION NO. ____

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

WHEREAS, with the adoption of Resolution No. 33-15 the City entered into an agreement with H3 Studio to prepare a Downtown Master Plan that would create an urban design vision for the downtown area, land development regulations, public space development, guidance for transportation and utility infrastructure, steps for neighborhood preservation, economic development strategies necessary to support the desired vision, and the establishment of a regulatory framework to guide future private investment; and

WHEREAS, through a series of stakeholder interviews, public meetings, focus group work sessions, and a week-long community planning charrette H3 Studio presented a Downtown Springdale Master Plan to the Planning Commission that builds upon the unique character and authenticity of the downtown returning it to a vibrant center of commerce and creativity; and

WHEREAS, the Plan will serve as the roadmap for the revitalization of Downtown Springdale designed to maintain a vibrant mix of residential, retail, commercial, dining, entertainment, medical, and public uses in a walkable environment that enhances the City's economy, quality of life, and sense of place; and

WHEREAS, the Downtown Springdale Master Plan dated December 16, 2015, (attached and made a part of this resolution) was developed through a series of public meetings and a final public hearing was held by the Planning Commission on December 15, 2015; and

SPRINGDALE CITY COUNCIL
DECEMBER 16, 2015
(RECONVENED FROM DECEMBER 8, 2015 MEETING)

WHEREAS, following the public hearing the Planning Commission recommends that the Downtown Springdale Master Plan dated December 16, 2015 should be adopted and forwards it to the City Council with a recommendation for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the above mentioned Downtown Springdale Master Plan dated December 16, 2015, is hereby adopted to be used as the City's official guide for future development of the downtown area.

PASSED AND APPROVED THIS ____ day of December, 2015.

Doug Sprouse, Mayor

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 136-15.

ORDINANCE NO. 4998 – TO WAIVE COMPETITIVE BIDDING FOR ROOF REPAIRS AND WATERPROOFING AT THE SPRINGDALE PUBLIC WORKS DEPARTMENT

Public Works Director Sam Goade presented an Ordinance to waive competitive bidding for roof repairs and waterproofing at the Springdale Public Works Department.

Roberts-McNutt Waterproofing/Roofing Company, 848 Old Wire Road, Springdale, Arkansas examined the building roof and submitted a quote for repairs dated October 5, 2015 in the amount of \$29,721. Since the quote submitted exceeded the maximum amount allowed by State Municipal Procurement Law, it was advertised for bids. There were no bids received at the bid opening.

After being contacted by Mr. Goade, Roberts-McNutt said they would honor their quote and still do the roof repairs for \$29,721.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4998.

RESOLUTION NO. 137-15 – APPROVING A CONSTRUCTION PROGRESS PAYMENT FOR THE SOUTHEAST PARK IMPROVEMENTS PROJECT (12BPP1)

Alderman Rick Evans presented a Resolution approving a construction progress payment for the Southeast Park Improvements Project (12BPP1).

RESOLUTION NO. ____

A RESOLUTION APPROVING A CONSTRUCTION PROGRESS PAYMENT FOR THE SOUTHEAST PARK IMPROVEMENTS PROJECT (12BPP1)

WHEREAS, Pursuant to Ark Code Ann 14-58-305, Section 2-158 of the Springdale Code of Ordinances sets the maximum amount of any bill, debt, or liability that may be paid without the approval of City Council, and

WHEREAS, the maximum amount is set at \$1,000,000.00, and

WHEREAS, Construction Pay Application Number 16 for the Southeast Park Improvements (Hylton and Don Tyson Parkway) project (12BPP1) exceeds this amount, and

WHEREAS, the owner has previously entered into a contract with Milestone Construction Company, LLC for the construction of the Southeast Park Improvements project, and

WHEREAS, the construction continues to progress and Milestone Construction Company, LLC is due the money owed based on the work performed;

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 issue payment to Milestone Construction Company, LLC in the amount of \$1,068,705.57 for the current pay application covering construction work performed to date.

PASSED AND APPROVED this ____ day of December, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

SPRINGDALE CITY COUNCIL
DECEMBER 16, 2015
(RECONVENED FROM DECEMBER 8, 2015 MEETING)

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

The vote:

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

No: None

The Resolution was numbered 137-15.

RESOLUTION NO. 138-15 – AMENDING THE 2015 BUDGET OF THE CITY OF
SPRINGDALE POLICE DEPARTMENT TO PURCHASE MICROPHONE STYLE
DRIVER'S LICENSE SCANNERS

Alderman Ford presented a Resolution amending the 2015 Budget of the City of Springdale Police Department to purchase microphone style driver's license scanners.

RESOLUTION NO. ____

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

WHEREAS, the Police Department has received funds that have not been appropriated from asset forfeitures; and

WHEREAS, the Police Chief has requested that some of these funds be appropriated for the purchase of microphone style driver's license scanners;

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

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Proposed Budget</u>
Police	10105014217021	Drug Seizure Funds	144,267	25,350		169,617

PASSED AND APPROVED this ____ day of December, 2015.

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 Evans made the second.

The vote:

SPRINGDALE CITY COUNCIL
DECEMBER 16, 2015
(RECONVENED FROM DECEMBER 8, 2015 MEETING)

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

No: None

The Resolution was numbered 138-15.

ORDINANCE NO. 4999 – TO WAIVE COMPETITIVE BIDDING FOR THE PURCHASE OF SCANNERS FOR THE POLICE DEPARTMENT

Alderman Ford presented an Ordinance to waive competitive bidding for the purchase of 70 microphone style driver's license scanners (L-Tron 4910LR Readers) needed by the City of Springdale Police Department from L-Tron Corporation for a purchase price of \$338.95 each plus sales tax.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4999.

PUBLIC HEARING - ORDINANCE NO. 5000 – RELEASING, VACATING AND ABANDONING A PORTION OF A UTILITY EASEMENT AT 2378 WILLOW BEND CIRCLE – PETITIONERS: SHANE AND MONICA RHOADES

A public hearing was held on a request by Shane and Monica Rhoades to release, vacate and abandon a portion of a utility easement at 2378 Willow Bend Circle.

There were no comments at the hearing.

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

The vote:

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

No: None

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

The vote:

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

SPRINGDALE CITY COUNCIL
DECEMBER 16, 2015
(RECONVENED FROM DECEMBER 8, 2015 MEETING)

No: None

The Ordinance was numbered 5000.

ORDINANCE NO. 5001 - PROVIDING FOR THE PARTICIPATION OF THE CITY OF SPRINGDALE, ARKANSAS, IN "PROPERTY ASSESSED ENERGY IMPROVEMENT DISTRICT NO. 1" TO FACILITATE A PACE PROGRAM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH OTHER PARTICIPATING MEMBERS OF THE DISTRICT

City Attorney Ernest Cate presented an Ordinance providing for the participation of the City of Springdale, Arkansas, in "Property Assessed Energy Improvement District No. 1" to facilitate a pace program; authorizing the Mayor and City Clerk to execute an agreement with other participating members of the District.

On October 15, 2013, the City Council for the City of Fayetteville, Arkansas, passed Ordinance No. 5624, which created a "Property Assessed Energy Improvement District", pursuant to Ark. Code Ann. §8-15-101 *et seq.*, known as Energy Improvement District No. 1 ("the District"). The District is authorized by law to permit the creation and implementation of, among other things, a property assessed clean energy (PACE) program under which a real property owner may finance an energy efficiency improvement, a renewable energy project, or a water conservation improvement for their property on a voluntary basis, with loan repayment tied to collection of real property taxes. Ark. Code Ann. §18-15-106 provides that a governmental entity may become a member of the District by adopting an ordinance and by entering into an agreement with the other participating members of the District establishing the terms and conditions of the operation of the District.

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

The vote:

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

No: None

The Ordinance was numbered 5001.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:20 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING FUNDS FROM THE
CAPITAL IMPROVEMENT PROJECT FUND FOR THE
AIRPORT TERMINAL BUILDING**

WHEREAS, the Springdale Airport Commission has requested funding for exterior maintenance of the airport terminal building, and

WHEREAS, this several of the metal frame windows of the terminal building are leaking and all are in need of resealing, and

WHEREAS, the exterior of the terminal building is needing repainting, and

WHEREAS, the Airport Commission estimates the total cost of these two projects to be \$45,000;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the expenditure of a maximum of \$45,000 of funds from the Capital Improvement Projects Fund is hereby approved for sealing of windows and painting the exterior of the Springdale Municipal Airport terminal building.

PASSED AND APPROVED this 12th day of January, 2016.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

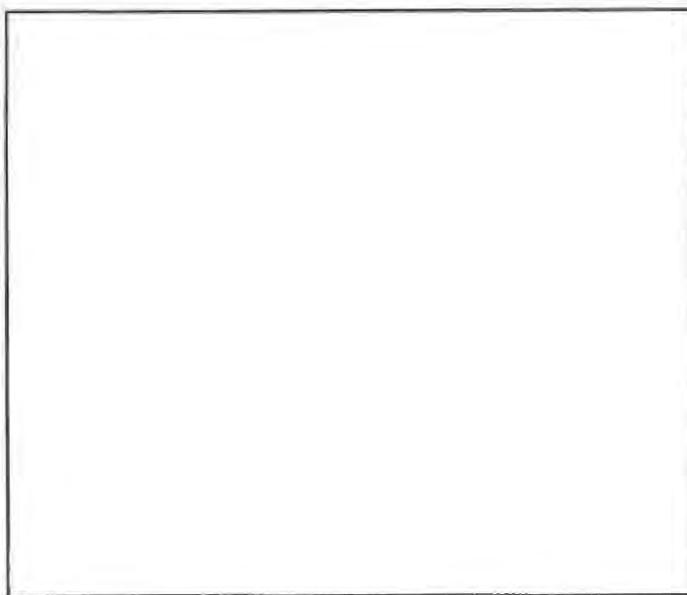
APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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: Jeff & Stephanie Kear
LEGAL DESCRIPTION: Lot Numbered Five (5) of Block Numbered Thirty-One (31) in Har-Ber Meadows III, in the City of Springdale, Washington County, Arkansas.
LAYMAN'S DESCRIPTION: 6519 Apple Shed Ave.
Springdale, Washington County, Arkansas
PARCEL NO.: 815-33453-000

PROPERTY OWNER: Jose Torres
LEGAL DESCRIPTION: Lot Numbered 36, Southfield Subdivision, Phase II, to the City of Springdale, Arkansas, as per plat of said subdivision on file in Plat Book 12 at page 1 in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas. Subject to protective covenants, bill of assurance and restrictions.
LAYMAN'S DESCRIPTION: 3389 Brian St.
Springdale, Washington County, Arkansas
PARCEL NO.: #815-31642-000

PROPERTY OWNER: Hazel Olinger
LEGAL DESCRIPTION: Lot Four (4) in Block "A", Elmdale Terrace Addition to the City of Springdale, as per plat of said Addition on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.
LAYMAN'S DESCRIPTION: 807 Hinshaw Dr.
Springdale, Washington County, Arkansas
PARCEL NO.: #815-21597-000

PROPERTY OWNER: Ian J. Evans
LEGAL DESCRIPTION: Part of Block Two (2), Quandt's Addition to the City of Springdale, Arkansas, as per plat of said Addition on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, described as follows, to-wit: Beginning at a point 100 feet South of the Northwest corner of Lot Six (6) in Block Two (2), and running thence South 70 feet, thence East 100 feet, thence North 70 feet, thence West 100 feet to the point of beginning.

LAYMAN'S DESCRIPTION: 699 McKinney St.
Springdale, Washington County, Arkansas
PARCEL NO.: #815-25146-000

PROPERTY OWNER: Al L. & Juanita C. Bowen
LEGAL DESCRIPTION: Lot Numbered 7 in Block Numbered 2 of Woodland Heights Subdivision #2 to the City of Springdale, Arkansas, as per plat of said subdivision on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.
LAYMAN'S DESCRIPTION: 2403 Sycamore Pl.
Springdale, Arkansas
PARCEL NO.: #815-27282-000

PROPERTY OWNER: Vick Enterprises, LLC
LEGAL DESCRIPTION: Part of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-six (26), Township Eighteen (18) North, Range Thirty (30) West, Washington County, Arkansas, being described as follows: Beginning at a found iron pin which is North 0 degrees 04' East 99.91 feet from a found iron pin at the Southwest corner of said ten acre tract; thence North 0 degrees 06' 00" East 100.00 feet; thence South 89 degrees 05' 49" East 135.00 feet to a found iron pin; thence South 0 degrees 11' 01" West 100.42 feet to a found iron pin; thence North 88 degrees 55' 07" West 134.86 feet to the point of beginning. Containing 0.31 acres, more or less.
LAYMAN'S DESCRIPTION: 1202 Thelma St.
Springdale, Washington County, Arkansas
PARCEL NO.: #815-29752-000

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:

\$1,534.91 clean-up costs and \$28.48 administrative costs – 6519 Apple Shed Ave., #815-33453-000
\$1,708.68 clean-up costs and \$21.74 administrative costs – 3378 Brian St., #815-31642-000
\$2,390.73 clean-up costs and \$28.48 administrative costs – 807 Hinshaw Dr., #815-21597-000
\$1,078.76 clean-up costs and \$21.74 administrative costs – 699 McKinney St., #815-25146-000
\$503.65 clean-up costs and \$28.48 administrative costs – 2403 Sycamore Pl., #815-27282-000
\$844.58 clean-up costs and \$28.48 administrative costs – 1202 Thelma St., #815-29752-000

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:

- \$1,563.39, plus 10% for collection – 6519 Apple Shed Ave., #815-33453-000
- \$1,730.42, plus 10% for collection – 3378 Brian St., #815-31642-000
- \$2,419.21, plus 10% for collection – 807 Hinshaw Dr., #815-21597-000
- \$1,100.50 plus 10% for collection – 699 McKinney St., #815-25146-000
- \$532.13, plus 10% for collection – 2403 Sycamore Pl., #815-27282-000
- \$873.06, plus 10% for collection – 1202 Thelma St., #815-29752-000

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 January, 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

November 18, 2015

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Jeff & Stephanie Kear
7563 Brooklyn Ave.
Springdale, AR 72762

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED and
REGULAR MAIL**

JP Morgan Chase Bank, National Association
1111 Polaris Parkway
Columbus, OH 43240

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

RE: Notice of clean-up lien on property located at 6519 Apple Shed Ave., Springdale, Washington County, Arkansas, Tax Parcel No. 815-33453-000

Dear Property Owner/Lienholder:

On June 18, 2015, notice was posted on property located at 6519 Apple Shed Ave., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on June 18, 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 July 27, 2015, August 17, 2015, and September 24, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$1,534.91. 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 January 12, 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, January 12, 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 \$1,548.31, which includes \$1,534.91 for cleaning up the property and \$13.48 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 Jeff and Stephanie Kear at the addresses above. Delivery of that letter by the U.S. Postal Service shall warrant service on Jeff and Stephanie Kear 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

cc: Attn. Courtney Miller
Wilson & Associates, P.L.L.C.
1521 Merrill Dr., Suite D-220
Little Rock, AR 72211



City of Springdale Code Enforcement

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

CITY ABATEMENT - Monday, July 27, 2015 8:47:27 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	7/27/2015 8:47:27 AM
Property Address	6519 apple shed
Before Picture	Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Monday, July 27, 2015 8:47:00 AM

Officer on Site

Mike Sidney

Supervisor on Job

Mike Hicklin

Employee

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

Method of Compliance

1 Method of Compliance

Mowing

Equipment Used

Equipment

752 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping

752 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

2

Number of Temporary Laborers

4

Temporary Labor Cost

\$96.00

Employee Cost per hour **\$27.42**
Total Employee Cost **\$54.84**
Equipment Cost per hour **\$190.00**
Total Equipment Cost **\$380.00**
Mobilization Fee **\$200.00**
Extra materials cost **\$0.00**
Total Cost of Abatement **\$730.84**
Final Photos **Attached Data**



Final Photos

Attached Data



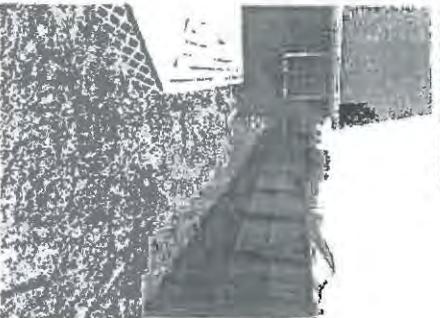
Final Photos

Attached Data



Final Photos

Attached Data





City of Springdale Code Enforcement

210 Spring Street - Springdale, AR 72764 - Office 479/766-7712

CITY ABATEMENT - Monday, August 17, 2015 8:22:35 AM (646 CITY ABATEMENT)

User Name 646 CITY ABATEMENT
User # 4797993582
Form Started 8/17/2015 8:22:35 AM
Property Address 6519apple shed
Before Picture Attached Data



Before Picture

Attached Data



Type of Abatement
Date of Abatement
Officer on Site
Supervisor on Job
Employee
Employee

Violation Notice / Lien
Monday, August 17, 2015 8:22:00 AM
Mike Sidney
Mike Hicklin
Mike Hicklin

MH Benefit Rate	\$27.42
Method of Compliance	
1 Method of Compliance	Mowing
Equipment Used	
Equipment	748 Grasshopper,743 Kubota,6031 Service Truck-Landscaping
748 Grasshopper	\$55.00
743 Kubota	\$65.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	2
Temporary Labor Cost	\$24.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$155.00
Total Equipment Cost	\$155.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$406.42
Final Photos	Attached Data



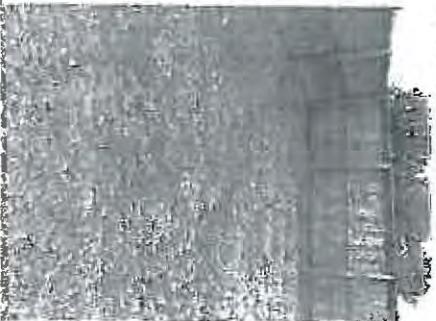
Attached Data

Final Photos



Final Photos

Attached Data





City of Springdale Code Enforcement

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

CITY ABATEMENT - Thursday, September 24, 2015 1:32:16 PM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	9/24/2015 1:32:16 PM
Property Address	6519 Apple Shed Av
Before Picture	Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Thursday, September 24, 2015 1:32:00 PM

Officer on Site

Missha Wagoner

Supervisor on Job

Henry Hernandez

Employee

Employee

Henry Hernandez

HH Benefit Rate

\$18.65

Method of Compliance

1 Method of Compliance

Mowing

Equipment Used

Equipment

748 Grasshopper, 743 Kubota, 6038 1-ton Work Truck-Landscaping

748 Grasshopper

\$55.00

743 Kubota

\$65.00

6038 1-ton Work Truck-

\$35.00

Landscaping

Time of Abatement in Hours

1

Number of Temporary Laborers

2

Temporary Labor Cost

\$24.00

Employee Cost per hour

\$18.65

Total Employee Cost

\$18.65

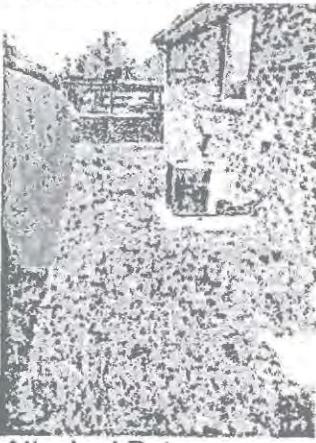
Equipment Cost per hour **\$155.00**
Total Equipment Cost **\$155.00**
Mobilization Fee **\$200.00**
Extra materials cost **\$0.00**
Total Cost of Abatement **\$397.65**
Final Photos **Attached Data**



Final Photos



Attached Data



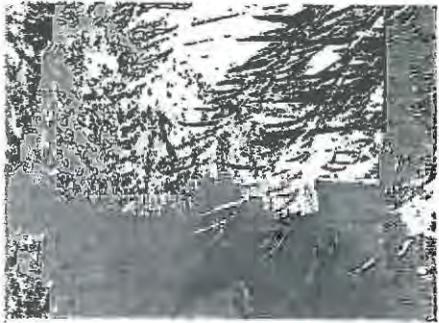
Final Photos

Attached Data



Final Photos

Attached Data



AFFIDAVIT

STATE OF ARKANSAS)
)SS
COUNTY OF WASHINGTON)

I, Sarah Sparkman, upon my oath, state as follows:

1. That I am Deputy City Attorney for the Springdale City Attorney's Office.
2. That on November 18, 2015, the City Attorney's Office attempted to mail a letter to Jeff and Stephanie Kear, 7563 Brooklyn Ave., Springdale, Arkansas, by certified mail regarding property located at 6519 Apple Shed; however, said letter was returned "Unclaimed."
3. That on November 20, 2015, I spoke with Jeff Kear, one of the property owners of record. Mr. Kear explained to me that the property was turned over to the bank in a bankruptcy action. I requested Mr. Kear provide me with proof of bankruptcy, but explained to him that this is an action against the property and not him individually.

FURTHER, affiant sayeth naught.

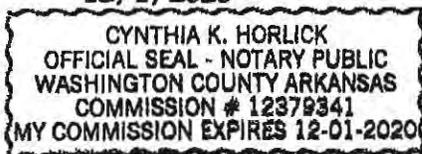


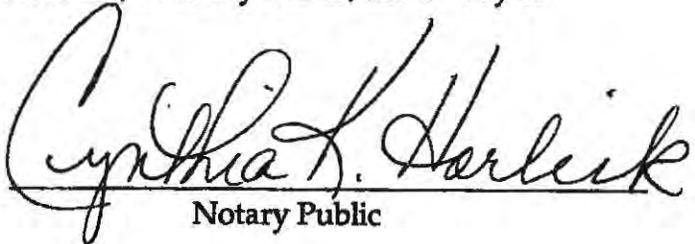
Sarah Sparkman

SUBSCRIBED AND SWORN to before me, a Notary Public, this 6th day of January, 2016.

My Commission Expires:

12/1/2020





Notary Public



Office Of The City Attorney
201 Spring Street.
Springdale, Arkansas 72764

CERTIFIED MAIL



7001 2510 0006 6157 8447

Jeff & Stephanie Kear
7563 Brooklyn Ave.
Springdale,

U.S. POSTAGE PITNEY BOWES



ZIP 72764 \$007.17⁵
02 1W
0001377648 NOV 19 2015

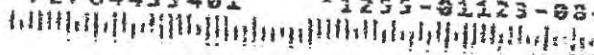


MIXIE 722 CE 1 0212/08/15

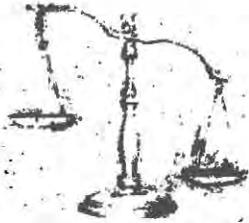
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

72764@4554

BC: 72764455461 *1255-01123-08-07



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY														
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>														
<p>1. Article Addressed to:</p> <p style="text-align: center;">JP Morgan Chase Bank, National Association 1111 Polaris Parkway Columbus, OH 43240</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> <div style="text-align: center;">  </div>														
<p style="text-align: center;">  9590 9401 0007 5205 1600 56 </p> <p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7001 2510 0006 6157 8430</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td colspan="2" style="text-align: center;">all Restricted Delivery (over \$500)</td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	all Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®														
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™														
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery														
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise														
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™														
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery														
all Restricted Delivery (over \$500)															
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053</p>	<p style="text-align: right;">Domestic Return Receipt</p>														



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

November 18, 2015

**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*

Rosa Maria Chiquito and Ortencia Chiquita-Hortencia
6151 Trowbridge Dr.
El Paso, TX 79905-2113

RE: Notice of clean-up lien on property located at 3378 Brian St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
31642-000

Dear Ms. Chiquito and Ms. Chiquita-Hortencia:

On April 2, 2015, notice was posted on property located at 3378 Brian St., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on April 13, 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 April 28, 2015, June 11, 2015, July 29, 2015, and October 16, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$1,708.68. 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 \$6.48 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 January 12, 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, January 12, 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 \$1,715.42, which includes \$1,708.68 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.

With all that being said, it is our understanding that Mr. Torres died at his residence in September, 2012, and that you are his niece and sister. I am mindful that the events leading up to the City having to expend \$1,715.42 to clean up this property did not involve you, nor were you responsible for the property at that time. However, I am obligated to try and recover the taxpayer's funds that were expended to clean up this property. I would be happy to discuss this matter with you at your convenience.

This letter is also being mailed by regular mail to the addresses 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

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

CITY ABATEMENT - Tuesday, April 28, 2015 8:24:44 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	4/28/2015 8:24:44 AM
Property Address	3378 Brian st
Before Picture	Attached Data



Before Picture

Attached Data



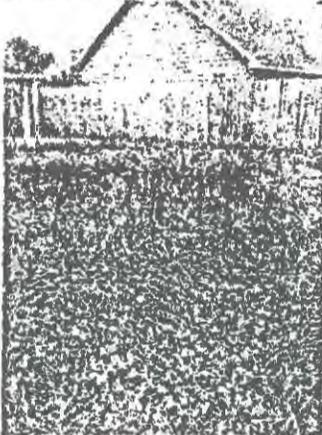
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Tuesday, April 28, 2015 8:24:00 AM

Officer on Site

Toby Lankford

Supervisor on Job

Mike Hicklin

Employee

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

Method of Compliance

1 Method of Compliance

Mowing

Equipment Used

Equipment

754 Grasshopper ,749 Grasshopper "70,6031 Service Truck-Landscaping

754 Grasshopper

\$55.00

749 Grasshopper "70

\$65.00

6031 Service Truck-

\$35.00

Landscaping

Time of Abatement in Hours

1

Number of Temporary Laborers

2

Temporary Labor Cost

\$24.00

Employee Cost per hour

\$27.42

Total Employee Cost

\$27.42

Equipment Cost per hour **\$155.00**
Total Equipment Cost **\$155.00**
Mobilization Fee **\$200.00**
Extra materials cost **\$0.00**
Total Cost of Abatement **\$406.42**
Final Photos **Attached Data**



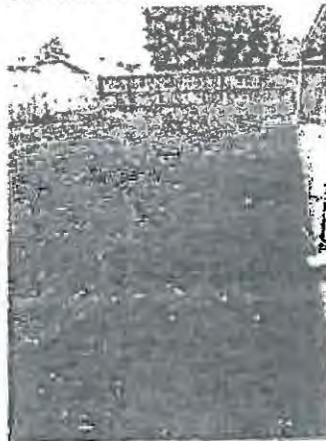
Final Photos

Attached Data



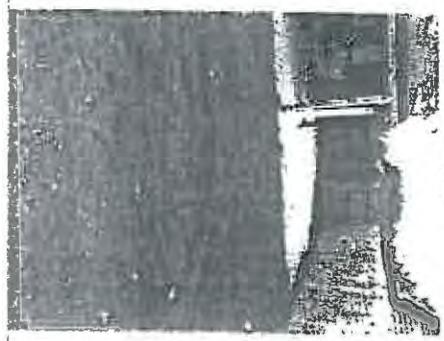
Final Photos

Attached Data



Final Photos

Attached Data



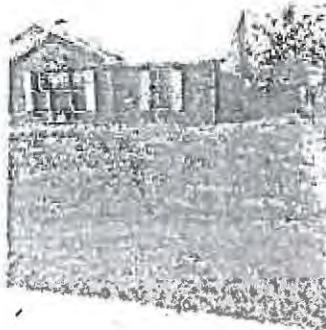


City of Springdale Code Enforcement

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

CITY ABATEMENT - Thursday, June 11, 2015 12:36:46 PM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	6/11/2015 12:36:46 PM
Property Address	3378 Brian
Before Picture	Attached Data



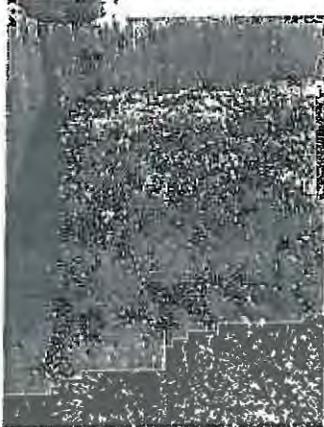
Before Picture

Attached Data



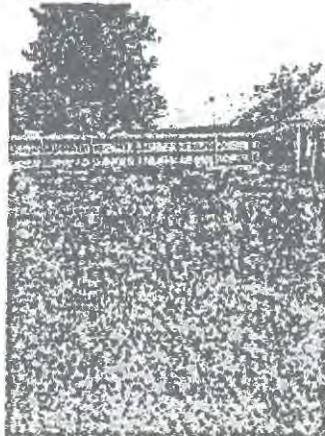
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Thursday, June 11, 2015 12:36:00 PM

Officer on Site

Toby Lankford

Supervisor on Job

Mike Hicklin

Employee

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

Method of Compliance

1 Method of Compliance

Mowing

Equipment Used

Equipment

752 Grasshopper,743 Kubota,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping

752 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

1

Number of Temporary Laborers

4

Temporary Labor Cost

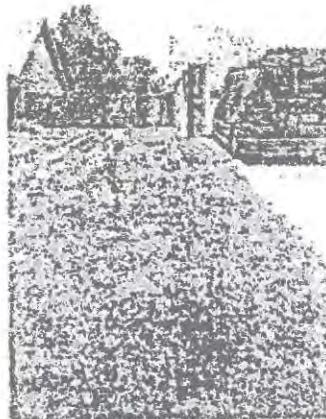
\$48.00

Employee Cost per hour **\$27.42**
Total Employee Cost **\$27.42**
Equipment Cost per hour **\$190.00**
Total Equipment Cost **\$190.00**
Mobilization Fee **\$200.00**
Extra materials cost **\$0.00**
Total Cost of Abatement **\$465.42**
Final Photos **Attached Data**



Final Photos

Attached Data



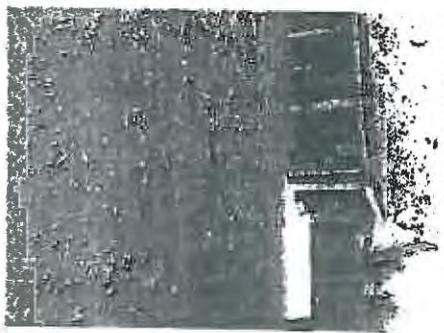
Final Photos

Attached Data



Final Photos

Attached Data



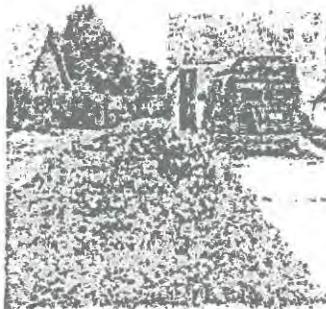


City of Springdale Code Enforcement

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

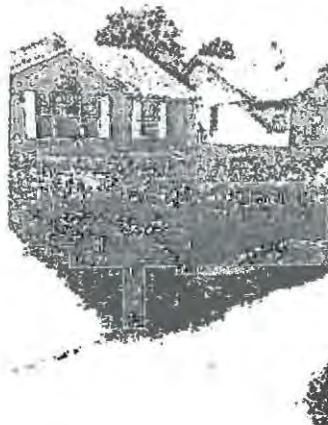
CITY ABATEMENT - Wednesday, July 29, 2015 2:22:49 PM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	7/29/2015 2:22:49 PM
Property Address	3378 Brian
Before Picture	Attached Data



Before Picture

Attached Data



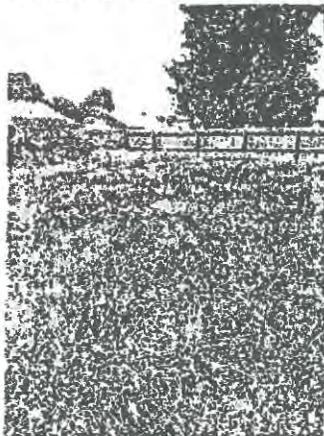
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Wednesday, July 29, 2015 2:22:00 PM

Officer on Site

Toby Lankford

Supervisor on Job

Mike Hicklin

Employee

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

Method of Compliance

1 Method of Compliance

Mowing

Equipment Used

Equipment

752 Grasshopper,743 Kubota,6031 Service Truck-Landscaping

752 Grasshopper

\$55.00

743 Kubota

\$65.00

6031 Service Truck-

\$35.00

Landscaping

Time of Abatement in

1

Hours

Number of Temporary

2

Laborers

Temporary Labor Cost

\$24.00

Employee Cost per hour

\$27.42

Total Employee Cost

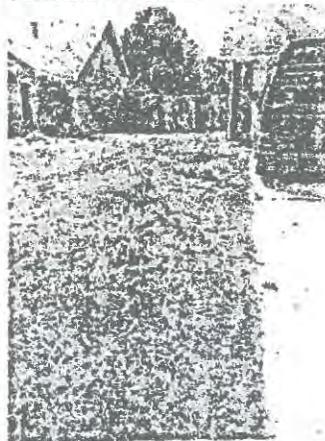
\$27.42

Equipment Cost per hour **\$155.00**
Total Equipment Cost **\$155.00**
Mobilization Fee **\$200.00**
Extra materials cost **\$0.00**
Total Cost of Abatement **\$406.42**
Final Photos **Attached Data**



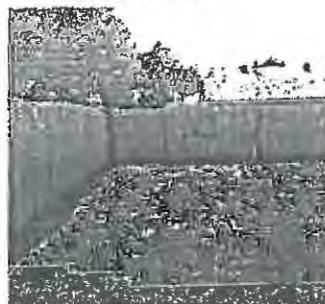
Final Photos

Attached Data



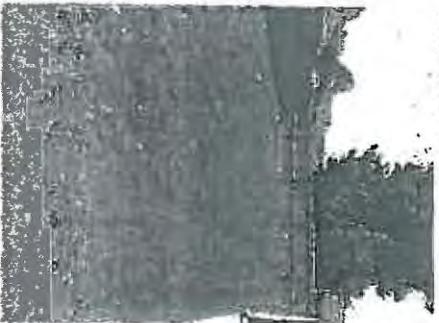
Final Photos

Attached Data



Final Photos

Attached Data





City of Springdale Code Enforcement

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

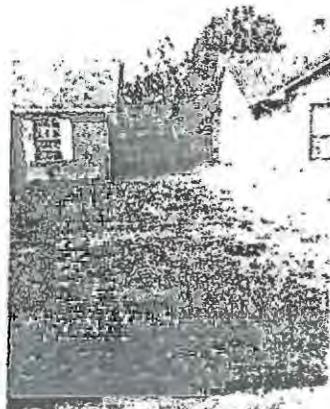
CITY ABATEMENT - Friday, October 16, 2015 10:26:31 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	10/16/2015 10:26:31 AM
Property Address	3378 Brian St
Before Picture	Attached Data



Before Picture

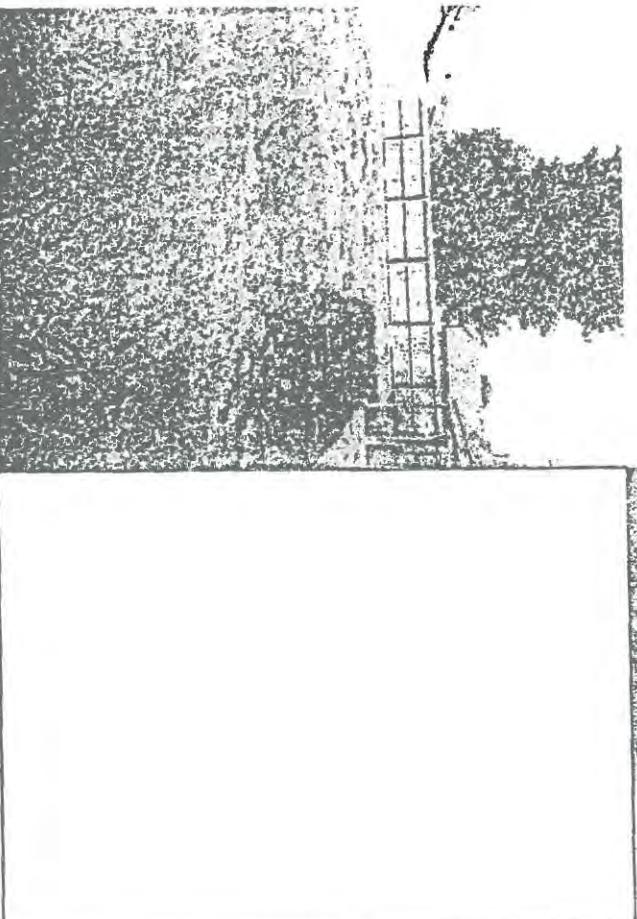
Attached Data



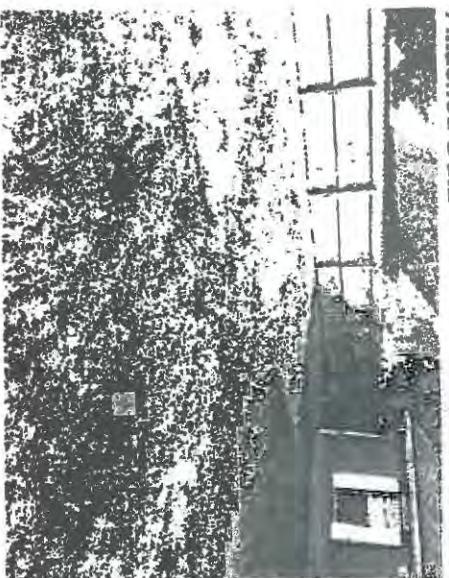
Before Picture



Attached Data

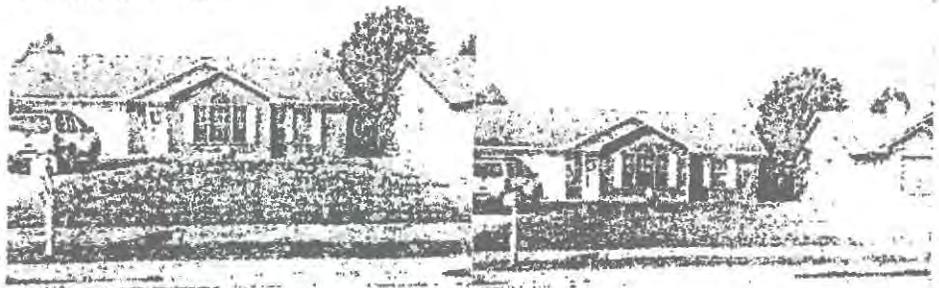


Before Picture



Attached Data

Type of Abatement	Violation Notice / Lien
Date of Abatement	Friday, October 16, 2015 10:26:00 AM
Officer on Site	Missha Wagoner
Supervisor on Job	Henry Hernandez
Employee	
Employee	Henry Hernandez
HH Benefit Rate	\$27.42
Method of Compliance	
1 Method of Compliance	Mowing
Equipment Used	
Equipment	748 Grasshopper,743 Kubota,6021 Service Truck-Landscaping,6050 1-ton Work Truck Landscaping
748 Grasshopper	\$55.00
743 Kubota	\$65.00
6024 4x4 Service Truck	\$35.00
6050 1-ton Work Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	4
Temporary Labor Cost	\$48.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$155.00
Total Equipment Cost	\$155.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$430.42
Final Photos	Attached Data



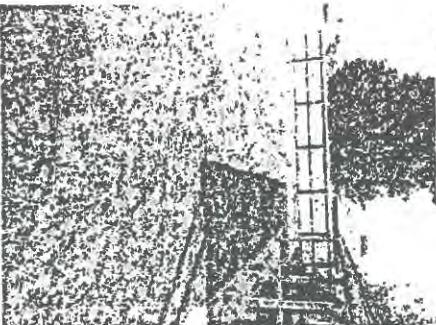
Final Photos

Attached Data



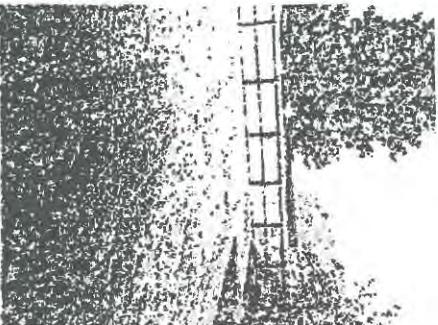
Final Photos

Attached Data



Final Photos

Attached Data



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Rosa Maria Chiquita
and Ortesca Chiquita-Montaña
6151 Trowbridge Dr.
El Paso, TX 79905-2113



9590 9401 0007 5205 1598 21

7013 0600 0001 6407 1714

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
 X *[Signature]*

B. Received by (Printed Name) Date of Delivery
[Signature] NOV 30 2015

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



3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery
 - Priority Mail Express®



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

November 18, 2015

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND REGULAR MAIL

Hazel Olinger
11059 Laney Bridge Rd., #918
Diberville, MS 39540

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Wells Fargo Bank, National Association
c/o Corporation Service Company, Registered Agent
300 Spring Street, Suite 900
Little Rock, AR 72201

Wells Fargo Home Mortgage, Inc.
3601 Minnesota Dr., Suite 200
Bloomington, MN 55435

RE: Notice of clean-up lien on property located at 807 Hinshaw Dr.
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
21597-000

Dear Property Owner/Lienholder:

On May 15, 2015, notice was posted on property located at 807 Hinshaw Dr.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77, 42-78, 96-66 and 91-58, and needed to be remedied within
seven (7) days. Notice was mailed to the owner of record on May 15, 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 June 17, 2015, July 14, 2015, September 28, 2015 and September 29, 2015.
As of this date, the total costs incurred by the City of Springdale to clean this
property are \$2,390.73. I have enclosed invoices evidencing the abatement costs
incurred and paid by the City of Springdale to clean this property. Also, in

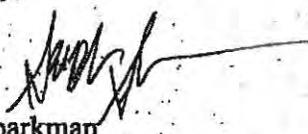
accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before January 12, 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, January 12, 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 \$2,404.21, which includes \$2,390.73 for cleaning up the property and \$13.48 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.

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

Sincerely,


Sarah Sparkman
Deputy City Attorney

enclosures

SS:ch

cc: Wilson & Associates, P.L.L.C.
1521 Merrill Dr., Suite D-220
Little Rock, AR 72211
W & A No. 303787

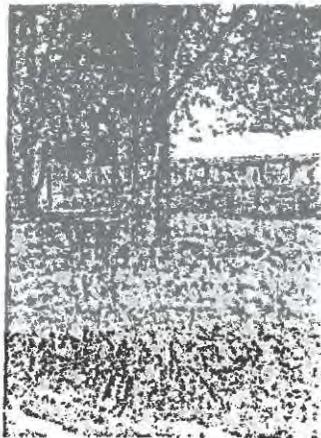


City of Springdale Code Enforcement

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

CITY ABATEMENT - Wednesday, June 17, 2015 8:12:18 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	6/17/2015 8:12:18 AM
Property Address	807 hinshaw dr
Before Picture	Attached Data



Before Picture

Attached Data



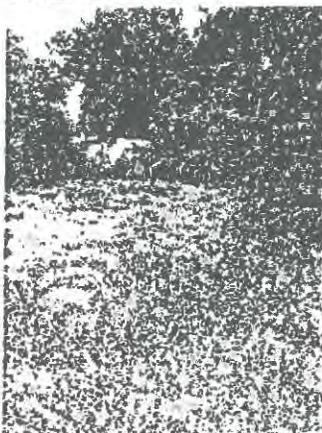
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Wednesday, June 17, 2015 8:12:00 AM

Officer on Site

Bobby Nivens

Supervisor on Job

Mike Hicklin

Employee

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

Method of Compliance

1 Method of Compliance

Mowing

Equipment Used

Equipment

752 Grasshopper, 743 Kubota, 6026 Service Truck-Landscaping, 6031 Service Truck-Landscaping

752 Grasshopper

\$55.00

743 Kubota

\$65.00

6026 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

2

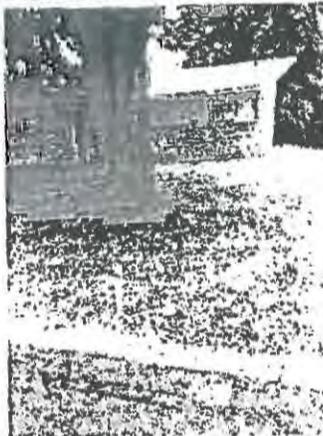
Number of Temporary Laborers

4

Temporary Labor Cost

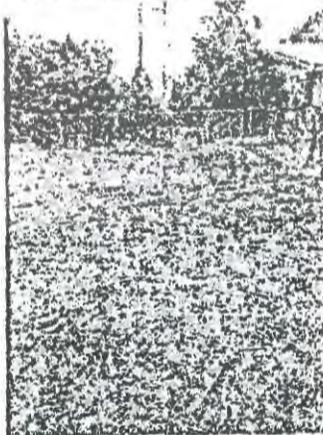
\$96.00

Employee Cost per hour **\$27.42**
Total Employee Cost **\$54.84**
Equipment Cost per hour **\$190.00**
Total Equipment Cost **\$380.00**
Mobilization Fee **\$200.00**
Extra materials cost **\$0.01**
Total Cost of Abatement **\$730.85**
Final Photos **Attached Data**



Final Photos

Attached Data



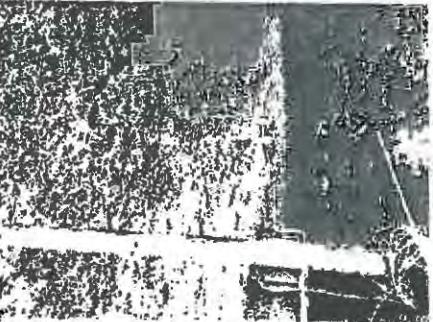
Final Photos

Attached Data



Final Photos

Attached Data.



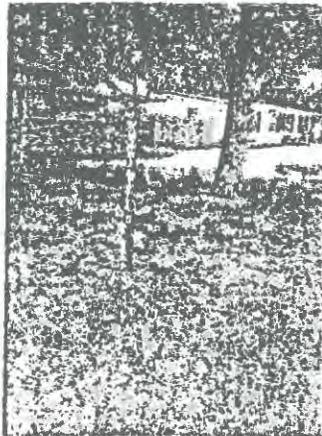


City of Springdale Code Enforcement

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

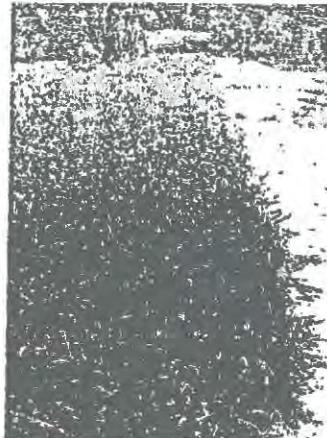
CITY ABATEMENT - Tuesday, July 14, 2015 10:55:42 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	7/14/2015 10:55:42 AM
Property Address	807 hinshaw
Before Picture	Attached Data



Before Picture

Attached Data



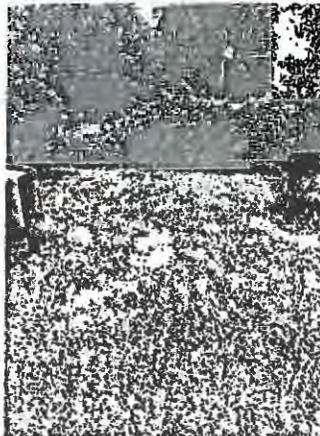
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Tuesday, July 14, 2015 10:55:00 AM

Officer on Site

Bobby Nivens

Supervisor on Job

Mike Hicklin

Employee

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

Method of Compliance

1 Method of Compliance

Mowing

Equipment Used

Equipment

752 Grasshopper,743 Kubota,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping

752 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

1

Number of Temporary Laborers

3

Temporary Labor Cost

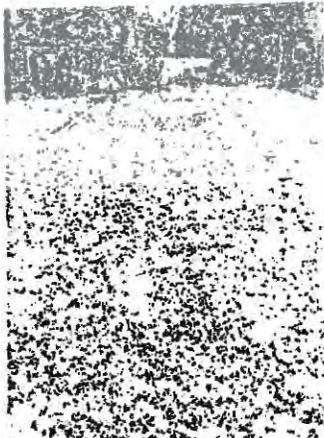
\$36.00

Employee Cost per hour **\$27.42**
Total Employee Cost **\$27.42**
Equipment Cost per hour **\$190.00**
Total Equipment Cost **\$190.00**
Mobilization Fee **\$200.00**
Extra materials cost **\$0.00**
Total Cost of Abatement **\$453.42**
Final Photos **Attached Data**



Final Photos

Attached Data



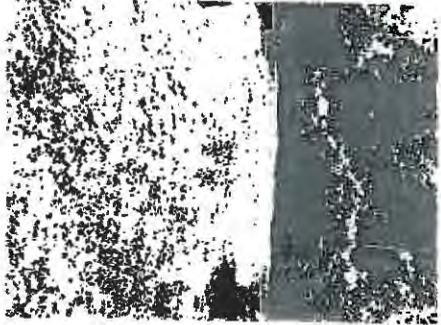
Final Photos

Attached Data



Final Photos

Attached Data





City of Springdale Code Enforcement

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

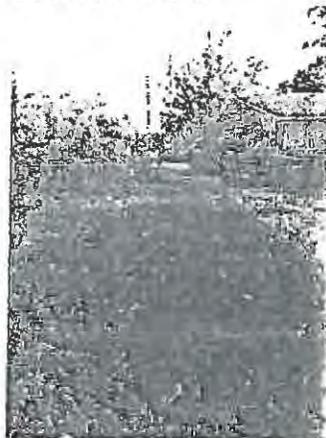
CITY ABATEMENT - Monday, September 28, 2015 1:37:27 PM (646 CITY ABATEMENT)

User Name 646 CITY ABATEMENT
User # 4797993582
Form Started 9/28/2015 1:37:27 PM
Property Address 807 Hinshaw Dr
Before Picture Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Monday, September 28, 2015 1:37:00 PM

Officer on Site

Toby Lankford

Supervisor on Job

Henry Hernandez

Employee

Employee

Henry Hernandez

HH Benefit Rate

\$18.65

Method of Compliance

1 Method of Compliance

Mowing, Junk and Trash Removal from Curb

Equipment Used

Equipment

748 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6038 1-ton Work Truck-Landscaping

748 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-Landscaping

\$35.00

6038 1-ton Work Truck-Landscaping

\$35.00

Time of Abatement in Hours

2

Number of Temporary Laborers

5

Temporary Labor Cost

\$120.00

Employee Cost per hour

\$18.65

Total Employee Cost

\$37.30

Equipment Cost per hour

\$190.00

Total Equipment Cost

\$380.00

Mobilization Fee

\$200.00

Extra materials cost

\$0.00

Total Cost of Abatement

\$737.30

Final Photos

Attached Data



Final Photos

Attached Data



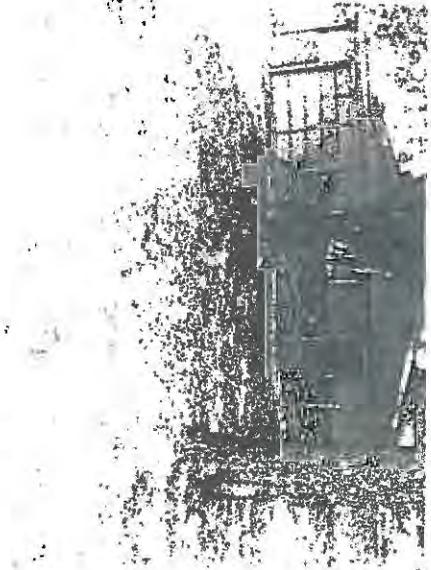
Final Photos

Attached Data



Final Photos

Attached Data



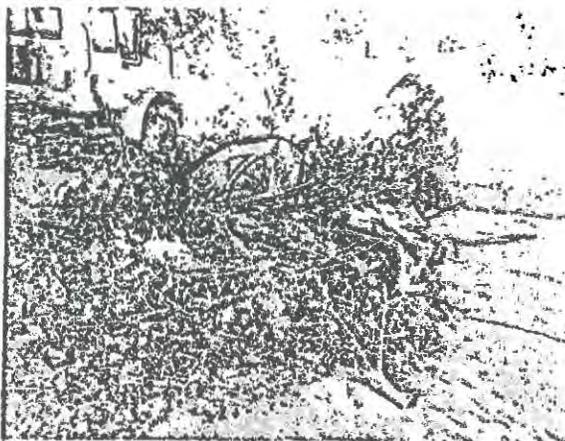


City of Springdale Code Enforcement

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

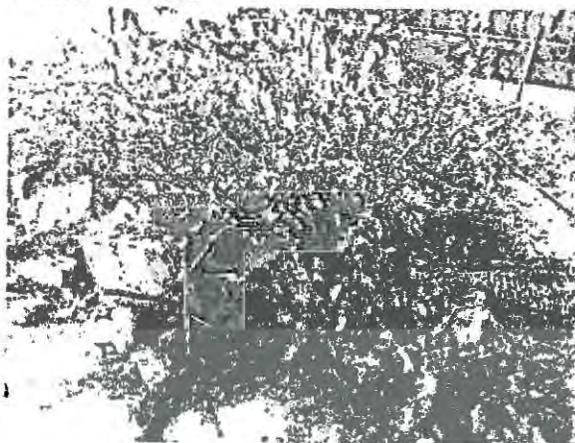
CITY ABATEMENT - Tuesday, September 29, 2015 10:44:52 AM (1- BULKY WASTE)

User Name 1- BULKY WASTE
User # 4792839382
Form Started 9/29/2015 10:44:52 AM
Property Address 807 Hinshaw
Before Picture Attached Data



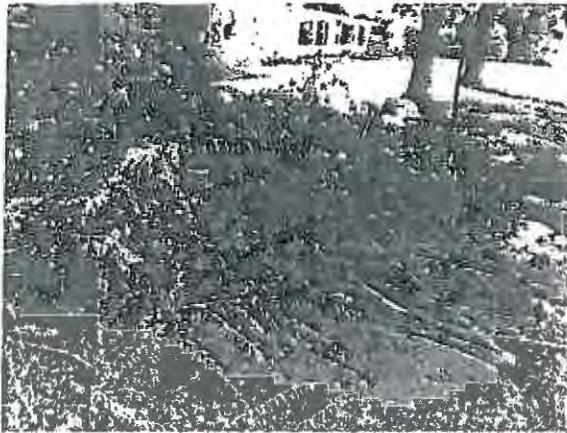
Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Datar



Type of Abatement

Violation Notice / Lien

Date of Abatement

Tuesday, September 29, 2015 10:44:00 AM

Employee

Employee

Leonard McCoy, Peter Wilson, Rod Dorsey

Leonard McCoy

\$19.62

MT Benefit Rate

\$16.24

RD Benefit Rate

\$17.92

Method of Compliance

Equipment Used

Equipment

660/652 New Bulky Waste Truck, 6028 Service Pick Up Truck

660 New Bulky Waste Truck

\$200.00

6028 Service Pick Up Truck

\$35.00

Time of Abatement in Hours

1

Number of Temporary Laborers

0

Temporary Labor Cost

\$0.00

Employee Cost per hour

\$34.16

Total Employee Cost

\$34.16

Equipment Cost per hour

\$235.00

Total Equipment Cost

\$235.00

Mobilization Fee **\$200.00**
Extra materials cost **\$0.00**
Total Cost of Abatement **\$469.16**
Extra Materials &/or Notes **0**
Final Photos **Attached Data**



Final Photos

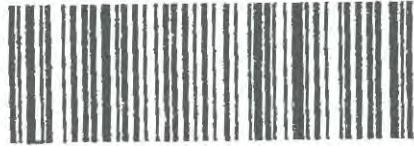
Attached Data





Office Of The City Attorney
201 Spring Street
Springdale, Arkansas 72764

CERTIFIED MAIL



7001 2510 0006 6157 8461

U.S. POSTAGE PITNEY BOWES
ZIP 72764 \$ 007.39⁵
02 1W
0001377648 NOV 19 2015



Hazel Olinger
11059 Laney Pridgen Rd. #918
Diberville, MS

NIXIE

592 5R 1

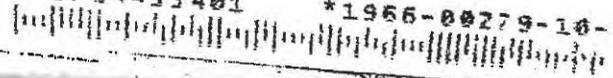
2212/10/15

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

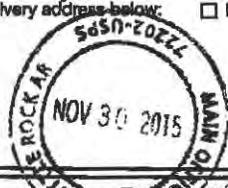
72764@4554

EC: 72764455401

*1956-80279-10-15



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>Wells Fargo Bank, National Association c/o Corporation Service Company, Registered Agent 300 Spring Street, Suite 900 Little Rock, AR 72201</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>
<p>9590 9401 0007 5205 1598 90</p> <p>7001 2510 0006 6157 8454</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>





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:
asparkman@springdalear.gov

November 18, 2015

**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 Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Ian J. McKinney
699 McKinney St.
Springdale, AR 72764

RE: Notice of clean-up lien on property located at 699 McKinney St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
25146-000

Dear Property Owner:

On July 30, 2015, notice was posted on property located at 699 McKinney St., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on August 19, 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 October 7, 2015 and October 9, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$1,078.76. 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.

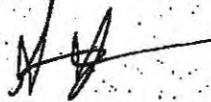
This is to notify you that in the event this amount is not paid to the City of Springdale on or before January 12, 2016, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the

property. The hearing will be held Tuesday, January 12, 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 \$1,085.50, which includes \$1,078.76 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.

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

Sincerely,



Sarah Sparkman
Deputy City Attorney

enclosures
SS:ch



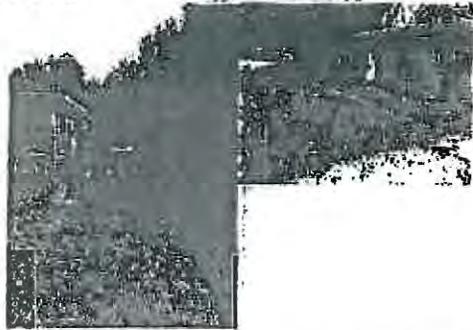
**City of Springdale
Code Enforcement**

210 Spring Street - Springdale, AR 72761 - Office 479/726-3712

CITY ABATEMENT - 10/7/2015 2:31 PM (646 CITY ABATEMENT)

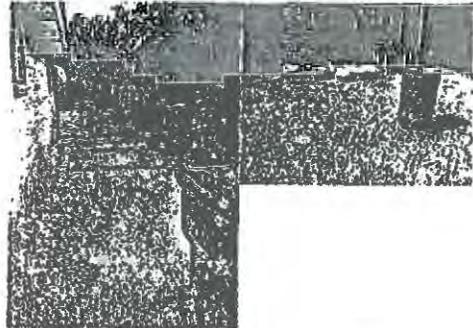
Status: CITY ABATEMENT
Order # CMCKINN699
Property Address
Before Picture

699 McKinney St
Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement
Date of Abatement
Officer on Site
Supervisor on Job

Violation Notice / Lien
10/7/2015 1:31 PM
Tina Haden
Henry Hernandez

Employee
Employee
HH Benefit Rate

Henry Hernandez
\$27.42

Method of Compliance
1 Method of Compliance

Mowing, Junk and Trash Removal from Curb

Equipment Used
Equipment

753-Hustler Midmount, 743 Kubota, 6031 Service Truck-
Landscaping, 6050 1-ton Work Truck Landscaping



**City of Springdale
Code Enforcement**

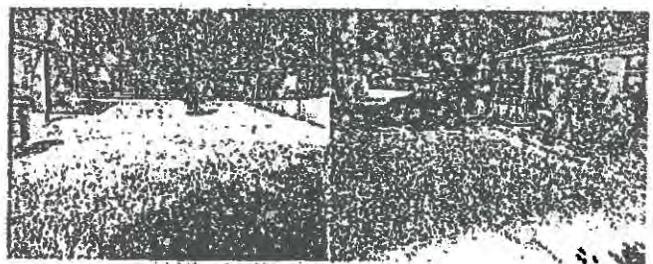
210 Spring Street - Springdale, AR 72734 - Office 479/762-3719

753-Hustler Midmount	\$40
743 Kubota	\$65
6031 Service Truck-Landscaping	\$35
6050 1-ton Work Truck-Landscaping	\$35
Time of Abatement in Hours	1
Number of Temporary Laborers	4
Temporary Labor Cost	\$48
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$140
Total Equipment Cost	\$140
Mobilization Fee	\$200
Extra materials cost	\$0
Total Cost of Abatement	\$415.42
Final Photos	Attached Data



Final Photos

Attached Data



Final Photos

Attached Data





**City of Springdale
Code Enforcement**

210 Spring Street - Springdale, AR 72761 - Office #70736-7712

CITY ABATEMENT - 10/9/2015 1:18 PM (1- BULKY WASTE)

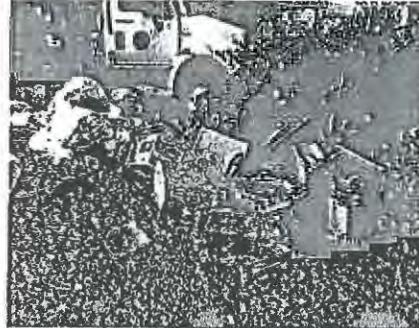
Status: CITY ABATEMENT
Order # CMCKINN699
Property Address
Before Picture

**699 McKinney
Attached Data**



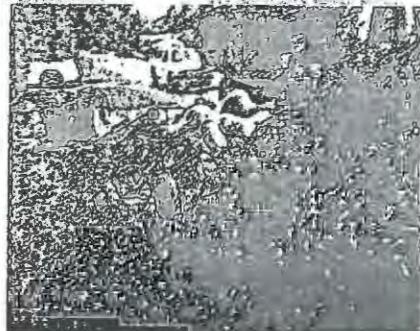
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement
Date of Abatement

Violation Notice / Lien
10/9/2015 12:18 PM

Employee
Employee
JP Benefit Rate
Leonard McCoy
MT Benefit Rate
RD Benefit Rate

Jeff Powell, Leonard McCoy, Peter Wilson, Rod Dorsey
\$19.18
\$19.62
\$16.24
\$17.92

Method of Compliance

Equipment Used
Equipment

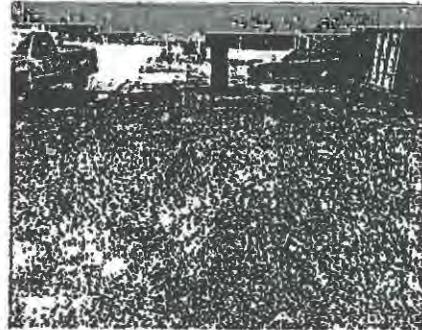
**648 Dump Truck, 660/652 New Bulky Waste Truck, 6028
Service Pick Up Truck**



**City of Springdale
Code Enforcement**

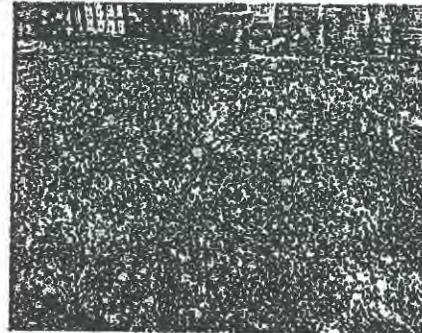
310 Spring Street - Springdale, AR 72761 - Office 479-726-7722

648 Dump Truck	\$175
660 New Bulky Waste Truck	\$200
6028 Service Pick Up Truck	\$35
Time of Abatement in Hours	1
Number of Temporary Laborers	0
Temporary Labor Cost	\$0
Employee Cost per hour	\$53.34
Total Employee Cost	\$53.34
Equipment Cost per hour	\$410
Total Equipment Cost	\$410
Mobilization Fee	\$200
Extra materials cost	\$0
Total Cost of Abatement	\$663.34
Extra Materials &/or Notes	0
Final Photos	Attached Data



Attached Data

Final Photos



SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ian J. McKinney
 699 McKinney St.
 Springdale, AR 72764

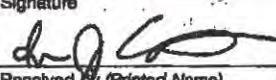


2. Article Number (Transfer from service label)

7001 2510 0006 6157 8492

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X  Agent
 Addressee

B. Received by (Printed Name)

Ian Evans

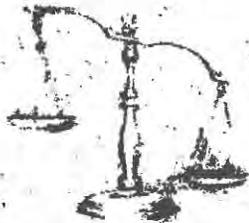
C. Date of Delivery

11-23-15

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

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted
- Signature Confirmation™
- Signature Confirmation Restricted Delivery



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

November 18, 2015

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

Al L. & Juanita C. Bowen
3704 Johnson Rd.
Springdale, AR 72764

CERTIFIED MAIL
RETURN RECEIPT REQUESTED and
REGULAR MAIL

Deutsche Bank National Trust Co.
As Trustee for Soundview Home Loan Trust
1525 S. Beltline Rd.
Coppell, TX 75019

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Notice of clean-up lien on property located at 2403 Sycamore
Place, Springdale, Washington County, Arkansas, Tax Parcel No.
815-27282-000

Dear Property Owner/Lienholder:

On May 17, 2015, notice was posted on property located at 2403 Sycamore Place,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on April 17, 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 September 17, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$503.65. I have enclosed an invoice
evidencing the abatement costs incurred and paid by the City of Springdale to
clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

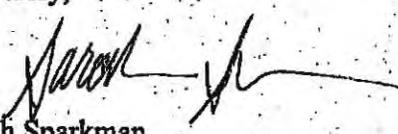
This is to notify you that in the event this amount is not paid to the City of Springdale on or before January 12, 2016, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, January 12, 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 \$517.13, which includes \$503.65 for cleaning up the property and \$13.48 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 Al and Juanita Bowen at the addresses above. Delivery of that letter by the U.S. Postal Service shall warrant service on Al and Juanita Bowen 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**

216 Spring Street - Springdale, AR 72764 - Office 479-721-7712

CITY ABATEMENT - 9/17/2015 2:16 PM (646 CITY ABATEMENT)

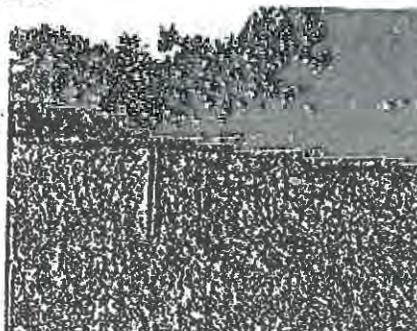
Status: CITY ABATEMENT
Order # CSYC2403
Property Address
Before Picture

2403 Sycamore Pl
Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement
Date of Abatement
Officer on Site
Supervisor on Job

Violation Notice / Lien
9/17/2015 1:16 PM
Missha Wagoner
Henry Hernandez

Employee
Employee
HH Benefit Rate

Henry Hernandez
\$18.65

Method of Compliance

Equipment Used

Equipment

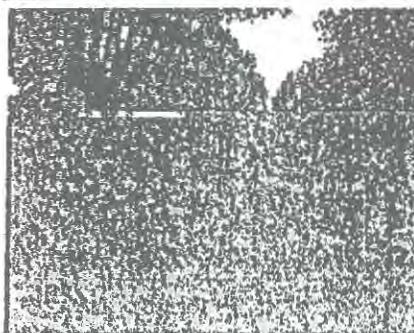
748 Grasshopper,743 Kubota,6026 Service Truck-
Landscaping,6031 Service Truck-Landscaping,6038 1-ton
Work Truck-Landscaping



**City of Springdale
Code Enforcement**

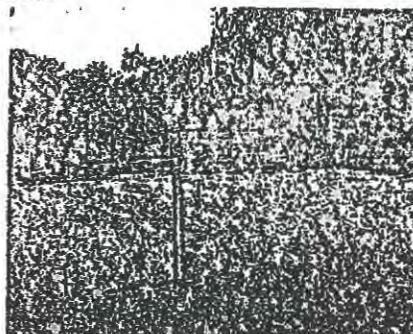
310 Spring Street - Springdale, AR 72761 - Office 479/796-7713

748 Grasshopper	\$55
743 Kubota	\$65
6026 Service Truck-Landscaping	\$35
6031 Service Truck-Landscaping	\$35
6038 1-ton Work Truck-Landscaping	\$35
Time of Abatement in Hours	1
Number of Temporary Laborers	5
Temporary Labor Cost	\$60
Employee Cost per hour	\$18.65
Total Employee Cost	\$18.65
Equipment Cost per hour	\$225
Total Equipment Cost	\$225
Mobilization Fee	\$200
Extra materials cost	\$0
Total Cost of Abatement	\$503.65
Final Photos	Attached Data



Final Photos

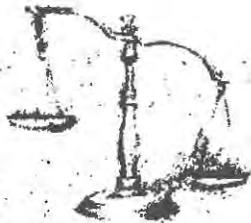
Attached Data



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Bryan Smith</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>B. Smith</i></p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Deutsche Bank National Trust Co. As Trustee for Soundview Home Loan Trust 1525 S. Beltline Rd. Coppell, TX 75019</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p> <p>7014 1200 0001 0759 0180</p>	
<p>PS Form 3811, July 2013 Domestic Return Receipt.</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>S. Logan</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>S. LOGAN</i></p> <p>C. Date of Delivery <i>11/23/15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Deutsche Bank National Trust Co. As Trustee for Soundview Home Loan Trust 1525 S. Beltline Rd. Coppell, TX 75019</p>	<p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p>4. Restricted Delivery <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p> <p>9590 9401 0007 5205 1598 3A</p> <p>7001 2510 0006 6157 8232</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Cathy Bowen</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Cathy Bowen</i></p> <p>C. Date of Delivery <i>11/20</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Al L. & Juanita C. Bowen 3704 Johnson Rd. Springdale, AR 72764</p>	<p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p>4. Restricted Delivery <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p> <p>9590 9401 0007 5205 1598 45</p> <p>7001 2510 0006 6157 8249</p>	
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	



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

November 18, 2015

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

*Ernest B. Cate
City Attorney*

*Taylor Samples
Senior Deputy
City Attorney*

*Sarah Sparkman
Deputy City Attorney*

*David D. Phillips
Deputy City Attorney*

*Lynda Belvedrest
Case Coordinator/
Victim Advocate*

*Steve Helms
Investigator*

*Cindy Horlick
Administrative Legal
Assistant/Paralegal*

Americo Victor Barrios, Registered Agent
for Vick Enterprises, L.L.C.
618 S. Thompson
Springdale, AR 72762

Terry French, Registered Agent
for Centennial Bank
P.O. Box 966
Conway, AR 72033

RE: Notice of clean-up lien on property located at 1202 Thelma St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
29752-000

Dear Property Owner/Lienholder:

On September 9, 2015, notice was posted on property located at 1202 Thelma St., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on September 17, 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.

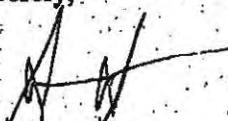
No action was taken by the owner to clean up the property within seven (7) business days. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about October 7, 2015 and October 8, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$844.58. 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 January 12, 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, January 12, 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 \$858.06, which includes \$844.58 for cleaning up the property and \$13.48 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.

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

Sincerely,



Sarah Sparkman
Deputy City Attorney

enclosures
SS:ch



City of Springdale Code Enforcement

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

CITY ABATEMENT - Thursday, October 08, 2015 8:08:40 AM (1- BULKY WASTE)

User Name	1- BULKY WASTE
User #	4792839382
Form Started	10/8/2015 8:08:40 AM
Property Address	1202 Thelma
Type of Abatement	Violation Notice / Lien
Date of Abatement	Thursday, October 08, 2015 8:08:00 AM

Employee

Employee	Leonard McCoy, Peter Wilson, Rod Dorsey
Leonard McCoy	\$19.62
MT Benefit Rate	\$16.24
RD Benefit Rate	\$17.92

Method of Compliance

Equipment Used

Equipment	660/652 New Bulky Waste Truck, 6028 Service Pick Up Truck
660 New Bulky Waste Truck	\$200.00
6028 Service Pick Up Truck	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	0
Temporary Labor Cost	\$0.00
Employee Cost per hour	\$34.16
Total Employee Cost	\$34.16
Equipment Cost per hour	\$235.00
Total Equipment Cost	\$235.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$469.16
Extra Materials &/or Notes	0

Final Photos

Attached Data

Final Photos

Attached Data



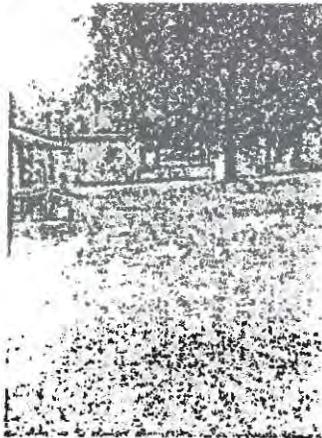


City of Springdale Code Enforcement

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

CITY ABATEMENT - Wednesday, October 07, 2015 8:09:15 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	10/7/2015 8:09:15 AM
Property Address	1202 Thelma
Before Picture	Attached Data



Before Picture

Attached Data



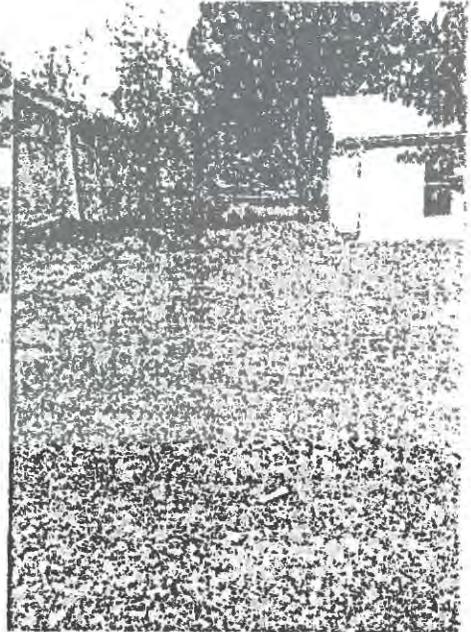
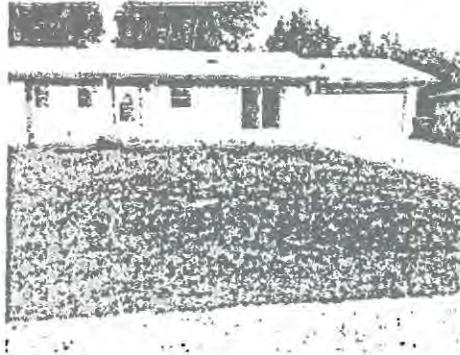
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement
Date of Abatement
Officer on Site
Supervisor on Job

Violation Notice / Lien
Wednesday, October 07, 2015 8:09:00 AM
Toby Lankford
Henry Hernandez

Employee

Employee
HH Benefit Rate

Henry Hernandez
\$27.42

Method of Compliance

1 Method of Compliance

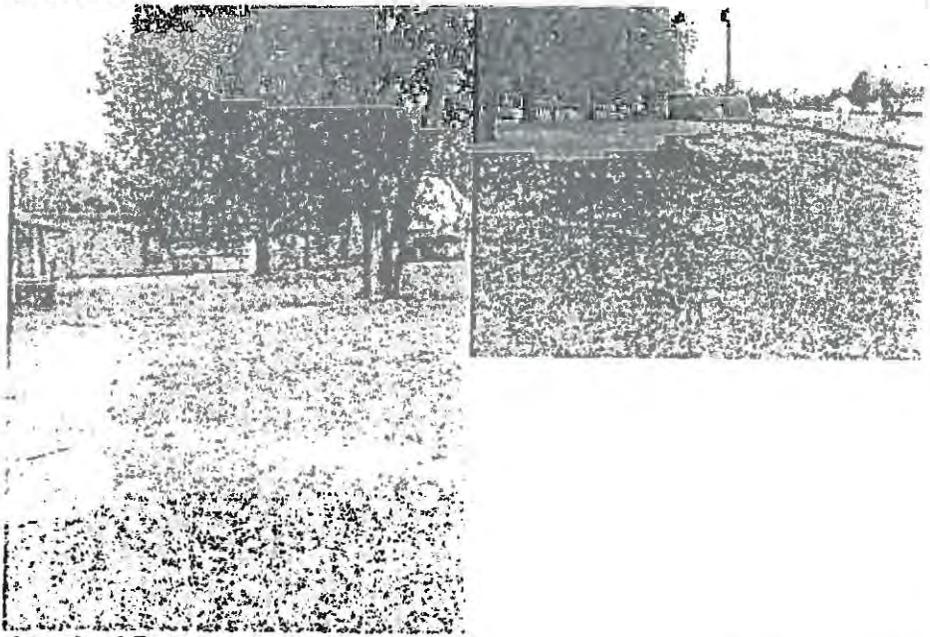
Mowing, Junk and Trash Removal from Curb

Equipment Used

Equipment
743 Kubota
6031 Service Truck-
Landscaping
6050 1-ton Work Truck-
Landscaping

743 Kubota,6031 Service Truck-Landscaping,6050 1-ton Work Truck
Landscaping
\$65.00
\$35.00
\$35.00

Time of Abatement in Hours	1
Number of Temporary Laborers	4
Temporary Labor Cost	\$48.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$100.00
Total Equipment Cost	\$100.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$375.42
Final Photos	Attached Data



Final Photos

Attached Data

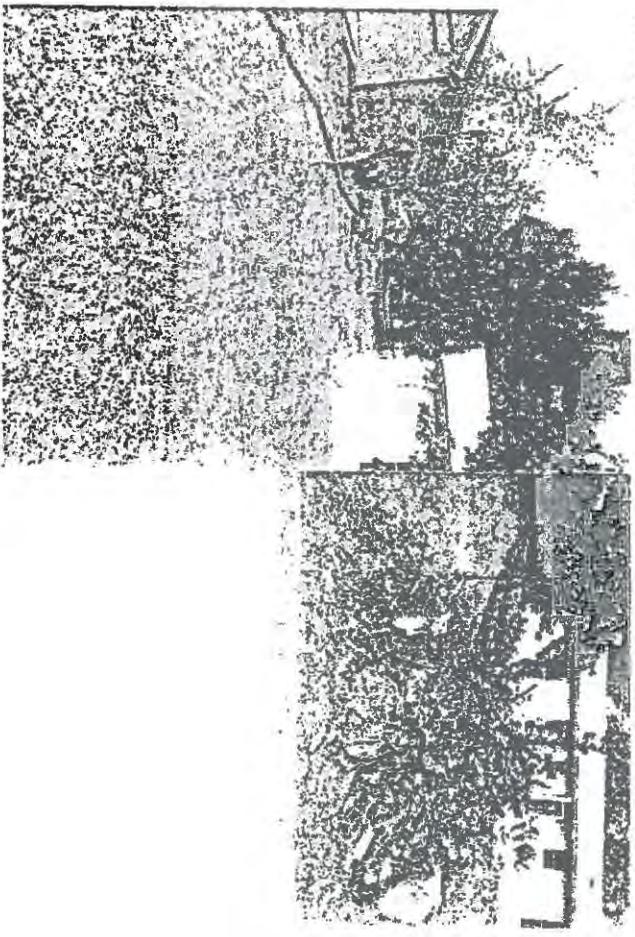


Final Photos



Attached Data

Final Photos



Attached Data

AFFIDAVIT

STATE OF ARKANSAS)
)SS
COUNTY OF WASHINGTON)

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

1. That I am the Investigator for the Springdale City Attorney's Office.

2. That on November 18, 2015, the City Attorney's Office attempted to mail a letter to Americo Victor Barrios, Registered Agent for Vick Enterprises, LLC, 618 S. Thompson, Springdale, Arkansas, by certified mail; however, said letter was returned "Unclaimed."

3. That on December 14, 2015, I left a copy of said letter with the receptionist at Mr. Barrios' office at 618 S. Thompson (Bella Homes Realty) and asked her to have Mr. Barrios call me when he received the letter.

4. That on December 28, 2015, Mr. Barrios' assistant called me stating, "Mr. Barrios requested she call me and advise that the property has been cleaned up." I explained to her that the letter indicates the city had already cleaned the property and the letter is advising that he owes the city the amount of money quoted in the letter and that if he refutes that, he should attend the meeting. The assistant advised that she would tell Mr. Barrios.

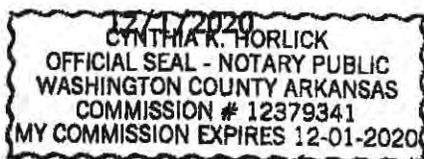
FURTHER, affiant sayeth naught.

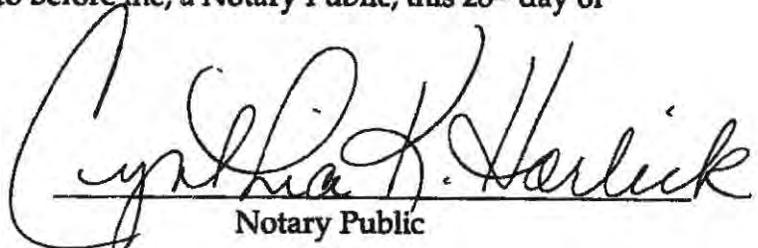


Steve Helms

SUBSCRIBED AND SWORN to before me, a Notary Public, this 28th day of December, 2015.

My Commission Expires:





Notary Public

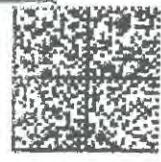


Office Of The City Attorney
201 Spring Street
Springdale, Arkansas 72764

CERTIFIED MAIL



7001 2510 0006 6157 8546



U.S. POSTAGE PITNEY BOWES
ZIP 72764 \$ 006.73⁵
02 1W
0001377648 NOV 19 2015

*As
20 Nov 15
SS*

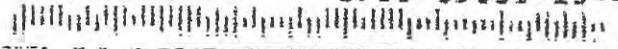
Americo Victor Barrios, Registered Agent
for Vick Enterprises, L.L.C.
618 S. Thon
Springdale, NIXIE 722 CE 1 0212/08/15

*11-28
2-5*

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

72764455481

BC: 72764455481 *2755-03999-19-43



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>B. Niman</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p style="text-align: right;">11/23/15</p>
<p>1. Article Addressed to:</p> <p>Terry French, Registered Agent for Centennial Bank P.O. Box 966 Conway, AR 72033</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>
<p style="text-align: center;">  9590 9401 0007 5205 1598 76 2 7001 2510 0006 6157 8539 </p>	<p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail® <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Restricted Delivery</p>