

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

- Monday, July 20th, 5:30 p.m. is the next Committee meetings.
 - Committee agendas will be available on Friday, July 17th, 2015.

SPRINGDALE CITY COUNCIL REGULAR MEETING TUESDAY, July 14th, 2015

- 5:55 p.m. Pre Meeting Activities
- Pledge of Allegiance
Invocation – Kathy Jaycox
- 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. Shiloh Museum of Ozark History second quarter statistical report. By: Allyn Lord, Museum Director
 5. Make –A-Wish Proclamation. Presented by: Mayor Doug Sprouse
 6. 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.
 7. Approval of Minutes

a) June 23, 2015 (3-16)
 8. 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....***12a-d; 13a-b; 14a; 15a; 18a; 19** (Motion must be approved by two-thirds (2/3) of the council members).
 9. **A Resolution** recognizing the "2015 Bikes, Blues, and BBQ" event as a city approved special event. Presented by: Ernest Cate, City Attorney (17-18)
 10. **A Resolution** supporting the induction of Joe M. Steele into the Arkansas Business Hall Fame. Presented by: Mayor Doug Sprouse. (20)
 11. **A Resolution** setting a hearing date on a petition to abandon a utility easement in the City of Springdale, Benton County, Arkansas. Presented by: Ernest Cate, City Attorney (21-34)
 12. Ordinance Committee Report and Recommendations by Chairman Mike Overton:
 - A. **An Ordinance** amending Chapter 114-56(a) and 114-57(b) of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes (regarding box trucks). (Recommended by Committee for Approval) (35-36)
 - B. **An Ordinance** amending section 114-58 of the Code of Ordinances of the City of Springdale, Arkansas; and for other purposes (the parking of vehicles in the street of residential areas). (Recommended by Committee for Approval) (37-38)
 - C. **An Ordinance** amending Chapter 94 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes (regarding the disposition of pawned property). (Recommended by Committee for Approval) (41)

- D. **An Ordinance** amending Chapter 34 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes (procedure for the filing of referendum petitions.) (Recommended by Committee for Approval). (42-43)
13. Heath, Sanitation, and Property Maintenance Report and Recommendations by Chairman Jim Reed:
- A. **An Ordinance** ordering the razing (demolition) and removal of a certain residential structure within the City of Springdale, Arkansas, located at 512 Caudle Ave; to declare an emergency; and for other purposes. (Recommended by Committee for Approval) (44-49)
- B. **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. (1840 Carley Rd., 2911 Falcon Rd., 309 Laura St., 3068 Napa Ln., 4147 St. Alban's St.) Presented by: Ernest Cate, City Attorney. (50-84)
14. Planning Commission Report and Recommendations by Patsy Christie, Director of Planning:
- A. **An Ordinance** accepting the replat of Lot 3, Diesel Downs Subdivision to the City of Springdale Arkansas, and declaring an emergency. (85-88)
15. Police & Fire Committee Report and Recommendations by Chairman Rick Culver
- A. **An Ordinance** to waive competitive bidding for purchase of mobile data terminals for the Police Department (89-91)
16. Finance Committee Report and Recommendations by Chairman Eric Ford
- A. **A Resolution** authorizing a change in the authorized staff of the Fire Department. (Recommended by Committee for Approval) (92-95)
- B. **A Resolution** amending the 2015 budget of the City of Springdale Fire Department. (Recommended by Committee for Approval) (96)
17. Committee of the Whole:
- A. **A Resolution** regarding the transfer of certain real estate from the City of Springdale to the Springdale Water and Sewer Commission; Authorizing the Mayor and City Clerk to execute all necessary documents and otherwise to act in furtherance of this transfer. (Recommended by Committee for Approval) (97-108)
18. Parks and Recreation Committee Report and Recommendations by Chairman Mike Lawson
- A. **An Ordinance** to waive competitive bidding for trash compactors for City Parks. Presented by: Wyman Morgan, Director of Administration and Finance. (Recommended by Committee for Approval) (109-110)
19. **An Ordinance** calling for the simultaneous detachment and annexation of land currently in Tontitown, Washington County, Arkansas, pursuant to Ark. Code Ann 14-40-2101. Presented by Ernest Cate, City Attorney (111-113)
20. Comments from Department Heads.
21. Comments from Council Members.
22. Comments from City Attorney.
23. Comments from Mayor Sprouse.
24. Adjournment.

SPRINGDALE CITY COUNCIL
JUNE 23, 2015

The City Council of the City of Springdale met in regular session on June 23, 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 (Absent)
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.
Mike Peters	Police Captain
Patsy Christie	Planning Director
Mike Irwin	Fire Chief
Sam Goade	Public Works Director
Brad Baldwin	Engineering Director
Bill Mock	Parks & Recreation Director
Courtney Kremer	Animal Services Director

CITIZEN COMMENTS

Marilyn Rathburn, 3472 Gum Lane, who lives south of the proposed School of Invocation to be built on Hilton Road, expressed concern with the drainage runoff when development occurs. She requested that an alternative plan be looked at that will take care of flooding.

Melinda Mason, 106 W. Allen Avenue, told City Council she is upset with the new paving being installed on West Allen Avenue and how messy it is. The street was a concrete street. She asked that the double yellow striping be reconsidered and that a single white stripe line the street instead.

Mayor Sprouse said he will talk with Sam Goade about the striping.

Ray Dotson, 3495 Raymond Lane, presented a \$3,100 invoice for work he had done on Emma Avenue near his business (Spring Creek) approximately a year ago. The problem was a plumbing issue that was located on the city side of the property. He is asking that the city consider reimbursing him for the costs since he had to pay to fix it.

Also, Mr. Dotson is hooking up two houses on Raymond Lane to the city sewer. The Water Department is charging \$800 per tap. He is asking for a little help on this since it is a city project and not a water department project.

APPROVAL OF MINUTES

Alderman Evans moved the minutes of the June 9, 2015 City Council meeting be approved as presented. Alderman Jaycox 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 Jaycox made the second.

The vote:

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

No: None

APPEAL OF PLANNING COMMISSION'S DECISION TO DENY MICHELLE WALKER AND KEVIN WALKER'S REQUEST FOR A CONDITIONAL USE FOR A DAYCARE TO BE LOCATED AT 1804 W. HUNTSVILLE STREET

Michelle Walker and Kevin Walker presented an appeal of Planning Commission's decision at their June 2, 2015 meeting to deny a conditional use for a daycare to be located at 1804 W. Huntsville Street.

Several council members felt like there was ample access and parking and felt like the decision should be overturned.

Alderman Reed made the motion to overturn Planning Commission's decision to deny the conditional use for a daycare. Alderman Overton made the second.

The vote:

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

No: None

RESOLUTION NO. 58-15 – APPROVING A CONDITIONAL USE REQUEST BY MICHELE AND KEVIN WALKER TO OPERATE A DAYCARE AT 1804 WEST HUNTSVILLE AVENUE AS SET FORTH IN ORDINANCE NO. 4030

City Attorney Ernest Cate presented a Resolution approving a conditional use request by Michele and Kevin Walker to operate a daycare at 1804 West Huntsville Avenue as set forth in Ordinance No. 4030.

RESOLUTION NO. _____

A RESOLUTION APPROVING A CONDITIONAL USE AT 1804 WEST HUNTSVILLE AVENUE AS SET FORTH IN ORDINANCE NO. 4030

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on June 2, 2015, on a request by Michele and Kevin Walker for a Use Unit 28 (Home Occupation/Day Care) in a Low/Medium Density Single Family Residential District (SF-2).

WHEREAS, following the public hearing the Planning Commission by a vote of two (2) yes and six (6) no recommends that a conditional use be denied to Michele and

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Kevin Walker for a Use Unit 28 (Home Occupation/Day Care) in a Low/Medium Density Single Family residential District (SF-2) with the following conditions – None recommended.

WHEREAS, Kevin and Michele Walker appealed the Planning Commission's decision to the City Council and their appeal was heard by the City Council on June 23, 2015.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Michele and Kevin Walker for a Use Unit 28 (Home Occupation/Day Care) in a Low/Medium Density Single Family Residential District (SF-2) with the following conditions – None recommended.

PASSED AND APPROVED THIS ____ day of June, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 58-15.

APPEAL OF PLANNING COMMISSION'S DECISION TO DENY ERIC AND KATY SIEBERT'S REQUEST FOR A CONDITIONAL USE FOR A MOBILE VENDING UNIT TO BE LOCATED AT 3637 S. OLD MISSOURI ROAD (SHAVE THE PLANET)

Eric and Katy Siebert presented an appeal of Planning Commission's decision at their June 2, 2015 meeting to overturn a conditional use request for a mobile vending unit for Shave the Planet to be located at 3637 S. Old Missouri Road.

Mrs. Siebert said the Planning Commission said there are not enough parking spaces for this location.

Mrs. Christie said the entire building is required to have 39 parking spaces and there are 42. This allows them only three spaces but then they don't have a place to put the mobile vending unit and would have to apply for a setback variance.

The Sieberts didn't realize they would need a variance.

Alderman Watson moved this appeal be tabled until the July 14, 2015 City Council meeting to allow them to work with the Planning Department and see if there are any other options to make this work. Alderman Overton made the second.

The vote:

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

No: Lawson

ORDINANCE NO. 4927 – REZONING 1.3 ACRES OWNED BY IGLESIA APOSTOLICA CRISTO VIENE LOCATED AT 1845 BUTTERFIELD COACH ROAD, FROM A-1 TO P-1 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 1.3 acres owned by Iglesia Apostolica Cristo Viene located at 1845 Butterfield Coach Road, from A-1 to P-1 and declaring an emergency.

Planning Commission recommended approval at their June 2, 2015 meeting.

After the 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, Lawson, Evans, Reed

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4927.

RESOLUTION NO. 59-15 – APPROVING A CONDITONAL USE REQUEST BY VANCURAN AUTO SALES TO BE LOCATED AT 2223 WEST SUNSET AVENUE AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use request by VanCuran Auto Sales to be located at 2223 West Sunset Avenue as set forth in Ordinance No. 4030.

RESOLUTION NO. ____

**A RESOLUTION APPROVING A CONDITIONAL
USE AT 2223 WEST SUNSET AVENUE AS SET
FORTH IN ORDINANCE NO. 4030**

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on June 2, 2015, on a request by VanCuran Auto Sales for a Use Unit 41 (Automobile Sales) in a General Commercial District (C-2).

WHEREAS, following the public hearing the Planning Commission by a vote of Six (6) yeas and two (2) nays recommends that a conditional use be granted to VanCuran Auto Sales for a Use Unit 41 (Automobile Sales) in a General Commercial District (C-2) with the following conditions -- No conditions recommended.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE that the City Council hereby grants a conditional use to VanCuran Auto Sales for a Use Unit 41 (Automobile Sales) in a General Commercial District (C-2) with the following conditions – No conditions recommended.

PASSED AND APPROVED THIS ____ day of June, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 59-15.

RESOLUTION NO. 60-15 – APPROVING A CONDITIONAL USE REQUEST BY ERIC SEIBERT/SHAVE THE PLANET FOR A MOBILE VENDING UNIT TO BE LOCATED AT 2940 WEST SUNSET AVENUE AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use request by Eric Seibert/Shave the Planet for a mobile vending unit to be located at 2940 West Sunset Avenue as set forth in Ordinance No. 4030.

RESOLUTION NO. ____

**A RESOLUTION APPROVING A CONDITIONAL
USE AT 2940 WEST SUNSET AVENUE AS SET
FORTH IN ORDINANCE NO. 4030**

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on June 2, 2015, on a request by Eric Seibert/Shave the Planet for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2).

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) Yeas and zero (0) nays recommends that a conditional use be granted to Eric Seibert/Shave the Planet for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) with the following conditions – No conditions recommended.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Eric Seibert/Shave the Planet for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) with the following conditions – No conditions recommended.

PASSED AND APPROVED THIS ___ day of June, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 60-15.

ORDINANCE NO. 4928 - ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF SPRINGDALE, ARKANSAS, PURSUANT TO ARK. CODE ANN. §14-40-2002 (ACT 779 of 1999), AND MAKING A COMMITMENT TO PROVIDE SEWER SERVICES TO SAID PROPERTY AS REQUIRED BY ARK. CODE ANN. §14-40-2002 (ACT 779 of 1999) – SIX TRACTS LOCATED ON OAK GROVE ROAD

City Attorney Ernest Cate presented an Ordinance annexing six tracts of land to the City of Springdale, Arkansas pursuant to Arkansas Code Annotated §14-40-2002 (Act 779 of 1999), and making a commitment to provide sewer services to the property as required by Arkansas Code Annotated §14-40-2002 (ACT 779 of 1999). Richard Bohannon (Estate of Evelyn Bohannon), Austin and Sabrina Long, Phillip and Katrina Foley, and Martha Woods ("the Property Owners"), are the owners of the following real property currently located in Elm Springs, Washington County, Arkansas and which are contiguous to and adjacent to the City of Springdale, Arkansas:

- Tract 1: 797 Oak Grove Road, Washington County Parcel No. 750-00687-000
- Tract 2: 769 and 735 Oak Grove Road, Washington County Parcel No. 750-00689-000
- Tract 3: 695 and 695a Oak Grove Road, Washington County Parcel No. 750-00695-000

Tract 4: 657 Oak Grove Road, Washington County Parcel No. 750-00696-000

Tract 5: Washington County Parcel No. 750-00685-000

After the 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

No: None

The Ordinance was numbered 4928.

ORDINANCE NO. 4929 – ANNEXING 14.722 ACRES LOCATED OFF BUTTERFIELD COACH ROAD INTO THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS – OWNERS: SIGNATURE BANK

City Attorney Ernest Cate presented an Ordinance annexing 14.22 acres owned by Signature Bank located off Butterfield Coach Road into the City of Springdale, Washington County, Arkansas.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4929.

RESOLUTION NO. 61-15 – APPROPRIATING CAPITAL IMPROVEMENT FUNDS FOR NEW PUPPY CAGES FOR THE ANIMAL SHELTER

Alderman Evans presented a Resolution appropriating capital improvement funds for new puppy cages for the animal shelter. The estimated cost is \$15,100.00.

RESOLUTION NO. ____

A RESOLUTION APPROPRIATING CAPITAL IMPROVEMENT FUNDS FOR NEW PUPPY CAGES FOR THE ANIMAL SHELTER

WHEREAS, the City of Springdale Animal Shelter plans to renovate a room for the boarding of puppies, and;

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WHEREAS, there is a need for puppy cages to outfit the room after renovation has been completed, and;

WHEREAS, the estimated cost of cages for this room is \$15,100.00 including tax;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that \$15,100.00 of capital improvement funds is hereby appropriated for purchase of puppy cages for the Springdale Animal Shelter.

PASSED AND APPROVED this ____ day of June, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: Overton

The Resolution was numbered 61-15.

RESOLUTION NO. 62-15 – AUTHORIZING FUNDS FROM THE CAPITAL IMPROVEMENT PROJECT FUND FOR AIRPORT PAVEMENT REHABILITATION

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

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING FUNDS FROM THE CAPITAL IMPROVEMENT PROJECT FUND FOR AIRPORT PAVEMENT REHABILITATION

WHEREAS, the Springdale Airport Commission is planning the rehabilitation of the pavement on the east taxiway, runway and a portion of the terminal apron, and

WHEREAS, this project is estimated to cost \$555,556.40, and

WHEREAS, the Airport Commission has applied for a grant of \$500,000.00 from the Arkansas Department of Aeronautics, and

WHEREAS, the Airport Commission needs \$55,556.40 to match the grant and complete the project;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the expenditure of a maximum of \$55,556.40 of funds from the Capital Improvement Projects Fund is hereby approved for pavement rehabilitation project at the Springdale Municipal Airport.

PASSED AND APPROVED this ____ day of June, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 62-15.

RESOLUTION NO. 63-15 – APPROPRIATING CAPITAL IMPROVEMENT FUNDS FOR THE CITY OF SPRINGDALE TO REMOVE THE BUILDING AT 1104 SHILOH

Alderman Evans presented a Resolution appropriating Capital Improvement funds for the City of Springdale to remove the building at 1104 Shiloh

RESOLUTION NO. ____

A RESOLUTION APPROPRIATING CAPITAL IMPROVEMENT FUNDS FOR THE CITY OF SPRINGDALE

WHEREAS, the City of Springdale acquired property located at 1104 Shiloh and the commercial structure located thereon, and;

WHEREAS, this building needs to be removed to improve the appearance of the neighborhood and the trail system and prevent vandalism, and;

WHEREAS, the 2015 budget does not have any funds appropriated for this project, and;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that \$15,550 of capital improvement funds is hereby appropriated for the demolition and removal of the structure located at 1104 Shiloh.

PASSED AND APPROVED this ____ day of June, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 63-15.

RESOLUTION NO. 64-15 – APPROPRIATING CAPITAL IMPROVEMENT FUNDS
FOR OFFICE CONSTRUCTION

Alderman Evans presented a Resolution appropriating Capital Improvement funds for office construction at the Springdale Municipal Airport.

RESOLUTION NO. ____

**A RESOLUTION APPROPRIATING CAPITAL IMPROVEMENT
FUNDS FOR OFFICE CONSTRUCTION**

WHEREAS, the City of Springdale Airport Commission has an unfinished office on Powell Street, and;

WHEREAS, there is a need for additional office space, and;

WHEREAS, the estimated cost to finish the office for use is \$9,950;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that \$9,950.00 of capital improvement funds is hereby appropriated to finish construction of one office of the Airport Commission located on Powell Street.

PASSED AND APPROVED this ____ day of June, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 64-15.

ORDINANCE NO. 4930 – TO WAIVE COMPETITIVE BIDDING FOR INSURANCE COVERAGE FOR CITY BUILDINGS AND CONTENTS

Alderman Reed presented an Ordinance to waive competitive bidding for insurance coverage for the City of Springdale buildings and contents.

The City of Springdale retained the Farris Insurance Agency as the insurance broker for building insurance for the City of Springdale and they have negotiated and secured proposals to insure the buildings and contents for replacement cost of \$107,330,875 with deductibles and premiums.

The Farris Insurance Agency recommends the proposal from CNA Insurance with a \$50,000 wind/hail deductible per occurrence and a \$10,000 deductible for all other perils with a premium of \$196,333.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4930.

RESOLUTION NO. 65-15 – AMENDING THE 2015 BUDGET OF THE CITY OF SPRINGDALE POLICE DEPARTMENT

Alderman Reed presented a Resolution amending the 2015 Budget of the City of Springdale Police Department to purchase mobile data terminals and other equipment.

RESOLUTION NO. ____

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

WHEREAS, the Police Department has received drug seizure funds that have not been appropriated; and

WHEREAS, the Police Chief has requested that some of these funds be appropriated for mobile data terminals and other equipment;

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 Expenses	104,200	26,317		130,517

PASSED AND APPROVED this ____ day of June, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 65-15.

RESOLUTION NO. 66-15 -- AMENDING THE 2015 BUDGET OF THE SPRINGDALE STREET DEPARTMENT

Alderman Reed presented a Resolution amending the 2015 Budget of the Springdale Street Department for contract labor in the Landscape Division.

RESOLUTION NO. ____

A RESOLUTION AMENDING THE 2015 BUDGET OF THE CITY OF SPRINGDALE STREET DEPARTMENT

WHEREAS, funds appropriated as revenue in the Street Fund, for code enforcement cleanups, were not considered in the appropriation in the Landscape Division for contract labor, and;

WHEREAS, there is a need to appropriate \$112,000 for contract labor in the Landscape Division to adequately fund the activities assigned to them;

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

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<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Proposed Budget</u>
Street-Landscape Div.	20102054317035	Contract Labor	160,000	112,000		272,000

PASSED AND APPROVED this ____ day of June, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 66-15.

ORDINANCE NO. 4931 – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS WITHIN THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS (3224 SAGELEY LANE)

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 at 3224 Sageley within the City of Springdale, Benton County, Arkansas.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4931.

ORDINANCE NO. 4932 – 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:

- 1) 502 Buford St.
- 2) 604 Dodson St. (#815-20915-000)
- 3) 604 Dodson St. (#815-20913-000)
- 4) 704 Geneva St.
- 5) 1111 Highland Ave.
- 6) 2403 Sycamore Pl.
- 7) 1615 Theodore Dr.
- 8) 2663B Yorkshire Circle

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4932.

RETIREMENT OF CHIEF KATHY O'KELLEY

Chief Kathy O'Kelley is retiring effective June 30, 2015. City Council expressed their appreciation to her for her service to the community.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 7:05 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer

RESOLUTION NO. _____

A RESOLUTION RECOGNIZING THE "2015 BIKES, BLUES AND BBQ" EVENT AS A CITY APPROVED SPECIAL EVENT.

WHEREAS, the annual "Bikes, Blues, and BBQ" event brings thousands of visitors to Northwest Arkansas, thereby generating tourism dollars for Springdale, Arkansas;

WHEREAS, the 2015 "Bikes, Blues, and BBQ" event will take place from September 23rd to September 26th, 2015;

WHEREAS, the parking lot of Arvest Ballpark is an excellent venue to host activities and events associated with Bikes, Blues, and BBQ;

WHEREAS, the City of Springdale wishes to declare the 2015 Bikes, Blues, and BBQ event a "special event" pursuant to Article 6, Section 3.5(9)(f) of the Zoning Ordinance of the City of Springdale, Arkansas, thereby allowing the operators of Bikes, Blues, and BBQ to utilize the parking lot of Arvest Ballpark during this special event.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the 2015 "Bikes, Blues, and BBQ" event, which will take place from September 23rd to September 26th, 2015, is hereby recognized as a "special event" pursuant to Article 6, Section 3.5(9)(f) of the Zoning Ordinance of the City of Springdale, Arkansas, thereby allowing the operators of Bikes, Blues, and BBQ to utilize the parking lot of Arvest Ballpark during this special event.

PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



**Leading Business.
Leading Springdale.**

July 7, 2015

Mayor Douglas Sprouse
City of Springdale
201 Spring Street
Springdale, AR 72762

Dear Mayor Sprouse,

The Springdale Chamber of Commerce is again working with representatives of Bikes, Blues, and BBQ to bring several events to Arvest Ballpark during this fall's rally, scheduled for September 23-26, 2015. Among the events planned for Friday, September 25th are live music, food vendors, motorcycle vendors, vintage war machinery, and possibly a fireworks show. On Saturday, September 26th, a car show, vintage bike show, and vintage military equipment display will be held during the day. In addition, rally officials are working on a Military Appreciation ride to begin and end at the ballpark. Live music is planned for Saturday afternoon & evening, as well as, a performance by Torch, a fire-stunt rider. All of the events will be held in the parking lot of Arvest Ballpark.

As part of the highly successful Bikes, Blues, and BBQ Rally, we feel that these events will bring a large number of visitors to the City of Springdale, as was evidenced by last year's attendance. Not only will tourism dollars be generated, but hosting these events at Arvest Ballpark, will greatly improve the possibility of relocating additional Bikes, Blues, & BBQ Rally activities to Springdale in the coming years.

We respectfully request that the City Council consider recognizing this as an "Official" city event. Thank you for your consideration. If any additional information is needed, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Edmondson".

Scott Edmondson
Director of Business Development
Springdale Chamber of Commerce

RESOLUTION NO. _____

**A RESOLUTION SUPPORTING THE INDUCTION
OF JOE M. STEELE INTO THE ARKANSAS
BUSINESS HALL OF FAME**

WHEREAS, the innovation, business acumen and devotion to quality of Joe M. Steele had a remarkable impact on Springdale, Northwest Arkansas and the State of Arkansas, and

WHEREAS, at an early age Mr. Steele began a small canning business that soon became an empire, and

WHEREAS, Mr. Steele served on many community organizations such as the Springdale City Council, Springdale Water and Sewer Commission and Springdale Industrial Commission;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that support and recommend the induction of Joe M. Steele into the Arkansas Business Hall of Fame.

PASSED AND APPROVED this 14th day of July, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

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

WHEREAS, Justin Gregory and Natalie Gregory have petitioned for the abandonment of a utility easement, more particularly described as follows:

Part of Lot 7, Block 2, Oak Valley Subdivision to the City of Springdale, Benton County, Arkansas, beginning at a point 30 feet west of the northeast corner of said Lot 7, thence west 100 feet, thence south 25 feet, thence east 100 feet, thence north 25 feet to the point of beginning.

WHEREAS, the City Council finds that a hearing date should be set;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that August 11, 2015, at 6:00 p.m. is set as the date and time for the City Council to hear the petition; that the City Clerk shall give notice of the date and time of said hearing as required by law.

PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

PETITION TO VACATE A UTILITY EASEMENT

Name of Petitioner(s): Justin and Natalie Gregory
Petitioner(s) must be owner(s) of the property

Address: 4806 Hickory Street
Springdale, AR 72704

Legal Description:

Lot 7 Block 2, oak valley Subdivision

Date of Survey: 1/15/1975

Survey Performed by: _____
(Survey must be attached to Petition)

We, the undersigned owners of the above described real property situated in Springdale, Arkansas, hereby petition the City Council for the City of Springdale, Arkansas, to release, vacate and abandon that portion of the utility easement that is encroached upon by an improvement on the property, as more particularly shown on the survey, which is being filed with this petition.

Home Owner

Justin Gregory
Natalie Gregory



Southwestern Electric
Power Company
101 West Township Street
Fayetteville, AR 72703

April 17, 2015

Justin and Natalie Gregory
4806 Hickory Street
Springdale, AR 72764

VIA EMAIL: justinjgregory@yahoo.com

RE: Release of Utility Easement
4806 Hickory Street
Springdale, AR 72764

Dear Mr. and Mrs. Gregory,

The following is in response to your petition to vacate a utility easement located on the above referenced property.

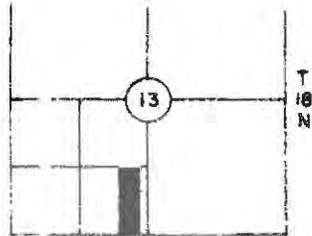
It is my understanding that you desire to vacate a portion of an existing platted utility easement across a portion of Lot 7, Block 2 of the Oak Valley Subdivision. The area of encroachment is shown on a copy of the plat filed for record on January 15, 1975 by Josephine R. Heyland, and the requested area of release is illustrated on the attached drawing with the release portion indicated in "RED." Essentially, the area to be released would be the northern 25 feet of Lot 7, Block 2 minus existing easements that run north and south along the rear and front property lines.

Since SWEPCO does not operate or maintain facilities within the requested area of the platted general utility easement, it has no objection to release as requested.

If you should have any questions or concerns, please feel free to contact me at your earliest convenience by calling (479) 986-1026.

Sincerely,

Nancy S. Guisinger
Engineering Technician
Southwestern Electric Power Co.



LOCATION MAP

□ — MONUMENT

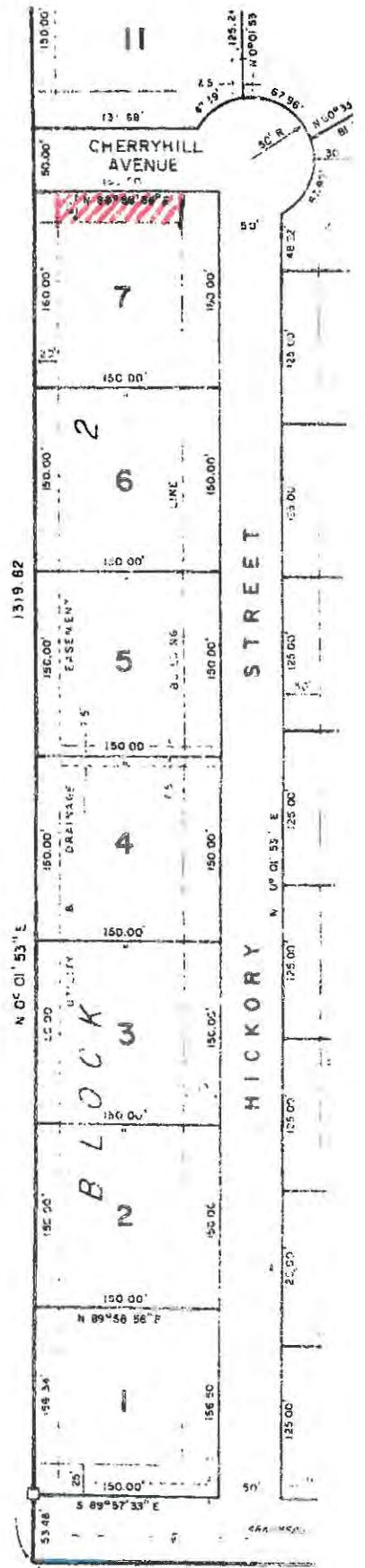
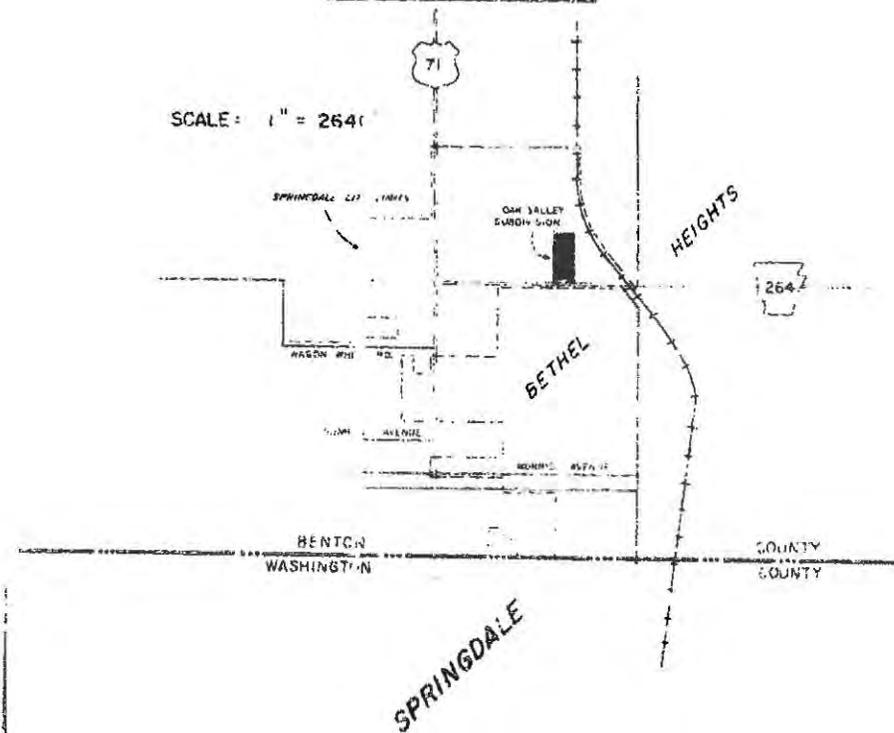
ZONING R-1

NOTE
SIDEWALKS ARE TO BE INSTALLED IN THE SUBDIVISION ACCORDING TO THE SPRINGDALE CITY ORDINANCE



VICINITY MAP

SCALE: 1" = 264'



FILED FOR RECORD
At 3 O'Clock P.M.

JAN 25 1975

JOSEPHINE R. HEYLAND



Springdale Water Utilities

526 Oak Avenue P.O. Box 769 Springdale, Arkansas 72765-0769 (479) 751-5751

April 6, 2015

Justin and Natalie Gregory
4806 Hickory Street
Springdale, AR 72764

VIA EMAIL: justinjgregory@yahoo.com

RE: Release of Utility Easement
4806 Hickory Street
Springdale, AR 72764

Dear Mr. and Mrs. Gregory,

The following is in response to your petition to vacate a utility easement located on the above-referenced property.

It is my understanding that you desire to vacate a portion of an existing platted utility easement across a portion of Lot 7, Block 2 of the Oak Valley Subdivision. The area of encroachment is shown on a copy of the plat filed for record on January 15, 1975 by Josephine R. Heyland, and the requested area of release is illustrated on the attached drawing with the release portion indicated in "RED." Essentially, the area to be released would be the northern 25 feet of Lot 7, Block 2 minus existing easements that run north and south along the rear and front property lines.

Since the Springdale Water Utilities does not operate or maintain facilities within the requested area of the platted general utility easement, it has no objection to the release as requested.

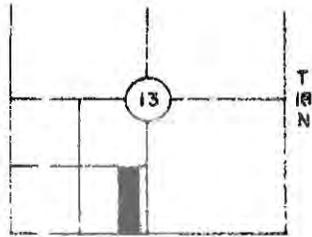
If you should have any questions or concerns, please feel free to contact me at your earliest convenience by calling (479) 927-4183.

Sincerely,

Rick Pulvirenti, P.E.
C.O.O. & Director of Engineering
Springdale Water Utilities

RP/kb
encl

cc: Heath A. Ward, SWU
File



LOCATION MAP

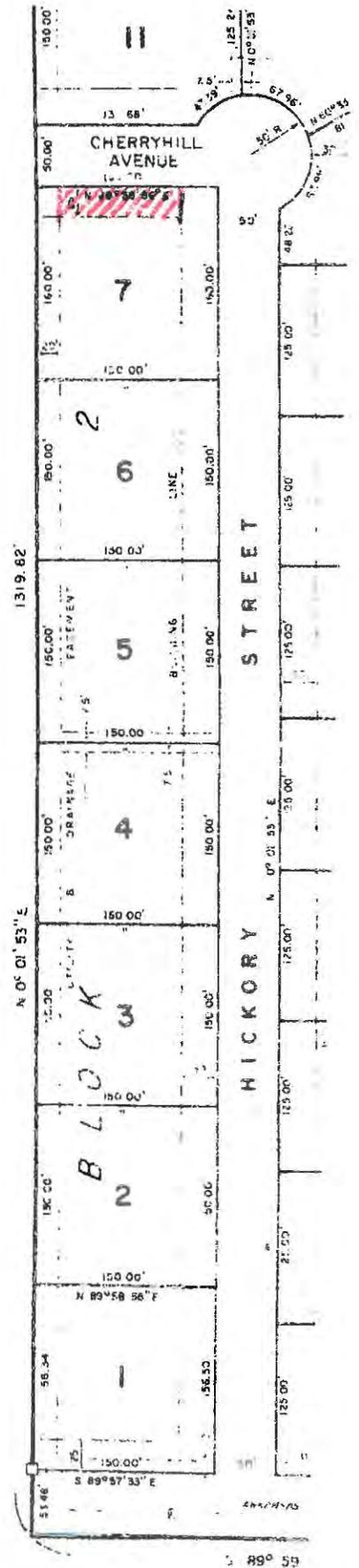
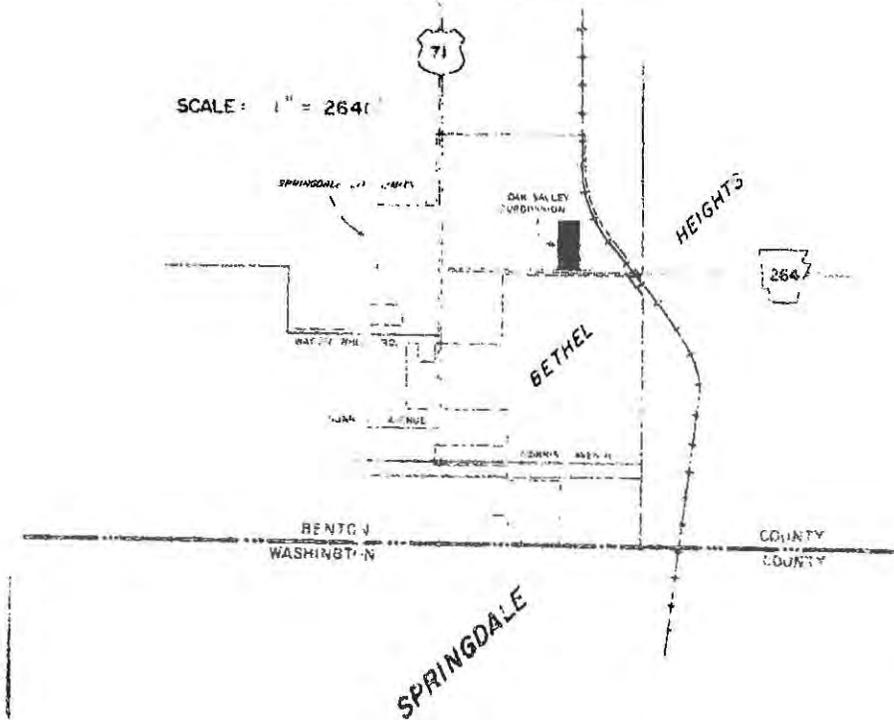
□ - MONUMENT

ZONING R-1

NOTE
SIDEWALKS ARE TO BE INSTALLED IN
THE SUBDIVISION ACCORDING TO THE
SPRINGDALE CITY ORDINANCE.

VICINITY MAP

SCALE: 1" = 264'



FILED FOR RECORD
At 3 O'Clock P.M.

JAN 25 1975

JOSEPH R. HEYLAND

SourceGas Arkansas, Inc.
656 E. Millsap Road, Suite 104
PO Box 13288
Fayetteville, AR 72703-1002
479 521 5400
www.SourceGas.com



June 22, 2015

VIA EMAIL: justinjgregory@yahoo.com

Justin and Natalie Gregory
4806 Hickory Street
Springdale, AR 72764

Re: Release of Utility Easement

Dear Mr. and Mrs. Gregory:

The following is in response to your petition to vacate a utility easement located on the above-referenced property.

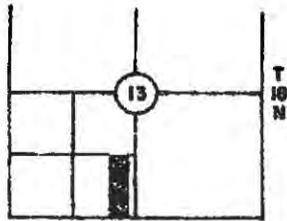
It is my understanding that you desire to vacate a portion of an existing platted utility easement across a portion of Lot 7, Block 2 of the Oak Valley Subdivision. The area of encroachment is shown on a copy of the plat filed for record on January 15, 1975 by Josephine R. Heyland, and the requested area of release is illustrated on the attached drawing with the release portion indicated in "red". Essentially, the area to be released would be the northern 25 feet of Lot 7, Block 2, minus existing easements that run north and south along the rear and front property lines.

Since SourceGas Arkansas does not operate or maintain facilities within the requested area of the platted general utility easement, it has no objection to the release requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'David W. Hughes', is written over a horizontal line.

David Hughes
Manager—Right of Way
SourceGas LLC



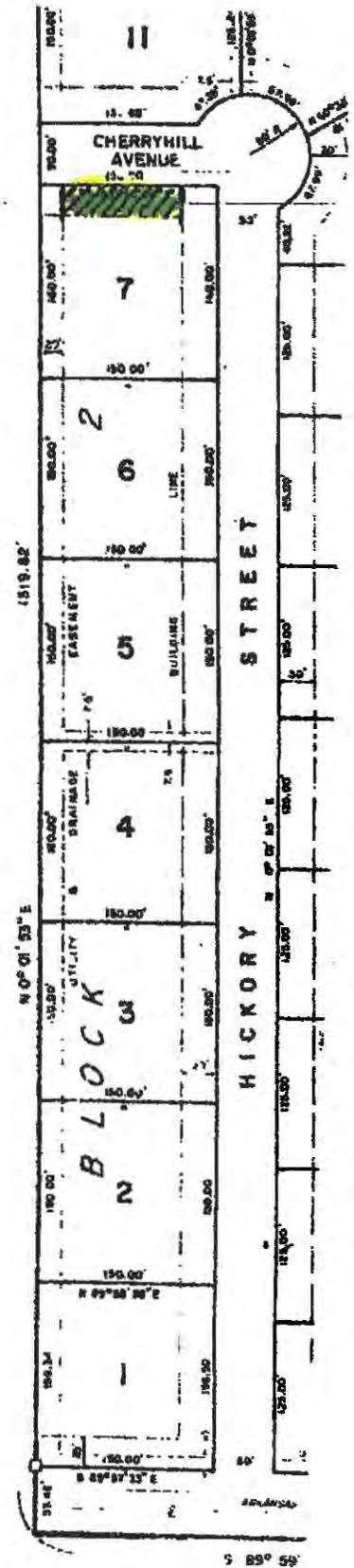
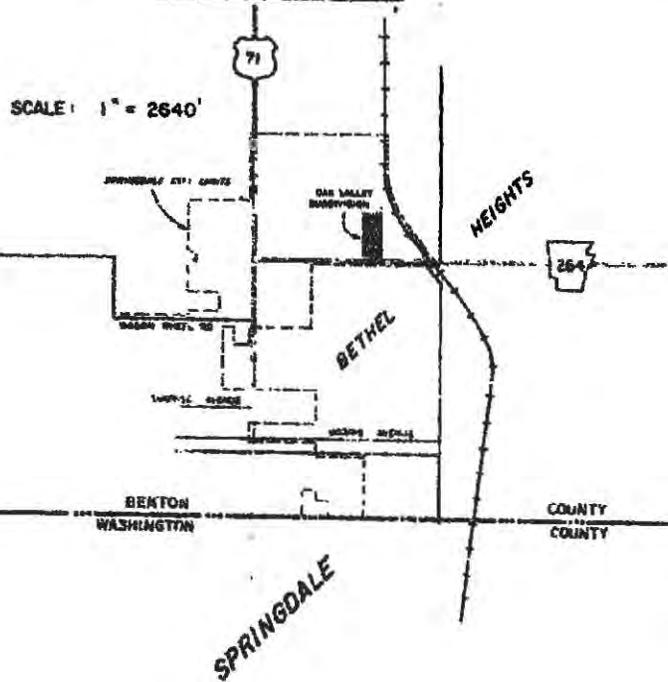
LOCATION MAP

□ - MONUMENT

ZONING R-1

NOTE
SIDEWALKS ARE TO BE INSTALLED IN THE SUBDIVISION ACCORDING TO THE SPRINGDALE CITY ORDINANCE.

VICINITY MAP



FILED FOR RECORD
 AS 3 O'Clock P. M.
 JAN 15 1975
 JOSEPHINE R. HEYLAND



4901 South 48th Street
Springdale, AR 72762

April 14, 2015
Mr. Justin Gregory
4806 Hickory Street
Springdale, AR 72764

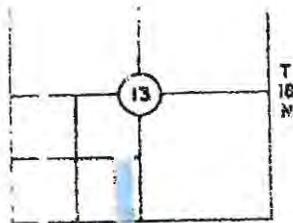
Mr. Gregory,

In response to your petition to vacate the utility easement on your property at 4806 Hickory St, Cox does not maintain any plant within the easement, nor does Cox have any future plans to use said easement. Therefore, Cox does not have any objections to vacate the easement as proposed by Mr. Gregory.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Fairchild", written over a horizontal line.

Ed Fairchild
Construction Manager
Cox Communications
479-717-3723



LOCATION MAP

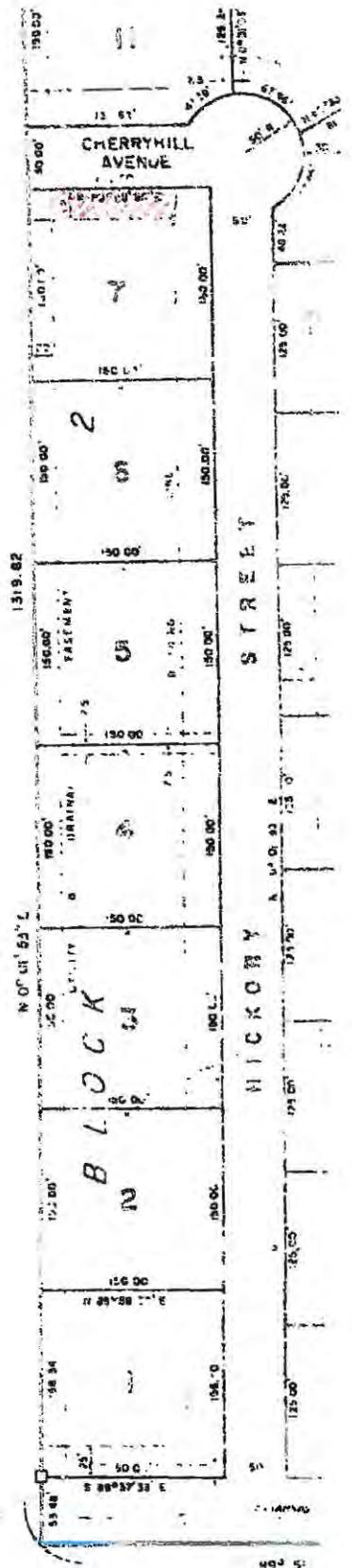
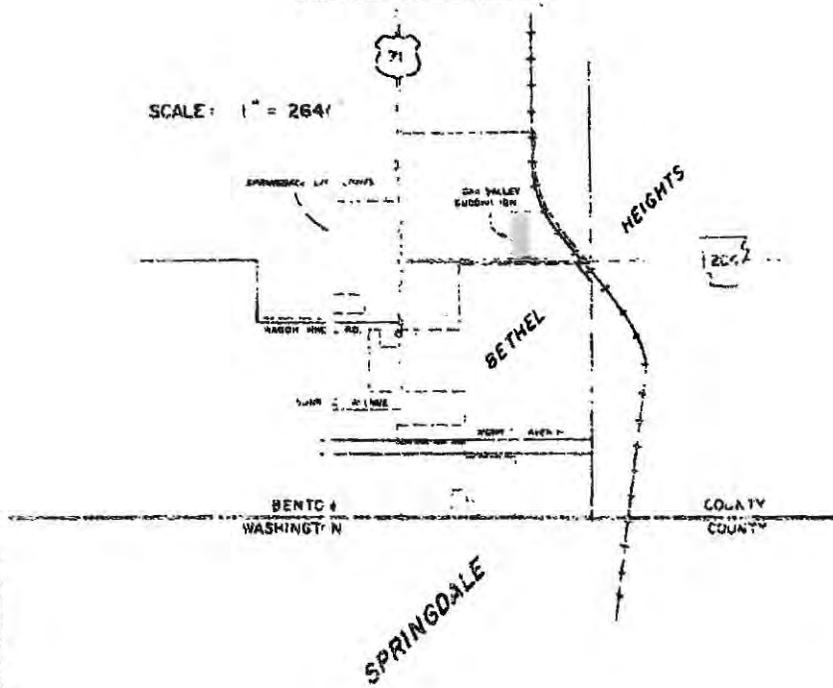
MONUMENT

ZONING R-1

NOTE
SIDEWALKS ARE TO BE INSTALLED IN
THE SUBDIVISION ACCORDING TO THE
SPRINGDALE CITY ORDINANCE.

VICINITY MAP

SCALE: 1" = 264'



FILED FOR RECORD
At 3 o'clock P.M.

JAN 25 1975

JOSEPH R. HEYLAND

Sam Goade

Justin, The Springdale Public Works Department does not have a drainage easement in the area shown in Red on your subdivision plat. Therefore, we have no objection to the vacation of easement you are

To

Justin Gregory

CC

Patsy Christie

Apr 13

Justin,

The Springdale Public Works Department does not have a drainage easement in the area shown in Red on your subdivision plat. Therefore, we have no objection to the vacation of easement you are requesting.

Thanks,

Sam

Sam Goade

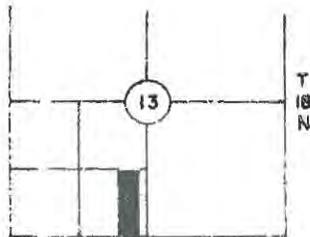
Public Works Director

Springdale Public Works

269 E. Randall Wobbe Lane

Springdale, Arkansas 72764

Phone 479-750-8135



LOCATION MAP

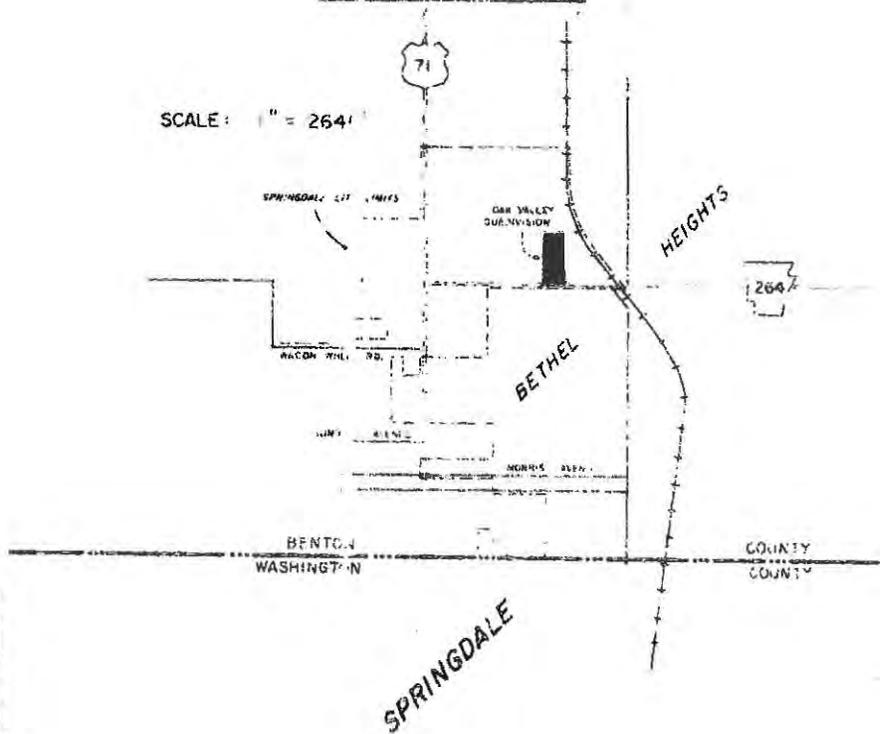
□ - MONUMENT

ZONING R-1

NOTE
SIDEWALKS ARE TO BE INSTALLED IN
THE SUBDIVISION ACCORDING TO THE
SPRINGDALE CITY ORDINANCE



VICINITY MAP

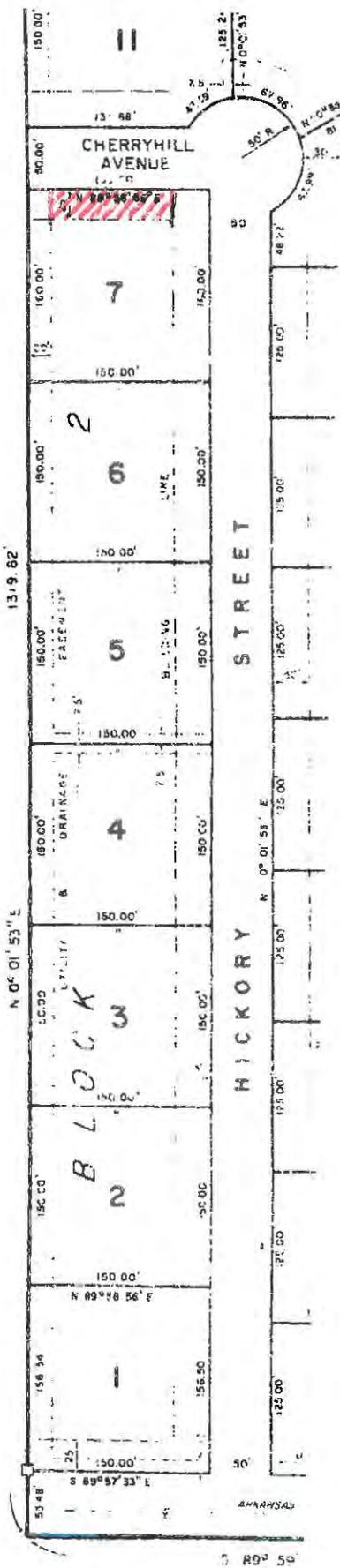


SCALE: 1" = 264'

FILED FOR RECORD
AT 3 O'Clock P.M.

JAN 25 1975

MARGUERITE R. HEYLAND





at&t

Layne Rhodes
Manager OSP Planning & Engineering Design
1133 E. Harold St.
Fayetteville AR 72703
O: 479-442-1977 M: 479-305-4530 F: 479-442-3117

April 17, 2015

Justin and Natalie Gregory
4806 Hickory Street
Springdale, AR 72764

RE: Release of Utility Easement at 4806 Hickory St.

Dear Mr. and Mrs. Gregory,

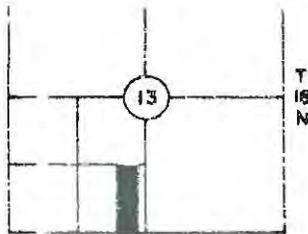
This is in response to your request to vacate a utility easement at the above address. This request involves a portion of Lot 7, Block 2 of the Oak Valley Subdivision. The area to be released would be the Northern 25 feet of Lot 7, block 2 minus existing easements that run North and South along the rear and front property lines.

AT&T has no facilities within the requested easement vacation area. Therefore we have no objection to this easement vacation.

For any questions, please call 479-442-1977.

Sincerely,

Layne Rhodes
AT&T Manager OSP Planning & Engineering Design



LOCATION MAP

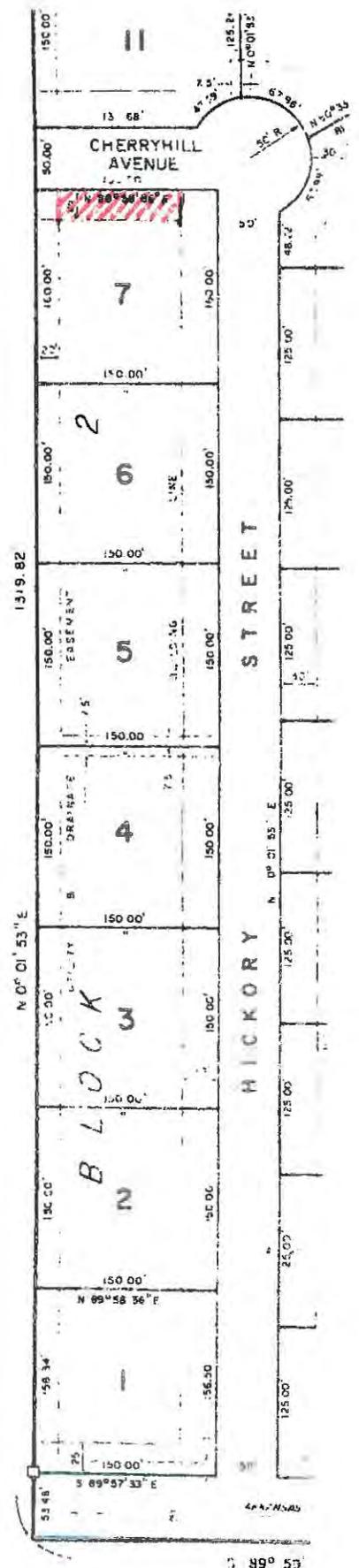
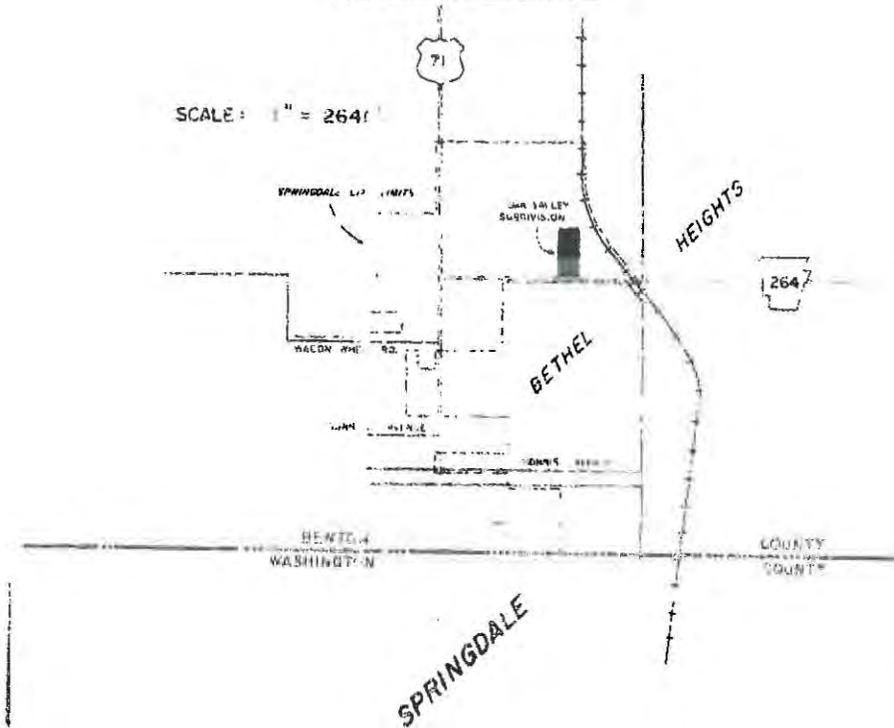
□ - MONUMENT

ZONING R-1

NOTE
SIDEWALKS ARE TO BE INSTALLED IN THE SUBDIVISION ACCORDING TO THE SPRINGDALE CITY ORDINANCE



VICINITY MAP



FILED FOR RECORD
 AT 3 O'Clock P.M.
 JAN 25 1975
 JOSEPH E. R. HEYLAND

That which is underlined is added.

ORDINANCE NO. _____

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

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

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

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

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

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

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

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

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

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

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

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

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

That which is underlined is added.

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

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

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

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

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

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

ORDINANCE NO. _____

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

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

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

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

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

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

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

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

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

PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

ORDINANCE NO. _____

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

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

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

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

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

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

Sec. 94-43. - Removal of property.

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

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

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

PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

ORDINANCE NO. _____

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

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

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

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

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

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

Sec. 34-2. - Referendum petitions.

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

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

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

PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

ORDINANCE NO. _____

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

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

Lot 23, Block 1, H.C. Waggoner Addition, Springdale, Washington County, Arkansas as shown on plat records 1 at page 164 and 4 at page 150.
Commonly known as 512 Caudle Ave., Springdale, Washington County, Arkansas
Tax Parcel No. 815-26173-000

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

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

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

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

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

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

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

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

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

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

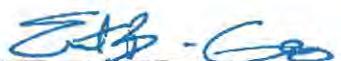
PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, MAYOR

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



Ernest B. Cate, CITY ATTORNEY



Office Of The City Attorney

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

sparkman@springdalear.gov

May 13, 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*

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

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

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

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

Dear Property Owners/Lienholder:

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

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

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

Sincerely,



Sarah Sparkman
Deputy City Attorney

enclosure
SS:ch

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

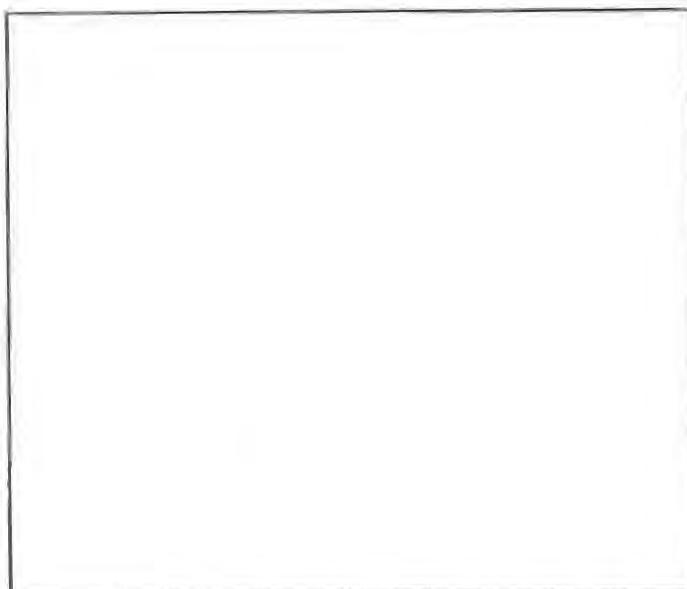
SENDER INFORMATION	RECEIVER INFORMATION
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery Adam Davis 5/18</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>Wells Fargo Bank, NA c/o Corporation Service Company, Registered Agent 309 Spring St., Ste 900 Little Rock, AR 72201</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 3655</p>
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	

SENDER INFORMATION	RECEIVER INFORMATION
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) 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>Steven Guirl and Connie Guirl 3352 Cornica Terrace Springdale, AR 72764</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 3631</p>
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	

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: John D. Jackson and Rose M. Jackson
LEGAL DESCRIPTION: Lot Numbered Twenty-Eight (28), Fairview Acres Subdivision, a platted Subdivision in 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: 1840 Carley Rd.
Springdale, Arkansas
PARCEL NO.: 815-31253-000

PROPERTY OWNER: Steve Castleman & Sarah Gibbons
LEGAL DESCRIPTION: Lot 6, Wilkins Subdivision, Phase V, to the City of Springdale, Arkansas, as shown on Plat of Record in Plat Book 12 at Page 94, Plat Records of Washington County, Arkansas.
Less and Except:
Beginning at the SW corner of said Lot 6, Wilkins Subdivision, Phase V, thence N 24°46'10" E, 133.63 feet; thence North 50.17 feet; thence S 18°04'43" W, 180.41 feet to the point of beginning, containing 1,404.41 square feet, more or less.
LAYMAN'S DESCRIPTION: 2911 Falcon Rd.
Springdale, Arkansas
PARCEL NO.: 815-32100-000

PROPERTY OWNER: Maria Socorro Perea Almaraz
LEGAL DESCRIPTION: The South Half (S 1/2) of the following described tract of land: Part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-Six (36), Township Eighteen (18) North, Range Thirty (30) West, being more particularly described as follows, to-wit: Beginning at a point 615 feet East and 266 feet South of the Northwest corner of said forty acre tract, and running thence S 87 degrees 16 minutes E 121 feet, thence S 01 degrees 19 minutes W 178 feet, thence West 117 feet, thence North 183 feet to the place of beginning, also being described as Outlot Nine (9) of the County Court Plat, City of Springdale, Arkansas.
LAYMAN'S DESCRIPTION: 309 Laura St.
Springdale, Arkansas

PARCEL NO.: 815-28401-000

PROPERTY OWNER: Deutsche Bank National Trust
LEGAL DESCRIPTION: Lot 32, Sonoma Subdivision, to the City of Springdale, Arkansas, as shown on plat of record in plat book 23A, at page 140, plat records of Washington County, Arkansas.

LAYMAN'S DESCRIPTION: 3068 Napa Ln.
Springdale, Arkansas

PARCEL NO.: 815-36852-000

PROPERTY OWNER: Kent Burnett Properties, Inc.
LEGAL DESCRIPTION: Lots 35 and 43 of the Final Plat of the Enclave Subdivision, to the City of Springdale, as per plat on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

LAYMAN'S DESCRIPTION: 4147 St. Alban's St.
Springdale, Arkansas

PARCEL NO.: 815-36422-000

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:

- \$514.84 clean-up costs and \$27.96 administrative costs – 1840 Carley Rd.
- \$381.42 clean-up costs and \$34.44 administrative costs – 2911 Falcon Rd.
- \$578.07 clean-up costs and \$27.96 administrative costs – 309 Laura St.
- \$406.42 clean-up costs and \$21.48 administrative costs – 3068 Napa Ln.
- \$406.42 clean-up costs and \$21.48 administrative costs – 4147 St. Alban's St.

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:

- \$542.80, plus 10% for collection – 1840 Carley Rd. (Parcel #815-31253-000)
- \$415.86, plus 10% for collection – 2911 Falcon Rd. (Parcel #815-32100-000)
- \$606.03, plus 10% for collection – 309 Laura St. (Parcel #815-28401-000)
- \$427.90, plus 10% for collection – 3068 Napa Ln. (Parcel #815-36852-000)
- \$427.90, plus 10% for collection – 4147 St. Alban's St. (Parcel #815-36422-000)

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 July, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



Ernest B. Cate, CITY ATTORNEY



Office Of The City Attorney

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

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

June 1, 2015

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

John D. & Rose M. Jackson
1840 Carley Rd.
Springdale, AR 72762

Bank of America, NA
c/o Donald J. Cook, Registered Agent
200 W. Capitol Ave.
Little Rock, AR

RE: Notice of clean-up lien on property located at 1840 Carley Rd.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
31253-000

Dear Property Owner/Lienholder:

On July 30, 2014, notice was posted on property located at 1840 Carley Rd.,
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 July 30, 2014, 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.

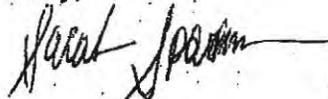
No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about May 28, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$514.84. 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 \$6.48 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 July 14, 2015, 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, July 14, 2015, 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 \$527.80, which includes \$514.84 for cleaning up the property and \$12.96 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, May 28, 2015 8:19:02 AM (646 CITY ABATEMENT)

User Name 646 CITY ABATEMENT
User # 4797993582
Form Started 5/28/2015 8:19:02 AM
Property Address 1840 Carley rd
Before Picture Attached Data



Type of Abatement Violation Notice / Lien
Date of Abatement Thursday, May 28, 2015 8:19:00 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 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping
6030 Service Truck-Landscaping \$35.00
6031 Service Truck-Landscaping \$35.00

Time of Abatement in Hours 2

Number of Temporary Laborers 5

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"/> Agent <input checked="" type="checkbox"/> Addressee <i>John D. Jackson</i></p> <p>B. Received by (Printed Name) <input checked="" type="checkbox"/> Addressee <i>JOHN D. JACKSON</i></p> <p>C. Date of Delivery <i>6-12-13</i></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>1. Article Addressed to:</p> <p>John D. & Rose M. Jackson 1840 Carley Rd. Springdale, AR 72762</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) PS Form 3811, July 2013</p>	<p>7014 1200 0001 0759 3792 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. 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 type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Jerry Cook</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> Addressee <i>JERRY COOK</i></p> <p>C. Date of Delivery <i>JUN 5 - 2015</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Bank of America, NA c/o Donald J. Cook, Registered Agent 200 W. Capitol Ave. Little Rock, AR</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) PS Form 3811, July 2013</p>	<p>7014 1200 0001 0759 4133 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:
sparkman@springdalear.gov

Ernest B. Cate
City Attorney

Taylor Samples
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David D. Phillips
Deputy City Attorney

Lynnda Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

June 10, 2015

Steve Castleman and Sarah Gibbons
7808 Brooklyn Ave.
Springdale, AR 72762

E*Trade Bank
2730 Liberty Ave.
Mailstop: P5-PCLC-01-1
Pittsburg, PA 15222
J.P. Morgan Chase Bank, N.A.
780 Kansas Lane, Suite A
Monroe, LA 71203

HAND DELIVERED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Notice of clean-up lien on property located at 2911 Falcon Rd.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
32100-000

Dear Property Owner/Lienholder:

On March 18, 2015, notice was posted on property located at 2911 Falcon Rd.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77, and needed to be remedied within seven (7) days. Notice was
mailed to the owner of record on May 8, 2014, 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 10, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$381.42. I have enclosed a copy of the
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 \$6.48

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 July 14, 2015, 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, July 14, 2015, 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 \$400.86, which includes \$381.42 for cleaning up the property and \$19.44 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 - Friday, April 10, 2015 1:02:15 PM (646 CITY ABATEMENT)

User Name 646 CITY ABATEMENT
User # 4797993582
Form Started 4/10/2015 1:02:15 PM
Property Address 2911 falcon road
Before Picture Attached Data



Type of Abatement Violation Notice / Lien
Date of Abatement Friday, April 10, 2015 1:02:00 PM
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 Property Clean Up - Junk and Trash

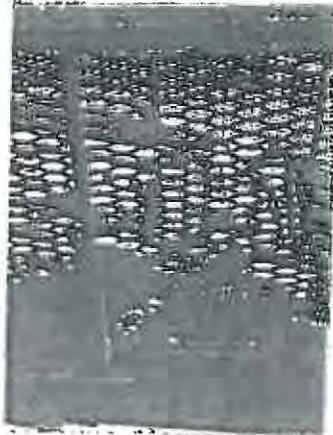
Equipment Used

Equipment 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping
6030 Service Truck-Landscaping \$35.00
6031 Service Truck-Landscaping \$35.00

Time of Abatement in Hours 1

Number of Temporary Laborers 7

Temporary Labor Cost	\$84.00
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$70.00
Total Equipment Cost	\$70.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$381.42
Final Photos	Attached Data



SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

E*Trade Bank
2730 Liberty Ave.
Mailstop: PS-PCLC-01-1
Pittsburg, PA 15222
J.P. Morgan Chase Bank, N.A.
788 Kansas Lane, Suite A
Monroeville, LA 71203

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- Agent
- Addressee

B. Received by (Printed Name)

[Signature]
John Phillips

C. Date of Delivery

D. Is delivery address separate from item 1? Yes

If YES, enter delivery address below: No

JUN 28 2015

3. Service type

- Certified Mail
- Registered
- Insured Mail
- Priority Mail Express™
- Return Receipt for Merchandise
- Collect on Delivery

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number

(Transfer from service label)

7014 1200 0001 0759 3860



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

June 1, 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 Belvedere
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Housing and Urban Development
301 Market St., Suite B
Hammond, LA 70401

Maria Socorro Perea Almaraz
309 Laura St.
Springdale, AR 72764

RE: Notice of clean-up lien on property located at 309 Laura St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-

Dear Property Owner:

On March 10, 2015, notice was posted on property located at 309 Laura 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 current owner of record on March 10, 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 March 27, 2015. As of this date, the total costs incurred and paid by the
City of Springdale to clean this property are \$578.07. I have enclosed an invoice
evidencing the 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 \$6.11 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

On or about March 25, 2015, the property was transferred from Secretary of Housing and Urban Development to Maria Socorro Perea Almaraz via Special Warranty Deed, a copy of said deed is enclosed for your reference.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before July 14, 2015, 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, July 14, 2015, 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.

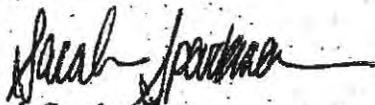
If you desire not to contest this amount, and desire not to have a hearing on the matter, please remit the total sum of \$580.03, which includes \$578.07 for cleaning up the property and \$12.96 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount 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, I am mindful that the events leading up to the City having to expend \$578.07 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, and to provide you with any documentation you may need to prove that the previous owner was fully aware of all this prior to transferring this property to you.

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 479-766-7712

Need 17 Lien

CITY ABATEMENT - 3/27/2015 2:52 PM (646 CITY ABATEMENT)

Status: CITY ABATEMENT
Order #: GPOW806
Property Address
Before Picture

309 Laura
Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



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

Violation Notice / Lien
3/27/2015 2:52 PM
Tina Haden
Mike Hicklin

Employee
Employee
HH Monthly Rate
HH Benefit Rate

Mike Hicklin, Henry Hernandez
\$27.42
\$18.65

Method of Compliance
Method of Compliance

Mowing

Equipment Used



**City of Springdale
Code Enforcement**

218 Spring Street - Springdale, AR 72764 - Office 479731-3712

Equipment

748 Grasshopper	\$55
743 Kubota	\$65
6026 Service Truck-Landscaping	\$35
6030 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	6
Temporary Labor Cost	\$72
Employee Cost per hour	\$46.07
Total Employee Cost	\$46.07
Equipment Cost per hour	\$260
Total Equipment Cost	\$260
Mobilization Fee	\$200
Extra materials cost	\$0
Total Cost of Abatement	\$578.07
Final Photos	Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



City of Springdale
Code Enforcement

210 Spring Street - Springdale, AR 72761 - Office (479) 796-7713



Type: REAL ESTATE
Kind: WARRANTY DEED
Recorded: 3/26/2015 4:27:09 PM
Fee Amt: \$25.00 Page 1 of 3
Washington County, AR
Kyle Sylvester Circuit Clerk

File# 2015-00007840

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that, the Secretary of Housing and Urban Development of Washington, D.C. or its successors, acting by and through the Federal Commission, GRANTOR/Party of the First Part, in consideration of the sum of Ten and no/100 Dollars (\$10.00), and other valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, sell and convey unto Maria Socorro Perea Almaraz, a married person, GRANTEE(S)/Parties of the Second Part, the following described land located in the county of Washington, State of Arkansas, to wit:

M/2 LOT 9 NE SE 100/96 FURTHER DESCRIBED FROM 2014-26525 AS: The South Half (S 1/2) of the following described tract of land: Part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-Six (36), Township Eighteen (18) North, Range Thirty (30) West, being more particularly described as follows, to-wit: Beginning at a point 615 feet East and 266 feet South of the Northwest corner of said forty acre tract, and running thence S 87 degrees 16 minutes E 121 feet, thence S 01 degrees 19 minutes W 178 feet, thence West 117 feet, thence North 183 feet to the place of beginning, also being described as Outlot Nine (9) of the County Court Plat, City of Springdale, Arkansas.

Being, the same property acquired by the Party of the First Part pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et.seq.) and the Department of Housing and Urban Development Act (42 U.S.C.3531 et.seq).

To have and to hold the above described property together with all and singular rights and appurtenances therunto in any way belonging, unto the said heirs and assigns forever.

Subject to and Affected by, however, all easements, covenants, restrictions, reservations, conditions and rights appearing of record: and Subject to any state of facts which an accurate survey would show. .

Grantor hereby binds himself/herself, his/her successor and assigns, to warrant and forever defend, with the exceptions stated above, all and singular, the said property unto said purchaser(s), his/her heirs and assigns, against every person whom so ever lawfully claiming or to claim the same, or any part thereof, by through, or under Grantor, but not otherwise..

THIS SPECIAL WARRANTY DEED IS NOT TO BE IN EFFECT UNTIL:
march 25th, 2015

IN WITNESS WHEREOF, the undersigned has set his/her hand as a principal and/or officer of HomeTelos, LP (Asset Manager) for and on behalf of the Secretary of Housing and Urban Development, under the Redelelegation of Authority published at 77 Fed. Reg. 37252, Page 37258 (June 20, 2012.)

Witnesses:

Secretary of Housing and Urban Development
HomeTelos, LP as Asset Manager
Contractor for C-OPC-23645

By: _____ (seal)
For HUD by: Brian Starkey
Brian Starkey, Closing Manager

Title: _____

ACKNOWLEDGMENT

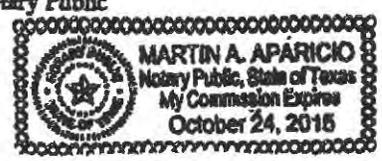
State of Texas
County of Dallas §

On this 13th day of March, 2015 before me, Martin Aparicio a Notary Public, duly commissioned, qualified and acting Notary Public within and for said County and State, appeared in person, the within named Brian Starkey, being the person authorized and the duly appointed delegate for and on behalf of the Secretary of Housing and Urban Development, to executed such instrument, stating their respective capacities in that behalf, to me personally well known, who stated that he/she was the duly appointed delegate of the Secretary of Housing and Urban Development and was duly authorized in his/her respective capacity to execute the foregoing instrument(s) for and in the name and behalf of said the Secretary of Housing and Urban Development, and further stated and acknowledged that he/she had so signed, executed, and delivered said foregoing instrument for the consideration, uses, and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 13th day of March, 2015

My Commission Expires: 10/24/2015
Seal

Martin Aparicio
Notary Public



DOCUMENTARY TAX STATEMENT

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

Signed: William C. Dolan/Agent
Grantee: Maria Socorro Perea Almaraz
Address: 309 Laura St
Springdale, AR 72764

021-396718

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

Maria Socorro Perca Almaraz
309 Laura St.
Springdale, AR 72764

2. Article Number
(Transfer from service label)

7014 1200 0001 0759 4126

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Maria Socorro Perca A. Agent Addressee

B. Received by (Printed Name) *Maria Socorro Perca A.* C. Date of Delivery *7-5-15*

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

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes



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:
sparkman@springdalear.gov

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

May 15, 2015

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Deutsche Bank National Trust
1525 S. Beltline Rd.
Coppell, TX 75019

RE: Notice of clean-up lien on property located at 3068 Napa Ln.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
36852-000

Dear Property Owner:

On April 22, 2015, notice was posted on property located at 3068 Napa Ln.,
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 23, 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 May 11, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$406.42. 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 \$6.48 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

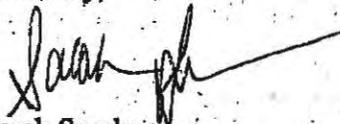
This is to notify you that in the event this amount is not paid to the City of
Springdale on or before July 14, 2015, a hearing will be held before the
Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the
amount of the clean-up lien to which the City is entitled for cleaning up the
property. The hearing will be held Tuesday, July 14, 2015, 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 \$412.90, which includes \$406.42 for cleaning up the property and \$6.48 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 #70796-3712

CITY ABATEMENT - 5/11/2015 3:01 PM (646 CITY ABATEMENT)

Status: CITY ABATEMENT

Order # CNAPA3068

Property Address

Before Picture

3068 napa

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Date of Abatement

Officer on Site

Violation Notice / Lien

5/11/2015 2:01 PM

Toby Lankford



**City of Springdale
Code Enforcement**

210 Spring Street - Springdale, AR 72734 - Office 479-754-3112

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,743 Kubota,6031 Service Truck-Landscaping
754 Grasshopper	\$55
743 Kubota	\$65
6031 Service Truck-Landscaping	\$35
Time of Abatement in Hours	1
Number of Temporary Laborers	2
Temporary Labor Cost	\$24
Employee Cost per hour	\$27.42
Total Employee Cost	\$27.42
Equipment Cost per hour	\$155
Total Equipment Cost	\$155
Mobilization Fee	\$200
Extra materials cost	\$0
Total Cost of Abatement	\$406.42
Final Photos	Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



City of Springdale
Code Enforcement

210 Spring Street - Springdale, AR 72761 - Office 479-794-2712

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 type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>[Signature]</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>S. LOGAN</i> <i>5/18/15</i></p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Deutsche Bank National Trust 1525 S. Beltline Rd. Coppell, TX 75019</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>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><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>7011 1570 0000 8221 4971</p>
<p>PS Form 3811, July 2013 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

June 1, 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

Kent Burnett, President
Kent Burnett Properties, Inc.
5065 Arkanshire Circle
Springdale, AR 72764-2567

RE: Notice of clean-up lien on property located at 4147 St. Albans St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
36422-000

Dear Property Owners:

On April 29, 2015, notice was posted on property located at 4147 St. Albans 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 29, 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 May 13, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$406.42. I have enclosed a copy of 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
\$6.48 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 July 14, 2015, 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, July 14, 2015, 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 \$412.90, which includes \$406.42 for cleaning up the property and \$6.48 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 Kent Burnett, President of Kent Burnett Properties, Inc. at the addresses above. Delivery of these letters by the U.S. Postal Service shall warrant service on Kent Burnett, President of Kent Burnett Properties, Inc. should the certified letter be returned.

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

Sincerely,



Sarah Sparkman
Deputy City Attorney

enclosures
SS:chr

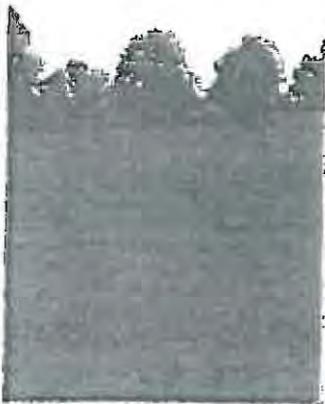


City of Springdale Code Enforcement

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

CITY ABATEMENT - Wednesday, May 13, 2015 11:03:34 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	5/13/2015 11:03:34 AM
Property Address	4147 St. Albans
Before Picture	Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Wednesday, May 13, 2015 11:03:00 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

2 Method of Compliance Mowing

Equipment Used

Equipment

754 Grasshopper ,743 Kubota,6031 Service Truck-Landscaping

754 Grasshopper

\$55.00

743 Kubota

\$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

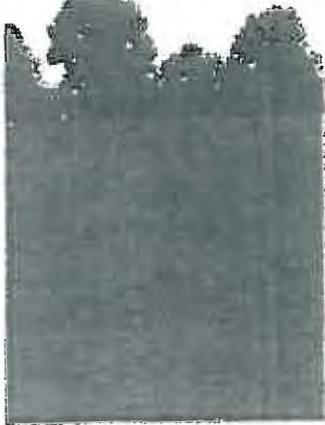
\$0.00

Total Cost of Abatement

\$406.42

Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

Kent Burnett, President
 Kent Burnett Properties, Inc.
 5065 Arkanshire Circle
 Springdale, AR 72764-2567

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
Kent Burnett Addressee

B. Received by (Printed Name) C. Date of Delivery
 Kent Burnett 6-5-15

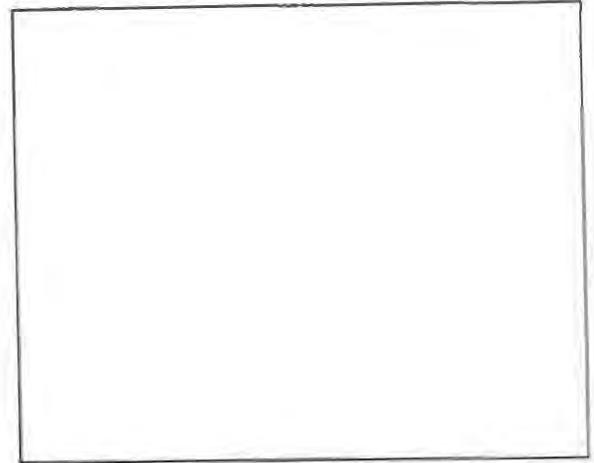
D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label)

7014 1200 0001 0759 4089



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE REPLAT OF LOT 3,
DIESEL DOWNS SUBDIVISION TO THE CITY OF
SPRINGDALE ARKANSAS, AND DECLARING AN
EMERGENCY.**

BE IT KNOWN BY THE CITY OF SPRINGDALE, ARKANSAS:

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

A PART OF LOT 3, DIESEL DOWNS, AN ADDITION TO THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS, AS PER PLAT OF SAID SUBDIVISION, RECORDED PLAT BOOK 2008 AT PAGE 589, ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER, BEING FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 3 BEING A SET IRON PIN WITH CAP "PLS 1439"; THENCE ALONG THE RIGHT-OF-WAY LINE FOR NORTH 45TH STREET, N45°20'47"E A DISTANCE OF 252.69 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S87°19'41"E A DISTANCE OF 1011.93 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE S02°29'32"W A DISTANCE OF 239.39 FEET TO A FOUND IRON PIN WITH CAP "PLS 1499"; THENCE N86°59'05"W A DISTANCE OF 86.66 FEET TO A FOUND IRON PIN WITH CAP "E. LEON LEE, AR 1496"; THENCE N02°34'09"E A DISTANCE OF 13.74 FEET TO A FOUND IRON PIN WITH CAP "E. LEON LEE, AR 1496"; THENCE N87°21'03"W A DISTANCE OF 790.90 FEET TO A FOUND IRON PIN WITH CAP "BATES 1642"; THENCE S02°24'16"W A DISTANCE OF 2.08 FEET TO A POINT; THENCE N87°30'05"W A DISTANCE OF 264.68 FEET TO A FOUND IRON PIN WITH CAP "PLS 1519"; THENCE N41°45'59"W A DISTANCE OF 59.57 FEET TO THE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND CONTAINING 5.78 ACRES (251,884 SQ. FT.), MORE OR LESS AS SHOWN ON PLAT OF SURVEY ENTITLED "REPLAT OF LOT 3, DIESEL DOWNS SUBDIVISION, IN THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS, BY ENGINEERING SERVICES, INC.

DESCRIPTION - REPLAT OF LOT 3B, DIESEL DOWNS SUBDIVISION

A PART OF LOT 3, DIESEL DOWNS, AN ADDITION TO THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS, AS PER PLAT OF SAID SUBDIVISION, RECORDED

PLAT BOOK 2008 AT PAGE 589, ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER, BEING FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 3 BEING A FOUND IRON PIN WITH CAP "E. LEON LEE, AR 1496"; THENCE ALONG THE NORTH LINE OF SAID LOT 3, S86°55'45" A DISTANCE OF 770.45 FEET TO A FOUND IRON PIN WITH CAP "PLS 1499"; THENCE ALONG THE EAST LINE OF SAID LOT 3, S02°29'32"W A DISTANCE OF 256.93 FEET TO A SET IRON PIN WITH CAP "PLS 1439"; THENCE LEAVING SAID EAST LINE, N87°19'41"W A DISTANCE OF 1011.93 FEET TO A SET IRON PIN WITH CAP "PLS 1439" AND THE RIGHT-OF-WAY LINE FOR NORTH 45TH STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CALLS, N45°20'47"E A DISTANCE OF 19.98 FEET TO A FOUND IRON PIN WITH CAP "E. LEON LEE, AR 1496" AND A POINT OF CURVATURE; THENCE 25.95 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30 FEET, SUBTENDED BY A CHORD BEARING OF N69°59'27"E AND A CHORD LENGTH OF 25.15 FEET TO A POINT OF REVERSE CURVE AND A FOUND IRON PIN WITH CAP "E. LEON LEE, AR 1496"; THENCE 120.93 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 62.50 FEET, SUBTENDED BY CHORD BEARING OF N39°19'22"E AND A CHORD DISTANCE OF 102.93 FEET TO A POINT ON A CURVE AND A FOUND IRON PIN WITH CAP "E. LEON LEE, AR 1496"; THENCE N45°12'22"E A DISTANCE OF 210.80 TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 5.26 ACRES (229,142 SQ. FT.), MORE OR LESS AS SHOWN ON PLAT OF SURVEY ENTITLED "REPLAT OF LOT 3, DIESEL DOWNS SUBDIVISION, IN THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS, BY ENGINEERING SERVICES, INC.

AND WHEREAS, said Planning Commission, after conducting a public hearing, has approved the replat as presented by petitioner, and has approved the dedication of streets, rights-of-way and utility easements as shown upon said replat and join with the said petitioner in petitioning the City Council to accept the said Replat of Lot 3, Diesel Downs Subdivision.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the Replat of Lot 3, Diesel Downs Subdivision, as shown on the replat approved by the City Planning Commission, a copy of which is attached to this Ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the City of Springdale, Benton County, Arkansas, and the City hereby accepts for use and benefit to the public the dedications contained therein.

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

PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, Mayor

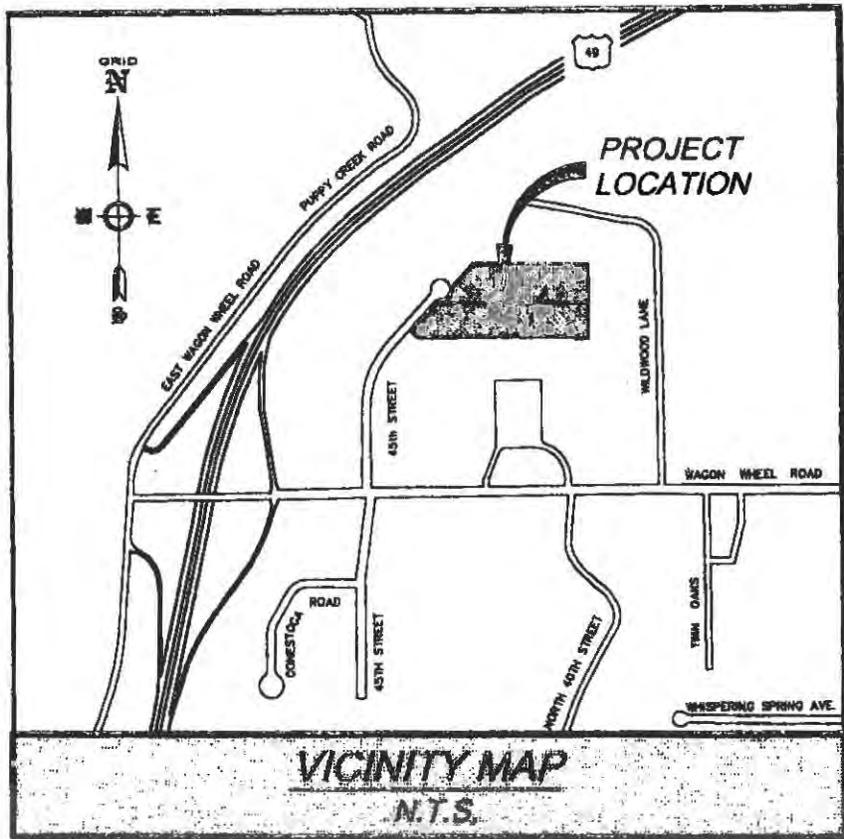
ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

VICINITY MAP FOR DIESEL DOWNS



ORDINANCE NO. _____

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

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

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

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

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

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

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

PASSED AND APPROVED this 14th day of July, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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



QUOTE	Q0014042
PAGE	1
DATE	04/24/2015

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

Quotation Provided By:

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

REFERENCE # 10 CF-31 Mk1

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

PAYMENT TERMS			
To be Advised			
SUBTOTAL	ADD ON CHARGE	TAX	TOTAL
			CONTINUED



Fast Response Forward Thinking

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P.O. Box 780
Wallingford, CT 06492
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QUOTE	Q0014042
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10677

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REFERENCE # 10 CF-31 Mk1

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

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

RESOLUTION NO. _____

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

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

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

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

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

PASSED AND APPROVED this 14th day of July, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

Springdale Fire Department

Memorandum

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

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

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

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



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

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Springdale Fire Department

Memorandum

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

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

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

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



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

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Fax (479) 750-8104

Springdale Fire Department

Memorandum

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

Mike Irwin

Chief

Springdale Fire Dept.



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

RESOLUTION NO. _____

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

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

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

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

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

PASSED AND APPROVED this 14th day of July, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

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

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

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

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

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

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

WASHINGTON COUNTY

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

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

AND

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

AND

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

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

LESS AND EXCEPT:

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

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

BENTON COUNTY

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

AND

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

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

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

PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

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

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

AND

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

AND

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

LESS AND EXCEPT:

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

S67E45'47"E 273.75' to the Point of Beginning, containing 0.65 acres, more or less.

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

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

IN TESTIMONY WHEREOF, the name of the grantor is hereunto affixed by its Mayor and its City Clerk this ____ day of _____, 2015.

CITY OF SPRINGDALE, ARKANSAS

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss.
COUNTY OF WASHINGTON)

BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public within and for the County aforesaid, duly commissioned and acting, appeared in person the within named Doug Sprouse and Denise Pearce, to me personally known, who stated that they were the Mayor and City Clerk of the City of Springdale, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said City, and further stated and acknowledged that they had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

Witness my hand and seal as such Notary Public this ____ day of _____, 2015.

My Commission Expires:

Notary Public

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

Grantee _____

Address PO Box 769
Springdale, AR 72765

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

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

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

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

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

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

AND

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

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

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

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

Grantee _____

Address PO Box 769
Springdale, AR 72765

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

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

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

ORDINANCE NO. _____

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

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

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

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

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

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

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

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

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

EMERGENCY CLAUSE PASSED AND APPROVED this 14th day of July, 2015

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

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



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

Quotation

Q U O T E T O	Account No: 24929
	SPRINGDALE PARKS AND RECREATION
	600 ASH ST
	PO BOX 42
	SPRINGDALE AR 72764-5277
	USA
	Attention: BILL MOCK
Phone: 479-263-0382	
Fax:	

Quote No: E000029312	Terms NET 30 DAYS	Quote Date 6/14/2015	Cust Req Date 06/14/2015	Salesperson EDWARD LAMB
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Item	Quantity	Description	Unit Price	Extended Price
CV-06-FL-FF	4.00	COMPACTOR ASM, CV, 6YD, FF	9,997.50	39,990.00
V0323001	4.00	VOLTAGE,3HP,230V,1PH	607.50	2,430.00
FREIGHT	1.00	FREIGHT	500.00	500.00
FORKLIFT	1.00	FORKLIFT RENTAL	450.00	450.00
INSTALL	4.00	INSTALLATION	825.00	3,300.00
410004	1.00	PAINT, JV BLUE, AEROSOL	0.00	0.00

Proudly Designed and Manufactured in the U.S.A.

Sale Amount: 46,670.00
Misc Charges: 0.00
Total Amount: 46,670.00

This quote is valid until 07/14/2015 and does not include applicable sales tax.
Thank you for your business! Invoice payable in U.S. dollars

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

Terms are: NET 30 DAYS with approved credit

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

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

Authorized Signature - Title

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

ORDINANCE NO. _____

**AN ORDINANCE CALLING FOR THE
SIMULTANEOUS DETACHMENT AND
ANNEXATION OF LAND CURRENTLY LOCATED
IN TONTITOWN, WASHINGTON COUNTY,
ARKANSAS, PURSUANT TO ARK. CODE ANN. §14-
40-2101.**

WHEREAS, Ark. Code Ann. §14-40-2101 provides a procedure by which property may be simultaneously detached from one municipality and annexed into an adjoining municipality; and

WHEREAS, the City of Springdale, Arkansas, desires to detach and annex the following described property ("the Property") currently located in the City of Tontitown, Washington County, Arkansas:

A part of the East Half of the Southeast Quarter of the Northeast Quarter of Section Seven (7), Township Seventeen (17) North, Range Thirty (30) West, and being more particularly described as follows: Beginning at the point on the East line of said Section 7 and the centerline of Maestri Road (Ar. State HWY No. 112), said point being NORTH 289 feet, more or less, from the Southeast corner of the Southeast Quarter of the Northeast Quarter of said Section Seven (7), running thence N22°24'34"W 394.2 feet along said centerline; thence leaving said centerline S89°16'33" East 150.3 feet to the EAST line of said Section Seven (7); thence SOUTH 362.5 feet to the point of beginning. Containing 0.63 acres, more or less. Also known as Washington County Parcel 830-38116-500.

WHEREAS, a map showing the location of the Property is attached hereto as Exhibit "A"; and

WHEREAS, the City of Springdale proposes this action at the request of the owner of the Property, and the City of Springdale stands ready to provide all municipal services to the Property; and

WHEREAS, the City of Springdale, Arkansas, wishes to comply with the provisions of Ark. Code Ann. §14-40-2101;

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

Section 1: That the Property described herein and in the attached Exhibit "A" be simultaneously de-annexed from the City of Tontitown, Arkansas, and annexed into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-2101;

Section 2: That the City Clerk is hereby directed to send a copy of this ordinance to the governing body of the City of Tontitown, Arkansas, pursuant to Ark. Code Ann. §14-40-2101(a);

Section 3: Pursuant to Ark. Code Ann. §14-40-2101(b)(2), the City of Tontitown, Arkansas, shall conduct a public hearing within sixty (60) days of the date of passage of this ordinance;

Section 4: Pursuant to Ark. Code Ann. §14-40-2101(b)(3), the City Clerk of the City of Springdale, Arkansas, is directed to publish a legal notice of the public hearing at least fifteen (15) days prior to the public hearing, and such notice shall set out the legal description of the property proposed to be detached and annexed;

Section 5: If the City Council for the City of Tontitown, Arkansas, approves the proposed detachment and annexation ordinance, the City of Springdale shall proceed to render services to the newly annexed area, pursuant to Ark. Code Ann. §14-40-2101(c)(2);

Section 6: If the City Council for the City of Tontitown, Arkansas, approves the proposed detachment and annexation ordinance, and if no suit is brought within thirty (30) days to review the mutual actions of the City of Springdale and the City of Tontitown, then the detachment and annexation of the land shall be final, pursuant to Ark. Code Ann. §14-40-2101(d), and the City Clerk of the City of Springdale, Arkansas, shall at that time certify a copy of the plat of the annexed property and a copy of the ordinances passed to the County Clerk of Washington County, Arkansas, pursuant to Ark. Code Ann. §14-40-2101(e)(2), who shall forward a copy of each document to the Secretary of State for the State of Arkansas, who shall file and preserve them.

PASSED AND APPROVED this ____ day of _____ 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

