

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

- Monday, August 3rd, 5:30 p.m. is the next Committee meetings.
 - Committee agendas will be available on Friday, July 31st, 2015.

SPRINGDALE CITY COUNCIL
REGULAR MEETING
TUESDAY, July 28th, 2015

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance
Invocation – Mike Lawson

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. Economic Development Reports by the Springdale Chamber of Commerce
5. 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.

6. Approval of Minutes

a) July 14th, 2015 (3-17)

7. Procedural Motions

A. Entertain Motion to read all Ordinances and Resolutions by title only.

B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item numbers....9; 10a; 12a* (Motion must be approved by two-thirds (2/3) of the council members).

8. **A Resolution** setting a hearing date on a petition to vacate a portion of a dedicated public street in Springdale Industrial Park Number Two. Presented by: Ernest Cate, City Attorney (18-19)

9. **An Ordinance** authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on a property located within the City of Springdale, Washington County, Arkansas (3909 Clark Avenue, 517 Mountain View Avenue, 303 Park Street, 1100 S. Thompson, 1001 Wilkinson Lane). Presented by: Ernest Cate, City Attorney. (20-63)

10. Ordinance Committee Report and Recommendations by Chairman Mike Overton:

A. **An Ordinance** repealing Ordinance No. 4936; declaring an emergency; and for other purposes. (Pertaining to the time period for filing a referendum petition). Presented by: Ernest Cate, City Attorney (64)

11. Street and CIP Committee Report and Recommendations by Chairman Rick Evans:
 - A. **A Resolution** authorizing execution of an engineering design contract for 56th Street from Don Tyson Parkway to Johnson Mill Boulevard. (Recommended Committee Approval). (65)
 - B. **A Resolution** expressing the willingness of the City of Springdale to apply for STP-A funding for design of Don Tyson Parkway from 56th Street to Highway 112. (Recommended Committee Approval). (66)
 - C. **A Resolution** authorizing execution of a contract for ACO parking lot improvements. (Recommended Committee Approval) (67-63)
12. Planning Commission Report and Recommendations by Patsy Christie, Director of Planning:
 - A. **An Ordinance** amending Ordinance No. 3307 the same being the zoning ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands from Low/Medium density (SF-2) to General Commercial District (C-2) and declaring an emergency. (787 N. 40th Street). (Recommended Commission Approval). (69-72)
13. Comments from Department Heads.
14. Comments from Council Members.
15. Comments from City Attorney.
16. Comments from Mayor Sprouse.
17. Adjournment.

**SPRINGDALE CITY COUNCIL
JULY 14, 2015**

The City Council of the City of Springdale met in regular session on July 14, 2015, in the City Council Chambers, City Administration Building. Mayor Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

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

Department heads present:

| | |
|----------------|------------------------------|
| Wyman Morgan | Director of Finance & Admin. |
| Mike Peters | Interim Police Chief |
| Patsy Christie | Planning Director |
| Kevin McDonald | Assistant Fire Chief |
| Sam Goade | Public Works Director |
| Brad Baldwin | Engineering Director |
| Bill Mock | Parks & Recreation Director |
| Gina Lewis | Human Resources Director |

PROCLAMATION – MAKE-A-WISH FOUNDATION

Mayor Sprouse presented a Proclamation by the Make-A-Wish Foundation to declare July 2015 as Make-A-Wish month.

APPROVAL OF MINUTES

Alderman Jaycox moved the minutes of the June 23, 2015 City Council meeting be approved as corrected, the correction being a typographical error under Citizen Comments – the word Invocation should be Innovation. Alderman Reed made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

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

The vote:

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

No: None

RESOLUTION NO. 67-15 – RECOGNIZING THE "2015 BIKES, BLUES, AND BBQ"
EVENT AS A CITY APPROVED EVENT

City Attorney Ernest Cate presented a Resolution recognizing the "2015 Bikes, Blues, and BBQ" as a city approved event.

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 July, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

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

The vote:

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

No: None

The Resolution was numbered 67-15.

SPRINGDALE CITY COUNCIL
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RESOLUTION NO. 68-15 – SUPPORTING THE INDUCTION OF JOE M. STEELE INTO THE ARKANSAS BUSINESS HALL OF FAME

Mayor Sprouse presented a Resolution supporting the induction of Joe M. Steele into the Arkansas Business Hall of Fame.

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 ____ day of July, 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, Ford, Lawson, Evans, Reed

No: None

The Resolution was numbered 68-15.

RESOLUTION NO. 69-15 - SETTING A HEARING DATE ON A PETITION BY JUSTIN AND NATALIE GREGORY TO ABANDON A UTILITY EASEMENT IN THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS

City Attorney Ernest Cate presented a Resolution setting a hearing date for August 11, 2015 on a petition by Justin and Natalie Gregory to abandon a utility easement in the City of Springdale, Benton County, Arkansas.

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

No: None

The Resolution was numbered 69-15.

ORDINANCE NO. 4933 – AMENDING CHAPTER 114-56(A) AND 114-57(B) OF
THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; FOR
OTHER PURPOSES (REGARDING BOX TRUCKS)

Alderman Mike Overton presented an Ordinance amending Chapter 114-56(a) and 114-57(b) of the Code of Ordinances of the City of Springdale. Chapter 114-56(a) of the Code of Ordinances provides that commercial vehicles shall not be parked or stored on certain properties in the City of Springdale. Chapter 114-57(b) contains the definition of "commercial vehicle", which needs to be updated to include "box trucks".

City Attorney Cate explained the ordinance will be amended to include a "box truck" within the definition of *commercial vehicle* which includes any truck with a cuboid-shaped fully enclosed cargo area.

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

The vote:

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

No: None

The Ordinance was numbered 4933.

ORDINANCE NO. 4934 – AMENDING SECTION 114-58 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES (PARKING OF VEHICLES IN THE STREET)

Alderman Mike Overton presented an Ordinance amending Section 114-58 of the Code of Ordinances of the City of Springdale, Arkansas, declaring an emergency and for other purposes. The amendment to the Ordinance is as follows:

(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.

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

Alderman Watson made the motion to amend the three hour period to a five hour period.

The motion failed for lack of a second.

There were a few people in the audience present who expressed concern with vehicles parking on the street.

The vote on adoption of the ordinance:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4934.

ORDINANCE NO. 4935 – AMENDING CHAPTER 94 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES (DISPOSITION OF PAWNED PROPERTY)

Alderman Mike Overton presented an Ordinance amending Chapter 94 of the Code of Ordinances of the City of Springdale, declaring an emergency and for other purposes. Section 94-43 provides a procedure regarding the disposition of pawned property. Act 1242 of 2015 amended Ark. Code Ann. §18-27-204, regarding the disposition of pawned property so this amendment will be consistent with the change in state law.

The amendment is 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.

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, Ford

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4935.

ORDINANCE NO. 4936 – AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES (PROCEDURE FOR THE FILING OF REFERENDUM PETITIONS)

Alderman Mike Overton presented an Ordinance amending Chapter 34 of the Code of Ordinances of the City of Springdale; declaring an emergency and for other purposes. Chapter 34-2 provides the procedure for the filing of referendum petitions. 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. The amendment is 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.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4936.

TABLED - PROPOSED ORDINANCE ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN RESIDENTIAL STRUCTURE LOCATED AT 512 CAUDLE AVENUE

Alderman Jim Reed presented a proposed ordinance ordering the razing (demolition) and removal of a certain residential structure located at 512 Caudle Avenue. Doneright Builders Inc., c/o Tim Hill, registered agent, is the owner of the structure.

Building Official Tom Evers reported that Mr. Hill has recently obtained a building permit and has been making some repairs on the home. He feels like 90 days would be reasonable to allow him to finish repairs on the home.

Alderman Overton made the motion to table the Ordinance for 90 days until the October 13, 2015 City Council meeting to allow Mr. Hill the opportunity to bring the house up to code. Alderman Reed made the second.

The vote:

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

No: None

ORDINANCE NO. 4937 - 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:

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2911 Falcon Rd. (Parcel #815-32100-000)
3068 Napa Ln. (Parcel #815-36852-000)

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4937.

ORDINANCE NO. 4938 – ACCEPTING THE REPLAT OF LOT 3, DIESEL DOWNS SUBDIVISION TO THE CITY OF SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat of Lot 3, Diesel Downs Subdivision to the City of Springdale, Benton County, Arkansas and declaring an emergency.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4938.

ORDINANCE NO. 4939 – TO WAIVE COMPETITIVE BIDDING FOR PURCHASE OF MOBILE DATA TERMINALS FOR THE POLICE DEPARTMENT

Alderman Rick Culver presented an Ordinance to waive competitive bidding for purchase of ten (10) mobile data terminals from Telrepc with the purchase price not to exceed \$24,017 plus sales tax, for the Springdale Police Department.

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, Ford, Lawson

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4939.

RESOLUTION NO. 70-15 – AUTHORIZING A CHANGE IN THE AUTHORIZED STAFF OF THE FIRE DEPARTMENT TO ADD ONE CAPTAIN'S POSITION

Alderman Eric Ford presented a Resolution authorizing a change in the authorized staff of the Fire Department by adding one Captain's position.

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 ____ day of July, 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: Culver, Watson, Overton, Ford, Lawson, Evans, Reed, Jaycox

No: None

The Resolution was numbered 70-15.

RESOLUTION NO. 71-15 – AMENDING THE 2015 BUDGET OF THE CITY OF
SPRINGDALE FIRE DEPARTMENT

Alderman Eric Ford presented a Resolution amending the 2015 Budget of the City of Springdale Fire Department.

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 ____ day of July, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 71-15.

RESOLUTION NO. 72-15 - 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

City Attorney Ernest Cate presented 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.

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;

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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 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

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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 July, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 72-15.

ORDINANCE NO. 4940 – TO WAIVE COMPETITIVE BIDDING FOR TRASH COMPACTORS FOR CITY PARKS

Alderman Mike Lawson presented an Ordinance to waive competitive bidding for trash compactors for City of Springdale Parks. 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.

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

The vote:

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

No: Overton

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

The vote:

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

No: Overton

The Ordinance was numbered 4940.

ORDINANCE NO. 4941 – CALLING FOR THE SIMULTANEOUS DETACHMENT AND ANNEXATION OF LAND CURRENTLY IN TONTITOWN, WASHINGTON COUNTY, ARKANSAS, PURSUANT TO ARK. CODE ANN. §14-40-2101

City Attorney Ernest Cate presented an Ordinance calling for the simultaneous detachment and annexation of .63 acres owned by Don Maddox currently located in Tontitown, Washington County, Arkansas. Arkansas Code Ann. §14-40-2101 provides a procedure by which property may be simultaneously detached from one municipality and annexed into an adjoining municipality.

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, Ford

No: None

The Ordinance was numbered 4941.

BOY SCOUT GROUP RECOGNIZED

Mayor Sprouse acknowledged Boy Scout Troop #107 who were attending the City Council meeting working towards earning their communications badge.

DOWNTOWN SPRINGDALE INITIATIVE PUBLIC MEETING

Mayor Sprouse announced there will be a Downtown Springdale Initiative Launch Party and public meeting on Tuesday, July 21st from 6-8 p.m. at the Arts Center of the Ozarks.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:45 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer

RESOLUTION NO. _____

A RESOLUTION SETTING A HEARING DATE ON A PETITION TO VACATE A PORTION OF A DEDICATED PUBLIC STREET IN SPRINGDALE INDUSTRIAL PARK NUMBER TWO.

WHEREAS, Northwest Technical Institute has petitioned for the abandonment of a portion of a dedicated public street described as follows:

A Part of The Springdale Industrial Park Number Two, a Subdivision to the City of Springdale, Washington County, Arkansas being more particularly described as commencing at the Southeast Corner of Lot Four (4) in Block Four (4) of said subdivision; thence South 05°23'24" West a distance of 60.29 feet to a point; thence South 89°46'15" West a distance of 660.00 feet to a point on a non tangent curve to the right having a radius of 80.00 feet, a central angle of 134°13'16", and an arc length of 187.41 feet, the long chord of which bears South 89°46'15" West for a distance of 147.40 feet to a point; thence South 89°46'15" West a distance of 55.06 feet to a point on the West Line of said Subdivision; thence along said West Line North 03°17'00" East a distance of 60.11 feet to a point; thence leaving said West Line North 89°46'15" East a distance of 50.47 feet to a point on a non tangent curve to the right having a radius of 80.00 feet, a central angle of 137°40'16", and an arc length of 192.23 feet, the long chord of which bears North 89°46'15" East for a distance of 149.21 feet to a point; thence North 89°46'15" East a distance of 665.00 feet to the POINT OF BEGINNING containing in all 62,549 square feet or 1.436 acres, more or less.

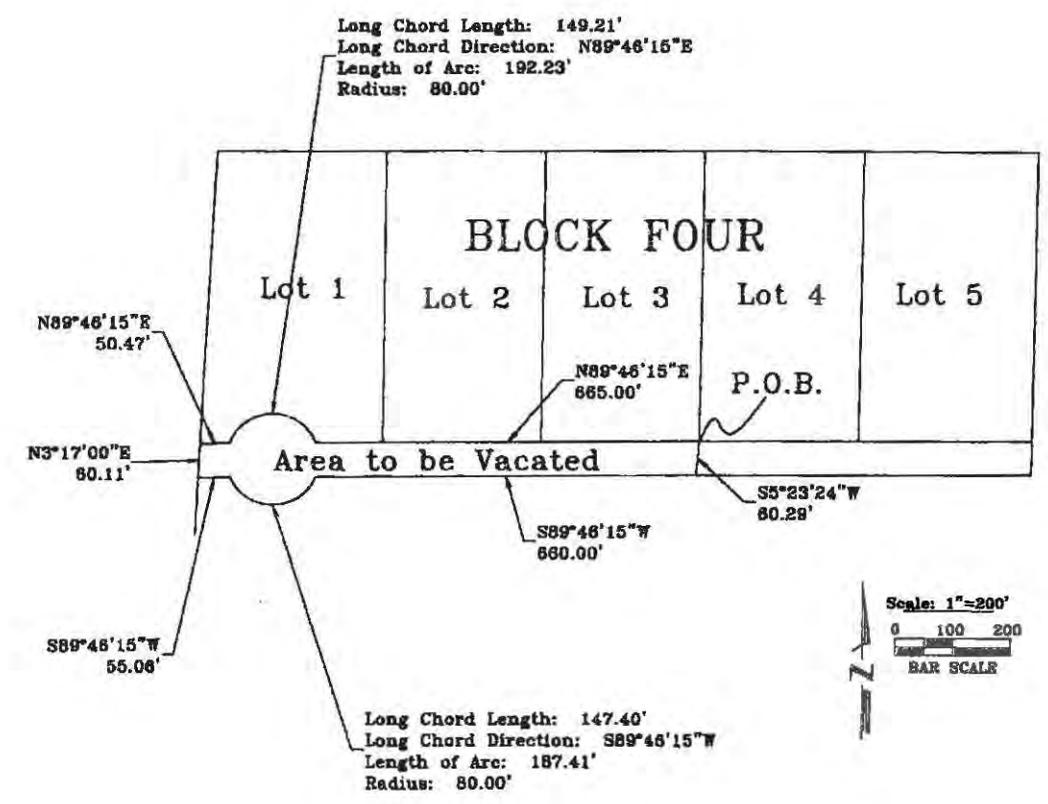
WHEREAS, the City Council for the City of Springdale, Arkansas, finds that a hearing date should be set on the petition;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that August 25, 2015, at 6:00 p.m. be 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, as required by law.

PASSED AND APPROVED this _____ day of July, 2015.

Doug Sprouse, Mayor

ATTEST:

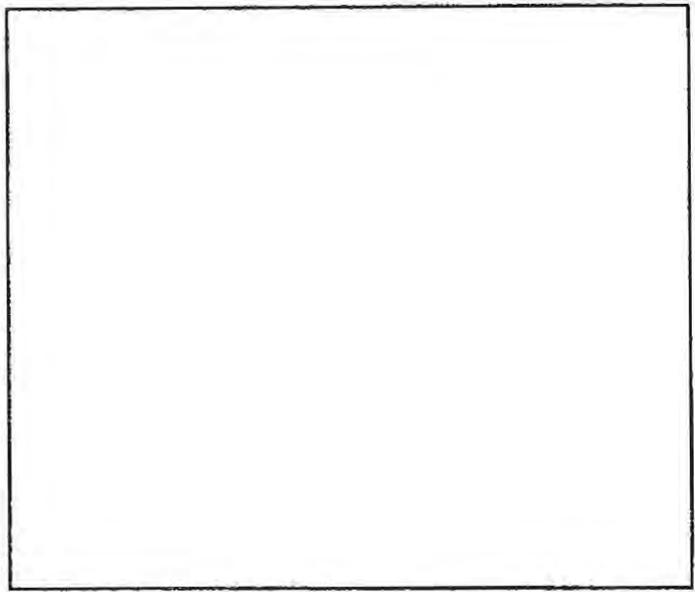


SPRINGDALE INDUSTRIAL PARK NUMBER TWO

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: Lanbon Lanbon and Ann Lanbon
LEGAL DESCRIPTION: Lot 1, Block 6, Peaceful Valley Estates, Phase II, a subdivision to the City of Springdale, Arkansas, as per the plat of said subdivision on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.
LAYMAN'S DESCRIPTION: 3909 Clark Ave.
Springdale, Arkansas
PARCEL NO.: 815-24605-000

PROPERTY OWNER: Cecil Pollock and Pauline Pollock
LEGAL DESCRIPTION: Lot No. 7 in Block No. 1 in H.C. Waggoner's Addition to the City of Springdale, Arkansas as per plat of said addition on file in the office of the Circuit Clerk of Washington County, Arkansas.
LAYMAN'S DESCRIPTION: 517 Mountain View Ave.
Springdale, Arkansas
PARCEL NO.: 815-26159-000

PROPERTY OWNER: Nelson Chavers
LEGAL DESCRIPTION: 74.5 feet taken of equal and uniform width off the North side of Lots Six (6) and Seven (7) in Block Five (5) in Picnic Addition to the City of Springdale, Arkansas.
LAYMAN'S DESCRIPTION: 303 Park St.
Springdale, Arkansas
PARCEL NO.: 815-24894-000

PROPERTY OWNER: Edward J. Vega & Leticia Vega
LEGAL DESCRIPTION: Lot Number One (1) in C. F. Noel Addition to the City of Springdale, Washington County, Arkansas, LESS AND EXCEPT: Beginning at the Northeast corner of said Lot 1, thence S. 0° 25' W, along the East line thereof a distance of 5.7 feet to a point, thence N. 89° 35'W. a distance of 10.0 feet to a point on the proposed westerly right-of-way line of U.S. Highway 71, thence N. 0° 25' E along said proposed right-of-way a distance of 5.9 feet to a point on the North line of Lot 1, thence S. 88° 46' E. along said North line a distance

of 10.0 feet to the point of beginning, and containing 58 square feet. ALSO, part of Lot Eleven (11) in the C. F. Noel Addition to the City of Springdale described as beginning at the Northeast Corner of said Lot 11 and running thence South 193.5 feet to the Southwest Corner of Lot 1, in said Addition, thence 20 feet, thence North 193.5 feet thence East 20 feet to the point of beginning.

ALSO LESS AND EXCEPT:

Part of Lot 1 and 11, C. F. Noel Addition to the City of Springdale, Washington County, Arkansas, more particularly described as follows: Starting at the Southwest corner of Lot 1, C. F. Noel Addition to the City of Springdale, thence North 02° 10' East along the West line thereof a distance of 198.5 feet to a point on the proposed southerly right-of-way line of State Highway #68 for the point of beginning, thence North 87° 14' West along said proposed right-of-way line a distance of 20.0 feet to a point, thence North 02° 10' East a distance of 5.6 feet to a point on the existing southerly right-of-way line of said State Highway, thence South 87° 14' East along said existing right-of-way line a distance of 111.5 feet to a point of intersection with the existing westerly right-of-way line of U. S. Highway #71, thence South 01° 38" West along said existing right-of-way line a distance of 5.2 feet to a point, thence South 88° 22' East along said existing right-of-way line a distance of 10.6 feet to a point, thence South 01° 38' West along said existing right-of-way line a distance of 34.0 feet to a point of intersection with said proposed right-of-way line of State Highway #68, thence North 30° 05' West along said proposed right-of-way line a distance of 40.5 feet to a point, thence North 87° 14' West along said proposed right-of-way line a distance of 80.9 feet to the point of beginning and containing 914 square feet, more or less.

AND LESS AND EXCEPT:

Part of Lots 1 and 11, C. F. Noel Addition to the City of Springdale, Washington County, Arkansas, more particularly described as follows:

Starting at the Southwest corner of Lot 1, C. F. Noel Addition to the City of Springdale; thence North 87° 31'07" West a distance of 6.679 meters to a point; thence North 01° 39' 55" East a distance of 47.032 meters to a point on the Southerly proposed right-of-way line of U.S. Highway 412 for the point of beginning; thence continue North 01° 39' 55" East along said proposed right-of-way line a distance of 1.448 meters to a point on the Southerly existing right-of-way line of U.S. Highway 412; thence South 87° 10' 00" East along said existing right-of-way line a distance of 30.717 meters to a point; thence south 30° 40' 38" East along said existing right-of-way line a distance of 12.428 meters to a point; thence South 01° 50' 22" West along said existing right-of-way line a distance of 5.401 meters to a point on the Southerly proposed right-of-way line of U.S. Highway 412; thence North 28° 18' 20" West along said proposed right-of-way line a distance of 10.729 meters to a point; thence North 56° 56' 07" West along said proposed right-of-way line a distance of 11.045 meters to a point; thence North 88° 15' 26" West along said proposed right-of-way line a distance of 22.543 meters to the point of beginning and containing 89 square meters more or less.

LAYMAN'S DESCRIPTION: 1100 S. Thompson
Springdale, Arkansas
PARCEL NO.: 815-23975-000

PROPERTY OWNER: Jessie Howard
LEGAL DESCRIPTION: Part of the SE 1/4 of the SE 1/4 of Section 35, Township 18 North, Range 30 West, Washington County, Arkansas, described as beginning at a point which is 540 feet North 0° 54' East and 327 feet North 88° 16' West of the Southeast corner of said forty acre tract; thence South 00° 54' West 100 feet; thence North 88° 16' West 100 feet; thence North

00° 54' East 100 feet; thence South 88° 16' East 100 feet to the point of beginning, containing 0.25 acres, more or less.

LAYMAN'S DESCRIPTION: 1001 Wilkinson Ln.
Springdale, Arkansas

PARCEL NO.: 815-28149-000

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:

\$406.42 clean-up costs and \$60.36 administrative costs – 3909 Clark Ave.
\$465.42 clean-up costs and \$21.48 administrative costs – 517 Mountain View
\$453.42 clean-up costs and \$27.96 administrative costs – 303 Park St.
\$808.84 clean-up costs and \$27.96 administrative costs – 1100 S. Thompson
\$465.42 clean-up costs and \$21.48 administrative costs – 1001 Wilkinson Ln.

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:

\$466.78, plus 10% for collection – 3909 Clark Ave. (Parcel #815-24605-000)
\$486.90, plus 10% for collection – 517 Mountain View (Parcel #815-26159-000)
\$481.38, plus 10% for collection – 303 Park St. (Parcel #815-24894-000)
\$836.80, plus 10% for collection – 1100 S. Thompson (Parcel #815-23975-000)
\$486.90, plus 10% for collection – 1001 Wilkinson Ln. (Parcel #815-28149-000)

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
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 10, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND REGULAR MAIL

Lanbon Lanbon
2424 Linden Circle
Springdale, AR 72764

Ann Langbon
2495 Creekwood Ave.
Springdale, AR 72764

Aurora Loan Services, LLC
10350 Park Meadows Dr.
Littleton, CO 80124

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Moore Mortgage Corporation
A Subsidiary of Delta Trust & Bank
Merged With Simmons First National
501 Main Street
Pine Bluff, AR 71611

Chambers Bank of North Arkansas
1685 E. Joyce Blvd.
Fayetteville, AR 72203

NationStar Mortgage, LLC
8950 Cypress Waters Blvd.
Dallas, TX 75019

Angela Boyd
Wilson & Associates, PLLC
P.O. Box 2839
Little Rock, AR 72203

RE: Notice of clean-up lien on property located at 3909 Clark Ave.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
24605-000

Dear Property Owner/Lienholders:

On July 23, 2014, notice was posted on property located at 3909 Clark Ave.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-156, and needed to be remedied within seven (7) days. Notice was
mailed to the owner of record on July 24, 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 24, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$528.67. 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 28, 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 28, 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 \$451.78, which includes \$406.42 for cleaning up the property and \$45.36 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 Lanbon Lanbon, Ann Langbon and Aurora Loan Services, LLC at the addresses above. Delivery of that letter by the U.S. Postal Service shall warrant service on Lanbon Lanbon, Ann Langbon and Aurora Loan Services, LLC should the certified letter be returned.

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

Sincerely,



Sarah Sparkman
Deputy City Attorney

enclosures
SS:ch



City of Springdale Code Enforcement

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

CITY ABATEMENT - Friday, April 24, 2015 1:01:20 PM (646 CITY ABATEMENT)

| | |
|------------------|----------------------|
| User Name | 646 CITY ABATEMENT |
| User # | 4797993582 |
| Form Started | 4/24/2015 1:01:20 PM |
| Property Address | 3909 Clark |
| Before Picture | Attached Data |



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Friday, April 24, 2015 1:01:00 PM

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

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

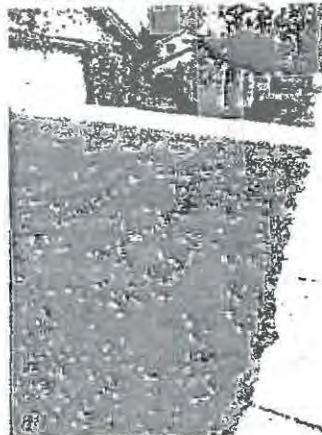
\$27.42

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 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 type="checkbox"/> Addressee <i>x Vicky Trout</i></p> <p>B. Received by (Printed Name) <i>Vicky Trout</i> C. Date of Delivery <i>6/11/15</i></p> |
| <p>1. Article Addressed to:</p> <p>Chambers Bank of North Arkansas 1685 E. Joyce Blvd. Fayetteville, AR 72203</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>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 3891</p> |

PS Form 3811, July 2013

Domestic Return Receipt

| 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 type="checkbox"/> Addressee <i>x NATIONSTAR MORTGAGE</i> JUN 29 2015 4:04 PM</p> <p>B. Received by (Printed Name) <i>NATIONSTAR MORTGAGE</i> C. Date of Delivery <i>JUN 29 2015</i></p> |
| <p>1. Article Addressed to:</p> <p>Aurora Loan Services, LLC 10350 Park Meadows Dr. Littleton, CO 80124</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>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 3921</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>1. Article Addressed to:</p> <p style="text-align: center;"> Moore Mortgage Corporation A Subsidiary of Delta Trust & Bank Merged With Simmons First National 501 Main Street Pine Bluff, AR 71611 </p> | <p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input checked="" type="checkbox"/> 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>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 style="text-align: center;">7014 1200 0001 0759 3907</p> |
| <p>PS Form 3811, July 2013 Domestic Return Receipt</p> | |

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. 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>1. Article Addressed to:</p> <p style="text-align: center;"> NationStar Mortgage, LLC 8930 Cypress Waters Blvd. Dallas, TX 75019 </p> | <p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input checked="" type="checkbox"/> 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>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 style="text-align: center;">7014 1200 0001 0759 3884</p> |
| <p>PS Form 3811, July 2013 Domestic Return Receipt</p> | |

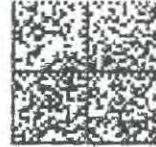


Office Of The City Attorney
201 Spring Street
Springdale, Arkansas 72764

CERTIFIED MAIL



7014 1200 0001 0759 3938



U.S. POSTAGE PITNEY BOWES



ZIP 72764 \$ 006.69⁰
02 1W
0001377648 JUN 10 2015

Handwritten:
KIRBY
WITEN
6-18
6-29

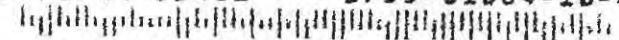
Lanbon Lanbon
2424 Linden Circle
Springdale, AR 72764

RECEIVED JUN 10 10 59 AM 2015

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 72764435401 *2755-01064-10-44

727641200000107593938



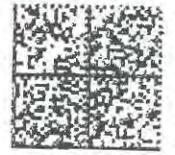


Office Of The City Attorney
201 Spring Street
Springdale, Arkansas 72764

CERTIFIED MAIL



7014 1200 0001 0759 3914



U.S. POSTAGE PITNEY BOWE
ZIP 72764 \$ 006.68
02 1W
0001377648 JUN 10 2011

ANK

Ann Langbon
2495 Creekwood Ave.
Spring

NIXIE 722 DE 1089 0006/13/11

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

727640066 4R

BC: 72764455401 *2755-01065-10-44
0001377648 JUN 10 2011



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

June 30, 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 Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

David Howell
Public Guardian for Adults
Department of Human Services
P.O. Box 1437, Slot W102
Little Rock, AR 72203-1437

RE: Notice of clean-up lien on property located at 517 Mountain View,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
26159-000

Dear Property Owner:

On July 15, 2014, notice was posted on property located at 517 Mountain View, 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 16, 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 June 11, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$465.42. 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 August 11, 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, August 11, 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 \$471.90, which includes \$465.42 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 479/756-7712

CITY ABATEMENT - Thursday, June 11, 2015 8:15:57 AM (646 CITY ABATEMENT)

| | |
|------------------|----------------------|
| User Name | 646 CITY ABATEMENT |
| User # | 4797993582 |
| Form Started | 6/11/2015 8:15:57 AM |
| Property Address | 517 mountain view |
| Before Picture | Attached Data |



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



| | |
|--------------------------------|---|
| Type of Abatement | Violation Notice / Lien |
| Date of Abatement | Thursday, June 11, 2015 8:15:00 AM |
| Officer on Site | Tina Haden |
| Supervisor on Job | Mike Hicklin, Henry Hernandez |
| Employee | |
| Employee | Mike Hicklin |
| MH Benefit Rate | \$27.42 |
| Method of Compliance | |
| 1 Method of Compliance | Mowing |
| Equipment Used | |
| Equipment | 752 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping |
| 752 Grasshopper | \$55.00 |
| 743 Kubota | \$65.00 |
| 6030 Service Truck-Landscaping | \$35.00 |
| 6031 Service Truck-Landscaping | \$35.00 |
| Time of Abatement in Hours | 1 |
| Number of Temporary Laborers | 4 |
| Temporary Labor Cost | \$48.00 |

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



Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



| 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><i>David Howell</i></p> | |
| <p>1. Article Addressed to:</p> <p>David Howell Public Guardian for Adults Department of Human Services P.O. Box 1437, Slot W102 Little Rock, AR 72203-1437</p> | <p>B. Received by (Printed Name)</p> <p><i>David Howell</i></p> | <p>C. Date of Delivery</p> <p><i>2-2-15</i></p> |
| <p>2. Article Number (Transfer from service label)</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™ <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>7014 1200 0001 0759 4171</p> | | |

PS Form 3811, July 2013

Domestic Return Receipt



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 Belvedresi
Case Coordinator/
Victim Advocates

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

June 10, 2015

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Ms. Bonnie Nichols
176 County Rd. 1670
Knoxville, AR 72845

Mr. Kenneth Harkey
2701 Chapman Ave., #B
Springdale, AR 72762

RE: Notice of clean-up lien on property located at 303 Park St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
24894-000

Dear Ms. Nichols:

Notice was posted on property located at 303 Park St., Springdale, Arkansas and mailed to Nelson Chavers at 303 Park St., Springdale, Arkansas, that this property was in violation of Springdale City Ordinance 42-77, and needed to be remedied within seven (7) days. We understand that Mr. Chavers is deceased and that you may have an interest in the property at 303 Park Street.

No action was taken to clean up the property within seven (7) business days, and 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 27, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$453.42. 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.

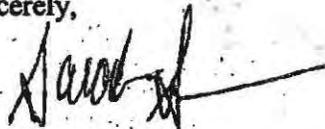
This is to notify you that in the event this amount is not paid to the City of Springdale on or before July 28, 2015, a hearing will be held before the

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 28, 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 \$466.38, which includes \$453.42 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 - Wednesday, May 27, 2015 2:33:54 PM (646 CITY ABATEMENT)

| | |
|------------------|----------------------|
| User Name | 646 CITY ABATEMENT |
| User # | 4797993582 |
| Form Started | 5/27/2015 2:33:54 PM |
| Property Address | 303 park |
| Before Picture | Attached Data |

Before Picture



Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Wednesday, May 27, 2015 2:33:00 PM

Officer on Site

Tina Haden

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,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping

754 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-

\$35.00

Landscaping

6031 Service Truck-

\$35.00

Landscaping

Time of Abatement in

1

Hours

Number of Temporary

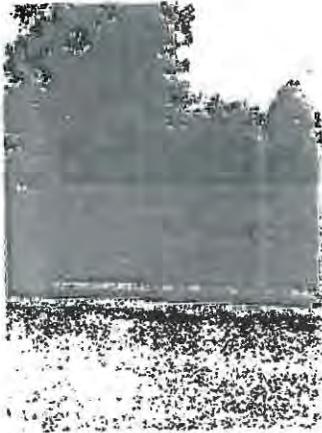
3

Laborers

Temporary Labor Cost

\$36.00

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



Final Photos

Attached Data



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:

Ms. Bonnie Nichols
 176 County Rd. 1670
 Knoxville, AR 72845

2. Article Number
 (Transfer from service label)

7014 1200 0001 0759 3839

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Bonnie Nichols* Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee) Yes

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:

Mr. Kenneth Harley
 2701 Chapman Ave., #B
 Springdale, AR 72762

2. Article Number
 (Transfer from service label)

7014 1200 0001 0759 3846

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Ken Harley* Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

- 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

June 30, 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

Edward and Leticia Vega
6515 Norman
Springdale, AR 72762

The Coulson Foundation
1434 Pike Ave.
Little Rock, AR 72114

RE: Notice of clean-up lien on property located at 1100 S. Thompson St, Springdale, Washington County, Arkansas; Tax Parcel No. 815-23975-000

Dear Property Owner/Lienholder:

On February 19, 2015, notice was posted on property located at 1100 S. Thompson 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 February 20, 2015, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7) business days. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about April 28, 2015 and June 29, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$808.84. 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 August 11, 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, August 11, 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 \$821.80, which includes \$808.84 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 - Tuesday, April 28, 2015 2:36:21 PM (646 CITY ABATEMENT)

| | |
|------------------|----------------------|
| User Name | 646 CITY ABATEMENT |
| User # | 4797993582 |
| Form Started | 4/28/2015 2:36:21 PM |
| Property Address | 1100 s Thompson |
| Before Picture | Attached Data |



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Tuesday, April 28, 2015 2:36:00 PM

Officer on Site

Missha Wagoner

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

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

743 Kubota

\$65.00

6030 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

1

Number of Temporary Laborers

4

Temporary Labor Cost

\$48.00

Employee Cost per hour

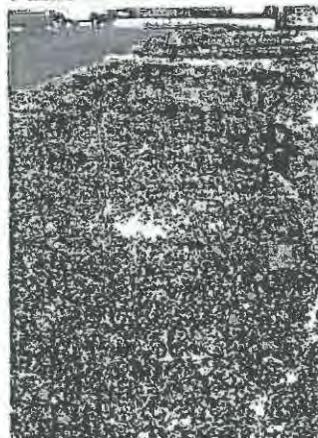
\$27.42

Total Employee Cost \$27.42
Equipment Cost per hour \$135.00
Total Equipment Cost \$135.00
Mobilization Fee \$200.00
Extra materials cost \$0.00
Total Cost of Abatement \$410.42
Final Photos Attached Data



Final Photos

Attached Data



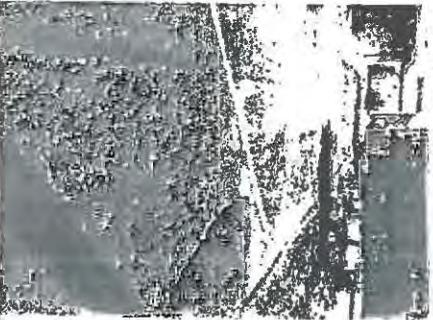
Final Photos

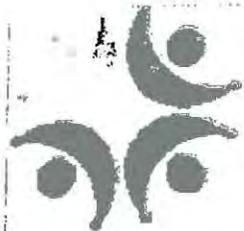
Attached Data



Final Photos

Attached Data





City of Springdale Code Enforcement

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

CITY ABATEMENT - Monday, June 29, 2015 10:07:50 AM (646 CITY ABATEMENT)

| | |
|------------------|-----------------------|
| User Name | 646 CITY ABATEMENT |
| User # | 4797993582 |
| Form Started | 6/29/2015 10:07:50 AM |
| Property Address | 1100 s Thompson |
| Before Picture | Attached Data |



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement **Violation Notice / Lien**
Date of Abatement **Monday, June 29, 2015 10:07:00 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 **743 Kubota,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping**

743 Kubota **\$65.00**

6030 Service Truck- **\$35.00**

Landscaping

6031 Service Truck- **\$35.00**

Landscaping

Time of Abatement in **1**

Hours

Number of Temporary **3**

Laborers

Temporary Labor Cost **\$36.00**

Employee Cost per hour **\$27.42**

Total Employee Cost **\$27.42**

Equipment Cost per hour **\$135.00**

Total Equipment Cost **\$135.00**

Mobilization Fee **\$200.00**

Extra materials cost **\$0.00**

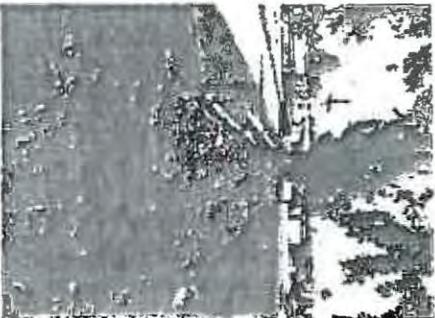
Total Cost of Abatement **\$398.42**

Final Photos



Attached Data

Final Photos



Attached Data

Final Photos



Attached Data

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|---|--|
| <p> <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p> <p>1. Article Addressed to:</p> <p style="padding-left: 40px;"> The Coulson Foundation 1434 Pike Ave. Little Rock, AR 72114 </p> | <p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>Cindy Russ</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>Cindy Russ</i> <i>7-2-13</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p> <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery </p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>2. Article Number (Transfer from service label)</p> | <p><u>7014 1200 0001 0759 4140</u></p> |
| <p>PS Form 3811, July 2013 Domestic Return Receipt</p> | |

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <p> <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p> <p>1. Article Addressed to:</p> <p style="padding-left: 40px;"> Edward and Leticia Vega 6515 Norman Springdale, AR 72762 </p> | <p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>Leticia Vega</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>Leticia Vega</i> <i>7-13-13</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p> <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery </p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>2. Article Number (Transfer from service label)</p> | <p><u>7014 1200 0001 0759 4157</u></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 10, 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*

*Lynnda Belvedresi
Case Coordinator/
Victim Advocate*

*Steve Helms
Investigator*

*Cindy Horlick
Administrative Legal
Assistant/Paralegal*

Ms. Jessie Howard
c/o Maples at Har-Ber Meadows
6456 W. Lynchs Prairie Cove
Springdale, AR 72762

RE: Notice of clean-up lien on property located at 1001 Wilkinson Lane, Springdale, Washington County, Arkansas, Tax Parcel No. 815-28149-000

Dear Property Owner:

On May 8, 2015, notice was posted on property located at 1001 Wilkinson Lane, 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, 2015, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7) business days. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about June 2, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$465.42. 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 28, 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 28, 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 \$471.90, which includes \$465.42 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 479/756-7712

CITY ABATEMENT - Tuesday, June 02, 2015 1:02:34 PM (646 CITY ABATEMENT)

| | |
|------------------|---------------------|
| User Name | 646 CITY ABATEMENT |
| User # | 4797993582 |
| Form Started | 6/2/2015 1:02:34 PM |
| Property Address | 1001 wilkinson |
| Before Picture | Attached Data |



Before Picture

Attached Data



Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Tuesday, June 02, 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 Mowing

Equipment Used

Equipment

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

748 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

1

Number of Temporary Laborers

4

Temporary Labor Cost

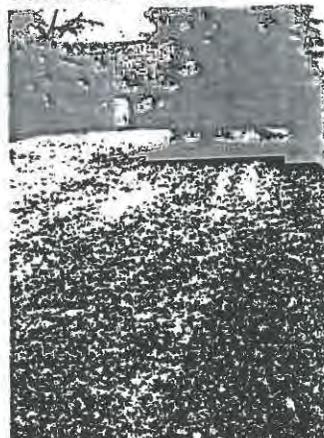
\$48.00

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



Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|---|--|
| <p> <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p> <p>1. Article Addressed to:</p> <p> Ms. Jessie Howard c/o Maples at Har-Ber Meadows 6456 W. Lynchs Prairie Cove Springdale, AR 72762 </p> | <p>A. Signature <input checked="" type="checkbox"/> <i>K. Hyatt</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </p> <p>B. Received by (Printed Name) <i>Kathy Hyatt</i> C. Date of Delivery <i>9-10-15</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>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 3853</p> |
| <p>PS Form 3811, July 2013</p> | <p>Domestic Return Receipt</p> |

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ORDINANCE NO. 4936;
DECLARING AN EMERGENCY; AND FOR OTHER
PURPOSES.**

WHEREAS, on July 14, 2015, the City Council for the City of Springdale, Arkansas, passed Ordinance No. 4936, which amended Section 34-2 of the Code of Ordinances of the City of Springdale, Arkansas;

WHEREAS, Ordinance No. 4936 was passed due to Act 1093 of the 2015 Arkansas General Assembly, to be codified at Ark. Code Ann. §14-55-303, and to extend the time period for the filing of a municipal referendum petition;

WHEREAS, there is a possible conflict between Ark. Code Ann. §14-55-303 and the Arkansas Constitution, and this issue needs to be resolved before the City of Springdale amends Section 34-2 of the Code of Ordinances of the City of Springdale, Arkansas;

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, to repeal Ordinance No. 4936 until such time as the legality of the new statute can be determined;

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

Section 1: Ordinance No. 4936 is hereby repealed in its entirety.

Section 2: **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

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING EXECUTION OF AN
ENGINEERING DESIGN CONTRACT FOR 56th STREET
FROM DON TYSON PARKWAY TO JOHNSON MILL
BOULEVARD**

WHEREAS, the Cities of Springdale and Johnson have received STP-A funding for up to 80% of cost of design for the 56th St Widening from Don Tyson Parkway to Johnson Mill Boulevard,

WHEREAS, using the procurement procedures required by State Law, the program management team has selected the most qualified firm and has negotiated design fees with Engineering Services, Inc. in the not exceed amount of \$503,549.63.

WHEREAS, the City of Springdale is responsible for 70% of the 20% local match and the City of Johnson is responsible for 30% of the 20% local match,

| Funding Source | Percent Share | Cost Share |
|--------------------|---------------|---------------|
| Federal Aid | 80% | \$ 402,839.70 |
| City of Springdale | 14% | \$ 70,496.95 |
| City of Johnson | 6% | \$ 30,212.98 |
| Project Totals | 100% | \$ 503,549.63 |

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk/Treasurer are hereby authorized to execute a contract with Engineering Services, Inc. in the not exceed amount of \$503,549.63.

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

RESOLUTION NO. _____

**A RESOLUTION EXPRESSING THE WILLINGNESS OF
THE CITY OF SPRINGDALE TO APPLY FOR STP-A
FUNDING FOR DESIGN OF DON TYSON PARKWAY
FROM 56th STREET TO HIGHWAY 112**

WHEREAS, the City of Springdale sees the need to extend Don Tyson Parkway from 56th St to Highway 112, and

WHEREAS, the extension of Don Tyson Parkway west to Highway 112 is regionally important to improve east – west access from Highway 112 to I49, Highway 71B and Highway 265, and

WHEREAS, due to the regional significance of the project, STP-A funding may be available, and

WHEREAS, of the estimated design cost of \$375,000.00, the City intends to submit an application requesting 80% STP-A funding (\$300,000.00) and provide the required match of 20% (\$75,000.00);

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

- The City of Springdale is committed to the Don Tyson Parkway extension project and recognizes its regional significance.
- The required matching funds are committed in an amount not to exceed \$75,000.00.

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

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING EXECUTION OF A
CONTRACT FOR ACO PARKING LOT IMPROVEMENTS**

WHEREAS, in April of 2015 the City Council authorized a lease with the Art Center of The Ozarks and appropriated \$150,000.00 to provide a public parking lot ,

WHEREAS, the City of Springdale staff prepared plans for the necessary improvements,

WHEREAS, City of Springdale solicited competitive bids for the concrete improvements,

WHEREAS, the low bid for the concrete improvements was submitted by KB Strucural LLC in the amount of \$58,751.50, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk/Treasurer are hereby authorized to execute a contract with KB Strucural LLC, for construction of concrete improvements for the ACO Parking Lot in the amount of \$58,751.50.

PASSED AND APPROVED this ____ day of July, 2015.

Doug Sprouse, Mayor

ATTEST:

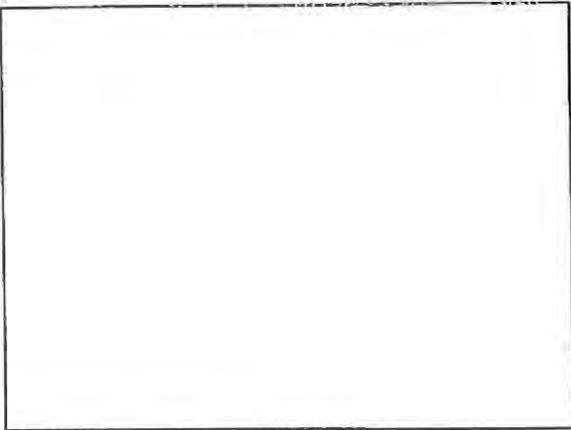
Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

**ACO Parking Lot Improvements
Bid Tabulation
Date: July 14,2015**

| Contractor | Bid Amount |
|--------------------------------|----------------------|
| KB Structural LLC | \$ 58,751.50 |
| Tomlinson Asphalt | \$ 79,580.00 |
| NEC, Inc. | \$ 75,796.00 |
| General Solutions Group | \$ 103,994.00 |
| Engineer's Estimate | \$ 89,160.00 |



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY:

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of July 7, 2015 for hearing the matter of a petition of Donna Luckett-Wilson requesting that the following described tract of real estate be zoned from Low/Medium Density Single Family Residential District (SF-2) to General Commercial District (C-2).

Layman's Description: 787 N. 40th Street

Legal Description: Part of the west half (W/2) of the southwest quarter (SW 1/4) of the northwest quarter (NW/4) of Section 34, Township 18 N, Range 30 West, Washington County, Arkansas and being more particularly described as follows: Beginning at a point 305 feet south of the northwest corner of said 20 acre tract, thence South 70 feet; thence east 194 feet; thence north 70 feet; thence west 39 feet; thence south 36 feet; thence west 63 feet; thence north 36 feet; thence west 92 feet to the point of beginning. Subject to the right-of-way of north 40th Street along the west side thereof.

LESS AND EXCEPT

Part of the southwest quarter (SW 1/4) of the northwest quarter (NW 1/4) of Section 34, Township 18 North, Range 30 West, Washington County, Arkansas, and being more particularly described as follows: Starting at the southwest corner of Lot 16, Block 1, Harvo Subdivision; thence North 01° 16' 25" east along the west line of Lot 16 a distance of 64.01 feet to a point on the southerly existing right of way line of Elm Springs Road; thence continue north 01° 16' 25" East along the said existing right of way

line a distance of 6.64 feet to a point, thence North 88° 17' 40" West along said existing right of way line a distance of 640.74 feet to a point on the easterly existing right of way line of North 40th Street; thence south 01° 17' 48" west along said existing right of way line a distance of 280.54 feet for the point of beginning; thence North 88° 24' 47" east a distance of 19.00 feet to a point on the easterly proposed right of way line of north 40th Street; thence south 01° 17' 48" west along said proposed right of way line a distance of 70.00 feet to a point; thence South 88° 24' 47" west a distance of 19.00 feet to a point on the easterly existing right of way line of North 40th Street; thence north 01° 17' 48" East along said existing right of way line a distance of 70.00 feet to the point of beginning and containing 0.03 acres, more or less. Same being that part taken by the City of Springdale, Arkansas for the improvement of North 40th Street, as shown in Washington County Civil Court Case No. 91-859, Order of Possession as filed in Civil Court Record Book 111 at page 929.

ALSO LESS AND EXCEPT:

That part thereof which is described as follows to-wit: part of the SW 1/4 of the NW 1/4 of Section 34, Township 18 North, Range 30 West of the fifth principal meridian, Washington County, Arkansas, being described as follows: from the Northwest corner of the SW 1/4 of the NW 1/4 of said Section 34 running thence South 0° 19' 20" east a distance of 305 feet to a point, also being the point of beginning: thence South 89° 58' 28" east a distance of 92 feet to a set iron pin; thence south 0° 19' 20" east a distance of 4 feet to a point; thence north 89° 58' 28" west a distance of 92 feet to a point; thence N 0° 19' 20" west a distance of 4 feet to the point of beginning.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Low/Medium Density Single Family Residential District (SF-2) to General Commercial District (C-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

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

From Low/Medium Density Single Family Residential District (SF-2) to General Commercial District (C-2).

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2015

Doug Sprouse, Mayor

ATTEST:

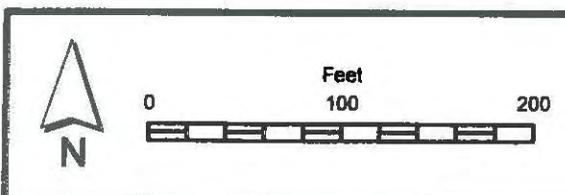
Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



Public hearing sign posted: 7/1 /2015
Public hearing sign posted by: CS
 Public Hearing Sign Location



FILE NUMBER: R15-19
APPLICANT: DONNA LUCKETT WILSON
REZONING REQUEST: SF-2 TO C-2

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
7/7/2015