

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

- Monday, November 2nd, 5:30 p.m. is the next Committee meetings.
 - Committee agendas will be available on Friday, Oct. 30th, 2015.

SPRINGDALE CITY COUNCIL
REGULAR MEETING
TUESDAY, October 27th, 2015

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance
Invocation – **MAYOR SPROUSE**

6:00 p.m. OFFICIAL AGENDA

1. *Large Print* agendas are available at the back of the room, next to the main entrance.
2. Call to Order - Mayor Doug Sprouse
3. Roll Call – City Clerk Denise Pearce

Recognition of a Quorum.
4. Comments from Citizens

The Council will hear brief comments from citizens during this period on issues not on the agenda. No action will be taken tonight. All comments will be taken under advisement.
5. Approval of Minutes
 - a) October 13th, 2015 (1-14)
6. Procedural Motions
 - A. Entertain Motion to read all Ordinances and Resolutions by title only.
 - B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item numbers....* **12; 13a-b; 14a-d; 15; 16** (Motion must be approved by two-thirds (2/3) of the council members).
7. **A Resolution**: making appointments to the Shiloh Museum Board of Trustees, presented by Allyn Lord, Shiloh Museum Director. (15)
8. **A Resolution**: authorizing the destruction of old accounting records, presented by: Wyman Morgan, Director of Administration & Finance. (16-20)
9. Parks & Recreation Committee Report and Recommendations by Chairman Mike Lawson:

A Resolution: authorizing the Mayor and City Clerk to enter into a property transfer agreement for development of a public conservation education facility with outdoor nature and recreation areas. Committee recommended approval. (21-37)
10. Finance Committee Report and Recommendations by Chairman Eric Ford

A Resolution: amending the 2015 budget of the City of Springdale Police Department. Committee recommended approval. (38-45)
11. Street & CIP Committee Report and Recommendations by Chairman Rick Evans
 - A. **A Resolution**: appropriating Capital Improvement Funds for the design engineering on South 56th Street. Committee recommended approval. (46)
 - B. **A Resolution**: setting a hearing date on a petition to vacate a portion of East Meadow Avenue. Committee recommended approval. (47-48)

12. Health, Sanitation & Property Maintenance Committee Report and Recommendations by Chairman Jim Reed
 - An Ordinance:** ordering the raze and removal of a certain residential property (3984 Powell St.). (49-54)
13. Committee of the Whole Report and Recommendations
 - A. **An Ordinance:** annexing certain real property to the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-2002 (Act 779 of 1999), and making a commitment to provide municipal services to said property as required by Ark. Code Ann. §14-40-2002 (Act 779 of 1999). (55-59)
 - B. **An Ordinance** accepting a street dedication to the City of Springdale presented by: Ernest Cate, City Attorney. (60-61)
 - C. **A Resolution:** authorizing the Mayor and the City Clerk of the City of Springdale to accept a gift of land from James R. Skelton and Brenda L. Skelton. Committee recommended approval. (62-63)
 - D. **A Resolution:** expressing the support of an access management plan for the 265 Highway to Randall Wobbe Lane Project, presented by: Patsy Christie, Director of Planning. (64)
14. Planning Commission Committee Report and Recommendations by Patsy Christie, Planning Director
 - A. **An Ordinance:** rezoning certain lands from Agricultural District (A-1) to thoroughfare Commercial District (C-5). 1.14 acres owned by Eileen Zarowsky located at 307 N. 48th Street. (65-67)
 - B. **An Ordinance:** rezoning certain lands from General Commercial District (C-2) to Thoroughfare Commercial District (C-5). 4.64 acres owned by Blue Ribbon Properties, LLC located at 4149 N. Thompson Street. (68-70)
 - C. **An Ordinance:** rezoning certain lands from General Commercial District (C-2) to Thoroughfare Commercial District (C-5), .92 acre owned by Smitco Eateries, INC located at 909 S. Thompson Street. (71-73)
 - D. **An Ordinance** rezoning certain lands from Agricultural District (A-1) to General Commercial (C-2). 5.04 acres owned by Kenneth and Rosalie Dunk located at 3448 Wagon Wheel Road. (74-76)
 - E. **A Resolution:** approving a Conditional Use at 335 North 48th Street. (77-78)
 - F. **A Resolution:** approving a Conditional Use at 5115 Har-Ber Avenue. (79-80)
 - G. **A Resolution:** approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks at 5962 West County Line Road. (81-82)
15. **An Ordinance:** authorizing the City Clerk to file a Clean-up Lien; Washington County (662 Chateau Ave., 2006 Stout Dr., 704 Geneva St., 1603 Jean St., and 511 Mt. View Ave.), presented by: Ernest Cate, City Attorney. (83-130)
16. **An Ordinance:** authorizing the City Clerk to file a Clean-up Lien; Benton County (1236 Sunrise Avenue.) presented by: Ernest Cate, City Attorney. (131-141)
17. Comments from Department Heads.
18. Comments from Council Members.
19. Comments from City Attorney.
20. Comments from Mayor Sprouse.
21. Adjournment.

SPRINGDALE CITY COUNCIL
OCTOBER 13, 2015

The City Council of the City of Springdale met in regular session on October 13, 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 (Absent)
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Wyman Morgan	Director of Finance & Admin.
Patsy Christie	Planning Director
Mike Peters	Interim Police Chief
Mike Irwin	Fire Chief
Sam Goade	Public Works Director
Gina Lewis	Human Resource Director
Brad Baldwin	Engineering Director
Bill Mock	Parks and Recreation Director

APPROVAL OF MINUTES

Alderman Evans moved the minutes of the September 22, 2015 City Council meeting be approved as presented. Alderman Reed made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

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

The vote:

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

No: None

RESOLUTION NO. 103-15 – AGREEING TO A CHANGE IN THE ZONING OF PROPERTY LOCATED AT 1752 WAGON WHEEL ROAD WITHIN THE CITY OF BETHEL HEIGHTS WHICH ADJOINS LAND WITHIN THE CITY OF SPRINGDALE IN COMPLIANCE WITH ARKANSAS CODE ANNOTATED §14-56-306 (PROPERTY OWNERS: BILLY AND KELLY SWEETSER)

City Attorney Ernest Cate presented a Resolution agreeing to a change in the zoning of property within the City of Bethel Heights which adjoins land within the City of Springdale, located at 1752 Wagon Wheel Road, in compliance with Arkansas Code Annotated §14-56-306.

RESOLUTION NO. ____

A RESOLUTION AGREEING TO A CHANGE IN THE ZONING OF PROPERTY IN THE CITY OF BETHEL HEIGHTS WHICH ADJOINS LAND WITHIN THE CITY OF SPRINGDALE IN COMPLIANCE WITH ARKANSAS CODE ANNOTATED §14-56-306

WHEREAS, Billy G. And Kelly Sweetser, property owners in Bethel Heights, Arkansas, have petitioned the Planning Commission and City Council of the City of Bethel Heights and obtained approval to rezone an approximate 16.74 acre parcel of property in the City of Bethel Heights (see attached legal description), which adjoins land within the City of Springdale, from A, Agricultural to B-2, General Commercial.

WHEREAS, in accordance with Arkansas Code Annotated §14-56-306, land within the City of Bethel Heights that adjoins land within the City of Springdale shall remain zoned with a compatible land use until the governing body of each municipality adjacent and contiguous to the boundary area adopts a resolution agreeing to a change in the zoning of the lands that adjoin one another and stating that the rezoning to a land use which is not compatible will not adversely impact the adjoined land.

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that the City Council of the City of Springdale has reviewed Ordinance No. 339 of the City of Bethel Heights rezoning the subject property and all other records and documents relating thereto, agrees to the change in the zoning of the land within the City of Bethel Heights from A, Agricultural to B-2, General Commercial, and further states that the rezoning to a B-2, General Commercial use which is not compatible with the adjoining zoning districts within the City of Springdale will not adversely impact the adjoining lands within the City of Springdale.

PASSED AND APPROVED this ____ day of October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

Ernest Cate, City Attorney

LEGAL DESCRIPTION

Layman's description: 1752 Wagon Wheel Road

Legal Description: Part of the SE1/4 of the SW1/4 of Section 14, Township 18 North, Range 30 West in the City of Bethel Heights, Benton County, Arkansas, and being more particularly described as follows, to wit: Beginning at a point located North 89°50' 12" West 165.00 feet from the Southeast corner of the SE1/4 of the SW1/4 of said Section 14; Thence North 89° 50' 12" West 269.99 feet along the center line of Wagon Wheel Road; Thence North 00° 00' 42" West 361.02 feet; Thence North 89° 50' 12" West 390.01 feet; Thence North 00°00' 42" West 958.74 feet; Thence South 89° 33' 57" East 660.00 feet along a line within the right of way of Graham Road; Thence South 00° 00' 45" East 1316.64 feet along a line within the right of way of Robins Road to the point of beginning, containing 16.74 acres, more or less, subject to the right of way of County roads along the North, East and South sides of the property, also subject to the right of way of overhead electric line across the property and any other utility line right of ways.

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

The vote:

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

No: None

The Resolution was numbered 103-15.

RESOLUTION NO. 104-15 – AUTHORIZING A TEMPORARY SERVICE AGREEMENT BETWEEN SPRINGDALE WATER UTILITIES AND THE CITY OF ROGERS

Alderman Jim Reed presented a Resolution authorizing a temporary service agreement between Springdale Water Utilities and the City of Rogers regarding the Highway 265 Widening Project. Springdale Water Utilities will allow Rogers Water Utilities to temporarily serve a total of 12 possible customers located along Old Wire Road, mostly in the county.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH ROGERS WATERWORKS PERTAINING TO TEMPORARY WATER SERVICE TO CERTAIN PROPERTIES IN SPRINGDALE WATER UTILITIES' SERVICE AREA, AND FOR OTHER PURPOSES

WHEREAS, the Springdale Water and Sewer Commission has full authority to set policies and procedures for the Springdale Water Utilities in a manner consistent with existing law and public policy; and

WHEREAS, Springdale Water Utilities operates a water system on behalf of the City of Springdale, Arkansas; and

WHEREAS, the City of Springdale, Arkansas, through the Springdale Water and Sewer Commission and the Springdale Water Utilities, operates a water system in a geographical area adjacent to the water system operated by the Rogers Water Utilities; and

WHEREAS, the Highway 265 widening project has created a situation in which certain properties require extension of city water service; and

WHEREAS, certain of these properties are located on the north border of Springdale Water Utilities service area, and are near the border of the Rogers Water Utilities service area and have been serviced by Rogers Water Utilities for decades, unknown to either party; and

WHEREAS, the management of Springdale Water Utilities and the management of Rogers Water Utilities have reached a memorandum of understanding pertaining to temporary water service of these properties ("Memorandum of Understanding"); and

WHEREAS, it will be more cost-efficient, and result in a smaller expenditure of public funds if Rogers Water Utilities continues to provide water service to these certain properties on a temporary basis, than if such service was provided by Springdale Water Utilities; and

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WHEREAS, there will be little or no cost to the Rogers Water Utilities, City of Rogers, Springdale Water Utilities, and the City of Springdale, as the cost of extending lines for temporary water service is expected to be fully reimbursable by the Arkansas Highway and Transportation Department; and

WHEREAS, the Memorandum of Understanding has been approved by the Rogers Water Utilities, Rogers Waterworks and Sewer Commission, and the City of Rogers in Resolution No. 15-05.

WHEREAS, the Memorandum of Understanding has been approved by the Springdale Water Utilities and the Springdale Water and Sewer Commission; and

WHEREAS, the Springdale Water and Sewer Commission, having duly considered the matter, believes that entering into the Memorandum of Understanding is in the best interest of the Springdale Water Utilities, the Springdale Water and Sewer Commission, the City of Springdale, and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Executive Director of the Springdale Water Utilities is hereby authorized to sign the Memorandum of Understanding on behalf of the Springdale Water Utilities upon passage of an appropriate, duly passed City Ordinance or City Resolution as contemplated herein below. The Executive Director of the Springdale Water Utilities is authorized to approve the final form of the Memorandum of Understanding and his approval shall be evidenced by his signature thereon.

PASSED AND APPROVED this ____ day of October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM AND CONTENT:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 104-15.

ORDINANCE NO. 4962 – TO WAIVE COMPETITIVE BIDDING FOR THE PURCHASE OF HEALTH AND VISION INSURANCE FOR CITY OF SPRINGDALE EMPLOYEES

Alderman Reed presented an Ordinance to waive competitive bidding for the purchase of Health and Vision Insurance for the City of Springdale employees through Arkansas Blue Cross Blue Shield. Arkansas Blue Cross Blue Shield has proposed to continue coverage for City of Springdale employees with a decrease of approximately 10.0% for health insurance and a decrease of approximately 35.0% for vision insurance with a combined savings of approximately \$425,551.

The City of Springdale will continue the PPO health insurance plan with a deductible of \$1,000 and a maximum out of pocket of \$2,000 and will also continue to provide the HSA insurance plan with a deductible of \$2,600 for its employees with the City's contribution to the employee's health saving account will remain at the same amount as it was in 2015.

Todd Setser, Brown and Brown Insurance, assisted the staff in obtaining proposals for health, vision, dental, life and long-term disability insurance for 2016. His firm was retained to make a competitive nature.

Gina Lewis, Human Resource Director, said that she did a side by side comparison using a couple of area cities and a Springdale manufacturing company and one non-profit agency. The cities and companies did have a lower contribution but did pay more of the total insurance premium.

Alderman Ford would like more time to go over this proposal.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4962.

ORDINANCE NO. 4963 – TO WAIVE COMPETITIVE BIDDING FOR THE PURCHASE OF DENTAL, LIFE AND LONG-TERM DISABILITY INSURANCE

Alderman Reed presented an Ordinance to waive competitive bidding for the purchase of Dental, Life and Long-Term Disability Insurance for the City of Springdale employees.

The City of Springdale has provided dental, life and long-term disability insurance for its employees through Arkansas Blue Cross Blue Shield in the most recent years and desires to make a change effective January 1, 2016.

Delta Dental has proposed dental insurance at an estimated cost approximately 8.0% below our current cost and has proposed life and long-term disability insurance at an estimated cost approximately 40.8% below our current cost with a combined savings of approximately \$43,100.

Due to the complexity of employee insurance, competitive bidding is not feasible or practical in the purchase of dental, life and long-term disability insurance needed by the City of Springdale and competitive bidding on the purchase of this benefit coverage from Delta Dental and Mutual of Omaha for the year of 2016 is hereby waived with the provision that insurance monthly premiums will be those rates presented.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4963.

ORDINANCE NO. 4964 – TO WAIVE COMPETITIVE BIDDING FOR THE EMPLOYMENT OF AN EMPLOYEE BENEFIT CONSULTANT

Alderman Reed presented an Ordinance to waive competitive bidding for the employment of an Employee Benefit Consultant for the City of Springdale.

The City of Springdale staff reviewed proposals from employee benefit consultants and have recommended retaining the services of Brown & Brown for an annual fee of \$25,000.

Brown and Brown assisted the staff in obtaining proposals for health, vision, dental, life and long-term disability insurance for 2016 with a total approximate cost reduction of \$468,651.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4964.

RESOLUTION NO. 105-15 – AMENDING SECTION 3.10 OF THE PERSONNEL
AND PROCEDURES MANUAL FOR THE CITY OF SPRINGDALE, ARKANSAS
(USE OF ALCOHOL AND TOBACCO)

Gina Lewis, Human Resource Director, presented a Resolution amending Section 3.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas, which contains the policy on the use of alcohol and tobacco.

The amendment states: Tobacco products of any kind, including e-cigarettes, are prohibited in any City owned building, vehicle, and within view of the public.

No additional breaks beyond those allowed under department policy may be taken for the purpose of using tobacco products. Employees may smoke, or use tobacco products, outside, away from building entrances and out of view of the public during breaks.

That which is underscored is added; that which is stricken through is deleted.

RESOLUTION NO. _____

**A RESOLUTION AMENDING SECTION 3.10 OF
THE PERSONNEL AND PROCEDURES MANUAL
FOR THE CITY OF SPRINGDALE, ARKANSAS**

WHEREAS, Section 3.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas, contains the policy on the use of alcohol and tobacco;

WHEREAS, the policy on the use of alcohol and tobacco is in need of revision and clarification;

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

Section 1: Section 3.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas is hereby amended to read as follows:

3.10 Use of Alcohol and Tobacco:

The consumption of alcohol or other intoxicants is prohibited while an employee is on duty, unless it is required as part of the job, such as a police assignment. Employees are not to consume intoxicants while off duty to such a degree that it interferes with or impairs the performance of his or her duties. Employees involved in any unauthorized presence of alcohol on City property or report to work with unacceptable blood alcohol concentration (BAC) levels as set out in this policy, will be subject to disciplinary action, including discharge.

"Reasonable suspicion" shall be defined in this policy the same as Policy 3.12. In the event there is reasonable suspicion to believe that an employee's job performance may be impaired by alcohol, the employee's supervisor shall question the employee with regard to their behavior. The supervisor should directly observe the employee's behavior and document the behavior.

Indications of impaired behavior include, but are not limited to the following: staggering or irregular gait, the odor of alcohol on the breath, slurred speech, dilated or constricted pupils, inattentiveness, listlessness, hyperactivity, performance problems, illogical speech and thought processes, poor judgment, or unusual or abnormal behavior.

When possible, a second managerial employee shall also observe the employee to verify that there is reasonable suspicion to believe that alcohol consumption may be involved. A determination shall be made as to whether or not the employee's behavior is impaired to the point of being unable to perform his duties effectively and safely. The employee shall

be relieved of his/her duties and placed on a suspension with pay status until a clear determination can be made as to the abuse or non-abuse of alcohol.

In the event there is reasonable suspicion to believe that alcohol consumption is involved, the supervisor or appropriate manager shall have an alcohol test administered. Refusal of an employee to take the test(s) shall result in immediate discharge. The test(s) must be conducted within a reasonable time period after the observation of the problem behavior.

If the behavior that led to the initial investigation is not due to alcohol abuse, but the employee's job performance is hindered, the City may require a drug test or may require the employee to undergo a medical evaluation. Where appropriate, a signed physician's release may be required by the employer before the employee returns to work. Time lost due to an illness (not alcohol abuse or substance abuse) will be charged to sick leave.

If a law enforcement officer or firefighter reports for duty or is on duty, their BAC level shall not be .02% or above. The prohibited BAC levels for persons holding positions requiring commercial driver's licenses are set by policy in Appendix A, which is incorporated herein by reference. The prohibited BAC levels for certain other employees within the Springdale Street Department are set by the policy in Appendix C, which is incorporated herein by reference. All other employees shall not report for work or be on duty with a BAC level of .04% or above. Depending on the circumstances, if it is determined that immediate discharge is not warranted, the employee may be placed in an unpaid rehabilitation leave status. However, the department head shall consult with the Mayor and Personnel Officer before this decision is made and discharge is the preferred action in cases where an employee reports to work or is working with unacceptable BAC levels as set out in this policy.

Alcohol testing is done by testing breath, because it is the most easily obtained body substance and the results are known within minutes of testing. The weight of alcohol in the breath sample is determined and the quantity of the alcohol converted to its equivalent value in blood. A BAC (blood alcohol concentration) of 0.10 means one-tenth of a gram of alcohol per 210 liters of breath.

The alcohol testing will be done in a site that affords privacy to the employee being tested. This site could be a room, van, or a partitioned off area. Only one breath test will be done at one time. The person giving the test will not leave the testing site during the test.

The testing device for alcohol testing is called an Evidential Breath Testing device (EBT). The EBT is a scientific instrument which determines the concentration of alcohol expressed as "percent by weight." The first part of the testing process is to make sure the EBT is operating properly. In the employee's presence, the technician runs an "air blank" test to make sure the EBT is working correctly and the reading is zero. Next a sealed mouth piece is opened and placed into the EBT. In order to get a sufficient quantity of deep lung air, the employee is requested to blow into the mouth piece for at least six seconds, or until the EBT indicates that an adequate amount of breath has been obtained. The EBT will immediately read the results of the initial test.

When the initial test results show a reading of equal or above the BAC level under the policy applicable to the particular employee, a confirmation test is necessary. Before the confirmation test, a 15 minute waiting period will be observed during which time the person being tested cannot leave the test site and may not eat, drink, or smoke during this period. The purpose of this 15 minute waiting period is to ensure that the presence of mouth alcohol from recent use of food, tobacco, or hygiene products does not artificially raise the test result.

When the confirmation result is different from the initial test, the lower of the two test results will be used to determine the consequences. A breath alcohol testing form will be prepared with a copy provided to the tested employee.

In regard to the testing device, it is permissible under this policy to use a test of a law

enforcement agency provided the testing device and the operator are certified by the Arkansas Department of Health. If a law enforcement agency performs any BAC tests (breath, blood or otherwise) as part of a criminal investigation of an employee, the results of such test(s) may be used by the City in determining if any policies, procedures, or rules of the City or of the employee's department have been violated. If such BAC test is administered pursuant to a criminal investigation by the law enforcement agency, a second test is not required by this policy.

Each department head or supervisor may establish tobacco use policies for his or her departmental employees, so long as they do not conflict with City policy or Order of the Mayor. Tobacco products of any kind, including e-cigarettes, are prohibited in any City owned building, vehicle, and within view of the public.

No additional breaks beyond those allowed under department policy may be taken for the purpose of using tobacco products. Employees may smoke, or use tobacco products, outside, away from building entrances and out of view of the public during breaks.

Section 2: All other provisions of Section 3 of the Personnel and Procedures Manual for the City of Springdale, Arkansas, not specifically modified herein shall remain in full force and effect.

PASSED AND APPROVED, this ____ day of October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 105-15.

ORDINANCE NO. 4965- ACCEPTING THE REPLAT OF LOTS 2B AND 2C-1 OF WESTFIELD SUBDIVISION OF THE CITY OF SPRINGDALE, ARKANSAS

Planning Director Patsy Christie presented an Ordinance accepting the Replat of Lots 2B and 2C-1 of Westfield Subdivision of the City of Springdale, Arkansas.

Planning Commission recommended approval at their meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4965.

TABLED – PROPOSED ORDINANCE ORDERING THE RAZING AND REMOVAL OF 512 CAUDLE AVENUE, SPRINGDALE, ARKANSAS

City Attorney Ernest Cate presented an Ordinance ordering the razing and removal of a residential structure located at 512 Caudle Avenue, Springdale, Arkansas.

Chief Building Inspector Tom Evers reported the property owner, Timothy Hill, has made substantial progress on repairing the house. In July he was given 90 days to make repairs. He feels like he could finish the work within the next month.

Alderman Reed made the motion to table the ordinance for 60 days until December 8, 2015. Alderman Lawson made the second.

The vote:

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

No: None

RESOLUTION NO. 106-15 – TO LEVY WASHINGTON COUNTY AD VALOREM TAXES FOR THE CITY OF SPRINGDALE, ARKANSAS

City Attorney Ernest Cate presented a Resolution to levy Washington County Ad Valorem taxes for the City of Springdale, Arkansas.

RESOLUTION NO. _____

A RESOLUTION TO LEVY WASHINGTON COUNTY AD VALOREM TAXES OF THE CITY OF SPRINGDALE, ARKANSAS.

WHEREAS, governing bodies of the municipalities of the State of Arkansas are required by law to levy ad valorem taxes at their regular meeting in October of each year; and,

WHEREAS, certain levies are needed to properly finance the operation of the City of Springdale, Arkansas.

WHEREAS, all property taxes and voluntary taxes will be collected by the Tax Collector of Washington County.

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

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SECTION 1: That the following levies be approved for collection in the year 2016 and that copies of this Resolution be sent to the County Clerk and Tax Collector of Washington County.

The 2015 property tax levy to be collected by the Washington County Tax Collector are as follows:

	REAL ESTATE	PERSONAL PROPERTY
GENERAL FUND	.0047	.0047
FIREMEN'S PENSION	.0005	.0005
POLICEMEN'S PENSION	.0005	.0005
TOTAL	<u>.0057</u>	<u>.0057</u>

SECTION 2: The 2015 voluntary taxes to be collected by the City Clerk are as follows:

	REAL ESTATE	PERSONAL PROPERTY
CITY FIRE FUND	.0015	.0015
LIBRARY	.001	.001
TOTAL	<u>.0025</u>	<u>.0025</u>

SECTION 3: The voluntary taxes will be printed in the Washington County Tax Collector's office and shall be billed and collected by the Washington County Tax Collector's office.

PASSED AND APPROVED this ____ day of October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 106-15.

RESOLUTION NO. 107-15 – TO LEVY BENTON COUNTY AD VALOREM TAXES
FOR THE CITY OF SPRINGDALE, ARKANSAS

City Attorney Ernest Cate presented a Resolution to levy Benton County Ad Valorem taxes for the City of Springdale, Arkansas.

RESOLUTION NO. ____

**A RESOLUTION TO LEVY BENTON COUNTY AD
VALOREM TAXES OF THE CITY OF
SPRINGDALE, ARKANSAS.**

WHEREAS, governing bodies of the municipalities of the State of Arkansas are required by law to levy ad valorem taxes at their regular meeting in October of each year; and,

WHEREAS, certain levies are needed to properly finance the operation of the City of Springdale, Arkansas.

WHEREAS, all property taxes except for voluntary taxes will be collected by the County Clerk and Tax Collector of Benton County. All voluntary taxes will be collected by the City Clerk/Treasurer.

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

SECTION 1: That the following levies be approved for collection in the year 2016 and that copies of this Resolution be sent to the County Clerk and Tax Collector of Benton County.

The 2015 property tax levy to be collected by the Benton County Tax Collector are as follows:

	REAL ESTATE	PERSONAL PROPERTY
GENERAL FUND	.0047	.0047
FIREMEN'S PENSION	.0005	.0005
POLICEMEN'S PENSION	.0005	.0005
TOTAL	<u>.0057</u>	<u>.0057</u>

SECTION 2: The 2015 voluntary taxes to be collected by the City Clerk are as follows:

	REAL ESTATE	PERSONAL PROPERTY
CITY FIRE FUND	.0015	.0015
LIBRARY	.001	.001
TOTAL	<u>.0025</u>	<u>.0025</u>

SECTION 3: The voluntary taxes will be printed by the City Clerk's office for those residents of Springdale, Arkansas, and shall be billed and collected by the City Clerk's office for the City of Springdale, Arkansas.

PASSED AND APPROVED this ____ day of October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 107-15.

ORDINANCE NO. 4966 – 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:

446 Angel Falls Ln. (#815-37880-000)
1202 Davis Ave. (#815-27977-000)
517 Mt. View Ave. (#815-26159-000)
932 Palisades Ave. (#815-34841-000)
Lot on North Pleasant (#815-27989-000)
1140 N. West End St. (#815-25628-000)
2906 Westmoreland Ave. (#815-20280-000)
3103 Willow Bend Circle (#815-35264-000)

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4966.

ORDINANCE NO. 4967 – 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, BENTON 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, Benton County, Arkansas:

3135 Arrow Place (#21-01168-000)
5743 Cord Ave. (#21-01736-000)
1599 Coventry Cv. (#21-00844-000)
2626 Secretariat Ave. (#21-01089-000)

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

A gentleman was present representing his daughter Tonya Crittenden who owns the property at 5743 Cord Avenue. He said when this clean-up was made the property was owned by US Bank.

City Attorney Cate explained this sometimes happens when the transfer of property takes place. US Bank failed to notify the owner of the lien. The property owner can go back to the bank and request that they pay the lien so the title can be cleared up. He offered to help them get any documentation they would need when they contact US Bank.

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4967.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:50 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer

RESOLUTION NO. _____

**A RESOLUTION MAKING APPOINTMENTS
TO THE SHILOH MUSEUM BOARD OF
TRUSTEES FOR THE CITY OF SPRINGDALE**

WHEREAS, upon recommendation of the Shiloh Museum Board of Trustees for the City of Springdale, the Mayor has recommended that the appointments listed below be made to the Shiloh Museum Board of Trustees with the terms and expirations dates noted;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the following individuals are hereby appointed to the Shiloh Museum Board of Trustees with the terms indicated:

<u>Name</u>	<u>Serving</u>	<u>Term</u>
Jovi Champaphanith	1 st year – 1 st Term	1/1/16 to 12/16
Sally Walker	1 st year – 1 st Term	1/1/16 to 12/16
Rubicely Hernandez	1 st year – 2 nd Term	1/1/16 to 12/17
Kathryn Birkhead	1 st year – 3 rd Term	1/1/16 to 12/18
Barbara McPhee	1 st year – 3 rd Term	1/1/16 to 12/18
Clifton Ruddick	1 st year – 3 rd Term	1/1/16 to 12/18

PASSED AND APPROVED this 27th day of October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE DESTRUCTION
OF OLD ACCOUNTING RECORDS**

WHEREAS, there is presently a shortage of storage space to maintain old records, and

WHEREAS, the storage of a large amount of paper accounting records could present a fire hazard, and

WHEREAS, the City Clerk/Treasurer has identified old accounting records to be destroyed, and

WHEREAS, Arkansas Code Ann. § 14-59-114 provides for the destruction of old accounting records with the permission of the City Council,

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

Section 1. The Mayor is hereby authorized to arrange for the destruction, by shredding, of the accounting records indicated on the attached affidavit, in accordance with Arkansas Code Ann. § 14-59-114.

PASSED AND APPROVED this 27th day of October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

CITY OF SPRINGDALE
RECORDS DESTRUCTION
AFFIDAVIT

The attached list of files correctly describes the accounting records being proposed for destruction to the City Council on October 27, 2015. They have been previously audited and will be destroyed by shredding upon approval.

Denise Pearce
Signature of City Employee

10-21-15
Date

B. Miller
Signature of City Council Member

10-21-15
Date

2015 RECORDS TO BE DESTROYED

BOX # DESCRIPTION

1. 2003-2004: FINANCE DIRECTOR'S AUDIT REPORT WORKPAPERS;
2. 2009-2010: 911 DISPATCH LISTS, 941 REPORTS, ADJRS REPORTS, AFLAC INVOICES, APERS REPORTS, DIRECT DEPOSIT CONFIRMATIONS, FLEX ONE REPORTS, ICMA TRANSFER CONFIRMATIONS, NATIONWIDE STATEMENTS & PAYMENT CONFIRMATIONS, OFFICE OF CHILD SUPPORT ENFORCEMENT REPORTS, PRE-PAID LEGAL INVOICES, UNITED WAY, USABLE LONG TERM DISABILITY INVOICES;

2007-2009: ARK BLUE CROSS CHANGES, DEPT OF LABOR REPORTS, SOUTHERN STATES INVOICES, US LIFE INVOICES, YEAR END CHECKLISTS;

GARNISHMENTS 2010; MISC PAYROLL ADJUSTMENTS 2010; PAYROLL PROJECTIONS 2008-2009; TALX 2009; TRANS AMERICA INVOICES 2008-2009; UNUM INVOICES 2008-2009
3. 2006: CASH POSTING JUL-AUG; REVENUE BUDGET REPORTS; ACCOUNTS RECEIVABLE CASH UPDATE JUL-DEC
4. 2006: GENERAL LEDGER TRANSACTION BATCHES; CASH POSTING LEDGERS SEPT-DEC
5. OPERATING FUND BANK STATEMENTS 2007-2009
6. PAYROLL REGISTERS & TIMESHEETS 10/30/09-11/13/09
7. PAYROLL REGISTERS & TIMESHEETS 08/07/09-09/04/09
8. PAYROLL REGISTERS & TIMESHEETS 01/09/09-02/06/09
9. 2009: BANK DRAWER – BANK STATEMENTS OTHER THAN OPERATING FUND AND SALES TAX FUND; AD VALOREM RECEIPTS; CASH RECEIPTS FOR BULDING INSPECTION, YOUTH CENTER AND FIRE DEPARTMENT; 2009 - 1099 MISCELLANEOUS AND 1099 S REPORTING FORMS.
10. BUSINESS LICENSE RECEIPTS 2009-2010
11. COURT REPORTS 2010

CITY OF SPRINGDALE
2015 RECORDS TO BE DESTROYED

12. CASH UPDATE REGISTERS 2007; JAN-JUNE 2006 MISC JOURNALS
13. BUSINESS LICENSE RECEIPTS 2008-2009
14. PAYROLL REGISTERS & TIMESHEETS 4/3/09-5/1/09
15. JULY 10, 2007-APRIL 2009; CITY COUNCIL AGENDA PACKETS
16. 2012 ACCOUNTS PAYABLE CHECK COPIES; PAYROLL AUDIT 2013
17. PAYROLL REGISTERS & TIME SHEETS 2/20/09-3/20/09
18. ACCOUNTS PAYABLE CHECK COPIES JAN 2013-FEB 2014
19. JOURNAL ENTRIES 2004-2006
20. 2005/2006: FIRE PENSION;POLICE PENSION; MUNICIPAL COURT; CITY GENERAL;
GENERAL LEDGERS & CHECK COPIES
21. 2006 GENERAL LEDGER MUNICIPAL COURT RETIREMENT; 2007 GENERAL LEDGER
FIREMEN'S/POLICE PENSION-GENERAL PENSION; 2008 DISTRICT COURT BANK
STATEMENTS
22. FEB 2009-NOV 2009 MONTH END REGISTERS
23. PAYROLL REGISTERS & TIMESHEETS 12/11/09-12/23/09
24. 2009 CITY COUNCIL YEAR END PAYROLL REGISTERS; 2008-2009 HOLIDAY & SICK LEAVE
BONUS CHECK REGISTERS; QUARTER END REGISTERS (MAR, JUN, SEPT 2009); CID
CLOTHING ALLOWANCE REGISTERS 2007-2009
25. PAYROLL REGISTERS & TIMESHEETS 06/26/09-07/24/09
26. 2006 ACCOUNTS RECEIVABLE REGISTERS
27. PAYROLL REGISTERS & TIMESHEETS 05/29/09-06/12/09
28. OPERATING FUND CHECK COPIES - JANUARY 2009-MARCH 2010
29. PAYROLL REGISTERS & TIMESHEETS 10/2/09-10/16/09
30. 2005-2010 ACCOUNTS RECEIVABLE

CITY OF SPRINGDALE
2015 RECORDS TO BE DESTROYED

31. **2007** ACCOUNTS RECEIVABLE RECEIPTS "P-Z"
32. **2010** ACCOUNTS PAYABLE INVOICES "SHER-WE"
33. **2010** ACCOUNTS PAYABLE INVOICES "FI-L3"
34. **2007** ACCOUNTS PAYABLE REPORTS
35. **2010** ACCOUNTS PAYABLE INVOICES "A-B"
36. **2007** BANK DRAWER - BANK STATEMENTS OTHER THAN OPERATING FUND AND SALES TAX FUND; AD VALOREM RECEIPTS; CASH RECEIPTS FOR BUILDING INSPECTION, YOUTH CENTER AND FIRE DEPARTMENT; 2007 - 1099 MISCELLANEOUS AND 1099 S REPORTING FORMS.
37. **2010** ACCOUNTS RECEIVABLE RECEIPTS; POLICE BOND SEPT-DEC; TO XEROX COPIES
38. **2010** ACCOUNTS RECEIVABLE RECEIPTS ; A-POLICE BOND JULY – AUG
39. **2010** ACCOUNTS PAYABLE REPORTS
40. **2010** ACCOUNTS PAYABLE INVOICES "M-SH"
41. **2007** ACCOUNTS PAYABLE REPORTS & COURT REPORTS
42. **2010** ACCOUNTS PAYABLE INVOICES "WH-3M"; UTILITIES; AT&T-ARK WEST GAS
43. **2007** POLICE PENSION FUND; GENERAL LEDGER; IRS; STATE WH; SMITH & BARNEY & MERRIL LYNCH REPORTS; BANK STMTS-RECEIPTS
44. **2010** ACCOUNTS PAYABLE INVOICES "C-FI"

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A PROPERTY TRANSFER AGREEMENT FOR DEVELOPMENT OF A PUBLIC CONSERVATION EDUCATION FACILITY WITH OUTDOOR NATURE AND RECREATION AREAS

WHEREAS, the City has engaged in development of a comprehensive master plan that calls for the development of public educational facilities, parks, and outdoor nature and recreation areas to serve families, strengthen the community, and benefit the citizens of the City of Springdale, Arkansas;

WHEREAS, certain City properties are appropriate for the location of a public conservation education facility with outdoor nature and recreation areas, and the construction, operation, and maintenance of such a facility is anticipated by City planning and is desirable;

WHEREAS, the Arkansas Game and Fish Commission has expressed an interest in developing a Northwest Arkansas Education Center within the boundaries of Springdale that could be managed by the Arkansas Game and Fish Commission as a public conservation education facility along with an optional regional office;

WHEREAS, the Northwest Arkansas Education Center will be located on the "Razorback Gateway Trails" segment which is a 2.2 mile concrete path that acts as a spur off the Razorback Greenway connecting the recently opened mountain bike trail west of the Lake Springdale Trailhead to an second mountain bike trail to be constructed on a wooded and mountainous tract of land that is anticipated will accommodate seven miles of soft surfaces trails;

WHEREAS, the Arkansas Game and Fish Commission wishes to obtain from the City of Springdale the property needed for the development of its Northwest Arkansas Education Center, and in exchange for the City conveying ownership of the property, the Arkansas Game and Fish Commission will commit to fully constructing and operating a conservation education facility with outdoor nature and recreation areas that will be open to the general public and will provide the City of Springdale and

surrounding vicinity certain public advantages, including increased quality of life through educational and recreational opportunities and additional tourism and economic stimulus;

WHEREAS, the Arkansas Game and Fish Commission and the City wish to enter into the Agreement attached hereto as Exhibit "A" and incorporated herein by reference;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are authorized to execute the agreement, attached as Exhibit "A" hereto, with the Arkansas Game and Fish Commission, for the purposes of conveying ownership of City property described therein to the Arkansas Game and Fish Commission for the development of a public conservation education facility with outdoor nature and recreation areas.

PASSED AND APPROVED this ____ day of _____, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

**AGREEMENT
BETWEEN THE
CITY OF SPRINGDALE, ARKANSAS
AND THE
SPRINGDALE WATER AND SEWER COMMISSION
AND THE
ARKANSAS STATE GAME AND FISH COMMISSION**

THIS AGREEMENT is made and entered into on the ____ day of November 2015, between the **CITY OF SPRINGDALE, ARKANSAS**, a municipal corporation duly organized and with its corporate limits in both Benton and Washington Counties, Arkansas, acting by and through its Mayor, Doug Sprouse, under authority of Ark. Code Ann. § 14-54-302 and pursuant to approval granted by its City Council, whose address is City Administration Building, 201 Spring Street, Springdale, AR 72764 (hereafter referred to as the "City"), and the **SPRINGDALE WATER AND SEWER COMMISSION**, a municipal subdivision of the City of Springdale, Arkansas, acting by and through its Chairman, Chris Weiser, under authority of Ark. Code Ann. §§ 14-201-101, *et seq.*, Ark. Code Ann. §§ 14-234-301 *et seq.*, and/or Ark. Code Ann. §§ 14-235-201 *et seq.* and pursuant to approval granted by its Board of Commissioners, whose address is 526 Oak Avenue, Springdale, AR 72764 (hereafter referred to as the "SWSC"), and the **ARKANSAS STATE GAME AND FISH COMMISSION**, a constitutional agency of the State of Arkansas, acting by and through its Director, Mike Knoedl, under authority of Amendment 35 to the Constitution of Arkansas and pursuant to approval granted by its Board of Commissioners, whose address is 2 Natural Resources Dr., Little Rock, AR 72205 (hereafter referred to as the "AGFC").

WHEREAS, the AGFC is interested in acquiring an optimum location in Benton County, Arkansas for future construction of the AGFC's Northwest Arkansas Education Center, and also possibly a Regional Office, and desires to have the site ready for construction in 2016; and

WHEREAS, SWSC is the owner of three adjoining tracts of land in Benton County, sometimes referred to collectively as the "Wagon Wheel Property," which total approximately 61 acres and would serve as an ideal location for development of a conservation education facility with ample outdoor recreational opportunities and also would allow sufficient acreage for locating a combined or separate regional office facility; and

WHEREAS, the City and SWSC have expressed interest in partnering with the AGFC to provide, at minimal cost to AGFC, the Wagon Wheel Property for siting AGFC's Northwest Arkansas Education Center and possible Regional Office, for purposes of, among others, providing additional tourism and economic stimulus for the City of Springdale and surrounding vicinity, and other public advantages.

NOW, THEREFORE, for and in consideration of the mutual benefits and promises stated herein, as well as other good and valuable consideration, the parties hereby represent, covenant, and agree as follows:

1. Consideration.

a. In consideration for its receipt of the public advantages described herein, other good and valuable consideration, and upon satisfaction of the terms and conditions of this Agreement, the City shall convey to AGFC via General Warranty Deed(s) the following tracts of land:

- i. Tract 1 - approximately 3.2 acres of land in Section 21, Township 18 North, Range 30 West of the 5th Principle Meridian, in Benton County, Arkansas, being more particularly described in **Exhibit "A"** attached hereto and incorporated herein ("the **Tract 1 Property**");
- ii. Tract 2 - approximately 20.07 acres of land in Section 21, Township 18 North, Range 30 West of the 5th Principle Meridian, in Benton County, Arkansas, being more particularly described in **Exhibit "B"** attached hereto and incorporated herein ("the **Tract 2 Property**"); and
- iii. Tract 3 - approximately 37.66 acres of land in Section 21, Township 18 North, Range 30 West of the 5th Principle Meridian, in Benton County, Arkansas, being more particularly described in **Exhibit "C"** attached hereto and incorporated herein ("the **Tract 3 Property**").

(sometimes referred to collectively as "the **Properties**").

b. In consideration for its receipt of the real estate described herein, AGFC shall build and operate its Northwest Arkansas Education Center, with the option to also construct a combined or separate Regional Office, on any one or more portions of the Properties, thereby providing the City of Springdale and surrounding vicinity certain public advantages, including increased quality of life through educational and recreational opportunities and additional tourism and economic stimulus. The combined Properties are shown on the site map as shown in **Exhibit "D"**, which is attached hereto and incorporated herein. A preliminary architectural plan showing the proposed development of the Properties is included in **Exhibit "E"**, which is attached hereto and incorporated herein. The Education Center will provide to the general public at no charge conservation education and recreational opportunities, including conservation education programming, indoor and outdoor classrooms, a fishing pond or ponds, archery, walking nature trails with interpretative signs, outdoor pavilion, watchable wildlife viewing area, and other amenities associated with an education center, and is expected to attract visitors from the Northwest Arkansas Metropolitan Area as well as parts of Missouri and Oklahoma (approximately 485,000 people of all ages within a one-hour service area). It is estimated that the Education Center will be able to serve a student population (ages 5 to 17) numbering more than 91,000 within a one-hour service area. A Regional Office, if constructed, will serve as offices for AGFC Enforcement, Fisheries, Operations, Wildlife Management, and/or Construction/Engineering/Real Estate personnel. In addition to providing for local employment opportunities, these multi-million dollar facilities will provide various services for the general public, including sales of recreational licenses and permits, plus information and assistance about boating, fishing, hunting, trapping, and wildlife observation and photography opportunities, as well as assistance to private landowners for habitat management, stream protection, and other natural resources conservation and management.

c. In the event AGFC should cease using the combined Properties for the purpose of constructing and operating an education facility that serves the public, then the Properties, including all permanent improvements and appurtenant structures, if any, thereupon, shall revert to the City. In turn, the occurrence of such event shall cause the Properties to revert from the City to SWSC as the original owner/grantor. The parties agree to execute and file such document as may be necessary to effectuate the reversion if the event described above should occur.

2. **Closing.** The consummation of the transaction contemplated herein (“the Closing”) shall take place and possession of the premises for the Properties shall be delivered at a mutually-agreeable time and place on or before **November 30, 2015** (“the Closing Date”), unless such requirement is waived in writing by both parties and a new date substituted therefore.

3. **Deeds of Conveyance.**

a. Prior to the Closing, SWSC shall convey the Tract 1, Tract 2, and Tract 3 Properties to the City by one or more General Warranty Deeds, which deed(s) shall contain a reverter clause incorporating the condition stated in Paragraph 1. **ec.** hereinabove and shall also reserve unto itself the necessary easement(s) for access to adjacent property owned by SWSC and for the maintenance, replacement or expansion of its existing water and sewer lines. The language and legal description of those easements are attached hereto as Exhibit “F”. AGFC specifically acknowledges that such easements shall not be an impediment to the plans or intended use by AGFC of the Properties.

b. At the Closing, the City shall execute and deliver to AGFC one or more General Warranty Deeds in the name of the “Arkansas State Game and Fish Commission,” conveying good and merchantable title to the Tract 1, Tract 2, and Tract 3 Properties free of all liens, encumbrances, rights, conditions and easements, except it shall be subject to all recorded restrictions and easements, if any, as well as the easement described in Paragraph 3.a. Each deed shall contain a reverter clause incorporating the condition stated in Paragraph 1. **ec.** hereinabove.

4. **Title/Other Contingencies.** AGFC’s performance is contingent upon the Tract 1, Tract 2, and Tract 3 Properties (as described in Exhibits “A”, “B”, and “C” respectively) being conveyed to AGFC having merchantable title and being insurable by a reputable title insurance company licensed to do business in the State of Arkansas. The City and SWSC shall furnish to AGFC, at AGFC’s expense, current title commitments (the “Commitments”) for the issuance of standard owner’s title insurance policies issued by a title insurance company acceptable to AGFC. The title insurance agent shall be licensed in accordance with Arkansas law. The Commitments shall contain full and complete legal descriptions of the Properties, commit to insure amounts equal to their appraised values, and name AGFC as the proposed insured. The City and SWSC shall deliver to AGFC the Commitments, together with underlying title documents in the chain of title to the Properties, sufficiently far enough in advance of the Closing to allow AGFC to inspect the Commitments and obtain opinions of title from its legal counsel. Written notice by AGFC of unmerchantability of title or of any other unsatisfactory title condition shown by the Commitments or surveys shall be signed by or on behalf of AGFC and given to the City and SWSC prior to the Closing. Upon receipt of such notice, the City and

SWSC will be afforded ten (10) days to cure said unsatisfactory title conditions(s) but they will not be obligated to do so. If the City and SWSC are unable or unwilling to do so prior to the Closing, AGFC may, at its option, agree to extend the Closing Date to allow the City and SWSC additional time to cure; terminate this Agreement; or elect to take the Properties with said unsatisfactory title conditions(s).

5. Surveys and Access to Properties.

a. The City and SWSC are not obligated to pay for any new boundary surveys of the Properties. Upon AGFC's request, the City and SWSC will provide AGFC with copies of any existing boundary surveys in their possession upon the parties' execution of this Agreement.

b. With at least five (5) days advance notice to the City and SWSC, AGFC and its representatives and agents may enter upon any or all of the Tract 1, Tract 2, and Tract 3 Properties at reasonable times to survey the properties in anticipation of the conveyances contemplated hereunder.

6. Environmental Representations and Warranties. The City and SWSC, jointly, hereby represent and warrant to AGFC to the best of their knowledge that no hazardous substances or toxic wastes have been used, stored, processed, disposed of, or deposited in or on the property during the period that they have owned the Properties (other than normal use of farm chemicals according to applicable laws and label instructions), and there has been no notice of any claim or violation of any law or regulation having to do with environmental protection as it relates to such properties.

7. Environmental Evaluations.

a. With no less than five (5) days advance notice to the City and SWSC, AGFC or its representatives may enter upon any or all of the Tract 1, Tract 2, and Tract 3 Properties to perform environmental evaluations, including Phase I and/or Phase II assessments and/or geotechnical engineering studies, and to verify compliance with applicable environmental laws, ordinances, and regulations. The City and SWSC, by their execution of this Agreement, herewith grant permission to AGFC, its agents and representatives, and any independent contractor selected by AGFC to enter upon the Properties for the purposes enumerated in this paragraph and paragraph 6 above. The City and SWSC hereby authorize all governmental agencies and authorities to release to AGFC's employees or representatives all information in their files regarding the Properties. All such work and studies shall be at the sole cost and expense of AGFC and shall be nondestructive. AGFC shall notify the City and SWSC at least five (5) business days in advance of any proposed soil or groundwater testing, and shall conduct only such soil or groundwater testing as approved by the City and SWSC, which approval shall not be unreasonably withheld. AGFC shall leave the Properties in good condition and repair upon completion of any tests, studies, and entry pursuant to this paragraph, and upon request by the City and SWSC, AGFC shall restore the Properties to their condition immediately preceding any such tests, studies, or entry. Notwithstanding the foregoing, if AGFC, its agents, representatives, or independent contractors, bore holes into the surface or subsurface of any or all of the Tract 1, Tract 2, and Tract 3 Properties or otherwise disturb the surface or subsurface of

the Properties, the City and SWSC shall not be required to request that the properties be restored, but AGFC, its agents, representatives, and independent contractors shall restore as soon as practicable the Properties to their condition immediately preceding any such disturbance. AGFC shall keep the Properties free from liens relating to or arising out of any tests, studies, or entry by AGFC pursuant to this paragraph.

b. In the event AGFC's Environmental Evaluations reveal an adverse environmental or geotechnical condition existing upon any or all of the Tract 1, Tract 2, and Tract 3 Properties that materially changes the character or the value of any of the properties, AGFC shall have the right and option to terminate this Agreement by written notice to the City and SWSC given not more than twenty (20) days after AGFC's receipt of the written Environmental Evaluations.

8. Appraisals. The parties acknowledge that the Properties will be appraised prior to the Closing at AGFC's expense by a state-certified general land appraiser, and the parties agree to accept the appraised values assigned to the Properties by such appraiser for purposes of this transaction.

9. No Mineral Reservations. The conveyances from the City and SWSC to AGFC shall not except and/or reserve any oil, gas or other minerals of similar or dissimilar nature situated in, on, or under the properties to be exchanged.

10. Prorations and Expenses.

a. All real estate ad valorem taxes and annual special charges for prior years and those due for the calendar year of closing for the Properties shall be paid by the City, SWSC, or the responsible party therefor. All real estate ad valorem taxes and annual special charges for the calendar year of closing shall be prorated as of the Closing Date, and AGFC's pro rata share of taxes shall be paid to the City at the Closing.

b. AGFC shall pay the costs of title insurance that is required to be obtained as set forth in paragraph 4 above, deed recording and notary fees for the deeds of conveyance described in paragraph 3, and all closing costs.

11. Casualty Loss. The risk of loss or damage to the Tract 1, Tract 2, and Tract 3 Properties shall remain with the owner/grantor of the particular property until title is vested in AGFC. If, prior to the Closing, the value of any of the Tract 1, Tract 2, and Tract 3 Properties is materially impaired by fire, casualty, act of God or exercise of eminent domain powers, AGFC shall have the right to terminate this Agreement by giving written notice to the City and SWSC.

12. Real Estate Commission. AGFC, the City, and SWSC each represent to the others they have not dealt with a broker, agent, finder or other person in connection with the negotiation of this Agreement that might give rise to a claim for commission against any party or against the properties. AGFC, the City, and SWSC each hereby hold the others harmless from and against all claims, costs, or expenses resulting from the claims of any broker, agent, finder or other such person, claiming by, through or under its own acts or agreements.

13. Default. In the event of default by any party, the non-defaulting party or parties are entitled to all remedies provided at law or in equity, including the remedy of specific performance. The non-defaulting party or parties are also entitled to receive their costs of enforcement, including reasonable attorneys' fees, whether or not suit is brought. This Agreement shall be interpreted and construed according to the laws of the State of Arkansas.

14. Notices. Any notice required or permitted to be given hereunder shall be in writing and shall be deemed properly given on a date personally delivered by (1) messenger service or overnight courier service, or (2) facsimile transmission, or (3) three days after same is deposited with the United States Postal Service by registered or certified mail, postage prepaid, return receipt requested, to the parties at the following address or telecopy/facsimile numbers:

If to City: Doug Sprouse, Mayor
City of Springdale, Arkansas
201 Spring Street
Springdale, AR 72764
Fax: (479) 750-8114
dsprouse@SpringdaleAR.gov

With a copy to: Ernest B. Cate, City Attorney
City of Springdale, Arkansas
201 Spring Street
Springdale, AR 72764
Fax: (479) 750-4732
ecate@springdalear.gov

If to SWSC: Chris Weiser, Chairman
or
Heath Ward, Manager
Springdale Water & Sewer Commission
526 Oak Avenue
Springdale, AR 72764
Fax: (479) 750-4039
hward@springdalewater.com

With a copy to: Charles L. Harwell, Attorney
Cypert, Crouch, Clark & Harwell, PLLC
111 Holcomb Street
P.O. Box 1400
Springdale, AR 72765-1400
Fax: (479) 751-5777
charwell@ccchlaw.com

If to AGFC: Mike Knoedl, Director
Arkansas Game and Fish Commission
2 Natural Resources Drive

Little Rock, AR 72205
Fax: (501) 223-6448
mike.knoedl@agfc.ar.gov

With a copy to: James F. Goodhart, General Counsel
Arkansas Game and Fish Commission
2 Natural Resources Drive
Little Rock, AR 72205
Fax: (501) 223-6463
james.goodhart@agfc.ar.gov

15. Time. Time is of the essence of this Agreement and whenever a date or time is set forth herein, the same forms a part of the consideration for this Agreement.

16. Possession. Possession of the Properties shall be delivered to AGFC on the Closing Date.

17. Attached Fixtures and Equipment. Unless specifically excluded herein, all improvements, permanent fixtures and appurtenant structures, if any, are included in the exchange and shall remain with properties conveyed.

18. Cooperation. Each of the parties shall perform all such other acts and things and execute such other and further documents as may be necessary to carry out the intent and purposes of this Agreement.

19. Complete Agreement. This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes in their entirety any and all written or oral agreements previously existing between the parties with respect to such subject matter.

20. Amendment. All changes, additions, or deletions hereto must be in writing and signed by all parties.

21. Assignment. No party to this Agreement shall assign its rights or interest hereunder without written consent of the other parties, which consent shall not be unreasonably withheld, conditioned or delayed.

22. Survival. If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.

23. Applicable Law. Any and all disputes under this Agreement shall be governed by the laws of the State of Arkansas and, with respect to any claim for monetary damages against AGFC, the appropriate venue shall be in the Arkansas State Claims Commission, Pulaski County, Arkansas.

24. Counterparts. This Agreement may be executed manually or by facsimile and in one or more counterparts, each of which when so executed shall be deemed to be an original but all of which taken together shall constitute one and the same agreement.

25. Authority. The persons signing this Agreement hereby represent and affirm that they have the full authority to bind the party on whose behalf they are signing. Signatures to this Agreement on behalf of the City of Springdale, Arkansas are authorized by action of the Springdale City Council meeting in regular session on October 27, 2015, as evidenced by Ordinance No. _____. Signatures to this Agreement on behalf of the Springdale Water and Sewer Commission are authorized by action of the Springdale Water and Sewer Commission Board meeting in regular session on October 21, 2015, as evidenced by Resolution No. _____. Signatures to this Agreement on behalf of AGFC are authorized by action of the Arkansas Game and Fish Commission meeting in regular session on October 22, 2015, at Little Rock, Arkansas, as evidenced by Minute Order No. 15-_____.

IN WITNESS WHEREOF, the parties hereto set their hands and seals on the date found below their respective signatures.

CITY OF SPRINGDALE

**ARKANSAS STATE GAME AND FISH
COMMISSION**

BY: _____
DOUG SPROUSE
MAYOR

BY: _____
MIKE KNOEDL
DIRECTOR

DATE: _____

DATE: _____

ATTEST:

ATTEST:

DENISE PEARCE
CITY CLERK

APPROVED AS TO LEGAL FORM:

APPROVED AS TO LEGAL FORM:

ERNEST B. CATE
CITY ATTORNEY

JAMES F. GOODHART
GENERAL COUNSEL

**SPRINGDALE WATER AND SEWER
COMMISSION**

BY: _____
CHRIS WEISER
CHAIRMAN

DATE: _____

ATTEST:

PAUL LAWRENCE, SECRETARY

APPROVED AS TO LEGAL FORM:

CHARLES L. HARWELL
COMMISSION ATTORNEY

EXHIBIT "A"

TRACT 1 PROPERTY

All that Part of the following described tract lying East of the Proposed right-of-way of relocated U.S. Highway 71: Part of the NW 1/4 of the SE 1/4 of Section 21, Township 18 North, Range 30 West, described as beginning at the SW corner of the said NW 1/4 of the SE 1/4, thence North 176 feet, thence East 1237 1/2 feet, thence South 176 feet, thence West 1237 1/2 feet to the place of beginning. Which tract is more particularly described as a part of the NW 1/4 of the SE 1/4 of Section 21, T-18-N, R-30-W described as beginning at a point which is N 89 degrees 39'52" W 82.5 feet from the SE corner of said 40 acre tract, said point also being S 89 degrees 39' 52" E 1241.25 feet from the SW corner of said 40 acre tract;thence N 0 degrees 12' 18" E 176.00 feet; thence N 89 degrees 39' 52" W 795.33 feet; thence along the Easterly right-of-way of U.S. Hy. No. 71 S 2degrees 34' 48" E 176.23 feet; thence along the South line of said NW 1/4 of the SE 1/4 S 89 degrees 39' 52" E 786.75 feet, to the point of beginning, containing 3.2 acres, more or less, Benton County, Arkansas.

and

The East 82.05 feet of the following 40 acre tract. A part of the NW 1/4 SE 1/4 of Section 21, Township 18 North Range 30 West in Benton County, Arkansas

EXHIBIT "B"

TRACT 2 PROPERTY

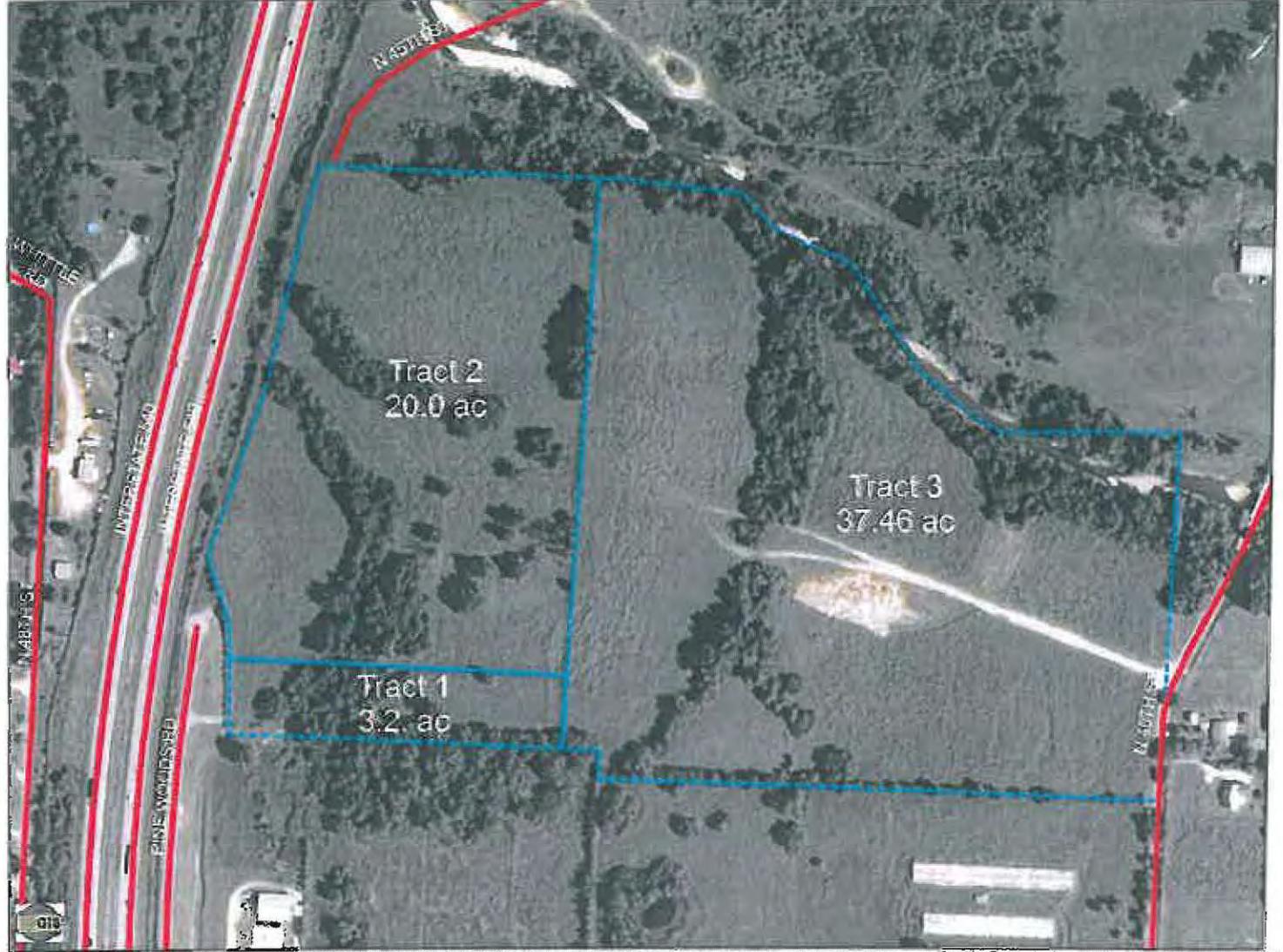
A part of the NW 1/4 of the SE 1/4 of Section 21, T-18-N, R-30-W described as beginning at a point which is N 89 degrees 45' 11" W 82.5 feet from the NE corner of said 40 acre tract; thence along the North line of said NW 1/4 of the SE 1/4 N 89 degrees 45' 11" W 647.41 feet; thence along the Easterly Right-of-way of U.S. Highway No. 71 S 17 degrees 22' 56" W 85.50 feet; thence S 10 degrees 38' 00" W 400.00 feet; thence S 14 degrees 55' 31" W 444.21 feet; thence S 20 degrees 23' 14" E 166.35 feet; thence S 2 degrees 34' 48" E 84.56 feet; thence leaving said Right-of-Way S 89 degrees 39' 52" E 795.33 feet to a point which is West 82.5 feet from the East line of said NW 1/4 of the SE 1/4; thence N 0 degrees 12' 18" E 1146.24 feet, to the point of beginning, containing 20.07 acres more or less, Benton County, Arkansas.

EXHIBIT "C"

TRACT 3 PROPERTY

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

EXHIBIT "D"



Document Path: Y:\GIS\Projects\Legal\JimGoodhart\2015NorthwestArkansasEducationCenterPresentation\Maps\NWArkansasFacilityBoundaries.mxd Map created by: ALB
Date: 10/12/2015

EXHIBIT "E"



EXHIBIT "F"

[Insert easement(s) for access to adjacent property owned by SWSC and for the maintenance, replacement or expansion of its existing water and sewer lines]

RESOLUTION NO. _____

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

WHEREAS, the Police Department has received funds that have not been appropriated for the sale of vehicles and insurance recovers; and

WHEREAS, the Police Chief has requested that some of these funds be appropriated for the purchase of new vehicles and related equipment;

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

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Proposed Budget</u>
Police	10105013920000	Sale of Capital Equipment	-0-	41,478		41,478
Police	10105013970000	Insurance Recoveries	-0-	46,683		46,683
Police	10105014218031	Vehicles	133,730	83,733		217,463
Police	10105014218032	Vehicle Equipment	76,530	4,428		80,958

PASSED AND APPROVED this 27th day of October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



CITY of SPRINGDALE

POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

To: Wyman Morgan
From: Chief Mike Peters
Date: 10/13/2015
Re: Transfer of insurance and vehicle auction money

Wyman,

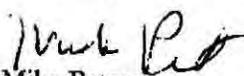
I am requesting that proceeds from vehicles we auctioned in 2015 along with insurance payment money in the amount of \$83,732.50 be moved to our vehicle purchase account, 101-0501-421-80-31. I also request \$4,427.26 be moved to our vehicle equipment account 101-0501-421-80-32.

We auctioned ten vehicles, along with a few miscellaneous auto parts, and after expenses received \$41,477.50. We also received insurance payment for motor vehicle crashes, including two vehicles that were total loss in the amount of \$46,682.76.

We request to use the money to purchase 5 Ford Fusion vehicles from the state bid at \$16,496.50 each, for a total of \$82,482.50. With the purchase of these vehicles we will not need to request any unmarked vehicles in the 2016 budget.

Auction of vehicles	\$41,477.50
Insurance money received	\$46,682.76
Total	\$88,160.26
Cost of 5 Fusions	\$82,482.50
Transportation cost \$250 each	\$1,250.00
Vehicle equipment lights & radios	\$4,427.76
Total Expense	\$88,160.26

Sincerely,


Mike Peters
Chief of Police

ADMINISTRATION BUILDING, 201 NORTH SPRING STREET, SPRINGDALE, ARKANSAS 72764
(479) 751-4542

CHIEF MIKE PETERS



CITY of SPRINGDALE

POLICE DEPARTMENT

ADMINISTRATIVE DIVISION

September 29, 2015

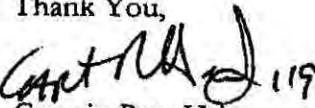
Chief Peters,

Below I have outlined the money that we received from the sale of several vehicles and other miscellaneous items, along with insurance money that we have received from damaged vehicles this year. Lastly, I have given the cost of one (1) 2016 Ford Fusion per state bid along with the cost to purchase five (5) new cars.

It should be noted that Farmers Insurance is in the process of sending us a check for \$14,822.33, which is the value of fleet 1106 less salvage value. As of today we have not received this check.

Attached is documentation for all the amounts listed below.

Sale of cars and misc. items	\$41,422.50
Insurance money received	\$46,682.76
Total	\$88,105.26
Cost of 1 Fusion	\$16,496.50
Total for 5	\$82,482.50
Transport costs	\$250 each
Total	\$83,732.50

Thank You,

Captain Ron Hritz

ADMINISTRATION BUILDING, 201 NORTH SPRING STREET, SPRINGDALE, ARKANSAS 72764
(479) 756-8200

PATROL DIVISION

Below is a copy of what I was sent by Sgt. Bell, for the settlement of fleet 1106. This amount has been included in the letter on top, but is not included in the total for insurance recoveries. This is due to the fact that the check is en-route.

The total insurance payment on fleet 1106 will be \$14822.33. They are going to also still consider loss of use but we will not know that amount for a while since it is handled separately for some reason.

GENERAL			
1.00-00	OTHER FINANCING SOURCES / INSURANCE RECOVERIES		
08/15	CR 08/31/15 0008882	MUNICIPAL LEAGUE CITYCLERK 08/31/15 01	3,217.88
08/15	CR 08/31/15 0008883	MUNICIPAL LEAGUE CITYCLERK 08/31/15 01	1,000.00
08/15	CR 08/06/15 0008166	MUNICIPAL LEAGUE CITYCLERK 08/06/15 01	5,022.00
06/15	CR 06/22/15 0006773	MUNICIPAL LEAGUE CITYCLERK 06/22/15 01	1,533.44
06/15	CR 06/22/15 0006774	MUNICIPAL LEAGUE CITYCLERK 06/22/15 01	925.56
05/15	CR 05/26/15 0006015	GEICO GENERAL INSURANCE CITYCLERK 05/26/15 01	4,856.35
05/15	CR 05/08/15 0005621	MUNICIPAL LEAGUE CITYCLERK 05/08/15 01	2,085.11
05/15	CR 05/05/15 0005493	EQUITY INSURANCE SARAHMA 05/05/15 01	939.34
04/15	CR 04/27/15 0005250	MUNICIPAL LEAGUE CITYCLERK 04/27/15 01	1,704.65
04/15	CR 04/27/15 0005251	MUNICIPAL LEAGUE CITYCLERK 04/27/15 01	2,198.19
04/15	CR 04/13/15 0004700	MUNICIPAL LEAGUE CITYCLERK 04/13/15 01	686.36
04/15	CR 04/02/15 0004222	AUTOMOBILE CLUB INT'L CITYCLERK 04/02/15 01	869.87
03/15	CR 03/30/15 0003953	MUNICIPAL LEAGUE CITYCLERK 03/30/15 01	875.30
03/15	CR 03/09/15 0001902	MUNICIPAL LEAGUE CITYCLERK 03/09/15 01	443.04
02/15	CR 02/23/15 0001393	MUNICIPAL LEAGUE CITYCLERK 02/23/15 01	5,503.34
02/15	AP 02/20/15 2013744	WISER COMPANY	646.04
	POLICE DAMAGE TO SEEBURG	ELEC BOX	
	ACCOUNT TOTAL		646.04 31,860.43

FUND TOTAL

646.04

31,860.43

GRAND TOTAL

646.04

31,860.43

Auct. Date	Auction #	Fleet #	Year	Make/Brand	Model/Desc	Color	VIN/Serial	Final Bid	Auction Fee	Collected	Date Del'd	Total Sales	Total Fees Ctd	Total Ctd (w/fee)
8/16/15	1423397	1017	2005	Mazda	Mazda 6	Silver	1YVHP84C755M30646	\$2,951.00	\$206.57	\$3,157.57	8/17/15	41,422.50	2,899.58	44,322.08
8/16/15	1423842	1214	2003	Nissan	Altima	Tan/Silver	1N4AL11D83C343215	\$2,901.00	\$203.07	\$3,104.07	8/17/15			
8/20/15	1426906	na		Hoist Fitness	Weight Machine		Z08042	\$27.00	\$1.89	\$28.89	8/25/15			
8/20/15	1426923	na		Ford Parts	4.6L Intcpr Motor		3G-112-AC	\$214.50	\$15.02	\$229.52	9/14/15			
8/23/15	1428712	2003	1998	GMC	Sierra 1500	Black	1GTEK19R8WES20563				8/27/15			
8/23/15	1428869	403	2004	Ford	Crown Victoria	Blue	2FAFP71W34X154331	\$1,775.00	\$124.25	\$1,899.25	8/25/15			
8/23/15	1429355	504	2005	Ford	Crown Victoria	Gray	2FAFP71W45X126913	\$1,804.00	\$126.28	\$1,930.28	8/25/15			
8/23/15	1429985	1217	1970	Ford	Mustang	Yellow	DT02H142018	\$9,100.00	\$637.00	\$9,737.00	10/11/15			
9/6/15	1434898	613	2004	GMC	Yukon	Maroon	1GKEC13Z54R193684				9/8/15			
Did not sell	1436999	na		Dub	Wheels	Chrome	Relisted Below 1444775							
9/13/15	1437857	1215	2007	Ford	Mustang	Black	1ZVFT82H275320529	\$13,100.00	\$917.00	\$14,017.00	9/18/15			
9/13/15	1442078	1218	2003	Harley Davidson	Fat Boy MC	White	1HD18XB173Y081077	\$6,600.00	\$462.00	\$7,062.00	9/18/15			
9/13/15	1442752	405	2004	Ford	Crown Victoria	Blue	2FAFP71W54X154332	\$2,430.00	\$170.10	\$2,600.10	9/15/15			
9/13/15	1443209	na		Ford Parts	Mustang Wheels	Chrome		\$250.00	\$17.50	\$267.50				
9/13/15	1444775	na		Dub	Wheels	Chrome		\$270.00	\$18.90	\$288.90	9/15/15			

removed for projection

removed for projection

added for projection

ITEM 3

TYPE ADA 10011613
4-Door Mid-Size Sedan

Dealer Name: NORTH POINT FORD 100052169

Vehicle Make/Model 2015 FORD FUSION

Model Code: SPACE SAVER

City MPG Estimate 22

Highway MPG Estimate 33

CO-OP Purchasing One Way Delivery Charge Per Mile \$1.75

VEHICLE BID PRICE \$16,496.50

Body & Chassis	Base Vehicle Minimum Requirements	Enter Vehicle Specification and Manufacturer Codes (Fill-in Unshaded Blanks Only)
4-Door Sedan	EPA Classified as Mid-Size or Larger	
Engine		
Engine Size (Horsepower)	169 hp - List Liter & Cylinders	2.5LITER 4CYL 175HP
Fuel Type	Gasoline	
Transmission		
Automatic Transmission	Automatic - List Type, Speeds etc.	6 SPEED AUTO
Electrical		
Alternator	Mfg. Std.	
Battery	Mfg. Std.	
Fuel Tank		
Fuel Capacity (Gals)	Mfg. Std. - List Amount in Gallons	16.5
Exterior		
Paint	One Color Paint	
License Plate Brackets	Front and Rear Brackets	
Windshield Washer	Windshield Washer & Multi-Speed Wipers	
Doors & Windows		
Doors	4 Side Doors	
Door Locks	Power Locks	
Windows	Power Windows	
Mirrors	Mfg. Std.	
Floor		
Floor Covering	Carpet	
Floor Mats	Mats Front & Rear	
Interior		
Air Conditioning	Front AC Factory Installed	
Radio	AM/FM Factory Installed	
Steering	Power Steering	
Tilt & Cruise	Tilt Steering Wheel & Cruise Control	
Seats		
Seating Capacity min.	5 Passenger	
Seats	Mfg. Std.	
Rear Seat	Cloth Bench Seat	
Safety		
Brakes	4 Wheel Anti-Lock - List Disc/Drums	4 WHEEL DISC AND ABS
Restraint System All Pass	Required	
Air Bags, Front, Both Sides	Required	
Tires & Wheels		
Tires & Wheels	Mfg. Std. - List Size	P215 60R-16
Spare	Mfg. Std. - List Size (Full or Space Saver)	SPACE SAVER
Warranty		
Bumper to Bumper Warranty	3 Years or 36,000 miles, whichever comes first	

RESOLUTION NO: _____

**A RESOLUTION APPROPRIATING CAPITAL
IMPROVEMENT FUNDS FOR DESIGN
ENGINEERING ON SOUTH 56TH STREET**

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

WHEREAS, Engineering Services, Inc. has been contracted with for design of this project, and;

WHEREAS, the City of Springdale will be responsible for \$70,496.95 of the design contract of \$503,549.63;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that \$70,496.95 of capital improvement funds is hereby appropriated for design of improvements to South 56th Street from Don Tyson Parkway to Johnson Mill Boulevard.

PASSED AND APPROVED this 27th day of October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION NO. _____

**A RESOLUTION SETTING A HEARING DATE ON A
PETITION TO VACATE A PORTION OF EAST MEADOW
AVENUE.**

WHEREAS, Poultry Growers, Inc., has petitioned for the abandonment of a portion of a dedicated public street, more commonly known as East Meadow Avenue, described as follows:

Beginning at the southeast corner of Washington County Parcel No. 815-20756-000; thence extending west along the existing north right-of-way line of East Meadow Avenue to a point immediately west of the existing railroad right-of-way; thence south across the existing right-of-way of East Meadow Avenue; thence east along the existing right-of-way line of East Meadow Avenue to the northeast corner of Washington County Parcel No. 815-20764-000, thence north across the existing right-of-way of East Meadow Avenue to the point of beginning. More particularly described on the attached Exhibit "A".

WHEREAS, the City Council for the City of Springdale, Arkansas, finds that a hearing date should be set on the petition pursuant to Ark. Code Ann. §14-301-301, *et seq.*;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that November 24, 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 October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

ORDINANCE NO. _____

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

WHEREAS, Jack C. Smith and Dorothy M. Smith, are the owners of certain real property situated in Springdale, Washington County, Arkansas, more particularly described as follows:

Part of the East half (E 1/2) of the Northwest quarter (NW 1/4) of Section Thirteen (13), Township Seventeen (17) North of Range Thirty (30) West, more particularly described as follows, to-wit: Beginning at the Southeast corner of said 20 acre tract, thence North 132 feet, thence West 660 feet, thence South 132 feet; thence East 660 feet to the point of beginning, and containing two (2) acres, more or less, subject to roadways and easements, if any.
Commonly known as 3984 Powell St., Springdale, Washington County, Arkansas
Tax Parcel No. 815-29339-240

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

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

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

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

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

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

Section 1. That the structure located a 3984 S. Powell St., Springdale, Arkansas, is dilapidated, unsightly, and unsafe; and it is in the best interests of the City of Springdale to proceed with the removal of this dilapidated, unsightly, and unsafe structure.

Section 2. That the owner is hereby ordered to raze (demolish) and remove the dilapidated, unsightly and unsafe structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be commenced within ten (10) days and shall be completed within thirty (30) days from the

passage of this ordinance. The manner of razing (demolishing) and removing said structure shall be to dismantle by hand or bulldoze and then dispose of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner consistent with the Property Maintenance Code, and all other state laws and regulations pertaining to the demolition or removal of residential structures.

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

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

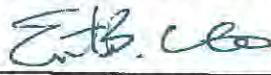
PASSED AND APPROVED this _____ day of October, 2015.

Doug Sprouse, MAYOR

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



Ernest B. Cate, CITY ATTORNEY



Office Of The City Attorney

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

ssparkman@springdalear.gov

September 9, 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 Belvederas
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Jack C. Smith and Dorothy M. Smith
3934 S. Powell St.
Springdale, AR 72764

United Bank
2600 S. Thompson St.
Springdale, AR 72764

Legacy National Bank
4055 W. Sunset Ave.
Springdale, AR 72762

RE: Property located at 3984 S. Powell St., Springdale, Washington
County, Arkansas,
Tax Parcel No. 815-29339-240

Dear Property Owners/Lienholders:

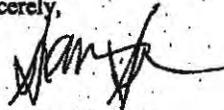
The Chief Building Inspector for the City of Springdale, Arkansas, has posted notice at 3984 S. Powell St., and has mailed notice in writing to you, via certified mail, that a structure located on property owned by you at 3984 S. Powell St., Springdale, Arkansas, was unsafe and could not be occupied until the property had been repaired. Furthermore, the owner was instructed to obtain a demolition or repair permit within thirty (30) days and to begin work within ten (10) days of obtaining the permit.

As of this date, you have taken no efforts to demolish or repair the structure on this property. As such, please be advised that the City Council for the City of Springdale will be reviewing the enclosed ordinance at a Committee Meeting that will take place at 5:30 p.m. on Monday, October 19, 2015, in the multi-purpose

room located on the second floor of the City Administration Building at 201 N. Spring Street, Springdale, Arkansas. Also, the enclosed ordinance will be placed on the Council Agenda to be considered on Tuesday, October 27, 2015. This meeting will take place in the Council chambers on the first floor of the City Administration Building. I strongly encourage you to attend these meeting.

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

Sincerely,



Sarah Sparkman
Deputy City Attorney

enclosure
SS:ch

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

SENDER COMPLETE THIS SECTION

- 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:

United Bank
2600 S. Thompson St.
Springdale, AR 72764

2. Article Number

(Transfer from service label)

PS Form 3811, July 2013

7034 1200 0003 0759 5000

Domestic Return Receipt

COMPLETE THIS SECTION IF DESIRED

A. Signature
[Signature]

B. Restricted Delivery? (Extra Fee) Yes No

C. Date of Delivery
7-11-13

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

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

4. Restricted Delivery? (Extra Fee) Yes No

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:

Legacy National Bank
4055 W. Sunset Ave.
Springdale, AR 72763

2. Article Number

(Transfer from service label)

PS Form 3811, July 2013

7034 1200 0001 0759 4997

Domestic Return Receipt

COMPLETE THIS SECTION IF DESIRED

A. Signature
[Signature]

B. Restricted Delivery? (Extra Fee) Yes No

C. Date of Delivery
7-11-13

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

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

4. Restricted Delivery? (Extra Fee) Yes No

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF SPRINGDALE, ARKANSAS, PURSUANT TO ARK. CODE ANN. §14-40-2002 (ACT 779 of 1999), AND MAKING A COMMITMENT TO PROVIDE MUNICIPAL SERVICES TO SAID PROPERTY AS REQUIRED BY ARK. CODE ANN. §14-40-2002 (ACT 779 of 1999).

WHEREAS, First Security Bank is the owner of the following real property currently located in Tontitown, Washington County, Arkansas, and which is contiguous to and adjacent to the City of Springdale, Arkansas ("the Property")(map attached hereto):

Part of the East Half of the Southeast Quarter of Section (6), Township Seventeen (17) North, Range Thirty (30) West, described as follows: Beginning at the Southeast corner of said 80 acre tract and running thence West 40.44 rods; thence North 88 rods; thence East 4.89 rods; thence North 72 rods; thence East 35.55 rods; thence South 160 rods to the place of beginning, containing 40.00 acres, more or less. **LESS AND EXCEPT:** part of the Northeast Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, more particularly described as starting at the Southwest Corner of the NE 1/4 of the SE 1/4 of Section 6; thence North 03°38'00" East, along the west line thereof, a distance of 1153.30 feet to a point on the Southerly existing right-of-way line of State Highway 68 (now 412); thence South 87°30'11" East, along said existing right-of-way line, a distance of 352.51 feet to a point; thence South 87°33'11" East, along said existing right-of-way line, a distance of 380.93 feet, for the point of beginning; thence continuing South 87°33'11" East along said right-of-way line, a distance of 579.42 feet to a point on the east line of the NE 1/4 of the SE 1/4 of Section 6; thence South 02°06'00" West, along said east line, a distance of 5.0 feet to a point on the southerly proposed right-of-way line of State Highway 68 (now 412); thence North 87°33'11" West, along said proposed right-of-way line, a distance of 194.24 feet to a point; thence South 86°44'10" West, along said proposed right-of-way line, a distance of 150.75 feet to a point; thence North 84°07'09" West, along said proposed right-of-way line, a distance of 235.83 feet to a point; thence North 03°38'00" East, a distance of 5.88 feet to the point of beginning, containing 0.14 acres, more or less. Also known as Washington County Parcel 830-37592-000.

WHEREAS, First Security Bank wishes to avail themselves of the detachment and annexation procedure contained in Ark. Code Ann. §14-40-2002, as they are seeking additional municipal services, namely adequate fire protection services to the Property, adequate police protection services to the Property, ambulance services to the Property, water and sewer services to the back 22.90 acre residentially zoned portion, and construction of a public road thereby permitting access to the back 22.90 acre residentially zoned portion of the Property;

WHEREAS, on August 22, 2014, pursuant to Ark. Code Ann. §14-40-2002, First Security Bank made demand upon the City of Tontitown to make a commitment to provide the aforementioned municipal services to the Property;

WHEREAS, on September 18, 2014, the City of Tontitown made a commitment to provide the requested additional services but thereafter failed to take substantial steps to provide the additional services requested in the time required by Ark. Code Ann. §14-40-2002, and the Circuit Court of Washington County, Arkansas, in case number CV 14-2304, has determined and ordered that the City of Tontitown has not complied with the provisions of Ark. Code Ann. §14-40-2002, and has not provided the requested municipal services to the Property as required by Ark. Code Ann. §14-40-2002;

WHEREAS, the City of Springdale, as annexing municipality pursuant to Ark. Code Ann. §14-40-2002, by the adoption of this Ordinance, does hereby commit to take substantial steps within 180 calendar days after the adoption of this Ordinance toward making the requested municipal services available to the Property, and within each 30 day period thereafter, to continue to take steps demonstrating a consistent commitment to provide the requested municipal services to the Property within a reasonable time; and,

WHEREAS, upon the City of Springdale making the commitment to provide the requested municipal services to the Property, First Security Bank now seeks approval of the request for detachment from the City of Tontitown and annexation into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-2002.

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

SECTION 1: The City of Springdale, Arkansas hereby makes a commitment to provide the requested municipal services to the Property, and to take substantial steps within one hundred eighty (180) days after the passage of this ordinance to make the services available and, within each thirty-day period thereafter, continue taking steps demonstrating a consistent commitment to make the additional services available within a reasonable time, as determined by the kind of services requested.

SECTION 2: Given the commitment made by the City of Springdale, Arkansas, to provide the requested services, the Property is therefore accepted for annexation into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-2002, and the Property shall hereafter be a part of the City of Springdale.

SECTION 3: The Property is hereby assigned to Ward ____ of the City of Springdale, Arkansas.

PASSED, ADOPTED, AND APPROVED this _____ day of _____,
2015.

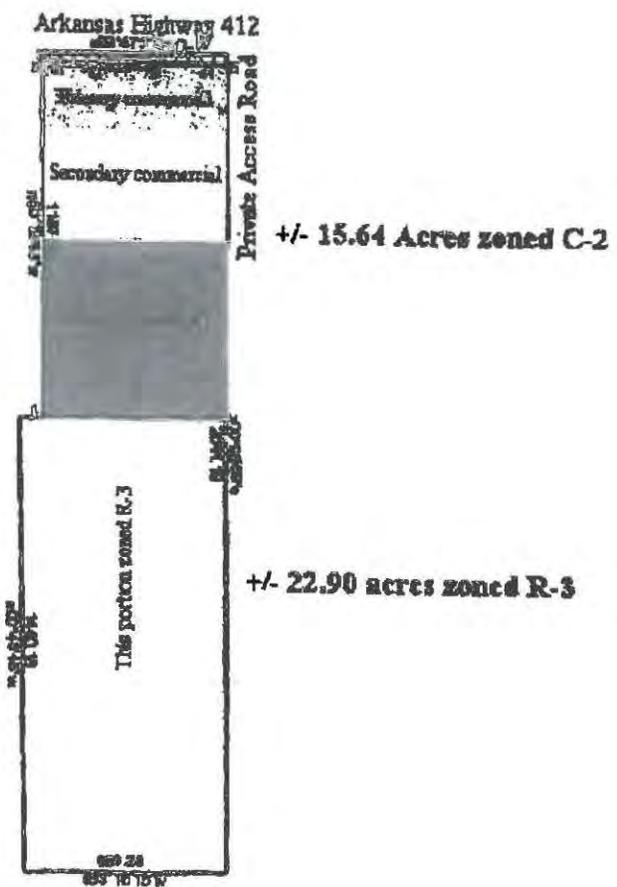
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

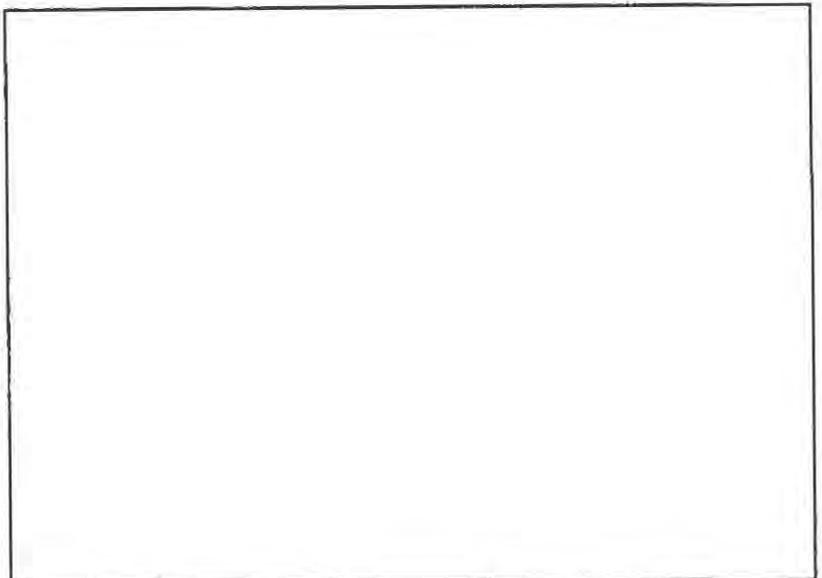
APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A STREET DEDICATION TO THE CITY OF SPRINGDALE, ARKANSAS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.



WHEREAS, First Security Bank is the owner of the tract of land described in the attached Exhibit "A";

WHEREAS, First Security Bank desires to dedicate the tract of land described in the attached Exhibit "A" to the City of Springdale, Arkansas, for use as a public street;

WHEREAS, the City of Springdale, Arkansas, wishes to accept this street dedication in order to better provide for the public welfare, safety, comfort, and convenience of the inhabitants of the City of Springdale, Arkansas, and shall be an extension of Jones Road south of State Highway 412;

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

Section 1: The City of Springdale, Arkansas, hereby accepts the street dedication, and also accepts the street in its current configuration, which is located entirely within the City of Springdale, Arkansas, and which is more specifically described in the attached Exhibit "A".

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Washington County, Arkansas, and recorded in the Deed records of the County.

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 B. Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK OF THE CITY OF SPRINGDALE TO ACCEPT A GIFT OF LAND FROM JAMES R. SKELTON AND BRENDA L. SKELTON.

WHEREAS, James R. Skelton and Brenda L. Skelton are desirous of making a gift of land to the City of Springdale, Arkansas, said land being more particularly described as follows:

PART OF THE SW 1/4 OF THE SW 1/4 OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID SW 1/4 OF THE SW 1/4; THENCE SOUTH 89 DEGREES 50'05" EAST 321.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 18 DEGREES 51'18" WEST 308.18 FEET; THENCE NORTH 81 DEGREES 12'20" EAST 448.83 FEET; THENCE NORTH 77 DEGREES 35'24" EAST 180.41 FEET; THENCE SOUTH 04 DEGREES 56'55" EAST 213.36 FEET; THENCE SOUTH 40 DEGREES 19'24" WEST 94.18 FEET; THENCE SOUTH 78 DEGREES 10'34" WEST 114.88 FEET; THENCE SOUTH 09 DEGREES 49'11" EAST 96.83 FEET; THENCE NORTH 89 DEGREES 50'05" WEST 389.72 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF PUMP STATION ROAD THAT RUNS THROUGH THE PROPERTY.

LESS AND EXCEPT:

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 89 DEGREES 50 MINUTES 05 SECONDS EAST 710.72 FEET, AND NORTH 09 DEGREES 49 MINUTES 11 SECONDS WEST 96.63 FEET, AND NORTH 78 DEGREES 09 MINUTES 41 SECONDS EAST 30.02 FROM THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 23 AND RUNNING THENCE NORTH 09 DEGREES 53 MINUTES 24 SECONDS WEST 267.97 ALONG THE EAST RIGHT-OF-WAY OF PUMP STATION ROAD, THENCE LEAVING SAID RIGHT-OF-WAY NORTH 77 DEGREES 35 MINUTES 24 SECONDS EAST 175.42 TO A FOUND IRON PIN, THENCE SOUTH 04 DEGREES 56 MINUTES 29 SECONDS EAST 213.41 TO A FOUND IRON PIN, THENCE SOUTH 40 DEGREES 19 MINUTES 34 SECONDS WEST 94.06 TO A FOUND IRON PIN, THENCE SOUTH 78 DEGREES 09 MINUTES 41 SECONDS WEST 84.60 TO THE POINT OF BEGINNING, AND BEING SHOWN AS TRACT B AND PLAT RECORD 2005 AT PAGE 721. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

And as shown on the attached Exhibit "A"

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk of the City of Springdale, Arkansas, accept the above described property from James R. Skelton and Brenda L. Skelton upon proof being provided that the above-described property will be transferred with good and clear title.

PASSED AND APPROVED this _____ day of _____, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney



RESOLUTION NO. _____

A RESOLUTION EXPRESSING SUPPORT FOR THE DEVELOPMENT OF AN ACCESS MANAGEMENT POLICY FOR THE HIGHWAY 265 (RANDALL WOBBE TO HIGHWAY 264) PROJECT JOB NO. 012007

WHEREAS, Highway 265 is an important north-south principal arterial through Springdale and Northwest Arkansas; and

WHEREAS, the City of Springdale recognizes that access management is an effective tool to maintain the safe and efficient operation of roadways, by preserving the ability to carry traffic, and desires that the plans for Highway 265 incorporate access management into the design of the facility.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby requests that the Mayor and staff work with AHTD in developing an access management policy for the Highway 265 (Randall Wobbe to Highway 264) Project, Job No. 012007.

PASSED AND APPROVED THIS ____ DAY OF _____, 2015.

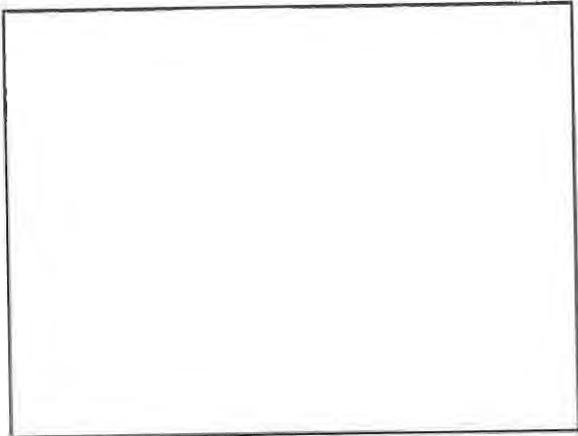
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) AND DECLARING AN EMERGENCY:

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of October 6, 2015 for hearing the matter of a petition of Eileen Zarowsky requesting that the following described tract of real estate be zoned from Agricultural District (A-1) to Thoroughfare Commercial District (C-5).

Layman’s Description: 307 N. 48th Street

Legal Description: Part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-three (33), Township Eighteen (18) North, Range Thirty (30) West, more particularly described as beginning at a point 495.0 feet North of the Southwest corner of said 40 acre tract, thence North 279.77 feet, thence South 88 degrees 35 minutes 52 seconds East 177.10 feet, thence South 279.77 feet, thence North 88 degrees 35 minutes 52 seconds West 177.10 feet to the point of beginning, containing 1.14 acres, more or less.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Thoroughfare Commercial District (C-5) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

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

From Agricultural District (A-1) to Thoroughfare Commercial District (C-5).

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2015

Doug Sprouse, Mayor

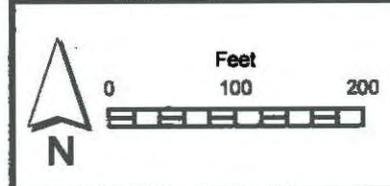
ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

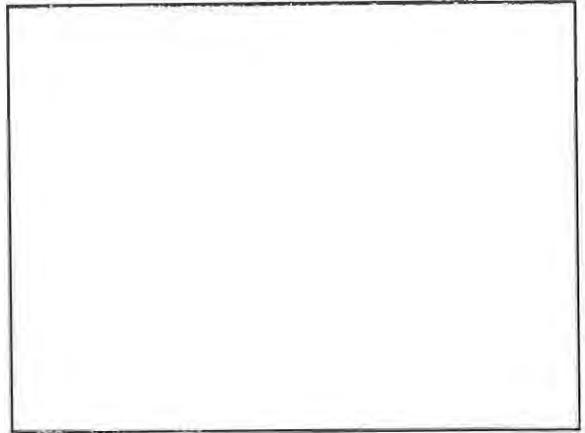
Ernest Cate, City Attorney

Public hearing sign posted: / / 2015
 Public hearing sign posted by: CS
 (S) Public Hearing Sign Location



FILE NUMBER: R15-23
APPLICANT: EILEEN ZAROWSKY
REZONING REQUEST: A-1 TO C-5

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
10/6/2015



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM GENERAL COMMERCIAL DISTRICT (C-2) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) AND DECLARING AN EMERGENCY:

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County, gave notice required by law and set a hearing date of October 6, 2015 for hearing the matter of a petition of Blue Ribbon Properties, LLC (Carol J. DeLaughter) requesting that the following described tract of real estate be zoned from General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

Layman's Description: 4149 N. Thompson Street

Legal Description: A part of the NW 1/4 of the NW 1/4 of Section 24, Township 18 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: commencing at the SW corner of said 40 acre tract; thence N 89° 10' 26" E along the South line of said 40 acre tract 42.88 feet to a set 1/2" iron rebar for The True Point of Beginning, said point being on the East right of way of U.S. Highway 71 (Thompson Street); thence leaving the South line of said 40 acre tract along said right of way N 00° 21' 07" W 333.50 feet to a set 1/2" iron rebar on the South line of Lot 1, Bassett Place North Subdivision, Phase I; Thence leaving said right of way along the South line of said Lot 1, N 89° 19' 00" E 606.40 feet to an existing iron on the West boundary of Bassett Place North Subdivision, Phase II; thence S 00° 40' 30" E 331.98 feet to a point on the South line of said 40 acre tract, from which an existing iron at the SW corner of said Bassett Place North Subdivision, Phase II, bears N 00° 40' 30" W 1.65 feet; thence S 89° 10' 26" W 608.29 feet to the Point of Beginning, containing 4.64 acres, more or less. Subject to covenants, easements and rights of way, if any.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

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

From General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2015

Doug Sprouse, Mayor

ATTEST:

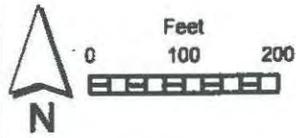
Denise Pearce, City Clerk

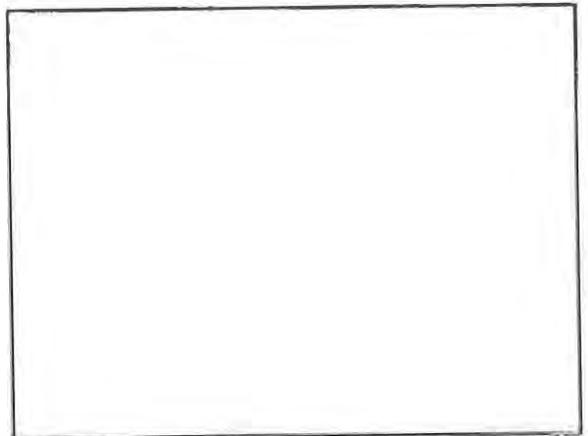
APPROVED AS TO FORM:

Ernest Cate, City Attorney



Public hearing sign posted: / / 2015
 Public hearing sign posted by: CS
 (S) Public Hearing Sign Location


FILE NUMBER: R15-24
APPLICANT: BLUE RIBBON PROPERTIES, LLC
REZONING REQUEST: C-2 TO C-5
**CITY OF SPRINGDALE
 PLANNING OFFICE
 PLANNING COMMISSION MEETING
 10/6/2015**



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM GENERAL COMMERCIAL DISTRICT (C-2) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) AND DECLARING AN EMERGENCY:

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of October 6, 2015 for hearing the matter of a petition of SmitCo Eateries, Inc. requesting that the following described tract of real estate be zoned from General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

Layman's Description: 909 S. Thompson Street

Legal Description: A part of the S1/2 of the SW1/4 of the NW1/4 of Section 1, Township 17 North, Range 30 West, Washington County, Arkansas, described as beginning at the Northwest corner of said 20 acre tract of land; and running thence East 40 feet for a beginning corner; thence South 200 feet; thence East 220 feet; thence North 200 feet; thence West 220 feet to the point of beginning, save and except that part that may be in streets or alleys. Also Less and except that portion conveyed to the City of Springdale, Arkansas, a municipal corporation, by deed dated July 1, 1964, and filed for record July 15, 1964, in Record Book 622 at Page 404, more particularly described as follows: 17.5 feet of equal and uniform width off of the North side of the above described lands.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning and that unless granted, citizens of Springdale will suffer irreparable harm

and damage, and will be substantially deprived of the use of their property.

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

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

From General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2015

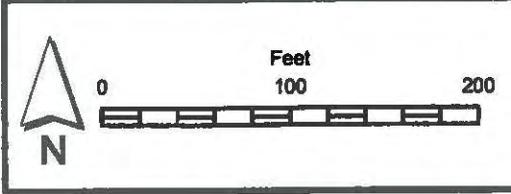
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

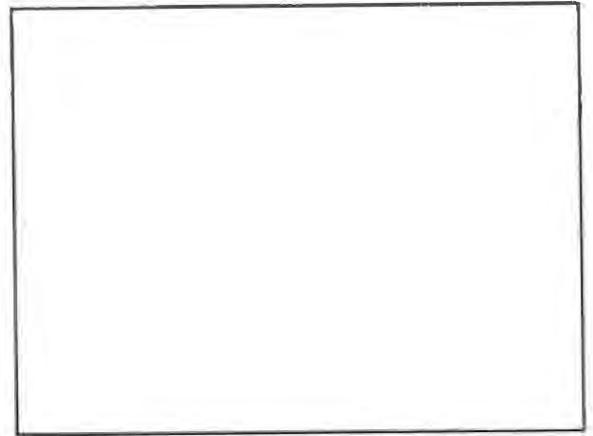
APPROVED AS TO FORM:

Ernest Cate, City Attorney



FILE NUMBER: R15-25
APPLICANT: SMITCO EATERIES, INC.
REZONING REQUEST: C-2 TO C-5

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
10/6/2015



ORDINANCE NO. _____

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

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County, gave notice required by law and set a hearing date of October 6, 2015 for hearing the matter of a petition of Kenneth and Rosalie Dunk requesting that the following described tract of real estate be zoned from Agricultural District (A-1) to General Commercial District (C-2).

Layman's Description: 3448 Wagon Wheel Road

Legal Description: West 1/2 of the South 1/2 of the SE 1/4 of the SW 1/4 of Section 15, Township 18 North, Range 30 West, Benton County Arkansas.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) 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 Agricultural District (A-1) 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

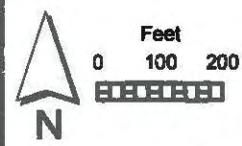
ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

Public hearing sign posted: ___ / ___ / 2015
 Public hearing sign posted by: CS
 (S) Public Hearing Sign Location



FILE NUMBER: R15-26
APPLICANT: KENNETH & ROSALIE DUNK
REZONING REQUEST: A-1 TO C-2

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
10/6/2015

RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE AT
3358 NORTH 48TH STREET AS SET FORTH IN
ORDINANCE NO. 4030**

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

WHEREAS, the Planning Commission held a public hearing on October 6, 2015, on a request by Robert Krizan for a Tandem Lot Split in an Agricultural District (A-1).

WHEREAS, following the public hearing the Planning Commission by a vote of nine (9) yes and zero (0) no recommends that a conditional use be granted to Robert Krizan for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – No conditions for a tandem lot split.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Robert Krizan for a tandem lot split in an Agricultural District (A-1) with the following conditions – no conditions for a tandem lot split.

PASSED AND APPROVED THIS _____ DAY OF _____, 2015.

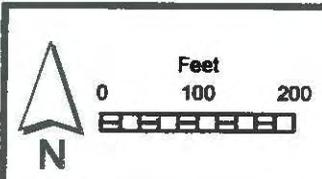
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



FILE NUMBER: C15-12
APPLICANT: ROBERT KRIZAN
CONDITIONAL USE REQUEST: TANDEM LOT SPLIT

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
10/6/2015

RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE AT
5115 HAR-BER AVENUE AS SET FORTH IN ORDINANCE
NO. 4030**

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

WHEREAS, the Planning Commission held a public hearing on October 6, 2015, on a request by Karl and Terri Ralston for a Use Unit 28 (Home Occupation) in an Agricultural District (A-1).

WHEREAS, following the public hearing the Planning Commission by a vote of nine (9) yes and zero (0) no recommends that a conditional use be granted to Karl and Terri Ralston for a Use Unit 28 (Home Occupation) in an Agricultural District (A-1) with the following conditions – No conditions were made.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Karl and Terri Ralston for a Use Unit 28 (Home Occupation) in an Agricultural District (A-1) with the following conditions – No conditions were make.

PASSED AND APPROVED THIS _____ DAY OF _____, 2015.

Doug Sprouse, Mayor

ATTEST:

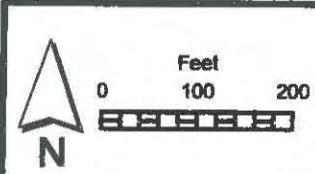
Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney



Public hearing sign posted: / / 2015
 Public hearing sign posted by: CS
 (S) Public Hearing Sign Location



FILE NUMBER: C15-14
APPLICANT: KARL & TERRI RALSTON
CONDITIONAL USE REQUEST: HOME OCCUPATION

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
10/6/2015

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO BARRY BRANT IN CONNECTION WITH A SINGLE FAMILY DWELLING AT 5962 WEST COUNTY LINE ROAD

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

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to 5962 West County Line Road including drainage improvements related thereto, sidewalks in connection with a single family dwelling for Barry Brant and the Planning Commission recommends approval of the waiver request.

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

Option 1: Grants a waiver of street improvements to 5962 West County Line Road including drainage improvements related thereto, sidewalks in connection with a single family dwelling for Barry Brant.

Option 2: Denies a waiver of street improvements to 5962 West County Line Road including drainage improvements related thereto, sidewalks in connection with single family dwelling for Barry Brant.

Option 3: Approves payment in lieu of improvements to 5962 West County Line Road in connection with a single family dwelling for Barry Brant with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to 5962 West County Line Road including drainage improvements related thereto, sidewalks to be built in connection with a single family dwelling for Barry Brant.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014.

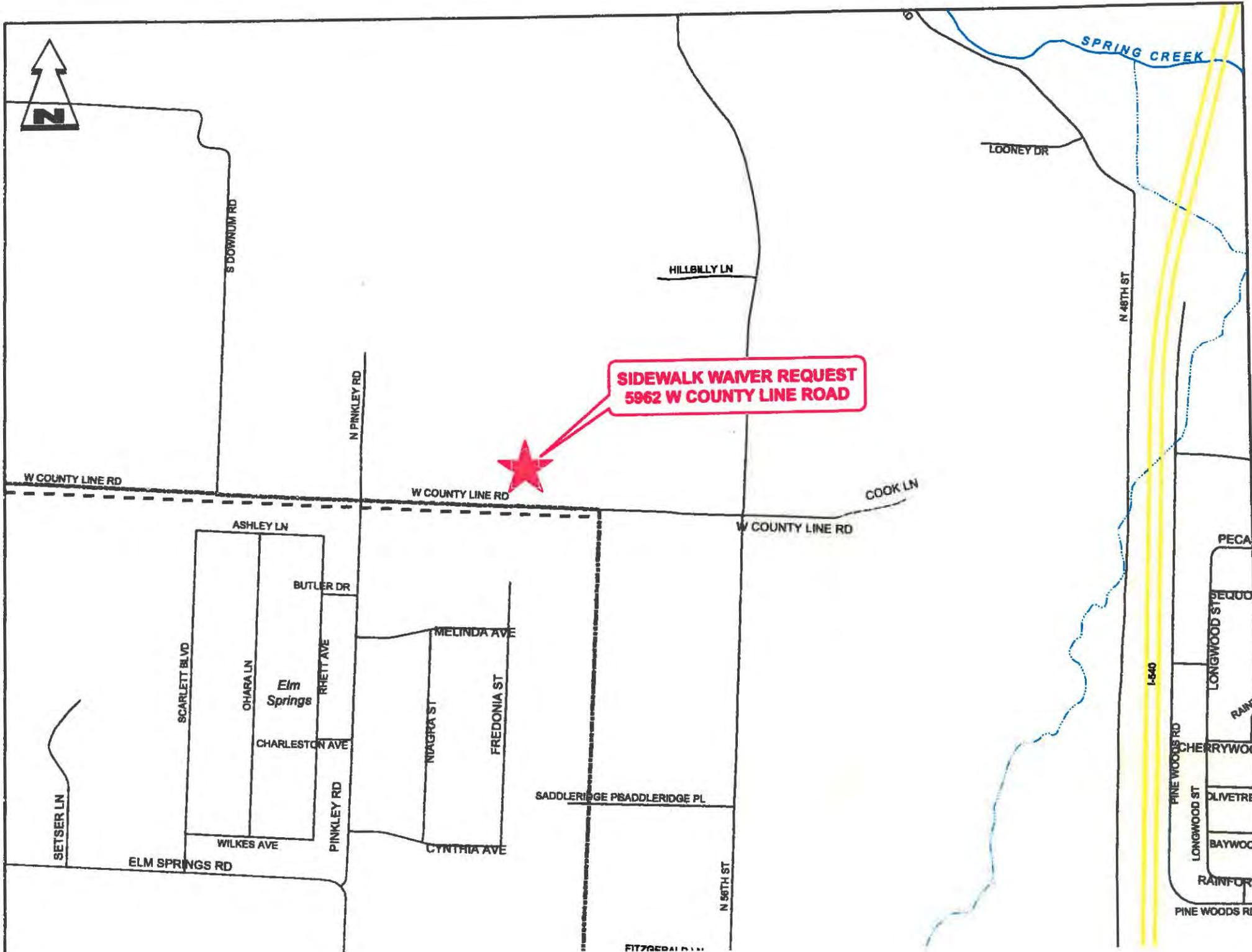
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

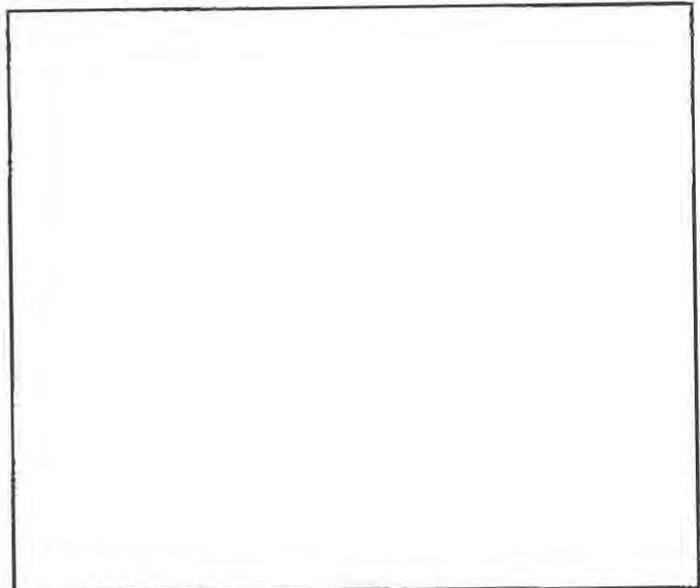


**SIDEWALK WAIVER REQUEST
5962 W COUNTY LINE ROAD**

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:** Michael A & Sheila J. Turner (discharged in bankruptcy)
Secretary of Housing & Urban Development
- LEGAL DESCRIPTION:** Lot 57, Oak Walk Subdivision to the City of Springdale, Arkansas, as per plat of said Subdivision on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas
- LAYMAN'S DESCRIPTION:** 662 Chateau Ave.
Springdale, Arkansas
- PARCEL NO.:** 815-35189-000
-
- PROPERTY OWNER:** Dustin D & Cassandra A. Kelley
- LEGAL DESCRIPTION:** Lot Numbered Four (4) in Block Numbered Six (6), Peaceful Valley Estates, Phase III, in the City of Springdale, Arkansas.
- LAYMAN'S DESCRIPTION:** 2606 Stout Dr.
Springdale, Arkansas
- PARCEL NO.:** 815-24740-000
-
- PROPERTY OWNER:** Nationstar Mortgage, LLC
- LEGAL DESCRIPTION:** A part of the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 2, Township Seventeen (17) North, Range Thirty (30) West, Washington County, Arkansas, being described as follows:
Beginning at a found iron pin which is 198 feet North and 304 feet East of the Southwest corner of said twenty-acre tract; thence North 55.0 feet; thence North 89 degrees 46 minutes 38 seconds East 125.0 feet; thence South 55.0 feet; thence South 89 degrees 46 minutes 38 seconds West 125.0 feet to the POINT OF BEGINNING, containing 0.16 acres, more or less and subject to the right-of-way of Geneva Street along the East line thereof.
- LAYMAN'S DESCRIPTION:** 740 Geneva St.
Springdale, Arkansas
- PARCEL NO.:** 815-28878-000
-
- PROPERTY OWNER:** 1603 Jean St.
- LEGAL DESCRIPTION:** Lot Numbered Nine (9) in Block Numbered One (1) of W. Walker Subdivision, Phase II, to the City of Springdale, Arkansas, as per plat of said Subdivision

on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

LAYMAN'S DESCRIPTION: 1603 Jean St.
Springdale, Arkansas
PARCEL NO.: 815-26240-000

PROPERTY OWNER: Federal National Mortgage Association
LEGAL DESCRIPTION: Lot Numbered Ten (10) in Block One (1) in the H.C. Waggoner 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.

LAYMAN'S DESCRIPTION: 511 Mt. View Ave.
Springdale, Arkansas
PARCEL NO.: 815-26162-000

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:

\$351.42 clean-up costs and \$34.44 administrative costs – 662 Chateau Ave. (#815-35189-000)
\$465.42 clean-up costs and \$35.22 administrative costs – 2006 Stout Dr. (#815-24740-000)
\$388.42 clean-up costs and \$21.74 administrative costs – 704 Geneva St. (#815-28878-000)
\$1,048.23 clean-up costs and \$35.22 administrative costs – 1603 Jean St. (#815-26240-000)
\$1,217.73 clean-up costs and \$21.74 administrative costs – 511 Mt. View Ave. (#815-26162-000)

WHEREAS, the property owners have been given at least 30 days written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903, as shown in the attached Exhibits;

WHEREAS, Ark. Code Ann. §14-54-904 authorizes the City Council to assert a clean-up lien on these properties to collect the amounts expended by the City in cleaning up these properties;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, pursuant to Ark. Code Ann. §14-54-904, the City Council certifies that the following real property shall be placed on the tax books of the Washington County Tax Collector as delinquent taxes and collected accordingly:

\$385.86, plus 10% for collection – 662 Chateau Ave. (#815-35189-000)
\$500.64, plus 10% for collection – 2006 Stout Dr. (#815-24740-000)
\$410.16, plus 10% for collection – 704 Geneva St. (#815-28878-000)
\$1,083.45, plus 10% for collection – 1603 Jean St. (#815-26240-000)
\$1,239.47, plus 10% for collection – 511 Mt. View Ave. (#815-26162-000)

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 October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



Ernest B. Cate, CITY ATTORNEY



Office Of The City Attorney

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

September 15, 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 Hortick
Administrative Legal
Assistant/Paralegal

Goldman Sachs Mortgage Company
The Corporation Company
124 West Capitol Ave., Ste. 1900
Little Rock, AR 72201

U.S. Department of
Housing & Urban Development
451 7th Street S.W.
Washington, DC 20410

Wanda C. Merritt, Field Office Director
Housing & Urban Development
425 W. Capitol Ave., Ste. 1000
Little Rock, AR 72701

RE: Notice of clean-up lien on property located at 662 Chateau Ave.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
35189-000

Dear Property Owner/Lienholder:

On April 23, 2015, notice was posted on property located at 662 Chateau Ave.,
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 April 23, 2015; that the City intended to seek a
clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the
violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about July 31, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$351.42. I have enclosed copies of invoices
evidencing the abatement costs incurred and paid by the City of Springdale to

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

This is to notify you that in the event this amount is not paid to the City of Springdale on or before October 27, 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, October 27, 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 \$370.86, which includes \$351.42 for cleaning up the property and \$19.44 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

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

Sincerely,



Sarah Sparkman
Deputy City Attorney

enclosures
SS:ch



City of Springdale Code Enforcement

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

CITY ABATEMENT - Friday, July 31, 2015 9:21:39 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	7/31/2015 9:21:39 AM
Property Address	662 chateau
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, July 31, 2015 9:21:00 AM

Officer on Site

Toby Lankford

Supervisor on Job

Mike Hicklin

Employee

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

Method of Compliance

1 Method of Compliance

Mowing

Equipment Used

Equipment

743 Kubota,6030 Service Truck-Landscaping

743 Kubota

\$65.00

6030 Service Truck-

\$35.00

Landscaping

Time of Abatement in

1

Hours

Number of Temporary

2

Laborers

Temporary Labor Cost

\$24.00

Employee Cost per hour

\$27.42

Total Employee Cost

\$27.42

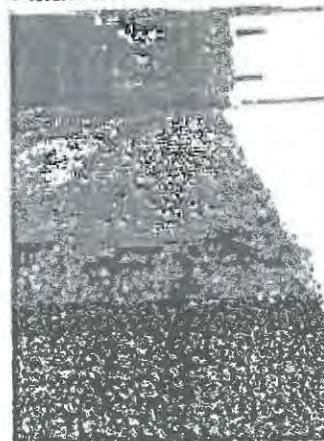
Equipment Cost per hour

\$100.00

Total Equipment Cost \$100.00
Mobilization Fee \$200.00
Extra materials cost \$0.00
Total Cost of Abatement \$351.42
Final Photos Attached Data



Final Photos Attached Data



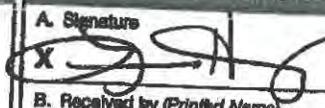
Final Photos Attached Data



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 </p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Linda Hardway</u> C. Date of Delivery <u>9-18-15</u></p>
<p>1. Article Addressed to:</p> <p>Wanda C. Merritt, Field Office Director Housing & Urban Development 425 W. Capitol Ave., Ste. 1000 Little Rock, AR 72701</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>7014 1200 0001 0759 0050</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>A. Signature </p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>CT CORPORATION</u> C. Date of Delivery <u>SEP 21 2015</u></p>
<p>1. Article Addressed to:</p> <p>Goldman Sachs Mortgage Company The Corporation Company 124 West Capitol Ave., Ste. 1900 Little Rock, AR 72201</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 checked="" 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 0036</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:
sparkman@springdalear.gov

September 29, 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

Ms. Donna Yi
Hudson Advisors
888 7th Avenue, 18th Floor
New York, NY 10019

RE: Notice of clean-up lien on property located at 662 Chateau Ave.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
35189-000

Dear Lienholder:

On April 23, 2015, notice was posted on property located at 662 Chateau Ave.,
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 April 23, 2015, that the City intended to seek a
clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the
violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about July 31, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$351.42. I have enclosed copies of invoices
evidencing the abatement costs incurred and paid by the City of Springdale to
clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

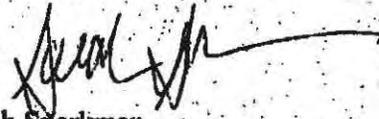
This is to notify you that in the event this amount is not paid to the City of
Springdale on or before October 27, 2015, a hearing will be held before the
Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the
amount of the clean-up lien to which the City is entitled for cleaning up the

property. The hearing will be held Tuesday, October 27, 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 \$370.86, which includes \$351.42 for cleaning up the property and \$19.44 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

This letter was also sent to the U.S. Department of Housing & Urban Development who contacted us to make us aware that the property had been transferred Lonestar and that your company is the servicing company overseeing this property. 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, July 31, 2015 9:21:39 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	7/31/2015 9:21:39 AM
Property Address	662 chateau
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, July 31, 2015 9:21:00 AM

Officer on Site

Toby Lankford

Supervisor on Job

Mike Hicklin

Employee

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

Method of Compliance

1 Method of Compliance

Mowing

Equipment Used

Equipment

743 Kubota,6030 Service Truck-Landscaping

743 Kubota

\$65.00

6030 Service Truck-

\$35.00

Landscaping

Time of Abatement in

1

Hours

Number of Temporary

2

Laborers

Temporary Labor Cost

\$24.00

Employee Cost per hour

\$27.42

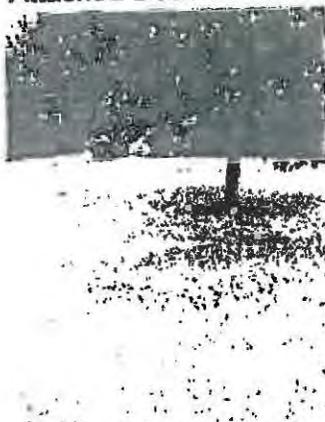
Total Employee Cost

\$27.42

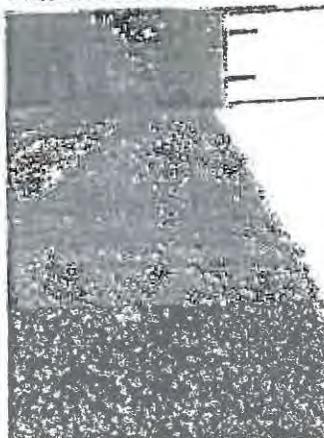
Equipment Cost per hour

\$100.00

Total Equipment Cost \$100.00
Mobilization Fee \$200.00
Extra materials cost \$0.00
Total Cost of Abatement \$351.42
Final Photos **Attached Data**



Final Photos **Attached Data**



Final Photos **Attached Data**



Final Photos

Attached Data



SENDER: COMPLETE THIS SECTION	RECIPIENT: 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</p> <p>X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article addressed to:</p> <p style="margin-left: 40px;">Ms. Melissa Yi Hedberg Advisors 888 Avenue, 18th Floor New York, NY 10019</p>	<p>B. Received by (Printed Name)</p> <p><i>[Printed Name]</i></p>	<p>C. Date of Delivery</p> <p><i>[Date]</i></p>
<p>2. Article Number (Transfer from service label)</p>	<p>3. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
	<p>4. 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 0234</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:
ecate@springdalear.gov

October 1, 2015

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

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedere
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Dustin D. & Cassandra A. Kelley
2006 Stout Dr.
Springdale, AR 72762

U.S. Bank, National Association
c/o The Corporation Company, Registered Agent
d/b/a CT Corporation
124 W. Capitol Ave., Suite 1900
Little Rock, AR 72201

U.S. Bank, N.A.
13801 Wireless Way
Oklahoma City, OK 73134

RE: Notice of clean-up lien on property located at 2607 Eidson St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
24740-000

Dear Property Owner/Lienholder:

On April 9, 2015, notice was posted on property located at Mt. View Ave.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on April 15, 2015, that the City
intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-
54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about June 23, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$465.42. I have enclosed a copy of the

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

This is to notify you that in the event this amount is not paid to the City of Springdale on or before October 27, 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, October 27, 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 \$485.64, which includes \$465.42 for cleaning up the property and \$20.22 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,



Ernest B. Cate
City Attorney

enclosures

EBC:ch

cc: Ms. Maria Yoder
Wilson & Associates, P.L.L.C.
1521 Merrill Dr., Suite D-220
Little Rock, AR 72211



City of Springdale Code Enforcement

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

CITY ABATEMENT - Tuesday, June 23, 2015 1:41:40 PM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	6/23/2015 1:41:40 PM
Property Address	2607 Edison
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 23, 2015 1:41:00 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

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

752 Grasshopper

\$55.00

743 Kubota

\$65.00

6030 Service Truck-

\$35.00

Landscaping

6031 Service Truck-

\$35.00

Landscaping

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



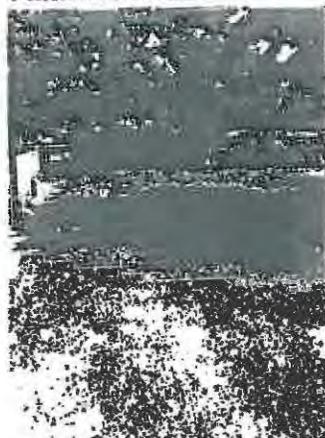
Final Photos

Attached Data



Final Photos

Attached Data

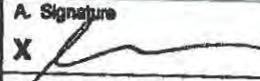


Final Photos

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>1. Article Addressed to:</p> <p style="margin-left: 40px;">U.S. Bank, National Association c/o The Corporation Company, Registered Agent d/b/a CT Corporation 134 W. Capitol Ave., Suite 1900 Little Rock, AR 72201</p>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>CT CORPORATION</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p style="margin-left: 40px;">OCT 06, 2013</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p style="text-align: center;">7014 1200 0001 0759 0319</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="margin-left: 40px;">U.S. Bank, N.A. 13801 Wireless Way Oklahoma City, OK 73134</p>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X </p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p style="margin-left: 40px;">10-5-13</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p style="text-align: center;">7014 1200 0001 0759 0302</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

September 15, 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 Belvedere
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

NationStar Mortgage, LLC
c/o Corporation Service Company, Registered Agent
300 Spring Building, Suite 900
300 S. Spring Street
Little Rock, AR 72201

RE: Notice of clean-up lien on property located at 704 Geneva St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
28878-000

Dear Property Owner:

On April 9, 2015, notice was posted on property located at 704 Geneva St.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on April 10, 2015, that the City
intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-
54-903 if the violations were not remedied.

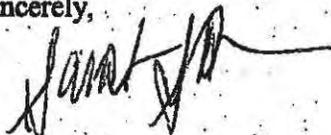
No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about July 24, 2015. As of this date, the total costs incurred by the City of
Springdale to clean this property are \$388.42. I have enclosed a copy of the
invoice evidencing the abatement costs incurred and paid by the City of
Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-
54-903(c)(4), administrative fees may be added to the total costs incurred by the
City of Springdale, which will include certified mailing fee in the amount of \$6.74
per letter and a filing fee in the amount of \$15.00 to the Washington County
Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before October 27, 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, October 27, 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 \$395.16, which includes \$388.42 for cleaning up the property and \$6.74 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

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

Sincerely,



Sarah Sparkman
Deputy City Attorney

enclosures
SS:ch

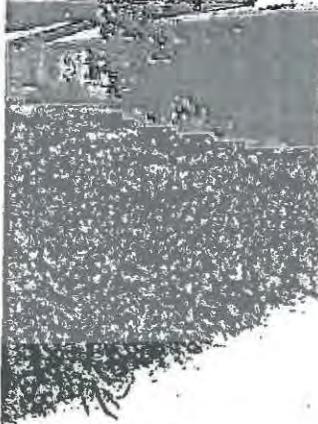


City of Springdale Code Enforcement

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

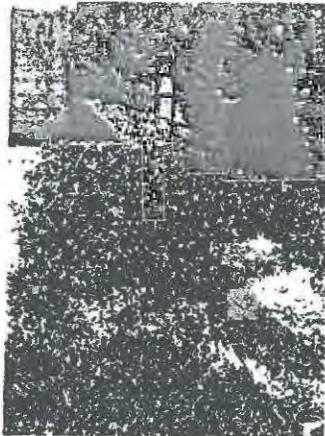
CITY ABATEMENT - Friday, July 24, 2015 2:15:06 PM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	7/24/2015 2:15:06 PM
Property Address	704 Geneva
Before Picture	Attached Data



Before Picture

Attached Data



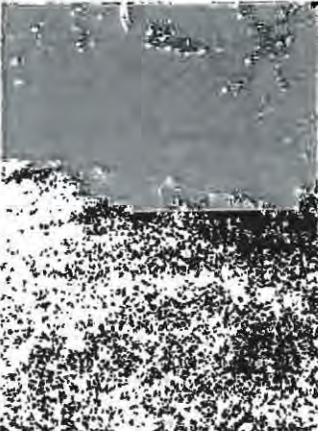
Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Friday, July 24, 2015 2:15:00 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

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

752 Grasshopper

\$55.00

6030 Service Truck-Landscaping

\$35.00

6031 Service Truck-Landscaping

\$35.00

Time of Abatement in Hours

1

Number of Temporary Laborers

3

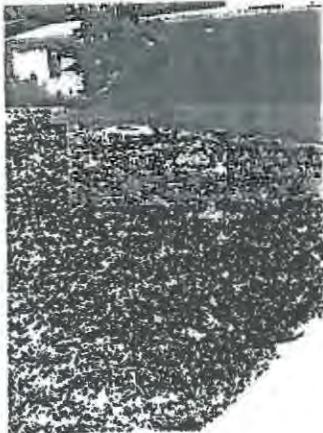
Temporary Labor Cost

\$36.00

Employee Cost per hour

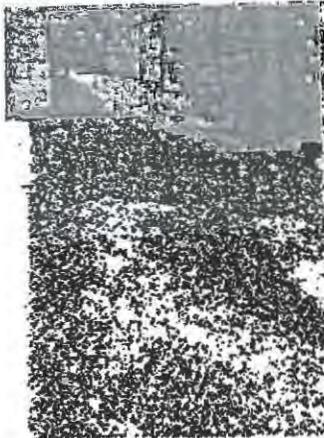
\$27.42

Total Employee Cost \$27.42
Equipment Cost per hour \$125.00
Total Equipment Cost \$125.00
Mobilization Fee \$200.00
Extra materials cost \$0.00
Total Cost of Abatement \$388.42
Final Photos Attached Data



Final Photos

Attached Data



Final Photos

Attached Data

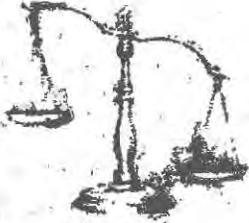


Final Photos

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>X <i>[Signature]</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>Jennifer Davis</i> <i>9/21/15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p style="text-align: center;">SEP 21 2015</p>
<p>1. Article Addressed to:</p> <p style="padding-left: 40px;">NationStar Mortgage, LLC c/o Corporation Service Company, Registered Agent 300 Spring Building, Suite 900 300 S. Spring Street Little Rock, AR 72201</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p style="text-align: center; font-size: 1.2em;">7014 1200 0001 0759 0067</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
ecate@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

October 1, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
and REGULAR MAIL

Randy J. Ponce or Sarah L. Misener
4283 Tara Street
Springdale, AR 72762-7943

U.S. Bank, N.A.
c/o The Corporation Company, Registered Agent
d/b/a CT Corporation
124 W. Capitol Ave., Suite 1900

U.S. Bank, N.A.
425 Walnut St.
Cincinnati, OH 45202

RE: Notice of clean-up lien on property located at 1603 Jean St.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
26240-000

Dear Property Owner/ Lienholder: -----

On May 18, 2015, notice was posted on property located at 1603 Jean 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 at the time on May 18, 2015, that the
City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann.
§14-54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about June 29, 2015 and July 2, 2015. As of this date, the total costs incurred and
paid by the City of Springdale to clean this property are \$1,048.23. I have

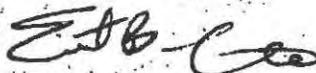
enclosed copies of invoices evidencing the costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee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

This is to notify you that in the event this amount is not paid to the City of Springdale on or before October 27, 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, October 27, 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 \$1,068.45, which includes \$1,048.23 for cleaning up the property and \$20.22 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,



Ernest B. Cate
City Attorney

enclosures
EC:ch



**City of Springdale
Code Enforcement**

210 Spring Street - Springdale, AR 72164 - Office 479/794-7713

CITY ABATEMENT - 6/29/2015 9:39 AM (646 CITY ABATEMENT)

Status: CITY ABATEMENT

Order # CJEA1603

Property Address
Before Picture

1603 Jean
Attached Data

Before Picture



Attached Data

Before Picture



Attached Data

Before Picture



Attached Data



Type of Abatement
Date of Abatement
Officer on Site

Violation Notice / Lien
6/29/2015 8:39 AM
Mike Sidney



**City of Springdale
Code Enforcement**

216 Spring Street - Springdale, AR 72762 - Office 479-764-3712

Supervisor on Job Mike Hicklin, Henry Hernandez

Employee Mike Hicklin, Henry Hernandez
Employee Mike Hicklin, Henry Hernandez
MH Benefit Rate \$27.42
HH Benefit Rate \$18.65

Method of Compliance
 1 Method of Compliance Dead Tree Removal

Equipment Used

Equipment 752 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping, 6038 1-ton Work Truck-Landscaping

752 Grasshopper	\$55
743 Kubota	\$65
6030 Service Truck-Landscaping	\$35
6031 Service Truck-Landscaping	\$35
6038 1-ton Work Truck-Landscaping	\$35

Time of Abatement in Hours	1
Number of Temporary Laborers	9
Temporary Labor Cost	\$108
Employee Cost per hour	\$46.07
Total Employee Cost	\$46.07
Equipment Cost per hour	\$225
Total Equipment Cost	\$225
Mobilization Fee	\$200
Extra materials cost	\$0
Total Cost of Abatement	\$579.07
Final Photos	Attached Data



Final Photos Attached Data



Final Photos Attached Data



**City of Springdale
Code Enforcement**

218 Spring Street - Springdale, AR 72761 - Office 479-794-7712

Final Photos

Attached Data





**City of Springdale
Code Enforcement**

210 Spring Street - Springdale, AR 72104 - Office 479-794-7742

CITY ABATEMENT - 7/2/2015 10:30 AM (1- BULKY WASTE)

Status: CITY ABATEMENT
Order # CJEA1603
Property Address
Before Picture

1603 jean
 Attached Data



Type of Abatement
Date of Abatement

Violation Notice / Lien
 7/2/2015 9:30 AM

Employee
Employee
MT Benefit Rate
RD Benefit Rate

Peter Wilson,Rod Dorsey
 \$16.24
 \$17.92

Method of Compliance

Equipment Used

Equipment
 660 New Bulky Waste Truck
 6028 Service Pick Up Truck

660/652 New Bulky Waste Truck,6028 Service Pick Up Truck
 \$200
 \$35

Time of Abatement in Hours
Number of Temporary Laborers
Temporary Labor Cost
Employee Cost per hour
Total Employee Cost
Equipment Cost per hour
Total Equipment Cost
Mobilization Fee
Extra materials cost
Total Cost of Abatement
Extra Materials &/or Notes
Final Photos

1
 0
 \$0
 \$34.16
 \$34.16
 \$235
 \$235
 \$200
 \$0
 \$469.16
 0
 Attached Data



**City of Springdale
Code Enforcement**

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



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 <i>Sarah Pope</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Sarah Pope</i></p> <p>C. Date of Delivery <i>10/2/15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Randy J. Ponce or Sarah L. Miscner 4283 Tara Street Springdale, AR 72762-7943</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>

2. Article Number (Transfer from service label) **7014 1200 0001 0759 0289**

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 type="checkbox"/> Agent <input type="checkbox"/> Addressee CT CORPORATION</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee OCT 06 2015</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>U.S. Bank, N.A. c/o The Corporation Company, Registered Agent d/b/a CT Corporation 124 W. Capitol Ave., Suite 1900</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>

2. Article Number (Transfer from service label) **7014 1200 0001 0759 0272**

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 type="checkbox"/> Agent <input type="checkbox"/> Addressee Brian L. Onkst CTA</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Brian L. Onkst</i></p> <p>C. Date of Delivery <i>10/2/15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>U.S. Bank, N.A. 425 Walnut St. Cincinnati, OH 45202</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>

2. Article Number (Transfer from service label) **7014 1200 0001 0759 0265**

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:
ecate@springdalear.gov

October 1, 2015

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Ernest B. Cate
City Attorney

Taylor Samples
Senior Deputy
City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Federal National Mortgage Association
14221 Dallas Parkway, Suite 1000
Dallas, TX 75254

**RE: Notice of clean-up lien on property located at 511 Mt. View Ave.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
26162-000**

Dear Property Owner:

On May 18, 2015, notice was posted on property located at Mt. View Ave., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on May 21, 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 11, 2015 and June 12, 2015. As of this date, the total costs incurred by the City of Springdale to clean this property are \$1,217.73. I have enclosed copies of invoices evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$6.74 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before October 27, 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, October 27, 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 \$1,224.47, which includes \$1,217.73 for cleaning up the property and \$6.74 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

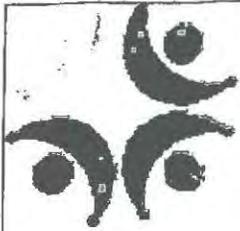
If you should have any questions, please let me know.

Sincerely,



Ernest B. Cate
City Attorney

enclosures
EBC:ch



City of Springdale Code Enforcement

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

CITY ABATEMENT - Thursday, June 11, 2015 8:45:36 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	6/11/2015 8:45:36 AM
Property Address	511 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 8:45:00 AM
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	Property Clean Up - Junk and Trash
Equipment Used	
Equipment	743 Kubota,6026 Service Truck-Landscaping,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping
743 Kubota	\$65.00
6026 Service Truck-Landscaping	\$35.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	2
Number of Temporary Laborers	6

Temporary Labor Cost \$144.00
Employee Cost per hour \$27.42
Total Employee Cost \$54.84
Equipment Cost per hour \$170.00
Total Equipment Cost \$340.00
Mobilization Fee \$200.00
Extra materials cost \$0.00
Total Cost of Abatement \$738.84
Final Photos Attached Data



Final Photos

Attached Data



Final Photos

Attached Data



Final Photos

Attached Data





City of Springdale Code Enforcement

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

CITY ABATEMENT - Friday, June 12, 2015 8:00:28 AM (1- BULKY WASTE)

User Name 1- BULKY WASTE
 User # 4792839382
 Form Started 6/12/2015 8:00:28 AM
 Property Address 511 mountain view
 Before Picture Attached Data



Type of Abatement Violation Notice / Lien
 Date of Abatement Friday, June 12, 2015 8:00:00 AM
 Employee
 Employee Rod Dorsey, Wayne Terry
 RD Benefit Rate \$17.92
 WT Benefit Rate \$25.97
 Method of Compliance
 Equipment Used
 Equipment 660/652 New Bulky Waste Truck, 6028 Service Pick Up Truck
 660 New Bulky Waste Truck \$200.00
 6028 Service Pick Up Truck \$35.00
 Time of Abatement in Hours 1
 Number of Temporary Laborers 0
 Temporary Labor Cost \$0.00
 Employee Cost per hour \$43.89
 Total Employee Cost \$43.89

Equipment Cost per hour	\$235.00
Total Equipment Cost	\$235.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$478.89
Extra Materials &/or Notes	0
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:

Federal National Mortgage Association
14221 Dallas Parkway, Suite 1000
Dallas, TX 75254

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

R. C. ...

- Agent
- Addressee

B. Received by (Print Name)

C. Date of Delivery

7/6/12

D. Is delivery address correct? Yes

If YES, enter delivery address below: No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number
(Transfer from service label)

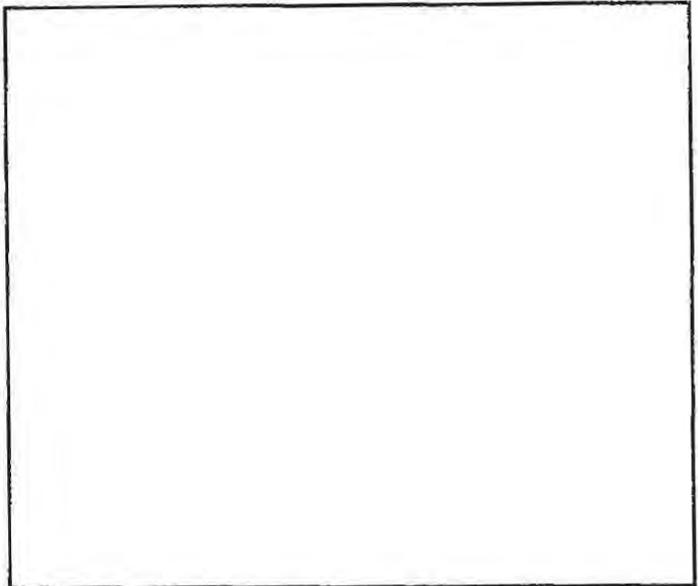
7014 1200 0001 0759 0296

PS Form 3811, July 2013

Domestic Return Receipt

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, BENTON COUNTY, ARKANSAS.



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

PROPERTY OWNER: Ricco K. Burman Estate
LEGAL DESCRIPTION: Lot 7, Block 2, Sunrise Subdivision to the City of Springdale, Arkansas, as per plat on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Benton County, Arkansas.
LAYMAN'S DESCRIPTION: 1236 Sunrise Ave.
Springdale, Arkansas
PARCEL NO.: 21-00380-000

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:

\$906.58 clean-up costs and \$21.74 administrative costs – 1236 Sunrise Ave. (#21-00380-000)

WHEREAS, the property owners have been given at least 30 days written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903, as shown in the attached Exhibits;

WHEREAS, Ark. Code Ann. §14-54-904 authorizes the City Council to assert a clean-up lien on these properties to collect the amounts expended by the City in cleaning up these properties;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, pursuant to Ark. Code Ann. §14-54-904, the City Council certifies that the following real property shall be placed on the tax books of the Washington County Tax Collector as delinquent taxes and collected accordingly:

\$928.32, plus 10% for collection – 1236 Sunrise Ave. (#21-00380-000)

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 October, 2015.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



Ernest B. Cate, CITY ATTORNEY



Office Of The City Attorney

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

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

September 15, 2015

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

The Estate of Ricco Burman, Deceased
Timothy Burman and Poonsap Burman, Co-Administrators
1106 W. Poplar St.
Rogers, AR 72756

RE: Notice of clean-up lien on property located at 1236 Sunrise Ave.,
Springdale, Benton County, Arkansas, Tax Parcel No. 21-00380-
000

Dear Property Owner:

On May 6, 2015, notice was posted on property located at 1236 Sunrise Ave.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on May 7, 2015, that the City intended
to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if
the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about July 1, 2015. As of this date, the total costs incurred and paid by the City of
Springdale to clean this property are \$906.58. I have enclosed an invoice
evidencing the costs incurred and paid by the City of Springdale to clean this
property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.74 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

This is to notify you that in the event this amount is not paid to the City of
Springdale on or before October 27, 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, October 27, 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 \$913.32, which includes \$906.58 for cleaning up the property and \$6.74 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

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

Sincerely,



Sarah Sparkman
Deputy City Attorney

enclosures
SS:ch



City of Springdale Code Enforcement

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

CITY ABATEMENT - Wednesday, July 01, 2015 7:43:08 AM (646 CITY ABATEMENT)

User Name	646 CITY ABATEMENT
User #	4797993582
Form Started	7/1/2015 7:43:08 AM
Property Address	1236 sunrise ave
Before Picture	Attached Data



Before Picture



Attached Data

Before Picture

Attached Data



Before Picture

Attached Data



Type of Abatement

Violation Notice / Lien

Date of Abatement

Wednesday, July 01, 2015 7:43:00 AM

Officer on Site

Bobby Nivens

Supervisor on Job

Mike Hicklin, Henry Hernandez

Employee

Employee

Mike Hicklin

MH Benefit Rate

\$27.42

Method of Compliance

1 Method of Compliance

Junk and Trash Removal from Curb

Equipment Used

Equipment

721 Kubota Tractor, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping

721 Kubota Tractor

\$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

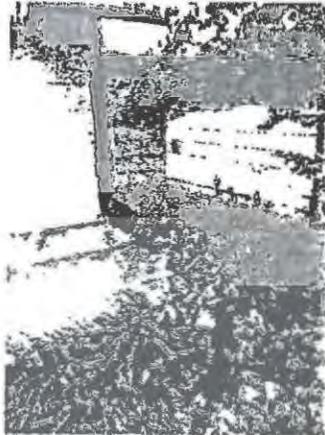
\$27.42

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



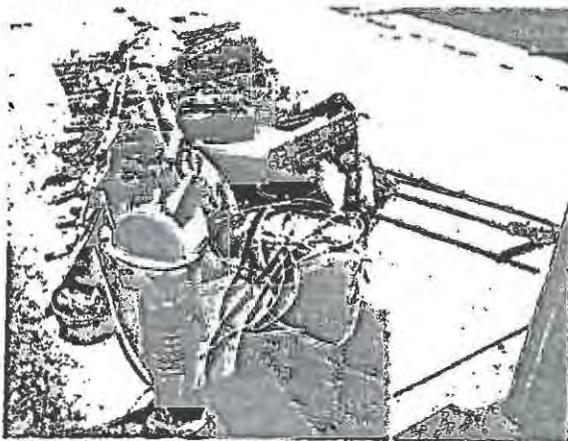


City of Springdale Code Enforcement

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

CITY ABATEMENT - Wednesday, July 01, 2015 1:44:25 PM (1- BULKY WASTE)

User Name 1- BULKY WASTE
 User # 4792839382
 Form Started 7/1/2015 1:44:25 PM
 Property Address 1236 sunrise
 Before Picture Attached Data



Type of Abatement Violation Notice / Lien
 Date of Abatement Wednesday, July 01, 2015 1:44:00 PM

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

Method of Compliance

Equipment Used

Equipment 660/652 New Bulky Waste Truck,6028 Service Pick Up Truck
 660 New Bulky Waste Truck \$200.00

6028 Service Pick Up Truck \$35.00

Time of Abatement in Hours 1

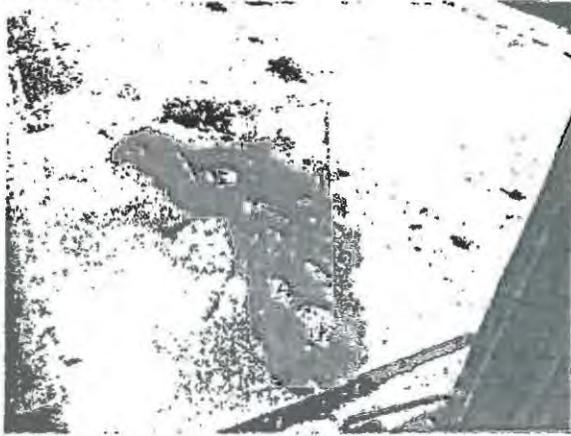
Number of Temporary Laborers 0

Temporary Labor Cost \$0.00

Employee Cost per hour \$34.16

Total Employee Cost \$34.16

Equipment Cost per hour	\$235.00
Total Equipment Cost	\$235.00
Mobilization Fee	\$200.00
Extra materials cost	\$0.00
Total Cost of Abatement	\$469.16
Extra Materials &/or Notes	0
Final Photos	Attached Data



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:

The Estate of Ricco Burman, Deceased
Timothy Burman and
Foonsep Burman, Co-Administrators
1906 W. Poplar St.
Rogers, AR 72756

COMPLETE THIS SECTION, BY ADDRESSEE

A. Signature

x Amy Benson Agent
 Addressee

B. Received by (Printed Name)

Amy Benson

C. Date of Delivery

9-17

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7014 1200 0001 0759 0111

PS Form 3811, July 2013

Domestic Return Receipt