

CITY OF SPRINGDALE
Committee Agendas
Monday, October 21st, 2013
Multi-Purpose Room #236
City Administration Building
Meetings begin at 5:30 p.m.

Committee of the Whole:

1. **2014 City Budget Overview, Mayor Sprouse, Wyman Morgan, Laura Favorite**

Ordinance Committee, Chairman Mike Overton:

2. **Discussion** regarding moving Article 7 of the zoning ordinance to Chapter 112 Subdivisions, presented by Councilman Jim Reed. **Pg's 2-10**

Personnel Committee, Chairwoman Kathy Jaycox:

3. **A Resolution** amending Policy 3.13 of the City Personnel and Procedures Manual IS going to be on City Council Agenda for October 22nd, presented by Gina Kincy, Director of Human Resources. **Pg's 11-12**
4. **A Resolution** amending Policy 3.14 of the City Personnel and Procedures Manual IS going to be on City Council Agenda for October 22nd, presented by Gina Kincy, Director of Human Resources. **Pg. 13**

Finance Committee, Chairman Brad Bruns:

5. **An Ordinance** to waive competitive bidding for the purchase of Health, Dental, Life, Vision and Long Term Disability Insurance IS going to be on the City Council Agenda on October 22nd, presented by Mayor Doug Sprouse. **Pg's 14-15**
6. **A Resolution** authorizing the lease of the Springdale Public Library Café IS going to be on the City Council Agenda for October 22nd, presented by Marcia Ransom, Director Public Library. **Pg. 16**

Parks & Recreation Committee, Chairman Brad Bruns:

7. **A Discussion** concerning bids taken on Friday, Oct 18th for 20 sets of bleachers and 32 shade covers for bleachers, presented by Rick McWhorter, Director of Parks & Rec. **(information will be sent out on Monday)**

Community Development Block Grant Committee, Chairman Mike Lawson:

8. **A Review** of the 2014 Action Plan for CDBG, presented by Patsy Christie, Director of Planning. **Pg. 17**

Street & CIP Committee, Chairman Rick Evans:

9. **A Discussion** of the 2012 Bond Program Budget by Alan Pugh, Director of Engineering. **Pg. 18**
10. **A Resolution** authorizing the execution of an amendment to a contract for professional services IS going to be on the City Council Agenda on October 22nd, presented by Alan Pugh, Director of Engineering. **Pg's 19-22**
11. **A Resolution** revising the Budget for Meadow Street Trail (CP1204; AHTD #040615) and authorizing construction bidding for this project IS going to City Council on October 22nd, presented by Alan Pugh, Director of Engineering. **Pg's 23-24**

Springdale, Arkansas, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 130 - ZONING ORDINANCE >> ARTICLE 7. OFF-STREET PARKING AND LOADING REQUIREMENTS >>

ARTICLE 7. OFF-STREET PARKING AND LOADING REQUIREMENTS

- Sec. 1. Purpose and intent.
- Sec. 2. General conditions.
- Sec. 3. Required off-street parking.
- Sec. 4. Schedule of parking requirements.
- Sec. 5. Combined facilities.
- Sec. 6. Off-street loading requirements.
- Sec. 7. Use of right-of-way.
- Sec. 8. Surfacing.
- Sec. 9. Entrance/exit drives.
- Sec. 10. Lighting.
- Sec. 11. Reduction of parking area.
- Sec. 12. Expansions.

Sec. 1. Purpose and intent.

This article is designed to prevent or alleviate the congestion of the public streets and to promote the safety and welfare of the public. This article establishes herein minimum requirements for the off-street parking, loading and unloading of motor vehicles appropriate to each land use and its intensity in relation to other land uses.

(Ord. No. 3307, 3-25-03)

Sec. 2. General conditions.

The requirement to provide and maintain the required off-street parking space and loading areas shall be the responsibility of the operator and owner of the use and the operator and owner of the land on which off-street parking and loading areas is required to be provided.

(Ord. No. 3307, 3-25-03)

Sec. 3. Required off-street parking.

In all districts in connection with every industrial, business, institutional, recreational, residential, or other use, there shall be provided at the time any building or structure is erected, enlarged or increased in capacity, or any open use is established or enlarged, off-street parking spaces conforming to the following requirements:

1. **Size of parking spaces required.** An off-street parking space shall consist of a nine (9) feet by nineteen (1) feet space located off the street right-of-way; adequate for parking an automobile with room for opening doors on both sides; together with properly related access to a public street or alley and maneuvering room.
Required off-street parking areas for all nonresidential use, and for multi-family residential uses with five or more required parking spaces, shall be so designed, maintained and regulated that no maneuvering incidental to parking or unparking shall

be on any public street or street right-of-way, walk or alley, and so that any automobile may be parked and unparked without moving another.

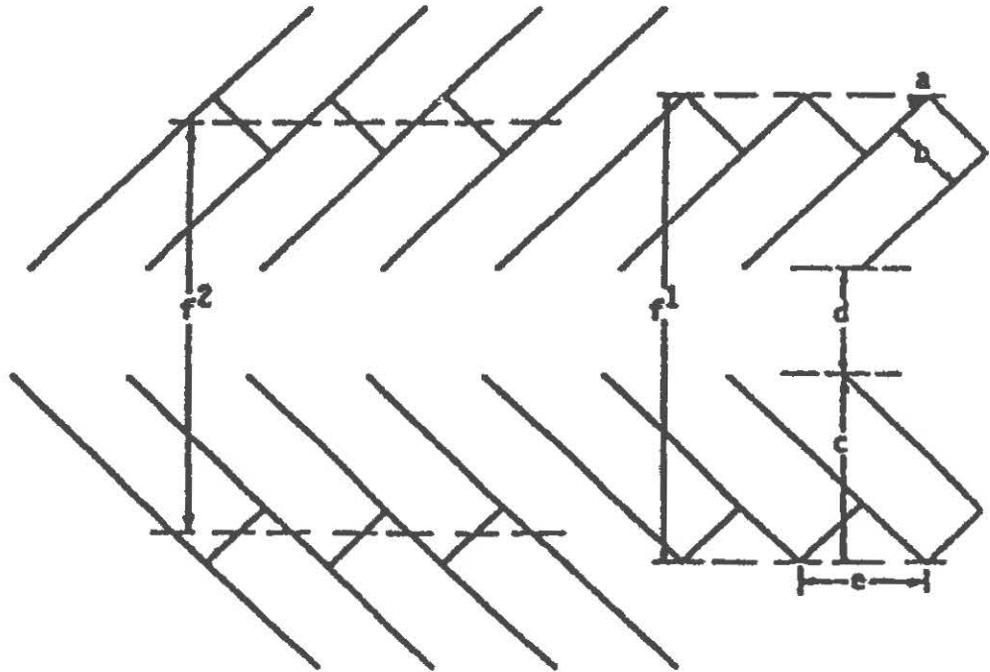
Spaces for compact parking may be permitted for up to twenty (20) percent of total spaces in a parking lot which contains at least ten (10) parking spaces, which shall be clearly marked either on the pavement or by separate marker. The width and depth of each compact car space shall be eight (8) feet wide and sixteen (16) feet deep.

2. **Number of off-street parking spaces required.** The number of off-street parking spaces required for each use is set forth in section 4, hereof. Separate off-street parking space shall be provided for each use located on a lot but may be combined and used jointly provided the sum total of parking space requirements for all uses are provided.
3. **Location of off street parking.**
 - a. All parking spaces provided pursuant to this article shall be on the same lot with the building or within three hundred (300) feet thereof. The distance to any parking area as herein required shall be measured between the nearest point of the off-street parking facility and the nearest point of the building said parking area or facility is to serve. Off-site parking shall not exceed twenty-five (25) percent of the total number of spaces required by this article. The board of adjustment may authorize variance from this limitation for cause, which shall be an identifiable hardship. All off-site parking shall be noted on the official zoning map so as to assure maintenance of the requirement.
 - b. When detached parking facilities or satellite parking lots are provided, they shall be located on property which is zoned to allow the principal use which this parking will serve or they must be approved by the board of adjustment. Parcels of land used as access to or from parking and/or loading areas for any land use shall conform to this requirement.
 - c. **Minimum distance and setbacks.**
 - (1) Except for permitted entrance and/or exit drives, every off-street parking areas shall be set back from the street right-of-way line a minimum of five (5) feet.
 - (2) No off-street parking area, exclusive of access drives, shall be located within three (3) feet of any other property.

4. **Minimum stall and access aisle width.**

a		b	curb	d	e	f1	f2
Parking angle	Type	Stall width	Stall to curb	Aisle width	Curb length per car	Center-to-Center width of 2 row bin with access road between curb-to-curb/overlap c-c	
30°	Standard	9'	17.3'	11.0'	18.0'	45.6'	37.8'
	Compact	8'	14.9'	11.0'	16.0'	40.8'	33.9'
45°	Standard	9'	19.8'	13.0'	12.7'	52.6'	46.2'
	Compact	8'	17.0'	13.0'	11.3'	47.0'	41.3'
60°	Standard	9'	21.0'	18.0'	10.4'	60.0'	55.5'
	Compact	8'	17.9'	16.0'	9.2'	53.8'	49.8'
90°	Standard	9'	19.0'	24.0'	9.0'	62.0'	—
	Compact	8'	16.0'	22.0'	8.0'	56.0'	—

All other consideration shall conform to acceptable published architectural/engineering standards, as approved by the planning and community development division director.



5. *Handicapped parking.*

- a. Where parking spaces are required for the physically disabled and/or handicapped in accordance with chapter V, section 508 (accessibility for the physically disabled and/or handicapped) of the Standard Building Code, the number of spaces to be reserved for the handicapped shall be as follows:

Total Number of Parking Spaces	Required Number to be Reserved for Handicapped
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of Total
Over 1,000	20, plus 1 for each 100 over 1,000

- b.

- Perpendicular parking spaces shall be at least eleven (11) feet wide and shall have an adjacent stripped access aisle a minimum of five (5) feet wide on one side of every such space. Two (2) parking spaces may share the same access aisle. If a sidewalk is located adjacent to the accessible parking space, a minimum of three (3) feet clear width, excluding vehicle overhangs is required as an accessible circulation route. The access aisle shall be connected to the curb by a curb cut or ramp at a maximum inclination ratio of 12:1. The access aisle cannot include a ramp or sloped area.
- c. Parallel parking spaces next to curbs shall be separated from the space in front or behind by a minimum five (5) feet striped no parking area. This area shall be connected to the curb by a curb cut or ramp at a maximum inclination ratio of 12:1.
 - d. Passenger loading zones shall provide an access aisle at least five (5) feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull-up space. If there are curbs between the access aisle and the vehicle pull-up space, then a curb cut or ramp at a maximum inclination ratio of 12:1 shall be provided.
 - e. Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, walkways and entrances. Parking spaces should be located so that physically handicapped persons are not compelled to wheel or walk behind parked cars to ramps, walkways and elevators.
6. *Curb required along parking areas.* In areas where a parking area is located ten (10) feet or less from the street right-of-way a continuous raised curb of not less than six (6) inches in height shall be constructed along the perimeter of the parking area and parallel with the abutting street right-of-way line, except for driveway openings. The perimeter of the parking area adjacent to the side or rear lot line shall be provided with wheel guards, bumper guards or curbs when the parking area is located ten (10) feet or less from the lot line.

(Ord. No. 3307, 3-25-03)

Sec. 4. Schedule of parking requirements.

Minimum off-street parking space shall be provided as follows:

1. *Residential uses.*
 - a. Single-family and duplex dwelling: Two (2) parking spaces per dwelling unit outside the primary structure or garage, provided, however, that the maximum allowed paved surface area shall not exceed forty percent (40%) of the total area of the front yard.
Paving in back, side, or rear yards shall not be allowed except:
 - (1) To provide access to an accessory structure used to park or store motor vehicles; or
 - (2) In connection with the parking of a recreational vehicle, all-terrain vehicle, boat, trailer, or utility trailer pursuant to section 114-58(b)(1).
 Paving in side yards shall be limited to one side yard, access must be from a paved driveway, and the paved surface area shall not exceed ten (10) feet in width and shall not exceed the depth of the structure.

Any paved areas existing in side or back/rear yards as of the date of the passage of this ordinance shall be considered a non-conforming use, subject to Article 8.

All requests for a variance from the maximum allowed paved area shall be heard in accordance with Article 2 herein;

- b. Multi-family dwelling: Three (3) parking spaces per dwelling unit for the first twenty (20) dwelling units, 2.25 spaces per dwelling unit for the next fifty (50) dwelling units, and 1.75 spaces per dwelling unit for each dwelling unit over seventy (70) dwelling units;
 - c. Manufactured/mobile home park: Two (2) parking spaces for each manufactured/mobile outside the primary structure;
 - d. Residential care facility: One (1) parking space for each three (3) residential units;
 - e. Nursing home: One (1) parking space for each three (3) residents;
 - f. Rooming house and boarding house: One (1) parking space for each guest accommodation;
 - g. Fraternity, sorority and dormitory: One (1) parking space for each two (2) students residing on the premises, plus one (1) parking space for each housemother or manager and each employee;
 - h. Hotel/motel: One (1) parking space for each bedroom plus one (1) parking space for each two (2) employees; plus one parking space for each two hundred (200) square feet of total floor are used for ballrooms, private meeting rooms, and other similar places of assembly.
2. *Office and institutional uses.*
- a. Church, synagogue or other place of worship: One (1) parking space for each forty (40) square feet in the main auditorium;
 - b. Community center, library, museum, civic club, lodge and similar use: One (1) parking space for each five hundred (500) square feet of floor space;
 - c. Detention facility: One (1) parking space for each five hundred (500) square feet of floor space;
 - d. Schools and institutions:
 - (1) Nursery, kindergarten and day care centers: One (1) parking space for each three hundred (300) square feet of floor space plus one (1) space per employee plus on-site loading and unloading spaces to be required at a rate of one (1) for each ten (10) children accommodated.
 - (2) Elementary school (grades 1—5): One (1) space per classroom plus stacking space for drop-off and pickup shall be required on the site.
 - (3) Middle school (grades 6—7): One (1) space per classroom plus stacking space for drop-off and pickup shall be required on site.
 - (4) Secondary school (grades 8—12): Six (6) spaces per classroom plus stacking space for buses and autos shall be required.
 - (5) College, university, business college or trade school: One (1) space for each three hundred (300) square feet of floor area or one (1) space per four (4) students, whichever is greater.
 - (6) Dance school/studio: One (1) space per employee plus on-site loading and unloading spaces to be required at the rate of one (1) for each five

- (5) students, based on the maximum number of students at any one time.
- e. Hospital: One (1) parking space for each bed, plus one (1) parking space for each resident doctor, plus adequate reserved space for visiting doctors, plus one space for each three (3) employees;
 - f. Business and professional office including medical, dental or veterinarian offices and similar use or establishment: One (1) parking space for each three hundred (300) square feet of the sum of the gross areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of party walls. For structures larger than ten thousand (10,000) square feet, the above parking requirement shall be provided and the following percentage shall be taken of the remaining gross floor area:
 - 10,000 to 20,000 square feet—95 percent of parking requirement.
 - 20,001 to 30,000 square feet—90 percent of parking requirement.
 - 30,001 to 40,000 square feet—85 percent of parking requirement.
 - 40,001 and up—80 percent of parking requirement.
3. *Commercial uses.*
- a. General business and retail sales, trade, merchandising, personal service (except as otherwise provided herein): One (1) space for each two hundred (200) square feet of gross floor area up to ten thousand (10,000) square feet, the above parking requirement shall be provided and the following percentage shall be taken of the remaining gross floor area:
 - 10,000 to 20,000 square feet—95 percent of parking requirement.
 - 20,001 to 30,000 square feet—90 percent of parking requirement.
 - 30,001 to 40,000 square feet—85 percent of parking requirement.
 - 40,001 and up—80 percent of parking requirement.
 - b. Restaurants (and similar establishments serving food and beverages): One (1) space for each one hundred (100) square feet of floor area.
 - c. Bowling alley: Four (4) parking spaces for each lane.
 - d. Automotive services for passenger cars, light trucks (service stations, garages, and similar uses): Four (4) parking spaces for each service bay or one (1) space for each three hundred (300) square feet of gross building area whichever is greater.
 - e. Automotive services for heavy trucks and equipment (service stations, garages, washing facilities and similar uses): One (1) parking space for each one thousand (1,000) square feet of gross building area.
 - f. Furniture stores: One (1) parking space for each one thousand (1,000) square feet of floor area.
 - g. Mortuary or funeral parlor: One (1) parking space for each forty (40) square feet of chapel space.
 - h. Recreational establishment, commercial, other than a theater, auditorium, stadium or arena: One (1) parking space for each two hundred (200) square feet of floor area.
 - i. Theatre, auditorium, stadium or arena: One (1) parking space for each four (4) seats.
 - j.

Swimming pool: One (1) parking space for each six (6) persons lawfully permitted in the pool at one time.

4. **Industrial uses.**
 - a. Manufacturing and processing (and similar uses or establishment): One (1) space for each six hundred (600) square feet of gross floor area.
 - b. Warehouse and storage: One (1) space for each one thousand two hundred (1,200) square feet of floor area.
5. *The number of parking spaces required for a use not listed herein shall be the same as for a similar use, which is listed.* Appeals from the administrative judgment of the staff shall be filed with the planning commission functioning as the zoning board of adjustment. The content of the filing shall consist of a cover letter addressed to the chairman and members of the board setting forth the request, and a copy of all pertinent graphic materials or correspondence. This filing shall occur within thirty (30) calendar days of the action by the staff.

(Ord. No. 3307, 3-25-03; Ord. No. 3356, § 1, 7-8-03; Ord. No. 4002, § 1, 1-9-07; Ord. No. 4050, § 1, 4-24-07)

Sec. 5. Combined facilities.

Off-street parking facilities required for two (2) or more uses located on the same building site may be combined and used jointly provided, however, that the total number of off-street parking spaces shall not be less than the sum of requirements for the various individual uses computed separately in accordance with the process set forth in this article. Those uses proposed for occupancy within an established development shall not occupy the site prior to the determination that the ordinance standard parking spaces available to the property for all uses meet the provisions of this section except that the number of spaces required for a previous legal use of any portion of the development shall be considered to be provided even if the spaces do not exist. Nonconforming parking rights may be carried forward to count as part of the parking requirement of a use replacing a previously established legal use.

(Ord. No. 3307, 3-25-03)

Sec. 6. Off-street loading requirements.

1. In addition to all other requirements, on the same premises with every building, structure or part thereof hereafter erected, established or enlarged and occupied for manufacturing, storage, warehouse, goods, display, department store, wholesale, market, hotel, laundry, dry cleaning or other uses involving the receipt of distribution by vehicles of materials or merchandise, there shall be provided and maintained adequate space for standing, loading and unloading in order to avoid undue interference with public use of the street or alley.
2. Such space, unless otherwise adequately provided for, shall include a twelve (12) foot by thirty (30) foot loading space and fourteen (14) foot height clearance for every twenty thousand (20,000) square feet or fraction thereof in excess of five thousand (5,000) square feet of floor and land area used for the above-mentioned purposes.

(Ord. No. 3307, 3-25-03)

Sec. 7. Use of right-of-way.

No portion of any public street right-of-way shall be considered as fulfilling or partially fulfilling the off-street parking requirements of this article. No parking "bays" shall be allowed, except for

residential service on residential streets. All commercial off-street parking areas and all residential off-street parking lots abutting streets shall be arranged so that ingress and egress is by forward motion of the vehicle. For the purpose of parking in the rear yard, any public dedicated alley may be used in computing the maneuvering area.

(Ord. No. 3307, 3-25-03)

Sec. 8. Surfacing.

All entrance/exit drives, access drives and parking and loading areas shall be graded and drained so as to dispose of all surface water accumulated thereon and shall be surfaced with a durable and dustless surface of at least an asphaltic concrete hot mix surface course. All storage areas shall be graded and drained and have a dustless surface of at least a single bitumous surface seal (chip seal).

(Ord. No. 3307, 3-25-03)

Sec. 9. Entrance/exit drives.

For all subdivision plats approved after the adoption of this amendment; all vehicular entrance and/or exit drives for all residential uses shall not exceed a maximum slope of fifteen percent (15%) within the required setback area as determined by the zoning ordinance. For all subdivision plats approved prior to the adoption of this amendment; all vehicular entrance and/or exit drives for all residential uses shall not exceed a maximum slope of twenty percent (20%) within the required setback area as determined by the zoning ordinance. All vehicular entrance and/or exit drives for all residential and notresidential uses along a street with minor collector or higher classification, as shown on the master street plan shall not exceed a maximum slope of ten percent (10%) within the required setback area as determined by the zoning ordinance.

1. *Minimum width of drive for two-way traffic:* Twenty-four (24) feet.
2. *Minimum width of drive for one-way traffic:* Fifteen (15) feet.
3. *Minimum width of drive through service lane:* Nine (9) feet, with appropriate stacking lanes to avoid conflicts with internal traffic flow.
4. *Maximum width of drive:* Forty (40) feet.
5. *Minimum radius to the face of the curb:* Twenty-five (25) feet.
6. *Minimum distance between drives on adjoining properties:* Fifty (50) feet.
7. *Minimum distance between drives on single tract:* One hundred fifty (150) feet.
8. *Minimum distance of drive from the project curb line at the street intersection:*
 Local streets: Forty (40) feet;
 Minor collector street: Sixty (60) feet;
 Major collector street: Eighty (80) feet;
 Arterial and Boulevard streets: One hundred twenty (120) feet.

(Ord. No. 3307, 3-25-03; Ord. No. 4097, § 1, 8-28-07; Ord. No. 4301, 3-10-09)

Sec. 10. Lighting.

Adequate lighting shall be provided if the parking facilities are used at night. This lighting shall be installed and maintained in a manner not to shine, reflect or cause glare into abutting premises or roads and highways.

(Ord. No. 3307, 3-25-03)

Sec. 11. Reduction of parking area.

No automobile off-street parking facility shall be reduced in area or encroached upon by buildings, vehicle storage or any other use where such reduction or encroachment will reduce the area below that required.

(Ord. No. 3307, 3-25-03)

Sec. 12. Expansions.

When a building or structure erected prior to April 1, 1999 and use occurring on December 31, 2001 shall have and will undergo any increase in number of gross floor area, dwelling units, or change in use unit designation the existing facility and all additional facilities shall be brought into compliance as a condition for obtaining a certificate of occupancy and business license.

(Ord. No. 3307, 3-25-03)

RESOLUTION NO. _____

**A RESOLUTION AMENDING POLICY 3.13 OF THE CITY
PERSONNEL AND PROCEDURES MANUAL.**

WHEREAS, the City Council for the City of Springdale, Arkansas finds that Policy 3.13 of the City's Personnel and Procedures Manual is in need of revision:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Policy 3.13 is hereby amended to read as follows:

3.13 Disciplinary Action (For Non-Civil Service Employees):

It shall be the policy of the City to administer discipline fairly, reasonably, and impartially. All written disciplinary actions must be authorized beforehand by the Human Resources Director and the Department Head. Human Resources will review the proposed disciplinary action for policy compliance, and consistency with other disciplinary actions in the City pertaining to similar issues. The Department Head will review the proposed disciplinary action from the standpoint of management and maintaining fairness. All disciplinary actions involving suspensions without pay or termination require concurrence of the department head, Human Resources, and the Mayor prior to discipline being administered.

Disciplinary action is not primarily intended to be punitive, but rather to maintain the efficiency and integrity of City service. The nature and severity of the offense and the employee's prior record shall be considered.

It is the responsibility of each supervisor and department head to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline.

Types of disciplinary action may include:

- A. Oral Warning -- This type of discipline should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. The oral warning should be given in private. Supervisors should inform the employee that the supervisor is issuing an oral warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the person will be subject to more severe disciplinary action.

A notation that an oral warning was given should be made in the employee's personnel file and acknowledged in writing by the employee.

- B. Written Warning/Reprimand -- This notice will be issued in the event the employee continues to disregard an oral warning or if the infraction is severe enough to warrant a written reprimand in the employee's personnel file. Written warning/reprimand notices must be issued within ten (10) days after the occurrence or discovery of the violation claimed by the supervisor.

The warning/reprimand shall state the nature of the infraction in detail and what corrective action must be taken by the employee.

A copy of the written warning/reprimand is to be handed to the employee at the time of the discussion of the discipline. The employee shall sign the written warning and acknowledge receipt. A copy, signed by the employee, will be placed in the employee's personnel file. If the employee refuses to sign the acknowledgment, then the supervisor and one other witness shall note on the reprimand that the employee received a copy

thereof and refused to sign it.

- C. Suspension Without Pay -- This form of discipline involves the removal of an employee from his or her job without pay for a specific period of time which shall not exceed 30 days. Suspension without pay is administered as a result of a severe infraction of policies or for repeated violations. For minor infractions, a suspension is often given after the employee has received a warning.
- D. Administrative Leave -- At the discretion of the Department Head and/or Mayor, an employee of the City may be placed on administrative leave with pay and benefits pending investigation of allegations of misconduct, when the nature of the allegation compromises the ability of the employee to perform his/her duties, and when a substantial period of time will be required to complete an investigation or legal action. If the charges are substantiated, disciplinary action will be taken in accordance with the nature of the offense. If the charges are unfounded, the employee will be returned to duty. Administrative leave, also called suspension with pay, is not considered disciplinary action and is not subject to grievance and/or appeal.
- E. Demotion -- Demotion is placing the employee in a position of less responsibilities and less pay.

Demotion may be used when the employee is unable or unwilling to perform the responsibilities of that position or as a result of a severe infraction of policies or for repeated violations. Demotion is not to be used as a substitute for discharge, when discharge is warranted.

- F. Discharge/Termination of Employment -- This is the most severe disciplinary penalty of all and should be reserved for the most serious offenses or when previous actions have failed. Immediate removal of an employee from the job site pending review as to discharge/termination of employment may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the department head. An employee may also be discharged after repeated offenses of a less serious nature when appropriate behavioral changes have not resulted from previous disciplinary action.

Any time disciplinary action is taken, the original copy of the disciplinary action is to be signed by the employee and placed in the employee's personnel file with a copy given to the employee.

Disciplinary actions for civil service employees are covered by Springdale Civil Service Rules and Regulations, Chapter 8, Sections 2-8.

PASSED AND APPROVED this 22nd day of October, 2013.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

That which is stricken through is deleted.

RESOLUTION NO. _____

**A RESOLUTION AMENDING POLICY 3.14 OF THE CITY
PERSONNEL AND PROCEDURES MANUAL.**

WHEREAS, the City Council for the City of Springdale, Arkansas finds that Policy 3.14 of the City's Personnel and Procedures Manual should be repealed:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Policy 3.14 is hereby repealed and removed from the City's Personnel and Procedures Manual.

PASSED AND APPROVED this 22nd day of October, 2013.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

ORDINANCE NO. _____

**AN ORDINANCE TO WAIVE COMPETITIVE BIDDING
FOR THE PURCHASE OF HEALTH, DENTAL, LIFE,
VISION AND LONG TERM DISABILITY INSURANCE**

WHEREAS, the City of Springdale has provided health, dental, life, vision and long term disability insurance for its employees through Arkansas Blue Cross Blue Shield since January 1, 2007, and

WHEREAS, Arkansas Blue Cross Blue Shield has proposed offering employees an option of a health insurance plan utilizing a "health savings account" with a higher deductible or continued coverage on the present plan with an 11% premium increase and some plan modifications, and

WHEREAS, the Mayor proposes to use funds saved from the health insurance premium reduction to help fund a health savings account for employees that choose this insurance option, and

WHEREAS, Arkansas Blue Cross Blue Shield has proposed to continue coverage for City of Springdale employees with an increase of approximately 13.8% for dental insurance and 18.3% for long term disability. There will be no change in rates for life insurance or vision insurance, and

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

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

Section 1. This Council finds that due to the complexity of employee insurance competitive bidding is not feasible or practical in the purchase of health, dental, life, vision and disability insurance needed by the City of Springdale and competitive bidding on the purchase of this benefit coverage from Arkansas Blue Cross Blue Shield for the year of 2014 is here by waived with the provision that health, dental, life, vision and disability monthly premiums will be those rates as reflected on the attached data sheet.

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

PASSED AND APPROVED this 22nd day of October, 2013

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

Health Insurance

	<u>Monthly Premium</u>			<u>City's Portion</u>		<u>Employee's Portion</u>	
	<u>2013</u>	<u>2014</u>	<u>Increase</u>	<u>2013</u>	<u>2014</u>	<u>2013</u>	<u>2014</u>
Employee	391.72	434.68	10.97%	274.20	304.28	117.52	130.40
Employee & Spouse	782.56	868.38	10.97%	547.79	607.87	234.77	260.51
Employee & Children	703.94	781.14	10.97%	492.76	546.80	211.18	234.34
Employee & Family	1,076.02	1,194.03	10.97%	753.21	835.82	322.81	358.21

Health Savings Account Option

	<u>Monthly Premium</u>	<u>City's Premium Portion</u>	<u>Health Savings Account Funding</u>	<u>City's Total</u>	<u>Employee's Premium Portion</u>
Employee	313.01	219.11	55.09	274.20	93.90
Employee & Spouse	625.32	437.72	110.08	547.80	187.60
Employee & Children	562.49	393.74	99.02	492.76	168.75
Employee & Family	859.81	601.87	151.34	753.21	257.94

Dental Insurance

	<u>Monthly Premium</u>			<u>City's Portion</u>		<u>Employee's Portion</u>	
	<u>2013</u>	<u>2014</u>	<u>Increase</u>	<u>2013</u>	<u>2014</u>	<u>2013</u>	<u>2014</u>
Employee	21.11	24.02	13.78%	14.78	16.81	6.33	7.21
Employee & Spouse	44.09	50.17	13.79%	30.86	35.12	13.23	15.05
Employee & Children	39.66	45.13	13.79%	27.76	31.59	11.90	13.54
Employee & Family	67.36	76.66	13.81%	47.15	53.66	20.21	23.00

Vision Insurance, no change

	<u>Monthly Premium</u>	<u>City's Portion</u>	<u>Employee's Portion</u>
Employee	10.58	7.41	3.17
Employee & Spouse	16.93	11.85	5.08
Employee & Children	17.29	12.10	5.19
Employee & Family	27.87	19.51	8.36

Term Life with AD&D

	<u>Total</u>	<u>City</u>	<u>Employee</u>
Monthly Premium, no c	4.40	3.08	1.32

Long Term Disability

	<u>2013</u>	<u>2014</u>	<u>Increase</u>
Annual Premium per 1	0.917	1.085	18.32%

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE LEASE OF THE
SPRINGDALE PUBLIC LIBRARY CAFE**

WHEREAS, the Springdale Public Library Foundation has proposed renovating the kitchen service area for the Children’s Auditorium and Gallery with their funds, and

WHEREAS, the Springdale Public Library Foundation desires to lease the renovated space and operate it as a café to generate revenue for the foundation, and

WHEREAS, the Mayor and City Council support the renovation and creation of a café in the Springdale Public Library;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, the Mayor is hereby authorized to execute a lease of the Springdale Public Library Café to the Springdale Public Library Foundation for a period not to exceed thirty (30) years.

PASSED AND APPROVED this 22nd day of October, 2013.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

2014 Program Year Funds

2014 Grant Funded Programs	Pro	Available	Allocated	Disbursed
Program Administration		\$ 159,345.00	\$ 40,000.00	\$ -
Housing Services		\$ 517,874.00	\$ 686,728.00	\$ -
Public Services		\$ 119,509.00	\$ 70,000.00	\$ -
Public Facilities		\$ -	\$ -	\$ -
		\$ 796,728.00	\$ 796,728.00	\$ -

2014 Grant Funded Activities	Act	Allocated	Disbursed	Balance
Program Administration		\$ 40,000.00	\$ -	\$ 40,000.00
Taxi Program		\$ 20,000.00	\$ -	\$ 20,000.00
Bread of Life		\$ 25,000.00	\$ -	\$ 25,000.00
Seven Hills Homeless Shelter		\$ 25,000.00	\$ -	\$ 25,000.00
Housing Administration		\$ 50,000.00	\$ -	\$ 50,000.00
Lead-based-paint Program		\$ 5,000.00	\$ -	\$ 5,000.00
Paint Program		\$ 5,000.00	\$ -	\$ 5,000.00
Housing Rehabilitation		\$ 626,728.00	\$ -	\$ 626,728.00
2014 grant amount \$.00		\$ 796,728.00	\$ -	\$ 796,728.00

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION
OF AN AMENDMENT TO A CONTRACT FOR
PROFESSIONAL SERVICES**

WHEREAS, the City of Springdale entered into a contract with USI Consulting Engineers, Inc. relating to roadway improvements to Don Tyson Parkway from 40th Street to Carley Road, and

WHEREAS, the City desires to change the alignment to address a safety concern regarding intersection site distance, and

WHEREAS, the compensation included in the contract will be increased by \$31,675.00 for the additional work of right-of-way document revision and plan revision associated with the changes;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to execute amendment no. 1 to USI Consulting Engineers, Inc. contract for roadway improvements to Don Tyson Parkway from 40th Street to Carley Road.

PASSED AND APPROVED this 22nd day of October, 2013.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

ATTACHMENT "D" (AMENDMENT NO. 1)

COMPENSATION

PROFESSIONAL SERVICES AGREEMENT

**CITY OF SPRINGDALE, ARKANSAS
2012 STREET BOND PROGRAM**

**DON TYSON PARKWAY (40th STREET TO CARLEY ROAD)
CITY OF SPRINGDALE PROJECT NO. _____
USI PROJECT NO. 1309001**

- CITY shall pay ENGINEER for Basic Services rendered an amount equal to 8.0% of the actual construction cost of the project, plus \$17,800 for Re-alignment of Roadway, \$15,000 for Geotechnical Investigation, \$35,000 for a Traffic Study and Traffic Signal Design, \$71,375 for Right-of-Way Document Preparation and reimbursable expenses.
- Basic Services: Payment by CITY shall be based on percentage of actual construction cost and shall approximate the following payment categories. Payment for a specific phase shall not exceed the scheduled amount prior to completion of that phase. Because an actual construction cost will not be known until the bid process is completed, payments for Basic Services rendered prior to the bid/award phase will be made based on the Engineer's Estimate of Probable Construction Costs. Once the project is bid and an actual construction cost is established, payments made based on estimated construction cost shall be adjusted to reflect actual construction cost. At completion of the job, payment to the ENGINEER will be adjusted based on the final construction costs including any change orders to ensure that the actual compensation to the ENGINEER for Basic Services is equal to 8.0% of actual construction costs, plus \$17,800 for Re-alignment of Roadway, \$15,000 for Geotechnical Investigation, \$35,000 for a Traffic Study and Traffic Signal Design, \$71,375 for Right-of-Way Document Preparation and reimbursable expenses. Underruns in one phase may be used to offset overruns in another phase as long as the total contract amount is not exceeded.

Re-alignment of Roadway	<u>\$17,800</u>
Geotechnical Investigation	<u>\$15,000</u>
Traffic Study and Traffic Signal Design	<u>\$35,000</u>
Right-of-Way Document Preparation	<u>\$71,375</u>
Concept Design Phase, to include Topographic, Right-of-Way and Utility Surveys	<u>2.25%</u>
Preliminary Design Phase	<u>1.75%</u>

Final Design Phase 2.00%

Bid/Award Phase 2.00%

SUB-TOTAL Basic Services 8.00% Plus \$139,175 for Geotechnical Investigation, Traffic Study & Traffic Signal Design, Right-of-Way Document Preparation

- Construction Phase: Payment by CITY shall be based on actual construction cost. CITY shall pay ENGINEER for Construction Services rendered an amount equal to 4% of the actual construction cost, plus reimbursable expenses. Actual construction cost shall be adjusted to reflect any change orders approved by the City. Payments for Construction Services shall be made monthly and shall be proportional to the amount of work completed by the CONTRACTOR during the preceding month. The final payment for Construction Services shall be adjusted to ensure that total project compensation paid by the CITY to the ENGINEER is equal to 8.0% of total construction cost (inclusive of any change orders approved by the City) for Basic Services rendered and 4.0% of total construction cost (inclusive of any change orders approved by the City) for Construction Services rendered, \$17,800 for Re-alignment of Roadway, \$15,000 for Geotechnical Investigation, \$35,000 for a Traffic Study and Traffic Signal Design, \$71,375 for Right-of-Way Document Preparation, plus reimbursable expenses.
- The maximum payment to the ENGINEER for Basic Services and Construction Services under this Agreement shall not exceed 12.0% of actual construction cost, inclusive of any change orders approved by the City, plus \$17,800 for Re-alignment of Roadway, \$15,000 for Geotechnical Investigation, \$35,000 for a Traffic Study and Traffic Signal Design, \$71,375 for Right-of-Way Document Preparation and reimbursable expenses.
- Additional Services: Any and all Additional Services must be approved, and maximum amount to be paid for said services agreed to, in writing by CITY prior to rendering of same. CITY shall pay ENGINEER for Additional Services rendered an amount equal to the cumulative hours charged to the Project for each class of ENGINEER'S employees multiplied by ENGINEER'S Hourly Rates as shown on the Attached Exhibit "1", plus approved Reimbursable Expenses and ENGINEER'S Consultant charges, if any. For ENGINEER'S Consultant charges, the CITY shall pay the ENGINEER the amount billed to the ENGINEER times a factor of 1.00.

An allowance for Additional Services is established as part of this Agreement. The ENGINEER shall proceed with Additional Services only upon the written authorization of the CITY that specifically states the scope of work to be accomplished and paid for under the additional services allowance.

SUB-TOTAL Additional Services Allowance \$ 20,000.

RESOLUTION NO. _____

A RESOLUTION REVISING THE BUDGET FOR MEADOW STREET TRAIL (CP1204; AHTD #040615) AND AUTHORIZING CONSTRUCTION BIDDING FOR THIS PROJECT

WHEREAS, the City of Springdale has received a Federal-Aid Recreational Trail Grant for trail construction, and

WHEREAS, the grant was accepted by council resolution 48-10 and allows reimbursement up to \$50,000 at the percentages listed below, and

	Federal %	City %
Project Design:	0	100
Right-of-way/Utilities	0	100
Project Inspection	0	100
Project Construction	80	20

WHEREAS, a budget was adopted on June 26, 2012 by resolution number 69-12 in the amount of \$112,319, and

WHEREAS, bids were taken for the project on September 17, 2013, and

WHEREAS, the low bidder was Tomlinson Asphalt with a bid of \$128,713.00, and

WHEREAS, the low bid exceeded the construction estimate therefore it is necessary to revise the budget for this project; said budget to be as follows:

Design Engineering	\$	0
Utility Relocation/Property Acquisition (Estimated)	\$	25,000
Material Testing (Estimated)	\$	5,000
Construction (Estimated)	\$	128,713
Construction Contingency (10%)	\$	<u>12,871</u>
Total Project Budget	\$	171,584

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

- 1) The total project cost shall not exceed \$171,584 without Council approval.
- 2) That the Mayor and City Clerk are hereby authorized to execute a contract with Tomlinson Asphalt Co., Inc. in the amount of \$128,713 for construction of the Meadow Street Trail.

PASSED AND APPROVED this _____ day of _____ 2012.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney