

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

- Monday, February 3<sup>rd</sup>, 5:30 p.m. is the next Committee meetings.
  - Committee agendas will be available on Friday, January 31<sup>st</sup>, 2013.

SPRINGDALE CITY COUNCIL  
REGULAR MEETING  
TUESDAY, JANUARY 28<sup>TH</sup>, 2013

- 5:55 p.m. Pre Meeting Activities  
Pledge of Allegiance  
Invocation – **DOUG SPROUSE**
- 6:00 p.m. **OFFICIAL AGENDA Pg.'s 1-2**
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. Recognitions by Mayor Doug Sprouse  
Arnola (Bunny) Goodman - **17 Years of Service**
  5. Comments from Citizens  
The Council will hear brief comments from citizens during this period on issues not on the agenda. No action will be taken tonight. All comments will be taken under advisement.
  6. Approval of Minutes
    - a) January 14<sup>th</sup>, 2013 **Pg.'s 3-14**
  7. Procedural Motions
    - A. Entertain Motion to read all Ordinances and Resolutions by title only.
    - B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item numbers....9A, B; 13C; 14A-D; 15;*. (Motion must be approved by two-thirds (2/3) of the council members).
  8. **An Appeal** of the Planning Commissions' decision to deny a Conditional Use permit for an In Home Preschool, located at 505 Eastgate St. by Tina Haden. **Pg.'s 15-28**
  9. Ordinance Committee Report and Recommendations by Chairman Mike Overton:
    - A. **An Ordinance** amending Section 46-51 of the Code of Ordinances of the City of Springdale Arkansas; declaring an emergency; and for other purposes. (Committee forwarded to Council with recommendation for approval) **Pg. 29**
    - B. **An Ordinance** amending Chapter 22 of the Code of Ordinances of the City of Springdale Arkansas; declaring an emergency; and for other purposes. (Committee forwarded to Council with recommendation for approval) **Pg. 30-43**
    - C. **An Ordinance** amending Section 50-27 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes. **Pg.'s 44-46**
  10. Street & CIP Committee Report and Recommendations by Chairman Rick Evans:
    - A. **A Resolution** authorizing the acquisition of property located at 5620 Har-Ber Avenue for the 56<sup>th</sup> Street Project, 12BPS8 (Har-Ber Avenue to Elm Springs Road). (Committee forwarded to Council with recommendation for approval) **Pg. 47**
    - B. **A Resolution** authorizing the execution of an amendment to a contract for professional services. (Committee forwarded to Council with recommendation for approval) **Pg.'s 48-53**

11. Police & Fire Committee Report and Recommendations by Chairman Eric Ford:
 

**A Resolution** authorizing the purchase of property located in the Glass Commercial Subdivision, Springdale, Arkansas. (*Committee forwarded to Council with recommendation for approval*) **Pg.54**
  12. Personnel Committee Report and Recommendations by Chairperson Kathy Jaycox:
 

**A Resolution** amending Section 4.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas. (*Committee forwarded to Council with recommendation for approval*) **Pg.'s 55-56**
  13. Finance Committee Report and Recommendations by Chairman Brad Bruns:
    - A. **A Resolution** amending the 2014 Budget of the City of Springdale Police Department. (*Committee forwarded to Council with recommendation for approval*) **Pg.'s 57-60**
    - B. **A Resolution** amending the 2014 Budget of the Public Works Street Department. (*Committee forwarded to Council with recommendation for approval*) **Pg. 61**
    - C. **An Ordinance** authorizing the City of Springdale Public Works Department to purchase snow and ice removal equipment from Grand Truck Equipment Company; to waive competitive bidding ; declaring an emergency; and for other purposes. (*Committee forwarded to Council with recommendation for approval*) **Pg.'s 62-94**
  14. Planning Commission Recommendations by Planning Director Patsy Christie:
 (*The items listed below was forwarded from the Planning Commission to the City Council with recommendations for approval*)
    - A. **An Ordinance** rezoning 11.5 acres owned by Smith Properties, LLC, located at 6372 W. Sunset Avenue from General Commercial District (C-2) to Large Product Retail Sales (C-6) and declaring an emergency. **Pg.'s 95-98**
    - B. **An Ordinance** rezoning 2.26 acres owned by Jerry Porter, located at 1125 North Jefferson from Heavy Industrial (I-2) to Light Industrial ( I-1) and declaring an emergency. **Pg.'s 99-101**
    - C. **An Ordinance** rezoning 2.5 acres owned by Richland Commercial Masonry, located at 3265 N. Thompson from Thoroughfare Commercial District (C-5) to Large Product Retail Sales District (C-6) and declaring an emergency. **Pg.'s 102-104**
    - D. **An Ordinance** rezoning 0.57 acres owned by Virgil & Marlene Moore, located at 10733 Marchant Road from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) and declaring an emergency. **Pg.'s 105-107**
- Waiver:**
- E. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks as set forth in Ordinance No. 3725 to 5890 New Hope Road in connection with a single family dwelling. **Pg.'s 108-109**
15. **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, Arkansas, presented by Ernest B. Cate, City Attorney. **Pg.'s 110-127**
    - 1605 Cambridge St.
    - 2403 Toni Ave.
    - 303 Wright Ave.
  16. Comments from Department Heads.
  17. Comments from Council Members.
  18. Comments from City Attorney.
  19. Comments from Mayor Sprouse.
  20. Adjournment.

SPRINGDALE CITY COUNCIL  
JANUARY 14, 2014

The City Council of the City of Springdale met in regular session on January 14, 2014, in the City Council Chambers, City Administration Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

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

Department heads present:

Wyman Morgan	Director of Finance & Admin.
Patsy Christie	Planning Director
Sam Goade	Public Works Director
Kathy O'Kelley	Police Chief
Mike Irwin	Fire Chief
Mike Chamlee	Chief Building Official
Rick McWhorter	Parks & Recreation Director
Gina Kincy	Human Resource Director
Courtney Kremer	Animal Services Director
Alan Pugh	Engineering Director
Mark Gutte	IT Director
Marcia Ransom	Library Director

APPROVAL OF MINUTES

Alderman Jaycox moved the minutes of the December 10, 2013 and December 30, 2013 City Council meetings 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 Jaycox made the second.

The vote:

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

No: None

PUBLIC HEARING – ORDINANCE NO. 4756 – VACATING BLAIR STREET AND MAIN STREET RIGHTS-OF-WAY NORTH OF HUTSVILLE AVENUE IN THE CITY OF SPRINGDALE, ARKANSAS (MAGNOLIA GARDENS LOCATED AT 501 N. MAIN STREET); TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES, PETITIONERS: BILL AND CAROL KENDRICK

A public hearing was held to hear a request by Bill and Carol Kendrick to release, vacate and abandon Blair Street and Main Street rights-of-way north of Huntsville Avenue in the City of Springdale, Arkansas (Magnolia Gardens).

There were no comments made at the public hearing.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4756.

RESOLUTION NO. 1-14 – MAKING APPOINTMENTS TO THE SPRINGDALE LIBRARY BOARD

Library Director Marcia Ransom presented a Resolution making appointments to the Springdale Library Board.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION MAKING APPOINTMENTS TO THE SPRINGDALE LIBRARY BOARD**

**WHEREAS**, currently we have two vacancies on the board along with appointments that have expired and they are: Todd Wood, Ann Applegate, Ginny Cartwright Owen and Robin Wages, and

**WHEREAS**, Arkansas Code 13-2-502, provides for appointments to the Library Board by the Mayor with the approval of the City Council, and

**WHEREAS**, Todd Wood, Ann Applegate, Ginny Cartwright Owen and Robin Wages have faithfully performed their duties on this board and indicated their desire to continue serving; and

**WHEREAS**, upon recommendation of the Library Board of the City of Springdale, the Mayor recommends Paula Wilson and Matthew Fryar be appointed to fill the vacant positions and recommends reappointment of Todd Wood, Ann Applegate, Ginny Cartwright Owen and Robin Wages; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** that the following are appointed to the Springdale Library Board with terms stated below:

SPRINGDALE CITY COUNCIL  
JANUARY 14, 2014

Paula Wilson term expiring 12/31/2019  
Matthew Fryar term expiring 12/31/2019  
Todd Wood term expiring 12/31/2019  
Ann Applegate term expiring 12/31/2018  
Robin Wages term expiring 12/31/2018  
Ginny Cartwright Owen term expiring 12/31/2016

**PASSED AND APPROVED** this \_\_\_\_ day of January, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 1-14.

ORDINANCE NO. 4757 – ACCEPTING THE REPLAT OF LOT 1, CLEAR CREEK ACRES SUBDIVISION, TO THE CITY OF SPRINGDALE, ARKANSAS, AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat of Lot 1, Clear Creek Acres Subdivision, to the City of Springdale, Arkansas, and declaring an emergency.

Planning Commission recommended approval at their January 7, 2014 meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4757.

ORDINANCE NO. 4758 – VACATING A PORTION OF LOTS 1-8 OF THE R.L. HAYES SUBDIVISION IN THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance vacating a portion of Lots 1-8 of the R.L. Hayes Subdivision in the City of Springdale, Washington County, Arkansas, and declaring an emergency.

Planning Commission recommended approval at their January 7, 2014 meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4758.

RESOLUTION NO. 2-14 – AUTHORIZING FUNDS FOR THE CAPITAL IMPROVEMENT PROJECT FUND FOR AIRPORT FUEL FARM IMPROVEMENTS

Wyman Morgan presented a Resolution authorizing \$150,000 in funds from the Capital Improvement Projects Fund for fuel farm improvements at the Springdale Municipal Airport.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING FUNDS FROM THE CAPITAL IMPROVEMENT PROJECT FUND FOR AIRPORT FUEL FARM IMPROVEMENTS**

**WHEREAS**, the Springdale Airport Commission is planning the construction of a new access road to the terminal building, and

**WHEREAS**, the construction of the access road will require the removal the old fuel farm, and

**WHEREAS**, the newer fuel farm needs an additional 12,000 gallon tank to have adequate capacity to serve the airport needs, and

**WHEREAS**, the projected cost of the needed fuel farm improvements is \$150,000.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the expenditure of a maximum of \$150,000.00 of funds from the Capital Improvement Projects Fund is hereby approved for fuel farm improvements at the Springdale Municipal Airport.**

**PASSED AND APPROVED** this \_\_\_\_ day of January, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 2-14.

RESOLUTION NO. 3-14 – AUTHORIZING FUNDS FROM THE CAPITAL IMPROVEMENT PROJECT FUND FOR DESIGN OF SPRINGDALE AIRPORT TERMINAL BUILDING IMPROVEMENTS

Wyman Morgan presented a Resolution authorizing \$71,250 from the Capital Improvement Project Fund for design of improvements to the Springdale Airport terminal building.

**RESOLUTION NO. \_\_\_\_\_**

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

**WHEREAS**, the Springdale Airport terminal building has not been remodeled or expanded since it was constructed in 1986, and

**WHEREAS**, a study done in 2006 by the Arkansas Department of Aeronautics indicated the City of Springdale's economic benefit derived from the municipal airport was estimated to be \$18,563,500, and

**WHEREAS**, the same study concluded that the airport provided 246 jobs with a total payroll of \$5,890,700, and

**WHEREAS**, several positive comments about the airport were received in response to a survey by the Chamber of Commerce of its membership, and

**WHEREAS**, the Springdale Municipal Airport Commission voted on July 28<sup>th</sup> to request Capital Improvement Funds from the City Council to renovate the terminal

building at the Municipal Airport and would like to proceed with the design of the renovations.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS,** that the expenditure of a maximum of \$ 71,250.00 of funds from the Capital Improvement Projects Fund is hereby approved for the design of the project of renovation/expansion/remodeling of the Springdale Municipal Airport Terminal Building.

**PASSED AND APPROVED** this \_\_\_\_ day of January, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 3-14.

RESOLUTION NO. 4-14 – AMENDING THE 2014 BUDGET OF THE FIRE DEPARTMENT FOR PURCHASE OF TWO COPIERS

Fire Chief Mike Irwin presented a Resolution amending the 2014 Budget of the Fire Department for the purchase of two copiers from Preferred Office Products in the amount of \$10,800 and monthly maintenance in the amount of \$48.50.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AMENDING THE 2014 BUDGET OF THE FIRE DEPARTMENT**

**WHEREAS,** the Springdale Fire Department has a need to repair or replace its copy machine, and;

**WHEREAS,** we have received quotes from four businesses who provide business machines for sale and/or lease, and;

**WHEREAS,** the Fire Chief has requested an appropriation of \$10,800 for the purchase of two copiers, and;

**WHEREAS,** the maintenance contract for the copy machines is \$48.50 per month;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the 2014 budget of the Fire Department is hereby amended as follows and the Mayor is hereby authorized to execute a copy machine maintenance contract with Preferred Office Products for \$48.50 per month.**

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Proposed Budget</u>
Fire	10106014228030	Equipment	39,000	10,800		49,800

**PASSED AND APPROVED** this 14<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 4-14.

**RESOLUTION NO. 5-15 – AMENDING SECTION 5.12(F) OF THE PERSONNEL AND PROCEDURES MANUAL FOR THE CITY OF SPRINGDALE, ARKANSAS**

Human Resource Director Gina Kincy presented a Resolution amending Section 5.12 (f) (Use of Paid and Unpaid Leave) of the Personnel and Procedures Manual for the City of Springdale, Arkansas.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AMENDING SECTION 5.12(f) OF THE PERSONNEL AND PROCEDURES MANUAL FOR THE CITY OF SPRINGDALE, ARKANSAS**

**WHEREAS**, it has come to the attention of the City Council that the provisions of the Personnel and Procedures Manual for the City of Springdale, Arkansas, pertaining to the use of paid and unpaid leave are in need of revision;

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

**Section 1:** Section 5.12(f) of the Personnel and Procedures Manual for the City of Springdale, Arkansas is hereby amended to read as follows:

5.12(f) Use of Paid and Unpaid Leave.

FMLA will run concurrently with accrued paid leave. If an employee has accrued paid leave of less than 12 weeks, the employee will use paid leave first and take the remainder of the 12 weeks as unpaid leave.

If an employee uses leave because of his/her own serious medical condition or the serious health condition of an immediate family member, the employee will first use all paid vacation, paid sick leave when eligible, and accrued compensatory time, and then will be eligible for unpaid leave for the remainder of the 12 weeks. Sick leave may not be used for a medical condition or serious health condition of the employee that is covered by worker's compensation.

An employee using leave for the birth of a child will use paid sick leave and any accrued compensable time for physical recovery after childbirth. The amount of sick leave utilized after this point will be decided on a case by case basis. The employee then may use all paid vacation, and any unused compensatory time, and then will be eligible for unpaid leave for the remainder of the 12 weeks.

An employee using leave for the adoption or foster care of a child will use all paid vacation, paid sick leave or accrued compensable time, and then will be eligible for unpaid leave for the remainder of the 12 weeks.

**Section 2:** All other provisions of Section 5.12 not specifically modified herein shall remain in full force and effect.

**PASSED AND APPROVED,** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
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: Ford, Lawson, Evans, Reed, Jaycox, Bruns, Watson, Overton

No: None

The Resolution was numbered 5-14.

RESOLUTION NO. 6-14 – AMENDING SECTION 4.10 OF THE CITY OF  
SPRINGDALE PERSONNEL AND PROCEDURES MANUAL (ADDITIONAL  
COMPENSATION FOR CERTAIN EMPLOYEES)

Human Resource Director Gina Kincy presented a Resolution amending Section 4.10 of the City of Springdale Personnel and Procedures Manual regarding additional compensation for certain employees. When an employee is assigned the responsibility of being on call they incur some personal restrictions and inconveniences. The amendment will allow Animal Control Officers, employees of the Information Technology Department and employees of the Public Works Signalization Division to receive additional compensation of \$15.00 per day when required to be "On-Call" after normal work hours.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AMENDING SECTION 4.10 OF THE CITY OF  
SPRINGDALE PERSONNEL AND PROCEDURES MANUAL**

**WHEREAS**, some of the services provided by the City of Springdale require having employees "On-Call" after normal working hours, and

**WHEREAS**, when an employee is assigned the responsibility of being on call they incur some personal restrictions and inconveniences, and

**WHEREAS**, Animal Control Officers, Information Technology Department employees and employees of the Public Works Signalization Division should be compensated for being "On-Call";

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that Section 4.10 of the City of Springdale Personnel and Procedures Manual is hereby amended to read as follows, effective January 1, 2014.

**4.10 Additional Compensation for Certain Employees:**

In addition to regular pay, including any holiday compensation, certified full-time paramedics of the Springdale Fire Department shall receive an additional salary compensation, to be determined by the City Council. Those full-time firefighters who are members of HAZMAT shall receive additional compensation in an amount to be determined by the City Council.

Police officers who have attained any certificate, except the Basic Certificate, under the Arkansas Commission on Law Enforcement Standards, shall receive an additional compensation each month for each certificate earned above the "Basic Certificate," and said compensation amount shall be set by the City Council.

Animal Control Officers, employees of the Information Technology Department and employees of the Public Works Signalization Division shall receive additional compensation of \$15.00 per day when required to be "On-Call" after normal work hours.

All additional pay set out in this policy is paid bi-weekly ~~semi-monthly~~, and such compensation is set out on the employee's paycheck.

**PASSED AND APPROVED** this \_\_\_\_ day of January, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 6-14.

RESOLUTION NO. 7-14 – AMENDING THE 2014 BUDGET OF THE FIRE DEPARTMENT FOR WILD LAND GEAR AND HAZ-MAT ID 360 UPGRADE

Alderman Brad Bruns presented a Resolution amending the 2014 Budget of the Fire Department to purchase wild land gear and to upgrade the Haz-Mat ID to 360 software.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AMENDING THE 2014 BUDGET OF THE FIRE DEPARTMENT**

**WHEREAS**, the Springdale Fire Department has a need to acquire a wild land firefighting assemble for front- line firefighters and also upgrade their Haz-Mat ID to the 360 software;

**WHEREAS**, the City has sufficient Act 833 funds to cover the complete purchase price of \$60,952 for wild land gear, and \$15,000 for the Haz-Mat ID 360 upgrade;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the 2014 budget of the Fire Department is hereby amended as follows:

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Proposed Budget</u>
Fire	10106014228050	Capital from Reserves	0	75,952		75,952

PASSED AND APPROVED this \_\_\_\_ day of January, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Alderman Ford moved the Resolution be adopted. Alderman Evans made the second.  
The vote:

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

No: None

The Resolution was numbered 7-14.

ORDINANCE NO. 4759 – WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF CERTIFIED WILDLAND GEAR AND TECHNICAL RESCUE GEAR FOR THE SPRINGDALE FIRE DEPARTMENT

Alderman Bruns presented an Ordinance to waive competitive bidding for the purchase of certified wildland gear and technical rescue gear for the Springdale Fire Department on purchases not to exceed \$60,952.

SPRINGDALE CITY COUNCIL  
JANUARY 14, 2014

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4759.

ORDINANCE NO. 4760 – 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, ARKANSAS (3331 GLENBROOK LOOP, 2504 JO STREET, 3207 KASEY AVENUE, 517 MOUNTAIN VIEW AVENUE AND 1001 WILKINSON LANE)

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located within the City of Springdale, Arkansas: 3331 Glenbrook Loop, 2504 Jo Street, 3207 Kasey Avenue, 517 Mountain View Avenue and 1001 Wilkinson Lane.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4760.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:28 p.m.

SPRINGDALE CITY COUNCIL  
JANUARY 14, 2014

Following City Council, Public Works Director Sam Goade and Public Works employee Misha Wagoner gave a presentation using existing vehicle traffic monitoring software for the pre-treatment of streets during winter events.

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Doug Sprouse, Mayor

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Denise Pearce, City Clerk/Treasurer

Teacher's Choice Preschool

Tina M. Haden

505 Eastgate St.

Springdale, AR. 72762

479-236-0385

Dear City Council Members,

I would like to appeal the decision the planning commission set forth on January 7, 2014. I am requesting a Conditional Use permit for an In Home Preschool.

The council was concerned with the parking at my home. I have provided letters from the other neighbors who live in the cul-de-sac. I currently have room in my driveway for 5 cars to be parked at one time. My husband works mostly out of town and his vehicle will be gone. My daughter leaves early for school and works after school. There is a concrete pad that is beside our house behind the fence, and I can park my car there. This would take away from the children's play area, but if it is necessary, I can do that also. I would also like to let you know that I lived at 406 Eastgate in a rental home for the past 3 years and know all of the people who live on the street. When the home at 505 came on the market for sale, I knew this would be a very quiet and safe place to teach children in my home. I discussed the possibility of doing this with the neighbors before we purchased the home. I am very happy that when parents bring their children and pick them up they don't have to be concerned with any through traffic. When the parents bring their child in the morning, they drop off quickly and are all gone well before 8 AM. In the afternoon they are picked up by 5 PM. Most are generally able to be in and out within 5 minutes.

I also want you to know that I have worked in child care centers for over 15yrs. I have a passion for teaching children. I have helped those centers achieve the highest level of standards through Better Beginnings. The last center I worked at for 5 years, and it was at the 3 star level. When my classroom was observed, I received the highest rating that the center has ever had. I have a Child Development Associate degree, and I attend 25 hours of continuing education every year. I am CPR and First Aid certified. I want to continue that level of care and teaching in my home preschool.

By acquiring a conditional use permit from the city of Springdale, I can obtain a license from Little Rock and work towards becoming a 3 star Better Beginnings In Home Preschool.

My current clients are teachers and one is a city employee. I provide them with weekly lesson plans and a monthly menu. My classroom is divided into learning centers to provide children the opportunity to learn and grow. I have a very large yard with 5 ft. tall chain link fencing for the children to play safely. There are no neighbors on the back side of the play area and there is a privacy fence for the only neighbor who has an adjoining fence.

My goal is to provide the best In Home Preschool that I can to teach children ages 3-5 and to provide their parents with the peace of mind that it is a safe and loving environment. Please consider all these things in your decision to grant me this permit.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Tina Haden". The signature is written in a cursive, flowing style with a large initial 'T'.

Tina M. Haden

January 17, 2014

Springdale Planning Commission

To whom it may concern,

I live on Eastgate St. on the cul-de-sac where Tina Haden is opening a day care center. I have no complaints about this on my street. The previous owner had a day care at the same place and it wasn't a problem. I do not think the traffic for bringing the children is a problem. It is usually in the morning when others on the street are heading off to work and at night when they are returning. I would rather have some activity on my street because with people coming and going I feel safer than if it is quite all the time. Anyone looking to track activity in a neighborhood know when all are at work.

Anne Whiteman



500 Eastgate St  
Springdale AR 72762  
479-409-9496

From: Randall S. Burdick  
503 Eastgate  
Springdale, Ar 72762  
(479) 290-3914  
Randall.burdick@tyson.com

RE: Tina and Casey Haden Daycare Facility on Eastgate

To whom it may concern:

I have been a residence in Springdale Arkansas since 1969. I graduated from Springdale High School in 1975 and went on to get a degree from Arkansas Tech University. I have worked at Tyson Foods for almost 25 years.

I live at 503 Eastgate and have been there for the past 20 years. I met Tina and Casey approximately 4 years ago when they moved into a rental house across the street. Very soon after they moved in I noticed a great improvement in that rental. Tina and her family began planting and making improvements in the yard. The 'curb appeal' of their rental improved significantly quickly. In addition, the Haden's are a very friendly family and exactly the type of people you want to have for your neighbors. Recently, the Haden's have purchased and moved in the house right beside mine. It is Tina's goal to open and operate a day care in their house. I would like to voice my support of her goal. The Haden's are very respectful and mindful of the privacy of their neighbors. Because of these things, I am certain that there would be no adverse effect to property values. It is also important to note that the previous owners of the home operated a day care. I never experienced any type of disruption to my house, privacy, or the neighborhood. Based on the pride that they took in their rental house, I feel certain that there will no problems with their daycare.

It is without reservation that I support the Haden's in this business endeavor. Please feel free to contact me with any questions.

*Randall Burdick*  
1-18-14  
Randall S. Burdick

## Debbie Ponders

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**From:** Kimberly Kay Petrone <kpetrone@uark.edu>  
**Sent:** Friday, January 17, 2014 2:17 PM  
**To:** dpounders@springdalear.gov  
**Cc:** ;  
**Subject:** Letter in Support of Tina Haden

Dear Mr. Ponders,

I write in support of Tina Haden's application to operate a day care out of her home on Eastgate in Springdale. My husband and I own the home at 406 Eastgate, a few doors down from Mrs. Haden's home.

We believe that Eastgate can accommodate the parking and traffic that will be associated with her business. We do not think this will interfere with our house or the rest of the neighborhood.

Regards,  
Kim Petrone  
479-442-2930

**AFFIDAVIT**

STATE OF ARKANSAS            )  
  )ss.  
COUNTY OF WASHINGTON    )

The undersigned, after first being duly sworn, does state under oath as follows:

1. I am appealing a decision of the Springdale Planning Commission on a rezoning request.
2. I have notified all adjacent property owners of my appeal to the Springdale City Council.

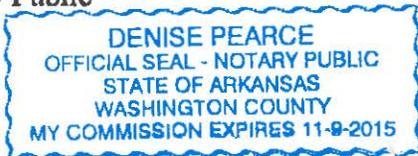
I, Tina Haden, upon my oath state that I have read the foregoing Affidavit, and the facts set forth therein are true and correct, to the best of my knowledge and belief.

Tina Haden

SUBSCRIBED AND SWORN to before me, a Notary Public, this 20<sup>th</sup> day of January, 2014.

My Commission Expires: 11-9-2015

Denise Pearce  
Notary Public



# Teacher's Choice Preschool



Mr. Kelsey asked if there were those in the audience that would like to comment.

There were none.

Ms. Haney asked how long before 56<sup>th</sup> Street would have improvements to that area.

Ms. Christie said they don't have any improvements planned for any time soon.

Mr. Arthur called for the vote.

**VOTE:**

**YES:** Covert, Haney, Kelsey, Miller, Parsley, Powell, Arthur

**NO:** O'Conner

The waiver request was approved by a vote of seven (7) yes and one (1) no.

Ms. Christie stated for the record Staff would prepare the Resolution to go to Council on Tuesday, January 28, 2014 in Council Chambers.

Public Hearing – Conditional Use

The following will be a verbatim account of C-14-01

- A. C14-01 Tina Haden  
505 Eastgate  
 Use Unit 28 (Home Business/Child Care)  
 In an SF-2 zone  
 Presented by Tina Haden

Mr. Kelsey: Tina Haden, 505 Eastgate, Use Unit 28 (Home Business/Child Care) in an SF-2 zone, presented by Tina Haden. Please state your name and address.

Ms. Haden: Tina Haden, 505 Eastgate Street, Springdale, Arkansas 72762. I am just requesting a conditional use permit in order to become a licensed in home child care center.

Mr. Kelsey: Alright, Staff comments.

Ms. Christie: **Acceptable** Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.

**Unacceptable** Off-street parking and loading areas where required, with particular attention to the items mentioned above and the economic, noise, glare, or

odor effects of the conditional use on adjoining properties and properties generally in the district.

**Acceptable** Refuse and service areas, with particular reference to the item in 1 and 2 above.

**Acceptable** Utilities, with reference to locations, availability and compatibility.

**N/A** Screening and buffering with reference to type, dimension and character.

**N/A** Sign, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.

**Acceptable** Yard requirements and other open space requirements.

**Acceptable** The size and shape of the site, including the size, shape and arrangement of proposed structures in keeping with the intent of this chapter.

**N/A** Proposed landscaping meeting the requirements of this ordinance. Landscaping may be increased in accordance with the judgment of the planning commission to accomplish the desired protective and aesthetic effect.

General compatibility with adjacent properties and other property in the general district. **Location at the end of a cul-de-sac could result in a negative impact on the neighborhood due to limited area for on-site and on street parking.**

Ms. Christie said the biggest concern regarding this request is the parking situation. Being at the end of cul-de-sac there will not be a lot of on street parking. Currently you have space in your driveway for how many vehicles.

Ms. Haden: Five

Ms. Christie: O.K. and has your garage been enclosed or can you park vehicles inside.

Ms. Haden: It's enclosed.

Ms. Christie: And is part of that enclosed area going to be a part of your day care area.

Ms. Haden: It all is.

Ms. Christie: O.K. It creates a situation which I consider to be unacceptable for the conditional use in this location because of the potential impact on the neighborhood because of the number of cars coming in and the lack of places to park.

Ms. Haden: It has already been like that. It previously had a conditional use and was an in-home center that was licensed before I bought the house.

Ms. Kelsey: That doesn't carry over, does it? It doesn't transfer.

Ms. Christie: No it is not transferable to the individual person at that location. Do you know how long ago they got their conditional use?

Ms. Haden: I don't know when it was. I know that she had children a year and a half ago.

Mr. Kelsey: She was in there then?

Ms. Christie: I don't remember a conditional use for it but that doesn't, there's been a lot of things go on. My memory is not as good as it used to be, let's put it that way.

Mr. Kelsey: Is there anybody in the audience want to comment? Alright, it is back to the commission.

Mr. Powell: About how many kids are you talking about?

Ms. Haden: Ten at the most.

Ms. Christie: That's the most that she can have, is ten counting her own.

Ms. Haden: I have three to five.

Ms. Christie: What time of operation?

Ms. Haden: 7:00 a.m. to 5:00 p.m.

Mr. Arthur: Are you going to have any employees.

Ms. Haden: No.

Ms. Christie: She can't have any employees. Only people who live in the home can operate it. She cannot have any employees.

Mr. Arthur: Got that.

Mr. Powell: So you have room for five vehicles in your driveway.

Ms. Haden: Yes.

Mr. Powell: So how many do you expect at any time, up to five a day there, or will it be just your vehicle, or people just coming in and out.

Ms. Haden: Right.

Ms. Haney: How many vehicles do you have?

Ms. Haden: I have one, my husband has one and my daughter has one. My daughter will be going to school, college, in the fall. My husband works over the road. Most generally is not home for months at a time.

Ms. Haney: But potentially that could only be two open spots. And that's a concern.

Mr. Kelsey: When he is on the road does his vehicle stay there?

Ms. Haden: No.

Mr. Kelsey: Do you have kids in place now? Or are you looking to have those kids in place.

Ms. Haden: I have five at the current time and I have five more waiting for on my approval.

Mr. Kelsey: Is that five different families?

Ms. Haden: Five families now, yes, four families that are waiting. One has twins.

Ms. Kelsey: So that could be nine, ten, eleven, twelve vehicles?

Mr. Arthur: So those vehicles are in and out. Is that correct?

Ms. Haden: Oh, yes.

Mr. Arthur: And they are all there at approximately the same time? Is that correct? Not all arriving at the same time but within thirty minutes to an hour in and out.

Mr. Powell: It looks like there is a pretty big gap between your driveway and your neighbor's driveway.

Ms. Haden: Yes. There is a city owned drainage that runs down beside so there's a lot of space.

Mr. Kelsey: Here's the only remark I'm going to make in reference and you know. Dead end, cul-de-sac people move and live in cul-de-sacs for a reason and it is because of less traffic.

Mr. Parsley: Yeah, that's my concern.

Mr. Kelsey: Does anybody else have any comments? To the Commission.

Mr. Covert: Call for the vote.

Mr. Kelsey: Call for the vote by Mr. Covert. Roll call.

Ms. Pounders: Haney: no, Kelsey: no ma'am Miller: no O'Conner: no Parsley: no,  
Powell: yes, Arthur: yes Covert: yes

Mr. Kelsey: It's denied five to three.

Ms. Christie: You have the right to appeal the Planning Commission's decision. You need to file with the City Clerk's office within fifteen days stating why you think the Planning Commission's decision was in error and you have to notify the adjacent property owners.

Public Hearing – Rezoning

The following is a verbatim account of R14-01.

Mr. Kelsey: The next section is public hearing, rezoning, R14-01 Roberto R. Sota, 1304 Young Street, from C-2 to C-5 presented by Diana Gutierrez. Did I say that right? Just state your name and address, please ma'am.

Ms. Gutierrez: Diana Gutierrez, 1304 Young Street.

Mr. Kelsey: Do you all have anything you want to say before I ask for Staff comments?

Ms. Gutierrez: Yes, we want to rezone it so that we can rent it to somebody else so they can make pool tables in the building.

Mr. Kelsey: O.K., is that it?

Ms. Gutierrez: He says he wants to make it for teenagers like not sell alcohol in there. He already has the equipment purchased. Yeah, well he said that he is just trying to rent it to him and he is not going to sell alcohol.

Mr. Kelsey: O.K., Staff comments.

Ms. Christie: The adopted Comprehensive Land Use Plan indicates commercial use. The current classification is in keeping with the Comprehensive Land Use Plan. The rezoning request is not in keeping with the Comprehensive Land Use Plan and is not recommended for approval. Part of the reason is that right across the street is a residential area. Opening up this kind of development with no buffer between that residential area is detrimental to the neighborhood. They have limited parking ability in this area. My recommendation is not to approve it.

Mr. Kelsey: O.K., anybody in the audience that wants to comment? Yes, sir.

Mr. Danny Wright: The police department would also echo Ms. Christie's comments. There is very limited parking in that area that general area has as she mentioned, is residential on the entire other side of the street. We have had numerous noise complaints from other businesses in the area that operate basically large attendance facilities, like the Knights of Columbus Hall. They have had twelve calls for noise disturbances. This business has had one complaint already regarding noise as a Zumba room. It is just not conducive for this type of application. I would also want to remind the Commission that if it is approved, you have to think in terms of the worst case scenario. Even though they say they won't do alcohol, there is nothing to prevent it.

Mr. Kelsey: O.K. Thank you sir. You want to say something sir? Go ahead and state your name and address.

Mr. Hopkins: I'm Gerald Hopkins and I own the property at 1208 Shipley. I actually live at 102 Midland but my son, daughter-in-law and grandkids live at 1208 Shipley. There are a lot of kids along Shipley and I'm just concerned about the atmosphere and what goes on. I've seen things around pool halls, the bowling alley had pool tables but I heard they took them out because of the clients it was drawing. I just want to keep my family and neighborhood safe. I just object to it.

Mr. Kelsey: Alright, appreciate sir. Anyone else? Yes ma'am.

A lady spoke who said she owns the property at 1402 Shipley. She felt it wasn't the right place for a pool hall.

Mr. Kelsey: Alright. Thank you. Anyone else? Then it is to the Commission. I'm going to echo what the police department said. You have the residential on the other side and if you look up and down the map, there is no C-5 anywhere in that area.

Ms. Haney: Can you list what is in a C-5?

Ms. Christie: A C-5 zoned by permitted uses include, cultural, recreational and health facilities, institutional facilities, offices, studios and related services. Eating places, hotel, motel and entertainment facilities, neighborhood shopping good, other shopping goods, trades and services, parking lots, auction houses, open display retail sales, churches, synagogues. By conditional use, commercial large sites, dedicated warehouses, limited manufacturing, Recreational Vehicle Park, monopoles and self-supporting towers, transportation services, temporary classrooms and mobile vending. It is one of our most extensive commercial districts and is really designed to be along major thoroughfares as opposed to butting up against neighborhoods.

Ms. Haney: Call for the vote.

Mr. Kelsey: Call for the vote by Ms. Haney. Roll call.

Ms. Pounders: Kelsey: no, Miller: no, O'Conner: no, Parsley: no, Powell: no, Arthur: no, Covert: no, Haney: no.

Mr. Kelsey: It's denied eight to zero.

Ms. Christie: You have the right to appeal the Commission's decision. An appeal has to be filed with the City Clerk's office within fifteen days indicating why you think the Planning Commission's decision was in error. You have to notify the adjacent property owners again.

Mr. Kelsey: Thank you.

- B. R14-02 Smith Properties, LLC  
6372 W. Sunset Avenue  
From C-2 to C-6
- B14-02 Variance for deletion of paved parking requirement  
Presented by Mike Lawson

Mr. Lawson was present on behalf of Smith Properties, LLC to answer any questions or comments. He stated all they wanted to do on the rezoning is bring it into compliance with the zoning ordinance and they want to gravel the lot between Smith Properties and Springdale Tractor to put inventory on with a two year Bill of Assurance to asphalt it.

Mr. Kelsey asked for Staff comments.

Ms. Christie read the Staff comments.

The adopted Comprehensive Land Use Plan indicates regional commercial uses.

The rezoning request is in keeping with the following goals and policies of the Comprehensive Land Use Plan and is recommended for approval:

Improve the City's economic base and tax structure through the promotion of healthy, stable commercial concentrations.

Assure adequate land allocation for commercial areas of sufficient size and in proper locations.

Encourage the development of a wide range of commercial development for the residents and tourist to include neighborhood, community and regional centers.

Encourage the development of regional commercial areas that accommodate a variety of wholesale, retail, service and office uses where the highest traffic volumes and greatest utility demands can be served and more extensive outdoor display of materials will be expected and permitted.

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

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 46-51 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 46-51 of the Code of Ordinances of the City of Springdale, Arkansas, contains the Fire Prevention Code for the City of Springdale, Arkansas;

**WHEREAS**, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to adopt the updated version of the various codes which comprise the Fire Prevention Code for the City of Springdale, Arkansas;

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

**Section 1:** There is adopted by reference by the city for the purposes of establishing rules and regulations for the protection of lives and property from fire or explosion, including permits and penalties, a certain document, three copies of which are on file in the office of the city clerk of the City of Springdale, being marked and designated as the Arkansas Fire Prevention Code ~~2007~~ 2012 edition. This document includes: Volume [I] that amends the ~~2006~~ 2012 edition of the International Fire Code; Volume II that amends the ~~2006~~ 2012 edition of the International Building Code; and Volume III that amends the ~~2006~~ 2012 edition of the International Residential Code.

**Section 2:** All other provisions of Chapter 46 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

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

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney

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

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Chapter 22 of the Code of Ordinances of the City of Springdale, Arkansas, contains the Buildings and Building Regulations for the City of Springdale, Arkansas;

**WHEREAS**, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to adopt the updated version of the various codes which comprise the Building Code for the City of Springdale, Arkansas;

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

**Section 1:** Section 22-31 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

**Sec. 22-31. Adoption**

A certain document, three copies of which are on file in the office of the city clerk of the City of Springdale, being marked and designated as the ~~2006 International Building Code, including Appendix Chapters A, B, C, D, E, F, G, I, J~~ 2012 Arkansas Fire Prevention Code as published by the International Code Council, Inc., be and is hereby adopted as the Building Code for the City of Springdale, Arkansas; for the control of building and structures as herein provided; and each and all of the regulations, provision, penalties, conditions and terms of said Building Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, and deletions and changes prescribed in the following section of this article.

**Section 2:** Section 22-32 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

**Sec. 22-32. Amendments, deletions and additions.**

(a) *Specific insertions.* That the following sections are hereby revised by inserting information as requested in the code:

(1) ~~Sec. 101.1.~~ insert City of Springdale, Arkansas.

(2) ~~Sec. 1612.3.~~ insert Benton County, Arkansas and Incorporated Areas, September 18, 1991 and Washington County, Arkansas and Incorporated Areas, December 20, 2000.

(b) ~~Deletions.~~ ~~That the following sections are hereby deleted in their entirety:~~  
~~Sec. 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.5, 101.4.7~~

(e) *Building code amendments.* That Section ~~108.2~~ 109.2 be revised to read as follows:

~~108.2~~ 109.2 *Schedule of permit fees.* On building, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule. The building inspection department is authorized to use current average construction costs per square foot as published by the International Code Council and updated yearly for the determination of valuations for building permit fees. All permit fees for donated projects conducted on property owned or leased by the city shall be waived.

a. Permit fee

Total Valuations	Fee
\$1,000 and less	No fee, unless inspection required, in which case a \$15.00 fee for each inspection shall be charged
\$1,000 to \$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00
\$50,000 to \$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to an including \$100,000
\$100,000 to \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,000 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof

b. Moving fee. For the moving of any building or structure, the fee shall be \$100.00.

c. Demolition fee. For the demolition of any building or structure, the fee shall be:

0 up to 100,000 cu ft	\$50.00
100,000 cu ft and over	\$0.50/1,000 cu ft

d. Penalties. Where work for a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

e. Plan-checking fees. When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted by Section 106, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in Section 108. Such plan-checking fee is in addition to the building permit fee.

That Section ~~1805.2~~ 1809.4 be revised to set the minimum depth of footings below the undisturbed ground surface to 18 inches.

That Sec. ~~115~~ 116 *Unsafe Structures and Equipment* be removed and the following be inserted:

All buildings or structures which are unsafe, unsanitary or not provided with adequate egress; or which are substandard, constitute a fire hazard or are otherwise dangerous to human life; or which, in relation to existing use, constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, are severally, in contemplation of this section, unsafe buildings. All such unsafe buildings are hereby declared illegal and shall

be abated by repair and rehabilitation or by demolition in accordance with the following provisions:

- a. Whenever the building official shall find any building or structure or portion thereof to be unsafe, as defined in this section, he shall, in accordance with established procedure for legal notices, give the owner, agent or person in control of such building or structure written notice stating the defects thereof. This notice shall require the owner within 30 days to purchase a building permit and to commence specified repairs or improvements, or to demolish and remove the building or structure or portion thereof. The building official shall set the time allowed to complete such repairs or removal. If the person to whom such notice and order is addressed cannot be found after diligent search, then such notice and order shall be sent by certified mail to the last known address of such person; and a copy of such notice shall be posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate service.
- b. Any owner, agent or person in control of such building or structure who shall fail, neglect or refuse within the stated time to comply with the notice from the building official to repair, rehabilitate or to demolish such building or structure or portion thereof shall be guilty of a misdemeanor and shall be subject to the penalties set out in section 22-7 of the Code of Ordinances.
- c. In case the owner, agent or person in control cannot be found within the stated time, or, if such owner, agent or person in control shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or to demolish and remove such building or structure or portion thereof, the building official shall refer the matter of removing the building to the city council. If the city council deems the structure unsafe and that it is in the best interest of the city to proceed with the removal of the unsafe structure, it shall enact an ordinance ordering the property owner to raze and remove the unsafe structure, with work thereon to commence within ten days and be completed within 30 days. If the property owner fails to do so, the mayor or his authorized representative shall cause the unsafe structure to be razed and removed. The cost thereof shall be charged against such premises and shall constitute a lien thereon.
- d. The amount of the lien may be determined at a hearing before the city council held after 30 days' written notice by certified mail to the owner of the property if the name and whereabouts of the owner is known. If the name of the owner cannot be determined, then the amount will be determined only after publication of notice of the hearing once a week for four consecutive weeks. The determination of the city council is subject to appeal by the property owner to the chancery court. The amount so determined at the hearing, plus a ten-percent penalty for collection, shall be certified by the city council by ordinance to the tax collector of the county in which the property is located, to be placed on the tax books as delinquent taxes and collected accordingly. The amount, less three percent thereof, when so collected, shall be paid to the city by the county tax collector. In the alternative, the lien provided for pursuant to this chapter and state law may be enforced in chancery court at any time within 18 months after work has been done.
- e. In cases of emergency which, in the opinion of the building official, involve imminent danger to human life or health, he shall promptly cause such building, structure or portion thereof to be

made safe or removed, whether the procedure prescribed in this section has been instituted or not. For this purpose, he may at once enter such structure or land on which it stands, or abutting land or structures, with such assistance and at such cost as he may deem necessary. He may vacate adjacent structures and protect the public by an appropriate fence or such other means as may be necessary and, for this purpose, may close a public or private way.

*Section 3305.1* is amended to read as follows:

A general contractor shall, upon the beginning of construction at any job site, provide adequate sanitary facilities for the convenience of all workers at the site. The use of temporary sanitary facilities that are portable, enclosed, and consist of a chemically treated, tank-tight unit ("porta-potty") are encouraged. Any porta-potty placed at a job site shall not be located within the side or rear building setbacks and not closer than five (5) feet to the curb. If a porta-potty is used, it shall be emptied a minimum of once a week. However, if the porta-potty is providing sanitary facilities to two or more job sites, the Chief Building Official or his authorized representative may require it to be emptied a minimum of two times per week. If the City receives a complaint regarding a sanitary facility at a job site, the Chief Building Official or his authorized representative shall notify the general contractor in writing regarding the complaint, and shall request that efforts be undertaken by the general contractor to remedy the situation. If subsequent complaints are received by the City pertaining to the same job site, the Chief Building Official or his authorized representative shall provide the general contractor with written notice that the general contractor has three (3) working days in which to remedy the situation. If the general contractor does not remedy the situation within that time, it shall be considered a violation of this Code, and shall be punishable pursuant to Section 1-9 of this Code. In addition, the Chief Building Official or his authorized representative shall cease all inspections until the job site complies with this ordinance.

That the following be added as Appendix F K— Moving of buildings.

It shall be unlawful to construct, repair, add to, alter, or move, draw, propel, pull, transport or carry over, along or upon any street, avenue, alley, public road or highway any building within the city limits of the City of Springdale, which building or construction, repair, addition or alteration is intended for new or continued use as the living quarters of any person, including, but not limited to, all new structures which may be moved from the foundation upon which it is presently situated or any other foundation, or be moved from outside the city limits into the city limits, except in compliance with and unless any such structure so moved shall comply, in every regard both as the original part of the structure and any additions, thereto, with the specific minimum requirements hereinafter set forth; provided, however, that any building, structure, addition or alteration not otherwise deemed substandard within the meaning of this section may be moved, drawn, propelled, pulled or transported outside the city limits; provided the center span of the floor joists, ceiling joists, studding and rafters do not exceed 24 inches.

- a. No person shall move any building on, through or over any street, alley, sidewalk or other public place in the city without having obtained a permit from the chief building inspector. Application for such permit shall be in writing and directed to the chief city inspector and shall state thereon the name and address of the applicant, the point from which the proposed move will commence, the proposed tract or tracts of land upon which the building will be located, the assessed valuation of the building, type of construction of the building, that the structure has been approved by the city fire marshal and the chief building inspector and the proposed route.

- b. The chief building inspector, as a condition precedent to the issuance of such permit, shall require a bond to be executed by person desiring such permit, with corporate surety to his satisfaction. Such bond shall be made payable to the city and for such amount as he prescribes. It shall indemnify the city against any damage caused by the moving of such building to streets, curbs, sidewalks, shade trees, lights and signals, shade trees, highways and any other property, which may be affected, by the moving of a building. Such surety bond shall also be conditioned upon and liable for strict compliance with the terms of said permit, as to route to be taken and limit of time in which to effect such removal and of repair or compensate for the repair and to pay said applicable governing body as liquidated damages an amount not exceeding \$50.00 to be prescribed by the building official for each and every day's delay in completing such removal or in repairing any damages to property or public improvement or in clearing all public streets, alleys or highways of all debris occasioned thereby.
- c. Whenever it shall be necessary to interfere with wires or cables of a public utility in moving a building, the terms of any special or franchise ordinance governing it shall apply and the bond therein specified shall be given in addition to the bond as required by section (b) above. If no such terms apply, then the chief building inspector shall determine the expense of repairing the wires and the bond to be given to cover such expense.
- d. Upon the issuance of said moving permit, the chief building inspector shall cause notice to be given to the superintendent of fire alarm, chief of fire department, telephone and electric companies, or others whose property may be affected by such removal. The building department shall set forth in all notices the route that will be taken, time started, and approximate time of completion.
- e. Every building which occupies any portion of public property after sundown shall have sufficient lights continuously burning between sunset and sunrise for the protection of the public. There shall be a minimum of five red lights placed on each street side of the building. Such red lights shall be attached to the building in such a fashion as to indicate extreme width, height and size. In addition to the red lights on the building, flares shall be placed at regular intervals for a distance of 200 feet up the street on each side of the building.

When more than 50 percent of the street, measured between curbs, is occupied at night by the building, or when in the opinion of the chief building inspector, flagmen are necessary to divert or caution traffic, the owner or person moving such building shall employ at their expense, two flagmen, one at each street intersection beyond the building. Such flagmen shall remain at these intersections diverting or cautioning traffic from sunset to sunrise. Red lights shall be employed in flagging traffic at night.

- f. The owner of any house, building or structure proposed to be moved shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of this code within 90 days from the date of the issuance of the moving permit. Extension of time as deemed reasonable may be granted by the chief building inspector upon a showing of delay caused by matters beyond the control of the owner or house mover. The application for moving permit shall be accompanied by an application for a building permit, accompanied by complete plans and specifications showing the changes or

conditions of said house, building, or structure as the same is proposed to be when moving, and all contemplated improvements, signed by the owner or owner's agent.

~~That Appendix A be amended to removed Section A101.4 and A102.~~

**Section 3:** Section 22-33 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby repealed as follows:

~~**Sec. 22-33. International Residential Code adopted.**~~

~~A certain document, three copies of which are on file in the office of the city clerk of the City of Springdale being marked and designated as the 2006 International Residential Code, including Appendix A, B, C, D, E, F, G, H, I, J, K, and L be and is hereby adopted by the City of Springdale, Arkansas.~~

**Section 4:** All other provisions of Chapter 22 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

**Section 5: Emergency Clause:** It is hereby declared that an emergency exists and that this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, become effective immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney

**Sec. 22-31. Adoption.**

A certain document, three copies of which are on file in the office of the city clerk of the City of Springdale, being marked and designated as ~~the 2006 International Building Code, including Appendix Chapters A, B, C, D, E, F, G, I, J~~ 2012 Arkansas Fire Prevention Code as published by the International Code Council, Inc., be and is hereby adopted as the Building Code City of Springdale, Arkansas; for the control of building and structures as herein provided; and each and all of the regulations, provision, penalties, conditions and terms of said Building Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, and deletions and changes prescribed in the following section of this article.

(Ord. No. 3268, § 1, 11-25-02, Ord. No. 3295, § 1, 2-25-03; Ord. No. 4270, § 2, 10-22-08)

**Sec. 22-32. Amendments, deletions and additions.**

(a)

*Specific insertions.* That the following sections are hereby revised by inserting information as requested in the code:

(1)

~~Sec. 101.1.~~ insert City of Springdale, Arkansas.

(2)

Sec. 1612.3. insert Benton County, Arkansas and Incorporated Areas, September 18, 1991 and Washington County, Arkansas and Incorporated Areas, December 20, 2000.

(b)

*Deletions.* That the following sections are hereby deleted in their entirety:

~~Sec. 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.5, 101.4.7~~

(c)

*Building code amendments.* That Section 1089.2 be revised to read as follows:

**1089.2 Schedule of permit fees.** On building, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule. The building inspection department is authorized to use current average construction costs per square foot as published by the International Code Council and updated yearly for the determination of valuations for building permit fees. All permit fees for donated projects conducted on property owned or leased by the city shall be waived.

a.

Permit fee

Total Valuations	Fee
\$1,000 and less	No fee, unless inspection required, in which case a \$15.00 fee for each inspection shall be charged
\$1,000 to \$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00
\$50,000 to \$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to an including \$100,000
\$100,000 to \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,000 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof

b.

Moving fee. For the moving of any building or structure, the fee shall be \$100.00.

c.

Demolition fee. For the demolition of any building or structure, the fee shall be:

0 up to 100,000 cu ft	\$50.00
100,000 cu ft and over	\$0.50/1,000 cu ft

d.

Penalties. Where work for a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

e.

Plan-checking fees. When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted by Section 106, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-

checking fee shall be equal to one-half of the building permit fee as set forth in Section 108. Such plan-checking fee is in addition to the building permit fee.

That Section ~~1809.4~~ 5.2. be revised to set the minimum depth of footings below the undisturbed ground surface to 18 inches.

That Sec. ~~116~~ ~~115~~ *Unsafe Structures and Equipment* be removed and the following be inserted:

All buildings or structures which are unsafe, unsanitary or not provided with adequate egress; or which are substandard, constitute a fire hazard or are otherwise dangerous to human life; or which, in relation to existing use, constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, are severally, in contemplation of this section, unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the following provisions:

a.

Whenever the building official shall find any building or structure or portion thereof to be unsafe, as defined in this section, he shall, in accordance with established procedure for legal notices, give the owner, agent or person in control of such building or structure written notice stating the defects thereof. This notice shall require the owner within 30 days to purchase a building permit and to commence specified repairs or improvements, or to demolish and remove the building or structure or portion thereof. The building official shall set the time allowed to complete such repairs or removal. If the person to whom such notice and order is addressed cannot be found after diligent search, then such notice and order shall be sent by certified mail to the last known address of such person; and a copy of such notice shall be posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate service.

b.

Any owner, agent or person in control of such building or structure who shall fail, neglect or refuse within the stated time to comply with the notice from the building official to repair, rehabilitate or to demolish such building or structure or portion thereof shall be guilty of a misdemeanor and shall be subject to the penalties set out in section 22-7 of the Code of Ordinances.

c.

In case the owner, agent or person in control cannot be found within the stated time, or, if such owner, agent or person in control shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or to demolish and remove such building or structure or portion thereof, the building official shall refer the matter of removing the building to the city council. If the city council deems the structure unsafe and that it is in the best interest of the city to proceed with the removal of the unsafe structure, it shall enact an ordinance ordering the property owner to raze and remove the unsafe structure, with work thereon to commence within ten days and be completed within 30 days. If the property owner fails to do so, the mayor or his authorized representative shall cause the unsafe structure to be razed and removed. The cost thereof shall be charged against such premises and shall constitute a lien thereon.

d.

The amount of the lien may be determined at a hearing before the city council held after 30 days' written notice by certified mail to the owner of the property if the name and whereabouts of the owner is known. If the name of the owner cannot be determined, then the amount will be determined only after publication of notice of the hearing once a week for four consecutive weeks. The determination of the city council is subject to appeal by the property owner to the chancery court. The amount so determined at the hearing, plus a ten-percent penalty for collection, shall be certified by the city council by ordinance to the tax collector of the county in which the property is located, to be placed on the tax books as delinquent taxes and collected accordingly. The amount, less three percent thereof, when so collected, shall be paid to the city by the county tax collector. In the alternative, the lien provided for pursuant to this chapter and state law may be enforced in chancery court at any time within 18 months after work has been done.

e.

In cases of emergency which, in the opinion of the building official, involve imminent danger to human life or health, he shall promptly cause such building, structure or portion thereof to be made safe or removed, whether the procedure prescribed in this section has been instituted or not. For this purpose, he may at once enter such structure or land on which it stands, or abutting land or structures, with such assistance and at such cost as he may deem necessary. He may vacate adjacent structures and protect the public by an

appropriate fence or such other means as may be necessary and, for this purpose, may close a public or private way.

*Section 3305.1* is amended to read as follows:

A general contractor shall, upon the beginning of construction at any job site, provide adequate sanitary facilities for the convenience of all workers at the site. The use of temporary sanitary facilities that are portable, enclosed, and consist of a chemically treated, tank-tight unit ("porta-potty") are encouraged. Any porta-potty placed at a job site shall not be located within the side or rear building setbacks and not closer than five (5) feet to the curb. If a porta-potty is used, it shall be emptied a minimum of once a week. However, if the porta-potty is providing sanitary facilities to two or more job sites, the Chief Building Official or his authorized representative may require it to be emptied a minimum of two times per week. If the City receives a complaint regarding a sanitary facility at a job site, the Chief Building Official or his authorized representative shall notify the general contractor in writing regarding the complaint, and shall request that efforts be undertaken by the general contractor to remedy the situation. If subsequent complaints are received by the City pertaining to the same job site, the Chief Building Official or his authorized representative shall provide the general contractor with written notice that the general contractor has three (3) working days in which to remedy the situation. If the general contractor does not remedy the situation within that time, it shall be considered a violation of this Code, and shall be punishable pursuant to Section 1-9 of this Code. In addition, the Chief Building Official or his authorized representative shall cease all inspections until the job site complies with this ordinance.

That the following be added as Appendix *FK*— Moving of buildings.

It shall be unlawful to construct, repair, add to, alter, or move, draw, propel, pull, transport or carry over, along or upon any street, avenue, alley, public road or highway any building within the city limits of the City of Springdale, which building or construction, repair, addition or alteration is intended for new or continued use as the living quarters of any person, including, but not limited to, all new structures which may be moved from the foundation upon which it is presently situated or any other foundation, or be moved from outside the city limits into the city limits, except in compliance with and unless any such structure so moved shall comply, in every regard both as the original part of the structure and any additions, thereto, with the specific minimum requirements hereinafter set forth; provided, however, that any building, structure, addition or alteration not otherwise deemed substandard within the meaning of this section may be moved, drawn, propelled, pulled or transported outside the city limits; provided the center span of the floor joists, ceiling joists, studding and rafters do not exceed 24 inches.

a.

No person shall move any building on, through or over any street, alley, sidewalk or other public place in the city without having obtained a permit from the chief building inspector. Application for such permit shall be in writing and directed to the chief city inspector and shall state thereon the name and address of the applicant, the point from which the proposed move will commence, the proposed tract or tracts of land upon which the building will be located, the assessed valuation of the building, type of construction of the building, that the structure has been approved by the city fire marshal and the chief building inspector and the proposed route.

b.

The chief building inspector, as a condition precedent to the issuance of such permit, shall require a bond to be executed by person desiring such permit, with corporate surety to his satisfaction. Such bond shall be made payable to the city and for such amount as he prescribes. It shall indemnify the city against any damage caused by the moving of such building to streets, curbs, sidewalks, shade trees, lights and signals, shade trees, highways and any other property, which may be affected, by the moving of a building. Such surety bond shall also be conditioned upon and liable for strict compliance with the terms of said permit, as to route to be taken and limit of time in which to effect such removal and of repair or compensate for the repair and to pay said applicable governing body as liquidated damages an amount not exceeding \$50.00 to be prescribed by the building official for each and every day's delay in completing such removal or in repairing any damages to property or public improvement or in clearing all public streets, alleys or highways of all debris occasioned thereby.

c.

Whenever it shall be necessary to interfere with wires or cables of a public utility in moving a building, the terms of any special or franchise ordinance governing it shall apply and the bond therein specified shall be given in addition to the bond as required by section (b) above. If no such terms apply, then the chief building inspector shall determine the expense of repairing the wires and the bond to be given to cover such expense.

d.

Upon the issuance of said moving permit, the chief building inspector shall cause notice to be given to the superintendent of fire alarm, chief of fire department, telephone and electric companies, or others whose property may be affected by such removal. The building

department shall set forth in all notices the route that will be taken, time started, and approximate time of completion.

e.

Every building which occupies any portion of public property after sundown shall have sufficient lights continuously burning between sunset and sunrise for the protection of the public. There shall be a minimum of five red lights placed on each street side of the building. Such red lights shall be attached to the building in such a fashion as to indicate extreme width, height and size. In addition to the red lights on the building, flares shall be placed at regular intervals for a distance of 200 feet up the street on each side of the building.

When more than 50 percent of the street, measured between curbs, is occupied at night by the building, or when in the opinion of the chief building inspector, flagmen are necessary to divert or caution traffic, the owner or person moving such building shall employ at their expense, two flagmen, one at each street intersection beyond the building. Such flagmen shall remain at these intersections diverting or cautioning traffic from sunset to sunrise. Red lights shall be employed in flagging traffic at night.

f.

The owner of any house, building or structure proposed to be moved shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of this code within 90 days from the date of the issuance of the moving permit. Extension of time as deemed reasonable may be granted by the chief building inspector upon a showing of delay caused by matters beyond the control of the owner or house mover. The application for moving permit shall be accompanied by an application for a building permit, accompanied by complete plans and specifications showing the changes or conditions of said house, building, or structure as the same is proposed to be when moving, and all contemplated improvements, signed by the owner or owner's agent.

~~That Appendix A be amended to removed Section A101.4 and A102.~~

*(Ord. No. 3268, §§ 2—9, 11-25-02; Ord. No. 3295, §§ 2—9, 2-25-03; Ord. No. 3380, § 1, 9-23-03; Ord. No. 4270, § 3, 10-22-08; Ord. No. 4405, § 1, 2-23-10)*

~~Sec. 22-33. International Residential Code adopted.~~

~~A certain document, three copies of which are on file in the office of the city clerk of the City of Springdale being marked and designated as the 2006 International Residential~~

~~Code, including Appendix A, B, C, D, E, F, G, H, I, J, K, and L be and is hereby adopted by the City of Springdale, Arkansas.~~

~~(Ord. No. 3268, § 10, 11-25-02; Ord. No. 3295, § 10, 2-25-03; Ord. No. 4271, § 2, 10-28-08)~~

~~Secs. 22-34—22-55. Reserved.~~

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FOOTNOTE(S):

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-- (2) --

*Editor's note— Ord. No. 3295, §§ 1—10, adopted Feb. 25, 2003, amended Art. II, §§ 22-31, 22-32 in its entirety to read as herein set out. Former Art. II, §§ 22-31, 22-32, pertained to building code adoption and amendment. For complete derivation see the Code Comparative Table at the end of this volume. [\(Back\)](#)*

That which is underlined is added.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 50-27 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 50-27 of the Code of Ordinances of the City of Springdale, Arkansas, contains the findings of fact with regard to flood damage prevention in the City of Springdale, Arkansas;

**WHEREAS**, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to update these findings of fact to include activities associated with the Razorback Greenway and the Downtown Springdale Revitalization Plan for the City of Springdale, Arkansas;

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

**Section 1:** Section 50-27 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

**Sec. 50-27. Findings of fact.**

- (a) The Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of Springdale in the current scientific and engineering report entitled "The Flood Insurance Study (FIS) for Benton County, Arkansas and Incorporated Areas" dated June 5, 2012, with an effective flood insurance rate map (FIRM) dated June 5, 2012 and "The Flood Insurance Study (FIS) for Washington County, Arkansas and Incorporated Areas," dated May 16, 2008, with an effective flood insurance rate map (FIRM) dated May 16, 2008.
- (b) These special flood hazard areas are subject to periodic flooding events that result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (c) These periodic flooding events are exacerbated by the cumulative effect of floodplain developments which cause an increase in flood heights and velocities, and by the placement of inadequately elevated, inadequately floodproofed or otherwise unprotected structures or uses vulnerable to floods into special flood hazard areas. Such structures or uses are inherently hazardous
- (d) In addition to the FIS and FIRM for Washington County noted in paragraph (a) above, FEMA has approved the Conditional Letter of Map Revision cited in Case Number 13-06-3506R which affects the Special Flood Hazard Area (SFHA) for Spring Creek in the area between Johnson Road and Shiloh Street. This Conditional Letter of Map Revision is hereby adopted and will be enforced as the regulatory SFHA for this area until such time a new map is issued by FEMA including this revision and adopted by the City in whole.

**Section 2:** All other provisions of Chapter 50 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

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

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney



**PROJECT NO.**  
FLOODPLAIN MAP

**CLIENT**  
NWA Razorback  
Regional Greenway  
Contract Section II  
Springdale Lake -  
Meadow Avenue

**DATE**  
11/11/2011

**BY**  
J. COOPER  
K. BARNETT

**SCALE**  
AS SHOWN

**PROJECT NO.**  
11111

**DATE**  
11/11/2011

**BY**  
J. COOPER  
K. BARNETT

**SCALE**  
AS SHOWN

**USI Consulting Engineers Arkansas**  
4417 Major Ave.  
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**alta**  
www.alta.com  
1000 Peachtree Park, Suite 211  
Atlanta, Georgia 30309  
P: (404) 524-2200  
F: (404) 524-2201

Tract Number	Parcel Number	Parcel Owner	Tract Number	Parcel Number	Parcel Owner
1	815-241-000	City of Springdale	18	815-241-000	City of Springdale
2	815-241-000	City of Springdale	19	815-241-000	City of Springdale
3	815-241-000	City of Springdale	20	815-241-000	City of Springdale
4	815-241-000	City of Springdale	21	815-241-000	City of Springdale
5	815-241-000	City of Springdale	22	815-241-000	City of Springdale
6	815-241-000	City of Springdale	23	815-241-000	City of Springdale
7	815-241-000	City of Springdale	24	815-241-000	City of Springdale
8	815-241-000	City of Springdale	25	815-241-000	City of Springdale
9	815-241-000	City of Springdale	26	815-241-000	City of Springdale
10	815-241-000	City of Springdale	27	815-241-000	City of Springdale
11	815-241-000	City of Springdale	28	815-241-000	City of Springdale
12	815-241-000	City of Springdale	29	815-241-000	City of Springdale
13	815-241-000	City of Springdale	30	815-241-000	City of Springdale
14	815-241-000	City of Springdale	31	815-241-000	City of Springdale
15	815-241-000	City of Springdale	32	815-241-000	City of Springdale
16	815-241-000	City of Springdale	33	815-241-000	City of Springdale
17	815-241-000	City of Springdale	34	815-241-000	City of Springdale
18	815-241-000	City of Springdale	35	815-241-000	City of Springdale
19	815-241-000	City of Springdale	36	815-241-000	City of Springdale
20	815-241-000	City of Springdale	37	815-241-000	City of Springdale
21	815-241-000	City of Springdale	38	815-241-000	City of Springdale
22	815-241-000	City of Springdale	39	815-241-000	City of Springdale
23	815-241-000	City of Springdale	40	815-241-000	City of Springdale
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27	815-241-000	City of Springdale	44	815-241-000	City of Springdale
28	815-241-000	City of Springdale	45	815-241-000	City of Springdale
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37	815-241-000	City of Springdale	54	815-241-000	City of Springdale
38	815-241-000	City of Springdale	55	815-241-000	City of Springdale
39	815-241-000	City of Springdale	56	815-241-000	City of Springdale
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41	815-241-000	City of Springdale	58	815-241-000	City of Springdale
42	815-241-000	City of Springdale	59	815-241-000	City of Springdale
43	815-241-000	City of Springdale	60	815-241-000	City of Springdale
44	815-241-000	City of Springdale	61	815-241-000	City of Springdale
45	815-241-000	City of Springdale	62	815-241-000	City of Springdale
46	815-241-000	City of Springdale	63	815-241-000	City of Springdale
47	815-241-000	City of Springdale	64	815-241-000	City of Springdale
48	815-241-000	City of Springdale	65	815-241-000	City of Springdale
49	815-241-000	City of Springdale	66	815-241-000	City of Springdale
50	815-241-000	City of Springdale	67	815-241-000	City of Springdale
51	815-241-000	City of Springdale	68	815-241-000	City of Springdale
52	815-241-000	City of Springdale	69	815-241-000	City of Springdale
53	815-241-000	City of Springdale	70	815-241-000	City of Springdale
54	815-241-000	City of Springdale	71	815-241-000	City of Springdale
55	815-241-000	City of Springdale	72	815-241-000	City of Springdale
56	815-241-000	City of Springdale	73	815-241-000	City of Springdale
57	815-241-000	City of Springdale	74	815-241-000	City of Springdale
58	815-241-000	City of Springdale	75	815-241-000	City of Springdale
59	815-241-000	City of Springdale	76	815-241-000	City of Springdale
60	815-241-000	City of Springdale	77	815-241-000	City of Springdale
61	815-241-000	City of Springdale	78	815-241-000	City of Springdale
62	815-241-000	City of Springdale	79	815-241-000	City of Springdale
63	815-241-000	City of Springdale	80	815-241-000	City of Springdale
64	815-241-000	City of Springdale	81	815-241-000	City of Springdale
65	815-241-000	City of Springdale	82	815-241-000	City of Springdale
66	815-241-000	City of Springdale	83	815-241-000	City of Springdale
67	815-241-000	City of Springdale	84	815-241-000	City of Springdale
68	815-241-000	City of Springdale	85	815-241-000	City of Springdale
69	815-241-000	City of Springdale	86	815-241-000	City of Springdale
70	815-241-000	City of Springdale	87	815-241-000	City of Springdale
71	815-241-000	City of Springdale	88	815-241-000	City of Springdale
72	815-241-000	City of Springdale	89	815-241-000	City of Springdale
73	815-241-000	City of Springdale	90	815-241-000	City of Springdale
74	815-241-000	City of Springdale	91	815-241-000	City of Springdale
75	815-241-000	City of Springdale	92	815-241-000	City of Springdale
76	815-241-000	City of Springdale	93	815-241-000	City of Springdale
77	815-241-000	City of Springdale	94	815-241-000	City of Springdale
78	815-241-000	City of Springdale	95	815-241-000	City of Springdale
79	815-241-000	City of Springdale	96	815-241-000	City of Springdale
80	815-241-000	City of Springdale	97	815-241-000	City of Springdale
81	815-241-000	City of Springdale	98	815-241-000	City of Springdale
82	815-241-000	City of Springdale	99	815-241-000	City of Springdale
83	815-241-000	City of Springdale	100	815-241-000	City of Springdale

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY LOCATED AT 5620 HAR-BER AVENUE FOR THE 56<sup>TH</sup> STREET PROJECT, 12BPS8 (HAR-BER AVENUE TO ELM SPRINGS ROAD).**

**WHEREAS**, the City of Springdale is undertaking the construction of 56<sup>th</sup> Street from Har-Bar Avenue to Elm Springs Road, Project 12BPS8;

**WHEREAS**, property located at 5620 Har-Ber Avenue, owned by Sheila (Needham) Cook and Randy Cook is needed for the construction of this Project;

**WHEREAS**, after negotiations between the City of Springdale and the Cooks, the City offered to acquire the property located at 5620 Har-Ber Avenue for the total sum of \$180,324.39, as a full and final settlement for the property;

**WHEREAS**, the Cooks have agreed to accept the sum of \$180,324.39 offered by the City for the purchase of the property located at 5620 Har-Ber Avenue;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the City of Springdale is hereby authorized to purchase property located at 5620 Har-Ber Avenue for the total sum of \$180,324.39, plus closing costs, thereby allowing construction of the 56<sup>th</sup> Street Project, 12BPS8 (Har-Ber Avenue to Elm Springs Road) to proceed.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney

**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 40<sup>th</sup> Street to Carley Road, and

**WHEREAS**, the City desires to remove the proposed 40<sup>th</sup> Street Signal from the overall project and bid it separately, and

**WHEREAS**, the compensation included in the contract will be increased by \$7,090 plus \$150 in reimbursable expenses for the additional work of producing and bidding two separate contracts;

**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. 2 to USI Consulting Engineers, Inc. contract for roadway improvements to Don Tyson Parkway from 40<sup>th</sup> Street to Carley Road.

**PASSED AND APPROVED** this 28<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney

**AMENDMENT NO. 2**

**TO PROFESSIONAL SERVICES AGREEMENT**

**CITY OF SPRINGDALE, AR  
2013 STREET IMPROVEMENT BOND PROGRAM**

**DON TYSON PARKWAY (40<sup>TH</sup> STREET TO CARLEY RD.)  
CITY OF SPRINGDALE PROJECT NO. 12BPS3  
USI PROJECT NO. 1309001**

WHEREAS, on November 27, 2012, the CITY entered into an Agreement for Engineering Services (the "Agreement") with the ENGINEER to perform professional engineering services for roadway improvements to Don Tyson Parkway from 40<sup>th</sup> Street to Carley Road (referred to as the "Project").

WHEREAS, it is necessary to amend the original Agreement in order to modify the scope of the Project to accommodate a separate construction contract for the signalization of Don Tyson Parkway at 40<sup>th</sup> street in order to insure that the construction is complete by August, 2014 prior to the start of the fall semester of school.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, Owner and Engineer hereby stipulate and agree that the Agreement dated November 27, 2012 is amended in the following particulars:

**Attachment "D" . Compensation for Basic Services**

Add the item "40<sup>th</sup> Street Signalization Bid Documents" in the amount of \$3,180.  
Add the item "40<sup>th</sup> Street Signalization Bid Services" in the amount of \$3,910.

The total increase in Basic Services for this amendment is \$7,090.

Increase the reimbursable expenses in the amount of \$150.

All other provisions of the original Agreement remain in full force and effect.

IN WITNESS THEREOF, the PARTIES to this AGREEMENT have hereunto set their hands of the day and year first above written.

**CITY OF SPRINGDALE, ARKANSAS**

**USI CONSULTING ENGINEERS, INC.**

By: \_\_\_\_\_

By: \_\_\_\_\_

Honorable Doug Sprouse, Mayor  
Title

Charles R. Nickle, CEO  
Title

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Attest

Denise Pearce, City Clerk  
Title

Terry W. Carpenter, President  
Title

**ATTACHMENT "B" (AMENDMENT NO. 2)  
40<sup>TH</sup> STREET SIGNALIZATION**

**SCHEDULE**

**PROFESSIONAL SERVICES AGREEMENT**

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

**DON TYSON PARKWAY (40th STREET TO CARLEY ROAD)  
CITY OF SPRINGDALE PROJECT NO. 12BPS3  
USI PROJECT NO. 1309001**

The ENGINEER shall begin work under this AMENDMENT within ten (10) calendar days of issuance of Notice to Proceed and shall complete the work in accordance with the schedule below:

- Final Design      45 calendar days after Notice to Proceed for Amendment No. 2

**ATTACHMENT "D" (AMENDMENT NO. 2)**

**COMPENSATION**

**PROFESSIONAL SERVICES AGREEMENT**

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

**DON TYSON PARKWAY (40<sup>th</sup> STREET TO CARLEY ROAD)  
CITY OF SPRINGDALE PROJECT NO. 12BPS3  
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, \$3,180 for 40<sup>th</sup> Street Signalization Bid Documents, \$3,910 for 40<sup>th</sup> Street Signalization Bid Services, 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, \$3,180 for 40<sup>th</sup> Street Signalization Bid Documents, \$3,910 for 40<sup>th</sup> Street Signalization Bid Services 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>
40 <sup>th</sup> Street Signalization Bid Documents	<u>\$ 3,180</u>
40 <sup>th</sup> Street Signalization Bid Services	<u>\$ 3,910</u>

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Rev. 01-06-2014

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	<u>2.00%</u>
Bid/Award Phase (Excluding 40 <sup>th</sup> Street Signals)	<u>2.00%</u>
SUB-TOTAL Basic Services	<u>8.00% Plus \$146,265 for Geotechnical Investigation, Traffic Study &amp; Traffic Signal Design, Right-of-Way Document Preparation, 40<sup>th</sup> Street Signalization Bid Documents and Bid Services</u>

- **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, \$3,180 for 40<sup>th</sup> Street Signalization Bid Documents, \$3,910 for 40<sup>th</sup> Street Bid Services plus 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

D-2

Rev. 01-06-2014

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 .

- CITY shall pay ENGINEER the actual cost of Reimbursable Expenses incurred in connection with Basic and Additional Services. Reimbursable Expenses must be approved by the CITY prior to the incurrence of such expenses. The estimated amount of Reimbursable Expenses to be incurred in connection with Basic Services is:

SUB-TOTAL Reimbursable Expenses                      \$ 5,150 .

- The maximum payment to the ENGINEER for Additional Services and Reimbursable Expenses under this Agreement shall not exceed \$ 25,150 .
- ENGINEER shall submit invoices monthly for services rendered and expenses borne. For Additional Services, the invoice will be itemized by payment categories including hours worked for each class of ENGINEER's employees multiplied by the hourly rates as shown in Exhibit 1. If requested, the invoices shall be accompanied by a copy of the timesheets for all ENGINEER's personnel working on the project.
- The Hourly Rates used as a basis for payment for Additional Services mean salaries and wages (basic and incentive) paid to all personnel engaged directly on the PROJECT, including, but not limited to, engineers, architects, surveyors, designers, draftsman, specification writers, estimators, other technical personnel, stenographers, typists and clerks; plus the cost of customary and statutory benefits including, but not limited to, social security contributions, unemployment, excise and payroll taxes, workers' compensation, health and retirement benefits, bonuses, sick leave, vacation and holiday pay applicable thereto; plus operating margin or profit, non-project operating costs, and all general and administrative overhead costs, including but not limited to, furnishing and maintaining office facilities, furniture, utilities, vehicles and equipment.

Reimbursable Expenses mean the actual expenses incurred directly or indirectly in connection with the PROJECT for printing and reproduction costs and ENGINEER's consultant charges. Any and all expenditures for reimbursable expenses must be approved by the CITY prior to rendering or obtaining same. Overtime salary costs are not considered Reimbursable Expenses.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE PURCHASE OF  
PROPERTY LOCATED IN THE GLASS COMMERCIAL  
SUBDIVISION, SPRINGDALE, ARKANSAS.**

**WHEREAS**, the acquisition of Lots 2, 3, 4, and 5 of the Glass Commercial Subdivision, Springdale, Washington County, Arkansas, (Parcel Numbers 815-38500-000, 815-38501-000, 815-38502-000, and 815-38503-000, as listed in the Washington County Assessor's Office) are needed for the construction of a new Fire Station, and

**WHEREAS**, the owner has agreed to sell these lots to the City of Springdale for the total sum of \$274,000.00;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** that the Mayor is hereby authorized to execute all documents necessary for the acquisition of and tender payment from the 2012 Sales and Use Tax Bond Program for property known as Lots 2, 3, 4, and 5 of the Glass Commercial Subdivision, Springdale, Washington County, Arkansas, for a total purchase price of \$274,000.00, plus associated closing costs.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Pearce, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AMENDING SECTION 4.10 OF THE PERSONNEL AND PROCEDURES MANUAL FOR THE CITY OF SPRINGDALE, ARKANSAS**

**WHEREAS**, on January 14, 2014, the City Council for the City of Springdale, Arkansas, adopted a Resolution amending Section 4.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas, to create "On-Call" pay for certain City employees;

**WHEREAS**, certain employees of the Springdale Police Department should be included in the list of employees entitled to "On-Call" pay, pursuant to Section 4.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas;

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

**Section 1:** Section 4.10 of the Personnel and Procedures Manual for the City of Springdale, Arkansas is hereby amended to read as follows:

**4.10 Additional Compensation for Certain Employees:**

In addition to regular pay, including any holiday compensation, certified full-time paramedics of the Springdale Fire Department shall receive an additional salary compensation, to be determined by the City Council. Those full-time firefighters who are members of HAZMAT shall receive additional compensation in an amount to be determined by the City Council.

Police officers who have attained any certificate, except the Basic Certificate, under the Arkansas Commission on Law Enforcement Standards, shall receive an additional compensation each month for each certificate earned above the "Basic Certificate," and said compensation amount shall be set by the City Council.

Animal Control Officers, employees of the Information Technology Department, ~~and employees of the Public Works Signalization Division, and designated employees of the Police Department~~ shall receive additional compensation of \$15.00 per day when required to be "On-Call" after normal work hours. The designated employees of the Police Department entitled to "On-Call" compensation shall be: 1) Criminal Investigation Division Sergeant; 2) Criminal Investigation Division Detective; 3) In-House Narcotics Detective; 4) Drug Enforcement Agency Detective; and 5) 4<sup>th</sup> Judicial Drug Task Force Detective.

All additional pay set out in this policy is paid bi-weekly, and such compensation is set out on the employee's paycheck.

**Section 2:** All other provisions of Section 4 not specifically modified herein shall remain in full force and effect.

**PASSED AND APPROVED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney



# CITY of SPRINGDALE

POLICE DEPARTMENT

CRIMINAL INVESTIGATIONS DIVISION

---

7 January 2014

To: Chief Kathy O'Kelley  
From: Captain R. Farris and Lt. Scott Lewis  
Ref: Estimated on call cost

1. Criminal Investigation Division: one Sergeant and one Detective are on call every day of the year.

$365 \times \$30.00 = \$10,950$

2. In-House Narcotics Detective: One Detective on call to respond to Potential Seized Property or Intelligence Debriefing.

$365 \times \$15.00 = \$5475$

3. Drug Enforcement Agency Detective: currently on call one week every seven weeks.

$56 \text{ days (8 weeks)} \times \$15.00 = \$ 840$

4. 4<sup>th</sup> Judicial Drug Task Force Detective: currently on call one week a month.

$84 \text{ days (12 weeks)} \times \$15.00 = \$1,260$

**\*\*Depending on manpower at the DEA and 4<sup>th</sup> these numbers could change.\*\***

**Grand Total estimated cost per year: \$ 18,525**

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

CRIMINAL INVESTIGATIONS DIVISION

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AMENDING THE 2014  
BUDGET OF THE CITY OF SPRINGDALE  
POLICE DEPARTMENT**

**WHEREAS**, the City of Springdale Police Department received \$7,360.38 from the City of Fayetteville for reimbursement of training costs for one of our officers that resigned and went to work for the Fayetteville Police Department after attending the Arkansas Law Enforcement Academy; and

**WHEREAS**, this money was deposited in the 2013 Miscellaneous Revenue account and the Police Chief has requested this revenue be allocated to the Police Department's 2014 budget and placed in the Operational Supplies account, and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the 2014 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	10105014216002	Operational Supplies	115,000	7,360		122,360

**PASSED AND APPROVED** this 28<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney

# MEMO

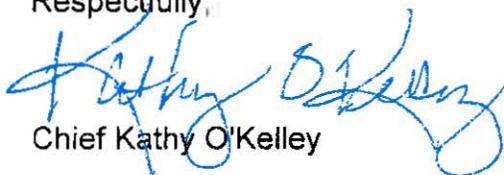
Date: 1/6/14  
To: Wyman Morgan  
From: Chief Kathy O'Kelley  
Re: Revenue Transfer

Wyman:

On 12/31/13 the City of Springdale received reimbursement per Arkansas Statute 12-9-209 from the Fayetteville Police Department (FPD) for the training cost for Officer Brandon Abrams. Officer Abrams resigned from the Springdale Police Department to accept employment with the Fayetteville Police Department shortly after attending the Arkansas Law Enforcement Academy.

The reimbursement of \$7,360.38 was deposited in a 2013 Miscellaneous Revenue account. I am requesting this revenue to be allocated to the Police Department's 2014 budget and placed in 60-02, Operational Supplies.

Respectfully,

  
Chief Kathy O'Kelley

*Invoice 60-02 Operations/Supplies*

STATEMENT

DECEMBER 17, 2013

FAYETTEVILLE POLICE DEPARTMENT  
ATTN: ACCOUNTS PAYABLE  
100 W. ROCK STREET  
FAYETTEVILLE, AR 72701

RE: REIMBURSEMENT FOR TRAINING COSTS  
OFFICER BRANDON ABRAM

SALARY AND BENEFITS (July 29th - October 18th)	\$	7,360.38
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TOTAL DUE	\$	<u>7,360.38</u>
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PLEASE MAKE CHECK PAYABLE TO:  
CITY OF SPRINGDALE

MAIL PAYMENT TO:  
CITY OF SPRINGDALE  
ATTN: LAURA FAVORITE  
201 SPRING ST.  
SPRINGDALE, AR 72764

CITY OF SPRINGDALE  
\*\*\* CUSTOMER RECEIPT \*\*\*

Batch ID: CITYCLERK 12/31/13 01 Receipt no: 11881

Type	SvcCd	Description	Amount
MP		MISC/ACCT # REQUIRED	
	Qty	1.00	\$7360.38

CITY OF FAYETTEVILLE  
OTHER INCOME / MISC 10105013810000  
POLICE DEPT - REIMB SALARY &  
BENEFITS - B ABRAM

Tender detail  
CK Ref#: 415381 \$7360.38  
Total tendered: \$7360.38  
Total payment: \$7360.38

Trans date: 12/31/13 Time: 16:18:52

THANK YOU FOR YOUR PAYMENT

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AMENDING THE 2014 BUDGET  
OF THE PUBLIC WORKS STREET DEPARTMENT**

**WHEREAS**, the Public Works Street Department has a need for additional equipment to assist in making the streets safe during winter storms, and;

**WHEREAS**, we also have a need for a storage facility for materials needed for streets during winter storms, and;

**WHEREAS**, the Public Works Director has recommended amending the 2014 budget to fund these needs, and;

**WHEREAS**, the Finance Committee has recommended approval of this acquisition and budget amendment;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the 2014 budget of the Public Works Street Department is hereby amended as follows:

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present</u>			<u>Proposed</u>
			<u>Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Budget</u>
Street	20102014318025	Building Improvements	3,500	142,000		143,500
Street	20102014318030	Equipment	165,900	158,000		323,100
Street	20102074316051	Materials/Asphalt	400,000		200,000	200,000
Street	20102074317037	Contract Labor/Paving	220,000		100,000	120,000

**PASSED AND APPROVED** this 28<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE CITY OF SPRINGDALE PUBLIC WORKS DEPARTMENT TO PURCHASE SNOW AND ICE REMOVAL EQUIPMENT FROM GRAND TRUCK EQUIPMENT COMPANY; TO WAIVE COMPETITIVE BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Public Works Department for the City of Springdale, Arkansas, has developed a winter precipitation pretreatment program that requires additional equipment for timely implementation of the program in order to maximize effectiveness;

**WHEREAS**, part of the existing Public Works snow and ice removal program, equipment has been supplied, outfitted, maintained, and critical parts inventory made reliably available in partnership with Grand Truck Equipment Company for many years;

**WHEREAS**, it is in the best interest of the City of Springdale to maintain consistency with the existing equipment for reasons stated in paragraph two (2) above;

**WHEREAS**, the quote for the equipment attached hereto as Exhibit "A" accommodates assembly of the new equipment hydraulic power supply and the in-cab equipment control system to the existing Public Works Mack dump trucks as a substantial cost and time savings component;

**WHEREAS**, delivery of the equipment shown in the attached Exhibit "A" will be timely as required in 60-75 days;

**WHEREAS**, it has come to the attention of the City Council that because the Public Works Department has benefited from and has been provided good service in the past with reasonable prices by Grand Truck Equipment Company, it is in the best interest of the City of Springdale to purchase the equipment shown in the attached Exhibit "A" and waive competitive bidding.

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

**Section 1.** Due to the immediate need for snow and ice removal equipment competitive bidding is not feasible or practical for the reasons herein stated and is hereby waived for purchases not to exceed \$157,112.00

**Section2. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney



# Public Works Department

Streets and Public Facilities

## MEMORANDUM

Date: January 16, 2014  
To: Mayor Doug Sprouse  
From: Sam Goade   
RE: Snow/Ice Removal Equipment and Material Storage Building  
CC: Finance Committee Chairman

I have attached documentation that shows the equipment and infrastructure required for Public Works to adequately implement our new roadway pretreatment program. The equipment categories are as follows:

1. Snow Plow with ice scarifier and squeegee
2. Fixed Angle Underbody Scraper
3. Integrated Granular/Pre-wet/Direct Liquid Application Spreader
4. In-Cab Controls for Plows and Material Spreader and Hydraulic System
5. Salt Storage Building (general size) final configuration including liquid storage, mixing and conveying equipment to be determined by consulting engineering study in partnership with Public Works

We need 2 each of items 1-4. The attached quotes are for one (1) unit. Therefore, the cost for all of the required equipment is as follows:

Item 1.	\$18,700 each.	Total for two (2)	\$37,400
Item 2.	\$8,751 each	Total for two (2)	\$17,502
Item 3.	\$36,117 each	Total for two (2)	\$72,234
Item 4.	\$14,988 each	Total for two (2)	\$29,976
<b>Total cost for all equipment</b>			<b>\$157,112</b>

I have also attached the maps showing our snow/ice treatment/ removal routes divided by wards. With five (5) spreader trucks and five (5) snow/ice plows we could complete our major pretreatment routes in 1.5 to 2.0 hours then start working on the streets in our four (4) wards.

I am also seeking permission to engage the services of a consulting engineering firm to assist me with a study for construction of the bulk salt storage building. The consulting engineering services would address all of the issues and regulations required for construction of the building foundation, pad, sidewalls, collection of salt laden moisture runoff, and foundations for liquid storage tanks, tank sizing and associated liquid pumping design plus all of the associated Federal, State and City environmental and building construction requirements.

Public Works will partner with the consulting engineer such that our personnel can contribute to construction of certain aspects of the project such as the site plan preparation, building and liquid storage tanks foundation and pad layout and construction, placing and assembly of the liquid storage tanks and other associated aspects of the project with the exception of the actual construction of the salt storage building. Our participation in construction of the project will result in considerable savings on this project. My best estimate for the cost of the salt storage/liquid storage project including the cost of the consulting engineering services is \$130,000 to \$140,000.

With the additional equipment and material storage facilities the City of Springdale will be ready to fight future winter storm events at a level that our citizens and visitors now expect.

---

269 E. Randall Wobbe Lane, Springdale, Arkansas 72764  
Phone: 479.750.8135 Fax: 479.750.8504

# **Grand Truck Equipment Co, LLC**

451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011  
Cell 816.665.3394 - Email pcarrott@gmail.com

## QUOTATION

January 14, 2014

TO: Sam Goade  
Springdale Public Works  
269 Randall Wobbe Lane  
Springdale, AR 72764

From: Phil Carrott

RE: Henderson 10' HD Snow Plow

Henderson Model RSP 36-10-TE - SnoFoe Reversible Snow Plow - Trip Edge

10' overall length  
36" overall height  
Weight approximate 1750lbs

**One piece moldboard construction - 10 ga. 304SS steel construction**  
Level lift design allows the plow to remain level with road in any position with a  
Henderson hitch

**Integral moldboard shield**

Torsion spring trip edge Moldboard trip with adjustable  
Standard circle frame with *outboard* mount angle cylinders  
Five moldboard-to-push frame pivot points with 1 1/4" bushings pinned to two  
5/8" mounting ears.

8 - 1/2" x 3 1/2" edge rolled ribs

4" x 4" x 3/4" reinforced bottom angle

3 1/2" x 2 1/2" x 3/8" top angle

3/4" x 6" Carbide cutting edge with cover blade - AASHO punched

Single wrap around **Curb Guard**

96" push frame with **Parking Jack - screw adjustable**

Push frame semi-circle 3 1/2" x 3 1/2" x 1/2" angle welded to 4" x 4" x 3/8"  
structural tube.

All seams continuous welded

Phosphate cleaned and degreased before powder paint

**Powder Coat - Highway Orange back, front SS**

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

# **Grand Truck Equipment Co, LLC**

**451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011  
Cell 816.665.3394 - Email pcarrott@gmail.com**

Page 2 – City of Springdale Public Works

**Integral moldboard shield – curvature designed to improve  
snow movement minimizing “drift” and snow blow over  
(Not a bolt on type shield)  
12” Rubber Deflector – installed  
36” Side Markers - 3/8” galvanized cable reinforced**

**8” Caster wheels – with screw jack adjustment**

**Quick Hitch Plow Portion –installed on plow  
Pushframe and hitch components Powder Coated Black  
Quick Hitch truck portion – manual tilt  
allows hood to tilt - hitch width 30.5” center to center  
Bumper to frame mounting kit**

**Hydraulic lift cylinder 4” x 2” x 10” – Nitrided Lift Cylinder  
(2) 3” x 1 ½” x 16” reversing nitrided cylinders with cushion valve**

**TOTAL FOB Springdale, AR \$13,162.00**

**OPTION:**

**Air operated trailing Squeegee Blade (installed on plow) \$ 3,960.00  
Air operated Scarifier (mounts in front of Squeegee) \$ 1,578.00**

**DELIVERY: 60 - 75 Days ARO**

**WARRANTY: 12 month full warranty on plow supplied by Henderson Products**

**PAYMENT: Full payment required on delivery of snow plow & hydraulics**

**TAXES: Subject to Arkansas Sales Tax**

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

## Henderson puts you in the fast lane with your snow and ice control program.

Whether it be city, rural or interstate highway snow and ice control, the Henderson SNOWFOE Series reversible plow takes an adversarial attitude toward the most demanding conditions. This entry into the snow and ice control field comes with an impressive pedigree: Henderson has long been recognized as a leader in spreaders and pre-wetting equipment, and the Mark Series of dump bodies is legendary.

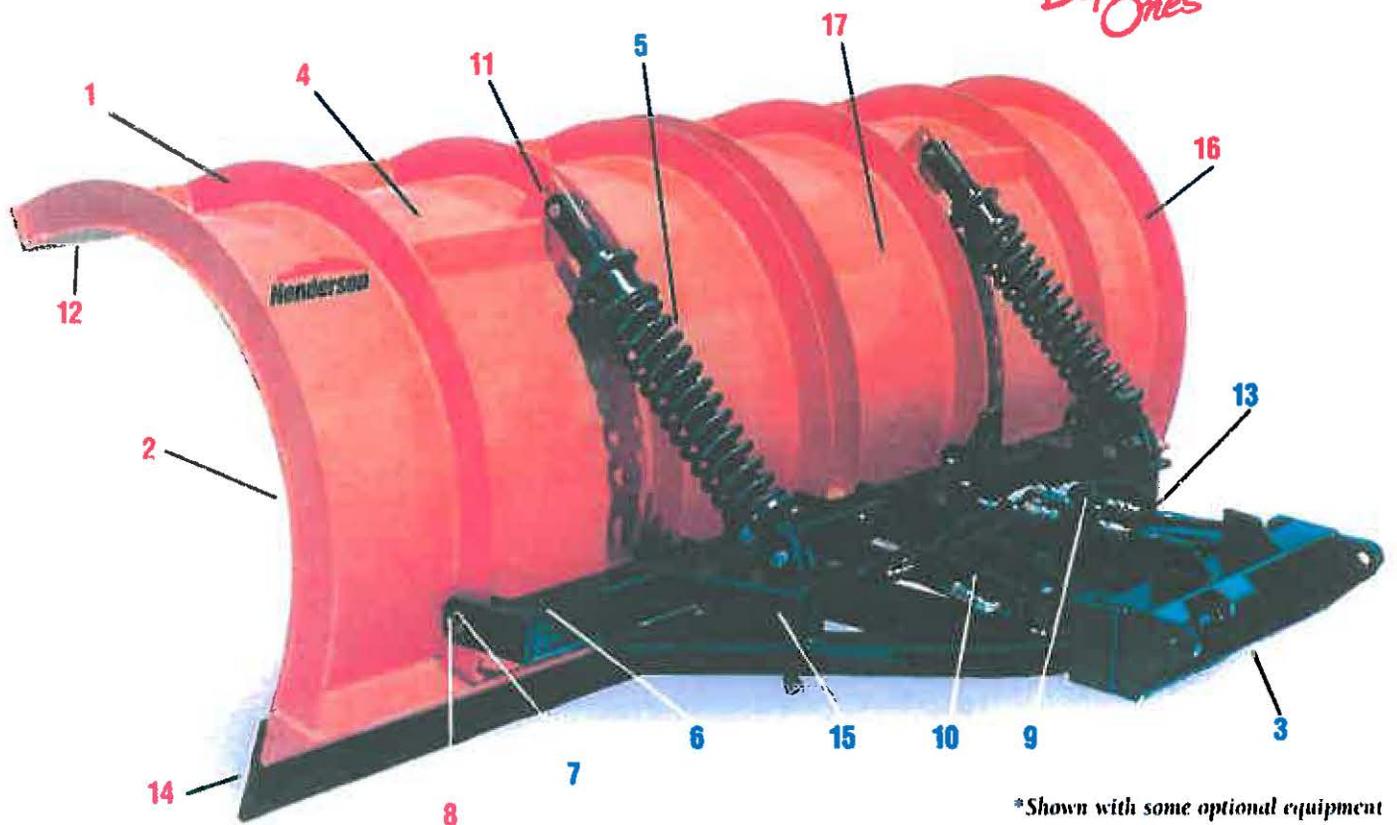
Designed from the ground up, the Henderson SNOWFOE Series reversible plows are state-of-the-art. They're designed to manhandle snow and ice and to last longer while they're doing it.

Many innovative features have been engineered into the SNOWFOE Series to provide you with a plow that moves snow and ice cleaner and quicker because its unique moldboard curvature rolls material out of the way smoothly and almost effortlessly. It is virtually self-cleaning with less chance for back-up and reduced drift to obscure driver vision.

Yet, they are priced to help you stay within budget on your initial purchase...and their ruggedness will surely serve you for years to come.

Once again, you can rely on...

*The Dependable Ones*



\*Shown with some optional equipment

- 1** Eight 1/2" x 3 1/2" edge-rolled ribs for extra strength and rigidity.
- 2** Moldboard curvature designed to improve snow moving capabilities while minimizing drift.
- 3** supported by the Henderson Hitch, the plow, in any position, remains level to the road.
- 4** One-piece moldboard is rolled instead of break-formed presenting a smooth, clean surface for better material flow.
- 5** Two easily adjustable compression springs have five position settings for variable control of the trip force. (Optional)
- 6** Extended push tube (14% longer than other makes) gives greater blade stability.
- 7** Five moldboard-to-push frame pivot points more evenly distribute push force throughout the entire plow. (Six pivot points on adjustable cutting edge trip).
- 8** 1-1/4" bushings are welded through ribs to provide greater pivot pin bearing surface and enhanced durability.
- 9** Plow-mounted cushion valve is standard.
- 10** Twin reversing cylinders are located above the push frame for protection against road debris.
- 11** Three-position attack angle adjustment (5, 10, 20 approx.) to meet all snow and ice removal conditions.
- 12** Moldboard height measures from the road surface to inside of arc - not top of ribs as with some manufacturers.
- 13** Two 3" x 10" nitriled hydraulic cylinders are available acting for heavy-duty power reversing.
- 14** One-piece 5/8" x 8" cutting edge gives extended wear.
- 15** Trip-spring anchor plates are encased and continuous welded to the push frame providing greater strength.
- 16** All parts are continuously welded which minimizes corrosion points.
- 17** All surfaces are high pressure cleaned and degreased with phosphate solution before powder coat Highway orange paint. Push frame assembly and hitch components are powder coat painted black.

## FEATURES AND SPECIFICATIONS

# TWO MAJOR TYPES OF TRIP DESIGNS TO MEET YOUR PLOWING CONDITIONS:

### 1) FULL MOLDBOARD TRIP

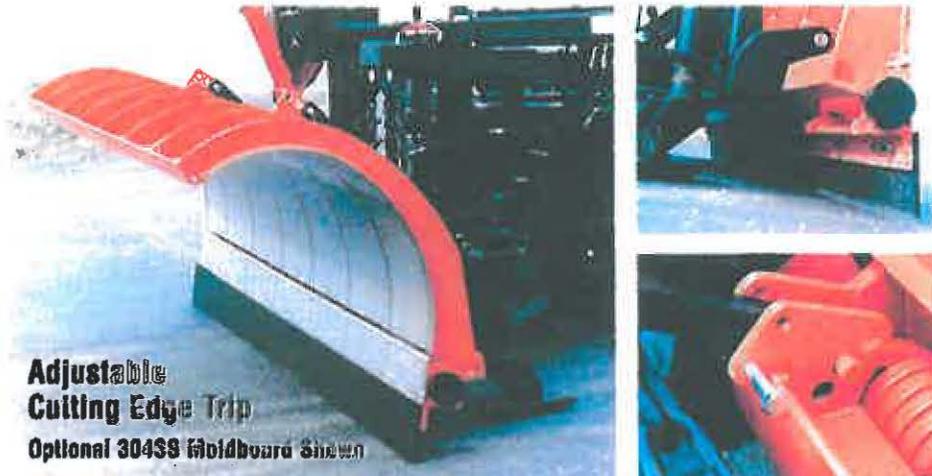
- Twin Compression Springs
- \*Adjustable Twin Compression Spring Trip
- Cannon

### 2) CUTTING EDGE TRIP

- One-piece adjustable torsion spring



**\*ADJUSTABLE TRIP TENSION MOLDBOARD**  
The exclusive, patented, Henderson five-position compression spring settings are easily adjustable to provide variable control of trip force for all snow and ice conditions. (OPTIONAL)



Adjustable Cutting Edge Trip  
Optional 304SS Moldboard Sheet

### ADJUSTABLE CUTTING EDGE TRIP FEATURES

- Five 3/4" Square Torsion Springs
- Zero insertion force for easy and SAFE spring replacement
- Each spring features individual three-position trip tension adjustment, wrench included
- Cutting edge trip design allows for "smoother" trip action and minimizes shock to the truck chassis and driver

Plow Model #	Length	Height	Approx. Wt / Lbs.
RSP-10-36-FT-ST	10'	36"	1750
RSP-10-42-FT-ST	10'	42"	1760
RSP-10-48-FT-ST	10'	48"	1790
RSP-11-36-FT-ST	11'	36"	1815
RSP-11-42-FT-ST	11'	42"	1830
RSP-11-48-FT-ST	11'	48"	1860
RSP-12-36-FT-ST	12'	36"	1875
RSP-12-42-FT-ST	12'	42"	1890
RSP-12-48-FT-ST	12'	48"	1925

### CUTTING PATH

Cutting path at 35° for a 10' length is 8'2"  
Cutting path at 35° for a 11' length is 9'0"  
Cutting path at 35° for a 12' length is 9'10"

### MOLDBOARD

- "Level lift" design allows the plow to remain level with road in any position when using Henderson Hitch
- 10GA Grade 50 rolled moldboard with 1/2" x 3-1/2" rolled ribs
- Continuous welded one-piece moldboard
- Reinforced 4" x 4" x 3/4" bottom angle
- 3-1/2" x 2-1/2" x 3/8" top angle with holes to allow moisture to escape
- Two horizontal braces for added rigidity
- Attack angle is adjustable to 5°, 10° and 20°
- 5/8" x 8" one-piece cutting edge with AASHO punching is standard

### PUSH FRAME

- Push frame width is 96"
- Semi-circle is 3-1/2" x 3-1/2" x 1/2" angle welded to 4" x 4" x 3/8" structural tube
- Five moldboard-to-push frame pivot points with 1-1/4" bushings pin to two 5/8" mounting ears (Six pivot points on adjustable cutting edge trip)

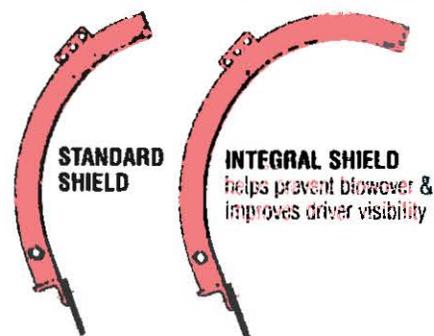
### AVAILABLE OPTIONS

- Rectangular Wear Shoes, Carbide Shoes, Mushroom Shoes, 8" and 10" Caster Wheels, Pneumatic Wheels, Moldboard Shoes
- Curb Bumper
- Wraparound Curb Guard
- Rubber Deflector
- Sight Markers
- Carbide Cutting Edge
- Rubber Cutting Edge
- Polymer Moldboard
- 3/16" Moldboard

- 3 x 2 x 10 Lift/Reversing Cylinder
- 4 x 2 x 10 Lift/Reversing Cylinder
- Integral shield extends a minimum of 19" beyond cutting edge

### OPTIONAL 304SS MOLDBOARD SHEET

- More corrosion resistant
- Higher brinell hardness increases wear resistance
- 304SS has lower friction coefficient and allows snow to flow smoothly



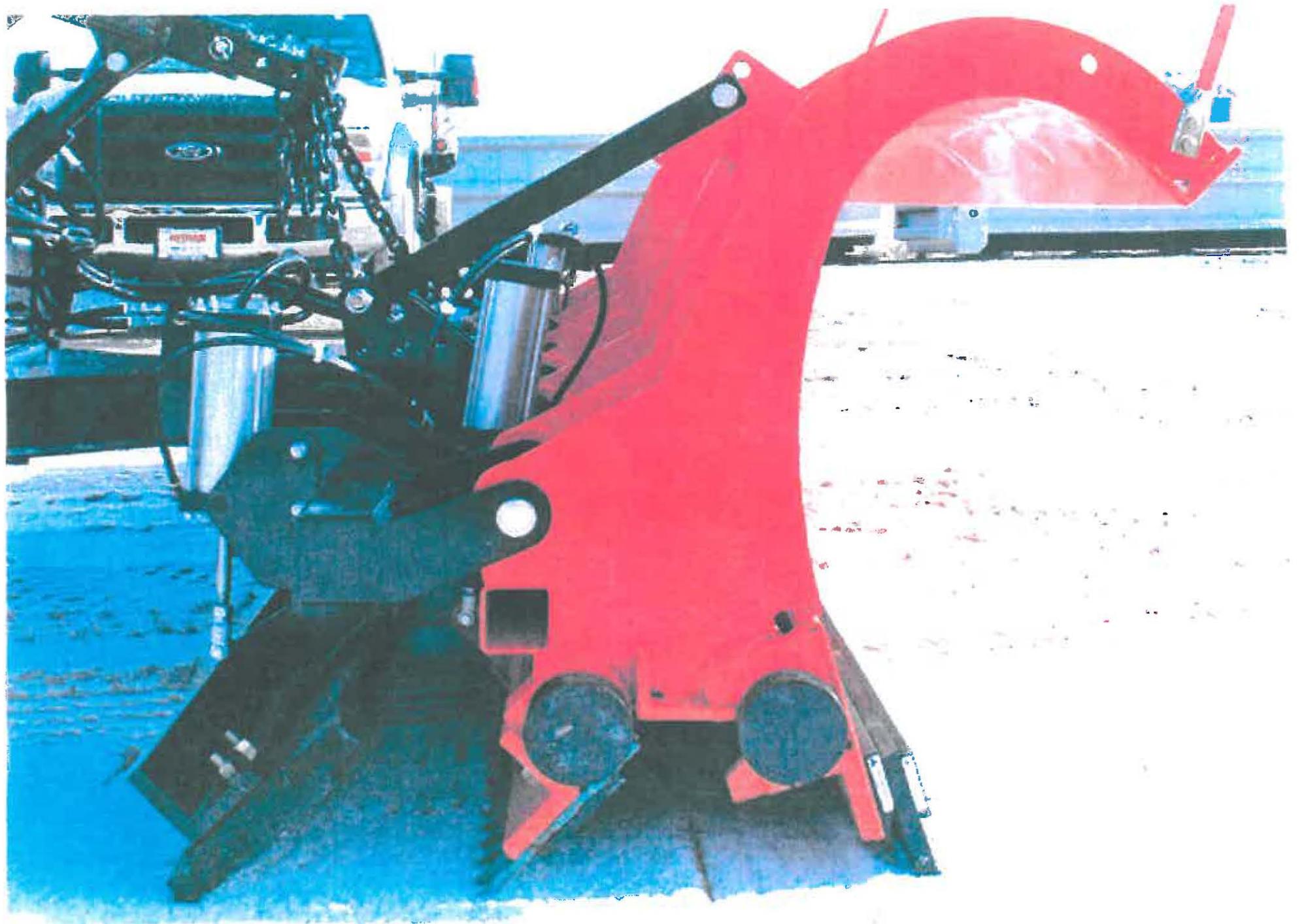
**Henderson**

P.O. Box 40 • Manchester, Iowa 52057  
800-359-4970 • www.henderson-mfg.com

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**GRAND TRUCK EQUIPMENT**  
www.grandtruckequipment.com  
pcarrott@gmail.com  
816-665-3394

10M 02 08



# **Grand Truck Equipment Co, LLC**

**451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011  
Cell 516.665.3394 - Email pcarrott@gmail.com**

## **QUOTATION**

January 16, 2014

**TO: Sam Goade  
Springdale Public Works  
269 Randall Wobbe Lane  
Springdale, AR 72764**

**From: Phil Carrott**

**RE: Henderson "Fixed Angle" UBS - Underbody Scraper**

Blade lengths: 10 foot or 11 foot  
1/2" thick x 20" height (40/50 Carbon Steel) Moldboard offset & punched for  
standard cutting edges  
Scraping angle 35 or 45 degrees  
One piece 5/8" formed steel hanger board.  
1" thick hold down blocks with (3), 1" grade 8 bolts.  
Trip spring canisters include (1) 3-1/2" bore x 9" stroke x 2" dia. Nitrided rod.  
(Springs are .87 dia. wire x 5.88 O.D. x 18" long)  
3/4" thick truck mount hanger plate  
All pivot points are greaseable  
Hydraulic tubing across hanger board and hoses from trip canister cylinders  
included  
Push frame is primed with a high quality catalyzed primed and finish painted  
black.  
Moldboard "Powder coat" Orange

Relief valve for scraper "down" pressure  
Right side "curb" guard  
3/4" Carbide cutting edge in lieu of standard steel

Power unit - double acting 12VDC with switch for cab

FOB: Springdale, AR

\$5,978.00

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

# **Grand Truck Equipment Co, LLC**

**451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011  
Cell 816.665.3394 - Email pcarrott@gmail.com**

Page 2 - Springdale, AR - Underbody Scraper

**OPTIONS:**

11' moldboard in lieu of 10' (will clean truck track at preset angle of 45 degrees)	\$ 324.00
1" thick moldboard in lieu of ½"	\$1,397.00
Extra lift cylinder for total (2)	\$1,052.00

**DELIVERY: 60 – 75 Days ARO**

**WARRANTY: 12 month full warranty on Henderson products**

**TERMS: Payment required on delivery**

**INSTALLATION: Plus installation**

**TAXES: Subject to Arkansas Sales Tax**

Accepted by:

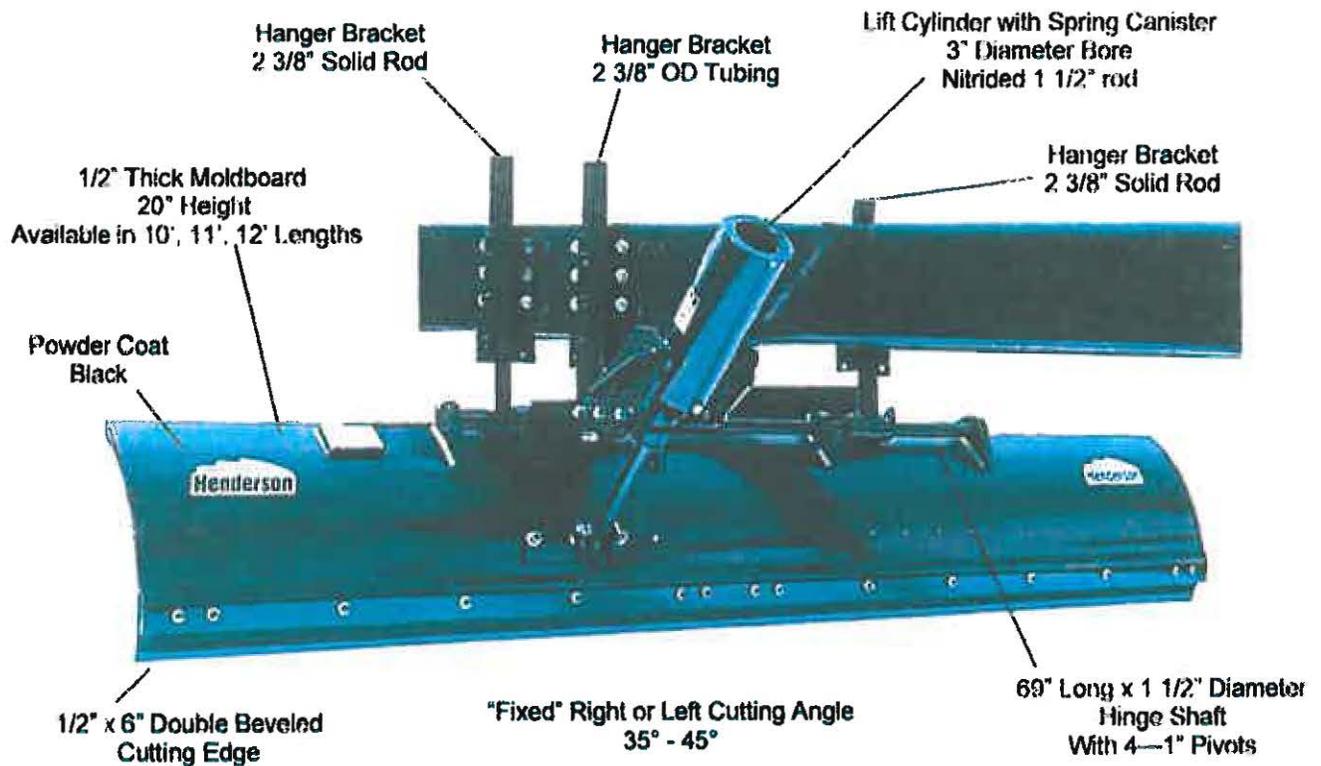
PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

# Fixed Angle Underbody Scraper

SNOWFOE Series™



This rugged, fixed angle underbody scraper is designed to remove snow and ice at high speeds under the toughest conditions imaginable. Easy installation/removal and single lever operation, makes for ease of use. Then by removing unnecessary parts and simplifying the hydraulics, this SNOWFOE Fixed Angle Underbody Scraper is priced to fit within your budget. All from the ...

*The Dependable Ones*

Plow Model	HFA-UBS 10'	HFA-UBS 11'	HFA-UBS 12'	OPTIONS
Overall Length	10'	11'	12'	<ul style="list-style-type: none"> <li>• Relief Valve for Down Pressure</li> <li>• Wrap Around Curb Guard</li> <li>• 5/8" x 8" Curved Cutting Edge</li> <li>• 3/4" x 6" Curved Carbide Cutting Edge</li> <li>• Double lift canisters</li> <li>• 1" Thick Moldboard</li> </ul>
Overall Height	20"	20"	20"	
Cutting Width @ 45°	84"	93"	102"	
Moldboard Thickness	1/2"	1/2"	1/2"	

**HENDERSON MANUFACTURING, INC.**

1085 S. 3rd Street - PO Box 40 - Manchester, IA 52057 - Phone (800)-359-4970 - [www.henderson-mfg.com](http://www.henderson-mfg.com)

## INSTALLATION INSTRUCTIONS – SINGLE CYLINDER



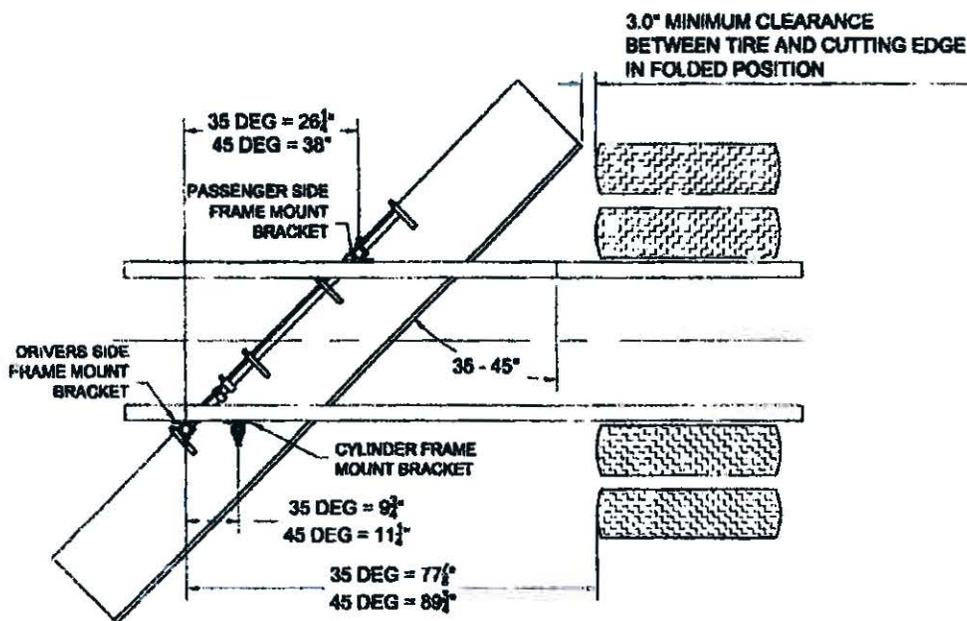
**NOTICE:** This “Safety” symbol is a reminder to follow all safety messages and precautions involved when installing or operating the Underbody Scraper-Fixed Angle. It means to be **CAREFUL, ALERT** and **SAFETY CONSCIOUS!**

1. Slide hanger legs and the main bracket assembly onto moldboard’s hinge shaft with collars, as shown on page 4-3. Do not torque.
2. Place moldboard at 35° - 45° angle under vehicle as shown below. Check end of cutting edge to be sure it discharge beyond rear tire.
3. Place driver’s side frame mount bracket on truck frame and drill (6) mounting holes through frame. Secure frame mount bracket with (6) bolts, lock nuts, and washers. (5/8-11 x 2 1/2” Grade 8) Apply rust inhibitor or paint to any drilled holes.
4. With moldboard in retracted position, place into desired location, maintaining minimum clearance to rear tires of 3” as shown below. Place passenger side frame mount bracket on frame and drill (6) holes through frame. Secure with (6) bolts, lock nuts and washers. (5/8-11 x 2 1/2” Grade 8)



**Stay clear of area beneath moldboard while hoisting it to underside of truck frame.**

5. Place cylinder frame mount bracket on truck frame and drill (6) holes through frame. Secure frame bracket with (6) bolts, lock nuts and washers. (5/8-11 x 2 1/2” Grade 8)

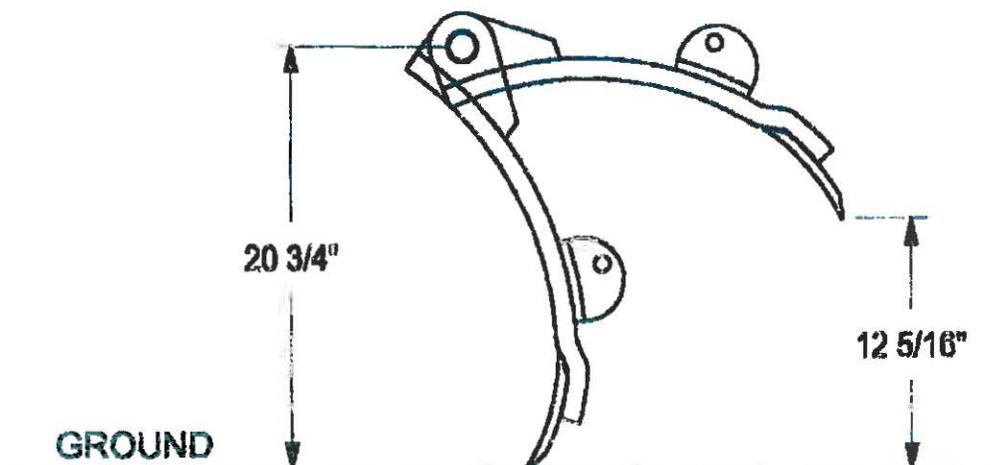


12' SCRAPER SHOWN

6. Attach the cylinder leg tube weldment to the cylinder support bracket by installing the bolt and lock washer through bottom of cylinder support bracket. **Note:** The 1" washer must be tack welded to the bottom of the cylinder support bracket when it is lined up to prevent the washer from slipping.
7. With moldboard in retracted position, slide support legs and cylinder leg into tube of mounted frame brackets. Raise moldboard so that the center of hinge shaft is  $20 \frac{3}{4}$ " off ground and the cutting edge is approximately  $12 \frac{5}{16}$ " off ground. Verify 3" clearance between tire and cutting edge.



**Stay clear of area beneath and near moldboard assembly while performing these operation tests. Use caution!**



8. After finalizing positions of all collars and brackets, tighten all bolts and set screws. Remove three set screws from frame mount brackets and counter-sink  $\frac{1}{2}$ " hole in cylinder leg tubes, then replace. Anchor canister assembly to moldboard.
9. Connect hoses to the cylinder.

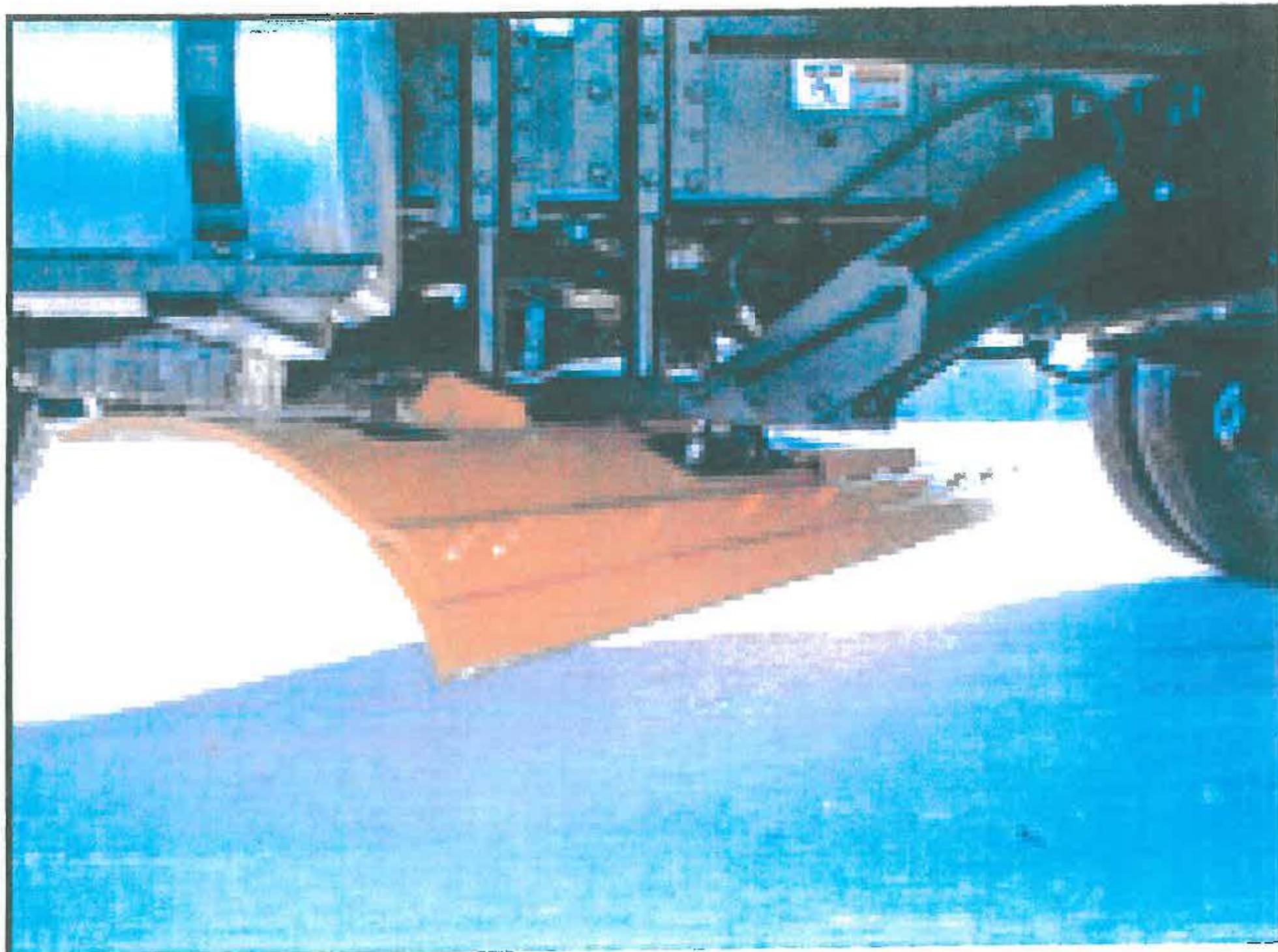
Operate all scraper functions and check for oil leaks.



**Stay clear of area beneath and near moldboard assembly while performing these operation tests. Use caution!**

**Caution:** After some usage, check all set screws and bolts to be sure they are tight. Do not exceed 1850 PSI for retract hydraulic pressure.

*These mounting instructions are intended as a guide to aid you in the installation of your **Henderson Fixed Angle Scraper**. All dimensions noted in the instructions are approximate and may vary due to: make and model of chassis, tire size, type of suspension, spring deflection, customer preference, and interference caused by immovable attachments such as a transfer case. Ideally, the scraper should be mounted to get full usage of the cutting edge without wearing into the moldboard. **Henderson Manufacturing** assumes no responsibility for improper installation, unless installed at a **Henderson Manufacturing Truck Equipment** location. Mounting location should be discussed by the end-user and the installer prior to installation in order to achieve the best possible installation.*



# **Grand Truck Equipment Co, LLC**

451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011

Cell 816.665.3394 - Email pcarrott@gmail.com

## **QUOTATION**

January 14, 2014

TO: Sam Goade  
Springdale Public Works  
269 Randall Wobbe Lane  
Springdale, AR 72764

From: Phil Carrott

RE: Henderson TaskForce Stainless Steel Granular / Liquid Spreader

Henderson TaskForce 201 Stainless Steel Granular & Liquid Spreader  
Integrated **Granular/Pre-wet/Direct Liquid** Application Material Spreader  
14' overall length  
56" side height  
84" body width ID

Sloping front on spreader to accommodate dump body "doghouse"  
**9.7 cubic yard** struck capacity  
Dual 7" diameter variable pitch augers - 24" conveyor  
Conveyor motor with integral speed sensor  
Standard spinner disk with SS spinner vanes

201 SS unit unpainted with non 201 SS components painted aluminum  
Heavy Duty top grate screens with safety interlock  
201 SS Inverted "V" factory installed  
Rear bumper kit  
Dump body hold down kit - Nylon ratchet type hold down straps & kit  
Trunion latch for tailgate  
Front grease tube extended to rear  
Rear mount ladder - 304 SS installed  
Rubber side shields - installed

201 Stainless steel 9 light - light bar with stop, turn, tail, backup lights  
2 - directional spinner work lights - Installed to rear of spreader

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

# **Grand Truck Equipment Co, LLC**

**451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011**

**Cell 816.665.3394 - Email pcarrott@gmail.com**

Page 2 – City of Springdale, AR

304 SSI Taskforce stand with leg kit, includes wheel guides  
and boom mounts - Stainless Steel – installed

Dual 400 gallon pre-wet/liquid tanks

Direct Liquid Kit – 8.5 GPM pump @ 1725 RPM, liquid valving, flow meter  
and all plumbing with single lane adjustable (14" to 20") SS Boom. Pre-wet  
kit with VDO nozzles, pump & flow meter with control valve. Independent  
motorized control valves for 1 or 2 lane applications. Electrical terminations  
in a weather pack connector.

Slurry tube – last 6' in spreader – installed

3 lane boom option ILO standard - installed

System flush kit

TOTAL: FOB Springdale, AR \$35,791.00

Plus Arkansas Sales Tax

OPTIONS:

54" side height in lieu of 48" (10.3 cu yd) \$ 326.00

DELIVERY: 60 – 75 Days ARO

WARRANTY: 12 month full warranty on Henderson products

TERMS: Payment required on delivery

INSTALLATION: Plus installation

Accepted by:	PO#
--------------	-----

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

# TaskForce

Integrated Granular / Pre-wet / Direct Liquid Applications

# Henderson

## READINESS IT'S IN THE GENES

When it comes to precision ice control, the Henderson TaskForce has it all... granular, pre-wetted granular, and liquid deicer. All on board in one integrated unit that delivers its material on demand from the cab, on the fly. Whatever the road condition, the TaskForce is ready to attack it with the proper material to get the job done quickly and efficiently.

The Henderson TaskForce incorporates the latest de-icing/anti-icing technologies. It is designed to interface with all leading industry closed loop controllers. Application rates to meet varying conditions are controlled from the cab and metered automatically on the go.

The all-in-one TaskForce incorporates proven Henderson proprietary products combined into a single unit that's always ready to attack your ice control problems. The legendary Henderson FSH spreader forms the core of TaskForce and provides the means for granular material distribution, while the Henderson LAS (Liquid Application System) furnishes the pre-wet and liquid application functions.

Available in any array of sizes, the TaskForce is another example of excellence from...

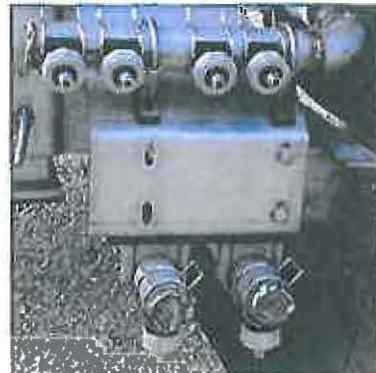
*The Dependable Ones*



Optional Equipment Shown in all Illustrations



Enclosed spinner chute has top mounted motor to maximize material flow. Three adjustable external deflectors provide infinite adjustment of spread pattern.



Liquid spray boom has clip-on nozzle bodies for easy maintenance and replacement. Applies material to one, two or three lanes, all controlled from the cab. Available with multiple boom configurations.

## FEATURE & SPECIFICATIONS



The OPTIONAL free-standing storage stand simplifies dismounting and storage. To mount, simply raise the dump body slightly to slide the rear platform under the TASKIFORCE stand and back up. Lower the body and continue in reverse. The collapsible stand legs fold up and out of the way. Once fully mounted, strap it down and get moving. Takes less than five minutes. Reverse the procedure to dismount and store. No tools required.

### BODY

Sides, ends and side supports are of 10 ga. 304 stainless steel, continuous seam welded from the inside. Side slope is 45° with front slope at 18° and 9° rear slope. Floor and longills are 7 ga. stainless steel. Top edge of hopper is formed "J" channel. Feedgate is 10"x 18" screw-jack adjustable from curb side. Also available in carbon steel.

LENGTH	CU YD CAPACITY (Struck/Rounded)	WEIGHTS (Approx.)	RECOMMENDED CAB TO AXLE (Inches)	LIQUID TANKS (Qty 2)
10'	6.9	2070	84	400 gallon
11'	7.6	2225	96	400 gallon
12'	8.3	2380	108	400 gallon
13'	9.0	2535	96 C.T.	400 gallon
14'	9.8	2690	108 C.T.	800 gallon
15'	10.3	2845	120 C.T.	800 gallon
16'	10.9	3001	132 C.T.	800 gallon

### CONVEYOR

Rear discharge pintle type conveyor chain has 3/8" x 1-1/2" crossbars on 4-1/2" centers and powered by 50:1 worm gear box drive. Chain tension idler adjusts up to 4" using a 5/8" stainless steel rod. Conveyor extends 3 foot behind rear of hopper to allow room for stands, pump systems and for easy adjustment and maintenance. Chain and sprockets are protected by bolt-in replaceable chain shields.

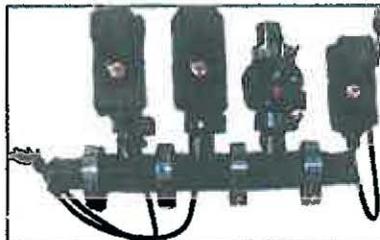
### SPINNER CHUTE ASSEMBLY

Completely enclosed telescopic design is 10 ga. stainless steel. Top-mounted hydraulic spinner motor is enclosed in the chute for protection and to maximize material flow to the stainless steel spinner disk. It is mounted directly to the spinner to eliminate shaft and bearings. Two (2) internal baffles direct material flow onto the spinner disk for directional spread control. Three external easily replaceable, adjustable deflectors and one front-fixed deflector with overlapping corners contribute to precise control of materials. 20" 10 ga. stainless steel spinner with six (6) bolt-on stainless steel vanes and replaceable hub and provides enhanced wear and eliminates corrosion.

### LIQUID TANKS

UV stabilized polyethylene liquid reservoir tank. 10' to 13' units utilizes 2-200 gallon tanks and 14' and up utilizes 2-400 gallon tanks. Features all molded-in threaded fittings.

Maximum use of manifold flange mount fittings for ease of maintenance and replacement.



Boom control valve motors are easily removable from butterfly valve using a single simple push pull pin.



Under-tank sump basin standard on all 800 gallon systems prevents air suction pump damage. All hose clamps are stainless steel.



OPTIONAL: Air flow baffle mounted ahead of the liquid spray boom helps prevent drift due to travel speed and wind turbulence.

### OPTIONS

Mild steel • Self-storage stand (also available in stainless) • Inverted vee • Extended front idler grease tubes • Rubber side spill shields • Catwalks and frame mount kit • Roller chain • Spacer bars • Side tubes and rear hoses • Rear ladder • Rear bumper • Light bar • Self-aligning front/side sills • Cab shield • Hold down kit • Top grate screens • Single or dual auger (safety interlock required) • Hose kit with quick couplers • Automatic control systems

**Henderson**

P.O. Box 40 • Manchester, Iowa 52057  
800-359-4970 • www.henderson-mfg.com

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**GRAND TRUCK EQUIPMENT**

www.grandtruckequipment.com

pcarrott@gmail.com

816-665-3394

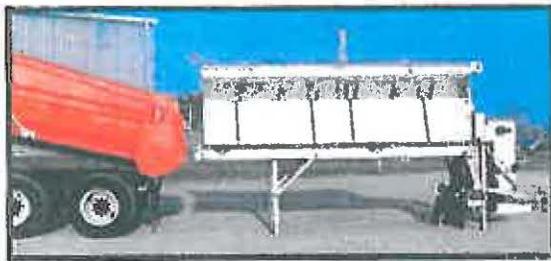
# HSS

Henderson Spreader Stands

# Henderson

The Henderson Spreader Stands make the loading and unloading process of V-box spreaders, combination units, and liquid systems from dump bodies easy and efficient, while providing a safe storage location that can change each time the truck returns.

Using only the hoist of your dump body the spreaders can be loaded and unloaded, eliminating the use of forklifts and overhead hoist systems. By simplifying this previously dreaded task you can free up dedicated spreader trucks for other uses on fair weather days.



HSS are constructed in three different models to fit your specific needs:

- 'HD' (Heavy Duty): Welded structural tubing
- 'US' (Universal Stands): Bolt together construction
- 'IS' (Integral Stands): Bolt-on no subframe

All models available with adjustable height legs that can be adapted to fit various truck bed heights. The HSS are also constructed to fit most existing V-box spreaders utilizing a 24" side support spacing. The powder coated or optional stainless steel provides a strong, weather resistant and long lasting construction.

Sturdy legs along with well placed pins, handles, and rollers on all of the HSS make installing or unloading your spreader a simple roll in/roll out one person process. Individually telescoping rear legs are lighter and easier to operate, while front legs are lifted by truck body during loading.

Choose one of our three constructions and optional materials to get the longevity and operation you need to meet your budgets.

Henderson Spreader Mount Stands are just another reason we're known as...

*The Dependable Ones*

## FEATURES & SPECIFICATIONS

### HSS - 'HD' (Heavy Duty)



#### SPECIFICATIONS

- All welded structural tubing; very stable design
- Main rails 5" x 3" x 1/4"
- Adjustable legs constructed of 4" x 4" tube
- 1" x 2" bar cross supports
- 5" steel wheels with roller bearings and lubrication point
- Center mounted legs avoid interference with liquid tanks
- Powder coat paint
- Provides added protection of spinner chute
- Can be used with LAS and Taskforce units

#### OPTIONS

- Body guides or guide wheels
- Ladder

\*Shown with some optional equipment

### HSS - 'US' (Universal Stands)



#### SPECIFICATIONS

- Bolt together construction—provides easy modification and adaptable to spreaders with varying cross support spacing
- 8" fabricated main rails constructed of 7 GA
- Adjustable legs constructed of 3 1/2" x 3 1/2" fabricated tube
- 5" steel wheels with roller bearings and lubrication point
- Rear legs incorporate provisions for direct liquid spray booms
- Can be used with LAS and Taskforce units

#### OPTIONS

- Available in stainless steel construction
- Body guides or guide wheels
- Bumper
- Ladder

\*Shown with some optional equipment

### HSS - 'IS' (Integral Stands)



#### SPECIFICATIONS

- Low mounting height—Doesn't increase overall mounting height of spreader
- Fits any length spreader
- Front box section constructed of 7 GA
- Adjustable legs constructed of 3.5" x 3.5"
- 5" stainless steel pins to resist corrosion and ease adjustment
- 5" steel wheels with roller bearings and lubrication point

#### OPTIONS

- Available in stainless steel construction
- Body guides or guide wheels
- Bumper
- Ladder

\*Shown with some optional equipment

\*All stands are designed to have little or no materials in them during loading and unloading.

**Henderson** P.O. Box 40 · Manchester, Iowa 52057

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**GRAND TRUCK EQUIPMENT**  
[www.grandtruckequipment.com](http://www.grandtruckequipment.com)  
[pcarrott@gmail.com](mailto:pcarrott@gmail.com)  
 816-665-3394

# **Grand Truck Equipment Co, LLC**

451527 Sparrow Hawk Circle, Afton, OK 74331 - Fax 918.782.1011  
Cell 816.665.3394 - Email pcarrott@gmail.com

## QUOTATION

January 14, 2014

TO: Sam Goade  
Springdale Public Works  
269 Randall Wobbe Lane  
Springdale, AR 72764

From: Phil Carrott

RE: Electronic central hydraulic system with temperature control

### **Hydraulic Pump:**

The hydraulic pump will be crankshaft driven using a 1280/1310-driveline assembly.  
The piston pump (load sensing type) must be capable of 48 GPM and 3000 PSI at 2500 RPM.  
Pump must have side to avoid multiple 90-degree bends in suction line (rear ports are unacceptable).  
The case drain must be positioned as high as possible and directed back to the reservoir without passing through the return line filter.  
The pump must have the ability for a internal bleed down compensator option, a 1 1/4" keyed shaft drilled and tapped, a 1" split flange pressure port and a 2" split flange suction port.  
A normally closed 12VDC low oil shut down valve shall mount directly to the pump pressure port and be activated by the low oil level switch in the tank.  
The pump must have a pressure gauge port integral to the rear cover of the pump. Sauer-Danfoss model JRL075 no exceptions.

### **Pump Drive:**

The driveline must be 1280/1310 series solid shaft style.  
The driveline shall come with all crosses, pump end yoke and flange for engine.  
The pump shall be driven off the engine crankshaft.  
The pump shall get a companion flange that un-bolt from driveshaft for easy belt replacement.  
Certified Power SG01010016 no exceptions accepted.

Accepted by:

PO#

Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COI

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Page 2 - City of Springdale, AR - TaskForce hydraulics

## **Hydraulic Reservoir**

Reservoir shall be 30-gallon minimum with breather cap, magnetic drain plug and suction screen.

Fill neck must be screened and a sight/temperature gauge mounted on the reservoir so easily visible for inspection.

Symmetrical side ports to allow mounting on either side of truck frame.

Suction screen to be 2" NPT with built in bypass.

Suction port shall have a 2" full flow ball valve installed for ease of pump service.

Bottom suction is not acceptable.

Reservoir must have provision for the mounting of a tank mounted return line filter.

## **Hydraulic Stack Valve:**

The valve shall be of a mobile stackable design load sensing type.

The valve shall be all cast iron design and all sections must be of the same valve series.

The valve shall be capable of a nominal 35 GPM with published flow curves to 40 GPM.

The valve must be pressure and flow compensated.

Inlet and outlet ports to be 3/4" O-ring, all working ports shall be 5/8" O-ring minimum.

Valve to be arranged as follows:

Inlet cap with top ported pressure and tank, load sense and drain ports.

Single acting cylinder spool for hoist 0-32 GPM, proportional 12VDC operated, with spring return to neutral. Section shall have manual handle overrides with stroke limiters.

Single acting cylinder spool for plow lift, proportional 12VDC operated with spring return to neutral. Pressure compensated 0-15 GPM main spool. Section shall have manual handle overrides and stroke limiters. Plow float shall be incorporated and controlled by console.

Double acting cylinder spool for plow angle, proportional 12VDC operated with spring return to neutral. Pressure compensated 0-15 GPM main spool. Section shall have manual handle overrides and stroke limiters.

Single acting 0-15 GPM spool for feeder, proportional 12VDC spring to center with manual override.

Single acting 0-7 GPM spool for spinner, proportional 12VDC spring to center with manual override.

Accepted by:

PO#

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Page 3 - City of Springdale, AR - TaskForce hydraulics

Spreader and pre-wet sections shall be part of a manifold assembly that has a pressure reducing valve and solenoid drain and has the ability to have a cartridge added for anti-ice applications.  
Certified Power PVG32 valve no exceptions.

### **Hydraulic Valve Enclosure:**

Hydraulic valve shall be mounted in a weather tight enclosure.  
Enclosure shall be 3 pieces, the enclosure body, valve mounting plate and the lid.  
Enclosure body and valve plate shall be constructed of 1/4" steel.  
The lid shall be made of 10-gauge steel with a minimum 1" lip all around it to help seal.  
The sides of the body shall have formed mounting angles as an integral part.  
Valve plate shall go to the inside of the enclosure for ease of mounting.  
There shall be a formed Buna gasket to seal the valve plate to the enclosure.  
The top and front of the enclosure shall be open with the lid off.  
The valve shall be bulkhead fitting mounted to valve plate and ports will come out bottom.  
Outside lip of enclosure shall have a gasket all the way around to seal from weather when lid is installed.  
Lid shall have 2 lifting handles.  
Shall have multiport electric board to connect to each valve coil that must be plug and play, IP68 rated, having to put connectors on will not be accepted.  
Certified Power MTEA2001000\*\*\* is acceptable model.

### **Hydraulic Return Filter:**

Filter shall be top tank mounted type 10 microns with a by-pass and replaceable cartridge element.  
Filter shall be capable of 80 GPM flow capacity.  
Filter shall have one 1 1/4" SAE port with the ability to be machined for another.  
A bypass condition gauge shall be provided.  
Certified Power model SG03020010 no exceptions.

### **"TPE" Wiring Specification:**

Wiring and harness system should meet ISO rating IP68 and NEMA 6.  
The connectors should be zinc die cast E-coated, similar to a MIL spec connector.  
Each should have three sealing points- the lock ring itself, a raised portion of the molded plastic around each pin, and a viton O-ring that seals the whole connector.

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The cable jacket should be TPE- thermoplastic elastomer, and molded to the connectors.

Connectors and harness should be rated and tested for a temperature range from – 30C to + 70C.

Connectors should be tested to be water tight when submerged in 6' of water for 24 hours, in 275' of water for 1 hour, and when subjected to a 1000-psi pressure wash.

The connectors should be designed to have NO corrosion after 500 hours in a 35C salt spray.

Cabling should be rated excellent in low temperature flexibility and in its resistance to oxidation, heat, oil, weather, sun, ozone, abrasion, electrical priorities, flame, water, acid, alkali, gasoline, benzol, toluol, degreaser solvents, alcohol, and weld slag.

All cabling for the hydraulic system and pre-wet system must be this style. Certified Power TPE Yellow Jacket cables no exceptions

## **Freedom 2.1 Spreader Control:**

Control to have 3 PWM output channels

1 channel shall be ground speed oriented conveyor/spreader, 1 channel for spinner, and 1 channel for a liquid function.

Liquid function shall be configurable to control either a pre-wet or anti-ice function

Control to have a simple operator interface consisting of 3 buttons, two knobs and an interactive touch screen.

Knobs to be rotary encoders with no maximum or minimum limit position.

Programming of unit shall not require the use of an ancillary device

Touch screen shall be used for calibration of the unit.

There shall be a USB port on the side of the unit for data download

USB shall also function as an upload port to allow field upgrade of the software or capabilities of the system

Unit shall be available in 3 versions, and software shall be available for purchase to allow unit to be reconfigured to any version.

Unit delivered shall be Freedom 2.1 as manufactured by Certified Power

To prevent glare at night, there shall be a "night mode" for the touch screen

The unit shall be supplied with 8MB of RAM and 4MB of flash memory

The front panel shall be backlit for night viewing

There shall be a field replaceable fuse to protect the system.

Fuse shall be easily accessible.

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Help screens for troubleshooting and calibration shall be embedded in the on board software.

The system shall support a remote blast and remote pause functions.

Control shall be open loop (no feedback sensor)

PWM circuits shall be current regulated to reduce hysteresis

There shall be an input to sense a stall of the spreader

A float input circuit shall be provided to turn off liquid system at low level

Storm totals shall be available either on screen or via USB download

Unit dimensions shall be approximately 7.8L, 4H, 3.8 D

A standard hoop style bracket shall be provided for ease of mounting.

Spreader control shall be mounted in a factory made control console that also controls the functions for Body, Plow, and Scraper.

### **Console Design:**

Shall be a totally modular control arm design for a variety of joystick controls, spreader controls and switch configurations.

Unit shall come with 2 fully proportional joysticks for hoist and plow control.

Shall have a single axis control with dead man switch for hoist.

Shall have a dual axis "+" design for snowplow up/dn, and left/right control.

Shall have a dual axis "+" design for scraper up/dn, and left/right control.

Armrest style console shall be fully adjustable to accommodate automatic or manual transmissions, and mount like it part of the driver's seat.

Unit shall be completely powder-coated Black in color.

Unit shall be fully adjustable left to right.

Switches shall control items similar to the following, exact switch functions to be described in detail when awarded.

When switches get power they shall light in the color green, when they are activated they shall turn red.

Switches shall be programmable for either maintained or momentary without changing the switch itself.

Switches shall be capable of sensing a ground fault with the circuit it is running.

All indicators shall be on the in cab display and show up in English stating the function. Indicator lights will not be accepted.

Certified Power model SG21\*0000\*.

### **Snow Plow Cushion Valve:**

A double relief cushion valve must be installed for the plow angle and scraper left/right..

The valve shall be set at 2000 PSI and have #8 SAE o-ring ports.

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The valve shall be constructed of a high-tensile cast iron body with ball and spring style relief that has hardened seat.

The valve shall be plumbed at the front of the truck for snowplow angle. Certified Power model DRV5HH no exceptions.

### **Hydraulic Hoses:**

All hoses shall be properly rated for pressure of hydraulic system.

All hose ends connecting to valve assembly shall be 90-degree female JIC swivel. Suction Hose shall be 2" ID SAE 100R4 style, connecting the pump and reservoir with a king nipples, with both ends being double clamped with T-bolt style stainless steel super clamps.

Pressure hose shall be 1" ID 2000 PSI rated with female JIC swivels at both ends. Return line shall be 1 1/4" ID SAE 100R4 style with female JIC swivels at both ends.

Hoist lines shall be 1" ID 2250 PSI rated with female JIC swivels at both ends. Plow lines 1/2" ID 2250 PSI rated, ran to front of truck with female JIC swivels at both ends.

Auger line shall be 3/4" ID 2250 PSI rated and have female JIC swivels at both ends.

Spinner line shall be 1/2" ID 2250 PSI rated and have female JIC swivels at both ends.

Spreader return line shall be 1" ID SAE 100R4 style with female JIC swivels at both ends.

Pump case drain shall be 3/4" ID minimum 2250 PSI rated and have female JIC swivels at both ends.

Load sense line shall be 3/8" ID 2250 PSI rated and have female JIC swivels at both ends.

### **System:**

To interface with Henderson TaskForce granular / liquid spreader. Requires system to be all electronic. Includes control modules, junction box for plug and play wiring and interface with liquid / slurry application.

ACS control for 3 lane anti-ice capabilities.

Console to include joystick control of dump body hoist and plow functions.

Hydraulic hosing not included.

Accepted by:	PO#
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Page 7 - City of Springdale - TaskForce hydraulics

FOB: Springdale, AR	\$13,988.00
OPTION: Air / Road Temperature sensor	\$ 1,000.00

TERMS: Pay on receipt  
DELIVERY: 60 - 75 days ARO  
TAXES: Subject to Arkansas Sales Tax

Accepted by:	PO#
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Please fax to Phil Carrott, 918-782-1011

Terms: Credit card or COD

# Storm Guard

## CONTROLGUARD

## MULTIGUARD

The ControlGuard system incorporates our Multi-function 3-axis joystick. The joystick is standard with blast and pass buttons for operator ease. The ControlGuard Joystick has four operating modes and can control up to 12 valve sections and 3 axes simultaneously. This allows for the consolidation of multiple functions into one, easy to use control.

The ControlGuard System incorporates our new ACS Operator Base with specially designed and installed safety features and programmable inhibitors. Blast and Pass buttons are also available.

Also available options are available such as track and footrests if needed.

### ACCELERATION

With acceleration for all axes, the operator can move the joystick in any direction.



SG219 w/Armrest

### RECOVERY BRAKE

Used for emergency stop, the recovery brake is a safety feature that can be used to stop the system in an emergency.

SG219 w/Armrest

### Freedom ACS Control systems Additional Features:

- 12 valve sections with 3 axes and 12000 pressure ratings
- 12 valve sections with 3 axes and 12000 pressure ratings

## DISPLAY MODULE

The ACS display features a large 5.7" Transflective Technology monochrome display for ease of visibility. The display incorporates a light sensor for backlit adjustment that is programmable for night and daytime use. Our new display uses an Ethernet connection using Microsoft's Internet Explorer for data retrieval, file saving and updates.

SG219 w/Armrest

### RECOVERY BRAKE

Used for emergency stop, the recovery brake is a safety feature that can be used to stop the system in an emergency.

SG219 w/Armrest



The MultiGuard system incorporates many of the same features as the ControlGuard system. The operator, switch panel and armrest options are all the same. The MultiGuard designs utilize individual joysticks.

Each joystick can be specified with many different options such as single and dual axis, integrated switches for dead-man, pass and float functions.

Both the ControlGuard and MultiGuard control systems allow for precise programming for dead band, ramp and feathering control parameters.





1395 John Fitch Blvd.  
 South Windsor, CT 06074  
 Phone: 800-603-4445  
 Fax: 800-457-8887

* Bid Confirmation	ORDER DATE	PAGE NO.
644794	1/07/14	1
SHIP VIA		
FedEx Ground		

ClearSpan Fabric Structures

**\* Bid Confirmation \***

ORDER REF.	SHIP REF.	SALESPERSON	PURCHASE ORDER NO.	PAYMENT INFORMATION
6065308		BWILLI		1NT

ORDER ORIGIN	COLLECT	SHIP DATE	PAYMENT TERMS
4 PHONE ORDERS	X		NET 20 DAYS

CUST NO. 6065308 Complete Order

SOLD TO: SAM GOADE  
 CITY OF SPRINGDALE PUBLIC WORK  
 269 E RANDALL WOBBE LANE  
 SPRINGDALE AR 72764

SHIP TO:

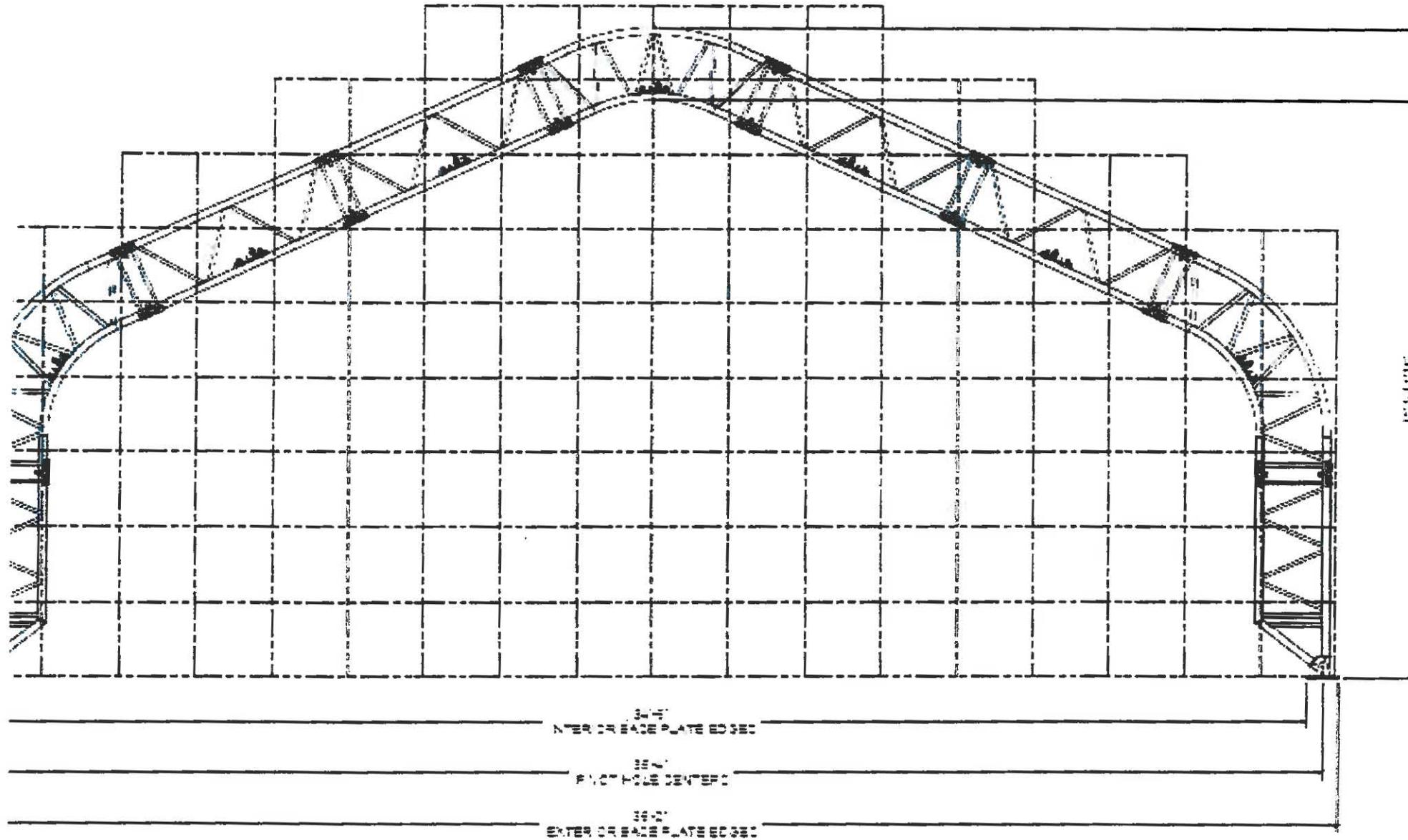
479-601-4270 \* Bid Confirmation \*

ORDERED	SHIPPED	BACK ORDERED	ITEM	DESCRIPTION	UNIT PRICE	AMOUNT
			The following item(s) sent to: SAM GOADE CITY OF SPRINGDALE PUBLIC WORK 269 E RANDALL WOBBE LANE SPRINGDALE AR 72764			
EA	1		100106	35W HA by 60L Truss Bldg 15'OC 10/90	13855.00	13855.00
EA	1		100106	35W End Wall Package	1550.00	1550.00
EA	1		100106	Flame Retardant Material Upgrade	1250.00	1250.00
EA	1		110452	36"Wx36H" WALL LOUVER	189.95	189.95
SF	1		700001	STAMPED ENGINEERED DRAWING	1500.00	1500.00
EA	1		100106	Standard Wage Installation	17250.00	17250.00
EA	1		100007	SALE OF FREIGHT	1917.00	1917.00
			Precast Blocks, Materials to connect them together, and the labor to constrcut the foundation not included			

THIS PROPOSAL AND PRICING IS SUBJECT TO CHANGE

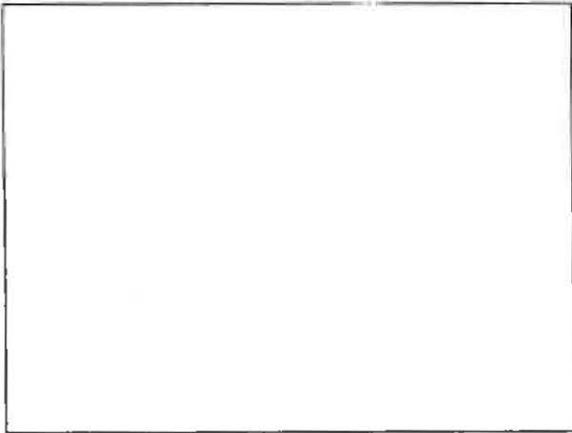
Merchandise	37511.95	Miscellaneous	.00
Shipping/Handling	.00	Sales Tax	.00
		Total	37,511.95

FRONT PROFILE (GRID)  
• GRID REPRESENTS 24"









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 LARGE PRODUCT RETAIL SALES (C-6) 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 January 7, 2014 for hearing the matter of a petition of Smith Properties, LLC requesting that the following described tract of real estate be zoned from General Commercial District (C-2) to Large Product Retail Sales District (C-6).

**Layman’s Description:** 6372 W. Sunset Avenue

**Legal description:** A part of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (N/E 1/4) of Section 5, Township 17 North, Range 30 West, and being more particularly described as follows, to-wit: Beginning on the South line of said twenty (20) acre tract at a point 30 feet North 89 degrees 51' East of the Southwest corner of said 20 acre tract, and running thence North 834.90 feet along a line parallel to the West side of said 20 acre tract; thence South 87 degrees 47' East 633.49 feet to a point on the East line of said 20 acre tract, which is 807.49 feet North of the South line thereof; thence South 807.49 feet to the South line of said 20 acre tract; thence South 89 degrees 51' West 632.30 feet along the South line of said 20 acre tract to the point of beginning, and containing 12 acres, more or less; LESS AND EXCEPT a part of the W 1/2 of the SW 1/4 of the NE 1/4 of Section 5, Township 17 North, Range 30 West, and being more particularly described as follows, to-wit: Beginning at the Southeast corner of said 20 acre tract, and running South 89 Degrees 51' West 210 feet; thence North 420 feet; thence North 89 degrees 51' East 210 feet; thence South 420 feet to the place of beginning, containing 2.0 acres, more or less; AND ALSO LESS AND EXCEPT part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 5, Township 17 North, Range 30

West, Washington County, Arkansas, more particularly described as follows: Starting at the Northwest corner of the SW 1/4 of the NE 1/4 of Section 5; thence South 02 degrees 25' 00" West along the West line thereof a distance of 1262.30 feet to a point on the Northerly existing right-of-way line of State Highway 68; thence South 87 degrees 45' 11" East along said existing right-of-way line a distance of 452.29 feet for the point of beginning; thence North 02 degrees 25'00" East a distance of 14.72 feet to a point on the Northerly proposed right-of-way line of State Highway 68; thence South 83 degrees 10'44" East along said proposed right-of-way line a distance of 121.94 feet to a point; thence South 87 degrees 45'11" East along said proposed right-of-way line a distance of 88.42 feet to a point; thence South 02 degrees 25'00" West a distance of 5.0 feet to a point on the Northerly existing right-of-way- line of State Highway 68; thence North 87 degrees 45'11" West along said existing right-of-way line a distance of 210.0 feet to the point of beginning, and containing 0.04 acres , more or less; AND ALSO LESS AND EXCEPT part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 5, Township 17 North, Range 30 West, Washington County, Arkansas, more particularly described as follows: Starting at the Northwest corner of the SW 1/4 of the NE 1/4 of Section 5; thence South 02 degrees 25'00" West along the West line thereof a distance of 1262.30 feet to a point on the Northerly existing right-of-way line of State Highway 68; thence South 87 degrees 45'11" East along said existing right-of-way line a distance of 30.0 feet from the point of beginning; thence North 02 degrees 25'00" East a distance of 5.0 feet to a point on the Northerly proposed right-of-way line of State Highway 68; thence South 87 degrees 45'11" East along said proposed right-of-way line a distance of 93.87 feet to a point; thence North 86 degrees 32'10" East along said proposed right-of-way line a distance of 201.00 feet to a point; thence South 83 degrees 10'44" East along said proposed right-of-way line a distance of 128.86 feet to a point; thence South 02 degrees 25'00" West a distance of 14.72 feet to a point on the Northerly existing right-of-way line of State Highway 68; thence North 87 degrees 45'11" West along said existing right-of-way line a distance of 422.29 feet to the point of beginning and containing 0.14 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 General Commercial District (C-2) to Large Product Retail Sales District (C-6) 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 Large Product Retail Sales District (C-6).

**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 \_\_\_\_\_, 2014**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

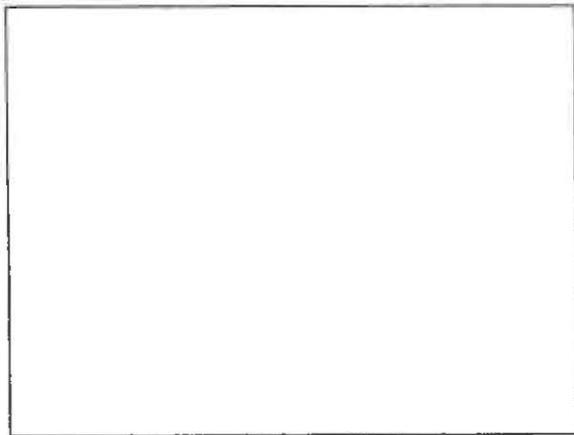
  
\_\_\_\_\_  
Ernest Cate, City Attorney



Feet  
0 100 200  
[Scale bar]

**APPLICANT: SMITH PROPERTIES, LLC**  
**FILE #: R14-02**  
**REZONING REQUEST:**  
**C-2 TO C-6**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**1/7/2014**



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 HEAVY INDUSTRIAL (I-2) TO LIGHT INDUSTRIAL (I-1) 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 January 7, 2014 for hearing the matter of a petition of Jerry Porter requesting that the following described tract of real estate be zoned from Heavy Industrial (I-2) to Light Industrial (I-1).

**Layman's Description:** 1125 North Jefferson

**Legal description:** A part of the southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section twenty-five (25) Township Eighteen (18) North, Range Thirty (30) West and being more particularly described as follows: Beginning at a point which is 470.44 feet West and 423.50 feet North of the Southeast corner of said Section 25, and running thence North 359.00 feet; thence West 260.00 feet the East right-of-way of North Jefferson Street; thence along said right-of-way South 04 degrees 38' 22" West 360.18 feet; thence leaving said right-of-way East 289.14 feet to the point of beginning, containing 2.26 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 Heavy Industrial (I-2) to Light Industrial (I-1) 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 Heavy Industrial (I-2) to Light Industrial (I-1).

**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 \_\_\_\_\_, 2014**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest Cate, City Attorney

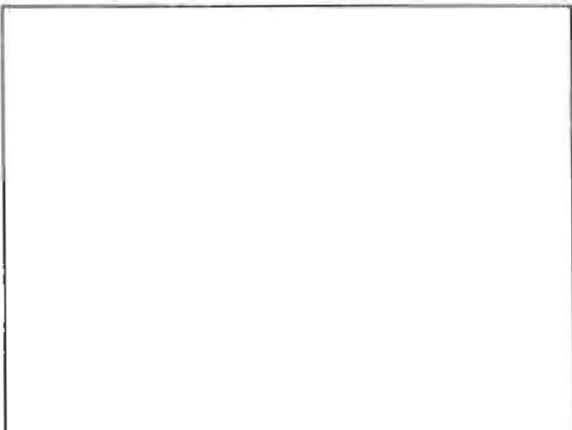


**APPLICANT: JERRY PORTER**  
**FILE #: R14-03**  
**REZONING REQUEST:**  
**I-2 TO I-1**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**1/7/2014**



Feet  
0 100 200  
[Scale bar]



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 THOROUGHFARE COMMERCIAL DISTRICT (C-5) TO LARGE PRODUCT RETAIL SALES DISTRICT (C-6) 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 January 7, 2014 for hearing the matter of a petition of Steve Strickland dba Richland Commercial Masonry requesting that the following described tract of real estate be zoned from Thoroughfare Commercial District (C-5) to Large Product Retail Sales District (C-6).

**Layman's Description: 3265 N. Thompson**

**Legal description:** The NW 1/4 of the NW 1/4 of the SW 1/4 of the SW 1/4 of Section 24, Township 18 North, Range 30 West, all being in Springdale, Benton County, Arkansas; subject to the rights-of-way along the north and west sides thereof, Morris Avenue and U.S. Highway 471, respectively, as per final large scale development plat recorded in plat record 6 at page 277 on August 15, 1986.

**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 Thoroughfare Commercial District (C-5) to Large Retail Sales District (C-6) 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 Thoroughfare Commercial District (C-5) to Large Product Retail Sales District (C-6).

**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 \_\_\_\_\_, 2014**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

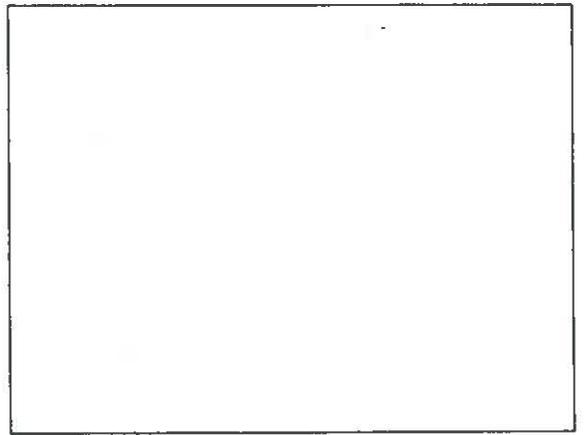
  
\_\_\_\_\_  
Ernest Cate, City Attorney



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0 100 200  
[Scale bar]

**APPLICANT: RICHLAND COMMERCIAL MASONRY**  
**FILE #: R14-04**  
**REZONING REQUEST:**  
**C-5 TO C-6**

*CITY OF SPRINGDALE*  
**PLANNING OFFICE**  
**PLANNING COMMISSION MEETING**  
**1/7/2014**



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 LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-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 January 7, 2014 for hearing the matter of a petition of Virgil and Marlene Moore requesting that the following described tract of real estate be zoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

**Layman's Description:** 10733 Marchant Road

**Legal description:** Located in a part of the NW 1/4 of the SE 1/4 of Section 23, Township 18 North, Range 31 West, in Springdale, Benton County, Arkansas more precisely described as follows:  
Starting at a set cotton spindle at the Northeast Corner of the NW 1/4 of the SE 1/4 of Section 23 for the true POINT OF BEGINNING;  
Thence along the East line of the NW 1/4 of the SE 1/4, South 02 degrees 59 minutes 54 seconds West, 183.32 feet to a set 5/8" rebar; thence North 87 degrees 06 minutes 08 seconds West, 137.05 feet to a set 5/8" rebar; thence North 03 degrees 59 minutes 10 seconds East, 183.27 feet to a set MAG nail; thence along the North line of the NW 1/4 of the SE 1/4, South 87 degrees 08 minutes 23 seconds East, 133.89 feet to a set cotton spindle and the true POINT OF BEGINNING containing 0.570 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 Low/Medium Density Single Family Residential District (SF-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 Low/Medium Density Single Family Residential District (SF-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 \_\_\_\_\_, 20<sup>th</sup> 4

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest Cate, City Attorney



Feet  
0 100 200  
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**APPLICANT: VIRGIL & MARLENE MOORE**  
**FILE #: R14-05**  
**REZONING REQUEST:**  
**A-1 TO SF-2**

*CITY OF SPRINGDALE*  
*PLANNING OFFICE*  
**PLANNING COMMISSION MEETING**  
**1/7/2014**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO 5890 NEW HOPE ROAD IN CONNECTION WITH A SINGLE FAMILY DWELLING**

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

**WHEREAS**, the Planning Commission reviewed a request for waiver of street improvements to 5890 New Hope Road in connection with a single family dwelling 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 5890 New Hope Road including improvements related thereto, in connection with a single family dwelling.

**Option 2: Denies** a waiver of street improvements to 5890 New Hope Road including improvements related thereto, sidewalks in connection with a single family dwelling..

**Option 3: Approves** payment in lieu of improvements to 5890 New Hope Road in connection with a single family dwelling with an 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 5890 New Hope Road including improvements related thereto, sidewalks to be built in connection with a single family dwelling.

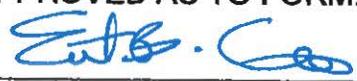
**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

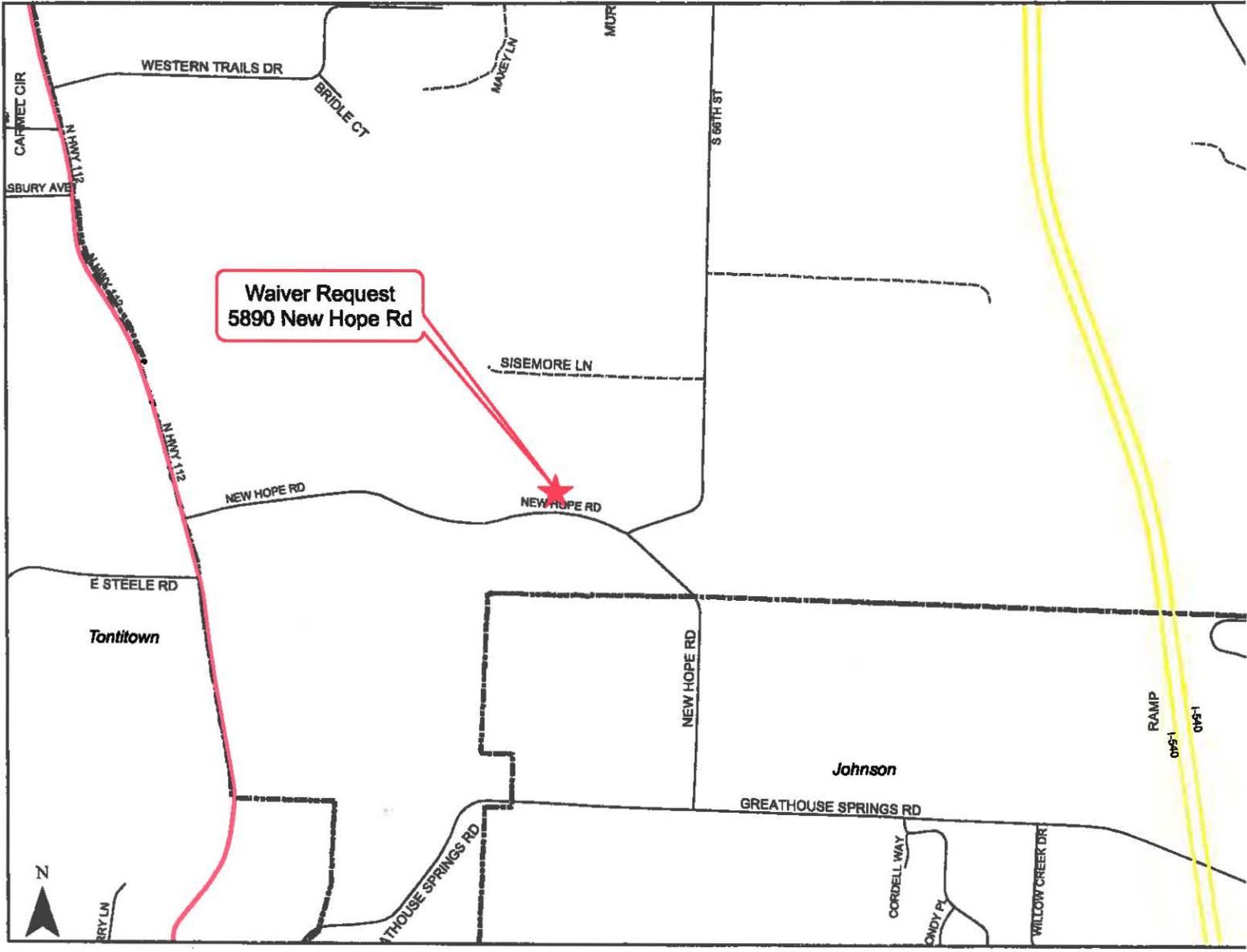
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

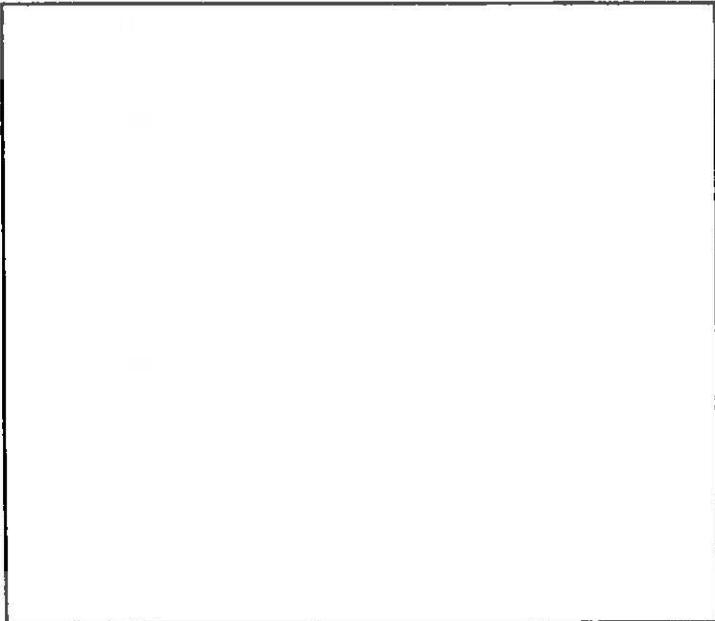
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest Cate, City Attorney



ORDINANCE NO. \_\_\_\_\_



**AN ORDINANCE AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED WITHIN THE CITY OF SPRINGDALE, ARKANSAS.**

**PROPERTY OWNER:** Charles E. Huber & Jane Carol Huber  
**LEGAL DESCRIPTION:** Lot Thirty-Two (32), in Block Three (3), in Southwest Subdivision to the City of Springdale, Washington County, Arkansas, as per the recorded plat of said subdivision on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.  
**LAYMAN'S DESCRIPTION:** 1605 Cambridge St.  
Springdale, Arkansas  
**PARCEL NO.:** 815-25921-000

**PROPERTY OWNER:** Elizabeth Doyel  
**LEGAL DESCRIPTION:** Lot 11, Block 3 in the Neff Subdivision, Phase I, as per plat on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.  
**LAYMAN'S DESCRIPTION:** 2403 Toni Ave.  
Springdale, Arkansas  
**PARCEL NO.:** 815-23741-000

**PROPERTY OWNER:** Tallon James Chandler  
**LEGAL DESCRIPTION:** Lot 10, Block B, Berry Addition, Phase II, Springdale, Washington County, Arkansas as shown on final plat record 8 at page 38  
**LAYMAN'S DESCRIPTION:** 303 Wright Ave.  
Springdale, Arkansas  
**PARCEL NO.:** 815-20459-000

**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:

\$164.25 clean-up costs and \$39.44 administrative costs – 1605 Cambridge St.  
\$330.97 clean-up costs and \$75.00 administrative costs – 2403 Toni Ave.  
\$150.00 clean-up costs and \$27.22 administrative costs – 303 Wright Ave..

**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:

\$203.69, plus 10% for collection – 1605 Cambridge St. (Parcel No. 815-25921-000)  
\$405.97 plus 10% for collection – 2403 Toni Ave. (Parcel #815-23741-000)  
\$177.22, plus 10% for collection – 303 Wright Ave. (Parcel #815-20459-000)

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

**PASSED AND APPROVED** this \_\_\_\_\_ day of January, 2014.

\_\_\_\_\_  
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

December 20, 2013

## CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ernest B. Cate  
City Attorney

Taylor Samples  
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

Charles E. Huber  
Heir of Jane Carol Huber  
1903 Patti Ave.  
Springdale, AR 72762

Bank of America, N.A.  
c/o E. Wilson Moore, Sr.,  
Banking Executive, Registered Agent  
200 W. Capitol Ave.  
Little Rock, AR 72201

Billy L. Huber  
Heir of Jane Carol Huber  
14300 Wildcat Creek Rd.  
Springdale, AR 72762

Secretary of Housing & Urban  
Development  
451 7<sup>th</sup> St. Southwest  
Washington, DC 20410

RE: Notice of clean-up lien on property located at 1605 Cambridge St.,  
Springdale, Washington County, Arkansas, Tax Parcel No. 815-  
25921-000

Dear Property Owner/Lienholder:

On August 16, 2013, notice was posted on property located at 1605 Cambridge St., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on August 26, 2013, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7) business days. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about October 7, 2013. As of this date, the total costs incurred and paid by the City of Springdale to clean this property are \$164.25. I have enclosed an invoice evidencing the costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$6.11 per

letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before January 21, 2014, a hearing will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, January 28, 2014, 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 \$188.69, which includes \$164.25 for cleaning up the property and \$24.44 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



**Bellis Lawn & Gardens**  
**PO BOX 406**  
**Fayetteville AR 72702**

# Invoice

Due Date	Date	Invoice #
10/17/2013	10/7/2013	711

bellis\_lawns@cox.net

**Bill To**  
**Code Enforcement/Springdale AR**  
**107 Spring St**  
**Springdale, AR 72762**  
**Mike S**

*LIEN*  
*10/10/13*  
*M/S*

Please check box if address is incorrect or has changed, and indicate change(s) on reverse side.

New e-mail address? Enter here: \_\_\_\_\_

<b>Balance Due</b>	<b>\$164.25</b>
--------------------	-----------------

**Bellis Lawn & Gardens**  
**PO BOX 406**  
**Fayetteville AR 72702**

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT.

P.O. No.	Terms	Project	Rep
	Net 10		

Item	Description	Qty	Rate	Serviced	Amount
Haul Off	Haul Off - 1605 Cambridge Springdale AR - Sales Tax	1	150.00 9.50%	10/7/2013	150.00T 14.25
Transaction # _____ Date _____ Account # <u>101-0401-423, 70-35</u> Project # _____ Invoice # <u>711</u> Amount <u>164.25</u> Description <u>debris removal @</u> <u>1605 Cambridge</u> Approved By <u>Misha Chah</u> <u>10/9/13</u>					

There will be a \$15 charge for all returned checks. 10% interest will be assessed on all unpaid balances after 45 days. For billing inquiries: 479-790-7607

<b>Total:</b>	<b>\$164.25</b>
<b>Payments/Credits:</b>	<b>\$0.00</b>
<b>Balance Due</b>	<b>\$164.25</b>

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <u>RoseAnn Huber</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Received by (Printed Name) <u>RoseAnn Huber</u> C. Date of Delivery <u>12-21-13</u>	
1. Article Addressed to:  <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">             Billy L. Huber              14300 Wildcat Creek Rd.              Springdale, AR 72762           </div>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) <u>7011 1570 0000 8221 1635</u>		
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <u>Jerry Carter</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Received by (Printed Name) <u>JERRY CARTER</u> C. Date of Delivery <u>DEC 20 2013</u>	
1. Article Addressed to:  <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">             Bank of America, N.A.              c/o E. Wilson Moore, Sr.,              Banking Executive, Registered Agent              200 W. Capitol Ave.              Little Rock, AR 72201           </div>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) <u>7011 1570 0000 8221 1642</u>		
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

English

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Send Mail

Manage Your Mail

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Business Solutions

# USPS Tracking™



Customer Service ›  
Have questions? We're here to help.

Tracking Number: 70111570000082211659

## Product & Tracking Information

## Available Options

Postal Product:

Features:  
Certified Mail™

December 27, 2013 , 10:43 am	Delivered	WASHINGTON, DC 20410
December 27, 2013 , 9:49 am	Sorting Complete	WASHINGTON, DC 20018
December 27, 2013 , 9:34 am	Arrival at Unit	WASHINGTON, DC 20018
December 20, 2013 , 10:19 pm	Processed through USPS Sort Facility	FAYETTEVILLE, AR 72701
December 20, 2013	Depart USPS Sort Facility	FAYETTEVILLE, AR 72701

## Track Another Package

What's your tracking (or receipt) number?

Track It

### LEGAL

- Privacy Policy ›
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- No FEAR Act EEO Data ›

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English

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- Change of Address

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Send Mail

Manage Your Mail

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Business Solutions



Customer Service ›  
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Tracking Number: 7011157000082211628

### Product & Tracking Information

### Available Options

Postal Product:

Features:  
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
December 21, 2013 , 3:09 pm	Notice Left	SPRINGDALE, AR 72762
December 21, 2013	Depart USPS Sort Facility	FAYETTEVILLE, AR 72701
December 21, 2013 , 3:43 am	Processed through USPS Sort Facility	FAYETTEVILLE, AR 72701

### Track Another Package

What's your tracking (or receipt) number?

Track It

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Office Of The City Attorney

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

Ernest B. Cate
City Attorney

Taylor Samples
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

December 20, 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Elizabeth Doyel
821 N. Main Street, #10
Stillwater, OK 74075

RE: Notice of clean-up lien on property located at 2403 Toni Ave.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
23741-000

Dear Ms. Doyel:

On June 12, 2013, notice was posted on property located at 2403 Toni Ave.,
Springdale, Arkansas, that the property was in violation of Springdale City
Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days.
Notice was mailed to the owner of record on June 13, 2013, 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 22, 2013 and September 16, 2013. As of this date, the total costs
incurred and paid by the City of Springdale to clean this property in 2013 are
\$330.97. I have enclosed an invoice evidencing the costs incurred and paid by the
City of Springdale to clean this property. Also, in accordance with Ark. Code
Ann. §14-54-903(c)(4), administrative fees may be added to the total costs
incurred by the City of Springdale, which will include certified mailing fee in the
amount of \$6.11 per letter and a filing fee in the amount of \$15.00 to the
Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of
Springdale on or before January 28, 2014, a hearing will be held before the
Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the
amount of the clean-up lien to which the City is entitled for cleaning up the

property. The hearing will be held Tuesday, January 28, 2014, 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 \$337.08, which includes \$330.97 for cleaning up the property and \$6.11 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



**Bellis Lawn & Gardens**  
 PO BOX 406  
 Fayetteville AR 72702

# Invoice

Due Date	Date	Invoice #
9/26/2013	9/16/2013	698

bellis\_lawns@cox.net

**Bill To**

Code Enforcement/Springdale AR  
 107 Spring St  
 Springdale, AR 72762  
 Debi J

Please check box if address is incorrect or has changed, and indicate change(s) on reverse side.

<b>Balance Due</b>	<b>\$159.50</b>
--------------------	-----------------

New e-mail address? Enter here: \_\_\_\_\_

Bellis Lawn & Gardens  
 PO BOX 406  
 Fayetteville AR 72702

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT.

P.O. No.	Terms	Project	Rep.
	Net 10		

Item	Description	Qty	Rate	Serviced	Amount
Haul Off	Haul Off - Tree Limbs -	1	100.00		100.00
Lawn Service	Lawn Service - 2403 Toni Springdale AR -	1	50.00		50.00
	Sales Tax		9.50%		9.50

Transaction # \_\_\_\_\_  
 Date \_\_\_\_\_  
 Account # 101-0403-423.70-35  
 Project # \_\_\_\_\_  
 Invoice # 698  
 Amount 159.50  
 Description debris removal & lawn care @ 2403 Toni  
 Approved By Mike Usher  
 9/17/13

There will be a \$15 charge for all returned checks. 10% interest will be assessed on all unpaid balances after 45 days. For billing inquiries: 479-790-7607

<b>Total:</b>	<b>\$159.50</b>
<b>Payments/Credits:</b>	<b>\$0.00</b>
<b>Balance Due</b>	<b>\$159.50</b>



**Bellis Lawn & Gardens**  
**PO BOX 406**  
**Fayetteville AR 72702**

**Invoice**

Due Date	Date	Invoice #
8/1/2013	7/22/2013	622

bellis\_lawns@cox.net

**Bill To**  
**Code Enforcement/Springdale AR**  
**107 Spring St**  
**Springdale, AR 72762**  
**Debi J**

Please check box if address is incorrect or has changed, and indicate change(s) on reverse side.

<b>Balance Due</b>	<b>\$171.47</b>
--------------------	-----------------

New e-mail address? Enter here: \_\_\_\_\_

**Bellis Lawn & Gardens**  
**PO BOX 406**  
**Fayetteville AR 72702**

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT.

P.O. No.	Terms	Project	Rep
	Net 10		

Item	Description	Qty	Rate	Services	Amount
Misc	Ply wood/Wood Screws		30.77	7/22/2013	30.77
	Board up garage door	1	60.00		60.00
Lawn Service	Lawn Service - 2403 Toni Springdale AR -	1	75.00		75.00
	Sales Tax		9.50%		5.70
Transaction # _____					
Date _____					
Account # 101-0403-423.70-35					
Project # _____					
Invoice # 622					
Amount 171.47					
Description secure building & lawn care @ 2403 Toni					
Approved By _____					

There will be a \$15 charge for all returned checks. 10% interest will be assessed on all unpaid balances after 45 days. For billing inquiries: 479-790-7607

<b>Total:</b>	<b>\$171.47</b>
<b>Payments/Credits:</b>	<b>\$0.00</b>
<b>Balance Due</b>	<b>\$171.47</b>

PROOF OF SERVICE AFFIDAVIT

ORIGIN: SPRINGDALE, ARKANSAS CASE NUMBER: dna

RE: Notice of clean-up lein on property located at:  
2403 Toni Ave, Springdale, Washington County, AR, Tax Parcel #815-23741-000

Respondent: ELIZABETH DOYLE

I, PAM GALLAHAR, being duly sworn, certify that I received the forgoing, to wit:  
(printed name of server)

CERTIFIED LETTER

For service upon: ELIZABETH DOYLE

And that on: 1/12/2014 at 12:40 PM, I served the same on the above named  
(date) (time)

by delivering copies of the same to: ELIZABETH DOYLE, who identified  
(person served)

himself/herself as a/the: RESPONDENT at an address of  
(title/relationship)

821 N. MAIN ST, TRLR #10, STILLWATER, OK which is identified as a  
(address of service)

residential address  business/employment address

I completed the above service in the following manner:

PERSONAL SERVICE: By leaving said process to the above named person.

RESIDENTIAL SERVICE: By leaving a copy of said process for the above named, at their usual place of abode or dwelling, with an individual who identified himself/herself as a resident/family member fifteen years of age or older.

PERSONAL/RESIDENTIAL SERVICE: By personally delivering a copy of said process to the above indicated person and, additionally, by leaving a copy for \_\_\_\_\_ with said individual who identified himself/herself as a resident/family member fifteen years of age or older.

CORPORATION/PARTNERSHIP/UNINCORPORATED ASSOCIATION, ETC: By delivering a copy of said process for the above named entity, with the person indicated, as required by law.

NOT FOUND FOR THE FOLLOWING REASON: \_\_\_\_\_

OTHER INFORMATION: \_\_\_\_\_

Subscribed and sworn to before me this 16 day of Jan of 2014

Notary Public Pam Gallahar #03013121  
IN AND FOR STATE OF OKLAHOMA  
PAYNE COUNTY (REAL)

Undersigned declares under penalty of perjury that the foregoing is true and correct.

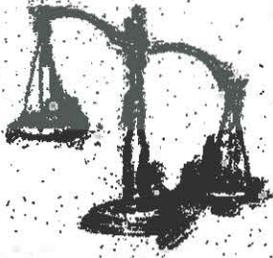
Pam Gallahar  
Signature of Server

PSS 13-6  
PSL #



OWNER LEGAL PROCESS SERVICES, LLC 405-742-4333

Process Fee:



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

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Case Coordinator/
Victim Advocate

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Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

December 20, 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tallon Chandler
303 Wright Ave.
Springdale, AR 72764

Bank of America
c/o E. Wilson Moore, Registered Agent
200 W. Capitol Ave.
Little Rock, AR 72201

RE: Notice of clean-up lien on property located at 303 Wright Ave.,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
20459-000

Dear Property Owner/Lienholder:

On May 3, 2013, notice was posted on property located at 303 Wright 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 14, 2013, 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 November 10, 2013. As of this date, the total costs incurred and paid by the
City of Springdale to clean this property are \$150.00. I have enclosed an invoice
evidencing the costs incurred and paid by the City of Springdale to clean this
property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4),
administrative fees may be added to the total costs incurred by the City of
Springdale, which will include certified mailing fee in the amount of \$6.11 per
letter and a filing fee in the amount of \$15.00 to the Washington County Circuit
Court.

This is to notify you that in the event this amount is not paid to the City of
Springdale on or before January 21, 2014, a hearing will be held before the
Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the

amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing will be held Tuesday, January 28, 2014, 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 \$162.22, which includes \$150.00 for cleaning up the property and \$12.22 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,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch

# Invoice

Green Pastures Lawn Care  
19007 Bug Scuffle Rd.  
West Fork AR. 72774

479-903-2696

mike@gp-lc.com

Bill To:

City Of Springdale  
201 Spring St.  
Springdale AR. 72764

Invoice No: 463  
Date: Nov 10, 2013  
Terms: NET 0  
Due Date: Nov 10, 2013

Description	Quantity	Rate	Amount
Initial mow at 303 Wright Ave. Officer T. Haden	1.00	\$150.00	\$150.00

\* Indicates non-taxable item

Thank you for your business!

Subtotal	\$150.00
TAX (0.00%)	\$0.00
Total	\$150.00
Paid	\$0.00
Balance Due	\$150.00

Transaction # \_\_\_\_\_  
Date \_\_\_\_\_  
Account # 101-0401-423.70-35  
Project # \_\_\_\_\_  
Invoice # 463  
Amount 150.00  
Description Lawn care @  
303 Wright Ave  
Approved By Mik Allen  
11/12/13

**AFFIDAVIT**

STATE OF ARKANSAS                    )  
  )SS  
COUNTY OF WASHINGTON            )

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

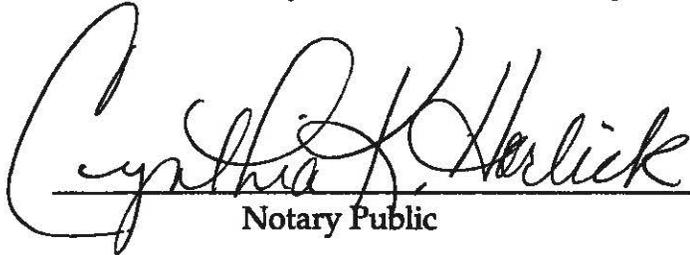
1. That I am the Investigator for the Springdale City Attorney's Office.
  
2. That on December 20, 2013 the City Attorney's Office attempted to mail a letter to Tallon Chandler at 303 Wright Ave., Springdale, Arkansas, by certified mail; however, said letter was returned "Not Deliverable as Addressed, Unable to Forward."
  
3. That on December 31, 2013, I mailed that same letter by regular mail to Tallon Chandler at 280 S. Hill Ave., Apt. C101, Fayetteville, Arkansas 72701, and requested that he call me when he received the letter.
  
4. That on January 15, 2014, at approximately 9:46 a.m., Tallon Chandler called me and advised that he did receive the copy of the lien letter.

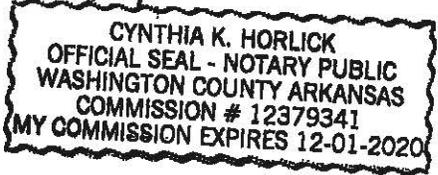
FURTHER, affiant sayeth naught.

  
\_\_\_\_\_  
Steve Helms

SUBSCRIBED AND SWORN to before me, a Notary Public, this 16<sup>th</sup> day of January, 2014.

My Commission Expires:  
12/1/2020

  
\_\_\_\_\_  
Notary Public



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:

Bank of America  
 c/o E. Wilson Moore, Registered Agent  
 200 W. Capitol Ave.  
 Little Rock, AR 72201

2. Article Number  
 (Transfer from service label)

7011 1570 0000 8221 1673

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
 JERRY CABER  
 X  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery  
 DEC 10 2013

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

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes