

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

- Monday, March 3rd, 5:30 p.m. is the next Committee meetings.
 - Committee agendas will be available on Friday, February 28th, 2014.

SPRINGDALE CITY COUNCIL
REGULAR MEETING
TUESDAY, FEBRUARY 25TH, 2014

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance

Invocation – Eric Ford

6:00 p.m. **OFFICIAL AGENDA**

1. *Large Print* agendas are available at the back of the room, next to the main entrance
 2. Call to Order - Mayor Doug Sprouse
 3. Roll Call – City Clerk Denise Pearce
Recognition of a Quorum
 4. **ORT Update** – Joel Gardner, Director
 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) February 11th, 2013
 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....10;*. (Motion must be approved by two-thirds (2/3) of the council members).
 8. **A Resolution** making an appointment to Public Facilities Board of the City of Springdale
 9. Planning Commission Recommendations by Planning Director Patsy Christie:
(*The items listed below were forwarded from the Planning Commission to the City Council with recommendations for approval*)
 - A. **A Resolution** approving a conditional use at Hillwood Properties, LLC for Oren Paris as set forth in Ordinance No. 4030.
- Waiver:**
- A. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks as set forth in Ordinance No. 3725 to Hillwood Properties, LLC in connection with C14-03 a Conditional Use for Oren Paris.
 - B. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters, and sidewalks as set forth in Ordinance No. 3725 to Shannon and Pearl Mcelfish in connection with a Single Family Dwelling. (2634 N. 40th St.)
10. **An Ordinance** ordering the razing (demolition) and removal of a certain residential structure within the City of Springdale, Arkansas, located at 413 West Center Street; to declare an emergency and for other purposes.
 11. Comments from Department Heads.
 12. Comments from Council Members.
 13. Comments from City Attorney.
 14. **STATE OF THE CITY ADDRESS – MAYOR SPROUSE**
 15. Adjournment.

SPRINGDALE CITY COUNCIL
FEBRUARY 11, 2014

The City Council of the City of Springdale met in regular session on February 11, 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

APPROVAL OF MINUTES

Alderman Evans moved the minutes of the January 28, 2014 City Council meeting be approved as presented. Alderman Reed made the second.

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

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

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

The vote:

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

No: None

ORDINANCE NO. 4770 – AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES PERTAINING TO ANIMALS

Alderman Overton presented an Ordinance amending Chapter 14 of the Code of Ordinances pertaining to animals.

The Ordinance Committee recommended the ordinance be forwarded to City Council with a recommendation for approval by a majority vote.

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

City Attorney Ernest Cate presented an amendment to section 14-57 as follows:

Sec. 14-57. Authority.

The police department or Mayor is hereby authorized to appoint animal control officers to carry out the provisions of this article, and to take up, impound, ~~sell~~ or destroy any animal running at large in violation of the terms of this chapter, ~~or~~ any animal that has bitten a person or another animal, ~~or~~ any animal suspected of having a disease transmissible to human beings, any vicious animal, or any potentially dangerous animal. Such animal may be taken up or impounded without the necessity of filing a complaint and shall be subject to the provisions in this article. If a citizen complaint is made, the animal control officer or police officer shall cause the complaining citizen to complete a written witness statement at the time of the incident. If probable cause exists to issue a citation, any vicious animal or potentially dangerous animal shall then be impounded until otherwise directed by the Springdale District Court.

Alderman Overton amended his motion to include the additional clarification to section 14-57. Alderman Lawson seconded the amended motion.

Attorney Cate explained some of the primary differences in this ordinance are that dogs would not be allowed to ride in pickup truck beds without being confined; it further defines what the definition of a potentially dangerous animal is; adds the requirement of having liability insurance if the dog has been deemed by court to be a potentially dangerous animal and the owner wishes to keep the dog; and that the dog has to be held until further orders of the court.

People in the audience that addressed the council were Charlotte Venable, Dawn Graber, Vivi Haney, Dr. Michelle Wendell and Heather from Southwest Pet Hospital who all expressed concerns with the new amendments to the ordinance.

Some of their concerns and reasons for not supporting the changes to the animal ordinance were: They feel like it is vague; the definitions are not clear; what is the cost for all the changes.

Mayor Sprouse said nothing has changed in the ordinance to make the cost change from what it already is.

Alderman Jaycox disagreed.

After discussion, Alderman Bruns called for the question.

The vote on call for the question:

Yes: Overton, Ford, Lawson, Evans, Bruns

No: Reed, Jaycox, Watson

The vote on the "Do Pass:

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

No: Reed, Jaycox

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

The vote:

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

No: Reed, Jaycox

The Ordinance was numbered 4770.

RESOLUTION NO. 16-14 – AUTHORIZING THE CHANGES IN THE 401(A) RETIREMENT PLAN AND 457 (B) DEFERRED COMPENSATION PLAN HELD BY THE INTERNATIONAL CITY MANAGER'S ASSOCIATION (ICMA)

Alderman Bruns presented a Resolution authorizing the changes in the 401(a) Retirement Plan and 457 (b) Deferred Compensation Plan held by the International City Manager's Association (ICMA).

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING CHANGES IN THE 401(a) RETIREMENT PLAN AND 457(b) DEFERED COMPENSATION PLAN HELD BY THE INTERNATIONAL CITY MANAGER'S ASSOCIATION

WHEREAS, the City of Springdale has a 401(a) retirement plan and a 457(b) deferred compensation plan with the International City Manager's Association, and

WHEREAS, fourteen proposals were received from a request for proposals advertised for firms to manage these plans, and

WHEREAS, an employee committee has reviewed these proposals and recommends transferring these plans to ING with the employment of Arvest Asset Management as the investment advisor for the plans;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to execute all necessary agreements and contracts to transfer the 401(a) retirement plan and the 457(b) deferred compensation plan from the International City Manager's Association to ING and employ Arvest Asset Management as investment advisor for these plans.

PASSED AND APPROVED this ____ day of February, 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: Evans, Reed, Jaycox, Bruns, Watson, Overton, Ford, Lawson

No: None

The Resolution was numbered 16-14.

RESOLUTION NO. 17-14 – AUTHORIZING CHANGE IN THE CITY OF
SPRINGDALE ORGANIZATIONAL STRUCTURE AND THE RELATED CHANGES
TO AUTHORIZED STAFF AND BUDGETS (NEW CODE ENGAGEMENT
DIVISION)

Alderman Bruns presented a Resolution authorizing change in the City of Springdale organizational structure and the related changes to authorized staff and budgets relating to the creation of the new Code Engagement Division.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING A CHANGE IN THE CITY OF
SPRINGDALE ORGANIZATIONAL STRUCTURE AND THE
RELATED CHANGES TO AUTHORIZED STAFF AND BUDGETS**

WHEREAS, the Mayor and City Council desire to create a new Public Works Division entitled the Community Engagement Division, and

WHEREAS, the Community Engagement Division would include the functions and activities of Bulky Waste Collection, Code Enforcement, Graffiti Abatement and Recycling Center, and

WHEREAS, the Supervisor of the Community Engagement Division would be under the direct supervision of the Public Works Director;

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

Section 1. The position of Code Enforcement Coordinator in the Buildings Department and the position of Bulky Waste/Graffiti Abatement Specialist in the Public Works Department is hereby eliminated, and

Section 2. The position of Community Engagement Supervisor is hereby approved with a pay grade of 22, and

Section 3. There is hereby created the Community Engagement Division of Public works to include the functions and activities of Bulky Waste Collection, Code Enforcement, Graffiti Abatement and Recycling Center, and

Section 4. The position of Project Specialist is hereby approved in the Buildings Department with a pay grade of 16, and

Section 5. The pay grade for Chief Building Official is hereby changed from pay grade 31 to 30.

Section 6. The 2014 budget is hereby amended as follows:

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<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	20102014313001	Regular Salaries	243,930		24,590	219,340
Street	20102014313002	Overtime	3,000		525	2,475
Street	20102014313501	FICA/Medicare	19,170		1,880	17,290
Street	20102014313502	Insurance	38,570		9,750	28,820
Street	20102014313503	Pensions	14,640		1,475	13,165
Street	20102014313504	Worker's Compensation	6,960		345	6,615
Buildings	10104034233001	Regular Salaries	510,780		130,710	380,070
Buildings	10104034233501	FICA/Medicare	39,630		10,000	29,630
Buildings	10104034233502	Insurance	105,840		23,310	82,530
Buildings	10104034233503	Pensions	30,720		7,840	22,880
Buildings	10104034233504	Worker's Compensation	5,970		1,510	4,460
Buildings	10104034233507	Uniforms	7,000		2,180	4,820
Buildings	10104034235111	Vehicles	6,500		2,275	4,225
Buildings	10104034236001	Office & Postage	10,000		5,250	4,750
Buildings	10104034236004	Code Enforcement	4,000		3,500	500
Buildings	10104034236030	Gasoline	26,500		9,275	17,225
Buildings	10104034237001	Insurance/Property	3,050		1,000	2,050
Buildings	10104034237003	Communications	7,000		1,480	5,520
Buildings	10104034237005	Travel & Training	15,000		2,625	12,375
Buildings	10104034237010	Miscellaneous	2,000		875	1,125
Buildings	10104034237035	Contract Labor	50,000		35,000	15,000
Co Engagement	10102114423001	Regular Salary		173,800		173,800
Co Engagement	10102114423002	Overtime		1,310		1,310
Co Engagement	10102114423501	FICA/Medicare		13,300		13,300
Co Engagement	10102114423502	Insurance		30,175		30,175
Co Engagement	10102114423503	Pensions		10,430		10,430
Co Engagement	10102114423504	Worker's Compensation		2,365		2,365
Co Engagement	10102114423507	Uniforms		2,190		2,190
Co Engagement	10102114425000	Utilities/water & sewer		500		500
Co Engagement	10102114425101	Buildings & Grounds		3,500		3,500
Co Engagement	10102114425111	Vehicles		2,625		2,625
Co Engagement	10102114425119	Other Equipment		875		875
Co Engagement	10102114425202	Equipment Rent		2,800		2,800
Co Engagement	10102114426001	Office & Postage		5,250		5,250
Co Engagement	10102114426004	Code Enforcement		3,500		3,500
Co Engagement	10102114426021	Electricity		3,940		3,940
Co Engagement	10102114426030	Gasoline		12,250		12,250
Co Engagement	10102114426040	Books & Periodicals		1,320		1,320
Co Engagement	10102114427001	Insurance/Property		3,000		3,000
Co Engagement	10102114427003	Communications		8,400		8,400
Co Engagement	10102114427004	Publications & Notices		500		500
Co Engagement	10102114427005	Travel & Training		3,000		3,000
Co Engagement	10102114427010	Miscellaneous		875		875
Co Engagement	10102114427035	Contract Labor		40,000		40,000
Co Engagement	10102114428030	Equipment		2,000		2,000
				327,905	275,395	

PASSED AND APPROVED this ____ day of February, 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.

Dave Creek, 4085 Kings Place, expressed some concern with this new change in code enforcement.

The vote:

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

No: None

The Resolution was numbered 17-14.

RESOLUTION NO. 18-14 – AUTHORIZING THE ESTABLISHMENT OF THE
PUBLIC WORKS DEPARTMENT COMMUNITY ENGAGEMENT DIVISION
COMMITTEE

Alderman Bruns presented a Resolution authorizing the establishment of the Public Works Department Community Engagement Division Committee.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF
THE PUBLIC WORKS DEPARTMENT COMMUNITY
ENGAGEMENT DIVISION COMMITTEE**

WHEREAS, the Springdale Public Works Department has been authorized by the City Council for the City of Springdale to establish a new division of Public Works to be entitled *The Community Engagement Division*, and

WHEREAS, the Community Engagement Division desires to enhance open communication opportunities with other departments of the city and the citizens of Springdale, and

WHEREAS, a committee of persons directly and indirectly engaged in the day to day business of the Community Engagement Division shall be members of the committee, and

WHEREAS, the committee members shall have representatives from the City Attorney's office, the Mayor's office, Planning and Community Development Department, Police Department, Fire Department and the Public Works Department, and

WHEREAS, the Community Engagement Committee shall meet on the 1st Friday of each month at 10:00 a.m., and

WHEREAS, the purpose of the Community Engagement Committee meetings shall be establishment of clear communications between all interested parties, resolution of any particular issues of concern and the exchange of ideas whereby the mission and vision statements of The Community Engagement Division are being accomplished on a

consistent basis and the highest level of service is being provided to the citizens of the City of Springdale.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Community Engagement Committee is hereby established with monthly meetings to be held at the Community Engagement Division of Public Works located 206 S. Blair Street in Springdale, Arkansas on the dates and times established herein.

PASSED AND APPROVED this ___ day of February, 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 Overton made the second.

The vote:

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

No: None

The Resolution was numbered 18-14.

RESOLUTION NO. 19-14 – AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT FOR A COPIER FOR THE SPRINGDALE PUBLIC WORKS DEPARTMENT COMMUNITY ENGAGEMENT DIVISION

Alderman Bruns presented a Resolution authorizing the execution of a lease agreement for a copier for the Springdale Public Works Department Community Engagement Division.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT FOR A COPIER FOR THE SPRINGDALE PUBLIC WORKS DEPARTMENT COMMUNITY ENGAGEMENT DIVISION

WHEREAS, the Springdale Public Works Department has been authorized by the City Council for the City of Springdale to establish a new division of Public Works to be entitled *The Community Engagement Division*, and

WHEREAS, the Community Engagement Division is located at 206 N. Blair Street and does not currently have a copier/scanner/fax machine necessary in the course of work to be performed at that location, and

WHEREAS, quotes were submitted by three (3) copier supply companies and tabulated for comparison on September 19, 2013 for consideration of a copier/scanner/fax for the Public Works Department, a copy of which is attached, and

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WHEREAS, two additional quotes were submitted January 30, 2014 and January 31, 2014 a copy of which is attached, and

WHEREAS, Digital Printing Solutions submitted the lowest quote for a new Toshiba e-Studio 3055c in the amount of \$184.50 per month which provides all of the functionality required (copier, printer, fax and a scanner) as specified and includes the cost of the service agreement, and

WHEREAS, based on the performance of the Toshiba e-Studio 3055c currently in use at Public Works and the exemplary service provided by Digital Printing Solutions since installation, the proposed identical copier and service contract for the Community Engagement Division in the amount of \$184.50 per month is reasonable;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to enter into a 60 month lease agreement with Digital Printing Solutions for a new Toshiba e-Studio 3055c in the amount of \$184.50 per month which includes a service agreement for the term of the lease.

PASSED AND APPROVED this ____ day of February, 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: Bruns, Watson, Overton, Ford, Lawson, Evans, Reed, Jaycox

No: None

The Resolution was numbered 19-14.

RESOLUTION NO. 20-14 – EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS FOR THE CONSTRUCTION OF THE LAKE SPRINGDALE TRAILHEAD ON THE RAZORBACK REGIONAL GREENWAY PROJECT

Alderman Bruns presented a Resolution expressing the willingness of the City of Springdale, Arkansas, to utilize federal-aid Transportation Alternatives Program (TAP) funds for the construction of the Lake Springdale Trailhead on the Razorback Regional Greenway project.

RESOLUTION NO. _____

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS FOR THE CONSTRUCTION OF THE LAKE SPRINGDALE TRAILHEAD ON THE RAZORBACK REGIONAL GREENWAY PROJECT

WHEREAS, the Northwest Arkansas Regional Planning Commission has recently approved Federal-aid Transportation Alternatives Program funds for the project at the following Federal and City participating ratios, up to the maximum Federal-aid available:

Type Work	Work Phase	Federal %	City%
Construction of Lake Springdale Trailhead Project	Construction	80	20
	Construction	80	20
	Engineering		
City projects programmed but not let to contract	All Phases	-0-	100

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

SECTION I: The City of Springdale will participate in accordance with its designated responsibility in this project including maintenance of this project.

SECTION II: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

SECTION III: The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

THIS RESOLUTION adopted this _____ day of _____, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 20-14.

RESOLUTION NO. 21-14 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH CEI ENGINEERING ASSOCIATES, INC. FOR TITLE 11 CONSTRUCTION PHASE SERVICES FOR CONSTRUCTION OF THE LAKE SPRINGDALE TRAILHEAD ON THE RAZORBACK REGIONAL GREENWAY

Alderman Bruns presented a Resolution authorizing the Mayor and City Clerk to enter into an agreement with CEI Engineering Associates, Inc. for Title 11 Construction Phase Services for construction of the Lake Springdale Trailhead on the Razorback Regional Greenway.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH CEI ENGINEERING ASSOCIATES, INC. FOR TITLE II CONSTRUCTION PHASE SERVICES FOR CONSTRUCTION OF THE LAKE SPRINGDALE TRAILHEAD ON THE RAZORBACK REGIONAL GREENWAY.

WHEREAS, NWARPC, through a Tiger II grant for the Razorback Regional Greenway, entered into an Engineering Services with Alta Planning +Design and CEI Engineering Associates, Inc. to provide for engineering and design services for a trailhead at the Lake Springdale which has been completed; and

WHEREAS, the City has obtain funding through the Care Foundation; Illinois River Watershed Partnership funding and FY2014 TAP funds through NWARPC for construction of the trailhead; and

WHEREAS, the City of Springdale desires to enter into an agreement with CEI Engineering Associates, Inc. for Title II Construction Phase Services for the Lake Springdale Trailhead.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are hereby authorized to execute an agreement, a copy of which is attached and made a part of this resolution, for services to be provided by CEI Engineering Associates, Inc. for the Lake Springdale Trailhead Project in an amount not to exceed \$13,400.

PASSED AND APPROVED this ____ day of February, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 21-14.

RESOLUTION NO. 22-14 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH USI ENGINEERS INC. FOR TITLE II CONSTRUCTION PHASE SERVICES FOR CONSTRUCTION OF THE SANDERS AVENUE TRAILHEAD ON THE RAZORBACK REGIONAL GREENWAY

Alderman Bruns presented a Resolution authorizing the Mayor and City Clerk to enter into an agreement with USI Engineers, Inc. for Title 11 Construction Phase Services for construction of the Sanders Avenue Trailhead on the Razorback Regional Greenway.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH USI ENGINEERS, INC. FOR TITLE II CONSTRUCTION PHASE SERVICES FOR CONSTRUCTION OF THE SANDERS AVENUE TRAILHEAD ON THE RAZORBACK REGIONAL GREENWAY.

WHEREAS, NWARPC, through a Tiger II grant for the Razorback Regional Greenway, entered into an Engineering Services with Alta Planning +Design and USI Engineers Inc. to provide for engineering and design services for a trailhead at the Sanders Avenue which has been completed with the exception of the restroom facility ; and

WHEREAS, NWARPC applied for and received a TCSP grant for the construction of the trailhead and through agreement with the City and the Arkansas Highway and Transportation transferred grant administration responsibility to the City; and

WHEREAS, the City of Springdale desires to enter into an agreement with USI Consulting Engineers, Inc. for the Title II Construction Phase Services for the Sanders Avenue Trailhead (City of Springdale CIP Project NO. CPI201; AHTD Job. No. 040658/F.A/P/TCSP-12AR92; USI Project No. 1409006.00).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are hereby authorized to execute an agreement, a copy of which is attached and made a part of this resolution for services to be provided by USI Consulting Engineers, Inc., for the Sanders Avenue Trailhead Project (CIP Project NO. CPI201; AHTD Job. No. 040658/F.A/P/TCSP-12AR92; USI Project No. 1409006.00) is an amount not to exceed \$27,600.

PASSED AND APPROVED this _____ day of February, 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: Ford, Lawson, Evans, Reed, Jaycox, Bruns, Watson, Overton

No: None

The Resolution was numbered 22-14.

RESOLUTION NO. 23-14 – AUTHORIZING EXECUTION OF AN ENGINEERING DESIGN CONTRACT FOR 56TH STREET IMPROVEMENTS

Alderman Bruns presented a Resolution authorizing execution of an engineering design contract for 56th Street improvements, from Highway 412 to Bleaux Avenue.

RESOLUTION NO.

A RESOLUTION AUTHORIZING EXECUTION OF AN ENGINEERING DESIGN CONTRACT FOR 56TH STREET IMPROVEMENTS

WHEREAS, the City of Springdale approved a bond measure in August of 2012 to provide 45 million dollars for the purpose of roadway improvement projects, and

WHEREAS, under this bond measure the City of Springdale is planning street improvements to 56th Street from Hwy 412 to Bleaux Avenue, and

WHEREAS, using the procurement procedures required by State Law, the program management team made recommendations and the CIP Committee has selected the engineering firms for each project as listed below;

Project	Engineering Firm	Design Service Fee	Construction Service Fee
56 TH Street- Hwy 412 to Bleaux Avenue	Engineering Services, Inc	8%	4%

WHEREAS, contracts have been submitted for review using a percentage of construction cost basis for these projects (does not include geotechnical services or traffic studies which are to be negotiated as separate subcontracts and subject to full reimbursement);

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

The Mayor and City Clerk are hereby authorized to execute engineering design contracts with the above listed engineering firms in amounts not to exceed the maximum fees listed above.

PASSED AND APPROVED this ____ day of February, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

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APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

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

The vote:

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

No: None

The Resolution was numbered 23-14.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:55 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer

RESOLUTION NO. _____

**A RESOLUTION MAKING AN APPOINTMENT TO
THE PUBLIC FACILITIES BOARD OF THE CITY
OF SPRINGDALE**

WHEREAS, there is an open position, Seat #3 on the Public Facilities Board, and

WHEREAS, A.C.A. 14-137-108 provides that successors for these positions will be nominated by a majority of the Public Facilities Board and appointed by the mayor subject to confirmation of the City Council, and

WHEREAS, A.C.A. 14-137-108 also provides that if the Public Facilities Board does not provide a written list of nominations within 60 days after a vacancy occurs, the Mayor may appoint a successor member subject to confirmation of the City Council, and

WHEREAS, the Mayor has appointed Mike Morganthaler to fill Seat #3 of the Public Facilities Board, term expiring on January 31, 2019,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the appointment of Mike Morganthaler is hereby confirmed as a board member to Seat #3 of the Public Facilities Board with a term expiring on January 31, 2019.

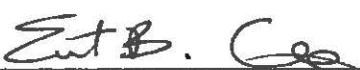
PASSED AND APPROVED this 25th day of February, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:



Ernest Cate, City Attorney

Springdale Public Facilities Board

P.O. Box 166
Springdale, AR 72765

February 19, 2014

Mayor Doug Sprouse
201 N. Spring Street
Springdale, AR 72764

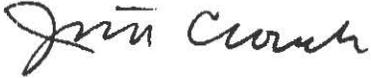
Mayor Sprouse,

As you are aware, there is currently an open position on the Springdale Public Facilities Board. State law requires that the Board submit at least three names to recommend for your consideration.

On behalf of the Public Facilities Board, I request that you consider one of three Springdale residents, all of whom have displayed a history of interest in the economic growth of our city: Mike Morgenthaler, Rick Barrows and Mark Wann.

I am confident you will find any of these volunteers extremely capable of serving the interests of our community on this important Board. Thank you for your consideration on this matter.

Sincerely,



Jim Crouch
Chairman

RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE AT
HILLWOOD PROPERTIES, LLC FOR OREN PARIS AS
SET FORTH IN ORDINANCE NO. 4030**

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

WHEREAS, the Planning Commission held a public hearing on Tuesday, February 19, 2014, on a request by Oren Paris for Hillwood Properties, LLC for a Tandem Lot Split in an Agricultural District (A-1).

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) yes and no nays recommends that a conditional use be granted to Oren Paris for Hillwood Properties, LLC for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – **No conditions set.**

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Oren Paris for Hillwood Properties, LLC for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – **No conditions set.**

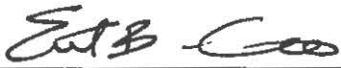
PASSED AND APPROVED THIS _____ DAY OF _____, 2014. ...

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:



Ernest Cate, City Attorney



Feet
0 100 200
[Scale bar with four segments]

APPLICANT: OREN PARIS, III
FILE #: C14-03
CONDITIONAL USE REQUEST:
TANDEM LOT SPLIT

CITY OF SPRINGDALE
PLANNING OFFICE
PLANNING COMMISSION MEETING
2/4/2014

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO HILLWOOD PROPERTIES, LLC IN CONNECTION WITH C14-03 A CONDITIONAL USE FOR OREN PARIS

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 Hillwood Properties, LLC in connection with a Conditional Use for Oren Paris 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 Hillwood Properties, LLC including improvements related thereto, drainage, curbs, gutters and sidewalks in connection with a Conditional Use for Oren Paris.

Option 2: Denies a waiver of street improvements to Hillwood Properties, LLC including improvements related thereto, drainage, curbs and gutters sidewalks in connection with a Conditional Use for Oren Paris.

Option 3: Approves payment in lieu of improvements to Hillwood Properties, LLC in connection with a Conditional Use for Oren Paris 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 Hillwood Properties, LLC including improvements related thereto, drainage, curbs, gutters, and sidewalks to be built in connection with a Conditional Use for Oren Paris.

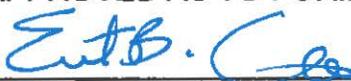
PASSED AND APPROVED THIS _____ DAY OF _____, 2014.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:



Ernest Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO SHANNON AND PEARL MCELFISH 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 Shannon and Pearl Mcelfish 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 Shannon and Pearl Mcelfish including improvements related thereto, sidewalks in connection with a single family dwelling.

Option 2: Denies a waiver of street improvements to Shannon and Pearl Mcelfish including improvements related thereto, sidewalks in connection with a single family dwelling.

Option 3: Approves payment in lieu of improvements to sidewalk improvements 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 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

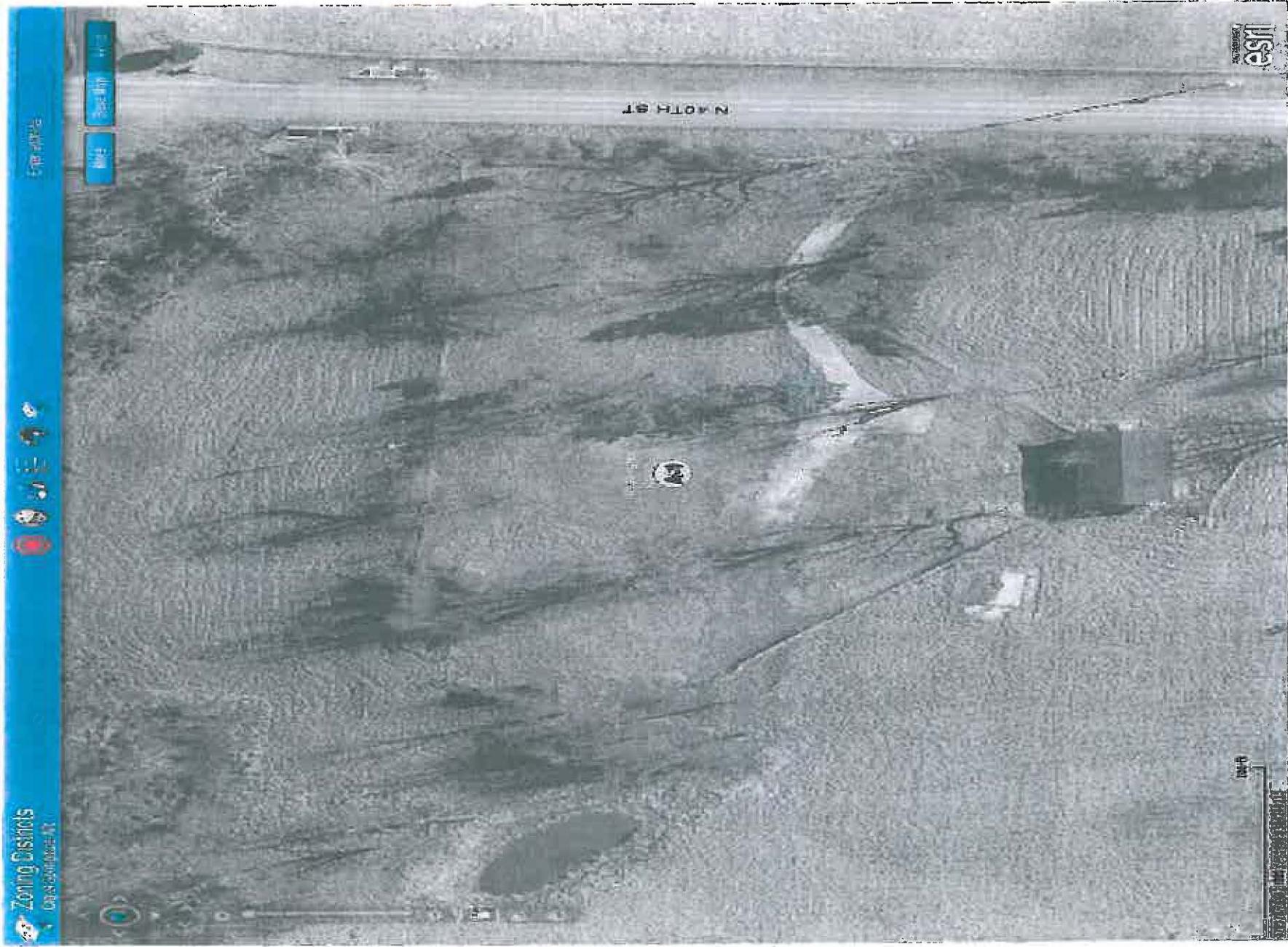
ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:



Ernest Cate, City Attorney



ORDINANCE NO. _____

AN ORDINANCE ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN RESIDENTIAL STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 413 WEST CENTER STREET; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

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

Fifty (50) feet taken of equal and uniform width off of the East side of Lot two (2) in Block nine (9) in Putman's Addition to the Town (now City) of Springdale, Arkansas, as per plat on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

Subject to Protective Covenants and easements, if any
Commonly known as 413 West Center Street, Springdale, Washington County, Arkansas
Tax Parcel No. 815-25116-000

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

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

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

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

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

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

Section 1. That the structure located at 413 West Center Street, Springdale, Arkansas, is dilapidated, unsightly, and unsafe; and it is in the best interests of the City of Springdale to proceed with the removal of this dilapidated, unsightly, and unsafe structure.

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

consistent with the Property Maintenance Code, and all other state laws and regulations pertaining to the demolition or removal of residential structures.

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

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

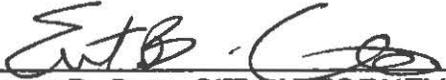
PASSED AND APPROVED this _____ day of _____, 2014.

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

January 16, 2014

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 Belvedresi
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

Russell Holman
511 Mt. View
Springdale, AR 72764

RE: Property located at 413 West Center Street, Springdale,
Washington County, Arkansas,
Tax Parcel No. 815-25116-000

Dear Mr. Holman:

The Chief Building Inspector for the City of Springdale, Arkansas, has posted
notice at 413 West Center Street and has mailed notice in writing to you, via
certified mail, that a structure located on property owned by you at 413 West
Center Street, Springdale, Arkansas, was unsafe and could not be occupied until
the property had been repaired. Furthermore, the owner was instructed to obtain a
demolition or repair permit within thirty (30) days and to begin work within ten
(10) days of obtaining the permit.

As of this date, you have taken no efforts to demolish or repair the structure on
this property. As such, please be advised that the City Council for the City of
Springdale will be considering the enclosed ordinance at a meeting that will take
place at 6:00 p.m. on Tuesday, February 25, 2014, in the council chambers located
at 201 N. Spring Street, Springdale, Arkansas. I strongly encourage you to attend
this meeting.

Should the City adopt the enclosed ordinance, you will be given a final
opportunity to repair or remove the structure. Should you not take advantage of
this opportunity, the City of Springdale will have the right to raze and remove the
structure, and then charge the costs of such as a lien against the property. The
amount of any such lien would be determined by the City Council, and you would

have the opportunity to be notified and be heard at this meeting. If you should have any questions, please let me know. I am also sending this letter to you via regular mail as well.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Sparkman", with a long horizontal flourish extending to the right.

Sarah Sparkman
Deputy City Attorney

enclosure
SS:ch

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

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Russell Holman 511 Mt. View Springdale, AR 72764 </div>	B. Received by (Printed Name) C. Date of Delivery	
2. Article Number (Transfer from service label)	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	
PS Form 3811, February 2004	Domestic Return Receipt	102596-02-M-1540

7011 1570 0000 8221 1710

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CERTIFIED MAIL RECEIPT
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Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To

Street, Apt. No., or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7011 1570 0000 8221 1710