

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

- Monday, July 21<sup>st</sup>, 5:30 p.m. is the next Committee meetings.
  - Committee agendas will be available on Friday, July 18<sup>th</sup>, 2014.

SPRINGDALE CITY COUNCIL  
REGULAR MEETING  
TUESDAY, JULY 8<sup>TH</sup>, 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. Recognitions by Ernest B. Cate, City Attorney

Deputy City Attorney Sarah Sparkman received the 2013-2014 YLS Award of Excellence from the Arkansas Bar Association. **Pg. 3**

5. Proclamation: Purple Heart City **Pg. 4**

6. 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.

7. Reports

a) Shiloh Museum 2<sup>nd</sup> Quarter Statistical Report **Pg.'s 5-6**

8. Approval of Minutes

a) June 24<sup>th</sup>, 2014 Pg.'s **7-22**

9. Procedural Motions

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

B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item numbers....***12; 15 & 16.** (Motion must be approved by two-thirds (2/3) of the council members).

10. Appeal of the Planning Commission's decision to deny the application of Signature Bank of Arkansas (Owner) and Creative Things, LLC (Developer) to rezone approximately 140 acres, more or less, lying northeast of Miller Road/Grimsley Road Intersection from PUD, SF-2 to I-3, presented by Cliff McKinney. **Pg.'s 23-25**

11. Street & CIP Committee Report and Recommendations by Chairman Rick Evans:

A Resolution expressing the willingness of The City of Springdale to utilize Federal Aid monies for the 56<sup>th</sup> Street Widening and Extension Project. **Pg. 26**

12. Planning Commission Recommendations by Patsy Christie, Planning Director.  
  
An Ordinance amending Article 6 of the Zoning Ordinance of the City of Springdale, Arkansas; declaring an emergency; and for other purposes. **Pg.'s 27-28**
13. Police & Fire Committee Report and Recommendations by Chairman Eric Ford:  
  
A Resolution expressing support for legislation creating a presumption that firefighters who develop certain forms of cancer developed those cancers through their work as firefighters. **Pg. 29**
14. A Resolution authorizing the destruction of court records that have been archived. **Pg.'s 30-47**
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, Washington County, Arkansas. (1511 Backus Avenue, 1307 Young Street) **Pg.'s 48-61**
16. An Ordinance authorizing the City Clerk to file a Clean-Up Lien for the removal of overgrown brush and debris within the City of Springdale, Arkansas. (3224 Sagely Lane) **Pg.'s 62-69**
17. Comments from Department Heads.
18. Comments from Council Members.
19. Comments from City Attorney.
20. Comments from Mayor Sprouse.
21. Adjournment.

**Deputy City Attorney  
Sarah Sparkman  
Receives YLS Award of  
Excellence for 2013-  
2014**

Sarah Sparkman received the 2013-2014 YLS Award of Excellence from the Arkansas Bar Association. This award is given to a young attorney for their outstanding service. Sarah was also selected to serve on the House of Delegates (governing body) of the Arkansas Bar Association. She has been with the City Attorney's Office since May, 2013.



# Proclamation

## Office of the Mayor City of Springdale

**WHEREAS:** first created as the Badge of Military merit by George Washington in 1782, the Purple Heart is the oldest military decoration presently in use, and

**WHEREAS:** the Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to any member of the United States Armed Services wounded or killed in combat with a declared enemy of the United States, and

**WHEREAS:** many former residents of Springdale have made the ultimate sacrifice in giving their lives in the cause of freedom, and numerous combat-wounded veterans currently reside within this City and contribute to this community in countless ways, and

**WHEREAS:** chartered by an act of Congress, the mission of the Military Order of Purple Heart is to foster an environment of good will among the combat wounded veteran members and their families, promote patriotism, support legislative initiatives and most important, make sure we never forget, and

**WHEREAS:** we appreciate the sacrifices our Purple Heart recipients have made in defending our freedoms and believe it is important that we acknowledge them for their courage and show them the support they have earned, and

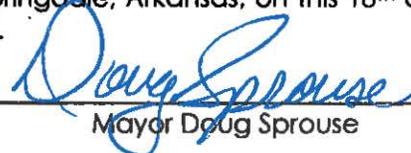
**WHEREAS:** the City of Springdale wishes to pledge its strong support to the Military Order of the Purple Heart and for those who put their lives at risk in service of their Country and their fellow citizens,

**NOW, THEREFORE,** I, Doug Sprouse, Mayor of Springdale, Arkansas, do hereby proclaim that the City of Springdale is a

**"PURPLE HEART CITY"**



**IN TESTIMONY WHEREOF,** I have hereunto set my hand and affixed the Great Seal of the City of Springdale, Arkansas, on this 18<sup>TH</sup> day of June, 2014.

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



118 W. Johnson Avenue  
 Springdale, AR 72764  
 479-750-8165  
 shiloh@springdalear.gov  
 www.shilohmuseum.org

**Shiloh Museum of Ozark History  
 Second Quarter 2014  
 Statistical Report**

	April 2014	May 2014	June 2014	2 <sup>nd</sup> Qtr. Totals	Compared to 1 <sup>st</sup> Qtr.
Walk-in visitors <sup>1</sup>	433	411	620	1,464	Up 47%
Children's program attendance	493	2,079	438	3,010	Up 4%
Adult program attendance	372	353	351	1,076	Up 26%
Group facility use	220	160	420	800	Up 75%
Researchers	45	51	48	144	Up 11%
iTunesU/YouTube downloads	1,548	1,568	1,101	4,217	Up 6%
<b>TOTAL AUDIENCE SERVED</b>	<b>3,111</b>	<b>4,622</b>	<b>2,978</b>	<b>10,711</b>	<b>Up 15%</b>
New/renewed members	43	31	60	134	Up 2%
Membership income	\$2,125	\$1,945	\$1,421	\$5,491	Up 9%
Volunteer hours given	196	298	224	718	Down 6%
Value <sup>2</sup> of volunteer hours	\$3,710	\$5,641	\$4,240	13,591	
Endowment gifts	\$210,898 <sup>3</sup>	0	\$1,300	\$212,198	Up > 7,000%
Store revenue	\$1,021	\$927	\$937	\$2,885	Down 10%
Other revenue <sup>4</sup>	\$388	\$3,952 <sup>5</sup>	\$1,176	\$5,516	Up 170%
In-kind donations of materials	\$507	\$196	\$60	\$763	Down 60%
<sup>1</sup> Visitors' residence					
Springdale	156	92	162	410	Up 38%
Other Northwest Arkansas	145	142	197	484	Up 11%
Other Arkansas	50	32	24	106	Up 28%
Other states	77	140	208	425	Up 167%
Alabama, Arizona, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Washington, Wisconsin, Wyoming					
Other countries	5	5	29	39	Up 86%
Argentina, Brazil, Canada, Chile, England, Iran, Iraq, Kenya, Kuwait, Libya, Morocco, Mozambique, Nepal, Panama, Saudi Arabia, Sweden					

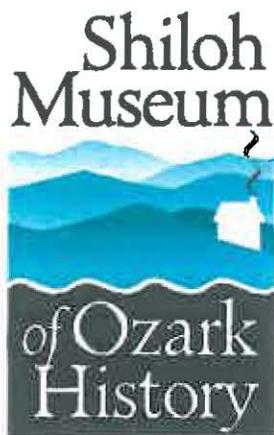
<sup>2</sup>Independent Sector 2013 valuations

<sup>3</sup>Includes \$210,683 from Dr. Bonnie Whitmore bequest

<sup>4</sup>Earned income and contributions

<sup>5</sup>Includes \$2,500 grant for school bus stipends from Johnelle Hunt

*The Shiloh Museum of Ozark History serves the public by providing resources for finding meaning, enjoyment, and inspiration in the exploration of the Arkansas Ozarks.*



118 W. Johnson Avenue  
Springdale, AR 72764  
479-750-8165  
shiloh@springdalear.gov  
www.shilohmuseum.org

### Upcoming Museum Events

**July 7, 1-2pm:** Wildlife Rehabilitation, presented by licensed wildlife rehabilitator Lynn Sciumbato with some of her critter friends from the Morning Star Wildlife Rehabilitation Center

**July 8, 3:30-5:30pm:** Fishing Derby for Kids! Bring a fishing pole and bait so you can catch some of the 200 channel catfish stocked in Murphy Park Lake by the Arkansas Game and Fish Commission. Prizes will be awarded. At Springdale's Murphy Park

**July 16, noon- 1pm:** "...the splendors and horrors of a battlefield..." a program on the medical history of the 1862 Battle of Prairie Grove, by Prairie Grove Battlefield State Park collections manager Alan Thompson

**August 20, noon-1pm:** "Fiddle Tunes Grandpa Played," a program by award-winning fiddler Will Bush

**September 13, 10am-2pm:** 37<sup>th</sup> Ozark Quilt Fair, featuring new and antique quilts for show and sale on the museum grounds. Music by Working Class Grass. Co-sponsored by Arvest Bank.

*The Shiloh Museum of Ozark History serves the public by providing resources for finding meaning, enjoyment, and inspiration in the exploration of the Arkansas Ozarks.*

SPRINGDALE CITY COUNCIL  
JUNE 24, 2014

The City Council of the City of Springdale met in regular session on June 24, 2014, in the City Council Chambers, City Administration Building. In the absence of Mayor Sprouse, City Attorney Ernest Cate called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor (Absent)
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 Chamlee	Building Official
Mike Irwin	Fire Chief
Rick McWhorter	Parks & Recreation Director
Courtney Kremer	Animal Services Director

ELECTION OF MAYOR PRO TEMPORE

Alderman Overton made the motion to appoint Alderman Brad Bruns as Mayor Pro Tempore. Alderman Reed made the second.

The vote:

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

No: None

APPROVAL OF MINUTES

Alderman Jaycox moved the minutes of the June 10, 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 Evans made the second.

The vote:

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

No: None

ORDINANCE NO. 4798 – REZONING 8.11 ACRES OWNED BY FIRST UNITED PRESBYTERIAN CHURCH LOCATED AT 100 S. GUTENSOHN, FROM A-1 TO P-1 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 8.11 acres owned by First United Presbyterian Church located at 100 S. Gutensohn, from A-1 to P-1 and declaring an emergency.

Planning Commission recommended approval at their June 3, 2014 meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4798.

ORDINANCE NO. 4799 – REZONING 1.88 ACRES OWNED BY LUIS QUINOEZ LOCATED AT 1906 LOWELL ROAD, FROM C-2 TO I-1 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning 1.88 acres owned by Luis Quinoez located at 1906 Lowell Road, from C-2 to I-1 and declaring an emergency.

Planning Commission recommended approval at their June 3, 2014 meeting.

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

The vote:

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

No: None

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

The vote:

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

No: None

The Ordinance was numbered 4799.

ORDINANCE NO. 4800 – REZONING .855 ACRES OWNED BY FISHING BRIDGE INVESTMENTS, LLC, LOCATED ON THE SOUTHWEST CORNER OF PALISADES AND HIGHWAY 265, FROM A-1 TO C-2 AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance rezoning .855 acres owned by Fishing Bridge Investments, LLC, located on the southwest corner of Palisades and Highway 265, from A-1 to C-2 and declaring an emergency.

Planning Commission recommended approval at their June 3, 2014 meeting.

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 Evans 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 4800.

RESOLUTION NO. 92-14 – APPROVING A CONDITIONAL USE APPEAL BY GREG & SHARON BROWN D/B/A FISHING BRIDGE INVESTMENTS, LLC AT THE SOUTHWEST CORNER OF PALISADES AND HIGHWAY 265 AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by Greg and Sharon Brown d/b/a Fishing Bridge Investments, LLC for a tandem lot split at the southwest corner of Palisades and Highway 265 as set forth in Ordinance No. 4030.

Planning Commission recommended approval at their June 3, 2014 meeting.

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

**A RESOLUTION APPROVING A CONDITIONAL USE AT THE SOUTHWEST CORNER OF PALISADES AND HIGHWAY 265 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 June 3, 2014, on a request by Greg & Sharon Brown dba Fishing Bridge Investments, LLC for a tandem lot split in a General Commercial District (C-2).

**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 Greg & Sharon Brown dba Fishing Bridge Investments, LLC for a tandem lot split in a General Commercial District (C-2) with the following conditions – No conditions were made.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby grants a conditional use to Greg & Sharon Brown dba Fishing bridge Investments, LLC for a tandem lot split in a General Commercial District (C-2) with the following conditions – No conditions were made.

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

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

No: None

The Resolution was numbered 92-14.

RESOLUTION NO. 93-14 – APPROVING A CONDITIONAL USE APPEAL BY SIGNATURE BANK OF ARKANSAS ON BEHALF OF WHITE RIVER BANCSHARES COMPANY AT THE CORNER OF HIGHWAY 265 AND ELECTRIC AVENUE AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by Signature Bank of Arkansas on behalf of White River Bancshares Company for a tandem lot split at the corner of Highway 265 and Electric Avenue as set forth in Ordinance No. 4030.

Planning Commission recommended approval at their June 3, 2014 meeting.

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

**A RESOLUTION APPROVING A CONDITIONAL USE AT THE NORTHWEST CORNER OF HIGHWAY 265 AND ELECTRIC AVENUE AS SET FORTH IN ORDINANCE NO. 4030**

**WHEREAS**, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on

appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

**WHEREAS**, the Planning Commission held a public hearing on June 3, 2014, on a request by Signature Bank of Arkansas on behalf of White River Bancshares Company for a tandem lot split in a General Commercial District (C-2).

**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 Signature Bank of Arkansas on behalf of White River Bancshares Company for a tandem lot split in a General Commercial District (C-2) with the following conditions – No conditions were made.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby grants a conditional use to Signature Bank of Arkansas on behalf of White River Bancshares Company for a tandem lot split in a General Commercial District (C-2) with the following conditions – no conditions were made.

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

ATTEST:

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

APPROVED AS TO FORM:

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

Alderman Evans 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 93-14.

RESOLUTION NO. 94-14 – APPROVING A CONDITIONAL USE APPEAL BY PATRICIA SHARP FOR A TANDEM LOT SPLIT TO BE LOCATED ON THE WEST SIDE OF NORTH 56<sup>TH</sup> STREET, SOUTH OF EAST WAGON WHEEL ROAD AS SET FORTH IN ORDINANCE NO. 4030

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by Patricia Sharp for a tandem lot split on the west side of North 56<sup>th</sup> Street, south of East Wagon Wheel Road as set forth in Ordinance No. 4030.

Planning Commission recommended approval at their June 3, 2014 meeting.

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

**A RESOLUTION APPROVING A CONDITIONAL  
USE ON THE WEST SIDE OF NORTH 56<sup>TH</sup>  
STREET, SOUTH OF EAST WAGON WHEEL ROAD  
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 June 3, 2014, on a request by Patricia Sharp for a Tandem Lot Split for a single family dwelling 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 Patricia Sharp for a tandem lot split for a single family dwelling in an Agricultural District (A-1) with the following conditions – No conditions were made.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby grants a conditional use to Patricia Sharp for a tandem lot split for a single family dwelling in an Agricultural District (A-1) with the following conditions – No conditions were made.

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

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

No: None

The Resolution was numbered 94-14.

**ORDINANCE NO. 4801 – WAIVING COMPETITIVE BIDDING FOR INSURANCE  
COVERAGE FOR CITY BUILDINGS AND CONTENTS**

Alderman Reed presented an Ordinance waiving competitive bidding for insurance coverage for city buildings and contents.

The City of Springdale retained the Farris Insurance Agency as the insurance broker for building insurance for the City of Springdale. They have negotiated and secured

proposals to insure the buildings and contents for replacement cost of \$104,019,597 with deductibles and premiums.

After reviewing all proposals the Mayor has recommended approving the proposal from CNA Insurance with a \$50,000 wind/hail deductible per occurrence and a \$10,000 deductible for all other perils with a premium of \$190,154.

After reading the title of the Ordinance, Alderman Reed 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 Jaycox made the second.

The vote:

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

No: None

The Ordinance was numbered 4801.

RESOLUTION NO. 95-14 – AUTHORIZING A CHANGE IN ADMINISTRATION OF THE "COMMUNITY GARDEN PROJECT" ON PROPERTY OWNED BY THE CITY OF SPRINGDALE LOCATED ON MCCOLLOUGH DRIVE

Alderman Reed presented a Resolution authorizing a change in administration of the "Community Garden Project" on property owned by the City of Springdale located on McCollough Drive.

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

**A RESOLUTION AUTHORIZING A CHANGE IN ADMINISTRATION OF THE "COMMUNITY GARDEN PROJECT" ON PROPERTY OWNED BY THE CITY OF SPRINGDALE, ARKANSAS, AND LOCATED ON MCCOLLOUGH DRIVE.**

**WHEREAS**, the City of Springdale, Arkansas, currently owns a tract of real property located off of McCollough Drive, Springdale, Arkansas;

**WHEREAS**, the City Council for the City of Springdale, Arkansas passed and approved resolution number 158-09 on December 8, 2009, a copy of which is attached hereto, authorizing the creation of a Community Garden Project on a plot of land of approximately 0.44 acres more or less;

**WHEREAS**, resolution number 158-09 authorized administration of the Community Garden by The Bread of Life organization, a non-profit organization located in the City of Springdale, Arkansas;

**WHEREAS**, the Bread of Life organization has notified the City of Springdale that they can no longer administer the Community Garden Project starting the spring of 2014;

**WHEREAS**, the City of Springdale, Arkansas, has been approached by Youth Strategies a non-profit organization founded by Mike Fohner, CEO about assuming administration of the 0.44 acres of real property known as the "Community Garden Project" (a map of the real property proposed to be used is attached as Exhibit "A");

**WHEREAS**, Youth Strategies is currently authorized by resolution to administer a garden site on a portion of land owned by the City of Springdale, Arkansas located immediately south and adjacent to the Community Garden site;

**WHEREAS**, the Community Garden Project to be administration by Youth Strategies, a non-profit corporation, will be responsible for the operational guidelines for the project (a copy of the proposed guidelines is attached as Exhibit "B");

**WHEREAS**, the Public Works Department would continue to maintain oversight of the property during the duration of the Community Garden Project;

**WHEREAS**, it is in the best interests of the citizens of the City of Springdale, Arkansas, that the real property shown in Exhibit "A" continue to be used for a Community Garden Project administered by Youth Strategies;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the property contained in Exhibit "A" be used for a Community Garden Project to be administered by the Youth Strategies organization pursuant to the guidelines as outlined in Exhibit "B", with the Street & Public Facilities Department providing oversight of the property during the duration of the project; provided, however, that Youth Strategies submit, at the end of each calendar year, a report to the City Council regarding the project, and the project shall be renewed annually upon the City Council's acceptance of this annual report by a majority vote.

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

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

No: None

The Resolution was numbered 95-14.

RESOLUTION NO. 96-14 – AUTHORIZING THE LISTING OF PROPERTY  
LOCATED AT 206 BLAIR STREET WITH GREG TAYLOR OF THE GRIFFIN  
COMPANY

Alderman Bruns presented a Resolution authorizing the listing of property located at 206 Blair Street with Greg Taylor of the Griffin Company.

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

**A RESOLUTION AUTHORIZING THE LISTING OF PROPERTY  
FOR SALE**

**WHEREAS**, the Mayor and City Council desire to sell the property located at 206 Blair, and

**WHEREAS**, the City of Springdale purchased this property in October of 2004 and has invested approximately \$475,000 in this property, and

**WHEREAS**, the City Council considers market conditions to be favorable at this time for the sale of this building;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the City Council hereby authorizes the listing for sale of the property located at 206 Blair for \$495,000 with Greg Taylor of The Griffin Company for a fee of 6%.

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

ATTEST:

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

APPROVED AS TO FORM:

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

Alderman Bruns 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 96-14.

RESOLUTION NO. 97-14 – AMENDING THE 2014 BUDGET OF THE PARKS AND  
RECREATION DEPARTMENT (SOUTHEAST BABE RUTH BASEBALL FIELD)

Alderman Bruns presented a Resolution amending the 2014 Budget of the Parks and Recreation Department.

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

**A RESOLUTION AMENDING THE 2014 BUDGET OF THE  
PARKS & RECREATION DEPARTMENT**

**WHEREAS**, the Parks & Recreation Director has requested a budget amendment to appropriate funds to construct two dugouts, install windscreen, install fence capping, and paint scoreboard for the southeast Babe Ruth baseball field.

**WHEREAS**, Parks & Recreation Director supports the upgrade for this field, and

**WHEREAS**, all material costs will be incurred by Ecclesia College, and

**WHEREAS**, the City will benefit by having the only three field Babe Ruth complex in the area to attract large tournaments, and

**WHEREAS**, the City Council will appropriate an amount up to and not to exceed \$25,000 from Capital Improvements Funds for the labor to install the first cut blocks similar to the other two Babe Ruth baseball fields;

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

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Proposed Increase</u>	<u>Budget</u>
Parks	10103014518011	Property Improvements	0	\$25,000	\$25,000

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

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

No: None

The Resolution was numbered 97-14.

RESOLUTION NO. 98-14 – APPROPRIATING FUNDS OF THE CAPITAL IMPROVEMENT PROJECT FUND (ROOF AND REPAIRS AT 210 SPRING STREET)

Alderman Bruns presented a Resolution appropriating Capital Improvement funds to add a new roof and repair the building at 210 Spring Street which will be used by the Community Engagement Division.

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

**A RESOLUTION APPROPRIATING FUNDS OF THE CAPITAL  
IMPROVEMENT PROJECT FUND**

**WHEREAS**, the Mayor and City Council desire to sell the property located at 206 Blair and presently occupied by Community Engagement, and

**WHEREAS**, Community Engagement is planning to move to the building located at 210 Spring and previously occupied by the Arkansas Department of Correction, and

**WHEREAS**, the building at 210 Spring is in need of a new roof and other repairs;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the City Council hereby appropriates \$20,000 from the Capital Improvement Project Fund for renovation of the building located at 210 Spring.

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

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 98-14.

**RESOLUTION NO. 99-14 – AUTHORIZING THE EXECUTION OF A COPIER AND  
PRINTER LEASE AGREEMENT WITH CORPORATE BUSINESS SYSTEMS FOR  
THE POLICE DEPARTMENT**

Alderman Ford presented a Resolution authorizing the execution of a copier and printer lease agreement with Corporate Business Systems for the Springdale Police Department.

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

**A RESOLUTION AUTHORIZING THE EXECUTION OF A  
COPIER AND PRINTER LEASE AGREEMENT WITH  
CORPORATE BUSINESS SYSTEMS**

**WHEREAS**, the City of Springdale's Police Department needs to replace several old copiers and printers, and

**WHEREAS**, Corporate Business Systems has submitted a proposal to provide eight copiers and nine printers for 60 months with a monthly lease fee of \$807.92, and

**WHEREAS**, Corporate Business Systems is a listed vendor on the state bid contract list and therefore competitive bidding is not required;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the Mayor is hereby authorized to execute a 60 month copier and printer lease agreement with Corporate Business Systems for a monthly cost of \$807.92

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

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 99-14.

RESOLUTION NO. 100-14 -- AUTHORIZING THE EXECUTION OF A COPIER AND  
PRINTER MAINTENANCE AGREEMENT WITH CORPORATE BUSINESS  
SYSTEMS FOR THE POLICE DEPARTMENT

Alderman Ford presented a Resolution authorizing the execution of a copier and printer maintenance agreement with Corporate Business Systems for the Springdale Police Department.

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

**A RESOLUTION AUTHORIZING THE EXECUTION OF A  
COPIER AND PRINTER MAINTENANCE AGREEMENT WITH  
CORPORATE BUSINESS SYSTEMS**

**WHEREAS**, the City of Springdale's Police Department needs maintenance and supplies for their copiers and printers, and

**WHEREAS**, Corporate Business Systems has submitted a proposal to provide maintenance and toner for their copiers and printers for 60 months with a monthly fee of \$499.94, and

**WHEREAS**, Corporate Business Systems is a listed vendor on the state bid contract list and therefore competitive bidding is not required;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the Mayor is hereby authorized to

execute a 60 month copier and printer maintenance agreement with Corporate Business Systems for a monthly cost of \$499.94

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

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

No: None

The Resolution was numbered 100-14.

ORDINANCE NO. 4802 - AMENDING SECTION 38-58 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES (AMBULANCE SERVICE CHARGES)

Alderman Ford presented an Ordinance amending Section 38-58 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency and for other purposes.

Section 38-58 of the Code of Ordinances of the City of Springdale, Arkansas, contains the charges for ambulance service provided by the City of Springdale, Arkansas. The amendment will update the charges associated with the ambulance service.

The ambulance service hereby authorized shall be provided at the following rates and charges to patrons:

*Inside or Outside City Limits*, when the service is being provided in an area covered by a cooperative service agreement:

Anywhere to anywhere...The rate shall be as follows:

<u>BLS transport</u>	<u>\$425.00</u>
<u>ALS 1 transport</u>	<u>\$525.00</u>
<u>ALS 2 transport</u>	<u>\$725.00</u>
<u>BLS treat and release</u>	<u>\$200.00</u>
<u>ALS treat and release</u>	<u>\$275.00</u>
<u>Loaded mileage charge</u>	<u>\$ 11.00 per mile</u>

The Springdale Fire Department reserves the right to adjust our fee schedule above to increase the fee by the previous year's Consumer Price Index(CPI) so that we can keep pace with inflation each year.

EMS standby time per hour .....\$ 150.00  
EMS standby time for non-profit charitable organizations, per hour  
..... \$75.00  
Football standby for any school within the city limits of Springdale  
at \$150 per night per school

Individuals who are in custody: when the service is being provided  
to an individual who is in custody (as defined in 42 CFR §411.4(b)), any  
charges shall be the responsibility of the patient transported and not the  
City of Springdale.

After reading the title of the Ordinance, Alderman Reed 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 4802.

RESOLUTION NO. 101-14 – AUTHORIZING THE MAYOR AND CITY CLERK TO  
ENTER INTO AN AGREEMENT FOR E911 DISPATCH SERVICES BETWEEN THE  
CITY OF SPRINGDALE AND THE CITY OF TONTITOWN

Alderman Ford presented a Resolution authorizing the Mayor and City Clerk to enter into  
an agreement for E911 Dispatch Services between the City of Springdale and the City of  
Tontitown.

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

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY  
CLERK TO ENTER INTO AN AGREEMENT FOR E911  
DISPATCH SERVICES BETWEEN THE CITY OF SPRINGDALE  
AND THE CITY OF TONTITOWN.**

**WHEREAS**, the City of Springdale currently handles emergency dispatch calls  
for the Tontitown City Fire Department; and

**WHEREAS**, the City of Springdale and the City of Tontitown wish to specify  
which department is responsible for emergency calls dispatched to the Tontitown City  
Fire Department; and

**WHEREAS**, the City of Springdale and the City of Tontitown wish to enter into  
an agreement to memorialize their agreement for E911 dispatch services;

**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 for E911 Dispatch Services between the City of Springdale and the City of Tontitown, a copy of which is attached to this Resolution.

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

\_\_\_\_\_  
Brad Bruns, President Pro Tempore

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY

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

The vote:

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

No: None

The Resolution was numbered 101-14.

ORDINANCE NO. 4803 - AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED WITHIN THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for removal of overgrown brush and debris located at 3207 Kasey Avenue. The owners are Peter M. & Linda L. Behrens.

After reading the title of the Ordinance, Alderman Reed moved the Ordinance "Do Pass". Alderman Lawson 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 4803.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:30 p.m.

---

Doug Sprouse, Mayor

---

Denise Pearce, City Clerk/Treasurer

**Quattlebaum, Grooms, Tull & Burrow**  
A PROFESSIONAL LIMITED LIABILITY COMPANY  
111 Center Street  
Suite 1900  
Little Rock, Arkansas 72201  
(501) 379-1700 • (501) 379-1701 – Fax



J. Cliff McKinney, II  
cmckinney@qgtb.com  
Licensed in Arkansas, Mississippi, Missouri and Texas  
LEED® Accredited Professional

Direct Dial  
501-379-1725  
Direct Fax  
501-379-3825

July 2, 2014

Ms. Denise Pearce  
Springdale City Clerk/Treasurer  
201 Spring Street  
Springdale, AR 72764

**RE: Appeal of July 1, 2014 Planning Commission Decision Denying the Application of Signature Bank of Arkansas (Owner) and Creative Things, LLC (Developer) to rezone approximately 140 acres, more or less, lying northeast of Miller Road/Grimsley Road Intersection from PUD, SF-2 to I-3**

Dear Ms. Pearce:

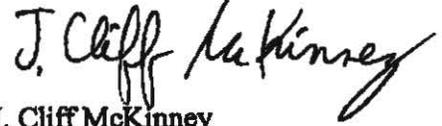
On behalf of the Owner and Developer of the above referenced property, please accept this letter as notice of an appeal of the July 1, 2014 decision by the Springdale Planning Commission to the Springdale City Council. The Planning Commission denied the referenced application after hearing the request of the petitioner and comments from area residents. We believe the decision of the Planning Commission was in error because the proposed rezoning is both appropriate to the location and a benefit to the community.

The property will soon be bordered on the east by the new Highway 412 bypass. This freeway will provide an adequate buffer between the proposed light manufacturing and warehousing development and the established residential area that will be on the other side of the new freeway. The location of the freeway will make this an ideal location for the development of a light manufacturing and warehousing facility with potential future additional facilities. The requested I-3 zoning is an appropriate designation for this property that protects the surrounding area and gives the City of Springdale an appropriate level of control over future development. The proposed development will also bring needed, high-quality, high-tech jobs to the City of Springdale that will be a benefit to the entire community.

We appeal the Planning Commission's decision to the City Council and request approval of the proposed rezoning. We request that this matter be heard at the July 8, 2014 City Council meeting.

Sincerely,

QUATTLEBAUM, GROOMS,  
TULL & BURROW PLLC



J. Cliff McKinney

Cc: Mayor Doug Sprouse  
Ms. Patsy Christie

**AFFIDAVIT OF SERVICE OF NOTICE**

On July 2, 2014, I, J. Cliff McKinney, attorney for Creative Things, LLC and authorized agent for Signature Bank of Arkansas, applicant in the requested rezoning of approximately 140 acres, more or less, lying northeast of Miller Road/Grimsley Road Intersection from PUD, SF-2 to I-3, hereby state and affirm that notice was sent via U.S. Mail to the adjacent owners (as certified by Elite Title Company, Inc. on June 2, 2014) that the Springdale Planning Commission's denial of the application to rezone the subject property was appealed to the Springdale City Council.

Respectfully submitted,

QUATTLEBAUM, GROOMS,  
TULL & BURROW PLLC  
111 Center Street, Suite 1900  
Little Rock, Arkansas 72201  
Telephone: (501) 379-1700  
Telecopier: (501) 379-1701  
Email:

By: J. Cliff McKinney  
J. Cliff McKinney

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

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE TO UTILIZE FEDERAL-AID MONIES FOR THE 56<sup>TH</sup> STREET WIDENING AND EXTENSION PROJECT**

**WHEREAS,** The City of Springdale understands Federal-aid Surface Transportation Attributable funds are available for certain city projects at the following federal participating ratios, up to the maximum Federal-aid available:

<u>Work Phase</u>	<u>Federal %</u>	<u>City %</u>
Preliminary Engineering	80	20
Right-of-Way	80	20
Utilities	80	20
Construction	80	20
Construction Engineering	80	20
City projects programmed but not let to contract	-0-	100

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

**SECTION I:** The City will participate in accordance with its designated responsibilities in 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 city 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 8<sup>th</sup> day of July, 2014.

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

Attest:

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

Approved as to form:



\_\_\_\_\_  
Ernest Cates, City Attorney

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

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

**AN ORDINANCE AMENDING ARTICLE 6 OF THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Article 6, Section 1 contains the supplementary district regulations for property zoned Agricultural District in the City of Springdale, Arkansas;

**WHEREAS**, Article 6, Section 2 contains the supplementary district regulations for property zoned Residential District in the City of Springdale, Arkansas;

**WHEREAS**, Article 6 of the Zoning Ordinance of the City of Springdale, Arkansas, needs to be amended to address regulations pertaining to fences, wall, and hedges on property zoned agricultural and property zoned residential;

**WHEREAS**, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to amend Article 6 of the Zoning Ordinance of the City of Springdale, Arkansas; and

**WHEREAS**, a public hearing was held before the Springdale Planning Commission on July 1, 2014, after notice was given of said hearing as required by law.

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

**Section 1:** Article 6, Section 1 of the Zoning Ordinance of the City of Springdale, Arkansas, is hereby amended to add a new section (Section 1.3) to read as follows:

**1.3 Fences, walls and hedges on adjoining residential districts.**

Notwithstanding other provisions of this ordinance, fences, walls and hedges in agriculturally zoned areas that share a common boundary with a residential district must be built in compliance with Sec. 2.3 of this article along those joint boundaries.

**Section 2:** Article 6, Section 2.3 of the Zoning Ordinance of the City of Springdale, Arkansas, is hereby amended to read as follows:

**2.3 Fences, walls and hedges on residential lots.** Notwithstanding other provisions of this ordinances, fences, walls, and hedges on residential lots may be permitted in any required yard, or along the edge of any yard provided that no fence, wall (except retaining wall) or hedge along the sides or front edge of any front yard shall be over three (3) feet in height as dictated by the orientation of the structure and not by yard designation as in article 4. Fences located within or bounding a rear or side yard are permitted at a height not to exceed six (6) feet, except as follows:

Fences must be built with recognized fencing materials such as chain link fencing with plastic or metal slates, standard fence wood, vinyl, or metal such as wrought iron. Materials not allowed for fences include plywood, scrap lumber, wood pallets, chicken wire, corrugated steel, barbed wire or fiberglass panels. Fence posts and supports must be installed on the side of the fence that faces the lot.

**Section 3:** All other provisions of Article 6 of the Zoning Ordinance of the City of Springdale, Arkansas, not specifically amended by this Ordinance shall remain in full force and effect.

**Section 4: 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 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

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

**A RESOLUTION EXPRESSING SUPPORT FOR LEGISLATION CREATING A PRESUMPTION THAT FIREFIGHTERS WHO DEVELOP CERTAIN FORMS OF CANCER DEVELOPED THOSE CANCERS THROUGH THEIR WORK AS FIREFIGHTERS.**

WHEREAS, the International Agency for Research on Cancer has determined that some cancers may be caused by exposure to heat, smoke, radiation or a known or suspected carcinogen;

WHEREAS, if a firefighter has regularly responded to fires, the firefighter has likely been exposed to heat, smoke, or other causes studied by the International Agency for Research on Cancer; and

WHEREAS, there is a need for legislation recognizing that firefighters may develop certain types of cancers due to their work as firefighters.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City Council for the City of Springdale, Arkansas hereby expresses its support of a legislative enactment to create a presumption that firefighters who develop certain forms of cancer developed those cancers through their work as firefighters.

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 AUTHORIZING THE DESTRUCTION OF COURT RECORDS THAT HAVE BEEN ARCHIVED.**

**WHEREAS**, Springdale District Court has archived paper court records from 1982 through 2010;

**WHEREAS**, Ark. Code Ann. §14-2-201, et seq. provides for the destruction of old court records once they have been archived, and

**WHEREAS**, the Springdale District Court Clerk has identified the court records to be destroyed, and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that Springdale District Court is hereby authorized to arrange for the destruction, by shredding, of all archived court records in accordance with Ark. Code Ann. §14-2-201, et seq.

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

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

ATTEST:

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

APPROVED AS TO FORM:

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

CERTIFICATE OF ORIGINAL RECORDS

I, Betty Lee, do hereby certify that the attached list of records are the original records for Springdale District Court and have been archived by AIM Records.

IN TESTIMONY WHEREOF, I as such clerk, do hereunto subscribe my name, and affix the seal of said court, at City of Springdale, in said Washington County, in the State of Arkansas on this 2<sup>nd</sup> day of July 2014.

Betty Lee 7/2/14

Betty Lee

Clerk

I, Jeff C. Harper, The Judge of the District Court of Springdale, Arkansas of Washington County, in the State of Arkansas, do hereby certify that Betty Lee, whose name is Subscribed to the foregoing attestation. Was that the time of her making certificate, and is now, the duly acting clerk of the Springdale District Court, City of Springdale, Arkansas of Washington.

IN TESTIMONY WHEREOF, I name as the Judge of said court, at the County of Washington, State of Arkansas, this 2<sup>nd</sup> day of July, 2014.

Jeff C Harper 7/2/14

Jeff C Harper

Judge

Arkansas Code

- ☐ **Arkansas Code**
- ☐ **Title 14. Local Government.**
- ☐ **Subtitle 1. General Provisions**
- ☐ **Chapter 2. Public Records Generally.**
- ☐ **Subchapter 2. Reproduction of Records**

**14-2-201. Authority - Requirements.**

(a) The head of any county or municipal department, commission, bureau, or board may cause any or all records kept by the official, department, commission, or board to be photographed, microfilmed, photostated, or reproduced on or by film, microcard, miniature photographic recording, optical disc, digital compact disc, electronic imaging, or other process that accurately reproduces or forms a durable medium for reproducing the original when provided with equipment necessary for such method of recording.

(b) At the time of reproduction, the agency head shall attach his or her certificate to the record certifying that it is the original record, and the certificate shall be reproduced with the original.

(c) The device used to reproduce the records shall be such as to accurately reproduce and perpetuate the original records in all details.

**History.** Acts 1947, No. 218, § 1; Acts 2001, No. 1530, § 1.

A.S.A. 1947, § 16-501.

**Betty Lee**

---

**From:** Judy Keller <judy@aimrecords.com>  
**Sent:** Wednesday, June 18, 2014 3:18 PM  
**To:** blee@springdalear.gov  
**Subject:** Shredding Cost

Betty,

Here is the quote for shredding all the boxes:

Old boxes on Pallets--\$741.25

New boxes-----\$85.50 (Traffic and Criminal boxes that will be up for destruction in July and August)

Total = \$826.75

Thank you,

Judy Keller  
General Manager  
Advanced Information Management  
Office: 479-751-8120  
Cell: 479-422-9274  
[judy@aimrecords.com](mailto:judy@aimrecords.com)

**Betty Lee**

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**From:** Judy Keller <judy@aimrecords.com>  
**Sent:** Monday, June 16, 2014 11:25 AM  
**To:** blee@springdalear.gov  
**Cc:** 'Don Keller'  
**Subject:** Boxes on pallets  
**Attachments:** City of Springdale boxes on pallets.pdf

Hi Betty,

Attached is the list of boxes that are on pallets.

Criminal project was finished in April 2014 so 90 days would put it available for destruction in July 2014.

Traffic project was finished in May 2014 so 90 days would put it available for destruction in August 2014.

Thank you,

Judy Keller  
General Manager  
Advanced Information Management  
Office: 479-751-8120  
Cell: 479-422-9274  
[judy@aimrecords.com](mailto:judy@aimrecords.com)

2007 Civil Dead 2-398  
2007 Civil Dead 700-1072  
2007 Civil Dead 400-695  
2006 Civil Dead 800-  
Misc Civil Files 20130304  
Civil Dead CV10 425-903 Misc  
2003 Civil Dead 01-300  
2004 Civil Dead CV04-0343 – CV04-0743  
2010 Civil Dead 321-503  
2010 Civil Dead  
2009 Civil Dead 001-350  
2009 Civil Dead 351-639  
2008 Civil Dead  
2008 Civil Dead CV08-001  
2008 Civil Dead  
2010 Civil Dead 320-001  
2003 Civil Dead 301-762  
2002 Civil Dead 361-7  
2009 Civil Dead 031-865  
2009 Civil Dead 866-  
2010 Civil Dead 878-1082  
2002 Civil Dead CV02-0001-CV02-0357  
2002 Civil Dead CV02-300  
2003 Civil Dead  
2001 Civil Dead CV01-0002-CV01-0492  
2004 Civil Dead 001-729

Boxes we have on a pallet not barcoded.

CR 82 1600-3260

CR 83 1-2893

CR84 134-2383

CR 85 5-3473

CR 86 1-3750

CR 87 1-2899

CR 87 2900-4785

CR 88 1-3399

CR 88 3400-4973

CR 89 1-2799

CR 89 2800-3768

CR 89 3770-6019

CR 90 1-2999

CR 90 3001-5459

CR 91 1-2099

CR 91 271-5104

CR 91 3900-5397

CR 92 1-2299

CR 92 2300-4559

CR 92 4700-6799

CR 93 1-6754

CR 93 2100-4399

CR 93 4400-6768

CR 94 1-2799

CR 95 5000-6309

CR 94 2800-5599

CR 94 5600-6599

Misc Criminal Files

Criminal Misc

Account: 6181\COURT Name: CITY OF SPRINGDALE DISTRICT COURT

Container Code	Category Code	Object Code	Alternate Code	Date Range		Sequence Range		Item Status	Add Date	Destroy Date	Location Code
				From	To	From	To				
2000193704		001						In	10/28/201		13060537
Description: CR05 8000-9276											
2000193705		001						In	10/28/201		13060536
Description: CR99 001900-											
2000193706		001						In	10/28/201		13060536
Description: CR99 114000-112399											
2000193707		001						In	10/28/201		13060535
Description: CR02 6200-9599											
2000193708		001						In	10/28/201		13060535
Description: CR04 799											
2000193709		001						In	10/28/201		13060535
Description: CR05 0601-1099											
2000193710		001						In	10/28/201		13060537
Description: CR05 1701-2400											
2000193711		001						In	10/28/201		13060536
Description: CR00 5400-6499											
2000193712		001						In	10/28/201		13060535
Description: CR04 6100-6999											
2000193713		001						In	10/28/201		13060536
Description: CR04 MISC											
2000193714		001						In	10/28/201		13060536
Description: CR02 5100-6199											
2000193715		001						In	10/28/201		13060535
Description: CR01 01-999											
2000193716		001						In	10/28/201		13060536
Description: CR04 7000-7499											
2000193717		001						In	10/28/201		13060537
Description: CR04 7500-10504											
2000193718		001						In	10/28/201		13060535
Description: CR04 1501-2199											
2000193719		001						In	10/28/201		13060536
Description: CR01 6100-9323											
2000193720		001						In	10/28/201		13060536
Description: CR02 4000-5099											
2000193721		001						In	10/28/201		13060535
Description: CR04 5000-6099											
2000193722		001						In	10/28/201		13060536
Description: CR04 3000-3999											

Account: 6181\COURT Name: CITY OF SPRINGDALE DISTRICT COURT

Container Code	Category Code	Object Code	Alternate Code	Date Range From	Date Range To	Sequence Range From	Sequence Range To	Item Status	Add Date	Destroy Date	Location Code
2000193723		001						In	10/28/201		13060535
		Description: CR04 0800-1500									
2000193724		001						In	10/28/201		13060537
		Description: CR02 0077-5710									
2000193725		001						In	10/28/201		13060537
		Description: CR01 5000-6099									
2000193726		001						In	10/28/201		13060537
		Description: CR02 2900-3999									
2000193727		001						In	10/28/201		13060537
		Description: CR04 2200-2999									
2000193728		001						In	10/28/201		13060537
		Description: CR01 1000-1599 1600-1997									
2000193729		001						In	10/28/201		13060631
		Description: CR02 0001-0949 CR02 0006									
2000193730		001						In	10/28/201		13060631
		Description: CR00 1100-2099									
2000193731		001						In	10/28/201		13060631
		Description: CR00 2100-3199									
2000193732		001						In	10/28/201		13060631
		Description: CR00 1-1099									
2000193733		001						In	10/28/201		13060631
		Description: CR02 0950-1899									
2000193734		001						In	10/28/201		13060538
		Description: CR07 7000-7887									
2000193735		001						In	10/28/201		13060538
		Description: CR00 6500-7599									
2000193736		001						In	10/28/201		13060538
		Description: CR01 0005-11157									
2000193737		001						In	10/28/201		13060538
		Description: CR04 4000-4999									
2000193738		001						In	10/28/201		13060538
		Description: CR02 1900-2899									
2000193739		001						In	10/28/201		13060538
		Description: CR07 2900-3999									
2000193740		001						In	10/28/201		13060538
		Description: CR99 110300-111399									

Account: 6181\COURT Name: CITY OF SPRINGDALE DISTRICT COURT

Container Code	Category Code	Object Code	Alternate Code	Date Range From	Date Range To	Sequence Range From	Sequence Range To	Item Status	Add Date	Destroy Date	Location Code
2000193741		001						In	10/28/201		13060538
Description: CR01 3000-3992											
2000193742		001						In	10/28/201		13060538
Description: CR01 2000-2999											
2000193743		001						In	10/28/201		13060537
Description: CR01 4000-4999											
2000193744		001						In	10/28/201		13060438
Description: PRIVATE PROPERTY ACCIDENTS DEC 2012-JUNE 2013											
2000193745		001						In	10/28/201		13060531
Description: CR99 1-1199 1899											
2000193746		001						In	10/28/201		13060531
Description: CR03 6000-6999											
2000193747		001						In	10/28/201		13060531
Description: CR09 801-1899											
2000193748		001						In	10/28/201		13060532
Description: CR10 4601-5800											
2000193749		001						In	10/28/201		13060438
Description: MISC CRIMINAL FILES 08-05-13, 08-19-13, 08-23-13, 09-06-13, 09-20-13, 09-27-13, 10-04-13, 10-11-13											
2000193750		001						In	10/28/201		13060438
Description: CR99 113400-114799											
2000193751		001						In	10/28/201		13060531
Description: MISC CRIMINAL FILES SCANNED 02-01-2013											
2000193752		001						In	10/28/201		13060532
Description: CR09 7102-7993											
2000193753		001						In	10/28/201		13060531
Description: CR09 6200-7100											
2000193754		001						In	10/28/201		13060531
Description: CR00 7600-110013											
2000193755		001						In	10/28/201		12060131
Description: CR95 0001-4799											
2000193756		001						In	10/28/201		13060531
Description: CR03 7000-?											
2000193757		001						In	10/28/201		13060531
Description: CR10 1000-2099											
2000193758		001						In	10/28/201		13060531

Account: 6181\COURT Name: CITY OF SPRINGDALE DISTRICT COURT

Container Code	CategorCode	Object Code	Alternate Code	Date Range From	Date Range To	Sequence Range From	Sequence Range To	Item Status	Add Date	Destroy Date	Location Code
		Description: CR10 3500-4600									
2000193759		001						In	10/28/201		13060534
		Description: CR99 112400-113399									
2000193760		001						In	10/28/201		13060534
		Description: CR00 4300-5399									
2000193761		001						In	10/28/201		13060533
		Description: CR03 1700-2799									
2000193762		001						In	10/28/201		13060532
		Description: CR10 5800-6899									
2000193763		001						In	10/28/201		13060532
		Description: CR03 4000-4999									
2000193764		001						In	10/28/201		13060534
		Description: CR96 5000-6887									
2000193765		001						In	10/28/201		13060534
		Description: CR96 3000-9399									
2000193766		001						In	10/28/201		13060534
		Description: CR03 1-799									
2000193767		001						In	10/28/201		13060533
		Description: CR03 7-11078 MISC									
2000193768		001						In	10/28/201		13060533
		Description: CR03 5000-5999									
2000193769		001						In	10/28/201		13060534
		Description: CR00 42-12466 MISC									
2000193770		001						In	10/28/201		13060534
		Description: CR00 3200-4299									
2000193771		001						In	10/28/201		13060533
		Description: CR03 800-1699									
2000193772		001						In	10/28/201		13060533
		Description: CR09 1-800									
2000193773		001						In	10/28/201		13060533
		Description: CR09 4000-4999									
2000193774		001						In	10/28/201		13060534
		Description: 2400-4999									
2000193775		001						In	10/28/201		13060533
		Description: CR09 5000-6199									
2000193776		001						In	10/28/201		13060533

Account: 6181\COURT Name: CITY OF SPRINGDALE DISTRICT COURT

Container Code	Categor Code	Object Code	Alternate Code	Date Range From	Date Range To	Sequence Range From	Sequence Range To	Item Status	Add Date	Destroy Date	Location Code
				Description: CR09 3000-3999							
2000193809		001		Description: CR10 1-999							
2000193810		001		Description: CR97 0001-2199							
2000193811		001		Description: CR99 MISC							
2000193812		001		Description: CR03 2800-3999							
2000193813		001		Description: CR10 2100-3499							
2000193814		001		Description: CR09 1900-2999							
2000193815		001		Description: CR07 5200-6299							
2000193816		001		Description: CR06 4800-5799							
2000193817		001		Description: CR07 1700-2899							
2000193818		001		Description: CR08 2800-3799							
2000193819		001		Description: CR08 700-1899							
2000193820		001		Description: CR96 00001-002299							
2000193821		001		Description: CR05 7000-7999							
2000193822		001		Description: CR07 801-1699							
2000193823		001		Description: CR08 6700-8375							
2000193824		001		Description: CR08 4900-5999							
2000193825		001		Description: CR96 000001-002999							
2000193826		001		Description: CR05 3900-4499							

Account: 6181\COURT Name: CITY OF SPRINGDALE DISTRICT COURT

Container Code	Category Code	Object Code	Alternate Code	Date Range		Sequence Range		Item Status	Add Date	Destroy Date	Location Code
				From	To	From	To				
2000193827		001						In	10/28/201		13060433
Description: CR07 6300-6999											
2000193828		001						In	10/28/201		13060433
Description: CR05 0001-0600											
2000193829		001						In	10/28/201		13060433
Description: CR08 6000-6699											
2000193830		001						In	10/28/201		13060437
Description: CR98 2800-7199											
2000193831		001						In	10/28/201		13060436
Description: CR06 1700-2400											
2000193832		001						In	10/28/201		13060436
Description: CR05 3200-3899											
2000193833		001						In	10/28/201		13060436
Description: CR06 1-899											
2000193834		001						In	10/28/201		13060435
Description: CR06 900-1699											
2000193835		001						In	10/28/201		13060437
Description: CR98 000001-002799											
2000193836		001						In	10/28/201		13060436
Description: CR07 4000-5199											
2000193837		001						In	10/28/201		13060436
Description: CR07 1-800											
2000193838		001						In	10/28/201		13060436
Description: CR06 3100-3999											
2000193839		001						In	10/28/201		13060436
Description: CR05 2401-3199											
2000193840		001						In	10/28/201		13060437
Description: CR97 004800-006999											
2000193841		001						In	10/28/201		13060438
Description: CR05 5300-5900											
2000193842		001						In	10/28/201		13060437
Description: CR05 4500-5299											
2000193843		001						In	10/28/201		13060436
Description: CR08 1-699											
2000193844		001						In	10/28/201		13060436
Description: CR06 5800-6799											
2000193845		001						In	10/28/201		13060438
Description: CR97 2200-4799											

Account: 6181\COURT Name: CITY OF SPRINGDALE DISTRICT COURT

Container Code	Categor Code	Object Code	Alternate Code	Date Range From	Date Range To	Sequence Range From	Sequence Range To	Item Status	Add Date	Destroy Date	Location Code
2000193846		001						In	10/28/201		13060438
Description: CR05 6000-6999											
2000193847		001						In	10/28/201		13060438
Description: CR05 1100-1700											
2000193848		001						In	10/28/201		13060437
Description: CR06 2401-3099											
2000193849		001						In	10/28/201		13060437
Description: CR06 4000-4799											
2000193850		001						In	10/28/201		13060435
Description: CR96 2300-4999											
2000193851		001						In	10/28/201		13060434
Description: CR05 8000-9811											
2000193852		001						In	10/28/201		13060434
Description: CR06 6800-7999											
2000193853		001						In	10/28/201		13060434
Description: CR08 1900-2799											
2000193854		001						In	10/28/201		13060434
Description: CR08 3800-4899											
2000193855		002						In	10/28/201		31050217
Description: 2007 CIVIL DEAD 2-398											
2000193856		002						In	10/28/201		31050217
Description: 2007 CIVIL DEAD 700-1072											
2000193857		002						In	10/28/201		31050217
Description: 2007 CIVIL DEAD 400-695											
2000193858		002						In	10/28/201		31050216
Description: 2006 CIVIL DEAD 800-?											
2000193900		001						In	10/28/201		13060435
Description: CR10 6900-7746											
2000193901		001						In	10/28/201		13060435
Description: MISC CIVIL FILES 20130304											
2000193902		001						In	10/28/201		13060534
Description: CIVIL DEAD CV10 425-903 MISC											
2000193981		002						In	10/29/201		31040815
Description: 2003 CIVIL DEAD											

Account: 6181\COURT Name: CITY OF SPRINGDALE DISTRICT COURT

Container Code	Category Code	Object Code	Alternate Code	Date Range From	Date Range To	Sequence Range From	Sequence Range To	Item Status	Add Date	Destroy Date	Location Code
		01-300									
2000193982		002						In	10/29/201		31040811
		Description: 2004 CIVIL DEAD CV04-0343 - CV04-0743									
2000193983		002						In	10/29/201	12/31/2013	31040816
		Description: TERM EMPLOYEES 2010									
2000193984		002						In	10/29/201		31030911
		Description: 2010 CIVIL DEAD 321-503									
2000193985		002						In	10/29/201		31040811
		Description: 2010 CIVIL DEAD									
2000193986		002						In	10/29/201		31040816
		Description: 2009 CIVIL DEAD 001-350									
2000193987		002						In	10/29/201		31030912
		Description: 2009 CIVIL DEAD 351-639									
2000193988		002						In	10/29/201		31030911
		Description: 2008 CIVIL DEAD									
2000193989		002						In	10/29/201		31030911
		Description: 2008 CIVIL DEAD CV08-001									
2000193990		002						In	10/29/201		31040817
		Description: 2008 CIVIL DEAD									
2000193991		002						In	10/29/201		31030911
		Description: 2010 CIVIL DEAD 320-001									
2000193992		002						In	10/29/201		31040815
		Description: 2003 CIVIL DEAD 301-762									
2000193993		002						In	10/29/201		31040817
		Description: 2002 CIVIL DEAD 361-7									
2000193994		002						In	10/29/201		31040816
		Description: 2009 CIVIL DEAD 031-865									
2000193995		002						In	10/29/201		31040811
		Description: 2009 CIVIL DEAD 866-?									
2000193996		002						In	10/29/201		31040811
		Description: 2010 CIVIL DEAD									

Account: 6181\COURT Name: CITY OF SPRINGDALE DISTRICT COURT

Container Code	Category Code	Object Code	Alternate Code	Date Range From	Date Range To	Sequence Range From	Sequence Range To	Item Status	Add Date	Destroy Date	Location Code
		878-1082									
2000193997		002						In	10/29/201		31040815
		Description: 2002 CIVIL DEAD									
		CV02-0001 - CV02-0357									
2000193998		002						In	10/29/201		31040812
		Description: 2002 CIVIL DEAD									
		CV02-300									
2000193999		002						In	10/29/201		31040812
		Description: 2003 CIVIL DEAD									
2000194000		002						In	10/29/201		31040812
		Description: 2001 CIVIL DEAD									
		CV01-0002 - CV01-0492									
2000194001		002						In	10/29/201		31040812
		Description: 2004 CIVIL DEAD									
		001 - 729									

Account Summary

Destroyed: 0 In: 147 Out: 0 Perm Out: 0 Pending: 0 Total Containers: 147

Accounts 6181\COURT through 6181\COURT

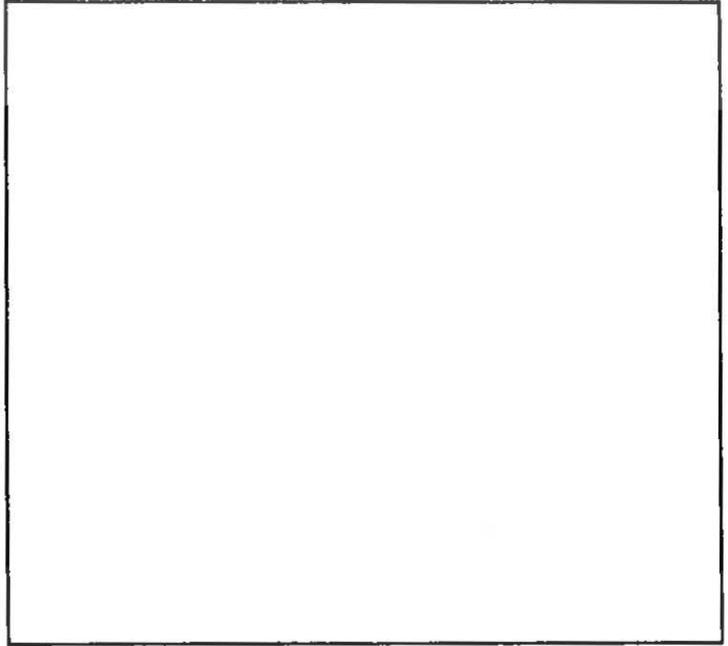
Grand Total

Destroyed: 0    In: 147    Out: 0    Perm Out: 0    Pending: 0    Total Containers: 147

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

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

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



**PROPERTY OWNER:** Leo McCuistian, Bertha McCuistian, and Donald McCuistian  
**LEGAL DESCRIPTION:** Part of the NW 1/4 of the NE 1/4 of Section 35, Township 18 North, Range 30 West, and being more particularly described as follows, to-wit: Beginning at a point 382 feet East of the Northwest corner of said 40 acre tract, thence South 156 feet, thence West 75 feet, thence North 156 feet, thence East 75 feet to the point of beginning, subject to easements and right of ways on record.  
**LAYMAN'S DESCRIPTION:** 1511 Backus Ave.  
Springdale, Arkansas  
**PARCEL NO.:** 815-28002-000

**PROPERTY OWNER:** JMG Property Solutions  
**LEGAL DESCRIPTION:** Lot Twenty-seven (27), Block Five (5), Carter Addition to the City of Springdale, Arkansas, as per plat of said addition on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.  
**LAYMAN'S DESCRIPTION:** 1307 Young Street  
Springdale, Arkansas  
**PARCEL NO.:** 815-20876-000

**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:

\$2,946.08 clean-up costs and \$27.96 administrative costs – 1511 Backus Ave.  
\$1,410.47 clean-up costs and \$21.48 administrative costs – 1307 Young Street.

**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:

\$2,974.04, plus 10% for collection – 1511 Backus Ave. (Parcel #815-28002-000)  
\$1,431.95, plus 10% for collection – 1307 Young Street (Parcel #815-20876-000)

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

June 6, 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

Guardian of the Estate  
Of Bertha McCuistian  
Richard Atkinson  
Office of the Public Guardian  
Little Rock, AR 72203

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

RE: Notice of clean-up lien on property located at 1511 Backus Ave.,  
Springdale, Washington County, Arkansas, Tax Parcel No. 815-  
28002-000

Dear Property Owner/Lienholder:

On April 29, 2014, notice was posted on property located at 1511 Backus Ave., Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on April 28, 2014, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7) business days. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about May 13, 2014, May 14, 2014 and June 3, 2014. As of this date, the total costs incurred and paid by the City of Springdale to clean this property are \$2,946.08. I have enclosed copies of abatement statements 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 \$6.48 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

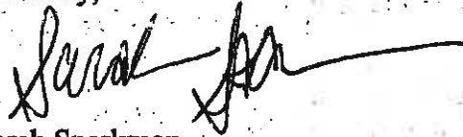
This is to notify you that in the event this amount is not paid to the City of Springdale on or before July 7, 2014, a hearing will be held before the Springdale

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, July 8, 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 \$2,959.04, which includes \$2,946.08 for cleaning up the property and \$12.96 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

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

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch



750-8135  
Springdale Public W  
269 E Randall  
Wobbe LA  
Springdale, AR  
72765

**J's Tree Service**  
1926 S. M. St  
Rogers AR, 72758  
(479) 544-0912

Invoice

Date: 5/13/14

Name: Missha Wagner (1511 Backus st)

Tree Removal: \$350<sup>00</sup>

COPY

Trim and Topping: None

Stump and Brush Removal: None

Transaction# \_\_\_\_\_

Date \_\_\_\_\_

Cleanups and Haul offs: Included

Account # 101-0211-442 60-04

Project # \_\_\_\_\_

Total: \$ 350<sup>00</sup>

Invoice # \_\_\_\_\_

Amount 350.00

Description \_\_\_\_\_

Approved By [Signature]

Note:

Ana Arteaga will pick up the check @ City Hall when it is ready. She asks it be ready by Friday, May 16, 2014.

[Signature]

**From:** noreply@cometracker.com  
**Sent:** Wednesday, May 14, 2014 2:11 PM  
**To:** ecate@springdalear.gov; sparkman@springdalear.gov; chorlick@springdalear.gov; mcoffman@springdalear.gov; sgoade@springdalear.gov; lfavorite@springdalear.gov; mwagoner@springdalear.gov  
**Subject:** Bertha McCustian City Abatement Bill 1511 Backus



## City of Springdale Code Enforcement

206 South Blair Street – Springdale, AR 72764 – Office 479/756-7712

### **CITY ABATEMENT - Wednesday, May 14, 2014 2:08:17 PM (MISSHA)**

Property Address	1511 Backus
Type of Abatement	Violation Notice / Lien
Name on the Citation/Violation Notice	Bertha McCustian
Date of Abatement	Wednesday, May 07, 2014 8:30:00 AM
Officer on Site	Missha Wagoner
Supervisor on Job	Mike Hicklin, Ricardo Quiroz
Employee	Mike Hicklin, Ricardo Quiroz
MH Benefit Rate	\$41.48
RQ Benefit Rate	\$28.03
1 Method of Compliance	Mowing, Dead Tree Removal
Equipment	748 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping
748 Grasshopper	\$55.00
743 Kubota	\$65.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	7
Number of Temporary Laborers	5
Temporary Labor Cost	60.00
Employee Cost per hour	69.51
Total Employee Cost	486.57
Equipment Cost per hour	190.00
Total Equipment Cost	1330.00
Mobilization Fee	\$200.00
Landfill Tipping Fee	\$0.00
Total Cost of Abatement	2076.57
Final Photos	Photos in File - Full Size

**Cindy Horlick**

**From:** noreply@cometracker.com  
**Sent:** Tuesday, June 03, 2014 8:59 AM  
**To:** ecate@springdalear.gov; ssparkman@springdalear.gov; chorfick@springdalear.gov; mcoffman@springdalear.gov; sgoade@springdalear.gov; lfavorite@springdalear.gov; mwagoner@springdalear.gov  
**Subject:** Bertha McCustian City Abatement Bill 1511 Backus



## City of Springdale Code Enforcement

206 South Blair Street - Springdale, AR 72764 - Office 479/756-7712

### **CITY ABATEMENT - Tuesday, June 03, 2014 8:56:15 AM (CODE ENFORCEMENT 4)**

Property Address	1511 Backus
Type of Abatement	Violation Notice / Lien
Name on the Citation/Violation Notice	Bertha McCustian
Date of Abatement	Monday, June 02, 2014 2:02:00 PM
Officer on Site	Mike Sidney
Supervisor on Job	Mike Hicklin, Ricardo Quiroz
Employee	Mike Hicklin, Ricardo Quiroz
MH Benefit Rate	\$41.48
RQ Benefit Rate	\$28.03
1 Method of Compliance	Mowing
Equipment	748 Grasshopper, 743 Kubota, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping
748 Grasshopper	\$55.00
743 Kubota	\$65.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	5
Temporary Labor Cost	\$60.00
Employee Cost per hour	\$69.51
Total Employee Cost	\$69.51
Equipment Cost per hour	\$190.00
Total Equipment Cost	\$190.00
Mobilization Fee	\$200.00
Landfill Tipping Fee	\$0.00
Total Cost of Abatement	\$519.51

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:

**Guardian of the Estate of Bertha McCuisian**  
**Richard Atkinson**  
**Office of the Public Guardian**  
**P.O. Box 1437**  
**Slot S-530**  
**Little Rock, AR 72203**

2. Article Number

(Transfer from service label)

7011 1570 0000 8221 2359

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- Agent  
 Addressee

B. Received by (Printed Name)

*[Signature]*

C. Date of Delivery

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

3. Service Type

- Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

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

2. Article Number

(Transfer from service label)

7011 1570 0000 8221 2342

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- Agent  
 Addressee

B. Received by (Printed Name)

JERRY CARTER

C. Date of Delivery

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

JUN 20 2014

3. Service Type

- Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes



Office Of The City Attorney

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

Ernest B. Cate
City Attorney

Taylor Samples
Deputy City Attorney

Sarah Sparkman
Deputy City Attorney

David D. Phillips
Deputy City Attorney

Lynda Belvedrest
Case Coordinator/
Victim Advocate

Steve Helms
Investigator

Cindy Horlick
Administrative Legal
Assistant/Paralegal

June 6, 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JMG Property Solutions
c/o June Brown, Registered Agent
10507 Don Pico Rd.
Spring Valley, CA 91978

RE: Notice of clean-up lien on property located at 1307 Young Street,
Springdale, Washington County, Arkansas, Tax Parcel No. 815-
20876-000

Dear Property Owner:

On March 18, 2014, notice was posted on property located at 1307 Young Street,
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 March 11, 2014, that the City
intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-
54-903 if the violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)
business days. As a result, the City of Springdale took action to remedy the
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or
about March 31, 2014, April 23, 2014, and May 19, 2014. As of this date, the
total costs incurred and paid by the City of Springdale to clean this property are
\$1,410.47. I have enclosed copies of abatement statements 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 \$6.48 per letter and a filing fee in the
amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of
Springdale on or before July 7, 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, July 8, 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 \$1,416.95, which includes \$1,410.47 for cleaning up the property and \$6.48 for certified mailings to the City of Springdale by the date listed above. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office. Please provide me with a copy of any payment you make so that I will be aware of it.

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

Sincerely,



Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch

**Cindy Horlick**

**From:** noreply@cometracker.com  
**Sent:** Monday, March 31, 2014 3:16 PM  
**To:** ecate@springdalear.gov; ssparkman@springdalear.gov; chorlick@springdalear.gov; sgoade@springdalear.gov; lfavorite@springdalear.gov; mwagoner@springdalear.gov  
**Subject:** Mark Gardner JMG Property Solutions. This is not a citation, it is a lienCity Abatement Bill1307 Young St



## City of Springdale Code Enforcement

206 South Blair Street - Springdale, AR 72764 - Office 479/756-7712

### CITY ABATEMENT - Monday, March 31, 2014 3:04:32 PM (PUBLIC WORKS 6)

Property Address	1307 Young St
Name on the Citation/Violation Notice	Mark Gardner JMG Property Solutions. This is not a citation, it is a lien
Date of Abatement	Monday, March 31, 2014 3:04:00 PM
Officer on Site	Debi Jones
Supervisor on Job	Mike Hicklin,Ricardo Quiroz
Employee	Mike Hicklin,Ricardo Quiroz
MH Benefit Rate	\$41.48
RQ Benefit Rate	\$28.03
Method of Compliance	
1 Method of Compliance	Property Clean Up - Junk and Trash
Equipment	6021 Service Truck-Landscaping,6026 Service Truck-Landscaping,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping
6024 4x4 Service Truck	\$35.00
6026 Service Truck-Landscaping	\$35.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	12
Temporary Labor Cost	\$144.00
Employee Cost per hour	\$69.51
Total Employee Cost	\$69.51
Equipment Cost per hour	\$177.00
Total Equipment Cost	\$177.00
Mobilization Fee	\$200.00
Landfill Tipping Fee	\$0.00
Total Cost of Abatement	\$590.51

**Cindy Horlick**

**From:** noreply@cometracker.com  
**Sent:** Tuesday, April 29, 2014 11:29 AM  
**To:** ecate@springdalear.gov; ssparkman@springdalear.gov; chorlick@springdalear.gov; sgoade@springdalear.gov; lfavorite@springdalear.gov; mwagoner@springdalear.gov  
**Subject:** Mark Gardner City Abatement Bill 1307 Young



## City of Springdale Code Enforcement

206 South Blair Street - Springdale, AR 72764 - Office 479/766-7712

### CITY ABATEMENT - Tuesday, April 29, 2014 11:26:24 AM (PUBLIC WORKS 6)

Property Address	1307 Young
Type of Abatement	Violation Notice / Lien
Name on the Citation/Violation Notice	Mark Gardner
Date of Abatement	Wednesday, April 23, 2014 7:45:00 AM
Officer on Site	Debi Jones
Supervisor on Job	Mike Hicklin
Employee	Mike Hicklin
MH Benefit Rate	\$41.48
Method of Compliance	1 Mowing
Equipment	743 Kubota, 744 Kubota
743 Kubota	\$65.00
744 Kubota	\$65.00
Time of Abatement in Hours	1
Number of Temporary Laborers	3
Temporary Labor Cost	\$36.00
Employee Cost per hour	\$41.48
Total Employee Cost	\$41.48
Equipment Cost per hour	\$130.00
Total Equipment Cost	\$130.00
Mobilization Fee	\$200.00
Landfill Tipping Fee	\$0.00
Total Cost of Abatement	\$407.48

**Cindy Horlick**

**From:** noreply@cometracker.com  
**Sent:** Wednesday, June 04, 2014 3:55 PM  
**To:** ecate@springdalear.gov; sparkman@springdalear.gov; chorlick@springdalear.gov; mcoffman@springdalear.gov; sgoade@springdalear.gov; lfavorite@springdalear.gov; mwagoner@springdalear.gov  
**Subject:** Mark Gardner City Abatement Bill 1307 Young



**City of Springdale  
Code Enforcement**

206 South Blair Street - Springdale, AR 72764 - Office 479/756-7712

**CITY ABATEMENT - Wednesday, June 04, 2014 3:51:02 PM (MISSHA)**

Property Address	1307 Young
Type of Abatement	Violation Notice / Lien
Name on the Citation/Violation Notice	Mark Gardner
Date of Abatement	Monday, May 19, 2014 10:00:00 AM
Officer on Site	Missha Wagoner
Supervisor on Job	Mike Hicklin
Employee	Mike Hicklin
MH Benefit Rate	\$41.48
1 Method of Compliance	Mowing
Equipment	743 Kubota, 6030 Service Truck-Landscaping, 6031 Service Truck-Landscaping
743 Kubota	\$65.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	3
Temporary Labor Cost	\$36.00
Employee Cost per hour	\$41.48
Total Employee Cost	\$41.48
Equipment Cost per hour	\$135.00
Total Equipment Cost	\$135.00
Mobilization Fee	\$200.00
Landfill Tipping Fee	\$0.00
Total Cost of Abatement	\$412.48
Final Photos	Photo full size in file

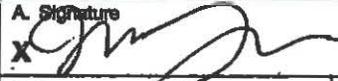
**SENDER: COMPLETE THIS SECTION**

- 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:**

**JMG Property Solutions  
 c/o June Brown, Registered Agent  
 10507 Don Pico Rd.  
 Spring Valley, CA 91978**

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**  
 X   Agent  
 Addressee

**B. Received by (Printed Name)**  
 MIRA DESSOURCES

**C. Date of Delivery**  
 6-9-14

**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**

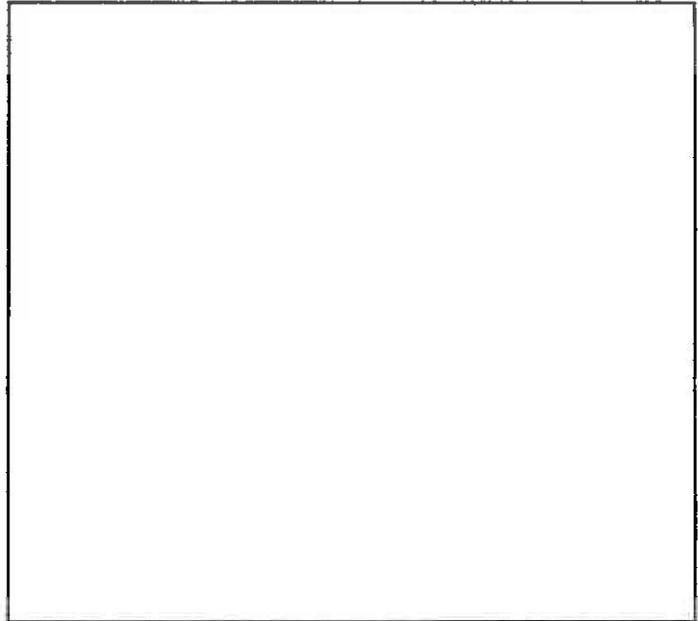
**2. Article Number**

(Transfer from service label)

7011 1570 0000 8221 2236

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

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



**PROPERTY OWNER:** Jennifer Bingham  
**LEGAL DESCRIPTION:** Lot 7, Thornbury Subdivision, Phase III, Springdale, Benton County, Arkansas, as shown in plat record P3 at page 489  
**LAYMAN'S DESCRIPTION:** 3224 Sageley Lane  
Springdale, Benton County, Arkansas  
**PARCEL NO.:** 21-00938-000

**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:

\$948.96 clean-up costs and \$53.88 administrative costs – 3224 Sageley Lane

**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:

\$1,002.84, plus 10% for collection – 3224 Sageley Lane (Parcel No. 21-00938-000)

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

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

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY

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>	<p>A. Signature  X <b>DAVID QUINTANILLA</b> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;"><b>BAC Home Loans Servicing, LP  c/o Reconstruct Company  1800 Tapo Canyon  Simi Valley, CA 93063-6712</b></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p style="text-align: right;">2014</p> <p>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.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number  (Transfer from service label)</p>	<p style="text-align: center;">7011 1570 0000 8221 2298</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

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>	<p>A. Signature  X <i>Mara Lynch</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <b>MARA A LYNCH</b> C. Date of Delivery <b>6-13-14</b></p>
<p>1. Article Addressed to:</p> <p style="text-align: center;"><b>Colonial Mortgage, LLC  c/o Mara Lynch, Registered Agent  602 SE 8th Street  Bentonville, AR 72712</b></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> 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.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number  (Transfer from service label)</p>	<p style="text-align: center;">7011 1570 0000 8221 2267</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<p> <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.  <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p> <p>1. Article Addressed to:</p> <p style="text-align: center;"> <b>State of Arkansas</b>  <b>Department of Finance &amp; Administration</b>  <b>Individual Income Tax</b>  <b>Ledbetter Building</b>  <b>1816 W 7th St, Rm 2300</b>  <b>Little Rock, AR 72201</b> </p>	<p>A. Signature  <b>X</b> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>	
	<p>B. Received by (Printed Name)  </p> <p>C. Date of Delivery  </p>	
<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p style="text-align: center;"><b>JUN 10 2014</b></p>		
<p>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.</p>		
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>		
<p>2. Article Number <b>7011 1570 0000 8221 2281</b>  (Transfer from service label)</p>		
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-1540

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<p> <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.  <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p> <p>1. Article Addressed to:</p> <p style="text-align: center;"> <b>Bank of America</b>  <b>c/o E. Wilson Moore, Sr.,</b>  <b>Banking Executive &amp; Registered Agent</b>  <b>200 W. Capitol Ave.</b>  <b>Little Rock, AR 72201</b> </p>	<p>A. Signature  <b>X</b> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>	
	<p>B. Received by (Printed Name)  <b>JERRY CARTER</b></p> <p>C. Date of Delivery  </p>	
<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p style="text-align: center;"><b>JUN 10 2014</b></p>		
<p>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.</p>		
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>		
<p>2. Article Number <b>7011 1570 0000 8221 2304</b></p>		



Office Of The City Attorney

201 Spring Street

Springdale, Arkansas 72764

Phone (479) 756-5900

Fax (479) 750-4732

www.springdalear.gov

Writer's Email:

ssparkman@springdalear.gov

Ernest B. Cate  
City Attorney

Taylor Samples  
Deputy City Attorney

Sarah Sparkman  
Deputy City Attorney

David D. Phillips  
Deputy City Attorney

Lynda Belvedrest  
Case Coordinator/  
Victim Advocate

Steve Helms  
Investigator

Cindy Horlick  
Administrative Legal  
Assistant/Paralegal

June 6, 2014

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jennifer Bingham  
5230 Willow Creek Dr.  
Springdale, AR 72762

Jennifer Bingham  
601 W. Maple Ave., Suite 101  
Springdale, AR 72762

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

Colonial Mortgage, LLC  
c/o Mara Lynch, Registered Agent  
602 SE 8<sup>th</sup> Street  
Bentonville, AR 72712

State of Arkansas  
Department of Finance & Administration  
Individual Income Tax  
Ledbetter Building  
1816 W 7th St, Rm 2300  
Little Rock, AR 72201

BAC Home Loans Servicing, LP  
c/o Reconstruct Company  
1800 Tapo Canyon  
Simi Valley, CA 93063-6712

RE: Notice of clean-up lien on property located at 3224 Sageley,  
Springdale, Washington County, Arkansas, Tax Parcel No. 815-  
28002-000

Dear Property Owner/Lienholders:

On April 21, 2014, notice was posted on property located at 3224 Sageley,  
Springdale, Arkansas, that the property was in violation of Springdale City  
Ordinance 42-77, and needed to be remedied within seven (7) days. Notice was  
mailed to the owner of record on April 21, 2014, that the City intended to seek a  
clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the  
violations were not remedied.

No action was taken by the owner to clean up the property within seven (7)  
business days. As a result, the City of Springdale took action to remedy the  
violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or

about April 29, 2014 and May 22, 2014. As of this date, the total costs incurred and paid by the City of Springdale to clean this property are \$948.96. I have enclosed copies of abatement statements 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 \$6.48 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before July 7, 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, July 8, 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 \$987.84, which includes \$948.96 for cleaning up the property and \$38.88 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,

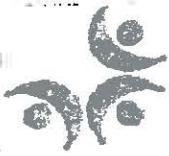


Sarah Sparkman  
Deputy City Attorney

enclosures  
SS:ch

Cindy Horlick

**From:** noreply@cometracker.com  
**Sent:** Tuesday, April 29, 2014 11:42 AM  
**To:** ecate@springdalear.gov; ssparkman@springdalear.gov; chorlick@springdalear.gov; sgoade@springdalear.gov; ifavorite@springdalear.gov; mwagoner@springdalear.gov  
**Subject:** Jennifer Bingham / Bank of America City Abatement Bill 3224 Sagely Lane



## City of Springdale Code Enforcement

206 South Blair Street - Springdale, AR 72764 - Office 479/765-7712

### CITY ABATEMENT - Tuesday, April 29, 2014 11:40:09 AM (PUBLIC WORKS 6)

Property Address	3224 Sagely Lane
Type of Abatement	Violation Notice / Lien
Name on the Citation/Violation Notice	Jennifer Bingham / Bank of America
Date of Abatement	Friday, April 25, 2014 8:30:00 AM
Officer on Site	Mike Sidney
Supervisor on Job	Mike Hicklin
Employee	Mike Hicklin
MH Benefit Rate	\$41.48
Method of Compliance	Mowing
Equipment	743 Kubota, 744 Kubota, 6021 Service Truck-Landscaping, 6026 Service Truck-Landscaping, 6031 Service Truck-Landscaping
743 Kubota	\$65.00
744 Kubota	\$65.00
6024 4x4 Service Truck	\$35.00
6026 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	5
Temporary Labor Cost	\$60.00
Employee Cost per hour	\$41.48
Total Employee Cost	\$41.48
Equipment Cost per hour	\$235.00
Total Equipment Cost	\$235.00
Mobilization Fee	\$200.00
Landfill Tipping Fee	\$0.00
Total Cost of Abatement	\$536.48

Cindy Horlick

**From:** noreply@cometracker.com  
**Sent:** Thursday, May 22, 2014 9:08 AM  
**To:** ecate@springdalear.gov; ssparkman@springdalear.gov; chorlick@springdalear.gov; mcoffman@springdalear.gov; sgoade@springdalear.gov; lfavorite@springdalear.gov; mwagoner@springdalear.gov  
**Subject:** Clint & Jennifer Bingham City Abatement Bill3224 Sagely



## City of Springdale Code Enforcement

206 South Blair Street - Springdale, AR 72764 - Office 479/756-7712

### **CITY ABATEMENT - Thursday, May 22, 2014 9:01:25 AM (CODE ENFORCEMENT 4)**

Property Address	3224 Sagely
Type of Abatement	Violation Notice / Lien
Name on the Citation/Violation Notice	Clint & Jennifer Bingham
Date of Abatement	Monday, May 19, 2014 8:01:00 AM
Officer on Site	Mike Sidney
Supervisor on Job	Mike Hicklin
Employee	Mike Hicklin
MH Benefit Rate	\$41.48
1 Method of Compliance	Mowing
Equipment	743 Kubota,6030 Service Truck-Landscaping,6031 Service Truck-Landscaping
743 Kubota	\$65.00
6030 Service Truck-Landscaping	\$35.00
6031 Service Truck-Landscaping	\$35.00
Time of Abatement in Hours	1
Number of Temporary Laborers	3
Temporary Labor Cost	36.00
Employee Cost per hour	41.48
Total Employee Cost	41.48
Equipment Cost per hour	135.00
Total Equipment Cost	135.00
Mobilization Fee	\$200.00
Landfill Tipping Fee	\$0.00
Total Cost of Abatement	412.48
Final Photos	Attached Data