Next scheduled Committee Meeting will be held in the Council Chambers, 201 Spring Street, Springdale, Arkansas.

- The date of the next Committee Meeting will be Monday, May 3, 2021
- Committee agendas will be available on the Friday before this meeting.

SPRINGDALE CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
TUESDAY, April 27, 2021

5:55 p.m. Pre Meeting Activities
Pledge of Allegiance
Invocation – Randall Harriman

6:00 p.m. OFFICIAL AGENDA

1. Large Print agendas are available.

2. Call to Order – Mayor Doug Sprouse

3. Roll Call – Denise Pearce, City Clerk
Recognition of a Quorum

4. Comments from Citizens
The Council will hear brief comments from citizens present at the meeting during this period on issues not on the Agenda. No action will be taken tonight. All comments will be taken under advisement.

5. Quarterly Economic Development Report presented by Scott Edmonson, Vice President of Economic Development, Springdale Chamber of Commerce.

6. Approval of Minutes – April 13, 2021 Pgs. 3 - 14

7. Procedural Motions

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

B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as item number(s) 8 A-F & 9. Motion must be approved by two-thirds (2/3) of the council members.

8. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development

A. An Ordinance amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (1 acre at 2259 East Highway 264, south side) from Agricultural District (A-1) to Single Family Residential District (SF-1) and declaring an emergency. Pgs. 15 - 17

B. An Ordinance amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas and the plat pertaining thereto by rezoning certain lands (2.41 acres at 611 E. Apple Blossom Ave, south side) from General Commercial District (C-2) to Light Industrial District (I-1) and declaring an emergency. Pgs. 18 - 20

C. An Ordinance amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas and the plat pertaining thereto by rezoning certain lands (1415, 1307, and 1309 Oak Grove Road, east side of Oak Grove Rd and west side of N. 48th St.) from Agricultural District (A-1) to Medium/High Density Multi-Family Residential District (MF-16) and declaring an emergency. Pgs. 21 - 25

D. An Ordinance amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas and the plat pertaining thereto by rezoning certain lands (500 North Main, north side of W. Huntsville; west side of N. Main) Planned Unit
Development (PUD) to revised Planned Unit Development (PUD) and declaring an emergency. Pgs 26 - 28

E. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas and the plat pertaining thereto by rezoning certain lands (22.74 acres northeast of the intersection of Watkins Ave. and 64th Street) from Planned Unit Development (PUD) to revised Planned Unit Development (PUD) and declaring an emergency. Pgs 29 - 36

F. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas and the plat pertaining thereto by rezoning certain lands (10 acres at 3052 and 3744 Wagon Wheel Road, north of Wagon Wheel and west of Wildwood Ln.) from Agricultural District (A-1) and General Commercial District (C-2) to Thoroughfare Commercial District (C-5) and declaring an emergency. Pgs 37 - 39

G. **A Resolution** approving a Conditional Use at 2200 South Old Missouri Road (ISC South, LLC - Greg Edwards, west side of Hwy. 265) as set forth in Ordinance No. 4030. Pgs 40 & 41

H. **A Resolution** approving a Conditional Use at 4169 Bel Air Road (Iola Watson — Tandem Lot Split) as set forth in Ordinance No. 4030. Pgs 42 & 43

I. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to Joshua Perry in connection with 728 Jay Lane (west side), a Single Family Dwelling. Pgs. 44 & 45

9. Ordinance Committee by Chairman Mike Overton

**An Ordinance** accepting two street dedications to the City of Springdale, Arkansas; to declare an emergency; and for other purposes. Ordinance forwarded from Committee with recommendation for approval. Pgs. 46 - 49

10. Finance Committee by Chairman Jeff Watson

**A Resolution** authorizing the execution of a Construction Contract for Spring Creek Trail (090622). Resolution forwarded from Committee with recommendation for approval. Pgs. 50 - 56

11. Personnel Committee by Chairman Mark Fougerousse

**A Resolution** authorizing the creation of a new position to replace an existing position. Resolution forwarded from Committee without a recommendation. Pg. 57

12. Parks and Recreation Committee by Chairman Mike Lawson


13. Comments from Council Members.

14. Comments from Department Heads.

15. Comments from City Attorney.

16. Comments from the Mayor.

17. Adjournment.
The City Council of the City of Springdale met in regular session on Tuesday, April 13, 2021, in the City Council Chambers, City Administration Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

- Doug Sprouse: Mayor
- Brian Powell: Ward 1
- Amelia Williams: Ward 3
- Jeff Watson: Ward 3
- Mike Overton: Ward 2
- Mike Lawson: Ward 4
- Kevin Flores: Ward 2
- Randall Harriman: Ward 1
- Mark Fougerousse: Ward 4
- Ernest Cate: City Attorney
- Denise Pearce: City Clerk/Treasurer

Department heads present:

- Jim Vaughan: Assistant Fire Chief
- Mike Peters: Police Chief
- Wyman Morgan: Director of Financial Services
- Patsy Christie: Planning & Comm. Dev. Director
- Brad Baldwin: Eng. & Public Works Director
- Colby Fulfer: Chief of Staff

**PUBLIC HEARING – ORDINANCE TO ABANDON A PORTION OF A UTILITY EASEMENT AT 4585 SEQUOIA AVENUE**

City Attorney Ernest Cate opened up a public hearing on Item 12 on tonight's agenda, an ordinance to abandon a portion of a utility easement at 4585 Sequoia Avenue.

There were no public comments.

**APPROVAL OF MINUTES**

Council Member Overton moved the minutes of the March 23, 2021 City Council meeting be approved as presented. Council Member Williams made the second.

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

**ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY**

Council Member Harriman 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. Council Member Powell made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Flores, Harriman, Fougerousse

No: None

Wyman Morgan presented a Resolution authorizing the temporary operation of a carnival as requested by Rick Culver, Executive Director from the Rodeo of the Ozarks.

RESOLUTION NO. ___

A RESOLUTION AUTHORIZING THE TEMPORARY OPERATION OF A CARNIVAL

WHEREAS, Rick Culver, Executive Director from the Rodeo of the Ozarks has requested permission to conduct two Carnival entertainment events at the Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, put on by James Burlingame DBA Pride Amusements; and

WHEREAS, Pride Amusements carnival dates will be Thursday, May 20th, 2021 thru Sunday, May 30th, 2021; and Friday, October 1st, 2021 thru Sunday, October 10th, 2021; and

WHEREAS, the carnival’s hours of operation will be Thursday, May 20th thru Sunday, May 29th, 2021, from 4:00 p.m. – Midnight and Sunday, May 30th, 2021 from noon to 8:00 p.m.; and Friday, October 1st thru Saturday, October 9th, 2021, from 4:00 p.m. – Midnight and Sunday, October 10th, 2021 from noon to 8:00 p.m., Monday, October 4th thru Saturday, October 9th, from 4:00 p.m. - Midnight; and

WHEREAS, Sec. 26-43 of the Springdale Code of Ordinances provides that the operation of a carnival, sideshow or other similar amusement facility within the city must be approved by resolution adopted by the city council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Rick Culver, Executive Director with the Rodeo of the Ozarks and James Burlingame DBA Pride Amusements is hereby authorized to conduct two carnival entertainment events in Parsons Stadium Rodeo Arena located at 1423 E. Emma Avenue, May 20th thru May 30th, 2021, and October 1st thru October 10th, 2021, with the carnival opening and closing times listed above. In case of a rain out, the Mayor has the authority to reschedule this event.

PASSED AND APPROVED this ___ day of April, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Harriman moved the Resolution be adopted. Council Member Fougerousse made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougerousse, Powell

No: None
The Resolution was numbered 38-21.

ORDINANCE NO. 5580 - REZONING 5 ACRES OWNED BY BRIAN AND MELONIE MOORE TRUST, LOCATED AT 7655 WEST GIBBS ROAD – PROJECT NAME: CADENCE CROSSING PLANNED UNIT DEVELOPMENT, FROM A-1 TO PUD

Planning Director Patsy Christie presented an ordinance rezoning five acres owned by Brian and Melonie Moore Trust, located at 7655 West Gibbs Road, Project Name: Cadence Crossing Planned Unit Development, from A-1 to PUD. Planning Commission granted a variance to allow the PUD to be on the five acres which is less than what is allowed for a PUD.

Mrs. Christie presented all the requirements for the proposed PUD (will be filed with the Ordinance).

Planning Commission recommended approval at their March 2, 2021 meeting.

This item was tabled from the March 23, 2021 City Council meeting because of some missing documents.

After reading the title of the Ordinance, Council Member Fougerousse moved the Ordinance “Do Pass”. Council Member Harriman made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougerousse, Williams
No: Watson, Powell

Council Member Overton moved the Emergency Clause be adopted. Council Member Lawson made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson
No: None

The Ordinance was numbered 5580.

RESOLUTION NO. 39-21 – APPROVING A CONDITIONAL USE APPEAL BY FRIENDSHIP CEMETERY ASSOCIATION FOR A TANDEM LOT SPLIT AT 1649 VANTRESS FARMS ROAD AS SET FORTH IN ORDINANCE NO. 4030, AMENDING CHAPTER 130 (ZONING ORDINANCE) OF THE SPRINGDALE CODE OF ORDINANCES

Planning Director Patsy Christie presented a Resolution approving a conditional use appeal by Friendship Cemetery Association for a tandem lot split at 1649 Vantress Farms Road as set forth in Ordinance No. 4030.

Planning Commission recommended approval at their April 6, 2021 meeting.
WHEREAS, Ordinance #4030, amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinances, 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 April 6, 2021 on a request by Friendship Cemetery Association for a conditional use for a Tandem Lot Split at 1649 Vantress Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of seven (7) yes and zero (0) no recommends that a conditional use be granted to Friendship Cemetery Association for a Tandem Lot Split at 1649 Vantress Farms Road with the following conditions: no conditions set.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Friendship Cemetery Association at 1649 Vantress Farms Road for a Tandem Lot Split.

PASSED AND APPROVED this ___ day of April, 2021.

Doug Sprouse, Mayor

ATTEST:
Denise Pearce, City Clerk

APPROVED AS TO FORM:
Ernest Cate, City Attorney

Council Member Powell moved the Resolution be adopted. Council Member Williams made the second.

The vote:
Yes:  Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson
No:  None
Abstain: Overton

The Resolution was numbered 39-21.

RESOLUTION NO. 40-21 – AUTHORIZING THE TRANSFER OF PROPERTY LOCATED ADJACENT TO 3304 MARTIN DRIVE TO DAVID KEEN AND KATHY KEEN

Council Member Jeff Watson presented a Resolution authorizing the transfer of property located adjacent to 3304 Martin Drive to David Keen and Kathy Keen.

RESOLUTION NO. ___

A RESOLUTION AUTHORIZING THE TRANSFER OF PROPERTY LOCATED ADJACENT TO 3304 MARTIN DRIVE TO DAVID KEEN AND KATHY KEEN.

WHEREAS, the City of Springdale owns the following real property located in the City of Springdale, Arkansas, said land being more particularly described as follows:
 Lot Twenty-eight (28) in Block Nine (9), American Subdivision to the City of Springdale, Washington County, Arkansas, also known as Washington County Tax Parcel Number 815-20239-000 ("the Property").

WHEREAS, the City acquired the Property in 1973, and was originally purchased for the purpose of construction of a sewer lift station on the Property;

WHEREAS, the Property has been maintained by the City over the years, and the adjoining property owner requests to acquire the Property from the City;

WHEREAS, Ark. Code Ann. §14-54-302 empowers and authorizes municipalities to transfer real property it owns, subject to approval by the City Council;

WHEREAS, the Springdale Water & Sewer Commission has no objection to the Property being transferred to the Keens, as the City granted and filed easements in favor of the Commission pertaining to their facilities on the Property, as was authorized and directed by Resolution No. 24-21, passed by the Springdale City Council on February 23, 2021;

WHEREAS, transferring this parcel to David Keen and Kathy Keen is reasonable in that it would relieve the City from having to expend funds to maintain the Property, and it would allow the Keens to combine the Property with adjacent property they already own at this particular location;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk of the City of Springdale, Arkansas, are hereby authorized to execute all documents necessary to effect the transfer of the Property to David Keen and Kathy Keen, subject to the easements authorized and directed by Resolution No. 24-21, and that adequate consideration exists for the transfer of the Property as set forth herein.

PASSED AND APPROVED this ___ day of April, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

Council Member Watson moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Resolution was numbered 40-21.
RESOLUTION NO. 41-21 – ACCEPTING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AND AUTHORIZING THE MAYOR TO SIGN THE GRANT AGREEMENT

Council Member Jeff Watson presented a Resolution accepting an Airport Coronavirus Response Grant in the amount of $57,162 from the Federal Aviation Administration and authorizing the Mayor to sign the grant agreement.

RESOLUTION NO. ___
A RESOLUTION ACCEPTING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AND AUTHORIZING THE MAYOR TO SIGN THE GRANT AGREEMENT.

WHEREAS, the City of Springdale has been offered an Airport Coronavirus Response Grant that requires acceptance by May 1, 2021, and

WHEREAS, the grant requires that permission to accept the grant be obtained from the governing body, and

WHEREAS, the amount of the grant offered by the Federal Aviation Administration is $57,162.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to accept and sign the grant agreement for a grant of $57,162 from the Federal Aviation Administration.

PASSED AND APPROVED this ___ day of April, 2021.

ATTEST:

Doug Sprouse, Mayor

APPROVED AS TO FORM:

Denise Pearce, City Clerk

Ernest Cate, City Attorney

Council Member Watson moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 41-21.

RESOLUTION NO. 42-21 – AUTHORIZING EXPENDITURE OF FUNDS TO ACQUIRE A PORTION OF LAND FROM THE ELIZABETH MCNABB PHILLIPS TRUST FOR THE 40TH STREET PROJECT (FALCON ROAD TO SPRING CREEK BRIDGE), PROJECT NO. 18BPS4, TRACT 4

Council Member Jeff Watson presented a Resolution authorizing the expenditure of funds to acquire a portion of land from the Elizabeth McNabb Phillips Trust for the 40th Street Project No. 18BPS4, Falcon Road to Spring Creek Bridge, Tract 4.
SPRINGDALE CITY COUNCIL  
APRIL 13, 2021  

City Attorney Ernest Cate explained the City of Springdale has determined by appraisal that the sum of $53,250.00 is the estimated just compensation for the property needed from Ms. Phillips. The property owner extended a counter-offer that the City pay the sum of $93,250.00 to acquire the lands needed for the project, the amount being payment of $24,000.00 for fencing, and $16,000.00 in additional compensation based on an increase in the market value of the property since the City's appraisal was conducted, and an increase in the per square foot value of the property taken.

City Attorney Cate recommended City Council approve the additional sum of $40,000.00 to acquire the property needed from Ms. Phillips, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of filing an eminent domain action and a trial.

RESOLUTION NO. ___

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE A PORTION OF LAND FROM THE ELIZABETH MCNABB PHILLIPS TRUST FOR THE 40TH STREET PROJECT (FALCON ROAD TO SPRING CREEK BRIDGE), PROJECT NO. 18BPS4.

WHEREAS, the City of Springdale is in need of acquiring a portion of a tract of land for the 40th Street Project (Falcon Road to Spring Creek Bridge), Project No. 18BPS4, Tracts, said land being owned by the Elizabeth McNabb Phillips Trust;

WHEREAS, the City of Springdale has determined by appraisal that the sum of $53,250.00 is the estimated just compensation for the property needed from Ms. Phillips;

WHEREAS, the property owner has extended a counter-offer that the City pay the sum of $93,250.00 to acquire the lands needed for the project, said amount being payment of $24,000.00 for fencing, and $16,000.00 in additional compensation based on an increase in the market value of the property since the City's appraisal was conducted, and an increase in the per square foot value of the property taken;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of $40,000.00 to acquire the property needed from Ms. Phillips, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of filing an eminent domain action and a trial;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire a portion of a tract of land for the 40th Street Project (Falcon Road to Spring Creek Bridge), Project No. 18BPS4, Tract 4, said land being owned by the Elizabeth McNabb Phillips Trust, for the total sum of $93,250.00 to be paid from the 2018 Street Bond Program.

PASSED AND APPROVED this ___ day of April, 2021.  

Attest:  
Doug Sprouse, Mayor

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

Council Member Harriman moved the Resolution be adopted. Council Member Fougerousse made the second.
SPRINGDALE CITY COUNCIL
APRIL 13, 2021

The vote:

Yes: Fougerousse, Powell, Williams, Watson, Overton, Lawson, Flores, Harriman

No: None

The Resolution was numbered 42-21.

ORDINANCE NO. 5581 – AMENDING CHAPTER 114-88 (TRUCK ROUTES) OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS

Council Member Mike Overton presented an Ordinance amending Chapter 114-88 (Truck Routes) of the Code of Ordinances of the City of Springdale, Arkansas.

Chapter 114-88 of the Code of Ordinances of the City of Springdale, Arkansas, provides the elements constituting a violation of the City’s "truck route" ordinance and needs to be revised to clarify that certain activities are not considered to be a bona fide pickup or delivery of property or merchandise under the "truck route" ordinance. The amendment is needed to protect City streets from damage caused by unnecessary truck traffic. There was also a requirement for a $500 bond for damage caused by large trucks.

Discussion was held on how to enforce the $500 bond and figuring out which contractor caused the damage.

After discussion it was decided to remove the $500 bond requirement from the ordinance. The amendment will read as follows:

Section 1: Section 114-88 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 114-88. - Violations.

It is unlawful for any person to drive or park, or permit the driving or parking, of any truck on any city street not expressly marked as a truck route; provided, however, that this prohibition shall not apply to any truck making a bona fide pickup or delivery of property or merchandise when it is necessary to leave the marked truck route to do so. Provided, however, that trucks delivering or hauling construction materials in trucks with GVMR greater than 35,000 pounds shall not leave a marked truck route except along a designated route approved in the projects grading permit. Residential waste pickup service trucks are exempt from the truck weight limit provisions of this ordinance.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance "Do Pass" as amended. Council Member Overton made the second.

The vote:

Yes: Powell, Williams, Watson, Overton Lawson, Flores, Harriman, Fougerousse

No: None

The Ordinance was numbered 5581.
SPRINGDALE CITY COUNCIL
APRIL 13, 2021

ORDINANCE NO. 5582 – AMENDING SECTION 110-86 (EXCAVATIONS) OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS

Council Member Mike Overton presented an Ordinance amending Section 110-86 of the Code of Ordinances of the City of Springdale, Arkansas.

Chapter 110, Article IV of the Code of Ordinances of the City of Springdale, Arkansas, contains the provisions and regulations pertaining to excavations in the City of Springdale. Section 110-86 of the Code of Ordinances of the City of Springdale, should be amended to ensure that the identity of any contractor working within City streets or rights-of-way is readily discernable.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Flores made the second.

The vote:
Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougerousse, Powell
No: None

The Ordinance was numbered 5582.

ORDINANCE NO. 5583 – RELOCATING A PORTION OF MAPLE AVENUE AND VACATING A PORTION OF THE RIGHT-OF-WAY OF SUCCESS AVENUE AND VACATING A PORTION OF THE RIGHT-OF-WAY OF WATER STREET, PURSUANT TO ARK. CODE ANN. §14-54-104(2); DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

Council Member Mike Overton presented an Ordinance relocating a portion of Maple Avenue and vacating a portion of the right-of-way of Water Street, pursuant to Ark. Code Ann. §14-54-104(2); declaring an emergency and for other purposes.

The City of Springdale has undertaken the construction of Maple Avenue from Holcomb Street to Park Street (Project No. 18BPS2), which resulted in the realignment of Maple Avenue, thereby making segments of both Success Avenue and Water Street no longer needed for right-of-way or city street purposes.

Ark. Code Ann. §14-54-104(2) gives cities of the first class the authority to alter or change the width or extent of streets, and to vacate portions thereof.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Powell made the second.

The vote:
Yes: Watson, Overton, Lawson, Flores, Harriman, Fougerousse, Powell, Williams
No: None

Council Member Overton moved the Emergency Clause be adopted. Council Member Fougerousse made the second.

The vote:
Yes: Overton, Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson
No: None

The Ordinance was numbered 5583.
SPRINGDALE CITY COUNCIL  
APRIL 13, 2021

ORDINANCE NO. 5584 – RELEASING, VACATING AND ABANDONING A PORTION OF A UTILITY EASEMENT LOCATED ON LOT 107, PINEWOOD SUBDIVISION, 4585 SEQUOIA AVENUE, IN WASHINGTON COUNTY, ARKANSAS; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES

City Attorney Ernest Cate presented an Ordinance releasing, vacating and abandoning a portion of a utility easement located on Lot 107, Pinewood Subdivision, 4585 Sequoia Avenue, in Washington County, Arkansas; to declare an emergency and for other purposes.

Christopher Brown and Gina Brown are the petitioners.

There were no comments made at the public hearing held earlier tonight.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance "Do Pass". Council Member Fougerousse made the second.

The vote:

Yes: Lawson, Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton
No: None

Council Member Flores moved the Emergency Clause be adopted. Council Member Powell made the second.

The vote:

Yes: Flores, Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson
No: None

The Ordinance was numbered 5584.

RESOLUTION NO. 43-21 – AUTHORIZING THE GRANT OF A WATER/SEWER EASEMENT ACROSS PROPERTY (PARCEL NO. 21-00167-470, SOUTH OF DOWNUM ROAD) OWNED BY THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS

Council Member Mike Overton presented a Resolution authorizing the grant of a water/sewer easement across property, Parcel No. 21-00167-470, south of Downum Road, owned by the City of Springdale, Benton County, Arkansas. This water/sewer easement goes across Shaw Park.

RESOLUTION NO. ___

A RESOLUTION AUTHORIZING THE GRANT OF WATER/SEWER EASEMENTS ACROSS PROPERTY OWNED BY THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS.

WHEREAS, the City of Springdale, Arkansas, owns property known as Parcel No. 21-00167-470, Benton County, Arkansas ("the Property");

WHEREAS, the Springdale Water and Sewer Commission is in need of two water/sewer easement across the Property for water/sewer improvements, as shown on the attached Exhibits "A" and "B";
SPRINGDALE CITY COUNCIL
APRIL 13, 2021

WHEREAS, the water/sewer easements are necessary for the construction and improvement of water/sewer facilities to enhance capacity in the area of the Properties, including Shaw Park, and will be beneficial to future growth and development of the area;

WHEREAS, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached easement document (Exhibit "C") when authorized to do so by Resolution approved by the City Council.

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 the attached easement document granting water/sewer easements across the Property to the Springdale Water and Sewer Commission.

PASSED AND APPROVED this ___ day of April, 2021.

______________________________
Doug Sprouse, Mayor

ATTEST:
Denise Pearce, City Clerk

APPROVED AS TO FORM:
Ernest B. Cate, City Attorney

Council Member Overton moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 43-21.

RESOLUTION NO. 44-21 – AUTHORIZING THE GRANT OF A WATER/SEWER EASEMENT ACROSS PROPERTY (PARCEL NO. 21-00167-471, SOUTH OF DOWNUM ROAD) OWNED BY THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS

Council Member Mike Overton presented a Resolution authorizing the grant of a water/sewer easement across property, Parcel No. 21-00167-471, south of Downum Road, owned by the City of Springdale, Benton County, Arkansas. This water/sewer easement goes across Shaw Park.

RESOLUTION NO. ___

A RESOLUTION AUTHORIZING THE GRANT OF WATER/SEWER EASEMENTS ACROSS PROPERTY OWNED BY THE CITY OF SPRINGDALE, BENTON COUNTY, ARKANSAS.

WHEREAS, the City of Springdale, Arkansas, owns property known as Parcel No. 21-00167-471, Benton County, Arkansas ("the Property");

WHEREAS, the Springdale Water and Sewer Commission is in need of two water/sewer easement across the Property for water/sewer improvements, as shown on the attached Exhibit "A";
WHEREAS, the water/sewer easements are necessary for the construction and improvement of water/sewer facilities to enhance capacity in the area of the Properties, including Shaw Park, and will be beneficial to future growth and development of the area;

WHEREAS, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached easement document (Exhibit "B") when authorized to do so by Resolution approved by the City Council.

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 the attached easement document granting water/sewer easements across the Property to the Springdale Water and Sewer Commission.

PASSED AND APPROVED this ___ day of April, 2021.

______________________________
Doug Sprouse, Mayor

ATTEST:

______________________________
Denise Pearce, City Clerk

APPROVED AS TO FORM:

______________________________
Ernest B. Cate, City Attorney

Council Member Overton moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Harriman, Fougerousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 44-21.

ADJOURNMENT

Council Member Overton made the motion to adjourn. Council Member Lawson made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 6:53 p.m.

______________________________
Doug Sprouse, Mayor

______________________________
Denise Pearce, City Clerk/Treasurer
ORDINANCE NO. ______

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME
BEING THE ZONING ORDINANCE OF THE CITY OF
SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING
THERETO BY REZONING CERTAIN LANDS FROM
AGRICULTURAL DISTRICT (A-1) TO SINGLE FAMILY
RESIDENTIAL DISTRICT (SF-1) AND DECLARING AN
EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas,
Benton County, gave notice required by law and set a hearing date of April 6, 2021 for
hearing the matter of a petition of CCO Investments, LLC – Cruz Ortiz, requesting that
the following described tract of real estate to be zoned from Agricultural District (A-1) to
Low Density Single Family Residential District (SF-1).

Layman's Description: 2259 East Highway 264

Legal Description: A part of the NE1/4 of the NE/14 of Section 19, Township
18 North, Range 29 West, Benton County, Arkansas, more particularly described as
follows: Beginning at a point on the North boundary line of the said 40 acre tract that is
658.51 feet West of the NE corner of the said 40 acre tract; thence leaving said North
line South 01°07'48" West 248.91 feet; thence North 89°15'37" West 175.00 feet;
thence North 01°07'48" East 248.91 feet; thence South 89°15'37" East 175.00 feet, to
the point of beginning. Containing 1.00 acres more or less, subject to easements for
roads, drains, and public utilities.

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF SPRINGDALE, ARKANSAS:
SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Low Density Single Family Residential District (SF-1).

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

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

PASSED AND APPROVED THIS ______ DAY OF _____________, 2021

______________________________
Doug Sprouse, Mayor

ATTEST:

______________________________
Denise Pearce, City Clerk

APPROVED AS TO FORM:

______________________________
Ernest Cate, City Attorney
ORDINANCE NO. __________

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

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County, gave notice required by law and set a hearing date of April 6, 2021 for hearing the matter of a petition of Gerald B. Jones Revocable Trust, requesting that the following described tract of real estate to be zoned from General Commercial District (C-2) to Light Industrial District (I-1).

Layman's Description: 611 E. Apple Blossom Ave.

Legal Description: A PART OF THE NW 1/4 OF THE NE 1/4 OF Section 13, T18N, R30W in Benton County, Arkansas and being described as follows: Commencing at the NW Corner of said NW1/4, NE1/4, thence S02°06'47" W 35.01 feet, thence S86°32'48" E 446.14 feet the the POINT OF BEGINNING; thence S86°32'48" E 346.98 feet, thence S03°27'12" W 84.00 feet, thence N8°32'48" W 50.00 feet, thence S03°27'12" W 255.00 feet, thence N86°32'48" 296.98 feet, thence N03°27'12" E 339.00 feet to the POINT OF BEGINNING, Containing 2.41 acres, more or less, subject to easements and rights of way of record.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from General Commercial District (C-2) to Light Industrial District (I-1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:
SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From General Commercial District (C-2) to Light Industrial District (I-1)/

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

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

PASSED AND APPROVED THIS _____ DAY OF ____________, 2021

                                                   Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney
FILE NO. R21-14
APPLICANT: Gerald B. Jones Revocable Trust
REQUEST: C-2 to I-1

PLANNING COMMISSION MEETING
April 6, 2021
ORDINANCE NO. ****

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO MEDIUM / HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-16) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 6, 2021 for hearing the matter of a petition of Forest Dale and Helen Irven Joint Revocable Trust, and Betty Counts, Joanne Wade, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Medium/High Density Multi-Family Residential District (MF-16).

Layman's Description: 1415, 1307, and 1309 Oak Grove Road

Legal Description:

1307 North Oak Grove Road
The South 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 18 North, Range 30 West of the 5th Principal Meridian, containing ten acres, situated and being in the Count of Washington and State of Arkansas, except beginning at the Southeast corner; thence West 990 feet; thence North 330 feet; thence East 990 feet, thence South 330 feet to the beginning.

1309 North Oak Grove Road
A part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section Twenty-eight (28), Township Eighteen (18) North, Range Thirty (30) West, of the 5th Principal Meridian, Washington County,
Arkansas, and being more particularly described as follows, to-wit: 
Beginning at the Southwest corner of the Southeast Quarter (SE1/4) of 
the Southwest Quarter (SW1/4) of said Section Twenty eight (28), thence 
North 72.5 feet, thence East 330 feet, thence South 72.5 feet, thence 
West 330 feet to the point of beginning and containing in all 1/2 of an 
acre, more or less.

1415 Oak Grove Road
THE NORTH 60 RODS OF THE SE 1/4 OF THE SQ 1/4 OF SECTION 
28, TOWNSHIP 18 NORTH, RANGE 30 WEST, CONTAINING IN ALL 30 
ACRES, MORE OR LESS, ACCORDING TO THE OFFICE PLAT AND 
SURVEY THEREOF. LESS AND EXCEPT PARAT OF THE SE/14 OF 
THE SW1/4 OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 30 
WEST, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER 
OF SAID 40 ACRE TRACT, AND RUNNING THENCE SOUTH 8.85 
CHAINS, THENCE EAST WITH THE NORTH SIDE OF A COUNTY 
ROAD 7.09 CHAINS, THENDE NORTH WITH THE WEST SIDE OF 
SAID 40AD 1.94 CHAINS, THENCE EAST 12.89 CHAINS TO THE EAST 
LINE OF SAID 40 ACRE TRACT, THENCE NORTH 6.91 CHAINS TO 
THE NORTHEAST CORNER OF SAID 40 ACRE TRACT, THENCE 
WEST 20 CHAINS TO THE PLACE OF BEGINNING, CONTAINING 15 
ACRES MORE OR LESS. ALSO, LESS AND EXCEPT, PART OF THE 
SE 1/4 OF THE SW 1/4 OF SECTION 28, TOWNSHIP 18 NORTH, 
RANGE 30 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE 
NORTHWEST CORNER OF THE SE 1/4 OF THE SW1/4 OF SAID 
SECTION, THENCE SOUTH 8.85 CHAINS, THESCE WЕАT WITH THE 
ROAD 7.09 CHAINS, THENCE NORTH ALONG SAID ROAD 16 FEET 
FOR THE BEGINNING POINT OF THE LANDS HERElNE COVEYED, 
THENCE NORTH WITH THE ROAD 112.04 FEET, THENCE EAST 388 
FEET, THENCE SOUTH 112.04 FEET, THENCE WEST 388 FEET TO 
THE OINT OF BEGINNING. SAID PROPERTY ALSO BEING MORE 
MODERNLY DESCRIBED AS PART OF THE SE 1/4 OF THE SW 1/4 OF 
SECTIOН 28, TOWNSHIP 18 NORTH, RANGE 30 WEST, DESCRIBED
AS FOLLOWS: BEGINNING AT A POINT 568.1 FEET SOUTH AND 467.94 FEET EAST OF THE NORTHWEST CORNER OF SAID SE 1/4 OF THE S1 1/4; THENCE NJ01°42;10" w 45.42 FEET; THENCE ALONG THE CENTERLINE OF BOB MILLS ROAD N06°02'54" E 67.02 FEET; THENCE LEAVING SAID CENTERLINE, EAST 382.29 FEET; THENCE SOUTH 112.04 FEET; THENCE WEST 388 FEET TO THE POINT OF BEGINNING, CONTAINING 1 ACRE, MORE OR LESS, AND SUBJECT TO THAT PORTION THAT LIES IN BOB MILLS ROAD ON THE WEST.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Medium/High Density Multi-Family Residential District (MF-16) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

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

From Agricultural District (A-1) to Medium/High Density Multi-Family Residential District (MF-16).

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

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

PASSED AND APPROVED THIS _____ DAY OF ____________, 2021

Doug Sprouse, Mayor
ATTEST:

________________________________________
Denise Pearce, City Clerk

APPROVED AS TO FORM:

________________________________________
Ernest Cate, City Attorney
FILE NO. R21-16
APPLICANT: Savant Development LLC
REQUEST: A-1 to MF-16
ORDINANCE NO. ______

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDNANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS PLANNED UNIT DEVELOPMENT (PUD) TO REVISED PLANNED UNIT DEVELOPMENT (PUD) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 6, 2021 for hearing the matter of a petition of Springdale Downtown, LLC, requesting that the following described tract of real estate to be zoned from Planned Unit Development (PUD) to Revised Planned Unit Development (PUD).

Layman’s Description: 500 North Main

Legal Description: A part of the SE 1/4 of the NW 1/4 of Section 36, Township 18 North, Range 30 West in Washington County, Arkansas and being described as follows: Commencing at the SW corner of said SE 14/ NW 1/4, thence S89°36’24” E 15.00 feet; thence N00° 34’43” E 15.00 feet; thence S89°36;24” E 229.50 feet to the point of beginning; thence N00° 34’43” E 805.52 feet; thence S56°22’46” E 21.47 feet; thence S69°52’15” E 188.12 feet; thence S42° 14’16” E 219.36 feet; thence S89°31’49” W 95.14 feet; thence S30° 51’53” E 161.98 feet; thence S45°42’15” E 144.23 feet; thence S00°34’24” W 97.06 feet; thence S33°06’14” E 30.15 feet; thence N00°39’46” E 5.94 feet; thence S89°31’21” E 15.37 feet; thence N00°39’46” R 49.50 feet; thence S35°48’57” E 93.93 feet; thence S 26°42’11” E 50.00 feet; thence S16°19’27” E 103.99 feet; thence S00°39’46” W 43.82 feet; thence N89°36.24” W 579.00 feet to the point of beginning, containing 6.89 acres, more or less, subject to easements and right of way of record.

Subject to easements, rights of way and protective covenants or record, if any. Subject to all prior mineral reservations and oil and gas leases.

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

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

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

From Planned Unit Development (PUD) to Revised Planned Unit Development (PUD).

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

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

PASSED AND APPROVED THIS _____ DAY OF ____________, 2021

___________________________________________
Doug Sprouse, Mayor

ATTEST:

___________________________________________
Denise Pearce, City Clerk

APPROVED AS TO FORM:

___________________________________________
Ernest Cate, City Attorney
FILE NO. R21-17
APPLICANT: Springdale Downtown, LLC
REQUEST: PUD to Revised PUD
ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM PLANNED UNIT DEVELOPMENT (PUD) TO REVISED PLANNED UNIT DEVELOPMENT (PUD) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of April 6, 2021 for hearing the matter of a petition of The Trails at the Crossings Apartment, LP, requesting that the following described tract of real estate to be zoned from Planned Unit Development (PUD) to Revised Planned Unit Development (PUD).

Layman's Description: NE of the intersection of Watkins Ave. & 64th Street

Legal Description: A PART OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 08, TOWNSHIP 17 NORTH, RANGE 30 WEST; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SDW/4 NE/4, A CHISELED "X" IN CONCRETE FOUND; THENCE ALONG THE EAST LOINE OF SAID SW/4 NE/4 NORTH 02°27'00" EAST, A DISTANCE OF 56.34 FEET TO THE POING OF BEGINNING, A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304; THENCE ALONG THE NORTH BOUNDARY OF AN EXISTING PUBLIC STREET AND UTILITY EASEMENT RECORDED AS FILE NO. 2007-00024122 THE FOLLOWING THREE (3) COURSES:

(1) NORTH 87°33'03" WEST, A DISTANCE OF 1264.81 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304; (2) NORTHWESTERLY ALONG A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.27 FEET, A CENTRAL ANGLE OF 89°59'19" AND LONG CHORD BEARING NORTH 42°33'23" WEST FOR 35.35 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304;

(3) NORTH 02°26'16" EAST, A DISTANCE OF 73.83 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304; THENCE SOUTH 87°33'44" EAST, A DISTANCE OF 20.00 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304; THENCE NORTH 02°27'35" EAST PARALLEL TO AND 50 FEET EAST OF THE WEST LINE OF SAID SW/4 NE/4, A DISTANCE OF 656.03 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 1304; THENCE SOUTH 87°32'28" EAST CROSSING A FORMERLY SET 5/8
INCH CAPPED REBAR EMBOSSED 1304 AT A SISTANCAE OF 2.26 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 1269.74 FEET TO A SET 5/8 INCH CAPPED REBAR EMBOSSED 130004; THENCE ALONG THE EAST LINE OF SAID SW/4 NE/4 SOUTH 02°27'06" WEST, A DISTANCE OF 754.64 FEET TO THE OINT OF BEGINNING. HEREIN DESCRIBED TACKET CONTAINING 22.0 ACRES MORE OR LESS.

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

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

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

From Planned Unit Development (PUD) to Revised Planned Unit Development (PUD).

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

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

PASSED AND APPROVED THIS _____ DAY OF ____________, 2021

________________________________________
Doug Sprouse, Mayor

ATTEST:

________________________________________
Denise Pearce, City Clerk

APPROVED AS TO FORM:

________________________________________
Ernest Cate, City Attorney
FILE NO. R21-18

APPLICANT: The Trails at the Crossings Apartments, LP
REQUEST: PUD to Revised PUD
TRAILS AT LEGACY
PLANNED UNIT DEVELOPMENT
DEVELOPMENT PLAN

NOTE: The approved final development plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in Chapter 130 of the Springdale Code of Ordinances.

1. General Project Information
   A. Project Name: Trails at Legacy
   B. Location: (The intent is to apply the PUD district to areas designated as agricultural, residential or commercial in the land use plan)
      At the intersection of Watkins Ave and 64th Street
   C. Ownership: (Eligible applicants for preliminary plan review must be the landowners of record, holders of a lease for not less than fifty (50) years, or their authorized agent and beneficiaries of all properties in question. The approved final development plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in this article.)
      C.L. George and Sons Limited Partnership
   D. Developer: Trails at Legacy, LLC
   E. Civil Engineer & Land Surveyor: McClelland Consulting Engineers
      Site Engineer: Crafton Tull; Land Surveyor:
   F. Size: 22.74 acres (Eligible properties must be ten (10) acres in size):
   G. Staging: (Submissions of proposals of entire ownerships is encouraged, however, applicants may submit a phased development plan for incorporating incremental final development plans and plats for subareas of the entire ownership.)
      - The development will be split into 8 phases to acquire Certificates of Occupancy in 8 groups.

2. Development Strategy:
   This apartment complex will serve the community in enhancing social connectivity between the residents of the Trails at Legacy and the surrounding amenities. Being constructed near Arvest Ballpark, the apartment complex will integrate sidewalks from all outer buildings and a perimeter walking trail to maximize social and community interactions. The property has multiple central open space locations with amenities for all residents that promote relaxation, recreation, and social activity.
3. **Permitted Use** (List all use units to be included in the project)

This project will be a multi-family high density residential site.

4. **Site Development Requirements**

   A. **Density, Bulk, Area and Yard Requirements**

   **Density** – 21.6 units/ac

   **Type of Units by number of bedrooms** –

   476 units total: 204 1-bedroom units, 272 2-bedroom units

   **Total Developed Area** 22.74 acres

   **Total Common Area** 7.25 acres

   **Impervious Area**

   Open Space 396,211 (sq. ft.) 9.1 acres

   **Total Space**

   958,320 (sq. ft.) 22.0 acres

   **Setbacks** – Front- 30’

   - Interior Side
   - Exterior Side- 8’
   - Rear- 20’

   B. **Building Types – Elevations as attached:**

   Setbacks – As shown on attached site plan

   C. **Parking**

   **Total Parking Spaces Required** – 883 stalls

   **Total Parking Spaces Provided** – 772 stalls

   D. **Amenities Provided** (locations shown on site plan):

   - Walking trail, dog park, benches, hammock poles, planting areas, BBQ patios, large trees, clubhouse, swimming pool, frills, volleyball court, horseshoe pits, playground, lighting.

   E. **Exterior Building Materials:** Painted fiber-cement products, brick, and stone.
5. Property Management:

A. Property to remain in single ownership with all common areas to be maintained by the owner or through an agreement with a management company.

B. Garages to be used for the parking of the vehicles and shall not be used as storage units or living space. Parking on the grass is prohibited.

C. The development will be accessed from Watkins Ave or 64th Street. Drives shall be labeled as private drives. Sidewalks shall be constructed on all common areas as shown on the site plan.

D. Privacy fences are not being proposed. No chain link type fence will be allowed.

E. Service lines for all public or quasi-public utilities shall be located underground.

F. Common areas will be landscaped as constructed with 2" caliper shade trees, established grass areas and an automatic irrigation system.

G. Amenities installation will follow the plan associated with this PUD on sheet L-100 and subsequent sheets.

6. Miscellaneous Requirements

A. Parking stalls along the fire access road will be 9'X17' with adjacent 7' sidewalks. The 17' deep parking stall with the adjacent 7' sidewalk will allow the ability for oversized vehicles to hang over for a total length of 19' leaving a standard 5' sidewalk. This will allow maximum green space between the building and the parking lot for aesthetics and additional landscaping.

B. The number of parking stalls required are to supply the need of one parking stall per building. Lindsey Management is one of the largest multi-family real estate developers in the state of Arkansas. Using their historical data, for a development of more than 200 units, 1 parking space per bedroom is sufficient. With the lower parking count, the development can provide additional common space, greenspace, amenities, and increased safety by eliminating empty parking lot areas.

C. The 30' front setback helps to generate a streetscape along Watkins Ave. Sidewalks leading from each perimeter building will promote connectivity between the residents and the nearby communities. The planned landscaping will add to the aesthetic pleasure of the street.

D. Absence of privacy fence promotes connectivity to surrounding communities. Apartment building entrances will be accessible through residential key fobs increasing the security. Lighting and landscaping will promote security and surveillance.
ORDINANCE NO. ______

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) AND GENERAL COMMERCIAL DISTRICT (C-2) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County, gave notice required by law and set a hearing date of April 6, 2021 for hearing the matter of a petition of Rogers Warehouse Development, LLC, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) and General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

Layman’s Description: 3052 and 3744 Wagon Wheel Road

Legal Description: Part of the SW1/4 of the SW1/4 of Section 15, Township 18 North, Range 30 West, and more particularly described as beginning at a point S89°59’47” W, 368 feet from the SE corner of the SW1/4 of the SW1/4 of said Section 15; S89°59’47” W, 160 feet; thence N00°16’02” W, 544.50 feet; thence N89°59’47” E, 160 feet; thence S 00°16’02” E, 544.60 feet to the Point of Beginning. Subject to the right of way of County Road along the south side thereof.

Now more precisely described by a survey dated February 14, 2006 by Survey 1, Inc., as: Part of the SW1/4 of the SW1/4 of Section 15, Township 18 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Commencing at the SE corner of said SW1/4 of the SW1/4, thence N86°55’59” W, 368.00 feet to the Point of Beginning, thence N86°55’59” W, 158.64 feet; thence N02°37’09” E, 544.50 feet; thence S86°55’59” E, 158.64 feet; thence S02°37’09” W, 544.50 feet to the Point of Beginning. Subject to the right of way of Wagon Wheel Road on the South side of the property. Also subject to any other easements of record or fact.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) and General Commercial District (C-2) to
Thoroughfare Commercial District (C-5) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

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

From Agricultural District (A-1) and General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

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

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

PASSED AND APPROVED THIS _____ DAY OF ____________, 2021

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney
FILE NO. R21-19
APPLICANT: Rogers Warehouse Development III, LLC
REQUEST: A-1 and C-2 to C-5
RESOLUTION NO. _____

A RESOLUTION APPROVING A CONDITIONAL USE AT
2200 SOUTH OLD MISSOURI 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 April 6, 2021 on
a request by ISC Properties, LLC (Greg Edwards) for a conditional use for a Use Unit
25 (Limited Manufacturing) in a Thoroughfare Commercial District (C-5) at 2200 South
Old Missouri Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of
seven (7) yes and zero (0) no recommends that a conditional use be granted to ISC
Properties, LLC (Greg Edwards) for a Use Unit 25 (Limited Manufacturing) in a Thoroughfare Commercial District (25) at 2200 South Old Missouri with the following
conditions – No conditions set.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to ISC
South, LLC (Greg Edwards) for a Use Unit 25 (Limited Manufacturing) in a Thoroughfare Commercial District (C-5) at 2200 South Old Missouri Road with the following conditions – No conditions set.

PASSED AND APPROVED THIS _____ DAY OF __________, 2021.

__________________________________________
Doug Sprouse, Mayor

ATTEST:

____________________________
Denise Pearce, City Clerk

APPROVED AS TO FORM:

____________________________
Ernest Cate, City Attorney
RESOLUTION NO. _____
A RESOLUTION APPROVING A CONDITIONAL USE AT
4169 BEL AIR 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 April 6, 2021 on
a request by Iola Watson for a conditional use for a Tandem Lot Split at 4169 Bel Air
Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of
seven (7) yes and zero (0) no recommends that a conditional use be granted to Iola
Watson for a Tandem Lot Split at 4169 Bel Air Road with the following conditions
must have a 25' access easement and utility easement from Bel Air Road through tract 1 to
tract 2 to the south of tract 1.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF SPRINGDALE, that the City Council hereby grants a conditional use to Iola
Watson for a Tandem Lot Split at 4169 Bel Air Road

PASSED AND APPROVED THIS _____ DAY OF ____________, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney
APPLICANT: Iola Walton Trust
REQUEST: Tandem Lot Split in an SF-2 zone
RESOLUTION NO. ______

A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO JOSHUA PERRY IN CONNECTION WITH 728 JAY LANE, A SINGLE FAMILY DWELLING.

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

WHEREAS, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with 728 Jay Lane, a Single Family Dwelling for Joshua Perry and the Planning Commission recommends approval of the waiver request.

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

Option 1: Grants a waiver of street improvements to 728 Jay Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with a Single Family Dwelling for Joshua Perry.

Option 2: Denies a waiver of street improvements to 728 Jay Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with a Single Family Dwelling for Joshua Perry.

Option 3: Approves payment in lieu of improvements to 728 Jay Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights in connection with a Single Family Dwelling for Joshua Perry with estimated cost to be submitted by the developer’s engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allow a Bill of Assurance for a period not to exceed _______ years for street improvements to 728 Jay Lane including drainage improvements related thereto, curbs, gutters, sidewalks and street lights to be built in connection with Single Family Dwelling for Joshua Perry.

PASSED AND APPROVED THIS _______ DAY OF _________, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney
FILE NO. W21-04  
APPLICANT: Joshua Perry  
REQUEST: Waiver - sidewalk improvements
ORDINANCE NO. __________

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

WHEREAS, Springdale 2015, LLC, an Arkansas Limited Liability Company, and Rausch Coleman Homes NWA, LLC, an Arkansas Limited Liability Company, are the owners of the tracts of land described in Section 1 below;

WHEREAS, Springdale 2015, LLC, and Rausch Coleman Homes NWA, LLC, desire to dedicate a portion of the tracts of land described in Section 1 below and as shown on the attached Exhibit "A" and "B" to the City of Springdale, Arkansas, for use as a public street and turnaround;

WHEREAS, the Home Owner's Association of Legendary Subdivision has requested that Springdale 2015, LLC, and Rausch Coleman Homes NWA, LLC, make the street dedications described herein, and that the City of Springdale, Arkansas, accept the street dedications described in Section 1 below and in the attached Exhibits "A" and "B";

WHEREAS, the City of Springdale, Arkansas, wishes to accept these street dedications in order to better provide for the public welfare, safety, comfort, and convenience of the inhabitants of the City of Springdale, Arkansas;

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

Section 1: The City of Springdale, Arkansas, hereby accepts the street dedications, which are located entirely within the City of Springdale, Benton County, Arkansas, and which are more specifically described as follows:

Street Dedication #1 (across Parcel No. 21-02186-000):

PART OF LOT 95 OF THE FINAL PLAT OF CHARLESTON PARK AT LEGENDARY P.D.U., AS PER PLAT BOOK 2007 AT PAGE 795 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 95; THENCE ALONG THE NORTH LINE THEREOF S87°41’25”E 20.00 FEET; THENCE LEAVING SAID NORTH LINE S02°18’35”W 20.00 FEET; THENCE N87°41’25”W 20.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 95, SAID POINT BEING ON THE EAST RIGHT-OF-WAY OF GIBSON STREET AS PER PLAT
RECORD 2007-795; THENCE ALONG SAID RIGHT-OF-WAY N02°18'35"E 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 400.00 SQUARE FEET, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT. AND AS SHOWN ON THE ATTACHED EXHIBIT "A".

Street Dedication #2 (across Parcel No. 21-02169-000):


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

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

PASSED AND APPROVED this _____ day of _____________, 2021.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney
NOTE:

THE EASEMENT EXHIBIT IS A GRAPHICAL REPRESENTATION OF THE EASEMENT DESCRIPTION, AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.
EXHIBIT "B"

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<th>CHORD DIRECTION</th>
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<td>N5° 50' 00&quot;W</td>
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<td>5°48'11&quot;</td>
<td>S8° 30' 12&quot;E</td>
<td>20.25'</td>
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</table>

NOTE: THIS EASEMENT EXHIBIT IS A GRAPHICAL REPRESENTATION OF THE EASEMENT DESCRIPTION, AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.
RESOLUTION NO._______

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT FOR SPRING CREEK TRAIL (090622)

WHEREAS, sealed bids were received on April 1st, 2021 at 2:00 p.m. Spring Creek Trail (090622); and

WHEREAS, Benchmark Construction Company of NWA, INC was the low bidder for this project at $1,878,421.73

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

Section 1. The Mayor and City Clerk are hereby authorized to execute a contract with Benchmark Construction Company of NWA, Inc for construction of Spring Creek Trail for $1,878,421.73.

Section 2. The Mayor is authorized to approve construction change orders as long as the cumulative total of the change orders does not exceed 10% of the original contract price.

PASSED AND APPROVED this 27th day of April, 2021.

__________________________
Doug Sprouse, Mayor

ATTEST:

__________________________
Denise Pearce, City Clerk

APPROVED AS TO FORM:

__________________________
Ernest B. Cate, City Attorney
April 12, 2021

Brad Baldwin, P.E.
City Engineer
269 E. Randall Wobbe Ln
Springdale, AR 72764

RE: 090622, Spring Creek Trail

Recommendation for Award of Construction Contract

Dear Mr. Baldwin,

We received and opened bids for the above referenced project on April 1, 2021 at 2:00 pm. There were five (5) General Contractors who submitted full bids for the project.

Benchmark Construction of NWA, Inc. from Fayetteville, AR is the low bidder with a full bid in the amount of $1,878,421.73. The 2nd lowest bid was by Crossland Heavy Contractors of Columbus, KS, Inc. at $1,900,660.00. All five bids were within 20% of one another, suggesting that the overall project cost as bid is reasonable. The certified bid tabulation is attached for reference. The Engineer’s construction cost estimate for the project was $2,240,537.99.

We have reviewed the bid and have knowledge of their experience with work on several successful projects; we believe them to be qualified for this project. Benchmark Construction of NWA has a valid Arkansas Contractor’s License (License No. 0033500521, valid to 05.31.21). They are listed as providing General Construction of Commercial, Industrial and Institutional Projects on the Arkansas Contractors Licensing Board website. According to their bid documentation, they will be carrying out approximately 69% of the work with their own forces; they are required to do at least 40%.

In light of the above information, we recommend awarding the bid to Benchmark Construction of NWA, Inc., in the amount of $1,878,421.73.

Please do not hesitate to call should you have any questions and as always, thank you for allowing us to be of service.

Sincerely,
090622- Spring Creek Trail
Brad Baldwin

Eric Anderson
Associate, MCE-Fayetteville
(479) 443.2377
eanderson@mce.us.com

Enclosure: Bid Tabulation, Benchmark Construction Contractor's License
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<th>Description</th>
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Note: The table above represents a detailed breakdown of traffic counts and related costs for various services provided by MCE Consulting Engineers, Inc. for a project or service related to traffic management and analysis. The data includes specific units, quantities, and associated costs that are critical for understanding the scope and financial implications of the project.
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License No. 0033500521

State of Arkansas
Commercial Contractors Licensing Board

BENCHMARK CONSTRUCTION OF NWA, INC.
333 W POPLAR #A
FAYETTEVILLE, AR 72703

This is to Certify That

is duly licensed under the provisions of Ark. Code Ann. § 17-25-101 et. seq. as amended and is entitled to practice Contracting in the State of Arkansas within the following classifications/specialties:

BUILDING
- (COMMERCIAL & RESIDENTIAL)

This contractor has an unlimited suggested bid limit.

from May 8, 2020 until May 31, 2021 when this Certificate expires.

Witness our hands of the Board, dated at North Little Rock, Arkansas:

Chairman

Secretary

May 8, 2020 - dsa
RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CREATION OF A NEW POSITION TO REPLACE AN EXISTING POSITION

WHEREAS, the current Administrative Assistant to the Mayor will be retiring in June of this year, and

WHEREAS, there is a need for greater requirements and expectations of knowledge, skill, abilities and supervision placed on the position of Administrative Assistant to the Mayor, and

WHEREAS, after careful consideration the Mayor is recommending the creation of the position of the Mayor's Executive Assistant replace the position of Mayor's Administrative Assistant;

WHEREAS, the position of the Mayor's Executive Assistant is rated as a grade 23 with a pay scale of $44,523 - $65,480 and the position of Mayor's Administrative Assistant was rated as a grade 18 with a pay scale of $34,888 - $51,310;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the position of Mayor's Executive Assistant is hereby created at a pay scale Grade 23, and replacing the Mayor's Administrative Assistant position.

PASSED AND APPROVED this 27th day of April, 2021.

________________________________________
Doug Sprouse, Mayor

ATTEST:

____________________________
Denise Pearce, City Clerk

APPROVED AS TO FORM:

____________________________
Ernest B. Cate, City Attorney
RESOLUTION NO. _______

A RESOLUTION AUTHORIZING THE EXECUTION OF A CHANGE ORDER FOR THE CONSTRUCTION CONTRACT FOR RABBIT FOOT LODGE
PROJECT NO. CP 2001

WHEREAS, THE City of Springdale has entered into a contract with Pick-It Construction, Inc. to make repairs to Rabbit Foot Lodge, and

WHEREAS, the architect has recommended a change order to the contract in the amount of $2,809.02.

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

1. The Mayor is hereby authorized to execute Change Order No 1 for the contract with Pick-It Construction, Inc. for repairs to Rabbit Foot Lodge.

2. The Mayor is also authorized to sign future change orders for this contract as long as the cumulative amount of the change orders does not exceed 10% of the contract.

PASSED AND APPROVED this 27th day of April, 2021.

______________________________
Doug Sprouse, Mayor

ATTEST:

______________________________
Denise Pearce, City Clerk

APPROVED AS TO FORM:

______________________________
Ernest B. Cate, City Attorney
Wyman Morgan

From: Chad Wolf <cwolf@springdalear.gov>
Sent: Friday, April 16, 2021 11:37 AM
To: Wyman Morgan, Cody Loerts
Subject: Fwd: Rabbits Foot Lodge
Attachments: Change Order #1.pdf, IMG_1518.jpg, IMG_1521.jpg, MG_1531.jpg

Sent from my iPhone

Bag forwarded message:

From: cseyeeg8clementarchitect.com
Date: April 16, 2021 at 11:29:45 AM CDT
To: Chad Wolf: cwolf@springdalear.gov
Ccc: a.ry@clementarchitect.com
Subject: FW: Rabbits Foot Lodge

Chad, Good morning. On our last site visit to the Rabbit Foot Lodge we looked at two items that the contractor had uncovered during the demolition process.

One being the stones that were patched in due to the base log parallel to the sidewalk rotting away some time ago. Our suggestion to address this is to remove the existing stones and install a new stone and mortar curb atop the original foundation to provide the new logs with a solid base for bearing.

The second item we observed was the sagging structural members over the center portion of the porch. The existing framing is composed of sistered 2x4s that were installed across a span that was to great of a distance for them to carry the load of the wood soffit. Our suggestion is to remove the existing 2x framing that is spanning north to south and install new 2x6 framing that will span the shorter, distance east to west.

Attached you will find the proposal from the contractor for the work outlined above. I have also attached photos of each condition for your use. If you have any questions or comments please feel free to contact me.

Thanks Casey

Casey Henderson
Office: 501-375-3380
Cell: 501-412-8143
507 Main St.
North Little Rock, AR 72114
From: Jeremy Bernard <jeremy@pickitconstruction.com>
Sent: Wednesday, April 14, 2021 2:24 PM
To: clem@clairsong.com
Cc: nixon@pickitconstruction.com; gary@clem@clairsong.com
Subject: RE: Rabbits Foot Lodge

Casey,

My apologies, it was my understanding you knew what was entailed.

This is our proposed solution, to remove the existing rocks that are in place at the bottom of the first log. Then add flag stones that are 5" wide x 8" tall, mortar in place with a mortar cap bed on top. Install a 20 mil vapor barrier below and behind the new stones. There is approximately 25 LF of stones to be replaced.

I hope this helps. I will also add this to the proposal.

Let me know if you need anything else.

Thank you

Jeremy Bernard
PROJECT MANAGER
PICK-IT CONSTRUCTION, INC.
jeremy@pickitconstruction.com
O: (479) 973-5109
M: (479) 263-2385
F: (479) 571-3672

From: casey@clem@clairsong.com <casey@clem@clairsong.com>
Sent: Wednesday, April 14, 2021 1:43 PM
To: Jeremy Bernard <jeremy@pickitconstruction.com>
Cc: nixon@pickitconstruction.com; gary@clem@clairsong.com
Subject: RE: Rabbits Foot Lodge

Jeremy, can you elaborate on the construction of the rebuilding of the foundations. Will this be constructed on stone? Need alittle more information outlined in the proposal

Thanks Casey

From: Jeremy Bernard <jeremy@pickitconstruction.com>
Sent: Wednesday, April 14, 2021 1:37 PM
To: casey@clem@clairsong.com
Cc: rwxortapichitcoriitriictkin.co
Subject: Rabbits Foot Lodge

Casey,

Attached is the CO for the additional work at the Rabbits Foot Lodge for your approval.

Let me know if you have any questions.

thank you

Jeremy Bernard
PROJECT MANAGER
PICK-IT CONSTRUCTION INC.
jeremyv@pickitconstruction.com
O: (479) 973-5109
M. (479) 263-2385
F: (479) 571-3672

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CHANGE ORDER: # 4
DATE: 4/14/2021

TO: City of Springdale

CONTRACTOR: Pick It Construction
10024 N. Campbell Rd.,
Fayetteville, AR 72701

PROJECT: Rabbits Foot Lodge
Architect: Clements and Associates

The contract will be changed as follows:

- **Labor to rebuild foundation at the south side of the building for new logs to sit on**
  - Materials: $450.00
  - $300.00
  - This is our proposed solution, to remove the existing rocks that are in place at the bottom of the first log.
  - Then add flag stones that are 5" wide x 8" tall, mortar in place with a mortar cap bed on top.
  - Install a 20 mil vapor barrier below and behind the new stones. There is approximately 25 LF of stones to be replaced

- **Labor to reframe porch ceiling**
  - Materials: $1,200.00
  - $509.85
  - 12-2x4x12
  - 12-2x6x12
  - 8-6” simpson joist hangers

| Sub-Total | $2,459.85 |
| Insurance | $24.60 |
| Bond      | $23.60 |
| 12% Contractor Oil & Profit | $300.97 |
| **Total CO** | **$2,809.02** |

**Breakdown:**

- The original contract sum was $418,550.00
- Net change by previously authorized change orders
- The contract sum prior to this change order was $418,550.00
- The contract sum will be increased by this change order in the amount of $2,809.02
- The new contract sum including this change order will be $421,359.02

- The contract time will be increased by 0 days

Accepted By:

Contractor: Pick-It Construction
Architect: Clements and Associates
Owner: City of Springdale