

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

- The next Committee Meeting - Monday, June 15, 2020
  - Committee agendas will be available on Friday, June 12, 2020.

SPRINGDALE CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS  
ZOOM REMOTE  
TUESDAY, June 9<sup>th</sup>, 2020

5:55 p.m. Pre Meeting Activities

Pledge of Allegiance  
Invocation – Kathy Jaycox

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. Approval of Minutes – May 26<sup>th</sup>, 2020 Pgs. 3 - 16

6. 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) 10. & 11. Motion must be approved by two-thirds (2/3) of the council members*).

7. **A Resolution** approving the re-appointment of Paul Lawrence to the Springdale Water and Sewer Commission. Term will expire July 13<sup>th</sup>, 2028. Pgs. 17 & 18

8. **A Resolution** authorizing payment of an invoice, Project No. 18BPC1, Springdale Municipal Campus, in the amount of \$1,566,490.65. Pgs. 19 & 20

9. **A Resolution** authorizing execution of a contract for equipment storage structure. The low bid was submitted by Elite Steel Erectors, Inc. in the amount of \$55,515.23. Pg. 21

10. **An Ordinance** approving and ratifying a petition for consolidation of the City of Bethel Heights, Arkansas, into the City of Springdale, Arkansas, and calling for a special election, pursuant to ARK. Code Ann. §14-40-1201, *et seq.*, and to declare an emergency. Pgs. 22 - 25

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

**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 (1.3 acres at 4022 S. 56<sup>th</sup> Street) from Agricultural District (A-1) to General Commercial District (C-2) and declaring an emergency. Pgs. 26 - 28

12. Police and Fire Committee, Chairman Brian Powell

**A Resolution** amending the 2020 Budget of the Fire Department and the Police Department, recommending the purchase of two disinfecting systems and the Police Chief. Pgs. 29 - 30

13. Street and Capital Improvement Committee, Chairman Rick Evans

A. **A Resolution** expressing the willingness of the City of Springdale, Arkansas to utilize Federal-aid Transportation Alternatives Program funds administered by the Arkansas Department of Transportation. Pg. 31

B. **A Resolution** expressing the willingness of the City of Springdale, Arkansas to utilize Federal-aid Recreational Trails Program Funds administered by the Arkansas Department of Transportation. Pg. 32

C. **A Resolution** expressing the willingness of the City of Springdale, Arkansas to utilize Federal-Aid Transportation Alternatives Program (TAP) Funds administered by the Northwest Arkansas Regional Planning Commission for the construction of the pedestrian sidewalk/trail portion of Watkins Avenue 48<sup>th</sup> Street to Gene George Boulevard Project. Pg. 33

14. Comments from Council Members.

15. Comments from City Attorney.

16. Comments from Mayor.

17. Adjournment.

SPRINGDALE CITY COUNCIL  
MAY 26, 2020

The City Council of the City of Springdale met in regular session on Tuesday, May 26, 2020, 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
Amelia Williams	Ward 3
Jeff Watson	Ward 3
Mike Overton	Ward 2
Jim Reed	Ward 1
Mike Lawson	Ward 4
Rick Evans	Ward 2
Brian Powell	Ward 1
Kathy Jaycox	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Mike Irwin	Fire Chief
Mike Peters	Police Chief
Wyman Morgan	Director of Financial Services
Patsy Christie	Planning & Comm. Dev. Director
Brad Baldwin	Eng. & Public Works Director
Chad Wolf	Parks & Recreation Director

APPROVAL OF MINUTES

Council Member Jaycox moved the minutes of the May 12, 2020 City Council meeting be approved as presented. Council Member Reed made the second.

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

REPORT ON ECONOMIC DEVELOPMENT

Scott Edmondson, Director of Business Development with the Springdale Chamber of Commerce, gave a 1st Quarter 2020 report on economic development in the City of Springdale. (Report on file in City Clerk's Office)

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Evans 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 Jaycox made the second.

The vote:

Yes: Watson, Overton, Reed, Lawson, Evans, Powell, Jaycox, Williams

No: None

PROPOSED ORDINANCE APPROVING AND RATIFYING A PETITION FOR CONSOLIDATION OF THE CITY OF BETHEL HEIGHTS, ARKANSAS, INTO THE CITY OF SPRINGDALE, ARKANSAS, AND CALLING FOR A SPECIAL ELECTION, PURSUANT TO ARKANSAS CODE ANN. §14-40-1201, ET SEQ, AND TO DECLARE AN EMERGENCY

City Attorney Ernest Cate reported on a proposed ordinance on the agenda tonight approving and ratifying a petition for consolidation of the City of Bethel Heights, Arkansas, into the City of Springdale, Arkansas, and calling for a special election, pursuant to Arkansas Code Ann. §14-40-1201, et seq.

Attorney Cate said petitions were presented to both the City of Springdale and the City of Bethel Heights regarding the proposed consolidation of Bethel Heights into the City of Springdale. Last week the City Clerk for the City of Springdale certified the sufficiency of the petitions provided to Springdale that they contained at least the required number of signatures which was 2,713 and communicated that to the petitioner's representative as required by State Statute. We communicated this to Bethel Heights and asked them to certify their signatures. They only had to certify 54 signatures. Bethel Heights has not certified them for certain reasons.

Friday, May 22, 2020, Attorney Cate filed a petition for a Writ of Mandamus with the Benton County Circuit Court asking the court to order them to comply with the statute. A conference call was held with the Judge who has been assigned this case as well with the Attorney for the petitioners and the Attorney for Bethel Heights and it has been set for a hearing on the morning of June 5, 2020.

City Attorney Cate suggested this ordinance be tabled until the June 9, 2020 City Council meeting hoping to get a favorable ruling on June 5<sup>th</sup>. He is hopeful that Bethel Heights will allow the citizens to exercise the right that's afforded them under the Statute to decide this issue. It is not for any other elected official to decide, it is up to the people of Bethel Heights and Springdale to decide this issue one way or the other.

Council Member Overton made the motion to table the Ordinance to the June 9, 2020 City Council meeting. Council Member Jaycox made the second.

The vote:

Yes: Overton, Reed, Lawson, Evans, Powell, Jaycox, Williams, Watson

No: None

RESOLUTION NO. 53-20 – CONFIRMING AN APPOINTMENT TO THE ADVERTISING AND PROMOTION COMMISSION OF THE CITY OF SPRINGDALE

Mayor Doug Sprouse presented a Resolution confirming the appointment of Alex Bohn to the Advertising and Promotion Commission of the City of Springdale.

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

**A RESOLUTION CONFIRMING AN APPOINTMENT TO THE ADVERTISING AND PROMOTION COMMISSION OF THE CITY OF SPRINGDALE**

**WHEREAS**, due to the resignation of Jim Bryant Seat #1 the Advertising & Promotion Commission currently has an open chair; and

**WHEREAS**, A.C.A. 26-75-605 and Ordinance No. 3293 provide that appointments for these positions will be made by the remaining members of the Commission subject to confirmation by the City Council, and

**WHEREAS**, at the May 2020 meeting of the Advertising and Promotion Commission, the commissioners voted to appoint Mr. Alex Bohn to fill Seat #1, with said term expiring on May 31, 2024 and request the City Council to confirm this appointment; and

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** hereby confirms the appointment of Mr. Alex Bohn to the A & P Commission to fill Seat #1, with term expiring May 31, 2024.

**PASSED AND APPROVED** this \_\_\_\_ day of May, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

Yes: Reed, Lawson, Evans, Powell, Jaycox, Williams, Watson, Overton

No: None

The Resolution was numbered 53-20.

RESOLUTION NO. 54-20 – AUTHORIZING THE GRANT OF A WATER/SEWER EASEMENT TO THE SPRINGDALE WATER AND SEWER COMMISSION ACROSS PROPERTY OWNED BY THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS (WEST SIDE OF SPRING STREET)

Wyman Morgan presented a Resolution authorizing the grant of a water/sewer easement to the Springdale Water and Sewer Commission across property located on the west side of Spring Street.

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

**A RESOLUTION AUTHORIZING THE GRANT OF A WATER/SEWER EASEMENT TO THE SPRINGDALE WATER AND SEWER COMMISSION ACROSS PROPERTY OWNED BY THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.**

**WHEREAS**, the City of Springdale, Arkansas, owns property located at 418 N. Spring Street, known as Parcel No. 815-22923-000, Washington County, Arkansas ("the Property");

**WHEREAS**, the Springdale Water and Sewer Commission is in need of a water/sewer easements across the Property for water/sewer improvements, as shown on the map attached to Exhibit "A";

**WHEREAS**, the water/sewer easement is necessary for the construction and improvement of water/sewer facilities to enhance capacity in the area of the Property, and will be beneficial to future growth and development of the area; and

**WHEREAS**, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached easement document (Exhibit "A") 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 a water/sewer easement across the Property to the Springdale Water and Sewer Commission.

**PASSED AND APPROVED** this \_\_\_\_ day of MAY, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

Council Member Jaycox moved the Resolution be adopted. Council Member Evans made the second.

The vote:

Yes: Lawson, Evans, Powell, Jaycox, Williams, Watson, Overton, Reed

No: None

The Resolution was numbered 54-20.

ORDINANCE NO. 5476 – REZONING 1.5 ACRES, PARCEL #815-30871-000 BORDERED BY I-49 ON THE EAST, OWNED BY WT-LF, LLC, FROM A-1 TO C-5

Planning Director Patsy Christie presented an Ordinance rezoning 1.5 acres, Parcel #815-30871-000, bordered by I-49 on the East, from A-1 to C-5. WT-LF, LLC are the petitioners for the rezoning on this triangle piece of property that was left when I-49 was widened years ago.

A public hearing was held at the May 5, 2020 Planning Commission meeting.

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

The vote:

Yes: Evans, Powell, Jaycox, Williams, Watson, Overton, Reed, Lawson

No: None

Council Member Evans moved the Emergency Clause be adopted. Council Member Reed made the second.

The vote:

Yes: Powell, Jaycox, Williams, Watson, Overton, Reed, Lawson, Evans

No: None

The Ordinance was numbered 5476.

RESOLUTION NO. 55-20 – AUTHORIZING A CONTRACT FOR EMS BILLING WITH DIGITECH COMPUTER, LLC

Council Member Brian Powell presented a Resolution authorizing a contract with Dignitech Computer LLC for EMS billing. The fee for this service is 4.10%, plus another 0.35% to include a third party audit each year for a total of 4.45% and is estimated to cost \$72,750 per year.

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

**A RESOLUTION AUTHORIZING A CONTRACT FOR EMS BILLING WITH DIGITECH COMPUTER, LLC.**

**WHEREAS**, the Fire Chief of the City of Springdale advertised and solicited proposals for EMS billing; and

**WHEREAS**, after reviewing the proposals received, the Fire Chief of the City of Springdale has recommended contracting with DigiTech Computer, LLC, for this service; and

**WHEREAS**, the fee for this service is 4.10%, plus another 0.35% to include a third party audit each year for a total of 4.45% and is estimated to cost \$72,750 per year;

**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 a contract with DigiTech Computer, LLC, for EMS billing and collecting.

**PASSED AND APPROVED** this \_\_\_\_\_ day of May, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

Council Member Reed moved the Resolution be adopted. Council Member Jaycox made the second.

The vote:

Yes: Jaycox, Williams, Watson, Overton, Reed, Lawson, Evans, Powell

No: None

The Resolution was numbered 55-20.

RESOLUTION NO. 56-20- AUTHORIZING THE PURCHASE OF A UTV FOR THE  
SPRINGDALE FIRE DEPARTMENT

Council Member Brian Powell presented a Resolution authorizing the purchase of a UTV for the Springdale Fire Department in the amount of \$21,002.30 from Bradford Marine & ATV of Springdale.

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

**A RESOLUTION THE PURCHASE OF A UTV BY THE  
SPRINGDALE FIRE DEPARTMENT**

**WHEREAS**, the Springdale Fire Department has an ever-increasing need to respond to various locations, including mountain bike trails;

**WHEREAS**, it would be beneficial for the Springdale Fire Department to have a UTV in order to respond to certain locations involving rough or difficult terrain;

**WHEREAS**, bids were solicited for the UTV in accordance with the provisions of Arkansas law;

**WHEREAS**, after reviewing the bids that were received, the Springdale Fire Department has determined that Bradford Marine & ATV of Springdale submitted the lowest responsible bid for this vehicle in the amount of \$21,002.30; and

**WHEREAS**, the Springdale Fire Department wishes to purchase the UTV from Bradford Marine & ATV;

**NOW THEREFORE, BE IT RESOLVED BY THE SPRINGDALE PUBLIC FACILITIES BOARD**, that the Springdale Fire Department is hereby authorized to execute all documents necessary for the purchase of the UTV as provided on the attached sales quote in an amount not to exceed \$21,002.30, to be purchased from the 2018 Fire Bond Program.

**PASSED AND APPROVED** this \_\_\_\_ day of May, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

Yes: Williams, Watson, Overton, Reed, Lawson, Evans, Powell, Jaycox

No: None

The Resolution was numbered 56-20.

RESOLUTION NO. 57-20 – AUTHORIZING THE SETTLEMENT OF A  
CONDEMNATION LAWSUIT WHEREIN OAK GROVE PROPERTIES LLC, IS THE  
DEFENDANT FOR THE GENE GEORGE BLVD., BLEAUX AVENUE TO ELM  
SPRINGS ROAD, TRACTS 56C AND 56D (PROJECT NO. 18BPS1)

Council Member Rick Evans presented a Resolution authorizing the settlement of a condemnation lawsuit wherein Oak Grove Properties LLC is the defendant for the Gene George Blvd., Bleaux Avenue to Elm Springs Road, Tracts 56C and 56D (Project No. 18BPS1).

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

**A RESOLUTION AUTHORIZING THE SETTLEMENT OF A  
CONDEMNATION LAWSUIT WHEREIN OAK GROVE  
PROPERTIES, LLC, IS THE DEFENDANT, FOR THE GENE  
GEORGE BLVD. – BLEAUX AVE. TO ELM SPRINGS RD.  
PROJECT (PROJECT NO. 18BPS1), TRACTS 56C AND 56D.**

**WHEREAS**, the City of Springdale filed a lawsuit against Oak Grove Properties, LLC, to condemn tracts of land for the Gene George Blvd. – Bleaux Ave. to Elm Springs Rd. Project, Project No. 18BPS1, Tracts 56C and 56D;

**WHEREAS**, Oak Grove Properties, LLC, has extended an offer to settle the condemnation lawsuit for the total sum of \$126,835.00;

**WHEREAS**, the settlement proposal extended by the property owner is based on a more recent sale of land which is similar in many respects to the property owned by Oak Grove Properties, LLC;

**WHEREAS**, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the total sum of \$126,835.00 to settle the lawsuit, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of a trial;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR  
THE CITY OF SPRINGDALE, ARKANSAS**, that the City is hereby authorized to settle the Oak Grove Properties, LLC, condemnation lawsuit for the total sum of \$126,835.00.

**PASSED AND APPROVED** this \_\_\_\_\_ day of May, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

Yes: Watson, Overton, Reed, Lawson, Evans, Powell, Jaycox, Williams

No: None

The Resolution was numbered 57-20.

RESOLUTION NO. 58-20 – AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE A PORTION OF LAND FROM HUD-OX LLC, FOR THE 56<sup>TH</sup> STREET SOUTH, PHASE I PROJECT (PROJECT NO. 18BPS11)

Council Member Rick Evans presented a Resolution authorizing the expenditure of funds to acquire a portion of a tract of land from HUD-OX LLC, for the 56<sup>th</sup> Street South, Phase I Project (Project No. 18BPS11), Tract 2.

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

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE A PORTION OF LAND FROM HUD-OX, LLC., FOR THE 56<sup>TH</sup> STREET SOUTH, PHASE 1 PROJECT (PROJECT NO. 18BPS11)**

**WHEREAS**, the City of Springdale is in need of acquiring a portion of a tract of land for the 56<sup>th</sup> Street South, Phase 1 Project, Project No. 18BPS11, Tract 2, said land being owned by Hud-Ox, LLC.;

**WHEREAS**, the City of Springdale has determined by appraisal that the sum of \$96,800.00 is the estimated just compensation for the property needed from Hud-Ox, LLC.;

**WHEREAS**, the property owner has extended a counter-offer that the City pay the total sum of \$135,231.23 to acquire the land needed for the project, said amount being based on a survey obtained by the property owner and reflecting an increase in the market value of the property since the City's appraisal was conducted;

**WHEREAS**, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$38,431.23 to acquire the property needed from Hud-Ox, LLC., as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of 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 56<sup>th</sup> Street South, Phase 1 Project, Project No. 18BPS11, Tract 2, said land being owned by Hud-Ox, LLC, for the total sum of \$135,231.23.

**PASSED AND APPROVED** this \_\_\_\_\_ day of May, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

Council Member Jaycox moved the Resolution be adopted. Council Member Evans made the second.

The vote:

Yes: Overton, Reed, Lawson, Evans, Powell, Jaycox, Williams, Watson

No: None

The Resolution was numbered 58-20.

RESOLUTION NO. 59-20 – EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE TO APPLY FOR STBGP – A FUNDING FOR RIGHT-OF-WAY ACQUISITION AND UTILITY RELOCATION FOR DON TYSON PARKWAY FROM GENE GEORGE BLVD. TO HIGHWAY 412

Council Member Rick Evans presented a Resolution expressing the willingness of the City of Springdale to apply for STBGP – a funding for right-of-way acquisition and utility relocation for Don Tyson Parkway from Gene George Blvd. to Highway 412.

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

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE TO APPLY FOR STBGP-A FUNDING FOR RIGHT-OF-WAY ACQUISITION AND UTILITY RELOCATION FOR DON TYSON PARKWAY FROM GENE GEORGE BLVD TO HIGHWAY 112**

**WHEREAS**, the City of Springdale sees the need to extend Don Tyson Parkway from Gene George Blvd to Highway 112, and

**WHEREAS**, the extension of Don Tyson Parkway west to Highway 112 is regionally important to improve east – west access from Highway 112 to I49, Highway 71B and Highway 265, and

**WHEREAS**, due to the regional significance of the project, STBGP-A funding may be available, and

**WHEREAS**, of the estimated right-of-way and utility relocation cost of \$2,500,000.00, the City intends to submit an application requesting 80% STBGP-A funding (\$2,000,000.00) and provide the required match of 20% (\$500,000.00);

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

- The City of Springdale is committed to the Don Tyson Parkway extension project and recognizes its regional significance.
- The required matching funds are committed in an amount not to exceed \$500,000.00.

**PASSED AND APPROVED** this \_\_\_\_\_ day of May, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

Yes: Reed, Lawson, Evans, Powell, Jaycox, Williams, Watson, Overton

No: None

The Resolution was numbered 59-20.

RESOLUTION NO. 60-20 – EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE TO APPLY FOR STBGP – A FUNDING FOR ACQUISITION OF RIGHT-OF-WAY AND RELOCATION OF FRANCHISE UTILITIES FOR GENE GEORGE BLVD. FROM DON TYSON PARKWAY TO JOHNSON MILL ROAD

Council Member Rick Evans presented a Resolution expressing the willingness of the City of Springdale to apply for STBGP – a funding for acquisition of right-of-way and relocation of franchise utilities for Gene George Blvd. from Don Tyson Parkway to Johnson Mill Road.

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

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE TO APPLY FOR STBGP-A FUNDING FOR ACQUISITION OF RIGHT-OF-WAY AND RELOCATION OF FRANCHISE UTILITIES FOR GENE GEORGE BLVD. FROM DON TYSON PARKWAY TO JOHNSON MILL ROAD**

**WHEREAS**, the Cities of Springdale and Johnson have received STP-A funding for the design of Gene George Blvd widening from Don Tyson Parkway to Johnson Mill Boulevard,

**WHEREAS**, using the procurement procedures required by State Law, the Cities have retained Engineering Services, Inc. to perform the project design,

**WHEREAS**, project design has been completed and there is a need to purchase right-of-way and relocate utilities where necessary,

**WHEREAS**, the City of Springdale is responsible for 70% of the 20% local match and the City of Johnson is responsible for 30% of the 20% local match,

<u>Funding Source</u>	<u>Percent Share</u>	<u>Cost Share</u>
Federal Aid	80%	\$ 2,560,000.00
City of Springdale	14%	\$ 448,000.00
City of Johnson	6%	\$ 192,000.00
Project Totals	100%	\$ 3,200,000.00

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

- The City of Springdale is committed to the Gene George Blvd project from Don Tyson Parkway to Johnson Mill Road and recognizes its regional significance.
- The required matching funds are committed in an amount not to exceed \$448,000.00.

**PASSED AND APPROVED** this \_\_\_\_\_ day of May, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

Yes: Lawson, Evans, Powell, Jaycox, Williams, Watson, Overton, Reed

No: None

The Resolution was numbered 60-20.

RESOLUTION NO. 61-20 – AUTHORIZING THE EXECUTION OF AN  
ENGINEERING SERVICES CONTRACT FOR THE KENDRICK AVENUE STREET  
IMPROVEMENT PROJECT

Council Member Rick Evans presented a Resolution authorizing the execution of an engineering services contract with Engineering Services Inc. for the Kendrick Avenue Street Improvement Project.

Chamber of Commerce Director Perry Webb explained how this agreement will work to complete the Kendrick Avenue project.

Council members wanted the Resolution to include expenditures will be contingent upon ARDOT's approval of access to Hwy 265 via Kendrick Avenue.

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

**A RESOLUTION AUTHORIZING THE EXECUTION  
OF AN ENGINEERING SERVICES CONTRACT  
FOR THE KENDRICK AVENUE STREET  
IMPROVEMENT PROJECT.**

**WHEREAS**, the City of Springdale is planning to widen and make other improvements to Kendrick Avenue between Arkansas Highway 265 and Old Wire Road;

**WHEREAS**, using the procurement procedures required by Arkansas law, the City wishes to use the services of Engineering Service, Inc., as the engineering firm for this project;

**WHEREAS**, the contract has been submitted for approval with a fee not to exceed 7.00% of construction costs; and

**WHEREAS**, project construction has been estimated to be \$1.7 million, including the cost of right-of-way/easement acquisition and utility relocation.

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

**Section 1.** Expenditures for this project will be paid from the 2018 Street Bond Construction Fund, with said expenditures being contingent upon ARDOT's approval of access to Hwy 265 via Kendrick Avenue.

**Section 2.** The Mayor and City Clerk are hereby authorized to execute an engineering services contract with Engineering Services, Inc., for engineering services relating to the Kendrick Avenue Street Improvement Project.

**Section 3.** The Mayor is hereby authorized to execute change orders to this contract provided the cumulative total does not exceed 10% of the original contract price.

**PASSED AND APPROVED** this \_\_\_\_\_ day of May, 2020.

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

ATTEST:

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

APPROVED:

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

Council Member Reed moved the Resolution be adopted. Council Member Jaycox made the second.

The vote:

Yes: Evans, Powell, Jaycox, Williams, Watson, Overton, Reed, Lawson

No: None

The Resolution was numbered 61-20.

ORDINANCE NO. 5477 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A DEVELOPMENT AGREEMENT WITH SPRINGDALE DOWNTOWN LLC FOR SIDEWALK IMPROVEMENTS ON E. JOHNSON AVENUE, N. SPRING STREET AND N. COMMERCIAL STREET; TO WAIVE COMPETITIVE BIDDING AND DECLARING AN EMERGENCY

Council Member Rick Evans presented an Ordinance authorizing the Mayor and City Clerk to enter into a development agreement with Springdale Downtown LLC for sidewalk improvements on E. Johnson Avenue, N. Spring Street and N. Commercial Street; to waive competitive bidding and declaring an emergency.

Springdale Downtown, LLC, has submitted a Large Scale Development Plan (L20-05), known as the Emma Street Mixed Use Development project, to the City of Springdale.

Sidewalk improvements are needed to portions of E. Johnson Avenue, N. Spring Street, and N. Commercial Street in order to promote, encourage, and protect pedestrian traffic in Downtown Springdale.

It is beneficial that the improvements be made in conjunction with the Emma Street Mixed Use Development project, as the costs of the improvements will be much less if included in the Emma Street Mixed Use Development project

Due to the costs related to improvements being made by Springdale Downtown, LLC, other exceptional circumstances involved, competitive bidding is not feasible or practical and is hereby waived for the sidewalk improvements to portions of E. Johnson Avenue, N. Spring Street, and N. Commercial Street as set forth in the Development Agreement in an amount not to exceed \$21,224.00.

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

The vote:

Yes: Powell, Jaycox, Williams, Watson, Overton, Reed, Lawson, Evans

No: None

Council Member Reed moved the Emergency Clause be adopted. Council Member Jaycox made the second.

The vote:

Yes: Jaycox, Williams, Watson, Overton, Reed, Lawson, Evans, Powell

No: None

The Ordinance was numbered 5477.

RESOLUTION NO. 62-20 – ACCEPTING THE GUARANTEED MAXIMUM PRICE FOR THE RENOVATION OF TYSON PARK PROJECT #18BPP2

Council Member Mike Lawson presented a Resolution accepting the guaranteed maximum price of \$4,979,897 from Flintco LLC for the renovation of Tyson Park Project #18BPP2.

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

**A RESOLUTION ACCEPTING THE GUARANTEED MAXIMUM PRICE FOR THE RENOVATION OF TYSON PARK PROJECT #18BPP2**

**WHEREAS**, Arkansas Statute 19-11-801 provides for the employment of a construction manager for public improvement projects, and

**WHEREAS**, the renovation of Tyson Park has been designed and bids taken from sub-contractors, and

**WHEREAS**, Flintco, LLC has proposed a guaranteed maximum price of \$4,979,897 for the renovation Tyson Park.

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

1. The City Council accepts the guaranteed maximum price of \$4,979,897 submitted by Flintco LLC for the renovation of Tyson Park.
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 guaranteed maximum price.

**PASSED AND APPROVED** this \_\_\_\_ day of May, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

The vote:

Yes: Williams, Watson, Overton, Reed, Lawson, Evans, Powell, Jaycox

No: None

The Resolution was numbered 62-20.

CITY SALES TAX REVENUE

It was reported that the city sales taxes were up 7.13% for the month of March 2020 over last year. With the Coronavirus pandemic, these numbers were good news for the City of Springdale.

Wyman Morgan reported on the Arvest Ballpark and the contract with the Naturals Baseball Team. The contract has a clause in it relating to situations like we are in now, that their rent for the year will be prorated on the number of games they play. It is yet to be determined if they will be playing any games this year. There is still over \$900,000 in the maintenance account.

ADJOURNMENT

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

After a voice vote of all ayes and no nays, the meeting adjourned at 6:44 p.m.

---

Doug Sprouse, Mayor

---

Denise Pearce, City Clerk/Treasurer

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

**A RESOLUTION APPROVING THE  
RE-APPOINTMENT OF PAUL LAWRENCE  
TO THE SPRINGDALE WATER & SEWER  
COMMISSION**

**WHEREAS**, the Springdale City Council adopted Ordinance No. 3592, thereby establishing a five-member board of Water and Sewer Commissioners; and

**WHEREAS**, Paul Lawrence's term on the Springdale Water & Sewer Commission will expire on July 13<sup>th</sup>, 2020; and

**WHEREAS**, Arkansas Code 14-234-304 provides that “the remaining commissioners shall appoint a successor for an eight-year term, subject to the approval of two-thirds (2/3) of the duly elected and qualified members of the city council”, and

**WHEREAS**, the remaining members of the Springdale Water & Sewer Commission have appointed Paul Lawrence to serve his third term on said commission,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** that the reappointment of Paul Lawrence to the Springdale Water & Sewer Commission, with a term expiration date of July 13<sup>th</sup>, 2028, is hereby approved.

**PASSED AND APPROVED** this 9<sup>th</sup> day of June, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

RESOLUTION NO. 10-20

A RESOLUTION TO REAPPOINT PAUL LAWRENCE TO  
THE SPRINGDALE WATER AND SEWER COMMISSION

WHEREAS, it has come to the attention of the Springdale Water and Sewer Commission that Paul Lawrence's term on the commission will expire on July 13, 2020; and

WHEREAS, remaining members of the Springdale Water and Sewer Commission are charged with the responsibility under state law to appoint a successor, subject to the approval of the City Council of the City of Springdale, Arkansas; and

WHEREAS, the remaining members of the Springdale Water and Sewer Commission have a desire to reappoint Paul Lawrence for another term on the Springdale Water and Sewer Commission, said term to expire on July 13, 2028; and

WHEREAS, Paul Lawrence has offered his willingness to serve another term on the Springdale Water and Sewer Commission;

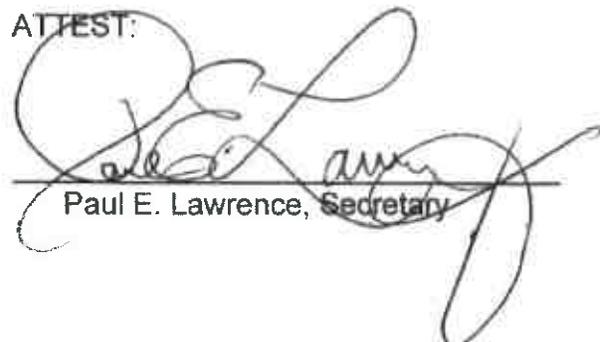
NOW THEREFORE, BE IT HEREBY RESOLVED BY THE REMAINING MEMBERS OF THE WATER AND SEWER COMMISSION OF THE CITY OF SPRINGDALE, ARKANSAS, that Paul Lawrence be reappointed to serve a term on the Water and Sewer Commission that will expire on July 13, 2028.

BE IT FURTHER RESOLVED that the reappointment of Paul Lawrence is recommended for approval by the City Council of the City of Springdale, Arkansas.

PASSED AND APPROVED this 20 day of May, 2020.

  
Chris G. Weiser, Chair

ATTEST:

  
Paul E. Lawrence, Secretary

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

**A RESOLUTION AUTHORIZING PAYMENT OF AN  
INVOICE  
PROJECT NO. 18BPC1**

**WHEREAS**, Springdale municipal code sec. 2-158 requires approval of the governing body before paying any bill that exceeds \$1,000,000, and

**WHEREAS**, the City of Springdale has contracted with Milestone Construction Company, LLC to construct/renovate the Springdale Municipal Campus, and

**WHEREAS**, The City has received an invoice for \$1,566,490.65 for construction expenses for May 2020.

**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 pay Milestone Construction Company, LLC \$1,566,490.65 with funds from the 2018 Bond Construction Fund.

**PASSED AND APPROVED** this 9<sup>th</sup> day of June, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

# APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER: City of Springdale  
201 Spring Street  
Springdale, AR 72764

PROJECT: Springdale Municipal Campus  
201 Spring Street  
Springdale, AR 72764

APPLICATION NO: 11  
PERIOD TO: May 31, 2020  
PROJECT NOS: 1371

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

FROM CONTRACTOR: Milestone Construction Company, LLC  
2002 South 48th Street  
Suite A  
Springdale, AR 72762

ARCHITECT: Duvall Decker Architects, P.A.  
2915 North State Street  
Jackson, MS 39216

CONTRACT DATE: Jul 31, 2019

CONTRACT FOR: Springdale Municipal Campus

## APPLICATION AND CERTIFICATE FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation sheet is attached.

1. ORIGINAL CONTRACT SUM	\$	35,855,288.00
2. Net change by change orders	\$	0.00
3. CONTRACT SUM TO DATE ( Line1 +/- 2 )	\$	35,855,288.00
4. TOTAL COMPLETED & STORED TO DATE	\$	13,065,031.68
<small>(Column G<sup>90</sup> G703)</small>		
5. RETAINAGE:		
<small>(Total retainage Column I of G703)</small>	\$	653,251.57
6. TOTAL EARNED LESS RETAINAGE	\$	12,411,780.11
<small>(Line 4 less Line 5 Total)</small>		
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT		
<small>(Line 6 from prior Certificate)</small>	\$	10,845,289.46
8. CURRENT PAYMENT DUE	\$	1,566,490.65
9. BALANCE TO FINISH, INCLUDING RETAINAGE	\$	23,443,507.89
<small>(Line 3 less Line 6)</small>		

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor: Milestone Construction Company, LLC

By: Greg Jones Date: 5/26/2020

State of: Arkansas

County of: Benton

Subscribed and sworn to before me this 26th day of May 2020

Notary Public: Melissa Bell

My Commission Expires: 8/3/29



CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Change Order approved in previous months by Owner	0.00	0.00
APPROVED THIS MONTH		
Number	Date Approved	
Current Total:	0.00	0.00
Net Change by Change Orders		0.00

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of Work is in accordance with the Contract Documents, and the Contractor is entitled to the payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$ 1,566,490.65

*(Attach explanation if amount certified differs from the amount applied for. Initial figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)*

ARCHITECT: Duvall Decker Architects, P.A.

By: Ryan Date: 06-04-20

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

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

**A RESOLUTION AUTHORIZING EXECUTION OF A  
CONTRACT FOR EQUIPMENT STORAGE STRUCTURE**

**WHEREAS**, the City Council authorized an equipment storage structure as part of the Public Works Department's 2020 budget,

**WHEREAS**, the City of Springdale staff prepared plans for the necessary improvements,

**WHEREAS**, City of Springdale solicited competitive bids for the steel structure,

**WHEREAS**, the low bid for the structure was submitted by Elite Steel Erectors, Inc. in the amount of \$55,515.23, and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that** the Mayor and City Clerk/Treasurer are hereby authorized to execute a contract with Elite Steel Erectors, Inc., for construction of an Equipment Storage Structure in the amount of \$55,515.23.

**PASSED AND APPROVED** this \_\_\_\_ day of June, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

**AN ORDINANCE APPROVING AND RATIFYING A PETITION FOR CONSOLIDATION OF THE CITY OF BETHEL HEIGHTS, ARKANSAS, INTO THE CITY OF SPRINGDALE, ARKANSAS, AND CALLING FOR A SPECIAL ELECTION, PURSUANT TO ARK. CODE ANN. §14-40-1201, *et seq.*, AND TO DECLARE AN EMERGENCY.**

**WHEREAS**, the City Clerk for the City of Springdale has been presented petitions calling for the consolidation of the City of Bethel Heights into the City of Springdale, pursuant to Ark. Code Ann. §14-40-1201, *et seq.*;

**WHEREAS**, the City Clerk for the City of Springdale has determined that the petitions are sufficient, as they are signed by the requisite number of qualified electors as provided by Ark. Code Ann. §14-40-1201, *et seq.*, and a copy of the Certificate signed by the City Clerk for the City of Springdale is attached hereto as Exhibit "A";

**WHEREAS**, the City Clerk for the City of Bethel Heights has been presented petitions calling for the consolidation of the City of Bethel Heights into the City of Springdale, pursuant to Ark. Code Ann. §14-40-1201, *et seq.*;

**WHEREAS**, the City Clerk for the City of Bethel Heights has determined that the petitions are sufficient, as they are signed by the requisite number of qualified electors as provided by Ark. Code Ann. §14-40-1201, *et seq.*, and a copy of the Certificate signed by the City Clerk for the City of Bethel Heights is attached hereto as Exhibit "B";

**WHEREAS**, Ark. Code Ann. §14-40-1201 provides that if the City Clerk of the respective municipalities decides the petitions are sufficient, the Clerks shall notify the petitioners in writing and shall present the petition to the city council of the larger municipal corporation;

**WHEREAS**, Ark. Code Ann. §14-40-1201(b)(1)(A) provides that when the petitions are presented to the City Council of the larger municipal corporation, the City Council shall pass an ordinance in favor of the annexation and approving and ratifying the petition;

**WHEREAS**, the City wishes to allow the voters of the City of Springdale and the City of Bethel Heights to exercise their statutory right to decide the issue of the consolidation of the City of Bethel Heights into the City of Springdale at a special election;

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

**Section 1.** Pursuant to Ark. Code Ann. §14-40-1201(b)(1), the petitions calling for the consolidation of the City of Bethel Heights into the City of Springdale are hereby approved and ratified, and the City is in favor of the annexation/consolidation of the City of Bethel Heights into the City of Springdale.

**Section 2.** Pursuant to Ark. Code Ann. §14-40-1201(b)(2), the petitioners' representative(s) are directed to file the petitions, together with a certified copy of this Ordinance, in the office of the County Clerk of Washington County, Arkansas, and the County Clerk of Benton County, Arkansas.

**Section 3.** Upon presentment of the aforementioned, a special election shall be called on the question of the consolidation of the City of Bethel Heights into the City of Springdale, as provided by Ark. Code Ann. §14-40-1202, and the Mayor and City Council of each of the municipal corporations shall select two (2) judges and one (1) clerk for each of the wards or

other divisions having the qualifications of electors, to act as judges and clerks of election within the respective wards.

**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 in effect immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

ATTEST:

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

APPROVED:

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



**SPRINGDALE**

www.springdalear.gov

www.springdalear.gov

MAY 20, 2021

Andi Wehler, Mayor  
Jared McGowan/Jawad/Hayden

Dear Jim:

The Springdale City Clerk's Office has now validated that the petitions presented to it pertaining to the proposed consolidation of the City of North Fayette into the City of Springdale contain at least 27 signatures of qualified electors of the City of Springdale (Washington and Harris Counties), Ark. Code Ann. §14-40-120 requires, in its entirety, that the authorized representative for the petitioners must have verified the authenticity of the petition filed with my office. As such, I have enclosed herewith 4 affidavits stating that the petitioners have been found to be authentic.

As such, I will present the petitions to the Springdale City Council at the next meeting for Thursday, May 27, 2021, so you will see an ordinance to know of the initiation/consolidation of Springdale and merging the petitions pursuant to Ark. Code Ann. §14-40-120.

Thank you for your time and assistance.

Sincerely,

*Denise Pearce*

Denise Pearce  
City Clerk/Treasurer

enclosure

cc: Mayor Doug Sprouse  
City Attorney Ernest B. Carr

Denise Pearce, City Clerk/Treasurer

1000 1st Street, Springdale, AR 72762 | 479-326-2222 | 1000 1st Street, Springdale, AR 72762 | 479-326-2222



### CERTIFICATE

Beginning March 6, 2020, petitions were filed in the City Clerk's Office for the City of Springdale, Arkansas. The purpose of these petitions is for consolidation of the City of Balliet Heights, Arkansas, into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-1201.

Fifteen percent (15%) of the total number of qualified electors who cast a vote in the City of Springdale for the Mayor's race in 2016 is the required number of signatures to place the question on the ballot.

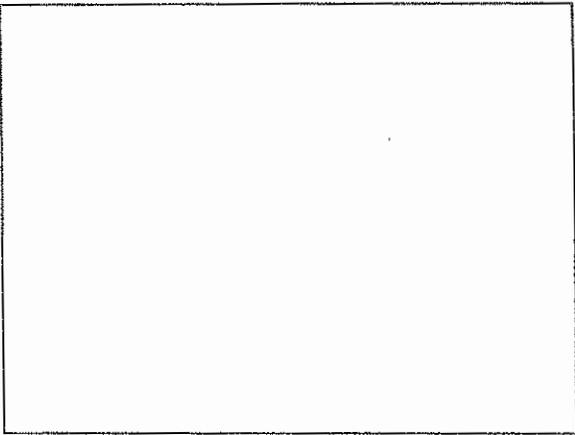
Washington County	15,686 votes x 15%	=	2,353
Hendon County	2,398 votes x 15%	=	360
Total Signatures Required			2,713

The names on the petitions were checked and more than the required total of 2,713 were found to be qualified electors in the City of Springdale.

I, hereby affirm that I have validated 2,353 signatures of qualified electors in the City of Springdale, Washington County, Arkansas, and 360 signatures of qualified electors in the City of Springdale, Hendon County, Arkansas, on these petitions, and as such, the petition is validly filed pursuant to Ark. Code Ann. § 14-40-1201, as the petitioners have enough signatures to place the question on the ballot.

Denise Pearce  
Denise Pearce  
City Clerk/Treasurer

May 20, 2020  
Date



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 GENERAL COMMERCIAL DISTRICT (C-2) 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 June 2, 2020 for hearing the matter of a petition of Harold and Mattie Griffin Family Trust u/t/d/ March 11, 2015, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to General Commercial District (C-2).

**Layman's Description: 4022 S. 56<sup>th</sup> Street**

**Legal Description:** PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4), SECTION 17, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 17, SAID POINT BEING A FOUND 3" ALUMINUM MONUMENT; THENCE ALONG THE EAST LINE OF SAID SECTION 17, S02°29'31"W A DISTANCE OF 1,088.87 FEET; THENCE LEAVING SAID EAST LINE, N87°25'43"W A DISTANCE OF 72.08 FEET TO THE POINT OF BEGINNING, LOCATED ON THE NEW WESTERLY RIGHT OF WAY LINE OF S. 56TH STREET, SAID POINT BEING A SET IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID NEW WESTERLY RIGHT OF WAY LINE, S02°15'47"W A DISTANCE OF 182.38 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID NEW WESTERLY RIGHT OF WAY LINE, N87°30'29"W A DISTANCE OF 305.44 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N02°29'31"E A DISTANCE OF 182.80 FEET TO A FOUND 5/8" REBAR; THENCE S87°25'43"E A DISTANCE OF 304.71 FEET TO THE POINT OF BEGINNING. CONTAINING 1.28 ACRES - 55,705 SQ.FT., MORE OR LESS.

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

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

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

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

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

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

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020**

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

ATTEST:

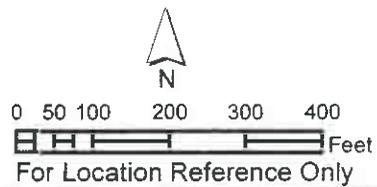
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

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



Public Hearing Sign Posted Prior/On: 5/22/2020  
 Public Hearing Sign Posted By: RB  
 Public Hearing Sign Location



**FILE NO. R20-20**  
**APPLICANT: Harold & Mattie Griffith Family Trust**  
**REQUEST: Rezone parcel from A-1 to C-2**

PLANNING COMMISSION MEETING  
 June 2, 2020

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

**A RESOLUTION AMENDING THE 2020  
BUDGET OF THE FIRE DEPARTMENT AND  
POLICE DEPARTMENT**

**WHEREAS**, the Springdale Fire Chief is recommending the purchase of two disinfecting systems and the Police Chief is recommending the purchase on one for his department, and

**WHEREAS**, both departments have received grant funds in an amount sufficient to cover these expenditures, and

**WHEREAS**, Arkansas Code § 19-11-249 states "A public procurement unit may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the acquisition of commodities or services".

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that** the 2020 budget of the Fire Department and Police Department are hereby amended as follows:

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Proposed Budget</u>
Fire	10106013311000	Federal Grants	177,400	33,623		211,023
Fire	10106014228030	Equipment	0	33,623		33,623
Police	10105013311000	Federal Grants	110,000	16,812		16,812
Police	10105014228030	Equipment	9,930	16,812		26,742

**PASSED AND APPROVED** this 9<sup>th</sup> day of June, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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

# Springdale Fire Department

May 28, 2020

To Mayor Sprouse and Fire and Police Committee Chair Powell;

We would like to request to place on the Fire and Police Committee agenda a request to purchase a total of three AeroClave RDS3110 disinfecting systems. The Police Department would like to purchase one and the Fire Department would like to purchase two.

The Police Department would like to purchase their unit with possible grant funding for COVID-19.

The Fire Department received a total of \$48,000 from HHS as part of a grant to help offset the cost of current and future COVID-19 expenditures.

The units are listed on the HGAC Buy-board which eliminates the need to go out for bid and the cost of each unit is \$16,811.21 and that includes the ability to fog an area and also utilize a hand sprayer. The unit is fully self-contained and can be set up and operating in minutes. The price of the unit includes the portable applicator, as well as three cases of disinfectant solution per unit as well as shipping, handling, and taxes.

We currently have three portable hand units (currently only one working) and they are not holding up to the increased use due to the COVID-19 pandemic. We would like to purchase these units to address our immediate needs with sanitation as well as future needs if we see the second wave this fall as many are predicting.

The Police department would expend \$16,811.21 from the grant and the Fire Department would expend \$33,622.42 from the \$48,000 funding we received from HHS.

Thank you for your consideration in our request.

*Michael J. Irwin*

Fire Chief  
Springdale Fire Department



*"To Save Lives, Property, and Minimize the effects of all emergencies in the City of Springdale"*

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

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS ADMINISTERED BY THE ARKANSAS DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, City of Springdale understands Federal-aid Transportation Alternatives Program Funds are available at 80% federal participation and 20% local match/in kind labor to develop or improve the pedestrian sidewalk/trail portion of the Watkins Avenue 48<sup>th</sup> Street to Gene George Boulevard Project, and

**WHEREAS**, City of Springdale understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement, and

**WHEREAS**, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

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

**SECTION II:** The Mayor is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

**SECTION III:** The City Council of the City of Springdale pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

**ATTEST:**

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

**APPROVED:**

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

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

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID RECREATIONAL TRAILS PROGRAM FUNDS ADMINISTERED BY THE ARKANSAS DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, City of Springdale understands Federal-aid Recreational Trails Program Funds are available at 80% federal participation and 20% local match/in kind labor to develop or improve the pedestrian sidewalk/trail portion of the Watkins Avenue 48<sup>th</sup> Street to Gene George Boulevard Project, and

**WHEREAS**, City of Springdale understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement, and

**WHEREAS**, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

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

**SECTION II:** The Mayor is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

**SECTION III:** The City Council of the City of Springdale pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

**ATTEST:**

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

**APPROVED:**

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

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

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SPRINGDALE, ARKANSAS TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS ADMINISTERED BY THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION FOR THE CONSTRUCTION OF THE PEDESTRIAN SIDEWALK/TRAIL PORTION OF THE WATKINS AVENUE 48<sup>TH</sup> STREET TO GENE GEORGE BOULEVARD PROJECT.

**WHEREAS**, the City of Springdale understands Federal-aid Transportation Alternatives Program Funds are available at 80% federal participation and 20% local match for construction of the pedestrian sidewalk/trail portion of the Watkins Avenue 48<sup>TH</sup> Street to Gene George Boulevard Project, and

**WHEREAS**, the City of Springdale understands that Federal-aid Funds are available for this portion of the project on a reimbursable basis, required work to be accomplished and proof of payment prior to actual monetary reimbursement; and

**WHEREAS**, the City of Springdale understands that there will be no reimbursement for any work accomplished prior to the issuance by the Arkansas Highway and Transportation Department of an official Notice to Proceed, and

**WHEREAS**, this project, using federal funding, will be open and available for use by the general public and maintained by the City.

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

**SECTION 1:** The City of Springdale will participate in accordance with its designated responsibility, including maintenance of this project.

**SECTION 2:** The Mayor is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

**SECTION 3:** That funds have been identified in the 2018 Street Bond funds and are hereby set aside to provide the required match.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

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

**ATTEST:**

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

**APPROVED:**

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Ernest B. Cate, City Attorney