

- **The next City Council Committee Meeting date will be discussed during tonight's meeting.**
- **Agenda Packet will be available on the Friday before the meeting.**

**SPRINGDALE CITY COUNCIL  
REGULAR MEETING  
CITY COUNCIL CHAMBERS  
201 SPRING STREET (2<sup>ND</sup> FLOOR)  
Tuesday, August 27<sup>th</sup>, 2024**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Mike Lawson

1. Call to Order – Mayor Doug Sprouse
2. Roll Call – Denise Pearce, City Clerk/Treasurer
3. 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 – **Tuesday, August 13<sup>th</sup>, 2024. Pgs. 72-80**

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) **7A-7B, 9A, 10A, and 12*** (*Motion must be approved by two-thirds (2/3) of the council members*).

7. 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 (R24-37) certain lands located at

3510 & 3476 McRay Avenue from Agricultural District (A-1) to General Commercial District (C-2), and declaring an emergency. Pgs. 1-5

**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 (R24-38) certain lands located at 413 W. AR HWY 264 from Agricultural District and Low-Density Single Family Residential District (SF-1), and declaring an emergency. Pgs. 6-11

**C. A Resolution** approving a Conditional Use (C24-11) for Evolution Real Estate, LLC (Pickle Junction Subdivision) at W. Emma Avenue, south of 3377 W. Huntsville Avenue as set forth in Ordinance No. 4030. Pgs. 12-14

**D. A Resolution** approving a waiver (W24-14) of street improvements, drainage, curbs, gutters, sidewalks, and street lights as set forth in Ordinance No. 3725 to Clayton Street Business Park, in connection with PP24-12, a Preliminary Plat. Pgs. 15-16

**E. A Resolution** approving a waiver (W24-15) of street improvements, drainage, curbs, gutters, sidewalks, and street lights as set forth in Ordinance No. 3725 to N. 45<sup>th</sup> Street, in connection with PP24-09, a Preliminary Plat. Pgs. 17-18

**F. A Resolution** approving a waiver (W24-16) of street improvements, drainage, curbs, gutters, sidewalks, and streetlights as set forth in Ordinance No. 3725 to Springdale Industrial Park, Ph. II & Ph. III, in connection with L21-38, a Large-Scale Development. Pgs. 19-20

8. Finance Committee by Chairwoman Amelia Taldo – **Item (s) forwarded from Committee with recommendation for approval**

**A. A Resolution** authorizing an amendment to the professional design contract for Dean's Trail Project. Presented By Ben Peters, Engineering Director. Pgs. 21-34

**B. A Resolution** authorizing the execution of a construction contract for Lake Springdale trail repairs. Presented By Ben Peters, Engineering Director. Pgs. 35-36

C. **A Resolution** authorizing the execution of a professional services agreement for consulting services. Presented by Colby Fulfer, Chief of Staff. Pgs. 37-39

D. **A Resolution** authorizing an amendment to the design contract for Murphy Park downstream drainage upgrade. Presented By Ben Peters, Engineering Director. Pgs. 40-43

E. **A Resolution** authorizing the City of Springdale to apply for grand funding from the Arkansas Department of Parks, Heritage and Tourism for Life Program. Presented By Ben Peters, Engineering Director. Pg. 44

9. Health, Sanitation, and Property Maintenance Committee by Chairman Jeff Watson- **Item (s) forwarded from Committee with recommendation for approval**

A. **An Ordinance** ordering the razing (demolition) and removal of a certain residential structure within the city of Springdale, Arkansas, located at 305 W. Maple Avenue; to declare an emergency; and for other purposes. Presented by Ernest Cate, City Attorney, and Tom Evers, Building Department. Pgs. 45-48

10. Committee of the Whole – **Item (s) forwarded from Committee with recommendation for approval**

A. **An Ordinance** confirming a third amendment to an Inter-Municipal Sewer Agreement between the City of Springdale, Arkansas, and the City of Lowell, Arkansas; and declaring an emergency. Presented by Ernest Cate, City Attorney. Pg. 49

11. Parks and Recreation Committee by Chairman Mike Lawson- **Item (s) forwarded from Committee with recommendation for approval**

A. **A Resolution** authorizing the expenditure of tower rent funds for the replacement of fall protection surface for the Kiwanis playground at Luther George Park. Presented by Ben Peters, Engineering Director. Pgs. 50-58

12. **An Ordinance** authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located

within the City of Springdale, Arkansas, and declaring an emergency. Presented by Ernest Cate, City Attorney. Pgs. 59-71

13. **A Discussion** regarding a date for the 1<sup>st</sup> City Council Committee meeting in September 2024.

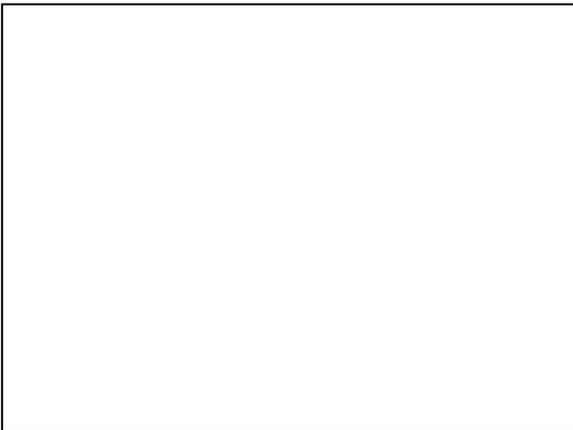
14. Comments from Department Heads.

15. Comments from Council Members.

16. Comments from City Attorney.

17. Comments from Mayor.

18. Adjournment.



**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 (R24-37) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) WITHIN SPRINGDALE, ARKANSAS, 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 August 6, 2024, for hearing the matter of J. Miller Holdings, LLC a petition requesting that the following described tract of real estate be rezoned from Agricultural District (A-1) to General Commercial District (C-2):

**Layman’s Description: 3510 & 3476 McRay Avenue**

**Legal Description:**

**TRACT 1:**

**PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, DESCRIBED AS:**

**BEGINNING AT A POINT 350 FEET EAST OF THE SOUTHWEST CORNER OF SAID 40-ACRE TRACT, THENCE NORTH 143 FEET, THENCE EAST 100 FEET, THENCE SOUTH 143 FEET, THENCE WEST 100 FEET TO THE POINT OF BEGINNING.**

**TRACT 2:**

**PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:**

**BEGINNING 220 FEET EAST OF THE SOUTHWEST CORNER OF SAID 40 ACRE TRACT; THENCE NORTH 225 FEET; THENCE**

**WEST 220 FEET; THENCE NORTH 388 FEET; THENCE EAST 450 FEET; THENCE SOUTH 470 FEET; THENCE WEST 100 FEET; THENCE SOUTH 143 FEET; THENCE WEST 130 FEET TO THE POINT OF BEGINNING, AND CONTAINING 4.87 ACRES, MORE OR LESS AND SUBJECT TO THAT PART THAT LIES IN MCRAY AVENUE ON THE SOUTH SIDE. SUBJECT TO EASEMENTS, RIGHT-OF-WAYS, AND PROTECTIVE COVENANTS OF RECORD, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.**

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R24-37) from Agricultural District (A-1) to General Commercial District (C-2) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable 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 by rezoning the above-described tract of real estate as follows:

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

**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 \_\_\_\_\_, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

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

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 07/27/24

**S** PUBLIC HEARING SIGN LOCATION



Planning Commission Meeting  
August 6, 2024

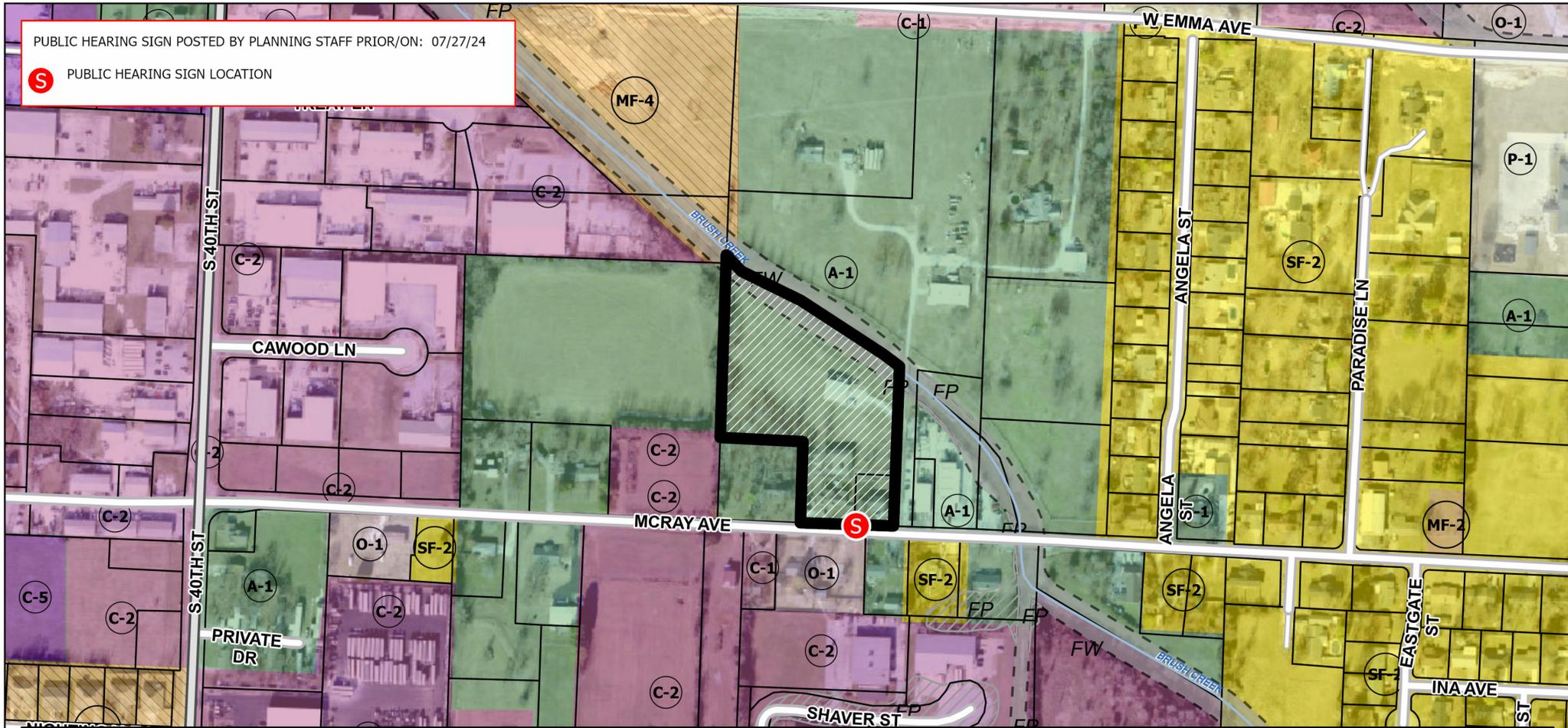


PROJECT: R24-37  
APPLICANT: J Miller Holdings  
LOCATION: 3510 & 3476 McRay Ave  
REQUEST: A-1 to C-2

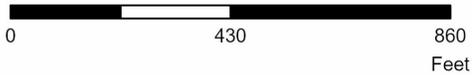


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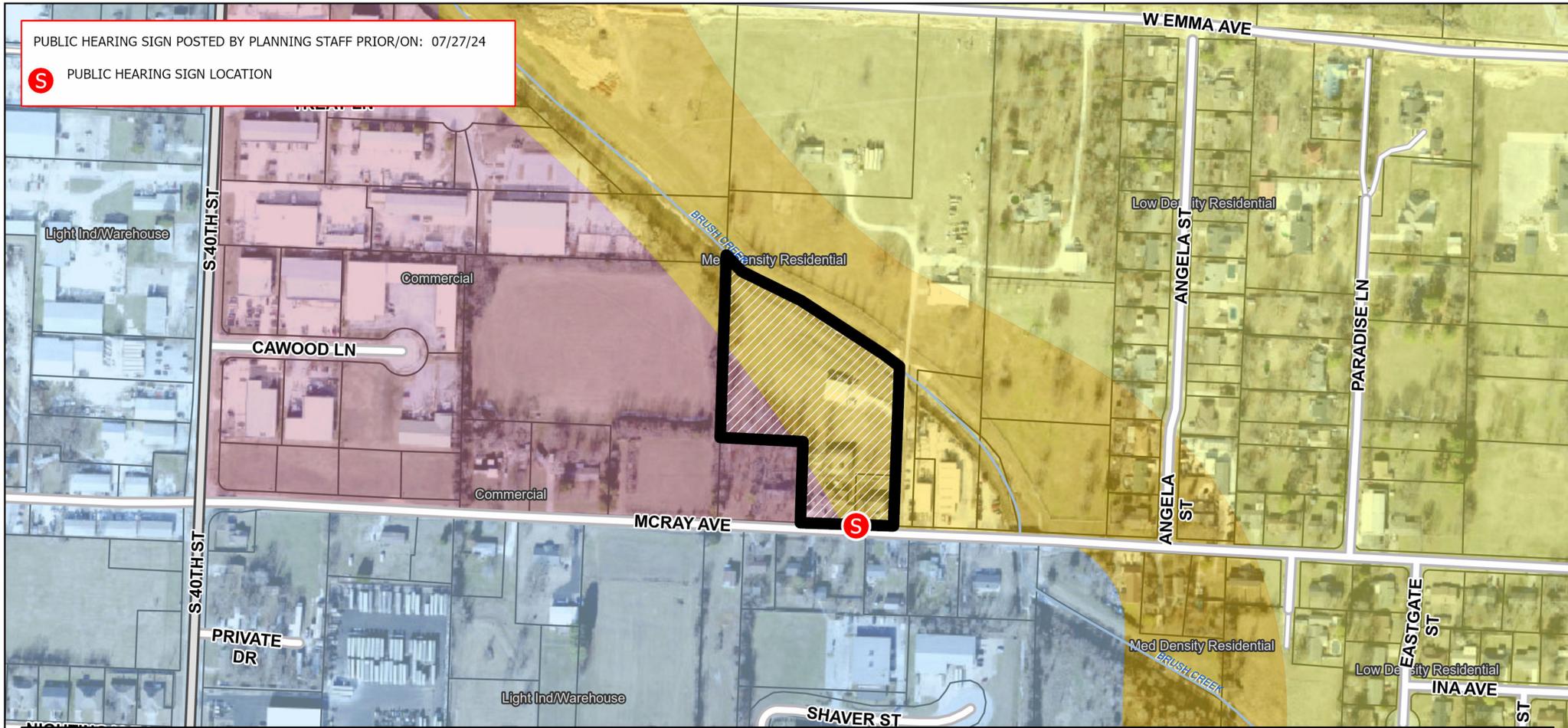


PROJECT: R24-37  
APPLICANT: J Miller Holdings  
LOCATION: 3510 & 3476 McRay Ave  
REQUEST: A-1 to C-2

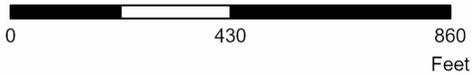


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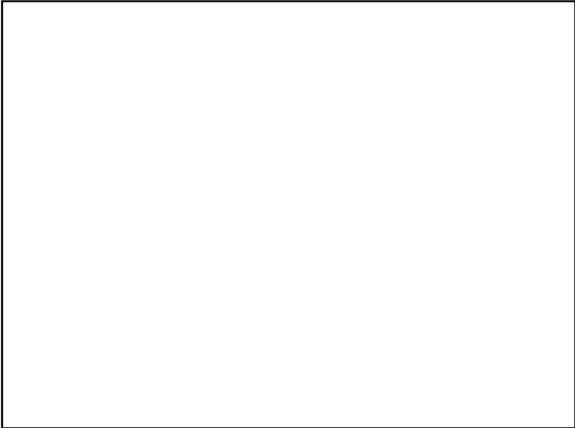


Planning Commission Meeting  
August 6, 2024



PROJECT: R24-37  
APPLICANT: J Miller Holdings  
LOCATION: 3510 & 3476 McRay Ave  
REQUEST: A-1 to C-2





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 (R24-38) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) AND LOW-DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-1) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) WITHIN SPRINGDALE, ARKANSAS, 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 August 6, 2024, for hearing the matter of Maria del Carmen Martinez a petition requesting that the following described tract of real estate be rezoned from Agricultural District (A-1) and Low-Density Single Family Residential District (SF-1) to Thoroughfare Commercial District (C-5):

**Layman’s Description: 413 W. AR HWY 264**

**Legal Description:**

**PART OF THE WEST ONE-HALF (W 1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWENTY-FOUR (24), IN TOWNSHIP EIGHTEEN (18) NORTH, OF RANGE THIRTY (30) WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:  
FROM THE NORTHWEST CORNER OF SAID 20 ACRE TRACT, RUN EAST 150.0 FEET TO THE POINT OF BEGINNING; THENCE RUNNING SOUTH 0°03' EAST 600.0 FEET; THENCE EAST 150.0 FEET; THENCE NORTH 0°38'38" WEST 600.04 FEET; THENCE WEST 143.78 FEET TO THE POINT OF BEGINNING, AND CONTAINING 2.02 ACRES, MORE OR LESS, SUBJECT TO THE RIGHT-OF-WAY OF HIGHWAY 264 ALONG THE NORTH LINE AND SUBJECT TO OTHER RIGHTS OF WAY AND EASEMENTS, IF ANY. LESS AND EXCEPT PART OF THE NORTHEAST QUARTER**

**OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT BEING USED AS THE WEST SIXTEENTH CORNER OF SECTIONS 13 AND 24; THENCE SOUTH 02°40'57" WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24 A DISTANCE OF 25.99 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY 264 AS ESTABLISHED BY AHTD JOB 9-509; THENCE SOUTH 87°42'42" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 87°42'42" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 151.22 FEET TO A POINT; THENCE SOUTH 02°28'11" WEST ADISTANCE OF 11.62 FEET TO A ON THE SOUTHERLY RIGHT OF WAY LINE OF ARKANSAS STATE HIGHWAY 264 AS ESTABLISHED BY AHTD JOB 090284; THENCE SOUTH 88°40'25" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 35.47 FEET TO A POINT; THENCE SOUTH 84°43'42" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 80.62 FEET TO A POINT; THENCE NORTH 84°46'49" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 36.08 FEET TO A POINT; THENCE NORTH 02°40'57" EAST A DISTANCE OF 22.62 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.06 ACRES, MORE OR LESS, AS SHOWN ON PLANS PREPARED BY THE AHTD REFERENCED AS JOB 090284.**

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and recommends to the Springdale City Council that the area described herein should be rezoned (R24-38) from Agricultural District (A-1) and Low-Density Single Family Residential District (SF-1) to Thoroughfare Commercial District (C-5) for the purposes of the Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer intolerable 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 by rezoning the above-described tract of real estate as follows:

From Agricultural District (A-1) and Low-Density Single Family Residential District (SF-1) to Thoroughfare Commercial District (C-5) zone.

**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 \_\_\_\_\_, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

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

PUBLIC HEARING SIGN POSTED BY PLANNING STAFF PRIOR/ON: 07/27/24

**S** PUBLIC HEARING SIGN LOCATION



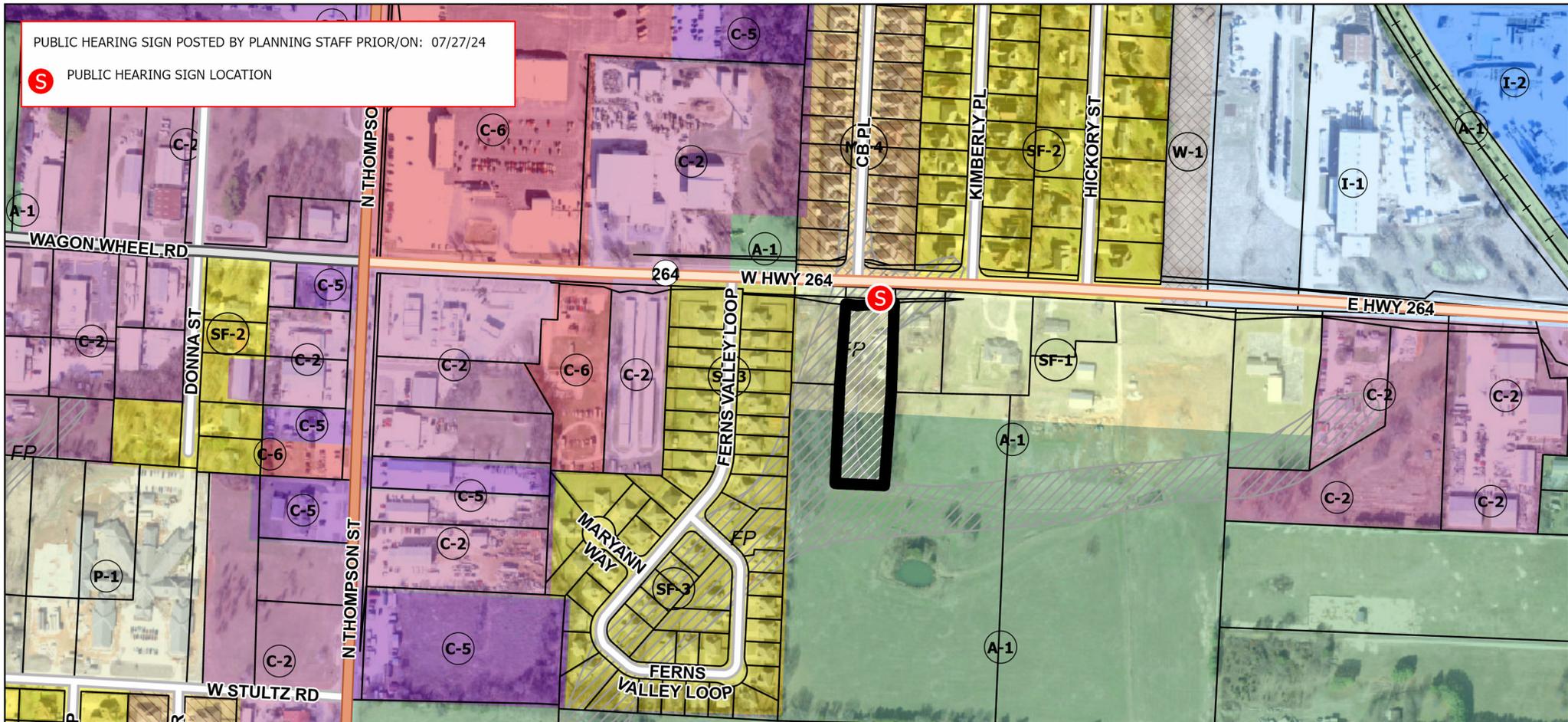
Planning Commission Meeting  
August 6, 2024



PROJECT: R24-38  
APPLICANT: Maria del Carmen Martinez  
LOCATION: 413 W AR HWY 264  
REQUEST: A-1 & SF-1 to C-5



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Planning Commission Meeting  
August 6, 2024

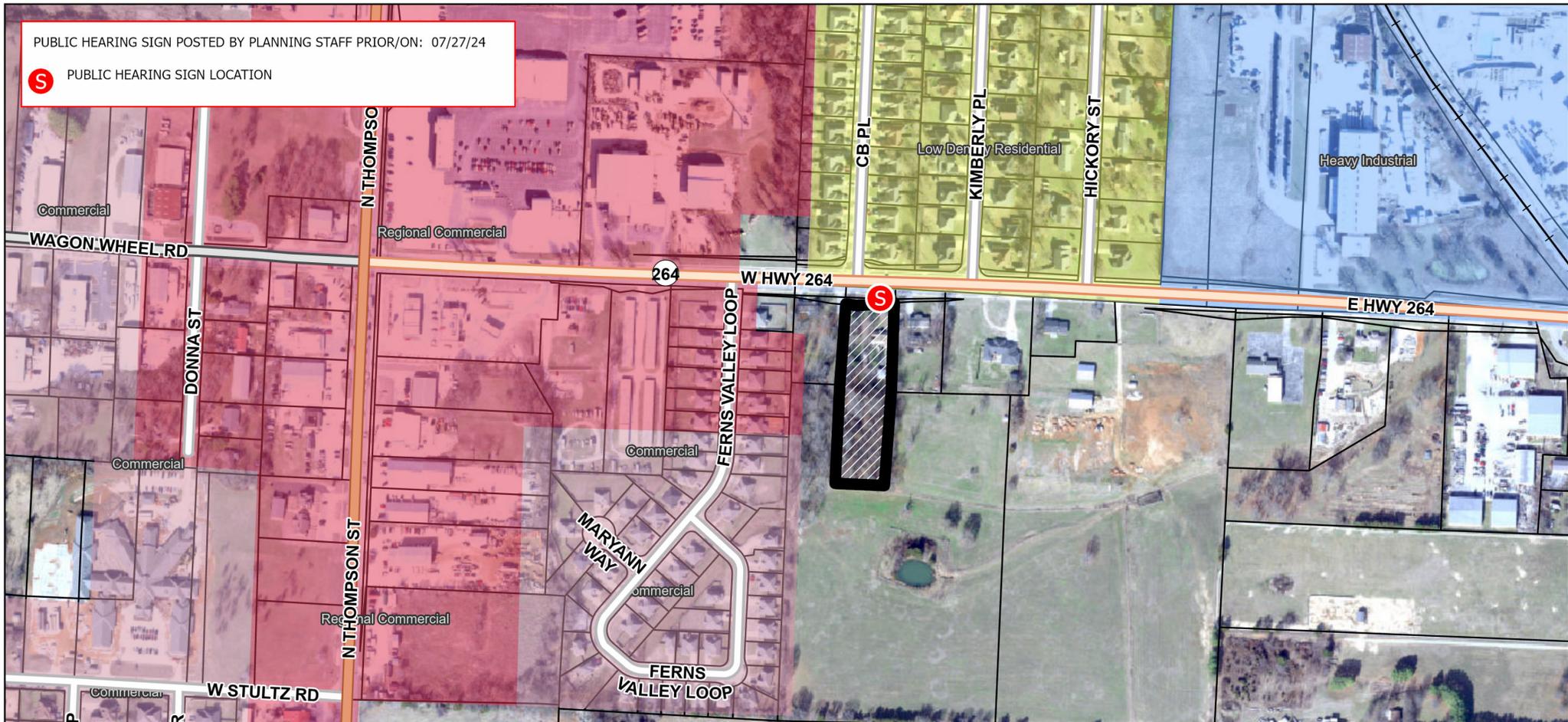
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PROJECT: R24-38  
APPLICANT: Maria del Carmen Martinez  
LOCATION: 413 W AR HWY 264  
REQUEST: A-1 & SF-1 to C-5



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Planning Commission Meeting  
August 6, 2024



PROJECT: R24-38  
APPLICANT: Maria del Carmen Martinez  
LOCATION: 413 W AR HWY 264  
REQUEST: A-1 & SF-1 to C-5



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

**A RESOLUTION APPROVING A CONDITIONAL USE (C24-11) AT W. EMMA AVENUE, SOUTH OF 3377 W. HUNTSVILLE AVENUE AS SET FORTH IN ORDINANCE NO. 4030**

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

**WHEREAS**, the Planning Commission held a public hearing on August 6, 2024, on a request by Evolution Real Estate, LLC (Pickle Junction Subdivision) for a conditional use for a Tandem Lot Split in a C-1 (Neighborhood Commercial District) at W. Emma Avenue, S. of 3377 W. Huntsville Avenue; and,

**WHEREAS**, following the public hearing the Planning Commission by a vote of eight (8) yes and zero (0) no, recommends that a conditional use be granted to Evolution Real Estate, LLC (Pickle Junction Subdivision) for a conditional use for a Tandem Lot Split in a Neighborhood Commercial District (C-1) at W. Emma Avenue, south of 3377 W. Huntsville Avenue 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 Evolution Real Estate, LLC (Pickle Junction Subdivision) for a conditional use for a Tandem Lot Split in a Neighborhood Commercial District (C-1) at W. Emma Avenue, south of 3377 W. Huntsville Avenue with the following conditions – No conditions set.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

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

ATTEST:

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

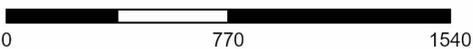
APPROVED AS TO FORM:

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

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PUBLIC HEARING SIGN LOCATION



Planning Commission Meeting  
August 6, 2024

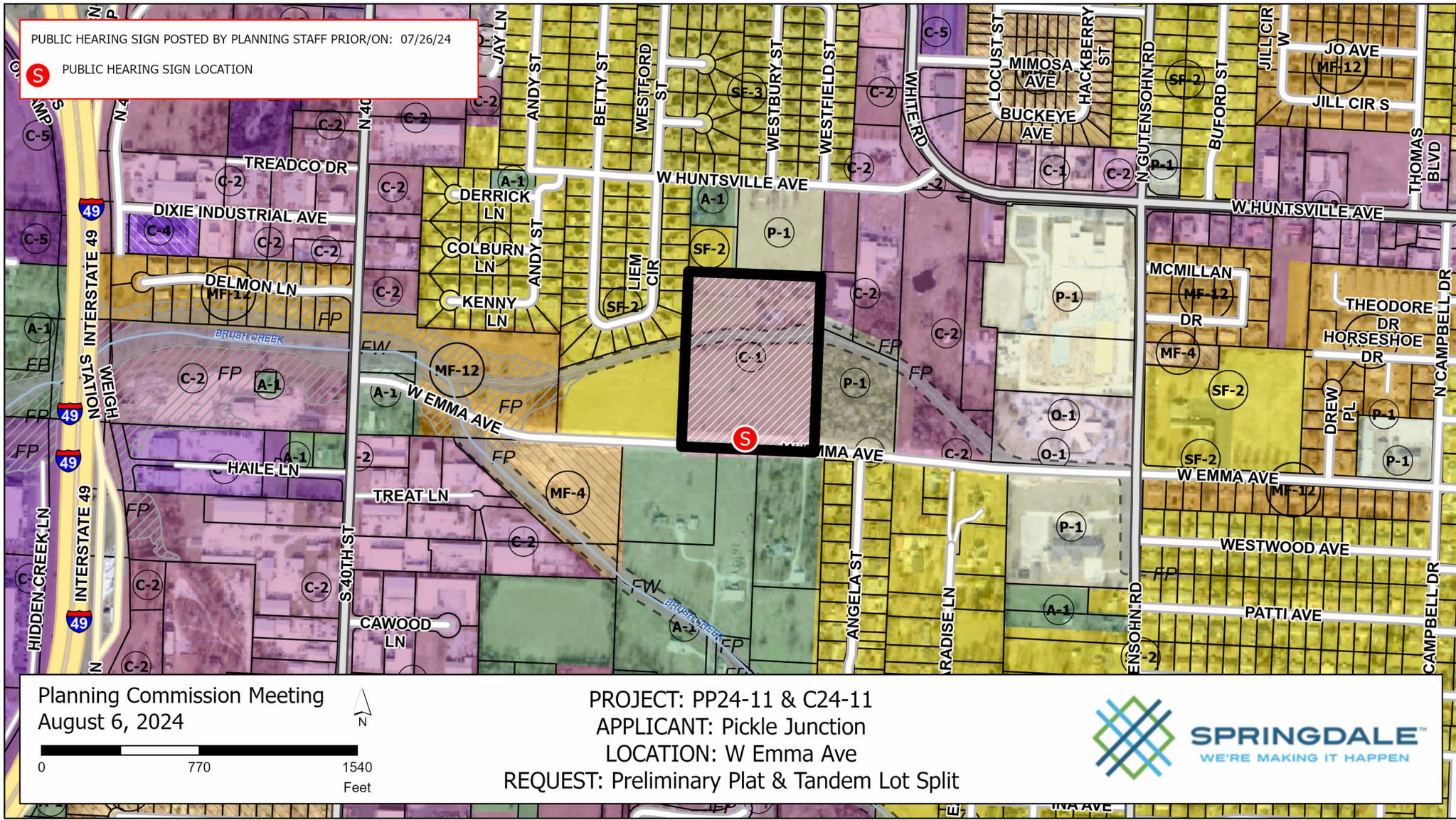
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PROJECT: PP24-11 & C24-11  
APPLICANT: Pickle Junction  
LOCATION: W Emma Ave  
REQUEST: Preliminary Plat & Tandem Lot Split

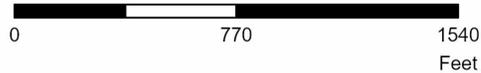


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Planning Commission Meeting  
August 6, 2024



PROJECT: PP24-11 & C24-11  
APPLICANT: Pickle Junction  
LOCATION: W Emma Ave  
REQUEST: Preliminary Plat & Tandem Lot Split



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

**A RESOLUTION APPROVING A WAIVER (W24-14) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO CLAYTON STREET BUSINESS PARK, IN CONNECTION WITH PP24-12, A PRELIMINARY PLAT.**

**WHEREAS**, Ordinance #3047 provides for the waiver (W24-14) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights 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 (W24-14) of street improvements to NE of Clayton Street including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with PP24-12, a Preliminary Plat for Clayton Street Business Park, 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 Clayton Street including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with PP24-12, a Preliminary Plat for Clayton Street Business Park.

**Option 2: Denies** a waiver of street improvements to Clayton Street including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with PP24-12, a Preliminary Plat for Clayton Street Business Park.

**Option 3: Approves** payment in lieu of improvements to Clayton Street in connection with PP24-12, a Preliminary Plat for Clayton Street Business Park 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 Clayton Street including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights to be built in connection with PP24-12, a Preliminary Plat for Clayton Street Business Park.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

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

ATTEST:

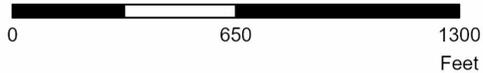
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

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



Planning Commission Meeting  
August 6, 2024



PROJECT: PP24-12 & W24-14  
 APPLICANT: Clayton Street Business Park  
 LOCATION: NE of Clayton Street  
 REQUEST: Preliminary Plat &  
 Waiver of Master Street Plan Requirements



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

**A RESOLUTION APPROVING A WAIVER (W24-15) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO CREEKFRONT 49, IN CONNECTION WITH PP24-09, A PRELIMINARY PLAT.**

**WHEREAS**, Ordinance #3047 provides for the waiver (W24-15) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights 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 (W24-15) of street improvements to N. 45<sup>th</sup> Street as indicated on the Master Street Plan including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with Creekfront 49, PP24-09, a Preliminary Plat, and the Planning Commission recommends denial of the waiver request to deviate from the Master Street Plan requirement to provide a street stub out to the east.

**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 for the required stub out to the east for the future connection of N. 45<sup>th</sup> Street as indicated on the Master Street Plan including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with PP24-09, a Preliminary Plat.

**Option 2: Denies** a waiver of street improvements for the required stub out to the east for the future connection of N. 45<sup>th</sup> Street as indicated on the Master Street Plan including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights in connection with PP24-09, a Preliminary Plat.

**Option 3: Approves** payment in lieu of improvements for the required stub out to the east for the future connection of N. 45<sup>th</sup> Street as indicated on the Master Street Plan in connection with PP24-09, a Preliminary Plat, 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 for the required stub out to the east for the future connection of N. 45<sup>th</sup> Street as indicated on the Master Street Plan including drainage improvements related thereto, curbs, gutters, sidewalks, and street lights to be built in connection with PP24-09, a Preliminary Plat.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

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

ATTEST:

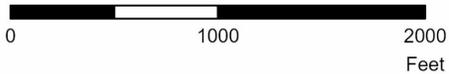
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

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



Planning Commission Meeting  
 July 2, 2024



PROJECT: PP24-09 & W24-15  
 APPLICANT: Creekfront 49  
 LOCATION: End of 45th St  
 REQUEST: Preliminary Plat & Waiver of  
 Subdivision Requirements



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

**A RESOLUTION APPROVING A WAIVER (W24-16) OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS, SIDEWALKS, AND STREET LIGHTS AS SET FORTH IN ORDINANCE NO. 3725 TO SPRINGDALE INDUSTRIAL PARK, PH. II & PH. III., IN CONNECTION WITH L21-38, A LARGE-SCALE DEVELOPMENT.**

**WHEREAS**, Ordinance #3047 provides for the waiver (W24-16) of street improvements, drainage relating thereto, curbs, gutters, sidewalks, and street lights 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 (W24-16) of street improvements to Turnbow Avenue including improvements related thereto street lights in connection with 1923 Turnbow Avenue L21-38, a Large-Scale Development, and the Planning Commission recommends denial 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 Turnbow Avenue including improvements related thereto street lights in connection with L21-38, a Large-Scale Development.

**Option 2: Denies** a waiver of street improvements to Turnbow Avenue including improvements related thereto street lights in connection with L21-38, a Large-Scale Development.

**Option 3: Approves** payment in lieu of improvements to Turnbow Avenue in connection with L21-38, a Large-Scale Development with an estimated cost to be submitted by the developer’s engineer for confirmation by the Planning Department.

**Option 4: Denies** a waiver and allow a Bill of Assurance for a period not to exceed \_\_\_\_\_ years for street improvements to Turnbow Avenue including improvements related thereto street lights to be built in connection with L21-38, a Large-Scale Development.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

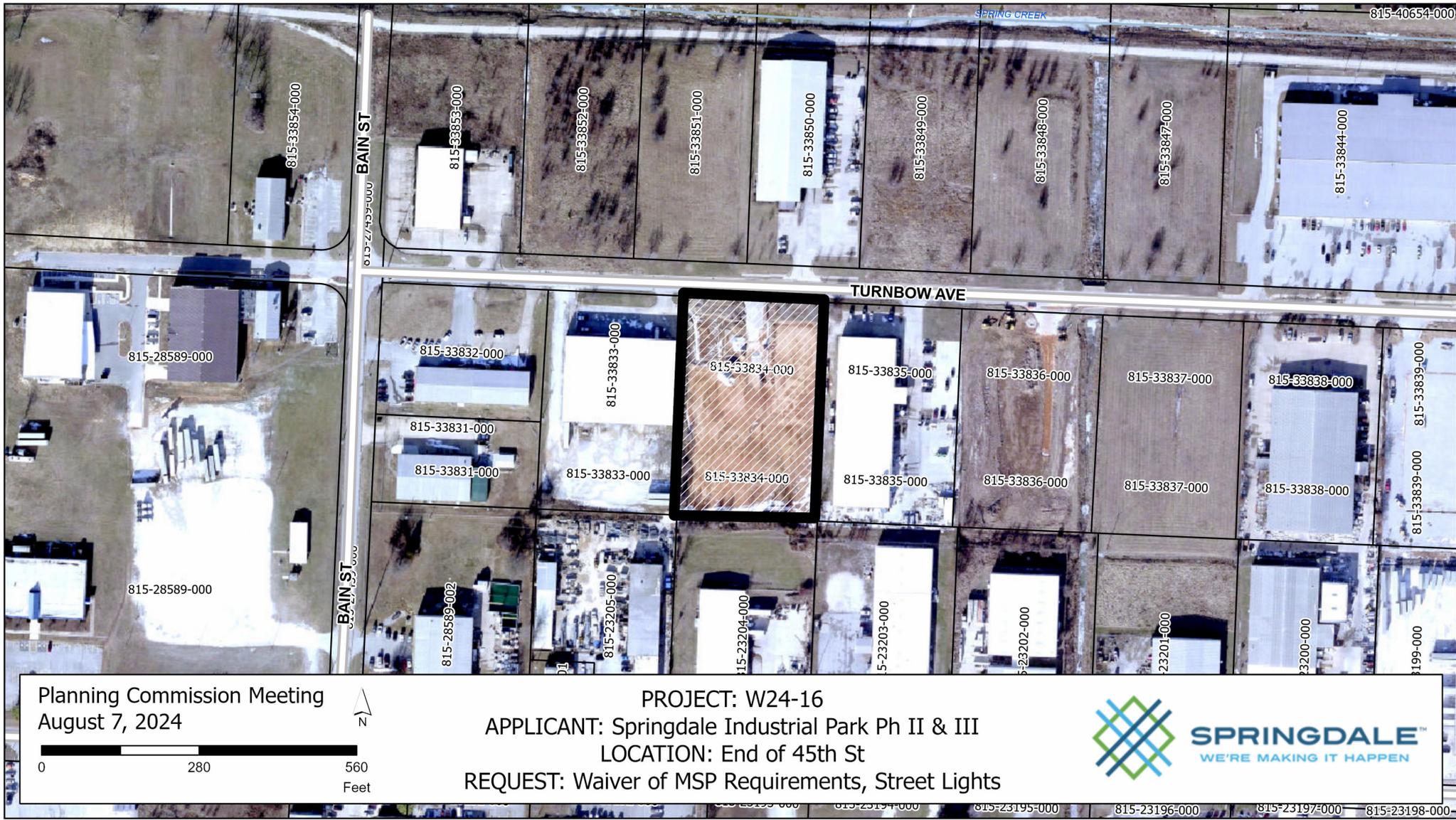
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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



Planning Commission Meeting  
August 7, 2024



0 280 560  
Feet

PROJECT: W24-16  
 APPLICANT: Springdale Industrial Park Ph II & III  
 LOCATION: End of 45th St  
 REQUEST: Waiver of MSP Requirements, Street Lights



**RESOLUTION NO.**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL DESIGN CONTRACT FOR DEAN’S TRAIL PROJECT**

**WHEREAS**, The City of Springdale contracted with Garver, LLC for the design of Dean’s Trail Phases 3A and 3B on October 15, 2018; and

**WHEREAS**, additional professional services were required to value engineer trail crossing designs in order to reduce construction costs, to redesign the Phase 3B Highway 265 crossing from a tunnel to a bridge, and to provide Construction Phase Services for Phase 3B

**WHEREAS**, these additional services are outside the scope of the original design contract;

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

**Section 1.** The Mayor and City Clerk are authorized to execute a contract amendment with Garver LLC for the amount of \$452,820 for Dean’s Trail Phases 3A and 3B. Payment will be made out of the Street Fund.

**Section 2.** The Mayor is authorized to approve change orders up to 10% of the revised agreement price.

**PASSED AND APPROVED** this 27th day of August, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

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



**AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES**  
**City of Springdale**  
**Springdale, AR**  
**Project No. 18047110**

**CONTRACT AMENDMENT NO. 4**

This Contract Amendment No. 4 (“Amendment”), effective on the date last written below, shall amend the original contract between the City of Springdale (Owner) and Garver, LLC (Garver), dated October 15, 2018 referred to in the following paragraphs as the “Agreement.”

This Contract Amendment No. 4 adds professional services for the:

*Phase 3A extension of Dean’s Trail from Robinson Avenue southward to Don Tyson Parkway; and*

*Phase 3B extension of Dean’s Trail from the end of Phase 3A southward, across Highway 265 to the Lake Fayetteville Trail.*

The Agreement is hereby modified as follows:

**SECTION 2 – SCOPE OF SERVICES**

The additional scope of services for Phases 3A and 3B is included in the attached Appendix A, which shall hereby be added to the agreement, and summarized as follows:

Generally, the additional scope of services for Amendment No. 4 includes the following:

**Phase 3A (Robinson Avenue to Don Tyson Parkway):**

- Performance of a FEMA flood study for Phase 3A that was previously excluded from the scope of services. Estimated Engineering Fee - \$71,500
- Redesign of Phase 3A due to the Springdale Water Utilities new storage facility located north of Spring Creek Avenue and redesign a portion of Phase 3A across and north of Spring Creek Drive to eliminate a creek crossing. Estimated Engineering Fee - \$68,250

The results of the study and plan changes yielded a project savings in the amount of **\$343,817**.

**Phase 3B (Don Tyson Parkway to Lake Fayetteville Trail):**

- Redesign of Phase 3B across the City Animal Shelter property to eliminate retaining walls and reduce the trail length. Estimated Engineering Fee - \$21,350
- Additional Phase 3B geotechnical services to change the proposed Highway 265 crossing from a tunnel to a bridge structure. Estimated Engineering Fee - \$14,400
- Additional structural engineering services to change the proposed Highway 265 crossing from a



tunnel to a bridge structure. Estimated Engineering Fee - \$17,700

The results of the redesign for the trail realignment yielded an estimated project savings in the amount of approximately **\$500,000**.

**Phase 3B (Don Tyson Parkway to Lake Fayetteville Trail) Construction:**

- Add Construction Phase Services for Phase 3B. Estimated Engineering Fee - \$259,620

**SECTION 3 – PAYMENT**

The table from Contract Amendment No. 3 shall be removed and replaced with the following table.

WORK DESCRIPTION	ORIGINAL FEE AMOUNT	AMENDMENT NO. 1	AMENDMENT NO. 2	AMENDMENT NO. 3	AMENDMENT NO.4	TOTAL FEE AMOUNT
<i>Geotechnical Services – Phase 3B</i>	\$0.00	\$0.00	\$0.00	\$8,500.00	\$14,400.00	\$22,900.00
<i>Utility Marking</i>	\$500.00	\$500.00	\$0.00	\$500.00	\$0.00	\$1,500.00
<i>Record Research</i>	\$400.00	\$0.00	\$0.00	\$2,400.00	\$0.00	\$2,800.00
<i>Environmental – Phase 3A</i>	\$8,170.00	\$0.00	\$0.00	\$6,000.00	\$0.00	\$14,170.00
Environmental – Phase 3B	\$0.00	\$0.00	\$0.00	\$11,500.00	\$0.00	\$11,500.00
Surveying	\$19,860.00	\$19,300.00	\$0.00	\$33,600.00	\$0.00	\$72,760.00
H&H Study – 3A	\$0.00	\$0.00	\$0.00	\$0.00	\$71,500.00	\$71,500.00
Conceptual Design – Ph. 3B	\$0.00	\$0.00	\$0.00	\$28,200.00	\$0.00	\$28,200.00
Preliminary Design – Ph. 3B	\$0.00	\$0.00	\$0.00	\$33,600.00	\$21,350.00	\$54,950.00
Final Design – 2	\$54,370.00	\$58,732.50	\$0.00	\$0.00	\$0.00	\$113,102.50
Final Design – 3A	\$0.00	\$34,967.50	\$22,900.00	\$7,600.00	\$68,250.00	\$133,717.50
Final Design – 3B	\$0.00	\$0.00	\$0.00	\$43,000.00	\$17,700.00	\$60,700.00
Final Design – Water & Sewer Phase 2	\$0.00	\$32,500.00	\$8,950.00	\$0.00	\$0.00	\$41,450.00
Final Design – Water & Sewer Phase 3A	\$0.00	\$35,600.00	\$0.00	\$0.00	\$0.00	\$35,600.00
Waterline Relocations - Phase 3B	\$0.00	\$0.00	\$0.00	\$32,900.00	\$0.00	\$7,900.00
Property Acquisition Services	\$25,980.00	\$0.00	\$0.00	\$19,100.00	\$0.00	\$45,080.00
Bidding Services	\$10,700.00	\$0.00	\$3,700.00	\$19,400.00	\$0.00	\$33,800.00
Construction Phase Services –	\$0.00	\$0.00	\$155,950.00	\$24,900.00	\$0.00	\$180,850.00



Phase 2						
Construction Phase Services – Phase 3A	\$0.00	\$0.00	\$0.00	\$263,300.00	\$0.00	\$233,300.00
Construction Phase Services – Phase 3B	\$0.00	\$0.00	\$0.00	\$0.00	\$259,620.00	\$259,620.00
<b>TOTAL FEE</b>	<b>\$119,980.00</b>	<b>\$181,600.00</b>	<b>\$191,500.00</b>	<b>\$534,500.00</b>	<b>\$452,820.00</b>	<b>\$1,480,400.00</b>

Increase the total amount paid to GARVER under this agreement by **\$452,820.00** from **\$1,027,580.00** to **\$1,480,400.00**.

**APPENDIX B – HOURLY RATES AND FEE SPREADSHEETS**

The attached Appendix B fee spreadsheets that include the hourly estimates for Amendment No. 4 additional services shall be added to the agreement.

This Agreement may be executed in two (2) or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, Owner and GARVER have executed this Amendment effective as of the date last written below.

CITY OF SPRINGDALE

GARVER, LLC

By: \_\_\_\_\_  
*Signature*

By: *Ronald S. Petrie*  
*Signature*

Name: \_\_\_\_\_  
*Printed Name*

Name: Ronald S. Petrie  
*Printed Name*

Title: \_\_\_\_\_

Title: Vice President

Date: \_\_\_\_\_

Date: 7/26/2024

Attest: \_\_\_\_\_

Attest: *Luke Furdle*

## **APPENDIX A – SCOPE OF SERVICES**

### **AMENDMENT NO. 4**

#### **1. General**

Generally, the additional Amendment No. 4 scope of services includes the following:

- Performance of a FEMA flood study for Phase 3A that was previously excluded from the scope of services.
- Redesign of Phase 3A due to the Springdale Water Utilities new storage facility located north of Spring Creek Avenue and redesign a portion of Phase 3A across and north of Spring Creek Driver to eliminate a creek crossing.
- Redesign a portion of the Phase 3B trail across the City Animal Shelter property to eliminate retaining walls and reduce the length of trail.
- Additional Phase 3B geotechnical services to change the proposed Highway 265 crossing from a tunnel to a bridge structure.
- Additional structural engineering services to change the proposed Highway 265 crossing from a tunnel to a bridge structure.
- Construction Phase Services for Phase 3B

#### **2. Flood Studies – Phase 3A**

Garver will perform a drainage study of the Clear Creek Tributary to determine potential effects of the trail construction to the FEMA floodplain. Due to the outdated FEMA data for the tributary, Garver will create an updated Corrected Effective Model utilizing HEC-RAS software to be utilized for the basis of the flood study.

The following tasks will be performed as part of the drainage study:

- Data collection, including GIS data and local site visit;
- Creation of a Corrected Effective model to reflect existing conditions;
- Proposed Conditions model, with up to five (5) proposed iterations;
- Floodway model runs for Corrected Effective and Proposed Conditions – updating the model surface to reflect the design embankments and relevant proposed grading;
- Internal QA/QC of models and calculations;
- Hydraulic report and no-rise certification;
- Submittal of a City Floodplain Development Permit.

The goal of the proposed design is to have no rise to the 1% Annual Exceedance Probability (AEP) event along the Clear Creek Tributary. Therefore, no coordination with FEMA in the form of a map revision (CLOMR/LOMR) is anticipated and is excluded from the scope of services.

#### **3. Geotechnical Services – Phase 3B**

Provide geotechnical investigations and recommendations for the foundation design of the proposed Highway 265 pedestrian bridge and large modular block retaining wall structures on both approaches, as follows:

- Perform a site reconnaissance, stake boring locations, contact Arkansas one-call for public utility locates, clearing for rig access, and coordinate with property owners as needed;
- Drill six (6) sample borings along the proposed trail alignment to auger refusal on rock, which is expected to be less than 30 feet. One boring will be drilled at each bridge abutment, two (2)

borings will be drilled along the MSE wall alignment west of Highway 265, and two (2) borings will be drilled along the MSE wall alignment east of Highway 265. Undisturbed soil samples or Standard Penetration Values will be obtained at 2- to 5-ft intervals. All borings will be extended to auger refusal on rock. In the bridge abutment borings, rock cores will be obtained to a depth of approximately 10 feet into rock;

- Perform a laboratory testing program planned after the borings are completed to determine the physical characteristics and engineering properties of the foundation and subgrade strata; and
- Prepare an engineering report with recommendations for bridge foundations, seismic site classification, site grading and construction criteria.

#### **4. Preliminary Design (60%) – Phase 3B**

The preliminary design phase submittal will include all items included in the Phase 3B scope of services as documented in Amendment No. 3 except the Highway 265 trail crossing design will be revised to be a pedestrian bridge in lieu of a pedestrian tunnel. In addition, the trail alignment will be redesigned across the City Animal Hospital property to eliminate retaining walls and reduce the trail length. Plans sheets to be revised include plan & profile sheets, drainage plan sheets, cross sections, and the signing & striping plan sheets.

#### **5. Final Design (90% and 100%) – Phase 3A**

Garver will make the necessary final plan revisions to the Phase 3A Plans and Specifications resulting from alignment changes as a direct result of the SWU storage tank project located to the north of Spring Creek Avenue. Final Plan revisions will also be made to the final plans necessary to eliminate the creek crossing located south of Spring Creek Avenue including modifications to the existing Spring Creek Avenue to utilize the existing box culvert crossing. All construction plan sheets affected by the trail realignment will be revised including plan & profile sheets, erosion control sheets, pavement marking & signage sheets, and pertinent details. Project quantities and the opinion of probable costs will be revised to reflect all plan revisions.

#### **6. Final Design (90% and 100%) – Phase 3B**

The final design phase submittal will include all items included in the Phase 3B scope of services as documented in Amendment No. 3 except the Highway 265 trail crossing design will be revised to be a pedestrian bridge in lieu of a pedestrian tunnel. Additional tasks include the preparation of 90% and 100% bridge design plans including bridge geometry, bridge layout, bridge typical section, bridge abutment layouts, bridge end bent design, retaining wall layouts for bridge approaches, bridge quantities, and an opinion of probable construction costs.

#### **7. Construction Phase Services – Phases 3B**

During the construction phase of work, Garver will provide construction engineering and part-time construction inspection services in accordance with ARDOT Standard Specifications for Highway Construction (latest edition), Manual of Field Sampling and Testing Procedures, and Resident Engineer's Manual and with the plans, specifications, and all other applicable FHWA and ARDOT procedures for this project. More specifically, Garver will accomplish the following:

1. Issue a Notice to Proceed letter to the Contractor.
2. Provide supplemental utility coordination.
3. Prepare, attend and provide documentation for one (1) preconstruction meeting.
4. Attend monthly progress/coordination meetings (10 months) with the Owner/Contractor.
5. Evaluate and respond to construction material submittals and shop drawings. Corrections or comments made by Garver on the shop drawings during this review will not relieve Contractor

- from compliance with requirements of the drawings and specifications. The check will only be for review of general conformance with the design concept of the project and general compliance with the information given in the contract documents. The Contractor will be responsible for confirming and correlating all quantities and dimensions, selecting fabrication processes and techniques of construction, coordinating his work with that of all other trades, and performing his work in a safe and satisfactory manner. Garver's review shall not constitute approval of safety precautions or constitute approval of construction means, methods, techniques, sequences, procedures, or assembly of various components. When certification of performance characteristics of materials, systems or equipment is required by the Contract Documents, either directly or implied for a complete and workable system, Garver shall be entitled to rely upon such submittal or implied certification to establish that the materials, systems or equipment will meet the performance criteria required by the Contract Documents.
6. Issue instructions to the Contractor on behalf of the Owner and issue necessary clarifications (respond to RFIs) regarding the construction contract documents.
  7. Review the Contractor's progress payment requests based on the actual quantities of contract items accepted as complete and provide a recommendation to the Owner regarding payment. Garver's recommendation for payment shall not be a representation that Garver has made exhaustive or continuous inspections to (1) check the quality or exact quantities of the Work; (2) to review billings from Subcontractors and material suppliers to substantiate the Contractor's right to payment; or (3) to ascertain how the Contractor has used money previously paid to the Contractor. Pay applications and documentation to meet ARDOT requirements.
  8. Prepare and furnish record drawings.
  9. Provide part-time resident construction observation services for the 300-calendar-day construction contract performance time for Phase 3B. The proposed fee is based on approximately 4 hours per day, 5 days per week, for the duration of the stated contract performance time. If the construction time extends beyond the time established in this agreement or if the Owner wishes to increase the time or frequency of the observation, the Owner will pay Garver an additional fee agreed to by the Owner and Garver.
  10. Provide coordination with the Owner's geotechnical consultant for Construction Materials Testing services.
  11. When authorized by the Owner, prepare change orders for changes in the work from that originally provided for in the construction contract documents. If redesign or substantial engineering or surveying is required in the preparation of these change order documents, the Owner will pay Garver an additional fee to be agreed upon by the Owner and Garver.
  12. Participate in final project inspection, prepare punch list, review final project closing documents, and submit final pay request.

Construction observation services will be provided by Garver's Resident Project Representative, who will provide or accomplish the following:

- A. Consult with and advise the Owner during the construction period.
- B. Coordinate with the firm providing construction materials quality assurance testing under separate contract with the Owner.
- C. Maintain a file of test reports, certifications, shop drawings and submittals, and other appropriate information.
- D. Maintain a project diary which will contain information pertinent to each site visit.

In performing construction observation services, Garver will endeavor to protect the Owner against defects and deficiencies in the work of the Contractor(s); but Garver cannot guarantee the performance of the Contractor(s), nor be responsible for the actual supervision of construction operations or for the safety measures that the Contractor(s) takes or should take. However, if at any time during construction Garver observes that the Contractor's work does not comply with the construction contract documents, Garver will notify the Contractor of such non-compliance and instruct him to correct the deficiency and/or stop

work, as appropriate for the situation. Garver will also record the observance, the discussion, and the actions taken. If the Contractor continues without satisfactory corrective action, Garver will notify the Owner immediately, so that appropriate action under the Owner's contract with the Contractor can be taken.

## **8. Project Deliverables**

The following additional items will be submitted to the Owner, or others as indicated, by Garver:

- A. Digital copy of Phase 3A alternative exhibits and cost estimates.
- B. Floodplain Development permit and supporting documentation for Phase 3A.
- C. Digital copy of the revised Phase 3A plans and specifications.
- D. Digital copy of Phase 3B Highway 265 crossing exhibits and cost estimates.
- E. Digital copy of the Geotechnical Investigation Report for the Highway 265 bridge and adjacent retaining walls.
- F. One hardcopy of the executed Phase 3B Project Manual to the Owner, Contractor, and Garver Resident Project Representative.
- G. Digital copies of the monthly progress reports.
- H. Digital copies of approved Phase 3B shop drawings/submittals from the Contractor.
- I. Digital copy set of Phase 3B Record Drawings.

**APPENDIX B - AMENDMENT NO. 4**

**CITY OF SPRINGDALE  
DEAN'S TRAIL PHASE 2 & 3**

**FEE SUMMARY**

<b>Title I Service</b>	<b>Original Contract</b>	<b>Amendment No. 1</b>	<b>Amendment No. 2</b>	<b>Amendment No. 3</b>	<b>Amendment No. 4</b>	<b>Total Fees</b>
Geotechnical Services	\$0.00	\$0.00	\$0.00	\$8,500.00	\$14,400.00	\$22,900.00
Additional Record Research - As needed	\$400.00	\$0.00	\$0.00	\$2,400.00	\$0.00	\$2,800.00
Utility Marking (ARKUPS)	\$500.00	\$500.00	\$0.00	\$500.00	\$0.00	\$1,500.00
Environmental Services - Phase 3A	\$8,170.00	\$0.00	\$0.00	\$6,000.00	\$0.00	\$14,170.00
Environmental Services - Phase 3B	\$0.00	\$0.00	\$0.00	\$11,500.00	\$0.00	\$11,500.00
Surveying	\$19,860.00	\$19,300.00	\$0.00	\$33,600.00	\$0.00	\$72,760.00
H&H Study - Phase 3A	\$0.00	\$0.00	\$0.00	\$0.00	\$71,500.00	\$71,500.00
Conceptual Design - Additional Phase 3B	\$0.00	\$0.00	\$0.00	\$28,200.00	\$0.00	\$28,200.00
Preliminary Design - Phase 3B	\$0.00	\$0.00	\$0.00	\$33,600.00	\$21,350.00	\$54,950.00
Final Design - Phase 2	\$54,370.00	\$58,732.50	\$0.00	\$0.00	\$0.00	\$113,102.50
Final Design - Phases 3A	\$0.00	\$34,967.50	\$22,900.00	\$7,600.00	\$68,250.00	\$133,717.50
Final Design - Phase 3B	\$0.00	\$0.00	\$0.00	\$43,000.00	\$17,700.00	\$60,700.00
Final Design - Water & Sewer - Phase 2	\$0.00	\$32,500.00	\$8,950.00	\$0.00	\$0.00	\$41,450.00
Final Design - Water & Sewer - Phase 3A	\$0.00	\$35,600.00	\$0.00	\$0.00	\$0.00	\$35,600.00
Waterline Relocations - Phase 3B	\$0.00	\$0.00	\$0.00	\$32,900.00	\$0.00	\$32,900.00
Property Acquisition Documents	\$25,980.00	\$0.00	\$0.00	\$19,100.00	\$0.00	\$45,080.00
Bidding Services	\$10,700.00	\$0.00	\$3,700.00	\$19,400.00	\$0.00	\$33,800.00
<b>Subtotal for Title I Service</b>	<b>\$119,980.00</b>	<b>\$181,600.00</b>	<b>\$35,550.00</b>	<b>\$246,300.00</b>	<b>\$193,200.00</b>	<b>\$776,630.00</b>
<b>Title II Service</b>						
Construction Phase Services - Phase 2	\$0.00	\$0.00	\$155,950.00	\$24,900.00	\$0.00	\$180,850.00
Construction Phase Services - Phase 3A	\$0.00	\$0.00	\$0.00	\$263,300.00	\$0.00	\$263,300.00
Construction Phase Services - Phase 3B	\$0.00	\$0.00	\$0.00	\$0.00	\$259,620.00	\$259,620.00
<b>Subtotal for Title II Service</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$155,950.00</b>	<b>\$288,200.00</b>	<b>\$259,620.00</b>	<b>\$703,770.00</b>
<b>Total All Services</b>	<b>\$119,980.00</b>	<b>\$181,600.00</b>	<b>\$191,500.00</b>	<b>\$534,500.00</b>	<b>\$452,820.00</b>	<b>\$1,480,400.00</b>

**Appendix B**

**City of Springdale  
Dean's Trail Phase 2 & 3 - Amendment No. 4**

**FINAL DESIGN - Additional Phase 3A Services**

WORK TASK DESCRIPTION	E-6	E-5	E-4	E-3	E-2	E-1	T-3
	\$292.00	\$238.00	\$195.00	\$167.00	\$138.00	\$119.00	\$134.00
	hr	hr	hr	hr	hr	hr	hr
<b>1. Project Management</b>							
Administration and Coordination	3		8				
Quality Control Review	6		12				
<b>Subtotal - Project Management</b>	<b>9</b>	<b>0</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2. Civil Engineering</b>							
Conceptual exhibits and cost estimates of plan revisions	6		12			46	32
Plan & Profile revisions	8		20			80	65
Spring Creek Avenue Plan & Profiles	6		12			36	44
Erosion Control sheet revisions			2			6	8
Pavement Marking and Signage sheet revisions			1			5	6
Quantities			2			10	
Opinion of Probable Costs			1			4	
Specification Revisions			8			12	
<b>Subtotal - Civil Engineering</b>	<b>20</b>	<b>0</b>	<b>58</b>	<b>0</b>	<b>0</b>	<b>199</b>	<b>155</b>

<b>Hours</b>	<b>29</b>	<b>0</b>	<b>78</b>	<b>0</b>	<b>0</b>	<b>199</b>	<b>155</b>
<b>Salary Costs</b>	\$8,468.00	\$0.00	\$15,210.00	\$0.00	\$0.00	\$23,681.00	\$20,770.00
<b>SUBTOTAL - SALARIES:</b>		<b>\$68,129.00</b>					
<b>DIRECT NON-LABOR EXPENSES</b>							
Document Printing/Reproduction/Assembly	\$96.00						
Postage/Freight/Courier	\$0.00						
Travel Costs	\$25.00						
<b>SUBTOTAL - DIRECT NON-LABOR EXPENSES:</b>		<b>\$121.00</b>					
<b>TOTAL FEE:</b>		<b>\$68,250.00</b>					

## Appendix B

### City of Springdale

### Dean's Trail Phase 2 & 3 - Amendment No. 4

### H&H STUDY - Phase 3A

WORK TASK DESCRIPTION	E-5	E-4	E-3	E-1	T-1
	\$238.00	\$195.00	\$167.00	\$119.00	\$87.00
	hr	hr	hr	hr	hr
<b>1. H&amp;H ENGINEERING</b>					
Data Collection, including site visit	6		16	30	
Create Duplicate Effective Model	12		34	84	
Review and update model	6		10	16	
Proposed Conditions Model - five alternatives	16		40	100	30
Floodway Models (Existing and Proposed)	8		12	16	10
Internal QA/QC of models and scour	4		4	4	
Prepare report and no-rise certification	8		12	16	8
<b>Subtotal - H&amp;H ENGINEERING</b>	<b>60</b>	<b>0</b>	<b>128</b>	<b>266</b>	<b>48</b>
<b>Hours</b>	<b>60</b>	<b>0</b>	<b>128</b>	<b>266</b>	<b>48</b>
<b>Salary Costs</b>	\$14,280.00	\$0.00	\$21,376.00	\$31,654.00	\$4,176.00

**SUBTOTAL - SALARIES: \$71,486.00**

**DIRECT NON-LABOR EXPENSES**

Document Printing/Reproduction/Assembly	\$14.00
Postage/Freight/Courier	\$0.00
Travel Costs	\$0.00

**SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$14.00**

**TOTAL FEE: \$71,500.00**

**Appendix B**

**City of Springdale  
Dean's Trail Phase 2 & 3 - Amendment No. 4**

**PRELIMINARY DESIGN - Additional Phase 3B Services - Trail Realignment**

WORK TASK DESCRIPTION	E-6	E-5	E-4	E-2	E-1	T-2	S-4	2-Man Crew (Survey)
	\$303.00	\$247.00	\$203.00	\$143.00	\$124.00	\$114.00	\$141.00	\$225.00
	hr	hr	hr	hr	hr	hr	hr	hr
<b>1. Project Management</b>								
Administration and Coordination	2		4					
Quality Control Review	2		4					
<b>Subtotal - Project Management</b>	<b>4</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2. Civil Engineering</b>								
Re-alignment option study and estimates	4			8	16	8		
Plan & Profile alignment revisions	4			4	22	12		
Drainage Revisions				4	8			
Cross Sections revisions				1	4	4		
Signing and Striping Plan				1	4	6		
Coordination with the City	2			4				
<b>Subtotal - Civil Engineering</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>22</b>	<b>54</b>	<b>30</b>	<b>0</b>	<b>0</b>
<b>3. Surveying</b>								
Topographical Survey of new alignment							2	8
<b>Subtotal - Surveying</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>8</b>
<b>Hours</b>	<b>14</b>	<b>0</b>	<b>8</b>	<b>22</b>	<b>54</b>	<b>30</b>	<b>2</b>	<b>8</b>
<b>Salary Costs</b>	<b>\$4,242.00</b>	<b>\$0.00</b>	<b>\$1,624.00</b>	<b>\$3,146.00</b>	<b>\$6,696.00</b>	<b>\$3,420.00</b>	<b>\$282.00</b>	<b>\$1,800.00</b>

**SUBTOTAL - SALARIES: \$21,210.00**

**DIRECT NON-LABOR EXPENSES**

Document Printing/Reproduction/Assembly	\$100.00
Postage/Freight/Courier	\$0.00
Travel Costs	\$40.00

**SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$140.00**

**SUBTOTAL: \$21,350.00**

**SUBCONSULTANTS FEE: \$0.00**

**TOTAL FEE: \$21,350.00**

**Appendix B**

**City of Springdale  
Dean's Trail Phase 2 & 3 - Amendment No. 4**

**FINAL DESIGN - Additional Phase 3B Services - Hwy 265 Bridge**

WORK TASK DESCRIPTION	E-6	E-5	E-4	E-3	E-2	E-1	T-3
	\$315.00	\$257.00	\$211.00	\$180.00	\$149.00	\$129.00	\$144.00
	hr	hr	hr	hr	hr	hr	hr
<b>1. Project Management</b>							
Administration and Coordination	2		2				
Quality Control Review	2		6				
<b>Subtotal - Project Management</b>	<b>4</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2. Civil Engineering</b>							
<b>Subtotal - Civil Engineering</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>3. Structural Engineering</b>							
Bridge Layout	1		4		4		4
End Bent Design			4		10		
End Bent Details	1		4		10		6
Bridge Typical Section			1		1		2
Retaining Wall Layouts	1		2		4		4
Retaining Wall Details			2		4		4
Quantities			2		6		
Cost Estimate	1		2		2		
<b>Subtotal - Structural Engineering</b>	<b>4</b>	<b>0</b>	<b>21</b>	<b>0</b>	<b>41</b>	<b>0</b>	<b>20</b>

<b>Hours</b>	<b>8</b>	<b>0</b>	<b>29</b>	<b>0</b>	<b>41</b>	<b>0</b>	<b>20</b>
<b>Salary Costs</b>	<b>\$2,520.00</b>	<b>\$0.00</b>	<b>\$6,119.00</b>	<b>\$0.00</b>	<b>\$6,109.00</b>	<b>\$0.00</b>	<b>\$2,880.00</b>

**SUBTOTAL - SALARIES: \$17,628.00**

**DIRECT NON-LABOR EXPENSES**

Document Printing/Reproduction/Assembly	\$72.00
Postage/Freight/Courier	\$0.00
Travel Costs	\$0.00

**SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$72.00**

**TOTAL FEE: \$17,700.00**

**Appendix B**

**City of Springdale  
Dean's Trail Phase 2 & 3 - Amendment No. 4**

**CONSTRUCTION PHASE SERVICES - Phase 3B**

WORK TASK DESCRIPTION	E-6	E-4	C-4	C-3	C-2	X-2
	\$315.00	\$211.00	\$219.00	\$178.00	\$146.00	\$101.00
	hr	hr	hr	hr	hr	hr
<b>1. Civil Engineering</b>						
Prepare, Attend and Document Preconstruction Meeting	2	4	1	4		
Supplemental Utility Coordination		8		4		
Review Contractor's Schedules		4				
Review and Respond to Contractor's Shop Drawings/Roadway	2	10				
Monthly Progress Meetings with Contractor and City (9 Months)	3	18	8	30		
Site Visits and Support of City/Resident	3	16	8			
Resident Construction Observation (215 Working Days - 5 days/wk - Avg. 4 hrs/day)				430	430	
Coordination with Contractor/RFI Responses		12	12			
Review and Process Daily reports per ArDOT procedures				180		
Review and Process Monthly Pay Requests per ArDOT procedures (9 Mos.)		10	10			
Prepare and Submit Monthly Progress Reports (9 Months)		10				
Process Certified Payrolls and Conduct Quarterly Wage Rate Interviews		8		8		30
Prepare Change Orders	1	4	4			
Substantial Completion Project Inspection and Punchlist	1	4	4	6		
Final Project Inspection and Punchlist		4	1	4		
Coordination with City/ArDOT		6	4			
Coordination with Materials Testing Firm				4		
Record Drawings (Hardcopy and Electronic)		4		4		16
Title II Administration	12	4	4			
<b>Subtotal - Civil Engineering</b>	<b>24</b>	<b>126</b>	<b>56</b>	<b>674</b>	<b>430</b>	<b>46</b>
<b>2. Structural Engineering</b>						
Coordination with Contractor/RFI Responses		16				
Review and respond to Contractor's shop drawings		80				
<b>Subtotal - Structural Engineering</b>	<b>0</b>	<b>96</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>3. Electrical Engineering</b>						
Coordination with Contractor/RFI Responses		8				
Review and respond to Contractor's shop drawings		8				
<b>Subtotal - Electrical Engineering</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Hours</b>	<b>24</b>	<b>238</b>	<b>56</b>	<b>674</b>	<b>430</b>	<b>46</b>
<b>Salary Costs</b>	<b>\$7,560.00</b>	<b>\$50,218.00</b>	<b>\$12,264.00</b>	<b>\$119,972.00</b>	<b>\$62,780.00</b>	<b>\$4,646.00</b>

**SUBTOTAL - SALARIES: \$257,440.00**

**DIRECT NON-LABOR EXPENSES**

Document Printing/Reproduction/Assembly	\$80.00
Postage/Freight/Courier	
Travel Costs	\$2,100.00

**SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$2,180.00**

**TOTAL FEE: \$259,620.00**

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

**A RESOLUTION AUTHORIZING THE EXECUTION  
OF A CONSTRUCTION CONTRACT FOR LAKE  
SPRINGDALE TRAIL REPAIRS**

**WHEREAS**, sealed bids were received on August 13th at 2:00 p.m. for the construction of Lake Springdale Trail Repairs; and

**WHEREAS**, two bids were received with Stewart’s Asphalt Paving Service being the low bidder for this project at \$134,267.19;

**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 Stewart’s Asphalt Paving Service for construction of the Lake Springdale Trail Repairs for \$134,267.19 to be paid for out of the Street Fund.

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 27<sup>th</sup> day of August, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

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



# Bid Tabulation

## Lake Springdale Trail Repairs, 9244407

2:00 p.m. August 13th, 2024

					stewarts asphalt paving and building		Steep Creek LLC	
					ONLINE	Quote	ONLINE	Quote
					Accepted		Accepted	
Line Item	Item Code	Item Description	UofM	Quantity	Unit Price	Extension	Unit Price	Extension
- Base Bid								
1	00001	(1.5" Thick) Type 000 ACHM Surface Course	Sq Yd	2258	\$52.54	\$118,635.32	\$50.00	\$112,900.00
2	00002	6" Class 7 Sub Base 95% Compacted	Sq Yd	1191	\$5.36	\$6,383.76	\$40.00	\$47,640.00
3	00003	Tree root removal	LS	1	\$3.25	\$3.25	\$19,000.00	\$19,000.00
4	00004	T-post and railroad tie retaining wall	Ln Ft	563	\$16.22	\$9,131.86	\$80.00	\$45,040.00
5	00005	Traffic Control	LS	1	\$13.00	\$13.00	\$1,550.00	\$1,550.00
6	00006	Mobilization	LS	1	\$100.00	\$100.00	\$31,500.00	\$31,500.00
<b>Base Bid Total:</b>					<b>\$134,267.19</b>		<b>\$257,630.00</b>	

Tristan Hill, Active Transportation Coordinator

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

**A RESOLUTION AUTHORIZING THE EXECUTION OF A  
PROFESSIONAL SERVICES AGREEMENT FOR  
CONSULTING SERVICES**

**WHEREAS**, the City of Springdale is increasing its pursuit of federal grants and earmark funding, and

**WHEREAS**, federal grants and earmarks are funded by taxpayer dollars, and

**WHEREAS**, it is in the best interest of our residents to recoup as many of our taxpayer dollars to offset the cost of capital projects and budgeted items, and

**WHEREAS**, the agreement will be funded by the Professional Services line item in the 2024 budget.

**WHEREAS**, the price not to exceed amount for consulting and the procurement of grant and earmark funding shall be \$32,000.

**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 enter into a professional services agreement with Merchant McIntyre Associates for consulting and procurement of grants and earmark funding, in an amount not to exceed \$32,000.00, which shall be paid from the Administrative Professional Services portion of the 2024 budget.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

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

## SERVICE AGREEMENT

THE CITY OF SPRINGDALE, AR (the “City”) agrees to retain **MERCHANT MCINTYRE & ASSOCIATES, LLC**, a Delaware limited liability company with a principal place of business in Washington, D.C. (“MM”) (together, the “Parties”), for government relations services commencing on September 1, 2024 and terminating on December 31, 2024 (the “Term”).

**Fee.** During the Term of this Agreement, the City agrees to pay MM a total professional fee of \$8,000 per month, billed monthly in advance. Payment shall be made to MM at the address listed on the MM invoice(s). Federal funds may not be used to pay MM professional fees.

**Deliverables.** MM agrees to provide the following deliverables during the Term of this Agreement:

1. Continue identifying federal grant opportunities for which the City is eligible and competitive.
2. Support the City in all facets of the federal funding process, including planning, partnership development, writing, budget development, proposal submission, administrative requirements, and compliance.
3. Continue engaging federal agency personnel with jurisdiction over funding on behalf of the City and building support for the City’s priorities and grant applications among its Members of Congress.
4. Build, strengthen, and help leverage relationships with the City’s Congressional delegation, the Administration, and other key decision-makers to support the City’s position on federal legislation, including appropriations.

**Assurances.** In its capacity as a consultant, MM shall make its best effort to assist the City in pursuing its federal funding and government relations objectives. The nature of these objectives shall be determined by the City with the advice and assistance of MM. In this role, MM shall plan and implement all government relations strategies designed to accomplish the City’s federal funding objectives; assist in the preparation of grant applications and supporting materials for the initiatives; develop meetings with Members of Congress, Congressional staff, and federal agency decision-makers to advance the funding initiatives; and serve as liaison to federal agencies relevant to the City’s funding initiatives. The City agrees to frequent communication with MM and to provide MM with the necessary information in real-time to help MM plan and implement strategies.

**Indemnification.** The City agrees to indemnify and hold MM harmless from and against all liability, including all actions, claims, damages, costs, and attorneys’ fees, which MM may incur (or to which MM may be a party), arising out of actions taken or statements made by MM at the City’s direction or based upon information provided by the City, except in the event of wrongful

acts or omissions on MM's part. Nothing herein shall be construed to constitute a waiver of City's sovereign immunity pursuant to Ark. Code Ann. §21-9-301.

**Assignment.** No other party shall assign any of its rights or delegate any of its duties or obligations under this Agreement without the express written consent of the other party.

\* \* \*

IN WITNESS THEREOF, the parties hereto have executed or approved this Agreement on the dates below their signatures.

\_\_\_\_\_  
Brent Walton Merchant  
Principal and Co-Founder  
Merchant McIntyre & Associates, LLC

\_\_\_\_\_  
Doug Sprouse  
Mayor  
City of Springdale, AR

Date: \_\_\_\_\_

Date: \_\_\_\_\_

###

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

**A RESOLUTION AUTHORIZING AN AMENDMENT TO  
THE DESIGN CONTRACT FOR MURPHY PARK  
DOWNSTREAM DRAINAGE UPGRADE**

**WHEREAS**, the collapsed drainage structure under 913 Wilkinson Ave has been mitigated;

**WHEREAS**, the existing storm sewer from Wilkinson Ave upstream to Murphy Park is both inadequate and failing;

**WHEREAS**, an economical stormwater route in accordance with the City’s drainage manual is not available;

**WHEREAS**, 2D modeling of the existing system with some alternatives analysis is required to develop an economic solution;

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

- 1) The Mayor and City Clerk are hereby authorized to execute a design amendment with Halff engineering for a drainage system from Murphy Park to Wilkinson Ave in the amount of \$39,200 to be paid for out of the Unrestricted General Fund.
- 2) The Mayor is authorized to approve change orders up to 10% of the amended contract amount.

**PASSED AND APPROVED** this \_\_\_\_\_ day of August, 2024

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

ATTEST:

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

APPROVED AS TO FORM:

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



August 13, 2024

Ms. Katie Hollingshead, PE, CFM  
Senior Project Manager  
City of Springdale, Arkansas  
201 Spring Street  
Springdale, AR 72764

***RE: Murphy Park Drainage Improvements (Halff #57124)  
City of Springdale, Arkansas***

Dear Katie,

Halff is pleased to provide this amendment proposal for hydraulic modeling services for the above referenced contract, which was executed April 18, 2024. We appreciate the opportunity to continue working with you and your team.

**UNDERSTANDING OF SCOPE**

The City of Springdale (City) proposes to upgrade an existing drainage system, which is generally aligned between Wilkinson Lane to the north (specifically 312 S. Thompson Street), and Maple Avenue to the south and adjacent to Murphy Park Pond. The existing drainage system is of insufficient capacity causing flooding on Maple Avenue and an adjacent structure (Mayan Signs building) during larger storm events. Due to the limitations of the existing system, hydraulic modeling is proposed to analyze the interaction between proposed drainage system improvements and the associated overland flow.

**PROPOSED SCOPE OF SERVICES:**

Based on our understanding of the proposed improvements, Halff proposes to provide the following services:

**PHASE 400 – Drainage Study**

**A. Existing Conditions Modeling**

1. Review existing data needed for the hydrologic and hydraulic modeling effort, including existing topographic surveys, City GIS stormwater inventory, latest available LiDAR terrain, and FEMA flood hazard maps. Collect additional topographic information in targeted areas if necessary.
2. NOAA Atlas 14 rainfall data will be used for precipitation estimates. The hydrologic model will be executed for a range of design storm events including the 1-, 5-, 10-, 25-, 50-, and

100-year storm events. If available, a historical rainfall event will also be modeled for calibration purposes.

- 3. Develop a 1D/2D, unsteady hydraulic model to estimate water surface elevations (WSEL) and flooding inundation for existing conditions. The limits of the hydraulic model for the existing underground drainage system are proposed from Murphy Park Pond to the existing downstream open channel aligned between Thompson Street and Maple Drive.

The primary focus area of the proposed detailed overland flow hydraulic model will include and be bound by Kansas Street, Wilkinson Lane, Thompson Street, and Maple Avenue. The model will reflect the most current terrain data and land use data for model parameters, including roughness values, obstructions, and ineffective flow areas. Existing culverts and storm pipes will be added to the model as needed based on City GIS information and existing field survey data. The hydraulic model will be executed for a range of storm events including the 1-, 5-, 10-, 25-, 50-, and 100-year storm events.

**B. Alternatives Modeling**

- 1. Prepare proposed conditions hydraulic modeling for Alternative 1 based on the above storm frequencies. Alternative 1 will upsize the existing system from Maple Avenue to Wilkinson Lane to match the existing downstream double 6’x4’ box culvert. We will determine the approximate level of service achieved by this alternative and evaluate and compare proposed flooding depths and inundation to existing conditions. We will then determine if this alternative achieves the primary goal of eliminating structural flooding of the Mayan Signs building and other buildings within the project area during the 50-year storm event.
- 2. If Alternative 1 does not eliminate structural flooding of Mayan Signs and other buildings within the project area during the 50-year storm event, an Alternative 2 will be modeled. Alternative 2 will consist of replacing or adding additional underground drainage improvements between Maple Avenue and Wilkinson Lane required to eliminate structural flooding of buildings within the project area during the 50-year storm event.
- 3. We will provide a report to include hydrologic parameters, modeling methodology, and approximate location, size, and type of proposed drainage improvements. The report will also include existing and proposed overland flow inundation maps with elevations.

**STUDY SCHEDULE:**

<u>Phase</u>	<u>Estimated Calendar Days After Receipt of Notice</u>
Existing Conditions Modeling	30
Alternatives Modeling	30

**DESIGN FEE:**

The proposed fees for our services are itemized in the following table:

<b>SUMMARY OF FEES</b>		
<b>SERVICE PHASES</b>	<b>BILLING METHOD</b>	<b>FEE AMOUNT</b>
Existing Modeling	Hourly NTE	\$21,000.00
Alternatives Modeling	Hourly NTE	\$18,200.00
<b>TOTAL</b>		<b>\$ 39,200.00</b>

The following employee classifications and billing rates will be incorporated into the Schedule of Hourly Billing Rates of the current contract executed on April 18, 2024:

H&H Project Manager	\$240.00/Hour
Hydraulic Modeler III	\$200.00/Hour
Hydraulic Modeler II	\$155.00/Hour

Again, we appreciate the opportunity to serve the City. Please let me know if you have any questions or comments.

Sincerely,



Jonathan Clemons, PE  
Civil Engineer

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

**A RESOLUTION AUTHORIZING THE CITY OF  
SPRINGDALE TO APPLY FOR GRANT  
FUNDING FROM THE ARKANSAS  
DEPARTMENT OF PARKS, HERITAGE AND  
TOURISM TRAILS FOR LIFE PROGRAM**

**WHEREAS**, the City of Springdale, Arkansas recognizes the need to provide public recreation facilities for its local citizens and visitors, and

**WHEREAS**, the City wishes to apply for Great Strides/Trails for Life grant funds through the Arkansas Department of Parks, Heritage and Tourism to develop a smoke-free public trail at the following location: Mount Fitzgerald Mountain Bike Park; and

**WHEREAS**, the Mayor and the City Council understand that if granted funds for park development, they must provide land, by lease or ownership, on which to develop park facilities; and

**WHEREAS**, the City of Springdale, Arkansas will sign a contract agreeing to provide the necessary resources to maintain this park and facilities for a period of 25 years;

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

**Section 1** - The Mayor is hereby authorized to submit and application for grant funding to the Arkansas Department of Parks, Heritage and Tourism to develop a public trail.

**PASSED AND APPROVED** this 27th day of August, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

**AN ORDINANCE ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN RESIDENTIAL STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 305 W. MAPLE AVENUE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.**

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

PART OF THE NORTH HALF (N ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 1, IN TOWNSHIP 17 NORTH, OF RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT WHICH IS 68 RODS AND 15 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 36, IN TOWNSHIP 18 NORTH, OF RANGE 30 WEST, AND RUNNING THENCE WEST 73 FEET; THENCE SOUTH 200 FEET; THENCE EAST 73 FEET; THENCE NORTH 200 FEET TO THE PLACE OF BEGINNING.

Commonly known as 305 W. Maple Avenue, Springdale, Arkansas  
County, Arkansas

Washington County Tax Parcel No. 815-27685-000

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

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

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

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

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

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

**Section 1.** That the structure located at 305 W. Maple Avenue., Springdale, Arkansas, is dilapidated, unsightly, and unsafe; and it is in the best interests of the City of Springdale to proceed with the removal of this dilapidated, unsightly, and unsafe structure.

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

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

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

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024

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

ATTEST:

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

APPROVED AS TO FORM:

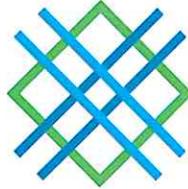
\_\_\_\_\_  
Ernest B. Cate, City Attorney

Ernest B. Cate  
City Attorney  
ecate@springdalear.gov

Taylor Samples  
Senior Deputy City Attorney  
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David D. Phillips  
Deputy City Attorney  
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Cameron Baker  
Deputy City Attorney  
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**SPRINGDALE™**  
WE'RE MAKING IT HAPPEN

**OFFICE OF CITY ATTORNEY**

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July 16, 2024

**VIA EMAIL: [hfrost@rmp.law](mailto:hfrost@rmp.law)**

Mapleworks LLC  
P.O. Box 1963  
Fayetteville, AR 72702

RE: Property located at 305 W. Maple Ave., Springdale, Washington County, Arkansas, Tax Parcel No. 815-27685-000

Mr. Frost:

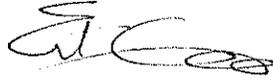
Thank you for attending the Health, Sanitation, and Property Maintenance Committee meeting last night, and for agreeing to accept this correspondence on behalf of Mapleworks, LLC, the owner of the above-referenced property. In that regard, the Chief Building Inspector for the City of Springdale, Arkansas, has posted notice at 305 W. Maple Ave. and has mailed notice in writing to Mapleworks, LLC, via certified mail, that a structure located on the property was unsafe and could not be occupied until the property had been repaired. Furthermore, the owner was instructed to obtain a demolition or repair permit within thirty (30) days and to begin work within ten (10) days of obtaining the permit.

As of this date, no efforts to demolish or repair the structure on this property have taken place. As such, please be advised that the City Council for the City of Springdale will be reviewing the enclosed ordinance at a Committee Meeting that will take place at 5:30 p.m. on Monday, August 19, 2024. Also, the enclosed ordinance will be placed on the City Council Agenda to be considered on Tuesday, August 27, 2024, at 6:00 p.m. Both of these meetings will take place in the Council Chambers of the City Administration Building at 201 Spring Street. I strongly encourage you to attend these meetings.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Cate', written in a cursive style.

Ernest B. Cate  
City Attorney

enclosure

cc: Tom Evers Chief Building Inspector  
Mike Chamlee Chief Building Official  
Mayor Doug Sprouse

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

**AN ORDINANCE CONFIRMING A THIRD AMENDMENT TO AN INTER-MUNICIPAL SEWER AGREEMENT BETWEEN THE CITY OF SPRINGDALE, ARKANSAS, AND THE CITY OF LOWELL, ARKANSAS; AND DECLARING AN EMERGENCY.**

**WHEREAS**, pursuant to Ark. Code Ann. §14-235-212, the City of Springdale, Arkansas, is authorized to contract with one (1) or more other political subdivisions in order to provide municipal sewer services to residents of that political subdivision;

**WHEREAS**, on October 11, 2005, the City Council for the City of Springdale, Arkansas, passed Ordinance No. 3769, authorizing and confirming an inter-municipal sewer agreement with the City of Lowell, Arkansas, to provide sanitary sewer service within the City of Lowell;

**WHEREAS**, on August 27, 2013, the City Council for the City of Springdale, Arkansas, passed Ordinance No. 4730, which confirmed an amendment to the inter-municipal sewer agreement with the City of Lowell, Arkansas;

**WHEREAS**, on September 13, 2022, the City Council for the City of Springdale, Arkansas, passed Ordinance No. 5759, which confirmed a second amendment to the inter-municipal sewer agreement with the City of Lowell, Arkansas; and

**WHEREAS**, the parties desire to amend the terms and conditions of the inter-municipal sewer agreement with the City of Lowell, Arkansas.

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

**Section 1.** The Third Amendment to Inter-Municipal Sewer Agreement attached hereto and incorporated herein as set out word for word is hereby approved and the Mayor and City Clerk are authorized to execute said Amendment for and on behalf of the City of Springdale, Arkansas.

**Section 2. 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 27<sup>th</sup> day of August, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF TOWER RENT FUNDS FOR THE REPLACEMENT OF FALL PROTECTION SURFACE FOR THE KIWANIS PLAYGROUND AT LUTHER GEORGE PARK**

**WHEREAS**, the City of Springdale has a tower rent fund generated from the cell tower rental at Luther George Park; and

**WHEREAS**, the tower rent fund is restricted to maintenance items at Luther George Park; and

**WHEREAS**, resolution 48-24 authorized the replacement of the playground surface as part of the playground construction funded by ARPA funds;

**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 utilize Tower Rent Funds to replace the fall protection surface of the Kiwanis playground at Luther George Park.

**PASSED AND APPROVED** this \_\_\_\_\_ day of August, 2024.

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

ATTEST:

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

APPROVED:

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



**Change Order Approval**

**Job #:** 1500

**Date:** August 06, 2024

**Project:** Luther George Park Playground

**PCI #:** COR001

**Title:** Demo Kiwanis Playground & Install New ACS Turfscape Highland Turf System.

**Scope:** Remove existing rubber tile mat, dispose of material in dumpster, remove and replace merry go round, re-work floor drain as necessary, power wash surface if needed. Install Turfscape System.

**Additional Days Requested:**

<u>Description</u>	<u>Vendor</u>	<u>Qty</u>	<u>U/M</u>	<u>Rate</u>	<u>Amount</u>
Demo Existing Rubber Tile Surface and Dispose		1.00	LS	7,666.00	7,666.00
GL/Auto/Umbrella Insurance		1.00	LS	3,757.00	3,757.00
Contractors Fee		1.00	LS	3,985.00	3,985.00
Install ACS Turfscape Highland Turf System, Approximately 5000sf. Combination of play pad re. 12'FH of tower & swing beam.		1.00	LS	64,890.00	64,890.00
General Contractors Bond			LS	790.00	790.00
Project Superintendent			WK	1,840.00	1,840.00
Miscellaneous			LS	750.00	750.00

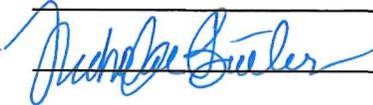
**Total: 83,678.00**

Architect: \_\_\_\_\_

Date: \_\_\_\_\_

Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Contractor:  \_\_\_\_\_

Date: 8/7/24

**Inclusions:**

- Contingency / Allowance Log Summary
- Controlling Documentation
- Subcontractor Quotes (if applicable)

430100 - S  
L G P S



ALL PURCHASE ORDERS, CONTRACTS, AND CHECKS TO BE MADE OUT TO:  
ACS Playground Adventures  
8501 Mantle Ave.  
Oklahoma City, OK 73132  
PH: 405-721-3506  
Fax: 405-721-3514

# Proposal

July 9, 2024

DATE

CONTACT: Eric Carr  
ORGANIZATION: Springdale Parks and Recreation  
EMAIL: ecarr@springdalear.gov  
PHONE: 479-263-4245

Destination: Springdale 72764

F.O.B.

50% Down, Contract Agreement, or PO on Net 30

TERMS (Subject To Credit Approval By ACS)

SHIP TO: Luther George Park/Grove Street Park  
300 Park St, Springdale, AR 72764

To Be Communicated

SHIPPING TIME

BILL TO: Invoice will be emailed to email address above  
unless another email address or mailing address is provided

Equipment Pricing Good for 30 days  
All Other Pricing Good for 30 Days from Date of Proposal

We are pleased to submit this proposal to supply the following items:

QTY	ITEM NO.	DESCRIPTION	UNIT WT	UNIT PRICE	WEIGHT	EXTENDED AMT
<b>Project Name: Luther George Park/Grove Street Park Resurfacing TURF</b>						
1	Turf	Approx. 5600 sf of Turfscape Highland Turf System Combination of play pad re. 12' FH of tower & 8' swing beam Please see enclosed information for additional specs  15 Year Warranty		\$ 64,890.00		\$ 64,890.00
	Alt	Alternative Scope of Demo Existing Tile		\$ 17,500.00		
		Project Notes				
		Permits, Testing, & Site Restoration				

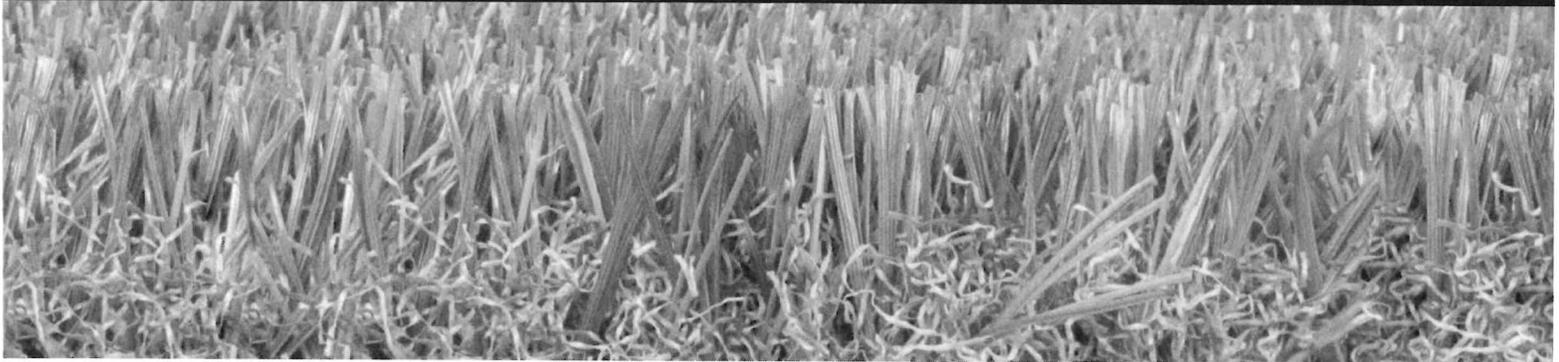
SIGNATURE BELOW ACCEPTING THIS PROPOSAL WILL CONSTITUTE A PURCHASE ORDER ONLY UPON APPROVAL BY ACS PLAYGROUND ADV.  
**ALL ORDERS ARE TAXABLE UNLESS A SALES TAX EXEMPTION IS PROVIDED. AGENT LETTER MUST ALSO BE PROVIDED WITH ACS PLAYGROUND ADVENTURES AS AUTHORIZED USER OF THE SALES TAX EXEMPTION. IF NO AGENT LETTER IS PROVIDED SALES TAX FOR MATERIALS MAY BE CHARGED BACK TO THE CUSTOMER.**  
ORDER ACCEPTANCE IS BASED ON SIGNED PRE-CONSTRUCTION FORM BY CUSTOMER

<b>Total Weight</b>		
SUBTOTAL MATERIAL		\$ 64,890.00
INSTALLATION		\$ 18,700.00
Sales Tax Rate	Taxable	
9.750%		\$ 6,326.78
<b>TOTAL</b>		<b>\$ 89,916.78</b>

ACCEPTED BY CUSTOMER \_\_\_\_\_ DATE \_\_\_\_\_

PRINT NAME  
Rob Green | 479-305-5050 | robg@acsplay.com \_\_\_\_\_ 7/9/2024

PROPOSED BY ACS REPRESENTATIVE



## HIGHLAND

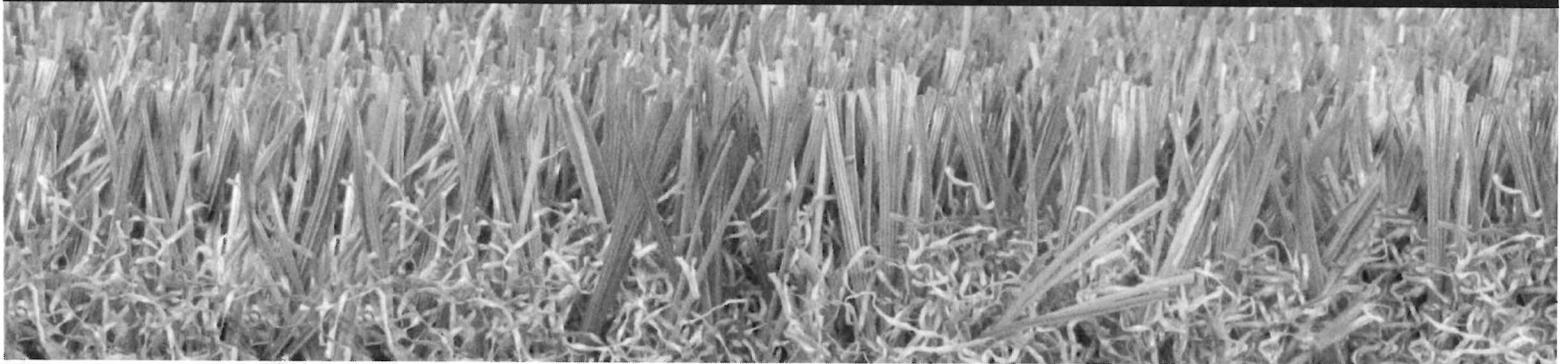
Turfscapes Highland is a beautiful and full looking product that is packed with four different primary yarn fibers. It includes two W-Blades in Field/Olive Green and two Diamond blades in Lime/Hunter Green. The end result is an exceptionally photogenic landscape system that looks real, feels soft and is incredibly durable.

Turfscapes is manufactured by a leading, USA-based synthetic turf company (Act Global) with sales in 90 countries and turf found in 16 NFL facilities. Your land and property are valuable – invest in the strength and security of Act Global AND support American jobs!



**2 BLADE  
COMBINATION  
(4 COLORS)**

<b>Recommended Applications:</b>	<b>Moderate /High Traffic, Playgrounds, Pets, Commercial</b>
<b>Colors:</b>	<p>Four primary colors for a natural blend:</p> <ul style="list-style-type: none"> <li>2 W-Blade in Field/Olive</li> <li>2 Diamond Blade in Lime/Hunter</li> <li>2 Thatch yarn – Fresh Green and Tan</li> </ul>
<b>Warranty:</b>	<p>Industry leading, 15 Year Limited Manufacturer’s Warranty - guaranteed workmanship, UV stability, water/heat/frost resistance, grab-tear strength, drainage, grass yarn melt points and chemical and environmental regulations.*</p>
<b>Environmental:</b>	<p>Meets EN71-3 (European Toy Standard) and EPA/ RCRA regulations for toxic waste and heavy-metals - guaranteed!*</p>



## HIGHLAND

### PRODUCT SPECIFICATIONS

CHARACTERISTICS	SPECIFICATIONS
Grass Fibers:	W-Blade in Field/Olive, Diamond Blade in Field/Lime, with tan/green Thatch
Grass Yarn Denier:	14,400 total
Pile Height:	1 1/2" tall
Grass Yarn Face Weight:	48 oz/sy
Tufting Gauge:	3/8 inch
Processing:	USA
Primary Backing:	UV stabilized, multi-layer woven polypropylene - grab tear strength guaranteed!*
Reinforcement Coating:	20 oz/sy of high-grade polyurethane
Drainage Rates:	40 inches per hour - guaranteed!*
Melting Point:	Over 220°F - guaranteed!*
Water, Heat And Frost Resistant:	Yes - guaranteed!*
Standard Roll Size:	15 feet wide by 100 feet long
Recommended Infill:	Approximately 2 pounds per square foot for landscaping use

\* See 15 Year Limited Warranty for detailed terms and conditions

Above product specifications are subject to change without notice and include a typical 10% manufacturing tolerance



**Change Order Approval**

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**Total: 83,678.00**

Architect: \_\_\_\_\_

Date: \_\_\_\_\_

Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Contractor:  \_\_\_\_\_

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430100 - S  
L G P S



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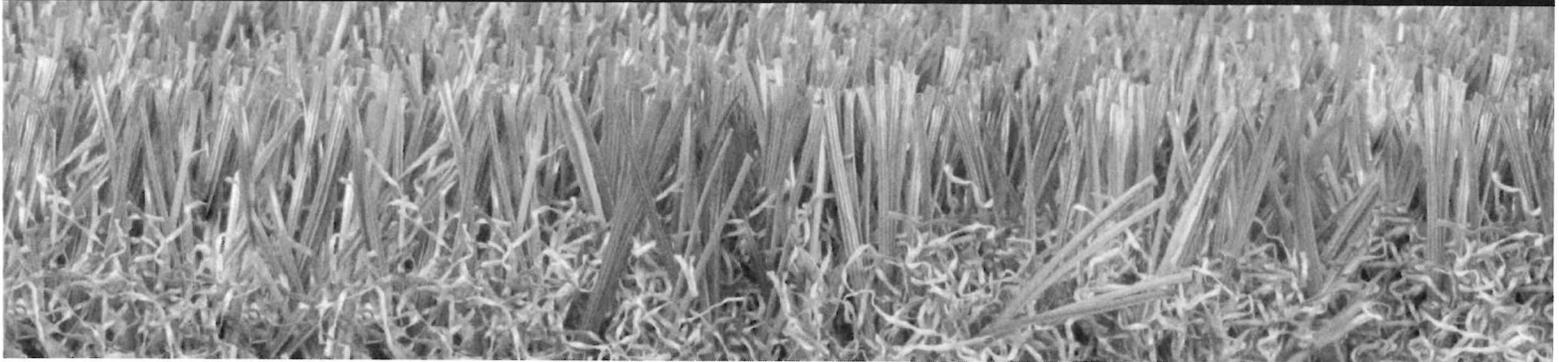
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ORDER ACCEPTANCE IS BASED ON SIGNED PRE-CONSTRUCTION FORM BY CUSTOMER

ACCEPTED BY CUSTOMER \_\_\_\_\_ DATE \_\_\_\_\_  
PRINT NAME  
Rob Green | 479-305-5050 | robg@acsplay.com \_\_\_\_\_ 7/9/2024  
PROPOSED BY ACS REPRESENTATIVE



## HIGHLAND

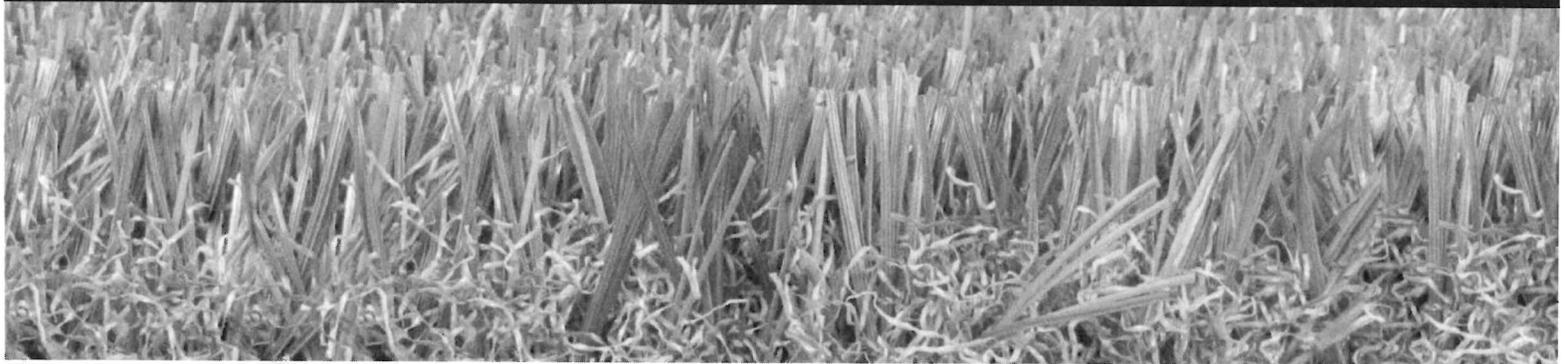
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<b>Recommended Applications:</b>	<b>Moderate /High Traffic, Playgrounds, Pets, Commercial</b>
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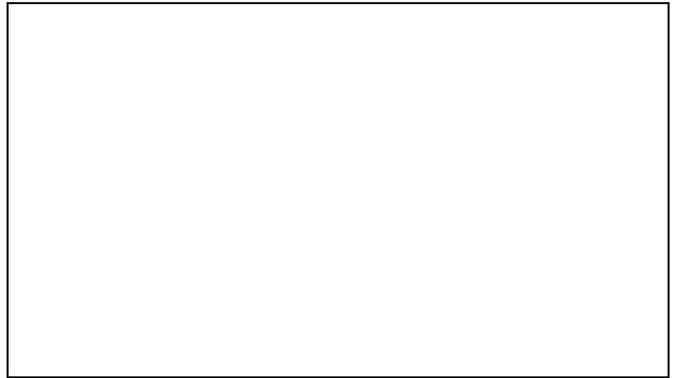
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CHARACTERISTICS	SPECIFICATIONS
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Grass Yarn Denier:	14,400 total
Pile Height:	1 1/2" tall
Grass Yarn Face Weight:	48 oz/sy
Tufting Gauge:	3/8 inch
Processing:	USA
Primary Backing:	UV stabilized, multi-layer woven polypropylene - grab tear strength guaranteed!*
Reinforcement Coating:	20 oz/sy of high-grade polyurethane
Drainage Rates:	40 inches per hour - guaranteed!*
Melting Point:	Over 220°F - guaranteed!*
Water, Heat And Frost Resistant:	Yes - guaranteed!*
Standard Roll Size:	15 feet wide by 100 feet long
Recommended Infill:	Approximately 2 pounds per square foot for landscaping use

\* See 15 Year Limited Warranty for detailed terms and conditions

Above product specifications are subject to change without notice and include a typical 10% manufacturing tolerance

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



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

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

**PROPERTY OWNER:** Dream Structures Investment Properties 2, LLC

**LEGAL DESCRIPTION:** Lots 86, 88, 106, 107, 127, 137, 162, and 164, Hidden Hills Subdivision, Phase II, Springdale, Washington County, Arkansas, as shown on final plat record 23A at page 213.

**LAYMAN'S DESCRIPTION:** 2234 Carefree Lane

**PARCEL NO.:** 815-37633-000

**PROPERTY OWNER:** Kenneth L. Collins

**LEGAL DESCRIPTION:** Lot Numbered Eleven (11) in Block One (1), Falcon Addition No. 1 to the City of Springdale, Arkansas, as per the recorded plat of said Addition on file in the office of the Circuit Clerk and ex-Officio Recorder of Washington County, Arkansas.

**LAYMAN'S DESCRIPTION:** 3601 Falcon Road

**PARCEL NO.:** 815-21837-000

**WHEREAS**, the owners were given notice, pursuant to Ark. Code Ann. §14-54-903, of the unsightly and unsanitary conditions on the properties described above, and instructed to clean the properties in accordance with Sections 42-77 and 42-78 of the Springdale Code of Ordinances;

**WHEREAS**, the property owners of record did not abate the situation on these properties, and as a result, the City of Springdale was required to abate the conditions on these properties and incurred cost as follows, and as shown in the attached Exhibits:

\$238.32 clean-up costs and \$22.53 administrative costs – 2234 Carefree Lane (815-37633-000)

\$409.32 clean-up costs and \$22.53 administrative costs – 3601 Falcon Road (815-21837-000)

**WHEREAS**, the property owners have been given at least 30 days written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903, as shown in the attached Exhibits;

**WHEREAS**, Ark. Code Ann. §14-54-904 authorizes the City Council to assert a clean-up lien on these properties to collect the amounts expended by the City in cleaning up these properties;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, pursuant to Ark. Code Ann. §14-54-904, the City Council certifies that the following real property shall be placed on the tax books of the Washington County Tax Collector as delinquent taxes and collected accordingly:

\$260.85 plus 10% for collection – 2234 Carefree Lane (815-37633-000)  
\$431.85 plus 10% for collection – 3601 Falcon Road (815-21837-000)

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

**PASSED AND APPROVED** this 27th day of August, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

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

# City Abatement

City of Springdale  
Neighborhood Service  
201 Spring Street  
Springdale, AR 72764  
479-756-7712  
Case Number: 2402228



Date: 06/05/2024  
Status: Abated  
Property: 2234 CAREFREE LN  
City, State, Zip: Springdale, AR 72764

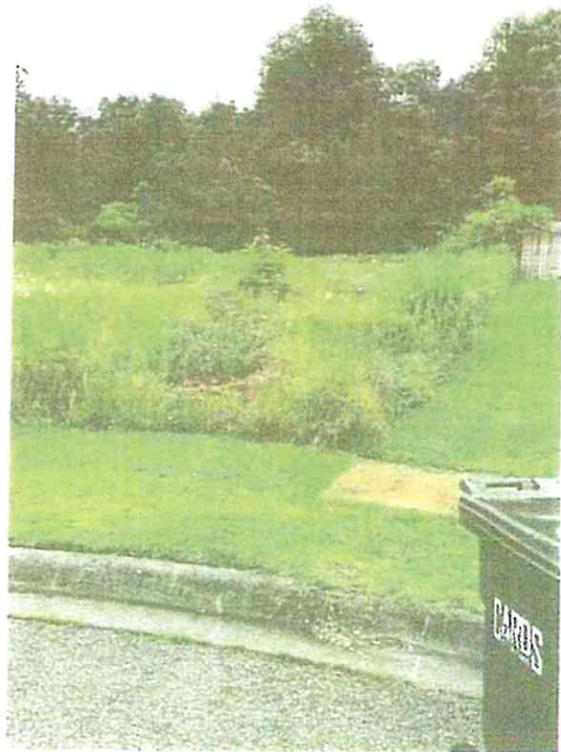
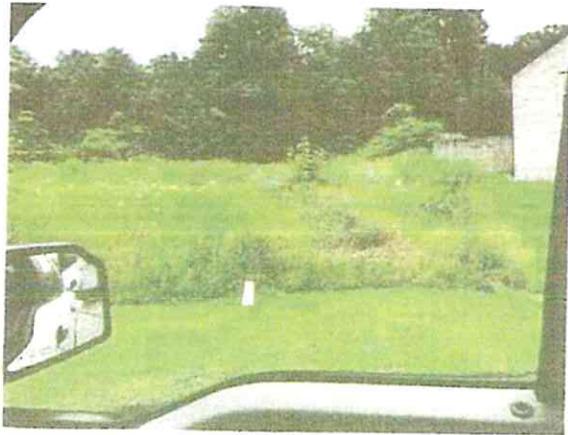
Officer on Site: Shane Pegram  
Abatement Type: Lien  
Abatement Date: 06/05/2024  
Abatement Start Time: 800  
Abatement End Time: 900

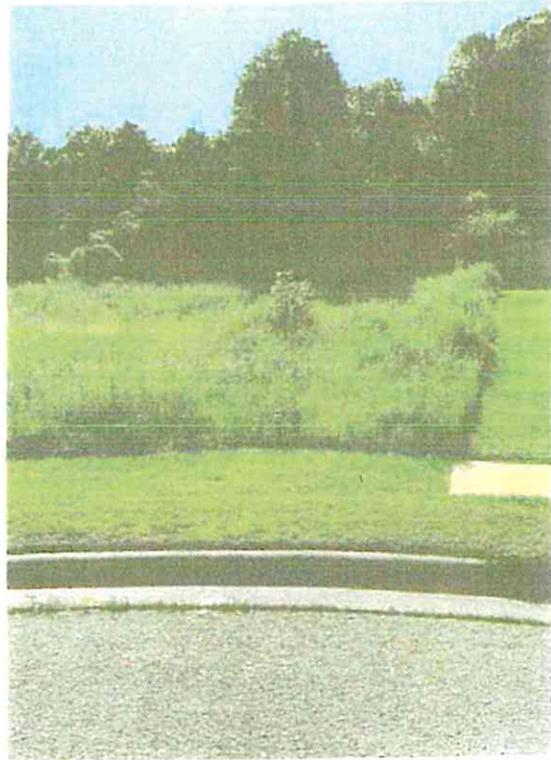
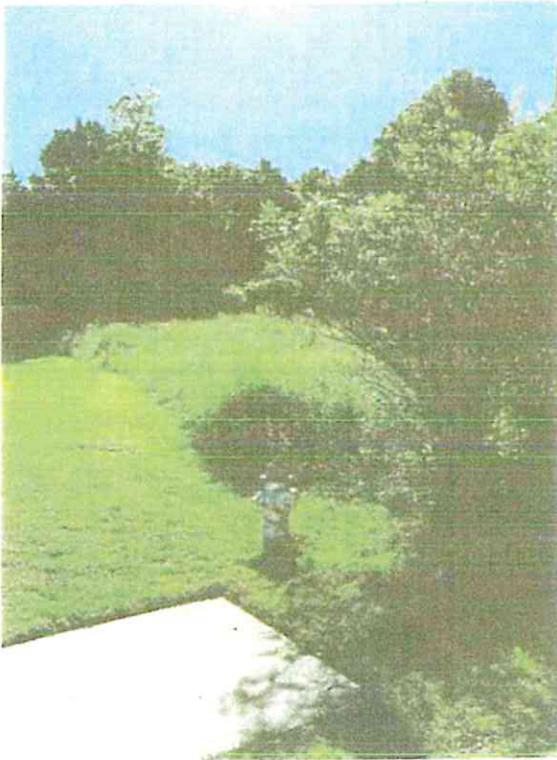
Fee	Amount
Disposal Cost Recovery	\$118.32
Employee Rate	\$30.00
Equipment Rate	\$90.00
<b>Total Fee: \$238.32</b>	

**Method of Compliance:** Vacant lot was mowed with tractor and brush hog and 1 City employee.

Shane Pegram  
Code Enforcement Officer

06/05/2024  
Date





Ernest B. Cate  
City Attorney  
ecate@springdalear.gov

Taylor Samples  
Senior Deputy City Attorney  
tsamples@springdalear.gov

David D. Phillips  
Deputy City Attorney  
dphillips@springdalear.gov

Cameron Baker  
Deputy City Attorney  
cbaker@springdalear.gov



**SPRINGDALE™**  
WE'RE MAKING IT HAPPEN

**OFFICE OF CITY ATTORNEY**

201 Spring Street • Springdale, Arkansas 72764  
Phone (479) 750-8173 • Fax (479) 750-4732  
[www.springdalear.gov](http://www.springdalear.gov)

Giselle Gonzalez  
Case Coordinator/Victim Advocate  
ggonzalez@springdalear.gov

Steve Helms  
Investigator  
shelms@springdalear.gov

Dixie Putt  
Administrative Legal Assistant/Paralegal  
dputt@springdalear.gov

Christy Pianalto  
File/Discovery Clerk  
cpianalto@springdalear.gov

July 9, 2024

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
AND REGULAR MAIL**

Dream Structures Investment Properties 2, LLC  
P.O. Box 39  
Lowell, AR 72745

RE: Notice of clean-up lien on property located at 2234 Carefree Lane, Springdale, Washington County, Arkansas, Tax Parcel No. 815-37633-000

Dear Property Owner/Lienholder:

On May 10<sup>th</sup> and 25<sup>th</sup> notice was posted on property located at 2234 Carefree Lane, Washington County, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was originally mailed to the owner of record on May 10, 2024, that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied. The notice also applied to any violations that may be found on the property within the next 12 months.

Subsequent to the above-referenced violation notice being issued, a city code violation was found to have existed on the property. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about June 5, 2024. As of this date, the total costs incurred by the City of Springdale to clean this property are \$238.32. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Benton County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before August 21, 2024, a hearing confirming the amount of the lien will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the

clean-up lien to which the City is entitled for cleaning up the property. The hearing confirming the amount of the lien will be held Tuesday, August 27, 2024, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. If this amount is paid prior to the hearing, no lien will be pursued.

Please remit the total sum of 245.85, which includes \$238.32 for cleaning up the property and \$7.53 for certified mailings to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

If you desire to contest the amount sought above, you will need to contact Neighborhood Services Division at 479-756-7712 for an appointment and you will be given a court date in Springdale District Court where you will have the opportunity to state your case before the District Court Judge.

This letter is also being mailed by regular mail to Dream Structures Investment Properties 2, LLC at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

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

Sincerely,



Ernest Cate  
City Attorney

Enclosures  
EBC:dp

USPS TRACKING#



9590 9402 8146 3030 4446 58

United States  
Postal Service

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

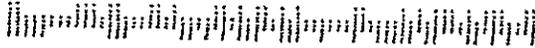
• Sender: Please print your name, address, and ZIP+4® in this box\*



OFFICE OF THE  
CITY ATTORNEY  
201 NORTH SPRING STREET  
SPRINGDALE, ARKANSAS 72764

*2234 Carfree Lane*

155401



**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to:

Dream Structures Investment  
Properties 2, LLC  
P.O. Box 39  
Lowell, AR 72745



9590 9402 8146 3030 4446 58

2. Article Number (Transfer from service label)

9589 0710 5270 0141 4252 26

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: *[Signature]*  Agent  Addressee

B. Received by (Printed Name): *Steve Fisher* C. Date of Delivery: *Page 1*

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

*PO Box 39*

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Signature Confirmation®
  - Signature Confirmation Restricted Delivery

Domestic Return Receipt

Ernest B. Cate  
City Attorney  
ecate@springdalear.gov

Taylor Samples  
Senior Deputy City Attorney  
tsamples@springdalear.gov

David D. Phillips  
Deputy City Attorney  
dphillips@springdalear.gov

Cameron Baker  
Deputy City Attorney  
cbaker@springdalear.gov



**SPRINGDALE**<sup>TM</sup>  
WE'RE MAKING IT HAPPEN

**OFFICE OF CITY ATTORNEY**

201 Spring Street • Springdale, Arkansas 72764  
Phone (479) 750-8173 • Fax (479) 750-4732  
[www.springdalear.gov](http://www.springdalear.gov)

Giselle Gonzalez  
Case Coordinator/Victim Advocate  
ggonzalez@springdalear.gov

Steve Helms  
Investigator  
shelms@springdalear.gov

Dixie Putt  
Administrative Legal Assistant/Paralegal  
dputt@springdalear.gov

Christy Pianalto  
File/Discovery Clerk  
cpianalto@springdalear.gov

July 17, 2024

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
AND REGULAR MAIL**

Kenneth L. Collins  
3601 Falcon Road  
Springdale, AR 72762-2076

RE: Notice of clean-up lien on property located at 3601 Falcon Road, Springdale, Washington County, Arkansas, Tax Parcel No. 815-21837-000

Dear Property Owner/Lienholder:

On May 14, 23, 28 and June 14, 2024, a notice was posted on property located at 3601 Falcon Road, Springdale, Arkansas, that the property was in violation of Springdale City Ordinance 42-77 and 42-78, and needed to be remedied within seven (7) days. Notice was mailed to the owner of record on May 28, 2024 that the City intended to seek a clean-up lien on this property pursuant to Ark. Code Ann. §14-54-903 if the violations were not remedied. The notice also applied to any violations that may be found on the property within the next 12 months.

Subsequent to the above-referenced violation notice being issued, a city code violation was found to have existed on the property. As a result, the City of Springdale took action to remedy the violations on the property, as is allowed by Ark. Code Ann. §14-54-903, on or about June 14, 2024. As of this date, the total costs incurred by the City of Springdale to clean this property are \$409.32. I have enclosed an invoice evidencing the abatement costs incurred and paid by the City of Springdale to clean this property. Also, in accordance with Ark. Code Ann. §14-54-903(c)(4), administrative fees may be added to the total costs incurred by the City of Springdale, which will include certified mailing fee in the amount of \$7.53 per letter and a filing fee in the amount of \$15.00 to the Washington County Circuit Court.

This is to notify you that in the event this amount is not paid to the City of Springdale on or before August 21, 2024 a hearing confirming the amount of the lien will be held before the Springdale City Council pursuant to Ark. Code Ann. §14-54-903 to determine the amount of the clean-up lien to which the City is entitled for cleaning up the property. The hearing confirming

the amount of the lien will be held Tuesday, August 27, 2024, at 6:00 p.m. in the City Council Chambers at the City Administration Building, 201 Spring Street, Springdale, Arkansas. If this amount is paid prior to the hearing, no lien will be pursued.

Please remit the total sum of \$416.85, which includes \$409.32 for cleaning up the property and \$7.53 for certified mailing to the City of Springdale by the date listed above. Payment must be made payable to the City of Springdale and presented to the attention of Dixie Putt, Springdale City Attorney's Office, 201 Spring Street, Springdale, AR 72764. If you fail to pay this amount before the hearing, then an additional \$15.00 will be added for the costs of filing the ordinance with the Circuit Clerk's Office.

If you desire to contest the amount sought above, you will need to contact Neighborhood Services Division at 479-756-7712 for an appointment and you will be given a court date in Springdale District Court where you will have the opportunity to state your case before the District Court Judge.

This letter is also being mailed by regular mail to Kenneth L. Collins at the address above. Delivery of that letter by the U.S. Postal Service shall warrant service should the certified letter be returned.

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

Sincerely,



Ernest B. Cate  
City Attorney

Enclosures  
EBC:dp



CITY OF SPRINGDALE  
 OFFICE OF CITY ATTORNEY  
 201 SPRING STREET  
 SPRINGDALE, AR 72764

**CERTIFIED MAIL**



9589 0710 5270 0141 4252 88

US POSTAGE — FINE PRINT —

ZIP 72701 \$ 009.92  
 02 7W  
 0008029153 JUL 17 2024

Page 69

*VAE*

Kenneth L. Collins  
 3601 Falcon Road  
 Springdale

NOTE: 222 OF 1 0007/21/24

RETURN TO US  
 NO SUCH NUMBER  
 UNABLE TO FORWARD

BC: 72764455401 \*2755-01993-17-36

NO POSTAGE  
 NECESSARY  
 IF MAILED  
 IN THE  
 UNITED STATES

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to:

Kenneth L. Collins  
 3601 Falcon Road  
 Springdale AR 72762-2076



2. Article Number (Transfer from service label)

9589 0710 5270 0141 4252 88

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery

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

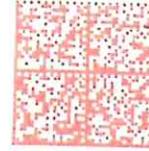
3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

Domestic Return Receipt



CITY OF SPRINGDALE  
 OFFICE OF CITY ATTORNEY  
 201 SPRING STREET  
 SPRINGDALE, AR 72764

FIRST-CLASS  
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US POSTAGE WITNEY BOWES  
  
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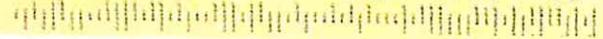
Kenneth L. Collins  
 3601 Falcon Road  
 Springdale

MIXER 780 RE 1070 0007/22/24

RETURN TO SENDER  
 NOT DELIVERABLE AS ADDRESSED  
 UNABLE TO FORWARD

BC: 72704455401 \*1255-04094-21-44

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SPRINGDALE CITY COUNCIL  
AUGUST 13, 2024

The City Council of the City of Springdale met in regular session on Tuesday, August 13, 2024 in the 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 3
Amelia Taldo	Ward 4
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 1
Rex Bailey	Ward 2
Randall Harriman	Ward 1
Mark Fougerousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Frank Gamble	Police Chief
Patsy Christie	Planning Director
Ben Peters	Engineering Director
Colby Fulfer	Chief of Staff
Mike Chamlee	Buildings Director
Ron Findley	Neighborhood Services Director
James Smith	Public Works Director

#### CITIZEN COMMENTS

Spencer Ordonez and Tina Matsubara were present at Council expressing their concern with speeders in the Maple Drive and Quandt Street areas and also the lack of lighting in the area.

#### APPROVAL OF MINUTES

Council Member Overton moved the minutes of the July 23, 2024 City Council meeting be approved as presented. Council Member Taldo made the second.

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

#### ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Taldo 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 Harriman made the second.

After the vote was taken, motion carried unanimously by 8-0.

#### REPORT ON ECONOMIC DEVELOPMENT

Jay Segó, Director of Economic Development, reported on the 2nd Quarter of 2024 Economic Development in the City of Springdale. (Report on file in City Clerk's Office)

#### ORDINANCE NO. 5988 – ACCEPTING THE REPLAT (RP24-06) OF LOT 1D, BLOCK 4, SAM’S CLUB ADDITION, TO THE CITY OF SPRINGDALE, ARKANSAS; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat (RP24-06) of Lot 1D, Block 4, Sam’s Club Addition, to the City of Springdale, Arkansas; and declaring an emergency.

Planning Commission recommended approval at their meeting.

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

After the vote was taken, motion carried unanimously by 8-0.

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

After the vote was taken, motion carried unanimously by 8-0.

The Ordinance was numbered 5988.

ORDINANCE NO. 5989 – ACCEPTING THE REPLAT (RP24-08) OF LOTS 3 AND 4, BLOCK 3, SUNRISE SUBDIVISION TO THE CITY OF SPRINGDALE, ARKANSAS; AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat (RP24-08) of Lots 3 and 4, Block 3, Sunrise Subdivision to the City of Springdale, Arkansas; and declaring an emergency.

Planning Commission recommended approval at their meeting.

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

After the vote was taken, motion carried unanimously by 8-0.

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

After the vote was taken, motion carried unanimously by 8-0.

The Ordinance was numbered 5989.

AN APPEAL OF THE PLANNING COMMISSION’S DENIAL OF A REZONING REQUEST BY 1329 LLC FOR PROPERTY LOCATED AT 2944 N. 48<sup>TH</sup> STREET, FROM C-1 TO C-2

Darren Gibbs, Attorney, presented an appeal of the Planning Commission’s denial of a rezoning request for property owned by 1329 LLC, located at 2944 N. 48<sup>th</sup> Street, from C-1 to C-2. The vote was 8-0 with one recusal.

City Attorney Cate stated they filed a timely notice of appeal to be on the July 9th agenda. It was tabled to tonight’s meeting as long as they notified adjacent property owners again which they did.

1329, LLC, is currently the home of Pinnacle Roofing and Solar, LLC (together “Pinnacle”). Pinnacle purchased the parcels in 2019 and operates a roofing business. The southern parcel is home to Pinnacle’s newly renovated business office, used for administrative purposes. The second parcel, to the North, contains two warehouse structures that have been present and operating as warehouses or repair shops for similar trade companies (a car service and a tree company) for at least a decade prior to Pinnacle’s use. Pinnacle uses these warehouses for storage. No roofing work or assembly occurs at this site. When Pinnacle applied for their business license it was denied because the business did not fall into the C-1 zone.

Pinnacle was formerly located on Wagon Wheel Road and had a business license under trades and services. When they moved locations, it was zoned C-1 which does not allow trades and services.

Mr. Gibbs said there are nearby C-2 zoning districts located on 48<sup>th</sup> street. He feels like the current C-1 zoning is very much inconsistent with neighboring businesses.

Planning Director Patsy Christie reminded council to remember if a property is zoned to C-2, anything would be allowed that falls under the use units allowed in our zoning ordinance. The Land Use Plan calls for residential development in this area, not commercial.

After considerable discussion, Council Member Harriman made the motion to overturn the Planning Commission's denial of the rezoning request and bring an ordinance back to the next City Council meeting. Council Member Lawson made the second.

After the vote was taken, motion did not carry by a 4-4 vote (Powell, Watson, Overton and Fougrousse voting no).

Mayor Sprouse chose to not vote on this item.

Planning Commission's decision to deny was upheld.

ORDINANCE NO. 5990 – ACCEPTING THE FINAL PLAT OF COTTAGES AT CLEAR CREEK SUBDIVISION, PHASE 2, (FP24-06), TO THE CITY OF SPRINGDALE, ARKANSAS

City Attorney Ernest Cate explained an appeal by NWA LD, LLC, on Planning Commission's decision on July 2, 2024 to deny the Final Plat of Cottages at Clear Creek Subdivision, Phase 2 (FP24-06) was heard by council on July 23, 2024. It was tabled to tonight's meeting to allow for the developer to provide the necessary information to satisfy the Planning Department and if that happened an ordinance approving the Final Plat would be presented tonight for consideration.

Mr. Clark said he and his client met with Planning Staff on August 1, 2024 where pieces of information were identified as being necessary to be submitted to get Planning Staff approval.

Planning Director Patsy Christie said the Final Plat was amended to include the park in Phase II; they submitted a bond for construction of the playground; they submitted a revised drawing of what we had from 2020 with a bunch of notes that they were going to do – retention, some work along the creek etc. To date we still don't have all the design work but we do have a bond in the amount of \$96,800 for retention etc. Engineering has still not had time to look at all this. They do have the drainage easement that had been requested. With all this submitted, I think we are to the point where if you want to approve the final plat, it can be with the understanding it will not be signed by Engineering or Planning until everything is provided.

After reading the title of the Ordinance, Council Member Overton made the motion to overturn Planning Commission's decision and also that the Ordinance "Do Pass". Council Member Lawson made the second.

After the vote was taken, motion carried unanimously by 7-1 (Taldo voting no).

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

After the vote was taken, the emergency clause failed by 5-3 (Powell, Taldo and Bailey voting no).

The Ordinance was numbered 5981 and will take effect in 30 days.

RESOLUTION NO. 101-24 – INTENT REGARDING THE WESTERN CORRIDOR TRANSMISSION MAIN PROJECT

Heath Ward, Water and Sewer Utilities Director, presented a Resolution of intent regarding the western corridor transmission main project. The Water and Sewer Commission has determined that there is a need for improvements to the water facilities of the System, including particularly, without limitation, the project known as the "Western Corridor Transmission Main Project".

The Commission proposes to obtain funds for SWU to accomplish the Project from the proceeds of water and sewer revenue bonds to be issued by the City in the maximum principal amount of

\$50,000,000. The funds will be made available by the Arkansas Department of Agriculture through the purchase of the Bonds by the Arkansas Development Finance Authority as a part of State Drinking Water Revolving Loan Fund program administered by the Department. The purchase price for the Bonds purchased by ADFA will be paid from proceeds of bonds issued by ADFA or other federal or state funds made available by the Program.

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

**A RESOLUTION OF INTENT REGARDING THE  
WESTERN CORRIDOR TRANSMISSION MAIN PROJECT**

**WHEREAS**, the City of Springdale, Arkansas (the "City") owns and operates, through the Springdale Water and Sewer Commission (the "Commission") and the Springdale Water Utilities ("SWU"), a water and sewer system (the "System") in order to provide water and sewer service to meet the needs of the City and its inhabitants, and certain nearby areas; and

**WHEREAS**, the Commission has determined that there is a need for improvements to the water facilities of the System, including particularly, without limitation, the project known as the "Western Corridor Transmission Main Project" (the "Project"); and

**WHEREAS**, the Commission proposes to obtain funds for SWU to accomplish the Project from the proceeds of water and sewer revenue bonds (the "Bonds") to be issued by the City in the maximum principal amount of \$50,000,000; and

**WHEREAS**, the funds will be made available by the Arkansas Department of Agriculture (the "Department") through the purchase of the Bonds by the Arkansas Development Finance Authority ("ADFA") as a part of State Drinking Water Revolving Loan Fund program administered by the Department (the "Program"); and

**WHEREAS**, the purchase price for the Bonds purchased by ADFA will be paid from proceeds of bonds issued by ADFA or other federal or state funds made available by the Program; and

**WHEREAS**, the purpose of this Resolution is for the City to declare its "official intent" for the reimbursement of certain expenditures, within the meaning of Regulation Section 1.150-2 promulgated by the United States Treasury Department (the "Regulation"); and

**WHEREAS**, the Commission has requested that the City Council adopt this Resolution;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Springdale, Arkansas:

Section 1. The City hereby expresses its official intent for revenues of the System to be advanced by SWU to pay costs of the Project prior to the issuance of the Bonds and for SWU to be reimbursed for such expenditures from proceeds of the Bonds.

Section 2. This Resolution shall be considered an "official intent" for purposes of the Regulation and shall be filed in the official records of the City in the office of the City Clerk within five (5) days from the adoption hereof.

**PASSED AND APPROVED** this \_\_\_\_ day of August, 2024.

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

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

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

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

After the vote was taken, motion carried unanimously by 8-0.

The Resolution was numbered 101-24.

RESOLUTION NO. 102-24 - AUTHORIZING THE GRANT OF A WATER EASEMENT AND A SEWER EASEMENT ACROSS PROPERTY OWNED BY THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS

Greg Thomas, Garver Engineers, presented a Resolution authorizing the grant of a water easement and sewer easement across property owned by the City of Springdale, Washington County, Arkansas. The water and sewer easements are necessary for the construction and improvement of water/sewer facilities at the Springdale Municipal Airport.

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

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

**WHEREAS**, the City of Springdale, Arkansas, owns property known as Parcel No. 815-28754-000, Washington County, Arkansas ("the Property");

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

**WHEREAS**, the water and sewer easements are necessary for the construction and improvement of water/sewer facilities at the Springdale Municipal Airport;

**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 a water easement and a sewer easement across the Property.

**PASSED AND APPROVED** this \_\_\_\_ day of August, 2024.

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

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

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

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

After the vote was taken, motion carried unanimously by 7-0-1 (Powell Abstained).

The Resolution was numbered 102-24.

RESOLUTION NO. 103-24 – AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR NORTH 56<sup>TH</sup> STREET EXTENSION

Engineering Director Ben Peters presented a Resolution authorizing an amendment to the professional services agreement with Olsson in the amount of \$657,140.80 for N. 56<sup>th</sup> Street Extension to be paid from the 2023 Street Bond Fund.

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

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR NORTH 56<sup>TH</sup> STREET EXTENSION**

**WHEREAS**, The City of Springdale contracted with Olsson for the design of the N. 56<sup>th</sup> Street Extension project from Elm Springs Road to County Line Road; and

**WHEREAS**, Construction Phase Services and Materials Testing will be needed when construction begins, and Olsson was selected as the most qualified firm; and,

**WHEREAS**, Additional professional services are needed in the design phase, including the roundabout alternatives analysis, detention basin study, trail lighting, and easement staking,

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

**Section 1.** The Mayor and City Clerk are authorized to execute a contract amendment with Olsson, Inc. in the amount of \$657,140.80 for N. 56<sup>th</sup> Street Extension to be paid from the 2023 Street Bond Fund.

**Section 2.** The Mayor is authorized to approve change orders up to 10% of the original agreement price.

**PASSED AND APPROVED** this \_\_\_\_\_ day of August, 2024.

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

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

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

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

After the vote was taken, motion carried unanimously by 7-0-1 (Powell Abstained).

The Resolution was numbered 103-24.

RESOLUTION NO. 104-24 - AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES WITH GARVER, LLC FOR GRANT RESEARCH AND WRITING ASSISTANCE FOR SUBMISSION OF A GRANT APPLICATION FOR FUNDING UNDER THE US DEPARTMENT OF TRANSPORTATION RECONNECTING COMMUNITIES PILOT PROGRAM

Planning Director Patsy Christie presented a Resolution authorizing the Mayor and City Clerk to enter into a contract for professional services with Garver, LLC for grant research and writing assistance for submission of a grant application for funding under the US Department of Transportation Reconnecting Communities Pilot Program. This is a grant for up to \$2,000,000

for planning what we can do with Highway 71 as a barrier between the east and the west sides of Springdale.

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

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES WITH GARVER, LLC FOR GRANT RESEARCH AND WRITING ASSISTANCE FOR SUBMISSION OF A GRANT APPLICATION FOR FUNDING UNDER THE US DEPARTMENT OF TRANSPORTATION RECONNECTING COMMUNITIES PILOT PROGRAM**

**WHEREAS**, the U.S. Department of Transportation issued Notice of Funding Opportunity for continuation of previous rounds for funding assistance under the Reconnecting Communities Pilot Program that the City applied for in 2023; and

**WHEREAS**, after a debriefing session with staff of the Department of Transportation areas of weakness was identified and additional information needed to strengthen the City's application for the next round of funding; and

**WHEREAS**, the Planning Department does not have the capacity with current staffing to dedicate adequate time for grant research and writing of the grant application without outside assistance for the program requirements as identified on the attached grant summary; and

**WHEREAS**, Garver, LLC has staff familiar with the Reconnecting Communities Pilot Program and the City's previous grant applicant and are available to assist the Planning Department with needed grant research and writing assistance.

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

The Mayor and City Clerk are hereby authorized to enter into an agreement, a copy of which is attached and made a part of this resolution as if set forth word or word, with Garver, LLC for grant research and writing assistance for the submission of a Reconnecting Communities Pilot grant in an amount not to exceed \$35,000, to be paid for out of the city's Professional Services account (Planning Professional Services account and Administration Professional Services account).

**PASSED AND APPROVED** this \_\_\_\_ day of August, 2024.

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

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

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

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

After the vote was taken, motion carried unanimously by 7-0-1 (Powell Abstained).

The Resolution was numbered 104-24.

**RESOLUTION NO. 105-24 – AUTHORIZING THE PURCHASE OF BUDGETING SOFTWARE FOR THE CITY OF SPRINGDALE, ARKANSAS**

Chief of Staff Colby Fulfer presented a Resolution authorizing the purchase of budgeting software for the City of Springdale, Arkansas, from ClearGov in the amount of \$8,941.67.

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

**A RESOLUTION AUTHORIZING THE PURCHASE OF  
BUDGETING SOFTWARE FOR THE CITY OF  
SPRINGDALE, ARKANSAS**

**WHEREAS**, the Springdale City Clerk's Office is currently preparing for the 2025 Budget of the City of Springdale, Arkansas, and

**WHEREAS**, the City of Springdale is in need of a new, updated budgeting software to ensure the upcoming budget process is completed in a timely manner, and

**WHEREAS**, after researching software options, the Springdale City Clerk's Office would like to move forward with ClearGov, a digital budget book software, to save time, strengthen collaboration across city departments, and to elevate the city's presentation of the upcoming budget, and

**WHEREAS**, the total cost this year for ClearGov will be \$8,941.67, which includes activation, onboarding, and training, to be paid for out of the city's Unrestricted General Fund (*Miscellaneous Account*, under Administration), and

**WHEREAS**, ClearGov is available on the Arkansas State Buy Board.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the Mayor and City Clerk are authorized to enter into contract with ClearGov for the purchase of a budgeting software with an initial cost of \$8,941.67, to be paid for out of the city's Unrestricted General Fund (*Miscellaneous Account*, under Administration).

**PASSED AND APPROVED** this \_\_\_\_\_ day of August, 2024.

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

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk/Treasurer

APPROVED AS TO FORM:

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

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

After the vote was taken, motion carried unanimously by 8-0.

The Resolution was numbered 105-24.

**ORDINANCE NO. 5991 – AMENDING CHAPTER 110, ARTICLE VI, OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS (PERTAINS TO STREET NAMES AND ADDRESS NUMBERS IN THE CITY OF SPRINGDALE)**

City Attorney Ernest Cate presented an Ordinance amending Chapter 110, Article VI, of the Code of Ordinances of the City of Springdale, Arkansas.

A public hearing was held and there were no comments.

Chapter 110, Article VI, of the Code of Ordinances of the City of Springdale, Arkansas, contains the provisions and regulations pertaining to street names and address numbers in the City of Springdale. The amendment will include definitions and other minor revisions pertaining to the assignment of, and amendment to, street names in the City of Springdale.

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

After the vote was taken, motion carried unanimously by 7-1-0 (Overton Abstained).

The Ordinance was numbered 5991.

ORDINANCE NO. 5992 – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED WITHIN THE CITY OF SPPRINGDALE, ARKANSAS AND DECLARING AN EMERGENCY

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located at 608 E. Allen Avenue, Springdale, Arkansas and declaring an emergency.

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

After the vote was taken, motion carried unanimously by 8-0.

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

After the vote was taken, motion carried unanimously by 8-0.

The Ordinance was numbered 5992.

GRANTS RECEIVED

Chief of Staff Colby Fulfer announced the city has received two grants totaling over \$900,000, one for the airport tower and one for grooving of the runway. Congressman Womack helped with getting this for Springdale.

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 7:17 p.m.

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Doug Sprouse, Mayor

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Denise Pearce, City Clerk/Treasurer