

CITY OF PRAIRIE GROVE

P.O. Box 944 Prairie Grove, AR 72753

Office of the Mayor

Agenda for Monday, September 20, 2021 regular meeting of the Prairie Grove City Council in the Prairie Grove District Court room at 6:30pm.

***Public Hearing – Senior Center Grant ***

1. Call to order
2. Roll call
3. Public Comment Period
4. Approval of the minutes for the August 16, 2021 regular meeting of the Prairie Grove City Council.
5. Treasurer's Report
6. Reports of Committees
 - a) Sanitation –
 - b) Street – Rick Clayton
 - c) Water/Sewer – Doug Stumbaugh
 - d) Court – Rick Ault
 - e) Fire –
 - f) Parks and Rec – Rick Ault
 - g) Police – Sonny Hudson
 - h) Long Range Planning – Brea Gragg
 - i) Senior Citizens – Ray Carson
 - j) Library – Tony Cunningham

*The City reserves the right to enter into executive session at any time

7. Unfinished Business
 - a) Website and codification committee recommendations
8. New Business
 - a) NWAEDD – Catherine Baker; Grant for Senior Center
 1. Resolution establishing an antidisplacement plan for the City in compliance w/AEDC Grant Program
 2. Resolution authorizing the City to submit a grant application for the AR Economic Dev Comm
 3. Resolution designating NW AR Economic Dev District as grant administrator
 4. Resolution prohibiting the use of excessive force by law enforcement against individuals engaged in non-violent civil rights demonstrations
 5. Resolution affirming the City fair housing and equal opportunity policy
 - b) Discussion – American Rescue Plans
 - c) Resolution approving annual millage
 - d) Resolution approving agreement w/WWA for billing sewer customers
 - e) Ordinance to amend Prairie Grove Lake fishing fees
 - f) Ordinance to update procurement policy
 - g) Rezone Ordinance – Little Elm Road A1 to B2; Joe Maynard
 - h) Snyder Grove Rezone – correction from first rezone approval
 - i) 2019 Audit report
 - j) Planning Study committee recommendations
9. Announcements
10. Adjournment



City of Prairie Grove

Minutes of the special meeting of the City Council July 21st 2021

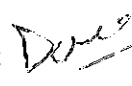
1. The city council of Prairie Grove, Arkansas met in special session on Wednesday, July 21st 2021 at 7p.m. in the Prairie Grove District Courtroom. The meeting was called to order by Mayor Sonny Hudson, presiding officer.
2. On roll call the following was recorded:
 - a. Present: Mayor Sonny Hudson, Council Members Tony Cunningham, Ray Carson, Rick Clayton, Rick Ault, Doug Stumbaugh and Brea Gragg
 - b. Absent: Council Members Marquita Smith and Doug Bartholomew
3. Business
 - a. Ordinance to approve final plat for Wakefield Subdivision. Motion made by Stumbaugh, and second by Carson to put the ordinance on first reading by title only. Aye: 6 Nay: None. Motion carried. After the reading of the ordinance title a motion was made by Stumbaugh, second by Carson to waive second and third reading and adopt the ordinance. Aye: 6 Nay: None. Motion carried. Ordinance Approved.
4. Adjournment
5. There being no further business to come before the council and on the motion of Council Member Cunningham and seconded by Council Member Clayton and approved by all members present, the meeting adjourned at 7:05p.m.

Christine Kelly,
City Clerk/Treasurer

Sonny Hudson
Mayor

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL

August 16, 2021

1. The city council of Prairie Grove, Arkansas met in regular session on Monday, August 16, 2021 at 6:30 p.m. in the Prairie Grove District Court Room. The meeting was called to order by Alderman Tony Cunningham, presiding officer.
2. Resignation of Alderman Doug Bartholomew. Motion made by Stumbaugh, second by Ault to select Chris Powell to replace Doug Bartholomew. Ayes:5 Naves: None. Motion carried.
3. On roll call the following was recorded:
 - a. Present: Alderman Ray Carson, Rick Clayton, Tony Cunningham, Marquita Smith and Doug Stumbaugh;
 - b. Absent: Ray Carson and Brea Gragg
 - c. Others present: Public Works Director Chuck Wiley, Steven Parker and Chief Chris Workman
4. Public Comment Period
5. Approval of minutes. Motion made by Clayton second by Stumbaugh to approve July 19, 2021 regular meeting and July 21, 2021 special meeting. Ayes:5 Naves: None. Motion carried.
6. The treasurer's report
7. Reports of Committees:
 - a. Sanitation
 1. Drivers are still on summer hours.
 - b. Street
 1. State has completed the repaving of Battlefield Park Rd
 2. Viney Grove Road expansion still looking to be about 20 percent over budget
 - c. Water/Sewer
 1. Had a water main break. About 20-25 customers on a boil order until we receive samples back.
 - d. Court
 1. Court collections are still down
 - e. Fire
 1. Call volume has been high
 - f. Parks and Recreation
 1. Still waiting on materials to complete the dog park at Muddy Fork Park 
 - g. Police
 1. Busy as usual

- h. Long Range Planning
 - 1. 3 Largescale developments approved.
 - 2. Conditional Use Permit
- i. Senior Citizen
 - 1. NNR
- j. Library
 - 1. Staying open with limited numbers inside
- 8. Old Business
- 9. New Business
 - a. Ordinance to waive competitive bidding on the lift station rehab. Motion made by Stumbaugh, second by Clayton to place the ordinance on first reading by title only. Ayes:6 Naves: None. Motion carried. Motion made by Stumbaugh, second by Clayton to waive the second and third reading and adopt the ordinance. Ayes: 6 Naves: None. Motion caried. Motion made by Stumbaugh, second by Ault to pass emergency clause. Ayes:6 Naves: None. Motion carried
 - b. Ordinance outlining "professional services". Motion made by Stumbaugh, second by Ault to place the ordinance on first reading by title only. Ayes:6 Naves: None. Motion carried. Motion made by Stumbaugh, second by Ault to waive the second and third reading and adopt the ordinance. Ayes: 6 Naves: None. Motion caried.
 - c. Resolution to approve contract with Absolute Roofing. Motion made by Clayton, second by Stumbaugh to approve. Ayes:6 Naves: None. Motion carried.
 - d. Resolution to approve contract with Sure Foundation Roofing. Motion made by Stumbaugh, second by Clayton to approve. Ayes: 6 Naves: None. Motion carried.
 - e. Resolution to approve police policy changes. Motion made by Stumbaugh, second by Clayton to approve. Ayes:6 Naves: None. Motion carried.
- 10. Announcements
- 11. There being no further business before the council, motion to adjourn was made at 7:40 pm by Cunningham, second by Stumbaugh to adjourn. Motion carried and the meeting adjourned. |

X *Christine Kelly*

Christine Kelly,
City Clerk/Treasurer

X *Sonny Hudson*

Sonny Hudson
Mayor

RESOLUTION NO. 2021- 17

**A RESOLUTION ESTABLISHING AN ANTIDISPLACEMENT PLAN FOR THE
CITY OF PRAIRIE GROVE, ARKANSAS, IN COMPLIANCE WITH AEDC
GRANT PROGRAMS**

WHEREAS the City of Prairie Grove understands its obligation in receiving funds under the Housing and Community Development Act of 1974 to replace all low and moderate income (LMI) dwellings demolished or converted to another use as a direct result of work funded under the grant within three years of the commencement of demolition; and

WHEREAS Prairie Grove shall provide relocation assistance to each LMI household so displaced; and

WHEREAS Prairie Grove shall in such cases provide the following:

Section 1. The location and approximate number of dwelling units that will be demolished or converted as a direct result of the assisted activity; and

Section 2. A schedule for commencement and completion of the demolition or conversion; and

Section 3. The location and approximate number of dwelling units by size that will be provided as replacements; and

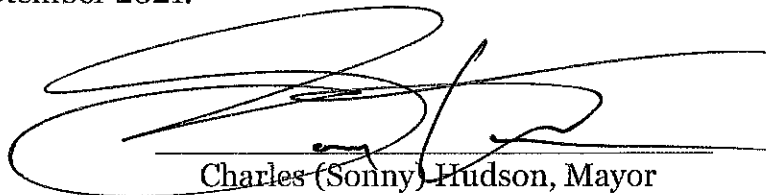
Section 4. The funding source for replacement; and

Section 5. The basis for concluding that each replacement dwelling will remain an LMI dwelling unit for at least 10 years from initial occupancy.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PRAIRIE GROVE, ARKANSAS THAT:


Consistent with the goals and objectives of the Housing and Community Development Act, the City will make every effort to minimize the displacement of persons from homes.

Approved this 20th day of September 2021.



Charles (Sonny) Hudson, Mayor

Attest



Christine Kelly, Clerk

RESOLUTION NO. 2021- 18

**A RESOLUTION AUTHORIZING THE CITY OF PRAIRIE GROVE TO
SUBMIT A GRANT APPLICATION TO THE ARKANSAS ECONOMIC
DEVELOPMENT COMMISSION (AEDC).**

WHEREAS the City of Prairie Grove is applying for grant funds through the AEDC;
and

WHEREAS the application process requires compliance with certain conditions; and

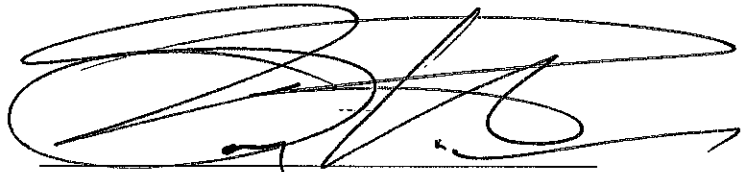
WHEREAS to meet such conditions Prairie Grove has conducted a public hearing
and has an active Citizen Participation Plan/Community Development Plan; and

WHEREAS under such plan Prairie Grove will receive and consider comments from
the community in identifying and prioritizing community development and housing needs.

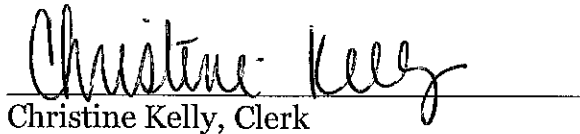
**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF PRAIRIE GROVE, ARKANSAS THAT:**

The Mayor of Prairie Grove is hereby authorized to apply to the State of Arkansas for
funds under AEDC provisions, and to expend funds under the terms of any grant approved
under the application.

Approved this 20th day of September 2021.


Charles (Sonny) Hudson, Mayor

Attest


Christine Kelly, Clerk

RESOLUTION NO. 2021-19

A RESOLUTION DESIGNATING NORTHWEST ARKANSAS ECONOMIC DEVELOPMENT DISTRICT AS GRANT ADMINISTRATOR

Whereas the City of Prairie Grove, Arkansas, is applying to the Arkansas Economic Development Commission for a grant under the Community Development Block Grant (CDBG) program; and

Whereas the City of Prairie Grove recognizes the need for assistance administering the anticipated CDBG in compliance with applicable federal, state, and local laws; and

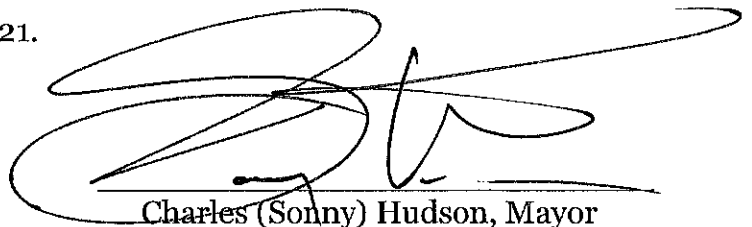
Whereas the Northwest Arkansas Economic Development District (NWAEDD) was created under A.C.A § 14-166-201 for the purpose of assisting its member cities and counties in administering state and federal grant funds; and

Whereas the City of Prairie Grove is a member of NWAEDD and feels confident NWAEDD will administer the above-referenced project competently; so

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS THAT:

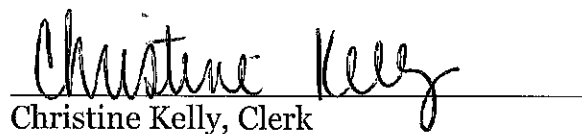
The City of Prairie Grove hereby authorizes the Mayor to designate NWAEDD the project administrator and enter into an administrative services contract regarding the above-referenced CDBG, subject to award.

Approved this 20th day of September 2021.



Charles (Sonny) Hudson, Mayor

Attest



Christine Kelly, Clerk

RESOLUTION NO. 2021- 20

A RESOLUTION PROHIBITING THE USE OF EXCESSIVE FORCE BY LAW ENFORCEMENT UNDER PRAIRIE GROVE'S JURISDICTION AGAINST INDIVIDUALS ENGAGED IN NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS.

WHEREAS, the City of Prairie Grove is applying for AEDC funding; and

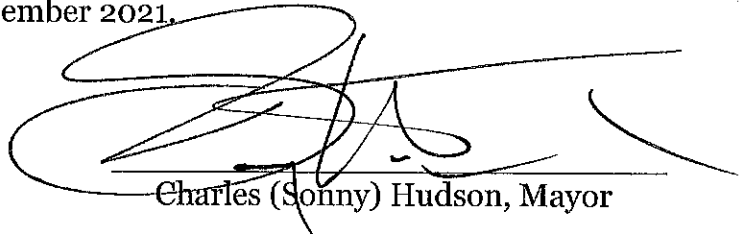
WHEREAS, the City must adopt a policy to comply with the relevant section of the Housing and Community Development Act of 1974 as a condition of funding;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF PRAIRIE GROVE, ARKANSAS THAT:

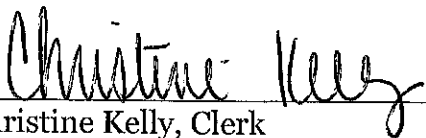
The City shall ensure and enforce the following:

- I. Law enforcement agencies under the City's jurisdiction shall not use excessive force against any individual engaged in a non-violent civil rights demonstration.
- II. Law enforcement agencies under the City's jurisdiction shall not physically bar the entrance or exit of a facility or location which is the subject of a non-violent civil rights demonstration.
- III. The City's response to such non-violent civil rights demonstrations shall endeavor to protect the rights of all non-violent demonstration participants, persons located in the vicinity, and persons owning property in the vicinity.
- IV. If a non-violent civil rights demonstration should occur, force shall only be permitted when necessary to protect the rights of individuals or to uphold the law, and the City shall only permit the least amount necessary to achieve its lawful goals.

Approved this 20th day of September 2021.


Charles (Sonny) Hudson, Mayor

Attest


Christine Kelly, Clerk

RESOLUTION NO. 2021- 21

**A RESOLUTION AFFIRMING THE CITY OF PRAIRIE GROVE'S
FAIR HOUSING AND EQUAL OPPORTUNITY POLICY**

WHEREAS the United States Congress has declared that all U.S. citizens have the same right to inherit, purchase, lease, sell, hold, and convey real property; and

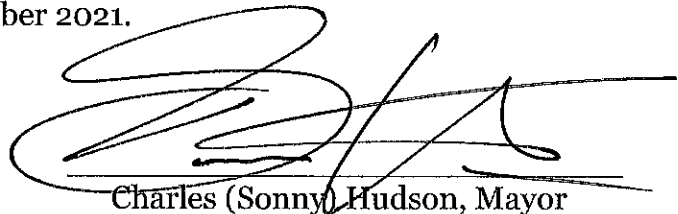
WHEREAS Congress has declared that fair and open housing is the law of the land; and

WHEREAS Congress has also declared that all citizens have an equal opportunity for employment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PRAIRIE GROVE, ARKANSAS THAT:

The City shall prohibit discrimination in public and private housing, in property ownership, and in employment opportunities. Be it further resolved that the City of Prairie Grove supports and shall promote open housing and equal opportunity employment.

Approved this 20th day of September 2021.



Charles (Sonny) Hudson, Mayor

Attest



Christine Kelly, Clerk

RESOLUTION 2021-22

**A RESOLUTION BY THE CITY TO APPROVE THE PROPERTY TAX LEVY AND
AUTHORIZE SUBMISSION TO THE COUNTY QUORUM COURT**

WHEREAS, the City of Prairie Grove must determine the extent of the property tax
levy for delivery to the Washington County Quorum Court; and

WHEREAS, the property tax is an important, fair and reasonable source of general
revenue for the ongoing operation of the municipal government; and

WHEREAS, it is in the best interest of the people of the City of Prairie Grove that the
levy be extended;

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

Section 1. The property tax levy shall be and is recommended to the Quorum Court at:

General Fund: Five mills (5).

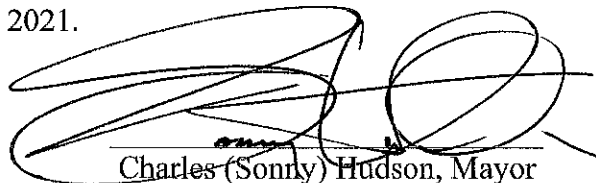
Police Department: (voluntary) One mill (1).

Fire Department: (voluntary) One-half mill (0.5).

Section 2. Notwithstanding the language set forth in Section One, nothing contained
therein shall preclude Washington County taxing and assessing administrators to bring the City's
levy in compliance with any constitutional or statutory requirement.

Section 3. The Clerk, should be, and is hereby, directed to forward a copy of this
resolution to the Washington County Clerk for delivery to the Washington County Quorum
Court to assist in its deliberations at its November 2021 meeting.

Approved this 20th day of September 2021.


Charles (Sonky) Hudson, Mayor

Attest


Christine Kelly, Clerk

RESOLUTION NO. 2021-23

**A RESOLUTION BY THE CITY TO APPROVE AN INTERLOCAL AGREEMENT
WITH WASHINGTON WATER AUTHORITY TO COOPERATE WITH THE CITY IN
THE BILLING OF SEWER CUSTOMERS.**

WHEREAS, the City provides sewage disposal services to certain water customers of
Washington Water Authority; and

WHEREAS, in order to obtain water usage data from Washington Water Authority in order
to prepare accurate bills for sewage disposal service provided by the City, the City and
Washington Water Authority have negotiated the attached Agreement.

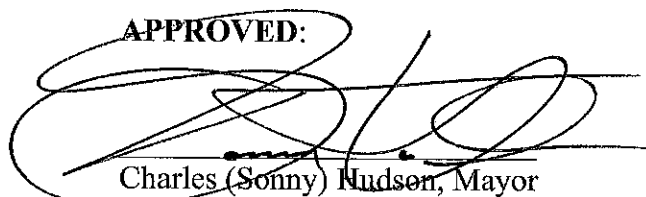
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PRAIRIE
GROVE THAT:**

1. The Mayor and Clerk are hereby authorized to enter into the attached Agreement with
Washington Water Authority to provide the City with water consumption data for
customers receiving sewage disposal services from the City.
2. The Mayor and Clerk are authorized to take any and all ministerial actions reasonably
related to both enforcement and compliance with the terms of the contract.

PASSED AND APPROVED on this 20th day of September 2021.

ATTEST:


Christine Kelly, Clerk

APPROVED:

Charles (Sonny) Hudson, Mayor

ORDINANCE NO. 2021-28

**AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN
LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY POPS II,
LLC, MODIFICATION OF THE ZONING MAP, AND AMENDMENT OF THE
ZONING ORDINANCE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2021 Pops II Rezoning Ordinance.

Section Two: Property Rezoned. From and after the effective date hereof, the following described real estate in the City of Prairie Grove, currently owned by Pops II, LLC, is hereby changed in zoning classification from A (Agricultural) to B-2 (Business):

Tract 1

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 4, Township 15 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows: beginning at a found iron pin which is N88°33'22"W 574.38 feet and S30°28'38"W 221.88 feet from the Northeast corner of said 40-acre tract and running thence S57°21'20"E 252.69 feet to the proposed right-of-way of U.S. Highway 62, thence along said right-of-way S34°51'16"W 199.62 feet, thence leaving said right-of-way N57°23'14"W 237.43 feet to a found iron pin, thence N30°29'37"E 199.74 feet to the point of beginning, containing 1.12 acres, more or less.

Tract 2

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 4, Township 15 North, Range 31, West, Washington County, Arkansas, being more particularly described as follows: beginning at a spike located on the West line of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section 4 that is S01°00'00"W 188.16 feet from the Northwest corner of said 40-acre tract, and running thence S88°24'05"E 641.71 feet to an iron pin, thence

S30°27'41"W 359.6 feet to an iron pin, thence N88°24'05"W 444.83 feet to a spike at the West line of said 40-acre tract, thence N01°00'00"E 314.97 feet to the point of beginning, containing 4.0 acres, more or less.[]

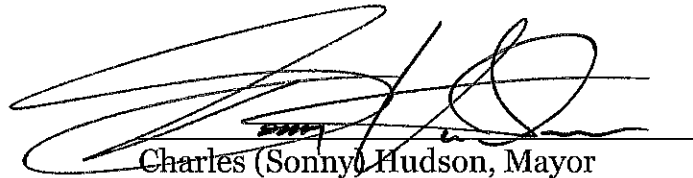
Section Four: Effective Date. This Ordinance shall become effective from and after 60 days of its posting.

Section Five: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

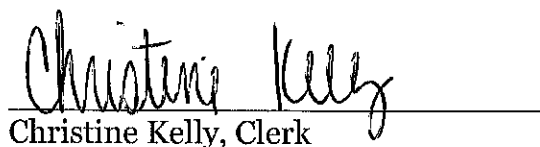
Section Seven: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 20th day of September 2021.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2021-29

AN ORDINANCE TO AMEND FEES FOR FISHING AT PRAIRIE GROVE LAKE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Fishing Fee Ordinance.

Section Two: Section 7.36.03B Amended. From and after the effective date of this Ordinance, Section 7.36.03B of the Prairie Grove Municipal Code is amended to read as follows:

- B. Permit Required – The City Council expressly declares that no persons shall enter the entry points of the access roads or fish from the Water Supply Lake without first obtaining a permit from the City. The cost of such permit shall be \$4.00 per person plus \$6.00 per boat daily payable in advance. The permit shall be effective from sunup to sundown during the day for which the permit is acquired. Permits may be obtained from the Lake Supervisor under rules and regulations promulgated by the Lake Supervisor.

Section Three: Effective Date. This Ordinance shall become effective from and after 60 days of its passage.

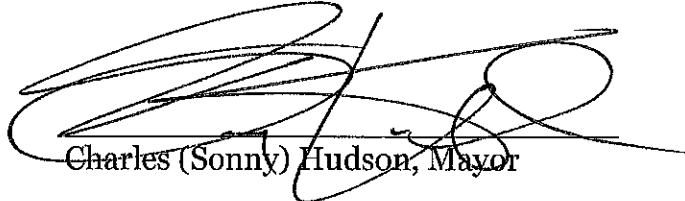
Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be

affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 20th day of September 2021.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2021-30

AN ORDINANCE TO AMEND PROCUREMENT POLICY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2021 Procurement Amendment.

Section Two: Chapter 3.04 Amended. From and after the effective date of this Ordinance, Chapter 3.04 of the Prairie Grove Municipal Code shall be amended to read as follows:

3.04.01 Exempt Commodity Purchases The purchase of commodities listed in A.C.A. §14-58-104 may be purchased without soliciting bids.

3.04.02 Commodity Purchases of Thirty-five Thousand Dollars (\$35,000.00) Value or Less The Mayor, or their duly authorized representative, shall have exclusive power and responsibility to make purchases of all commodities requisite for public purposes for the City of Prairie Grove and to make all necessary contracts for work or labor to be done, or materials or other necessary things to be furnished for the benefit of the City where the amount of the commodity expenditure does not exceed the sum of Thirty-five Thousand Dollars (\$35,000.00).

3.04.03 Commodity Purchases in excess of Thirty-five Thousand Dollars (\$35,000.00) Value Where the amount of expenditure for any commodity purchase or contract exceeds the sum of Thirty-five Thousand Dollars (\$35,000.00), the Mayor, or their duly authorized representative, shall utilize competitive bidding in accordance with ACA §14-58-303 and the limits found in ACA §§19-11-229 & 19-11-234.

3.04.04 Adjustment of value limits in 3.04.02 and 3.04.03 In accordance with A.C.A. §14-58-303(b)(3) beginning January 1, 2025 and every five years thereafter, the value limits found in 3.04.02 and 3.04.03 shall be adjusted to take into account changes in the Consumer Price Index. Such calculations of the change in value will be made by the Arkansas Department of Finance and Administration and provided to the City by ADFA.

3.04.05 Public Works Projects Contracts for the major repair, alteration or erection of buildings or other structures, or for making other permanent improvements are subject to the requirements of A.C.A. Title 22, Chapter 9.

3.04.06 Local Preference

A. In accordance with A.C.A. §14-58-105, the City of Prairie Grove hereby elects to provide a percentage preference in the amount of _____ percent, not to exceed a dollar cap of \$ _____, to any **firm resident in the municipality** as that term is defined in A.C.A. §14-58-105.

B. Where State or Federal law governs purchases and do not allow for the granting of local preferences, this section is not available for use.

3.04.07 Sales, exchange or disposal of materials, supplies or equipment The Sale, exchange and disposal of personal property shall be governed by A.C.A. §14-54-302.

3.04.08 Professional Services Pursuant to the authority granted by A.C.A. §19-11-801(c), the City Council of the City of Prairie Grove hereby lists the following professional services exempt from the requirements of competitive bidding:

- Legal services
- Financial advisory services
- Architectural services
- Engineering services
- Construction management services
- Land surveying services
- Appraisal services
- Land use planning services
- Economic development services
- Pooled risk management (insurance) services through the Arkansas Municipal League

3.04.09 Business disclosure Any entity, other than a publically traded corporation, conducting business with the City of Prairie Grove, prior to entering into any business agreement or transaction with the City, shall provide the following information in writing to the City:

A. The names of the individuals: serving on its board of directors, who are members of an LLC, or partners in a partnership;

B. The names of its principal officers;

C. This requirement shall only apply to purchases and sales of real estate and companies bidding on City projects and procurements.

3.04.10 Electronic Payments

A. Designated municipal employees and officials responsible for disbursements are authorized to disburse electronic fund payments directly into

payee accounts in financial institutions when necessary or convenient for payment of any expense allowed against the City.

B. Any such electronic disbursement shall include supporting documentation for the disbursement.

C. The electronic funds payment method used by the City shall provide for internal accounting controls and documentation for audit and accounting purposes.

D. The electronic funds payment method established by the City and authorized by this Ordinance shall not be implemented until and unless it has been approved by the Legislative Joint Auditing Committee.

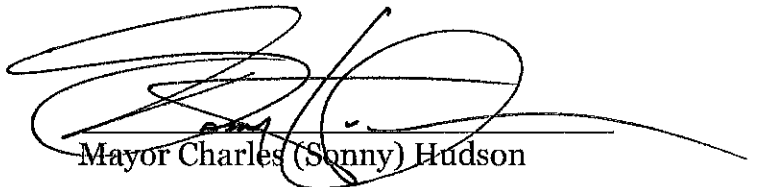
Section Three: Effective Date. This Ordinance shall become effective from and after 60 days of its posting, unless an Emergency Clause is attached hereto.

Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 20 day of September 2021
~~2017~~


Mayor Charles (Sonny) Hudson

(Attest)


Christine Kelly, City Clerk

MARKUP

3.04-01-3.04.05 and 3.04.07 are a complete re-write of the previous sections. The State raised the limit on competitive bidding from \$20,000 to \$35,000 at this last legislative session and included the provision to automatically raise the limits every five years.

3.04.06 would provide for a local preference. The definition of who is eligible is detailed in the state statute using the term Firm Resident in the Municipality. It essentially says they must have a physical office in the city and must have paid taxes to Washington County benefiting Prairie Grove for the prior two years to qualify.

3.04.08 we amended recently to define additional professional services exempt from bidding. It is unchanged.

3.04.09 and 3.04.10 are unchanged.

ORDINANCE NO. 2021-31

**AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN
LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY THE
BURL & PHYLLIS ORR REVOCABLE TRUST, MODIFICATION OF THE
ZONING MAP, AND AMENDMENT OF THE ZONING ORDINANCE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2021 Snyder Grove
Rezoning Ordinance.

Section Two: Background. In 2018, the Burl & Phyllis Orr Revocable Trust
submitted 3 applications to the Planning Commission, which were approved.
When the Council passed Ordinance 2018-30 approving the rezones, one of the
rezoned properties was omitted. This Ordinance corrects this oversight.

Section Three: Property Rezoned. From and after the effective date hereof, the
following described real estate in the City of Prairie Grove, currently owned by
the Burl & Phyllis Orr Revocable Trust, is hereby changed in zoning classification
from A (Agricultural) and R-1 (Residential) to R-1.75 (Residential):

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QUARTER AND A PART OF THE NORTH 10 FEET OF THE SOUTH HALF OF THE
SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE
NORTHWEST QUARTER OF THE NORTHWEST QUARTER LYING SOUTH OF THE OZARK
AND CHEROKEE CENTRAL RAILROAD, ALL BEING IN SECTION 19, TOWNSHIP 15 NORTH,
RANGE 31 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY,
ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
BEGINNING AT A POINT WHICH IS N01°14'31"E 666.27 FEET AND N88°23'02"W 216.43
FEET FROM THE SE CORNER OF SAID SE/4 NW/4 AND RUNNING THENCE N88°23'02"W
1160.01 FEET TO A SET #4 REBAR ON THE WEST LINE OF SAID SW/4 NW/4, THENCE
ALONG THE WEST LINE OF SAID SW/4 NW/4, N01°18'57"E 520.01 FEET, THENCE LEAVING
SAID WEST LINE S88°23'02"E 118.96 FEET, THENCE N75°09'04"E 50.25 FEET, THENCE
N71°44'41"E 397.54 FEET, THENCE N74°06'02"E 468.76 FEET, THENCE N70°19'07"E 51.10
FEET, THENCE N67°00'29"E 89.16 FEET, THENCE N21°53'33"W 161.57 FEET, THENCE
S68°06'27"W 10.88 FEET, THENCE N21°53'33"W 116.71 FEET, THENCE N74°06'02"E 367.77
FEET, THENCE S01°25'37"W 303.86 FEET, THENCE N88°34'23"W 65.00 FEET, THENCE

S74°24'54"W 130.17 FEET, THENCE S01°18'57"W 885.11 FEET TO THE POINT OF BEGINNING, CONTAINING 20.01 ACRES, MORE OR LESS. SUBJECT TO ALL RECORD AND NON RECORDED EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, MINERAL RIGHTS AND RIGHTS-OF-WAY, IF ANY. THE ABOVE DESCRIPTION BEING A PORTION OF THE SAME LAND AS DESCRIBED IN CORRECTION WARRANTY DEED FILED IN BOOK 2002, AT PAGE 72360.

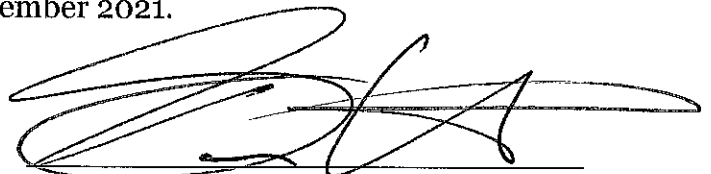
Section Four: Effective Date. This Ordinance shall become effective from and after 60 days of its posting.

Section Five: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

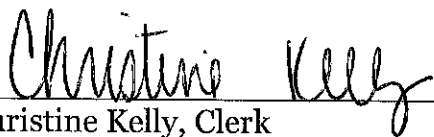
Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Seven: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 20 day of September 2021.


Charles (Sonny) Hudson, Mayor

(Attest)


Christine Kelly, Clerk