The Atkins City Council met March 14, 2023 at 7pm at Atkins City Hall. Mayor Rowdy Sweet called the meeting to order. Invocation was given by Raymond Pearce. The Pledge of Allegiance was recited. The Clerk called the roll. Attending were Mayor Rowdy Sweet, City Clerk Angela Singleton, and City Attorney Jacob Phillips. Aldermen present were Sean Rehm, Raymond Pearce, Bro Price, Daniel Dunn, and Tim Waddle. Absent was JoAnn Spence. Visitors: See attached sheet.

Raymond Pearce moved to approve the minutes of the prior meeting. Tim Waddle seconded the motion. Motion Carried 5-0

Committee Reports:
Police: no report
Fire Dept.: Chief Chuck Cheek reported the new fire truck is outside City Hall for anyone wishing to see the new truck. He then asked the next steps to follow on how to sell the old truck. Mayor Sweet stated he would speak with City Attorney Jacob Phillips on the proper procedure and let Chief Cheek know by the next meeting.
Street: no report
Recreation: no report
Planning: 1 Permit passed. See attached minutes.
Library: no report
Mayor: Mayor Sweet presented 2 payments to the council. One From McClelland Consulting Engineers for $21,507.59. the other from Hobby Electric for $32,912.62. See attached payments. Mayor Sweet presented to the council the Water and Sewer System Independent Auditor's Report and Financial Statements for June 30, 2022 and 2021. Mayor Sweet received a letter from the Office of John Thurston, Arkansas Secretary of State regarding E. Ritter Communication had modified their boundaries for communications services for our area on 3/15/2023. This will be a third provider for Atkins to be able to use. Mayor Sweet announced the website for Atkins is running and the web address is www.atkinscity.org. Mayor Sweet has been asked about posting information on our sign by the Splash Pad. He asked the ARML attorneys and their recommendation was to only post governmental messages in relation to the City of Atkins. Mayor Sweet stated he is here to protect the City from any possible lawsuit that could arise if the wrong message is posted on the sign.
Mayor Sweet requested a late item to be added to the agenda.
Bro Price made a motion to enter a late item to the agenda. Raymond Pearce seconded the motion. Vote was:

Sean Rehm	Yes	Tim Waddle	Yes
Bro Price	Yes	JoAnn Spence	Absent
Raymond Pearce	Yes	Daniel Dunn	Yes
Abstained	0		

Mayor Sweet presented to the council a letter prepared by City Attorney Jacob Phillips addressed to John Hern regarding the property at 1005 4th Avenue NE as being an unsightly condition. See attached letter along with a copy of Ordinance 5.32.01

Sean Rehm made a motion to send the letter to Mr. Hern. Bro Price seconded the motion. Vote was:

Sean Rehm	Yes	Tim Waddle	Yes
Bro Price	Yes	JoAnn Spence	Absent
Raymond Pearce	Yes	Daniel Dunn	Yes
Abstained	0		

Mayor Sweet stated he is still waiting on more estimates for the tile by the school.

Water/Sewer:
Old Business: no report
New Business: no report

City New Business:

A. Noel Hubler: city improvements and beautification. Mr. Hubler addressed the council regarding several properties in town that are unsightly and he would like the City to do something with them. Mayor Sweet stated Mr. Hubler will need to come to City Hall to report the unsightly properties so the police department can issue a citation to the property owners. There are certain procedures that need to be followed. The next question Mr. Hubler asked was what does the City of Atkins have to offer to people coming in from out of town? Mayor Sweet stated the City has cleaned the off ramp by interstate, cleaned up houses by the practice fields, over $5 million of improvements to the Water & Sewer, new splash pad and park, complete renovation of the city pool, refurbished tornado sirens, street overlays, and new water meters are a few of the improvements to the City's infrastructure. The council and Mayor explained how the City cannot force a business to come to our city. The next item Mr. Hubler addressed is the water over flowing onto Hwy 64 by the railroad tracks after it has rained. Mayor Sweet, Officer Harper, and Al Berry all stated and confirmed this has to be addressed and fixed by the railroad company and ARDOT.
B. Raymond Pearce: condition of Main Street: burnt building by Jose's and the old Shipley building. Mr. Pearce stated the building by Jose's burned on 5/26/2021 and is asking if Mr. Phillips could send a letter regarding the clean-up. Mayor Sweet stated he spoke with a woman who bought the front half of the building, who is wanting to open a bakery. Mayor Sweet stated he will have Mr. Phillips draft a letter to send to the new owner requesting information on her business plans. Mr. Pearce asked about the old Shipley building on Hwy 64, on the other side of Jose's. Mayor Sweet has spoken with Mr. Shipley and he is in the process of getting estimates on getting this area cleaned so it is not a hazard to the citizens of Atkins.

City Old Business: no report
Announcements: Lisa Bridgman and Emily Byrum has concerns about the drainage ditch by their properties. Mayor Sweet will send Al Berry to look at the situation. Angie Poplin and Mike Martin had question regarding the camper/trailer Ordinance. Mayor Sweet referred them to attend a planning commission meeting. Mayor Sweet announced House bill 1616 being brought

forth to the Arkansas Legislature, this would allow cities to publish notifications on their websites.

Bro Price moved to approve the payments of the City Expenses listed on the City General Bank register and Water Expenses. Sean Rehm seconded the motion. Motion Carried 5-0

Daniel Dunn moved the meeting adjourn. Bro Price seconded the motion.

Motion Carried 5-0

Mayor, Rowdy Sweet

City Clerk, Angela Singleton

CITY OF ATKINS SEAL POPE COUNTY ARKANSAS

FILED
Angela Singleton, City Clerk
City of Atkins
Date: 4-11-23

VISITORS PLEASE SIGN:

DATE: March 14, 2023

PRINTED NAME	SIGNATURE and ORGANIZATION (if any)
Dustin Morphis	
Stephen Peck	
SCOTT HARPER	
LUKE SANDY	
Charles Clark	
Lisa Bridgman	Lisa Bridgman
NOAL HUBLER	noal e. Hubler
DANNY WEBB	
C May	C May
ANGIE POPLIN	
Emily Byrum	Emily Byrum
Mike Martin	
Clayton Hayes	

FILED
Angela Singleton, City Clerk
City of Atkins
Date: 4-11-23

CITY OF ATKINS SEAL POPE COUNTY ARKANSAS

ATKINS CITY PLANNING COMMISSION
April 4, 2023

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL- Present- Robert Travis, Louis Schmoll, Floyd Magers, Erin Horn and Chris Martin
   Absent- None

5. MINUTES OF PRIOR MEETING/S

6. COMMITTEE REPORTS:

7. OLD BUSINESS:
   No old business

A. NEW BUSINESS:
-Permit for single family house addition. Constance Carsorial 2001 Ave 5 SW

-Passed 5-0 Floyd Magers moved to accept and Chris Martin 2nd

-Permit for new commercial structure. Mike Chisum 301 East Main

-Passed 5-0 Louis Schmoll moved to accept and Erin Horn 2nd

B. ANNOUNCEMENTS

C. ADJOURNMENT- Chris Martin motioned to adjourn

Engineer's Estimate No. 9

City of Atkins, AR
Sanitary Sewer System Rehabilitation

MCE Project No. 21-8103

Construction Period: 2/1/2023 thru 2/28/2023

Date of Estimate: 3/6/23

Recommended By: McClelland Consulting Engineers, Inc.

Andy Hamm 3/6/2023
Signature and Date

Accepted By: Blackstone Construction, LLC

The Contractor certifies that: (1) title to all Work, materials and equipment incorporated in the Work, or otherwise listed in or covered by this Pay Estimate will pass to the Owner at time of payment free and clear of all liens, claims, security interests and encumbrances (except such as are covered by Bond acceptable to Owner indemnifying Owner against any such lien, claim, security interest or encumbrance), and (2) all Work covered by this Pay Estimate is in accordance with the Contract Documents and not defective.

Natalie J. Park 3-6-23
Signature and Date

Approved By: **City of Atkins, AR**

Signature and Date, (Construction Manager)

Original Contract Amount	$	2,379,633.01
Approved Change Orders	$	8,153.81
Current Contract Amount	$	2,387,786.82
Total Work to Date:	$	2,264,549.43
Materials On Hand:	$	97,724.58
Less Material Used:	$	97,724.58
Subtotal:	$	-
Less Retainage 5%	$	113,227.47
Amount Due:	$	2,151,321.96
Less Previous Payments:	$	2,129,814.37
Less Previous Engr Overtime:		
Less Engr Overtime (hours)	$	
Subtotal	$	2,129,814.37
Due and Payable, this Period:	$	**21,507.59**

Pay Estimate #9
City of Atkins, Ar.
Sanitary Sewer System Rehabilitation
Atkins, Arkansas MCE Project 21-8103

Schedule A

Item #	Estimated Quantity	Unit	Description (Schedule A)	UNIT PRICE	Price Extended	Prev. QTY	THIS EST	QTY TO DATE	EARNED TO DATE	PERCENT OF PLAN
1	679	LF	8" SDR 26 PVC Sewer Line By Open Cut 85%	$77.95	$44,088.84	888	0.00	888.00	$ 58,836.66	131%
	679	LF	90%	$77.95	$2,646.40	888	0.00	888.00	$ 3,460.99	131%
	679	LF	98%	$77.95	$4,234.24	714	0.00	714.00	$ 4,452.50	105%
	679	LF	100%	$77.95	$1,048.56		0.00	0.00	$ -	0%
2	1995	LF	10" SDR 26 PVC Sewer Line By Open Cut 85%	$71.33	$120,957.85	1995	0.00	1995.00	$ 120,957.85	100%
	1995	LF	90%	$71.33	$7,115.17	1995	0.00	1995.00	$ 7,115.17	100%
	1995	LF	98%	$71.33	$11,384.27	1995	0.00	1995.00	$ 11,384.27	100%
	1995	LF	100%	$71.33	$2,846.07		0.00	0.00	$ -	0%
3	10	LF	12" SDR 26 PVC Sewer Line By Open Cut 85%	$1,018.54	$8,057.56		0.00	0.00	$ -	0%
	10	LF	90%	$1,018.54	$599.27		0.00	0.00	$ -	0%
	10	LF	98%	$1,018.54	$814.83		0.00	0.00	$ -	0%
	10	LF	100%	$1,018.54	$203.71		0.00	0.00	$ -	0%
4	402	LF	8" DR-11 HDPE Sewer Line By Bursting	$113.70	$45,707.40	402	0.00	402.00	$ 45,707.40	100%
5	393	LF	10" DR-11 HDPE Sewer Line By Bursting	$179.70	$70,622.10	393	0.00	393.00	$ 70,622.10	100%
6	1151	LF	4" Sch. 40 PVC Sewer Service Line By Open Cut	$67.24	$77,393.24	1106	0.00	1106.00	$ 74,367.44	96%
7	2104	LF	Trench, Backfill & Disposal 0-6 ft.	$89.57	$188,455.28	2309	46.00	2355.00	$ 210,937.35	112%
8	812	LF	Trench, Backfill & Disposal 6-8 ft.	$112.92	$91,691.04	812	0.00	812.00	$ 91,691.04	100%
9	39	LF	Trench, Backfill & Disposal 8-10 ft.	$369.83	$14,423.37	39	20.00	59.00	$ 21,819.97	151%
10	780	CY	Granular Trench Backfill for Roadways	$51.42	$40,021.80	827.6	0.00	827.60	$ 42,555.19	106%
11	68	CY	Granular Trench Backfill for Driveways	$50.80	$3,590.40	112.6	0.00	112.60	$ 5,945.28	166%
12	1	EA	Sewer Servic Clean-Out (6-Inch)	$6,882.78	$6,882.78		0.00	0.00	$ -	0%
13	32	EA	Service Lateral Reinstatment After Cipp (4-inch)	$4,260.00	$136,320.00	8	0.00	8.00	$ 34,080.00	25%
14	18	EA	Connect Sewer Main Pipe to Manhole	$1,860.00	$33,480.00	19	1.00	20.00	$ 37,200.00	111%
15	2	EA	Pre-cast Concrete Manhole (4' Dia., 6' Depth)	$3,690.96	$7,381.92	2	0.00	2.00	$ 7,381.92	100%
16	7	VF	4' Dia. Precast Concrete Manhole Extra Depth	$178.93	$1,252.51	9	0.00	9.00	$ 1,610.37	129%
17	1	EA	Install Drop Inlet for Concrete Manhole (4' Dia)	$4,712.06	$4,712.06	1	0.00	1.00	$ 4,712.06	100%
18	319	SY	Asphalt Street Repair	$276.17	$88,098.23	241.8	0.00	241.80	$ 66,777.91	76%
19	27	SY	Concrete Drive Repair	$372.00	$10,044.00	46	0.00	46.00	$ 17,112.00	170%
20	20	SY	Gravel Drive Repair	$35.98	$719.60	28.2	0.00	28.20	$ 1,014.64	141%
21	5	EA	Minor Point Repair (<15 ft)	$9,262.74	$46,313.70	3	1.00	4.00	$ 37,050.96	80%
22	431	LF	CIPP 8" Sewer Main (Heated or UV)	$59.40	$25,601.40	431	0.00	431.00	$ 25,601.40	100%
23	1784	LF	CIPP 10" Sewer Main (Heated or UV)	$68.10	$121,490.40	1279	0.00	1279.00	$ 87,099.90	72%
24	143	EA	Remove & Replace Manhole, Frame and Covers	$1,680.00	$240,240.00	155	0.00	155.00	$ 260,400.00	108%
25	2	EA	Remove & Replace Manhole, Frame and Covers (Bolted)	$1,920.00	$3,840.00	1	0.00	1.00	$ 1,920.00	50%
26	139	EA	Manhole Curtain Grout Up to 18" Deep (4' Dia., Portland-Based Cementious)	$960.00	$133,440.00	160	0.00	160.00	$ 153,600.00	115%
27	115	EA	Apply Cementious Coating for Manhole Lining up to 6' Deep (4' Dia., Portland-Based)	$900.00	$103,500.00	196.7	0.00	196.70	$ 177,030.00	171%
28	209	VF	Additional Depth for Cementious Coating (Over 6" Depth)	$150.00	$31,350.00	233.4	0.00	233.40	$ 35,010.00	112%
29	12	EA	Remove & Replace Exist. Manhole Coating (Up to 6' Depth)	$1,080.00	$12,960.00	11	0.00	11.00	$ 11,880.00	92%
30	40	VF	Additional Depth for Remove & Replace Manhole Coating (Over 6' Depth)	$180.00	$7,200.00	40.8	0.00	40.80	$ 7,344.00	102%
31	11	EA	Replace Manhole Cover	$300.00	$3,300.00	6	0.00	6.00	$ 1,800.00	55%
32	11	EA	Frame Adjustment Replacement (Paved)	$840.00	$9,240.00	21	0.00	21.00	$ 17,640.00	191%

Item #	Estimated Quantity	Unit	Description (Schedule A)	UNIT PRICE	Price Extended	Prev. QTY	THIS EST	QTY TO DATE	EARNED TO DATE	PERCENT OF PLAN
33	30	EA	Frame & Grade Adjustment Sealing (Paved)	$900.00	$27,000.00	16	0.00	16.00	$ 14,400.00	53%
34	3	EA	Frame & Grade Adjustment Sealing (Non-Paved)	$600.00	$1,800.00	11	0.00	11.00	$ 6,600.00	367%
35	4	EA	Internal Chimney Seal	$600.00	$2,400.00	3	0.00	3.00	$ 1,800.00	75%
36	1512	LF	Post-CCTV Sewer Main & Normal Cleaning (8-inch)	$6.84	$10,342.08		0.00	0.00	$ -	0%
37	4172	LF	Post-CCTV Sewer Main & Normal Cleaning (10-inch)	$6.66	$27,785.52		0.00	0.00	$ -	0%
38	10	LF	Post-CCTV Sewer Main & Normal Cleaning (12-inch)	$7.32	$73.20		0.00	0.00	$ -	0%
39	1	LS	Clearing and Grubbing	$18,000.00	$18,000.00	1	0.00	1.00	$ 18,000.00	100%
40	1	LS	Seeding and Mulching	$14,400.00	$14,400.00	0.95	0.00	0.95	$ 13,680.00	95%
41	1	LS	Erosion Control	$18,000.00	$18,000.00	0.07	0.00	0.07	$ 1,260.00	7%
42	1	LS	Arkansas Code Ann. 22-9-212 Trench and Excavation Safety System	$13,200.00	$13,200.00	0.95	0.00	0.95	$ 12,540.00	95%
43	1	LS	Miscellaneous (Mobilization, Demobilization, Bonds, Insurance, Record Drawings, and Any Items not Covered Elsewhere to Complete the Project per the Drawings and Specifications)	$110,340.00	$110,340.00	0.95	0.00	0.95	$ 104,823.00	95%
			Schedule (A) Amount Bid		**$2,008,628.83**				**$1,929,221.35**	**96%**

Schedule B

Item #	Estimated Quantity	Unit	Description (Schedule B) (Line 4-Line 7)(SE 4th St.)	UNIT PRICE	Price Extended	Prev. QTY	THIS EST	QTY TO DATE	EARNED TO DATE	PERCENT OF PLAN
1	341	LF	8" SDR 26 PVC Sewer Line By Open Cut 85%	$71.84	$20,822.82	341	0.00	341.00	$ 20,822.82	100%
	341	LF	90%	$71.84	$1,224.87	341	0.00	341.00	$ 1,224.87	100%
	341	LF	98%	$71.84	$1,959.80	341	0.00	341.00	$ 1,959.80	100%
	341	LF	100%	$71.84	$489.95		0.00	0.00	$ -	0%
2	1197	LF	8" DR-11 HDPE Sewer Line By Bursting	$143.79	$172,008.90	1198	0.00	1198.00	$ 172,152.60	100%
3	279	LF	4" Sch. 40 PVC Sewer Service Line By Open Cut	$160.50	$44,779.50	31	0.00	31.00	$ 4,975.50	11%
4	341	LF	Trench, Backfill & Disposal 0-6 ft.	$98.13	$33,803.33	341	0.00	341.00	$ 33,803.33	100%
5	109	CY	Granular Trench Backfill for Roadways	$51.42	$5,604.78	136.3	0.00	136.30	$ 7,008.55	125%
6	12	CY	Granular Trench Backfill for Driveways	$52.80	$633.60	12	0.00	12.00	$ 633.60	100%
7	8	EA	Connect Sewer Main Pipe to Manhole	$1,860.00	$14,880.00	8	0.00	8.00	$ 14,880.00	100%
8	26	SY	Asphalt Surface Course (Type-II, 3" Thick)	$390.00	$10,140.00	26	0.00	26.00	$ 10,140.00	100%
9	7	GAL	Prime Coat	$742.80	$5,199.60	7	0.00	7.00	$ 5,199.60	100%
10	32	SY	Class 7 Granular Base Course (8" Thick)	$23.40	$748.80	32	0.00	32.00	$ 748.80	100%
11	7	CY	Unclassified Excavation	$112.33	$786.31	7	0.00	7.00	$ 786.31	100%
12	11	CY	Select Fill	$63.64	$700.04	11	0.00	11.00	$ 700.04	100%
13	1	LS	R&D Existing 12" CMP	$420.00	$420.00	1	0.00	1.00	$ 420.00	100%
14	42	LF	18" Reinforced Concrete Pipe (Class-V)	$112.13	$4,709.46	36	0.00	36.00	$ 4,036.68	86%
15	2	EA	Relocate Existing Signs	$302.40	$604.80	2	0.00	2.00	$ 604.80	100%
16	90	SY	Asphalt Street Repair	$276.53	$24,887.70	117.3	0.00	117.30	$ 32,436.97	130%
17	1538	LF	Post-CCTV Sewer Main & Normal Cleaning (8-inch)	$6.84	$10,519.92		0.00	0.00	$ -	0%
18	1	CY	Rock Ditch Checks	$480.00	$480.00		0.00	0.00	$ -	0%
19	1	LS	Arkansas Code Ann. 22-9-212 Trench and Excavation Safety System	$6,000.00	$6,000.00	1	0.00	1.00	$ 6,000.00	100%
20	1	LS	Miscellaneous (Mobilization, Demobilization, Bonds, Insurance, Record Drawings, and Any Items not Covered Elsewhere to Complete the Project per the Drawings and Specifications)	$9,600.00	$9,600.00	0.9	0.00	0.90	$ 8,640.00	90%
			Schedule (B) Amount Bid		**$371,004.18**				**$ 327,174.27**	**88%**
			Total Amount Bid (Schedule A & B)		**$2,379,633.01**				**$ 2,256,395.62**	**95%**

Change Order #1

Item #	Estimated Quantity	Unit	Description (Schedule B) (Line 4-Line 7)(SE 4th St.)	UNIT PRICE	Price Extended	Prev. QTY	THIS EST	QTY TO DATE	EARNED TO DATE	PERCENT OF PLAN
CO 1-1	1	LS	Wooden Fence Repair	$2,600.00	$2,600.00	1	0.00	1.00	$ 2,600.00	100%
CO 1-2	1	LS	Install Ditch Crossing @ Twin River Foods	$5,553.81	$5,553.81	1	0.00	1.00	$ 5,553.81	100%
			Total Cost Change Order #1		**$8,153.81**				**$ 8,153.81**	
			Total Amount Bid (Schedule A & B & Change Order #1)		**$2,387,786.82**				**$ 2,264,549.43**	

	ITEM DESCRIPTION 3/6/2023	UNIT	UNIT PRICE	QUANTITY STORED	EXTENDED PRICE	QUANTITY INSTALLED	INSTALLED PRICE	STORED PRICE	
	Pipe								
1		LF		3	$0.00		$0.00	$0.00	0%
2	8" PVC SDR26 HW SWR PIPE 14'	LF	$16.13	1022	$16,484.86	1022	$16,484.86	$0.00	100%
3	10" PVC SDR26 HW SWR PIPE 14'	LF	$25.07	2002	$50,190.14	2002	$50,190.14	$0.00	100%
4					$0.00		$0.00	$0.00	#DIV/0!
	FITTINGS				$0.00		$0.00	$0.00	#DIV/0!
5	10 HW SWR SDR26 90 GXG BEND	EA	$329.37	1	$329.37	1	$329.37	$0.00	100%
6	10X10 HW SWR SDR26 TEE GXG	EA	$402.19	1	$402.19	1	$402.19	$0.00	100%
7	10X4 SDR26 TWYE W/S40 OUTLET	EA	$318.25	40	$12,730.00	40	$12,730.00	$0.00	100%
8	8X4 SDR26 T-WYE GXGXG W/ SCH40	EA	$102.40	14	$1,433.60	14	$1,433.60	$0.00	100%
9	4" PVC SCH40 DMV 22-1/2 HXH	EA	$14.10	54	$761.40	54	$761.40	$0.00	100%
10	4" PVC SCH40 DMV 45 HXH	EA	$9.10	54	$491.40	54	$491.40	$0.00	100%
11	6CMA 6" CONC MH ADPT	EA	$15.00	1	$15.00	1	$15.00	$0.00	100%
12	8CMA 8" CONC MH ADPT	EA	$20.00	7	$140.00	7	$140.00	$0.00	100%
13	10CMA 10" CONC MH ADPT	EA	$25.00	11	$275.00	11	$275.00	$0.00	100%
14	12CMA 12" CONC MH ADPT	EA	$30.00	2	$60.00	2	$60.00	$0.00	100%
15	MAX 4" CLAY/DI/AC/CI/PL CPLG 4.13 - 5.56 OD	EA	$63.84	54	$3,447.36	54	$3,447.36	$0.00	100%
16	MAX 6" CLAY/DI/AC/CI/PL CPLG 6.27 - 7.75 OD	EA	$95.09	1	$95.09	1	$95.09	$0.00	100%
17	MAX 8" CLAY/DI/AC/CI/PL CPLG 8.40 - 10.15 OD	EA	$125.30	4	$501.20	4	$501.20	$0.00	100%
18	MAX 10" CLAY/DI/AC/CI/PL CPLG 10.50 - 12.68 OD	EA	$156.58	6	$939.48	6	$939.48	$0.00	100%
19	MAX 12" CLAY/DI/AC/CI/PL CPLG 12.50 - 15.00 OD	EA	$187.83	2	$375.66	2	$375.66	$0.00	100%
20	12X4 T-WYE SDR26XSCH40 GXGXG	EA	$409.45	1	$409.45	1	$409.45	$0.00	100%
21		EA			$0.00		$0.00	$0.00	#DIV/0!
22		EA			$0.00		$0.00	$0.00	#DIV/0!
23					$0.00		$0.00	$0.00	#DIV/0!
24					$0.00		$0.00	$0.00	#DIV/0!
25					$0.00		$0.00	$0.00	#DIV/0!
26					$0.00		$0.00	$0.00	#DIV/0!
27	2X1000' DET TAPE SEWER GREEN	RL	$30.00	4	$120.00	4	$120.00	$0.00	100%
28	LUBE 1 GAL F/WTR/SWR PIPE	EA	$15.00	3	$45.00	3	$45.00	$0.00	100%
29		RL			$0.00		$0.00	$0.00	#DIV/0!
									#DIV/0!
					$89,246.20		$89,246.20	$0.00	
				TAX	$8,478.38		$8,478.38	$0.00	
					$97,724.58		$97,724.58	$0.00	

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702 PAGE ONE OF Two PAGES

TO CONTRACTOR: MCG ELLAND CONSULTING
15880 EAST STEARN ST
FAYETTEVILLE,AR 72703

PROJECT: CITY OF ATKINS

APPLICATION NO: 4-REVISED

PERIOD TO: 02/28/23

Distribution to:
- [X] OWNER
- [X] ARCHITECT
- [X] CONTRACTOR
- [ ]
- [ ]

FROM SUBCONTRACTOR:
HOBBY ELECTRIC
P.O. BOX 1821
BENTON, AR 72018

VIA ARCHITECT:

PROJECT NOS:

CONTRACT FOR: CITY OF ATKINS

CONTRACT DATE: 8/1/21

SUBCONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached

1. ORIGINAL CONTRACT SUM			$ 283,420.00
2. Net change by Change Orders			$ 0.00
3. CONTRACT SUM TO DATE (Line 1 ± 2)			$ 283,420.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)			$ 94,152.15
5. RETAINAGE:			
a. 10 % of Completed Work (Column D + E on G703)	$ 4,110.87		
b ____ % of Stored Material (Column F on G703)	$		
Total Retainage (Lines 5a + 5b or Total in Column I of G703)		$	4,110.87
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)		$	90,041.28
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)		$	57,128.66
8. CURRENT PAYMENT DUE		$	32,912.62
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	$		193,378.72

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		$0.00
Total approved this Month		$0.00
TOTALS	$0.00	$0.00
NET CHANGES by Change Order	$0.00	

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

CASEY NOEL
NOTARY PUBLIC
MY COMMISSION # 12383601
EXPIRES: August 3, 2031
Saline County

CONTRACTOR: HOBBY ELECTRIC, INC.

By: _____ Date: 02/20/23

State of: Arkansas County of: SALINE
Subscribed and sworn to before me this 20 day of February, 2023
Notary Public: _____
My Commission expires: August 3, 2031

ARCHITECT'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED . . . . . $ 32,912.62

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

ARCHITECT

By: _____ Date: 2/22/23

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

A DOCUMENT G702 - APPLICATION AND CERTIFICATION FOR PAYMENT - 1992 EDITION - AIA - ©1992 THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20006-5292

sers may obtain validation of this document by requesting a completed AIA Document D401 - Certification of Document's Authenticity from the Licensee.

BY: _____ DATE:

CITY OF ATKINS

CONTINUATION SHEET

AIA DOCUMENT G703

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 4-REVISED
APPLICATION DATE: 2/20/23
PERIOD TO: 2/28/23
PROJECT NO:
PROJECT NAME: CITY OF ATKINS

A	B	C	D	E	F	G		H
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)
1	PUMP STATION A GENERATOR	$60,299.00	$0.00	$0.00	$6,296.25	$6,296.25	10.45%	$54,002.75
2	SITE WORK FOR PUMP STATION A	$35,408.00	$0.00	$10,622.40	$3,938	$14,560.40	41.12%	$20,847.60
3	PUMP STATION B GENERATOR	$50,132.00	$0.00	$0.00	$23,279.70	$23,279.70	46.44%	$26,852.30
4	SITE WORK FOR PUMP STATION B	$19,190.00	$0.00	$5,757.00	$3,856	$9,613.00	50.090%	$9,577.00
5	PUMP STATION C GENERATOR	$59,494.00	$0.00	$0.00	$6,022.50	$6,022.50	10.12%	$53,471.50
6	SITE WORK FOR PUMP STATION C	$48,811.00	$0.00	$14,643.30	$9,651.00	$24,294.30	49.77%	$24,516.70
7	MOBILIZATION	$10,086.00	$4,538.70	$5,547.30	$0	$10,086.00	100.00%	$0.00
8		$0.00	$0.00	$0.00	$0	$0.00	0.00%	$0.00
9		$0.00	$0.00	$0.00	$0	$0.00	0.00%	$0.00
10		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
11		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
12		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
13		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
14		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
15		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
16		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
17		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
18		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
19		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
20		$0.00	$0.00	$0.00	$0	$0.00	0%	$0.00
	GRAND TOTALS	$283,420.00	$4,538.70	$36,570.00	$53,043.45	$94,152.15	33%	$189,267.85

CONDITIONAL WAIVER AND RELEASE ON PARTIAL PAYMENT

Project: CITY OF ATKINS GENERATOR ADDITIONS TO SS LIFTS
Location: ATKINS, AR

Upon receipt by the undersigned of a check from **CITY OF ATKINS** in the sum of **$32,912.62** payable to **HOBBY ELECTRIC, INC.** once the payment clears the bank upon which it is drawn, this document shall become effective to release any mechanic's lien, stop notices, or bond right the undersigned has on the job of: **GENERATOR ADDITIONS TO SS LIFT STATIONS** located in **ATKINS , AR** through **FEBRUARY 28, 2023** only and does not cover any retentions retained before or after date; extras furnished before the release date. Rights based upon work performed or items furnished under a written change order, which has been fully executed by the parties prior to the release date, are covered by this release unless specifically reserved by the claimant in the release. This release of any mechanics' lien, stop notice or bond right shall no otherwise affect the contract breach rights, including rights between parties to the contract based upon a rescission, abandonment, or breach of the contract, or the right of the undersigned to recover compensation for furnished labor, services, equipment, or material was not compensated by the progress payment.
Before any recipient of this document relies on it, said party should verify evidence of payment to the undersigned.

Date: 2/20/23

HOBBY ELECTRIC, INC.
Company Name

By: [signature] President
Signature and Title

Sworn to and subscribed before me this 20 day of February, 2023

[signature]
Notary Public

August 3, 2031
My Commission Expires:

INVOICES TO BE INCLUDED IN THIS PAYMENT: PAY APP #4

STATE OF ARKANSAS NOTARY PUBLIC
CASEY NOEL
MY COMMISSION # 12383601
EXPIRES: August 3, 2031
Saline County

Jacob A. Phillips

CITY ATTORNEY
ATKINS, ARKANSAS

312 W. Main
Russellville, AR 72801

Office: (479) 967-8100
Fax: (479) 890-6957
Email: jacob@russellvilleattorneys.com

March 14, 2023

John Hern
1005 Avenue 4 PL NE
Atkins, Arkansas 72823

Dear Mr. Hern:

My name is Jacob Phillips and I am the city attorney for the city of Atkins, Arkansas. The City of Atkins has received complaints concerning the unsanitary and unsightly condition of your property located at 1005 4th Avenue NE, Atkins, AR 72823. An unsightly or unsanitary condition currently exists on this property in violation of City Ordinance 5.32.01. You have twenty (20) days to remove, abate, or eliminate the unsightly or unsanitary conditions on this property.

In the event you fail to remove, abate, or eliminate the unsightly or unsanitary conditions within twenty (20) days, the city of Atkins will remove, abate or eliminate such conditions and will charge you for the costs of such removal, abatement or elimination. Such costs shall constitute a lien on the property. Attached is a copy of Atkins City Ordinance Chapter 5.32 Maintenance of Real Property.

If you have any questions, please contact Mayor Rowdy Sweet at (479) 641-2900

JACOB A. PHILLIPS
ATKINS CITY ATTORNEY

ROWDY SWEET
MAYOR OF THE CITY OF ATKINS

Sections:

5.28.01 Established
5.28.02 Fee, hours of operation, posting
5.28.03 Exact location of dumping
5.28.04 Penalty

5.28.01 Established There is hereby established an area known as the city landfill on land owned by the city and so designated as the city landfill.

5.28.02 Fee, hours of operation, posting The City Council is empowered to regulate the charge fee for dumping in the city landfill and the hours of its operation. The charge fee for dumping shall be plainly posted at the entrance to the city landfill.

5.28.03 Exact location of dumping All persons requesting to dump shall request instructions as to where to dump from the person designated to issue such instructions by the city, and upon receipt of such instruction shall follow them explicitly.

5.28.04 Penalty It shall be a misdemeanor for any person to violate the rules and regulations set out in this chapter, and on conviction thereof, violators shall be fined a sum of not less than Twenty-Five Dollars ($25.00), nor more than One Hundred Dollars ($100.00) for each violation.

CHAPTER 5.32

MAINTENANCE OF REAL PROPERTY

Sections:

5.32.01 Unsightly or unsanitary conditions on real property
5.32.02 Petition by resident
5.32.03 Council action
5.32.04 Notice
5.32.05 Failure to comply
5.32.06 Service of notice
5.32.07 Non-resident or unknown owner
5.32.08 Enforcement of lien and collection of costs

5.32.01 Unsightly or unsanitary conditions on real property All property owners within the city of Atkins, Arkansas, are hereby required to cut weeds, grass, remove garbage, rubbish and other unsanitary and unsightly articles and things from their property, and to eliminate, fill up, or remove stagnant pools of water or any other unsanitary things, place, or condition which

might become a breeding place for mosquitoes, flies, and germs harmful to the health of the community. (Ord. No. 83-12, Sec. 1)

5.32.02 Petition by resident Any resident of the city of Atkins may petition the City Council to remove, abate or eliminate any unsightly or unsanitary conditions existing on real property located within the corporate boundaries of the city of Atkins by filing a petition specifically describing the unsightly or unsanitary condition existing on said real property, requesting the city to remove, abate or eliminate such condition or conditions. (Ord. No. 83-12, Sec. 2.)

5.32.03 Council action After the filing of such a petition, the City Clerk shall present the petition to the City Council for the purpose of granting or denying the petition. Any action taken by the City Council in regards to such a petition shall require the approval of a majority of the members of the Council. (Ord. No. 83-12, Sec. 3)

5.32.04 Notice Upon the granting of such a petition by the City Council, the Council shall cause a notice in writing to be executed, signed by the Mayor and attested to by the City Clerk, to be served on the landowner upon whose property the unsightly or unsanitary condition exists. The notice shall advise the landowner that an unsightly or unsanitary condition presently exists on certain property, as specifically described in the notice, owned by the owner and located in the city of Atkins, and that the owner has twenty (20) days after the giving of said notice, except or provided in 5.32.07 of this ordinance, to remove, abate or eliminate the unsightly or unsanitary conditions as specifically described in the notice. Such owner shall further be informed in the notice that upon his failure or refusal to remove, abate or eliminate the conditions as described in the notice, the city of Atkins shall remove, abate or eliminate such conditions and shall charge the owner for the costs of such removal, abatement or elimination. Such costs shall constitute a lien on the owner's property, which lien may be enforced as hereinafter provided. (Ord. No. 83-12, Sec. 4)

5.32.05 Failure to comply If the owner or owners of any lot or other real property within the city of Atkins, after the giving of twenty (20) days' notice in writing, shall refuse or neglect to perform the duties in connection with his or their property as specified in 5.32.01 hereof, the Chief of Police is hereby authorized to enter upon the property and have said weeds, grass, or other vegetation cut and removed, or eliminate any unsanitary and unsightly thing, place, or condition as specified in the notice, and the cost thereof shall be charged against said premises and shall constitute a lien thereon. (Ord. No. 83-12, Sec. 5)

5.32.06 Service of notice Service of such notice on the landowner shall be by certified mail, with return receipt requested, or delivered by a person authorized to serve complaints, summonses, and subpoenas. (Ord. No. 83-12, Sec. 6)

5.32.07 Non-resident or unknown owner In the event that the whereabouts of the owner

of such property is not known or such owner is a non-resident of this state, then a copy of the written notice hereinabove referred to, shall be posted upon the premises and before any action is taken by the city to remove, abate or eliminate the unsightly or unsanitary conditions determined by the City Council to exist on the owner's real property, or before any action to enforce such lien as described in this ordinance shall be had, the City Clerk shall make an affidavit setting out the facts as to the address or whereabouts of such owner, and thereupon the notice as referred to in this ordinance, or warning order shall be published in a newspaper of general circulation in the area where the owner's property is located, as provided for by law against non-resident defendants, and an attorney ad litem shall be appointed by the Mayor in regards to the notice, or by the Chancery Clerk in regards to the warning order, to notify the landowner or defendant by certified letter addressed to his last known place of residence, if same can be found. In either event, notice given pursuant to this section shall be for thirty (30) days. (Ord. No. 83-12, Sec. 7)

5.32.08 Enforcement of lien and collection of costs The lien herein provided for may be enforced and collected in either one of the following manners:

A. The lien may be enforced at any time within eighteen (18) months after work has been done, by an action in the Chancery Court; or,

B. The amount of the lien herein provided may be determined at a hearing before the governing body of the municipality held after thirty (30) days' written notice by certified mail to the owner or owners of the property, if the name and whereabouts of the owner or owners be known, and if the name of the owner or owners cannot be determined, then only after publication of notice of such hearing in a newspaper having a bona fide circulation in the county wherein the said property is located for one (1) insertion per week for four (4) consecutive weeks; the determination of said governing body being subject to appeal by the property owner in the Chancery Court; and the amount so determined at said hearing, plus ten percentum (10%) penalty for collection, shall be by the governing body of the municipality certified to the tax collector of the county wherein said municipality is located, and by him placed on the tax books as delinquent taxes, and collected accordingly, and the amount, less three percentum (3%) thereof, when so collected shall be paid to the municipality by the county tax collector. (Ord. No. 83-12, Sec. 7)