



# City of Conway Council Agenda

**Council Meeting Date:** Tuesday, May 27<sup>th</sup>, 2014

**5:30pm – Committee:** Mayor Townsell: City Budget 101

6:30pm - Council Meeting

Call to Order: Mayor Tab Townsell

Roll Call: City Clerk/Treasurer Michael O. Garrett

Minutes Approval: **May 13<sup>th</sup>, 2014**

**Employee Service Awards**

**Mayor Tab Townsell**

City Clerk Michael O. Garrett

City Attorney Michael Murphy

City Council Members

Ward 1 Position 1 – Andy Hawkins

Ward 1 Position 2 – David Grimes

Ward 2 Position 1 – Wesley Pruitt

Ward 2 Position 2 – Shelley Mehl

Ward 3 Position 1 – Mark Ledbetter

Ward 3 Position 2 – Mary Smith

Ward 4 Position 1 – Theodore Jones Jr.

Ward 4 Position 2 – Shelia Whitmore

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## 1. Report of Standing Committees:

### A. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, & Conway Housing Authority)

1. Resolution authorizing the Mayor to sign an amendment to the operating agreement for Conway Corporation.
2. Resolution authorizing the Mayor to accept a grant from the Federal Aviation Administration.
3. Consideration of a conditional use permit for Maurice McClure to allow an auto body shop for property that is located at 2955 Dave Ward Drive
4. Ordinance to rezone property located at the northeast corner of Deerbrook Drive and Old Military Road from A-1 to R-1.

### B. Public Safety Committee (Police, Fire, District Court, CEOC, Information Technology, City Attorney, & Animal Welfare)

1. Ordinance appropriating grant funds from the AR State Highway Safety Program to District Court.

### C. Finance

1. Consideration to approve the monthly financials ending April 30<sup>th</sup>, 2014.

### D. Old Business

1. Ordinance amending City of Conway Sign Ordinance to lower or prohibit billboards.

**E. New Business**

1. Ordinance repealing Ordinances No. O-76-09 & Ordinance No. O-87-04.
2. Discussion of an adjustment request from Haynie Companies (KFC) from the Conway Sanitation Department.

*(Full discussion will continue at the June 10<sup>th</sup>, 2014 City Council meeting)*

***Adjournment***

# City Budget 101



Mayor Tab Townsell

Updated: May 13<sup>th</sup>, 2014

# General Fund

# Street Fund

# Sanitation Fund

## Revenue

**Sales Taxes 61.3%**  
 CITY: One and Three-Eighths Cents  
 COUNTY: NO ALLOCATION  
*\$17,770,000*

**Property Taxes 10.2%**  
 1.9 Mills of 5 Mills Possible  
*\$2,960,000*

**Turnback 7.1%**  
 Roughly \$15 per Person/Yr.  
 State Revenue; Historically Flat  
*\$2,075,402*

**Franchise Fees 9.1%**  
 Percent of Gross Sales:  
 Electric 2.5%  
 Telephone & Gas 4.25%  
 Cable (Combined) approx. 10%  
 Water & Sewer 0%  
*\$2,655,000*

**Permits 2.1%**  
 Lower than most Peer Cities  
 No Business License Required  
*\$609,000*

**Fines & Fees 4.5%**  
*\$1,315,000*

**Misc. 5.4%**  
*\$1,571,500*

**\$28,980,902 FY2014**

## Expenses

**2014 by Department**

**Police 36.9%**  
*\$10,919,434*

**Fire 31.4%**  
*\$9,101,029*

**Parks & Rec 9.7%**  
*\$2,821,640*

**Small Depts 22.1%**

Admin *\$536,480*  
 Finance *\$495,937*  
 Clerk & Council *\$263,198*  
 Court & Attny *\$1,212,980*  
 Plan & Permits *\$892,076*  
 Info Tech *\$720,069*  
 Plant & Fleet *\$587,228*  
 Animal Welfare *\$411,899*  
 Non-Depart. *\$1,132,300*

**2014 by Category**

Personnel 83%  
 Operating 17%  
 Capital 0%

**\$29,094,586 FY 2014**  
**Budgeted Loss (-\$113,684)**

## Revenue

**Property Taxes 26.9%**  
 Half of 3.0 Mil County Road Tax  
 Collected Inside City  
*\$1,450,000*

**Turnback 63.2%**  
 Roughly \$45 per Person/Yr.  
 (Historically Flat)  
 Severance Tax & State ½ Cent  
*\$3,402,296*

**Sales Tax 4.5%**  
 Pro Rata Portion of City Qtr. Cent  
 Sales Tax per Employee Count  
*\$245,000*

**Misc. 5.4%**  
*\$278,500*

\* \* \* \* \*

**Severance Tax \$250,000 FY2014**  
 Originally for Alt. Transportation

**State 1/2 Cent Sales Tax \$900,000 FY2014**  
 9 Additional Years

**\$5,376,296 FY2014**

## Expenses

**2014 by Category**

Personnel 49.8%  
 Operating 43.5%  
 Capital 6.7%

**Projects & Programs**  
 Street Overlays, Spot Repair &  
 Reconstruction

Specialty, Sensitive, or Low Cost  
 Street Construction

Traffic Signal Maintenance,  
 Coordination, & Improvement

Limited Storm Water Maintenance

Sidewalk Construction &  
 Replacement

Bicycle Lane/Routes, Agency  
 Transport, & Future Transit Funding

Citywide Civil Engineering:  
 Planning, Landfill, Airport, Flood

**\$5,376,296 FY2014**

## Revenue

Billed Fees 93.8%  
 Gate Fees 2.4%  
 Waste Fee 0.0%  
 Recycle Sales 3.0%  
 Misc. 0.8%

**\$9,715,000 FY2014**

## Expenses

Personnel 40.1%  
 Operating 34.5%  
 Capital 25.4%

**Operating Expenses**

Equip Repairs \$600,000  
 Gas & Diesel \$527,000  
 Carts & Dump \$289,000  
 Waste Fees \$320,000

**Capital Expenses**

Replacing & Purchasing Trucks:  
*\$1,055,000*  
 Replacing Equipment  
*\$1,421,000*

**\$9,715,000 FY2014**

**Unrestricted**  
 For Municipal Purposes

**Restricted**  
 By State Law

**Restricted**  
 By Council\*

**Capital  
Bond Issue  
2012**

**Pay-As-You Go  
Capital**

**Economic  
Development  
Fund**

**Community  
Development  
Block Grant**

**Revenue**

One EIGHTH Cent  
Sales Tax  
**\$1,600,000/yr**

**Revenue**

One QUARTER Cent  
Sales Tax  
**\$3,200,000/yr**

**Revenue**

1% Franchise Fee  
Gross Electric Sales  
Conway Corporation

**Revenue**

Federal Grant – HUD  
**\$406,000 FY2014**

**\$620,000 est FY2014**

**Expense**

**Fire Equipment**

**\$6,131,250**  
Aerial/Ladder Trucks (2)  
Engines/Pumpers (4)  
Command & Staff Vehicles (5)  
Radios (147)  
Misc. Capital

**Sanitation Equipment**

**\$2,106,150**  
Residential & Comm. Trucks (5)  
D6 Bulldozer  
Track Hoe  
Recycling Material Baler  
Misc. Capital

**Refund 2006 Bonds**

**\$3,075,000**

**Almost Fully Expended  
and/or Allocated**

**Restricted**

**Voters at Election  
February 2012**

**Expense**

**Police Vehicles**

**\$500,000/yr**

**Major Street Projects**

**\$2,700,000/yr**

Salem Road to I-40  
Stanley Russ, Sturgis, &  
Nina Russ Roads  
Prince Street  
Old Military Rd & McNutt Rd  
Nutter's Chapel Road

*Future*  
Loop Interchange  
Western Loop Extensions  
College Street Widening  
Central Landing Streets

**Restricted  
To Capital  
Voters at Election  
December 2005**

**Expense**

**Meadows Tech Park  
Infrastructure Bonds**

**\$5,100,000 Issue**  
**\$320,000/yr Debt Service**  
Financing Term: Dec 2030

**Hewlett Packard Site  
Development Bonds**

**\$2,220,000 Issue**  
**\$200,000/yr Debt Service**  
Financing term: Jan 2019

**NOTE:**  
Revenue Source Nets Slight  
Positive Balance Annually

**Restricted**

**by City Council  
April 2006  
Bondholders  
2008 & 2012**

**Expense**

To Assist Low &  
Moderate Income People  
and Areas of the City  
Towards Better Housing  
and Econ & Community  
Development

**Restricted  
By Federal  
Government**

## Street Impact Fees

## Park Impact Fees

## A & P Hamburger Tax

**Revenue**

100% Funded by Fees  
Assessed on all New  
Construction

**\$600,000 est FY2014**  
(\$1.5 million in 2010)

**Revenue**

100% Funded by Fees  
Assessed on all New  
Residential Construction

**\$200,000 est FY2014**  
(\$415,000 est in 2010)

**Revenue**

2% Sales Tax on all  
Prepared Food Sales

**\$3,085,000 est  
FY2014**

**Use**

100% Dedicated to  
Increasing New Street  
Capacity

**Use**

100% Dedicated to  
Increasing Park Land &  
Facilities

**Use**

87.5% Parks Capital  
12.5% A & P Comm

**Restricted**  
By State Law  
Created 2003

**Restricted**  
By State Law  
Created 2003

**City Park Use**  
\$2,700,000/yr

**Park Bond Debt Service**  
\$1,050,000/yr

**Pay-As-You-Go Park  
Projects incl 5 Yr  
Loan for Fairgrounds**  
\$1,650,000/yr

**Restricted**  
By State Law  
& Conway A & P  
Commission

## Park Bond Issue

**Bond Proceeds**  
\$13,723,000

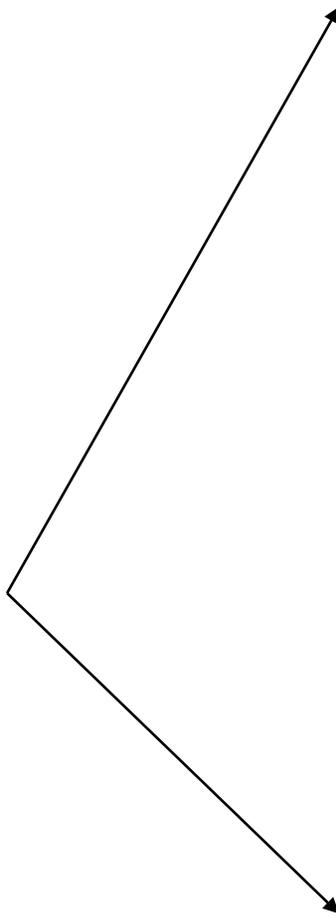
**Debt Service**  
\$1,050,000/yr  
**Financing Term: 12/2028**

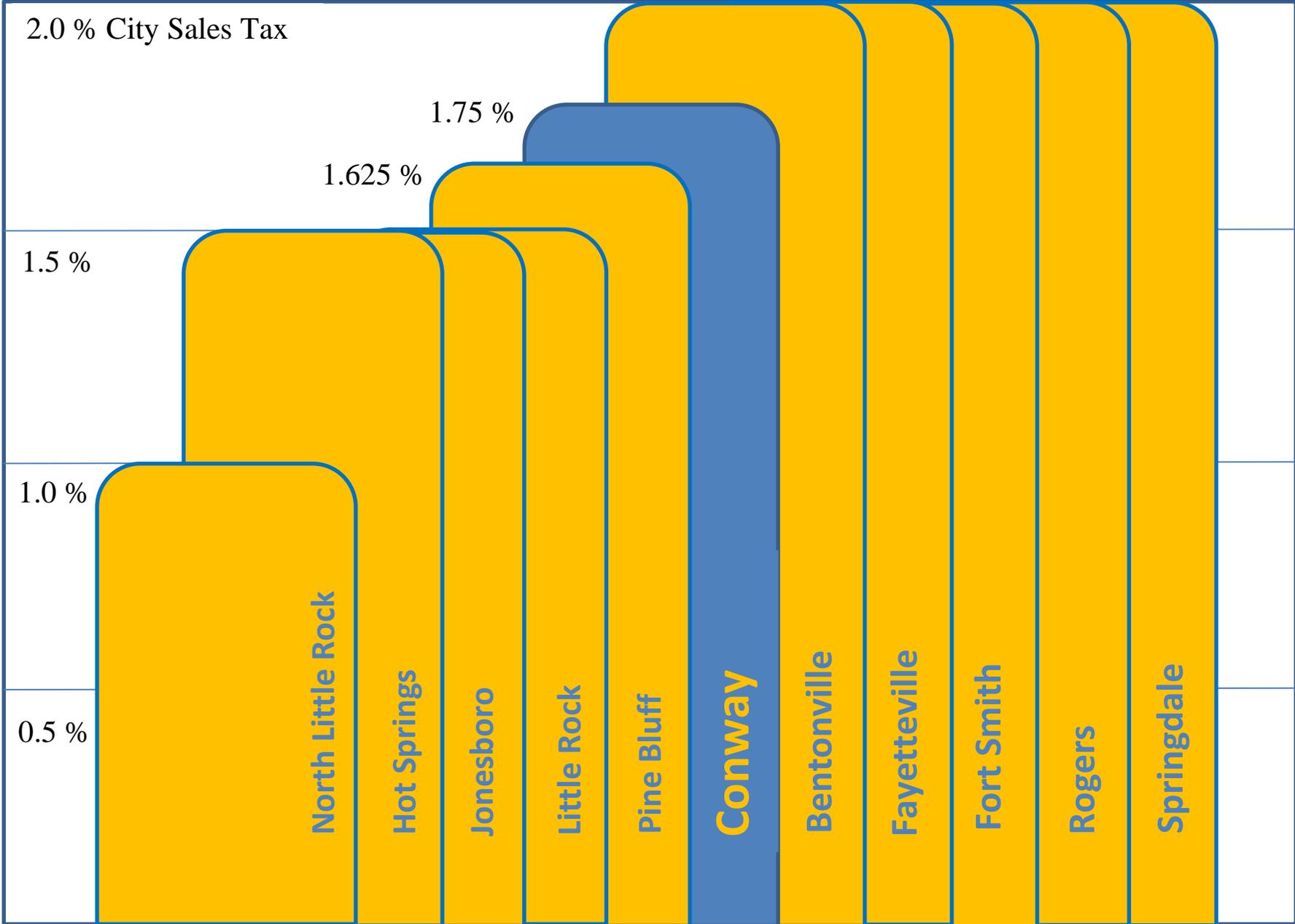
**Bond Projects**

\$7.5 M (\$7.9 M)	Boys Baseball
\$3.5 M (\$6.8 M)	Girls Softball
\$1.5 M (\$1.7 M)	Trails
\$1.0 M (\$6.7 M)	Fairgrounds
\$223 K	Unallocated

**Fully Expended**

**Restricted**  
Voters at Election  
June 2007

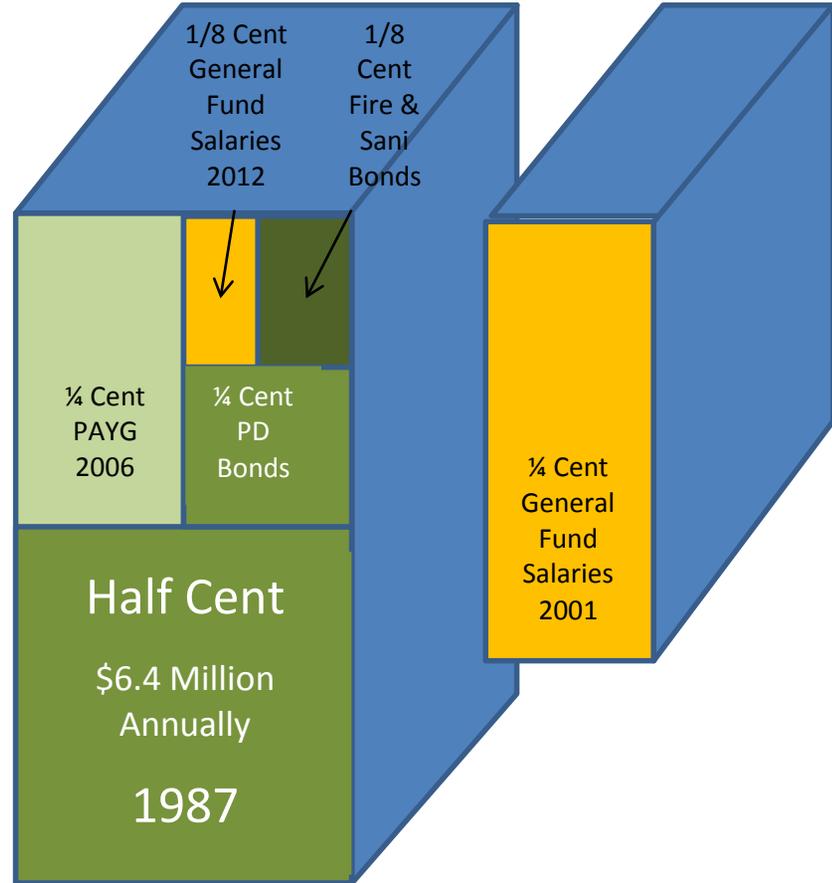
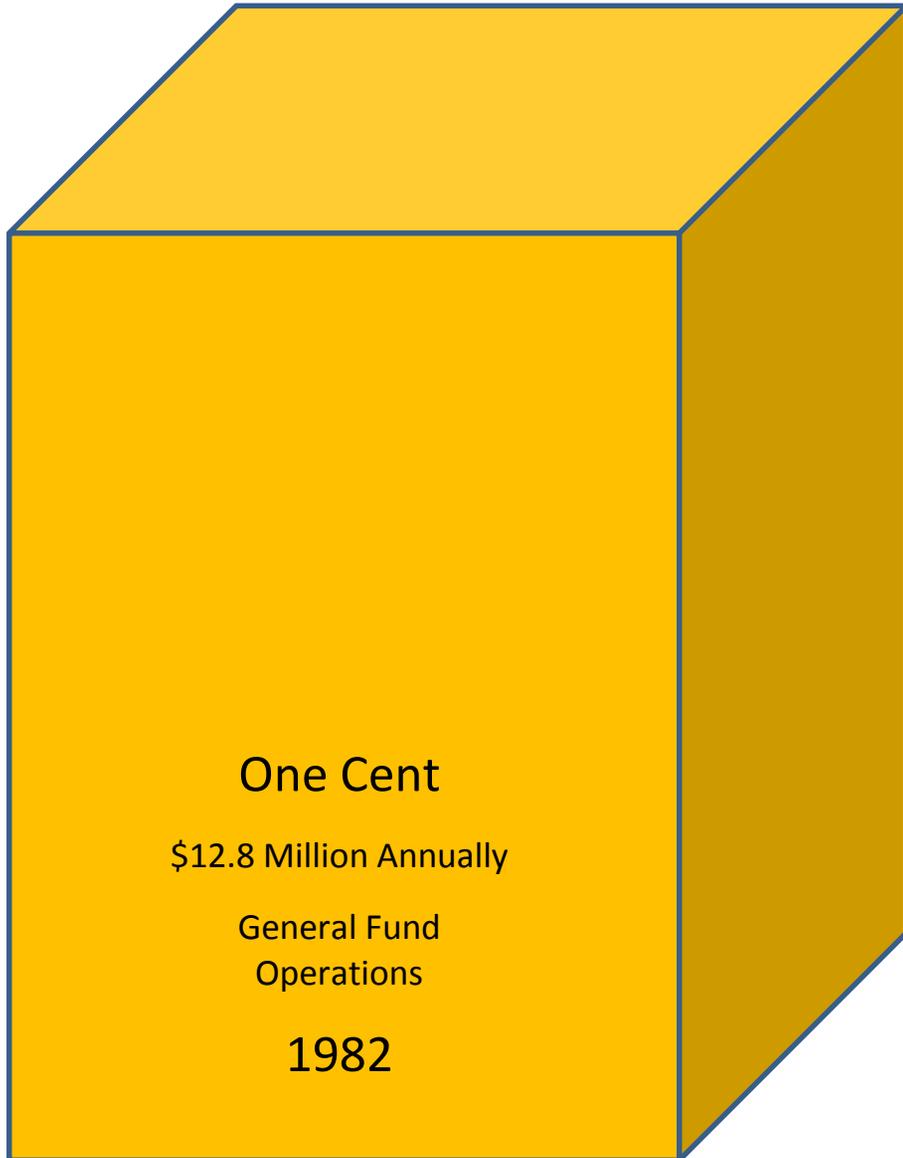




# 1.75 Cent City Sales Tax

History, Use, & Disposition

1982 to Present



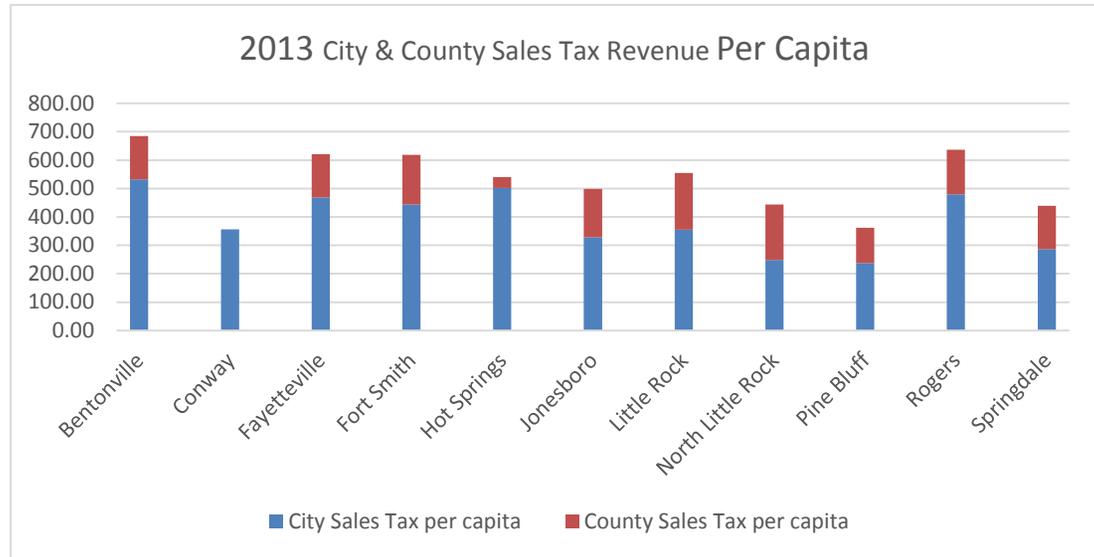
### City Sales Tax

### County Sales Tax

### City & County Sales Tax

CITY	POPULATION (est)	Per Capita (2013)	City Tax Rate	Per Capita (2013)	County Tax Rate	Per Capita (2013)	City & County Tax Rate
Bentonville	38,284	532.86	2.00	151.51	1.00	684.37	3.00
Conway	62,939	356.06	1.75	0.00	0.50	356.06	2.25
Fayetteville	76,899	468.97	2.00	152.27	1.25	621.24	3.25
Fort Smith	87,443	443.80	2.00	175.24	1.25	619.04	3.25
Hot Springs	35,478	502.34	1.50	37.68	1.50	540.02	3.00
Jonesboro	70,187	328.51	1.50	170.03	1.00	498.54	2.50
Little Rock	196,537	355.02	1.50	199.22	1.00	554.24	2.50
North Little Rock	64,633	248.98	1.00	195.03	1.00	444.01	2.00
Pine Bluff	47,035	237.22	1.63	124.56	1.63	361.78	3.25
Rogers	58,895	479.99	2.00	156.14	1.00	636.12	3.00
Springdale	73,123	287.22	2.00	152.29	1.25	439.51	3.25

CITY	City Per Capita (2013)	County Per Capita (2013)
Bentonville	532.86	151.51
Conway	356.06	0.00
Fayetteville	468.97	152.27
Fort Smith	443.80	175.24
Hot Springs	502.34	37.68
Jonesboro	328.51	170.03
Little Rock	355.02	199.22
North Little Rock	248.98	195.03
Pine Bluff	237.22	124.56
Rogers	479.99	156.14
Springdale	287.22	152.29



<b>CONWAY COMMONS OPENING</b>	2002	2003	2004	2005	2006	2007	2008	2009	2010
One & 3/4s Cent Collections	13,175,062.18	13,773,432.38	15,227,695.05	17,304,526.56	18,661,505.70	19,404,423.92	20,468,788.64	20,223,584.06	21,180,071.40
Add. Rev./YR		598,370.20	1,454,262.67	2,076,831.51	1,356,979.14	742,918.23	1,064,364.72	(245,204.57)	956,487.33
Percent Growth		4.5%	10.6%	13.6%	7.8%	4.0%	5.5%	-1.2%	4.7%
Cum. Rev. over 2003			1,454,262.67	3,531,094.18	4,888,073.31	5,630,991.54	6,695,356.26	6,450,151.68	7,406,639.01
Cum. Percent			10.6%	25.6%	35.5%	40.9%	48.6%	46.8%	53.8%
<b>PROJECTED: CENTRAL LANDING: JWA Numbers</b>	2015	2016	2017	2018	2019	2020	2021	2022	2023
One & 3/4s Cent Collections: 2016 Open	23,316,465.32	24,249,123.93	26,615,123.93	27,084,123.93	27,593,023.93	27,928,323.93	28,207,203.93	28,451,923.93	28,611,523.93
Add. Rev./YR	896,787.13	932,658.61	2,366,000.00	469,000.00	508,900.00	335,300.00	278,880.00	244,720.00	159,600.00
Percent Growth	4.0%	4.0%	9.8%	1.8%	1.9%	1.2%	1.0%	0.9%	0.6%
Cum. Rev. over 2016			2,366,000.00	2,835,000.00	3,343,900.00	3,679,200.00	3,958,080.00	4,202,800.00	4,362,400.00
Cum. Percent			9.8%	11.7%	13.8%	15.2%	16.3%	17.3%	18.0%
<b>PROJECTED: CENTRAL LANDING: Like Conway Commons</b>	2015	2016	2017	2018	2019	2020	2021	2022	2023
One & 3/4s Cent Collections	23,316,465.32	24,249,123.93	28,249,123.93	30,452,555.60	31,670,657.82	33,412,544.00	33,011,593.47	34,563,138.37	35,150,711.72
Add. Rev./YR	896,787.13	932,658.61	4,000,000.00	2,203,431.67	1,218,102.22	1,741,886.18	(400,950.53)	1,551,544.89	587,573.35
Percent Growth	4.0%	4.0%	16.5%	7.8%	4.0%	5.5%	-1.2%	4.7%	1.7%
Cum. Rev. over 2016			4,000,000.00	6,203,431.67	7,421,533.89	9,163,420.07	8,762,469.54	10,314,014.44	10,901,587.79
Cum. Percent			16.5%	25.6%	30.6%	37.8%	36.1%	42.5%	45.0%
One & 3/4s Cent Collections	23,316,465.32	24,249,123.93	26,431,545.08	28,249,123.93	30,198,313.48	31,406,246.02	33,133,589.55	32,735,986.48	34,274,577.84
Add. Rev./YR	896,787.13	932,658.61	2,182,421.15	1,817,578.85	1,949,189.55	1,207,932.54	1,727,343.53	(397,603.07)	1,538,591.36
Percent Growth	4.0%	4.0%	9.0%	6.9%	6.9%	4.0%	5.5%	-1.2%	4.7%
Cum. Rev. over 2016			2,182,421.15	4,000,000.00	5,949,189.55	7,157,122.09	8,884,465.62	8,486,862.55	10,025,453.91
Cum. Percent			9.0%	16.5%	24.5%	29.5%	36.6%	35.0%	41.3%

**Financing Options for Central Landing and their Impact on the Current 1/4 Cent Pay-as-you-go Sales Tax Revenue**

Accomplishing currently committed street projects with 5-year financing is not possible, given the accelerated timeframe for Central Landing. Beginning in year 2017, a deficit begins to accumulate in the balance of pay-as-you-go funds, and continually gets worse until year 2021 when the deficit is over \$5 million. By the nature of pay-as-you-go revenue, deficits are not possible since the money is not there to spend.

Project	2013 <u>Prince Street</u>	2014 <u>Western Loop</u>	2015 <u>Western Loop (2)</u>	2015 <u>Elsinger Overpass</u>	2015 <u>Oak to 6th St.</u>	2016 <u>Elsinger OP to Hark</u>	<u>Totals</u>	1/4 cent <u>PAYG Revenue</u>	Cumulative <u>Balance</u>
Loan amount	2,000,000	2,750,000	2,950,000	6,680,000	7,200,000	4,050,000	25,630,000		
2013									
2014	(419,820)						(419,820)	2,700,000	2,280,180
2015	(419,820)	(585,660)					(1,005,480)	2,700,000	3,974,700
2016	(419,820)	(585,660)	(628,260)	(1,422,624)	(1,533,372)		(4,589,736)	2,700,000	2,084,964
2017	(419,820)	(585,660)	(628,260)	(1,422,624)	(1,533,372)	(862,524)	(5,452,260)	2,700,000	(667,296)
2018	(419,820)	(585,660)	(628,260)	(1,422,624)	(1,533,372)	(862,524)	(5,452,260)	2,700,000	(3,419,556)
2019		(585,660)	(628,260)	(1,422,624)	(1,533,372)	(862,524)	(5,032,440)	2,700,000	(5,751,996)
2020			(628,260)	(1,422,624)	(1,533,372)	(862,524)	(4,446,780)	2,700,000	(7,498,776)
2021						(862,524)	(862,524)	2,700,000	(5,661,300)
	(2,099,100)	(2,928,300)	(3,141,300)	(7,113,120)	(7,666,860)	(4,312,620)	(27,261,300)	21,600,000	

Interest rate assumption: 2.5%

*Funding shortage (5,661,300)
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**Option 1** only provides \$5.4 million in construction funds. If the \$5.4 million in bond proceeds was used exclusively for the Elsinger Overpass project, with the remaining construction needs funded by the 1/4 cent pay-as-you-go revenue stream by way of 5-year financing, years 2019 and 2020 would require additional funding to meet the debt service requirements. Any other major street projects at that time would also need a source of funding other than the PAYG revenue. For this option, the estimated payoff date of the bonds would be year 2023.

Project	2013 <u>Prince Street</u>	2014 <u>Western Loop</u>	2015 <u>Western Loop (2)</u>	2015 <u>Elsinger Overpass</u>	2015 <u>Oak to 6th St.</u>	2016 <u>Elsinger OP to Hark</u>	<u>Totals</u>	1/4 cent <u>PAYG Revenue</u>	Cumulative <u>Balance</u>
Loan amount	2,000,000	2,750,000	2,950,000	1,280,000	7,200,000	4,050,000	20,230,000		
2013									
2014	(419,820)						(419,820)	2,700,000	2,280,180
2015	(419,820)	(585,660)					(1,005,480)	2,700,000	3,974,700
2016	(419,820)	(585,660)	(628,260)	(272,604)	(1,533,372)		(3,439,716)	2,700,000	3,234,984
2017	(419,820)	(585,660)	(628,260)	(272,604)	(1,533,372)	(862,524)	(4,302,240)	2,700,000	1,632,744
2018	(419,820)	(585,660)	(628,260)	(272,604)	(1,533,372)	(862,524)	(4,302,240)	2,700,000	30,504
2019		(585,660)	(628,260)	(272,604)	(1,533,372)	(862,524)	(3,882,420)	2,700,000	(1,151,916)
2020			(628,260)	(272,604)	(1,533,372)	(862,524)	(3,296,760)	2,700,000	(1,748,676)
2021						(862,524)	(862,524)	2,700,000	88,800
	(2,099,100)	(2,928,300)	(3,141,300)	(1,363,020)	(7,666,860)	(4,312,620)	(21,511,200)	21,600,000	

Interest rate assumption: 2.5%

*Funding available 88,800
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**Financing Options for Central Landing and their Impact on the Current 1/4 Cent Pay-as-you-go Sales Tax Revenue**

**Option 2** provides \$16 million in construction funds, with an estimated bond payoff date of year 2044. It is almost enough to complete the projects associated with Central Landing. If the bond proceeds were used for Central Landing projects up to the point of exhausting those proceeds, the funding availability of the 1/4 cent pay-as-you-go revenue by year 2021 would be as follows:

Project	2013 <u>Prince Street</u>	2014 <u>Western Loop</u>	2015 <u>Western Loop (2)</u>	2015 <u>Elsinger Overpass</u>	2015 <u>Oak to 6th St.</u>	2016 <u>Elsinger OP to Hark</u>	<u>Totals</u>	1/4 cent <u>PAYG Revenue</u>	Cumulative <u>Balance</u>
Loan amount	2,000,000	2,750,000	2,950,000	*Bonds issued	*Bonds issued	1,930,000	9,630,000		
2013									
2014	(419,820)						(419,820)	2,700,000	2,280,180
2015	(419,820)	(585,660)					(1,005,480)	2,700,000	3,974,700
2016	(419,820)	(585,660)	(628,260)				(1,633,740)	2,700,000	5,040,960
2017	(419,820)	(585,660)	(628,260)			(411,024)	(2,044,764)	2,700,000	5,696,196
2018	(419,820)	(585,660)	(628,260)			(411,024)	(2,044,764)	2,700,000	6,351,432
2019		(585,660)	(628,260)			(411,024)	(1,624,944)	2,700,000	7,426,488
2020			(628,260)			(411,024)	(1,039,284)	2,700,000	9,087,204
2021						(411,024)	(411,024)	2,700,000	11,376,180
	(2,099,100)	(2,928,300)	(3,141,300)	-	-	(2,055,120)	(10,223,820)	21,600,000	

\*Funding available  
11,376,180

Interest rate assumption: 2.5%

**Option 3** to rededicate and split the current 1/4 cent pay-as-you-go sales tax and issue bonds backed with a 1/8 cent sales tax will fund all projects associated with Central Landing, along with an excess of funding of about \$6 million. This option generates \$24 million in construction money while the funds needed for Central Landing are about \$18 million. The estimated payoff date of the bonds is also year 2044, as it is with Option 2. However it will also eliminate the pay-as-you-go sales tax's ability to fund ongoing major street projects due to committing 50% of that revenue to the bonds. As early as year 2016, the funding will not meet debt service requirements for 5-year financing of the other major street projects.

Project	2013 <u>Prince Street</u>	2014 <u>Western Loop</u>	2015 <u>Western Loop (2)</u>	2015 <u>Elsinger Overpass</u>	2015 <u>Oak to 6th St.</u>	2016 <u>Elsinger OP to Hark</u>	<u>Totals</u>	1/8 cent <u>PAYG Revenue</u>	Cumulative <u>Balance</u>
Loan amount	2,000,000	2,750,000	2,950,000	*Bonds issued	*Bonds issued	*Bonds issued	7,700,000		
2013									
2014	(419,820)						(419,820)	550,000	130,180
2015	(419,820)	(585,660)					(1,005,480)	1,100,000	224,700
2016	(419,820)	(585,660)	(628,260)				(1,633,740)	1,100,000	(309,040)
2017	(419,820)	(585,660)	(628,260)				(1,633,740)	1,100,000	(842,780)
2018	(419,820)	(585,660)	(628,260)				(1,633,740)	1,100,000	(1,376,520)
2019		(585,660)	(628,260)				(1,213,920)	1,100,000	(1,490,440)
2020			(628,260)				(628,260)	1,100,000	(1,018,700)
2021							-	1,100,000	81,300
	(2,099,100)	(2,928,300)	(3,141,300)				(8,168,700)	8,250,000	

\*Funding available  
81,300

Interest rate assumption: 2.5%

**Financing Options for Central Landing and their Impact on the Current 1/4 Cent Pay-as-you-go Sales Tax Revenue**

**Options 1 and 2** individually do not provide the necessary funding for completion of the work needed for Central Landing. However, together they do, and this allows the 1/4 cent pay-as-you-go revenue stream to stay intact and fund ongoing major street projects to the best of it's ability. Combining these two options would generate \$21 million in construction money, with an estimated final bond payoff date of year 2023 for the Option 1 bonds, and year 2044 for the Option 2 bonds. A construction fund excess of about \$3 million would exist with this scenario.

Project	2013	2014	2015	2015	2015	2016	Totals	1/4 cent	
	<u>Prince Street</u>	<u>Western Loop</u>	<u>Western Loop (2)</u>	<u>Elsinger Overpass</u>	<u>Oak to 6th St.</u>	<u>Elsinger OP to Hark</u>		<u>PAYG Revenue</u>	
Loan amount	2,000,000	2,750,000	2,950,000	*Bonds issued	*Bonds issued	*Bonds issued	7,700,000		
2013									
2014	(419,820)						(419,820)	2,700,000	2,280,180
2015	(419,820)	(585,660)					(1,005,480)	2,700,000	3,974,700
2016	(419,820)	(585,660)	(628,260)				(1,633,740)	2,700,000	5,040,960
2017	(419,820)	(585,660)	(628,260)				(1,633,740)	2,700,000	6,107,220
2018	(419,820)	(585,660)	(628,260)				(1,633,740)	2,700,000	7,173,480
2019		(585,660)	(628,260)				(1,213,920)	2,700,000	8,659,560
2020			(628,260)				(628,260)	2,700,000	10,731,300
2021							-	2,700,000	13,431,300
	(2,099,100)	(2,928,300)	(3,141,300)				(8,168,700)	21,600,000	

Interest rate assumption: 2.5%

*Funding available 13,431,300
----------------------------------

The only viable options are Option 2, or the combination of Option 1 and 2. These are the only ones that do not result in a deficit of funding in the pay-as-you-go revenue in any given year from now until 2021.

Variables to consider:

-The balance of PAYG funds when the projects begin. i.e., these scenarios assume that year 2014 includes a full year of PAYG revenue, when in fact those moneys are currently being spent for ongoing projects.

-Any spending of the PAYG funds that are outside of the projects mentioned on these schedules.

-This schedule is intended to give a high level overview of how each option will affect the balance of pay-as-you-go funds annually, as opposed to projecting actual cash balances each year.



**City of Conway , Arkansas  
Resolution No. R-14-\_\_**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AMENDMENT TO THE OPERATING AGREEMENT AMONG THE CO-OWNERS OF THE WHITE BLUFF STEAM ELECTRIC STATION**

**Whereas**, Conway Corporation (the "Corporation") operates the electric system which serves the City of Conway (the "City") and its inhabitants; and

**Whereas**, the City owns a two-percent undivided interest in the White Bluff Steam Electric Station ("White Bluff") with Entergy Arkansas, Inc. ("EAI") and others (the "Co-owners"); and

**Whereas**, the City, EAI and the Co-owners are parties to an Operating Agreement for White Bluff; and

**Whereas**, the Operating Agreement is scheduled to expire on December 31, 2015; and

**Whereas** the Corporation, EAI and Co-owners wish to extend the term of the Operating agreement until the date on which the last unit of the White Bluff Plant to be retired from commercial service is so retired from commercial service or such other date as may mutually be agreed upon by the parties; and

**Whereas** the Board of Directors of Conway Corporation has recommended the adoption of these Agreements.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Conway, Arkansas that the City Council authorizes the Mayor to sign the Amendment on behalf of the City of Conway.

**ADOPTED AND APPROVED THIS** May 27<sup>th</sup>, 2014

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

\_\_\_\_\_  
**Michael O. Garrett**  
City Clerk/Treasurer

RESOLUTION

A RESOLUTION REQUESTING EXECUTION OF AN AMENDMENT  
TO THE OPERATING AGREEMENT AMONG THE CO-OWNERS  
OF THE WHITE BLUFF STEAM ELECTRIC STATION.

WHEREAS, Conway Corporation (the "Corporation") operates the electric system which serves the City of Conway (the "City") and its inhabitants; and

WHEREAS, the City owns a two-percent undivided interest in the White Bluff Steam Electric Station ("White Bluff") with Entergy Arkansas, Inc. ("EAI") and others (the "Co-owners"); and

WHEREAS, the City, EAI and the Co-owners are parties to an Operating Agreement for White Bluff; and

WHEREAS, the Operating Agreement is scheduled to expire on December 31, 2015; and

WHEREAS, the Corporation, EAI and Co-owners wish to extend the term of the Operating agreement until the date on which the last unit of the White Bluff Plant to be retired from commercial service is so retired from commercial service or such other date as may mutually be agreed upon by the parties;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Corporation:

Section 1. We request the Conway City Council authorize Mayor Townsell to execute the amendment to the White Bluff Operating Agreement on behalf of the City.

ADOPTED this 20th day of May, 2014.

  
\_\_\_\_\_  
Chairman

CERTIFICATE

The undersigned, Secretary of Conway Corporation, hereby certifies that the foregoing pages are a true and perfect copy of a Resolution, adopted at a meeting of Conway Corporation board of directors on the 20th day of May, 2014.

GIVEN under my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Secretary



**City of Conway , Arkansas  
Resolution No. R-14-\_\_\_**

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE FEDERAL  
AVIATION ADMINISTRATION AND FOR OTHER PURPOSES**

**Whereas**, the City of Conway has received a “Finding of No Significant Impact” in regard to the environmental issues for a Relocated Conway Airport Site in the Lollie Bottoms Area in the southwestern portion of Conway, and

**Whereas**, the City has received FAA funding for engineering and land acquisition in 2008 and 2009; Grading and Drainage Contract in 2010 and 2011; Runway, Taxiway & Apron Paving in 2012; Apron Paving, Access Road Construction & Onsite Sewer in 2013 , and the city desires to continue to move forward with the development of this relocated Conway Airport, and

**Whereas**, the Federal Aviation Administration may have grant funds available in the amount of \$2,261,568 (90% of \$2,512,853 Project amount) for a grant to reimburse the City of Conway for 90% of the eligible cost associated with the New Conway Airport for Stage 2C Paving (Apron & Access Road), On site Water System, On Site Electrical System, AWOS Installation, RTR Relocation and associated Engineering, Inspection and Testing Services. The grant budget includes the following items of work:

1. Administrative Cost (IFA Consultant, Legal Ads, shipping, etc.)	(\$20,000)
2. Engineering – AWOS Design	(\$26,400)
3. Engineering – Project Support, Bidding & Construction Management	(\$92,900)
4. Engineering – Construction Inspection	(\$134,000)
5. Construction Material Testing	(\$50,000)
6. AWOS Installation	(\$166,001)
7. RTR Reimbursement for FAA related cost per Reimbursable Agreement	(\$138,937)
8. Airport Construction – Stage 2C Apron & Road Paving	(\$1,136,247)
9. Airport Construction – On Site Waterlines	(\$310,000)
10. Airport Construction – On Site Electrical	(\$438,368)

Final contracts and proposals for the above items of work will be presented to the FAA and City for approval. Not that the cost of the increasing Pavement thickness (\$26,210) is not included in the above amounts.

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:**

**Section 1.** The Mayor is authorized to accept the 2014 Airport Improvement Program grant from the Federal Aviation Administration for up to \$2,261,568 for use in the above work items needed for the development of the Relocated Conway Airport.

**Section 2.** The City of Conway agrees to provide the required ten (10%) percent local share of the project cost (\$251,285) plus the cost of increasing the pavement thickness for 9.5" to 11" (\$26,210) and further authorizes the Mayor to seek reimbursement of the local ten (10%) percent share from the State of Arkansas Department of Aeronautics upon completion of the project.

Passed this 27<sup>th</sup> day of May, 2014.

**Approved:**

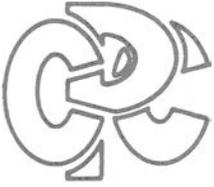
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**Mayor Tab Townsell**

**Attest:**

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**Michael O. Garrett**  
**City Clerk/Treasurer**



# CONWAY PLANNING COMMISSION

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

April 22, 2014

Council Members  
Conway, AR 72032

Dear Council Members:

Maurice McClure request for a Conditional Use Permit to allow an auto body shop for property that is located at 2955 Dave Ward Drive with the legal description

Part of the  $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ , Section 15, Township 5 North, Range 14 West, Faulkner County, Arkansas, described as beginning at the Southwest Corner of said  $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$  and run thence North 925.6 feet; thence East 231.5 feet; thence North 0 degrees 10 minutes East 374.5 feet to the South right of way of State Highway #286; thence South 89 degrees 37 minutes East along said right of way 100.0 feet to the East line of said  $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ ; thence South 0 degrees 10 minutes West 1299.4 feet to the Southeast Corner of said  $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ ; thence West 328.8 feet to the point of beginning, containing 7.87 acres, more or less.

Less And Except the Following Described Lands, To-Wit:

Part of the  $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ , Section 15, Township 5 North, Range 14 West, Faulkner County, Arkansas, described as beginning at the Southwest Corner of said  $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$  and run thence North 925.6 feet; thence North 89 degrees 10 minutes 06 seconds East 231.50 feet; thence North 0 degrees 10 minutes East 374.50 feet to the South right of way of State Highway #286; thence along said right of way North 89 degrees 32 minutes 30 seconds East 25.0 feet; thence leaving said right of way South 0 degrees 10 minutes West 374.34 feet; thence North 89 degrees 10 minutes 06 seconds East 72.56 feet to the East line of said  $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ ; thence along said East line South 0 degrees 01 minute 0 seconds West 925.55 feet to the Southeast Corner of the  $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ ; thence South 89 degrees 09 minutes 30 seconds West 328.80 feet to the point of beginning, containing 7.20 acres, more or less.

Also, Less and Except the following described lands, to-wit:

Part of the  $NE\frac{1}{4} SE\frac{1}{4}$ , Section 15, Township 5 North, Range 14 West, Faulkner County, Arkansas, more particularly described as follows: Starting at the Northeast Corner of the  $SE\frac{1}{4} NE\frac{1}{4}$  of Section 15; thence South 02 degrees 01 minute 17 seconds West along the East line thereof a distance of 1330.00 feet to the Northeast Corner of the  $NE\frac{1}{4} SE\frac{1}{4}$  of Section 15; thence continue South South 02 degrees 01 minute 17 seconds West along the East line thereof a distance of 20.16 feet to a point; thence North 88 degrees 15 minutes 49 seconds West a distance of 67.68 feet to a point on the Southerly existing right of way line of State Highway 60; thence continue North 88 degrees 15 minutes 49 seconds West along said existing right of way line a distance of 23.80 feet to the point of beginning; thence South 02 degrees 04 minutes 56 seconds West a distance of 17.55 feet to a point on the Southerly proposed right of way line of

Council Members

Page 2 of 2

May 20, 2014

State Highway 60; thence South 85 degrees 37 minutes 56 seconds West along said proposed right of way line a distance of 72.39 feet to a point; thence North 02 degrees 12 minutes 57 seconds East a distance of 25.25 feet to a point on the Southerly existing right of way line of State Highway 60; thence South 88 degrees 15 minutes 49 seconds East along said existing right of way line a distance of 71.87 feet to the point of beginning and containing 0.04 acre or 1,539 square feet, more or less.

was reviewed by the Planning Commission at their regular meeting on May 19, 2014. The Planning Commission voted unanimously to forward this request to the City Council with a recommendation for approval with the following conditions attached.

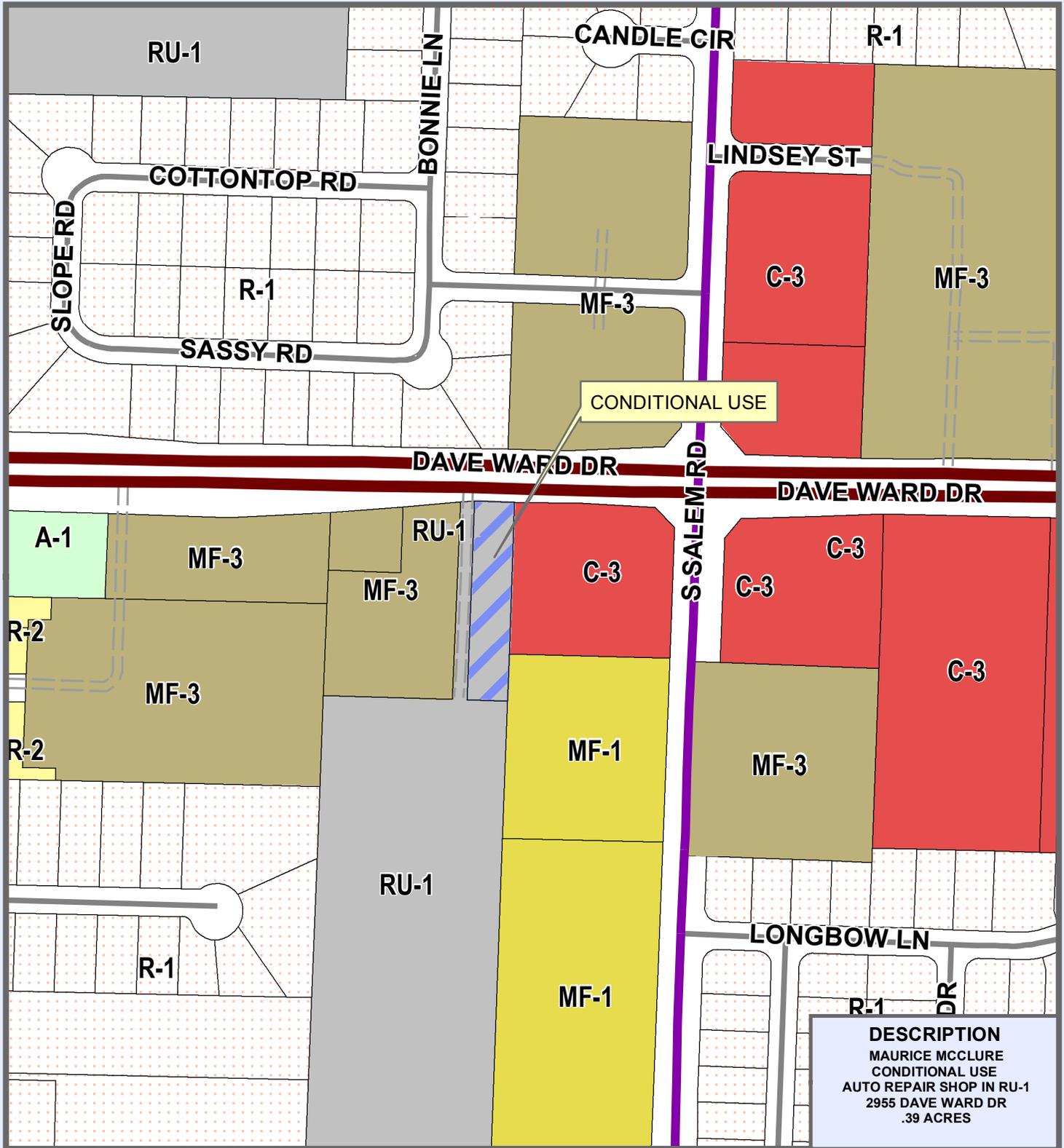
1. The conditional use permit is applicable to Maurice McClure only. The permit may not be transferred to another business owner or auto body operation at this location.
2. Hours of operation are 8:00 a.m. to 6:00 p.m., Monday through Saturday.
3. Dave Ward Drive street frontage shall be upgraded to meet development review landscaping standards.
4. No outdoor sound system allowed.
5. No work allowed outside the building.

Sincerely,

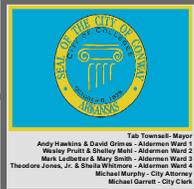
Jeff Allender, Chair  
Planning Commission

# CITY OF CONWAY

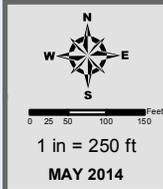
MAURICE MCCLURE -- CONDITIONAL USE



**DESCRIPTION**  
**MAURICE MCCLURE**  
**CONDITIONAL USE**  
**AUTO REPAIR SHOP IN RU-1**  
**2955 DAVE WARD DR**  
**.39 ACRES**



INTERSTATE	LOT LINE	<b>Residential</b>	<b>Industrial</b>
MAJOR ARTERIAL	STREAMS	R-1	I-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		<b>Commercial</b>	<b>Office</b>
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	<b>Special</b>
			SP
			S-1
			A-1
			PUD
			TJ



THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

CONTACT INFORMATION  
 WWW.CONWAYPLANNING.ORG/GIS  
 E-MAIL: Jason.Lyon@CityofConway.org



**City of Conway, Arkansas  
Ordinance No. O-14- \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT THE NORTHEAST CORNER OF DEERBROOK DRIVE AND OLD MILITARY ROAD FROM A-1 TO R-1:**

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

**Section 1:** The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the **A-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

Lot 12, Deerbrook Subdivision, Conway, AR

to those of **R-1**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

**Section 2:** All ordinances in conflict herewith are repealed to the extent of the conflict.

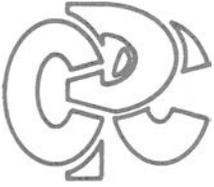
**PASSED** this 27<sup>th</sup> day of May, 2014.

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

\_\_\_\_\_  
**Michael O. Garrett  
City Clerk/Treasurer**



# CONWAY PLANNING COMMISSION

---

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

May 20, 2014

Council Members  
Conway, AR 72032

Dear Council Members:

Jeff Moix request for a rezoning from A-1 to R-1 for property that is located at the northeast corner of Deerbrook Drive and Old Military Road with the legal description:

Lot 12, Deerbrook Subdivision, Conway, AR

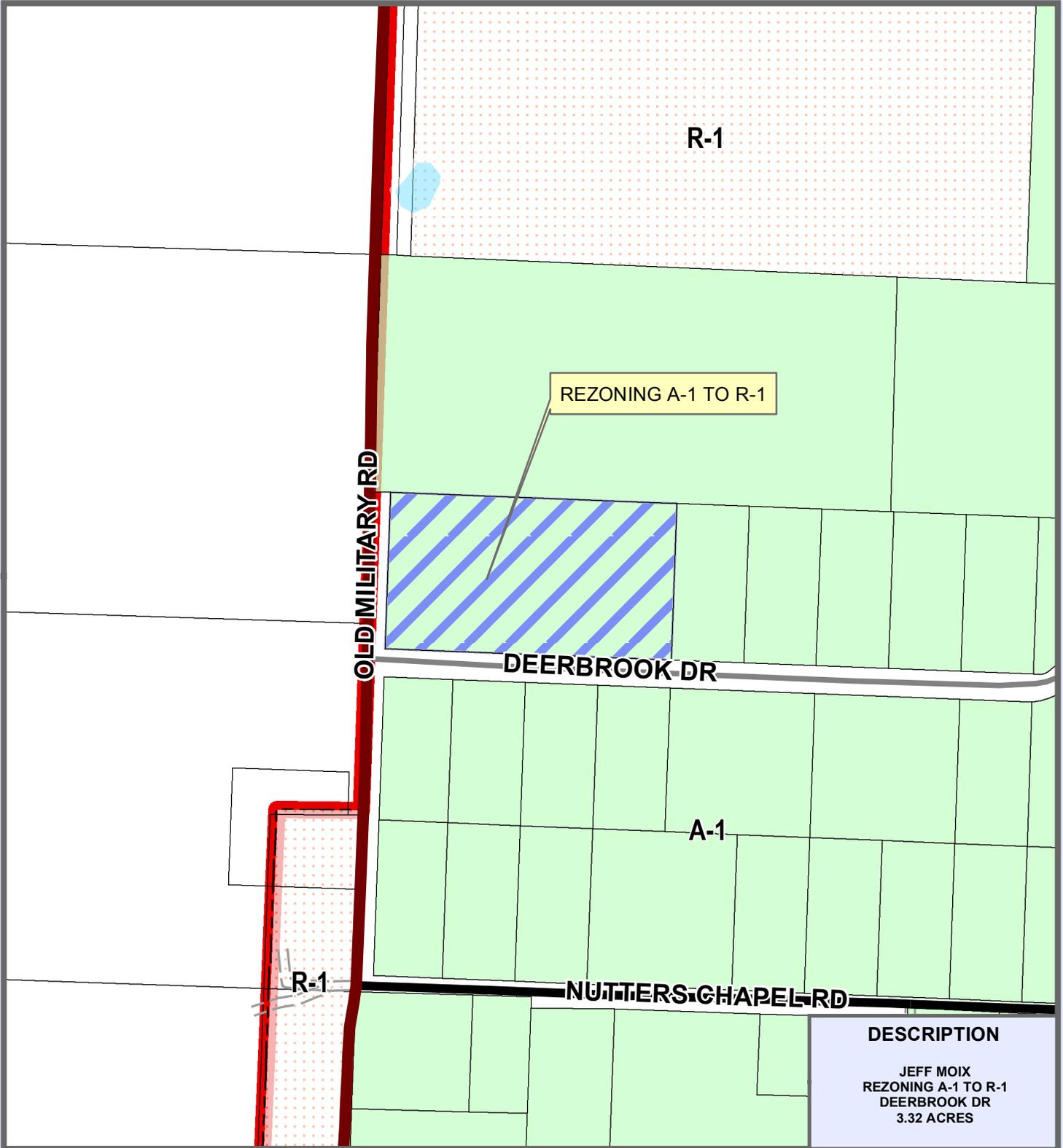
was reviewed by the Planning Commission at its regular meeting on May 19, 2014. The Planning Commission voted unanimously to forward this rezoning request to the City Council with a recommendation for approval.

Submitted by,

Jeff Allender, Chair  
Planning Commission

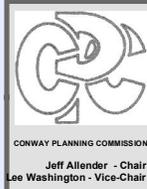
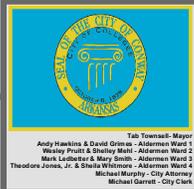
# CITY OF CONWAY

JEFF MOIX -- REZONING A-1 TO R-1

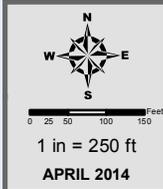


**DESCRIPTION**

**JEFF MOIX  
REZONING A-1 TO R-1  
DEERBROOK DR  
3.32 ACRES**



INTERSTATE	LOT LINE	<b>Residential</b>	<b>Industrial</b>
MAJOR ARTERIAL	STREAMS	R-1	I-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		<b>Commercial</b>	<b>Office</b>
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	
		<b>Special</b>	SP
			S-1
			A-1
			PUD
			TJ



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CONTACT INFORMATION  
WWW.CONWAYPLANNING.ORG/GIS  
E.MAIL: Jason.Lyon@CityOfConway.org



**City of Conway, Arkansas  
Ordinance No. O-14-\_\_\_\_\_**

**AN ORDINANCE APPROPRIATING FUNDS FOR THE TRAVEL OF CONWAY DISTRICT COURT DEPARTMENT DWI TEAM AND ACCEPTANCE OF REIMBURSEMENT FROM THE ARKANSAS STATE POLICE HIGHWAY SAFETY PROGRAM GRANT; AND FOR OTHER PURPOSES**

**Whereas**, the City of Conway District Court has received a grant in the amount of up to \$15,000 from the Arkansas State Police Highway Safety Program Grant that will reimburse travel to DWI Court Training in Minneapolis, MN for the DWI Team Members; and

**Whereas**, the grant is 100% reimbursable to Conway District Court; which has a need to book travel in advance of the receipt of the grant.

**Whereas**, these funds must be expended with invoices and proof of payment submitted to the Arkansas State Police Safety Program for reimbursement.

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

**Section 1.** The City of Conway shall appropriate funds in the amount of \$15,000 from the Grant Fund– State Grant Revenue Account (399-000-4201) to the Conway District Court Travel Expenses Account in the Grant Fund (399-128-5720) and accept reimbursement funds from the grant post travel from the HSO in the amount of up to \$15,000.

**Section 2.** All ordinances in conflict herewith are repealed to the extent of the conflict.

**PASSED** this 27<sup>th</sup> day of May 2014.

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

\_\_\_\_\_  
**Michael O. Garrett  
City Clerk/Treasurer**



City of Conway, Arkansas  
Monthly Financial Reports  
April 30<sup>th</sup>, 2014

City of Conway  
 Monthly Financial Report - General Fund  
 For the month ended April 30, 2014



Revenues	Budget	Month	Year to	Encumbered	(Over)/Under	%
		Activity	Date		Budget	Expend/Collect
Ad Valorem Tax	2,960,000	36,426	188,542		2,771,458	6%
Payments in Lieu of Tax	25,000	-	-		25,000	0%
State Tax Turnback	1,995,402	59,247	292,742		1,702,660	15%
Sales Tax	17,350,000	1,287,824	4,988,335		12,361,665	29%
Beverage Tax	420,000	(368)	(318)		420,318	0%
Franchise Fees	2,655,000	252,395	811,875		1,843,125	31%
Airport Revenue	75,000	6,140	26,758		48,242	36%
Airport Fuel Sales .05 / GAL	10,000	681	2,311		7,689	23%
Permits	514,000	36,428	125,869		388,131	24%
ACIEA Revenues	-	(548)	404		(404)	-
Dog Tags & Fees	25,000	3,025	8,900		16,100	36%
Municipal Court Fines and Fees	990,000	89,641	421,241		568,759	36%
Law Enforcement	754,732	267,016	398,771		355,961	53%
Federal Grant Revenues	40,000	-	20,294		19,706	51%
Parks	493,500	57,200	246,203		247,297	50%
Interest Income	5,200	1,539	5,440		(240)	105%
Insurance Proceeds	6,749	11,133	11,133		(4,384)	165%
Donations	-	1,000	5,983		(5,983)	-
Act 833 Revenue	80,000	24,171	44,316		35,684	55%
Miscellaneous Revenues	130,300	8,163	68,475		61,825	53%
Transfers from Other Funds	423,000	-	141,000		282,000	33%
Loan Proceeds	1,500,000	1,000,000	1,500,000		-	-
Fund Balance Appropriation	75,000	-	-		75,000	0%
<b>Total Revenues</b>	<b>30,529,383</b>	<b>3,141,227</b>	<b>9,309,184</b>	<b>-</b>	<b>21,220,198</b>	<b>30%</b>
<b>Expenditures</b>						
Admin (Mayor, HR)	538,628	34,835	140,748	443	397,437	26%
Finance	495,937	27,379	151,127	55	344,755	30%
City Clerk/Treasurer	181,599	10,465	54,135	55	127,409	30%
City Council	81,915	7,105	21,795	-	60,120	27%
Planning	361,696	31,511	117,222	221	244,253	32%
Permits & Inspections	530,383	39,218	165,537	682	364,163	31%
Physical Plant	502,870	31,538	129,575	1,855	371,439	26%
Fleet Maintenance	145,358	13,244	41,337	9,720	94,301	28%
Information Technology	853,926	56,518	201,943	129,623	522,360	24%
Airport	1,532,500	407,106	651,130	-	881,370	42%
Nondepartmental	616,038	112,234	400,813	1,346	213,879	65%
Police	10,913,589	821,721	3,379,226	52,196	7,482,167	31%
Animal Welfare	410,399	27,311	115,347	4,412	290,640	28%
Municipal District Court	856,518	58,692	275,730	731	580,057	32%
City Attorney	356,462	26,777	107,527	67	248,868	30%
Fire	9,162,554	677,451	2,770,624	48,595	6,343,336	30%
Parks	2,821,640	194,657	710,110	52,418	2,059,112	25%
	30,362,012	2,577,762	9,433,927	302,420	20,625,665	31%
Transfer to Reserve	500,000	-	-	-	500,000	0%
<b>Total Expenditures</b>	<b>30,862,012</b>	<b>2,577,762</b>	<b>9,433,927</b>	<b>302,420</b>	<b>21,125,665</b>	<b>31%</b>
<b>Net Revenue/(Expense)</b>	<b>(332,629)</b>		<b>(124,743)</b>			

\*All figures are unaudited

Notes:

1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway  
General Fund  
2014



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-14-02	1/14/14	Employee fitness center membership	16,238
O-14-13	1/28/14	Fire dept purchase of air compressor for breathing apparatuses	19,839
O-14-14	1/28/14	Additional MEMS subsidy	27,500
O-14-23	2/25/14	Purchase computers	25,548
O-14-25	3/18/14	Repair Planning Dept car	4,503
O-14-28	3/18/14	Purchase computers	107,359
			<u>\$ 200,987</u>

City of Conway  
 Balance Sheet - General Fund  
 For the month ended April 30, 2014



Cash - Operating	3,277,994
Cash - Reserve	1,000,000
Petty Cash	715
Taxes Receivable	2,500,000
Accounts Receivable	2,694,144
Due from Street	19,963
Fleet Inventory	15,539
Fuel Inventory	41,299
General Inventory	1,344
<b><i>Assets</i></b>	<b><u>9,550,999</u></b>
Accounts Payable	151,242
Insurance and Benefits Payable	29,455
Event Deposits	900
Due to Other Funds	21,551
Deferred Revenue	2,557,322
<b><i>Liabilities</i></b>	<b><u>2,760,471</u></b>
Fund Balance - Committed to cash flow	2,000,000
Fund Balance - Committed to reserve	1,000,000
Fund Balance - Unassigned	3,790,528
<b><i>Fund Balance</i></b>	<b><u>6,790,528</u></b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>9,550,999</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Street Fund  
 For the month ended April 30, 2014



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
<b>Revenues</b>						
Ad Valorem Tax	1,450,000	18,815	174,656		1,275,344	12%
Payments in Lieu of Tax	15,000	-	-		15,000	0%
State Tax Turnback	3,402,296	284,898	1,132,602		2,269,694	33%
Severance Tax	250,000	31,500	86,258		163,742	35%
Sales Tax	245,000	18,045	70,082		174,918	29%
Sign Permits	500	-	-		500	0%
Engineering Fees	10,000	875	2,325		7,675	23%
Interest Income	3,500	1,394	5,549		(2,049)	159%
<b>Total Revenues</b>	<b>5,376,296</b>	<b>355,526</b>	<b>1,471,472</b>	<b>-</b>	<b>3,904,824</b>	<b>27%</b>
<b>Expenditures</b>						
Personnel Costs	2,137,888	148,658	603,108	-	1,534,780	28%
Other Operating Costs	2,953,012	120,206	593,854	121,223	2,237,935	20%
Total Operating Costs	5,090,900	268,864	1,196,962	121,223	3,772,715	24%
Capital Outlay	289,000	1,954	92,634	-	196,366	32%
<b>Total Expenditures</b>	<b>5,379,900</b>	<b>270,818</b>	<b>1,289,595</b>	<b>121,223</b>	<b>3,969,081</b>	<b>24%</b>
<b>Net Revenue/(Expense)</b>	<b>(3,604)</b>		<b>181,877</b>			

\*All figures are unaudited

Notes:

1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway  
Street Fund  
2014



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-14-24	3/18/14	New part-time traffic data collector position	3,604

City of Conway  
Balance Sheet - Street Fund  
For the month ended April 30, 2014



Cash - Operating	2,136,076
Taxes Receivable	35,000
Accounts Receivable	1,613,174
Due from Other Funds	6,451
<b><i>Assets</i></b>	<b><u>3,790,732</u></b>
Accounts Payable	46,085
Due to General	19,963
Deferred Revenue	1,264,754
<b><i>Liabilities</i></b>	<b><u>1,330,803</u></b>
<b><i>Fund Balance</i></b>	<b><u>2,459,930</u></b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>3,790,732</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Sanitation  
 For the month ended April 30, 2014



<b>Revenues</b>	<b><u>Budget</u></b>	<b><u>Month</u> <u>Activity</u></b>	<b><u>Year to</u> <u>Date</u></b>	<b><u>Encumbered</u></b>	<b><u>(Over)/Under</u> <u>Budget</u></b>	<b><u>%</u> <u>Expend/Collect</u></b>
Sanitation Fees	9,120,000	814,055	2,991,745		6,128,255	33%
Proceeds - Recycled Materials	300,000	14,488	76,527		223,473	26%
Landfill Fees - General	240,000	16,509	68,473		171,527	29%
Interest Income	55,000	3,931	15,787		39,213	29%
Proceeds from Sale of Assets	-	-	495		(495)	100%
Miscellaneous Revenues	-	323	611		(611)	100%
<b>Total Revenues</b>	<b>9,715,000</b>	<b>849,307</b>	<b>3,153,637</b>	<b>-</b>	<b>6,561,363</b>	<b>32%</b>
<b>Expenditures</b>						
Personnel Costs	3,895,858	276,369	1,166,650	-	2,729,208	30%
Other Operating Costs	<u>3,343,142</u>	<u>582,890</u>	<u>1,149,582</u>	<u>123,627</u>	<u>2,069,933</u>	<u>34%</u>
Total Operating Costs	7,239,000	859,259	2,316,232	123,627	4,799,141	32%
Capital Outlay	<u>2,738,843</u>	-	9,500	<u>451,981</u>	<u>2,277,362</u>	<u>0%</u>
<b>Total Expenditures</b>	<b>9,977,843</b>	<b>859,259</b>	<b>2,325,732</b>	<b>575,608</b>	<b>7,076,502</b>	<b>23%</b>
<b>Net Revenue/(Expense)</b>	(262,843)		<u><u>827,905</u></u>			

\*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway  
 Balance Sheet - Sanitation  
 For the month ended April 30, 2014



Cash - Operating	2,043,648
Petty Cash	200
Post Closure Cash Account	4,978,618
Due from Other Funds	14,365
General Inventory	2,122
Land & Buildings	2,914,029
Infrastructure	1,236,034
Machinery and Equipment	6,399,834
Vehicles	36,514
Computer Equip & Software	4,792
<b><i>Assets</i></b>	<b><u>17,630,157</u></b>
Accounts Payable	64,995
Salaries Payable	332,903
Net Pension Obligation	855,700
Accrued Interest Payable	32,255
2010 Recycling Note - US Bank	809,873
Landfill Close/Post Close	4,386,590
<b><i>Liabilities</i></b>	<b><u>6,482,316</u></b>
<b><i>Net Assets</i></b>	<b><u>11,147,841</u></b>
<b><i>Total Liabilities and Net Assets</i></b>	<b><u>17,630,157</u></b>

**\*All figures are unaudited**

Note: Capital assets shown at book value (cost less accumulated depreciation).



**City of Conway, Arkansas  
Ordinance No. O-14-\_\_**

**AN ORDINANCE AMENDING THE CITY OF CONWAY SIGN ORDINANCE LOWERING THE CAP ON BILLBOARDS; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:**

**Whereas**, The City of Conway would like to reduce the number of billboards along Interstate 40;

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

**Section 1.** The City of Conway shall amend the Conway Sign Ordinance, Section 1301, of the Conway Zoning Ordinance, Section 3.05, Interstate Signage as follows:

Billboard - "Subject to a cap of ~~33~~ **32** billboards within the interstate zone. No additional billboards **may be constructed** without loss of a billboard. Double stacked billboards count as one billboard."

**Section 2.** That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

**Section 3.** That this ordinance is necessary for the protection, peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

**PASSED** this 27<sup>th</sup> day of May, 2014

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

\_\_\_\_\_  
**Michael O. Garrett  
City Clerk/Treasurer**



**City of Conway, Arkansas  
Ordinance No. O-14-\_\_\_**

**AN ORDINANCE AMENDING THE CITY OF CONWAY SIGN ORDINANCE PROHIBITING BILLBOARDS;  
REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:**

**Whereas,** The City of Conway would like to reduce the number of billboards along Interstate 40;

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

**Section 1.** The City of Conway shall amend the Conway Sign Ordinance, Section 1301, of the Conway Zoning Ordinance, Section 3.05, Interstate Signage as follows:

	<p><i>Billboard Must be on property abutting Interstate 40</i></p>	<p><i>Billboards are prohibited within the Interstate Zone, Conway City limits, and Conway Territorial Jurisdiction. All existing billboards are legal pre-existing non-conforming signs. Subject to a cap of 33 billboards within the interstate zone. No additional billboard without loss of a billboard. Double stacked billboards count as one billboard. =&lt; 672 sq. ft. =&lt; 35 feet in height =&gt; 50 feet from the nearest free standing sign =&gt; 1000 feet from the nearest other billboard on the same side of the interstate. Must be mounted on a single pole and shall not be double stacked. Billboards shall not consist of, nor utilize electronic message boards.</i></p>
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**Section 2.** That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

**Section 3.** That this ordinance is necessary for the protection, peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

**PASSED** this 27<sup>th</sup> day of May, 2014

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

\_\_\_\_\_  
**Michael O. Garrett  
City Clerk/Treasurer**



**CITY OF CONWAY**  
Planning and Development

1201 Oak Street  
Conway, AR 72032

T 501.450.6105  
F 501.450.6144

[www.conwayplanning.org](http://www.conwayplanning.org)

May 7, 2014

**MEMO**

From: Bryan Patrick

To: Mayor and Council

This item was held in committee and a 60 day moratorium on billboard sign permits was approved by the City Council at the March 25, 2014 meeting.

A billboard has been destroyed along Interstate 40 around 1200 Amity Road. The billboard has been on the ground for several weeks. The Arkansas Highway Department has declared the sign as destroyed and has officially cancelled their sign permit in February.

Currently, billboards are only allowed in the interstate zone. This zone is defined as an area projecting 1000 feet from the centerline of I-40 from exit 124 (Salem) to exit 129 (Dave Ward Drive). Within the interstate zone, billboards are capped at 33. Another billboard may not be constructed without the removal of an existing one. Now that a billboard has been removed, the possibility for a new permit has occurred.

There would appear to be three methods going forward:

1. Leave existing billboard regulations "as is" with a cap at 33. A billboard permit would then become available. An administrative procedure will need to be established for the issuance of this permit.
2. An ordinance has been prepared that would lower the the current cap of 33 billboards to 32. The ordinance would apply to the City of Conway and it's territorial jurisdiction.
3. An ordinance has been created that bans billboards within the City and the Conway Territorial Jurisdiction. Existing billboards will be pre-existing non-conforming (grandfathered) signs. They may be maintained and allowed to continue operation. It is likely these billboards will be in place for many years to come.

**FYI** - A survey was conducted of ownership and current advertising displayed on Conway billboard panels. The current ads are only a "snapshot" in time and should be considered as such; subject to change.

Of the 32 billboards along I-40, four are wooden structures. Without a ban, these wooden structures can be upgraded to steel structures. With proper maintenance, the existing 28 steel frame billboards will last decades as pre-existing non-conforming "grandfathered" structures. These billboards will continue to offer the ability for local advertisers well into the future. The existing need for billboard advertising need does not seem to be at capacity, 16% of the available panels were blank.

Ownership - Approximate

- 20 - Lamar Advertising
- 2 - Cuerden Sign Company
- 4 - Ashley Media
- 1 - Arkansas Sign
- 5- Unknown



**City of Conway, Arkansas  
Ordinance No. O-14-\_\_\_\_\_**

**AN ORDINANCE REPEALING ORDINANCE NO. O-76-09 & ORDINANCE NO. O-87-04;  
AND FOR OTHER PURPOSES**

**Whereas**, the City of Conway, Arkansas has determined it necessary to repeal certain ordinances in order to avoid confusion with regard to notice of regular and special meetings and placing items on its agenda.

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

**Section 1.** The City of Conway shall repeal Ordinance No. O-76-09 (an ordinance providing for notice prior to voting on any matters that come before the Conway City Council) & Ordinance No. O-87-04 (an ordinance amending Chapter 2.12, Section 2.12.10 of the Conway Municipal Code for placing an item on the agenda).

**Section 2.** That with regard to providing notice for regular and special meetings, and having items placed on the agenda, the City of Conway shall comply with Arkansas state law.

**Section 3.** All ordinances in conflict herewith are repealed to the extent of the conflict.

**PASSED** this 27<sup>th</sup> day of May 2014.

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

\_\_\_\_\_  
**Michael O. Garrett  
City Clerk/Treasurer**

ORDINANCE NO. 76- 9

AN ORDINANCE PROVIDING FOR NOTICE PRIOR TO VOTING ON ANY MATTER THAT COMES BEFORE THE CONWAY CITY COUNCIL:

WHEREAS, it being necessary for the orderly transaction of business in the city council of Conway, Arkansas, and;

WHEREAS, it being necessary and in the public interest that the Aldermen and the general public have notice and knowledge of any matters that may be brought before the Conway City Council prior to their being brought before the Council for vote:

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

Section 1. That from and after the effective date of this ordinance, all matters including but not limited to ordinances, resolutions, appointments to commissions and boards and any other matters to be brought before the Conway City Council must be specifically set out and identified by subject matter or in the event of appointments, the names of the individuals to be appointed must be specifically set out in an Agenda of the meeting at which said subject matter is to be presented for vote.

Section 2. That every member of the Conway City Council and the news media operating in the City of Conway, Arkansas, are to be provided with a copy of the Agenda not less than 8 (eight) hours prior to any regularly scheduled meeting or any special or called meeting of the Conway City Council.

Section 3. Matters to be placed on the Agenda are to be call into the Mayor's office no later than 3:00 p.m. on the day preceeding any council meeting. In addition, any matter requiring council action as set out herein, will be placed on the Agenda if proposed or introduced at the regular council meeting just past.

Section 4. That the above and foregoing requirements

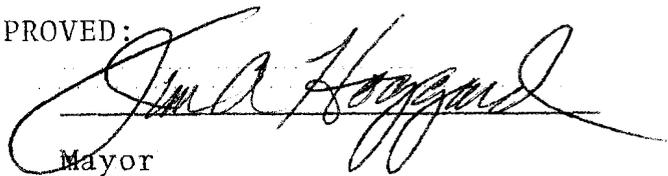
are mandatory, and unless strictly and specifically complied with any vote on any matter will be null and void.

Section 5. All or part of any ordinances in conflict with are hereby and specifically repealed.

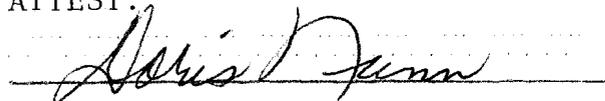
This ordinance being necessary for the public safety and welfare, an emergency is hereby declared to exist and this ordinance shall be enforced and shall take effect from after its passage and publication.

PASSED THIS 10 day of ~~January~~<sup>February</sup>, 1976.

APPROVED:

  
Mayor

ATTEST:

  
Clerk-Treasurer

ORDINANCE NO. 0-87-04

AN ORDINANCE AMENDING CHAPTER 2.12, SECTION 2.12.10 OF THE CONWAY MUNICIPAL CODE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION 1. That Chapter 2.12, Section 2.12.10 of the Conway Municipal Code be hereby amended to read as follows:

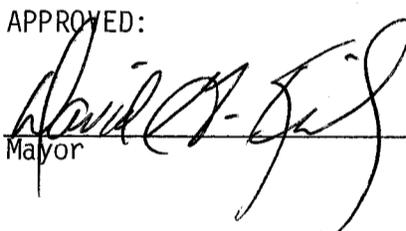
"2.12.10 Placing on agenda. Matters to be placed on the agenda are to be called into the mayor's office no later than 5:00 p.m. on the Thursday preceeding any council meeting. In addition, any matter requiring council action as set out herein, will be placed on the agenda if proposed or introduced at the regular council meeting just past."

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of that conflict.

SECTION 3. That it is ascertained and declared that it is necessary for the public peace and welfare of the citizens of the City of Conway, Arkansas, an emergency is hereby declared to exist and this ordinance shall take effect and be in force from and after its passage and publication.

PASSED this 13th day of January, 1987.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



1201 Oak St, Conway, AR 72032

Mayor Tab Townsell

February 3, 2014

Dear Mayor Townsell,

We are writing to formally request a refund due to billing errors relating to sanitation charges for the Kentucky Fried Chicken at 2670 Donaghey Avenue, Conway, AR 72032.

The location above has been overbilled since at least 2004. We have confirmed the overcharges with Conway Corporation and the Conway Sanitation Department. Both of these parties acknowledged that the location was being billed nearly double what it should have been based on total yards of service per week. During the time period reviewed (2004-2014) the KFC location in question was billed for 24 yards of trash service per week and only received 12 yards of trash service per week.

For years 2004-2011 and years 2012-2014 the monthly bill at this location was \$768.32 and \$798.67, respectively. The correct monthly bill for years 2004-2011, 2012 and years 2013-2014 should have been roughly \$433.00, \$441.01 and \$443.05, respectively. We believe there was a price increase of 4 percent instituted by the City of Conway in October 2012 and a tax increase in 2013 which caused breaks in the timeline.

As a result of the billing error we have calculated a refund over the review period of approximately \$40,904.67. We have included an attached schedule which outlines all of our calculations. We would also note that our calculation does not include interest on the overcharged amount or overcharges prior to 2004. We request that a check in the amount above be made out to Haynie Companies and be issued immediately. Furthermore we'd like to formally request billing records as far back as they are available so we can determine the refund amount owed prior to 2004.

Thank you in advance for your assistance in resolving this issue.

Sincerely,

Scott Swearingen

Cc: Chad Jones, President of Haynie Companies

## **Haynie Refund Letter and Timeline:**

**City Council Members –**

**The following is a timeline and description of events after we were made aware of a large billing error on our trash service at the KFC at 2670 Donaghey Ave.**

**During the week of January 20<sup>th</sup>, I contacted the sanitation department enquiring about the service days for the restaurant. At that time, the CSR said the location was being billed for 4 times per week service but she showed another area of the account that it was actually only being picked up 2 times per week. She then asked me if I knew which was correct. I told her I would need to visit with the manager to answer that question.**

**After that conversation, I immediately contacted the manager of the store. When asked what the pickup days were, her immediate answer was Monday and Friday. I asked her if they were ever on 4 times per week pickup and she answered with an assured “no” and mentioned she would never have issues with the pickups if they were actually going 4 times per week. She referenced that they are nearly always overflowing by Monday morning due to busy weekends and only having a Friday pickup. After the conversation with Karen (the current manager) she reached out to the previous manager prior to her time at the restaurant. Between the 2 managers, we can confirm that this location was only on 2 times per week service going back to at least 2010.**

**After the conversation with the manager, I spoke with DA Campbell and he confirmed we were indeed on 2 X week service, and had been for as long as his records were showing. During this conversation, he said at some point there was a change from 2 dumpsters to 1 dumpster but did not know what year it had taken place. Only that it was in October.**

**My next person to contact was Dan Allen with the billing department at Conway Corporation. I sent Mr. Allen a request for the billing history for the account on January 23<sup>rd</sup>. He provided me with a snapshot view of the charges on the account going back to October of 2004. Mr. Allen provided this to me on January 30<sup>th</sup>.**

**That same day I called Mr. Campbell back and visited with him again about the errors. During the conversation we discussed, again, how the account was on 2 times per week service. Mr. Campbell again confirmed the service was 2 times per week on Monday and Friday for as long as he could show. Additionally, we discussed the possibility of 2 dumpsters being on the lot at some point and how those were 3 yard dumpsters and not 6 yard dumpsters. KFC has corporate inspections that require trash dumpsters to be inside enclosures if at all possible. The previous manager said there were 2 dumpsters at one point but they were small dumpsters**

that fit inside the enclosure. The enclosure is not large enough for 2 – 6 yard dumpsters so this would follow suit with the information the manager provided.

During the same conversation with Mr. Campbell, he mentioned again, as stated in previous conversations, that they could refund 6 months right away at their level and if we wanted anything further back, we would need to go before the City Council. At the end of the conversation, Mr. Campbell mentioned, “We were entitled to what were entitled to”.

You will find the attached audio file of a recorded conversation we had with Mr. Campbell that verifies the above information.

It wasn't until after we formally requested the refund with the City and Cheryl Harrington that the story has now started to change.

At our request Cheryl provided the driver logs but through our own investigation we found numerous inconsistencies in pick up days including servicing of businesses that were indeed closed.

Based on the testimony of the driver, our store manager, and the sanitation department service rep we believe it's clear we've been overcharged.

I look forward to visiting further at the council meeting. I appreciate your time.

Best,

A handwritten signature in black ink, appearing to read 'Scott Swearingen', with a stylized flourish at the end.

Scott Swearingen