

Aldermen

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Mark Vaught
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – John Thompson
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones, Jr.
Ward 4 Position 2 – Shelia Whitmore

City of Conway, Arkansas
5:30pm -- Committee Meeting:
Railroad Crossing/Relocated College Ave Crossing
6:30pm -- City Council Meeting
Courtroom in District Court Building
810 Parkway, Conway, AR 72034
November 18th, 2008

1. Call to Order

2. Roll Call

3. Minutes: *October 28th, 2008*

4. Recognition of Guests:

5. Public Hearings:

A. Public hearing to discuss closing the alley located at Block 73 of Boulevard Addition.

1. Ordinance closing the twenty foot alley located at Block 73 of Boulevard Addition.

B. Public hearing to the discuss following annexation of lands:

1. Lands west of east German Lane and north of East Siebenmorgen Road.
2. Lands south of Bill Lucy Road. 225 feet of Trison Road and 330 feet of east Siebenmorgen Road.
3. Lands east of Makenna Cove Subdivision, south of Lower Ridge Road, west of East German Lane, and north of Bill Lucy Road.
4. Lands west of Mill Pond Road and east and south of Cresthaven Subdivision.
5. Lands west and north of South Donaghey Avenue, South of Spring Valley and Justin Place subdivisions and East of South Salem Road.

6. Report of Standing Committees:

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

1. Resolution ordering the clean up of property located on 1806 Washington Avenue & declaring the intent of the City to bring property up to code.
2. Resolution ordering the demolition and clean up of property located on 450 East Robins St. (Trailer #4) & declaring the intent of the City to bring property up to code.

B. Public Service Committee (Sanitation, Parks & Recreation, & Physical Plant)

1. Ordinance accepting and appropriating grant proceeds received from Faulkner County Solid Waste Management District for the Sanitation Department.

2. Consideration to reclassify three positions at the Sanitation Department.

C. Public Safety Committee (Police, CEOC, IT Technology, Fire, Dist. Court & City Att., & Animal Control)

1. Resolution adopting the Hazard Mitigation Plan for the City of Conway.
2. Ordinance appropriating additional funds for overtime in the Conway Fire Department
3. Ordinance waiving bids to obtain competitive bids to purchase a 2009 Ford Escape Hybrid for the Information Technology Dept.
4. Ordinance accepting a variety of previously court ordered weapons for the CPD.
5. Ordinance accepting court ordered forfeiture assets from the Circuit Court of Faulkner County.

D. Finance

1. Ordinance appropriating funds for gas and diesel for various departments for the City of Conway.
2. Consideration to destroy certain accounting records in the Finance Department.

7. Old Business

8. New Business

- A. Ordinance appropriating funds for the Employee Appreciation Bonus.

Adjournment

Committee Meeting

MEMORANDUM

TO: Mayor Tab Townsell

FROM: Ronnie Hall, P.E.
City Engineer

DATE: November 6, 2008

REFERENCE: Railroad Crossings
Relocated College Avenue Crossing.

Union Pacific Railroad representative (Charlie Felkins) and Arkansas State Highway and Transportation Department (AHTD) representative (Jon Waldrip) met with the city (Mayor Tab Townsell, Jack Bell and Ronnie Hall) on Thursday, November 6, 2008 to discuss funding for the relocated College Avenue crossing between existing College Avenue and Deer Street.

Union Pacific's estimated cost of the railroad crossing and railroad warning signals is \$713,000. As currently estimated the project includes the following:

- A new relocated College Avenue railroad crossing at Elm Street between Deer and College with flashing lights & gates
- A pedestrian crossing at the existing College Avenue crossing with flashing lights and gates. The crossing would be physically reduced in width to allow only pedestrian use and prevent vehicular use.
- Prairie Street crossing would be improved to add gates.
- Davis Street railroad crossing would be removed and closed.
- Independence Street railroad crossing would be removed and closed.

At this time, the AHTD will commit to use Railroad Safety Funds to fund 50% (\$356,500) and Union Pacific Railroad agrees to fund 20% (\$142,600) of the project cost. Thus, for this project to move forward the city needs to agree to pay 30% (\$213,900) of the projects cost, or the AHTD or Union Pacific encouraged to increase their participation.

The estimated cost of the street construction associated with this project is \$560,000 (reroute College Avenue to the new railroad crossing and connect to the Harkrider Improvements at Elm Street & Chestnut, included in AHTD's Harkrider Project). The street relocation cost is 100% city cost.

One option mentioned at the meeting that would likely encourage the AHTD to increase its funding share would be to close the Deer Street crossing in addition to the Davis Street and Independence Street railroad crossing.



**City of Conway, Arkansas
Ordinance No. O-08- _____**

AN ORDINANCE CLOSING THE ALLEY LOCATED AT BLOCK 73 OF BOULEVARD ADDITION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 18 day of November, 2008 asking the City Council to vacate and abandon **all of the 20' alley located in Block 73 of Boulevard Addition.**

WHEREAS, after due notice as required by law, the council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a easement herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the **20' alley**, to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the **20' alley.**

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

Section 1. The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the **20' alley** designated as follows:

Being a 20' alley lying in Block 73 of Boulevard Addition to the City of Conway, Arkansas, Faulkner County, running in a North and South direction beginning at the North right-of-way of Robins Street, between Lots 11 and 22 and extending Northwardly to the North line of the S ½ of Lot 7 and also the North line of the S ½ of Lot 8, all in Block 73 of Boulevard Addition.

Section 2. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

Section 3. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

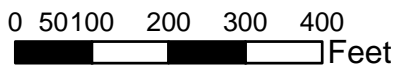
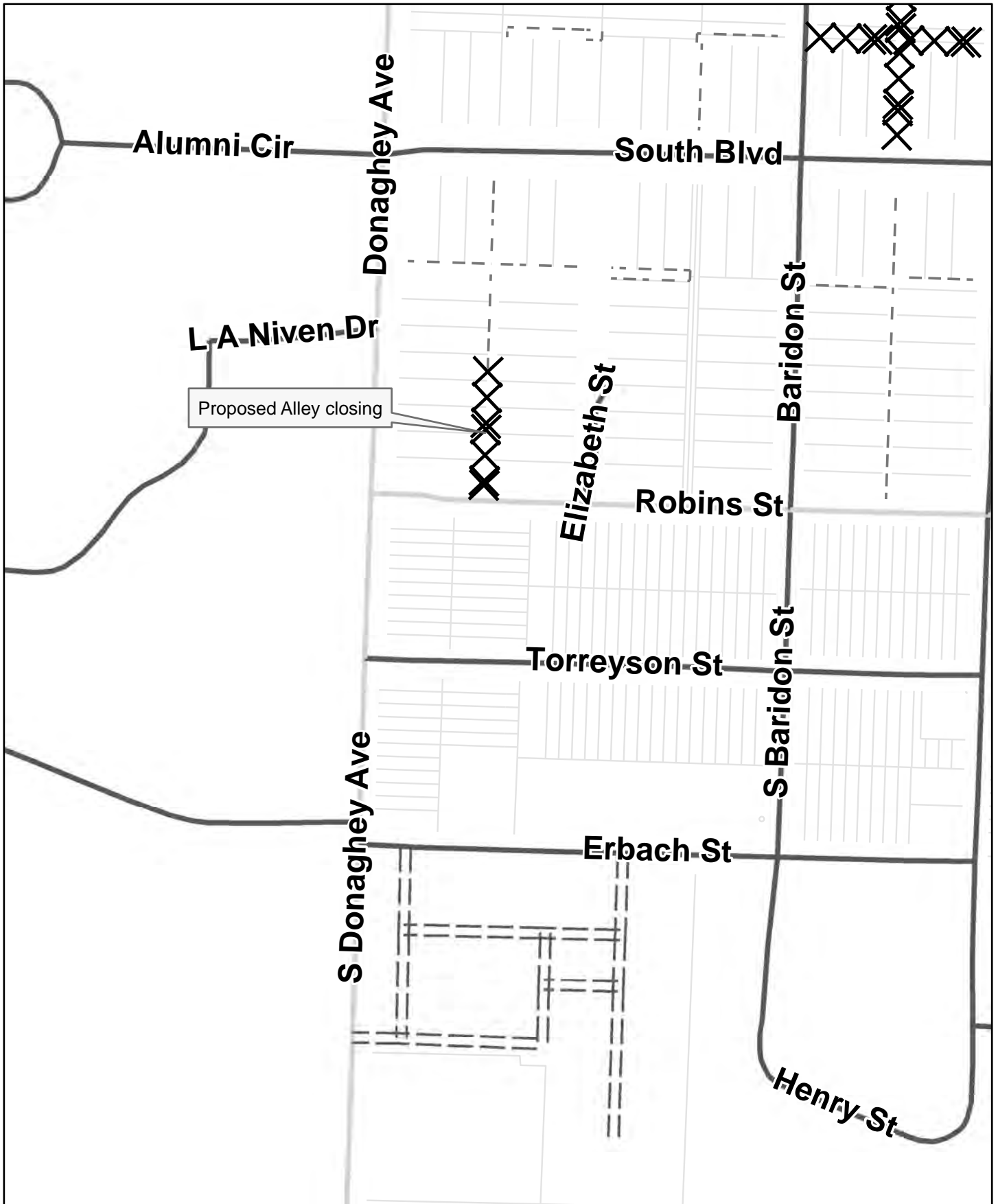
Passed this 18th day of November, 2008.

Approved:

Mayor Tab Townsell

Attest:

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



**UCA Alley Closing
Boulevard Addn Block 73
Lots: 8-11 and 19-22**

Source:
City of Conway
Created: 11/11/2008

10-30-08

To Whom It May Concern

CenterPoint Energy has no conflict with alley closure in block 73 of Boulevard Addition to the city of Conway.

RE: PROPOSED "ALUMNI REPLAT - ALLEY CLOSURE"


CenterPoint Energy

Jeff Turley

Operations Supervisor

No. 1679 P. 2

Oct. 30. 2008 11:39AM



DATE: 11/10/2008

Attention: Conway City Planning Department

Subject: Alley Closing

CenterPoint Energy has no conflict with releasing the twenty foot alley section of Boulevard Addition located at Donaghey and Robins streets. Lots 8, 9, 10, 11, 19, 20, 21, 22 and the south portion of lots 7 and 18 Block 73 Conway, Arkansas.

A handwritten signature in cursive script that reads "Greg Strickland".

Greg Strickland
Area Manager
CenterPoint Energy
Conway Area

21116

Em

Jim Tyler Surveying
Attn: Brandi
#240 Skyline Drive, St. 3000
Conway, AR 72032

Doc#2008- 20860
Date 10/27/2008
04:21:23 PM
Filed & Recorded in
Official Records of
Faulkner County
RHONDA LONG-WHARTON
FAULKNER COUNTY CIRCUIT CLERK
Fees \$20.00
by Clm D.C.

312865



CONCURRENCE TO VACATE A DEDICATED PUBLIC ALLEYWAY

BE IT KNOWN BY THESE PRESENTS that Southwestern Bell Telephone Company, d.b.a. AT&T Arkansas, hereby concurs in the closing of an alley lying within Block 73 of the Boulevard Addition to the City of Conway, Faulkner County, Arkansas, to-wit:

All that portion of a twenty foot (20') alley running north to south beginning at the north right-of-way line of Robins Street, between Lots 11 and 22, and extending northwardly to the north line of the south one-half of Lot 7; also, the north line of the south one-half of Lot 18, all within Block 73 of the Boulevard Addition.

Signed and executed this 22nd day of October, 2008.

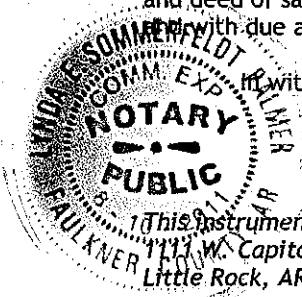
By: *F. Jean Davis*
F. Jean Davis
Director-Engineering/Construction

CORPORATE ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

On this the 22nd day of October, 2008, before me, the undersigned authority, duly commissioned and qualified in and for the state and county set forth above, personally came and appeared F. Jean Davis, who, after being duly sworn, declared that he is the Director-Engineering/Construction for Southwestern Bell Telephone Company, d.b.a. AT&T Arkansas, and that he executed the foregoing instrument as the act and deed of said company of his own free will and for the purposes and considerations therein expressed with due authority.

In witness whereof I hereunto set my hand and official seal.



This instrument prepared by AT&T
1111 W. Capitol, Room 941
Little Rock, AR 72201 (501-373-5255)

Lynda E. Sommerfeldt Palmer
Lynda E. Sommerfeldt Palmer
Notary Public in & for Faulkner Co., AR
My commission expires August 10, 2011



Operators of the City-owned Electric, Electronic & Water Systems

October 16, 2008

The Honorable Tab Townsell
Mayor of Conway
City Hall
1201 Oak Street
Conway, AR 72032

Re: Closure of a portion of an alley lying in Block 73 of the Boulevard Addition in Conway.

Dear Mayor Townsell:

In regard to the closure of a portion of an alley 20 feet wide in Block 73 of Boulevard Addition running North and South through the South ½ of Lots 7 and 18, Lots 8-11, and Lots 19-22. Conway Corporation has no objections to the closure of said portion of 20 foot alley.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

Keith A. Cates
Engineering & Planning

cc: Tim Tyler Surveying & Mapping

**Petition of written consent for the
Vacating of Streets and Alleys
For the intent of Public Use**

Name of Street or Alley, (or portion thereof), to be vacated:

a 20' alley running North and South through Block 73 of Boulevard Addition to the City of Conway, Faulkner County, Arkansas, as shown in Plat Book "A", Page 46, Faulkner County Records.

Abutting property owners:

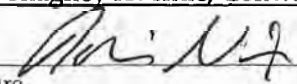
Name

Address

University of Central Arkansas

#201 Donaghey Avenue, Conway, AR 72035

Robin Nix, Interim VP of Advancement
Representative's Printed Name


Signature

10-21-08
Date



City of Conway, Arkansas
Resolution No. R-08-31

A RESOLUTION ESTABLISHING THE INTENT OF THE CITY OF CONWAY TO ANNEX CERTAIN LANDS SOUTH OF BILL LUCY ROAD, 225 FEET EAST OF TRISON ROAD, AND 330 FEET NORTH OF EAST SIEBENMORGEN, WHICH HAVE BEEN COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF CONWAY:

Whereas, Act 314 of 1979 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

Whereas, the City of Conway desires to annex certain lands more completely described below;

Being part of the SW $\frac{1}{4}$ -- NE $\frac{1}{4}$, Section 5, T-5-N, R-13-W Faulkner County, Arkansas, more particularly described as commencing at Southwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and on the centerline of East Siebenmorgen Road; thence North along the west line of SW $\frac{1}{4}$ NE $\frac{1}{4}$ 296 feet; thence South 88 degrees 31 minutes 39 seconds 230 feet; thence North 00 degrees 00 minutes 00 seconds 29 feet to a point of beginning; thence South 88 degrees 31 minutes 39 seconds East parallel to the South line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ approximately 825 feet; thence North 00 degrees 00 minutes 00 seconds approximately 495 feet to the centerline of Bill Lucy Road; thence northwesterly along said centerline approximately 815 feet; thence South approximately 540 feet to the point of beginning containing approximately 9.40 acres, more or less.

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

SECTION 1: That the City of Conway does hereby declare its willingness to accept said lands as a part of the City of Conway, Arkansas, to be zoned **A-1**.

SECTION 2. That such lands shall not be annexed until such time as those streets within and abutting this property that are to be accepted for city maintenance and those streets that are to be accepted as public roads solely for the purpose of issuing building permits shall have been established and noted on the annexing ordinance.

SECTION 3. That such lands shall not be annexed until such time as it has been determined which parcels of property within the annexation have been created in accordance with the Subdivision Ordinance requirements and are therefore eligible for issuance of building permits.

Passed this 14th day of October, 2008.

APPROVED:

Attest:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-08-30**

A RESOLUTION ESTABLISHING THE INTENT OF THE CITY OF CONWAY TO ANNEX CERTAIN LANDS WEST OF EAST GERMAN LANE AND NORTH OF EAST SIEBENMORGEN ROAD, WHICH HAVE BEEN COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF CONWAY:

Whereas, Act 314 of 1979 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

Whereas, the City of Conway desires to annex certain lands more completely described below;

Being part of the SE ¼ -- NE ¼, Section 5, T-5-N, R-13-W Faulkner County, Arkansas, more particularly described as beginning at the Southeast corner of said SE ¼ NE ¼; thence 445.00 feet West along the centerline of East Siebenmorgen Road; thence North 210 feet; thence approximately 455 feet east to the centerline of East German Lane; thence south approximately 220 feet to the point of beginning containing approximately 2.25 acres, more or less.

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

SECTION 1: That the City of Conway does hereby declare its willingness to accept said lands as a part of the City of Conway, Arkansas, to be zoned **A-1**.

SECTION 2. That such lands shall not be annexed until such time as those streets within and abutting this property that are to be accepted for city maintenance and those streets that are to be accepted as public roads solely for the purpose of issuing building permits shall have been established and noted on the annexing ordinance.

SECTION 3. That such lands shall not be annexed until such time as it has been determined which parcels of property within the annexation have been created in accordance with the Subdivision Ordinance requirements and are therefore eligible for issuance of building permits.

Passed this 14th day of October, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-08-29**

A RESOLUTION ESTABLISHING THE INTENT OF THE CITY OF CONWAY TO ANNEX CERTAIN LANDS WEST AND NORTH OF SOUTH DONAGHEY AVENUE, SOUTH OF SPRING VALLEY AND JUSTIN PLACE SUBDIVISIONS AND EAST OF SOUTH SALEM ROAD, WHICH HAVE BEEN COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF CONWAY:

Whereas, Act 314 of 1979 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

Whereas, the City of Conway desires to annex certain lands more completely described below;

Being a part of the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$, Section 23, T-5-N, R-14-W Faulkner County, Arkansas, more particularly described as beginning at the NW corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence south along the centerline of South Salem Road (west line of NW $\frac{1}{4}$ SW $\frac{1}{4}$) approximately 550 feet to a point of beginning. Thence south along said centerline 115.83 feet; thence to a point N-89-44-00-E 414.9 feet; thence south 259.7 feet; thence to a point S-89-44-00-W 414.9 feet to the centerline of South Salem Road; thence south along said centerline 145 feet; thence to a point N-89-44-00-E 180 feet; thence South 150 feet; thence to a point S-89-44-00-W 180 feet; thence south 102 feet to the NW Corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence southerly along the west line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the Southwest corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence easterly along the south line to the Southeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence northerly along the east line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ 400 feet; thence east 425 feet to the NW Corner of Lot 7 of the Pinnacle Ridge Subdivision; thence easterly along the north line of said subdivision 1425 feet to the NE Corner of Lot 1 of said subdivision; thence easterly 800 feet along the north property line of the OES property to a point approximately 400 feet north of the southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence continuing run parallel to the south line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ 400 feet; thence to a point S-0-32-24-W 78.48 feet to the north right-of-way of South Donaghey Avenue; thence to a point S-69-42-4-E 73.65 feet to the centerline of South Donaghey Avenue; thence northeasterly along said centerline approximately 919 feet to the South right of way of a gravel drive (Celebration Church Property); thence along said gravel drive to a point S-80-55-24 W 444.37 feet; thence to a point S-83-35-07-W 156.26 feet; thence to a point N-89-37-03-W 87.55 feet; thence to a point S-85-12-33-W 44.41 feet; thence leaving said gravel road right of way North 496 feet to the Southeast corner of Lot 149 Spring Valley Sub. Phase I; thence westerly along the south line of the Spring Valley Subdivision 3005 feet to a point at the southwest corner of Lot 313 Spring Valley Sub. Phase II; thence northerly along the west line of said subdivision 900 feet to point at the Southeast corner of Lot 21 of the Justin Place Subdivision; thence westerly along the south line of Justin Place Subdivision 1322 feet to a point in the centerline of South Salem Road and the point of beginning containing 118.5 acres, more or less.

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

SECTION 1: That the City of Conway does hereby declare its willingness to accept said lands as a part of the City of Conway, Arkansas, to be zoned **A-1**.

SECTION 2. That such lands shall not be annexed until such time as those streets within and abutting this property that are to be accepted for city maintenance and those streets that are to be accepted as public roads solely for the purpose of issuing building permits shall have been established and noted on the annexing ordinance.

SECTION 3. That such lands shall not be annexed until such time as it has been determined which parcels of property within the annexation have been created in accordance with the Subdivision Ordinance requirements and are therefore eligible for issuance of building permits.

Passed this 14th day of October, 2008.

APPROVED:

ATTEST:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-08-28**

A RESOLUTION ESTABLISHING THE INTENT OF THE CITY OF CONWAY TO ANNEX CERTAIN LANDS WEST OF MILL POND ROAD AND EAST AND SOUTH OF CRESTHAVEN SUBDIVISION WHICH HAVE BEEN COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF CONWAY:

Whereas, Act 314 of 1979 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

Whereas, the City of Conway desires to annex certain lands more completely described below;

Part of the N ½ Section 2 T-4-N, R-14-W, Faulkner County, Arkansas more particularly described as: Commencing at the Southeast Corner of the SE ¼ SW ¼ of Section 35, T-5-N, R-14-W, Faulkner County, Arkansas as shown on survey plat by Tyler Surveying for Cresthaven Subdivision phase I recorded in the records of Faulkner County, Arkansas in plat book I, page 59; thence N 88-11-06 W 189.40 feet to a point of beginning; thence S-02-49-55 E 150 feet; thence N 88-16-02 W 175 feet; thence S-02-44-03 W 149.85 feet; thence S-02-41-27 W 462.84 feet; thence S-89-38-39 E approximately 60 feet; thence N-02-41-27 E 465 feet; thence N 88-11-06 E 115 feet to the point of beginning containing 1.2 acres, more or less.

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

SECTION 1: That the City of Conway does hereby declare its willingness to accept said lands as a part of the City of Conway, Arkansas, to be zoned **R-1**.

SECTION 2. That such lands shall not be annexed until such time as those streets within and abutting this property that are to be accepted for city maintenance and those streets that are to be accepted as public roads solely for the purpose of issuing building permits shall have been established and noted on the annexing ordinance.

SECTION 3. That such lands shall not be annexed until such time as it has been determined which parcels of property within the annexation have been created in accordance with the Subdivision Ordinance requirements and are therefore eligible for issuance of building permits.

Passed this 14th day of October, 2008.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Resolution No. R-08-32**

A RESOLUTION ESTABLISHING THE INTENT OF THE CITY OF CONWAY TO ANNEX CERTAIN LANDS EAST OF MAKENNA COVE SUBDIVISION, SOUTH OF LOWER RIDGE ROAD, WEST OF EAST GERMAN ROAD AND NORTH OF BILL LUCY ROAD, WHICH HAVE BEEN COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF CONWAY:

Whereas, Act 314 of 1979 provides that unincorporated islands of land that have been completely surrounded by the incorporated limits of a municipality may be annexed by that municipality; and

Whereas, the City of Conway desires to annex certain lands more completely described below;

Being part of the NE $\frac{1}{4}$, Section 5, T-5-N, R-13-W Faulkner County, Arkansas, more particularly described as all of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ containing 40 acres, more or less.

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

SECTION 1: That the City of Conway does hereby declare its willingness to accept said lands as a part of the City of Conway, Arkansas, to be zoned **A-1**.

SECTION 2. That such lands shall not be annexed until such time as those streets within and abutting this property that are to be accepted for city maintenance and those streets that are to be accepted as public roads solely for the purpose of issuing building permits shall have been established and noted on the annexing ordinance.

SECTION 3. That such lands shall not be annexed until such time as it has been determined which parcels of property within the annexation have been created in accordance with the Subdivision Ordinance requirements and are therefore eligible for issuance of building permits.

Passed this 14th day of October, 2008.

APPROVED:

ATTEST:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-08-_____

A RESOLUTION ORDERING THE CLEAN UP OF PROPERTY LOCATED ON 1806 WASHINGTON AVENUE AND DECLARING THE INTENT OF THE CITY TO BRING THE PROPERTY UP TO CITY CODE IF THE OWNER DOES NOT

WHEREAS, there is a structure located at 1806 Washington Avenue which because of its, unsightly, unsafe and unsanitary condition, has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas; and

WHEREAS, Conway's Municipal Code and Arkansas Code Annotated § 14-56-203 authorizes this City Council to, by Resolution order, the clean up of said property by the owner within thirty (30) days after proper service.

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

SECTION 1: That the structure at 1806 Washington Avenue in Conway, Arkansas, because of its, unsightly, unsafe and unsanitary condition has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas, and it is hereby ordered that said pool be drained and brought up city code by the owner therefore.

SECTION 2: That a notice of the time and place of this meeting was mailed to the owner of said property by certified mail, return receipt requested, advising the owner that the City Council would take action on this matter.

SECTION 3: That a copy of this Resolution be forwarded to the owner of said property by certified mail, return receipt requested, directing that said owner has thirty (30) days in which to bring the property up to city code, then the Mayor of the City of Conway, Arkansas is directed to proceed at once to clean up the property and prepare an itemized statement of cost of bringing the property up to code said structure with a request for payment.

SECTION 4: If payment is not made within ten (10) days after receipt of said itemized statement, the Mayor is directed to sell, at public or private sale, any debris or material obtained from the clean up of property and pay to the owner any balance after the City has been reimbursed. If the proceeds from said sale are not sufficient to cover the cost, then the City shall proceed to file a lien on the property in order to recover the money so owed.

PASSED this 18th day of November, 2008

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett,
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-08-_____**

**A RESOLUTION ORDERING THE DEMOLITION AND CLEAN UP OF PROPERTY LOCATED ON
450 EAST ROBINS (TRAILER #4) STREET AND DECLARING THE INTENT OF THE CITY TO
BRING THE PROPERTY UP TO CITY CODE IF THE OWNER DOES NOT**

WHEREAS, there is a structure located at 450 East Robins (trailer #4) Street which because of its dilapidated, unsightly, unsafe and unsanitary condition, has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas; and

WHEREAS, Conway's Municipal Code and Arkansas Code Annotated § 14-56-203 authorizes this City Council to, by Resolution order, the clean up of said property by the owner within thirty (30) days after proper service.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS

THAT:

SECTION 1: That the structure at 450 East Robins (trailer #4) Street in Conway, Arkansas, because of its dilapidated, unsightly, unsafe and unsanitary condition has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas, and it is hereby ordered that said pool be drained and brought up city code by the owner therefore.

SECTION 2: That a notice of the time and place of this meeting was mailed to the owner of said property by certified mail, return receipt requested, advising the owner that the City Council would take action on this matter.

SECTION 3: That a copy of this Resolution be forwarded to the owner of said property by certified mail, return receipt requested, directing that said owner has thirty (30) days in which to bring the property up to city code, then the Mayor of the City of Conway, Arkansas is directed to proceed at once to clean up the property and prepare an itemized statement of cost of bringing the property up to code said structure with a request for payment.

SECTION 4: If payment is not made within ten (10) days after receipt of said itemized statement, the Mayor is directed to sell, at public or private sale, any debris or material obtained from the clean up of property and pay to the owner any balance after the City has been reimbursed. If the proceeds from said sale are not sufficient to cover the cost, then the City shall proceed to file a lien on the property in order to recover the money so owed.

PASSED this 18th day of November, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

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



City of Conway, Arkansas
Ordinance No. O-08-_____

**AN ORDINANCE ACCEPTING AND APPROPRIATING GRANT PROCEEDS AWARDED TO THE
SANITATION DEPARTMENT AND FOR OTHER PURPOSES:**

WHEREAS, the Conway Sanitation Department has been awarded a grant in the amount of \$52,000 by the Faulkner County Solid Waste Management District for Recycling;

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

SECTION 1. The City of Conway shall accept grant proceeds in the amount of \$52,000 (09.922) from FCSWMD and appropriate \$42,000 for Compactors (09.159.306) and \$10,000 for Recycling Trailers (09.159.912).

SECTION 2. All ordinances in conflict herewith are repealed to the extent of that conflict.

PASSED this 18th day of November, 2008.

Approved:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

Sanitation Supervisor, Sr. Mechanic and Shop Foreman Reclassification Fringe Benefit and Salary Costs

6B-2

Employee Salary	Social Security	Medicare	Non-Uniformed Pension	Reclassification Additional Salary Cost	Reclassification Additional Benefit Cost	2008 Salary Cost w/fringe benefits
Current						
Sanitation - Admin. Asst. I Grade 5 Step 1						
12.5557						
3,013.37	\$186.83	\$43.69	\$180.80			\$3,424.69
Proposed						
Sanitation - Roll Off Supervisor Grade 21 Step 1						
14.1933						
3,406.39	\$211.20	\$49.39	\$204.38			\$3,871.36
	\$24.37	\$5.70	\$23.58	\$393.02	\$53.65	\$446.67
Current						
Sanitation - Mechanic Grade 14 Step 1						
9.8264						
2,358.34	\$146.22	\$34.20	\$141.50			\$2,680.25
Proposed						
Sanitation - Senior Mechanic Grade 15 Step 1						
15.2854						
3,668.50	\$227.45	\$53.19	\$220.11			\$4,169.25
	\$81.23	\$19.00	\$78.61	1,310.16	\$178.84	\$1,489.00
Current						
Sanitation - Mechanic Grade 14 Step 1						
9.8264						
2,358.34	\$146.22	\$34.20	\$141.50			\$2,680.25
Proposed						
Sanitation - Shop Foreman Grade 16 Step 1						
16.3770						
3,930.48	\$243.69	\$56.99	\$235.83			\$4,466.99
	\$97.47	\$22.80	\$94.33	1,572.14	\$214.60	\$1,786.74
*Salary and fringe benefit costs are based on the costs for 3 pay periods						
					Total 2008 Cost	\$3,722.41

City of Conway Service Proposal & Reclassification Request

Attach your back-up to this form when submitting Service Proposals and Reclassification Requests to the Budget Office.

Department / Division Name	Sanitation
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	Position Title	Pay Grade	Annual Salary
Proposed:	Sanitation Roll Off Supervisor	21	29,522

"Current" information needed for reclassification only

Estimated Cost of Position:

Expenses:	
Salary Cost (when reclass, calculate the difference between current & proposed only)	393
Benefits (FICA-Medicare & Non-Uniform Pension Only)	54
Total	447

Salary and fringe benefit costs are based on the costs for 3 pay periods

Estimated Operating Expenses: Account Number / Name	Amount
Total Operating Expenses	-

Estimated Capital Expenses: Account Number / Name	Amount
Total Capital Expenses	-

Total Estimated Cost of New Position	
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City of Conway Service Proposal & Reclassification Request

Attach your back-up to this form when submitting Service Proposals and Reclassification Requests to the Budget Office.

Department / Division Name	Sanitation
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	Position Title	Pay Grade	Annual Salary
Proposed:	Sanitation I Senior Mechanic	15	31,794

"Current" information needed for reclassification only

Estimated Cost of Position:

Expenses:	
Salary Cost (when reclass, calculate the difference between current & proposed only)	1,310
Benefits (FICA-Medicare & Non-Uniform Pension Only)	179
Total	1,489

Salary and fringe benefit costs are based on the costs for 3 pay periods

Estimated Operating Expenses: Account Number / Name	Amount
Total Operating Expenses	-

Estimated Capital Expenses: Account Number / Name	Amount
Total Capital Expenses	-

Total Estimated Cost of New Position	
---	--

	Service Proposal
X	Reclassification

City of Conway Service Proposal & Reclassification Request

Attach your back-up to this form when submitting Service Proposals and Reclassification Requests to the Budget Office.

Department / Division Name	Sanitation
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	Position Title	Pay Grade	Annual Salary
Proposed:	Sanitation Shop Foreman	16	34,064

"Current" information needed for reclassification only

Estimated Cost of Position:

Expenses:	
Salary Cost (when reclass, calculate the difference between current & proposed only)	1,572
Benefits (FICA-Medicare & Non-Uniform Pension Only)	215
Total	1,787

Salary and fringe benefit costs are based on the costs for 3 pay periods

Estimated Operating Expenses: Account Number / Name	Amount
Total Operating Expenses	-

Estimated Capital Expenses: Account Number / Name	Amount
Total Capital Expenses	-

Total Estimated Cost of New Position	
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City of Conway, Arkansas
Resolution No. R-08-_____

A RESOLUTION ADOPTING THE HAZARD MITIGATION PLAN FOR THE CITY OF CONWAY.

WHEREAS, certain areas of Conway, Arkansas, are subject to periodic flooding and other natural and man-caused hazards with the potential to cause damages to people's properties within the area; and

WHEREAS, upon Conway desires to prepare and mitigate for such circumstances; and

WHEREAS, under the Disaster Mitigation Act of 2000, the United States Federal Emergency Management Agency (FEMA) required that local jurisdictions have in place a FEMA-approved Hazard Mitigation Action Plan as a condition of receipt of certain future Federal mitigation funding after November 1, 2004; and

WHEREAS, to assist cities and counties in meeting this requirement, the City of Conway, with the assistance of Central Arkansas Planning and Development District, has initiated development of a county wide, multi-jurisdiction Hazard Mitigation Plan the county and all jurisdictions in the county, specifically the cities and school districts;

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

1. That the City Council hereby adopts those portions of the Plan relating to and protecting its jurisdictional area against all hazards, 2005-2010; and
2. Appoints the Emergency Management Director to assure that the Hazard Mitigation Plan be reviewed at least annually and that any needed adjustment to the Hazard Mitigation Plan be developed and presented to the governing board for consideration; and
3. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

PASSED this 18th day of November, 2008

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-08-_____**

**AN ORDINANCE APPROPRIATING FUNDS FOR CITY OF CONWAY FIRE DEPARTMENT OVERTIME; AND
FOR OTHER PURPOSES.**

WHEREAS, The Conway Fire Department needs \$124,800 to replenish their overtime account and;

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

SECTION 1. The City of Conway shall appropriate \$124,800 as a General Fund Balance (01.990) appropriation for the payment of overtime (01.115.121).

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

SECTION 3. That this ordinance is necessary for the protection of the public peace, health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 18th day of November, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-08-_____

AN ORDINANCE WAIVING BIDS FOR THE PURCHASE OF A VEHICLE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway has an immediate need to purchase a motor vehicle for the Information Technology Department; and

WHEREAS, the City of Conway has researched state contract pricing and have found that Smith Ford (a local City of Conway vendor) can provide a 2009 Ford Escape (Hybrid) in the amount of \$27,131.52 at a cost exceeding the state contract price by less than \$800;

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

SECTION 1. The City of Conway shall waive the requirement for obtaining competitive bids for the purchase the 2009 Ford Escape Hybrid in the amount of \$29,131.52 and shall utilize Smith Ford as vendor.

SECTION 2. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 18th day of November, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-08- _____**

**AN ORDINANCE ACCEPTING A VARIETY OF PREVIOUSLY COURT ORDERED WEAPONS TO THE
CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES**

WHEREAS, the Conway Police Department was previously awarded specific guns as enumerated on the attached list.

WHEREAS, the guns were court ordered to the department prior to 2003 and were never submitted to the City for acceptance.

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

Section 1. The City of Conway shall accept the guns outlined on the attached listing awarded to the City of Conway through court order prior to 2003 with the estimated value of \$6,675 for the use of the City of Conway and/or disposal per City Guidelines.

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

PASSED this 18th day of November 2008

APPROVED:

Mayor Tab Townsell

ATTEST:

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



**City of Conway, Arkansas
Ordinance No. O-08- _____**

AN ORDINANCE ACCEPTING COURT ORDERED FORFEITURE ASSETS FROM THE CIRCUIT COURT OF FAULKNER COUNTY; AND FOR OTHER PURPOSES

WHEREAS, the Circuit Court of Faulkner County, Arkansas, Division 3 has granted court orders awarding specific forfeiture assets to the Conway Police Department as enumerated on the attached list.

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

Section 1. The Conway Police Department shall accept the court ordered forfeiture assets with the estimated value of \$900 for the use of the CPD and/or disposal per City Guidelines.

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

PASSED this 18th, day of November 2008

APPROVED:

Mayor Tab Townsell

ATTEST:

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



**City of Conway, Arkansas
Ordinance No. O-08-_____**

**AN ORDINANCE APPROPRIATING FUNDS FOR GAS AND DIESEL FOR THE CITY OF
CONWAY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, the City of Conway has a need for additional budgeted funding, totaling \$450,000 for gas and diesel for the remainder of 2008;

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

SECTION 1. The City of Conway shall appropriate \$200,014 from the Sanitation Enterprise Fund Balance Appropriation account 50.990 into the department's 50.118.361 gas and diesel account and shall appropriate \$249,986 from the General Fund Balance Appropriation account 01.990 into the various department Gas and Diesel accounts.

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

SECTION 3. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 18th day of November, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

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

Gas/Diesel

2.2

Department	Current Budget	Actual Expenses	Difference/ Remaining System Balance	Additional Gallons Needed	Additional Funds Needed	Departmental Request
Administration	\$ 1,500	\$ 802	\$ 698	-	\$ -	\$ -
Animal Welfare	\$ 5,000	\$ 1,655	\$ 3,345	-	\$ -	\$ -
CDBG	\$ -	\$ -	\$ -	-	\$ -	\$ -
City Attorney	\$ -	\$ -	\$ -	-	\$ -	\$ -
City Clerk	\$ -	\$ -	\$ -	-	\$ -	\$ -
District Court	\$ -	\$ -	\$ -	-	\$ -	\$ -
Finance	\$ -	\$ -	\$ -	-	\$ -	\$ -
Fire	\$ 65,000	\$ 79,725	\$ (14,725)	2,400	\$ 5,280	\$ 20,005
Fleet	\$ -	\$ -	\$ -	-	\$ -	\$ -
IT	\$ 4,500	\$ 3,577	\$ 923	335	\$ 737	\$ 737
Parks and Recreation	\$ 37,500	\$ 34,200	\$ 2,400	1,320	\$ 2,904	\$ 2,904
Permits and Planning	\$ 9,500	\$ 8,916	\$ 584	454	\$ 999	\$ 999
Physical Plant	\$ 10,000	\$ 10,389	\$ (389)	1,000	\$ 2,200	\$ 2,589
Police	\$ 130,000	\$ 288,912	\$ (158,952)	29,000	\$ 63,800	\$ 222,752
Sanitation	\$ 400,000	\$ 514,990	\$ (138,414)	28,000	\$ 61,600	\$ 200,014
Street	\$ 112,700	\$ 83,684	\$ 29,016	-	\$ -	\$ -
Total	\$ 775,700	\$ 1,026,849	\$ (275,514)		\$	450,000
Total General Fund					\$	249,986
Total Sanitation Enterprise Fund					\$	200,014
Additional Funds Needed					\$	450,000

M E M O R A N D U M

TO: The Honorable Tab Townsell
and Members of City Council

FROM: Robin M. Scott

DATE: November 12, 2008

REFERENCE: Destruction of Accounting Records

In accordance with Arkansas Annotated Code 14-59-114 (Maintenance and destruction of accounting records), I am requesting council approval for the destruction of the following support documents:

- 2004 Cancelled Checks
- 2004 Invoices
- 2004 Bank statements
- Permanent records (journals, ledgers, subsidiary ledgers and fixed asset records) for years prior to 2001.

Conway City Council

City Clerk-Treasurer



City of Conway, Arkansas
Ordinance No. O-08-_____

AN ORDINANCE APPROPRIATING FUNDS FOR THE EMPLOYEE APPRECIATION BONUS; AND FOR OTHER PURPOSES:

WHEREAS, The City Council of the City of Conway would like to recognize the efforts of full time and part time city employees through the award of an employee appreciation bonus, for which funding must be provided;

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

Section 1: The City of Conway shall appropriate \$163,240 from Fund Balance Appropriation Accounts to the salary cost for each department in order to provide an expression of appreciation to all full time employees in the net amount of \$300 and all part time employees in the net amount of \$150. Each Fund will bear the cost of bonuses for employees, as follows: General Fund - \$123,608; Street Fund - \$11,694, Sanitation Enterprise Fund - \$26,963; Fleet Maintenance - \$650; and CDBG Fund - \$325. All part time elected officials are excluded. Eligible employees will be determined as of the first payroll in December 2008.

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

Section 3. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 18th day of November, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer