

City Council Members

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 – Jim Rhodes
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones, Jr.
Ward 4 Position 2 – Shelia Whitmore



Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett

5:30pm -- Committee Meeting:

Discussion of Nuisance Abatement Ordinance

6:30pm -- City Council Meeting

Courtroom in District Court Building

810 Parkway, Conway, AR 72034

March 10th, 2009

1. Call to Order

2. Roll Call

3. Minutes: *February 24th, 2009*

4. Recognition of Guests:

5. Public Hearings:

6. Report of Standing Committees:

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

1. Consideration to accept nominations for the Conway Building Code Board of Appeals.
2. Consideration to accept nominations for the Conway Tree Board.
3. Consideration to accept nominations for the Old Conway Design Review Board.
4. Consideration to accept bid on asphalt (annual bid) for the City of Conway.
5. Consideration on traffic calming measures for the following subdivisions: Nottingham, Southwind, & St John's subdivision.
6. Resolution expressing the willingness of the City of Conway to utilize federal aid monies for the installation of a traffic signal at Highway 60 (Dave Ward Drive) at Country Club Road.
7. Resolution authorizing eminent domain procedures condemning certain real property located on the south side of the Union Pacific Railroad and east of Salem Road (also known as the Tiffany Industries property) for right of way for street improvements.
8. Ordinance amending Conway sign ordinance O-06-134 as related to prohibiting electronic billboards.
9. Ordinance adopting nuisance abatement as part of the Conway Municipal Code.

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

1. Resolution accepting the modification of the existing Class 1 Landfill by the City of Conway.
2. Ordinance authorizing a change in staffing levels for the Sanitation Department.
3. Consideration to enter into an agreement with Independent Living Services.

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

1. Consideration to dispose of property at the Conway Police Department.
2. Consideration to accept bids on two outdoor warning sirens for the City of Conway.
3. Consideration to accept bids on uniforms for the Conway Fire Department.
4. Consideration to accept bids on turnout gear for the Conway Fire Department.

7. Old Business

8. New Business

Adjournment

Committee Meeting

**Revised Draft for Code Enforcement Ordinance
City of Conway, Arkansas
Ordinance No. O-09-_____**

AN ORDINANCE ADOPTING A NUISANCE ABATEMENT AS PART OF THE CONWAY MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway presently regulates the maintenance of property through several ordinances and code sections;

WHEREAS, large portions of these ordinances and code sections are not written in a manner consistent with the Arkansas Fire Prevention Code of 2007; and

WHEREAS, the new Nuisance Abatement Code is designed to be consistent with both the Arkansas Fire Prevention Code and the Conway Zoning Ordinance; and

WHEREAS, during the 2007, the State of Arkansas adopted new legislation granting cities greater authority to mitigate nuisances and the new Nuisance Code references and incorporates this authority; and

WHEREAS, reasonable and enforceable regulations of nuisance abatement code benefit public health, safety and welfare and enhances the value of the properties so regulated.

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

SECTION 1: That the Nuisance Abatement Code, attached hereto as Exhibit "A" and incorporated herein by reference, is hereby adopted in its entirety.

SECTION 2: That the Nuisance Abatement code be codified within Title 5, Health and Sanitation, by the addition of Chapter 5.09, Nuisance Abatement.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict. Specifically,

Chapter 5.04.11, Subsection A (as created by Ord. No. O-96-78)

Chapter 5.08, Sections 01, 02, 03, 04, 05 (as created by Ord. Nos. 04-95, O-01-63, O-04-54, O-00-161, O-75-19, O-79-40)

Chapter 9.44 (as created by Ord. No. O-02-53)

Chapter 11.24 (as created by Ord. No. A-420)

of the Conway Municipal Code are hereby repealed.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: It is hereby found and determined that the adoption of this Ordinance is immediately necessary to insure the proper and orderly growth of the City of Conway, Arkansas and is necessary for the immediate preservation of public, health, safety and welfare; **THEREFORE**, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage.

PASSED this ___th day of _____, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

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CITY OF CONWAY

***NUISANCE ABATEMENT
CODE***

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ARTICLE ONE – ADMINISTRATION

Section 1 – INTRODUCTION

1.1.1 General. These regulations shall be known as the *Conway Nuisance Abatement Code*. These regulations are intended to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises within the City of Conway, Arkansas.

1.1.2 Applicability. The provisions of this Code shall apply to all residential and nonresidential structures and all premises within the City of Conway, Arkansas and constitute minimum requirements and standards for premises, structures, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties. Structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the *Arkansas State Fire Prevention Code*. Where different standards or requirements are imposed by this Code and other competent authority or by different sections of this Code, the most restrictive standard or requirement shall govern.

1.1.3 Maintenance. Equipment, systems, devices and safeguards required by this Code or a previous regulation or code under which the structure or premises was constructed, altered or required shall be maintained in good working order. No occupant shall cause any required service, facility, equipment or utility to be removed from or shut off from or discontinued for any occupied dwelling, except for temporary interruptions necessitated by repairs or alterations. The requirements of this Code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner shall be responsible for the maintenance of buildings, structures and premises.

Section 2 CODE ENFORCEMENT OFFICERS

1.2.1 General. This Code shall be enforced by all Code Enforcement Officers of the City of Conway. For the purposes of this Code, a Code Enforcement Officer shall be defined as any city employee who has been duly sworn and authorized to uphold the ordinances of the City and laws of the State of Arkansas related to property uses, maintenance, nuisances, inspections, issuances of building permits, certifications and licensing etc., within the municipal boundaries of the City. This Code may also be enforced by any and all duly sworn law enforcement officers of the Conway Police Department.

1.2.2 Identification. All Code Enforcement Officers shall carry proper identification and present the same upon request when performing duties under this Code.

1.2.3 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this Code, the Senior Code Enforcement Officer shall have the authority to grant modifications for individual cases, provided the Senior Code Enforcement Officer shall first make written findings that a special condition or circumstance exists such that the strict letter of this Code is impractical and the modification is in compliance with the intent and purpose of this Code and that such modification does

not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

Section 3 INSPECTIONS

1.3.1 Right of entry. Code Enforcement Officers are authorized to enter structures or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the officers may pursue such search authorizations as are provided by law.

1.3.2 Inspections. Code Enforcement Officers shall make all of the inspections required by this Code. All reports of such inspections shall be in writing by the responsible officer. Code Enforcement Officers are authorized to rely upon a responsible expert opinion as the officer deems necessary to report upon unusual technical issues that arise.

Section 4 VIOLATIONS

1.4.1 Violations declared to be strict liability misdemeanors. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this Code. Any person who is convicted of a violation of this Code shall be guilty of a misdemeanor, and the violation shall be deemed a strict liability offense.

1.4.2 Fines. Except as otherwise provided, a person convicted of violating any provision of this Code shall be punished by a fine not to exceed \$500.00, or double such sum for each repetition thereof. If the violation is continuous in nature, the penalty for allowing the continuance thereof is a fine not to exceed \$250.00 for each day that the violation is unlawfully continued. The judge will determine the actual fine.

1.4.3 Citations. Code Enforcement Officers are hereby authorized to issue citations to any person, firm or corporation in conflict with or in violation of any of the provisions of this Code. Issuances of citations must comply with the Arkansas Rules of Criminal Procedures. Conway District Court shall have exclusive jurisdiction over citations issued pursuant to this Code.

1.4.4 Appeals. Any person after being found guilty of a violation or after entering a plea of guilty or *nolo contendere* to a violation shall have those appellant rights granted under the Laws of the State of Arkansas, US Constitution and Arkansas Rules of Criminal Procedure. Appeals of convictions of a violation will be with Faulkner County Circuit Court.

Section 5 REVOCATION OF CERTIFICATES, LICENSES AND PERMITS

1.5.1 General. The purpose of this section is to provide a procedure for the revocation of various certificates, licenses and permits issued by the City of Conway to prevent the use of structures described in subsection 1.5.2. The certificates, licenses and permits subject to revocation under this Code are those relating to the particular or general use of property; including, without limitation and for the purpose of illustration only: certificates of occupancy, zoning variances, certification of appropriateness,

business licenses, sign permits, building permits, electrical and plumbing inspection approvals, conditional use permits, special use permits, and the like.

1.5.2 Administrative Revocation. Code Enforcement Officers shall have the authority to initiate administrative revocation of any such certificate, license or permit, if he or she has a reasonable belief that the use of the property or structure:

- (A) Poses a danger to the health and welfare of the public;
- (B) Threatens property or safety of any citizen;
- (C) Violates the terms and or scope of the certificate, license, or permit; or
- (D) Lacks compliance with applicable State licensing laws and requirements.

The non-emergency administrative revocation of a certificate, license, or permit shall follow the procedures of notice and determination provided in Section 1.6 below.

1.5.3 Temporary Emergency Orders. The Senior Code Enforcement Officer shall have the authority to issue a temporary emergency order in conjunction with notice of an administrative revocation as described in subsection 1.5.2. The Temporary Emergency Order shall have the effect of prohibiting all activity that may be harmful to the public or any person and suspending any certificate, license, or permit authorizing the same. The Senior Code Enforcement Officer may issue a temporary emergency order when he or she has a reasonable belief that the use of the property or structure:

- (A) Poses an *imminent* danger to the health, safety or welfare of the public; or
- (B) Threatens the life or poses an imminent danger of serious injury to any citizen.

1.5.3.1 Service of Temporary Emergency Orders. Service of Temporary Emergency Orders may be made by any Code Enforcement Officer upon the owner, manager, employee, or occupant of a structure that is subject to the provisions of subsection 1.5.3. If no one is located at the structure, the Temporary Emergency Order shall be affixed to the structure and written notice shall proceed according to subsection 1.6.2. All notices for this subsection shall clearly state "Temporary Emergency Order" and conform to the requirements of subsection 1.6.1.

1.5.4 Special Uses, Conditional Uses, and Other Authorizations Issued by City Council. The City Council for the City of Conway may revoke a special use, conditional use, or any other authorization to use property or conduct business that violates the terms of the use or threatens the property or safety of any citizen, or is detrimental to the health, safety or welfare of the public. Such a revocation may be performed at any regular or special meeting of City Council. The revocation shall be based upon the report of a Code Enforcement Officer, complaint of a citizen, or *sua sponte* action by City Council.

Section 6 ADMINISTRATIVE PROCEDURES

1.6.1 Notice of Violation. A "Notice of Violation" shall be written on standardized or letter form approved by the Senior Code Enforcement Officer that shall include the following information:

- (A) The name of the owner, if known;
- (B) An address or description of the real estate sufficient for identification;
- (C) A description of the violation or violations;

- (D) A statement that citations may be issued and fines assessed in addition to any administrative remedy imposed by the City.
- (E) Include a statement that the City has a right to cause repairs or demolition to be made and that the costs may be assessed against the owner and the property of the owner; and
- (F) The information required by ARK. CODE ANN. 14-54-903, if applicable.

1.6.2 Method of service. Administrative notices (such as a Notice of Violation) shall be issued by any person authorized under ARK. CODE ANN. § 14-54-903 by:

- (A) Posting on the subject property;
- (B) Regular mail; and
- (C) Certified mail, return receipt requested.

1.6.2.1 Notice by Mail. Notice by mail shall be sent to the owner's address of record with the applicable county treasurer or collector. When sent to the proper address with proper postage, notice by mail shall be deemed properly served without regard as to whether the owner or occupant accepted the mail or the mail was otherwise returned.

1.6.3 Transfer of ownership. After receiving a notice of violation, it shall be unlawful for the owner of any property or structure to sell, transfer, mortgage, and lease or otherwise alienate or dispose of the same until:

- (A) The property or structure has been caused to conform with this code; or
- (B) The owner shall provide the other party a true copy of any notice of violation issued by a Code Enforcement Officer and shall furnish to the Senior Code Enforcement Officer a signed and notarized statement from the other party accepting responsibility for the property or structure.

1.6.4 Exceptions. The Notice of Violation requirements of this section shall not apply to the issuances of citations. Issuance of citations must comply with the procedures described in subsection 4.3.

Section 7 CONDEMNATION

1.7.1 Keeping condemned structures prohibited. That it shall be and it is hereby declared to be unlawful for any person or persons, partnership, corporation or association, to own, keep or maintain any house, building and/or structure within the corporate limits of the City of Conway, Arkansas, which constitutes a nuisance and which is found and declared to be a nuisance by Resolution of the City Council.

1.7.2 Condemnation. That any such house, building, and/or structure which is found and declared to be a nuisance by Resolution of the City Council will be condemned to insure the removal thereof as herein provided.

1.7.3 Notices. The Code Enforcement Department shall be responsible for publication, mailing or delivery of all notices required to condemn structures.

1.7.3.1 Prior notice of proposed condemnation. That prior to the consideration of a Resolution by the City Council declaring any house, building and/or structure as a nuisance, the owner(s) and any mortgagee(s) or lien holder(s), of such house, building and/or structure shall be mailed written notification of the date, time and place that the City Council will consider said Resolution. In addition, said notice shall inform the owner(s) and any mortgagee(s) or lien holder(s), of the right to be heard at the City Council meeting on the proposed Resolution declaring such house, building and/or structure to be a nuisance.

1.7.3.2 Notice to unknowns/non-residents. Should the owner(s) and mortgagee(s) and/or lien holder(s) of any such house, building and/or structure be unknown or their whereabouts be unknown or if they do not reside in Arkansas, then a copy of the written notice shall be posted upon said premises and the City Clerk or his designee shall make an affidavit setting out the facts as to unknown address, unknown whereabouts and/or non-resident status of said owner(s), mortgagee(s), and lien holder(s). Thereupon, service of publication as now provided for by law against unknown and/or non-resident defendant(s) may be had and an attorney ad litem shall be appointed to notify such persons by registered letter addressed to their last known place(s) of residence or business.

1.7.4 Resolution Information. That the Resolution of the City Council condemning any house, building and/or structure which constitutes a nuisance will include in said Resolution an adequate description of the house, building, and/or structure; the name(s), if known, of the owner(s) and mortgagee(s) and/or lien holder(s) thereof; and shall set forth the reason or reasons said house, building and/or structure is or has been condemned as a nuisance.

1.7.5 Posting. After a house, building and/or structure has been found and declared to be a nuisance and condemned by Resolution as herein provided, a true and certified copy of said Resolution will be mailed to the owner(s) and mortgagee(s) and/or lien holder(s) thereof, if the whereabouts of said owner(s) and mortgagee(s) and/or lien holder(s) thereof be known or their last known address be known, and a copy thereof shall be posted at a conspicuous place on said house, building and/or structure. Provided, that if the owner(s) and mortgagee(s) and/or lien holder(s) of said house, building and/or structure be unknown or if his or their whereabouts or last known address be unknown, the posting of the copy of said Resolution as hereinabove provided will suffice as notice of the condemnation.

1.7.6 Removal. If the house, building and/or structure constituting a nuisance has not been torn down and removed, or said nuisance otherwise abated, within thirty (30) days after posting the true copy of the Resolution at a conspicuous place on said house, building and/or structure constituting the nuisance, it will be torn down and/or removed by the Senior Code Enforcement Officer or his duly designated representative.

1.7.7 Saleable material. The Senior Code Enforcement Officer or any other person or persons designated by him to tear down and remove any such house, building and/or structure constituting a nuisance will insure the removal thereof and dispose of the same in such a manner as deemed appropriate in the circumstances and to that end may, if the same have a substantial value, sell said house, building and/or structure, or any saleable material thereof, by public sale to the highest bidder for cash, ten (10) days' notice thereof being first given by one publication in some newspaper having a general circulation in the City, to insure its removal and the abatement of the nuisance.

1.7.8 Proceeds. All proceeds of the sale of any such house, building and/or structure, or the proceeds of the sale of saleable materials there from and all fines collected from the provisions of this ordinance shall be paid by the person or persons collecting the same to the City Clerk-Treasurer. If any such house, building and/or structure, or the saleable materials thereof, be sold for an amount which exceeds all costs incidental to the abatement of the nuisance (including the cleaning up of the premises) by the City, plus any fine or fines imposed, the balance thereof will be returned by the City Treasurer to the former owner or owners of such house, building and/or structure constituting the nuisance.

1.7.9 Liens. If the City has any net costs in removal of any house, building or structure, the City shall place a lien on the personal property or real estate property as provided by ARK. CODE ANN. § 14-54-904.

1.7.10 Fine. A fine of not less than Two Hundred Fifty (\$250.00) nor more than Five Hundred Dollars (\$500.00) is hereby imposed against the owner(s) of any house, building and/or structure found and declared to be a nuisance by Resolution of the City Council thirty (30) days after the same has been so found and declared to be a nuisance and for each day thereafter said nuisance be not abated constitutes a separate and distinct offense punishable by a fine of Two Hundred Fifty Dollars (\$250.00) for each said separate and distinct offense; provided the notice as herein provided in Section 5 hereof has been given within ten (10) days after said house, building and/or structure has been by Resolution found and declared to be a nuisance.

1.7.11 Judicial declaration. In the event it is deemed advisable by the City Council that a particular house, building and/or structure be judicially declared to be a nuisance by a Court having jurisdiction of such matters, the City Council is hereby authorized to employ an attorney to bring such an action for said purpose in the name of the City, and the only notice to be given to the owner(s) and mortgagee(s) and/or lien holder(s) of any such house, building and/or structure sought to be judicially declared to be a nuisance will be that as now provided for by law in such cases in Circuit Court. When any such house, building and/or structure has been declared judicially to be a nuisance by a Court of competent jurisdiction, a fine of One Hundred Dollars (\$100.00) is hereby imposed against the owner(s) thereof from the date said finding is made by the Court and for each day thereafter, said nuisance be not abated constitutes a continuing offense punishable by a fine of One Hundred Dollars (\$100.00) per day.

Section 8 EMERGENCY PROCEDURES

1.8.1 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the Senior Code Enforcement Officer, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

1.8.2 Closing streets. When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

1.8.3 Emergency repairs. For the purposes of this section, the Senior Code Enforcement Officer shall employ the necessary labor and materials to perform the required work as expeditiously as possible. Costs incurred in the performance of emergency work shall be paid by the City. The City Attorney shall

institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

Article Two DEFINITIONS

Section 1 PURPOSE

2.1.1 General. Unless otherwise expressly stated, the following terms shall, for the purposes of this Code, have the meanings shown in this chapter. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit," or "story" are stated in this Code, they shall be construed as though they were followed by the words "or any part thereof."

Section 2 LIST OF DEFINITIONS

2.2.1 Definitions.

ABANDONED MOTOR VEHICLE. Any motor vehicle which is left on public or private property, as defined in this section, for a period of more than 72 hours, regardless of whether wrecked or inoperable.

APPROVED. Consented or agreed to in writing by the Senior Code Enforcement Officer, or his proper designee.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes.

BOAT. Any vessel initially designed for the carrying of passengers or cargo upon the water, whether currently seaworthy or not, and regardless of size or design, including, without limitation, barges, motorboats whether inboard or outboard, canoes, rowboats, rafts and sailboats.

CARPORT. A roofed structure providing space for the parking of motor vehicles and enclosed on not more than two sides.

CODE ENFORCEMENT OFFICER. Any city employee who has been duly sworn and authorized to uphold the ordinances of the City and laws of the State of Arkansas related to property uses, maintenance, nuisances, inspections, issuances of building permits, certifications and licensing etc., within the municipal boundaries of the City. All duly sworn law enforcement officers of the Conway Police Department are authorized to exercise authority as Code Enforcement Officers.

CONDEMN. To adjudge unfit for human occupancy.

DWELLING UNIT. Any room or group of rooms located within a structure forming a single habitable unit with facilities that are used or intended to be used for living, sleeping, cooking, eating, and sanitation by a household or family.

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serves as their food; by poison spraying, fumigating, and trapping or by any other approved pest elimination methods.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GRAFFITI. Any inscription, word, figure, or design that is marked, etched, scratched, drawn, painted, pasted or otherwise affixed to or on any structural component of any building, structure, or other permanent facility regardless of the nature of the material of that structural component, or the nature of the inscription, to the extent that the same was not authorized in advance by the owner, or otherwise deemed to be a public nuisance.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

HISTORIC. Any existing buildings or structures designated by the City of Conway, the State of Arkansas, or the United States government to be historic or located within a Conway historic district.

HOUSEKEEPING UNIT. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, uninsured, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power. **Such vehicle is considered an abandoned vehicle if left on public or private property for a period of 72 hours.**

LABELED. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

MOTOR VEHICLE. A machine of conveyance which is self-propelled and designed to travel along the ground, and includes but is not limited to automobiles, buses, electric scooters, mopeds bicycles, motorcycles, trucks, tractors, go-carts, golf carts, motor homes.

NUISANCE. This term is defined in Article 4 Section 1 of this Code.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PRIVATE PROPERTY. Means any real property within the city which is privately owned and which is not defined as public property in this section.

PUBLIC PROPERTY. Means any real property in the city which is owned by a governmental body and includes buildings, parking lots, parks, streets, sidewalks, rights-of-way, easements and other similar property.

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

REMOVAL. The act of clearing all material and debris whenever it becomes necessary to demolish any building that has been condemned and found to be a nuisance by resolution of the city council.

RESIDENCE. A structure serving as a dwelling or home. For the purposes of this Code, the term residence includes dwelling units and rooming houses.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation. Bed-and-breakfasts, boarding houses, half-way houses, and hotels, as those terms are defined under the Conway Zoning Ordinance, are included within the definition of a Rooming House.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

UNCUT WEEDS AND GRASS. See Section 3.2.4 for definition.

SENIOR CODE ENFORCEMENT OFFICER. The Head of the Code Enforcement Department or, in his or her absence, the person who is directed or appointed to temporarily assume the duties of the Head of the Code Enforcement Department.

STRUCTURE. That which is built or constructed or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

TRAILER. Means any freewheeling object designed or intended to be pulled or towed behind a motor vehicle, regardless of whether wrecked or inoperable, and regardless of whether currently inspected and/or registered, including without limitation the following: Boat trailers, camper trailers, cargo trailers, special trailers for items such as golf carts or motorcycles, utility trailers, and farm implements.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

WRECKED MOTOR VEHICLE. Any motor vehicle which does not have lawfully affixed thereto an unexpired license plate and the condition of which is wrecked, dismantled, partially dismantled, incapable of operation by its own power on a public street, or from which the wheels, engine, transmission or any substantial part thereof has been removed.

ARTICLE THREE GENERAL REQUIREMENTS

Section 1 GENERAL

3.1.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

3.1.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this Code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

3.1.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

Section 2 EXTERIOR PROPERTY AREAS

3.2.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

3.2.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

3.2.2.1 Illegal Dumping. That is shall be unlawful for any person, firm, or corporation to drop, dispose of, throw, toss or otherwise deposit leaves, paper, debris, brush, limbs, grass, or other similar articles in drainage ditches, curbs and along gutters of city streets in the City of Conway, Arkansas.

3.2.3. Sediments and mud. All public roadways shall be kept clean of sediment and soil erosion from soil disturbing activities.

3.2.3.2 Abatement. Any person engaging in soil disturbing activities within the Conway city limits shall be required to implement measures to minimize the tracking of sediments and mud onto adjacent streets and roadways by vehicles leaving the site.

3.2.3.2 Exclusions. The following activities are specifically excluded from the requirements of this ordinance: emergency street, storm drainage or utility repairs. The following properties are specifically excluded from the requirements of this ordinance: approved retention areas and reservoirs.

3.2.3.3 Clean-up. If a soil disturbing activity creates a violation, the violator shall clean up the material daily or as frequently as needed to avoid a hazard or nuisance. If an activity is found in violation of the provisions of this ordinance, the city of Conway's appointed representative shall issue a "cease and desist" order for all activities on the site until the appropriate clean-up measures are implemented and provisions are made to prevent additional pollution. The city's approval of construction, building permit approvals, payments, release of payments or bonds and final approvals shall also be withheld or revoked until a violation is corrected and appropriate sediment control measures are in place.

3.2.3.4 Fine Any violation of this ordinance shall be considered an offense punishable by a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) and each day of violation may be considered a separate offense.

3.2.4 Grass or Weeds. Grass or weeds shall not exceed eight (8) inches in height in all zoning districts. This restriction will not apply to:

- a. property that is zoned A-1, except when abutting developed property. A-1 property shall be maintained with a 15' buffer along the lot line adjacent to the developed property with grass and weeds in such buffer shall not exceed eight (8) inches in height.
- b. areas specifically designated or recognized by the city, the state or the United States as wetlands, open spaces, natural or wild flower areas, or other designated preservation areas.

3.2.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

3.2.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

3.2.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

3.2.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no motor vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of motor vehicles is prohibited unless conducted inside an approved spray booth.

3.2.8.1 Storage of inoperable or abandoned vehicles. No person shall park, store, leave or permit the parking, storing or leaving of any motor vehicle, and/or trailer of any kind, which is wrecked or inoperable, whether attended or not, upon any private property within the city

3.2.8.2 Authorized removal of inoperable motor vehicles. Code Enforcement Officers shall have the authority to remove inoperable motor vehicles on private property thirty (30) days after written notice has been affixed to the subject item. Such notice shall state that the subject item is a nuisance and order whoever has an interest in the subject item to remove the item from the property. If such nuisance is found upon private property, in addition to the foregoing notice, a copy of such shall be placed on the residence or business. The presence of such subject items on private property is hereby declared a public nuisance which may be abated in accordance with the provisions of this Code. Any inoperable vehicle sitting on city streets can and will be removed immediately at owners expense.

3.2.8.3 Exception: A motor vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

3.2.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

**Section 3
SWIMMING POOLS, SPAS AND HOT TUBS**

3.3.1 Maintenance. Swimming pools, hot tubs and spas shall be maintained in a clean and sanitary condition, and in good repair. Please see ARK. CODE ANN. § 14-54-901.

**Section 4
EXTERIOR STRUCTURE**

3.4.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

3.4.2 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 3 inches in height on residential structures and shall be a minimum of 4 in height on commercial structures.

**Section 5
RUBBISH AND GARBAGE**

3.5.1 Accumulation of rubbish or garbage. All exterior property and premises of every structure shall be free from any accumulation of rubbish or garbage.

3.5.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

3.5.3 Appliance/Furniture and similar equipment not in operation shall not be discarded, abandoned or stored on premises outside of any enclosed building such as storage shed or accessory building.

3.5.4 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or an approved leak-proof garbage container.

3.5.4.1 No trash or garbage container shall be stored in a front or side yard abutting a street so as to be closer to the street than the building on the lot except on trash days. Garbage and trash containers must be placed within 5 feet of curb no earlier than 5:00 p.m. the day before and removed before 7:00 p.m. the day garbage is picked up

**Section 6
SANITARY DRAINAGE SYSTEM**

3.6.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

3.6.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

**ARTICLE 4
NUISANCES**

**Section 1
GENERAL**

4.1.1 Intent. It is the intent of this Code to prevent and abate nuisances within the municipal boundaries of the City of Conway. For the purposes of this Code, the word "nuisance" is defined as any act, omission, or property condition that is detrimental to the health, safety and welfare of the public in that it:

- (A) Injures or endangers the comfort, repose, health or safety of others;
- (B) Is offensive to the senses;
- (C) Unlawfully interferes with, obstructs or tends to obstruct, or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage;
- (D) In any way renders other persons insecure in life or the use of property; or

- (E) Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.

4.1.2 Prohibited. It shall be unlawful for any person or entity to cause, permit, maintain or allow the creation or maintenance of a nuisance.

4.1.3 Illustrative enumeration of a nuisance. The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is hereby declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:

- (A) Noxious weeds and other rank vegetation;
- (B) Accumulations or storage of rubbish, garbage, materials, metals, lumber, tires, and other materials;
- (C) Any condition which provides harborage for rats, mice, snakes and other vermin;
- (D) Dilapidated structures;
- (E) All unnecessary or unauthorized noises and annoying vibrations, including animal noises.
- (F) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.
- (G) The carcasses of animals or fowl not disposed of within a reasonable time after death.
- (H) The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery, industrial wastes or other substances.
- (I) Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.
- (J) Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.
- (K) Dense smoke, noxious fumes, gas, soot or cinders in unreasonable quantities.
- (L) Graffiti.
- (M) Inoperable or abandoned motor vehicles.
- (N) The use of tarpaulins, canvas, plastic, oil cloth, sheeting and other similar materials as fencing or to shield or enclose any structure (including, without limitation, openings for windows, doors, walls, roofs, garage doors or carports) except when temporarily necessary to perform repairs under a properly issued building permit.
- (O) Permanent or temporary basketball goals (except those approved by the City) on any public street or on any right-of-way adjacent to a public street.

Section 2 UNSIGHTLY APPEARANCES

4.2.1 Uncut weeds, grass and other unsightly and unsanitary articles. All property owners and occupants within the municipal boundaries of the City of Conway are required to cut weeds and grass, remove garbage, rubbish and other unsightly and unsanitary articles and things from their property, and to eliminate, fill up, or remove stagnant pools of water or any other unsanitary thing, place or condition which might become a breeding place for mosquitoes, flies and germs harmful to the health of the community. For specific requirements related to the required maintenance of grass and weeds, refer to subsection 3.2.4.

4.2.2 Nuisance Structures. Any building or other structure which is in such a dilapidated condition that it is unsafe or unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the

health or safety of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located shall constitute a nuisance.

- (A) Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe conditions due to lack of abandonment of lack of maintenance, or, unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.
- (B) Unfit structure for human occupancy. A structure is unfit for human occupancy whenever the Code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this Code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.
- (C) Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this Code, or was erected, altered or occupied contrary to law.

Section 3 ADDITIONAL REMEDIES

4.3.1 Authorized abatement. If the owner of any lot or other real property within the city shall neglect or refuse to remove, abate or eliminate any condition, violation, or prohibition as may be provided for in this Code, after having been given a **Notice of Violation** with seven (7) days' notice in writing to do so by the appropriate city official, the city is hereby authorized to do whatever is necessary to correct the condition, including but not limited to entering upon the property and having such weeds, rank grass or other vegetation cut and removed, or eliminating any unsanitary and unsightly condition, or causing necessary repairs to be made and charging the cost thereof to the owner of such premises, which shall constitute a lien thereon. The above mentioned seven days' notice shall be calculated by counting the first day of the seven day period as the day after written notice is given to the owner, by counting every calendar day, including weekends and holidays, and by establishing the deadline to take the above required actions as 11:59 p.m. on the seventh day. Condemnations shall follow the procedures established in Section 7 of Article I. The City reserves the right to secure a priority clean-up lien pursuant to ARK. CODE ANN. § 14-54-903.

4.3.2 Authorized removal of basketball goals. Code Enforcement Officers shall have the authority to order the immediate removal of any permanent or temporary basketball goal (unless approved by the City) that is on any public street or on any right-of-way adjacent to a public street. If the apparent owner of the basketball goal is unknown, unavailable, or unwilling to remove the basketball goal, a Code Enforcement Officer may cause the goal to be removed.

4.3.3. Vacating of Unfit or Unsafe Structures and Utility Services. Any dwelling or dwelling unit declared as unfit for human habitation or unsafe by the Conway Code Enforcement Department as so designated and placarded by a Code Enforcement Officer, shall be vacated within seven (7) days after

notice of such action has been given by the Building official to both the owner and occupant of the building. On the eighth (8th) day after said notice the Code Enforcement Department shall notify all utility services that no such services shall be provided to the dwelling or dwelling unit. After utility services are cutoff no further services shall be made available until a rehabilitation permit is obtained or until the Director of Code Enforcement notifies utilities that service may be provided to the dwelling or dwelling unit.

Section 4 PLACARDING

4.4.1 Placarding. Upon failure of the owner or person responsible to comply with the Notice of Violation for a nuisance structure or equipment within the time given, the Code official shall then post on the premises or on defective equipment a placard bearing the word "**NUISANCE**" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

4.4.1.1 Placard removal. The Code Official shall remove unfit for human habitation or unsafe structure placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the Code Official shall be subject to the penalties provided by this Code.

Section 5 PROHIBITED OCCUPANCY

4.5.1 Prohibited occupancy. Any occupied structure condemned and placarded by the Code Official shall be vacated as ordered by the Code Official. Any person who shall occupy placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy placarded premises or operate placarded equipment shall be liable for the penalties provided by this Code.

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
 1201 Oak Street Conway, Arkansas 72032
 J. Lynn Hicks, CBO - Building Official / Assistant Director of
 Permits, Inspections & Code Enforcement
 Phone 501-450-6107 Fax 501-513-3504



MEMO

TO: Mayor Tab Townsell
 FROM: Lynn Hicks – Building Official / Assistant Director of
 Permits, Inspections and Codes Enforcement
 DATE: 2-23-09
 SUBJECT: Recommendation for Appointments to the
 City of Conway Building Code Board of Appeals

In accordance with Chapter 2.48 of the City of Conway Municipal Code, a legal notice requesting nomination of applicants to the Building Code Appeals Board has been advertised, and the nominations collected.

City Clerk/Treasurer, Mike Garrett collected the following applications, and I would like to recommend the following persons for your consideration to be appointment by the City Council for the positions and terms as noted:

Recommended Appointee	Qualification	Recommended Term
Mrs. Judy Corcoran	Public Citizen at Large (Alternate)	1 year
Mr. Hal Crafton	Residential Contractor	2 years
Mr. Derek Harmon	Fire Protection Contractor	3 years
Mr. Steve Hurd	Architect	4 years
Mr. Tommy Keeling	Electrical Contractor	4 years
Mr. Scott Murphy	Industry Citizen at Large (Alternate)	3 years
Mr. David Nabholz	Commercial Contractor	2 year
Mr. Steve Watts	Mechanical Contractor	1 year

(All subsequent appointments will be for 4 year terms)

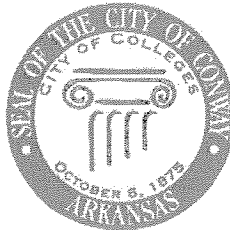
The applications from each of the above individuals for service on the Building Code Appeals Board are enclosed. Such applications list the qualifications of each of the recommended appointees.

Also attached is an application from Mr. Jason Nash, who requested that his application for service on this board be withdrawn.

I respectfully request your review of the recommended applicants and if you find them to be acceptable, I would request your written recommendation to City Council for their appointments at the next City Council meeting.

Please let me know if you have any questions or need additional information.

Cc: Mr. Bryan Patrick – Director of Planning and Development



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 1.14.09

Board applying for: (One board per form)

BUILDING CODE BOARD OF APPEALS

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: JUDY CORCORAN

Address: 4820 CANAL PLACE City, State, Zip CONWAY AR 72034

Phone/Home: 329-8584 Work: 733-9407

Person making nomination: LYNN HICKS

Address: 1201 OAK CONWAY AR

Phone/Home: _____ Work: 450 6107

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

RECEIVED
CITY OF CONWAY
JAN 14 4 8 PM '09

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032

J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



APPLICATION FOR APPOINTMENT TO THE CITY OF CONWAY BUILDING CODE BOARD OF APPEALS

Full Name: Judy Corcoran

Address: 4820 Canal Place, Conway, AR 72034

Phone Number: 329-8584 Cell Number: 733-9407 Fax Number: 450-5185

Email Address: judyc@conwaycorp.net

Education, Certifications, Licenses and Experience applicable to meeting the qualifications necessary to serve on the Board of Appeals: *(Please list qualifications below or attach a resume listing education and experience)*

The Board of Appeals consists of a cross-section of the building community with members from specific trades along with two citizens at large.

Please mark the positions for which you are interested and qualified to fill on the Board:

- Architect or Engineer Residential Contractor Commercial Contractor
 Fire Protection Contractor Electrical Contractor Mechanical Contractor
 Industry Citizen at Large Public Citizen at Large

Thank you for your interest in serving on the City of Conway Building Code Board of Appeals

If you have any questions, please call Lynn Hicks @ 501-450-6107.

JUDITH A. CORCORAN

4820 Canal Place, Conway, 72034

501-329-8584 (home); 501-450-5137 (work)

EDUCATION

University of Central Arkansas, Bachelor of Arts in English, December, 1993.
Minor: History.

Conway High School, Conway, Arkansas, Honor Graduate

WORK EXPERIENCE

July, 1982 to Present - UNIVERSITY OF CENTRAL ARKANSAS, College of Liberal Arts Dean's Office. **Administrative Assistant**

June, 1980 to June 1982 - UNIVERSITY OF CENTRAL ARKANSAS, College of Business, Center for Management Development. **Secretary I**

July 1971 to May 1977 - UNIVERSITY OF CENTRAL ARKANSAS, Business Office. **Secretary** to the Vice President for Financial Affairs.

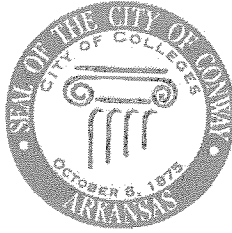
COMMUNITY SERVICE

Faulkner County Historical Society board - 2008

Keep Faulkner County Beautiful board - 2005 to present

City of Conway mayor's Transportation Advisory Committee - 1997

City of Conway chief of police search committee - 2008



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 1.14.09

Board applying for: (One board per form)

BUILDING CODE BOARD OF APPEALS

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: HAL CRAFTON

Address: PO BOX 10482 City, State, Zip CONWAY AR 72032 72034

Phone/Home: _____ Work: 908-0276

Person making nomination: LYNN HICKS

Address: 1201 OAK ST CONWAY AR

Phone/Home: _____ Work: 450 6107

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

CITY OF CONWAY
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CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032
J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



APPLICATION FOR APPOINTMENT TO THE CITY OF CONWAY BUILDING CODE BOARD OF APPEALS

Full Name: Hal Crafton
Address: P.O. Box 10482 Conway, Ar 72034
Phone Number: 908-0276 Cell Number: Same Fax Number: 327-1382
Email Address: _____

Education, Certifications, Licenses and Experience applicable to meeting the qualifications necessary to serve on the Board of Appeals: *(Please list qualifications below or attach a resume listing education and experience)*

High School - College Degree
Res. Contractor Lic.
20 yrs. Res. Const.

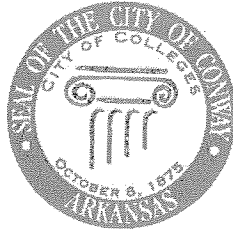
The Board of Appeals consists of a cross-section of the building community with members from specific trades along with two citizens at large.

Please mark the positions for which you are interested and qualified to fill on the Board:

- | | | |
|---|--|--|
| <input type="checkbox"/> Architect or Engineer | <input checked="" type="checkbox"/> Residential Contractor | <input type="checkbox"/> Commercial Contractor |
| <input type="checkbox"/> Fire Protection Contractor | <input type="checkbox"/> Electrical Contactor | <input type="checkbox"/> Mechanical Contractor |
| <input type="checkbox"/> Industry Citizen at Large | <input type="checkbox"/> Public Citizen at Large | |

Thank you for your interest in serving on the City of Conway Building Code Board of Appeals

If you have any questions, please call Lynn Hicks @ 501-450-6107.



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 1.14.09

Board applying for: (One board per form)

BUILDING CODE BOARD OF APPEALS

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: JAMES DEREK HARMON

Address: 1860 JOHN BRYANT City, State, Zip CONWAY AR

Phone/Home: 329 3805 Work: 749.3455

Person making nomination: LYNN HICKS

Address: 1201 OAK ST. CONWAY, AR.

Phone/Home: _____ Work: 450 6107

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

CITY OF CONWAY

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CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032
J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



APPLICATION FOR APPOINTMENT
TO THE
CITY OF CONWAY
BUILDING CODE BOARD OF APPEALS

Full Name: James Derek Harmon
Address: 1860 John Bryant
Phone Number: 329-3805 Cell Number: 501-749-3455 Fax Number: 501-982-8211
Email Address: jamesdharman@conwaycorp.net

Education, Certifications, Licenses and Experience applicable to meeting the qualifications necessary to
serve on the Board of Appeals: (Please list qualifications below or attach a resume listing education and
experience)

I have lived in Conway all my life. Graduated
from Conway High School in 1981. went to UGA
briefly.
I will have been employed by Perkins Fire Pro
for 25 yrs. in January. went through apprenticeship
program. worked in field for 20 years as a
fitter, foreman. am now service manager which consists
of routing crews, repairs, bid small jobs, and NFPA 25
inspections. I am a NICET II level licensed inspector
Our work is usually limited to a 6 state area.

The Board of Appeals consists of a cross-section of the building community with members from specific
trades along with two citizens at large.

Please mark the positions for which you are interested and qualified to fill on the Board:

- Architect or Engineer
Fire Protection Contractor
Industry Citizen at Large
Residential Contractor
Electrical Contactor
Public Citizen at Large
Commercial Contractor
Mechanical Contractor

Thank you for your interest in serving on the City of Conway Building Code Board of Appeals

If you have any questions, please call Lynn Hicks @ 501-450-6107.



State of Arkansas Fire Protection Licensing Board



License Number **933** Company License Number **FSS-012**

Company Name: **PERKINS FIRE PRO**
Individual Licensed
JAMES DEREK HARMON

This is to certify that **JAMES DEREK HARMON**
is duly registered under the provisions of Act 703 of the 1977 Acts as amended and is entitled to
practice Fire Sprinkler Systems Servicing and Installing in the State of Arkansas within the
following classification:

FIRE SPRINKLER INSPECTOR

AR Fire Protection Licensing Board
Lic. Num. **933** Co. Lic. Num. **FSS-012**
Co. Name **PERKINS FIRE PRO**
This is to certify that **JAMES DEREK HARMON**
has been duly authorized to service and install Fire Sprinkler
Systems in the State of Arkansas as an:
FIRE SPRINKLER INSPECTOR

Issue Date: **6/21/2006**

Witness our hands and seal of the Board, dated at Little Rock, Arkansas, this 21st day of June, 2006.

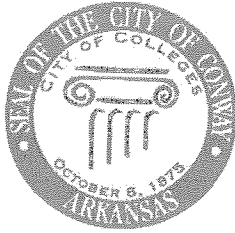
James W. ...

CHAIRMAN

James W. ...



Issue Date **6/11/2008** Exp. Date **6/30/2009**



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 1.14.09

Board applying for: (One board per form)

BUILDING CODE BOARD OF APPEALS

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: STEVEN W. HURD

Address: 607 DAVIS City, State, Zip CONWAY AR 72032

Phone/Home: 336 9447 Work: _____

Person making nomination: LYNN HICKS

Address: 1201 OAK ST. CONWAY AR

Phone/Home: _____ Work: 450 6107

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

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JAN 14 4 50 PM 2009

RECEIVED

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032
J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



APPLICATION FOR APPOINTMENT TO THE CITY OF CONWAY BUILDING CODE BOARD OF APPEALS

Full Name: STEVEN W. HURO
Address: 1207 DAVIS ST. CONWAY AR 72034
Phone Number: 501.336.9447 Cell Number: same Fax Number: 501.336.8443
Email Address: ARQUITEQUE@CONWAYCORP.NET

Education, Certifications, Licenses and Experience applicable to meeting the qualifications necessary to serve on the Board of Appeals: *(Please list qualifications below or attach a resume listing education and experience)*

President - Hurd Long Architects
MEMBER AIA / STATE OF ARKANSAS LICENSE #2670
MEMBER NFPA
MEMBER ICC
MEMBER - CONWAY HISTORIC DISTRICT COMMISSION - VICE CHAIRMAN
CONWAY PLANNING COMMISSION - 1996-2000
CONWAY BOARD OF ZONING & ADJUSTMENT 2000 - 2002?

The Board of Appeals consists of a cross-section of the building community with members from specific trades along with two citizens at large.

Please mark the positions for which you are interested and qualified to fill on the Board:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Architect or Engineer | <input type="checkbox"/> Residential Contractor | <input type="checkbox"/> Commercial Contractor |
| <input type="checkbox"/> Fire Protection Contractor | <input type="checkbox"/> Electrical Contractor | <input type="checkbox"/> Mechanical Contractor |
| <input type="checkbox"/> Industry Citizen at Large | <input type="checkbox"/> Public Citizen at Large | |

Thank you for your interest in serving on the City of Conway Building Code Board of Appeals

If you have any questions, please call Lynn Hicks @ 501-450-6107.



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 1-14-2009

Board applying for: (One board per form)

BUILDING CODE BOARD OF APPEALS

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: TOMMY KEELING

Address: 320 HWY 310 City, State, Zip ENOLA AR 72047

Phone/Home: 733 4036 Work: _____

Person making nomination: LYNN HICKS

Address: # 1201 OAK ST.

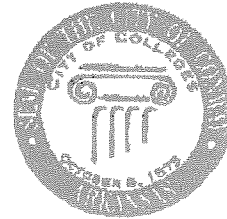
Phone/Home: _____ Work: 450 6107

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

Rec: 1-14-09 8:08 A
[Signature]

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032
J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



APPLICATION FOR APPOINTMENT TO THE CITY OF CONWAY BUILDING CODE BOARD OF APPEALS

Full Name: Tommy Keeling
Address: 320 Hwy 310 Endla AR 72047
Phone Number: _____ Cell Number: 7334036 Fax Number: 4509099
Email Address: keelingelectric@yahoo.com

Education, Certifications, Licenses and Experience applicable to meeting the qualifications necessary to serve on the Board of Appeals: *(Please list qualifications below or attach a resume listing education and experience)*

Electrical Contractor for 30 years
Master Electrician, M119
Member of Conway Chamber of Commerce

The Board of Appeals consists of a cross-section of the building community with members from specific trades along with two citizens at large.

Please mark the positions for which you are interested and qualified to fill on the Board:

- | | | |
|---|---|--|
| <input type="checkbox"/> Architect or Engineer | <input type="checkbox"/> Residential Contractor | <input type="checkbox"/> Commercial Contractor |
| <input type="checkbox"/> Fire Protection Contractor | <input checked="" type="checkbox"/> Electrical Contractor | <input type="checkbox"/> Mechanical Contractor |
| <input type="checkbox"/> Industry Citizen at Large | <input type="checkbox"/> Public Citizen at Large | |

Thank you for your interest in serving on the City of Conway Building Code Board of Appeals

If you have any questions, please call Lynn Hicks @ 501-450-6107.



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 1.14.09

Board applying for: (One board per form)

BUILDING CODE BOARD OF APPEALS

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: GREGORY SCOTT MURPHY

Address: 58 ROBIN WOOD DR City, State, Zip LITTLE ROCK AR 72227

Phone/Home: 501 227 0415 Work: 501 505 5018

Person making nomination: LYNN HICKS

Address: 1201 OAK CONWAY AR.

Phone/Home: _____ Work: 450 6107

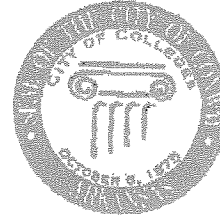
Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

CITY OF CONWAY
2009 JAN 14 A 8:00

RECEIVED

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032
J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



APPLICATION FOR APPOINTMENT
TO THE
CITY OF CONWAY
BUILDING CODE BOARD OF APPEALS

Full Name: Gregory Scott Murphy
Address: 58 Robinswood Drive Little Rock, AR 72227
Phone Number: 501-227-0415 Cell Number: 501-773-3665 Fax Number: 501-505-5018
Email Address: scott-murphy@nabgroup.com

Education, Certifications, Licenses and Experience applicable to meeting the qualifications necessary to serve on the Board of Appeals: *(Please list qualifications below or attach a resume listing education and experience)*

- BSEI - Architectural Technology, U. of Memphis 1992
- NCARB - Completed Architect Intern program
- 6 years architecture experience producing construction Drawings including code analysis
- 9 years project manager including conceptual design work requiring code research and construction drawing reviews.

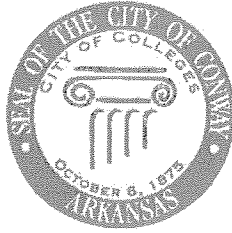
The Board of Appeals consists of a cross-section of the building community with members from specific trades along with two citizens at large.

Please mark the positions for which you are interested and qualified to fill on the Board:

- | | | |
|---|--|--|
| <input type="checkbox"/> Architect or Engineer | <input type="checkbox"/> Residential Contractor | <input type="checkbox"/> Commercial Contractor |
| <input type="checkbox"/> Fire Protection Contractor | <input type="checkbox"/> Electrical Contactor | <input type="checkbox"/> Mechanical Contractor |
| <input checked="" type="checkbox"/> Industry Citizen at Large | <input type="checkbox"/> Public Citizen at Large | |

Thank you for your interest in serving on the City of Conway Building Code Board of Appeals

If you have any questions, please call Lynn Hicks @ 501-450-6107.



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 1.14.09

Board applying for: (One board per form)

BUILDING CODE BOARD OF APPEALS
DAVID JOSEPH NABHOLZ

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: DAVID JOSEPH NABHOLZ

Address: 2275 RIDGEFIELD LN. City, State, Zip CONWAY AR 72032

Phone/Home: 501 733 5333 Work: _____

Person making nomination: LYNN HICKS

Address: 1201 OAK ST.

Phone/Home: _____ Work: 450 6107

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

RECEIVED
CITY OF CONWAY
JAN 14 A 8:00

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032
J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



APPLICATION FOR APPOINTMENT TO THE CITY OF CONWAY BUILDING CODE BOARD OF APPEALS

Full Name: David Joseph NABHOLZ
Address: 2275 Ridgely Lane, Conway AR 72032
Phone Number: WE 501-505-5174 Cell Number: 501-733-5333 Fax Number: 501-505-5274
Email Address: david_nabholz@nabholz.com

Education, Certifications, Licenses and Experience applicable to meeting the qualifications necessary to serve on the Board of Appeals: *(Please list qualifications below or attach a resume listing education and experience)*

St. Joseph High school - 1974
UCA - 16 hours short of Degree in Business
NABHOLZ Construction, Full time 1977 to present time
LABORER, CARPENTER, SUPERINTENDENT GENERAL SUPERINTENDENT, SR. Vice President Const.
OSHA 510 (40 hours) and related training
31 years Experience building Commercial Construction.

The Board of Appeals consists of a cross-section of the building community with members from specific trades along with two citizens at large.

Please mark the positions for which you are interested and qualified to fill on the Board:

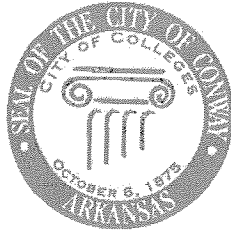
Architect or Engineer Residential Contractor Commercial Contractor
 Fire Protection Contractor Electrical Contractor Mechanical Contractor
 Industry Citizen at Large Public Citizen at Large

Thank you for your interest in serving on the City of Conway Building Code Board of Appeals

If you have any questions, please call Lynn Hicks @ 501-450-6107.

Rec. 2-2-09

8:20 A



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: FEB. 2, 2009

Board applying for: (One board per form)

BUILDING CODE APPEALS BOARD

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: STEVE WATT'S

Address: 4695 TYLER City, State, Zip CONWAY AR 72034

Phone/Home: 327-1337 Work: 730-3313

Person making nomination: L. HICKS

Address: 1201 OAKS CONWAY AR 72032

Phone/Home: 901 409 1393 Work: 501 450 6107

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032
J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



APPLICATION FOR APPOINTMENT TO THE CITY OF CONWAY BUILDING CODE BOARD OF APPEALS

Full Name: Steve Watts
Address: 4695 Tyler St. Conway, AR 72034
Phone Number: 327-1337 Cell Number: 730-3313 Fax Number: 327-8227
Email Address: swatts@nabco.com

Education, Certifications, Licenses and Experience applicable to meeting the qualifications necessary to serve on the Board of Appeals: *(Please list qualifications below or attach a resume listing education and experience)*

SEE ATTACHED RESUME

The Board of Appeals consists of a cross-section of the building community with members from specific trades along with two citizens at large.

Please mark the positions for which you are interested and qualified to fill on the Board:

- Architect or Engineer Residential Contractor Commercial Contractor
 Fire Protection Contractor Electrical Contactor Mechanical Contractor
 Industry Citizen at Large Public Citizen at Large

Thank you for your interest in serving on the City of Conway Building Code Board of Appeals

If you have any questions, please call Lynn Hicks @ 501-450-6107.

Mechanical Project Team Leader / Vice President

Name: Steve Watts

Position: Vice President
Mechanical Estimator / Project Manager

Birth Date: 5/14/64

Education:

1982 Graduate of Harmony Grove High School, Benton, Arkansas
1987 Graduate of the University of Arkansas, Fayetteville, Arkansas
Bachelor of Science, Mechanical Engineering
Certified as Engineer-in-Training, 1987 - Reg. #3980
Arkansas Dept of Health - HVACR Class 'A' License #0102203

Career Information:

1987 - present NABCO Mechanical & Electrical, Estimator / PM
1992 - present Vice President
1994 - present Mechanical Department Manager
1995 - present NABCO Board of Directors

Project Responsibilities:

Steve will be responsible for estimating, budgeting, development of bid packages, scope review and working with the design team during project development. Project management duties will include evaluating and managing subcontractors, expediting materials and equipment, developing project schedules, processing pay request and change order, coordinating manpower with field and office supervisors, and management of close-out and warranty process.

Projects:

North Arkansas Regional Medical Center Patient Tower Addition, Harrison, AR
White County Medical Center Addition-Renovation, Searcy, AR
Conway Regional Medical Center, MOB, Conway, AR
Conway Regional Medical Center, Cath Lab, Conway, AR
St. Mary's Regional Medical Center, New Patient Tower, Russellville, AR
St. Mary's Regional Medical Center, Radiology Building, Russellville, AR
Wackenhut Prisons, Men's and Women's Facilities, Newport
University of Central Arkansas, Student Center, Conway
University of Central Arkansas, Performing Arts and Conference Center, Conway
Nucor Fastener, Process Piping, Conway
Con Agra Frozen Foods, Plant Expansion, Russellville
Acxiom Corporation, ADC Building, Conway
Conway Public Schools, Elementary / Middle School Building, Conway
Hendrix College, Physical Sciences Building, Conway
Dassault Falcon Jet, Multiple Projects, Little Rock, AR



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 1.14.09

Board applying for: (One board per form)

BUILDING CODE BOARD OF APPEALS

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: JASON NASH

Address: 720 BRISTOL City, State, Zip CONWAY, AR

Phone/Home: 514 5111 Work: _____

Person making nomination: LYNN HICKS

Address: 1201 OAK ST. CONWAY AR

Phone/Home: _____ Work: 450 6107

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

CITY OF CONWAY

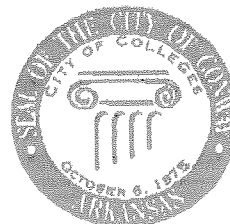
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CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032
J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



APPLICATION FOR APPOINTMENT TO THE CITY OF CONWAY BUILDING CODE BOARD OF APPEALS

Full Name: Jason Nash
Address: 720 Bristol
Phone Number: 514-5111 Cell Number: 514-5111 Fax Number: 327-2560
Email Address: Jay @ freyablenconway.com

Education, Certifications, Licenses and Experience applicable to meeting the qualifications necessary to serve on the Board of Appeals: *(Please list qualifications below or attach a resume listing education and experience)*

HVACR REGISTRANT LIC # 1070992

The Board of Appeals consists of a cross-section of the building community with members from specific trades along with two citizens at large.

Please mark the positions for which you are interested and qualified to fill on the Board:

- | | | |
|---|--|---|
| <input type="checkbox"/> Architect or Engineer | <input type="checkbox"/> Residential Contractor | <input checked="" type="checkbox"/> Commercial Contractor |
| <input type="checkbox"/> Fire Protection Contractor | <input type="checkbox"/> Electrical Contactor | <input checked="" type="checkbox"/> Mechanical Contractor |
| <input type="checkbox"/> Industry Citizen at Large | <input type="checkbox"/> Public Citizen at Large | |

Thank you for your interest in serving on the City of Conway Building Code Board of Appeals

If you have any questions, please call Lynn Hicks @ 501-450-6107.



Randy Romeo, Chairman
1201 Oak Street
Conway, AR 72032

T 501-450-6105
F 501-450-6144

Conway City Council
City of Conway
1201 Oak Street
Conway, AR 72032

Dear Council Members,

The Conway Tree Board advertised along with other city boards and commissions at the end of 2008 seeking new members. Three nominations were received. The nomination forms were for Joyce Hardin, Michael Yoder, and Richard Graff.

Tom Poe and Roy Martin rotated off the Board on December 31, 2008 leaving two positions open.

At the February 9th Conway Tree Board meeting, the Board voted unanimously to recommend the nomination of Joyce Hardin and Richard Graff to fill the open Tree Board positions. Mr. Graff will be serving as the Conway Area Chamber member.

Sincerely yours,

Randy Romeo,
Chairman, Conway Tree Board



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 12/17/08

Board applying for: (One board per form)

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: Joyce M. Hardin
Address: 1215 Hunter St City, State, Zip Conway, AR 72032
Phone/Home: 336-8709 Work: 450-1484

Person making nomination: Randy Romeo
Address: 1 Sherwood Dr
Phone/Home: 327-7923 Work: 450-4897

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

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2008 DEC 19 P 2:57
CITY OF CONWAY

Please provide the following information for consideration to a City of Conway Board/Commission.
List community/civic activities. Indicate activities in which you (or your nominee) are or have been
involved.

Master Gardeners

Active parents in FFA & Band when children were at Conway High School

Indicate why you (or your nominee) are interested in serving on this board or commission and what
other qualifications apply to this position.

Professionally, I am a botanist and love plants. I am the current
president of the Arkansas Academy of Science and a member of the
Native Plant Society. I would love to connect with the
Conway community and contribute to the improvement
of Conway. I think that I have both the educational background
and practical skills to assist the board.

What contributions do you hope to make?

~~I~~ Besides assisting with the forest management plan ~~for~~
for trees on public property, should the board decide to
provide outreach activities to the community so that individuals
had more knowledge about where to plant, what to plant and
how to maintain trees, I would be willing to assist with these activities.*

Please feel free to attach to this application any additional information.

The City of Conway strives to ensure all City Boards are representative of our diverse community.

To assist in these endeavors; please provide the following information on a voluntary basis:

Age: 55 Sex: F Race: W

Occupation: professor (Hendrix College) Ward

Email Address: hardin@hendrix.edu

Joyce M. Hardin
Signature of Applicant or Nominator

12/17/08
Date

* This would mean a more beautiful Conway for all of us - not just the
public property.



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 12/15/08

Board applying for: (One board per form)

CONWAY TREE BOARD

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: RICHARD GRAFF

Address: 3640 BUTTERFLY DR City, State, Zip CONWAY, AR 72034

Phone/Home: 501-329-1558 Work: 501-733-1733

Person making nomination: _____

Address: _____

Phone/Home: _____ Work: _____

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

Please provide the following information for consideration to a City of Conway Board/Commission. List community/civic activities. Indicate activities in which you (or your nominee) are or have been involved.

2005 FAULKNER COUNTY LEADERSHIP
VARIOUS OTHER VOLUNTEER ACTIVITIES (UNITED WAY, SCHOOL, GREEN
GRIVE MASONIC LODGE, SHRINERS)

Indicate why you (or your nominee) are interested in serving on this board or commission and what other qualifications apply to this position.

I AND MY FAMILY HAVE A DEEP INTEREST IN MAINTAINING
AND IMPROVING THE QUALITY OF LIFE IN OUR COMMUNITY.

What contributions do you hope to make?

ASSISTANCE IN DEVELOPING AND IMPLEMENTING THE
ACTION PLANS OF THE BOARD.

Please feel free to attach to this application any additional information.

The City of Conway strives to ensure all City Boards are representative of our diverse community.

To assist in these endeavors; please provide the following information on a voluntary basis:

Age: 40 Sex: M Race: W

Occupation: SALES MANAGER, TOKUSEN USA Ward

Email Address: rgraff@tokusenusa.com


Signature of Applicant or Nominator

12/15/08
Date



Velton Daves, Chairman
1201 Oak Street
Conway, AR 72032

T 501-450-6105
F 501-450-6144

Conway City Council
City of Conway
1201 Oak Street
Conway, AR 72032

Dear Council Members,

The Old Conway Design Review Board advertised along with other city boards and commissions at the end of 2008 seeking new members. No nominations were received. In February, one nomination form was submitted. This nomination form was for Mr. Rod Miller.

Marianne Welch and Barbara Stroope rotated off the Board December 31, 2008. Ms. Stroope has agreed to serve an additional term as allowed by the revised Blue Ribbon Commission ordinance.

At the last Old Conway Design Review Board meeting on February 26th, 2009, the OCDRB voted unanimously to recommend the nomination of Mr. Rod Miller to fill the open Commission position and allow Ms. Barbara Stroope to serve an additional term.

Sincerely yours,

Velton Daves
Chairman, Old Conway Design Review Board



City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 1/25/09

Board applying for: (One board per form)

Old Conway Design Review Board

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: Rod Miller

Address: 904 Heather Ct. City, State, Zip Conway

Phone/Home: 336 9360 Work: 450 1423

Person making nomination: (Same)

Address: _____

Phone/Home: _____ Work: _____

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

Please provide the following information for consideration to a City of Conway Board/Commission. List community/civic activities. Indicate activities in which you (or your nominee) are or have been involved.

Excell Program - mentor

Art Judge for "Prodigal" show (FBC Little Rock) & Conway League of Artists
Class teaching at church

Indicate why you (or your nominee) are interested in serving on this board or commission and what other qualifications apply to this position.

I want Conway to preserve as best it can the historic elements it has left. I can offer my knowledge of the history of architecture.

What contributions do you hope to make?

To add my voice to those others that hope to make Conway an even better place in which to live.

Please feel free to attach to this application any additional information.

The City of Conway strives to ensure all City Boards are representative of our diverse community. To assist in these endeavors; please provide the following information on a voluntary basis:

Age: _____ Sex: _____ Race: _____

Occupation: _____ Ward _____

Email Address: Miller@hendrix.edu

Signature of Applicant or Nominator

Date

1/25/09

MEMORANDUM

6A-4

TO: MAYOR TAB TOWNSELL

FROM: RONNIE HALL, P.E.
CITY ENGINEER

DATE: March 5, 2009

REFERENCE: 2009 ANNUAL ASPHALT PAVING BIDS

Tabulated below are the bids received from the four bidders for Asphalt Paving work in the City of Conway on March 5, 2009.

<u>CONTRACTOR</u>	<u>BID AMOUNT ASPHALT SURFACE COURSE PER TON</u>	<u>BID AMOUNT ASPHALT BINDER COURSE PER TON</u>
Rogers Group – Conway	\$60.70	\$51.75
Blackstone Construction – Russellville	\$72.32	\$68.70
Crow Paving – Morrilton	\$78.00	\$76.00
Red Stone – Little Rock	\$87.50	\$81.50

I recommend award of the city's asphalt paving work to the low bidder, The Rogers Group, for the amount shown above.

MEMORANDUM

To: Mayor Tab Townsell

From: Ronnie Hall, P.E.
City Engineer

DATE: March 5, 2009

REFERENCE: 2009 Speed Humps

Tabulated below is a list of requested Speed Humps. The speed humps do not qualify for city funding and the property owners associations have agreed to pay for these humps. The cost of the speed humps for 2009 is \$1080.

The attached plans show the speed hump locations.

Nottingham Subdivision – 3 Speed Humps.

1. On Nottingham north of Dover
2. On Dover west of Cordoba
3. On Stockton between Nottingham and Cordoba

Southwind Subdivision – 4 Speed Humps

1. On Blustery Way @ 1439 Blustery Way
2. On Blustery Way @ 1360 Blustery Way
3. On Stonewood @ 2770 Stonewood
4. On Gardenia @ 1540 Gardenia

St. Johns Subdivision – 1 Speed Hump

1. On McConnell west of Brittany Circle

**SPEED HUMPS
SOUTHWIND SUB**

ER CHAPEL RD

SALEM RD

GARDEN WALK

WHIRLWIND DR

WINDSTORM DR

STONE WOOD DR

STONE CREST DR

CROSSPOINT RD

BLUSTERY WAY

SOUTH BEACH ST

DRIFTWOOD ST

GULF SHORE DR

FAVRE LN

MAKENZIE DR

YORK LN

JOSH DR

POPPY COVE

FAVRE

APPL

GARDENIA

CHINOOK DR

CHINOOK DR

WILDFLOWE

GARDENIA

M.K. CIR

GARDENIA

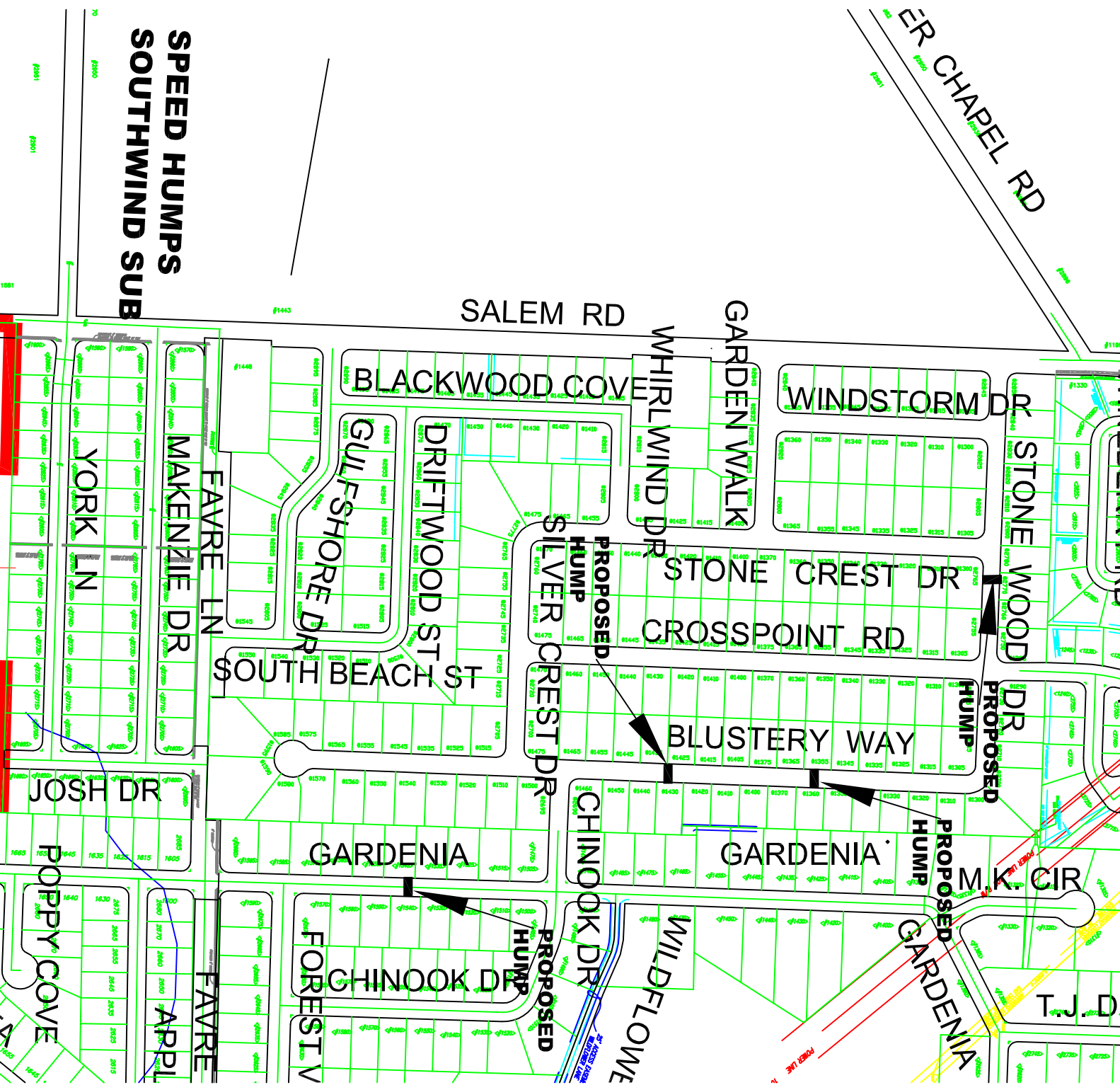
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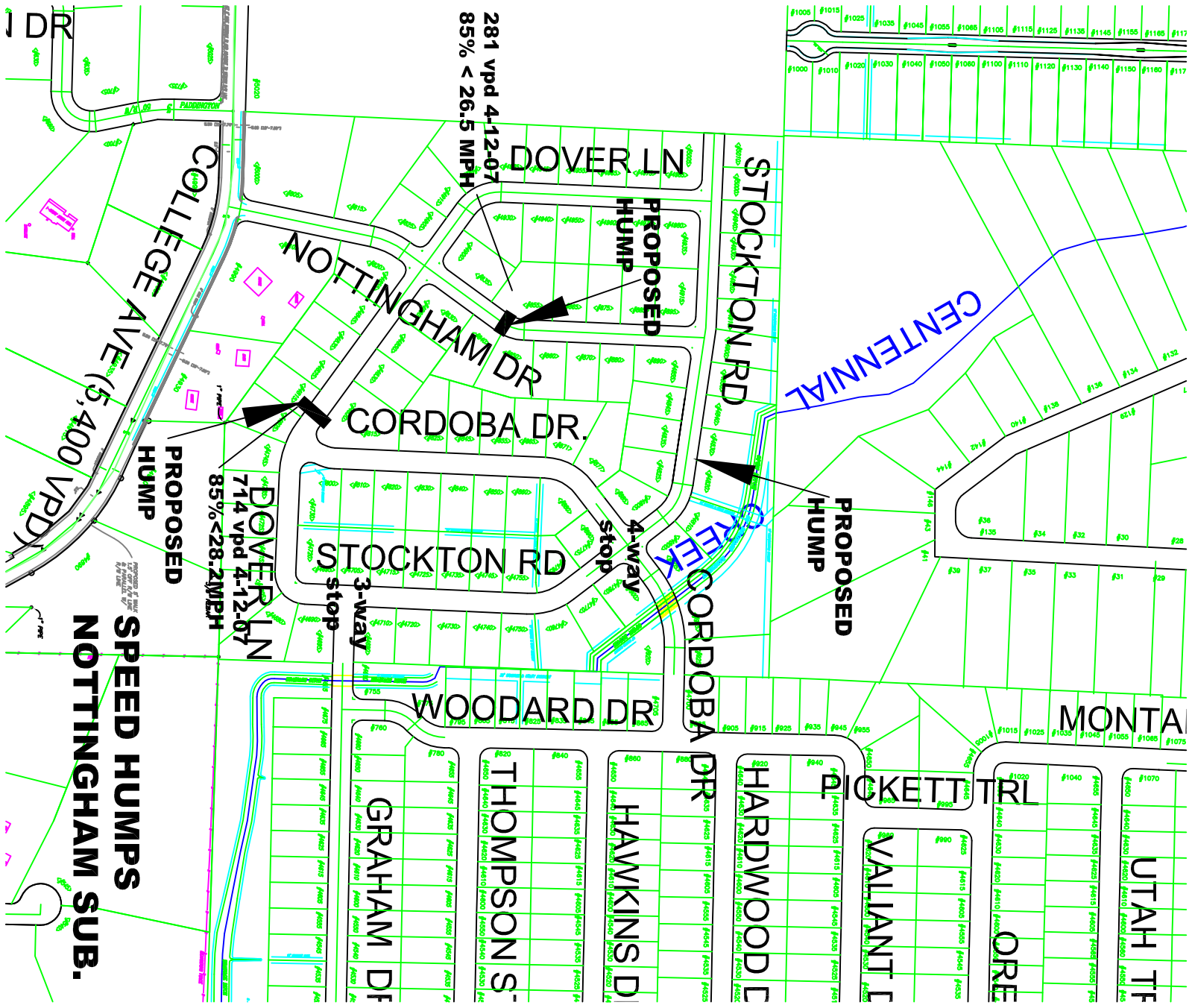
PROPOSED
SILVER CREST DR
HUMP

PROPOSED
DR
HUMP

PROPOSED
HUMP

PROPOSED
HUMP





**SPEED HUMPS
NOTTINGHAM SUB.**

281 vpd 4-12-07
85% < 26.5 MPH

714 vpd 4-12-07
85% < 28.2 MPH

**PROPOSED
HUMP**

**PROPOSED
HUMP**

CENTENNIAL

MONTA

UTAH TR

ORE

VALLANT I

HARDWOOD E

HAWKINS D

THOMPSON S

GRAHAM DR

CORDOBA DR

STOCKTON RD

CORDOBA DR

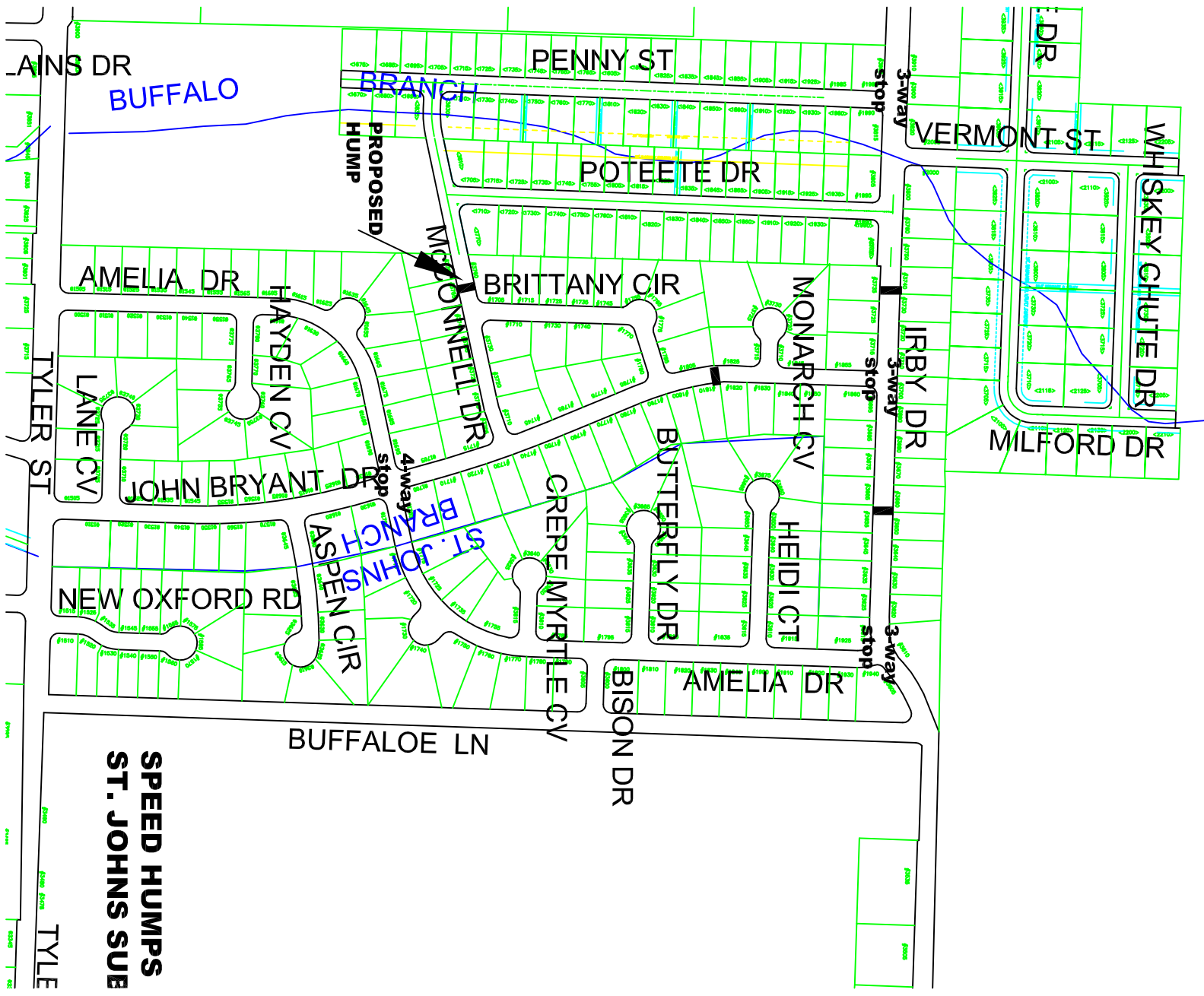
NOTTINGHAM DR

DOVER LN

STOCKTON RD

COLLEGE AVE (5,400 VPD)

DR



BUFFALO

BRANCH

PROPOSED HUMP

SPEED HUMPS
ST. JOHNS SUB

PENNY ST

POTEETE DR

BRITTANY CIR

MONARCH CV

VERMONT ST

WHISKEY CHUTE DR

MILFORD DR

IRBY DR

AMELIA DR

HAYDEN CV

MICHAEL DR

JOHN BRYANT DR

stop 4-way

CREPE MYRTLE CV

BUTTERFLY DR

HEIDI CT

stop 3-way

NEW OXFORD RD

ASPEN CIR

BRANCH

BISON DR

AMELIA DR

BUFFALO LN

LAUREN DR

TYLER ST

LANE CV

TYLER



City of Conway, Arkansas
Resolution No. R-09-_____

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY TO UTILIZE FEDERAL AID MONIES FOR THE FOLLOWING CITY PROJECT; INSTALLATION OF TRAFFIC SIGNAL HIGHWAY 60 AT COUNTRY CLUB ROAD

WHEREAS, the City of Conway understands Federal-aid Surface Transportation Program funds are available for certain City projects at the following Federal, State, and local participating ratios; and

Type Work	Work Phase	Federal Share	State Share	City Match
Traffic Signal / Intersection Improvements: State Highway System	Construction & Engineering	80%	10%	10%
	Right of Way & Utilities	0%	0%	0%
Projects programmed but not let to contract	All phases	0%	0%	0%

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

SECTION I. The City will participate in accordance with its designated responsibility in this project, which includes providing electrical service and maintenance of the traffic signal and associated control equipment.

SECTION II. The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this City project.

SECTION III. The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

Adopted this 10th day of March, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09-_____

A RESOLUTION AUTHORIZING EMINENT DOMAIN PROCEDURES; CONDEMNING CERTAIN REAL PROPERTY FOR RIGHT OF WAY FOR STREET IMPROVEMENTS; REPEALING CONFLICTING ORDINANCES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Ark. Code Ann. § 18-15-301 authorizes municipal corporations to exercise the right and power of eminent domain to enter upon and take and condemn private property for lawful public purposes; and

WHEREAS, it is necessary, in order to construct the Salem Road Railroad Overpass in the City of Conway, to acquire exclusive right of way, easement, and title across, through and over certain lands situated in the county of Faulkner, State of Arkansas, located on the south side of the Union Pacific Railroad and east of Salem Road (also known as the Tiffany Industries property); and

WHEREAS, the City has been unable, despite attempts, to obtain fee simple title from the landowner for the property necessary for such improvements.

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

SECTION 1. That the City of Conway hereby authorizes the exercise of its power of eminent domain pursuant to state law and condemns, for purposes of constructing the Salem Road Railroad Overpass in the City of Conway, the following lands situated in the County of Faulkner, State of Arkansas:

LEGAL DESCRIPTION

Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, T-6-N, R-14-W and Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, T-5-N, R-14-W, all in Faulkner County, Arkansas more particularly described as follows:

Commencing at the Southeast corner Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 35; thence North $88^{\circ}36'38''$ West along the South line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, a distance of 1055.38 feet to the POINT OF BEGINNING on the proposed right of way line of Salem Road; South $04^{\circ}57'06''$ West along said proposed right of way line, a distance of 34.52 feet; thence North $89^{\circ}37'57''$ West, along said proposed right of way line, a distance of 6.06 feet to the point on the existing right of way line of Salem Road; thence North $00^{\circ}08'13''$ West, along said right of way line, a distance of 918.59 feet; to a point on the Southerly right of way line of the Union Pacific Railroad (100' R/W); thence South $64^{\circ}21'09''$ East along said right of way line, a distance of 298.90 feet to a point on the said proposed right of way line; thence South $32^{\circ}48'45''$ West along said proposed right of way line, a distance of 273.09 feet; thence South $26^{\circ}11'11''$ West along said proposed right of way line, a distance of 140.79 feet; thence South $07^{\circ}50'08''$ West along said proposed right of way line, a distance of 224.82 feet; thence South $04^{\circ}57'06''$

West along said proposed right of way line, a distance of 211.63 feet to the POINT OF BEGINNING containing 1.99 acres, more or less.

SECTION 2. That the City Attorney and City Engineer are hereby authorized to take appropriate action to secure the necessary real property, right-of-way, and public easements.

SECTION 3. That any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

SECTION 4. That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway.

PASSED this 10th day of March, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-09- ____**

**AN ORDINANCE AMENDING CONWAY SIGN ORDINANCE O-06-134, SECTION 1301 OF THE
CONWAY ZONING ORDINANCE O-94-54 PROHIBITING ELECTRONIC BILLBOARDS:**

WHEREAS, The City of Conway has prohibited the use of electronic message boards throughout the City with the exception of static LED fuel price signs in the Interstate Zone; and

WHEREAS, The City of Conway wishes to clarify this prohibition of electronic message boards to include a prohibition of electronic message boards as billboards:

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

SECTION 1. That Section 3.05, Billboard Limitations of the Conway Sign Ordinance O-06-134; Section 1301 of the Conway Zoning Ordinance O-94-54 shall be amended with the following additional language:

“Billboards shall not consist of, nor utilize electronic message boards.”

SECTION 2. That Section 8.00, Definitions of the Conway Sign Ordinance O-06-134; Section 1301 of the Conway Zoning Ordinance O-94-54 shall be amended with the following additional language:

“Billboard- see “Off-Premise Sign”. Billboards shall not consist of, nor utilize electronic message boards.”

Off-Premise Sign also "Billboard"- A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising." **Off premise signs shall not consist of, nor utilize electronic message boards.”**

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

PASSED this 10th day of March, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

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



City of Conway, Arkansas

Ordinance No. O-09-_____

AN ORDINANCE ADOPTING A NUISANCE ABATEMENT AS PART OF THE CONWAY MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway presently regulates the maintenance of property through several ordinances and code sections;

WHEREAS, large portions of these ordinances and code sections are not written in a manner consistent with the Arkansas Fire Prevention Code of 2007; and

WHEREAS, the new Nuisance Abatement Code is designed to be consistent with both the Arkansas Fire Prevention Code and the Conway Zoning Ordinance; and

WHEREAS, during the 2007, the State of Arkansas adopted new legislation granting cities greater authority to mitigate nuisances and the new Nuisance Code references and incorporates this authority; and

WHEREAS, reasonable and enforceable regulations of nuisance abatement code benefit public health, safety and welfare and enhances the value of the properties so regulated.

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

SECTION 1: That the Nuisance Abatement Code, attached hereto as Exhibit "A" and incorporated herein by reference, is hereby adopted in its entirety.

SECTION 2: That the Nuisance Abatement code be codified within Title 5, Health and Sanitation, by the addition of Chapter 5.09, Nuisance Abatement.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict. Specifically,

Chapter 5.04.11, Subsection A (as created by Ord. No. O-96-78)

Chapter 5.08, Sections 01, 02, 03, 04, 05 (as created by Ord. Nos. 04-95, O-01-63, O-04-54, O-00-161, O-75-19, O-79-40)

Chapter 9.44 (as created by Ord. No. O-02-53)

Chapter 11.24 (as created by Ord. No. A-420)

of the Conway Municipal Code are hereby repealed.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: It is hereby found and determined that the adoption of this Ordinance is immediately necessary to insure the proper and orderly growth of the City of Conway, Arkansas and is necessary for the immediate preservation of public, health, safety and welfare; **THEREFORE**, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage.

PASSED this 10th day of March, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09-_____

BE IT RESOLVED BY THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS, A RESOLUTION ENTITLED;

A RESOLUTION ACCEPTING THE MODIFICATION OF THE EXISTING CLASS 1 LANDFILL BY THE CITY OF CONWAY;

A RESOLUTION EXPRESSING THE SUPPORT OF THE CITY OF CONWAY, ARKANSAS, FOR THE FOLLOWING:

WHEREAS, the Conway, Arkansas, acknowledges the fact that the City of Conway owns and operates a Class 1 Landfill in Faulkner County, Arkansas, located in Sections 32 & 33, Township 6 North, Range 14 West. The existing Class 1 Landfill currently operates in accordance with Solid Waste Permit No 252-S issued, by the Arkansas Department of pollution Control and Ecology, now known as the Arkansas Department of Environmental Quality;

WHEREAS, the City of Conway, wishes to expand the existing landfill operations to include the planning, permitting, design, and development of a vertical expansion to the existing permitted Class 1 municipal solid waste landfill presently owned by the City of Conway Pursuant to Arkansas Regulation 22, the Class 1 landfill will accept only Class 1 solid waste as defined by Regulation 22;

WHEREAS, in accordance with A.C.A.8-6-1501 and Arkansas Regulation 22, the City of Conway hereby acknowledges that a rebuttable presumption exists against permitting the construction or operation of any new landfill within 12 miles of any existing high-impact solid waste facility, or permitting an expansion of landfill capacity for an existing landfill; and,

WHEREAS, the City of Conway, Arkansas, the nearest governmental unit to said landfill, as measured along the major facility access roads and highways, possessing zoning authority encompassed with a twelve-mile radius of the proposed Class 1 landfill expansion.

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

The City of Conway, Arkansas, hereby resolves to accept and support the vertical expansion of the existing Class 1 landfill as proposed by the City of Conway, as allowed in Arkansas Regulation 22.204 for providing convenient and economical waste disposal for the City of Conway, Faulkner County, and surrounding communities.

ADOPTED AND APPROVED THIS 10th DAY OF MARCH 2009.

Approved:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-09-__**

AN ORDINANCE AUTHORIZING A CHANGE IN STAFFING LEVELS FOR THE SANITATION DEPARTMENT; AND FOR OTHER PURPOSES:

WHEREAS, the Sanitation Department currently utilizes part time employees for yard waste and other collection duties; and

WHEREAS, the employees are currently occupying full time positions, which are needed to be filled by full time employees due to the workload of the department and availability of qualified applicants;

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

SECTION 1. The authorized staffing level in the City of Conway Sanitation Department is increased by four (4) part time collector positions.

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

PASSED this 10th day of March 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

AGREEMENT

This Agreement is entered this _____ day of _____, 2009, between the City of Conway, Arkansas (hereinafter, "City"), and Independent Living Services (hereinafter, "ILS").

WITNESSETH:

WHEREAS, the City of Conway desires to encourage its citizens to reduce, reuse, and recycle by providing a facility where citizens may deposit recyclable materials; and

WHEREAS, ILS desires to help people with developmental disabilities live as independently as possible within this community by helping them meet their transportation, employment, and training needs; and

WHEREAS, these objectives may be accomplished by the interaction of ILS' consumers with the City of Conway and its Sanitation Department.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND AGREEMENTS TO BE KEPT AND PERFORMED ON THE PART OF SAID PARTIES HERETO, RESPECTIVELY AS HEREIN STATED, THE PARTIES AGREE AS FOLLOWS:

1. **SERVICES**

ILS shall provide up to ten (10) consumers to work each day at the City's MRF facility. The number of consumers brought to the facility shall be determined day to day by Recycling Supervisor/Manager and communicated the day before.

2. **CONSIDERATION**

In consideration for providing the above-described services, the City shall pay to ILS the sum of \$10.31 per each hour worked by each consumer. ILS shall submit billing invoices to City, and City shall remit payment, on a monthly basis.

3. **TERMS**

The initial term of this Agreement shall be for a period commencing April 1, 2009, to and including, December 31, 2009. Absent termination by one of the parties hereto, or amendments mutually agreed upon by the parties, this Agreement shall automatically be renewed for additional terms of one year. This Agreement and all performances and obligations required hereunder may be terminated by the Mayor of the City of Conway or the Executive Director of ILS at any time and for any cause provided that the terminating party provides the other party with written notice of termination fifteen (15) days prior to the date of termination.

4. **PERSONNEL**

Any consumer provided by ILS City shall be considered an employee of ILS; at no time shall any consumer be considered an employee or agent of the City. Notwithstanding anything contained in this Agreement, the consumer shall at all times be subject to the policies and procedures of ILS. ILS shall be responsible for the selection of any and all consumers. ILS shall provide for any and all transportation costs, insurance (including, but not limited to, worker's compensation, medical, health, etc.), hourly wages and overtime, and any other amounts that are or may be required under state or federal law.

5. **NOTICES**

Notices hereunder shall be given by first-class mail or personal service. Notice to the City shall be delivered or addressed to the Mayor, City of Conway, 1201 Oak Street, Conway, AR 72032. Notice to the Independent Living Services shall be delivered or addressed to the Executive Director, Jackie Fliss, P.O. Box 1990, Conway, Arkansas, 72033.

6. **MUTUAL COVENANTS**

ILS shall defend, indemnify and hold harmless City from and against all claims, demands, payments, suits, actions, proceedings, and judgments of every nature and description including attorneys' fees and costs, presented, brought, or recovered against City for, or on account of any liability which may be incurred by reason of, or arising out of, ILS' performance under this Agreement, including but not limited to any claims which arise from ILS activities. The defense obligation provided for hereunder shall apply without any advance showing of negligence or wrongdoing by the ILS, its employees, agents, and/or authorized subcontractors, but shall be required whenever any claim, action, complaint, or suit asserts as its basis the negligence, errors, omissions or misconduct of ILS, its employees, agents, and/or authorized subcontractors, and/or whenever any claim, action, complaint or suit asserts liability against the City, its elected officials, officers, agents and employees based upon the activities of ILS, its employees, agents, and/or authorized subcontractors under this Agreement, whether or not the contractor, its employees, agents, and/or authorized subcontractors are specifically named or otherwise asserted to be liable. Notwithstanding the foregoing, ILS shall not be liable for the defense or indemnification of the City for claims, actions, complaints or suits arising out of the sole negligence or willful misconduct of the City.

7. **ADDITIONAL PROVISIONS**

The headings used in this Agreement are for convenience of the parties only and shall not be considered in interpreting the meaning of any provision of this Agreement.

This Agreement and the performance of services required hereunder shall not be assigned or subcontracted by either party without the written consent of the other party.

The provisions of this Agreement shall extend to and be binding upon the City and ILS and their respective legal representatives, successors and assigns.

This Agreement terminates and supersedes all prior understandings or agreements on the subject matter hereof. This Agreement may be modified only by a further writing that is duly executed by both parties. This is the entire agreement.

This Agreement shall be governed, construed and interpreted by, through and under the Laws of the State of Arkansas

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date first above written.

Independent Living Services

City of Conway

Jackie Fliss, Executive Director

Mayor Tab Townsell

Date: _____

Date: _____

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss
COUNTY OF FAULKNER)

On this day, personally appeared before me Tab Townsell, Mayor of the City of Conway, known to me to be the person whose name is subscribed to the within instrument and he, as Mayor of the City of Conway, executed the same for the purposes therein contained.

Witness my hand and official seal this _____ day of _____, 2009.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

/ /

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) ss
COUNTY OF FAULKNER)

On this day, personally appeared before me Jackie Fliss, known to me to be the person whose name is subscribed to the within instrument and he executed the same for the purposes therein contained.

Witness my hand and official seal this _____ day of _____, 2009.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

/ /

M E M O R A N D U M

TO: **The Honorable Tab Townsell
and Members of City Council**

FROM: **A. J. Gary
Chief of Police**

DATE: **March 3, 2009**

REFERENCE: **Disposal of property**

The Police Department currently has two (2) Harley Davidson motorcycles, which were replaced recently. I would like to request approval to remove these items from our inventory listing and to dispose of them. The motorcycles will be sold through public auction (via ebay or other internet auction) to the highest bidder and offered for sale in "as is" condition.

The Police Department also has three (3) police dogs retiring and being awarded to their handlers, as is customary. I would like approval to remove these animals from inventory as well. This action will result in the Police Department having two (2) police dogs after acquiring the latest one in 2009. All previous animals have been retired.

As you are aware, the new Police facility will be ready very soon. I am providing a listing of items which are in the current building and/or on our inventory listing which will not be moved to the new building. As the old building will be razed shortly after we relocate, I am requesting approval of disposal of the items listed. The means of disposition will be (1) transfer to other city departments, using the appropriate asset transfer form; (b) sold through auction in "as is" condition; or (c) discarded.

Police Dept. Inventory/Items To Be Disposed Of

Item	Qty	Locations
Desks	41	All through out PD & CID
Orange/brownish chairs	26	All through out PD
Filing Cabinets	4	Ralph's office, PIO's office
Desk Chairs	39	All through out PD & CID
Maroon Side Chairs	9	All through out PD
Brown leather	4	kitchen
Gray side chair	1	
Bookshelves	5	Records, Major Taylor's office & CID
Side tables	10	All through out PD & CID
Lockers	25	All through out PD
Brown rectangle tables	9	All through out PD & CID
Big metal double door cab.	1	Major Taylors office
old court room seating	2	lobby, hallway
Lateral file cabinet	1	Chief's office
Metal credenza	1	PIO's office
Small rolling 1 drawer cabinet	1	Chief's conference room
Small black cabinet/shelf	1	Chief's office
Black Metal cabinet	1	CID
File Cabinets	1	CID
Big off white rectangle table	1	CID

Please note these quantities are approximate and that a detailed list will be delivered to Finance once move is complete. Listed items will be disposed of in one of the following ways: destroyed, transferred to another department, or auctioned off.



**City of Conway
Information Technology**

MEMORANDUM

TO: City of Conway / City Council
FROM: Lloyd Hartzell / Chief Information Officer
DATE: March 2, 2009
SUBJECT: Acceptance of Bid for Outdoor Warning Sirens

Bids were accepted on Wednesday, February 25, 2009 for the purchase of two (2) new outdoor warning sirens for the City of Conway. A total of two (2) bids were received, however, one (1) was received late.

Public Safety Systems	\$38,628.58	
Washington Electronics, Inc	\$35,426.00	(Late bid rec'vd) at 1:13pm on 2/25/2009

I would like to recommend that the Council accept the bid received from Public Safety Systems, Inc. for the outdoor warning sirens in the amount of \$38,628.58.

Funding for these outdoor warning sirens is included in the 2009 budget.

Thank you for your consideration.

Sincerely,

Lloyd Hartzell
Chief Information Officer

Memo:

To: Mayor Tab Townsell
 From: Chief Castleberry
 Date: 3/6/2009
 Re: Conway Fire Department – Uniform Justification

On January 27 2009 at 10:00am at City Hall; bids were opened for uniforms for the Conway Fire Department. These bids included Uniform pants, uniform shirt, pick-up and delivery for laundering services, and maintenance repairs to clothing. All companies required a 3 year minimum contract. The following proposals were submitted; they are tabulated as follows:

Unifirst	\$ 22,277	<ul style="list-style-type: none"> Did not meet bid specifications: Replacement of damaged uniforms, will not provide size changes with no additional cost, fabric make-up was not to specifications, and garment weight specification were not met.
G & K Services	\$ 23,754	<ul style="list-style-type: none"> Did not entirely meet one bid specification; however they will meet us halfway on the specification only charging for changes in emblems at \$1.00 per garment whereas the other vendors would not replace the changes at all.
Aramark	\$ 25,459	<ul style="list-style-type: none"> Did not meet bid specifications: Fabric make-up specifications were not, garment weight specifications were not met, and could not remove all company logos.
Cintas	\$ 27,014	<ul style="list-style-type: none"> Originally said they did meet all specification; although after further review it was found that they did not meet fabric make-up and weight specifications.
AmeriPride	\$ 41,961	<ul style="list-style-type: none"> Did not meet bid specifications: Would not replace damaged garments.

We recommend the approval of the submitted bid by G & K Services for purchase of these items.

Please advise if you have any questions.

Memo

To: Mayor Tab Townsell
From: Chief Castleberry
Date: 3/6/2009
Re: Conway Fire Department – Turnout Gear Justification

On January 29, 2009 at 10:00am at City Hall; request for bids from interested companies to provide turnout gear for the Conway Fire Department were opened. The following proposals were submitted; they are tabulated as follows:

Pro Fire Equipment	\$ 1,775.30
Wayest Safety Inc.	\$ 1,831.68

*3 year contract to maintain consistency and integrity of personal protective gear.

Total - \$ 1,775.30

We recommend the approval of this submitted bid by Pro Fire for the purchase of these items.

Please advise if you have any questions.