

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:  
*Presentation of Concept Plan for Pompe Park*  
By: *Crafton Tull Sparks***  
**6:30pm -- City Council Meeting  
Courtroom in District Court Building  
810 Parkway, Conway, AR 72032  
November 24<sup>th</sup>, 2009**

1. **Call to Order**
2. **Roll Call**
3. **Minutes:** *November 3, 2009*
4. **Recognition of Guests:** *Employee Service Awards / Wescon Update from Elwood Smith*
5. **Public Hearings:**
6. **Report of Standing Committees:**

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

1. Resolutions requesting the Faulkner County Tax Collector to place certified liens on certain properties as a result of incurred expenses by the City.
2. Resolution setting a public hearing to discuss the closing of a 15' extended overhead electric utility easement located in part of the Block 6 of the west end addition at 2740 College Avenue.
3. Resolution setting a public hearing to discuss the closing of a portion of right of way located at the Northeast & Southeast corner of Prince Street & Western Avenue.
4. Consideration of a conditional use permit to allow a transmission (cell) tower on property located at 1313 Deer Street.
5. Consideration of a conditional use permit to allow a bookstore (college textbook store) for property located at 708 S. Donaghey Avenue.
6. Consideration of a conditional use permit to allow an automotive repair and service center for property located at 941 Locust Street.
7. Consideration of a conditional use permit to allow a drive through pickup window for property located at 2625 Donaghey Avenue, Suite 101, Townsend Center.
8. Ordinance appropriating funds to reimburse the Department of Finance for an outstanding construction surcharge balance.
9. Consideration to accept bids for the electronic equipment for Traffic signal controllers & Master Signal Controller for the Conway Street Department.

10. Consideration to accept bids on an asphalt roller & Dump Truck for the Conway Street Department.
11. Consideration to accept bids on the Safe Route to School Sidewalk Project.  
*(Information to be provided at meeting)*

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

1. Resolution approving the concept plan from Crafton Tull Sparks for Pompe Park.

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

1. Ordinance accepting grants funds received from the JAG Grant for the Conway Police Department.
2. Ordinance accepting & appropriating restitution for overtime performed by the Conway Police Department.
3. Ordinance appropriating funds for the Shop Secure Program for the Conway Police Department.
4. Consideration to accept legal services to represent management in Civil Service Commission appeal hearings for 2010.

**D. Finance**

1. Discussion of the FY2010 City of Conway budget.  
*(Items will be provided prior to meeting)*

**7. Old Business**

**8. New Business**

- A. Ordinance amending section 4.56 of the Conway Municipal Code in regards to wrecker services for city tows.
- B. Consideration to enter into an agreement with the Conway Towing Associate for wrecker services for the City of Conway.
- C. Consideration to lease space in the Pine Street Community Center.

**Adjournment**



City of Conway - Mayor's Office  
1201 Oak Street  
Conway, AR 72032  
[www.cityofconway.org](http://www.cityofconway.org)



## Memo:

**To:** Mayor Tab Townsell  
**CC:** City Council Members  
Barbara McElroy, Code Enforcement

**From:** Felicia Rogers  
**Date:** November 19, 2009  
**Re:** Certified Liens – Code Enforcement

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The following resolutions are included for a request to the Faulkner County Tax collector to place a certified lien against real property as a result of incurred expenses by the City.

The properties & amount (plus a ten percent collection penalty) are as follows:

- |                      |          |
|----------------------|----------|
| 1. 1922 Bruce Street | \$157.15 |
| 2. 2735 Arrow Smith  | \$196.01 |
| 3. 2504 Zoysia       | \$300.04 |

Please advise if you have any questions.



**City of Conway, Arkansas**  
**Resolution No. R-09-\_\_\_\_\_**

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 1922 Bruce Street within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$157.15 (plus a ten percent collection penalty) to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **November 24th, 2009** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

**SECTION 2:** That this Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** this 24<sup>th</sup> day of November, 2009.

**Approved:**

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

**Attest:**

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

**Conway Code Enforcement  
Incident Report**

**Date of Violation:** 9-11-09

**Violator Name:** CK Development, LLC

**Address of Violation:** 1922 Bruce Street

**Violation Type:** Appliance/Furniture

**Warning #:** CE9317

**Description of Violation and Actions Taken:**

On 9-11-09 I received a complaint in reference to some old couches left next to the dumpster for the apartments at 1922 Bruce Street. Upon arrival I noticed that there was two old couches which had been left next to the city supplied dumpster at the apartments. I issued a warning (CE9317) to the owner of the apartments at this time. The warning was sent to the owner via certified mail to the listed mailing/billing address in Arkansas County Data. The violation was rechecked on 9-24-09 by Officer Haynes due to my being out of town on vacation. No progress was noted at this time by Officer Haynes. I rechecked the property on 10-1-09 and no progress had been made at this time. The property was scheduled for cleanup at this time and pictures were taken of the violation. The property was cleaned on 10-6-09 and pictures were taken after the property was cleaned. The items removed from the property were taken to the City of Conway Landfill for disposal. Pictures are on file for viewing/review. A bill was sent to the owners via regular and certified mail.

**Code Enforcement Officer:** Grant Tomlin

**Officer Signature:** \_\_\_\_\_



**Date:** 10-20-09

**Time:** 1220



**City of Conway, Arkansas**  
**Resolution No. R-09-\_\_\_\_\_**

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 2735 Arrow Smith within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$196.01 (plus a ten percent collection penalty) to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **November 24th, 2009** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

**SECTION 2:** That this Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** this 24<sup>th</sup> day of November, 2009.

**Approved:**

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

**Attest:**

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

**Conway Code Enforcement  
Incident Report**

**Date of Violation:** 8-19-09

**Violator Name:** Aaron and Gina Voyles

**Address of Violation:** 2735 Arrow Smith

**Violation Type:** Tall Grass

**Warning #:** CE9232

**Description of Violation and Actions Taken:**

On 8-19-09 I was checking the Crosspoint Subdivision for code violations. While driving through the neighborhood, I found that 2735 Arrow Smith was in violation of the Conway Nuisance Abatement Code for tall grass. A warning (CE9232) was issued for the property at this time. The warning was sent via certified mail to the mailing/billing address listed in Arkansas County Data due to the fact that the residence was vacant. The property was rechecked on 9-1-09 and no progress was noted. The property was placed on the cleanup schedule and pictures were taken at this time. The property was mowed on 10-5-09 with pictures taken before and after cleanup was completed. A bill was sent to the owner via certified mail. Pictures are on file for viewing/review.

**Code Enforcement Officer:** Grant Tomlin

**Officer Signature:** \_\_\_\_\_



**Date:** 10-20-09

**Time:** 1306



**City of Conway, Arkansas**  
**Resolution No. R-09-\_\_\_\_\_**

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 2504 Zovsia within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$300.04 (plus a ten percent collection penalty) to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **November 24th, 2009** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

**SECTION 2:** That this Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** this 24<sup>th</sup> day of November, 2009.

**Approved:**

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

**Attest:**

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





**City of Conway, Arkansas**  
**Resolution No. O-09-\_\_\_\_\_**

**A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE CLOSING OF A 15' EXTENDED OVERHEAD ELECTRIC UTILITY EASEMENT LOCATED IN PART OF BLOCK 6 OF THE WEST END ADDITION AT 2740 COLLEGE AVENUE:**

**WHEREAS**, a petition has been filed with the City Council of the City of Conway, Arkansas by **Kids Play Properties, LLC** to abandon a 15' extended overhead utility easement described as lying in part of Block 6, West End Addition, to the City of Conway, Faulkner County Arkansas for overhead electric facilities more particularly described as

Commencing at the SE corner of Block 6, West End Addition to the City of Conway; thence North 87 degrees 45 minutes 07 seconds West 222.57 feet to the southwest corner of Lot 6, Tucker Creek Professional Park Addition to the City of Conway; thence North 87 degrees 44 minutes 22 seconds West 342.57 feet to a point; thence North 15.01 feet to a point; thence North 02 degrees 48 minutes 13 seconds East 23.77 feet to a point; thence North 19 degrees 10 minutes 03 seconds East 128.38 feet to the point of beginning; thence North 19 degrees 10 minutes 03 seconds East 40.25 feet to a point; thence South 87 degrees 47 minutes 48 seconds East 15.68 feet to a point; thence South 19 degrees 10 minutes 03 seconds West 94.00 feet to a point; thence North 02 degrees 12 minutes 12 seconds East 51.41 feet to the point of beginning

and within the corporate limits of the City of Conway, Arkansas; and

**WHEREAS**, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

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

1. That the City Council shall hear said petition at its regular meeting to be held at District Court Building, 810 Parkway Street, Conway, Arkansas, on the 8<sup>th</sup> day of December 2009 at 6:30 p.m.
2. That the City Clerk is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the manner prescribed by law.

**PASSED** this 24<sup>th</sup> day of November, 2009.

**APPROVED:**

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

ATTEST:

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



**City of Conway, Arkansas**  
**Resolution No. R-09-\_\_\_\_\_**

**A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS ABANDONING A PORTION OF RIGHT OF WAY LOCATED AT THE NORTHEAST & SOUTHEAST CORNER OF PRINCE STREET & WESTERN AVENUE; WITHIN THE CITY OF CONWAY**

**WHEREAS**, a request has been filed with the City Council of the City of Conway, Arkansas by **the City of Conway to abandon a portion of the right of way located at the Northeast & Southeast corner of Prince Street and Western Avenue** within the corporate limits of the City of Conway, Arkansas; and

**WHEREAS**, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

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

1. That the City Council shall hear said petition at its regular meeting to be held at District Court Building, 810 Parkway Street, Conway, Arkansas, on the 8<sup>th</sup> day of December, 2009 at 6:30pm.
2. That the City Clerk is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the manner prescribed by law.

**PASSED** this 24<sup>th</sup> day of November, 2009.

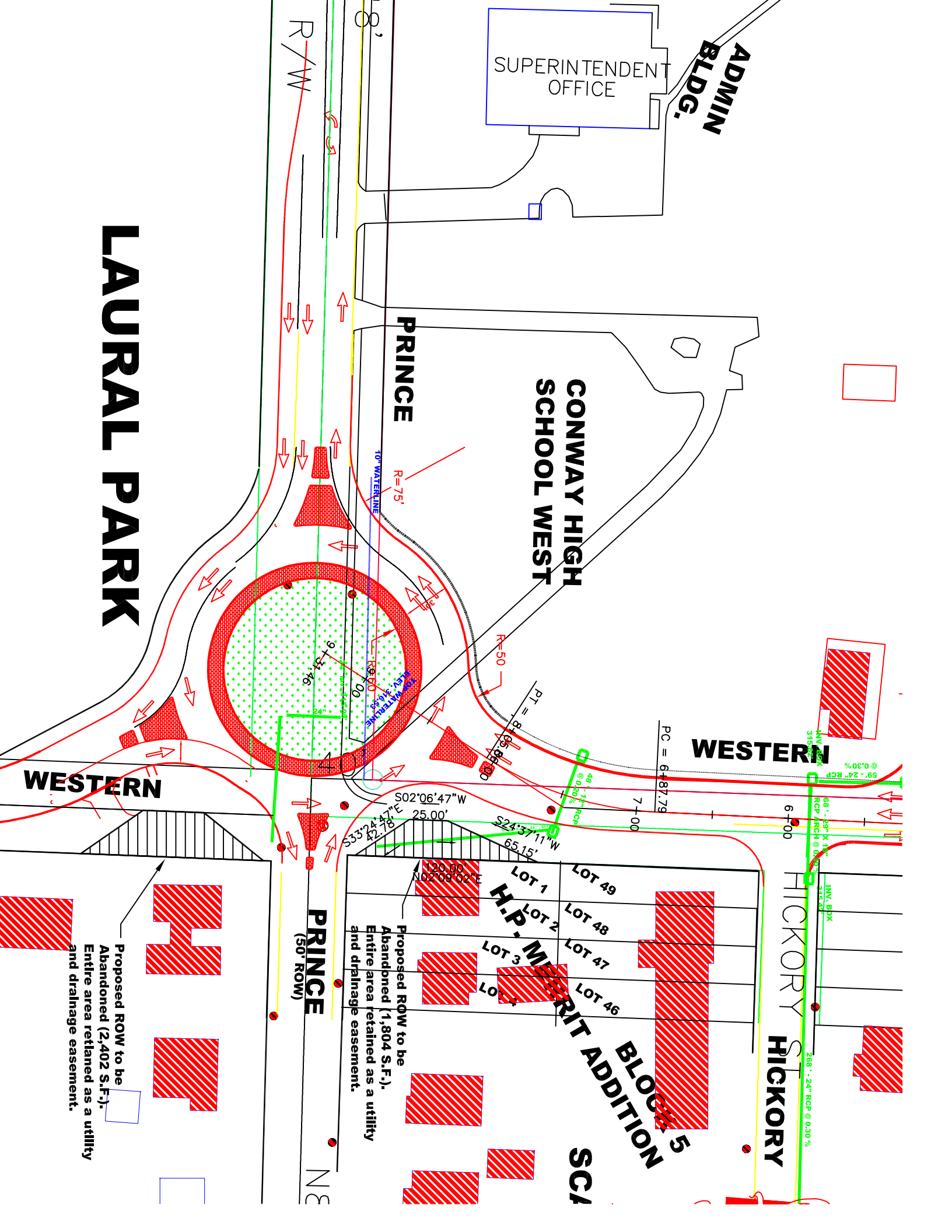
**APPROVED:**

**ATTEST:**

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

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

# LAURAL PARK



Proposed ROW to be Abandoned (2,402 S.F.). Entire area retained as a utility and drainage easement.

Proposed ROW to be Abandoned (1,804 S.F.). Entire area retained as a utility and drainage easement.



# CONWAY PLANNING COMMISSION

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

November 17, 2009

Council Members  
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow a transmission (cell) tower for property located at 1313 Deer Street with the legal description:

Lots 1, 2, 3, 4 and 7, 8, 9, 10, Block 23, Robinson's Plan to the City  
of Conway, Arkansas

was reviewed by the Planning Commission at its regular meeting on November 16, 2009. The Planning Commission voted 7 – 1 that the request be sent to the City Council with a recommendation for approval subject to the conditions stated below. Planning Commissioner Terry Sossong voted against the motion to approve this conditional use request.

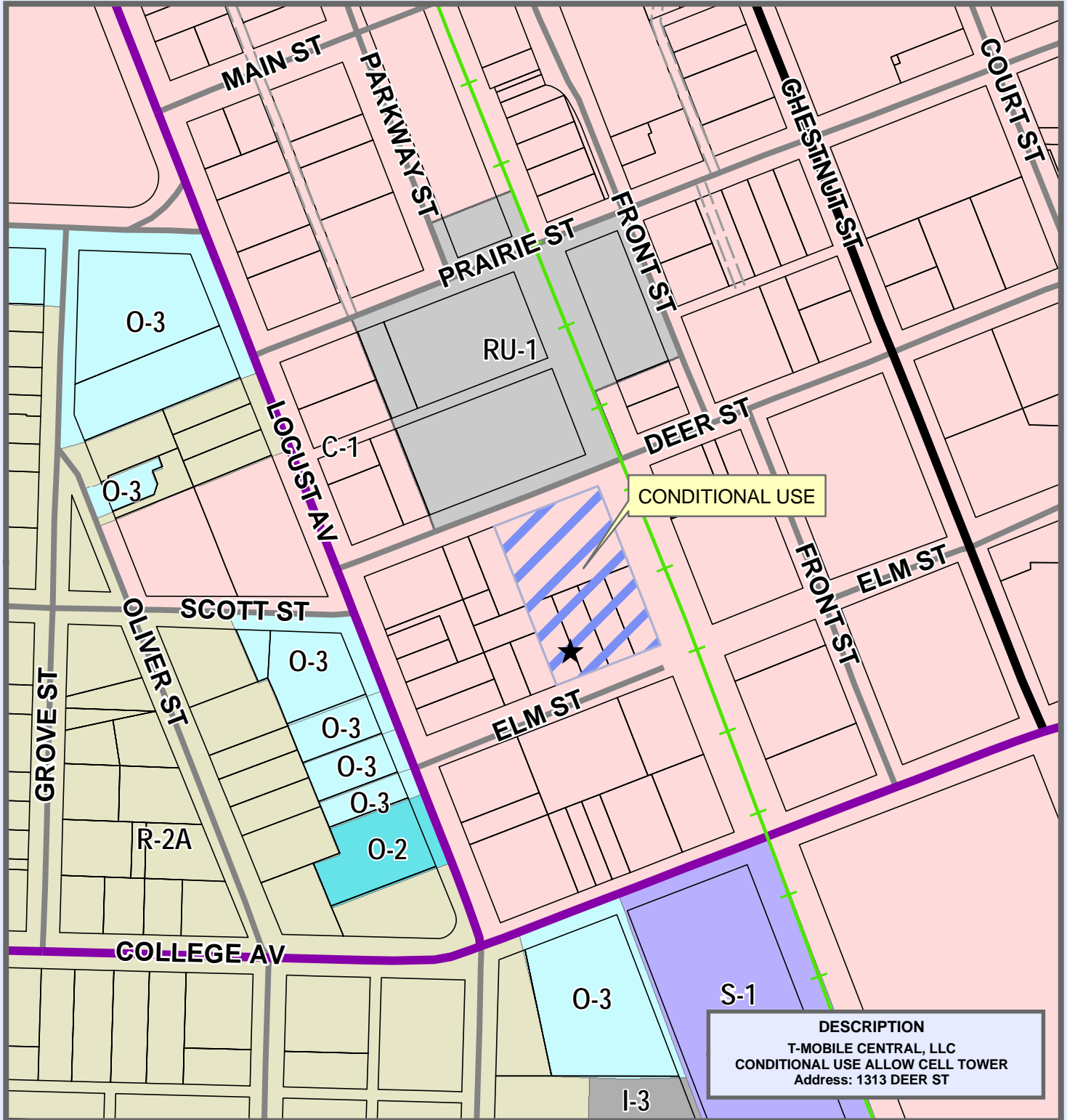
1. Monopole tower, 150-foot maximum height, of stealth design.
2. No external antennae or cabling allowed.
3. No signs, banners or advertising except for signage required by the FCC.
4. No lighting except that required by the FAA and/or emergency lighting inside the compound.
5. Forty-foot by forty-foot compound surrounded by 8-foot wood fence.
6. Height will not exceed FAA regulations for height in that particular area.
7. If the utility transformer or telephone rack cannot be built inside the compound, it is to be built outside and at least 6 feet away from fence to prevent someone from climbing onto transformer and jumping over fence.

Submitted by,

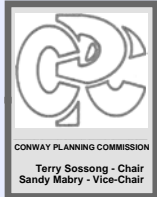
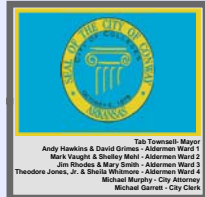
Terry Sossong, Chairman  
Planning Commission

# CITY OF CONWAY

## T-MOBILE CENTRAL LLC CONDITIONAL USE



**DESCRIPTION**  
**T-MOBILE CENTRAL, LLC**  
**CONDITIONAL USE ALLOW CELL TOWER**  
**Address: 1313 DEER ST**



<ul style="list-style-type: none"> <li>— INTERSTATE</li> <li>— MAJOR ARTERIAL</li> <li>— MINOR ARTERIAL</li> <li>— COLLECTOR</li> <li>— RESIDENTIAL</li> <li>— PRIVATE ROAD</li> <li>— INTERSTATE RAMP</li> <li>— RAILROADS</li> </ul>	<ul style="list-style-type: none"> <li>— LOT LINE</li> <li>— STREAMS</li> <li>— LAKES &amp; PONDS</li> <li>— CITY LIMITS</li> </ul>
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<b>Residential</b> R-1 R-2A R-2 HR SR	<b>Industrial</b> MF-1 MF-2 MF-3 RMH I-3
<b>Commercial</b> C-1 C-2 C-3 C-4	<b>Office</b> O-1 O-2 O-3

0 25 50 100 150 Feet

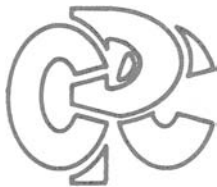
1 in = 250 ft

**NOVEMBER 2009**

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

**CONTACT INFORMATION**  
 LANDMARK GIS WEBSITE  
[gis.cityofconway.org/LANDMARK\\_DEVELOPMENT](http://gis.cityofconway.org/LANDMARK_DEVELOPMENT)  
 E-MAIL: Jason.Lyon@CityOfConway.org

Printing Date: 11/20/09  
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 Date: 11/20/09 11:20:09 AM  
 Project: 09-001-T-Mobile Central LLC CU.mxd



# CONWAY PLANNING COMMISSION

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

November 17, 2009

Council Members  
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow a bookstore (college textbook store) for property located at 708 South Donaghey Avenue with the legal description:

Lots 5 and 6, Block 2, Harlan Park Subdivision to the City of Conway, Arkansas, as shown on plat of record in Plat Book A, page 212, records of Faulkner County, Arkansas.

LESS AND EXCEPT: Part of Lots 5 and 6 of Block 2, Harlan Park Subdivision to the City of Conway, Faulkner County, Arkansas more particularly described as follows: Starting at the Northeast corner of Lot 6 of Block 2 of Harlan Park Subdivision; thence South 01 degrees 56 minutes 17 seconds West along the East line of said Lot 6 a distance of 79.80 feet to a point on the Northerly existing right of way line of State Highway 60 for the point of beginning; thence North 88 degrees 11 minutes 07 seconds West along said existing right of way line a distance of 100.56 feet to a point; thence North 49 degrees 11 minutes 55 seconds West along said existing right of way line a distance of 44.04 feet to a point; thence North 87 degrees 55 minutes 02 seconds West along said existing right of way line a distance of 13.02 feet to a point on the Easterly existing right of way line of South Donaghey Street; thence North 02 degrees 00 minutes 34 seconds East along said existing right of way line a distance of 87.41 feet to a point on the Northerly proposed right of way line of State Highway 60; thence South 87 degrees 58 minutes 28 seconds East along said proposed right of way line a distance of 17.03 feet to a point; thence South 02 degrees 01 minutes 29 seconds West along said proposed right of way line a distance of 60.00 feet to a point; thence South 42 degrees 58 minutes 28 seconds East along said proposed right of way line a distance of 63.64 feet to a point; thence South 81 degrees 34 minutes 34 seconds East along said proposed right of way line a distance of 86.45 feet to the point of beginning and containing 3,014 square feet, more or less.

was reviewed by the Planning Commission at its regular meeting on November 16, 2009. The Planning Commission voted 8 – 0 that the request be sent to the City Council with a recommendation for approval subject to the conditions stated below.

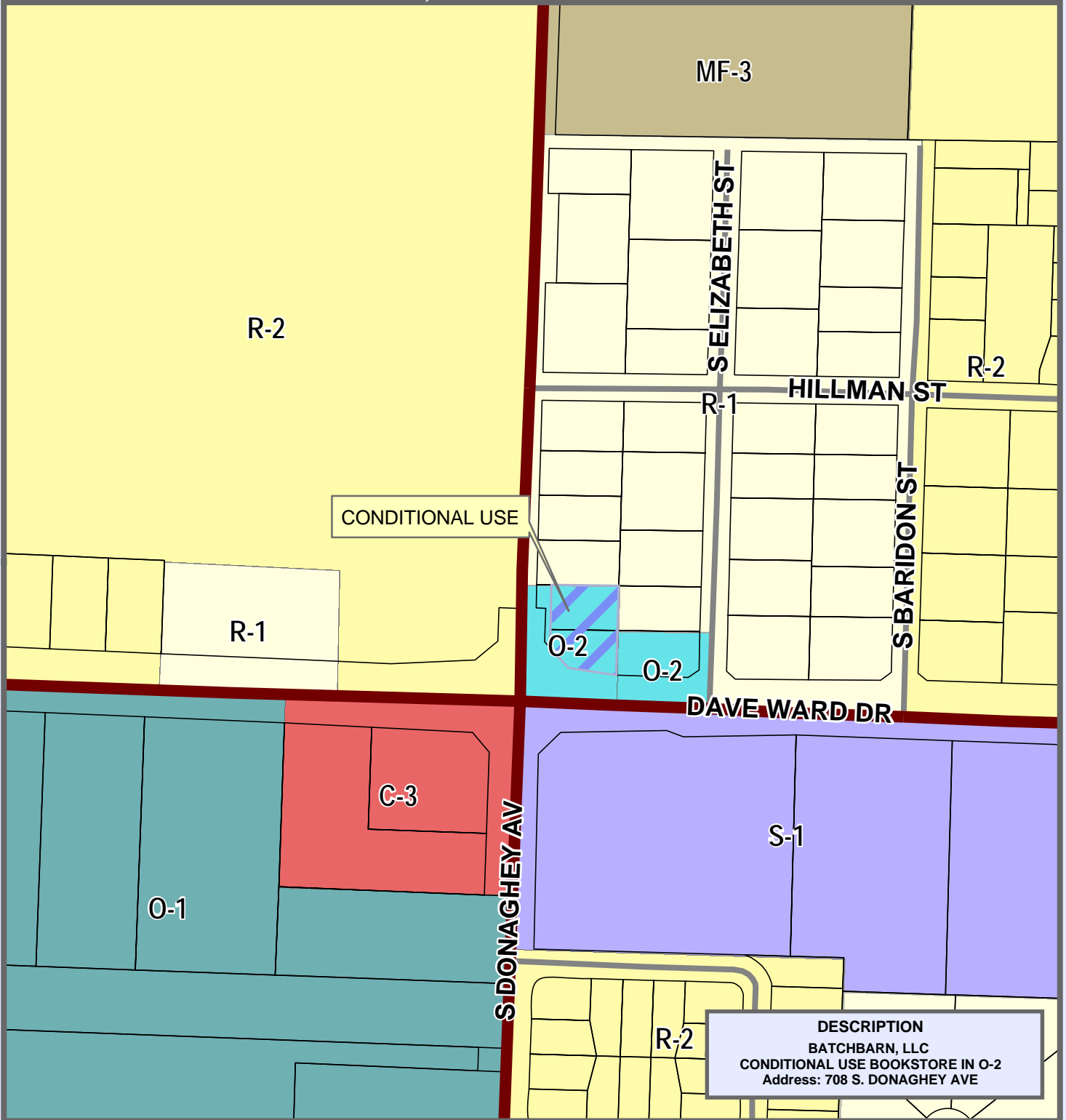
1. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday, except during peak periods to roughly coincide with the beginning of first and second semesters when hours are 8:00 a.m. to 7:00 p.m. and include Saturdays.
2. No banners permitted.
3. Permit is for this owner as he operates this bookstore.
4. Directional signage to encourage entrance from Dave Ward Drive and exit to South Donaghey.

Submitted by,

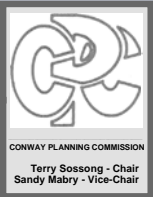
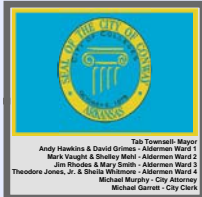
Terry Sossong, Chairman  
Planning Commission

# CITY OF CONWAY

## BATCHBARN, LLC CONDITIONAL USE



**DESCRIPTION**  
**BATCHBARN, LLC**  
**CONDITIONAL USE BOOKSTORE IN O-2**  
**Address: 708 S. DONAGHEY AVE**



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

Industrial	I-1
	RU-1
	I-3
Commercial	C-1
	C-2
	C-3
	C-4
Office	O-1
	O-2
	O-3
Special	SP
	S-1
	A-1
	PUD



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CONTACT INFORMATION  
 LANDMARK GIS WEBSITE  
 gis.cityofconway.org (UNDER DEVELOPMENT)  
 E-MAIL: Jason.Lyon@CityOfConway.org



# CONWAY PLANNING COMMISSION

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

November 17, 2009

Council Members  
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow an automotive repair and service center for property located at the southwest corner of Locust and Prince streets with the address 941 Locust Street and the legal description:

Lots 37, 38, and 39, Block 25, Robinson's Plan to the city of  
Conway except the west 15 feet

was reviewed by the Planning Commission at its regular meeting on November 16, 2009. The Planning Commission voted 7 – 1 that the request be sent to the City Council with a recommendation for approval subject to the conditions stated below. Planning Commissioner Richard Kirkman voted against the motion to approve this conditional use request.

1. Hours of operation not to extend outside the 8:00 a.m. to 6:00 p.m., Monday through Friday, timeframe.
2. No extended storage of inoperable vehicles.
3. Conditional use permit is for this owner/this business and is not transferrable.

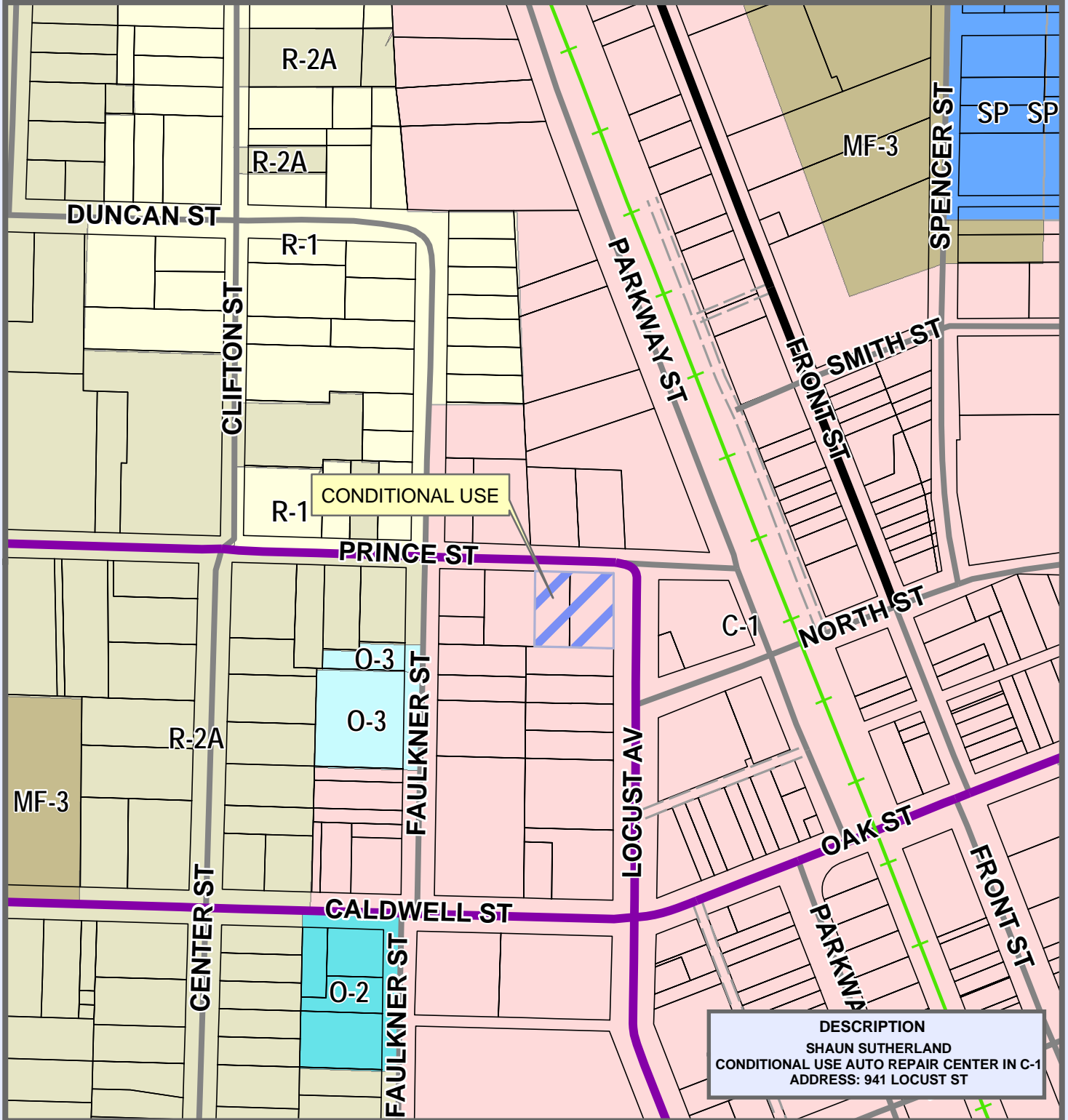
Submitted by,

Terry Sossong, Chairman  
Planning Commission

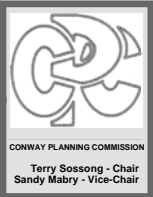
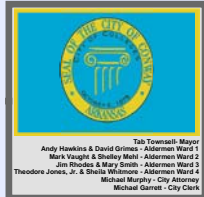


# CITY OF CONWAY

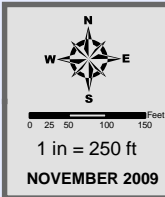
## SHAUN SUTHERLAND CONDITIONAL USE



**DESCRIPTION**  
**SHAUN SUTHERLAND**  
**CONDITIONAL USE AUTO REPAIR CENTER IN C-1**  
**ADDRESS: 941 LOCUST ST**



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



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**CONTACT INFORMATION**  
 LANDMARK INS WEBSITE:  
[gs.cityofconway.org/LANDMARK\\_DEVELOPMENT](http://gs.cityofconway.org/LANDMARK_DEVELOPMENT)  
 E-MAIL: [Jason.Lyon@CityOfConway.org](mailto:Jason.Lyon@CityOfConway.org)



# CONWAY PLANNING COMMISSION

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

November 17, 2009

Council Members  
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow a drive-through pick-up window for the property located at 2625 Donaghey Avenue, Suite 101, Townsend Center with the legal description:

Lot 9, Trinity Washington Subdivision Phase-II, to the City of Conway

was reviewed by the Planning Commission at its regular meeting on November 16, 2009. The Planning Commission voted 8 – 0 that the request be sent to the City Council with a recommendation for approval subject to the conditions stated below.

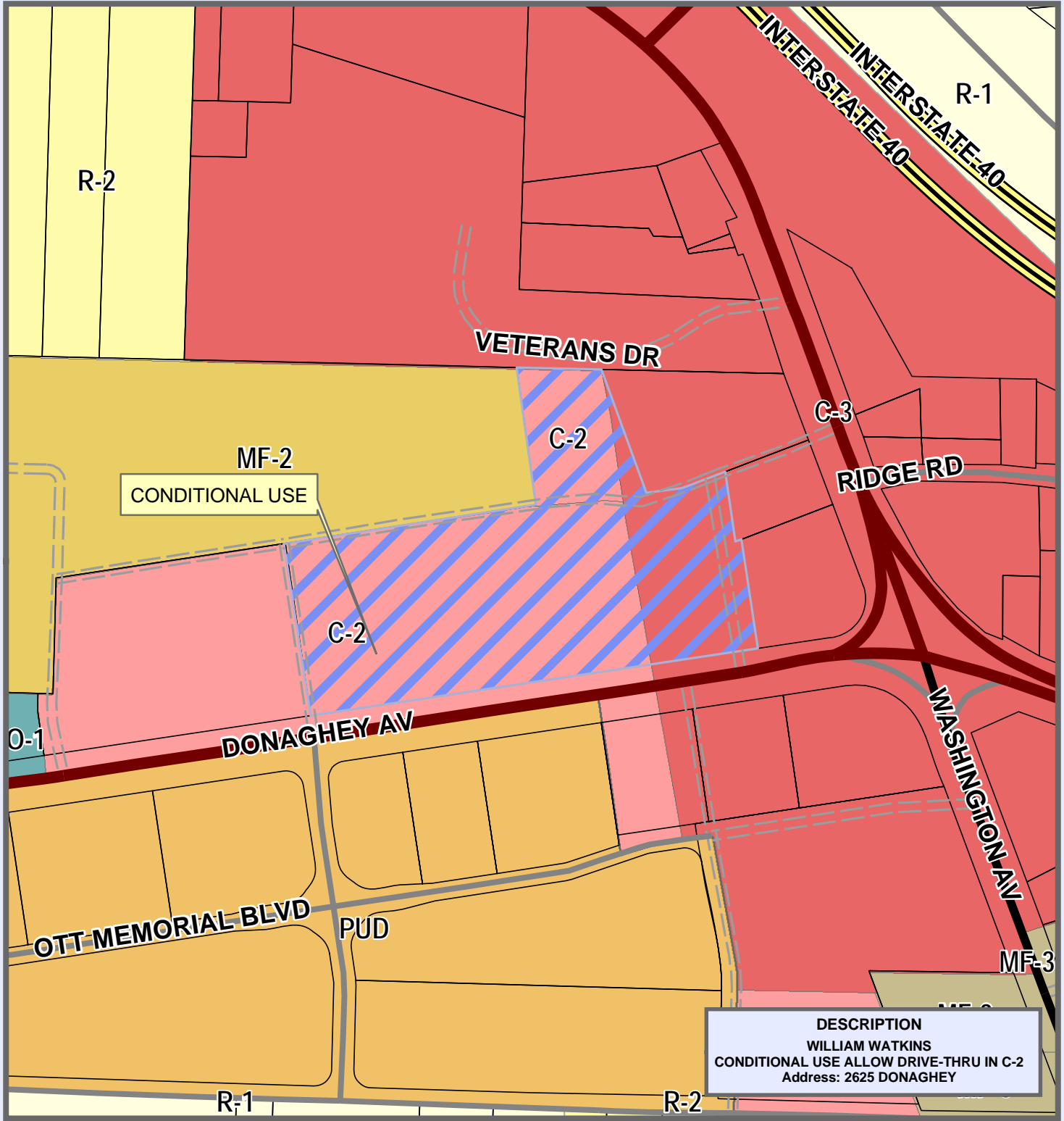
1. Permit is for Suite 101, or the westernmost suite.
2. The pick-up window is allowed on the west end of the building.
3. No remote/external order station allowed.
4. Permit is for this owner/this business/this type of business only.
5. A directional sign to be added to indicate traffic flow.

Submitted by,

Terry Sossong, Chairman  
Planning Commission

# CITY OF CONWAY

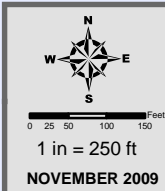
## WILLIAM WATKINS CONDITIONAL USE



**DESCRIPTION**  
**WILLIAM WATKINS**  
**CONDITIONAL USE ALLOW DRIVE-THRU IN C-2**  
**Address: 2625 DONAGHEY**



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



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

**CONTACT INFORMATION**  
 LANDMARK INS WEBSITE  
[gis.cityofconway.org](http://gis.cityofconway.org) (UNDER DEVELOPMENT)  
 E-MAIL: Jason.Lyon@CityOfConway.org



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

**AN ORDINANCE APPROPRIATING FUNDS TO REIMBURSE THE STATE OF ARKANSAS  
DEPARTMENT OF FINANCE AND ADMINISTRATION REVENUE OFFICE FOR AN OUTSTANDING  
CONSTRUCTION SURCHARGE BALANCE; AND FOR OTHER PURPOSES**

**WHEREAS**, The City of Conway would like to settle a liability for uncollected construction surcharges due to the State of Arkansas;

**WHEREAS**, this liability is due to the City's lack of collection of a portion of state building permit surcharges that were mandated without instruction or audit and went unnoticed or desired by the State of Arkansas since 1999;

**WHEREAS**, the Planning and Development Department has generated sufficient revenue above budgeted levels during 2009 to provide for this expenditure; and

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

**SECTION 1.** The City of Conway shall appropriate \$18,929 Building Permit Revenue (01.301) and an equal amount to Licenses and Fees (01.108.262) to settle this liability. This total is the sum of \$15,891 plus \$3,038 in interest.

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

**PASSED** this 24<sup>th</sup> day of November, 2009

**APPROVED:**

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

**ATTEST:**

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



CITY OF CONWAY  
STREET AND ENGINEERING DEPT.

100 East Robins • Conway, AR 72032  
501-450-6165 • Fax 501-513-3566

6A-9

Ronnie D. Hall, P.E.  
City Engineer

November 16, 2009

Mayor Tab Townsell  
City Hall  
1201 Oak Street  
Conway, Arkansas 72032

Re: Electronic Components For Establishing Communication  
Between Traffic Signals and Master Controller

Dear Mayor Townsell:

Bids were received at 10:00 AM, Wednesday November 4, 2009 at Conway City Hall for the Electronic Equipment to establish communication between the individual Traffic Signal Controllers and the Master Signal Controller. These components utilize a VPN (Virtual Private Network) over Conway Corporation's cable system to interact with a master controller at the Street Department. The three bids received for 60 units each of the listed items are summarized as follows and detailed on the enclosed bid tabulation.

<u>Bidder</u>	<u>Video Server</u>	<u>Digi Port Server</u>	<u>GarrettCom Ethernet Switch</u>	<u>Total</u>
Elliot Electric	\$60,404.40	<b>\$28,338.00</b>	<b>\$29,662.80</b>	\$118,405.20
Temple, Inc.	<b>\$42,180.00</b>	\$29,580.00	\$46,500.00	\$118,260.00
Mid-South Mark.	\$46,500.00	\$30,000.00	\$33,000.00	\$109,500.00

I recommend that the Digi Port Server and the GarrettCom Ethernet Switch be purchased from the low bidder Elliot Electric and that the Video Server be purchased from the low bidder, Temple, Inc. The total amount for the combination of low bids is \$100,180.80.

Funding for these items is provided thru the Energy Efficiency Grant.

Please advise if you have questions or need additional information,

Sincerely,

Ronnie Hall, P.E.

**CITY OF CONWAY, ARKANSAS**  
**TRAFFIC SIGNAL SYSTEM**  
**ELECTRONIC COMPONENTS FOR TRAFFIC SIGNAL SYSTEM COMMUNICATIONS**

TABULATION OF BIDS RECEIVED NOVEMBER 4, 2009 10:00 AM

DESCRIPTION	QUANTITY	UNITS	ELLIOT ELECTRIC		TEMPLE, INC.		MID SOUTH MARKETING	
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1 AXIS VIDEO 240 Q SERVER	60	EACH	\$1,006.74	\$60,404.40	<b>\$703.00</b>	<b>\$42,180.00</b>	\$775.00	\$46,500.00
2 Digi Port Serial to Ethernet Port Server (2 port) Model 70001918	60	EACH	<b>\$472.30</b>	<b>\$28,338.00</b>	\$493.00	\$29,580.00	\$500.00	\$30,000.00
3 GarrettCom Magnum 6KQ6-AC	60	EACH	<b>\$494.38</b>	<b>\$29,662.80</b>	\$775.00	\$46,500.00	\$550.00	\$33,000.00
TOTAL AMOUNT BID				\$118,405.20		\$118,260.00		\$109,500.00

**MEMORANDUM**

TO: MAYOR TAB TOWNSELL

FROM: RONNIE HALL, P.E.

DATE: November 3, 2009

REFERENCE: STREET DEPARTMENT EQUIPMENT BIDS

Bids were received at 10:00 am Tuesday November 3, 2009 for a Dump Truck and Asphalt Roller. The results of the bids are as follows:

**Asphalt Roller (with tow package)**

Clark Machinery Co. - LeeBoy 400 \$42,000.00

**Dump Truck (Used Over the Road Tractor with new Dump Bed)**

Diamond International - 2003 International 8600,  
(385 Hp) 415,000 Miles \$30,375.00

MCH Kenworth - 2003 Peterbilt 378  
(375 Hp) 379,972 Miles \$38,500.00

MCH Kenworth - 2003 Peterbilt 378  
(375 Hp) 178,705 Miles \$39,500.00

England Truck Sales - 2003 Mack CH613  
(350 Hp) 503,000 Miles \$40,000.00

We have inspected and driven the truck that was submitted with the low bid and find it meets our specification and other requirements.

We recommend award of these bids to the low bidders as follows:

Clark Equipment Co. for the Leeboy 400 with tow package.

Diamond International for the 2003 International Dump Truck.

The dump truck was included in our 2009 budget.

Our existing asphalt roller used by the asphalt patching crew broke down in June with non-repairable problems. We borrowed the county's roller until the end of September. The roller is required to properly patch the City's streets.



**City of Conway, Arkansas  
Resolution No. R-09-\_\_\_\_\_**

**A RESOLUTION APPROVING THE CONCEPT PLAN FROM CRAFTON TULL SPARKS FOR POMPE  
PARK LOCATED OFF PRINCE STREET & MORNINGSIDE DRIVE**

**Whereas**, the City of Conway is desiring the development of land (16.514 +/-) acres of land for the development of Pompe Park, and

**Whereas**, the City intends to increase its network of public spaces available to Conway's citizens and visitors; and

**Whereas**, Crafton Tull Sparks has provide a concept plan for the City of Conway for Pompe Park.

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

**Section 1.** The City Council hereby accepts the Concept Plan for Pompe Park created by Crafton Tull Sparks.

Passed this 24<sup>th</sup> day of November, 2009

**Approved:**

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

**Attest:**

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





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

**AN ORDINANCE APPROPRIATING GRANT FUNDS RECEIVED FROM THE JAG GRANT TO THE  
 CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES**

**WHEREAS**, the Conway Police Department received a check in the amount of \$64,126 from the Faulkner County Sheriff's Office for Conway Police Department's share of the JAG grant and;

**WHEREAS**, the Conway Police Department needs these funds to purchase nine (9) communication headsets and eleven (11) L3 Mobile Vision Digital Recorders which is equipment covered under this Grant:

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

**SECTION 1.** The City of Conway shall accept the grant proceeds and appropriate from the City's Grant Fund Revenue Account (27.919) to the following Police Department's Grant Equipment expenditure account:

27.113.920	\$ 3,681.00
27.113.945	\$ 59,400.00

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

**PASSED** this 24<sup>th</sup> date of November, 2009.

**APPROVED:**

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

**ATTEST:**

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



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

**AN ORDINANCE ACCEPTING RESTITUTION FOR OVERTIME PERFORMED BY THE CONWAY  
POLICE DEPARTMENT PERSONNEL; AND FOR OTHER PURPOSES**

**WHEREAS**, the City of Conway has received restitution from various sources totaling \$93,945 for overtime duties performed by the Conway Police Department personnel since June 2009; and

**WHEREAS**, budgetary authority for the additional required overtime has not previously been provided;

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

**Section 1.** The City of Conway shall accept restitution in the amount of \$93,945 from various sources and shall appropriate the same amount to the Conway Police Department overtime account (01.113.121).

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

**PASSED** this 24<sup>th</sup> day of November, 2009.

**APPROVED:**

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

**ATTEST:**

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



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

**AN ORDINANCE APPROPRIATING FUNDS TO THE CONWAY POLICE DEPARTMENT FOR THE SHOP  
 SECURE PROGRAM; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

**WHEREAS**, the Conway Police Department needs an additional \$11,000 in their overtime account to cover the Shop Secure Program during the holidays and;

**WHEREAS**, the Conway Police Department is requesting an appropriation from the general fund to cover the expense related with participation in this program;

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

**Section 1.** The City of Conway shall appropriate \$11,000 from the General Fund – Fund Balance Appropriation Account (01.990) to the Conway Police Department Overtime Account (01.113.121).

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

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

**PASSED** this 24<sup>th</sup> day of November, 2009.

**APPROVED:**

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

**ATTEST:**

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



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

**AN ORDINANCE APPROPRIATING FUNDS TO THE CONWAY POLICE DEPARTMENT FOR THE SHOP  
SECURE PROGRAM; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES**

**WHEREAS**, the Conway Police Department needs an additional \$22,000 in their overtime account to cover the Shop Secure Program during the holidays and;

**WHEREAS**, the Conway Police Department is requesting an appropriation from the general fund to cover the expense related with participation in this program;

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

**Section 1.** City of Conway shall appropriate \$22,000 from the General Fund – Fund Balance Appropriation Account (01.990) to the Conway Police Department Overtime Account (01.113.121).

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

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

**PASSED** this 24<sup>th</sup> day of November, 2009.

**APPROVED:**

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

**ATTEST:**

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



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

**AN ORDINANCE AMENDING SECTION 4.56 OF THE CONWAY MUNICIPAL CODE AS AMENDED PREVIOUSLY BY ORDINANCE NOS. O-04-122 AND O-04-85 AND O-04-49; PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Conway wishes to alter the terms and conditions under which it grants wrecker franchises for city tows,

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

**SECTION 1.** That Section 4.56.02(B) of the Conway Municipal Code is hereby amended to read as follows:

- (B) The Franchisee will be required to sweep and haul away all debris, glass and metal parts of automobiles damaged at the scene of an accident. Clean-up fees, if needed, will never exceed \$20.00 per call.

**SECTION 2.** That Section 4.52.02 (H), (CHARGES), of the Conway Municipal Code is hereby amended to amend paragraphs (A), (D), (E) and (F) to read as follows:

- (A) All passenger vehicles and trucks up to one (1) ton shall be charged no more than the total of **\$75.00** per tow in town. Additionally, a winch charge of \$40.00 per each ½ hour per wrecker shall be incurred.
- (D) In the event the Franchisee is required to remain at the site of the tow origination for a period which exceeds thirty (30) minutes from the time of the wrecker truck arrival, an additional maximum charge of **\$50.00** may be assessed for a class (A) and (B) vehicles as previously described. If the vehicle is class (C) or (D) as previously described, the said additional maximum charge allowed to be assessed may be \$125.00.
- (E) The Franchisee may charge an Administrative Fee of up to **\$25** as authorized by state law.
- (F) The tow charge will be increased five (5%) percent a year each year starting December 1, 2009 until December 1, 2014.

**SECTION 3.** That Section 4.52.02 (H), (CHARGES), of the Conway Municipal Code is hereby amended to repeal paragraph (G).

**SECTION 4.** That Section 4.52.02, STORAGE, paragraph (A), of the Conway Municipal Code is hereby amended to read as follows:

- (A) A maximum of **\$25.00** per 24 hour day on all vehicles, except tractor trailers, or any part thereof for outdoor storage. If the owner or any appropriate law enforcement personnel requests indoor storage of said vehicle, a maximum additional fee of \$25.00 per 24 hour day charge on all vehicles, except tractor-trailers, or any part thereof may be assessed. Additionally a \$10.00 charge will be assessed for vehicles in need of inclement weather covering (tarps).

**SECTION 5.** That there is hereby created new Section 4.52.03, "PENALTIES":  
"Any person, firm and/or corporation violating any of the provisions of this ordinance shall be guilty of a violation and, upon conviction, shall be fined not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for each offense."

**SECTION 6.** That any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

**SECTION 7.** That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 24<sup>th</sup> day of November, 2009.

**Approved:**

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**Mayor Tab Townsell**

**Attest:**

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



City of Conway, Arkansas  
 1201 Oak Street  
 Conway, AR 72032  
[www.cityofconway.org](http://www.cityofconway.org)



## AGREEMENT

This agreement is entered this \_\_\_\_\_ day of November 2009, between the City of Conway and Jim Smith of Jim Smith's Wrecker Service, William Helton of Helton's Wrecker Service, Steve Gafner of Steve's Wrecker Service and Neal Ross of Pro Auto Wrecker Service.

### WITNESSETH:

**Whereas**, City of Conway desires to maintain quality wrecker service to the public utilizing the streets within the corporate limits of the city when circumstances require the City to initiate a call for wrecker services. This agreement between the City and the providers of wrecker services, is for the purpose of addressing the respective needs and to provide for maximum benefit of the traveling public; and

**NOW THEREFORE IN CONSIDERATION OF THE COVENANTS SET FORTH HEREIN, THE PARTIES AGREE AS FOLLOWS:**

#### 1. SERVICES

The undersigned wrecker service providers shall provide services as set out in Conway Municipal Code 4.56.02, as amended by Ordinance O-09-\_\_\_ on November 24<sup>th</sup>, 2009, as amended by Ordinance O-09-49 on May 25, 2004, as amended by Ordinance O-04-85 on July 30, 2004 and as further amended by Ordinance O-04-122 on October 26, 2004. The procedures and term of the franchise agreement shall be governed by the principles set out in Resolutions No. R-04-20 and No. R-04-29. Copies of Section 4.56.02, the four ordinances set out above and Resolutions No. R-04-20 and R-04-29 are attached hereto and incorporated herein as if set out word for word.

#### 2. Consideration

In consideration for having the right to provide wrecker services for calls initiated by the City and receive the fees as set out above, the undersigned wrecker service providers shall collectively pay to the City the sum of **TWENTY THOUSAND (\$20,000) DOLLARS** annually, with the total payment due on or before December 1<sup>st</sup> of each year.

#### 3. Terms

The initial term of this agreement shall be for a period commencing December 1<sup>st</sup>, 2009 to and including November 30, 2014. Jim Smith's Wrecker Service, Helton's Wrecker Service, Steve's Wrecker Service and Pro Auto Wrecker

Services shall be assigned a monthly rotation for the duration of the five year term of this franchise. Should any provider under this Agreement fail, for whatever reasons, to remain in rotation or otherwise ceases to provide wrecker services, it is understood and agreed that the remaining providers shall pay an increased pro rata amount of the collective franchise fee in consideration of the increased participation in the rotation.

**4. Termination**

This agreement and all performances and obligations required hereunder may be terminated by the Mayor of the City of Conway for cause at any time during the Term of the Agreement with the approval of the City Council at any regular meeting provided that the Mayor has placed the termination recommendation on the agenda for that meeting by the proper deadline as established by the City Council and further provided that the Mayor provides the terminated party with written notice of termination immediately upon the date of termination.

**5. Assignment And Subcontracting**

That this agreement and the franchise may not be assigned to or assumed by another wrecker service or successor service with out the express approval of the City Council.

**City of Conway**

\_\_\_\_\_  
Mayor Tab Townsell      Date

\_\_\_\_\_  
Michael O. Garrett, City Clerk      Date

**Conway Wrecker Service Providers**

Jim Smith Wrecker Service  
  
\_\_\_\_\_  
Jim Smith, Owner      Date

Helton's Wrecker Service  
  
\_\_\_\_\_  
William Helton, Owner      Date

Pro Auto Wrecker Service  
  
\_\_\_\_\_  
Neal Ross, Owner      Date

Steve's Wrecker Service  
  
\_\_\_\_\_  
Steve Gafner, Owner      Date