City Council Meeting - Tuesday, June 28th, 2011 @ 6:30pm
Judge Russell L. “Jack” Roberts District Court Building – 810 Parkway St., Conway, AR 72032
5:30pm - Committee Meeting:
   No Committee Meeting

Call to Order
Roll Call
Minutes: June 14th, 2011
Announcements / Proclamations / Recognition: Employee Service Awards

1. Report of Standing Committees:

   A. Public Hearing:

      1. Public Hearing / Ordinance closing of an alley located within The Village at Hendrix, Phase I.
      2. Public Hearing / Ordinance closing of the southernmost 250 feet of Simon Street (unpaved).

   B. 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. Consideration of a right of way easement of a water line extension project for Conway Corporation.
      3. Ordinance accepting grant proceeds and appropriating funds for Conway EcoFest 2011.
      4. Ordinance establishing standards for public tree preservation and protection for the City of Conway.
      5. Ordinance to rezone property located at the Northeast corner of Dave Ward Drive and South German Lane from I-3 to C-3.

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

      2. Consideration of a bid for 3, 6, & 8 Yard Front Load Containers for the Conway Sanitation Department.

Old Business

1. Discussion regarding options for the property located at 912 Front Street.
New Business

1. Ordinance granting a temporary franchise agreement for The Big House Burger Joint Inc. to have several vending carts in Downtown Conway & Simon Park.

2. Ordinance to amend Ordinance No. O-10-18; in regards to increasing the City’s supplemental tax on any controlled beverage.

Adjournment
AN ORDINANCE CLOSING THE ALLEY LOCATED SOUTH OF REYNOLDS AVENUE AND EAST OF HARKRIDER STREET IN THE VILLAGE AT HENDRIX, PHASE 1 AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 7th day of June, 2011 asking the City Council to vacate and abandon that portion of the alley as found in Plat of Records in Faulkner County Plat book L, Page 6.

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

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

Section 1. The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the alley designated as follows except that petitioner shall provide additional public dedicated access to Lots 116 through 119 or combine Lots 116 through 119 with lots having public access:

Part of the Village at Hendrix, Phase 1 to the city of Conway Arkansas as found in Plat of Records in Faulkner County Plat book L Page 6; beginning at the SE corner of Lot 115 of said plat of Village at Hendrix; thence South 00°55'22" West, a distance of 20.01' to a point on the north line of Lot 108; thence North 89°04'38" West, a distance of 20.30' to the NW corner of Lot 108; thence South 01°35'07" East, a distance of 143.76' along the west line of said Lot 108; thence South 09°59'38" East, a distance of 77.01' along said west line; thence South 82°55'23" West, a distance of 54.07" to the NW corner Lot 119; thence North 09°59'38" West, a distance of 50.05' to the SW corner Lot 118; thence North 82°55'23" East, a distance of 34.04' to the SE corner of Lot 118; thence North 09°59'38" West, a distance of 27.40'; thence North 01°35'07" west, a distance of 166.12' to the NE corner of Lot 116; thence South 89°04'38" East, a distance of 41.10' to the POINT OF BEGINNING; said described tract containing 0.16 Acres, more or less.

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

Section 3. This ordinance shall take effect and be in force from and after its passage.

Passed this 28th day of June, 2011

Approved:

Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
Part of the Village at Hendrix, Phase 1 to the city of Conway, Arkansas as found in Plat of Records in Faulkner County Plat book L Page 6; beginning at the SE corner of Lot 115 of said plat of Village at Hendrix; thence South 00°55'22" West, a distance of 20.01' to a point on the north line of Lot 108; thence North 89°04'38" West, a distance of 20.30' to the NW corner of Lot 108; thence South 01°35'07" West, a distance of 143.76' along the west line of said lot 108; thence South 09°59'38" West, a distance of 77.01' along said west line; thence South 82°55'23" West, a distance of 54.07' to the NW corner Lot 119; thence North 09°59'38" West, a distance of 50.05' to the SW corner Lot 118; thence North 82°55'23" East, a distance of 34.04' to the SE corner of Lot 118; thence North 09°59'38" West, a distance of 27.40' to the NE corner of Lot 116; thence South 89°04'38" East, a distance of 41.10' to the POINT OF BEGINNING; said described tract containing 0.16 Acres, more or less.
Petition of written consent for the
Vacating of Streets and Alleys
For the intent of Public Use

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

Reference legal description

Abutting property owners:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
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<tbody>
<tr>
<td>The Village at Hendrix</td>
<td>1040 Reynolds Ave, Conway, NC 28032</td>
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</tbody>
</table>
June 2, 2011

Conway Planning Commission
1201 Oak St
Conway, AR 72032

Centerpoint Energy
817 N Creek Dr
Conway, AR 72032

To Whom It May Concern:
Centerpoint Energy has no objection to closing of the Easement south of Reynolds Drive and east of Harkrider Street in the Village at Hendrix.

Sincerely,

[Signature]

Dennis Fisher
Operations Leader
Centerpoint Energy
May 31, 2011

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

Re: Alley closure, Phase 1 of the Village at Hendrix

Dear Mayor Townsell:

Conway Corporation doesn’t have any objections to the closing of this alley at the Village at Hendrix Phase 1.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

Leslie Guffey
Engineering & Planning
May 26, 2011

The Village at Hendrix
Conway, AR 72032
Via e-mail to Lawrence Finn
Finn@TheVillageAtHendrix.com

Dear Mr. Finn:

AT&T has no objections to the vacation of the alley as shown on the Phase 1 final plat. We have no facilities within the alleyway and have no plans to place any in the future.

Questions about A&T's facilities in Conway should be directed to David Cain, our Conway area engineer, at 501-373-8171. Questions about procedures for easement and right-of-way closures should come to me.

Sincerely,

[Signature]

CC: David Cain
The alley closure should be conditioned on providing additional public dedicated access to Lots 116 thru 119 or combining Lots 116 thru 119 with Lots having public access.

Ronnie Hall

All,

The Village at Hendrix is preparing a petition to vacate an alley currently shown on our phase 1 final plat (see attached). The referenced alley has not been constructed and the Village does not plan to build the alley as shown. A legal description and survey defining the alley is enclosed. Please review the attached documents and respond with comment or approval in support of our petition.

Regards,

Lawrence Finn
The Village at Hendrix
City of Conway, Arkansas
Ordinance No. O-11-_____

AN ORDINANCE CLOSING THE SOUTHERNMOST 250 FEET OF SIMON STREET (UNPAVED) LOCATED AT 650 SIMON ROAD; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 7th day of June, 2011 asking the City Council to vacate and abandon that portion of Simon Street that is the southernmost 250 feet.

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

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

Section 1. The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the southernmost 250 feet of Simon Street designated as follows except that a 20 foot easement centered on an active sewer main in the existing right of way shall be maintained for Conway Corporation even after closure:

Being a part of the E ½ W ½ NE ¼ Section 8, T-5-N, R-13-W Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said E ½ W ½ NE ¼; thence N 01°44′31″ E 1078.14 feet; thence S 88°24′16″ E 150.0 feet to the point of beginning; thence S 01°44′31″ W 250.0 feet; thence S 88°36′48″ E 50.0 feet; thence N 01°44′31″ E 250.0 feet; thence N 88°36′48″ W 50.0 feet to the point of beginning containing 0.28 acres more or less.

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

Section 3. This ordinance shall take effect and be in force from and after its passage.

Passed this 28th day of June, 2011.

Approved:

______________________________
Mayor Tab Townsell

Attest:

______________________________
Michael O. Garrett
City Clerk/Treasurer
Petition of written consent for the
Vacating of Easement
For the intent of Public Use

The 250’ southernmost portion of Simon Road, Conway, Arkansas

Legal Description of Street Closure, (or portion thereof), to be vacated:

Being a part of the E ½ W ¼ NE ¼ Section 8, T-5-N, R-13-W Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said E ½ W ¼ NE ¼; thence N 01°44’31” E 1078.14 feet; thence S 88°24’16” E 150.0 feet to the point of beginning; thence S 01°44’31” W 250.0 feet; thence S 88°36’48” E 50.0 feet; thence N 01°44’31” E 250.0 feet; thence N 88°36’48” W 50.0 feet to the point of beginning containing 0.28 acres more or less.

Abutting property owners:

Worman Properties, LLC
650 Simon Road
Conway, Arkansas 72032

[Signature]
Lee Worman

Charles Simon
57 Sandpiper Court
Conway, AR 72032

[Signature]
George Simon
Charles
June 21, 2011

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

Re: Closure of Simon Road Right-of-Way, southernmost 250 feet.

Dear Mayor Townsell:

Conway Corporation currently has an active sewer main in the existing Right of Way of the southernmost 250 feet of Simon Road. Conway Corporation doesn’t have an issue with the closing as long as a 20 foot easement centered the sewer main is maintained after the closure.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

Leslie Guffey  
Engineering & Planning

P.O. Box 99  •  Conway, Arkansas 72033  •  501-450-6000  •  www.conwaycorp.com
CONCURRENCE TO CLOSE PORTION OF A DEDICATED STREET

BE IT KNOWN BY THESE PRESENTS that Southwestern Bell Telephone Company, d/b/a AT&T Arkansas, a Missouri corporation, hereby concurs in the closing of the southernmost two hundred and fifty feet (250') of Simon Road, City of Conway, Faulkner County, to-wit:

Being a part of the E ½ W ½ NE ¼ Section 8, T-5-N, R-13-W Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said E ½ W ½ NE ¼; thence N 01°44'31" E 1078.14 feet; thence S 88°24'16" E 150.0 feet to the point of beginning; thence S 01°44'31" W 250.0 feet; thence S 88°36'48" E 50.0 feet; thence N 01°44'31" E 250.0 feet; thence N 88°36'48" W 50.0 feet to the point of beginning containing 0.28 acres more or less.

Signed and executed this 18th day of June, 2011.

By Lynda E. Sommerfeldt Palmer
Mgr.-OSP Planning & Engineering Design
Right-of-Way and Joint Use Poles

CORPORATE ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

On this the 18th day of June, 2011, before me, the undersigned authority, duly commissioned and qualified in and for the state and county set forth above, personally came and appeared Lynda E. Sommerfeldt Palmer, who, after being duly sworn, declared that she is a Manager-OSP Planning & Engineering Design for Southwestern Bell Telephone Company, d/b/a AT&T Arkansas, and that she executed the foregoing instrument as the act and deed of said company of her own free will and for the purposes and considerations therein expressed and with due authority.

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

Sonjia R. Thames
Sonjia R. Thames, Notary Public in and for Pulaski Co., AR
My Commission Expires: 01/12/2021

Document prepared by AT&T, 1111 West Capitol, Rm. 941, Little Rock, AR 72201  501-373-5255
June 21, 2011

Tim Tyler Surveying and Mapping
Kim Tyler
240 Skyline Dr, Ste 3000
Conway, AR 72032

Centerpoint Energy
817 N Creek Dr
Conway, AR 72032

RE: Simon Street Easement

To Whom It May Concern:
Centerpoint Energy has no objection to closing of the Easement on Simon Street.

Sincerely,

Dennis Fisher
Operations Leader
Centerpoint Energy
Simon Street Closing

View to North, Street Closure near gap area between fence

Fence on western boundary of property

Newly Constructed fence located south of 15” Utility easement
Memo:

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

From: Felicia Rogers
Date: June 23, 2011
Re: Certified Liens – Code Enforcement

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. 165 Niagara Falls $156.19
2. Mildred Street (Parcel #710-04605-000) $156.33
3. 241 Center Street $220.13

Please advise if you have any questions.
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 165 Niagara Falls 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 $156.19 (plus a ten percent collection penalty and a filing fee, 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 June 28th, 2011 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 28th day of June, 2011.

Approved:

__________________________
Mayor Tab Townsell

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell  
CC: City Council Members  

From: Barbara McElroy  
Date: June 16, 2011  

Re: 165 Niagara Falls  

- April 26th, 2011 – Warning Violation written by Ottie Cowgill regarding grass.  
- Property Owner is listed as Jermain Martin.  
- Property was rechecked on 5/4/2011 by Ottie Cowgill no progress had been made on the property and it appeared to be vacant.  
- Certified letter and regular letter was sent on 5/5/2011 and both letters came back with no forwarding information.  
- Property cleanup notice was sent over to Physical Plant for mowing.  
- Final Cleanup finished on 5/24/2011.  
- Invoice for mowing and copy of final bill was sent to Mr. Martin at address on file; included amount due, date and time of the City Council meeting.  
- Invoice attach  

If you have any questions please advise.
Conway Code Enforcement
Incident Report

Date of Violation: 4-26-11
Violator Name: Jermain Martin
Address of Violation: 165 Niagara Falls
Violation Type: Grass
Warning #: 2839
Description of Violation and Actions Taken: On April 26, 2011 a warning was issued for tall grass. On May 4, 2011 the property was checked for code compliance and nothing had been done. Certified and regular letters were sent on May 5, 2011 with the certified letter coming back. The property was checked again on May 19, 2011 and no changes were noted so clean up was scheduled. The physical plant brought the property back to code after mowing areas of the yard that were 4 feet tall. Pictures were taken and are on file. Pictures can be obtained upon request.

Code Enforcement Officer: Ottie Cowgill

Officer Signature: [Signature]

Date: 6-16-11 Time: 1556 hrs.
TO: Jermain Martin  
165 Niagara Falls  
Conway, AR 72032-4501  

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at 165 Niagara Falls.

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<th>JOB</th>
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<td>Regular letter</td>
<td>.44</td>
<td>.88</td>
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</tbody>
</table>

Subtotal: $156.19  
Sales Tax:  
Total: $156.19  

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032  

Payments are due 30 days from date of this letter.
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 a vacant lot on Mildred Street (Parcel #710-04605-000) 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 $156.33 (plus a ten percent collection penalty and a filing fee, 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 June 28th, 2011 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 28th day of June, 2011.
MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Barbara McElroy
Date: June 16, 2011

Re: Vacant lot on Mildred Street

- April 10th, 2011 – Warning Violation written by Grant Tomlin regarding grass.
- Property Owner is listed as Summit Electric Co. of Arkansas.
- Certified and regular letter was mailed 5/16/2011 to Summit Electric to address on file and both letters came back unable to forward.
- Property was rechecked on 5/23/2011 by Grant Tomlin no progress had been made on the property.
- Property cleanup notice was sent over to the Physical Plant for mowing.
- Final Cleanup finished on 5/24/2011.
- Invoice for mowing and copy of final bill was sent to Summit Electric at address on file; included amount due, date and time of the City Council meeting.
- Invoice attach

If you have any questions please advise.
Date of Violation: 5-10-11
Violator Name: Summit Electric Company of Arkansas
Address of Violation: Mildred Street (vacant lot), Parcel # 710-04605-000
Violation Type: Tall grass
Warning #: CE2939

Description of Violation and Actions Taken:
On 5-10-11 I was checking the area of Mildred Street for code violations. While checking the area, I noticed that a vacant lot on Mildred Street was in violation of the Conway Nuisance Abatement Code, section 3.2.4, for tall grass. I had written this property in the past and knew that it belonged to Summit Electric Company. I wrote a warning, CE2939, for the property and mailed it through both regular and certified mail to the listed address for the owner in Arkansas County Data. Both letters were undeliverable and came back to our office. The lot was mowed by our work crew on 5-24-11. Pictures were taken before and after the lot was mowed and are on file for review. A bill for the cleanup was sent to the owners through both regular and certified mail.

Code Enforcement Officer: Grant Tomlin # 407

Officer Signature: __________________________

Date: 6-16-11 Time: 0910
City of Conway  
Code Enforcement  
1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
barbara.mcelroy@cityofconway.org

INVOICE

DATE: MAY 24, 2011

TO Summit Electric Co. of Arkansas  
P.O. Box 438  
Bryant, AR 72089

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at vacant lot on Mildred Street

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Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

Payments are due 30 days from date of this letter
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 241 Center 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 $220.13 (plus a ten percent collection penalty and a filing fee, 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 June 28th, 2011 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 28th day of June, 2011.

Approved:

__________________________
Mayor Tab Townsell

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell  
CC: City Council Members

From: Barbara McElroy  
Date: June 16, 2011

Re: 241 Center Street

- April 4th, 2011 – Warning Violation written by Grant Tomlin regarding grass and rubbish.
- Property Owner is listed as Brandy Benfer.
- Certified and regular letter was mailed 4/5/2011 to homeowner and was signed by L. WMS on 4/11/2011.
- Property was rechecked on 4/19/2011 by Grant Tomlin no progress had been made on the property.
- Code Enforcement made contact with the owner and was informed that the property was in foreclosure and the bank had taken possession of the property.
- Certified letter and regular letter was sent on 5/9/2011 to Chase Home Finance Company and was signed by J. Cowans on 5/12/2011.
- Home owners certified letter came back unclaimed and unable to forward.
- Property was rechecked on 5/20/2011 and no progress had been made.
- Property cleanup notice was sent over to Physical Plant for mowing and clean up.
- Final Cleanup finished on 5/24/2011.
- Invoice for mowing and copy of final bill was sent to the homeowner and the mortgage company at address on file; included amount due, date and time of the City Council meeting.
- Invoice attach

If you have any questions please advise.
Conway Code Enforcement
Incident Report

Date of Violation: 4-4-11
Violator Name: Brandy Benfer/Chase Bank
Address of Violation: 241 Center Street
Violation Type: Tall grass, rubbish/trash
Warning #: CE2707

Description of Violation and Actions Taken:
On 4-4-11, I received a complaint regarding tall grass and trash at 241 Center Street. When I arrived at the residence, I could tell that the home was vacant. The property was in violation of the Conway Nuisance Abatement Code, sections 3.2.4 and 3.5.1, for tall grass and rubbish/trash. I issued a warning (CE2707) for the listed violations to the owner of the property as listed in Arkansas County Data. Code Enforcement Assistant Barbara McElroy found that the property was in foreclosure with Chase Bank. A copy of the warning was sent to both the property owner (Benfer) and to Chase Bank through regular and certified mail. The certified letter to the bank was signed for, however the letter to the property owner was not. A recheck of the property was done on 5-20-11 with no progress being made. Cleanup was scheduled at this time. Cleanup was done on 5-24-11. Pictures of the property before the cleanup was done are not available. However, pictures were taken after the cleanup was completed and are on file for review. A bill was sent to both parties through certified and regular mail.

Code Enforcement Officer: Grant Tomlin # 407

Officer Signature:

Date: 6-16-11 Time: 0924
TO Brandy Benfer
241 Center Street
Conway, AR 72034

DATE: MAY 26, 2011

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at 241 Center Street

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>JOB</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant Tomlin</td>
<td>241 Center Street</td>
<td>Due upon receipt</td>
<td>June 26th, 2011</td>
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<table>
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<tr>
<th>HOURS</th>
<th>DESCRIPTION</th>
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<th>LINE TOTAL</th>
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<td>Land fill fee</td>
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<td>Administrative Fee (Barbara McElroy)</td>
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<td>19.10</td>
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<td>1</td>
<td>Administrative Fee (Glenn Berry)</td>
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<td>2</td>
<td>Regular letter</td>
<td>.44</td>
<td>1.76</td>
</tr>
</tbody>
</table>

SUBTOTAL                  $220.13
SALES TAX                  
TOTAL                      $220.13

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

Payments are due 30 days from date of this letter
RIGHT OF WAY AND EASEMENT

THE CITY OF CONWAY

To

THE CITY OF CONWAY, ARKANSAS

KNOW ALL MEN BY THESE PRESENTS:

That We, The City of Conway (GRANTORS), for and in consideration of the sum of One Dollar, to us paid by the City of Conway, Arkansas, a City of the first class, (GRANTEE), cash in hand, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto said GRANTEE, its successors and assigns, forever, a right of way and easement 15 feet wide on, over, across and under the following described lands, owned by us and situated in Faulkner County, Arkansas, to-wit:

A 15 foot easement is to Center on a Water Line to be installed across the following described property: The NW ¼ NW ¼ and a part of the NE ¼ NW ¼, all being located in Section 20, T5N, R14W, Faulkner County, Arkansas, more fully described as follows: Beginning at the Northwest Corner of said NW ¼ NW ¼; thence N 88 degrees 58 minutes E, along the North line of said NW ¼ NW ¼ and the said NE ¼ NW ¼, 1,728.88 feet; thence S 00 degrees 03 minutes E, 1,297.66 feet to a point on the South line of said NE ¼ NW ¼; thence S 88 degrees 58 minutes W, along the South line of said NW ¼ NW ¼ and the said NE ¼ NW ¼, 1,728.88 feet; thence N 00 degrees 03 minutes W, along the West line of said NW ¼ NW ¼, 1,297.64 feet to the point of beginning, containing 51.5 acres, more or less. (Also Known As Parcel ID 712-12401-003, Per Faulkner County Tax Assessor Records.)

Said right of way and easement shall be located upon and over such portion of the above described lands as has been agreed on by GRANTOR and GRANTEE.

It being understood and agreed that the said GRANTEE, or its successors or assigns, shall have the right to enter upon the above described lands at such time as it or they may deem proper to make such excavations and do such other work as it or they deem proper and necessary for the laying, relaying, maintaining, repairing, or replacing of utilities and appliances incident thereto, but it is expressly understood and agreed that the said GRANTEE, or its successors or assigns, shall be liable to the GRANTORS herein, or their heirs or assigns, for any and all damage that may be done in the prosecution of said work to any crops, fences or other improvements upon said lands, and that should it be necessary to disturb said improvements upon said lands, the said GRANTEE shall rebuild same immediately in as good condition as same were before provided that GRANTEE is not responsible for any action that is caused by the actions of any other Party that is allowed to utilize the Easement.

TO HAVE AND TO HOLD the same unto the said GRANTEE, and unto its successors and assigns, forever, with full right of ingress and egress at all times in, upon, over or under and to said lands for the purposes aforesaid.
Page 2 - Right of Way and Easement

And for said sum we do further grant, sell and convey unto said GRANTEE, its successors and assigns for a term of six months from and after the start of construction on the herein described lands, a right of way and easement forty (40) feet wide on, over, across, through and under the aforesaid lands, for the purpose of providing a construction and work area for building and laying of utilities and that this right of way and easement shall be located upon and over such portion of the above described lands as has been or may hereafter be selected by the officers or agents of said GRANTEE.

WITNESS our hands and seals this ____ day of ________________, 2011.

____________________________________

____________________________________

ACKNOWLEDGMENT

STATE OF ARKANSAS
County of Faulkner.

BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public within and for the County aforesaid, duly commissioned and acting, The City of Conway to me well known as the GRANTORS in the foregoing instrument, and acknowledged that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this ____ day of ________________, 2011.

____________________________________

Notary Public

My Commission Expires:
City of Conway, Arkansas
Ordinance No. O-11-____

AN ORDINANCE ACCEPTING GRANT PROCEEDS AND APPROPRIATING FUNDS FOR CONWAY ECOFEST 2011, AND FOR OTHER PURPOSES:

WHEREAS, the Faulkner County Community Foundation has made a donation of $1,000 for the 2011 Conway EcoFest for which the City of Conway has been selected to serve as the pass through entity;

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

SECTION 1. The City of Conway shall accept donations from the Faulkner County Community Foundation (Giving Tree Grant), in the amount of $1,000 for Conway’s EcoFest.

SECTION 2. The City of Conway shall appropriate $1,000 from General Fund Revenue Donation Account (001.119.4705) for disbursements to the Conway EcoFest (001.119.5399).

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

PASSED this 28th day of June, 2011.

Approved:

_________________________
Mayor Tab Townsell

Attest:

______________________
Michael O. Garrett
City Clerk/Treasurer
City of Conway, Arkansas
Ordinance No. O-11-_____

AN ORDINANCE TO CREATE THE CONWAY TREE BOARD AND SET OBJECTIVES FOR THE MAINTENANCE OF CONWAY’S PUBLIC TREES

WHEREAS, it is the purpose of this ordinance to preserve and enhance the natural beauty of Conway, to protect the health and safety of the residents of Conway, and to protect the environment by providing the development of Community Forest Management Plan for the regulation of the planting, maintenance, removal, and protection of trees on public property within the City of Conway. Objectives that will fulfill this purpose are as follows:

To create a desirable environment for Conway residents and improve their quality of life;
To moderate the effects of the sun, wind, and temperature changes;
To reduce noise, glare, and visual pollution;
To filter pollutants and airborne particulate matter from the air and generate oxygen;
To decrease storm water runoff, flooding, and silt accumulation;
To stabilize soil and prevent erosion;
To provide habitat for wildlife;
To increase property values and protect investment;
To preserve desirable trees;
To help preserve river and stream banks;
To screen incompatible uses;
To encourage public education about trees and their value to the community;
To promote the maintenance of trees based upon the American National Standards Institute practices;
To promote energy conservation;
To increase tree canopy within the City of Conway;

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

SECTION 1. The City of Conway has determined that a definite plan for the care, preservation, and disposition of the trees on public property is necessary; and that there is hereby established that Conway Tree Board in order to carry out these objectives for the preservation of the public health, safety, and welfare.

SECTION 2. The following terms shall be defined for the purposes of this ordinance:

A) Public Property. Areas owned, leased, or occupied by the city of Conway;
B) Right of Way. As Defined by the Conway Subdivision Ordinance, Rights of Way are intended for streets, crosswalks, water mains, sanitary sewers, storm drains or any other use involving maintenance by a public agency or a public utility shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

C) Tree. Any self-supporting woody perennial plant, usually having a main trunk(s), and many branches, and at maturity, a normally attaining a trunk diameter greater than six inches at breast height and height of over ten feet.

D) Public Tree. Any tree as defined in subsection (c) growing on Public Property except for property used as a water or sewer plant, electric substation or in a Right of Way.

E) Destroy. Any intentional or negligent act, which in the opinion of the Tree Board, will cause a tree to decline and die within a period of two years including and limited to only the following reasons:

1) Damage inflicted upon the root system of a tree by the application of toxic substance;
2) The operation of heavy machinery within the Drip Line of a Tree;
3) The change of Natural grade by excavation of filling the area from the trunk of a tree to the drip line;
4) The deposit of a nonporous substance such as asphalt or concrete to a point within the Drip Line of a Tree or
5) The Abuse or mutilation of a Tree, except that nothing herein shall be construed to prevent reasonable and proper trimming of trees in accordance with Accepted Horticultural practices.

F) Drip Line. An imaginary vertical line extending from the outermost portion of a Tree canopy to the ground.

G) Significant Tree. Any Public Tree that is a living woody perennial plant with a base diameter of six inches or more as measured three feet above ground level.

H) Easement. As defined in the Conway Subdivision Ordinance (0-00-03), an easement is a grant by a property owner of the use, for a specific purpose or purposes, of land by the public, a corporation or certain persons.

I) Tree Board. The Conway Tree Board established by Ordinance 0-06-26

SECTION 3. In order to develop a Community Tree Management Plan, the Conway Tree Board will be established for the City of Conway, Arkansas.

The Conway Tree Board will consist of nine members, all citizens and residents of Conway, who shall be appointed by the Mayor with the approval of the City Council. At least one member shall be a member of the Conway Area Chamber of Commerce, at least one member shall be representative of the City of Conway, at least one member shall be a business owner in the City of Conway, and at least one member shall be an employee of Conway Corporation appointed by Conway Corporation Management. At least one member shall be a nursery man, professional horticulturist, landscape architect, or master gardener.

The Conway Tree Board, as it deems necessary for guidance, shall choose its own officers, establish its own rules and by-laws, and keep a record of its proceedings. A majority of the members shall be a quorum for the transaction of business. The term of the persons to be
appointed by the Mayor shall be three years with staggered terms. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed by the Mayor shall be three years with staggered terms. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

The Conway Tree Board shall assist the community and its officials in disseminating information about the protection, maintenance, and improvement of the City of Conway’s tree population. The Conway Tree Board shall propose such legislation, as may be necessary and practical to pursue the ends for which the Conway Tree Board was created.

The Conway Tree Board shall develop tree-planting programs in conjunction with other public agencies, private agencies, and with City Council approval. The Tree Board shall have authority to recommend trees to be placed in the general area of utility lines in order to decrease the need for pruning and maintenance in such areas.

The Conway Tree Board shall educate the public concerning tree maintenance and the benefits of trees.

The Conway Tree Board shall provide technical advice and assistance to developers, builders, contractors etc., upon request in the selection and protection of naturally occurring trees, during the development of wooded areas.

The Conway Tree Board shall communicate with such professional and technical services as it may see fit, within the scope of this ordinance.

**SECTION 4.** In order to maintain trees on public property:

1. Trees planted on public property shall become City of Conway property.
2. The City of Conway and Conway Corporation shall have the authority to prune, maintain, and remove trees, plants, and shrubs within the Rights of Way of all streets, alleys, avenues, lanes, squares, and easements as may be necessary to insure public safety or preserve or enhance the symmetry and beauty of such public grounds. The City of Conway and Conway Corporation shall follow American National Standards Institute pruning standards.
3. The City of Conway and Conway Corporation any Public Utility that has a Franchise Agreement with the city of Conway may remove or cause to be removed, any Tree located in an Easement or Right of Way or part thereof which is in an unsafe condition or by which reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, phone lines, cable lines, underground drainage (piped or open) or other public improvements, or is affected with any injurious fungus, insect, or pest.
4. It shall be unlawful for any person to destroy, transplant or remove any Public Tree within the city of Conway without first receiving the permission of the Tree Board and the City Council.
5. Under disaster or emergency circumstances, the City of Conway and Conway Corporation may remove or prune trees severely damaged by storms or other natural causes.
6. By reasons of its nature and practicality, the City of Conway and Conway Corporation shall have the authority to prune, maintain, and remove trees, plants, and shrubs as necessary during any season or time of the year.

7. All supervisory personnel of the City of Conway and Conway Corporation employees who may prune trees in a non-emergency situation shall participate in an educational course on basic tree science and proper techniques of pruning.

SECTION 5. The provisions of this ordinance are hereby declared to be separable and if any section, phrase, or provision shall be declared or held illegal, or invalid, such invalidity shall not affect the remainder of the sections, phrases, or provisions.

PASSED this 28th day of June, 2011.

Approved:

______________________________
Mayor Tab Townsell

Attest:

______________________________
Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT THE NORTHEAST CORNER OF DAVE WARD DRIVE AND SOUTH GERMAN LANE FROM I-3 TO C-3:

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

SECTION 1: The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the I-3 symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

All that part of the NE¼ SE¼ of Section 13; T-5-N, R-14-W, Faulkner County Arkansas; more particularly described as beginning at the NW corner of said NE¼ SE¼; thence along the West line of said NE¼ SE¼ S01°31'29"W 158.49 feet to the point of beginning; thence leaving said 'West line S88°51'49"E 274.65 feet; thence S01°39'49"W 115.92 feet; thence S36°34'46"E 432.50 feet; thence S01°31'29"W 412.57 feet to the North right-of-way of Dave Ward Drive/State Highway #60; thence along said right-of-way to a point N64°54'47"W 535.87 feet; thence to a point N38°15'04"W 44.75 feet; thence to a point N02°42'58"E 91.84 feet; thence to a point S88°34'42"W 23.38 feet to the West line of said NE1/4 SE1/4; thence along said West line N01°31'29"E 527.74 feet to the point of beginning containing 327,135.6 square feet equal to 7.51 acres more or less.

to those of C-3, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

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

PASSED this 28th day of JUNE, 2011.

Approved:

___________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
June 21, 2011

Council Members
Conway, AR 72032

Dear Council Members:

RJ Properties, LLC request for rezoning from I-3 to C-3 for property located at the northeast corner of Dave Ward Drive and South German Lane with the legal description:

All that part of the NE¼ SE¼ of Section 13; T-5-N, R-14-W, Faulkner County Arkansas; more particularly described as beginning at the NW corner of said NE¼ SE¼; thence along the West line of said NE¼ SE¼ S01°31'29"W 158.49 feet to the point of beginning; thence leaving said 'West line S88°51'49"E 274.65 feet; thence S01°39'39"W 115.92 feet; thence S36°34'46"E 432.50 feet; thence S01°31'29"W 412.57 feet to the North right-of-way of Dave Ward Drive/State Highway #60; thence along said right-of-way to a point N64°54'47"W 535.87 feet; thence to a point N38°15'04"W 44.75 feet; thence to a point N02°42'58"E 91.84 feet; thence to a point S88°34'42"W 23.38 feet to the West line of said NE1/4 SE1/4; thence along said West line N01°31'29"E 527.74 feet to the point of beginning containing 327,135.6 square feet equal to 7.51 acres more or less.

was reviewed and tabled by the Planning Commission at its regular meeting on Monday, April 18, 2011, following the public hearing on the item. At its June 20 regular meeting, the Planning Commission voted 7 - 0 that the request be sent to the City Council with a recommendation for approval. A lack of the required representation at the Planning Commission meeting was the cause for this item being tabled.

Submitted by,

Kent Mathis, Chairman
Planning Commission
June 2, 2011

Mayor Tab Townsell
1201 Oak Street
Conway, AR 72032

Re: 2012 Commercial Rear Load Refuse Truck

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Wednesday, June 1, 2011 at City of Conway City Hall for a 2012 Commercial Rear Load Refuse Truck. Five bids were submitted:

- Diamond International $153,679.96
- Truck Center of Arkansas $155,793.00
- Shipley Motor $165,295.55
- Peterbilt Truck Centers of Little Rock $166,278.00
- Shipley Motor $169,683.55

I recommend accepting Bid from Diamond International for $153,679.96. This was the lowest bid and met all bid specs.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington
Sanitation Director
BID SUMMARY
2012 Commercial Rear Load Refuse Truck
Bid #2011-23

Bid #1 submitted by Diamond International
2012 7500 SFA 6X4 (SF537)
$153,679.96
Delivery time 75 Days

Bid #2 submitted by Truck Center of Arkansas
2012 Freightliner M-2 Truck / Heil 5000 Body
$155,793.00
Delivery time November 11, 2011

Bid #3 submitted by Shipley Motor
2012 Mack GU533 6x4 / Heil 5000
$165,295.55
Delivery time 180 Days

Bid #4 submitted by Peterbilt Truck Centers of Little Rock
$166,278.00
Delivery time 90 Days after AOB

Bid #5 submitted by Shipley Motor
2012 Mack GU533/2011 E-Z Pack Goliath G300C-25
$169,683.55
Delivery time 180 Days

I recommend accepting the bid from Diamond International with a bid of $153,679.96. This truck meets all specifications. Prices include tax and delivery costs.
City of Conway – Mayor’s Office
2011-23 - Bid Sheet Commercial Rear Load Refuse Truck
Bid Opening Date: Wednesday, June 1st, 2011
City Hall - Downstairs Conference Room @ 10:00am

Total Bid Amount: $153,678.96

Description of Truck: Garbage truck Inc. 7500

Anticipated Delivery Date: 75 days.

Unsigned bids will be rejected.

Authorized Agent Bidding on this project:

Diamond International
Company Name

Company Representative Name

Representative’s Signature

Address

Email Address

W. Little Rock AR 72117
City State Zip

Telephone Number

Fax Number

6-1-11 Date

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.
City of Conway – Mayor’s Office
2011-23 - Bid Sheet Commercial Rear Load Refuse Truck
Bid Opening Date: Wednesday, June 1st, 2011
City Hall - Downstairs Conference Room @ 10:00am

Robert Mooney
Vocational Truck Sales
moooney@truckcentersar.com

$ 155,793.00
Freightliner M-2 / Heil 5000

Anticipated Delivery Date: November 11

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:
Truck Centers of Arkansas
Company Name

North little Rock Ar
Robert Mooney

Company Representative Name

Representative's Signature

11700 Valentine Rd
Address
NLR AR 72117
City State Zip

501-955-3200
Telephone Number

501-907-2066
Fax Number

6-1-11
Date

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.
City of Conway – Mayor's Office
2011-23 - Bid Sheet Commercial Rear Load Refuse Truck
Bid Opening Date: Wednesday, June 1st, 2011
City Hall - Downstairs Conference Room @ 10:00am

Total Bid Amount: $165,295.55
Description of Truck: GU533
Anticipated Delivery Date: 180 days

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Shipley Motor
Company Name

Dustin Bell

Company Representative Name

Dustin Bell
Representative's Signature

620 Mountain Base Rd  dustin@shipleymotor.com
Address Email Address

Pottsville  AR  72858
City State Zip

479-264-8655  479-445-8360
Telephone Number Fax Number

2011
Date

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.
City of Conway - Mayor's Office
2011-23 - Bid Sheet Commercial Rear Load Refuse Truck
Bid Opening Date: Wednesday, June 1st, 2011
City Hall - Downstairs Conference Room @ 10:00am

Total Bid Amount: 166278.00

Description of Tuck: 2012 PETERBILT 348

Anticipated Delivery Date: 90 DAYS AFTER AOB

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

PETERBILT TRUCK CENTERS OF LITTLE ROCK
Company Name

[Signature]

Company Representative Name

GARY BARNES
Representative's Signature

1 PETERBILT DRIVE
Address
gary.barnes@peterbilttruckcenters.com
Email Address

NORTH LITTLE ROCK, ARKANSAS 72117
City State Zip

501-955-2000 1-866-422-3797
Telephone Number Fax Number

5/31/2011
Date

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.
City of Conway – Mayor’s Office
2011-23 - Bid Sheet Commercial Rear Load Refuse Truck
Bid Opening Date: Wednesday, June 1st, 2011
City Hall - Downstairs Conference Room @ 10:00am

Contract:
$ 169,683.55

Unit:
GU533

Delivery Date:
180 days

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

   Shipley Motor
   Company Name

   Dustin Bell
   Representative Name
   Representative’s Signature

120 Mountain West Rd. dustin@shipleymotor.com
   Address
   Email Address

Pottsville AR 72858
City State Zip

479-264-8659 479-478-8765
Telephone Number Fax Number

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.
June 2, 2011

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

Re: 2012 Hook Lift Roll-Off Truck

Dear Mayor Townsell,

Bids were submitted at 10:00 am, Wednesday, June 1, 2011 at Conway City Hall for a 2012 Hook Lift Roll-Off Truck. Three bids were submitted:

- Diamond Int’l of Little Rock: $125,760.17
- Truck Centers of Arkansas: $127,939.00
- Shipley Motor: $137,614.31

I recommend accepting the bid from Diamond Int’l of Little Rock for $125,760.17. Prices include tax and delivery costs. This bid meets all specifications.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington  
Sanitation Director
### BID SUMMARY

#### 2011 Hooklift Roll-Off Truck

**Bid #2011-22**

<table>
<thead>
<tr>
<th>Bid #</th>
<th>Truck Model</th>
<th>Price</th>
<th>Delivery Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>2012 International Work Star Truck/Stellar Hook</td>
<td>$125,760.17</td>
<td>75 days</td>
</tr>
<tr>
<td>#2</td>
<td>2012 Freightliner M-2 Truck &amp; Stellar Hooklift</td>
<td>$127,939.00</td>
<td>September 11, 2011</td>
</tr>
<tr>
<td>#3</td>
<td>2012 Mack GU533 Truck &amp; Stellar Hooklift</td>
<td>$137,614.31</td>
<td>180 Days</td>
</tr>
</tbody>
</table>

I recommend accepting the bid from Diamond Int’l of Little Rock with a bid of $125,760.17. This truck meets all specifications. Prices include tax and delivery costs.
City of Conway – Mayor’s Office
Bid Sheet
2011-22 – 2011 Hooklift Roll-off Truck
Bid Opening Date: Wednesday, June 1st, 2011
City Hall - Downstairs Conference Room @ 10:00am

<table>
<thead>
<tr>
<th>Description of Truck:</th>
<th>Int. Workstar Hooklift</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anticipated Delivery Date:</td>
<td>75 days</td>
</tr>
</tbody>
</table>

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Diamond International</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company Representative Name</td>
<td>Harry Atwood</td>
</tr>
<tr>
<td>Representative’s Signature</td>
<td>[Signature]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>11401 Diamond Dr.</th>
</tr>
</thead>
<tbody>
<tr>
<td>City</td>
<td>Little Rock</td>
</tr>
<tr>
<td>State</td>
<td>AR</td>
</tr>
<tr>
<td>Zip</td>
<td>72117</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>501-945-8400</td>
</tr>
<tr>
<td>Fax Number</td>
<td>501-945-8420</td>
</tr>
<tr>
<td>Date</td>
<td>6-1-11</td>
</tr>
</tbody>
</table>
INTERNATIONAL®

Financial Summary
2012 7500 SFA 6X4 (SF537)

(USA DOLLAR)

June 01, 2011

Description

<table>
<thead>
<tr>
<th>Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Factory List Prices:</td>
<td></td>
</tr>
<tr>
<td>Product Items</td>
<td>$116,277.00</td>
</tr>
<tr>
<td>Service Items</td>
<td>$0.00</td>
</tr>
<tr>
<td>Total Factory List Price Including Options:</td>
<td>$116,277.00</td>
</tr>
<tr>
<td>Detail, DOT, Fire Extinguisher</td>
<td>$485.00</td>
</tr>
<tr>
<td>Total Preparation And Delivery:</td>
<td>$1,845.00</td>
</tr>
<tr>
<td>Freight Charge</td>
<td></td>
</tr>
<tr>
<td>Total Freight:</td>
<td>$1,845.00</td>
</tr>
<tr>
<td>Total Vehicle Price:</td>
<td>$118,607.00</td>
</tr>
<tr>
<td>Less Customer Allowance:</td>
<td>($36,746.83)</td>
</tr>
<tr>
<td>Total Body/Allied Equipment:</td>
<td>$81,860.17</td>
</tr>
<tr>
<td>Total Sale Price:</td>
<td>$125,760.17</td>
</tr>
<tr>
<td>Total Per Vehicle Sales Price:</td>
<td></td>
</tr>
<tr>
<td>Net Sales Price:</td>
<td>$125,760.17</td>
</tr>
</tbody>
</table>

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.

Approved by Seller:  

Accepted by Purchaser:  

Firm or Business Name  

Authorized Signature and Date  

This proposal is not binding upon the seller without Seller’s Authorized Signature

Official Title and Date  

Proposal: 9267-01
City of Conway – Mayor’s Office
Bid Sheet
2011-22 – 2011 Hooklift Roll-off Truck
Bid Opening Date: Wednesday, June 1st, 2011
City Hall - Downstairs Conference Room @ 10:00am

Robert Mooney
Vocational Truck Sales
Mobile: 501-595-5379
rmooney@truckcentersofarkansas.com

Freightliner M-2 / Stellar
Sept 11

127,939.00

Description of Tuck:

Anticipated Delivery Date:

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Truck Centers of Arkansas
Company Name

Robert Mooney
Company Representative Name

Representative’s Signature

11700 Valentine Rd
Address
rmoooney@truckcentersofarkansas.com
Email Address

AR
State

72117
Zip

501-955-3200
Telephone Number

501-907-2066
Fax Number

6-1-11
Date
City of Conway – Mayor’s Office
Bid Sheet
2011-22 – 2011 Hooklift Roll-off Truck
Bid Opening Date: Wednesday, June 1st, 2011
City Hall - Downstairs Conference Room @ 10:00am

Total Bid Amount: $137,614.31

Description of Truck: GU533

Anticipated Delivery Date: 180 days

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Shipley Motor

Company Name

Dustin Bell

Company Representative Name

Representative's Signature

620 Mountain Bake Rd dustin@shipleymotor.com

Address Email Address

Bottsville AR 72838

City State Zip

479-244-8654

Telephone Number

479-448-8265

Fax Number

10-1-11

Date
June 17, 2011

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

Re: 3, 6 & 8 Yard Front Load Containers

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Thursday June 16, 2011 at Conway City Hall for 3, 6 & 8 Yard Front Load Containers. Four bids were submitted:

- Louisiana Container Co., Inc. $30,102.00
- N.E.O. Fab $30,294.00
- Wastequip Mfg. Co., LLC $31,224.00
- Truck Component Services (TCS) $33,698.23

I recommend accepting the bid from Louisiana Container Co., Inc. for $30,102.00. The Container suggested is the most reasonably priced. Prices include tax and delivery costs.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington
Sanitation Director
**BID SUMMARY**

3, 6 & 8 Yard Front Load Containers  
Bid #2011-25

<table>
<thead>
<tr>
<th>Bid #1 submitted by Louisiana Container Co. Inc</th>
<th>Bid #2 submitted by N.E.O. Fab</th>
<th>Bid #3 submitted by Wastequip Mfg. Co., LLC</th>
<th>Bid #4 submitted by Truck Component Services (TCS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$604.00 each (12) 3 yard Front load containers</td>
<td>$494.00 each (12) 3 yard Front load containers</td>
<td>$532.00 each (12) 3 yard Front load containers</td>
<td>$530.00 each (12) 3 yard Front load containers</td>
</tr>
<tr>
<td>$699.00 each (24) 6 yard Front load containers</td>
<td>$773.00 each (24) 6 yard Front load containers</td>
<td>$791.00 each (24) 6 yard Front load containers</td>
<td>$740.00 each (24) 6 yard Front load containers</td>
</tr>
<tr>
<td>$1,013.00 each (6) 8 yard Front load containers</td>
<td>$969.00 each (6) 8 yard Front load containers</td>
<td>$976.00 each (6) 8 yard Front load containers</td>
<td>$885.00 each (6) 8 yard Front load containers</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Bid $30,102.00</th>
<th>Total Bid $30,294.00</th>
<th>Total Bid $31,224.00</th>
<th>Total Bid $33,698.23</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delivery time 30 Days ARO</td>
<td>Delivery time 30 Days ARO</td>
<td>Delivery time 2-4 weeks ARO</td>
<td>Delivery time 2-4 weeks ARO</td>
</tr>
</tbody>
</table>

I recommend the bid #1 Louisiana Containers Co., Inc. for $30,102.00 or $604.00 each for (12) 3 yard, $699.00 each for (24) 6 yard containers & $1,013.00 each for (6) 8 yard containers. The Container suggested is the most reasonably priced. Prices include tax and delivery costs.
Authorized Agent bidding on this project:
2011-25 – 3, 6, 8, Front Yard Containers:

LOUISIANA CONTAINER Co INC.

Company Name

Cecil Holden

Company Representative Name

Representative’s Signature

7657 Hwy 71 South  cecil@louisianaccontainer.com

Address  Email Address

Alexandria  LA  71302

City  State  Zip

318-473-2526  318-487-0068

Telephone Number  Fax Number

06-14-11

Date

Unsigned bids will be rejected:

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.
**City of Conway – Mayor’s Office**  
**Bid Sheet**  
**2011-24 – 3, 6, 8 Yard Load Containers**  
**Bid Opening Date:** Thursday, June 16th, 2011  
**City Hall - Downstairs Conference Room @ 10:00am**

<table>
<thead>
<tr>
<th>Item</th>
<th>Price</th>
<th>Qty</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Yard Front Load Containers (w/access doors)</td>
<td>$604 @ 12 = 7,248</td>
<td></td>
</tr>
<tr>
<td>6 Yard Front Load Containers (no access doors)</td>
<td>$699 @ 24 = 16,776</td>
<td>616</td>
</tr>
<tr>
<td>6 Yard Front Load Containers (w/access doors)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Yard Front Load Containers (w/access doors)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Yard Front Load Containers (w/access doors)</td>
<td>$1,013 @ 6 = 6,078</td>
<td></td>
</tr>
</tbody>
</table>

**Total amount of bid**  
$30,102

*The Sanitation Department reserves the right to order the quantity of dumpsters as needed of the 222 containers to be bid on.*

All bids should be good for 120 days. Indicate specific date that prices can be held through:  
**October 15, 2011**

Delivery should start within 30 days & be finished within 90 days.

Indicate delivery date: **30 Days from Bid Acceptance.**

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid.

**Bid should include all charges, including taxes, freight, shipping, etc. if applicable.**

*Please make sure portions through bid specifications are filled in & be sure to fill out the Authorized agent form on page 6.*
Authorized Agent bidding on this project:
2011-25 – 3, 6, 8, Front Yard Containers:

U.E.O. FAR

Company Name

John Allmann

Company Representative Name

John

Representative's Signature

604 Henley Blvd neotubes@sbcglobal.net

Address Email Address

Miami FL 74354

City State Zip

918 541-9203 918 641-9204

Telephone Number Fax Number

6/9/11 Date

Unsigned bids will be rejected:

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.
City of Conway – Mayor’s Office
Bid Sheet
2011-25 – 3, 6, 8 Yard Load Containers
Bid Opening Date: Thursday, June 16th, 2011
City Hall - Downstairs Conference Room @ 10:00am

<table>
<thead>
<tr>
<th>Item</th>
<th>Price</th>
<th>Qty</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Yard Front Load Containers (w/access doors)</td>
<td>$494.00</td>
<td>12</td>
</tr>
<tr>
<td>6 Yard Front Load Containers (no access doors)</td>
<td>$773.00</td>
<td>2.4</td>
</tr>
<tr>
<td>8 Yard Front Load Containers (w/access doors)</td>
<td>$969.00</td>
<td>6</td>
</tr>
</tbody>
</table>

Total amount of bid: $30,294.00

The Sanitation Department reserves the right to order the quantity of dumpsters as needed of the containers to be bid on.

All bids should be good for 120 days. Indicate specific date that prices can be held through: 9/30/2011

Delivery should start within 30 days & be finished within 90 days.

Indicate delivery date: 30 days after opening of this bid.

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid.

** Bid should include all charges, including taxes, freight, shipping, etc. if applicable.

Please make sure portions through bid specifications are filled in & be sure to fill out the Authorized agent form on page 6.
Authorized Agent bidding on this project:
2011-25 – 3, 6, 8, Front Yard Containers:

Wastequip Mfg. Co., LLC

Smith Trent, Vice President

(Bid Location) 841 Meacham Road MJenkins@wastequip.com
Address Email Address

Statesville NC 28677
City State Zip

800-255-4126 Ext 144 704-878-0734
Telephone Number Fax Number

June 14, 2011
Date

Unsigned bids will be rejected:

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.
City of Conway – Mayor’s Office
Bid Sheet
2011-25 – 3, 6, 8 Yard Load Containers
Bid Opening Date: Thursday, June 16th, 2011
City Hall - Downstairs Conference Room @ 10:00am

<table>
<thead>
<tr>
<th>Item</th>
<th>Price</th>
<th>Qty</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Yard Front Load Containers (w/access doors) Slant Top</td>
<td>$532.00 each</td>
<td>12</td>
</tr>
<tr>
<td>Design - NO access doors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Yard Front Load Containers (no access doors) Slant</td>
<td>$791.00 each</td>
<td>24</td>
</tr>
<tr>
<td>Top Design</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Yard Front Load Containers (w/access doors) Flat Top</td>
<td>$835.00 each</td>
<td>Not Listed</td>
</tr>
<tr>
<td>Design with door - Access door not available on a slant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>top</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Yard Front Load Containers (w/access doors) Flat Top</td>
<td>$976.00 each</td>
<td>6</td>
</tr>
<tr>
<td>Design with door - Access door not available on a slant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>top</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total amount of bid

To be determined - Amount depends on quantity ordered.

The Sanitation Department reserves the right to order the quantity of dumpsters as needed of the 222 containers to be bid on.

All bids should be good for 120 days. Indicate specific date that prices can be held through:
120 Days After Bid Opening

Delivery should start within 30 days & be finished within 90 days.

Indicate delivery date: 2-4 Weeks ARO

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid.

** Bid should include all charges, including taxes, freight, shipping, etc. if applicable.

Please make sure portions through bid specifications are filled in & be sure to fill out the Authorized agent form on page 6.
Authorized Agent bidding on this project:
2011-25 – 3, 6, 8, Front Yard Containers:

TCS
Company Name

Daniel Ellison
Company Representative Name

Representative's Signature

Po Box 157 daniellellison@yahoo.com / dellison@larsongroup.net
Address Email Address

Poyen Arkansas 72128
City State Zip

501-425-1567 417-736-9218
Telephone Number Fax Number

June, 09 2011
Date

Unsigned bids will be rejected:

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.
City of Conway – Mayor's Office  
Bid Sheet  
2011-25 – 3, 6, 8 Yard Load Containers  
Bid Opening Date: Thursday, June 16th, 2011  
City Hall - Downstairs Conference Room @ 10:00am

<table>
<thead>
<tr>
<th>Item</th>
<th>Price</th>
<th>Qty</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Yard Front Load Containers (w/access doors)</td>
<td>$6,360.00</td>
<td>12 @ $530.00 Ea</td>
</tr>
<tr>
<td>6 Yard Front Load Containers (no access doors)</td>
<td>$17,760.00</td>
<td>24 @ $740.00 Ea</td>
</tr>
<tr>
<td>8 Yard Front Load Containers (w/access doors)</td>
<td>$5,310.00</td>
<td>6 @ $885.00 Ea</td>
</tr>
<tr>
<td>Freight based on quantities listed at front of bid</td>
<td>$1,700.00</td>
<td>5 loads @ $340.00 Ea</td>
</tr>
<tr>
<td>Sales Tax based upon quantities listed at front of bid</td>
<td>$2,568.23</td>
<td>Tax Rate 8.25%</td>
</tr>
</tbody>
</table>

Total amount of bid $33,698.23

The Sanitation Department reserves the right to order the quantity of dumpsters as needed of the 222 containers to be bid on.

All bids should be good for 120 days. Indicate specific date that prices can be held through:

______________________________

Delivery should start within 30 days & be finished within 90 days.

Indicate delivery date: 2-4 Weeks After Receipt Of Order

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid.

** Bid should include all charges, including taxes, freight, shipping, etc. if applicable.

Please make sure portions through bid specifications are filled in & be sure to fill out the Authorized agent form on page 6.
A RESOLUTION ORDERING THE DEMOLITION OF STRUCTURE LOCATED ON 912 FRONT STREET AND DECLARING THE INTENT OF THE CITY TO BRING THE PROPERTY UP TO CITY CODE IF THE OWNER DOES NOT

WHEREAS, there is a structure located at 912 Front Street which because of its, unsightly, unsafe and unsanitary condition, has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas; and

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

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

SECTION 1: That the structure at 912 Front Street in Conway, Arkansas, because of its, unsightly, unsafe and unsanitary condition has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas, and it is hereby ordered that the property be brought up city code by the owner therefore.

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

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

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

PASSED this 28th day of June, 2011.

Approved:

____________________________
Mayor Tab Townsell

Attest:

____________________________
Michael O. Garrett,
City Clerk/Treasurer
AN ORDINANCE GRANTING A TEMPORARY FRANCHISE TO THE BIG HOUSE BURGER JOINT INC, TO UTILIZE CERTAIN AREAS OF DOWNTOWN CONWAY & SIMON PARK TO OPERATE A VENDING CART; AND FOR OTHER PURPOSES.

Whereas, Mike Willbanks of The Big House Burger Joint (mobile cart) desires to utilize a seven block perimeter of downtown & Simon Park to operate a vending cart, and

Whereas, the City of Conway has control of such streets and public grounds and parks and find it advantageous to grant a franchise for the use of a vending cart in Downtown Conway.

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

SECTION 1: A temporary franchise that shall be in effect until December 31, 2011 is hereby granted from the City of Conway (hereinafter referred to as “City”) to Mike Willbanks of Big House Burger Joint Inc. (hereinafter referred to as “Franchisee”) for the purpose of the use of a vending cart in Downtown Conway & Simon Park for profit in a limited areas within the City of Conway. Franchisee, in the conduct of his business shall be authorized to utilize City Owned sidewalks located in a 7 block perimeter of downtown Conway area and Simon Park. Mr. Willbanks will contact the Mayor’s Office prior to any event in Simon Park to ensure availability of the Park.

Section 2: This franchise is non-exclusive.

Section 3. Fees – A fee of $50 shall be charged for this franchise.

Section 4. Franchisee shall be responsible for obtaining insurance in the amount of $25,000 per person for bodily injury claims with a $50,000 aggregate limit for bodily injury claims and $25,000 for property damages, and that this franchise shall not be valid without such insurance.

Section 5. This franchise shall not be transferred to any other party.

Section 6. That franchisee shall be responsible for keeping the sidewalks; park and public grounds and parking areas clean of all waste and trash that is generated by the operations of this franchise. That failure to do comply will be adequate grounds for revocation of this franchise.

Section 7. All operations and facilities shall be maintained in a safe manner and licensed and inspected as required by the State of Arkansas. That failure to comply will be adequate grounds for revocation of this franchise.
Section 8. That the City assumes no maintenance or liability responsibility for franchisee’s plant or appurtenances.

Section 9. That the Mayor, Police Chief or Fire Chief may temporarily revoke this franchise or restrict the free exercise of this franchise if it is determined that a situation exists that requires such revocation or restriction for the public safety or for abatement of a public nuisance. Upon such temporary revocation or restriction, Franchisee shall remove equipment and appurtenances from the park and/or public grounds at his expense until further notice from the city.

PASSED this 28th day of June, 2011.

Approved:

________________________
Mayor Tab Townsell

Attest:

______________________________
Michael O. Garrett
City Clerk/Treasurer
June 22, 2011

To: City of Conway
   City Council Members

Fm: The Big House Burger Joint, Inc.
   General Managers and Owners

Re: Request of Franchise for Prepared Food Vending

The Big House Burger Joint, a restaurant holding A&P Tax Permit #00338, requests a franchise with the City of Conway to vend prepared foods from a vending cart that will be placed on City-owned sidewalks located in a 7 block perimeter of downtown Conway's business district.

Specifics and guarantees include:

1. The cart will operate at one (1) location per day from Monday through Friday, weekly.
2. The cart will offer a breakfast menu from 7:00am to 9:30pm.
3. The cart will offer a lunch menu from 11:00am to 2:00pm.
4. The cart will NOT be located near the front door of any business.
5. The cart will NOT be located in a position that limits foot traffic and accessibility.
6. The cart will be located on sidewalks only and NOT in any portion of a street or alley.
7. The following are possible locations that meet the previous guarantees:
   a. Sidewalk at Parkway and Oak on the perimeter of the parking lot.
   b. Sidewalk on Main at the north perimeter of Farmers’ Market lot.
   c. On the Main street sidewalk, under the Pine trees at the south perimeter of Simon Park.
   d. On the sidewalk corner at Chestnut and Main, adjacent to the Quinn Building.
   e. On the sidewalk on the north side of Oak Street between the Chamber’s parking lot and Walgreen’s parking lot but NOT on either lot.
   f. On the sidewalk at the corner of Van Ronkle and Chestnut.
Business Applicant Information

Applicant Name: The Big House Burger Joint, Incorporated
Type of Business: Restaurant
Business Name: The Big House K-9 Kart
Business Address: 825 Parkway Ave., Ste 6
Business Mailing Address: Conway AR 72034
Business Phone Number: 501-548-0115

Additional Information

The Big House Burger Joint, a restaurant holding A & P Tax Permit # 00338, requests a franchise with the City of Conway to vend prepared foods from a vending cart that will be placed on City owned sidewalks located in a 1 block perimeter of downtown Conway business district.

As a franchise applicant in the City of Conway I have read the attached Ordinance, O-99-101, and understand the rules and regulations that are set forth therein and do hold myself responsible for providing the requested documents and information to the proper departments as well as following and abiding by its procedures and guidelines for operating my business.

Business owner/Applicant Signature  Mike Williams Date 6/22/2011
**CERTIFICATE OF LIABILITY INSURANCE**

**DATE:** 6/22/2011

---

**CERTIFICATE NUMBER:** CL162209805

**JURISDICTION:** Arkansas

**CERTIFICATE OF LIABILITY INSURANCE**

---

** ISSUED AS A MATTER OF INFORMATION ONLY AND CONFRNS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**CONTACT**

Pam Halverson or Sonia Burgess

spbell and Company

Cl S. Arkansas

**RED INSURER 8:** First Comp

**1172801**

**1 Chance Enterprises Inc,**

**Big House Burger Joint**

**5 Parkway Suite 4**

**VERAGES**

**CITY:** Conway

**CITY:** Conway

**STATE:** AR

**STATE:** AR

**ZIP CODE:** 72032

**ZIP CODE:** 72032

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**BASED UPON THE INFORMATION PROVIDED ABOVE, THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.**

<table>
<thead>
<tr>
<th>TYPE OF INSURANCE</th>
<th>POLICY NUMBER</th>
<th>LIMITS</th>
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<tbody>
<tr>
<td>GENERAL LIABILITY</td>
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<tr>
<td>COMMERCIAL GENERAL LIABILITY</td>
<td>CTP92327 10/22/2010 10/22/2011</td>
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<td>CLAIMS-MADE</td>
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<td>EXCESS LIABILITY</td>
<td>OCCUR CLAIMS-MADE</td>
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<td>UMBRELLA LIABILITY</td>
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<td>AUTOMOBILE LIABILITY</td>
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<td>NON-OWNED AUTOS</td>
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**WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY**

**Y/N:** N/A

**POLICY NUMBER:** WC0109002-02 4/14/2011 4/14/2012

**LIMITS:**

| EACH OCCURRENCE | $100,000 |
| GENERAL LIMIT | $500,000 |
| E.L. EACH ACCIDENT | $100,000 |
| E.L. DISEASE - EA EMPLOYER | $100,000 |
| E.L. DISEASE - POLICY LIMIT | $100,000 |

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**CERTIFICATE HOLDER:**

City of Conway

1201 Oak Street

Conway, AR 72032

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE:**

P Halverson/SONIA

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Conway A & P Forms and Payments

All forms pertaining to the Conway A & P tax are available online for your convenience at www.cityofconway.org. Click on “Departments” and then click on “City Clerk”.

If you choose to mail your monthly payments the only address mailed payments will be accepted at is:

The mailing address for PAYMENTS is:

CITY OF CONWAY PREPARED FOOD TAX
PO BOX 1404
CONWAY, AR 72033-1404

Should you choose to make payments in person you may take them at the customer service desk located in the lobby at the following Centennial Bank location:

Centennial Bank (Main Office)
620 Chestnut
Conway, AR 72032

If you have any questions, please call the Conway City Clerk’s office at 501-450-6100.
1. Locust an Main to 2. Locust and Oak to 3. Oak and Front to 4. Front and North/Van Ronkle to 5. Oak and Van Ronkle to 6. Oak and Harkrider to 7. Harkrider and Main and back to 1. Main and Locust. Containing 7 full blocks. Possible locations rotating daily are shown with X. Plus occasionally scheduling Simon Park when not in use.
AN ORDINANCE TO AMEND ORDINANCE NO. O-10-18 THAT ESTABLISHED THE PERMITTING PROCESS AND PRIVILEGE PERMIT FOR SELLING OR DISPENSING ANY CONTROLLED BEVERAGE WITHIN THE CITY OF CONWAY BY BUSINESSES LICENSED BY THE STATE TO SELL ALCOHOLIC BEVERAGES; AND LEVIED THE PERMIT FEES AND A CITY SUPPLEMENTAL TAX; REPEALING ANY ORDINANCES IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and City Council desire to amend Ordinance O-10-18 that levied the city supplemental tax on any controlled beverage within the City of Conway; and

WHEREAS, Title 3 of the Arkansas Code relating to Alcoholic Beverages recognizes the power of local governmental bodies to regulate the operation of establishments under that Title as may be necessary for the protection of public health, welfare, safety, and morals; and

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

Section 1: Section 18 (Number 4) shall be amended to read as follows:

4. **Supplemental beverage tax.** In addition to the Supplemental Privilege Permit fee, there is hereby imposed and levied a city supplemental tax of five percent (5%) upon the annual gross receipts which are derived by such private club from charges to the members and/or their guests for the following services:

   a. For the preparation and serving of mixed drinks, and

   b. For the cooling and serving of beer, light wine, and wine.

   c. The city’s supplemental beverage tax is in addition to the state supplemental tax on private clubs and shall be paid to the City Clerk/Treasurer’s Office, shall be due monthly at the same time that the state supplemental tax is due, and shall be accompanied by one copy of the state supplemental tax return. If any permittee shall fail to remit the supplemental tax within the time period that the state tax is due, a penalty of 10% of the tax due shall be due and payable in addition to the tax.

Section 2: All other parts and enumerated paragraphs in Section 18; remain intact, unamended, and are in full force and effect.

Section 3: That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

PASSED this 28th day of June, 2011.

Approved:

Attest:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer