City of Conway - City Council Meeting

www.cityofconway.org

Tuesday, November 27th, 2012 @ 6:30pm

Judge Russell L. “Jack” Roberts District Court Building – 810 Parkway St., Conway, AR 72032

5:30pm - Committee Meeting:

No Committee Meeting

******************************************************************************************

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 2 – Shelia Whitmore

*******************************************************************************

Call to Order: Mayor Tab Townsell
Roll Call: Michael O. Garrett, City Clerk/Treasurer
Minutes: November 13th, 2012 City Council Meeting

Announcements/Proclamations/Recognitions: Employee Service Awards

1. Report of Standing Committees:

   A. Economic Development Committee (Airport, Conway Corporation, Conway Development, Historic District, Chamber of Commerce)

   1. Resolution considering the management of the new Conway Municipal Airport.

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

   1. Resolution requesting the Faulkner County Tax Collector place a certified lien on properties located at 26 Brierwood for incurred expenses by the City of Conway.

   2. Resolution declaring the intent of the City of Conway to repeal resolution R-08-23 and dedicate all natural gas severance tax state turnback funds for the general street purposes.

   3. Ordinance accepting and appropriating donation funds for the Conway Tree Board to help pay for expenses associated with the annual Arbor Day celebration.

   4. Ordinance amending the Northeast Old Conway area specific plan to allow a cell tower on Lot 1, Block, Syrgley Addition.

   5. Consideration of a request for a conditional use permit to allow MF-1 density in an R-2 zone for property that is located at 1311 and 1317 Bruce Street.

   6. Consideration of a request for a conditional use permit to allow a retail pharmacy drive through for property located at 2521 College Avenue.

   7. Ordinance to rezone property located at 810 South Amity from I-3 to C-3.

   8. Ordinance to rezone property located at the southeast corner of College Avenue and Prince Street from O-2 to PUD.

   9. Ordinance to rezone property located at the northeast corner of Hubbard Road and Carl Stuart Street 101 Hubbard Road from R-1 to PUD.
C. Public Services Committee (Sanitation, Parks & Recreation, & Physical Plant)

1. Consideration to accept bids for a trailer mounted drum brush chipper truck for the Sanitation Department.

2. Consideration to accept bids for a chipper truck with a 22yd box for the Sanitation Department.

D. Public Safety Committee (Police, Fire, CEOC, Information Technology, City Attorney, & Animal Welfare)

1. Ordinance waiving bid requirements to purchase bomb squad items for the Fire Department.

E. Finance

1. Consideration to approve the monthly financials reporting ending October 31, 2012.

2. Ordinance appropriating funds for the Employee Appreciation Bonus.

Old Business

New Business

Adjournment
City of Conway, Arkansas
Resolution No. R-12-____

A RESOLUTION TO DESIGNATE MANAGEMENT FOR NEW CONWAY MUNICIPAL AIRPORT

Whereas, the City of Conway will open a new municipal airport in 2014; and

Whereas, the City must determine what type of management will be in place when the new airport opens; and

Whereas, the City Council has appointed an Airport Advisory Committee to make recommendations; and

Whereas, the Airport Advisory Committee has looked at various management options; and

Whereas, the Airport Advisory Committee has determined that the new Conway Municipal Airport would be best served if managed by the City of Conway.

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

Section 1. The new Conway Municipal Airport will be managed by the City of Conway.

Section 2. The Conway Municipal Airport will become a department of the City, with manager serving as department head.

PASSED this 27th day of November, 2012.

Approved:

Attest:

______________________________
Mayor Tab Townsell

______________________________
Michael O. Garrett
City Clerk/Treasurer
November 20th, 2012

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

Dear Mayor Townsell:

The Airport Advisory Committee has been meeting on the First and Third Thursday since we were created by the City Council on September 25, 2012.

We have met with Mr. Robert Johnson, a consultant with the General Aviation Consulting Services and Mr. John Knight, Director of the Arkansas Department of Aeronautics. The purpose of our discussion was to review the pros and cons of various options to manage our new airport facility.

Over a period of three meetings we discussed three different options, total City operation of the airport, City plus FBO management and third party management. Each of these options was discussed at length with Mr. Johnson and Mr. Knight in order to give the committee a better understanding of the options available to the City.

At our meeting on November 1st, 2012, the committee voted unanimously to respectively recommend to you and the City Council that the City take over the management of the new airport when it becomes operational by hiring a good manager who would report to you and the Council. It was the feeling of the committee that this would give us the greatest control of all the factors relative to the operation of a new facility, provide the highest revenue stream, better control investments in the new facility and better project the positive image that is desired in a general aviation airport.

Please advise if you have any questions regarding this recommendation.

Yours very truly,

Bill Hegeman
Chairman
Airport Advisory Committee
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 26 Brierwood Circle 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 $161.06 ($119.15 + Penalty-$11.91 + filing fee-$30.00) 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 27th, 2012 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 27th day of November, 2012.

Approved:

_____________________
Mayor Tab Townsell

Attest:

_____________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell  
CC: City Council Members  

From: Barbara McElroy  
Date: November 5th, 2012  

Re: 26 Brierwood

- September 5th, 2012– Warning Violation written regarding grass.  
- Property Owner is listed as Elizabeth Jackson.  
- Property was rechecked on 9/13 & 9/17/2012 with no progress made.  
- Certified and regular letters were mailed 9/18/2012 to address on file and notice was left by Post Office on 9/19/2012.  
- Property was rechecked on 9/28/2012 and 10/8/2012 with no progress.  
- Email was sent to Physical Plant to mow property on 10/8/2012.  
- Final Cleanup finished on 10/23/2012.  
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.
City of Conway  
Code Enforcement  

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
barbara.mcelroy@cityofconway.org  

TO Elizabeth Jackson  
26 Brierwood Circle  
Conway, AR 72034  

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at 26 Brierwood Circle

<table>
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<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
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<tr>
<td>Grant Tomlin</td>
<td>710-09038-000</td>
<td>Due upon receipt</td>
<td>November 24, 2012</td>
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<tr>
<td>1</td>
<td>Maintenance Fee</td>
<td>15.00</td>
<td>15.00</td>
</tr>
</tbody>
</table>

1 Administrative Fee (Barbara McElroy) 24.15 24.15
1 Administrative fee (Grant Tomlin) 19.10 19.10
1 Administrative Fee (Glenn Berry) 21.70 21.70
2 Certified Letter 3.29 6.58
2 Regular letter .44 .88

TOTAL BY 11/24/2012 $119.15
TOTAL AFTER 11/27/2012 $161.06

- Total amount due after 11/27/2012 includes collection penalty & filing fees

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;
October 24, 2012

Elizabeth Jackson
26 Brierwood Circle
Conway, AR 72034

RE: Nuisance Abatement at 26 Brierwood Circle, Conway AR
Cost of Clean-Up, Amount Due: $119.15

Dear Ms. Jackson,

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its November 27th, 2012 Meeting, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the City of Conway and mail to 1201 Oak Street Conway Arkansas 72032 with the attention to Barbara McElroy. If you have any questions, please feel free to call me at 501-450-6191.

Sincerely,

Barbara McElroy
A RESOLUTION DECLARING THE INTENT OF THE CITY OF CONWAY TO REPEAL RESOLUTION R-08-23 AND DEDICATE ALL NATURAL GAS SEVERANCE TAX STATE TURNBACK FUNDS FOR GENERAL STREET PURPOSES

Whereas, on August 12, 2008, the city council adopted Resolution No. R-08-23, which dedicates the portion of the transportation turn-back funds in city’s Street Fund budget each year that are attributable to the state severance tax on natural gas to the provision, development, operation, and maintenance of alternative transportation facilities and services in Conway until further resolution.

Whereas, these funds were to have been accounted for separately from the Street Fund.

Whereas, it is the intent of the city council that such severance tax turnback funds provided to the City by the State of Arkansas shall now be used for general street purposes that where possible include alternative transportation elements such as sidewalks and bike lanes as per the “Complete Street Ordinance” No. O-09-56.

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

Section 1. Resolution No. R-08-23 is hereby repealed.

Section 2. All natural gas severance tax turnback funds provided to the City by the State of Arkansas shall now be used for general street purposes as provided by state law.

PASSED this 27th day of November, 2012.

Approved:

__________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE ACCEPTING AND APPROPRIATING DONATION FUNDS FOR THE CONWAY TREE BOARD TO HELP PAY FOR EXPENSES ASSOCIATED WITH THE ANNUAL ARBOR DAY CELEBRATION; AND FOR OTHER PURPOSES;

Whereas, donations in the amount of $580 were received from Faulkner County Master Gardeners, Farm Bureau, and various other sources in support of the annual Arbor Day celebration; and

Whereas, the holiday of Arbor Day, recognized by official proclamation, is one of critical importance to the education of the general public to the beneficial role our urban forest plays within our community; and

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

Section 1. The City of Conway, Arkansas, shall accept donation funds in the amount of $580 and appropriate said funds from the Donations Account (260-000-4705) to the Tree Board Account (260-000-5430).

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

Passed this 27th day of November, 2012.

Approved:

__________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
City of Conway, Arkansas
Ordinance No. O-12-___

AN ORDINANCE AMENDING THE NORTHEAST OLD CONWAY AREA SPECIFIC PLAN TO ALLOW A CELLULAR COMMUNICATION TOWER ON LOT 1, BLOCK 4, SRYGLEY ADDITION:

WHEREAS, The City of Conway would like to amend the Northeast Old Conway Area Specific Plan to allow a cell tower on a particular lot and set appropriate conditions for its installation;

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

SECTION 1. Section V. Land Uses Allowed, of the Northeast Old Conway Specific Plan, adopted by referring Ordinance O-09-86, August 25, 2009 is amended to include the below text. This text shall follow Chart 6. Land Uses Allowed by Right or Condition:

Specific Lot Amendment: A cellular communications tower shall be allowed on Lot 1, Block 4, Srygley Addition with the following conditions:

1. Tower maximum height shall be 110 feet.
2. Tower design must be a monopole design with internal antennae and wiring. No wiring, or other projections may be mounted externally.
3. Any lighting other than that required by the FAA or other government regulations is prohibited.
4. A wooden privacy fence shall be erected on the north side of the tower enclosure area.

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

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

PASSED this 27th day of November, 2012.

Approved:

__________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
November 20, 2012

Council Members
Conway, AR 72032

Dear Council Members:

A request for an amendment to the Northeast Old Conway Area Specific Plan to allow a cell tower in T-5 Urban zoning for property that is located at 799 Mill Street with the legal description

    Lot 1 Block 4, Srygley Addition

was reviewed by the Planning Commission at their regular meeting on November 19, 2012. The Planning Commission voted 9 – 0 to forward this request to the City Council with a recommendation for approval.

Sincerely,

Craig Cloud, Chair
Planning Commission
NEOCA AMENDMENT ALLOW CELL TOWER IN T-5 ZONE

DESCRIPTION
NEW CINGULAR WIRELESS
799 MILL ST
LOTS 1 BLOCK 4 SRYGLEY ADDITION
.2 ACRES

1 in = 200 ft
NOVEMBER 2012
November 20, 2012

Council Members
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow MF-1 density in an R-2 zone for property that is located at 1311 and 1317 Bruce Street with the legal description:

The west 60 feet of Lots 11, 12; 13 and 14 of Block 11 of Daviess and Garvins Subdivision, to the City of Conway, Arkansas, as shown on Plat of Record in Plat Book A, Page 46, Records of Faulkner County, Arkansas. And also part of Lots 11, 12 and 13 of Block 11 of Daviess and Garvins Subdivision to the City of Conway, Arkansas, as shown on Plat of Record in Plat Book A, Page 46, Records of Faulkner County, Arkansas, more particularly described as follows:

Beginning at a point 90 feet west of the Northeast Corner of said Lot 11 and run thence West 90 feet; thence South 195 feet; thence East 90 feet; thence North 195 feet to the Point of Beginning.

was reviewed by the Planning Commission at their regular meeting on November 19, 2012. The Planning Commission voted 8 – 0 to forward this request to the City Council with a recommendation for approval subject to the below stated condition.

1. Four duplexes (8 units) shall be allowed.

Sincerely,

Craig Cloud, Chair
Planning Commission
PROPOSED CONDITIONAL USE
MF-2 DENSITY IN R-2
.76 ACRES

DESCRIPTION
DENNIS SPRADLIN
1311 & 1317 Bruce Street
Allow MF-2 Density in R-2
LOTS 11-14 BLOCK 11 OF DAVIESS AND GARVINS
.76 ACRES
November 20, 2012

Council Members
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow a retail pharmacy drive through for property located at 2521 College Avenue with the legal description

Part of Lot 2 of replat of Block 3 Laney’s Subdivision as shown on plat of record in Book E at Page 7 described as follows: Beginning at the Northwest corner of Block 3, Laney’s Subdivision, run thence East 105.0 feet to the point of beginning which is the Northwest corner of Lot 2, replat of Block 3 Laney’s Subdivision; thence run South 96.25 feet; thence East 110.0 feet; thence North 96.25 feet; thence West 110.0 feet to the point of beginning. Subject to a perpetual roadway easement over and across the East 30 feet of the above described tract.

was reviewed by the Planning Commission at their regular meeting on September 17, 2012. The Planning Commission voted 6 – 3 to table the motion in order to give applicant an opportunity to work out cross access issues with neighbors. At the request of applicant the item was held from the October meeting until the regular November meeting at which time the Planning Commission denied the conditional use request 7 – 1 with Commissioner Chris Steplock being the only vote not to deny the request. Applicant has expressed his desire to appeal this denial at the November 27 meeting of the City Council.

Sincerely,

Craig Cloud, Chair
Planning Commission
SPARKS CONDITIONAL USE PERMIT FOR PHARMACY DRIVE THROUGH WINDOW (HELD IN COMMITTEE AT THE SEPTEMBER MEETING)

APPLICANT / OWNER
4 HIMS, LLC
1402 Quail Creek Dr
Conway, AR 72032

STAFF REVIEW BY
Bryan Patrick - Director
1201 Oak Street
Conway AR 72032

SITE DATA
Location. 2521 College Ave
Legal Description. On file
Site Area. .24 acres

Existing Structures. Approximately 1800 s.f., one story commercial building
Current Zoning. O-2 (Quiet Office)
Requested Conditional Use Permit: Drive through pharmacy window
Overlay District. None

STAFF COMMENTS

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential. However, the area is zoned for quiet office and is surrounded by existing office uses.

Projected Traffic Impacts. The property has been recently used as a compounding pharmacy. Traffic generation tables indicate that a pharmacy without a drive through should generate around 164 vehicle trips per day. These same tables indicate no change in traffic for a pharmacy with a drive through.

Utility Infrastructure. There are adequate utilities in the area to serve development.

Flood / Drainage. There are currently no flooding or drainage issues with this property.

Street Improvements. College Avenue is slated for improvements similar to Prince Street within the next 3-5 years. There are no immediate street improvements scheduled within this area.

Conway 2025. Not directly applicable.

General Comments. The structure was recently used as a compounding pharmacy which is allowed by right in the O-2 Quiet Office Zone. The compounding pharmacy has moved to another location and the applicant would like to operate a small retail pharmacy with a drive through at this location. A full retail pharmacy has operated at this location in the past. Therefore, use as a retail pharmacy is allowed. However, the addition of a drive through window requires a conditional use permit. The request for a drive through window does not seem out of character with surrounding medical office uses. A large amount of traffic generation would not be expected by the requested drive through. A well placed turn out curb or other means of traffic routing could likely prevent any traffic conflict with adjoining clinic traffic.

At the September Planning Commission meeting, abutting clinic property owners raised concerns about ingress/egress, potential traffic conflicts, and cross access agreements. It was made known that no cross access agreements currently exists between abutting property owners. Cross access agreements would be beneficial to all abutting property owners in order to clarify ingress/egress to the common parking drive areas.

The applicant also stated that he might want to locate the drive through at the north side of the building. If located on the north, proper ingress/egress should be provided exclusive of public right of way. This would require coordination with the Street and Planning Departments.

The Planning Commission decided to hold the item in committee so that the various clinic owners could meet and potentially resolve conflicts concerning their
parking areas. The Conditional Use Committee was made available to the applicants and adjoining property owners if needed. Larry Sparks, one of the pharmacy owners, informed the Planning Department that as of October 8, all but one of the abutting owners have agreed to allow the drive through/parking lot improvements. Mr. Sparks hoped to contact the last owner before the Planning Commission meeting. A drawing of the new configuration is included.

**Staff Recommendation.** Staff recommends approval of this conditional use permit for a pharmacy drive through window if potential drive through/parking access conflicts can be resolved.

The following conditions are provided for Commission discussion:

1. Hours of operation
2. Drive through location and parking lot upgrades shall be constructed as shown on submitted plan.
3. Other conditions the Commission feels are applicable
AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 810 SOUTH AMITY 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:

Being a part of the NE1/4 SW1/4 and also a part of the NW1/4 SW1/4 of Section 17, T-5-N, R-13-W, Faulkner County, Arkansas more particularly described as follows:

Commencing at a found 1.5" pipe at the NE corner of said NW1/4 SW1/4, being the point of beginning; thence along the North line of the NE1/4 SW1/4, S88°16'27"E, 141.57 feet to a set 1/2" rebar (APLS #1243); thence leaving said North line, S01°43'33"W, 400.00 feet to a set 1/2" rebar (APLS #1243); thence N88°16'27"W, 141.57 feet to a set 1/2" rebar (APLS #1243); thence N88°16'27"W, 339.08 feet to a set 1/2" rebar (APLS #1243); thence N35°11'11"W, 132.99 feet to a found iron pin; thence N03°48'49"E, 293.86 feet to a found iron pin on the North line of said NW1/4 SW1/4; thence along said North line of the NW1/4 SW1/4, S88°16'27"E, 408.25 feet to the point of beginning, containing 5.00 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 27th day of November, 2012.

Approved:

__________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
November 20, 2012

Council Members
Conway, AR 72032

Dear Council Members:

A request for a rezoning from I-3 to C-3 for property that is located at 810 South Amity with the legal description

Being a part of the NE1/4 SW1/4 and also a part of the NW1/4 SW1/4 of Section 17, T-5-N, R-13-W, Faulkner County, Arkansas more particularly described as follows:

Commencing at a found 1.5" pipe at the NE corner of said NW1/4 SW1/4, being the point of beginning; thence along the North line of the NE1/4 SW1/4, S88°16'27"E, 141.57 feet to a set 1/2" rebar (APLS #1243); thence leaving said North line, S01°43'33"W, 400.00 feet to a set 1/2" rebar (APLS #1243); thence N88°16'27"W, 141.57 feet to a set 1/2" rebar (APLS #1243); thence N88°16'27"W, 339.08 feet to a set 1/2" rebar (APLS #1243); thence N35°11'11"W, 132.99 feet to a found iron pin; thence N03°48'49"E, 293.86 feet to a found iron pin on the North line of said NW1/4 SW1/4; thence along said North line of the NW1/4 SW1/4, S88°16'27"E, 408.25 feet to the point of beginning, containing 5.00 acres more or less.

was reviewed by the Planning Commission at their regular meeting on November 19, 2012. The Planning Commission voted 7 – 0 to forward this request to the City Council with a recommendation for approval. Planning Commissioner Matthew Brown recused himself from the vote.

Sincerely,

Craig Cloud, Chair
Planning Commission
City of Conway, Arkansas
Ordinance No. O-12-______

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF COLLEGE AVENUE AND PRINCE STREET FROM O-2 TO PUD:

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 O-2 symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

All that land shown on the plat of Westin Office Park Subdivision, as recorded in Plat Book J, page 301, Faulkner County, Arkansas.

to those of PUD, 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 27th day of November, 2012.

Approved:

___________________________
Mayor Tab Townsell

Attest:

___________________________
Michael O. Garrett
City Clerk/Treasurer
November 19, 2012

MEMO

From: Bryan Patrick

To: Mayor and City Council

Johnson PUD Appeal

Mr. Keller Johnson is appealing the Planning Commission’s August denial of his PUD request. The Planning Commission heard opposition mostly from neighbors to the south who live in Westin Estates. Concerns were noise, lighting, and possible drainage issues. The neighbors want to see the quiet office zoning remain.

The original plan submitted to the Planning Commission was more vague and did not show actual home designs placed on the lots. The applicant has now resubmitted a new plan that shows better definition and home plans. The commercial area on the north side of the property has been decreased. The number of homes has been decreased from 33 to 27. Although the the plan has changed from the August presentation to the Planning Commission, it is still very much the same except for better definition and a decrease in commercial area and number of homes.

The Planning Commission Staff Report has been included. The staff recommended conditions are the same, but have been revised to match the new plan. The conditions actually voted on by the Planning Commission are included in the typical Council letter. The question of the desired land use; C-2 or O-2, should be decided.
JOHNSON REZONING FROM O-2 (QUIET OFFICE) TO PUD (PLANNED UNIT DEVELOPMENT)

APPLICANT / OWNER
Keller Johnson
PO Box 1251
Conway, AR 72033

STAFF REVIEW BY
Bryan Patrick - Director
1201 Oak Street
Conway AR 72032

SITE DATA
Location. West Business Ave (Southeast corner of College and Prince St)
Legal Description. On file
Site Area. 12.15 Acres
Existing Structures. Office building at northwest corner of property.
Current Zoning. O-2 (Quite Office)
Requested Zoning: PUD (Planned Unit Development)
Overlay District. None

STAFF COMMENTS
This request is for a Planned Unit Development. This property was originally developed as a professional office park. The applicant would like to develop the property as a mixed use, new-urban style development with retail/office on the north and residential on the south.

Projected Traffic Impacts. If the property were developed as allowed with professional offices, around 800 vehicle trips per day could be expected. If the request for PUD is approved as submitted, 350 vehicle trips per day could be expected from the residences, and depending on the commercial space use, anywhere from 500-1000 cars per day could be expected.

Street Improvements. There are no street improvements scheduled in the area at this time.

Utility Infrastructure. There are adequate utilities in the area to serve development.

Flood / Drainage. A large portion of this property is shown on the FEMA flood insurance maps as being in the floodway and floodplain. In order to develop the property as proposed, a flood hazard study, revise the flood areas, but it would appear that the revisions were never finalized. FEMA approval must be obtained before the eastern portion of the property can be developed.

Conway 2025. Several recommendations in the Conway 2025 plan would add support for this development:

"In 2025, Conway has a number of walkable/livable "villages" that were developed using planning tools such as Traditional Neighborhood Development and form-based zoning."

"In 2025, mixed use developments are prevalent throughout Conway. The city has moved away from its previous "subdivision ordinance" style of planning."
PUD Specific Requirements

- **Relation to Utilities and Major Roads** - A PUD shall be located in relation to utility systems, drainage systems, and major roads so that neither extension or enlargement of public facilities shall be at the public’s expense. The proposal does not affect any major public utility or public road expense.

- **Internal Street Network** - A PUD shall include an internal system of streets, parking aisles, and/or cross access drives that can safely and efficiently accommodate vehicular traffic generated by the PUD. The proposal would utilize an existing street as its main ingress/egress. A second Prince Street access is also planned. The existing street was designed to commercial standards and is 32 feet wide. This could allow one row of parallel parking along the east side. Connecting streets and alleys provide access to the residential lots.

The alleys (marked with a star on the plan, page 18) could provide future connectivity to the adjoining western property. One, or both of these alleys should be increased to 30 feet in width to provide a stub out(s) to the adjoining property.

A 60 foot wide drive is sketched in on Lot 2. Driveways are limited to 40 feet in width maximum. The proper location and width will be determined during development review.

- **Sidewalk System** - Unless there are outstanding reasons that warrant otherwise, all internal streets within the PUD shall include pedestrian sidewalks. Sidewalks should be included throughout the development and along Prince and College.

- **Common Space** - The incorporation of plazas, courtyards, and other outdoor spaces for people to gather is encouraged. A common space is included as a part of the green space. A park and pavilion lot is shown between West Business Drive and the walking trail green space.

- **Green Space** - PUDs over 3 acres in area shall dedicate a minimum of 20% of the development as green space. Green space is defined as permeable area set aside for open space or landscaping. This proposal shows a large green space along the creek on the east. Other smaller additional green space are shown in the residential area. To meet the 20% green space requirement, 2.4 acres must be set aside. The submitted proposal meets this requirement.

- **Property Owners Association** - PUDs may require the formation of a property owners association to oversee the upkeep of common area and green spaces. A property owners association will need to be created to collect dues for upkeep and maintenance of the common areas.

- **Required Meetings** - A PUD request requires two specific meetings in addition to the Planning Commission public hearing; a development review meeting, and a public informational meeting. The development review meeting was held on August 9. This meeting is a technical meeting between the applicant and city officials to determine any technical development issues. Several concerns were pointed out concerning; utility locations, residential sprinklers, fire truck clearances, floodway revisions, right of way for a roundabout at Prince and College, and streets and alleys abutting neighboring properties. The included PUD plan is a revised plan based on comments from the technical meeting.

On August 15, a public informational meeting will be held at an office building on the property at 465 West Business Drive. This report was written on August 13, and addendum will be provided with any updates.

- **Signage** - Unless specified otherwise, a PUD is subject to current Conway sign regulations. However, as part of the PUD’s final development plan, signage may deviate from these requirements. The applicant has not requested any sign variances as part of the PUD.

- **Platting, Development Review** - Platting and staff development review will be required upon approval of the PUD prior to issuance of building permits.
Staff Suggested PUD Conditions (Revised for Nov. 27, 2012 City Council Meeting)

The Commission may set conditions it feels will make the project compatible with the surrounding area. A list of possible conditions is presented below. The Commission should examine these suggested conditions and delete, modify, or add to as needed.

1. Platting shall be required. The plat shall show properly established floodway/floodplain.

2. Setbacks. Building setbacks must be established and shown on plat.

3. (Lot numbers revised for new plan). Lots 28, 29, and 30 shall be allowed O-2 (C-2?) land uses. Lots 1-27 shall be single-family residential dwellings. These uses are defined in the Conway Zoning Ordinance.

4. A property owners association must be formed in order to provide maintenance for common green space areas.

5. Additional right of way shall be dedicated as requested by the City Engineer for the construction of a roundabout at Prince and College.

6. (Revised for new plan) The street as shown between lots 6, 7, and 8 shall be stubbed out to the west to provide future connectivity. The southwest 20-foot alley shall be widened to a 30-foot full street. A cross-access agreement shall be created allowing future access to the adjoining western property.

7. Development review is required on all commercial and office structures. Proper ingress/egress, driveway widths, etc. shall be determined during this review.

8. Sidewalks shall be constructed throughout the PUD and along Prince Street and College Avenue.

9. (Added based on August public hearing comments) An 8 foot wooden privacy fence shall be constructed along the south property line from lots 7 to 15.
AUGUST PLAN FOR REFERENCE - SEE NEW PLAN

Possible Stub Out Locations

AUGUST Johnson PUD
Site Plan

North
AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT THE NORTHEAST CORNER OF HUBBARD ROAD AND CARL STUART STREET (101 HUBBARD ROAD) FROM R-1 TO PUD:

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 R-1 symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

The East 1/2 of the South 1/5 of the SW 1/4 of the SW 1/4 of the SW 1/4 of Section 11, Township 5 North, Range 14 West, containing 4 acres, more or less.

to those of PUD, 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 27th day of November, 2012.

Approved:

___________________________
Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
November 19, 2012

MEMO

From: Bryan Patrick

To: Mayor and City Council

GRIMES PUD REZONING REQUEST APPEAL

Mr. Mike Grimes and Mr. Chris Thornton are appealing the Planning Commission’s October denial of their PUD request. There was opposition from surrounding neighbors. Issues raised included traffic, property values, parking, drainage, 2 story buildings, student rentals, and lighting. The Planning Commission voted unanimously to deny the request and staff recommended conditions were not considered as the Commission felt that the land use was inappropriate and did not examine conditions.

The enclosed October Staff Report includes Staff recommended conditions for the Council’s consideration.
PROPOSED REZONE R-1 TO PUD
4 ACRES
GRIMES REZONING FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT)

APPLICANT / OWNER
Chris Thornton/Mike Grimes
Conway, AR 72034

STAFF REVIEW BY
Bryan Patrick - Director
1201 Oak Street
Conway AR 72032

SITE DATA
Location. 101 Hubbard Rd. Immediately north of Carl Stuart Street and west of Hubbard Road
Legal Description. On file
Site Area. 3.97 acres
Existing Structures. A 1264 sq. ft. residence and accessory buildings
Current Zoning. R-1 (Single-family Residential)
Requested Zoning: PUD (Planned Unit Development)
Overlay District. None

STAFF COMMENTS

Basic Information and General Comments. A request to rezone this property from R-1 to MF-2 Multi-family (18 units/acre) came before the Planning Commission in October 2011. At this time, concerns of increased traffic, lack of zoning conditions, fencing, crime, etc. were raised by area residents. The Planning Commission voted unanimously to deny the request.

The applicant appealed to the City Council but withdrew the request at the November 1, 2011 meeting. At this same meeting, Council granted by 2/3 vote allowance to bring a new request back to the Planning Commission in less than one year’s time.

The applicant is now requesting a Planned Unit Development to allow conditions to be placed on the property. The applicant’s intent for townhouses has not changed, but conditions can now be placed to ensure development according to PUD conditions.

Comprehensive Plan. The Comprehensive Plan shows this area as appropriate for single family residential.

Projected Traffic Impacts. With development as a single-family residential neighborhood with 16 residential lots similar to those on Eastport Circle, 154 vehicle trips per day could be expected. If developed as a townhouse development with 67 units, 389 vehicle trips per day could be expected. The applicant has provided a traffic count and projection for the property.

Street Improvements. There are no street improvements scheduled in the area at this time. The applicant has discussed the possibility of improving Carl Stuart Street to help with school traffic volumes.

Utility Infrastructure. There are adequate utilities in the area to serve development.
Flood / Drainage. There are currently no flooding issues with this property other than localized ponding during heavy rains. The City Engineer has indicated that on site detention will likely be required in order to accommodate current downstream drainage. In other words, storm water will need to be captured on site and slowly metered out to the existing downstream drainage structures. Without this metering, existing downstream storm water structures will likely overflow. On site detention can be accomplished with detention ponds or some form of temporary underground storage. The former would reduce the number of residential units, the latter would be expensive.

Conway 2025. Although not totally on target, the two statements below from Conway 2025 may be seen as relevant:

“In 2025, Conway has a number of walkable/livable “villages” that were developed using planning tools such as Traditional Neighborhood Development and form-based zoning.”

“In 2025, mixed use developments are prevalent throughout Conway. The city has moved away from its previous “subdivision ordinance” style of planning.”

The goal of these statements is to provide a more walkable and mixed use community.

PUD Specific Requirements

Below is an examination of requirements specific to PUD zoning requests:

- **Relation to Utilities and Major Roads** - A PUD shall be located in relation to utility systems, drainage systems, and major roads so that neither extension or enlargement of public facilities shall be at the public’s expense. The proposal would add traffic to a street network stressed by school traffic. The proposal will also add storm water runoff to existing drainage structures. However, any improvements to utilities, public roads, and drainage would be at the developer’s expense.

- **Internal Street Network** - A PUD shall include an internal system of streets, parking aisles, and/or cross access drives that can safely and efficiently accommodate vehicular traffic generated by the PUD. The applicant is proposing a gated community. Traffic movement within the development will be adequately addressed through the internal private street network.

- **Sidewalk System** - Unless there are outstanding reasons that warrant otherwise, all internal streets within the PUD shall include pedestrian sidewalks. The submitted plan shows internal sidewalks throughout the development. Sidewalks will also be required along Carl Stuart Street and Hubbard Road.

- **Common Space** - The incorporation of plazas, courtyards, and other outdoor spaces for people to gather is encouraged. Proposed plans do not indicate any common space. All townhouse units have small private back yards.

- **Green Space** - PUDs over 3 acres in area shall dedicate a minimum of 20% of the development as green space. Green space is defined as permeable area set aside for open space or landscaping. 20% green space is accomplished through small front/rear yards, and in-common planting areas.

- **Property Owners Association** - PUDs may require the formation of a property owners association to oversee the upkeep of common area and green spaces. A property owners association should be created to collect dues for upkeep and maintenance of the the private street, gates, landscaping, and any other common property.

- **Required Meetings** - A PUD request requires two specific meetings prior to the Planning Commission public hearing; a development review meeting and a public informational meeting. The development review meeting was held on May 17, 2012. This meeting is a technical meeting between the applicant and city officials to determine any technical development issues. Several concerns were pointed out; utility locations, fire access clearances, sidewalks, etc. The largest issue discussed was on site storm water detention. None of the issues were outstanding and can be resolved during platting and permitting.

On October 8, a public informational meeting was held at Carl Stuart Middle School. The
meeting started at 6:30 pm and lasted until around 8:20. There were approximately 25 concerned citizens attending the meeting. Neighbors asked the Planning Director many questions about the PUD process. They expressed concern over traffic, crime, density, rental vs. owner occupied, price of units, phasing of construction, etc. Mr. Thornton addressed these concerns and questions.

**Staff Suggested PUD Conditions**

The Commission may set conditions it feels will make the project compatible with the surrounding area. A list of possible conditions is presented below. The Commission should examine these suggested conditions and delete, modify, or add to as needed.

1. PUD shall be generally developed as shown on submitted building elevations and site plan. Minor variations from submitted plans shall be allowed for technical reasons.

2. Platting shall be required. Any additional right of way, sidewalks, etc. as required by the Subdivision Ordinance shall be dedicated and constructed.

3. Setbacks. Building setbacks must be established and shown on the plat. These setbacks shall correspond with necessary utility easements.

4. PUD land use shall be limited to a maximum of 67 townhouse residential dwellings and typical accessory buildings.

5. A property owners association shall be formed in order to provide maintenance for common property including private streets, gates, fencing, and other common properties.

6. 20% green space shall be provided through private yards and other permeable spaces throughout the development.

7. Exterior construction is prohibited from 7:00 am to 7:00 pm.

8. If required by the City Engineer, on-site detention shall be provided. Likewise, off-site drainage improvements may be utilized in lieu of, or in combination with on-site detention per City Engineer’s approval.
September 5, 2012

Mr. Chris Thornton CRS GRI
J.C. Thornton & Company, LLC
425 Sixth Street, Suite 200
Conway, AR 72032

Re: Traffic Counts and Trip Generation
Hubbard Road, Just North of Carl Stuart Road
Conway, Arkansas

Dear Mr. Thornton:

Peters & Associates Engineers, Inc. has conducted traffic counts on Hubbard Road, just north of Carl Stuart Road in Conway, Arkansas. Additionally, trip generation for an approximate four (4) acre tract has been calculated for high-density residential (townhouses).

**EXISTING TRAFFIC CONDITIONS**

Hourly, 24-hour traffic counts were made on Hubbard Road, just north of Carl Stuart Road in Conway, Arkansas, and are summarized on the following Table 1 and Chart 1.

<table>
<thead>
<tr>
<th>TIME</th>
<th>Hubbard Road, Just North of Carl Stuart Road</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Northbound</td>
</tr>
<tr>
<td>01:00 AM</td>
<td>25</td>
</tr>
<tr>
<td>02:00 PM</td>
<td>15</td>
</tr>
<tr>
<td>03:00 PM</td>
<td>134</td>
</tr>
<tr>
<td>04:00 PM</td>
<td>31</td>
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<tr>
<td>05:00 PM</td>
<td>45</td>
</tr>
<tr>
<td>06:00 PM</td>
<td>61</td>
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<tr>
<td>07:00 PM</td>
<td>122</td>
</tr>
<tr>
<td>08:00 PM</td>
<td>24</td>
</tr>
<tr>
<td>09:00 PM</td>
<td>15</td>
</tr>
<tr>
<td>10:00 PM</td>
<td>9</td>
</tr>
<tr>
<td>11:00 PM</td>
<td>9</td>
</tr>
<tr>
<td>12:00 AM</td>
<td>5</td>
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<td>0</td>
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<td>88</td>
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<td>29</td>
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<tr>
<td>11:00 AM</td>
<td>26</td>
</tr>
<tr>
<td>12:00 PM</td>
<td>35</td>
</tr>
</tbody>
</table>

| 24-Hour Total | 833 | 1133 | 1966 |

Table 1 – 24-Hour Traffic Counts – Hubbard Road, Just North of Carl Stuart Road
TRIP GENERATION AND SITE TRAFFIC PROJECTIONS

The Trip Generation, an Informational Report (8th Edition), 2008, published by the Institute of Transportation Engineers (ITE) and The Trip Generation Software (Version 6 by Microtrans), were utilized in calculating the magnitude of traffic volumes expected to be generated by a proposed land use high-density residential (townhomes) of an approximate four (4) acre tract. These are typically reliable sources for this information and are universally used in the traffic engineering profession.

Using the selected trip generation rates, calculations were made to provide a reliable estimate of traffic volumes that can be expected to be associated with approximately four acres of high-density residential (townhomes). Applying the appropriate trip-generation rates to the land use proposed for this development makes these calculations. Results of this calculation are summarized on Table 2, “Summary of Trip-Generation.”

<table>
<thead>
<tr>
<th>PROPOSED LAND USE</th>
<th>APPROXIMATE SIZE</th>
<th>ITE CODE</th>
<th>24-HOUR TWO-WAY WEEKDAY VOLUME</th>
<th>AM PEAK HOUR VOLUME ENTER EXIT</th>
<th>PM PEAK HOUR VOLUME ENTER EXIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Townhomes</td>
<td>67 Units</td>
<td>230</td>
<td>389</td>
<td>5 25</td>
<td>23 11</td>
</tr>
</tbody>
</table>

TOTAL ENTERING + EXITING

Table 1 – Summary of Trip-Generation

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

Sincerely,

PETERS & ASSOCIATES, ENGINEERS, INC.

Ernest J. Peters, P.E.
President
Statement for PUD Application

To: City of Conway Planning Department
From: Applicants for Rezoning led by Mike Grimes
Date: 25 September 2012
Re: 101 Hubbard Road

The rezoning guidelines require a statement and diagram to explain why rezoning will not conflict with surrounding land uses. This statement is intended to satisfy that requirement.

101 Hubbard is a 4 acre farm tract which is centrally located in Conway.

Because of the school which built across the street and the noise and traffic it now generates, the site is no longer desirable for typical single family use, but would be ideally suited for an enclave of higher density, upscale housing with a smaller footprint.

A blend of single family rental properties and single family owner occupied properties border this tract to the north, and a home with acreage borders the property to the west. The acreage adjoins street frontage on both the east and south sides. Across the street to the east is the corner of Westgate Subdivision and across the street to the south is Carl Stuart Middle School.

Because of the density of traffic and the noise generated across the street by the schools, this PUD layout would ideally buffer the rental and owner occupied single family use land to the north of the property from the undesirable institutional property to the south.

The active development area has long since passed by this location, and almost all of the neighboring homes are 20, 30, and 40 years old. Eastport homes have recently sold in the $70’s and $80’s per square foot, but mostly in the $70’s, with only one sale in the MLS in 2012 at $74.04/sf. Across the street in Westgate, the homes on Deerwood have 3 MLS sales this year, averaging $65.01/sf. While there are exceptions, the market values for these homes have generally stagnated over time, and we strongly believe the newer townhomes with granite countertops and other modern finishes in the range of $100/sf will improve the valuations of the neighboring properties.
In contrast to most subdivisions, this neighborhood will have a strong Property Owner’s Association which will reliably provide landscape maintenance and upgrades for all of the neighbors. While many neighborhoods will have an occasional neighbor who neglects his lawn, the entire property will be consistently maintained at all times by the POA.

Most people recognize the City’s need to address the strategic housing needs of different areas of the city. The greater the density of centrally located housing infill, the fewer miles of commuter traffic that will be on our streets. Simply put, a reduction of commuter miles is a win for the City.

To the extent that environmental concerns are important to the City, this will be an excellent opportunity to encourage pedestrian and bicycle traffic to and from work and other daily activities.

As a “Smart Growth” Option, this aesthetically pleasing PUD development will guarantee the quality and composition of the development while reducing the number of people on major arterials throughout Conway.

Thank you for your consideration of this rezoning request of 101 Hubbard Road in Conway to an attractive, ecologically smart, and logistically beneficial PUD. For all the reasons listed above, we believe the City of Conway will include this development in its list of success stories for smart planning and smart growth.
Typical Townhouse Elevation
November 16, 2012

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

Re: Trailer Mounted Drum Brush Chipper

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Thursday November 15, 2012 at Conway City Hall for a Trailer Mounted Drum Brush Chipper. Three bids were submitted:

Scott Equipment: $45,689.25
Henard Utility Products, Inc.: $45,878.60
Vermeer Mid-South, Inc.: $63,936.64

I recommend accepting the bid #2 from Henard Utility for $45,878.60. Prices include tax and delivery costs.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington
Sanitation Director
<table>
<thead>
<tr>
<th>Bid Description</th>
<th>Cost</th>
<th>Delivery Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bid #1 submitted by Scott Equipment</td>
<td>$45,689.25</td>
<td>45 days</td>
</tr>
<tr>
<td>Trailer Mounted Drum Brush Chipper</td>
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<td></td>
</tr>
<tr>
<td>Bid #2 submitted by Henard Utility Products, Inc.</td>
<td>$45,878.60</td>
<td>45 to 60 days</td>
</tr>
<tr>
<td>Bandit Industries Inc. Model 1890XP 19-inch Drum Style Brush Chipper</td>
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<td></td>
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<tr>
<td>Bid #3 submitted by Vermeer Mid South, Inc.</td>
<td>$63,936.64</td>
<td>60 Days</td>
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<tr>
<td>Vermeer BC1800XL</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I recommend accepting the bid #2 from Henard Utility Products, Inc. with a bid of $45,878.60. This truck meets all specifications. Prices include tax and delivery costs.
City of Conway Sanitation Department
Bid Submittal Form
2012-35- Trailer Mounted Drum Brush Chipper
Bid Opening Date: Thursday, November 15th, 2012
City Hall - Downstairs Conference Room @ 10:00am

Total Cost of Chipper Truck $45,689.25

Description (Model) Mar'kark M18.RX

Delivery Date (if applicable) 45 Days

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Scott Equipment
Company Name

Darren Wallace
Company Representative Name

Representative's Signature

10923 I-30 US 71205 dwallace@scottcompanies.com
Address Email Address

P.O. Box 1036 Malvern AR 72103
City State Zip

501-955-5955 501-955-2179
Telephone Number Fax Number
**Bidder Submittal Form**

**Trailer Mounted Drum Brush Chipper**

**City**: Conway Sanitation Department  
**Date**: Thursday, November 15th, 2012  
**Time**: Downstairs Conference Room @ 10:00am

**Description (Model)**  
Bandit Industries Inc. Model 1890XP  
19-inch Drum Style Brush Chipper

**Total Cost of Chipper Truck**  
$45,878.60

**Delivery Date (if applicable)**  
45 to 60 Days

**Unsigned bids will be rejected:**

Authorized Agent Bidding on this project:

**Henard Utility Products, Inc.**

**Josh Bonee**

Company Name

Company Representative Name

Representative’s Signature

**Address**  
1920 South Main Street, Searcy, AR 72143  
Email Address

**City**  
Searcy  
**State**  
AR  
**Zip**  
72143

**Telephone Number**  
501-268-1987  
Fax Number

**City Hall**  
1201 Oak Street, Conway, AR 72034  
[501.450.6110]
Conway Sanitation Department
Bidder Submittal Form
Railer Mounted Drum Brush Chipper
Date: Thursday, November 15th, 2012
1st Floor Conference Room @ 10:00am

Total Cost of Chipper Truck $ 63,936.64

Description (Model) Vermeer BC1800XL

Delivery Date (if applicable) 60 Days

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Company Name
Vermeer MidSouth

Company Representative Name
Melvin W. Beyer U.P.

Representative’s Signature

Address
3506 S. Arkansas, Russellville, AR 72802

City Hall 1201 Oak Street, Conway, AR 72034

Email Address
m.beyer@vermeermidsouth.com

Telephone Number
479-968-3819

Fax Number
479-968-4402

City
Russellville

State
AR

Zip
72802
November 16, 2012

Mayor Tab Townsell
1201 Oak Street
Conway, AR 72032

Re: Chipper Truck with 22 yd Box

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Thursday November 15, 2012 at City of Conway City Hall for a Chipper Truck with 22 yd Box. Four bids were submitted:

- Altec Industrial, Inc. $83,323.00
- Truck Centers of Arkansas $83,350.00
- Truck Centers of Little Rock $88,172.00
- Diamond International $94,050.00

I recommend accepting Bid #2 from Truck Centers of Arkansas for $83,350.00. This bid met all bid specs.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington
Sanitation Director
<table>
<thead>
<tr>
<th>Bid #1 submitted by Altec Industrial, Inc.</th>
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<tbody>
<tr>
<td>AF1472 Chipper Truck with 22 yd Box</td>
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<tr>
<td>$83,323.00</td>
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<td>Delivery time 3/29/2013</td>
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</table>

<table>
<thead>
<tr>
<th>Bid #2 submitted by Truck Centers of Arkansas</th>
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<tbody>
<tr>
<td>Freightliner M-2 with Altec Body</td>
</tr>
<tr>
<td>$83,350.00</td>
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<tr>
<td>Delivery time March 2013</td>
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</tbody>
</table>

<table>
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<tr>
<th>Bid #3 submitted by Truck Centers of Arkansas</th>
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<tr>
<td>Freightliner M-2 with Hilbilt Body</td>
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<tr>
<td>$88,172.00</td>
</tr>
<tr>
<td>Delivery time March 2013</td>
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</table>

<table>
<thead>
<tr>
<th>Bid #4 submitted by Diamond International</th>
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<tbody>
<tr>
<td>International 4300 with Schodorf Model B6163 Forestry Body</td>
</tr>
<tr>
<td>$94,050.00</td>
</tr>
<tr>
<td>Delivery time 80 days</td>
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</table>

I recommend accepting the bid #2 from Truck Centers of Arkansas with a bid of $83,350.00. This truck meets all specifications. Prices include tax and delivery costs.
City of Conway Sanitation Department
Bidder Submittal Form
2012-36 – Chipper Truck with 22yd Box
Bid Opening Date: Thursday, November 15th, 2012
City Hall - Downstairs Conference Room @ 10:00am

Total Cost of Chipper Truck  $83,323.00

Description (Model)  AF1472

Delivery Date (if applicable)  3/29/2012

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Altec Industries, Inc
Company Name

Melissa Bolton
Company Representative Name

Representative's Signature

1550 Aerial Ave  melissa.bolton@alte.com
Address  Email Address

Creedmoor  NC  27522
City  State  Zip

919-528-2535  919-764-4015
Telephone Number  Fax Number
City of Conway Sanitation Department
Bidder Submittal Form
2012-36 – Chipper Truck with 22yd Box
Bid Opening Date: Thursday, November 15th, 2012
City Hall - Downstairs Conference Room @ 10:00am

Total Cost of Chipper Truck
$83,350

Description (Model)
Freightliner M-2 with Altec Body

Delivery Date (if applicable)
March 2012

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

Robert@truckcentersar.com
Email Address

North Little Rock, AR 72120
City State Zip

501-650-5379
Telephone Number

501-907-2066
Fax Number
City of Conway Sanitation Department
Bidder Submittal Form
2012-36 – Chipper Truck with 22yd Box
Bid Opening Date: Thursday, November 15th, 2012
City Hall - Downstairs Conference Room @ 10:00am

Total Cost of Chipper Truck $ 94,050.80

Description (Model) International 4300 with Schodorf Model B6163 Forestry Bod

Delivery Date (if applicable) 80 days

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

________________________
Diamond International
Company Name

________________________
Brian Rodgers
Company Representative Name

________________________
Representative’s Signature

11401 Diamond Dr. brian.rodgers@diamondtrucks.com
Address Email Address

North Little Rock Arkansas 72117
City State Zip

501-945-8400 501-945-8490
Telephone Number Fax Number
City of Conway, Arkansas
Ordinance No. O-12-_____

AN ORDINANCE WAIVING BID REQUIREMENTS FOR THE CITY OF CONWAY FIRE DEPARTMENT TO UTILIZE SOLE SOURCE VENDORS TO PURCHASE BOMB SQUAD ITEMS, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES,

WHEREAS, the City of Conway Fire Department’s Bomb Squad has received grant funds and desires to utilize particular vendors as the sole source available and knowledgeable of this equipment; and

WHEREAS, the City of Conway Fire Department will use the funds from the Fire Grant Machinery and Equipment expense account (399.131.5910) as previously approved by Council.

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

SECTION 1. The City of Conway hereby approves a waiver of the bid requirements in order for the Fire Department Bomb Squad to utilize Remotec to purchase an upgrade for the robot up to the amount of $58,700.

SECTION 2. The City of Conway hereby approves a waiver of the bid requirements in order for the Fire Department Bomb Squad to utilize Lithos Robotics Corporation to purchase a wireless system for the ICOR robot up to the amount of $27,800.

Section 3. The City of Conway hereby approves a waiver of the bid requirements in order for the Fire Department Bomb Squad to utilize Rothenbuhler Engineering to purchase two RDF kits up to the amount of $23,500.

SECTION 4. All ordinances in conflict herewith are repealed to the extent to the conflict.

SECTION 5. 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 27th day of November, 2012.

Approved:

___________________________
Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
City of Conway, Arkansas

Monthly Financial Reports

October 31, 2012
City of Conway

Monthly Financial Report - General Fund

For the month ended October 31, 2012

<table>
<thead>
<tr>
<th>Revenues</th>
<th>Budget</th>
<th>Month Activity</th>
<th>Year to Date</th>
<th>Encumbered</th>
<th>(Over)/Under Budget</th>
<th>% Expend/Collect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ad Valorem Tax</td>
<td>2,863,135</td>
<td>78,097</td>
<td>1,369,552</td>
<td>1,493,584</td>
<td>+48%</td>
<td></td>
</tr>
<tr>
<td>Payments in Lieu of Tax</td>
<td>58,560</td>
<td>81,852</td>
<td>454,806</td>
<td>(396,246)</td>
<td>+777%</td>
<td></td>
</tr>
<tr>
<td>State Tax Turnback</td>
<td>1,600,000</td>
<td>138,874</td>
<td>1,448,287</td>
<td>151,713</td>
<td>+91%</td>
<td></td>
</tr>
<tr>
<td>Sales Tax</td>
<td>16,205,000</td>
<td>1,492,317</td>
<td>13,888,444</td>
<td>2,316,556</td>
<td>+86%</td>
<td></td>
</tr>
<tr>
<td>Franchise Fees</td>
<td>335,000</td>
<td>81,852</td>
<td>454,806</td>
<td>(396,246)</td>
<td>+777%</td>
<td></td>
</tr>
<tr>
<td>Airport Revenue</td>
<td>51,800</td>
<td>5,990</td>
<td>5,990</td>
<td>(4,945)</td>
<td>+118%</td>
<td></td>
</tr>
<tr>
<td>Airport Fuel Sales .05 / GAL</td>
<td>7,500</td>
<td>751</td>
<td>8,646</td>
<td>(1,146)</td>
<td>+115%</td>
<td></td>
</tr>
<tr>
<td>Permits</td>
<td>626,700</td>
<td>44,924</td>
<td>449,697</td>
<td>177,003</td>
<td>+72%</td>
<td></td>
</tr>
<tr>
<td>ACIEA Revenues</td>
<td>-</td>
<td>(4,597)</td>
<td>3,097</td>
<td>(3,097)</td>
<td>+100%</td>
<td></td>
</tr>
<tr>
<td>Dog Tags &amp; Fees</td>
<td>25,000</td>
<td>2,400</td>
<td>19,854</td>
<td>5,146</td>
<td>+79%</td>
<td></td>
</tr>
<tr>
<td>Municipal Court Fines and Fees</td>
<td>750,000</td>
<td>138,874</td>
<td>1,448,287</td>
<td>151,713</td>
<td>+82%</td>
<td></td>
</tr>
<tr>
<td>Law Enforcement</td>
<td>830,112</td>
<td>175,064</td>
<td>677,821</td>
<td>152,291</td>
<td>+82%</td>
<td></td>
</tr>
<tr>
<td>Federal Grant Revenues</td>
<td>-</td>
<td>33,492</td>
<td>(33,492)</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Grant Revenues</td>
<td>40,000</td>
<td>-</td>
<td>-</td>
<td>40,000</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Insurance Proceeds</td>
<td>15,629</td>
<td>494</td>
<td>15,679</td>
<td>51</td>
<td>+100%</td>
<td></td>
</tr>
<tr>
<td>Parks</td>
<td>389,000</td>
<td>28,885</td>
<td>435,054</td>
<td>(46,054)</td>
<td>+112%</td>
<td></td>
</tr>
<tr>
<td>Interest Income</td>
<td>4,000</td>
<td>624</td>
<td>2,973</td>
<td>1,027</td>
<td>+74%</td>
<td></td>
</tr>
<tr>
<td>Act 749 Public Safety</td>
<td>1,000</td>
<td>99</td>
<td>1,094</td>
<td>(94)</td>
<td>+109%</td>
<td></td>
</tr>
<tr>
<td>Donations</td>
<td>10,028</td>
<td>54,653</td>
<td>582,296</td>
<td>7,799</td>
<td>+151%</td>
<td></td>
</tr>
<tr>
<td>Act 833 Revenue</td>
<td>-</td>
<td>65,721</td>
<td>(65,721)</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Grant Revenues</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
<td>50,000</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Revenues</td>
<td>94,926</td>
<td>11,800</td>
<td>143,204</td>
<td>(48,278)</td>
<td>+151%</td>
<td></td>
</tr>
<tr>
<td>Transfers from Other Funds</td>
<td>2,510,862</td>
<td>-</td>
<td>1,820,872</td>
<td>689,990</td>
<td>+73%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>29,080,552</td>
<td>2,374,681</td>
<td>24,004,704</td>
<td>-</td>
<td>5,075,848</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenditures</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Admin (Mayor, HR)</td>
<td>517,999</td>
<td>35,200</td>
<td>403,393</td>
<td>113,641</td>
<td>+78%</td>
<td></td>
</tr>
<tr>
<td>Finance</td>
<td>371,022</td>
<td>25,975</td>
<td>300,516</td>
<td>-</td>
<td>70,505</td>
<td></td>
</tr>
<tr>
<td>City Clerk/Treasurer</td>
<td>200,683</td>
<td>13,061</td>
<td>141,895</td>
<td>58,599</td>
<td>+71%</td>
<td></td>
</tr>
<tr>
<td>City Council</td>
<td>88,273</td>
<td>5,990</td>
<td>60,930</td>
<td>-</td>
<td>27,343</td>
<td></td>
</tr>
<tr>
<td>Permits and Planning</td>
<td>741,787</td>
<td>54,653</td>
<td>582,296</td>
<td>151,693</td>
<td>+78%</td>
<td></td>
</tr>
<tr>
<td>Physical Plant</td>
<td>390,316</td>
<td>25,975</td>
<td>309,704</td>
<td>76,375</td>
<td>+79%</td>
<td></td>
</tr>
<tr>
<td>Fleet Maintenance</td>
<td>279,441</td>
<td>17,035</td>
<td>162,203</td>
<td>110,599</td>
<td>+58%</td>
<td></td>
</tr>
<tr>
<td>Information Technology</td>
<td>711,422</td>
<td>41,401</td>
<td>564,633</td>
<td>123,455</td>
<td>+79%</td>
<td></td>
</tr>
<tr>
<td>Airport</td>
<td>32,500</td>
<td>1,971</td>
<td>102,627</td>
<td>(70,127)</td>
<td>+316%</td>
<td></td>
</tr>
<tr>
<td>Nondepartmental</td>
<td>612,406</td>
<td>10,438</td>
<td>538,174</td>
<td>74,007</td>
<td>+88%</td>
<td></td>
</tr>
<tr>
<td>Police</td>
<td>9,999,183</td>
<td>742,609</td>
<td>7,818,864</td>
<td>2,131,061</td>
<td>+78%</td>
<td></td>
</tr>
<tr>
<td>Animal Welfare</td>
<td>373,980</td>
<td>26,869</td>
<td>278,839</td>
<td>86,678</td>
<td>+75%</td>
<td></td>
</tr>
<tr>
<td>Municipal District Court</td>
<td>380,651</td>
<td>66,717</td>
<td>702,220</td>
<td>218,110</td>
<td>+85%</td>
<td></td>
</tr>
<tr>
<td>City Attorney</td>
<td>270,211</td>
<td>19,518</td>
<td>201,975</td>
<td>67,895</td>
<td>+75%</td>
<td></td>
</tr>
<tr>
<td>Fire</td>
<td>8,339,776</td>
<td>654,405</td>
<td>6,615,315</td>
<td>1,638,787</td>
<td>+79%</td>
<td></td>
</tr>
<tr>
<td>Parks</td>
<td>2,477,996</td>
<td>191,827</td>
<td>1,912,322</td>
<td>541,435</td>
<td>+79%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>26,717,555</td>
<td>1,933,224</td>
<td>20,695,096</td>
<td>191,586</td>
<td>5,830,064</td>
<td></td>
</tr>
</tbody>
</table>

| **Net Revenue/(Expense)**     | 2,362,997 |            |              | 3,308,798  |

*All figures are unaudited

Notes:
1) Budget column is current budget which includes all year-to-date adjustments, if any.
2) Airport expenditures are high due to paying invoices ($80,000 total) to Garver Engineers for new airport terminal design. This will be reimbursed by the promissory note with First Security Bank once the first funds are drawn.
3) Most ($1,500,000) of the Net Revenue for the year stems from the transfer of cash from Sanitation to the General Fund. This cash is to remain in the General Fund's operating bank account to make sure that money is available to meet the City's financial obligations from one month to the next, and is therefore not available to be budgeted for expenditures. Year-to-date net revenue available for spending is $1,401,364.
<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-12-07</td>
<td>1/24/12</td>
<td>New phone system at City Hall</td>
<td>20,000</td>
</tr>
<tr>
<td>O-12-13</td>
<td>2/28/12</td>
<td>Update city-wide salary study</td>
<td>3,000</td>
</tr>
<tr>
<td>O-12-18</td>
<td>3/13/12</td>
<td>Match to DHS grant for fire radios</td>
<td>45,545</td>
</tr>
<tr>
<td>O-12-20</td>
<td>3/13/12</td>
<td>Replace an outdoor warning siren</td>
<td>20,000</td>
</tr>
<tr>
<td>O-12-29</td>
<td>3/27/12</td>
<td>Flame resistant uniforms for fire dept</td>
<td>10,781</td>
</tr>
<tr>
<td>O-12-31</td>
<td>3/27/12</td>
<td>City's portion of new 911 system</td>
<td>54,270</td>
</tr>
<tr>
<td>O-12-43</td>
<td>4/24/12</td>
<td>Animal Welfare fuel</td>
<td>10,000</td>
</tr>
<tr>
<td>O-12-44</td>
<td>4/24/12</td>
<td>Civil Service Commission testing</td>
<td>19,600</td>
</tr>
<tr>
<td>O-12-49</td>
<td>5/8/12</td>
<td>Software and network switches for IT</td>
<td>95,600</td>
</tr>
<tr>
<td>O-12-60</td>
<td>6/26/12</td>
<td>Employee appreciation bonus</td>
<td>460,781</td>
</tr>
<tr>
<td>O-12-89</td>
<td>9/25/12</td>
<td>Audit &amp; professional accounting fees</td>
<td>31,000</td>
</tr>
<tr>
<td>O-12-92</td>
<td>10/9/12</td>
<td>Advertising/Legal Notices</td>
<td>10,300</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>780,877</strong></td>
</tr>
</tbody>
</table>
City of Conway  
Balance Sheet - General Fund  
For the month ended October 31, 2012

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash - Operating</td>
<td>3,390,140</td>
</tr>
<tr>
<td>Petty Cash</td>
<td>715</td>
</tr>
<tr>
<td>Taxes Receivable</td>
<td>2,841,538</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>3,637,311</td>
</tr>
<tr>
<td>Due from Other Funds</td>
<td>(87,789)</td>
</tr>
<tr>
<td>Due from Street</td>
<td>108,835</td>
</tr>
<tr>
<td>Due from Component Unit</td>
<td>141,666</td>
</tr>
<tr>
<td>Due from Municipal Court</td>
<td>(63,790)</td>
</tr>
<tr>
<td>Fleet Inventory</td>
<td>35,923</td>
</tr>
<tr>
<td>Fuel Inventory</td>
<td>29,085</td>
</tr>
<tr>
<td>General Inventory</td>
<td>(2,676)</td>
</tr>
<tr>
<td><strong>Assets</strong></td>
<td><strong>10,030,960</strong></td>
</tr>
<tr>
<td>Trade Accounts Payable</td>
<td>(567,786)</td>
</tr>
<tr>
<td>Group Insurance Payable</td>
<td>6,384</td>
</tr>
<tr>
<td>LOPFI Payable</td>
<td>(200,400)</td>
</tr>
<tr>
<td>Misc. Deductions Payable</td>
<td>(15,880)</td>
</tr>
<tr>
<td>Performance Bonds Payable</td>
<td>15,700</td>
</tr>
<tr>
<td>Due to Other Funds</td>
<td>513,308</td>
</tr>
<tr>
<td>Due to Component Unit (Conway Corp Loan)</td>
<td>200,000</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>3,076,168</td>
</tr>
<tr>
<td><strong>Liabilities</strong></td>
<td><strong>3,027,494</strong></td>
</tr>
<tr>
<td><strong>Fund Balance</strong></td>
<td><strong>7,003,466</strong></td>
</tr>
<tr>
<td><strong>Total Liabilities &amp; Fund Balance</strong></td>
<td><strong>10,030,960</strong></td>
</tr>
</tbody>
</table>

*All figures are unaudited

¹To help with the cost of the new airport that the FAA grant does not cover. Will receive State funding for this, but not until the end of the grant cycle.
City of Conway  
Monthly Financial Report - Street Fund  
For the month ended October 31, 2012

<table>
<thead>
<tr>
<th>Revenues</th>
<th>Budget</th>
<th>Month Activity</th>
<th>Year to Date</th>
<th>Encumbered</th>
<th>(Over)/Under</th>
<th>%</th>
<th>Expend/Collect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ad Valorem Tax</td>
<td>1,200,000</td>
<td>40,453</td>
<td>661,659</td>
<td>538,341</td>
<td>55%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payments in Lieu of Tax</td>
<td>10,000</td>
<td>-</td>
<td>848</td>
<td>9,152</td>
<td>8%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Tax Turnback</td>
<td>2,500,000</td>
<td>204,612</td>
<td>2,112,952</td>
<td>387,048</td>
<td>85%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales Tax</td>
<td>250,000</td>
<td>20,508</td>
<td>203,466</td>
<td>46,534</td>
<td>81%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign Permits</td>
<td>500</td>
<td>360</td>
<td>840</td>
<td>(340)</td>
<td>168%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineering Fees</td>
<td>10,000</td>
<td>3,950</td>
<td>10,550</td>
<td>(550)</td>
<td>106%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest Income</td>
<td>20,000</td>
<td>170</td>
<td>3,069</td>
<td>16,931</td>
<td>15%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Revenues</td>
<td>200,000</td>
<td>980</td>
<td>11,445</td>
<td>188,555</td>
<td>6%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Total Revenues | 4,190,500 | 271,033 | 3,004,829 | - | 1,185,671 | 72% | |

| Expenditures | | | | | | |
| Personnel Costs | 2,012,138 | 136,085 | 1,557,552 | - | 454,586 | 77% | |
| Other Operating Costs | 2,123,401 | 177,221 | 1,567,218 | 85,467 | 470,716 | 74% | |
| Total Operating Costs | 4,135,539 | 313,306 | 3,124,770 | 85,467 | 925,302 | 76% | |
| Capital Outlay | 661,071 | - | 320,034 | 8,898 | 332,139 | 48% | |

| Total Expenditures | 4,796,610 | 313,306 | 3,444,804 | 94,365 | 1,257,441 | 72% | |

| Net Revenue/(Expense) | (606,110) | | | (439,975) | | |

*All figures are unaudited

Notes:
1) Budget column is current budget which includes all year-to-date adjustments, if any.
### Fund Balance Appropriations

<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-12-01</td>
<td>Transportation for Boys &amp; Girls Club, FCCDD</td>
<td>50,000</td>
</tr>
<tr>
<td>O-12-60</td>
<td>Employee appreciation bonus</td>
<td>37,139</td>
</tr>
<tr>
<td></td>
<td></td>
<td>87,139</td>
</tr>
<tr>
<td></td>
<td><strong>Fund Balance Adjustments - Budget Carryovers from 2011</strong></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Street Paving &amp; Reconstruction</td>
<td>117,900</td>
</tr>
<tr>
<td>2.</td>
<td>Construction in Progress</td>
<td>250,000</td>
</tr>
<tr>
<td>3.</td>
<td>Machinery &amp; Equipment</td>
<td>151,071</td>
</tr>
<tr>
<td></td>
<td></td>
<td>518,971</td>
</tr>
<tr>
<td></td>
<td></td>
<td>606,110</td>
</tr>
</tbody>
</table>
City of Conway  
Balance Sheet - Street Fund  
For the month ended October 31, 2012

<table>
<thead>
<tr>
<th>Assets</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash - Operating</td>
<td>443,406</td>
</tr>
<tr>
<td>Certificates of Deposit</td>
<td>300,000</td>
</tr>
<tr>
<td>Taxes Receivable</td>
<td>43,858</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>1,641,740</td>
</tr>
<tr>
<td>Due from Other Funds</td>
<td>596,121</td>
</tr>
<tr>
<td><strong>Assets</strong></td>
<td><strong>3,025,155</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Liabilities</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Trade Accounts Payable</td>
<td>47,067</td>
</tr>
<tr>
<td>Group Insurance Payable</td>
<td>(613)</td>
</tr>
<tr>
<td>Misc. Deductions Payable</td>
<td>(84)</td>
</tr>
<tr>
<td>Due to Other Funds</td>
<td>9,133</td>
</tr>
<tr>
<td>Due to General</td>
<td>101,677</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>1,264,754</td>
</tr>
<tr>
<td><strong>Liabilities</strong></td>
<td><strong>1,421,934</strong></td>
</tr>
</tbody>
</table>

| Fund Balance                                | 1,603,221 |

| Total Liabilities & Fund Balance            | **3,025,155** |

*All figures are unaudited*
# City of Conway
## Monthly Financial Report - Sanitation
### For the month ended October 31, 2012

### Revenues

<table>
<thead>
<tr>
<th>Activity</th>
<th>Budget</th>
<th>Month</th>
<th>Year to Date</th>
<th>(Over)/Under Encumbered</th>
<th>% Expend/Collect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanitation Fees</td>
<td>7,470,000</td>
<td>591,232</td>
<td>6,232,529</td>
<td>1,237,471</td>
<td>83%</td>
</tr>
<tr>
<td>Proceeds - Recycled Materials</td>
<td>746,000</td>
<td>29,716</td>
<td>312,007</td>
<td>433,993</td>
<td>42%</td>
</tr>
<tr>
<td>Landfill Fees - E Waste</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
<td>10,000</td>
<td>0%</td>
</tr>
<tr>
<td>Landfill Fees - General</td>
<td>200,000</td>
<td>21,082</td>
<td>197,797</td>
<td>2,203</td>
<td>99%</td>
</tr>
<tr>
<td>Cart Revenues</td>
<td>150</td>
<td>-</td>
<td>-</td>
<td>150</td>
<td>0%</td>
</tr>
<tr>
<td>Miscellaneous Revenues</td>
<td>3,000</td>
<td>-</td>
<td>-</td>
<td>3,000</td>
<td>0%</td>
</tr>
<tr>
<td>Interest Income</td>
<td>45,000</td>
<td>5,853</td>
<td>49,574</td>
<td>(4,574)</td>
<td>110%</td>
</tr>
<tr>
<td>Proceeds from Sale of Assets</td>
<td>-</td>
<td>-</td>
<td>32,954</td>
<td>(32,954)</td>
<td>100%</td>
</tr>
<tr>
<td>State Grant Revenues</td>
<td>3,770</td>
<td>-</td>
<td>68,570</td>
<td>(64,800)</td>
<td>100%</td>
</tr>
<tr>
<td>Insurance Proceeds</td>
<td>23,968</td>
<td>-</td>
<td>18,967</td>
<td>5,001</td>
<td>79%</td>
</tr>
</tbody>
</table>

**Total Revenues**: 8,501,888 | 647,883 | 6,912,400 | - | 1,589,488 | 81% |

### Expenditures

<table>
<thead>
<tr>
<th>Activity</th>
<th>Budget</th>
<th>Month</th>
<th>Year to Date</th>
<th>(Over)/Under Encumbered</th>
<th>% Expend/Collect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Costs</td>
<td>3,450,097</td>
<td>218,989</td>
<td>2,576,514</td>
<td>-</td>
<td>873,583</td>
</tr>
<tr>
<td>Other Operating Costs</td>
<td>5,219,678</td>
<td>237,870</td>
<td>3,644,789</td>
<td>112,959</td>
<td>1,461,930</td>
</tr>
<tr>
<td>Total Operating Costs</td>
<td>8,669,775</td>
<td>456,859</td>
<td>6,221,303</td>
<td>112,959</td>
<td>2,335,513</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>39,381</td>
<td>7,572</td>
<td>46,953</td>
<td>-</td>
<td>(7,572)</td>
</tr>
</tbody>
</table>

**Total Expenditures**: 8,709,156 | 464,431 | 6,268,256 | 112,959 | 2,327,941 | 72% |

**Net Revenue/(Expense)**: (207,268) | 644,144 |

*All figures are unaudited*

### Notes:
1) Budget column is current budget which includes all year-to-date adjustments, if any.
2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.
City of Conway  
Sanitation Fund  
2012  
Fund Balance Appropriations

<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-12-60</td>
<td>Employee appreciation bonus</td>
<td>91,503</td>
</tr>
</tbody>
</table>

Fund Balance Adjustments - Budget Carryovers from 2011

1. Machinery & Equipment  77,836  
2. Construction in Progress  7,000  

84,836

176,339
City of Conway  
Balance Sheet - Sanitation  
For the month ended October 31, 2012  

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash - Operating</td>
<td>1,505,922</td>
</tr>
<tr>
<td>Petty Cash</td>
<td>200</td>
</tr>
<tr>
<td>Post Closure Cash Account</td>
<td>4,238,116</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>644,265</td>
</tr>
<tr>
<td>Due from Other Funds</td>
<td>65,165</td>
</tr>
<tr>
<td>General Inventory</td>
<td>2,122</td>
</tr>
<tr>
<td>Land &amp; Buildings</td>
<td>4,394,619</td>
</tr>
<tr>
<td>Accum. Depr. - Buildings</td>
<td>(1,412,500)</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>691,618</td>
</tr>
<tr>
<td>Accum. Depr. - Infrastructure</td>
<td>(307,051)</td>
</tr>
<tr>
<td>Machinery and Equipment</td>
<td>9,815,323</td>
</tr>
<tr>
<td>Accum. Depr. - M&amp;E</td>
<td>(3,087,520)</td>
</tr>
<tr>
<td>Construction in Progress</td>
<td>689,767</td>
</tr>
<tr>
<td><strong>Assets</strong></td>
<td><strong>17,240,047</strong></td>
</tr>
<tr>
<td>Trade Accounts Payable</td>
<td>(28,534)</td>
</tr>
<tr>
<td>Salaries Payable</td>
<td>331,643</td>
</tr>
<tr>
<td>Group Insurance Payable</td>
<td>14,941</td>
</tr>
<tr>
<td>Other Accrued Expenses</td>
<td>855,700</td>
</tr>
<tr>
<td>Due to Other Funds</td>
<td>190</td>
</tr>
<tr>
<td>Accrued Interest Payable</td>
<td>32,255</td>
</tr>
<tr>
<td>2010 Recycling Note - US Bank</td>
<td>1,198,170</td>
</tr>
<tr>
<td>Landfill Close/Post Close</td>
<td>4,386,590</td>
</tr>
<tr>
<td><strong>Liabilities</strong></td>
<td><strong>6,790,725</strong></td>
</tr>
<tr>
<td><strong>Net Assets</strong></td>
<td><strong>10,449,322</strong></td>
</tr>
<tr>
<td><strong>Total Liabilities and Net Assets</strong></td>
<td><strong>17,240,047</strong></td>
</tr>
</tbody>
</table>

*All figures are unaudited*
City of Conway, Arkansas
Ordinance No. O-12-___

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

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

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

Section 1: The City of Conway shall appropriate $_______ from Fund Balance Appropriation Accounts to the salary accounts for each department in order to provide an expression of appreciation to all full time employees in the net amount of $_______ and all part time employees in the net amount of $_______. Each Fund will bear the cost of bonuses for employees, as follows: General Fund - $_______; Street Fund - $______, Sanitation Enterprise Fund - $_______; CDBG Fund - $_______

All part time elected officials are excluded. To receive a bonus, employees must be hired prior to the last full pay period in November and must be actively employed on the date of distribution. Employees pending termination will not receive any appreciation bonus.

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

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

PASSED this 27th day of November, 2012.

Approved:

__________________________
Mayor Tab Townsell

Attest

__________________________
Michael O. Garrett
City Clerk/Treasurer