Call to Order: Mayor Tab Townsell
Roll Call: Michael O. Garrett, City Clerk/Treasurer
Minutes: July 23rd, 2013, August 6th, 2013 (Special) & August 13th, 2013 City Council Meeting
Recognition: Employee Service Awards

1. Report of Standing Committees:

A. Public Hearings

1. Public Hearing/Ordinance to discuss closing an easement located in the Westin Office Park Subdivision.

2. Public Hearing/Ordinance to discuss closing a street in the Westin Office Park Subdivision.

3. Public Hearing/Ordinance to discuss changing the name of Business Avenue to Princeton Drive in the Westin Office Park Subdivision.

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 a certified lien on certain properties as a result of incurred expenses by the City.

2. Resolution rescinding Resolution R-11-28 and ordering the continued monitoring of a structure located at 912 Front Street.

3. Consideration to award the 2013 engineering contract to Garver for the new relocated Conway Municipal Airport.

4. Ordinance amending Ordinance O-13-67 in regards to the Prince Street Improvement Project.

5. Ordinance accepting grant proceeds and appropriating funds received from the Arkansas Historic District Commission for Conway’s Historic District Commission.

6. Ordinance to rezone property located at 2015 Cross Street from R-1 to HR.

7. Consideration of a request from Kent Holder to review in-depth the implementation status of the Scherman Heights PUD and lot 7D (575 Club Lane).
C. **Public Services Committee (Sanitation, Parks & Recreation & Physical Plant)**

1. Ordinance accepting grant proceeds and appropriating funds received from ADEQ for the Conway Sanitation Department.

2. Ordinance accepting funds received by the Municipal Vehicle Program for the Sanitation Department.

3. Ordinance accepting donated items from the EPI for the Conway Sanitation Department.

4. Consideration to accept the bid for a 2014 Commercial Front Load Refuse Truck for the Conway Sanitation Department.

5. Consideration to accept the bid for a 2014 Hook Lift Roll-Off Truck for the Conway Sanitation Department.

6. Consideration to accept the design for the proposed comfort stations and approval to proceed with competitive bidding for three locations for the Park & Recreation Department.

7. Ordinance waiving bids for the purchase of holiday Christmas décor to be placed in Rogers Plaza for the City of Conway.

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

1. Ordinance appropriating insurance funds received for the Animal Welfare Department.

2. Consideration to accept bids for the CNG Conversion kits for the Conway Police Department.

E. **Finance**

1. Consideration to approve the monthly financials ending July 2013.

2. Consideration to approve the fee proposal from BKD for the FY2012 audit.

F. **Old Business**

G. **New Business**

1. Consideration to change to an alternative date or cancel the next regularly schedule City Council meeting (September 10th, 2013).

   **Adjournment**
July 16, 2013

Mayor Townsell,

As the Bicycling and Pedestrian Advisory Board (BPAB) is charged with recommending to the city ways Conway can maintain and advance its status as a bike-friendly community and become a walk-friendly community, the board is of the opinion that it should have a more direct role in determining that both new roadways and reconstructed streets have adequate designs for both bicyclists and pedestrians.

As such, we would like to propose an ordinance for the City Council’s consideration which would include a requirement that all plans for street projects are provided to the board for review during the conceptual design phase. The expectation would be that BPAB would review these plans and either endorse the design as proposed or recommend changes that would ensure these plans are bicycle and pedestrian friendly.

Please let the Bicycle and Pedestrian Board know if you are able to endorse this legislation in principle.

Regards,

Duston Morris
Chairman, City of Conway Bicycle and Pedestrian Advisory Board
Conway Western Arterial Loop

Bicycle and Pedestrian Design Recommendation

Conway Bicycle and Pedestrian Advisory Board

Duston Morris – Chair
Todd Ake – Vice-Chair
Greg Reddin - Secretary
Curt Amenta
Jim Bruce
David Barber
Amanda Potter Cole
Erik Leamon
Peter Mehl
Jami Schwartz
Michael Yoder

July 24, 2013
Revision 1.0
Conway Western Arterial Loop
Bicycle/Pedestrian Design Guidelines

The City of Conway Bicycle and Pedestrian Advisory Board (BPAB) submit the following design recommendations to the City of Conway, AR regarding the Conway Western Arterial Loop. It is the purpose of the BPAB board to advise the city on how to design roadways in such a way to encourage the use of walking and bicycling as modes of transportation. The Western Arterial Loop presents unique design challenges in this regard due to the design speed of the street, the expected traffic volumes, and the unknown nature of the development that will occur within the corridor. The design speed and traffic volume suggest that many bicyclists and pedestrians would prefer shared-use facilities separated from the roadway. However, as the area becomes crowded it becomes unsafe for pedestrians and cyclists to share pathways such as these. Given those considerations, the designs presented in this document stress the need for on-street bicycle facilities throughout the corridor. This allows cyclists who travel at higher speeds and are more comfortable sharing space with motor traffic to use the street for transportation. The design recommendations also call for a separated shared-use path where certain constraints can be met. This will encourage pedestrians and cyclists who are not comfortable sharing space with traffic to use the corridor for transportation.

The board is recommending three tiers of design possibilities for the corridor. The top tier represents the ideal approach and should be used whenever possible. The other tiers are listed to guide the city on how to best serve pedestrians and cyclists where the ideal design cannot be implemented for whatever reason. In addition to the designs themselves, the board is also recommending what sections of the corridor each design tier should be used. Again, the top tier should be considered the ideal and should be used whenever possible.

Design Considerations

Tier 1:
This is the ideal design recommended by the board. The other designs represent fallback plans in areas where this design is not feasible.

- On-street bike lane in each direction.
  - 5 feet wide.
  - Demarcated from traffic with 4-inch stripe.
  - Marked with bicycle symbol every 250 feet
  - Curb/gutter structure not included in width of bike lane.
- 10-foot multi-use path on one side of the road.
  - Separated from road by minimum 10-foot greenspace buffer.
  - Trees and bushes planted between path and road and outside of path, but no visual obstructions should exist between road and path within 100 feet of a crossing.
**Conway Western Arterial Loop**

**Bicycle/Pedestrian Design Guidelines**

- Asphalt trail surface
- Yellow striped centerline to support 2-way traffic.
- Overhead lighting.
  - No more than 4 vehicle crossings (side streets and driveways) per mile.
- Signage – Signs at each cross street should warn of multi-use path (i.e. pedestrian & bicycle) traffic
- Side street /driveway crossing design – the multi-use path and sidewalks should have designated crossings with crosswalks at all side streets.
- Sidewalks should be installed as development progresses on the side of the street opposite the multi-use path.

**Tier 2:**

To be used where space constraints do not allow a 10-foot buffer between the road and the path, but the 4 vehicle crossings per mile requirement can be met.

- On-street bike lane in each direction
  - 5 feet wide.
  - Demarcated from traffic with 4-inch stripe.
  - Marked with bicycle symbol every 250 feet
  - Curb/gutter structure not included in width of bike lane.

- 10-foot multi-use path on one side of the road.
  - Separated from road by 5-foot greenspace buffer or physical barrier.
  - Asphalt trail surface
  - Yellow striped centerline to support 2-way traffic.
  - Overhead lighting.
  - No more than 4 vehicle crossings (side streets and driveways) per mile.
  - Signage – Signs at each cross street should warn of multi-use path (i.e. pedestrian & bicycle) traffic
  - Side street /driveway crossing design – the multiuse path and sidewalks should have designated crossings with crosswalks at all side streets.
  - Sidewalks should be installed as development progresses on the side of the street opposite the multi-use path.
Conway Western Arterial Loop
Bicycle/Pedestrian Design Guidelines

Tier 3:
To be used where space constraints or number of existing vehicle crossings prevents the multi-use path from being implemented. This tier eliminates the multi-use path, but retains a sidewalk.

- On-street bike lane in each direction
  - 5 feet wide.
  - Demarcated from traffic with 4-inch stripe.
  - Marked with bicycle symbol every 250 feet.
  - Curb/gutter structure not included in width of bike lane.
  - 5-foot sidewalk on each side of the road.

Intersections and Bridges
Bike lanes should be implemented the entire length of the road including on bridges and through intersections. Major intersections should include a right-turn bay to the right of the bike lane. Bike lanes should not be merged into vehicle traffic lanes as they are on other streets in Conway. See Figure 1 below for the recommended design:

![Figure 1: Recommended Intersection Design](image)

The 10-foot buffer between the road and multi-use path is not required on bridges as long as a physical barrier exists between the road and the path.
Conway Western Arterial Loop
Bicycle/Pedestrian Design Guidelines

Transitions
Transitions between different design tiers should be minimized. In places where the multi-use path must come to an end there should be crosswalks and signals to allow bicyclists to transition to the bike lanes on the other side of the street.

Sections
Section 1: Hwy 365 – Sturgis Rd. The board’s understanding is that the already-acquired right-of-way will not support the Tier 1 design and that the number of path crossings is too high. In this section the Tier 3 design is acceptable.

Section 2: Sturgis Rd – Old Military Rd. This is the main undeveloped section of the corridor. This is also the section where the board would like to see the city focus on implementing the Tier 1 design throughout.

Section 3: Old Military Rd – College Ave. This section traverses some already-developed areas. The Tier 1 design would be preferable, but may not be possible in this area. The city should strive to implement Tier 2. The multi-use path should extend at least to the junction with the existing Tucker Creek Trail. It would be desirable for the multi-use path to extend beyond Tucker Creek as far as College Ave. North of College Ave. the number of vehicle crossings probably makes a multi-use path undesirable.

Section 4: College Ave. – Old Morrilton Hwy. This section goes through fairly dense existing development. It is likely necessary to implement Tier 3 in this section.

Section 5: North of Old Morrilton Hwy. The northernmost section of the road is undeveloped to date. It would be tempting to ignore cyclists in this section since the road is expected to end at I-40. However, the board encourages the city to strive for Tier 1 in this area, at least to provide a recreational alternative to residents. At a minimum, Tier 3 including bike lanes should be preserved through this corridor.
New I-40 Overpass at Elsinger Blvd

Bicycle and Pedestrian Design Recommendations
August 15, 2013

Conway Arkansas Bicycle & Pedestrian Advisory Board

Duston Morris – Chair
Todd Ake – Vice-Chair
Greg Reddin - Secretary

Curt Amenta
Jim Bruce
David Barber
Amanda Potter Cole

Erik Leamon
Peter Mehl
Jami Schwartz
Michael Yoder
Introduction

The City of Conway Bicycle and Pedestrian Advisory Board (BPAB) submits the following design recommendations to the City of Conway regarding the new I-40 Overpass at Elsinger Boulevard. If designed well, this new overpass allows the first opportunity for bicyclists and pedestrians in Conway to safely navigate between the east and west sides of the city, alleviating one of the top problems for these groups.

Design Considerations

Bridge design

- On-street bike lane in each direction ending at the roundabout at Amity Road & Elsinger Blvd. including:
  - 5 Feet wide; curb/gutter structure not included in width of bike lane.
  - Demarcated from traffic with a 4-inch stripe.
  - Marked with bicycle symbols every 250 feet
  - Bike lane to ramp up to meet multiuse path giving bicyclists the option of circumventing the roundabout on a multiuse path or merging with automobile traffic.
- 12 foot wide multi-use path on one side of the road.
  - Separated from road by a physical barrier.
  - Yellow striped centerline.
  - Overhead lighting.

Roundabout Design

- A 12’ wide multiuse path should encircle the roundabout.
- Street crossings should be made of a different colored material; e.g. red brick, red died concrete, or similar material.
- Street crossings should include islands to give pedestrians some protection in the middle of the crosswalk
- Street crossing should include manually activated yellow flashing warning lights to warn drivers of pedestrian traffic.
- Signage – Signs at each cross street should warn of multi-use path (i.e. pedestrian & bicycle) traffic crossing
New I-40 Overpass at Elsinger Blvd
Bicycle/Pedestrian Design Guidelines
Options
The Bicycle and Pedestrian Advisory Board sees two approaches could be considered in the design of the new overpass, both meeting the requirements as stated above.

The first option would include design elements to enhance the aesthetics of the bridge making it a true showcase for the city. An example of such a design can be found in Kansas City as shown in the picture below.

The second option would be to make this bridge economically while providing a new safe corridor over the interstate.

The picture below shows an example of a physical barrier separating auto traffic and pedestrian & bike traffic.
AN ORDINANCE CLOSING THE EASEMENT THAT IS A PART OF LOT-1, LOT-2 AND LOT-3 OF WESTIN OFFICE PARK
SUBDIVISION TO THE CITY OF CONWAY ARKANSAS, FAULKNER COUNTY AS SHOWN ON PLAT OF RECORDS IN
PLAT BOOK J, PAGE 301, RECORDS OF FAULKNER COUNTY, ARKANSAS; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 2nd day of
August, 2013 asking the City Council to vacate and abandon all that portion of a part of Lot-1, Lot-2 and Lot-3 of
Westin Office Park Subdivision to the City of Conway Arkansas, Faulkner County as shown on Plat of Records in Plat
Book J, Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner
of said Lot-3; thence along the common line between Lot-3 and Lot-2 N87°59'12"W 15.00 feet to the point of
beginning; thence continue along said common Lot line to a point N87°59'12"W 5.00 feet; thence leaving said
common lot line and along a curve to the right, have a radius of 70 feet and a chord bearing and distance of
N34°02'58"E 74.26 feet; thence along a curve to the left, have a radius of 25.0 feet and a chord bearing and
distance of N32°38'15"E 5.51 feet; thence N89°11'23"E 20.00 feet; thence along a curve to the right, have a radius
of 50 feet and a chord bearing and distance of S32°38'15"W 27.56 feet; thence along a curve to the left, have a
radius of 50 feet and a chord bearing and distance of S34°02'58"W 53.05 feet; thence along a curve to the left have
a radius of 50 feet and a chord bearing and distance of S43°06'30"E 70.86 feet; thence along a curve to the left,
have a radius of 50 feet and a chord bearing and distance of N50°05'45"E 66.49 feet; thence along a curve to the
right, have a radius of 480.00 feet and a chord bearing and distance of N06°16'53"E 35.85 feet; thence
S01°46'13"W 68.29 feet; thence along a curve to the right, have a radius of 65 feet and a chord bearing and
distance of S64°50'51"W 58.86 feet to a common lot line between Lot-1 and Lot-2; thence along a curve to the
right, have a radius of 65 feet and a chord bearing and distance of N43°06'30"W 92.12 feet to the point of
beginning containing 0.09 acres more or less;

WHEREAS, after due notice as required by law, the council has, at the time and place mentioned in the
notice, heard all persons desiring to be heard on the question and has ascertained that the easement or the
portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a easement herein
described; has not been actually used by the public generally for a period of at least five (5) years subsequent to
the filing of the plat; that all the owners of the property abutting upon the portion of the easement that is a part of
Lot-1, Lot-2 and Lot-3 of Westin Office Park Subdivision to the City of Conway, Arkansas, Faulkner County as shown
on Plat of Records in Plat Book J, page 301, Records of Faulkner County, Arkansas 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 easement that is a part of lot-1, lot-2 and lot-3 of Westin Office Park
Subdivision to the City of Conway, Arkansas, Faulkner County as shown on Plat of Records in Plat Book J, page 301,
Records of Faulkner County, Arkansas.

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 easement that is a part of Lot-1, Lot-2 and Lot-3 of Westin
Office Park Subdivision to the City of Conway, Arkansas, Faulkner County as shown on Plat of Records in Plat Book J, page 301, Records of Faulkner County, Arkansas designated as follows:

Being a part of Lot-1, Lot-2 and Lot-3 of Westin Office Park Subdivision to the City of Conway Arkansas, Faulkner County as shown on Plat of Records in Plat Book J, Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said Lot-3; thence along the common line between Lot-3 and Lot-2 N87°59'12"W 15.00 feet to the point of beginning; thence continue along said common Lot line to a point N87°59'12"W 5.00 feet; thence leaving said common lot line and along a curve to the right, have a radius of 70 feet and a chord bearing and distance of N34°02'58"E 74.26 feet; thence along a curve to the left, have a radius of 25.0 feet and a chord bearing and distance of N32°38'15"E 5.51 feet; thence N89°11'23"E 20.00 feet; thence along a curve to the right, have a radius of 50 feet and a chord bearing and distance of S32°38'15"W 27.56 feet; thence along a curve to the left, have a radius of 50 feet and a chord bearing and distance of S34°02'58"W 53.05 feet; thence along a curve to the left have a radius of 50 feet and a chord bearing and distance of S43°06'30"E 70.86 feet; thence along a curve to the left, have a radius of 50 feet and a chord bearing and distance of N50°00'45"E 66.49 feet; thence along a curve to the right, have a radius of 480.00 feet and a chord bearing and distance of N06°16'53"E 35.85 feet; thence S01°46'13"W 68.29 feet; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of S64°50'51"W 58.86 feet to a common lot line between Lot-1 and Lot-2; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of N43°06'30"W 92.12 feet to the point of beginning containing 0.09 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 27th day of August, 2013

Approved:

Mayor Tab Townsell

Attest:

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

A western portion of the cul-de-sac of West Business Drive, Conway, Arkansas

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

Being a part of Lot-1, Lot-2 and Lot-3 of Westin Office Park Subdivision to the City of Conway Arkansas, Faulkner County as shown on Plat of Records in Plat Book J Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said Lot-3; thence along the common line between Lot-3 and Lot-2 N87°59'12"W 15.00 feet to the point of beginning; thence continue along said common Lot line to a point N87°59'12"W 5.00 feet; thence leaving said common lot line and along a curve to the right, have a radius of 70 feet and a chord bearing and distance of N34°02'58"E 74.26 feet; thence along a curve to the left, have a radius of 25.0 feet and a chord bearing and distance of N32°38'15"E 5.51 feet; thence N89°11'23"E 20.00 feet; thence along a curve to the right, have a radius of 50 feet and a chord bearing and distance of S32°38'15"W 27.56 feet; thence along a curve to the left, have a radius of 50 feet and a chord bearing and distance of S34°02'58"W 53.05 feet; thence along a curve to the left have a radius of 50 feet and a chord bearing and distance of S43°06'30"E 70.86 feet; thence along a curve to the left, have a radius of 50 feet and a chord bearing and distance of N50°05'45"E 66.49 feet; thence along a curve to the right, have a radius of 480.00 feet and a chord bearing and distance of N06°16'53"E 35.85 feet; thence S01°46'13"W 68.29 feet; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of S64°50'51"W 58.86 feet to a common lot line between Lot-1 and Lot-2; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of N43°06'30"W 92.12 feet to the point of beginning containing 0.09 acres more or less.

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

Being the southern portion of West Business Drive as shown on Westin Office Park Subdivision to the City of Conway Arkansas, Faulkner County as shown on Plat of Records in Plat Book J Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said Lot-3; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of N34°02'58"E 53.05 feet; thence along a curve to the left, having a radius of 25.00 feet and a chord bearing and distance of N32°38'15"E 27.56 feet; thence N89°11'23"E 60.00 feet; thence along a curve to the right, having a radius of 480 feet, and a chord bearing and distance of S03°48'20"W 77.26 feet; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of S50°05'45"W 66.49 feet to a common corner between Lot 1 and Lot 2 Westin Office Park Subdivision; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of N43°06'30"W 70.86 feet to the point of beginning, containing 0.22 acres more or less.

Abutting property owner:

Keller Johnson Builders, Inc.
P. O. Box 1251
Conway, Arkansas 72033

Keller Johnson
LETTER OF AUTHORIZATION

The undersigned property owner, do hereby name and authorize Tyler Group, Inc. to act as agent of owner in our behalf in the matter of the application filed for a portion of a street closure, portion of an easement closure, and a street name change to the City Council of Conway, Arkansas.

Executed this 16th of AUGUST, 2013.

Keller Johnson
Owner Name (Please print)

[Signature]
Owner Signature

Keller Johnson Builders, Inc.
P. O. Box 1251
Conway, AR 72033
City of Conway, Arkansas  
Ordinance No. O-13-____

AN ORDINANCE CLOSING THE SOUTHERN PORTION OF WEST BUSINESS DRIVE AS SHOWN ON WESTIN OFFICE PARK SUBDIVISION TO THE CITY OF CONWAY, ARKANSAS, FAULKNER COUNTY, AS SHOWN ON PLAT OF RECORDS IN PLAT BOOK J, PAGE 301, RECORDS OF FAULKNER COUNTY, ARKANSAS; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 2nd day of August, 2013 asking the City Council to vacate and abandon all the southern portion of West Business Drive as shown on Westin Office Park Subdivision to the City of Conway, Arkansas, Faulkner County, as shown on Plat of Records in Plat Book J, Page 301, Records of Faulkner County, Arkansas;

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 street 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 southern portion of West Business Drive as shown on Westin Office Park Subdivision to the City of Conway, Arkansas, Faulkner County, as shown on Plat of Records in Plat Book J, Page 301, Records of Faulkner County, Arkansas 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 easement that is the southern portion of West Business Drive as shown on West Office Park Subdivision to the City of Conway, Arkansas, Faulkner County, as shown on Plat of Records in Plat Book J, Page 301, Records of Faulkner County, Arkansas.

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 street easement that is the southern portion of West Business Drive as shown on Westin Office Park Subdivision to the City of Conway, Arkansas, Faulkner County, as shown on Plat of Records in Plat Book J, Page 301, Records of Faulkner County, Arkansas, and more specifically designated as follows:

Beginning at the SE corner of said Lot-3; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of N34°02'58"E 53.05 feet; thence along a curve to the left, having a radius of 25.00 feet and a chord bearing and distance of N32°38'15"E 27.56 feet; thence N89°11'23"E 60.00 feet; thence along a curve to the right, having a radius of 480 feet, and a chord bearing and distance of S03°48'20"W 77.26 feet; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of S50°05'45"W 66.49 feet to a common corner between Lot 1 and Lot 2 Westin Office Park Subdivision; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of N43°06'30"W 70.86 feet to the point of beginning, containing 0.22 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 27th day of August, 2013

Approved:

______________________________
Mayor Tab Townsell

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

A western portion of the cul-de-sac of West Business Drive, Conway, Arkansas  

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

Being a part of Lot-1, Lot-2 and Lot-3 of Westin Office Park Subdivision to the City of Conway Arkansas, Faulkner County as shown on Plat of Records in Plat Book J Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said Lot-3; thence along the common line between Lot-3 and Lot-2 N87°59'12"W 15.00 feet to the point of beginning; thence continue along said common Lot line to a point N87°59'12"W 5.00 feet; thence leaving said common Lot line and along a curve to the right, have a radius of 70 feet and a chord bearing and distance of N34°02'58"E 74.26 feet; thence along a curve to the left, have a radius of 25.0 feet and a chord bearing and distance of N32°38'15"E 5.51 feet; thence N89°11'23"E 20.00 feet; thence along a curve to the right, have a radius of 50 feet and a chord bearing and distance of S32°38'15"W 27.56 feet; thence along a curve to the left, have a radius of 50 feet and a chord bearing and distance of S34°02'58"W 53.05 feet; thence along a curve to the left have a radius of 50 feet and a chord bearing and distance of S43°06'30"E 70.86 feet; thence along a curve to the right, have a radius of 50 feet and a chord bearing and distance of N06°16'53"E 66.49 feet; thence along a curve to the right, have a radius of 480.00 feet and a chord bearing and distance of N06°16'53"E 35.85 feet; thence S01°46'13"W 68.29 feet; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of S64°50'51"W 58.86 feet to a common lot line between Lot-1 and Lot-2; thence along a curve to the right, have a radius of 65 feet and a chord bearing and distance of N45°06'30"W 92.12 feet to the point of beginning containing 0.09 acres more or less.  

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

Being the southern portion of West Business Drive as shown on Westin Office Park Subdivision to the City of Conway Arkansas, Faulkner County as shown on Plat of Records in Plat Book J Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said Lot-3; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of N34°02'58"E 53.05 feet; thence along a curve to the left, having a radius of 25.00 feet and a chord bearing and distance of N32°38'15"E 27.56 feet; thence N89°11'23"E 60.00 feet; thence along a curve to the right, having a radius of 480 feet, and a chord bearing and distance of S03°48'20"W 77.26 feet; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of S50°05'45"W 66.49 feet to a common corner between Lot 1 and Lot 2 Westin Office Park Subdivision; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of N43°06'30"W 70.86 feet to the point of beginning, containing 0.22 acres more or less.  

Abutting property owner:  

Keller Johnson Builders, Inc.  
P. O. Box 1251  
Conway, Arkansas  72033  

Keller Johnson
TRACT-A: PROPERTY DESCRIPTION-CLOSEUP OF A CUL-DE-SAC

Being the southern portion of West Business Drive as shown on Westin Office Park Subdivision to the City of Conway, Arkansas, Faulkner County as shown on Plot of Records in Plot Book J Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said Lot-3, thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of N34°02'58"E 53.05 feet; thence along a curve to the left, having a radius of 25.00 feet and a chord bearing and distance of N32°38'15"E 27.56 feet; thence along a curve to the right, having a radius of 480.00 feet and a chord bearing and distance of S03°48'20"W 77.26 feet; thence along a curve to the right, having a radius of 50.00 feet and a chord bearing and distance of S50°05'45"W 66.49 feet to a common corner between Lot 1 and Lot 2 Westin Office Park Subdivision; thence along a curve to the right, having a radius of 50.00 feet, and a chord bearing and distance of N43°06'30"W 70.86 feet to the point of beginning, containing 0.22 acres more or less.

TRACT-B: PROPERTY DESCRIPTION-CLOSEUP OF A CUL-DE-SAC

Being a part of Lot-1, Lot-2 and Lot-3 of Westin Office Park Subdivision to the City of Conway, Arkansas, Faulkner County as shown on Plot of Records in Plot Book J Page 301, Records of Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said Lot-3; thence along the common line between Lot-3 and Lot-2 N87°59'12"W 15.00 feet to the point of beginning; thence continuing along said common Lot line to a point N87°59'12"W 5.00 feet; thence leaving said common Lot line and along a curve to the right, having a radius of 70 feet and a chord bearing and distance of N34°02'58"E 74.26 feet; thence along a curve to the left, having a radius of 25.00 feet and a chord bearing and distance of N32°38'15"E 5.51 feet; thence N87°59'12"E 20.00 feet; thence along a curve to the right, having a radius of 50.00 feet and a chord bearing and distance of S34°02'58"W 27.56 feet; thence along a curve to the left, having a radius of 50.00 feet and a chord bearing and distance of S50°05'45"W 66.49 feet; thence along a curve to the right, having a radius of 480.00 feet and a chord bearing and distance of N08°16'53"E 35.85 feet; thence S01°46'17"W 68.29 feet; thence along a curve to the right, having a radius of 65 feet and a chord bearing and distance of S56°45'51"W 58.86 feet to a common Lot line between Lot-1 and Lot-2; thence along a curve to the right, having a radius of 65 feet and a chord bearing and distance of N43°06'30"W 92.12 feet to the point of beginning containing 0.09 acres more or less.

CURVE CHART

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<th>Chord Length</th>
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<td>480.00'</td>
<td>77.34'</td>
<td>77.26'</td>
<td>S 03°48'20&quot;W</td>
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</tbody>
</table>
City of Conway, Arkansas
Ordinance No. O-13-____

AN ORDINANCE CHANGING THE STREET NAME W BUSINESS AVE TO PRINCETON DRIVE; AND FOR OTHER PURPOSES:

WHEREAS; the street currently named W Business Avenue is the current name, but due recent development of the abutting property into residential, the main property owner has requested to rename to Princeton Drive;

WHEREAS; it is preferable to the property owner to have a new name for residential subdivision development;

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

Section 1: That the street name W Business Avenue is hereby changed to Princeton Drive.

Section 2: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 3: That this ordinance is necessary for the protection of the public peace, health and safety, and this ordinance shall be in full force and effective 30 days after its passage and approval.

PASSED this 27th day of August, 2013

Approved:

__________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
TO: Mayor Tab Townsell
CC: City Council Members
Barbara McElroy
FROM: Felicia Rogers
DATE: August 20th, 2013
SUBJECT: Certified Liens – Code Enforcement

Message:
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. 2450 Landover Trail $208.60
2. 209 South Mitchell $229.30
3. 4 Gwen Lane $231.70
4. 117 Shamrock Drive $266.04
5. 2745 Glohaven $268.68
6. 142 Eve Lane $268.71
7. 2108 Independence Street $285.18
8. 1914 Weems Street $308.00
9. 2902 Pheasant Road $1231.98

Please advise if you have any questions.

Thank you for your consideration.
City of Conway, Arkansas
Resolution No. R-13-____

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 2450 Landover Trail 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 $208.60 ($162.37 + Penalty-$16.23 + 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 August 27, 2013 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 August, 2013.

Approved:

__________________________
Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Barbara McElroy
Date: August 20, 2013

Re: 2450 Landover Trail

- June 20th, 2013 – Warning Violation written regarding grass by Tim Wells.
- Property Owner is listed as Latisha Wilson.
- Property was rechecked on 6/28/2013 with no progress made.
- Certified and regular letters were mailed 7/2/2013 to address on file and both letters came back on July 27th.
- I (Barbara) had spoke with Mrs. Wilson on 7/8/2013 and she had stated that she had been discharged of house through bankruptcy.
- A email was sent to the mortgage company with no action taken.
- Property was rechecked on 7/16/2013 with no action taken.
- Final Cleanup finished on 7/25/2013.
- 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  Latisha Wilson  
2450 Landover Trail  
Conway, AR 72034

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at 2450 Landover Trail Conway Arkansas

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tim Wells</td>
<td>710-08210-038</td>
<td></td>
<td>August 27th, 2013</td>
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</table>

<table>
<thead>
<tr>
<th>HOURS</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>LINE TOTAL</th>
</tr>
</thead>
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<tr>
<td>1</td>
<td>1 Employee Mowing</td>
<td>17.90</td>
<td>17.90</td>
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<tr>
<td>1</td>
<td>1 Employee -Mowing</td>
<td>16.22</td>
<td>16.22</td>
</tr>
<tr>
<td>1</td>
<td>1 Employee -Mowing</td>
<td>10.48</td>
<td>10.48</td>
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<tr>
<td>1</td>
<td>1 Employee -Mowing</td>
<td>10.48</td>
<td>10.48</td>
</tr>
<tr>
<td>1</td>
<td>1 Employee -Mowing</td>
<td>17.86</td>
<td>17.86</td>
</tr>
<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 (Tim Wells) | 16.32      | 16.32      |
| 1     | Administrative Fee (Glenn Berry) | 26.50      | 26.50      |
| 2     | Certified Letter | 3.29       | 6.58       |
| 2     | Regular letter | .44        | .88        |

- Total amount due after 8/27/2013 includes collection penalty & filing fees

| TOTAL BY 8/27/2013 | $162.37 |
|TOTAL AFTER 8/27/2013| $208.60 |

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032
July 25, 2013

Parcel # 710-08210-038

Latisha Wilson
2450 Landover Trail
Conway, AR 72034

RE: Nuisance Abatement at 2450 Landover Trail, Conway AR
Cost of Clean-Up, Amount Due: $162.37

Dear Ms. Wilson,

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 August 27th, 2013 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
Conway Code Enforcement
Incident Report

Date of Violation: 06/20/13

Violator Name: Latisha Wilson

Address of Violation: 2450 Landover Trail

Violation Type: Grass over 8 inches long

Warning #: CE7312

Description of Violation and Actions Taken: On 06/20/13, Code Enforcement Officer Wells wrote a warning to correct violation at 2450 Landover Trail for grass over 8 inches long. A recheck was conducted on 06/28/13 and no progress had been made. A certified letter was sent on 07/02/13. A second recheck was conducted on 07/16/13 and there was no progress, so cleanup was scheduled. Cleanup was completed by the physical plant. Before and after pictures were taken.

Code Enforcement Officer: Tim Wells

Officer Signature: [Signature]

Date: 08/20/13      Time: 8:04
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 209 South Mitchell 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 $229.30 ($181.15 + Penalty-$18.15 + 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 August 27th, 2013 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 August 2013.

Approved:

________________________
Mayor Tab Townsell

Attest:

________________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell  
CC: City Council Members  
From: Barbara McElroy  
Date: August 20, 2013  
Re: 209 South Mitchell

- June 17, 2013– Warning Violation written regarding grass by Bill Haynes.  
- Property Owner is listed as Chris Dunn.  
- Property was rechecked on 6/25/2013 with some progress made.  
- Property was rechecked on 7/2/2013 & 7/15/2013 with no progress.  
- Certified and regular letters were mailed 7/5/2013 to address on file.  
- Final Cleanup finished on 7/25/2013.  
- 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  
Chris Dunn  
209 South Mitchell Street  
Conway, AR 72034

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at 209 South Mitchell Street

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
</tr>
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<tbody>
<tr>
<td>Bill Haynes</td>
<td>710-01792-000</td>
<td></td>
<td>August 27th, 2013</td>
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<table>
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<tr>
<th>HOURS</th>
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<th>UNIT PRICE</th>
<th>LINE TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1 Employee-Mowing</td>
<td>17.90</td>
<td>17.90</td>
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<td>1 Employee-Mowing</td>
<td>16.22</td>
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<td>1 Employee-Mowing</td>
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<td>1 Employee-Mowing</td>
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<td>1 Employee-Mowing</td>
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<td>1</td>
<td>Maintenance Fee</td>
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<td>15.00</td>
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<td>2 Trips to Landfill ($4.00 &amp; $12..36)</td>
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<td>1</td>
<td>Administrative Fee (Glenn Berry)</td>
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<td>26.50</td>
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<tr>
<td>2</td>
<td>Certified Letter</td>
<td>3.29</td>
<td>6.58</td>
</tr>
<tr>
<td>2</td>
<td>Regular letter</td>
<td>.44</td>
<td>.88</td>
</tr>
</tbody>
</table>

Total by 8/27/2013: $181.15
Total After 8/27/2013: $229.26

- Total amount due after 8/27/2013 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;
July 25, 2013

Parcel # 710-01792-00

Chris Dunn
209 S. Mitchell Street
Conway, AR 72034

RE: Nuisance Abatement at 209 S. Mitchell Street, Conway AR
Cost of Clean-Up, Amount Due: $181.15

Dear Mr. Dunn,

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 August 27th, 2013 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
Conway Code Enforcement
Incident Report

Date of Violation: 06-17-13
Violator Name: Marchello Harris
Address of Violation: 209 S. Mitchell
Violation Type: Tall grass / Rubbish & trash
Warning #: CE7136
Description of Violation and Actions Taken: I issued a warning for tall grass and trash and rubbish all over the yard at 209 S. Mitchell on 06-17-13. Rechecks were conducted on 06-25-13 and 7-02-13 with no change in condition being noted. Certified letters were delivered on 07-05-13 and a final recheck was conducted on 07-15-13 with no change in condition. Mowing and clean-up was scheduled with the physical plant and work was completed on 07-25-13. Before and after pics were taken and are included with this report.

Code Enforcement Officer: Bill Haynes #403

Officer Signature: [Signature]

Date: 08-20-13 Time: 0820hrs
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 4 Gwen Lane 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 $231.70 ($183.37 + Penalty-$18.33 + 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 August 27th, 2013 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 August, 2013.

Approved:

__________________________
Mayor Tab Townsell

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell  
CC: City Council Members

From: Barbara McElroy  
Date: August 20, 2013

Re: 4 Gwen Lane

- June 11\textsuperscript{th}, 2013—Warning Violation written regarding grass by Tim Wells.
- Property Owner is listed as Decarlos & Robin Fuller.
- Property was rechecked on 6/20/2013 with no progress made.
- Certified and regular letters were mailed 6/24/2013 to address on file and both letters came back on July 1st.
- A email was sent to the mortgage company with no action taken.
- Property was rechecked on 7/2 & 7/9/2013 with no action taken.
- Final Cleanup finished on 7/11/2013.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.
## INVOICE

City of Conway  
Code Enforcement  

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

TO: Decarlos & Robin Fuller  
4 Gwen Lane  
Conway, AR 72034

Description: Mowing/Clean up/Admin Fees  
associated with the nuisance abatement at  
4 Gwen Lane Conway Arkansas

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
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<tbody>
<tr>
<td>Tim Wells</td>
<td>710-06898-000</td>
<td></td>
<td>August 27th, 2013</td>
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<td>Maintenance Fee</td>
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<td>26.50</td>
<td>26.50</td>
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<tr>
<td>2</td>
<td>Regular letter</td>
<td>.44</td>
<td>.88</td>
</tr>
</tbody>
</table>

TOTAL BY 8/27/2013 $183.37  
TOTAL AFTER 8/27/2013 $231.70

- Total amount due after 8/27/2013 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement and Mail to:

City of Conway Code Enforcement  

1201 Oak Street Conway Arkansas 72032
July 23, 2013

Parcel # 710-06898-000

Decarlos & Robin Fuller
4 Gwen Lane
Conway, AR 72034

RE: Nuisance Abatement at 4 Gwen Lane, Conway AR
Cost of Clean-Up, Amount Due: $183.37

Dear Mr & Mrs. Fuller,

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 August 27th, 2013 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
Conway Code Enforcement
Incident Report

Date of Violation: 06/11/13

Violator Name: DeCarlos and Robin Fuller

Address of Violation: 4 Gwen Lane

Violation Type: Rubbish/Trash, Appliance/Furniture, and Dilapidated Structure

Warning #: CE 7187

Description of Violation and Actions Taken: On 06/11/13, Code Enforcement Officer Wells wrote a warning to correct violation at 4 Gwen Lane for bushes growing into the street, a chair in the front lawn, gutter hanging off the side of the house, and shingles coming off the roof. A recheck was conducted on 06/20/13 and the only progress made was the removal of the chair from the front lawn. A certified letter was sent on 06/24/13 and returned on 06/26/13. A second recheck was conducted on 07/02/13 and there was no progress on the bushes, gutter, or shingles; therefore, cleanup was scheduled. Cleanup was completed on 07/11/13.

Code Enforcement Officer: Tim Wells

Officer Signature: [Signature]

Date: 07/11/13 Time: 11:30
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 117 Shamrock 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 $266.04 ($214.59 + Penalty-$21.45 + 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 August 27, 2013 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 August, 2013.

Approved:

__________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell  
CC: City Council Members  

From: Barbara McElroy  
Date: August 20, 2013  

Re: 117 Shamrock  

- June 4th, 2013– Warning Violation written regarding grass by Tim Wells.  
- Property Owner is listed as Lisa Shoemake.  
- Property was rechecked on 6/12/2013 with no progress made.  
- Certified and regular letters were mailed 6/24/2013 to address on file and an notice was left at post office on 6/26/2013.  
- Property was rechecked on 6/12, 6/20 & 7/5/2013 with no action taken.  
- Final Cleanup finished on 7/11/2013.  
- Certified and regular letters were sent including date, time & place of the City Council meeting.  

If you have any questions please advise.
# INVOICE

City of Conway  
Code Enforcement  

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

TO  
Nancy Murphy  
2740 Redhaven Drive  
Conway, AR 72034

Description: Mowing/Clean up/Admin Fees  
associated with the nuisance abatement at  
117 Shamrock Drive Conway Arkansas

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tim Wells</td>
<td>710-07549-000</td>
<td></td>
<td>August 27th, 2013</td>
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<td>2 Employee for Mowing</td>
<td>10.48</td>
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**TOTAL BY 8/27/2013**  
$214.59

**TOTAL AFTER 8/27/2013**  
$266.04

- Total amount due after 8/27/2013 includes  
collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement and Mail to:

City of Conway Code Enforcement  
1201 Oak Street Conway Arkansas 72032
July 23, 2013

Parcel # 710-07549-000

Nancy Murphy
2740 Redhaven Drive
Conway, AR 72034

RE: Nuisance Abatement at 117 Shamrock Drive, Conway AR
Cost of Clean-Up, Amount Due: $214.59

Dear Ms. Murphy,

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 August 27th, 2013 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
Conway Code Enforcement
Incident Report

Date of Violation: 06/04/13

Violator Name: Lisa Shoemake

Address of Violation: 117 Shamrock Drive

Violation Type: Grass over 8 inches and Rubbish/Trash

Warning #: CE7047

Description of Violation and Actions Taken: On 06/04/13, Code Enforcement Officer Wells wrote a warning to correct violation at 117 Shamrock Drive for grass over 8 inches long and rubbish/trash. A recheck was conducted on 06/12/13 and the exercise bike and pallet on the side of the house had been removed. Some of the limbs had been removed. There was no progress on the grass. A second recheck was conducted on 06/20/13 and there was no progress on the grass, but the limbs had been removed. A certified letter was sent on 06/24/13 and notice was left on 06/26/13. A third recheck was conducted on 07/05/13 and there was no progress, so cleanup was scheduled. Cleanup was completed on 07/11/13.

Code Enforcement Officer: Tim Wells

Officer Signature: [Signature]

Date: 07/11/13  Time: 1:09
A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.

WHEREAS, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 2745 Glohaven 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 $268.68 ($216.99 + Penalty-$21.69 + 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 August 27th, 2013 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 August, 2013.

Approved:

__________________________
Mayor Tab Townsell

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Barbara McElroy
Date: August 20, 2013

Re: 2745 Glohaven

- May 15th, 2013– Warning Violation written regarding grass in the back yard by Bill Haynes
- Property Owner is listed as Makin & Sherry Bailey.
- Contact was made by telephone and email that the owners were in bankruptcy and were not responsible for the property.
- Property was rechecked on 5/23/2013 & 5/30/2013 with no progress. I called her again and she said she would take care of it that day. Rechecked on 6/20/2012 with nothing done.
- The mortgage company and banks were contacted by phone and was assured that the property would be brought up to code.
- Property was rechecked on 7/09/2013
- Final Cleanup finished on 7/11/2013.
- 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 Makin Bailey  
2320 Quattlebaum Cove  
Conway, AR 72034

Description: Mowing/Clean up/Admin Fees  
associated with the nuisance abatement at  
2745 Glohaven Drive

<table>
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<tr>
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<tbody>
<tr>
<td>Bill Haynes</td>
<td>711-12793-133</td>
<td></td>
<td>August 27th, 2013</td>
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<td>.86</td>
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- Total amount due after 8/27/2013 includes collection penalty & filing fees

TOTAL BY 8/27/2013: $216.99

TOTAL AFTER 8/27/2013: $268.68

Make all checks payable to City of Conway Code Enforcement & Mail to:

1201 Oak Street Conway Arkansas 72032
July 23, 2013

Parcel # 711-12793-133

Makin Bailey
2320 Quattlebaum Cove
Conway, AR 72034

RE: Nuisance Abatement at 2745 Glohaven, Conway AR
Cost of Clean-Up, Amount Due: $216.99

Dear Mr. Bailey,

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 August 27th, 2013 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
Date of Violation: 05-15-13  
Violator Name: Markin & Sherry Bailey  
Address of Violation: 2745 Glohaven  
Violation Type: Tall Grass  
Warning #: CE6823  
Description of Violation and Actions Taken: I issued a warning for tall grass at 2745 Glohaven on 05-15-13. Rechecks were conducted on 05-23-13 and 05-30-13 with no change in condition noted. Barbara was advised by mail, email and telephone that the owners were in bankruptcy and were not responsible for the property. The mortgage and asset management companies were contacted by email and telephone and gave assurances that the property would be brought up to code. Final rechecks were conducted and no change was seen in condition. Mowing was scheduled and conducted by the physical plant on 07-11-13. Before and after pics are included with this report.

Code Enforcement Officer: Bill Haynes

Officer Signature: _________________________________________________

Date: 08-20-13 Time: 1105hrs
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 142 Eve Lane 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 $268.71 ($217.01 + Penalty-$21.70 + 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 August 27th, 2013 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 August, 2013.

Approved:

__________________________
Mayor Tab Townsell

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Barbara McElroy
Date: August 20, 2013

Re: 4 Gwen Lane

- June 11th, 2013—Warning Violation written regarding grass by Tim Wells.
- Property Owner is listed as Decarlos & Robin Fuller.
- Property was rechecked on 6/20/2013 with no progress made.
- Certified and regular letters were mailed 6/24/2013 to address on file and both letters came back on July 1st.
- A email was sent to the mortgage company with no action taken.
- Property was rechecked on 7/2 & 7/9/2013 with no action taken.
- Final Cleanup finished on 7/11/2013.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.
INVOICE
City of Conway
Code Enforcement
1201 Oak Street
Conway, AR 72032
Phone: 501-450-6191
Fax 501-450-6144
barbara.mcelroy@cityofconway.org

DATE: AUGUST 23, 2013

TO Decarlos & Robin Fuller
4 Gwen Lane
Conway, AR 72034

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at 4 Gwen Lane Conway Arkansas

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<td>Maintenance Fee</td>
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TOTAL BY 8/27/2013 $183.37

TOTAL AFTER 8/27/2013 $231.70

- Total amount due after 8/27/2013 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement and Mail to:

City of Conway Code Enforcement
1201 Oak Street Conway Arkansas 72032
July 23, 2013

Parcel # 710-06898-000

Decarlos & Robin Fuller
4 Gwen Lane
Conway, AR 72034

RE: Nuisance Abatement at 4 Gwen Lane, Conway AR
Cost of Clean-Up, Amount Due: $183.37

Dear Mr & Mrs. Fuller,

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 August 27th, 2013 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
Conway Code Enforcement
Incident Report

Date of Violation: 06-19-13
Violator Name: Don Green
Address of Violation: 142 Eve Ln
Violation Type: Tall Grass
Warning #: CE7218
Description of Violation and Actions Taken: I issued a warning for tall grass and weeds at 142 Eve Ln on 06-19-13. Rechecks were conducted on 06-27-13 and 07-02-13 with only a small portion of the front yard being mowed. Certified letters were delivered on 07-05-13 and a final recheck was conducted on 07-15-13 with no change noted. Mowing was scheduled with the physical plant and work was completed on 07-25-13. Before and after pics were taken and are included with this report.

Code Enforcement Officer: Bill Haynes #403

Officer Signature: [Signature]

Date: 08-20-13 Time: 0837hrs
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 2108 Independence 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 $285.18 ($231.99 + Penalty-$23.19 + 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 August 27th, 2013 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 August 2013.

Approved:

__________________________
Mayor Tab Townsell

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell  
CC: City Council Members  
From: Barbara McElroy  
Date: August 20, 2013  
Re: 2108 Independence

- Property Owner is listed as Rebecca Evridge.
- Property was rechecked on 5/27/2013 with some progress made.
- Property was rechecked on 6/18/2013 with no progress.
- Property was rechecked on 7/1/2013 with no progress.
- Certified and regular letters were mailed 6/19/2013 to address on file.
- Final Cleanup finished on 7/1/2013.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.
INVOICE

City of Conway
Code Enforcement

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

TO Rebecca Everidge
472 Highway 285 East
Greenbrier, AR 72058

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at 2108 Independence

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill Haynes</td>
<td>710-00576-000</td>
<td></td>
<td>August 27th, 2013</td>
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<thead>
<tr>
<th>HOURS</th>
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<tr>
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<td>1 employee- Mowing</td>
<td>17.90</td>
<td>35.80</td>
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<td>2</td>
<td>1 employee-Mowing</td>
<td>16.22</td>
<td>32.44</td>
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<td>2</td>
<td>1 employee Mowing</td>
<td>10.48</td>
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<td>Administrative Fee (Glenn Berry)</td>
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</tr>
<tr>
<td>2</td>
<td>Regular letter</td>
<td>.43</td>
<td>.86</td>
</tr>
</tbody>
</table>

- Total amount due after 8/27/2013 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement & Mail to:

1201 Oak Street Conway Arkansas 72032
July 23, 2013

Parcel # 710-00576-000

Rebecca Evridge
472 Highway 285 East
Greenbrier, AR 72058

RE: Nuisance Abatement at 2108 Independence Ave, Conway AR
Cost of Clean-Up, Amount Due: $231.99

Dear Ms. Evridge,

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 August 27th, 2013 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
Conway Code Enforcement
Incident Report

Date of Violation: 05-17-13
Violator Name: Rebecca Everidge
Address of Violation: 2108 Independence
Violation Type: Tall Grass & Weeds
Warning #: CE6847

Description of Violation and Actions Taken: I issued a warning @ 2108 Independence for tall grass and weeds on 05-17-13. Rechecks were conducted on 05-28-13 and 06-18-13 with no change in condition. Certified letters were sent and another recheck was conducted on 07-01-13 with no change in condition being noted. Mowing was scheduled with the physical plant and work was completed on 07-11-13. Before and after pics were taken and are included with this report.

Code Enforcement Officer: Bill Haynes #403

Officer Signature: [Signature]

Date: 08-20-13 Time: 0806 hrs
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 1914 Weems 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 $308.00 ($252.73 + Penalty-$25.27 + 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 August 27th, 2013 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 August 2013.

Approved:

______________________________
Mayor Tab Townsell

Attest:

______________________________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Barbara McElroy
Date: August 20, 2013

Re: 1914 Weems

- June 12, 2013– Warning Violation written regarding grass by Bill Haynes.
- Property Owner is listed as Fred Church.
- Property was rechecked on 6/20/2013 with no progress made.
- Property was rechecked on 7/5/2013 with some progress.
- Property was rechecked on 7/15/2013 with no progress.
- Certified and regular letters were mailed 6/24/2013 to address on file.
- Final Cleanup finished on 7/25/2013.
- 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  

TO: Fred Church  
1914 Weems Street  
Conway, AR 72034  

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at 1914 Weems Street

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
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</tr>
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<tbody>
<tr>
<td>Bill Haynes</td>
<td>710-03181-000</td>
<td></td>
<td>August 27th, 2013</td>
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<tr>
<th>HOURS</th>
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<tr>
<td>2</td>
<td>1 Employee-Mowing</td>
<td>17.90</td>
<td>35.80</td>
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<tr>
<td>2</td>
<td>1 Employee-Mowing</td>
<td>16.22</td>
<td>32.44</td>
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<tr>
<td>2</td>
<td>1 Employee-Mowing</td>
<td>10.48</td>
<td>20.96</td>
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<td>1 Employee-Mowing</td>
<td>10.48</td>
<td>20.96</td>
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<tr>
<td>2</td>
<td>1 Employee-Mowing</td>
<td>17.86</td>
<td>35.72</td>
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<td>2</td>
<td>Maintenance Fee</td>
<td>15.00</td>
<td>30.00</td>
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<tr>
<td>1</td>
<td>Administrative Fee (Barbara McElroy)</td>
<td>24.15</td>
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</tr>
<tr>
<td>2</td>
<td>Regular letter</td>
<td>.44</td>
<td>.88</td>
</tr>
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</table>

Total by 8/27/2013 $252.73
Total after 8/27/2013 $308.00

- Total amount due after 8/27/2013 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;
July 25, 2013

Parcel # 710-03181-000

Fred Church
1914 Weems Street
Conway, AR 72034

RE: Nuisance Abatement at 1914 Weems Street, Conway AR
Cost of Clean-Up, Amount Due: $252.73

Dear Mr. Church,

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 August 27th, 2013 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
Conway Code Enforcement
Incident Report

Date of Violation: 06-12-13
Violator Name: Mark Woods
Address of Violation: 1914 Weems
Violation Type: Tall Grass and weeds
Warning #: CE7109

Description of Violation and Actions Taken: I issued a warning for tall grass and weeds at 1914 Weems on 06-12-13. Rechecks were conducted on 06-20-13 and 07-08-13 with only the front yard being mowed. Certified letters were sent and a final recheck was conducted on 07-15-13 again with no change to the back yard. Mowing was scheduled with the physical plant and work was completed on 07-25-13. Before and after pics were taken and are included with this report.

Code Enforcement Officer: Bill Haynes #403

Officer Signature: ____________________________

Date: 08-20-13 Time: 0830hrs
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 2902 Pheasant 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 $1231.98 ($1092.71 + Penalty-$109.27 + 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 August 27th, 2013 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 August 2013.

Approved:

_________________________
Mayor Tab Townsell

Attest:

_______________
Michael O. Garrett
City Clerk/Treasurer
MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Barbara McElroy
Date: August 20, 2013

Re: 2902 Pheasant

- June 10th, 2013– Warning Violation written regarding grass by Bill Haynes.
- Property Owner is listed as Jin Rong Lin.
- Property was rechecked on 6/18/2013 with no progress made.
- Certified and regular letters were mailed 6/19/2013 to address on file.
- Property was rechecked 6/28/2013 with no progress made.
- Final Cleanup finished on 7/10/2013.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.
INVOICE

City of Conway
Code Enforcement

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

TO Jin Rong Lin
2902 Pheasant Road
Conway, AR 72034

Description: Mowing/Clean up/Admin Fees associated with the nuisance abatement at 2902 Pheasant Road

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<thead>
<tr>
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<tr>
<td>Bill Haynes</td>
<td>711-12283-000</td>
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<td>August 27th, 2013</td>
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<tr>
<td>9</td>
<td>Maintenance Fee</td>
<td>15.00</td>
<td>135.00</td>
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<tr>
<td>6</td>
<td>Tractor Fee (bush hog)</td>
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<td>Landfill Fees (6 trips)</td>
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Total amount due after 8/27/2013 includes collection penalty & filing fees

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Total BY 8/27/2013 $1092.71

Total After 8/27/2013 $1231.91

Make all checks payable to City of Conway Code Enforcement & Mail to:

1201 Oak Street Conway Arkansas 72032
July 23, 2013

Parcel # 711-12283-000

Jin Rong Lin
2902 Pheasant Road
Conway, AR 72034

RE: Nuisance Abatement 2902 Pheasant, Conway AR
Cost of Clean-Up, Amount Due: $1092.71

Dear Mr. Lin,

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.

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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
Conway Code Enforcement
Incident Report

Date of Violation: 06-10-13
Violator Name: Jin Rong Lin
Address of Violation: 2902 Pheasant
Violation Type: Tall grass / Rubbish and trash
Warning #: CE7091

Description of Violation and Actions Taken: I issued a warning for tall grass and rubbish all over the property at 2902 Pheasant on 06-10-13. Rechecks were conducted on 06-18-13 with no change in condition noted. Certified letters were sent on 06-20-13 and a final recheck was conducted on 07-01-13 with no change in condition. Mowing and clean-up was scheduled and work was completed on 07-10-13. Before and after pics are included with this report.

Code Enforcement Officer: Bill Haynes #403

Officer Signature: [Signature]

Date: 08-20-13 Time: 0854hrs
A RESOLUTION RESCINDING RESOLUTION R-11-28 AND ORDERING THE CONTINUED MONITORING OF A STRUCTURE LOCATED ON 912 FRONT STREET AS TO ITS STRUCTURAL INTEGRITY.

WHEREAS, Arkansas Code Annotated §14-56-201(1) states that municipal corporations shall have the power to regulate the erection, construction, reconstruction, alteration, and repair of buildings; and

WHEREAS, there is a structure located at 912 Front Street which was determined in 2011 to be unsafe and the council ordered by and through Resolution No. R-11-28 that the property be brought up city code by the owner therefore; and

WHEREAS, since that time the building has been monitored for indicators of lack of structural integrity and danger of collapse; and

WHEREAS, an analysis of prior monitoring and inspections was received from Robert B. Paullus, Jr. of Paullus Structural Consultants dated the 8th day of August, 2013; and

WHEREAS, among Mr. Paullus’ conclusions, it was noted that “... to date, there have been no real noticeable changes in the position of the crack monitors. As reported previously, it seems that most of the building movement and the extreme out-of-plumb conditions occurred much earlier in the building life.”

WHEREAS, as a result of continued monitoring and including the inspection, evaluation and analysis performed by Paullus Structural Consultants, it is the City Council’s best information and belief that there is no imminent danger to the public health or safety due to the structural integrity of the structure located at 912 Front Street and therefore, Resolution No. R-11-28 should be rescinded; and

WHEREAS, in order be diligent and monitor the continued structural integrity of the structure, it is prudent to continue to monitor the structure by use of accepted practices.

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

Section 1: As a result of continued monitoring and including the inspection, evaluation and analysis performed by Paullus Structural Consultants, including an analysis of prior monitoring and inspections received from Paullus Structural Consultants dated the 8th day of August, 2013, it is the City Council’s best information and belief that there is no imminent danger to the public health or safety due to the structural integrity of the structure located at 912 Front Street. Therefore, Resolution No. R-11-28 is hereby rescinded.

Section 2: That the Paullus analysis further noted: “That the structure still needs repair before continued occupancy should be considered.” Therefore, prior to occupancy of the structure at 912 Front Street in Conway, Arkansas, because of the past indications of cracks in the masonry and other indicators of structural stresses and age of the building, is hereby ordered to be monitored and tested in a manner recommended by Paullus Structural Consultants and as otherwise approved by the City using accepted industry standards, with the costs of such monitoring and testing being borne by the owner therefore.
Section 3: That a copy of this Resolution be forwarded to the owner of said property by certified mail, return receipt requested, and regular mail, directing that said owner shall pay the costs associated with the reasonable monitoring and testing of the structure in a manner approved by the City using accepted industry standards.

PASSED this 27th day of August, 2013.

Approved:

______________________________
Mayor Tab Townsell

Attest:

______________________________
Michael O. Garrett
City Clerk/Treasurer
Paullus Structural Consultants

August 8, 2013

Randy and Laura Dryer
65 Springhill Drive
Greenbrier, AR 72058

RE: Current Building Condition
912 Front Street, Conway, AR 72032

Dear Randy and Laura:

Pursuant to my site visit on February 16, 2013 and receipt of copies of the original readings received on August 1, 2013, this letter is being written to update crack monitor readings. The crack monitors were originally placed on November 18, 2011 and read again on November 28, 2011. There was no discernible movement in the monitors in 2011, and comparison of the monitor readings taken on February 16, 2013 showed a maximum movement of no more than 1 millimeter. A ladder was not available for the February 16, 2013 readings. Therefore, the monitors were checked using a high-power spotting scope. Because of the slightly different angle of view, it is possible that the very slight difference noted on a couple of the crack monitors is due to a differing angle of view. In addition, slight movements of less than 4 millimeters may be expected due to temperature changes.

To date, there have been no real noticeable changes in the position of the crack monitors. As reported previously, it seems that most of the building movement and the extreme out-of-plumb conditions occurred much earlier in the buildings life. The structure still needs repair before continued occupancy should be considered. The structure must be kept in a dry condition so that rainwater and other elements do not cause erosion of the mortar or deterioration of the wood framing members. In addition, the extreme out-of-plumb condition of the front wall, on the northwest corner and severity of the cracks makes this building more susceptible to damage from other outside influences. However, no appreciable movement has been reported since Paullus Structural Consultants first looked at this structure in the fall of 2011.

During the February 16, 2013 visit, it was noted that the barrier fencing around the building had been moved. The alleyway adjacent to the northern wall was no longer blocked, and the fencing in front of the building had been moved so that the only thing it blocked was the overhanging canopy. In short, the barrier fencing was positioned so that it was essentially useless. In telephone conversations, it is my understanding that neither you nor anyone acting on your behalf moved the fencing.

In addition, a conversation with Jack Bell of the City of Conway indicated that the City had noticed no movement in the building and was considering relaxing restrictions regarding the structure. As stated before, the structure, due to the cracks and out-of-plumb conditions, is weaker than when it was first constructed. However, if water has been kept from the interior of the walls and buildings, the brick should not have deteriorated much in the past several months. The key thing is to keep the building in the dry. In addition, I recommend that one more set of monitor readings be taken within the next month or so, so that a comparison can be made with
summer temperatures versus those in the late fall and winter months. Based on what has been observed to date, it is likely that reports of movement in 2011 were probably due to optical illusions or mistaken observations. This is precisely why installation of the crack monitors was recommended. Monitoring with repeatable, graduated devices is the only way, quantitatively and effectively, to judge movement, or the lack thereof.

As always, please contact me if you have any additional questions.

Sincerely,

Robert B. Paullus Jr., P.E., SECB
Arkansas License No.: 11792

Cc: Jack Bell, City of Conway, AR
August 22, 2013

Mayor Tab Townsell
1201 Oak Street
Conway, Arkansas 72032

RE: Relocated Conway Airport
2013 Engineering Contract

Dear Mayor Townsell:

The 2013 FAA Grant for Relocated Conway Airport in the amount of $6,568,000 (90% of $7,297,777 project cost) included funding for the Second Paving Contract along with engineering required for the construction project as well as the engineering required to develop the construction plans and specification for the anticipated 2014 Grant. Garver has submitted a draft contract for review and approval to continue their engineering effort for the various elements of the Conway Airport development funded by the 2013 grant.

As required by FAA, an independent fee analysis (IFA) was secured from Kutchins & Groh Consultants. Kutchins & Groh arrived at an estimated total fee of $657,048 for the work included in the Garver Scope of Work. The proposed total Garver Fee is approximately 23% less than the IFA prepared by Kutchins and Groh.

The various elements of the contract along with the proposed Garver Fee and IFA are as follows:

<table>
<thead>
<tr>
<th>IFA</th>
<th>Garver</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project Support Services:</strong></td>
<td></td>
</tr>
<tr>
<td>FAA reporting, prepare grant applications and Request for reimbursements &amp; provide DBE reporting (Cost + Fee)</td>
<td>43,400</td>
</tr>
<tr>
<td><strong>Bidding Services:</strong></td>
<td></td>
</tr>
<tr>
<td>Manage the Bidding and Plan distribution process along with tabulation of bids and completion of contract documents. (Lump Sum)</td>
<td>$23,240</td>
</tr>
</tbody>
</table>
Construction Administration:
Provide construction management plan for FAA, manage and coordinate meeting with contractor, prepare monthly estimates for pay and manage construction material testing (Lump Sum) $93,576 $49,000

Construction Observation Services:
Provide full time resident construction observation to confirm the contractor’s work conforms to plans & specs, document project quantities of work. (Cost + Fee) $440,104 $357,000

Design Engineering (Paving):
Prepare final plans & specifications for Stage 2C Paving (Aprons, Taxi lanes & onsite Roads) phase (Lump Sum) $56,728 $70,000

TOTAL $657,048 $530,000

The various contracts included in the grant will be reimbursed 90% from the 2013 FAA Grant and 10% from a Arkansas Department of Aeronautics grant ($300,000 max state match) with the remainder $429,777 paid by the city of Conway.

I am requesting approval of this agreement subject to final FAA concurrence in award and funding of the work.

I have attached a total airport project cost thru the 2013 grant along with a local funds budget for the project.

Thanks
Ronnie Hall
## Estimated Construction Cost Required To Commence Operation at New Airport:

### Includes Only FAA AIP Eligible Elements of Airport

<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
<th>Estimated Cost</th>
<th>Total Annual</th>
<th>FAA Funds</th>
<th>State Funds</th>
<th>City Funds</th>
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</thead>
<tbody>
<tr>
<td>2001</td>
<td>Environmental &amp; Master Plan</td>
<td>$166,660</td>
<td>$166,660</td>
<td>$158,327</td>
<td>$8,333</td>
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<tr>
<td>2002</td>
<td>Environmental &amp; Master Plan Additional</td>
<td>$56,608</td>
<td>$56,608</td>
<td>$53,778</td>
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<tr>
<td>2004</td>
<td>Waterfowl Study</td>
<td>$262,630</td>
<td>$262,630</td>
<td>$249,499</td>
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<tr>
<td>2008</td>
<td>Engineering &amp; Property Acquisition</td>
<td>$1,247,989</td>
<td>$1,247,989</td>
<td>$1,185,590</td>
<td>$62,399</td>
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<tr>
<td>2009</td>
<td>Engineering &amp; Property Acquisition</td>
<td>$1,611,004</td>
<td>$1,611,004</td>
<td>$1,530,454</td>
<td>$80,550</td>
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<tr>
<td>2010</td>
<td>Lolli Road Relocation (Project Completed 2011)</td>
<td>$460,000</td>
<td>$437,000</td>
<td>$23,000</td>
<td>-</td>
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<tr>
<td>2010</td>
<td>Engineering, Construction Observation &amp; Utility Adjustment</td>
<td>$330,437</td>
<td>$313,915</td>
<td>$16,522</td>
<td>$0</td>
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<tr>
<td>2010</td>
<td>Site Grading and Drainage - Stage 1B</td>
<td>$1,700,000</td>
<td>$1,615,000</td>
<td>$85,000</td>
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<tr>
<td>2010</td>
<td>Subtotal 2010 Requirements</td>
<td>$2,490,437</td>
<td>$2,365,915</td>
<td>$124,522</td>
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<td>2011</td>
<td>Remaining Site Grading &amp; Drainage - Stage 1B (85% Complete)</td>
<td>$3,915,900</td>
<td>$3,720,105</td>
<td>$195,795</td>
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<tr>
<td>2012</td>
<td>Runway &amp; Taxiway Paving Terminal Apron (50% Complete)</td>
<td>$4,821,490</td>
<td>$4,339,341</td>
<td>$300,000</td>
<td>$182,149</td>
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<tr>
<td>2012</td>
<td>Perimeter Fencing (60% Complete)</td>
<td>$816,883</td>
<td>$735,195</td>
<td>$81,688</td>
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<tr>
<td>2012</td>
<td>Construction Observation &amp; Testing</td>
<td>$345,000</td>
<td>$310,500</td>
<td>$34,500</td>
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<tr>
<td>2012</td>
<td>Increase Paving Thickness from 9.5&quot; to 11&quot; (Non-FAA Eligible)</td>
<td>$238,891</td>
<td>-</td>
<td>-</td>
<td>$238,891</td>
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</tr>
<tr>
<td>2012</td>
<td>Engineering for Phase 2 Paving &amp; Runway Lighting</td>
<td>$270,000</td>
<td>$243,000</td>
<td>$300,000</td>
<td>$27,000</td>
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<tr>
<td>2012</td>
<td>Subtotal 2012 Requirements</td>
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<td>$5,796,250</td>
<td>$900,000</td>
<td>$582,919</td>
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<tr>
<td>2013</td>
<td>Apron &amp; Taxiway Paving (Public Hanger Area &amp; Corp. Hangers)</td>
<td>$3,444,590</td>
<td>$3,100,131</td>
<td>$300,000</td>
<td>$44,459</td>
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<td>2013</td>
<td>Runway &amp; Taxiway Lighting &amp; Electrical</td>
<td>$1,660,000</td>
<td>$1,494,000</td>
<td>-</td>
<td>$166,000</td>
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<tr>
<td>2012</td>
<td>Increase Paving Thickness from 9.5&quot; to 11&quot; (Non-FAA Eligible)</td>
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<td>2013</td>
<td>On Site Roads (Segment on Airport Property)</td>
<td>$1,304,789</td>
<td>$1,174,310</td>
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<td>$130,479</td>
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<td>2013</td>
<td>Utility Construction (Sewer System)</td>
<td>$275,000</td>
<td>$247,500</td>
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<td>2013</td>
<td>Engineering &amp; Testing &amp; Administrative Cost</td>
<td>$613,400</td>
<td>$552,060</td>
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<td>$61,340</td>
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<td>2013</td>
<td>Offsite Access Road (By City Forces &amp; Funded by Sales Tax)</td>
<td>$750,000</td>
<td>-</td>
<td>-</td>
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<tr>
<td>2013</td>
<td>Offsite Waterline (By Conway Corp &amp; Funded by Conway Corp.)</td>
<td>$800,000</td>
<td>-</td>
<td>-</td>
<td>$800,000</td>
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<tr>
<td>2013</td>
<td>Terminal Building</td>
<td>$1,655,000</td>
<td>$1,300,000</td>
<td>$300,000</td>
<td>$1,355,000</td>
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<tr>
<td>2013</td>
<td>Public Hangers (3 Hangars @ 12 bays each)</td>
<td>$1,600,000</td>
<td>$300,000</td>
<td>-</td>
<td>$1,300,000</td>
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<tr>
<td>2013</td>
<td>Aircraft Community Hangar (10,000 S.F.)</td>
<td>$500,000</td>
<td>-</td>
<td>-</td>
<td>$500,000</td>
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<tr>
<td>2013</td>
<td>Sunshade (10 Spaces)</td>
<td>$300,000</td>
<td>-</td>
<td>-</td>
<td>$300,000</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>Terminal Building Furnishings &amp; Equipment</td>
<td>$250,000</td>
<td>-</td>
<td>-</td>
<td>$250,000</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>Fueling Facilities</td>
<td>$300,000</td>
<td>-</td>
<td>-</td>
<td>$300,000</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>Maint. Equip &amp; Bldg.</td>
<td>$150,000</td>
<td>-</td>
<td>-</td>
<td>$150,000</td>
<td></td>
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<tr>
<td>2013</td>
<td>FBO Buyout</td>
<td>$200,000</td>
<td>-</td>
<td>-</td>
<td>$200,000</td>
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<tr>
<td>2013</td>
<td>Subtotal 2013 Requirements</td>
<td>$13,862,912</td>
<td>$6,568,001</td>
<td>$900,000</td>
<td>$6,977,830</td>
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<tr>
<td>2014</td>
<td>Subtotal for Airport Opening in August 2014</td>
<td>$30,293,309</td>
<td>$21,627,918</td>
<td>$1,687,561</td>
<td>$6,977,830</td>
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<tr>
<td>Date</td>
<td>PROJECTS:</td>
<td>Cost</td>
<td>City Funds</td>
<td>Conway Corporation Funds</td>
<td>Field Dept of Aeronautics</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------------------------</td>
<td>--------</td>
<td>------------</td>
<td>--------------------------</td>
<td>---------------------------</td>
<td></td>
</tr>
<tr>
<td>Oct. 2012</td>
<td>CONCEPT TERMINAL DESIGN</td>
<td>$80,000</td>
<td>$80,000</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Feb 2013</td>
<td>ACCESS ROAD</td>
<td>$750,000</td>
<td>$750,000</td>
<td></td>
<td>$800,000</td>
<td></td>
</tr>
<tr>
<td>May 2013</td>
<td>WATERLINE (Tupelo Bayou Plant to Site)</td>
<td>$800,000</td>
<td>$800,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>August 2013</td>
<td>TERMINAL BUILDING &amp; ENGINEERING</td>
<td>$1,655,000</td>
<td>$1,355,000</td>
<td>$300,000</td>
<td></td>
<td></td>
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<tr>
<td>Oct 2013</td>
<td>PUBLIC HANGERS (3 Hangars @ 12 bays each)</td>
<td>$1,600,000</td>
<td>$1,300,000</td>
<td>$300,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mar. 2014</td>
<td>AIRCRAFT COMMUNITY HANGAR (10,000 S.F.)</td>
<td>$500,000</td>
<td>$500,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May 2014</td>
<td>SUNSHADE (10 Spaces)</td>
<td>$300,000</td>
<td>$300,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May 2014</td>
<td>TERMINAL BUILDING FURNISHINGS &amp; EQUIPMENT</td>
<td>$250,000</td>
<td>$250,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May 2014</td>
<td>FUELING FACILITIES</td>
<td>$300,000</td>
<td>$300,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>June 2014</td>
<td>MAINT. EQUIP &amp; BLDG.</td>
<td>$150,000</td>
<td>$150,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>July 2014</td>
<td>PUBLIC HANGERS (1 Hangars @ 12 bays each)</td>
<td>$540,000</td>
<td>$240,000</td>
<td>$300,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sep 2014</td>
<td>RESERVE FOR FBO BUYOUT</td>
<td>$200,000</td>
<td>$200,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jun 2015</td>
<td>RESERVE FOR POSSIBLE WILDLIFE MITIGATION</td>
<td>$500,000</td>
<td>$500,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SUBTOTAL LOCAL FUNDED PROJECTS</strong></td>
<td><strong>$7,845,133</strong></td>
<td><strong>$750,000</strong></td>
<td><strong>$800,000</strong></td>
<td><strong>$5,475,133</strong></td>
<td><strong>$900,000</strong></td>
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</tr>
</tbody>
</table>

**MATCH FOR FAA AIP GRANTS:**

<table>
<thead>
<tr>
<th>Date</th>
<th>2010 GRANT MATCH (5%)</th>
<th>2011 GRANT MATCH (5%)</th>
<th>2012 GRANT MATCH (10%)</th>
<th>2013 GRANT MATCH (10%)</th>
<th>2014 GRANT MATCH (10%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb 2013</td>
<td>$124,500</td>
<td>$124,500</td>
<td>$344,000</td>
<td>$429,778</td>
<td>$300,000</td>
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<tr>
<td>Oct 2013</td>
<td>$200,000</td>
<td>$200,000</td>
<td>$300,000</td>
<td>$300,000</td>
<td>$300,000</td>
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<tr>
<td>Nov 2013</td>
<td>$644,000</td>
<td>$344,000</td>
<td>$300,000</td>
<td>$300,000</td>
<td>$300,000</td>
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<tr>
<td>Oct 2014</td>
<td>$729,778</td>
<td>$429,778</td>
<td>$300,000</td>
<td>$300,000</td>
<td>$300,000</td>
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<tr>
<td>Nov 2015</td>
<td>$300,000</td>
<td>$300,000</td>
<td>$300,000</td>
<td>$300,000</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

**Subtotal FAA GRANT MATCH** $1,998,278 $773,778 $1,224,500

**TOTAL** $9,843,411 $750,000 $800,000 $6,248,911 $2,124,500

Additional non budgeted Items

Automated Weather Reporting Station $300,000 (May get in FAA Grant)
City of Conway, Arkansas
Ordinance No. O-13-____

AN ORDINANCE AMENDING ORDINANCE O-13-67; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Whereas, Section 12 of O-13-67 stated the revenue and expense accounts which will be used to track the activity related to the Prince Street loan; and

Whereas, subsequent to the receipt of the loan proceeds it was decided to create a separate accounting fund for this activity so as not to co-mingle these moneys with moneys used for other street projects.

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

Section 1: Section 12 of Ordinance O-13-67 shall be amended and read as follows:

Funds provided be appropriated from the Prince Street Improvements – 2013 Loan fund Loan Proceeds account (621.000.4370) into the Prince Street Improvements – 2013 Loan fund CIP – Miscellaneous account (621.201.5990) as money is borrowed and received for the Project in an amount up to $2,000,000.

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 August, 2013.

Approved:

__________________________  
Mayor Tab Townsell

Attest:

__________________________  
Michael O. Garrett  
City Clerk/Treasurer
AN ORDINANCE ACCEPTING GRANT PROCEEDS AND APPROPRIATING FUNDS FOR THE HISTORIC DISTRICT COMMISSION TO BE ADMINISTERED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND FOR OTHER PURPOSES:

WHEREAS, the Arkansas Historic Preservation Program (AHPP) has awarded a grant in the amount of $8,700 to support the City of Conway’s Historic District Commission. These grant funds will provide funding for the training of the Conway Historic District Commission and staff, and consultant fees for a National Register of Historic Places Survey to possibly expand the Asa P. Robinson Historic District.

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

THAT:

Section 1. The City of Conway shall enter into Grant Agreement 13-CLG-03 with the Arkansas Historic Preservation Program and shall accept grant proceeds into account 399.000.4751 from the AHPP in the amount of $8,700 for Historic District Commission/Staff training ($1200) and a National Historic of Historic Places survey to possibly expand the Asa P. Robinson Historic District ($7500) into the 399.105.5799 grant expense account. The City of Conway Project Management number is 399-105C.

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

PASSED this 27th day of August, 2013.

Approved:

_________________________
Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
City of Conway, Arkansas
Ordinance No. O-13-______

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 2015 CROSS STREET FROM R-1 TO HR:

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:

TRACT 1:

The North part of Lot 5-A Wendell Henry Replat of Block 44, Robinsons Plan of the City of Conway, Arkansas more particularly described as follows: Beginning at the Northwest corner of said Lot running South One Hundred Twenty-One and One-Quarter (121.25) feet; thence East One Hundred Nine and One-Half (109.5) feet; thence North One Hundred Twenty-One and One-Quarter (121.25) feet; thence West One Hundred Nine and One-Half (109.5) feet on the South side of Cross Street to the place of beginning, said land lying in Faulkner County, Arkansas.

to those of HR, 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 August 2013.

Approved:

___________________________
Mayor Tab Townsell

Attest:

___________________________
Michael O. Garrett
City Clerk/Treasurer
REZONING
R-1 TO HR
N PT LOT 5A BLK 44 ROBINSONS
.30 ACRES
August 20, 2013

Council Members
Conway, AR 72032

Dear Council Members:

Frank Shaw request for a rezoning from R-1 to HR for property that is located at 2015 Cross Street with the legal description

TRACT 1:

The North part of Lot 5-A Wendell Henry Replat of Block 44, Robinsons Plan of the City of Conway, Arkansas more particularly described as follows: Beginning at the Northwest corner of said Lot running South One Hundred Twenty-One and One-Quarter (121.25) feet; thence East One Hundred Nine and One-Half (109.5) feet; thence North One Hundred Twenty-One and One-Quarter (121.25) feet; thence West One Hundred Nine and One-Half (109.5) feet on the South side of Cross Street to the place of beginning, said land lying in Faulkner County, Arkansas.

was reviewed by the Planning Commission at their regular meeting on August 19, 2013. The Planning Commission voted 8 – 1 to forward this request to the City Council with a recommendation for approval. Commissioner Jeff Allender voted against the motion to approve this rezoning from R-1 to HR that would allow this one tract to be replatted into two lots. At the meeting, applicant withdrew Tract 2 at 2018 Caldwell from his request.

Sincerely,

Jon Arms, Chair
Planning Commission
August 20, 2013

Council Members
Conway, AR 72032

Dear Council Members:

Kent Holder came before the Conway Planning Commission at their regular meeting on August 19, 2013 requesting that the Planning Commission allow the City Council to review in-depth the implementation status of the Scherman Heights Planned Unit Development, and Lot 7D (575 Club Lane) in particular. The Planning Commission voted 8 – 0 – 1 to forward this request to the City Council for review and final action. It is Mr. Holder’s contention that development of Lot 7D particularly is not in compliance with the Scherman Heights Final Development Plan and the City of Conway Zoning Ordinance as noted in the attached letter he addressed to Planning Director Bryan Patrick and to each planning commissioner. Among the points he raises are that the building at 575 Club Lane is two story and its siding in excess of the allowed amount and that mechanical equipment on Lots 7C and 7D is not screened. The playground and 35-foot greenspace to the west of 575 Club Lane also continues to be an issue for Mr. Holder.

You will also find attached Mr. Patrick’s email from July 19, 2013 concerning this matter and his Scherman Heights PUD Implementation Status Compliance Report.

Sincerely,

Jon Arms, Chair
Planning Commission

Attachments (3)
August 1, 2013

Kent Holder
620 Whispering Wind Cir
Conway AR 72034
(501) 472-0221

Mr. Bryan Patrick
Conway City Planning
1201 Oak Street
Conway AR 72032

Mr. Patrick,

I am writing this letter on behalf of the residents of Windcrest and Scherman Heights subdivisions in reference to my concerns that the building at 575 Club Lane, Conway, AR, also known as Lot 7 of Scherman Heights PUD, is out of compliance with the Scherman Heights Final Development Plan and the City of Conway Zoning Ordinance of September 1994.

The Scherman Heights PUD Final Development Plan serves as a “binding document that will guide the PUD’s Development and land use.” It clearly states, “Prior to any improvements being constructed upon any lots, the site plan for said improvement shall be presented to the planning director in accordance with the site plan review procedures as set forth in Article 1101...” Article 1101 (Site Plan Review) of the Zoning Ordinance is a vital document in the development review process. The stated purpose is to set minimum requirements “(1) to preserve the property values of both the site being reviewed and surrounding properties, (2) to preserve the quality of life, and take those steps necessary to allow the existence of different sorts of uses in close proximity to one another without the creation of blight.”

In order to address the issues of Lot 7D being developed and used in an inappropriate manner, we were told we would have to show that the property was not in compliance with either the Scherman Heights Final Development Plan or the Conway Zoning Ordinance. Please refer to the attached letter which I submitted to each of the Conway Planning Commissioners, the Conway City Council, and Bryan Patrick, the Director of Planning, on December 13, 2012. The letter clearly states the fact that “the building at 575 Club Lane is on record as a two story building” and there is “siding in excess of the allowed amount.” Attached to each letter was a copy of the Faulkner County Tax Records which clearly shows the
building has 1200 square feet above the first floor and that the square footage was verified by Gene Salter, the owner and builder of the structure on 575 Club Lane. Also attached to this letter was a petition signed by 144 residents of Windcrest and Scherman Heights subdivisions requesting that the Conway Planning Commissioners forward the request to the Conway City Council for review. I have submitted a copy of the letter and attachments for your inspection.

The following items are still not in compliance with the Scherman Heights PUD Final Development Plan approved by the City of Conway:

The Final Development Plan states that on Lot 7, “There shall be one story buildings only...” The building on Lot 7 has more than one story as evidenced by the tax records of Faulkner County.

The Final Development Plan states, “No more than 10% of the building exterior may be covered by siding material...” More than 10% of the building’s façade is covered with metal siding in the form of corrugated roofing panels. Article 1101 (Development Review) addresses metal siding in section 1101.7, subsection C.3.

Both of these conditions are addressed in the letter, dated July 19, 2013, which I received from Brian Patrick, City of Conway Director of Planning. In that letter he states, “After much discussion with the City Attorney, Mike Murphy; Deputy City Attorney, Chuck Clawson; The Mayor; and Jack Bell, Chief of Staff; we have concluded that some of the aspects of Scherman Heights PUD should be reviewed for compliance by the Planning Commission and the City Council.” (see item attached.)

In addition to the items already stated, there is a violation of The City of Conway Zoning Ordinance, Article 1101, Site Plan Review, section 1101.5 D which states, “Mechanical equipment...shall be screened from view if visible...from residential property.” These steps have not been taken on Lots 7C and 7D Club Lane.

On July 12, 2005, The Conway City Council negotiated specific issues with Mr. Jim Rankin Jr. of Trinity Development concerning Walgreens Drug Store. During negotiation, there was concern and discussion about the Western Property Boundary Line of the Scherman Heights PUD which should provide a buffer zone to Windcrest subdivision. The Conway City Council chose to make the amendment specific to the needs of Walgreen. In light of the negotiations, Mr. Rankin stood to state for the record that he agreed to “leave a 35 foot border of green space between the Western property boundary line adjacent to Windcrest Subdivision and any buildings to the East.”
Presently, the Westernmost 35 feet of lot 7D is not green space as promised by Mr. Rankin but is an institutional playground used by 67 special-needs children up to 7 hours each day. This is not an appropriate use for the property in question as it directly abuts Windcrest, a preexisting residential area. Neither is it an appropriate way to convey the good will offered to the residents of Windcrest, Scherman Heights, and the Conway City Council by Mr. Rankin in exchange for the consideration granted and achieved by the amendment concerning the hours of operation of Walgreens Drug Store.

During the same negotiations, Mr. Rankin agreed to “install all signs along Salem Road in accordance with the sign requirements set forth in the Overlay District Ordinance.” I am compelled to ask how the Conway City Council would deal with that issue if he failed to comply. Would you forget the promise, or would you require compliance at a later date, given the opportunity? We, the residents of Windcrest and Scherman Heights, hope that your duties to the citizens of Conway would give us the same advantage that the city of Conway would embrace for itself.

Jim Rankin Jr. and Gene Salter disregarded their promises to the City of Conway and the residents of the adjoining residential areas, therefore allowing them to increase their profits. The North half of the building at 575 Club Lane is presently on the market for $11.00 per square foot; thus, the 1200 square feet of space they have built above the first floor on the South half is worth $13,200 per year. Since this property was built 6 years ago in 2007, the possible net revenue to Salter Properties could exceed $80,000.

On September 25, 2007, Ordinance O-07-121 replaced Article 1101 (Site Plan Review) with Article 1101 (Development Review). All of the above conditions are addressed as they relate to the older Article 1101 (Site Plan Review) and Scherman Heights Final Development Plan. However, in light of the fact that we, the residents of Windcrest and Scherman Heights subdivisions, have been disregarded by Jim Rankin and Gene Salter, The Scherman Heights Architectural Control Committee, and grievously wronged by lack of oversight by the Conway Planning Department and city officials, we would ask that added consideration be provided by Article 1101 (Development Review) as stated below.

Article 1101, Section 1101.6 F calls for landscaping to, “...provide a transition zone between varying land uses...create a barrier to and relief from...noise.” Section 1101.7 1 repeats and further expounds, “The goals of these landscaping requirements are: To enhance the visual appearance of the City; to maintain and protect property values; to provide a better transition between and improve the compatibility of abutting and nearby land uses, particularly as it concerns
residential neighborhoods which are adjacent to or in the vicinity of business districts...” Considering that Article 1101 states these goals in its Purpose, in its General Review Guidelines, and in its Development Standards, it is clear that these concepts set aside the importance of how any buffer/transition zone should be used.

The building at Lot 7-D presently has a playground facility in use several hours a day with zero set-back space from the adjoining residential properties in Windcrest. The playground, due to its proximity and acoustic characteristics, has created an on-going sound problem to the residents of Windcrest and Scherman Heights subdivisions. There is no transition zone, no relief from the daily noise, and a certainty of decreased property values in both Windcrest and Scherman Heights subdivisions due to the noise problem.

Section 1101.7 1.5b requires “A perimeter landscape strip at least twenty (20) feet in width shall be provided along all property lines adjoining any residential area.” Sub section 5b also requires trees or shrubs at designated spacing. Furthermore, Section 1101.7 1.1 defines the landscaping requirements that shall be in place, “to provide soil stability and suitable drainage.” It also addresses re-vegetation of disturbed areas with “plant material.” This area at 575 Club Lane has been graded and the grass has been replaced with rubber mats which hold water and do not allow drainage. This area needs to be re-graded, re-sodded, and landscaped in compliance with Article 1101 (Development Review) which is the minimum standard required by the City of Conway.

In consideration of the evidence presented, it is an irrefutable fact that the building on Lot 7-D, Scherman Heights PUD is out of compliance on several issues, and the entire western buffer zone of Scherman Heights PUD needs clarification and definition to protect it from inappropriate development and/or usage. Therefore, the combined residents of Windcrest and Scherman Heights subdivision solemnly request a full review of Lot 7, Scherman Heights PUD. Our desire is to bring these issues into compliance in such a way as to enforce the spirit of the protection originally intended for the adjoining residents as it was considered in the conception of Conway’s first PUD development.

The residents of Windcrest and Scherman Heights subdivisions would like to suggest a solution to the City of Conway, Gene Salter of Salter Properties, Jim Rankin of Trinity Development, and Pediatrics Plus on the following terms: We would consider acceptance of the building as a two story structure provided there are no changes in the roof line or upper window configuration. This would allow Salter Construction to add over 5000 square feet of rentable space, if they desire, thus allowing them to maximize the value of the rent at 575 Club Lane for years to
come. This would also allow improvements to the North half of the building to be more suitable in design for quite office use. The siding shall be amended to be accepted as is. Realizing the service Pediatrics Plus provides to the children of Conway, we will accept the use of the present playground facility until April 30th, 2014, at which time the City of Conway shall require removal of the playground equipment with the site being re-graded, re-sodded, and brought into full compliance with section 1101.7 I. (Development Review). Also, the entire western 35 foot boundary of Lot 7 shall be clarified and strictly defined, with no-use granted to the occupants of Lot 7 and no structures or improvements allowed. This would give the residents of Winderest and Scherman Heights the protection of a buffer/transition zone as it was originally envisioned in the negotiations which allowed the creation of Scherman Heights PUD.

Therefore, we humbly request that you, the Conway Planning Commission, will recommend the Conway City Council review all of Lot 7 Scherman Heights PUD in its entirety so that they can take action to ensure appropriate development as it was intended from the inception of Conway’s first Planned Unit Development, Scherman Heights PUD.

Thank you for your concerns for the residents of the City of Conway and for your consideration of the information presented. If you have any questions, feel free to call me at (501) 472-0221.

Sincerely,

D. Kent Holder
Kent and Chris,

After much discussion with the City Attorney, Mike Murphy, Deputy City Attorney, Chuck Clawson; the Mayor; and Jack Bell, Chief of Staff; we have concluded that some aspects of the Schermer Heights PUD should be reviewed for compliance by the Planning Commission and City Council. The points of contention are: number of building stories, amount of metal siding, and the lack of a four foot perimeter landscaped area.

Issues more specifically described:
1. Building Stories - The south half of the structure has a mezzanine level under roof. This is not a one story building as prescribed in the Schermer Heights PUD Final Development Plan.

2. Siding - All four sides of the structure utilize galvalume metal siding. The Schermer Heights PUD Final Development Plan specifies, "No more than 10% of the building exterior may be covered by siding material or painted wood." Estimated metal siding coverage is approximately: 32% on the east, 19% on the north and south, and 14% on the west. These percentages are non-compliant with the Final Development Plan.

The project was reviewed under the older Site Plan Review version of the Zoning Ordinance, Section 1101. This version of site plan review was superseded by Development Review in September 2007. 575 Club Lane's site plan review was approved in March 2007. Therefore, the early 2007 version of Section 1101 must be used for compliance review. This version does not specify percentages of siding other than, "A multifamily, institutional, commercial and/or office structure shall be designed to avoid or minimize the elements set forth...Metal siding which dominates the main facade." The percentage of metal siding is in compliance with early 2007 site plan review standards.

3. Landscape Strip - March 2007 site plan review standards require a landscaped area at the rear of the property: "Landscaping along property lines: Landscape areas required - a minimum of a four foot wide landscaped area shall be provided along all interior lot lines (those not abutting a public street)." The playground behind the structure is covered with rubber mat. These mats encroach into the required 4 foot landscaped area. By these same standards, a simple grass strip 4 feet wide would meet regulations.

Due to new discoveries, the City Attorney's Office has recommended that 575 Club Lane be reviewed by the Planning Commission for PUD non-compliance. The Planning Commission has the option to not hear this request, but Planning Staff will urge the Commission to take up the review and receive public comments at the August 19, 2013 Planning Commission meeting. The Commission should then submit a recommendation for the City Council's consideration at the August 27, 2013 Council meeting.

The letter dated May 28, 2013 addressed from Kent Holder to Mary Smith and M 1200 referenced the current version of Section 1101 Development Review. If you would like your comments included in the August Planning Commission report, a new letter addressed to the Conway Planning Commission should be drafted with concern referencing the early 2007 version of Section 1101; Site Plan Review. This letter and any additional information regarding this matter should be submitted to the Planning Department no later than Friday, August 2, 2013. The City Council meeting takes place August 19, 2013 at 7:00pm at the District Court Building.

The letter will be included in the August PC report along with planning staff analysis. According to the zoning ordinance, the Planning Commission does not need to provide an in-depth recommendation to the City Council. The Planning Commission should determine if improper implementation of the PUD exists. If so, they may recommend that the City Council take up the issue for review.

As described in the zoning ordinance, the City Council can examine the issues in-depth and decide to:
A. Allow as is
B. Require revisions to the Final PUD Plan
C. Take any other reasonable action to ensure appropriate development.

The City Council review could occur as early as August 27, 2013.

For reference, current PUD project completion procedure:
1. Project Completion. At its discretion, the Planning Commission may periodically review the Planned Unit Development project's implementation status. If the Planning Commission determines that the PUD is not being implemented in accordance with the Final PUD Plan, the Planning Commission may recommend that the City Council review the progress of the project. The City Council may allow implementation of the project to continue uninterrupted, may require the applicant and/or developer to submit a revised PUD plan, or may take any other reasonable action to ensure that the subject property is not developed in an inappropriate manner.

The owner, lessee, and developer notification letter is attached.

Bryan Patrick
Director of Planning and Development
1201 Oak Street
Conway AR 72032
501-450-6105
www.conwayplanning.org
www.cityofconway.org

1 Attachment, 205 KB

Submitted Email
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<th>Owner Name</th>
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**APPRAISAL SUMMARY**

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**CON kinky PACE (575 Club Lane)**

Submitted Assessor Record 575 Club Lane

16
Scherman Heights PUD
Implementation Status Compliance Report

575 Club Lane and Tenant Playground Space

August 2013
575 Club Lane - Scherman Heights PUD
Implementation Status Compliance Report

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

SITE DATA
Location, 575 Club Lane - Pediatrics Plus
Scherman Heights PUD
Site Area, 1.86 acres (575 Club Lane) ~40 acres (Entire PUD)
Existing Structure, Office building
Current Zoning, PUD (Planned Unit Development) Specifically, Scherman Heights PUD established by ordinance O-03-44 on April 8, 2003.

AT ISSUE
A playground approximately 35' x 100' was constructed at the rear of 575 Club Lane. The facility is a state licensed child care therapy business and is required to provide a state mandated play area.

The playground occupies an area between the rear of the building and the rear brick wall of Windcrest Subdivision. The brick wall separating Windcrest and 575 Club Lane is about 5 feet tall.

Children play in this area from early morning to late afternoon 5 days a week. By state regulation, the children must play outdoors for one hour; weather permitting. Several shifts of children occupy the playground so that the playground is occupied continuously throughout the workday. There is both visual and aural contact between the children in the play area and neighboring residents.

In November 2012, questions concerning the legality of a children's therapy services playground were brought to the attention of the Planning Department. A review was conducted for presentation to the Conway Planning Commission. Comments from the December 2012 Planning Commission report have been used for this report along with additional information concerning any possible violations at Pediatric's Plus - 575 Club Lane.

This report will attempt to address every conceivable infraction of Conway City Codes and the Scherman Heights PUD by the outdoor playground in an unbiased manner. The summary will recommend a course of action.

TIMELINE
The Scherman Heights Planned Unit Development was approved by the City Council in April 2003. The PUD Final Development Plan was finalized and accepted by the Planning Department on August 15, 2003. The original PUD plat was filed on August 8, 2003. This plat showed Lots 7, 7A, and 7B. Lot 7 was subdivided into 2 lots, 7C and 7D in October 2004. The structure at 575 Club Lane was constructed in late 2007. The structure and site were subject to an earlier form of development review, then called "site plan review".

The Planning and Development Department first heard concerns about the playground in November 2012.

The Director of Planning and Development along with the City Attorney reviewed the situation for a possible violation of the PUD and zoning ordinance. A letter addressing all the various concerns was mailed to Mr. Chris Ryan at 610 Whispering Wind on 11-16-2012.

In December 2012, a request for a PUD compliance review by the Planning Commission was requested. Current PUD regulations allow the Planning Commission to review the compliance of a Planned Unit Development:

"Project Completion. At its discretion, the Planning Commission may periodically review the Planned Unit Development project's implementation status. If the Planning Commission determines that the PUD is not being implemented in accordance with the Final PUD Plan, the Planning Commission may recommend that the City Council review the progress of the project. The City Council may allow implementation of the project to continue uninterrupted, may require the applicant and/or developer to submit a revised PUD plan, or may take any other reasonable action to ensure that the subject property is not developed in an inappropriate manner."

As per the PUD section of the Zoning Ordinance, the Planning Commission may review the Planned Unit Development's implementation status.

The Planning Commission was instructed that there were two courses of action:
1. The Planning Commission may choose to review the compliance of the PUD, or it may not. A vote should be conducted to proceed with review or to deny the review.
2. If the Planning Commission conducts the review and finds noncompliance, a recommendation for further review by the City Council is sent forward. If the Commission finds no violation, no recommendation is sent forward.

The Planning Commission chose to not review the request. No recommendation was sent forward to the City Council.

Since December 2012, further investigation has revealed 3 non-compliance issues based on the Scherman Heights Final Development Plan and the early 2007 site plan review regulations.

LAND USES
Lot 7D is a subdivided lot of the original Lot 7 referenced in the Scherman Heights PUD Final Development Plan. Subdivision is allowed per the FDP. The Plan specifies permitted land uses as those allowed by right in an O-2 zone as listed in the Conway Zoning Ordinance. The Pediatrics Plus facility could be considered a medical office, and a daycare. These land uses are allowed by right in an O-2 zone:

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<th>R1</th>
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All daycare facilities are required by the state of Arkansas to have an outdoor playground. By inference, a playground is allowed with an approved daycare facility.

The O-2 zone also allows a "Park, Playground, or Tot Lot" by right. The Zoning Ordinance does not provide a definition for "Playground" or "Tot Lot", however, a "Park" is defined as:

"Park: A recreational area characterized by open space typically utilized for outdoor sports and other leisure activities."
| Allowed Uses | A2 | B2 | C1 | C2 | C3 | C4 | C5 | C6 | C7 | C8 | C9 | C10 | C11 | C12 | C13 | C14 | C15 | C16 | C17 | C18 | C19 | C20 | C21 | C22 | C23 | C24 | C25 | C26 | C27 | C28 | C29 | C30 | C31 | C32 | C33 | C34 | C35 | C36 | C37 | C38 | C39 | C40 | C41 | C42 | C43 | C44 | C45 | C46 | C47 | C48 |
|--------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Park, playground or tot lot | C | C | C | C | C | C | C | C | X | X | X | X | X | X | X | X | X | X | X | X | X | X | C | X | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C |

It may also be noted that a "Recreational Facility - Community" is allowed by right in the O-2 zone.

The Zoning Ordinance supplies the following definition:

"Recreational Facility: Any facility or tract of land providing recreational opportunities to the general public. These facilities may be publicly owned (community) or may be privately-owned (commercial) and sell recreational opportunities. The uses which fall under each of these definitions follow... (Park, playground or tot lot)"

| Allowed Uses | A2 | B2 | C1 | C2 | C3 | C4 | C5 | C6 | C7 | C8 | C9 | C10 | C11 | C12 | C13 | C14 | C15 | C16 | C17 | C18 | C19 | C20 | C21 | C22 | C23 | C24 | C25 | C26 | C27 | C28 | C29 | C30 | C31 | C32 | C33 | C34 | C35 | C36 | C37 | C38 | C39 | C40 | C41 | C42 | C43 | C44 | C45 | C46 | C47 | C48 |
|--------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Recreational facilities community | C | C | C | C | C | C | C | C | X | X | X | X | X | X | X | X | X | X | X | X | X | X | C | X | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C |

Based on the allowed uses in an O-2 zone as prescribed by the Scherman Heights PUD Final Development Plan, it appears that a medical office, daycare, and playground are allowed.

**Scherman Heights Final Development Plan and Amendments**

The Scherman Heights Final Development Plan dated 8-15-2003 contains a list of 12 general regulations followed by specific regulations for individual lots. (Exhibit A) Only general regulations 8, and 10 have a direct affect on Lot 7. 8 specifies any improvements are subject to site plan review and 10 states that the PUD will be completed in 5 years. 575 Club Lane's site plan review was approved in March 2007. As to the completion of the PUD within 5 years, this date has not been achieved as there are still available lots and construction has occurred after 2008. Administratively, "completion" has been judged on a sliding scale from the latest building permit. In 2013, Jimmy John's Sandwiches was completed. If a 5 year sliding scale is applied, this pushes the completion date to 2018.

**Summary of Applicable Regulations for Lot 7**

- These lots are to be developed as an office park.
- 0-2 uses are allowed in Lot 7.
- The boundary of Lot 7 as it joins College Ave will be subject to the overlay district requirements of Prince Street.
- There shall be one-story buildings only upon the property between Windcrest Subdivision and the new street to be constructed (Club Lane). Any buildings within this area shall not exceed 28 feet in height and the rear set back shall be 35 feet.
- Each building shall be constructed on a lot that contains a minimum of 20% dedicated lawn and/or green space exclusive of paved area.
- Lot 7 and the sublots therein, shall be accessed from the new street (Club Lane). No more than 5 curb cuts shall be permitted from the new street to Lot 7.
- Trash pickup shall be permitted to the side and front, but not west of any buildings in Lot 7 which are within 100 feet of Windcrest Wall.
- No more than 10% of the building exterior may be covered by siding material or painted wood.

Bullet points 3, 4, 5, and 8 are examined in detail below:

**Overlay District Regulations**

Suburban Overlay Ordinance - This ordinance was created in 2000 to address aesthetics and access along Prince St., Hagan Ln., and Dave Ward Dr. It is referenced as part of the PUD. The original boundary of Lot 7 as it joins College Avenue is subject to these standards. Lot 7D does not have College Avenue frontage. Therefore, suburban overlay standards are not applicable.

**One Story Buildings, Height, Setback**

PUD regulations state that only one-story buildings with a maximum height of 28 feet are allowed on Lot 7. The structure can be considered a one and one half-story building. Approved site plan drawings show the building as "one story building". The southern side of the structure actually contains a mezzanine. Submitted and approved drawings show the building as 28 feet in height. The west side of the structure by all appearances, is one story. There is a one story wall with an asphalt shingle roof above. There are no windows, gables, or dormers above the roof soffit. Technically, the requirement for a one story building is debatable.

The building is setback 35 feet from the property line.

**20% Greenspace**

Each lot must contain at least 20% green space exclusive of paved area. Total lot area is 1.86 acres. 20% = .372. Existing permeable lot area of Lot 7D prior to the covered play area was calculated at .62 acres. If the entire area between the building and the Windcrest property line were covered, the minimum green space requirements would still be met at .39 acres. (Exhibit D)

Green space as shown on the PUD Conceptual Site Plan (Exhibit F) versus Final Development Plan and As-Built Construction - The conceptual site plan shows the area between Windcrest and 575 Club Lane as open space counting towards the PUD's required 20% green space. The 20% green space requirement on Lot 7D has been met with even with the playground in place. If all individual lots meet the 20% green space requirement as they are developed and the 3 green space lots remain in place, the 20% green space for the entire PUD development will be met. An argument might be made that the original conceptual plan shows a vacant green space behind what is now 575 Club Lane and that this should remain vacant. The conceptual plan also shows a large "big box" retail store and other structures that were not constructed.

**Siding Materials**

The final development plan states that no more than 10% of the building exterior may be covered by siding material or painted wood. The siding material used is an architectural metal. It would appear that there is approximately; 32% on the east, 19% on the north and south, and 14% on the west. (Exhibit G) Mr. Rankin responded to this question in an email dated 12-17-2012 (Exhibit C) that the Scherman Heights Architectural Control Committee (not a city regulating body) approved the siding material because it is different from vinyl, wood, or a normal sheet metal covering.

This structure was reviewed under the site plan review section of the zoning ordinance in 2007. Site plan review at this time was the City's first attempt at regulating commercial site development on a small scale. Site plan review was later replaced with more stringent development review regulations in September 2007. 575 Club Lane was approved in March 2007. Site plan review only dictates that metal siding cannot be "dominate the main facade". The metal used on the facades of 575 Club Lane are not the overwhelming feature. The percent of metal does not violate 2007 site plan review regulations. The PUD regulation concerning the definition of "siding material" would seem debatable.
Final Development Plan Amendments

There have been 4 approved amendments to the Scherman Height PUD Final Development Plan; October 2004, July 2005, May 2008, and May 2009. Each of these amendments were reviewed and approved by the Planning Commission and City Council. The July 2005 amendment is the sole amendment that directly relates to Lot 7D. (Exhibit B) The 7 approved amendments were specifically for Walgreens, however, Mr. Rankin volunteered 2 amendments after Council action was complete. One statement; “Leave a 35 foot border of green space between the western property line of Windcrest Subdivision and any parking, streets, or buildings to the east.” was pertained to Lot 7.

The 7 conditions were set by the City Council and are enforceable by the city. The voluntary statements offered by Mr. Rankin were outside of Council action, and are therefore, not enforceable by the city. The 35 foot border does exist and is free of parking, streets, and buildings. A playground covered with rubber mats could arguably not be green space, but as a “promise” by Mr. Rankin cannot be enforced by the City.

Approved PUD Conceptual Site Plan

There has been questions concerning the validation of the original approved Scherman Heights PUD conceptual site plan. The original site plan presented to the City Council would have to be considered conceptual in nature. The original plan shows a large “big box” retail store on Lot 1. There is a note on the plan that states, “Building dimensions/locations are representational, not required in this configuration. Due to the nature of the final development plan that allows lot subdivision, drive reconfiguration, easement re-locations, etc. the Final Development Plan must be considered the controlling document and the approved site plan “conceptual”. The conceptual site plan shows a 35 foot setback area with green space along Lot 7. This area totaled into the required 20% overall green space requirement. However, the final development of 575 Club Lane does include over 20% green space without this area in the total.

Zoning Ordinance Section 601.10 Child Care

Section 601.10 specific child care regulations does not address the placement of daycare play areas.

Zoning Ordinance Section 401.S.E.1.a Development Criteria

Section 401.S.E.1.a Development Criteria All Commercial Districts states, “Any lighting shall be placed so as to reflect away from adjacent residential districts. No excessive or unusual noise, odor or vibration shall be emitted so that it constitutes a nuisance which substantially exceeds the general level of noise, odor or vibration emitted by uses adjacent to or immediately surrounding the site. Such comparison shall be made at the boundary of the site.” The playground in question is noisy. However, a paradox exists in that a day care is allowed on Lot 73, Scherman Heights PUD. Daycares are required by the State of Arkansas to have a play area.

Site Plan Review - Development Review

575 Club Lane was given site plan approval on March 21, 2007. It was approved in accordance with then current site plan review regulations. Site plan review was superseded by development review in September 2007. As the City’s first attempt at site specific development control, site plan review was basic without many of the current development review regulations.

Pertinent Regulations from 2007 Site Plan Review

- No unpainted concrete precision block walls
- Avoid square box like structures through various methodologies to vary wall materials, offsets, windows, etc.
- Metal siding may not dominate the main facade
- Avoid large blank, unarticulated wall surfaces.
- A maximum of 85% of the site may be impermeable.
- Mechanical equipment, trash enclosures and outdoor storage of material and equipment shall be screened if visible from the highway/straight right of way or from residential property.
- A minimum of a 6 foot wide landscaped area shall be provided along the property lines abutting a public street, exclusive of street rights of way. A minimum of a four feet wide landscaped area shall be provided along interior lot lines.
- Trees shall be planted in the six foot landscaped area at a ratio of one tree per thirty feet of the front property line.

An examination of the approved site plan (Exhibit E) shows that the above regulations were met and or exceeded. The lack of trees along the west property line is explained. Trees were only required along the street frontage landscape area. Newer development standards require trees along the entire perimeter of a commercial property.

Noise Ordinance
The Conway noise ordinance, O-92-42, speaks of singing, shouting, yelling, whistling, etc. on public streets...or at any time or place so as to disturb the quiet or comfort of persons in any office, hospital, or in any dwelling, hotel, or other type of residence...shall be prohibited. This ordinance could possibly be applicable to the playground. An opinion by the City Attorney as to the intent of the ordinance would be needed as the language is not clear.

DRAINAGE
The site plan (Exhibit E) shows a drainage swale along the west side of the property. The City Engineer was asked if the placement of the playground has adversely affected the flow of water through the area. To his knowledge, there has been no report of ponding or flooding issues on surrounding properties. There is a floodway easement along the north side of 575 Club Lane. This area may not have structures placed in it.

CODE ENFORCEMENT
There do not seem to be any violations of any zoning or city codes.

ARKANSAS CHILD CARE LICENSING REGULATIONS
The City does not oversee or enforce any Arkansas child care regulations. The Arkansas DHS Minimum Licensing Requirements for Child Care Centers Section 901 play area regulations:

Layout and Design
1. The play area shall be enclosed and provide at least 75 square feet per child present on the playground at anytime.
2. There shall be an outside exit from the play area.
3. The area shall be well drained.

There could possibly be issues with drainage of the play area that need correcting. Also the low brick fence could be seen as a security risk. Arkansas DHS must make these determinations.

SUMMARY
There is no one clear cut resolution to the disruptive noise and visual intrusion of the playground at 575 Club Lane. On it’s most base land use level, the playground is allowed.

There appears to be 3 possible violations of the PUD Final Development Plan:

1. One story building - The south side of the building has a mezzanine. The other section does not. Both sides are externally the same height. The rear facade of the building facing Windcrest is by appearance, a one story.

2. Siding Materials - The building met then current site plan review standards. The Sheraman Heights PUD Architectural Review Committee interpreted the PUD final development plan’s siding specifications to allow architectural metal siding, but only 10% vinyl or painted wood. A literal reading of the Final Development Plan would limit any siding, metal, wood, vinyl, etc to 10% of the facade area. A literal reading would prescribe 90% brick.

3. Landscape Strip - Section 1101 of the Zoning Ordinance as of March 2007, "Site Plan Review", standards require a landscaped area at the rear of the property; "Landscaping along property lines: Landscape areas required - a minimum of a four foot wide landscaped area shall be provided along all interior lot lines (those not abutting a public street). The playground behind the structure is covered with rubber mats. These mats encroach into the required 4 foot landscaped area. By these same standards, a simple grass strip 4 feet wide would meet regulations. On July 24, 2013, Planning Staff was notified that the 4 foot green strip has been constructed and is now in place.

Course of Action
The 2 (2) Infractions listed above should be examined by the City Council. Per PUD regulations the Council may:
A. Allow as is
B. Require revisions to the Final PUD Plan
C. Take any other reasonable action to ensure appropriate development.

Infraction 3 is the most directly related to the playground. Corrective measures or Final PUD plan revisions for items 1 and 2 will not directly affect the playground.

Outside of City Council action, the owner or lessees, as good neighbors, could do one of the following:

- Pediatrics Plus could relocate the playground to the south side of the building. The area is smaller, but it would be between two commercial business. The state requirement is 75 square feet per child while in the play area. The existing size, 3500 square feet could allow 46 children. It is doubtful that many children will be on the playground at one time. Therefore, the play area could possibly be reduced. This would somewhat help with a reduction in noise. A relocation to an area in front of the building would offer the highest level of privacy, however this would reduce the available number of parking spaces.

- An 8 foot tall privacy fence could be constructed. This fence would not help with noise, but would at least offer a higher level of privacy. There is direct visual contact between the children on the playground and anyone in the Windcrest backyards.
Lot 7, 8, 9, and 10 use and restrictions

Lot 7, 8, 9, and 10 shall be developed as a professional office park permitting offices as defined in the City of Conway Zoning Ordinance 94-54, Article III. The total area under roof shall not exceed 140,000 square feet. The zoning district defined as O-3 will govern all size and dimensional regulations for lots 6 through 10, and O-3 shall govern lot 7, with the following exceptions:

1. The boundary of Lots 7 and 10 as it joins College Ave. will be subject to the ovecheck zoning requirements as established by the City of Conway, Ordinance No. 94-005-56, as applied to Prince Street, except the minimum lot area and side set back shall be governed by the lot regulations for O-1 and O-2 zoning as set forth on the site plan.
2. There will be one story buildings only upon the property between West Street and the subdivision plat for the property to be constructed as reflected upon the subdivision plat. Any buildings within this area shall not exceed 25 feet in height and the building set back shall be 35 feet.
3. There shall be one-story buildings only upon the south border of lots 7 and 10 within 150 feet of College Ave., with a maximum height of 35 feet.
4. Parts individual buildings to any minimum of 30% of the overall square footage and for space adequate for parking.
5. Upon 55% of the property in Lots 7, 8 and 10 being sold or built upon; whichever comes first, the property owners will be required to join a Property Owners’ Association which will own and maintain the public/commom areas in and around the landscaped pond area and reflected upon the master site plan within Lot 9, and the landscaped entrance on each side of College Lane. Time plan. Prior to the formation of the Property Owner’s Association, the Property Owners in lots 7, 8, and 10 shall pay a pro-rata share based upon the amount of property owned divided by 15,116 acres of the cost of maintaining the pond and landscaped entrance. The fees that will be assessed by the Property Owners Association shall be in accordance to their pro-rata ownership as determined herein.
6. No commercial or office structure shall be built upon Lot 3, and the shape of Lot 3 may be adjusted, but the residential area dedicated for landscaping (12.8 acres) shall remain intact, except seventeen (17) feet at the north private drive may be built on this lot. The pond constructed upon Lot 9 shall be built in a manner to reduce the production of run-off by serving the pond.
7. On Lot 4, the southernmost corner from Salem Road to the center point of Pickwick Lane shall be set. All the following uses are included in addition to the current uses of the lot such as: drugstore or pharmacy with drive thru, financial institutions with drive thru, bank or savings and loan. The hours of normal operation shall be between 7:00 am to 9:00 pm.
8. Lot 10 shall have access by private drive extending intersecting the new street in two locations. One on College from Pickwick Drive which shall be a right mainstreet/right only, and one cul-de-sac on Salem Road which shall be a right mainstreet/right only.
9. Lot 9 shall be accessed by a private drive extending as set forth upon the Site Plan.开发商 may merge lot 9 and 10 should a purchaser desire to transform the building that crosses the existing lot since providing the building and remitting to meet all other requirements hereinafter. As amended subdivision plan shall be filed should this occur.
10. Lot 7 and the southwest corner shall be accessed by the street. No more than 5 curb cuts shall be permitted from the new street to lot 7.
11. No parking lots shall be permitted on the south side of any buildings built within 100 feet of College Ave. with the exception of the lot referenced in paragraph 7 above. Parking along this lot is permitted as normal under the O-3 zoning classification and setbacks except no parking is allowed facing College Avenue.
12. Trash pickup shall be permitted to the side and front, but not to the west of any buildings located on Lot 7 which are within 100 feet of Windmill Wall, and trash pickup shall be permitted to the side and front, but not to the south of any buildings in Lot 10 which are within 100 feet of College Ave.
13. All buildings must be approved by the Architectural Control Committee. The Architectural Control Committee consists of Jim Rankin, Jr. and Gene Salen whose address is Conway, Arkansas. A majority of the members of the committee, not including the architect, shall be representatives of the property owners that are entitled to any compensation for services performed pursuant to this agreement. Upon the completion of all sales, the then current owners of a majority of the lots shall have the power through a duly recorded written instrument to change the membership of the committee or withdraw from the committee or to terminate any of its duties and powers. The committee’s approval or disapproval as required in three covenants shall be in writing. In the event the committee or its designated representative fails to approve or disapprove within 30 days after formal notice is given, the requirement of this covenant shall be deemed to have been fully complied with. Such building must be of the same general architectural design as evidenced by the 3 stories building referred to in the treatise covenant included in the county site plan, and a street intersection of Hogan Road and College Ave. No more than 10% of the building exterior may be covered by glass material or painted wood.

Exhibit B - 2005 Amendment to the Schermer Heights Final Development Plan

The Standards for Lot 7 may be developed as B-2. The developer is permitted to determine whether any of Lot 7 shall be developed in accordance with the use and restrictions of Lot 10 as B-2 zoning. Should the developer desire to develop any of Lot 7 to a minimum 1000 square feet per unit, brick or stucco exterior and enclosed garage parking, and of the same general design as the drywall located on Freedom Drive in Conway.
Planning Commissioners:

I'm forwarding Mr. Rankin’s response letter. Mr. Rankin is the developer of Schermann Heights PUD.

Bryan

Bryan Patrick
Director of Planning and Development
1201 Oak Street
Conway AR 72032
501-450-8105
www.cityofconway.org
www.cityofconway.org

Begin forwarded message:

From: "Jim Rankin, Jr." <rankinsj@mountarinnc.com>
Subject: schermann heights
Date: December 12, 2012 9:23:29 AM CST
To: "Bryan Patrick@cityofconway.org" <bryan.p.patty@cityofconway.org>

Bryan:

As I mentioned to you earlier, I will not be able to attend the Planning Commission Meeting on December 17th.

I have read your comments to Mr. Ryan regarding his concerns and I believe that you and Attorney Murphy are correct in your interpretation of the issues. I would think that the Planning Commissioner can follow your interpretation of the PUD rezoning and deny any of the requests by Mr. Ryan. I reviewed the PUD section again at length and believe the zoning for lot 2 more allows the use for which the lot is currently being used.

I recently received the letter from Fred Holder and felt that I needed to address a couple of his issues since I believe he is incorrect in some of his assertions.

The issues Mr. Holder addresses concerning the height and two-story restrictions were dealt with at the time of construction of the building. Mr. Holder contacted myself, Mr. Saltar and the city concerning his concerns and all were addressed at that time. I am not sure why he is bringing them back up now.

The architectural control committee for the PUD reviewed the building plans for lot 7D prior to construction. The plans showed the height of the building to be less than 28 feet and it is my understanding that I was talking with Mr. Saltar that the building was built to plans. Mr. Holder says that the building exceeds this height. I have not taken a tape measure to it so I have to rely on the plan.

I agreed not to allow two-story buildings along Windway due to the fact the neighbors did not want people in a two-story building looking down into their yards, and they did not want a tall building overshadowing their yards. The 35 foot setback (not dedicated green space) was added to the PUD for this overshadowing concern. The building meets the 35 foot setback and does not have a window on a second floor that would permit people to look out.

The restriction of no more than 10 feet siding material or painted wood is for aesthetic purposes. The architectural control committee again reviewed the plan with respect to this issue and interpreted the PUD to permit this type of construction. Although I do not believe gable material should be taken into account for this measurement (much like we do not take into account the roofing material when deciding this measurement), the type of gable covering used by Mr. Saltar is an architectural metal covering which I view as being different from vinyl, wood or normal sheet metal type covering. I believe the city has made this distinction before when determining if a metal covering violates the "metal building" restriction in some of the zoning areas in the city.

Lastly, there are only 3 dedicated green areas within the PUD. Lots 8, 7A and 33. The plan does not specifically designate any other area within the PUD to be green space. The plan does require that a minimum of 20% of each individual lot will be green space. It does not say where this green space has to be. It does not say the 35 foot set-back area has to be green space. I will leave the interpretation of green space up to the planning department. I do not think that lots 8, 7A, and 3 do not only have grass and trees. The brick entrance signs, sidewalks, utility boxes, ponds, water intake structures and fountains are all located within these green areas.

I hope this letter will help the planning commission should feel that they needed the perspective of the developer. If you have any questions, please do not hesitate to contact me.

Sincerely,

Jim

Jim Rankin, Jr.
Attorney at Law
Practicer, Town Development Co., Inc.
P.O. Box 1575
Conway, Arkansas 72033
Phone: 501-529-0888
Fax: 501-529-4962
Email: rankinsj@mountarinnc.com
Lot 7 = 1.86 Acres
Total Green Space Needed = 0.872 A
Current G.S. = 1.62 A
1/10 Entire 36' G.S. on West = 0.39 A
NOTE:
Building dimensions/locations are representational, not required in this configuration.

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<td>D-1/170-2 * * *</td>
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<td>5.63 ACRES</td>
<td>21.62%</td>
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* * * See Written Comments For Details
* * See 50. FT. for Lots 1 & 2, Lot 4 Not Specified

Exhibit F - Scherman Heights PUD
Approved Conceptual Site Plan Notes
IMPLEMENTATION STATUS
SCHERMAN HEIGHTS PUD LOT 7D
575 CLUB LANE
AN ORDINANCE ACCEPTING GRANT PROCEEDS AND APPROPRIATING FUNDS FOR THE SANITATION DEPARTMENT, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES:

Whereas, the Arkansas Department of Environmental Quality (ADEQ) has awarded grant funds to support the City of Conway’s diesel emission reduction project which will provide funding to replace an engine in one of the trash compactors which requires a match of city funds; and

Whereas, the ADEQ will reimburse $50,000 of the cost of specific equipment with the City bearing $189,750. The total project cost is $239,750.

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

Section 1. The City of Conway shall accept grant proceeds (510.510.4751) from the ADEQ in the amount of $50,000 for a diesel emission reduction project into Sanitation Enterprise Capital Equipment account 510.510.5910.

Section 2. This ordinance is necessary for 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.

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

PASSED this 27th day of August, 2013.

Approved:

_________________________
Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
City of Conway, Arkansas
Ordinance No. O-13-____

AN ORDINANCE APPROPRIATING REVENUE FUNDS RECEIVED FROM THE MUNICIPAL VEHICLE PROGRAM FOR THE CONWAY SANITATION DEPARTMENT; AND FOR OTHER PURPOSES:

Whereas, the Conway Sanitation Department requests a revenue appropriation in the amount of $17,045.44 to repair a 2010 International 7000 Series Work Star Roll-off truck that was also involved in an accident; and

Whereas, funds in the amount of $17,045.44 were received by Municipal Vehicle Program to be used for said purpose.

Whereas, the Conway Sanitation Department requests a revenue appropriation in the amount of $98,380.00 for the 2007 Freightliner M2 that was involved in an accident; and

Whereas, funds in the amount of $98,380 were received by Municipal Vehicle Program to be used for said purpose.

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

Section 1. The City of Conway shall appropriate $17,045.44 from the Sanitation Enterprise Fund Insurance Proceeds account (510.510.4360) to the Vehicles Account (510.510.5440).

Section 2. The City of Conway shall appropriate $98,380 from the Sanitation Enterprise Fund Insurance Proceeds account (510.510.4360) to the Machinery and Equipment Account (510.510.5910).

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

PASSED this 27th day of August, 2013

Approved:

________________________
Mayor Tab Townsell

Attest:

________________________
Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE ACCEPTING DONATED ITEMS FROM EPI TO THE CONWAY SANITATION DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, EPI has donated 2 Old Deployers to Conway Sanitation Department with a stated value of $12,000; and

WHEREAS, the Conway Sanitation Department is in need of such equipment to place plastic cover in the Landfill and;

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

SECTION 1. The City of Conway shall accept the donated items listed below and add to the list of inventory items for the Conway Sanitation Department:

- 1 JJ630 #2D 002 152 01 0102 M18 $8,000
- 1 #445 28D-11 $4,000

Total Value: $12,000

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

PASSED this 27th day of August 2013.

Approved:

_________________________
Mayor Tab Townsell

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
August 20, 2013

Mayor Tab Townsell
1201 Oak Street
Conway, AR 72032

Re: 2014 Commercial Front Load Refuse Truck

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Thursday, August 15, 2013 at City of Conway City Hall for 2014 Commercial Front Load Refuse Truck. One bid was submitted:

River City Hydraulics, Inc. $203,850.00

I recommend accepting the bid from River City Hydraulics, Inc. for $203,850.00. This was the only bid submitted and meets all bid specs.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington
Sanitation Director
BID SUMMARY
2014 Commercial Front Load Refuse Truck
Bid #2013-20

Bid #1 submitted by River City Hydraulics, Inc.
2014 Mack MRU 613-Heil Half/Pack Front Loader
$203,850.00 after trade-in
Delivery time 60-90 Days ARO

This was the only bid. I recommend accepting this bid from River City Hydraulics, Inc. with a bid of $203,850.00 after trade-in. This truck meets all specifications with dealers shop within a 60 mile radius. Prices include tax and delivery costs.
Bid Tabulations:

Net Bid Amount for 2013 Front Load Refuse Truck

$ 231,850.00

Trade In's:

2005 Mack  
VIN: 1M2K189CS5M027755  
Bid Amount: $ 15,500.00

2007 FREIGHTLINER  
VIN 55XHANCY17RY77139  
Bid Amount: $ 12,500.00

Total Bid Amount (After trade in's)  
$ 203,850.00

Description of Truck:  
2014 - Mack MRR 613 - Heil Half Pack Front Loader

Anticipated Delivery Date:  60 - 90 Days ARO

Authorized Agent bidding on this project:

River City Hydraulics, Inc  
Company Name

Roger Williams  
Company Representative Name

Representative's Signature:  8-12-2013  
Date

122 Magnet Drive  
Email Address: rch_roger@sbcglobal.net

Sherwood  AR  72120  
City State Zip

Telephone Number:  501.835.2230  
Fax Number:  501.834.1238

Unsigned bids will be rejected
August 20, 2013

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

Re: Hook Lift Roll-Off Truck

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Thursday, August 15, 2013 at Conway City Hall for a Hook Lift Roll-Off Truck. Six bids were submitted:

- Diamond Int'l of Little Rock $117,510.15
- River City Hydraulics, Inc. $131,281.00
- River City Hydraulics, Inc. $134,084.00
- Truck Component Services $135,380.00
- Truck Component Services $136,067.00
- Truck Component Services $148,990.00

I recommend accepting the bid from Diamond Int'l of Little Rock for $117,510.00. 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

## 2013 Hook Lift Roll-Off Truck

**Bid #2013-19**

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<th>Bid #1 submitted by Diamond Int’l of Little Rock</th>
<th>2014 - 7400 International</th>
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<th>$148,990.00</th>
<th>Delivery time 120-150 Days ARO</th>
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I recommend accepting the bid from Diamond Int’l of Little Rock with a bid of $117,510.15. This truck meets all specifications. Prices include tax and delivery costs.
City of Conway – Mayor’s Office  
Bid Number: 2013-19  
2013 Hook Life Roll-Off Truck Bid Tabulations  
Bid Opening Date: Thursday, August 15th, 2013  
City Hall, Downstairs Conference Room @ 10:00am  

Net Total Bid Amount: $127,510.15  
Trade In Amount for  
2004 Freightliner VIN 1FVHCYDC45HN82906 $10,000  
Total Bid Amount: $117,510.15  
Description of Truck: 7400 International  
Anticipated Delivery Date: 70 Days  

Authorized Agent bidding on this project:  

Diamond International  
Company Name  

Brian Rodgers  
Company Representative Name  

Representative’s Signature  
Date 8-12-13  

11401 Diamond Dr. brian.rodgers@diamondtrucks  
Address Email Address  
North Little Rock AR 72117  
City State Zip  
501-945-8400 501-945-8490  
Telephone Number Fax Number  

Unsigned bids will be rejected  

City Hall  
1201 Oak Street, Conway, AR 72032  
501.450.6110  
Bid # 2013-19
City of Conway – Mayor's Office
Bid Number: 2013-19
2013 Hook Life Roll-Off Truck Bid Tabulations
Bid Opening Date: Thursday, August 15th, 2013
City Hall, Downstairs Conference Room @ 10:00am

Net Total Bid Amount: $136,781.00
Trade In Amount for 2004 Freightliner VIN 1FVHCYDC45HN82906 $5,500.00
Total Bid Amount: $131,281.00

Description of Truck: Freightliner
Anticipated Delivery Date: 120 Days ARO

Authorized Agent bidding on this project:

River City Hydraulics, INC
Company Name

Roger Williams
Company Representative Name

Representative's Signature: Roger Williams Date: 8-12-2013

Address: 122 Magnet Drive Email Address: rchofer@sbcglobal.net
City: Sherwood State: AR Zip: 72120
Telephone Number: 501-835-5230 Fax Number: 501-834-1233

Unsigned bids will be rejected
Trade In Amount for 2004 Freightliner VIN 1FVHCYDC45HN82906

Net Total Bid Amount: $139,584.00

Trade In Amount: $5,500.00

Total Bid Amount: $134,084.00

Description of Truck: **Mack GU433 - Stellar Hook Life**

Anticipated Delivery Date: 150 Days ARO

Authorized Agent bidding on this project:

**River City Hydraulics Inc**

Company Name

**Roger Williams**

Company Representative Name

Representative’s Signature: **Roger Williams** Date: **8-12-2013**

Address: 122 Magnet Drive

City: Sherwood State: AR Zip: 72120

Telephone Number: 501.835.5230

Fax Number: 501.834.1233

Email Address: roger@sbcmo.ark.net

Unsigned bids will be rejected.
City of Conway – Mayor’s Office  
Bid Number: 2013-19  
Roll Off Truck Bid Tabulations  
Opening Date: Thursday, August 15th, 2013  
City Hall, Downstairs Conference Room @ 10:00am

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Description of Truck</th>
<th>Anticipated Delivery Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Truck Component Services</td>
<td>2014 Freightliner M2 112 w/</td>
<td>Approximately 120 - 150 days ARO</td>
</tr>
<tr>
<td></td>
<td>Palfinger T60 Hooklift</td>
<td></td>
</tr>
</tbody>
</table>

Net Total Bid Amount: $143,880.00  
Trade In Amount for 2004 Freightliner VIN 1FVHCYDC45HN82906: $8,500.00  
Total Bid Amount: $135,380.00

Authorized Agent bidding on this project:

Daniel Ellison
PO BOX 157
403 E. Evergreen Road (Main Office)
PO Box 157
Poyen, AR 72128
Mobile: 501-425-1567
Phone: 417-829-6700
Fax: 866-314-8571
dellison@tlgtrucks.com
www.truckcs.com

Unsigned bids will be rejected
City of Conway – Mayor’s Office
Bid Number: 2013-19
2013 Hook Life Roll-Off Truck Bid Tabulations
Bid Opening Date: Thursday, August 15th, 2013
City Hall, Downstairs Conference Room @ 10:00am

Net Total Bid Amount: $144,567.00
Trade In Amount for 2004 Freightliner VIN 1FVHCYDC45HN82906 $8,500.00
Total Bid Amount: $136,067.00
Description of Truck: 2014 International 7400 w/ Palfinger T60 Hooklift
Anticipated Delivery Date: Approximately 120 - 150 days ARO

Authorized Agent bidding on this project:
Truck Component Services
Company Name

Daniel Ellison
Company Representative Name

Representative’s Signature 08/14/2013
Date

PO BOX 157
403 E. Evergreen Road (Main Office) dellison@tlgtrucks.com
Address Email Address
Poyen AR 72128
Strafford MO 65757
City State Zip

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

Unsigned bids will be rejected
Conway – Mayor's Office
Bid Number: 2013-19
2013 Hook Life Roll-Off Truck Bid Tabulations
Bid Opening Date: Thursday, August 15th, 2013
City Hall, Downstairs Conference Room @ 10:00am

Net Total Bid Amount: $157,490.00
Trade In Amount for 2004 Freightliner VIN 1FVHCYDC45HN82906 $8,500.00
Total Bid Amount: $148,990.00
Description of Truck: 2014 Mack Granite GU713 w/ Palfinger T60 Hooklift
Anticipated Delivery Date: Approximately 120 - 150 days ARO

Authorized Agent bidding on this project:

Truck Component Services

Daniel Ellison

Company Representative Name

PO BOX 157
403 E. Evergreen Road (Main Office)
dellison@tlgtrucks.com

Address
Email Address
Poyen AR 72128
Straftord MO 65757
City State Zip

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

Unsigned bids will be rejected
August 21, 2013

Mayor Tab Townsell and Conway City Council
1201 Oak Street
Conway AR  72032

Re: Consideration to approve the design of the comfort stations for the City of Conway Park System and give authorization to go to bid for three (3) comfort stations located at Laurel Park, 5th Avenue Park, and Beaverfork.

Mayor:

The Conway Parks Department would like to seek approval from the city council for the design from Rik Sowell Architects, Inc. of the comfort stations to be constructed in multiple locations in our city parks.

The Conway Parks Department would also like to get authorization to proceed with competitive bidding for three (3) comfort stations to be located at Laurel Park, 5th Avenue Park, and Beaverfork.

Compensation for this project is to be funded by the Parks and Recreation A&P Account (252-140-5904).

If you have any questions on any of the items please feel free to contact me.

Sincerely,

Steve Ibbotson
Parks Director

SDI: rfs
AN ORDINANCE WAIVING COMPETITIVE BIDS FOR THE PURCHASE OF HOLIDAY CHRISTMAS DÉCOR TO BE PLACED IN ROGERS PLAZA FOR THE CITY OF CONWAY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

Whereas, the City of Conway is developing Rogers Plaza between the Chamber of Commerce building and Oak Street; and would like to provide an artificial Christmas tree & decorations for the plaza during the holiday season; and

Whereas, Getlit of Springdale, AR provides complete commercial grade artificial trees, commercial lighting and decorating services for municipal displays.

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

Section 1. The City of Conway shall waive the requirement for obtaining competitive bids for the purchase of an artificial Christmas tree & commercial grade decor for an amount not to exceed $130,000 and shall utilize Getlit as the vendor for this purchase. Funding will be provided from the Parks A&P monies.

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 August, 2013.

Approved:

__________________________
Mayor Tab Townsell

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
City of Conway, Arkansas
Ordinance No. O-13-____

AN ORDINANCE APPROPRIATING FUNDS TO THE CONWAY ANIMAL WELFARE DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the City of Conway has received funds in the amount of $3,371.34 from Southern Casualty Insurance Company and;

Whereas, the Conway Animal Welfare Department needs these funds in order to make necessary repairs to a damaged vehicle and;

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

Section 1. The City of Conway shall accept the insurance proceeds in the amount of $3,371.34 and appropriate from Insurance Proceeds account (001.119.4360) into the Animal Welfare vehicle maintenance expense account (001.127.5450) and;

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

PASSED this 27th day of August, 2013.

Approved

_________________________
Mayor Tab Townsell

Attest

_________________________
Michael O. Garrett
City Clerk/Treasurer
MEMORANDUM

TO: City Council Members/Mayor Tab Townsell
FROM: Chief A.J. Gary
DATE: August 19, 2013
SUBJECT: Acceptance of Bids

Bids were opened August 15, 2013 for CNG conversion kits to be installed on eight (8) Police vehicles and one (1) AWU truck; the following bids were received:

- Fuel Conversion Solutions $85,650
- Crain Automotive $114,992.25

Fuel Conversion Solutions is located in Grain Valley Missouri and did not meet the location requirements, within 60 miles, nor did they provide the documents requested on insurance or certification from a state or federal entity.

Crain Automotive submitted documents of certification for Crain CNG installation technicians. Crain has done CNG purchasing and installation on previous CPD vehicles and is the only one that met all bid requirements.

Therefore, I'm requesting that the council accept the bid from Crain Automotive in the amount of $114,992.25 for the installation of CNG conversion kits for 9 total vehicles.

Thank you for your consideration.
City of Conway, Arkansas

Monthly Financial Reports

July 31, 2013
## Monthly Financial Report - General Fund

For the month ended July 31, 2013

### Revenues

<table>
<thead>
<tr>
<th>Activity</th>
<th>Month</th>
<th>Year to Date</th>
<th>Encumbered</th>
<th>(Over)/Under</th>
<th>% Expend/Collect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ad Valorem Tax</td>
<td>2,938,000</td>
<td>306,652</td>
<td>831,794</td>
<td>2,106,206</td>
<td>28%</td>
</tr>
<tr>
<td>Payments in Lieu of Tax</td>
<td>23,000</td>
<td>-</td>
<td>-</td>
<td>23,000</td>
<td>0%</td>
</tr>
<tr>
<td>State Tax Turnback</td>
<td>2,000,000</td>
<td>256,729</td>
<td>1,275,420</td>
<td>724,580</td>
<td>64%</td>
</tr>
<tr>
<td>Sales Tax</td>
<td>17,440,000</td>
<td>1,638,628</td>
<td>10,289,182</td>
<td>7,150,818</td>
<td>59%</td>
</tr>
<tr>
<td>Beverage Tax</td>
<td>408,000</td>
<td>-</td>
<td>238,601</td>
<td>169,399</td>
<td>58%</td>
</tr>
<tr>
<td>Franchise Fees</td>
<td>2,635,000</td>
<td>206,382</td>
<td>1,381,120</td>
<td>1,253,880</td>
<td>52%</td>
</tr>
<tr>
<td>Airport Revenue</td>
<td>70,000</td>
<td>6,140</td>
<td>42,977</td>
<td>27,024</td>
<td>61%</td>
</tr>
<tr>
<td>Airport Fuel Sales .05 / GAL</td>
<td>10,500</td>
<td>-</td>
<td>6,260</td>
<td>4,240</td>
<td>60%</td>
</tr>
<tr>
<td>Permits</td>
<td>470,000</td>
<td>38,376</td>
<td>342,501</td>
<td>127,499</td>
<td>73%</td>
</tr>
<tr>
<td>ACIEA Revenues</td>
<td>-</td>
<td>(247)</td>
<td>2,856</td>
<td>(2,856)</td>
<td>100%</td>
</tr>
<tr>
<td>Dog Tags &amp; Fees</td>
<td>25,000</td>
<td>1,855</td>
<td>13,730</td>
<td>11,270</td>
<td>55%</td>
</tr>
<tr>
<td>Municipal Court Fines and Fees</td>
<td>745,000</td>
<td>48,370</td>
<td>439,578</td>
<td>305,422</td>
<td>59%</td>
</tr>
<tr>
<td>Law Enforcement</td>
<td>880,242</td>
<td>27,642</td>
<td>367,209</td>
<td>513,033</td>
<td>42%</td>
</tr>
<tr>
<td>Federal Grant Revenues</td>
<td>50,000</td>
<td>-</td>
<td>41,229</td>
<td>8,771</td>
<td>82%</td>
</tr>
<tr>
<td>Insurance Proceeds</td>
<td>20,953</td>
<td>2,604</td>
<td>40,714</td>
<td>(19,761)</td>
<td>100%</td>
</tr>
<tr>
<td>Parks</td>
<td>450,000</td>
<td>35,235</td>
<td>365,627</td>
<td>27,024</td>
<td>81%</td>
</tr>
<tr>
<td>Interest Income</td>
<td>2,700</td>
<td>2,123</td>
<td>31,327</td>
<td>(28,627)</td>
<td>1160%</td>
</tr>
<tr>
<td>Proceeds from Sale of Assets</td>
<td>2,404</td>
<td>2,404</td>
<td>2,404</td>
<td>-</td>
<td>100%</td>
</tr>
<tr>
<td>Act 749 Public Safety</td>
<td>1,500</td>
<td>34</td>
<td>683</td>
<td>817</td>
<td>46%</td>
</tr>
<tr>
<td>Donations</td>
<td>4,595</td>
<td>3,200</td>
<td>7,998</td>
<td>(3,403)</td>
<td>174%</td>
</tr>
<tr>
<td>Act 833 Revenue</td>
<td>80,000</td>
<td>43,378</td>
<td>36,622</td>
<td>54%</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Revenues</td>
<td>135,386</td>
<td>3,550</td>
<td>86,467</td>
<td>48,919</td>
<td>64%</td>
</tr>
<tr>
<td>Transfers from Other Funds</td>
<td>423,000</td>
<td>-</td>
<td>191,350</td>
<td>231,650</td>
<td>45%</td>
</tr>
<tr>
<td>Fund Balance Appropriation</td>
<td>466,065</td>
<td>-</td>
<td>-</td>
<td>466,065</td>
<td>0%</td>
</tr>
</tbody>
</table>

**Total Revenues**: 29,281,346

| Month       | 2,575,087 | 16,042,403 | - | 13,238,942 | 55% |

### Expenditures

<table>
<thead>
<tr>
<th>Activity</th>
<th>Month</th>
<th>Year to Date</th>
<th>Encumbered</th>
<th>(Over)/Under</th>
<th>% Expend/Collect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admin (Mayor, HR)</td>
<td>577,213</td>
<td>38,463</td>
<td>262,343</td>
<td>283,532</td>
<td>45%</td>
</tr>
<tr>
<td>Finance</td>
<td>372,081</td>
<td>56,023</td>
<td>217,327</td>
<td>154,428</td>
<td>56%</td>
</tr>
<tr>
<td>City Clerk/Treasurer</td>
<td>220,525</td>
<td>13,327</td>
<td>93,600</td>
<td>126,925</td>
<td>42%</td>
</tr>
<tr>
<td>City Council</td>
<td>83,400</td>
<td>6,077</td>
<td>46,640</td>
<td>36,760</td>
<td>56%</td>
</tr>
<tr>
<td>Permits and Planning</td>
<td>785,979</td>
<td>53,042</td>
<td>397,581</td>
<td>381,032</td>
<td>51%</td>
</tr>
<tr>
<td>Physical Plant</td>
<td>580,048</td>
<td>40,538</td>
<td>327,150</td>
<td>245,670</td>
<td>56%</td>
</tr>
<tr>
<td>Fleet Maintenance</td>
<td>174,099</td>
<td>13,311</td>
<td>97,080</td>
<td>75,562</td>
<td>56%</td>
</tr>
<tr>
<td>Information Technology</td>
<td>1,258,009</td>
<td>51,372</td>
<td>880,865</td>
<td>323,376</td>
<td>70%</td>
</tr>
<tr>
<td>Airport</td>
<td>1,083,964</td>
<td>14,226</td>
<td>373,643</td>
<td>207,578</td>
<td>64%</td>
</tr>
<tr>
<td>Animal Welfare</td>
<td>474,422</td>
<td>31,533</td>
<td>252,513</td>
<td>211,260</td>
<td>53%</td>
</tr>
<tr>
<td>Municipal District Court</td>
<td>842,412</td>
<td>66,645</td>
<td>480,220</td>
<td>354,387</td>
<td>57%</td>
</tr>
<tr>
<td>City Attorney</td>
<td>336,758</td>
<td>28,610</td>
<td>181,845</td>
<td>154,898</td>
<td>54%</td>
</tr>
<tr>
<td>Fire</td>
<td>8,894,754</td>
<td>728,710</td>
<td>4,942,953</td>
<td>3,882,181</td>
<td>56%</td>
</tr>
<tr>
<td>Parks</td>
<td>2,825,194</td>
<td>197,909</td>
<td>1,349,647</td>
<td>1,458,694</td>
<td>48%</td>
</tr>
</tbody>
</table>

**Total Expenditures**: 29,377,879

| Month       | 2,168,369 | 15,996,138 | 267,265 | 13,114,476 | 55% |

**Net Revenue/(Expense)**: (96,533)

| (96,533) | 46,266 |
City of Conway
General Fund
2013

Fund Balance Appropriations

<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-13-15</td>
<td>1/22/13</td>
<td>Reclassify Court Admin II to Clerk II</td>
<td>14,691</td>
</tr>
<tr>
<td>O-13-16</td>
<td>1/22/13</td>
<td>Implement new one-step salary scale</td>
<td>1,762,851</td>
</tr>
<tr>
<td>O-13-25</td>
<td>2/26/13</td>
<td>New employment market study</td>
<td>5,000</td>
</tr>
<tr>
<td>O-13-31</td>
<td>3/26/13</td>
<td>Cremation services</td>
<td>10,000</td>
</tr>
<tr>
<td>O-13-33</td>
<td>3/26/13</td>
<td>Civil service commission appeal hearing</td>
<td>3,200</td>
</tr>
<tr>
<td>O-13-34</td>
<td>3/26/13</td>
<td>Civil service commission testing</td>
<td>1,850</td>
</tr>
<tr>
<td>O-13-36</td>
<td>4/8/13</td>
<td>Bicycle and Pedestrian Board expenses</td>
<td>2,000</td>
</tr>
<tr>
<td>O-13-37</td>
<td>4/8/13</td>
<td>Grant match for mural project</td>
<td>8,000</td>
</tr>
<tr>
<td>O-13-39</td>
<td>4/8/13</td>
<td>Sound system for council meetings</td>
<td>21,000</td>
</tr>
<tr>
<td>O-13-42</td>
<td>4/23/13</td>
<td>Network switches for IT dept</td>
<td>21,345</td>
</tr>
<tr>
<td>O-13-66</td>
<td>6/25/13</td>
<td>Purchase land on Hogan - Comm Center</td>
<td>58,000</td>
</tr>
<tr>
<td>O-13-73</td>
<td>7/9/13</td>
<td>Civil service testing</td>
<td>14,000</td>
</tr>
<tr>
<td>O-13-74</td>
<td>7/9/13</td>
<td>Participation in CEO's for Cities</td>
<td>2,000</td>
</tr>
<tr>
<td>O-13-81</td>
<td>7/23/13</td>
<td>Furniture for District Court Judge</td>
<td>5,932</td>
</tr>
</tbody>
</table>

$ 1,929,869
City of Conway  
Balance Sheet - General Fund  
For the month ended July 31, 2013

<table>
<thead>
<tr>
<th>Asset Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash - Operating</td>
<td>3,409,211</td>
</tr>
<tr>
<td>Cash - Reserve</td>
<td>500,000</td>
</tr>
<tr>
<td>Petty Cash</td>
<td>715</td>
</tr>
<tr>
<td>Taxes Receivable</td>
<td>3,022,929</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>2,867,936</td>
</tr>
<tr>
<td>Due from Other Funds</td>
<td>4,620</td>
</tr>
<tr>
<td>Due from Street</td>
<td>34,388</td>
</tr>
<tr>
<td>Fleet Inventory</td>
<td>15,539</td>
</tr>
<tr>
<td>Fuel Inventory</td>
<td>7,606</td>
</tr>
<tr>
<td>General Inventory</td>
<td>1,344</td>
</tr>
<tr>
<td><strong>Assets</strong></td>
<td><strong>9,864,289</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Liability Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trade Accounts Payable</td>
<td>(566,889)</td>
</tr>
<tr>
<td>Group Insurance Payable</td>
<td>21,022</td>
</tr>
<tr>
<td>LOPFI Payable</td>
<td>(1,242)</td>
</tr>
<tr>
<td>Misc. Deductions Payable</td>
<td>(15,702)</td>
</tr>
<tr>
<td>Event Deposits</td>
<td>400</td>
</tr>
<tr>
<td>Due to Other Funds</td>
<td>273,920</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>2,440,149</td>
</tr>
<tr>
<td><strong>Liabilities</strong></td>
<td><strong>2,151,658</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund Balance Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund Balance - Committed to cash flow</td>
<td>2,000,000</td>
</tr>
<tr>
<td>Fund Balance - Committed to reserve</td>
<td>500,000</td>
</tr>
<tr>
<td>Fund Balance - Unassigned</td>
<td>5,212,631</td>
</tr>
<tr>
<td><strong>Fund Balance</strong></td>
<td><strong>7,712,631</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Liabilities &amp; Fund Balance</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>9,864,289</strong></td>
</tr>
</tbody>
</table>

*All figures are unaudited*
City of Conway  
Monthly Financial Report - Street Fund  
For the month ended July 31, 2013

<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>1,350,000</td>
<td>155,792</td>
<td>430,341</td>
<td>919,659</td>
<td>32%</td>
<td></td>
</tr>
<tr>
<td>Payments in Lieu of Tax</td>
<td>12,000</td>
<td>-</td>
<td>-</td>
<td>12,000</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>State Tax Turnback</td>
<td>2,800,000</td>
<td>-</td>
<td>1,207,063</td>
<td>1,592,937</td>
<td>43%</td>
<td></td>
</tr>
<tr>
<td>Severance Tax</td>
<td>175,000</td>
<td>-</td>
<td>148,860</td>
<td>26,140</td>
<td>85%</td>
<td></td>
</tr>
<tr>
<td>Sales Tax</td>
<td>245,000</td>
<td>21,415</td>
<td>142,660</td>
<td>102,340</td>
<td>58%</td>
<td></td>
</tr>
<tr>
<td>Sign Permits</td>
<td>500</td>
<td>-</td>
<td>-</td>
<td>500</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Engineering Fees</td>
<td>7,500</td>
<td>100</td>
<td>6,175</td>
<td>1,325</td>
<td>82%</td>
<td></td>
</tr>
<tr>
<td>Interest Income</td>
<td>3,500</td>
<td>1,260</td>
<td>11,054</td>
<td>(7,554)</td>
<td>316%</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Revenues</td>
<td></td>
<td>-</td>
<td>1,565</td>
<td>(1,565)</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>4,593,500</td>
<td>178,567</td>
<td>1,947,718</td>
<td>-</td>
<td>2,645,782</td>
<td>42%</td>
</tr>
</tbody>
</table>

| Expenditures                          |          |                |              |            |                    |                |
| Personnel Costs                       | 2,032,337| 136,621        | 1,000,173    | -          | 1,032,164          | 49%            |
| Other Operating Costs                 | 2,828,842| 215,517        | 1,086,959    | 100,444    | 1,641,440          | 38%            |
| **Total Operating Costs**             | 4,861,179| 352,137        | 2,087,132    | 100,444    | 2,673,604          | 43%            |
| Capital Outlay                        |          | -              | 123,872      | -          | 75,888             | 62%            |
| **Total Expenditures**                | 5,060,939| 352,137        | 2,211,004    | 100,444    | 2,749,492          | 44%            |
| **Net Revenue/(Expense)**             | (467,439)| (263,286)      |              |            |                    |                |

*All figures are unaudited

Notes:
1) Budget column is current budget which includes all year-to-date adjustments, if any.
City of Conway
Street Fund
2013
Fund Balance Appropriations

<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-13-49</td>
<td>5/14/13</td>
<td>Funds needed for remaining 2013 motor grader lease payments</td>
<td>13,678</td>
</tr>
</tbody>
</table>
City of Conway  
Balance Sheet - Street Fund  
For the month ended July 31, 2013

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash - Operating</td>
<td>1,826,309</td>
</tr>
<tr>
<td>Taxes Receivable</td>
<td>42,357</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>1,326,139</td>
</tr>
<tr>
<td>Due from Other Funds</td>
<td>205,894</td>
</tr>
<tr>
<td><strong>Assets</strong></td>
<td><strong>3,400,728</strong></td>
</tr>
<tr>
<td>Trade Accounts Payable</td>
<td>131,775</td>
</tr>
<tr>
<td>Due to Other Funds</td>
<td>574</td>
</tr>
<tr>
<td>Due to General</td>
<td>35,216</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>1,264,754</td>
</tr>
<tr>
<td><strong>Liabilities</strong></td>
<td><strong>1,432,319</strong></td>
</tr>
<tr>
<td><strong>Fund Balance</strong></td>
<td><strong>1,968,408</strong></td>
</tr>
<tr>
<td><strong>Total Liabilities &amp; Fund Balance</strong></td>
<td><strong>3,400,728</strong></td>
</tr>
</tbody>
</table>

*All figures are unaudited*
City of Conway  
Monthly Financial Report - Sanitation  
For the month ended July 31, 2013

<table>
<thead>
<tr>
<th>Revenues</th>
<th>Budget</th>
<th>Month Encumbered</th>
<th>Year to Date Encumbered</th>
<th>(Over)/Under Budget</th>
<th>% Expend/Collect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanitation Fees</td>
<td>7,620,000</td>
<td>582,731</td>
<td>3,624,803</td>
<td>3,995,197</td>
<td>48%</td>
</tr>
<tr>
<td>Proceeds - Recycled Materials</td>
<td>200,000</td>
<td>29,838</td>
<td>334,130</td>
<td>(134,130)</td>
<td>167%</td>
</tr>
<tr>
<td>Landfill Fees - General</td>
<td>240,000</td>
<td>17,371</td>
<td>117,750</td>
<td>122,250</td>
<td>49%</td>
</tr>
<tr>
<td>Insurance Proceeds</td>
<td>-</td>
<td>115,425</td>
<td>115,425</td>
<td>(115,425)</td>
<td>100%</td>
</tr>
<tr>
<td>Interest Income</td>
<td>50,000</td>
<td>3,571</td>
<td>35,379</td>
<td>14,621</td>
<td>71%</td>
</tr>
<tr>
<td>Proceeds from Sale of Assets</td>
<td>-</td>
<td>-</td>
<td>144</td>
<td>(144)</td>
<td>100%</td>
</tr>
<tr>
<td>Miscellaneous Revenues</td>
<td>-</td>
<td>-</td>
<td>132</td>
<td>(132)</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>8,110,000</td>
<td>748,936</td>
<td>4,227,763</td>
<td>-</td>
<td>3,882,237</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenditures</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Costs</td>
<td>3,671,983</td>
<td>263,234</td>
<td>1,935,972</td>
<td>-</td>
<td>1,736,011</td>
</tr>
<tr>
<td>Other Operating Costs</td>
<td>3,170,103</td>
<td>288,905</td>
<td>1,441,938</td>
<td>90,937</td>
<td>1,637,227</td>
</tr>
<tr>
<td><strong>Total Operating Costs</strong></td>
<td>6,842,086</td>
<td>552,138</td>
<td>3,377,910</td>
<td>90,937</td>
<td>3,373,238</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>1,267,914</td>
<td>-</td>
<td>267,300</td>
<td>-</td>
<td>1,000,614</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>8,110,000</td>
<td>552,138</td>
<td>3,645,210</td>
<td>90,937</td>
<td>4,373,853</td>
</tr>
</tbody>
</table>

| Net Revenue/(Expense)           | -       | 582,553         |                         |                     |                 |

*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  
Balance Sheet - Sanitation  
For the month ended July 31, 2013

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash - Operating</td>
<td>1,567,299</td>
</tr>
<tr>
<td>Petty Cash</td>
<td>200</td>
</tr>
<tr>
<td>Post Closure Cash Account</td>
<td>4,602,407</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>(735)</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 Dep - Buildings</td>
<td>(467,002)</td>
</tr>
<tr>
<td>Accum Dep - Land Improvements</td>
<td>(1,048,320)</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>691,618</td>
</tr>
<tr>
<td>Accum Dep - Infrastructure</td>
<td>(330,209)</td>
</tr>
<tr>
<td>Machinery and Equipment</td>
<td>9,815,323</td>
</tr>
<tr>
<td>Accum Dep - M&amp;E</td>
<td>(4,133,121)</td>
</tr>
<tr>
<td>Construction in Progress</td>
<td>689,767</td>
</tr>
<tr>
<td><strong>Assets</strong></td>
<td><strong>15,849,133</strong></td>
</tr>
<tr>
<td>Trade Accounts Payable</td>
<td>35,008</td>
</tr>
<tr>
<td>Salaries Payable</td>
<td>335,205</td>
</tr>
<tr>
<td>Net Pension Obligation</td>
<td>855,700</td>
</tr>
<tr>
<td>Due to Other Funds</td>
<td>380</td>
</tr>
<tr>
<td>Accrued Interest Payable</td>
<td>32,255</td>
</tr>
<tr>
<td>2010 Recycling Note - US Bank</td>
<td>809,873</td>
</tr>
<tr>
<td>Landfill Close/Post Close</td>
<td>4,386,590</td>
</tr>
<tr>
<td><strong>Liabilities</strong></td>
<td><strong>6,455,011</strong></td>
</tr>
<tr>
<td><strong>Net Assets</strong></td>
<td><strong>9,394,122</strong></td>
</tr>
<tr>
<td><strong>Total Liabilities and Net Assets</strong></td>
<td><strong>15,849,133</strong></td>
</tr>
</tbody>
</table>

*All figures are unaudited*
Memo:

To: City Council Members

From: Tyler Winningham, CFO

Date: August 20th, 2013

Re: Consideration of BKD for 2012 audit

My staff and I met with BKD representatives on August 1, 2013 for us to ask questions of each other and share ideas about our vision for future audits. It was a very informative meeting at which we learned more about the firm and their audit process, and they learned about our structure and the type of audited financial statements that we wish to produce.

I feel very confident that BKD would do a great job for the City of Conway, and I have no hesitation in recommending that they be approved to audit the City for 2012. Based on my fee research among peer cities in Arkansas, I believe the fee that they have proposed is appropriate for a client our size.
Your Investment

BKD, LLP knows our clients do not like fee surprises. Neither do we. Our goal is to be candid and timely, and we want to answer the City of Conway’s (the City) questions about fees upfront. We determine our fees by evaluating a number of variables: the complexity of the work, the project’s scope, the time we will spend and the level of professional staff needed.

Quick Response Time Without Hidden Fees

We respond to questions quickly and do so without hidden fees. We do not bill for responses to your day-to-day questions that require no significant investment of research, time or other costs. Providing a high level of value for the fees you pay is an integral part of our basic engagement philosophy. If an issue is going to take more than one hour to research, we will inform you in advance of the estimated hours and fees it will require.

Proposed Fees

<table>
<thead>
<tr>
<th>City of Conway, Arkansas</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the Year Ended December 31</td>
</tr>
<tr>
<td>Financial Statement Audit in Accordance with Government Auditing Standards</td>
</tr>
<tr>
<td>Audit of Opening Balance Adjustments to Convert from Regulatory Basis to GAAP Basis</td>
</tr>
<tr>
<td>Assist City Management with Drafting Basic Financial Statements &amp; Notes (Up to 24 Hours)</td>
</tr>
<tr>
<td><strong>Total Proposed Fees</strong></td>
</tr>
</tbody>
</table>

Our pricing for this engagement and our fee structure are based upon the expectation that our invoices will be paid promptly. Payments for the engagement are due as follows:

<table>
<thead>
<tr>
<th>Due Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 10, 2013</td>
<td>$21,295</td>
</tr>
<tr>
<td>December 10, 2013</td>
<td>$21,295</td>
</tr>
<tr>
<td>January 10, 2014</td>
<td>$21,295</td>
</tr>
<tr>
<td>February 10, 2014</td>
<td>$21,295</td>
</tr>
</tbody>
</table>

Our fees may increase if our duties or responsibilities change because of new rules, regulations and accounting or auditing standards. We will consult with you should this happen.

Our estimate of fees does not include any time, other than described above, that may be required to address a restatement of the previously audited financial statements. Accordingly, any such work will be billed based on our quoted hourly rates.

We will call you soon to answer questions you may have about this proposal, or you may reach us at 501.372.1040 or by email as provided below.

Sincerely,

W. Ryan Underwood, CPA, CFSA®
Managing Partner
runderwood@bkd.com

Andrew M. Richards, CPA
Partner
arihards@bkd.com

Our acceptance of this engagement is subject to completion of our normal client acceptance procedures. Upon acceptance, the actual terms of our engagement will be documented in a separate letter to be signed by you and us. All information contained within this proposal is proprietary and confidential. The information provided in this proposal is intended for informational purposes only and may not be copied, used or modified, in whole or in part, without BKD’s prior written approval.