



City of Conway, Arkansas  
CITY COUNCIL  
Agenda • July 11<sup>th</sup>, 2023

[www.conwayarkansas.gov](http://www.conwayarkansas.gov)

Elected Officials

Mayor Bart Castleberry  
City Clerk Michael O. Garrett  
City Attorney Charles Finkenbinder

Ward 1 Position 1 – Andy Hawkins  
Ward 1 Position 2 – David Grimes  
Ward 2 Position 1 – Anne Tucker  
Ward 2 Position 2 – Shelley Mehl  
Ward 3 Position 1 – Mark Ledbetter  
Ward 3 Position 2 – Cindy Webb  
Ward 4 Position 1 – Theodore Jones Jr.  
Ward 4 Position 2 – Shelia Isby

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**5:30pm:**

**6:00pm:**

Call to Order:

Roll Call:

Minutes Approval:

Monthly Financial Report:

Rock Region Metro Update

City Council Meeting • City Council Chambers • 1111 Main Street

Bart Castleberry, Mayor

Michael O. Garrett, Clerk/Treasurer

June 13<sup>th</sup>, 2023

Month ending June 30<sup>th</sup>, 2023

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**A. Public Hearing**

1. Ordinance (O-23-45) to approve the proposed electric rate adjustment for Conway Corporation. (2<sup>nd</sup> reading)

**B. Economic Development Committee (Conway Area Chamber of Commerce, Conway Development Corporation, Conway Downtown Partnership, & Conway Corporation)**

1. Consideration to approve waiving all three readings for the ordinances on the July 11<sup>th</sup> City Council agenda.
2. Ordinance approving the revision of NET Metering rules for Conway Corporation.
3. Ordinance appropriating funds for the Lake Conway Master Plan Development in partnership with the Conway Area Chamber of Commerce.

**C. Community Development Committee (Airport, Community Development, Code Enforcement, Permits, Inspections, & Transportation, Planning & Development)**

1. Resolution requesting the Faulkner County Tax Collector to place a lien on various locations for expenses incurred by the City.
2. Ordinance appropriating funds for the Community Development Block Grant Program Year 2023.
3. Ordinance appropriating funds received from Gov Deals for the Conway Airport.
4. Resolution approving the request to apply for the (STBG) Surface Transportation Block Grant Program for Salem Road Bridge Project for the Transportation Department.
5. Resolution approving the use of Federal-aid Highway Infrastructure Program funding for the College Avenue Bridge Project for the Transportation Department
6. Consideration to approve an Impact Fee Credit for Lands' End Subdivision.
7. Ordinance to rezone property located at 1700 South Boulevard from R-2A to R-2.

8. Consideration to approve a request to allow a conditional use permit for property located at 1700 South Boulevard for a childcare facility.
9. Ordinance to Request to rezone property located east of Padgett Road at the intersection of Spencer Lake Drive from A-1 to PUD.

**D. Public Safety Committee (Animal Welfare, Communication Emergency Operations Center, Department of Information Systems & Technology, District Court, Fire, Office of the City Attorney, & Police)**

1. Ordinance appropriating funds for Cybersecurity tools and services for the IT Department.
2. Ordinance approving the reclassification of a position and personnel change within the District Court.
3. Consideration to approve entering an agreement for School Resource Officers with Conway Public Schools.
4. Resolution to allow entering into an agreement with AT&T for 911 upgrades for the Conway Police Department.

*Adjournment*



City of Conway, Arkansas  
Monthly Financial Reports  
May 31, 2023

City of Conway  
 Monthly Financial Report - General Fund  
 For the month ended May 31, 2023



Revenues	Budget	Month		Encumbered	(Over)/Under	
		Activity	Year to Date		Budget	% Expend/Collect
Ad Valorem Tax	4,200,000	1,289,849	1,953,660		2,246,340	47%
Payments in Lieu of Tax	20,000	-	36,225		(16,225)	181%
State Tax Turnback	950,000	61,814	373,026		576,975	39%
Insurance Tax Turnback - LOPFI	1,300,000	-	-		1,300,000	0%
Sales Tax	28,200,000	2,477,259	11,890,351		16,309,649	42%
Beverage Tax	600,000	-	-		600,000	0%
Franchise Fees	3,829,200	462,350	1,930,715		1,898,485	50%
Utility Tap Fees	-	-	-		-	-
Office Space Leases	67,400	-	22,467		44,933	33%
Permits	560,500	176,824	365,226		195,274	65%
Public Safety	2,208,728	206,100	866,159		1,342,569	39%
Parks	630,000	139,353	412,484		217,516	65%
Insurance Proceeds	258,770	4,260	271,829		(13,059)	105%
Federal Grant Revenues	221,900	-	90,768		131,132	41%
State Grant Revenues	100,000	-	100,000		-	100%
Interest Income	123,000	109,535	500,189		(377,189)	407%
Proceeds from Sale of Assets	-	-	1,030		(1,030)	-
Donations	500	-	1,500		(1,000)	300%
Miscellaneous Revenues	120,750	19,367	115,715		5,035	96%
Transfers from Other Funds	820,000	-	-		820,000	0%
<b>Total Revenues</b>	<b>44,210,748</b>	<b>4,946,711</b>	<b>18,931,343</b>		<b>25,279,405</b>	<b>43%</b>
<b>Expenditures</b>						
Admin (Mayor, HR)	1,106,641	88,534	382,900	28,290	695,451	35%
Finance	509,830	27,160	128,191	-	381,639	25%
City Clerk/Treasurer	170,444	12,902	63,243	-	107,201	37%
City Council	99,297	7,620	27,466	-	71,831	28%
Planning	712,567	45,193	210,303	3,920	498,344	30%
Physical Plant	936,928	77,213	321,584	2,762	612,581	34%
Information Technology	1,836,982	80,950	506,577	8,430	1,321,975	28%
Permits and Inspections	574,676	36,609	177,404	1,217	396,055	31%
Nondepartmental	1,786,992	36,386	1,073,358	3,624	710,010	60%
Police	16,576,933	1,186,662	6,204,564	180,841	10,191,527	37%
CEOC	1,721,095	93,505	512,931	493	1,207,671	30%
Animal Welfare	651,043	39,260	183,166	81,210	386,667	28%
Municipal District Court	1,021,716	73,765	457,781	588	563,346	45%
City Attorney	650,696	43,147	213,059	229	437,408	33%
Fire	15,740,987	1,707,579	5,586,023	303,112	9,851,852	35%
Parks	3,791,949	331,539	1,469,649	33,849	2,288,451	39%
<b>Total Expenditures</b>	<b>47,888,774</b>	<b>3,888,024</b>	<b>17,518,199</b>	<b>648,567</b>	<b>29,722,008</b>	<b>37%</b>
<b>Net Revenue/(Expense)</b>	<b>(3,678,026)</b>		<b>1,413,144</b>			

\*All figures are unaudited

Notes:

1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway  
General Fund  
2023



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-23-16	2/14/23	Contribution to Non-uniform pension plan	570,000
O-23-27	3/28/23	District Court building repair	12,242
O-23-32	4/25/23	Police overtime for ballparks	120,000
			<hr/>
			\$ 702,242
			<hr/>

City of Conway  
 Balance Sheet - General Fund  
 As of May 31, 2023



Cash - Operating	17,649,034
Cash - Reserve	1,781,193
Petty Cash	715
Taxes Receivable	5,001,922
Accounts Receivable	4,908,613
Due from Other Funds	5,532
Due from Street	123,297
Due from Component Unit	252,255
Due from Municipal Court	55,548
Fuel Inventory	(16,359)
General Inventory	585
<b><i>Assets</i></b>	<b><u>29,762,337</u></b>
Accounts Payable	(35,382)
Insurance and Benefits Payable	225,934
Event Deposits	4,850
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Due to Other Funds	16,078
Deferred Revenue	4,388,247
Unearned Revenue - City Hall Lease	960,000
<b><i>Liabilities</i></b>	<b><u>5,569,922</u></b>
<b><i>Fund Balance</i></b>	<b><u>24,192,414</u></b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>29,762,337</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Street Fund  
 For the month ended May 31, 2023



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
<b>Revenues</b>						
Ad Valorem Tax	1,500,000	475,370	725,095		774,905	48%
Payments in Lieu of Tax	6,000	-	-		6,000	0%
State Tax Turnback	3,000,000	225,745	1,136,894		1,863,106	38%
State Tax Turnback - Other	1,800,000	163,604	807,438		992,562	45%
Severance Tax	279,000	9,643	112,847		166,153	40%
State Tax Turnback - Wholesale	400,000	34,940	165,377		234,623	41%
Sales Tax	400,000	34,711	166,605		233,395	42%
Sign Permits	-	-	480		(480)	-
Engineering Fees	15,000	750	3,775		11,225	25%
Interest Income	100,000	18,250	91,847		8,153	92%
Proceeds from Sale of Assets	-	-	24,600		(24,600)	-
Miscellaneous Revenues	-	-	759		(759)	-
<b>Total Revenues</b>	<b>7,500,000</b>	<b>963,013</b>	<b>3,235,718</b>	<b>-</b>	<b>4,264,282</b>	<b>43%</b>
<b>Expenditures</b>						
Personnel Costs	3,358,630	216,360	1,031,727	-	2,326,903	31%
Other Operating Costs	<u>4,240,370</u>	<u>632,736</u>	<u>2,098,225</u>	<u>42,882</u>	<u>2,099,263</u>	<u>49%</u>
Total Operating Costs	7,599,000	849,097	3,129,952	42,882	4,426,166	41%
Capital Outlay	<u>902,022</u>	<u>281,369</u>	<u>432,120</u>	<u>-</u>	<u>469,902</u>	<u>48%</u>
<b>Total Expenditures</b>	<b>8,501,022</b>	<b>1,130,466</b>	<b>3,562,072</b>	<b>42,882</b>	<b>4,896,068</b>	<b>42%</b>
<b>Net Revenue/(Expense)</b>	<b>(1,001,022)</b>		<b><u>(326,353)</u></b>			

\*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  
2023



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-23-16	2/14/23	Contribution to Non-uniform pension plan	110,000

City of Conway  
Balance Sheet - Street Fund  
As of May 31, 2023



Cash - Operating	3,323,966
Taxes Receivable	70,086
Accounts Receivable	2,171,818
Due from Other Funds	9,647
<b><i>Assets</i></b>	<b><u>5,575,517</u></b>
Insurance and Benefits Payable	(2,782)
Due to General	123,297
Deferred Revenue	1,614,736
<b><i>Liabilities</i></b>	<b><u>1,735,251</u></b>
<b><i>Fund Balance</i></b>	<b>3,840,265</b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>5,575,516</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Sanitation  
 For the month ended May 31, 2023



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
<b>Revenues</b>						
Sanitation Fee Rev-Residential	9,800,000	1,842,824	4,225,126		5,574,874	43%
Proceeds - Recycled Materials	350,000	83,427	194,475		155,525	56%
Landfill Fees - General	250,000	33,176	111,931		138,069	45%
Insurance Proceeds	-	28,307	194,349		(194,349)	-
Interest Income	200,000	100,359	459,383		(259,383)	230%
Proceeds from Sale of Assets	-	-	2,347		(2,347)	-
<b>Total Revenues</b>	<b>10,600,000</b>	<b>2,088,093</b>	<b>5,187,610</b>	<b>-</b>	<b>5,412,390</b>	<b>49%</b>
<b>Expenditures</b>						
Personnel Costs	5,898,153	489,455	2,258,184	300	3,639,669	38%
Other Operating Costs	<u>3,703,439</u>	<u>178,031</u>	<u>1,242,957</u>	<u>159,476</u>	<u>2,301,005</u>	<u>34%</u>
Total Operating Costs	9,601,592	667,486	3,501,141	159,776	5,940,674	36%
Capital Outlay	<u>2,765,316</u>	<u>452,603</u>	<u>1,175,961</u>	<u>1,160,241</u>	<u>429,114</u>	<u>43%</u>
<b>Total Expenditures</b>	<b>12,366,908</b>	<b>1,120,089</b>	<b>4,677,102</b>	<b>1,320,017</b>	<b>6,369,788</b>	<b>38%</b>
<b>Net Revenue/(Expense)</b>	<b>(1,766,908)</b>		<b><u>510,508</u></b>			

\*All figures are unaudited

Notes:

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- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway  
Sanitation Fund  
2023



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-23-16	2/14/23	Contribution to Non-uniform pension plan	310,000

City of Conway  
 Balance Sheet - Sanitation  
 As of May 31, 2023



Cash - Operating	15,105,438
Petty Cash	200
Post Closure Cash Account	6,432,730
Due from Component Unit	938,781
General Inventory	2,122
Land & Buildings	2,325,821
Infrastructure	735,789
Machinery, Equipment & Vehicles	2,600,651
Deferred Outflows of Resources	1,333,878
Deferred Outflows of Resources-OPEB	263,454
<b><i>Assets</i></b>	<b><u>29,738,865</u></b>
Accounts Payable	507
Insurance and Benefits Payable	3,288
Compensated Absences	229,958
Net Pension Obligation	12,456,380
Deferred Inflows of Resources	1,982,402
Deferred Inflows of Resources-OPEB	114,568
Net OPEB Liability	1,069,934
Due to Other Funds	4,104
Landfill Close/Post Close	8,362,165
<b><i>Liabilities</i></b>	<b><u>24,223,306</u></b>
<b><i>Net Position</i></b>	<b>5,515,559</b>
<b><i>Total Liabilities and Net Position</i></b>	<b><u>29,738,865</u></b>

\*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway  
 Monthly Financial Report - Airport  
 For the month ended May 31, 2023



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
<b>Revenues</b>						
Sales Tax	25,000	4,145	18,695		6,305	75%
Airport Fuel Sales	1,638,224	173,814	792,593		845,631	48%
T-Hangar Rent	183,780	3,616	126,836		56,944	69%
Community Hangar Rent	48,000	4,000	19,000		29,000	40%
Ground Leases	20,257	-	-		20,257	0%
Misc Revenue - Non air	9,700	390	12,108		(2,408)	125%
Miscellaneous Revenues	20,090	1,644	7,799		12,291	39%
<b>Total Revenues</b>	<b>1,945,051</b>	<b>187,609</b>	<b>977,032</b>	<b>-</b>	<b>968,019</b>	<b>50%</b>
<b>Expenditures</b>						
Personnel Costs	408,999	30,131	135,172	-	273,827	33%
Fuel for Resale	1,100,000	153,124	672,756	-	427,244	61%
Other Operating Costs	191,300	21,604	72,599	9,691	109,010	38%
Total Operating Costs	1,700,299	204,859	880,527	9,691	810,080	52%
Capital Outlay	110,400	-	24,918	-	85,482	23%
<b>Total Expenditures</b>	<b>1,810,699</b>	<b>204,859</b>	<b>905,445</b>	<b>9,691</b>	<b>895,562</b>	<b>50%</b>
<b>Net Revenue/(Expense)</b>	134,352		<u><u>71,587</u></u>			

\*All figures are unaudited

Notes:

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- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway  
Airport Fund  
2023



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-23-16	2/14/23	Contribution to Non-uniform pension plan	10,000
O-23-31	4/11/23	Add a Line Technical position	35,210
			<u>\$ 45,210</u>

City of Conway  
 Balance Sheet - Airport  
 As of May 31, 2023



Cash - Operating	291,154
Taxes Receivable	6,101
Accounts Receivable - Fuel Vendor	69,234
Fuel Inventory	50,544
Land	1,254,473
Buildings	5,173,716
Machinery & Equipment	121,754
Infrastructure	22,007,474
Deferred Outflows of Resources-OPEB	10,784
<b><i>Assets</i></b>	<b><u>28,985,233</u></b>
Compensated Absences	17,855
Net OPEB Liability	43,795
Deferred Inflows of Resources-OPEB	4,690
Due to General	1,429
Note Payable	600,000
<b><i>Liabilities</i></b>	<b><u>667,769</u></b>
<b><i>Net Position</i></b>	<b><u>28,317,465</u></b>
<b><i>Total Liabilities &amp; Net Position</i></b>	<b><u>28,985,233</u></b>

\*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway  
Monthly Financial Report - Major Project Funds  
As of May 31, 2023



Parks and Rec A&P Tax

Balance, 4/30/23	3,205,727
Receipts	443,941
Payments	(743,297)
Balance, 5/31/23	\$ 2,906,370

Pay as you go Sales Tax

Balance, 4/30/23	10,388,190
Receipts	505,590
Payments	(606,392)
Balance, 5/31/23	\$ 10,287,388

Street Impact Fees

Balance, 4/30/23	2,409,255
Receipts	74,618
Payments	-
Balance, 5/31/23	\$ 2,483,873

Parks Impact Fees

Balance, 4/30/23	600,012
Receipts	27,887
Payments	-
Balance, 5/31/23	\$ 627,899

Street Sales Tax

Balance, 4/30/23	22,202,079
Receipts	791,561
Payments	(57,830)
Balance, 5/31/23	\$ 22,935,810



**City of Conway, Arkansas  
Ordinance No. O-23-45**

**AN ORDINANCE ESTABLISHING RATES TO BE CHARGED FOR SERVICES OF THE ELECTRIC SYSTEM AND FOR OTHER PURPOSES**

**WHEREAS**, Ordinance 0-05-163 states the rates charged for electric services shall be set by Conway Corporation subject to the approval of the City Council; and

**WHEREAS**, Conway Corporation has recommended the rates set forth in this Ordinance to be charged for electric services.

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

**SECTION ONE.** The retail rates for electric service set by Conway Corporation made part of this ordinance are adopted as the rates to be charged in the city of Conway, Arkansas as fair and equitable for electric services. These rates shall become effective with billings on or after October 1, 2023.

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**RESIDENTIAL SERVICE**

**AVAILABILITY:**

At any point on the existing secondary distribution system.

**APPLICATION:**

For residential service to single family residences or individual family apartments supplied through one meter, including incidental family use, on the appurtenant premises. This rate schedule is not applicable to commercial type use on the appurtenant premises such as a beauty shop or auto repair shop. Where a portion of the residence premises (not separately metered) is used for non-residential purposes, the predominant use of the service, as determined by the Corporation, shall determine the rate schedule applicable to all service. Service is for the use of the customer and may not be shared and may not be resold to others.

**CHARACTER OF SERVICE:**

Service will normally be single phase, 60 Hz. at approximately 120/240 volts. Three-phase service may be made available under provisions of Corporation regulations.

**NET MONTHLY RATE:**

Summer rates will apply to billing months of June through September and winter rates will apply for the billing months of October through May until October 1, 2025.

**Effective for bills mailed October 1, 2023 – September 30, 2024**

<b>SUMMER RATES</b>		<b>WINTER RATES</b>	
Facilities Charge.....	\$16.00	Facilities Charge .....	\$16.00
Energy Charge.....	PER KWH \$.0691	Energy Charge .....	PER KWH \$.0636
Minimum Per Month .....			\$16.00

**Effective for bills mailed October 1, 2024 – September 30, 2025**

<b>SUMMER RATES</b>		<b>WINTER RATES</b>	
Facilities Charge.....	\$17.00	Facilities Charge .....	\$17.00
Energy Charge.....	PER KWH \$.0706	Energy Charge .....	PER KWH \$.0651
Minimum Per Month .....			\$17.00

**Effective for bills mailed on or after October 1, 2025**

Facilities Charge.....	\$18.00
Energy Charge.....	PER KWH \$.0708
Minimum Per Month.....	\$18.00

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**TAXES:**

The above rates are subject to all local, state, and federal taxes and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills in excess of \$100.00.

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**RESIDENTIAL ELECTRIC VEHICLE TIME OF USE SERVICE**

**AVAILABILITY:**

At any point on the existing secondary distribution system.

**APPLICATION:**

For residential service to single family residences or individual family apartments that utilize electric vehicle charging supplied through one meter, including incidental family use, on the appurtenant premises. This rate schedule is not applicable to commercial type use on the appurtenant premises such as a beauty shop or auto repair shop. Where a portion of the residence premises (not separately metered) is used for non-residential purposes, the predominant use of the service, as determined by the Corporation, shall determine the rate schedule applicable to all service. Service is for the use of the customer and may not be shared and may not be resold to others.

**CHARACTER OF SERVICE:**

Service will normally be single phase, 60 Hz. at approximately 120/240 volts. Three-phase service may be made available under provisions of Corporation regulations.

**NET MONTHLY RATE:**

Rates Under this section shall not be effective until thirty days' notice after System improvements are complete. Summer On Peak rates will apply to billing months of June through September for non-holiday\* weekdays from 2 p.m. to 7 p.m. CDT. Summer Mid Peak rates will apply to billing months of June through September for non-holiday\* weekdays from 7 a.m. to 2 p.m. and 7 p.m. to 9 p.m. CDT. Summer Off Peak rates will apply to billing months of June through September for all other hours. Winter Mid Peak rates will apply for the billing months of October through May for non-holiday\* weekdays from 7 a.m. to 9 p.m. CDT. Winter Off Peak rates will apply to billing months of October through May for all other hours.

**Effective for bills mailed October 1, 2023 – September 30, 2024**

<b>SUMMER RATES</b>		<b>WINTER RATES</b>	
Facilities Charge.....	\$16.00	Facilities Charge .....	\$16.00
Energy Charge.....		Energy Charge .....	
On Peak.....	PER KWH \$.1512	Mid Peak.....	PER KWH \$.0788
Mid Peak.....	PER KWH \$.0788	Off Peak.....	PER KWH \$.0420
Off Peak.....	PER KWH \$.0420		

**Effective for bills mailed October 1, 2024 – September 30, 2025**

<b>SUMMER RATES</b>	
Facilities Charge.....	\$17.00
Energy Charge.....	
On Peak.....	PER KWH \$.1443
Mid Peak.....	PER KWH \$.0827
Off Peak.....	PER KWH \$.0441

<b>WINTER RATES</b>	
Facilities Charge .....	\$17.00
Energy Charge .....	
Mid Peak.....	PER KWH \$.0827
Off Peak.....	PER KWH \$.0441

**Effective for bills mailed on or after October 1, 2025**

<b>SUMMER RATES</b>	
Facilities Charge.....	\$18.00
Energy Charge.....	
On Peak.....	PER KWH \$.1485
Mid Peak.....	PER KWH \$.0868
Off Peak.....	PER KWH \$.0463

<b>WINTER RATES</b>	
Facilities Charge .....	\$18.00
Energy Charge .....	
Mid Peak.....	PER KWH \$.0868
Off Peak.....	PER KWH \$.0463

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**TAXES:**

The above rates are subject to all local, state, and federal taxes and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills in excess of \$100.00.

*\*Holidays are New Year's Day, Martin Luther King, Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Day after Thanksgiving, Christmas Eve, and Christmas Day.*

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**SMALL COMMERCIAL SERVICE**

**AVAILABILITY:**

At any point on the existing secondary distribution system.

**APPLICATION:**

To all electric service, for which no specific schedule is provided, supplied at one point of delivery and measured through one-kilowatt hour meter. Not applicable to resale or shared service.

**CHARACTER OF SERVICE:**

Single or three-phase, 60 Hz. at one standard delivery voltage required by customer and available at customer's service location.

**NET MONTHLY RATE:**

Summer rates will apply to billing months of June through September and winter rates will apply for the billing months of October through May until October 1, 2025.

**Effective for bills mailed October 1, 2023 – September 30, 2024**

<b>SUMMER RATES</b>		<b>WINTER RATES</b>	
Facilities Charge .....	\$23.00	Facilities Charge .....	\$23.00
Demand Charge .....	PER KW \$10.00	Demand Charge .....	PER KW \$10.00
Energy Charge .....	PER KWH \$.0495	Energy Charge .....	PER KWH \$.0330

**Effective for bills mailed October 1, 2024 – September 30, 2025**

<b>SUMMER RATES</b>		<b>WINTER RATES</b>	
Facilities Charge .....	\$23.00	Facilities Charge .....	\$23.00
Demand Charge .....	PER KW \$10.00	Demand Charge .....	PER KW \$10.00
Energy Charge .....	PER KWH \$.0437	Energy Charge .....	PER KWH \$.0344

**Effective for bills mailed on or after October 1, 2025**

Facilities Charge .....	\$23.00
Demand Charge .....	PER KW \$10.00
Energy Charge .....	PER KWH \$.0384

**MINIMUM PER MONTH:**

The Facilities Charge plus \$1.50 per KW times the highest demand established in the twelve (12) months ending with the current month.

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**DEMAND:**

The demand in KW, as shown by or computed from readings on the Corporation demand meter, for the 15-minute period of customer's greatest use during the month.

**TAXES:**

The above rates are subject to all local, state, and federal taxes and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills in excess of \$100.00.

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**LARGE GENERAL SERVICE**

**AVAILABILITY:**

At any point on the existing system having adequate capacity and suitable voltage for delivery of service.

**APPLICATION:**

To all electric service required by customer on the premises, for which no specific schedule is provided, when supplied at one delivery point and measured through one-kilowatt hour meter. Not applicable to temporary, resale or shared service.

**CHARACTER OF SERVICE:**

Three-phase, 60 Hz. at one standard delivery voltage required by customer and available at customer's service location.

**NET MONTHLY RATE:**

**Effective for bills mailed October 1, 2023 – September 30, 2024**

Facilities Charge.....	\$140.00
Demand Charge.....	\$1,025.00
Each KW of Demand in Excess of 100 KW.....	PER KW \$10.25
Energy Charge.....	PER KWH \$.0389

**Effective for bills mailed October 1, 2024 – September 30, 2025**

Facilities Charge.....	\$140.00
Demand Charge.....	\$1,050.00
Each KW of Demand in Excess of 100 KW.....	PER KW \$10.50
Energy Charge.....	PER KWH \$.0383

**Effective for bills mailed on or after October 1, 2025**

Facilities Charge .....	\$140.00
Demand Charge.....	\$1,075.00
Each KW of Demand in Excess of 100 KW.....	PER KW \$10.75
Energy Charge.....	PER KWH \$.0394

**MINIMUM PER MONTH:**

The Facilities Charge plus the Demand Charge for the current month, but not less than \$1.75 per KW of the highest demand established during the twelve (12) months ending with the current month.

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**DEMAND:**

The demand in KW, as shown by or computed from readings on the Corporation demand meter, for the 15-minute period of customer's greatest use during the month, but in no event less than 100 KW. Demand measurement may be made by a KVA demand meter or equivalent. The demand charge will be calculated on the higher of the registration of the KW or the registration in KVA times 0.9.

**TAXES:**

The above rates are subject to all local, state, and federal taxes and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills.

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**LARGE POWER SERVICE**

**AVAILABILITY:**

At any point on the existing system having adequate capacity and suitable voltage for delivery of service.

**APPLICATION:**

To all electric service required by customer on the premises, for which no specific schedule is provided, when supplied at one delivery point and measured through one-kilowatt hour meter. Not applicable to temporary, resale or shared service.

**CHARACTER OF SERVICE:**

Three-phase, 60 Hz. at one standard delivery voltage required by customer and available at customer's service location.

**NET MONTHLY RATE:**

**Effective for bills mailed October 1, 2023 – September 30, 2024**

Facilities Charge.....	\$355.00
Demand Charge .....	\$10,250.00*
Each KW of Demand in Excess of 1,000 KW .....	PER KW \$10.25*
Energy Charge.....	PER KWH \$.0400**

**Effective for bills mailed October 1, 2024- September 30, 2025**

Facilities Charge.....	\$400.00
Demand Charge.....	\$10,500.00*
Each KW of Demand in Excess of 1,000 KW .....	PER KW \$10.50*
Energy Charge.....	PER KWH \$.0408**

**Effective for bills mailed on or after October 1, 2025**

Facilities Charge.....	\$450.00
Demand Charge.....	\$10,750.00*
Each KW of Demand in Excess of 1,000 KW .....	PER KW \$10.75*
Energy Charge.....	PER KWH \$.0436**

**MINIMUM PER MONTH:**

The Facilities Charge plus the Demand Charge for the current month, but not less than \$1.75 per KW of the highest demand established during the twelve (12) months ending with the current month.

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**DEMAND:**

The demand, in KW, as shown by or computed from readings on the Corporation demand meter, for the 15-minute period of customer's greatest use during the month, but in no event less than 1,000 KW. Demand measurement may be made by a KVA demand meter or equivalent. The Demand Charge will be calculated on the higher of: the registration in KW or the registration in KVA times 0.9.

**TAXES:**

The above rates are subject to all local, state, and federal taxes and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills.

*\* This rate is subject to a 5% discount for service at primary voltage (13.8 KV).*

*\*\*This rate is subject to a 5% discount for service at primary voltage (13.8 KV) when KW demand is in excess of 10,000 KW.*

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**INSTITUTIONAL SERVICE**

**AVAILABILITY:**

At any point on the existing system having adequate capacity and suitable voltage for delivery of service.

**APPLICATION:**

To all institutional campuses with distribution systems served through one kilowatt hour meter and supplied at one delivery point\*

*(\* At Corporation's option, delivery may be made at more than one point through more than one kilowatt hour meter. In this instance, meters will be added together on a non-simultaneous basis and billed as if measured through one kilowatt hour meter.)*

**CHARACTER OF SERVICE:**

Three-phase, 60 Hz. at one standard delivery voltage required by customer and available at customer's service location.

**NET MONTHLY RATE:**

**Effective for bills mailed October 1, 2023 – September 30, 2024**

Facilities Charge .....	\$340.00
Demand Charge .....	PER KW \$10.50
Energy Charge.....	PER KWH \$.0419

**Effective for bills mailed October 1, 2024 - September 30, 2025**

Facilities charge .....	\$340.00
Demand Charge .....	PER KW \$11.00
Energy Charge.....	PER KWH \$.0418

**Effective for bills mailed on or after October 1, 2025**

Facilities Charge.....	\$340.00
Demand Charge.....	PER KW \$11.50
Energy Charge.....	PER KWH \$.0435

**MINIMUM PER MONTH:**

The Facilities Charge plus the Demand Charge for the current month, but not less than \$3.50 per KW of the highest demand established during the twelve (12) months ending with the current month.

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**DEMAND:**

The demand, in KW, as shown by or computed from readings on the Corporation demand meter, for the 15-minute period of customer's greatest use during the month.

**TAXES:**

The above rates are subject to all local, state, and federal taxes and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills in excess of \$100.00.

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**NIGHT-TIME OUTDOOR LIGHTING SERVICE**

**AVAILABILITY:**

At any point to any customer on the existing secondary distribution system.

**APPLICATION:**

To unmetered automatically controlled outdoor lighting service operating all night. Corporation will install, own, operate and maintain lamp fixtures, including any necessary lamp replacements. All necessary service maintenance and lamp renewals will be furnished at Corporation expense.

**NET MONTHLY FACILITIES CHARGE:**

150-watt HPS night watcher existing pole.....	PER MONTH \$6.95
150-watt HPS night watcher new pole.....	PER MONTH \$11.95
400-watt high pressure sodium existing pole.....	PER MONTH \$18.00
400-watt high pressure sodium new pole.....	PER MONTH \$23.00
1,000-watt high pressure sodium* existing pole.....	PER MONTH \$32.50
1000-watt high pressure sodium* new pole.....	PER MONTH \$37.50

\*While available

For any type of outdoor lights adopted for use by Conway Corporation after the passage of this ordinance, Conway Corporation shall adopt rates for such lights. The rate for such services shall not be less than the associated variable costs.

**INSTALLATION FEE:**

An installation fee of \$50.00 per light will be charged.  
COSTS DO NOT INCLUDE COST OF SETTING A POLE.

**TAXES:**

The above rates are subject to all local, state, and federal taxes and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills in excess of \$100.00.

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**MUNICIPAL SERVICE**

**AVAILABILITY:**

At any point on the existing secondary distribution system.

**APPLICATION:**

To all electric service for facilities of the City of Conway, for which no specific schedule is provided, supplied at one point of delivery and measured through one kilowatt hour meter. Not applicable to resale or shared service.

**CHARACTER OF SERVICE:**

Single or three-phase, 60 Hz. at one standard delivery voltage required by customer and available at customer's service location.

**NET MONTHLY RATE:**

**Effective for bills mailed October 1, 2023 – September 30, 2024**

Facilities Charge .....	\$40.00
Demand Charge .....	PER KW \$10.00
Energy Charge.....	PER KWH \$.0431

**Effective for bills mailed October 1, 2024 – September 30, 2025**

Facilities Charge.....	\$40.00
Demand Charge .....	PER KW \$10.00
Energy Charge .....	PER KWH \$.0415

**Effective for bills mailed on or after October 1, 2025**

Facilities Charge.....	\$40.00
Demand Charge .....	PER KW \$10.00
Energy Charge .....	PER KWH \$.0416

**MINIMUM PER MONTH:**

The Facilities Charge plus \$1.50 per KW times the highest demand established in the twelve (12) months ending with the current month.

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**DEMAND:**

The demand, in KW, as shown by or computed from readings on the Corporation demand meter, for the 15-minute period of customer's greatest use during the month.

**TAXES:**

The above rates are subject to all local, state, federal taxes which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation.

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**ELECTRICITY INTENSIVE LOAD SERVICE**

**AVAILABILITY:**

At any point on the existing system having adequate capacity and suitable voltage for delivery of service.

**APPLICATION:**

To all electric service required by customer on the premises, for which no specific schedule is provided, when supplied at one delivery point and measured through one-kilowatt hour meter. Not applicable to temporary, resale or shared service. Electricity Intensive Load (EIL) is defined as customers whose electrical load has one or both of the following attributes:

1. Customer loads where electricity is the predominant input to the business production.
2. Any load where the load factor or total energy consumption is estimated to be or is appreciably higher than:
  - Previous consumption at the service location,
  - Other customers operating in a similarly-sized and type of facility.

Examples include, but are not limited to: server farms, an aggregation of microprocessor-based computing equipment within a home, garage or business, or special purpose data centers.

**CHARACTER OF SERVICE:**

Single or three-phase, 60 Hz. at one standard delivery voltage required by customer and available at customer's service location.

**NET MONTHLY RATE:**

**Effective for bills mailed on or after October 1, 2023**

Facilities Charge.....	\$450.00
Demand Charge.....	\$10,750.00
Each KW of Demand in Excess of 1,000 KW .....	PER KW \$10.75
Energy Charge.....	PER KWH \$.0436

**MINIMUM PER MONTH:**

The Facilities Charge plus the Demand Charge for the current month, but not less than \$1.75 per KW of the highest demand established during the twelve (12) months ending with the current month.

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**DEMAND:**

The demand, in KW, as shown by or computed from readings on the Corporation demand meter, for the 15-minute period of customer's greatest use during the month, but in no event less than 1,000 KW. Demand measurement may be made by a KVA demand meter or equivalent. The Demand Charge will be calculated on the higher of: the registration in KW or the registration in KVA times 0.9.

**TAXES:**

The above rates are subject to all local, state, and federal taxes and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:****Billing:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills.

**Deposit:**

A deposit will be required before service will be provided and will consist of 2.5 months billing using the rate schedules above and the maximum potential load based on the cumulative nameplate rating of the customers installed equipment and an assumed minimum load factor of 80%. After a deposit has initially been established, the Corporation may re-evaluate actual usage and increase or decrease the amount of the deposit so that it equals two (2) times the monthly billing at that location. Deposits will be retained for the life of the account.

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**LARGE POWER SERVICE/LARGE GENERAL SERVICE ECONOMIC  
DEVELOPMENT RATES**

**AVAILABILITY:**

At any point on the existing system.

**APPLICATION:**

To all electric service required by customer on the premises, for which no specific schedule is provided, when supplied at one delivery point and measured through one-kilowatt hour meter. Not applicable to temporary, resale or shared service.

**CHARACTER OF SERVICE:**

Three-phase, 60 Hz. at one standard delivery voltage required by customer and available at customer's service location.

**NET MONTHLY RATE:**

**Effective for bills mailed on or after October 1, 2023**

Economic Development Rates for large corporations that require additions and improvements unique to that customer.

Conway Corporation shall enter into a contract with a customer that outlines the additions and improvements required for the customer that are to be covered in the form of contributions in aid of construction (CIAC), a deposit or financed. Customer may be required to pay an excess costs charge. The agreement should include the commitment by the customer to provide services over a period of five (5) to seven (7) years. The customer must agree to a deposit of 2.5 months of maximum usage. This may be reviewed annually. An Economic Development Rate must be outlined in the contract with specific terms. A surcharge may be established but it may be reduced by any federal or state grants for the purpose of the customer's unique cost. Additionally, if new infrastructure or infrastructure upgrades are not necessary, an Economic Development Rate that reduces the facilities, demand or energy charge may be developed to help with recruitment of industry to Conway.

Customer must provide an initial estimate of the total connected load and requested voltage for the proposed project as early in the planning stage as possible. Conway Corporation must be informed of any changes during the planning stages that would increase or change the initially estimated load. Customer must inform Conway Corporation when final voltage and load is calculated and provide foreseeable future expansions load information.

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**TAXES:**

The above rates are subject to all local, state, and federal taxes and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills.

CONWAY CORPORATION  
ELECTRIC RATE SCHEDULE

**NET METERING RATE**

**AVAILABILITY:**

At any point on the existing secondary distribution system where a Corporation-approved net meter is installed.

**APPLICATION:**

For residential service to single family residences or commercial establishments through one meter, capable of measuring the difference between electricity supplied by Conway Corporation and the electricity generated by an approved Net Metering Facility and fed back to the Corporation's distribution system.

**CHARACTER OF SERVICE:**

A facility for the production of electrical energy that:

- (A) Uses solar, wind, hydroelectric, geothermal, or biomass resources to generate electricity including, but not limited to, fuel cells and micro turbines that generate electricity entirely derived from renewable resources; and,
- (B) Has a generating capacity of not more than:
  - 1) the lesser of twenty-five (25) kilowatts or one-hundred percent (100%) of a Residential net-metering customer's highest monthly usage in the previous twelve (12) months or
  - 2) the lesser of three-hundred (300) kilowatts or one-hundred percent (100%) of a Commercial net-metering customer's highest monthly usage in the previous twelve (12) months; and,
- (C) Can operate in parallel with the Corporation's existing transmission and distribution facilities; and,
- (D) Is intended primarily to offset part or all of the customer's requirements for electricity.

**NET MONTHLY RATE:**

Summer rates will apply to billing months of June through September and winter rates will apply for the billing months of October through May until October 1, 2025.

**RESIDENTIAL NET METERING CUSTOMERS:**

**Effective for bills mailed October 1, 2023 – September 30, 2024**

<b>SUMMER RATES</b>	<b>WINTER RATES</b>
Facilities Charge.....\$16.00	Facilities Charge .....\$16.00
Energy Charge..... PER KWH \$.0691	Energy Charge ..... PER KWH \$.0636
Minimum Per Month .....	.....\$16.00

**Effective for bills mailed October 1, 2024 – September 30, 2025**

<b>SUMMER RATES</b>		<b>WINTER RATES</b>	
Facilities Charge.....	\$17.00	Facilities Charge .....	\$17.00
Energy Charge.....	PER KWH \$0.0706	Energy Charge .....	PER KWH \$0.0651
Minimum Per Month .....			\$17.00

**Effective for bills mailed on or after October 1, 2025**

Facilities Charge.....	\$18.00
Energy Charge.....	PER KWH \$0.0708
Minimum Per Month.....	\$18.00

**COMMERCIAL NET METERING CUSTOMERS:**

**Effective for bills mailed October 1, 2023 – September 30, 2024**

Facilities Charge.....	\$140.00
Demand Charge.....	\$1,025.00
Each KW of Demand in Excess of 100 KW.....	PER KW \$10.25
Energy Charge.....	PER KWH \$0.389

**Effective for bills mailed October 1, 2024 – September 30, 2025**

Facilities Charge.....	\$140.00
Demand Charge.....	\$1,050.00
Each KW of Demand in Excess of 100 KW.....	PER KW \$10.50
Energy Charge.....	PER KWH \$0.383

**Effective for bills mailed on or after October 1, 2025**

Facilities Charge .....	\$140.00
Demand Charge.....	\$1,075.00
Each KW of Demand in Excess of 100 KW.....	PER KW \$10.75
Energy Charge.....	PER KWH \$0.394

**MINIMUM PER MONTH:**

The Facilities Charge plus \$1.50 per KW times the highest demand established in the twelve (12) months ending with the current month.

**POWER COST ADJUSTMENT:**

The above energy charges will be increased or decreased to reflect to the nearest one-thousandth (.001) mill per KWH the change in the cost of fuel, capacity costs, transmission costs and purchased power incurred by the Corporation for the supply of service hereunder, above or below 46.29 mills per KWH.

**DEMAND:**

The demand in KW, as shown by or computed from readings on the Corporation demand meter, for the 15-minute period of customer's greatest use during the month.

**NET EXCESS GENERATION:**

A net-metering customer may elect to have Conway Corporation purchase Net Excess Generation credits older than twenty-four (24) months in the customer's account at the Corporation's Avoided Cost for wholesale energy if the sum to be paid to the net-metering customer is at least one-hundred dollars (\$100) or, at the customer's discretion, the Corporation may apply Net Excess Generation credits from the Net Metering Facility to the bills for other separate meter locations if the Net Metering Facility and the separate meter locations are under common ownership within Corporation's service area.

Additionally, Conway Corporation shall purchase at the Avoided Cost Rate any Net Excess Generation credit remaining in a customer's account when the customer:

- Ceases to be a customer of the Electric Utility;
- Ceases to operate the Net Metering Facility; or
- Transfers the Net Metering Facility to another person

**AVOIDED COST RATES:**

Each month, Conway Corporation shall recalculate the weighted average annual cost of wholesale energy for the preceding twelve (12) months in establishing these Avoided Costs.

**AVOIDED ENERGY RATE:**

Equals the weighted average annual cost of wholesale energy for the preceding twelve (12) months.

**TAXES:**

With the exception of the Avoided Cost Rates, the above rates are subject to all local, state, and federal taxes, and franchise fees which are currently in effect or any taxes which are imposed by laws or ordinances on or after the effective date of this rate schedule.

**PAYMENT:**

The net bill, computed in accordance with the net monthly rate, shall be due and payable upon presentation and shall apply for a period of twenty (20) days. A gross bill in the amount of the net bill plus 2.5 percent will be due after twenty (20) days on all bills in excess of \$100.00.

**SECTION TWO.** Rates are effective on October 1, 2023. Upon the effective date of the new rates, Ordinances 0-05-143, 0-15-76 and 0-17-57 are repealed. Any other ordinance or parts thereof in conflict with this Ordinance are hereby repealed to the extent of the conflict.

Passed: 11<sup>th</sup> day of July, 2023

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas**  
**Ordinance No. O-23- \_\_\_\_\_**

**AN ORDINANCE GOVERNING THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND REMOVAL OF NET METERING AND DISTRIBUTED GENERATION FACILITIES; REPEALING ORDINANCE NO. O-19-66 AND RESOLUTION NO. R-15-29; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**Whereas**, the City of Conway, Arkansas (“City”) is the owner of facilities used by Conway Corporation to furnish electric utility service to residents, businesses, and other entities within the service territory of the City, as provided by the lease agreement and franchise agreement between the City and Conway Corporation; and

**Whereas**, the City generally regulates the business activities conducted between Conway Corporation and its customers within the City; and

**Whereas**, the City has previously adopted rules governing the interconnection of customer-owned generation in parallel with the electric distribution system found in Ordinance No. O-19-66 and Resolution No. R-15-29; and

**Whereas**, the Arkansas Legislature recently revised net metering laws in Arkansas through the adoption of Act 278 of 2023; and

**Whereas**, the governing body of Conway Corporation recommends that the current net metering rules be revised as provided herein.

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

SECTION 1: General Provisions.

**Rule 1.01.** Title. This ordinance and the provisions herein shall be known as the “Net-Metering and Distributed Generation Rules”.

**Rule 1.02.** Definitions. When used in this ordinance, the following terms shall have the meanings indicated:

- a. *Avoided Cost* means the weighted average annual cost of wholesale energy for the preceding twelve months.
- b. *Billing Period* means approximately 30 days.
- c. *Biomass Facility* means a facility that may use one or more organic fuel sources that can either be processed into synthetic fuels or burned directly to produce steam or electricity, provided that the resources are renewable, environmentally sustainable in their production and use, and the process of conversion to electricity results in a net environmental benefit. This includes, but is not limited to, dedicated energy crops and trees, agricultural food and feed crops, agricultural crop wastes and residues, wood wastes and residues, aquatic plants, animal wastes, and other accepted organic, renewable waste materials.

- d. *Commercial Customer* means any customer who does not receive service under a residential rate.
- e. *Council* means the Conway City Council.
- f. *Distributed Generation Facility* means the real and personal property comprising an electric generation resource that:
1. Uses solar, wind, hydroelectric, geothermal, or biomass resources to generate electricity, including, but not limited to, fuel cells and micro turbines that generate electricity if the fuel source is entirely derived from renewable resources;
  2. Does not qualify as a Net-Metering Facility;
  3. Will not generate more energy (kWh) than is consumed by the Distributed Generation Customer during an annual fiscal cycle;
  4. Is located in the Electric Utility's service territory;
  5. Can operate in parallel with the Distribution System; and
  6. Is primarily intended to advance the Distributed Generation Customer's renewable energy goals and offset the Distributed Generation Customer's cost of electricity.
- g. *Distributed Generation Customer* means the owner of a Distributed Generation Facility.
- h. *Distribution System* means the network of meters, poles, switches, transformers, wires, and other facilities used to connect retail electric customers of the Electric Utility to the bulk electric system.
- i. *Electric Utility* means Conway Corporation.
- j. *Fuel Cell Facility* means a facility that converts the chemical energy of a fuel directly to direct current electricity without intermediate combustion or thermal cycles.
- k. *Geothermal Facility* means an electric generating facility powered by steam generated in the earth by heat from the earth's magma.
- l. *Hydroelectric Facility* means an electric generating facility powered by the flow of water.
- m. *Illegal Facility* means any generating facility that is connected to the Distribution System without a permit or proper authority.
- n. *Interconnecting Customer* means either a Net Metering Customer or a Distributed Generation Customer.
- o. *Interconnecting Facility* means either a Net-Metering Facility or a Distributed Generation Facility.
- p. *Micro Turbine Facility* means a facility that uses a small combustion turbine to produce electricity.
- q. *Net Metering* means a billing option that measures the amount of electricity as measured in kilowatt hours or kilowatt hours multiplied by the applicable rate supplied by the Electric Utility to a Net-Metering Customer and separately measuring the electricity generated by a Net-Metering Customer and fed back to the Electric Utility over the Billing Period.
- r. *Net-Metering Customer* means a customer of the Electric Utility that does not receive service on a rate schedule for interruptible service that:
1. Is an owner of a Net-Metering Facility;
  2. Leases a net-metering facility subject to the following limitations:

- A. A lease shall not permit the sale of electric energy measured in kilowatt hours or electric capacity measured in kilowatts between the lessor and lessee; and
  - B. A lease shall not include any charge per kilowatt hour or any charge per kilowatt; or
- 3. Is a government entity or other entity that is exempt from state and federal income tax, and that, for the sole purpose of Net Metering, obtains electric energy from a Net-Metering Facility under a service contract qualifying for safe-harbor protection as provided under 26 U.S.C. § 7701(e)(3)(A), as in effect on August 16, 2022.
- s. *Net-Metering Facility* means a facility for the production of electric energy that:
  - 1. Uses solar, wind, hydroelectric, geothermal, or biomass resources to generate electricity including, but not limited to, fuel cells and micro turbines that generate electricity if the fuel source is entirely derived from renewable resources; and
  - 2. Has a generating capacity of not more than:
    - A. the lesser of twenty-five (25) kilowatts alternating current (AC) or one hundred percent (100%) of the Net-Metering Customer's highest monthly usage in the previous twelve (12) months for Residential Customers; or
    - B. the lesser of three hundred (300) kilowatts alternating current (AC) or one hundred percent (100%) of the Net-Metering Customer's highest monthly usage in the previous twelve (12) months for Commercial Customers; and
  - 3. Is located where the customer consumes electricity from the Electric Utility and within the electric service territory of the Electric Utility; and
  - 4. Can operate in parallel with the Distribution System; and
  - 5. Is intended primarily to offset part or all of a customer's requirements for electricity; and
  - 6. May include an energy storage device that is configured to receive electric energy solely from a net metering facility. The capacity of an energy storage device shall not be used to calculate the capacity limits described in Rule 1.02(s)(2) above if the energy storage device is configured to receive energy solely from a Net- Metering Facility.
- t. *Net Excess Generation* means the amount of electricity as measured in kilowatt hours or kilowatt hours multiplied by the applicable rate that a Net-Metering Customer has fed back to the Electric Utility that exceeds the amount of electricity as measured in kilowatt hours or kilowatt hours multiplied by the applicable rate used by that customer during the Billing Period.
- u. *Net-Metering Rate* means the rates, terms, and conditions which recover the Electric Utility's entire cost of providing service to a net metering customer according to the Net-Metering Customer's rate class.
- v. *Parallel Operation* means the operation of on-site generation by a customer while the customer is connected to the Distribution System.
- w. *Preliminary Interconnection Review Request* means a request submitted by a customer to the Electric Utility on forms prepared by the Electric Utility to determine upgrade costs and operational limitations, if any, that would be imposed by the Electric Utility to connect a proposed Interconnecting Facility at a point on the Distribution System.
- x. *Residential Customer* means a customer served by a meter that serves a single-family unit.
- y. *Solar Facility* means a facility in which electricity is generated through the collection, transfer, or storage of the sun's heat or light.

z. *Standard Interconnection Agreement* means a form agreement developed by the Electric Utility that when signed by both parties authorizes an Interconnecting Customer to connect an Interconnecting Facility in parallel with the Distribution System.

aa. *Wind Facility* means a facility in which an electric generator is powered by a wind-driven turbine.

**Rule 1.03. Purpose**

The purpose of this ordinance is to establish rules for net metering and the interconnection of customer-owned generation in parallel with the Distribution System.

**Rule 1.04. Administration**

a. Consistent with this ordinance, the Electric Utility may make and amend decisions, calculations, forms, and such other administrative actions as may be required to implement these rules in a reasonable and business-like manner.

b. The Electric Utility may establish, impose, and collect uniform fees in amounts that are reasonably calculated to recover costs incurred in the administration of this ordinance. When a cost is incurred and no uniform fee has been established, the Electric Utility may impose and collect from a customer the actual costs incurred by the Electric Utility for the customer under this ordinance. The Electric Utility may require the payment of fees or estimated costs prior to the performance of work under this ordinance.

c. The Electric Utility will take reasonable steps to inform customers of the net metering consumer protections provided by Act 278 of 2023.

**Rule 1.05 Application**

This ordinance does not apply to the interconnection of generation facilities made pursuant to the Public Utility Regulatory Policy Act of 1978.

### **Rule 1.06 Prohibited Conduct**

a. The interconnection of an Illegal Facility is hazardous to the Electric Utility's employees and others. The interconnection of an Illegal Facility with the Distribution System is declared to be a violation that is continuous in nature. Any person who owns, operates, maintains, or connects an Illegal Facility shall be punished by a fine of not less than two hundred fifty dollars (\$250.00) per day nor more than five hundred dollars (\$500.00) per day while such Illegal Facility is connected to the Distribution System.

b. Except as described in Rule 1.06(a) above, violations of this ordinance are declared to be detrimental to the public welfare. Any person violating a provision of this ordinance other than Rule 1.06(a) shall be punished by a fine of not less than two hundred fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000.00), and twice such amounts for a repeated violation.

c. In addition to all other remedies available, the Electric Utility may completely disconnect (load and generation) any person or customer who owns, operates, maintains, or connects an Illegal Facility and keep them disconnected until:

1. The Illegal Facility has been dismantled or a proper application for connection has been submitted to the Electric Utility; and
2. The customer has paid a reconnection fee of two hundred fifty dollars (\$250.00) per location disconnected pursuant to this Rule 1.06.

### SECTION 2: Net-Metering Provisions.

#### **Rule 2.01. Electric Utility Requirements**

The Electric Utility shall allow Net-Metering Facilities to be interconnected using, at a minimum, an approved two-channel meter capable of registering the flow of electric energy in kilowatt hours (kWh) in two (2) directions.

#### **Rule 2.02. Metering Requirements**

a. Metering equipment shall be installed to both accurately measure the electricity supplied by the Electric Utility to the Net-Metering Customer and also to accurately measure the electricity generated by the Net-Metering Customer that is fed back to the Electric Utility over the Billing Period. Commercial Customer's meters must also be capable of measuring demand.

b. Accuracy tests for both forward and reverse registration modes shall be performed according to the Electric Utility's normal and customary procedures to verify meter accuracy. A test to determine accuracy shall be made by the Electric Utility either before or at the time the Net-Metering Facility is placed in operation in accordance with these Rules.

c. Customers will pay the cost difference between a standard meter used by the Electric Utility for the class of customer and the required net meter outlined above.

#### **Rule 2.03 Billing for Net Metering**

a. Customers shall be billed monthly.

b. The value of energy provided by the Electric Utility to a Net-Metering Customer and the value of energy provided by a Net-Metering Customer to the Electric Utility shall be defined by the Electric Utility's rate schedules.

- c. When the value of the energy supplied by the Electric Utility exceeds the value of the kilowatt hours generated by the Net-Metering Facility and fed back to the Electric Utility during the Billing Period, the Net-Metering Customer shall be billed for the net value supplied by the Electric Utility.
- d. When the value of the kilowatt hours generated by the Net-Metering Facility and fed back to the Electric Utility exceeds the value of the kilowatt hours supplied by the Electric Utility to the Net Metering Customer during the Billing Period, the Net-Metering Customer shall not receive any compensation from the Electric Utility for such Net Excess Generation during the Billing Period but shall be credited with the accumulated Net Excess Generation, if any, in the next Billing Period. Any accumulated Net Excess Generation shall not expire and shall be carried forward to subsequent Billing Periods indefinitely.
- e. A Net-Metering Customer may elect to have the Electric Utility purchase Net Excess Generation credits older than twenty-four (24) months in the customer's account at the Electric Utility's Avoided Cost if the sum to be paid to the net-metering customer is at least one hundred dollars (\$100).
- f. The Electric Utility shall purchase at the Avoided Cost rate any Net Excess Generation credit remaining in a customer's account when the customer:
- (1) Ceases to be a customer of the Electric Utility;
  - (2) Ceases to operate the Net-Metering Facility; or
  - (3) Transfers the Net-Metering Facility to another person.

#### **Rule 2.04 Renewable Energy Credits**

Any Renewable Energy Credit created as a result of electricity supplied by a Net-Metering Customer is the property of the Net-Metering Customer that generated the Renewable Energy Credit.

### SECTION 3. Distributed Generation Provisions.

#### **Rule 3.01 Permission to Interconnect**

The Electric Utility may allow Distributed Generation Facilities to be interconnected using separate meters for load and generation. The Electric Utility will not allow a Distributed Generation Facility to be interconnected using a meter that measures both electric load and generation. The Electric Utility will not allow a Distributed Generation Facility to be interconnected that will jeopardize reliability of the Distribution System, back feed electricity on the bulk electric system, or otherwise affect the rights and obligations of other customers of the Electric Utility.

#### **Rule 3.02 Metering Requirements**

- a. Metering equipment shall be installed to both accurately measure the electricity supplied by the Electric Utility to each Distributed Generation Customer and the electricity generated by each Distributed Generation Customer that is fed to Electric Utility. The customer is responsible for the cost of the additional meter used to measure generation, as well as any nonstandard metering configurations.
- b. Metering equipment will be verified for accuracy prior to installation according to the Electric Utility's normal and customary procedures to verify meter accuracy. A test to determine accuracy shall be made either before or at the time the Distributed Generation Facility is placed in operation. Additional tests may thereafter be conducted as may be reasonably necessary or advisable to verify meter accuracy.

**Rule 3.03 Billing for Distributed Generation**

- a. On a monthly basis, the Electric Utility shall bill each Distributed Generation Customer for all charges applicable under the currently effective standard rate schedule and any appropriate rider schedules.
- b. On a monthly basis, the Electric Utility shall credit at the Electric Utility's Avoided Cost rate, the value of all kWhs supplied to the Electric Utility by a Distributed Generation Customer.
- c. The Electric Utility shall not provide generation credit to any Distributed Generation Customer with a delinquent account or that ceases to consume electricity.

**Rule 3.04 Use of Distribution System**

Distributed Generation Facilities must typically be collocated with a Distribution Generation Customer's load within the service territory of the Electric Utility. Customers that own Distributed Generation Facilities that are not collocated with the customer's load must pay applicable costs as may be assigned by the Electric Utility for wheeling power across the Distribution System.

**Rule 3.05 Renewable Energy Credits**

Any Renewable Energy Credit created as a result of electricity supplied by a Distributed Generation Customer is the property of the Distributed Generation Customer that generated the Renewable Energy Credit.

## SECTION 4: Interconnection of Facilities

**Rule 4.01. Preliminary Interconnection Review Request**

- a. A customer shall execute and submit a Preliminary Interconnection Review Request using a standard form prepared by the Electric Utility with the appropriate fee or charge at least sixty (60) calendar days prior to the date the customer intends to commence construction of an Interconnecting Facility. The customer shall submit a separate Preliminary Interconnection Review Request for each point of interconnection if information about multiple points of interconnection is requested. If mailed, the date of notification shall be the third day following the mailing of the Preliminary Interconnection Review Request. Upon request, the Electric Utility shall provide a copy of the analysis performed by the Electric Utility of the Preliminary Interconnection Review Request to the customer.
- b. Any costs incurred by the Electric Utility in reviewing a Preliminary Interconnection Review Request must be paid by the customer requesting the review. The Electric Utility may require customers to pay the estimated cost of review in advance.
- c. Following submission of a Preliminary Interconnection Review Request by a customer as specified in Rule 4.01(a), the Electric Utility will seek to review the Preliminary Interconnection Review Request and provide the results of its review to the customer, in writing, within thirty (30) calendar days. If the customer requests that multiple interconnection site reviews be conducted the Electric Utility shall make reasonable efforts to provide the customer with the results of the reviews within sixty (60) calendar days. Any items that would prevent Parallel Operation due to violation of safety standards and/or power generation limits will be identified. The Electric Utility will identify Distribution System upgrades, if any, that are necessary to interconnect the proposed system. The Electric Utility will respond to the Preliminary Interconnection Review Request with: (1) approval subject to compliance with this ordinance; (2) approval subject to compliance with this ordinance and additional conditions; or (3) denial.

#### **Rule 4.02. Standard Interconnection Agreement**

a. A customer shall execute and submit a Standard Interconnection Agreement using a standard form prepared by the Electric Utility with the appropriate fee or charge at least sixty (60) days prior to the date the customer intends to connect an Interconnecting Facility. The Standard Interconnection Agreement shall, at a minimum, include:

1. A description of the proposed Distributed Generation Facility including:
  - A. Project narrative and construction plan;
  - B. Project location (street address);
  - C. Generator type (wind, solar, hydro, etc.);
  - D. Generator rating in kW (AC);
  - E. Capacity factor;
  - F. Point of interconnection with the Electric Utility;
  - G. Single phase or three phase interconnection;
  - H. Planned method of interconnection consistent with Rule 4.01.B.;
  - I. Expected facility performance calculated using an industry recognized simulation model (PVWatts, etc.);
  - J. Such terms and conditions as may be deemed necessary by the Electric Utility to minimize physical and financial risk to the City, the Electric Utility, and other customers; and
  - K. Appropriate notices and disclaimers to customers.
2. The capacity factor submitted must be supported by manufacturer data unless the Electric Utility determines that the reported capacity factor is typical of similar installations.
3. Evidence that the Interconnecting Facility will comply with defined capacity restrictions. Evidence will be in the form of:
  - a. The monthly electric bills for the prior twelve (12) months, or
  - b. In the absence of historical data, reasonable estimates for the class and character of service may be made.
4. A copy of the Preliminary Interconnection Review Request, with applicable fees, submitted to the Electric Utility and the results of the Electric Utility's review.

b. No person shall connect an electric generator in parallel with the Distribution System without receiving a Standard Interconnection Agreement for the electric generator that has been approved by the Electric Utility.

#### **Rule 4.03. Review and Operations**

a. No Interconnecting Facility shall operate in a manner that back-feeds electricity on the bulk electric system. The Electric Utility may require Interconnecting Customers to install controls to prevent back-feeding electricity on the bulk electric system.

b. An Interconnecting Facility shall be capable of Parallel Operation and safely commencing the delivery of power to the Distribution System at a single point of interconnection. To prevent back-feeding a de-energized line, an Interconnecting Facility shall have:

1. An automatic switching scheme as described in IEEE 1547 that senses when a loss of power from the Electric Utility has occurred and immediately disconnects the Interconnecting Facility from the Distribution System until the Electric Utility has restored power;
  2. A visibly open, lockable, manual disconnect switch which is clearly labeled and accessible by the Electric Utility at all hours; and
  3. A dedicated circuit breaker for the Interconnecting Facility installed downstream (load side) of the customer's service disconnecting means. (Note: A "line side tap" will not be allowed.)
- c. Following notification by the customer as specified in Rule 4.01.C, the Electric Utility shall seek to review the Interconnecting Facility plans and provide the results of its review to the customer within sixty (60) days. Any items that would prevent Parallel Operation due to violation of safety standards and/or power generation limits shall be explained along with a description of the modifications necessary to remedy the violations.
- d. The Interconnecting Facility, at the Interconnecting Customer's expense, shall meet safety and performance standards adopted by the Electric Utility and otherwise established by local and national electrical codes including the National Electrical Code (NEC), the Institute of Electrical and Electronics Engineers (IEEE), the National Electrical Safety Code (NESC), and Underwriters Laboratories (UL), and shall be inspected annually by the customer's professional installer.

#### **Rule 4.04. Requirements for Modifications or Changes to a Net-Metering Facility**

No modification, addition, or change shall be made to an Interconnecting Facility, or any approved operational constraints of an Interconnecting Facility, prior to evaluation and approval by the Electric Utility. The Interconnecting Customer shall provide detailed information describing the modifications or changes to the Electric Utility in writing prior to making the modifications to the Interconnecting Facility. The Electric Utility shall seek to review the proposed changes to the facility and provide the results of its evaluation to the Interconnecting Customer within thirty (30) days of receipt of the proposal. Any items that would prevent parallel operation due to violation of applicable safety standards and/or power generation limits shall be explained along with a description of the modifications necessary to remedy the violations.

#### **Rule 4.05. New Owner/Operators of Existing Interconnecting Facilities**

When an Interconnecting Customer transfers by sale, gift, or otherwise, an Interconnecting Facility, the person or entity acquiring the Interconnecting Facility shall be obligated to comply with this ordinance as a service.

SECTION 5: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict. Ordinance No. O-19-66 and Resolution No. R-15-29 are specifically repealed in their entirety.

SECTION 6: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 7: It is hereby found and determined that the adoption of revised net-metering rules that comply with Act 278 of 2023 would provide citizens of Conway a fair and predictable manner to install local renewable power and ensure that the city's electric distribution system

remains reliable and affordable for homes, businesses, and others within the City of Conway, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED** this 11<sup>th</sup> day of July, 2023.

**Approved:**

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**Mayor Bart Castleberry**

**Attest:**

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

**Resolution of the Board of Directors of Conway Corporation**

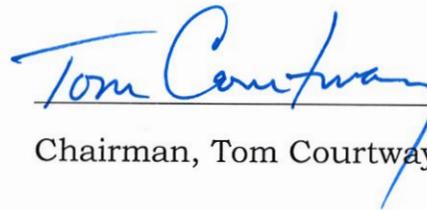
A RESOLUTION RECOMMENDING THE CITY COUNCIL TO ADOPT AN ORDINANCE ADOPTING THE REVISED NET METERING ORDINANCE IN COMPLIANCE WITH ACT 278 OF 2023

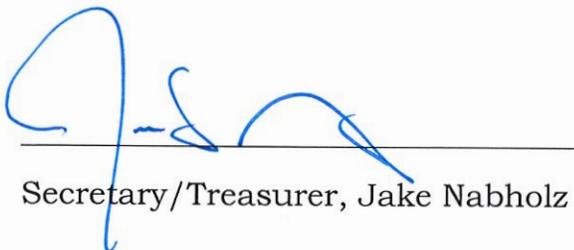
**WHEREAS**, THE GENERAL ASSEMBLY ADOPTED ACT 278 OF 2023 WHICH REVISED THE NET METING LAW; AND

**WHEREAS**, MANAGEMENT OF CONWAY CORPORATION RECOMMENDS THAT THE REVISED ORDINANCE BE ADOPTED BY THE CITY COUNCIL OF CONWAY;

**NOW, THEREFORE, BE IT RESOLEVED** that the Board of Directors of Conway Corporation Requests the City Council to adopt the net metering ordinance in compliance with Act 278.

Adopted this 28<sup>th</sup> day of June, 2023.

  
Chairman, Tom Courtway

  
Secretary/Treasurer, Jake Nabholz



**City of Conway, Arkansas**  
**Ordinance No. O-23-\_\_\_**

**AN ORDINANCE APPROPRIATING FUNDS FOR A LAKE CONWAY MASTER DEVELOPMENT PLAN IN PARTNERSHIP WITH THE CONWAY AREA CHAMBER OF COMMERCE AND THE CITY OF CONWAY; AND FOR OTHER PURPOSES**

**Whereas**, the Conway Area Chamber of Commerce and the City of Conway would like to partner to develop a Lake Conway Master Plan; and

**Whereas**, Arkansas Game and Fish Commission announced official plans last month to begin the renovation of Craig D. Campbell Lake Conway Reservoir.; and

**Whereas**, the plan will include replacing the lake's aging spillway, which will be the largest lake renovation project in the agency's 108-year history; and

**Whereas**, the Conway Area Chamber of Commerce, in partnership with the City of Conway, would like to engage EDG (Ecological Design Group, Inc.) to design and plan services for Lake Conway and shoreline development that would align with the scheduled Lake Conway Improvements to provide outdoor recreational opportunities for the community of Conway; and

**Whereas**, this master plan shall include connecting via the trail system to the proposed Connect Conway greenway and trailing as identified by the Arkansas Game and Fish.

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

**Section 1.** The City of Conway shall authorize Mayor Castleberry to partner with the Conway Area Chamber of Commerce to pay half the cost of the Lake Conway Master Plan.

**Section 2.** The City of Conway shall appropriate \$45,000 from Parks A&P Fund Balance Appropriation (252.140.4900) to Parks & Recreation Other Misc. Expenses (252.140.5799)

**PASSED** this 11<sup>th</sup> day of July 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



# MEMO

**TO:** Mayor Bart Castleberry  
**CC:** City Council Members  
**FROM:** Lily Couch  
**DATE:** July 3<sup>rd</sup>, 2023  
**SUBJECT:** Certified Liens – Code Enforcement

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

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

- |                        |          |
|------------------------|----------|
| 1. 26 Brierwood Circle | \$169.89 |
| 2. 255 Garland St      | \$169.89 |
| 3. 2600 Donaghey Ave.  | \$124.58 |
| 4. 2620 Donaghey Ave.  | \$188.62 |
| 5. 700 Club Lane       | \$120.32 |

Please advise if you have any questions.

I appreciate your consideration.



City of Conway, Arkansas  
Resolution No. R-23-\_\_\_

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

**Whereas**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 26 Brierwood Circle., within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

**Whereas**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$169.89 (\$127.17 + Penalty \$12.72 + 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 **July 11th, 2023** 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 11<sup>th</sup> day of July, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



# MEMO

**TO:** Mayor Bart Castleberry  
**CC:** City Council Members  
**FROM:** Lily Couch  
**DATE:** July 3rd, 2023  
**SUBJECT:** Certified Liens – Code Enforcement

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

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

1. 26 Brierwood Circle \$169.89

Please advise if you have any questions.

Thank you for your consideration.

**City of Conway**  
**Code Enforcement &**  
**Public Works**  
822 Locust Ave  
Conway, Arkansas 72034  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



Phone 501-450-6191  
Fax 501-450-6144

Elizabeth M. Jackson  
3820 Legacy Village Dr  
Benton AR 72015

Parcel # 711-09038-000

**RE: Nuisance Abatement at 26 Brierwood Circle., Conway AR**  
**Cost of Clean-Up, Amount Due: \$127.17**

To whom it may concern:

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 **July 11th, 2023 Meeting**, 6:30 p.m. located at 1111 Main 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 Code Enforcement** and mail to **822 Locust Ave Conway Arkansas 72034** with the **attention to Lily Couch**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

City of Conway  
Code Enforcement

# INVOICE

**City of Conway**  
**Code Enforcement &**  
**Public Works Dept.**

DATE: MAY 17TH, 2023

822 Locust St.  
Conway, AR 72034  
Phone: 501-450-6191  
Fax 501-450-6144  
Lily.couch@conwayarkansas.gov

TO Elizabeth M. Jackson  
3820 Legacy Village Dr  
Benton AR 72015

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

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Michael Davis	710-09038-000		July 11th, 2023

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.	32.41	32.41
	Maintenance Fee (Mower/bush hog/weed eat)	15.00	15.00
	Grass Poison	30.00	30.00
1	Administrative Fee (Code Enforcement)	20.00	20.00
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20
	(10% penalty + \$30.00 filing fees= \$42.72)		

TOTAL \$127.17

- **Total amount due after July 11th, 2023 includes collection penalty & filing fees**

TOTAL  
WITH PENALTY &  
FILING FEES \$169.89

Make all checks payable to City of Conway Code Enforcement @ 1111 Main Street Conway Arkansas 72032



## CODE CASE HISTORY REPORT RESPROP-0523-0234 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
05/02/2023	Michael Davis	Code Case added			Code Case (RESPROP-0523-0234)
05/02/2023	Michael Davis	Contact deleted			Contact (Elizabeth M. Jackson)
	Michael Davis	Contact added			Contact (Elizabeth M. Jackson)
	Michael Davis	Due Date	[none]	5/2/2023	Code Case Workflow Step (Violations)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Violations)
	Michael Davis	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.2.4 Grass or Weeds)
05/02/2023	Michael Davis	Due Date	5/2/2023	5/2/2023	Code Case Workflow Step (Violations)
05/09/2023	Michael Davis	Violation Compliance Date	5/9/2023	5/16/2023	Violation (3.2.4 Grass or Weeds)
05/09/2023	Michael Davis	Due Date	[none]	5/2/2023	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Code Case Workflow Step Start Date	[none]	5/9/2023	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Inspection added			Inspection ([Auto])
	Michael Davis	Action Workflow Status	Not Started	Failed	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
05/16/2023	Michael Davis	Due Date	[none]	5/2/2023	Code Case Workflow Step (Letter Phase)
	Michael Davis	Code Case Workflow Step Start Date	[none]	5/16/2023	Code Case Workflow Step (Letter Phase)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Letter Phase)
	Michael Davis	Inspection added			Inspection ([Auto])
	Michael Davis	Action Workflow Status	Not Started	Failed	Code Case Workflow Step Action (Code Enforcement Final Investigation)
05/16/2023	Michael Davis	Inspection Actual Arrival Date	5/16/2023	[none]	Inspection (ICODE-2147-2023)
05/16/2023	Michael Davis	Code Case Status	Open	Schedule City Clean up	Code Case (RESPROP-0523-0234)
05/23/2023	Michael Davis	Inspection Status	In Violation	City Cleanup Performed	Inspection (ICODE-2147-2023)
	Michael Davis	Action Workflow Status	Failed	Started	Code Case Workflow Step Action (Code Enforcement Final Investigation)
	Michael Davis	Inspection Actual Arrival Date	5/9/2023	[none]	Inspection (ICODE-2026-2023)
	Michael Davis	Inspection Status	In Violation	City Cleanup Performed	Inspection (ICODE-2026-2023)
	Michael Davis	Action Workflow Status	Failed	Started	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
	Michael Davis	Due Date	5/2/2023	5/9/2023	Code Case Workflow Step (Violations)
	Michael Davis	Step Workflow Status	Started	Passed	Code Case Workflow Step (Violations)
	Michael Davis	Violation Resolved Date	[none]	5/23/2023	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Violation Status	In Violation	Resolved	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Action Workflow Status	Started	Passed	Code Case Workflow Step Action (3.2.4 Grass or Weeds)
05/23/2023	Michael Davis	Date Closed	[none]	5/23/2023	Code Case (RESPROP-0523-0234)
	Michael Davis	Code Case Status	Schedule City Clean up	Closed - Resolved	Code Case (RESPROP-0523-0234)

## CODE CASE HISTORY REPORT RESPROP-0523-0234

Changed On	User	Description	Before	After	Additional Info
	Michael Davis	Complete	No	Yes	Code Case (RESPROP-0523-0234)



City of Conway, Arkansas  
Resolution No. R-23-\_\_\_

**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 255 Garland St., 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 \$169.89 (\$127.17 + Penalty \$12.72 + 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 **July 11th, 2023** 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 11th day of July, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



# MEMO

**TO:** Mayor Bart Castleberry  
**CC:** City Council Members  
**FROM:** Lily Couch  
**DATE:** July 3rd, 2023  
**SUBJECT:** Certified Liens – Code Enforcement

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

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

1. 255 Garland St                      \$169.89

Please advise if you have any questions.

Thank you for your consideration.

**City of Conway**  
**Code Enforcement &**  
**Public Works**  
822 Locust Ave  
Conway, Arkansas 72034  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



Phone 501-450-6191  
Fax 501-450-6144

JAIME VICENTE BOLANOS  
1805 OTT MEMORIAL BLVD APT. 309  
CONWAY, AR 72032

Parcel # 711-02796-000

**RE: Nuisance Abatement at 255 Garland St., Conway AR**  
**Cost of Clean-Up, Amount Due: \$127.17**

To whom it may concern:

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 **July 11th, 2023 Meeting**, 6:30 p.m. located at 1111 Main 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 Code Enforcement** and mail to **822 Locust Ave Conway Arkansas 72034** with the **attention to Lily Couch**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

City of Conway  
Code Enforcement

# INVOICE

**City of Conway**  
**Code Enforcement &**  
**Public Works Dept.**

DATE: MAY 18TH, 2023

822 Locust St.  
Conway, AR 72034  
Phone: 501-450-6191  
Fax 501-450-6144  
Lily.couch@conwayarkansas.gov

TO JAIME VICENTE BOLANOS  
1805 OTT MEMORIAL BLVD APT. 309  
CONWAY, AR 72032

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
255 GARLAND ST Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Charles Gann	710-02796-000		July 11th, 2023

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.	32.41	32.41
	Maintenance Fee (Mower/bush hog/weed eat)	15.00	15.00
	Grass Poison	30.00	30.00
1	Administrative Fee (Code Enforcement)	20.00	20.00
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20
	(10% penalty + \$30.00 filing fees= \$42.72)		

TOTAL \$127.17

- **Total amount due after July 11th, 2023 includes collection penalty & filing fees**

TOTAL  
WITH PENALTY &  
FILING FEES \$169.89

Make all checks payable to City of Conway Code Enforcement @ 1111 Main Street Conway Arkansas 72032



## CODE CASE HISTORY REPORT COMPROP-0523-0246 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
05/08/2023	Charles Gann	Code Case added			Code Case (COMPROP-0523-0246)
05/08/2023	Charles Gann	Due Date	[none]	5/8/2023	Code Case Workflow Step (Violations)
	Charles Gann	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.2.4 Grass or Weeds)
05/08/2023	Charles Gann	Due Date	5/8/2023	5/8/2023	Code Case Workflow Step (Violations)
	Charles Gann	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Violations)
	Charles Gann	Violation added			Violation (3.2.4 Grass or Weeds)
	Charles Gann	Action Workflow Status	Not Started	Started	Code Case Workflow Step Action (3.2.4 Grass or Weeds)
	Charles Gann	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.5.1 Accumulation of Rubbish or Garbage)
05/15/2023	Charles Gann	Violation Compliance Date	5/15/2023	5/22/2023	Violation (3.2.4 Grass or Weeds)
	Charles Gann	Violation Compliance Date	5/15/2023	5/22/2023	Violation (3.5.1 Accumulation of Rubbish or Garbage)



**City of Conway, Arkansas**  
**Resolution No. R-23-\_\_\_**

**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 2600 Donaghey Ave., 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 \$224.48 (\$176.89 + Penalty \$17.69 + 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 **July 11th, 2023** 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 11<sup>th</sup> day of July, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



# MEMO

**TO:** Mayor Bart Castleberry  
**CC:** City Council Members  
**FROM:** Lily Couch  
**DATE:** July 3rd, 2023  
**SUBJECT:** Certified Liens – Code Enforcement

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

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

1. 2600 Donaghey Ave \$124.58

Please advise if you have any questions.

Thank you for your consideration.

**City of Conway**  
**Code Enforcement &**  
**Public Works**  
822 Locust Ave  
Conway, Arkansas 72032  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



Phone 501-450-6191  
Fax 501-450-6144

North Market Plaza, LLC  
P.O. Box 241323  
Little Rock, AR 72223

Parcel # 710-08853-154

**RE: Nuisance Abatement at 2600 Donaghey Ave., Conway AR**  
**Cost of Clean-Up, Amount Due: \$176.89**

To whom it may concern:

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 **July 11th, 2023 Meeting**, 6:30 p.m. located at 1111 Main 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 **822 Locust Ave., Conway Arkansas 72032** with the **attention to Lily Couch**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

City of Conway  
Code Enforcement

# INVOICE

**City of Conway**  
**Code Enforcement &**  
**Public Works Dept.**

DATE: MAY 31, 2023

822 Locust St.  
 Conway, AR 72034  
 Phone: 501-450-6191  
 Fax 501-450-6144  
 Lily.couch@conwayarkansas.gov

TO North Market Plaza, LLC  
 P.O. Box 241323  
 Little Rock, AR 72223

Description: Mowing/Clean-up/Admin Fees  
 associated with the nuisance abatement at  
 2600 Donaghey Ave. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Charles Gann	710-08853-154		July 11 <sup>th</sup> , 2023

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.	31.50	94.50
	Maintenance Fee (Mower/bush hog/weed eat)		
	Sanitation Ticket #850466	32.63	32.63
1	Administrative Fee (Code Enforcement)	20.00	20.00
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20
	(10% penalty + \$30.00 filing fees= \$47.69)		

TOTAL \$176.89

- **Total amount due after July 11<sup>th</sup>, 2023 includes collection penalty & filing fees**

TOTAL  
 WITH PENALTY &  
 FILING FEES \$224.58

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Make all checks payable to City of Conway Code Enforcement @ 1111 Main Street Conway Arkansas 72032



# CODE CASE HISTORY REPORT RESPROP-0423-0210 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
04/24/2023	Charles Gann	Code Case added			Code Case (RESPROP-0423-0210)
04/24/2023	Charles Gann	Due Date	[none]	4/24/2023	Code Case Workflow Step (Violations)
	Charles Gann	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Violations)
	Charles Gann	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.2.1 Sanitation)
	Charles Gann	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.2.4 Grass or Weeds)
05/02/2023	Charles Gann	Violation Compliance Date	5/1/2023	5/9/2023	Violation (3.2.1 Sanitation)
	Charles Gann	Violation Compliance Date	5/1/2023	5/9/2023	Violation (3.2.4 Grass or Weeds)
05/02/2023	Charles Gann	Contact added			Contact (JAIME VICENTE BOLANOS)



City of Conway, Arkansas  
Resolution No. R-23-\_\_\_\_\_

**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 2620 Donaghey Ave., 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 \$188.62 (\$144.20 + Penalty \$14.42 + 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 **July 11<sup>th</sup>, 2023** 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 11<sup>th</sup> day of July, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



# MEMO

**TO:** Mayor Bart Castleberry  
**CC:** City Council Members  
**FROM:** Lily Couch  
**DATE:** July 3rd, 2023  
**SUBJECT:** Certified Liens – Code Enforcement

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

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

1. 2620 Donaghey Ave \$188.62

Please advise if you have any questions.

Thank you for your consideration.

**City of Conway**  
**Code Enforcement &**  
**Public Works**  
822 Locust Ave  
Conway, Arkansas 72032  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



Phone 501-450-6191  
Fax 501-450-6144

North Market Plaza, LLC  
P.O. Box 241323  
Little Rock, AR 72223

Parcel # 710-08853-154

**RE: Nuisance Abatement at 2620 Donaghey Ave., Conway AR**  
**Cost of Clean-Up, Amount Due: \$144.20**

To whom it may concern:

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 **July 11th, 2023 Meeting**, 6:30 p.m. located at 1111 Main 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 **822 Locust Ave., Conway Arkansas 72032** with the **attention to Lily Couch**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

City of Conway  
Code Enforcement

# INVOICE

**City of Conway**  
**Code Enforcement &**  
**Public Works Dept.**

DATE: MAY 31, 2023

822 Locust St.  
Conway, AR 72034  
Phone: 501-450-6191  
Fax 501-450-6144  
Lily.couch@conwayarkansas.gov

TO North Market Plaza, LLC  
P.O. Box 241323  
Little Rock, AR 72223

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
2620 Donaghey Ave. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Charles Gann	710-08853-154		July 11 <sup>th</sup> , 2023

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.  Maintenance Fee (Mower/bush hog/weed eat)	31.50	94.50
1	Administrative Fee (Code Enforcement)	20.00	20.00
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20
	(10% penalty + \$30.00 filing fees= \$44.42)		

- **Total amount due after July 11<sup>th</sup>, 2023 includes collection penalty & filing fees**

TOTAL	\$144.20
TOTAL WITH PENALTY & FILING FEES	\$188.62

Make all checks payable to City of Conway Code Enforcement @ 1111 Main Street Conway Arkansas 72032



# CODE CASE HISTORY REPORT COMPROP-0523-0292 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
05/16/2023	Charles Gann	Code Case added			Code Case (COMPROP-0523-0292)
05/16/2023	Charles Gann	Due Date	[none]	5/16/2023	Code Case Workflow Step (Violations)
	Charles Gann	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Violations)
	Charles Gann	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.2.4 Grass or Weeds)
	Charles Gann	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.5.1 Accumulation of Rubbish or Garbage)
05/22/2023	Charles Gann	Violation Compliance Date	5/23/2023	5/30/2023	Violation (3.5.1 Accumulation of Rubbish or Garbage)
	Charles Gann	Violation Compliance Date	5/23/2023	5/30/2023	Violation (3.2.4 Grass or Weeds)



City of Conway, Arkansas  
Resolution No. R-23-\_\_

**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 700 Club 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 \$120.32 (\$82.11 + Penalty \$8.21 + 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 **July 11th, 2023** 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 11<sup>th</sup> day of July, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



# MEMO

**TO:** Mayor Bart Castleberry  
**CC:** City Council Members  
**FROM:** Lily Couch  
**DATE:** July 3rd, 2023  
**SUBJECT:** Certified Liens – Code Enforcement

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

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

1. 700 Club Lane                      \$120.32

Please advise if you have any questions.

Thank you for your consideration.

**City of Conway**  
**Code Enforcement &**  
**Public Works**  
822 Locust Ave  
Conway, Arkansas 72032  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



Phone 501-450-6191  
Fax 501-450-6144

Purple Bear Investments  
3111 JFK Blvd  
North Little Rock, AR 72032

Parcel # 712-12110-103

**RE: Nuisance Abatement at 700 Club Ln., Conway AR**  
**Cost of Clean-Up, Amount Due: \$82.11**

To whom it may concern:

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 **July 11th, 2023 Meeting**, 6:30 p.m. located at 1111 Main 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 **822 Locust Ave., Conway Arkansas 72032** with the **attention to Lily Couch**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

City of Conway  
Code Enforcement

# INVOICE

**City of Conway**  
**Code Enforcement &**  
**Public Works Dept.**

DATE: MAY 25, 2023

822 Locust St.  
Conway, AR 72034  
Phone: 501-450-6191  
Fax 501-450-6144  
Lily.couch@conwayarkansas.gov

TO Purple Bear Investments  
3111 JFK Blvd.  
North Little Rock, AR 72116

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
700 CLUB LN Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Michael Davis	712-12110-103		July 11th, 2023

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.  Maintenance Fee (Mower/bush hog/weed eat)	30.00	32.35
1	Administrative Fee (Code Enforcement)	20.00	20.00
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20
	(10% penalty + \$30.00 filing fees= \$38.21)		

- **Total amount due after July 11th, 2023 includes collection penalty & filing fees**

TOTAL	\$82.11
TOTAL WITH PENALTY & FILING FEES	\$120.32

Make all checks payable to City of Conway Code Enforcement @ 1111 Main Street Conway Arkansas 72032



## CODE CASE HISTORY REPORT COMPROP-0523-0257 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
05/09/2023	Michael Davis	Code Case added			Code Case (COMPROP-0523-0257)
05/09/2023	Michael Davis	Due Date	[none]	5/9/2023	Code Case Workflow Step (Violations)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Violations)
	Michael Davis	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.2.4 Grass or Weeds)
05/11/2023	Michael Davis	Contact deleted			Contact ( )
	Michael Davis	Contact added			Contact ( )
05/15/2023	Michael Davis	Date Closed	[none]	5/15/2023	Code Case (COMPROP-0523-0257)
	Michael Davis	Code Case Status	Open	Closed - Resolved	Code Case (COMPROP-0523-0257)
	Michael Davis	Complete	No	Yes	Code Case (COMPROP-0523-0257)
05/15/2023	Michael Davis	Due Date	[none]	5/9/2023	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Code Case Workflow Step Start Date	[none]	5/15/2023	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Inspection added			Inspection ([Auto])
	Michael Davis	Action Workflow Status	Not Started	Passed	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
	Michael Davis	Due Date	5/9/2023	5/9/2023	Code Case Workflow Step (Violations)
	Michael Davis	Step Workflow Status	Started	Passed	Code Case Workflow Step (Violations)
	Michael Davis	Violation Resolved Date	[none]	5/15/2023	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Violation Status	In Violation	Resolved	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Action Workflow Status	Started	Passed	Code Case Workflow Step Action (3.2.4 Grass or Weeds)
05/15/2023	Michael Davis	Date Closed	5/15/2023	[none]	Code Case (COMPROP-0523-0257)
	Michael Davis	Code Case Status	Closed - Resolved	Open	Code Case (COMPROP-0523-0257)
05/15/2023	Michael Davis	Inspection Actual Departure Date	5/15/2023	[none]	Inspection (ICODE-2127-2023)
	Michael Davis	Inspection Status	Corrected	In Violation	Inspection (ICODE-2127-2023)
	Michael Davis	Inspection Scheduled End Date	5/15/2023	5/23/2023	Inspection (ICODE-2127-2023)
	Michael Davis	Action Workflow Status	Passed	Failed	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
	Michael Davis	Due Date	5/9/2023	5/15/2023	Code Case Workflow Step (Violations)
	Michael Davis	Violation Compliance Date	5/16/2023	5/23/2023	Violation (3.2.4 Grass or Weeds)
05/15/2023	Michael Davis	Due Date	[none]	5/9/2023	Code Case Workflow Step (Letter Phase)
	Michael Davis	Code Case Workflow Step Start Date	[none]	5/15/2023	Code Case Workflow Step (Letter Phase)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Letter Phase)
	Michael Davis	Inspection added			Inspection ([Auto])
	Michael Davis	Action Workflow Status	Not Started	Failed	Code Case Workflow Step Action (Code Enforcement Final Investigation)
05/15/2023	Michael Davis	Violation Resolved Date	5/15/2023	[none]	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Violation Status	Resolved	In Violation	Violation (3.2.4 Grass or Weeds)

# CODE CASE HISTORY REPORT COMPROP-0523-0257

Changed On	User	Description	Before	After	Additional Info
	Michael Davis	Action Workflow Status	Passed	Started	Code Case Workflow Step Action (3.2.4 Grass or Weeds)
05/15/2023	Michael Davis	Contact deleted			Contact ( )
	Michael Davis	Contact added			Contact ( )
05/23/2023	Michael Davis	Code Case Status	Open	Schedule City Clean up	Code Case (COMPROP-0523-0257)
05/26/2023	Michael Davis	Date Closed	[none]	5/26/2023	Code Case (COMPROP-0523-0257)
	Michael Davis	Code Case Status	Schedule City Clean up	Closed - Resolved	Code Case (COMPROP-0523-0257)
	Michael Davis	Complete	No	Yes	Code Case (COMPROP-0523-0257)
	Michael Davis	Inspection Actual Arrival Date	5/23/2023	[none]	Inspection (ICODE-2139-2023)
	Michael Davis	Inspection Status	In Violation	City Cleanup Performed	Inspection (ICODE-2139-2023)
	Michael Davis	Action Workflow Status	Failed	Started	Code Case Workflow Step Action (Code Enforcement Final Investigation)
	Michael Davis	Inspection Actual Arrival Date	5/15/2023	[none]	Inspection (ICODE-2127-2023)
	Michael Davis	Inspection Status	In Violation	City Cleanup Performed	Inspection (ICODE-2127-2023)
	Michael Davis	Action Workflow Status	Failed	Started	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
	Michael Davis	Due Date	5/15/2023	5/15/2023	Code Case Workflow Step (Violations)
	Michael Davis	Violation Resolved Date	[none]	5/26/2023	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Violation Status	In Violation	Resolved	Violation (3.2.4 Grass or Weeds)
	Michael Davis	Action Workflow Status	Started	Passed	Code Case Workflow Step Action (3.2.4 Grass or Weeds)



**City of Conway, Arkansas  
Ordinance No. O-23-\_\_\_\_\_**

**AN ORDINANCE ACCEPTING FEDERAL FUNDING, APPROPRIATING GRANT REVENUE & APPROVING CONTRACTS FOR SERVICES FOR THE CONWAY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND FOR OTHER PURPOSES:**

**Whereas**, the Department of Housing and Urban Development (“HUD”) has awarded grant funds to the Community Development Block Grant (“CDBG”) in the amount of \$476,652 for FY2023 funding; and

**Whereas**, each nonprofit agency receiving funding must enter into a subrecipient agreement with the Community Development Block Grant Program.

**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 from HUD in the amount of \$476,652 for Community Development Block Grant activities. Administration is 20%, Services is 15%, and Public Improvement Project – 65% of the funding.

**Section 2.** The City of Conway shall appropriate \$476,652 to the following projects:

\$95,330.00	Administration
\$15,000.00	Boys & Girls Club of Faulkner County - Transportation
\$15,000.00	Faulkner County Council on Aging – Transportation
\$15,000.00	Independent Living Services – Transportation
\$15,000.00	CAPCA – Transportation
\$6,497.00	Bethlehem House – Transportation
\$5,000.00	Milestones
\$289,825.00	Project - Overnight Emergency Shelter
\$20,000.00	Pine Street Revitalization – Sidewalks

**Section 3.** The City of Conway shall approve entering into agreements with all the listed agencies above for the Program Year 2023 once all contracts with HUD have been executed by the City of Conway.

**Section 4.** All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 11<sup>th</sup> of July, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Ordinance No. O-23-\_\_\_\_\_**

**AN ORDINANCE APPROPRIATING FUNDS RECEIVED FROM THE GOV DEALS FOR THE AIRPORT DEPARTMENT; AND FOR OTHER PURPOSES:**

**Whereas**, the Conway Regional Airport has received funds in the amount of \$2,000 from Gov Deals from the sale of two airport vehicles; and

**Whereas**, Conway Regional Airport will use the funds received to replenish the Other Misc Expense account and requests the acceptance and appropriation of these funds.

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

**Section 1.** The City of Conway shall appropriate \$2,000 from the Proceeds from the Sale of Assets account (550.109.4611) to the Other Misc Expense account (550.109.5799).

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

**PASSED** this 11<sup>th</sup> day of July 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-23-\_\_\_\_\_**

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY TO UTILIZE FEDERAL AID SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STBG) FUNDS FOR THE SALEM ROAD RECONSTRUCTION PROJECT**

**Whereas,** Metroplan has issued a call for transportation projects from member jurisdictions for t federal fiscal year 2024, and the City of Conway will submit Salem Road Reconstruction for consideration of grant funding; and

**Whereas,** the City of Conway understands STBG funds are available at 80% federal contribution and 20% local match for a maximum award of \$3,000,000.00 and must be obligated during FFY 2024 (October 2023 – September 2024); and

**Whereas,** the City of Conway understands that Federal-aid funds are available for this project on a reimbursable basis and require work to be completed and proof of payment prior to actual monetary reimbursement; and

**Whereas,** this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

**Section 1.** The City of Conway does hereby express its support for the STBG application for the Salem Road Reconstruction project and shall authorize application submittal and commitment of matching funds for the grant.

**Section 2.** The City Council does hereby authorize the Mayor to execute all agreements and contracts regarding this project.

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

**PASSED** this 11<sup>th</sup> day of July 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-23-\_\_**

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY TO UTILIZE FEDERAL-AID FUNDS FOR THE CONWAY COLLEGE AVENUE BRIDGE PROJECT.**

**Whereas**, Metroplan has approved Federal-aid Highway Infrastructure Program – Attributable funds for the College Avenue Bridge project at the following Federal and City participation rations, up to the maximum Federal-aid available: Projects that reach construction; Preliminary Engineering, Right-of-Way, Utilities, Construction, Construction Engineering - 80% Federal-aid with a 20% match from the City of Conway; and

**Whereas**, the maximum award is limited to \$380,000 Federal-aid.

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

**Section 1.** The City will participate in accordance with its designated responsibilities in this project.

**Section 2.** The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this City project.

**Section 3.** The City pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project.

**Section 4.** That this Resolution shall be in full force and effect from and after its passage and approval.

**PASSED** this 11<sup>th</sup> day of July 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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

**IMPACT FEE CREDIT AGREEMENT**

THIS IMPACT FEE CREDIT AGREEMENT, (hereinafter referred to as this “*Agreement*”) is entered into between **Rush-Hal Development, LLC**, an Arkansas Limited Liability Company, the **Harold Halter Crafton Revocable Trust** (hereinafter collectively referred to as “*the Applicant*”), and the **City of Conway, Arkansas** (hereinafter referred to as the “*City*”) to be effective as of \_\_\_\_\_, 2023 (the “*Effective Date*”).

**RECITALS:**

A. The applicant is the developer of Lands End, an addition to the City of Conway, Phase I of which is created pursuant to the Plat recorded on March 22, 2023, in the real estate records of Faulkner County, Arkansas, as Document Number P202300019 (along with future phases, if any, hereinafter referred to as the “*Neighborhood*”

B. Lands End is a multiphase development at the intersection of Padgett Road and Tyler Street. The city requested full extension of Tyler Street to the west end of the Lands End addition, lengthening the street to follow the Master Street Plan. Requisite ancillary construction of storm drain, sidewalks, etc. were also completed as demonstrated in Exhibit “A” as attached and incorporated hereto. The applicant has conveyed the roadways of the development in fee simple to the City.

C. The City has enacted Ordinance O-03-98, levying road and park impact fees upon Impact-Generating Development within the City of Conway (hereinafter referred to as the “*Ordinance*”).

D. Pursuant to Article VI. Section 12(K)(1)(a) of the Ordinance, developers of major roadway improvements (as defined by the Ordinance) are entitled to credits (hereinafter referred to as the “*Credit*”) against impact fees otherwise payable under the Ordinance (“*Impact Fees*” – both street and park).

E. The City and The Applicant desire to enter into this Agreement to evidence their determination that the street work on Tyler Street is a Major Roadway System Improvement, that development within the Neighborhood and all properties included in Exhibit “B” as attached and incorporated hereto are entitled to the Credit and the amount of the Credit.

NOW, THEREFORE, in consideration of the recitals herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The street work for Tyler Street with the subdivision of Lands End is a Major Roadway System Improvement (as defined by the Ordinance), qualifying the Neighborhood and The Applicant for the Credit;
2. The City hereby acknowledges that The Applicant is eligible for a Credit in the amount of \$342,886.14. The amount of the Credit is determined pursuant to Section 12(K)(2) of the Ordinance based on the cost of construction and development of the Roadway System;
3. The City hereby approves awarding the Applicant a Credit to offset Road Impact Fees, not to exceed \$342,886.14 (the "Awarded Credit"), otherwise applicable to Impact-Generating Development (as defined by the Ordinance) within the Subdivision, in addition to current and future phases of the real properties attached in Exhibit "B" as attached and incorporated hereto. The Applicant shall have the exclusive right to use the Awarded Credit, provided that the Applicant may in its sole discretion assign the right to use the designated amount of the Awarded Credit to offset the Road Impact Fee applicable to a project developed by the assignee within the Subdivision and current and future phases of the real properties attached in Exhibit "B" as attached and incorporated hereto. Any such assignment shall be in writing signed by the Applicant or its successors and assigns and delivered to the City Planning Department or other department serving as administrator of Road Impact Fees. The Awarded Credit shall also be available to the Applicant and its designated successors and assigns to offset Road Impact Fees applicable to Impact-Generating Development in any and all future phases of the Subdivision, in addition to current and future phases of the real properties attached in Exhibit "B" as attached and incorporated hereto.
4. The Applicant will not be reimbursed for any excess Credit beyond the Road Impact Fees that would otherwise be due from the Applicant or its assigns from Impact Generating Development in the above referenced property.

***[Signature Page Follows]***

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date and year first written above.

**Rush-Hal Development, LLC**

**By:** \_\_\_\_\_  
Harold H. Crafton, Operating Manger

**Harold Halter Crafton Revocable Trust**

**By:** \_\_\_\_\_  
Harold H. Crafton, Trustee

**City of Conway, Arkansas**

**By:** \_\_\_\_\_  
Bart Castleberry, Mayor

**ATTEST:**

**By:** \_\_\_\_\_  
City Clerk/Treasurer

**THIS INSTRUMENT PREPARED BY:**

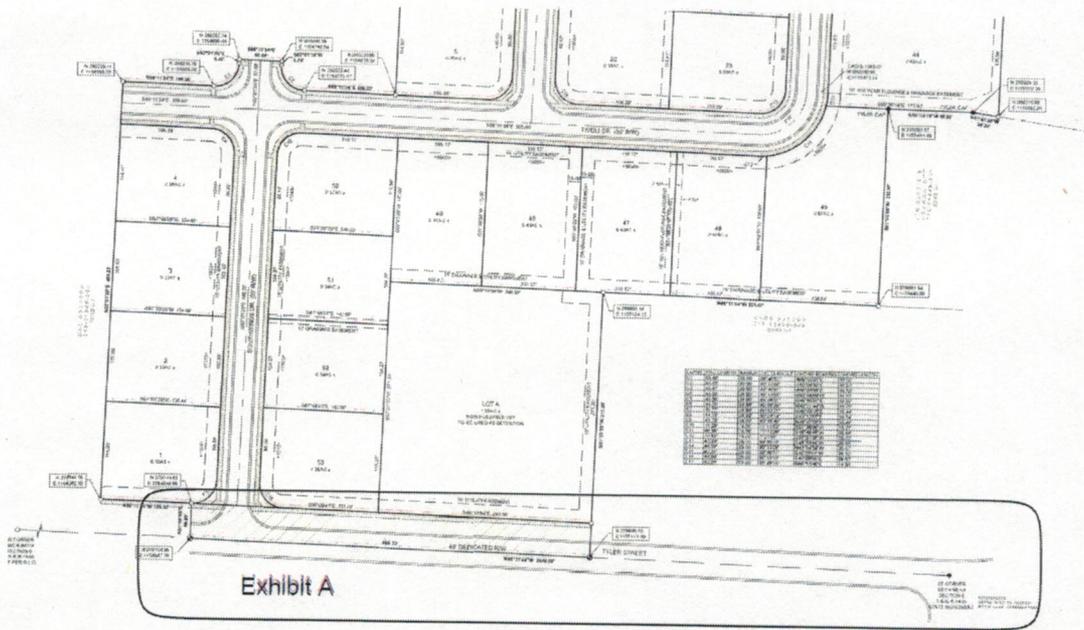
Landon T. Sanders  
Ark. Bar No. 2016131  
The Sanders Firm PLLC  
306 Salem Rd., Suite 106  
Conway, Arkansas 72034  
(501) 327-2704

Landon T. Sanders, J.D. Attorney-at-Law  
 Preston T. Sanders, J.D. Attorney-at-Law

**Costs Incurred by Applicant,**  
**Rush-Hal Development, LLC and the Harold Halter Crafton Revocable Trust**

The Applicant incurred costs in the amount of **\$342,886.14** for the following:

Street improvements for Tyler Street starting at the intersection of Tyler Street & Padgett Road; thence west to Southwinds Drive. Project area as seen in **Exhibit A** below.



**GENERAL NOTES:**

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED TO THE CONTRARY.
2. ALL DIMENSIONS SHOWN ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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03/20/2021





**LEGEND**

- EXISTING IMPROVEMENTS
- PROPOSED IMPROVEMENTS
- EXISTING EASEMENTS
- PROPOSED EASEMENTS
- EXISTING RIGHTS-OF-WAY
- PROPOSED RIGHTS-OF-WAY
- EXISTING UTILITIES
- PROPOSED UTILITIES
- EXISTING PROPERTY LINES
- PROPOSED PROPERTY LINES
- EXISTING ADJACENT PROPERTIES
- PROPOSED ADJACENT PROPERTIES
- EXISTING ADJACENT RIGHTS-OF-WAY
- PROPOSED ADJACENT RIGHTS-OF-WAY
- EXISTING ADJACENT UTILITIES
- PROPOSED ADJACENT UTILITIES
- EXISTING ADJACENT PROPERTY LINES
- PROPOSED ADJACENT PROPERTY LINES
- EXISTING ADJACENT RIGHTS-OF-WAY
- PROPOSED ADJACENT RIGHTS-OF-WAY
- EXISTING ADJACENT UTILITIES
- PROPOSED ADJACENT UTILITIES

**LANDS END**

LOT 100

1 OF 1

DATE: 03/20/2021

SCALE: 1" = 40'

PROJECT: RUSH-HAL DEVELOPMENT, LLC AND THE HAROLD HALTER CRAFTON REVOCABLE TRUST

PREPARED BY: L. SANDERS

CHECKED BY: P. SANDERS

DATE: 03/20/2021



Landon T. Sanders, J.D. Attorney-at-Law  
Preston T. Sanders, J.D. Attorney-at-Law

**Exhibit "B"**  
**TO**  
**IMPACT FEE CREDIT AGREEMENT**

1. LANDS END SUBDIVISION;
2. LUXE LANDING, otherwise described as:

Part of the Southeast Quarter of the Northeast Quarter of Section 21, Township 5 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as follows: Commencing at the Southeast Corner of the Southeast Quarter Northeast Quarter, thence along the East line of said Southeast Quarter Northeast Quarter North 02 Degrees 10 Minutes 08 Seconds East a Distance of 748.00 feet to the point of beginning, thence continue along said East Line North 02 Degrees 10 Minutes 08 Seconds East a distance of 467.94 feet, thence leaving said East Line North 87 degrees 38 Minutes 13 Seconds West a distance of 63.38 feet, thence South 76 Degrees 37 Minutes 35 Seconds West a Distance of 108.46 feet; Thence South 64 Degrees 23 Minutes 16 Seconds West a Distance of 306.43 feet, thence South 68 Degrees 06 Minutes 12 Seconds West a Distance of 69.23 feet, thence South 21 Degrees 36 minutes 41 Seconds East a Distance of 294.50 feet, Thence South 88 Degrees 03 Minutes 00 Seconds East a Distance of 383.45 feet to the point of beginning, containing 4.11 acres, more or less.

3. Part of the  $W\frac{1}{2} W\frac{1}{2} SW\frac{1}{4}$ ; Section 33, T6N, R13W, Faulkner County, Arkansas being more particularly described as follows: Beginning at the Southwest corner of said  $W\frac{1}{2} W\frac{1}{2} SW\frac{1}{4}$ ; thence North 01 degrees 35 minutes 38 seconds East along the West line of said  $W\frac{1}{2} W\frac{1}{2} SW\frac{1}{4}$  , a distance of 2089.55 feet to the center line of Lower Ridge Road; thence South 86 degrees 44 minutes 56 seconds East, along said center line, a distance of 659.53 feet to a point on the East line of said  $W\frac{1}{2} W\frac{1}{2} SW\frac{1}{4}$ ; thence South 01 degrees 28 minutes 18 seconds West along said east line, a distance of 2071.22 feet to the Southeast corner of said  $W\frac{1}{2} W\frac{1}{2} SW\frac{1}{4}$  ; thence North 88 degrees 20 minutes 29 seconds West along the South line of said  $W\frac{1}{2} W\frac{1}{2} SW\frac{1}{4}$ , a distance of 663.67 feet to the point of beginning.



Landon T. Sanders, J.D. Attorney-at-Law  
Preston T. Sanders, J.D. Attorney-at-Law

4. 1550 Old Military Road - York Military Road Property.

Part of the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 22, T5N, R14W, Faulkner County, Arkansas, being more particularly described as follows: Beginning at the West  $\frac{1}{4}$  corner of said Section 22; thence run South 89 degrees 37 minutes 11 seconds East, 25.00 feet to the East right of way line of Old Military Road and also the point of beginning; thence continue South 89 degrees 37 minutes 11 seconds East, 466.69 feet; thence South 00 degrees 00 minutes 00 seconds West, 466.70 feet; thence North 89 degrees 37 minutes 11 seconds West, 466.69 feet to the East right of way line of Old Military Road; thence North 00 degrees 00 minutes 00 seconds East along said right of way line 466.70 feet to the point of beginning, containing 5 acres, more or less.

5. Part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, Township 5 North, Range 14 West, Faulkner County, Arkansas being more particularly described as follows: Commencing at the Northwest corner of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  run from thence South 87 degrees 39 minutes 07 seconds East, along the North line of said NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 491.69 feet to the point of beginning; thence continue along said North line, 663.35 feet; thence run South 01 degree 52 minutes 10 seconds West, parallel to the West line of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  1322.72 feet to the South line of said NW $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence run North 87 degrees 35 minutes 32 seconds West, along said South line, 1130.05 feet to the East right of way line of Old Military Road; thence run North 01 degree 52 minutes 10 seconds East, parallel to the West line of said NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 854.84 feet; thence leaving said right of way, run South 87 degrees 39 minutes 07 seconds East, parallel to the North line of said NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 466.69 feet; thence run North 01 degree 52 minutes 10 seconds East parallel to the West line of said NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 466.70 feet to the point of beginning. Said tract contains 29.30 acres, more or less.



**City of Conway, Arkansas  
Ordinance No. O-23- \_\_\_\_**

**AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED AT 1700 SOUTH BOULEVARD, FROM R-2A TO R-2:**

**Whereas**, in accordance Arkansas Code Annotated § 14-56-416 has adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

**Whereas**, Proper public notice was given, and the Conway Planning Commission held a duly authorized public hearing on **June 20<sup>th</sup>, 2023**, and adopted the amendments.

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

THE SOUTH 295.0 FEET OF LOT 4 AND ALSO THE SOUTH 180.0 FEET OF LOT 3,  
BLOCK 66, BOULEVARD ADDITION TO THE CITY OF CONWAY ARKANSAS AS SHOWN  
ON PLAT OF RECORD IN PLAT BOOK A, PAGE 46, RECORDS OF FAULKNER COUNTY,  
ARKANSAS.

to those of **R-2**, 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 11<sup>th</sup> day July, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



1111 MAIN STREET • CONWAY, AR 72032  
501) 450-6105 • [planningcommission@cityofconway.org](mailto:planningcommission@cityofconway.org)

## MEMO

To: Mayor Bart Castleberry  
cc: City Council Members

From: Rebekah Fincher, 2023 Planning Commission Chairman

Date: July 11, 2023

Re: Request to rezone property located 1700 South Boulevard, from R-2A to R-2

---

Emily Ferris, has requested to rezone property located at 1700 South Boulevard, from R-2A to R-2, with the legal description:

THE SOUTH 295.0 FEET OF LOT 4 AND ALSO THE SOUTH 180.0 FEET OF LOT 3, BLOCK 66, BOULEVARD ADDITION TO THE CITY OF CONWAY ARKANSAS AS SHOWN ON PLAT OF RECORD IN PLAT BOOK A, PAGE 46, RECORDS OF FAULKNER COUNTY, ARKANSAS.

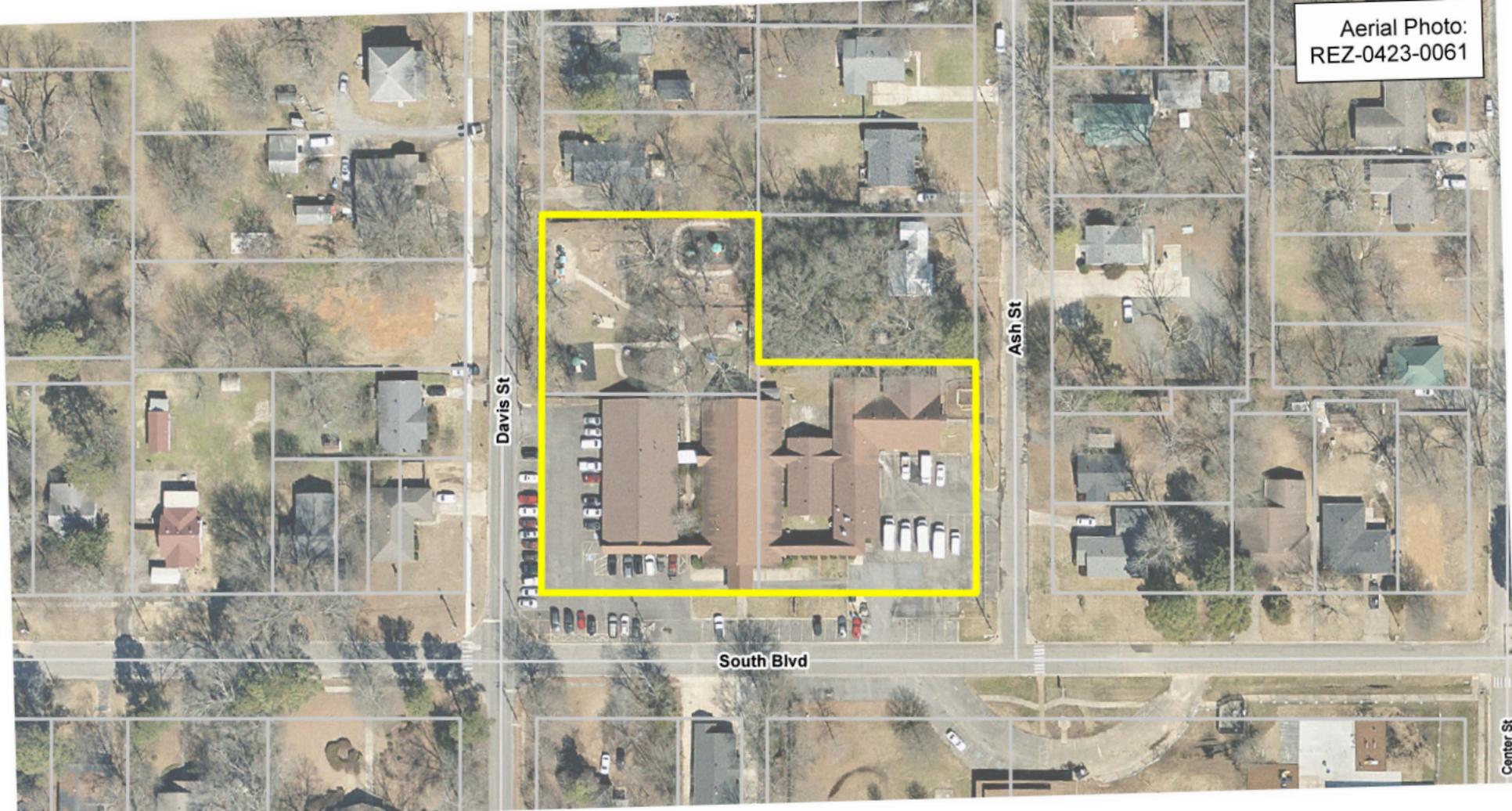
The applicant is seeking the rezoning from R-2A to R-2. At the May 15<sup>th</sup> Planning Commission meeting the applicant verbally amended their application from S-1 (Institutional) to seek R-2 (Low Density Residential) zoning due to public feedback. They have concurrently applied for a Conditional Use permit that would allow for the current use. This rezoning appears to create no change of use and will bring the site up to current zoning standards through a Conditional Use permit. This site has been used for institutional use for decades, first as a church and then as a school, and is adjacent to properties zoned R-2A. This rezoning appears consistent with uses in the area.

Staff recommendation: Staff recommends approval of the rezoning. The proposed zoning would bring the site into zoning compliance and would not negatively impact adjacent property.

The Planning Commission reviewed the request at its regular meeting on June 20, 2023 and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

Aerial Photo:  
REZ-0423-0061



Davis St

Ash St

South Blvd

Center St



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 (501) 450-6105 • [planningcommission@conwayarkansas.gov](mailto:planningcommission@conwayarkansas.gov)

## MEMO

To: Mayor Bart Castleberry  
 cc: City Council Members

From: Rebekah Fincher, 2023 Planning Commission Chairman  
 Date: July 11, 2023

Re: Conditional use request to allow a *Childcare Facility* in the R-2 zoning district for property located at 1700 South Boulevard

Emily Ferris, has requested to allow a *Childcare Facility* in the R-2 zoning district for property located at 1700 South Boulevard, with the legal description:

THE SOUTH 295.0 FEET OF LOT 4 AND ALSO THE SOUTH 180.0 FEET OF LOT 3, BLOCK 66, BOULEVARD ADDITION TO THE CITY OF CONWAY ARKANSAS AS SHOWN ON PLAT OF RECORD IN PLAT BOOK A, PAGE 46, RECORDS OF FAULKNER COUNTY, ARKANSAS.

The applicant is requesting concurrent conditional use approval, to the rezoning request, operate a childcare facility. Milestones Services, Inc has operated its children's early intervention and childcare programs at 1700 South Blvd location since 1996 (until 2017 it operated as Faulkner County Day School). This request appears to create no change of use but will move the established use of the site toward compliance with the Zoning Code.

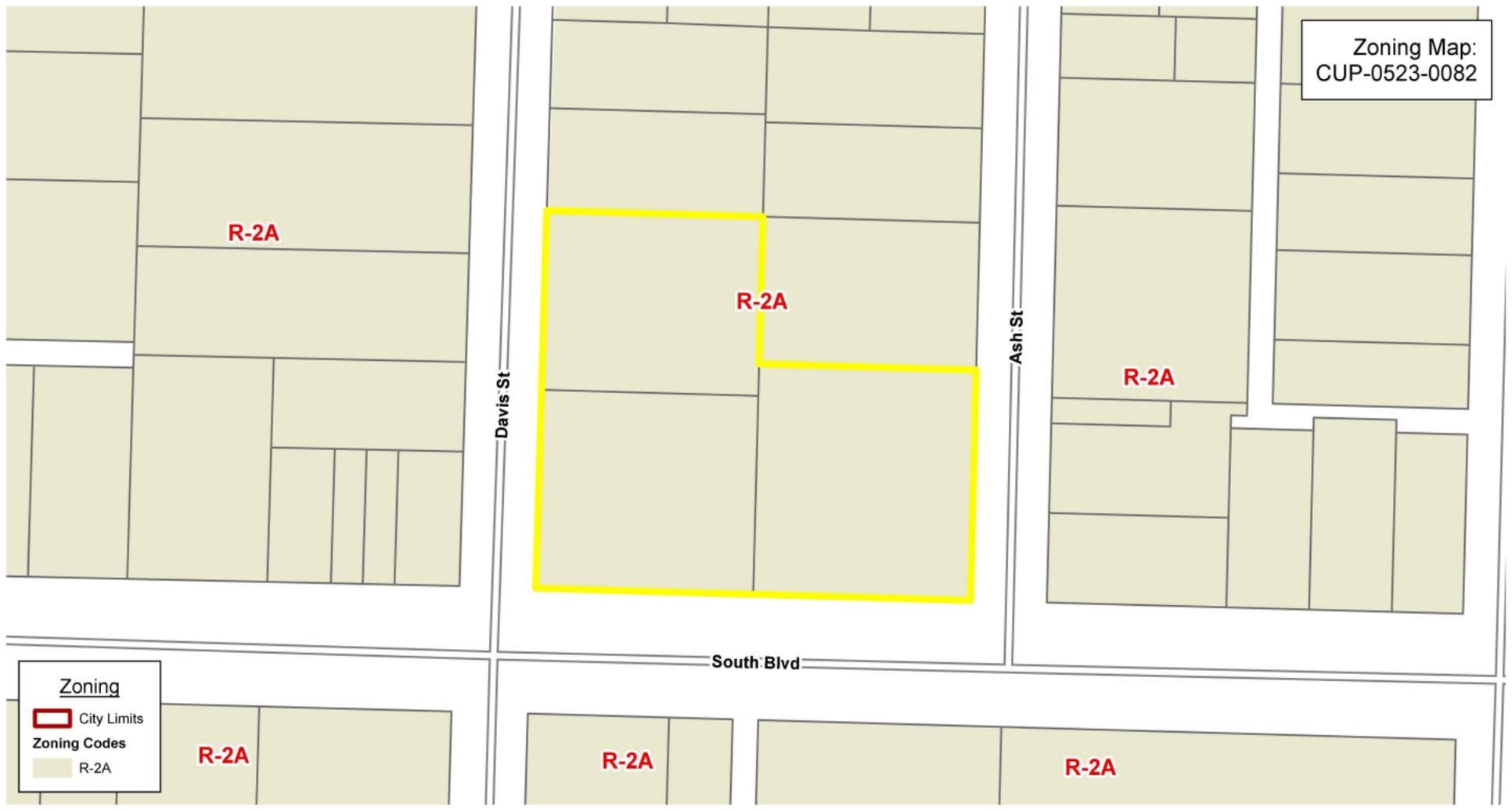
Staff recommendation: Staff recommends approval of the conditional use permit, with the following 11 conditions:

1. Operating hours are limited to Monday – Friday, 7:00am – 5:00pm.
2. Approved uses are limited to childcare facility and accompanying early intervention children's therapy programs which are currently offered.
3. Any changes to or expansion of the approved use shall require an amended or new conditional use permit.
4. Any expansions or additions to the site, existing structures, or outdoor play area may be subject to site development review [in accordance with Article 10 of the Conway Zoning Code] prior to the issuance of building permits.
5. Any expansions or additions to the site, existing structures, or outdoor play area shall be subject to approval by the Historic District Commission and issuance of a certificate of appropriateness prior to the issuance of building permits.
6. All existing and new exterior lighting shall be inward, downcast, and shrouded to prevent light trespass onto adjacent property and shall comply with Article 10, Development Review Standards, of the Zoning Code.
7. Any new fencing shall comply with Article 10, Development Review Standards, of the Zoning Code. Fencing type and placement shall be approved by Planning Staff prior to installation.
8. The property shall be replatted, in accordance with the Conway Subdivision Ordinance, prior to the issuance of any future building permits.

9. No zoning variance, required as a result of the commencement of the conditional use, may be requested.
10. The conditional use permit shall expire if the use ceases for a consecutive period of greater than eighteen (18) months.
11. Any new signage shall be permitted and installed in accordance with Article 12 of the Conway Zoning Code and the Old Conway Design Overlay District Guidelines.

The Planning Commission reviewed the request at its regular meeting on June 20, 2023 and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



R-2A

R-2A

R-2A

R-2A

R-2A

R-2A

**Zoning**  
City Limits  
Zoning Codes  
R-2A

Davis St

Ash St

South Blvd



**City of Conway, Arkansas**  
**Ordinance No. O-23- \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED EAST OF PADGETT ROAD AT THE INTERSECTION OF SPENCER LAKE DRIVE, FROM A-1 TO PUD:**

**Whereas**, in accordance Arkansas Code Annotated § 14-56-416 has adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

**Whereas**, Proper public notice was given, and the Conway Planning Commission held a duly authorized public hearing on **June 20<sup>th</sup>, 2023**, and adopted the amendments.

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

BEING A PART OF THE W ½SW¼ OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 14 WEST, FAULKNER COUNTY, ARKANSAS, BEGINNING AT THE NORTHWEST CORNER OF SAID W ½ SW ¼; THENCE SOUTH 0 DEGREES 33 MINUTES 18 SECONDS WEST, 1442.50 FEET TO THE POINT OF BEGINNING; THENCE EAST 1326.89 FEET; THENCE SOUTH 0 DEGREES 33 MINUTES 18 SECONDS WEST 412.50 FEET; THENCE WEST 1000.01 FEET TO THE CENTERLINE OF A COUNTY ROAD (PADGETT ROAD): THENCE ALONG SAID CENTERLINE NORTH 50 DEGREES 06 MINUTES 20 SECONDS WEST, 193.35 FEET; THENCE TO A POINT NORTH 54 DEGREES 14 MINUTES 22 SECONDS WEST, 217.02 FEET; THENCE NORTH 0 DEGREES 33 MINUTES 18 SECONDS EAST 161.65 FEET TO THE POINT OF BEGINNING, CONTAINING 11.60 ACRES, MORE OR LESS.

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

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

**PASSED** this 11<sup>th</sup> day July, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



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501) 450-6105 • [planningcommission@cityofconway.org](mailto:planningcommission@cityofconway.org)

## MEMO

To: Mayor Bart Castleberry  
cc: City Council Members

From: The Department of Planning & Development

Date: July 11, 2023

Re: **APPEAL TO CITY COUNCIL**- Request to rezone property located east of Padgett Road at the intersection of Spencer Lake Drive, from A-1 to PUD

---

John Pennington & Pam McDowell, have requested to rezone property located east of Padgett Road at the intersection of Spencer Lake Drive, from A-1 to PUD to construct a 63 lot single-family subdivision with reduced lot sizes. Planning staff recommended approval of PUD as conditioned. The rezoning will provide a compatible use of the property and will not likely harm adjacent property.

Staff recommendation: Staff recommended approval of the request with consideration of the following conditions:

1. The PUD should be used for single-family residential only.
2. All standards and uses other than those defined by the development plan shall be governed by restrictions of the R-1 zoning district.
3. The distance between the back of the sidewalk and the garage shall be no less than 20-feet.
4. The detention pond shall include a safety bench or alternate method agreed upon by the City Engineer and the Applicant to improve safety considerations at the detention pond.
5. Buildings shall be of the following materials:
  - Brick/stone
  - Cement fiber board (Hardie® siding)
  - Wood
  - Other materials as approved by the Planning Director
6. Vinyl siding shall be prohibited.
7. Roofs shall have a pitch of 8/12 or greater; porches may have lesser pitch.
8. Roofs shall be only of architectural shingles.
9. No residential accessory structures shall be permitted on lots 1-62.
10. No fences in excess of 4 feet high shall be permitted in front yards. Any proposed fencing shall be approved by the Planning Director.
11. 5' sidewalks shall be required along both sides of the internal streets and link to the existing sidewalk along Padgett Rd as shown on the site plan.
12. A paved side path must be installed connecting the development to the adjacent school to the north.
13. The PUD shall be generally developed per the density and intent indicated on the site plan. Minor variations from the approved plan may be allowed by approval from the Planning Director.
14. Platting shall be required. Any additional rights of way, sidewalks, etc. as required by the Subdivision Ordinance shall be dedicated and constructed.
15. Lot 63 shall be labeled unbuildable.



Landon T. Sanders, J.D. Attorney-at-Law  
Preston T. Sanders, J.D. Attorney-at-Law

6/21/2023

Kris Paxton  
Planning Director – City of Conway  
1111 Main Street  
Conway, AR 72032

**RE: *Appeal to City Council – Rezone of Planning Commission’s decision on Property Commonly described as 11.60 Acres south of Woodrow Cummins Elementary School on Padgett Road.***

Dear Mr. Paxton,

I am in receipt of your Failure Notice dated June 21, 2023. Please accept this letter as notice that the Applicants are requesting to appeal the decision of the Planning Commission regarding the rezone of PUD-0323-0042.

The Applicants believe that the Planning Commission erred in their decision for the following reasons: (1) the requested rezone is consistent with the City’s Comprehensive Growth Plan, (2) the requested rezone is an appropriate use of the land, and (3) the Planning Commission, in their rationale for their decision-making, relied upon factors that are inappropriate for zoning decisions.

Thank you for your attention, and I look forward to discussing this more with you soon.

Sincerely,

Landon Sanders  
THE SANDERS FIRM PLLC  
306 Salem Road, Suite 106  
Conway, AR 72034  
Office: (501) 327-2704  
Fax: (501) 327-2379  
landon@sandersfirmpllc.com

16. Setbacks shall be as follows: Front – 15'; Interior – 5'; Exterior – 15'; Rear – 17.5'. Additional details, such as utility/pedestrian easements, public right of way, etc. shall be defined in the final development plan, plat, and PUD documents.

The Planning Commission reviewed the request at its regular meeting on June 20, 2023. After considerable public comment, the Planning Commission voted 1-7-1, failing the rezoning request. Mr. Sanders, the authorized agent for the two applicants, has elected to request an appeal of the Planning Commission denial. His letter of appeal is included within this packet.

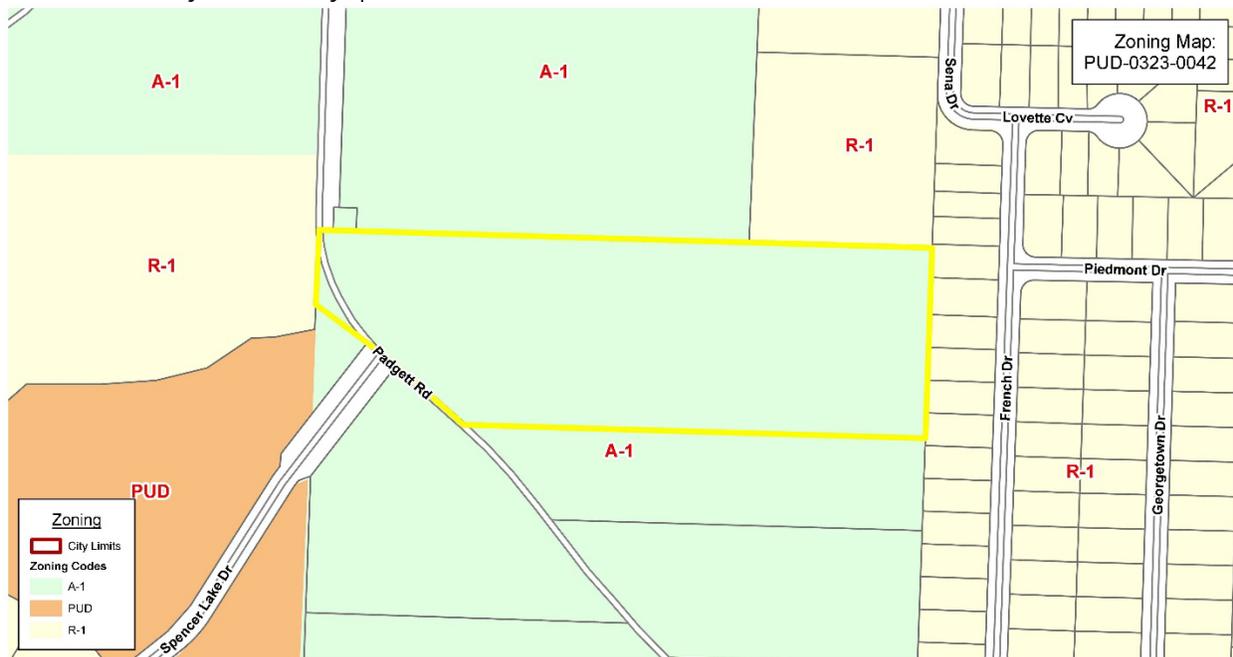
**The City Council has two options for action:**

- City Council may uphold the decision of the Planning Commission, denying the application with reasons cited regarding the potential development too great for the area.
- City Council may overturn the decision of the Planning Commission, approving the application, as amended.

The legal description for the property under consideration is as follows:

BEING A PART OF THE W ½SW¼ OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 14 WEST, FAULKNER COUNTY, ARKANSAS, BEGINNING AT THE NORTHWEST CORNER OF SAID W ½ SW ¼; THENCE SOUTH 0 DEGREES 33 MINUTES 18 SECONDS WEST, 1442.50 FEET TO THE POINT OF BEGINNING; THENCE EAST 1326.89 FEET; THENCE SOUTH 0 DEGREES 33 MINUTES 18 SECONDS WEST 412.50 FEET; THENCE WEST 1000.01 FEET TO THE CENTERLINE OF A COUNTY ROAD (PADGETT ROAD); THENCE ALONG SAID CENTERLINE NORTH 50 DEGREES 06 MINUTES 20 SECONDS WEST, 193.35 FEET; THENCE TO A POINT NORTH 54 DEGREES 14 MINUTES 22 SECONDS WEST, 217.02 FEET; THENCE NORTH 0 DEGREES 33 MINUTES 18 SECONDS EAST 161.65 FEET TO THE POINT OF BEGINNING, CONTAINING 11.60 ACRES, MORE OR LESS.

Please advise if you have any questions.





**City of Conway, Arkansas**  
**Ordinance No. O-23- \_\_\_\_\_**

**AN ORDINANCE APPROPRIATING FUNDS FOR CYBERSECURITY TOOLS AND SERVICES TO THE INFORMATION TECHNOLOGY DEPARTMENT; AND FOR OTHER PURPOSES:**

**Whereas**, recent cyber attacks targeting various municipalities in Arkansas have shed light on the imperative nature of fortifying the City's cybersecurity posture; and

**Whereas**, the City recognizes the need to acquire resources to facilitate the advancement of its cybersecurity practice; and

**Whereas**, the Information Technology Department has identified a range of tools that possess the potential to elevate the City's security posture holistically.

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

**Section 1.** The City of Conway shall appropriate \$90,871 from General Fund balance (001.119.4900) to Computer Equipment Maintenance (001.108.5420).

**Section 2.** This amount will be included annually in the Information Technology Department's budget.

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

**PASSED** this 11<sup>th</sup> day of July 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Ordinance No. O-23- \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE RECLASSIFICATION OF ONE (1) DEPUTY COURT CLERK POSITION IN THE DISTRICT COURT DEPARTMENT TO ONE (1) DISTRICT COURT ACCOUNTANT POSITION IN THE DISTRICT COURT DEPARTMENT; AND A SALARY ADJUSTMENT TO ONE (1) CHIEF DEPUTY COURT CLERK POSITION; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:**

**Whereas**, the District Court Department has determined that it can more effectively and efficiently manage City property and resources through the reclassification of one (1) Deputy Court Clerk position to one (1) District Court Accountant position; and a salary adjustment to one (1) Chief Deputy Court Clerk Position; and

**Whereas** the annual salary for the Deputy Court Clerk position is \$34,651.00 and the annual salary for the District Court Accountant is \$39,309.00, and the annual salary for the Chief Deputy Court Clerk position will be increased to \$42,419.00; and

**Whereas**, no budget adjustment is required for the remainder of the 2023 budget year.

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

**Section 1.** The City of Conway shall reclassify one (1) Deputy Court Clerk position to one (1) District Court Accountant position; and the annual salary for the Chief Deputy Court Clerk shall be increased to \$42,419.00 in the District Court department.

**Section 2.** No additional salary funds are required for this staffing adjustment in 2023.

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

**Section 4.** 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 11<sup>th</sup> day of July 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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

**MEMORANDUM**

**TO:** City Council Members/Mayor Bart Castleberry  
**FROM:** Chief William Tapley  
**DATE:** July 11, 2023  
**SUBJECT:** SRO Contract

The Conway Police Department respectfully request to enter into an agreement with the Conway High School for the 2023-2024 school year.

This Agreement is entered on July 1, 2023, through July 1, 2024, between the City of Conway, Arkansas, and the Conway School District.

I respectfully request that the City of Conway accepts to enter into this agreement.

Thank you for your consideration.

# AGREEMENT

This Agreement is entered this 1st day of July, 2023, between the City of Conway, Arkansas, and the Conway School District.

## WITNESSETH:

**WHEREAS**, District desires to maintain and improve a School Resource Officers' Program ("Program") to serve the respective needs and to provide for the maximum mutual benefit of the parties hereto; and

**WHEREAS**, this objective is to be accomplished by the controlled interaction of the City's police officers with students and staff of the District; and

**WHEREAS**, the district desires to reduce juvenile crime and to promote students' well being.

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

1. **SERVICES**

The City shall provide nine police officers and one police sergeant on a full-time basis to serve as School Resource Officers for the Conway School District. Two officers will be placed at the Conway High School; two officers will be placed at the Conway Junior High School; one officer will be placed at each middle school; and all officers will share the responsibilities of the elementary schools. The program may be expanded to add additional officers.

2. **CONSIDERATION**

In consideration for providing the above-described services, the Conway School District shall pay to the City the sum of \$508,485.92 which represents approximately half of the total costs associated with the officers' salaries, benefits, and the average overtime/comp that they receive as part of their SRO duties. The compensation shall be paid by the Conway School District to the City of Conway in full, between July 1, 2023, and July 30, 2024.

3. **TERMS**

The term of this Agreement shall be for a period commencing July 1, 2023, to and including, July 30, 2024. Absent termination by one of the parties hereto, or amendments mutually agreed upon by the parties, this Agreement shall automatically be renewed for additional terms of one year. This Agreement and all performances and obligations required hereunder may be terminated by the Mayor of the City of Conway or Superintendent of the Conway School District at any time and for any cause provided that the terminating party provides the other party with written notice of termination immediately upon the date of termination.

4. **PERSONNEL**

The School Resource Officers provided by the City shall be considered employees of the City. The School Resource Officers shall perform their services in accordance with Exhibit "A". Notwithstanding anything contained in this Agreement or the attachments to this Agreement, the School Resources Officer shall at all times be subject to the policies and procedures of the Conway Police Department. The City and the District shall be jointly responsible for the selection of an officer from the list of eligible candidates provided by the City. The City shall be responsible for the special training of the officer as required for participation in this program, and the scheduling of such School Resource Officers.

5. **INSURANCE**

City and District acknowledge that the other party is a governmental entity, duly organized under the laws of the State of Arkansas, and that each party relies on tort immunity. Accordingly, either parties, as a requirement of this Agreement shall not require additional insurance.

6. **ASSIGNMENT AND SUBCONTRACTING**

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

7. **NOTICES**

Notices hereunder shall be given by first-class mail or personal service. Notice to the City shall be delivered or addressed to the Mayor, City of Conway, 1111 Main Street, Conway, AR 72032. Notice to the District shall be delivered or addressed to the Superintendent of Schools, 2220 Prince Street, Conway, AR 72034.

Conway School District

City of Conway

\_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Mayor Bart Castleberry

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# SCHOOL DISTRICT

## Exhibit A

### SCHOOL RESOURCE OFFICER

#### **QUALIFICATIONS:**

1. A police officer with a minimum of three years of law enforcement experience.
2. Officer has effective oral communication skills.
3. Officer has effective written communication skills.
4. Officer has strong desire to work with children and young adults.

#### **BASIC PERFORMANCE RESPONSIBILITIES:**

- A. The school resource officer will report directly to the school resource officer supervisor. The school resource officer supervisor will coordinate all resource officer activities with the Assistant Superintendent of Schools. Each school resource officer shall:
  1. Provide a general security presence within the school district at each of the SRO's assigned schools.
  2. Provide informal counseling to students and/or faculty.
  3. Act as a guest lecturer in the classroom in law enforcement related areas.
  4. Act as a liaison between the department and the school district.
  5. Investigate crimes occurring on school property.
- B. The school resource officer will assist school officials in setting up procedures for juvenile delinquency prevention programs by:
  1. Providing assistance to students and school staff members.
  2. Presenting various crime prevention, drug, and alcohol seminars.
  3. Serving as a positive role model.
  4. Bridging the communication gap between students and police.
  5. Enforcing State, Federal, and local laws whenever necessary.
  6. Preventing the organization of youth based gangs.
- C. The school resource officer will assist school officials with maintaining order in and around the school by investigating criminal behavior and taking enforcement action as appropriate to help insure a safe environment for students and school district officials.
- D. The school resource officer shall project a professional appearance and attitude that has a positive influence on the community.
- E. The school resource officer will report to his or her assigned school at the time designated by the school resource officer supervisor and will:
  1. Report to the area of assignment and remain in this area unless duty demands otherwise.
  2. Be visible in or around schools before school, during assemblies, lunch hours, and after school to ensure smooth school operation.
  3. Keep supervisors informed of the progress of investigations and/or problems in his or her area of responsibility.
  4. Accurately record daily activities as assigned and submit reports to the unit supervisor for approval.
- F. The school resource officer will perform any other duties as assigned by his or her supervisor.

- G. School resource officers who are assigned to schools will be on their assignments throughout the normal calendar year.
- H. Vacations other than school holidays will be taken primarily during times when school is not in session.

Note: The school resource officers will work extra-curricular activities at their assigned schools that the school resource officer supervisor deems necessary for the program to succeed. Compensation for the extra-curricular activities worked by the positions will be paid by time off through school holidays and summer months, to include the use of the School Resource Officer's accrued compensation time. Due to the accrual of this time the school resource officers are exempted from the departments 100 hour cap on accrued compensatory time.

I have read and agree to the above stipulations concerning extra-curricular activities.

---

**Sgt. Danny Worley**

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**Ofc. Jonathon Boone**

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**Ofc. Derrick Flowers**

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**Ofc. Daniel Hogan**

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**Ofc. Larry Lute**

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**Ofc. Daniel Mullaney**

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**Ofc. Joey Slayton**

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**Ofc. Timothy Woods**

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**Ofc. Taylor Berry**

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**Ofc. Frankie Henderson**



**City of Conway, Arkansas  
Resolution No. R-23-\_\_\_**

**A RESOLUTION ALLOWING THE CITY OF CONWAY TO ENTER INTO AN AGREEMENT WITH AT&T FOR THE 911 UPGRADE FOR THE CONWAY EMERGENCY OPERATION CENTER; AND FOR OTHER PURPOSES**

**Whereas**, the City of Conway has an immediate need to upgrade the 911 operating system at the Conway Emergency Operation Center: and

**Whereas** the City of Conway previously approved a similar upgrade and five year agreement, with AT&T through O-18-23 and request Council allow the City to enter into another five year agreement to continue upgrading the 911 operating system at the Conway Emergency Center: and

**Whereas**, the total cost of this upgrade will be a one time non-recurring fee of \$100,000 and a recurring monthly fee of \$3,750. Funds for this agreement and upgrade have been included in the 2023 CEOC budget.

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

**Section 1.** The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the 911 upgrade.

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

**PASSED** this 11<sup>th</sup> day of July, 2023.

**Approved:**

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**Mayor Bart Castleberry**

**Attest:**

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