Tuesday, November 12th, 2019 City Council Agenda
Judge Russell L. “Jack” Roberts District Court Building – 810 Parkway St., Conway, AR 72032

5:30pm: No Committee Meeting
6:30pm: City Council Meeting

Call to Order: Bart Castleberry, Mayor
Roll Call: Michael O. Garrett, Clerk/Treasurer
Minutes Approval: October 8, 2019
October 16th, 2019 (Special)

Report of Standing Committees:

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

1. Resolution to set a public hearing to discuss an ordinance fixing rates for services rendered by the wastewater system for Conway Corporation.

2. Ordinance fixing rates for services rendered by the wastewater system for Conway Corporation. *(First reading only)*

B. Community Development Committee (Airport, Community Development, Planning & Development, Permits & Inspection (Code Enforcement), Historic District, Transportation)

1. Ordinance approving the location transfer of a private club permit for Los 3 Potrillos of Conway Inc.

2. Resolution requesting Faulkner County Tax Collector place a lien against property located at various locations for expenses incurred by the City.

3. Resolution to approve the proposal for abatement mowing for the Code Enforcement Department.

4. Ordinance appropriating auction proceeds for the Permits & Inspections Department.

5. Resolution to express the willingness of the City of Conway to utilize state aid street monies for the Davis Street Project Overlay.

6. Ordinance to waive the competitive bid process to lease a motor grader for the Transportation Department.

7. Consideration to approve a warranty deed for Stone Dam Creek Trail Improvement with Rush Hal Development.

8. Consideration to approve an impact fee credit agreement with Rush-Hal Development. For the Stone Dam Creek Trail Improvement Project *(First reading only).*
9. Ordinance accepting the annexation of certain lands located at the western terminus of Muskogee Road.

10. Ordinance to rezone property located at 1920 South Blvd and 212 Baridon St from R-2A to S-1.

11. Ordinance to rezone property located at 2001 and 2011 Tyler St from R-2A to PUD.

12. Ordinance to rezone +/-20.94 acres located at the southeast corner of Museum Rd and Lower Ridge Rd from A-1 to R-1.

13. Ordinance to rezone +/-2.62 acres located at the southeast corner of Museum Road and Lower Ridge Road from A-1 to C-2.

14. Consideration to approve a conditional use permit to allow automobile service station for +/-2.62 acres located at the southeast corner of Museum Rd and Lower Ridge Road.

15. Consideration to approve a conditional use permit to allow Restricted Retail, General Retail, and High-Impact Retail for property located at 815 Exchange Ave.

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

1. Consideration to approve the bid proposal for 5th Avenue Playground Improvements for the Parks & Recreation Department.

2. Ordinance appropriating funds to purchase property associated with the ADEM Sugar Creek Hazard Mitigation Assistance grant project.

3. Resolution authorizing an application to the Arkansas Economic Development Commissions’ Division Community Assistance Grant to relocate the original Toadsuck Ferry from Peel, AR to Old Ferry Landing.

D. Public Safety Committee (Police, Fire, District Court, Animal Welfare Unit, CEOC, Department of Information Systems & Technology, & Office of the City Attorney)

1. Consideration to approve the disposal of inventory for the Department of Information Technology.

2. Ordinance appropriating funds for the Truck Journeyman program at the Conway Fire Department.

3. Ordinance appropriating funds for various entities for the Conway Police Department.

4. Ordinance to appropriate funding for the Conway Shop Secure for the Conway Police Department.

E. Personnel

1. Consideration to approve the annual fitness facility for the City of Conway.

2. Consideration to approve the dental insurance for the FY2020 for the City of Conway.

3. Consideration to approve the life insurance for the FY2020 for the City of Conway.

4. Consideration to approve the medical insurance for the City of Conway.

F. New Business

1. Ordinance amending Ord. No. O-03-109 providing for procedures for municipal candidates to file nominating petitions for the City of Conway.

Adjournment
City of Conway, Arkansas
Resolution No. R-19-____

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING
COMMENTS AND QUESTIONS ON A PROPOSED WASTEWATER RATE INCREASE

Whereas, Conway Corporation operates the wastewater system for the City of Conway pursuant to
an exclusive franchise granted to the Corporation by the City; and

Whereas, the Board of Directors of the Corporation has approved and recommended that the City
Council adopt revised rates for wastewater system services and such revised rates are proposed by an
ordinance which has been introduced and read by the City Council; and

Whereas, Arkansas Code Annotated Section 14-235-223(d) requires that a public hearing be held
following introduction of any ordinance fixing wastewater rates or charges and that notice of such hearing be
published in a newspaper published within the City at least ten (10) days prior to the date fixed in the notice
for the hearing; and

Whereas, the Conway City Council, by Resolution, requires a public hearing prior to final passage of
a rate ordinance;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Conway, Arkansas, that a public
hearing will be held in conjunction with the City Council meeting on Tuesday, November 26, 2019 at 6:30 p.m.
in the City Council Chambers to consider proposed rates for wastewater users and that notice of such hearing
will be published in the Log Cabin Democrat as soon as possible in the form attached hereto as Exhibit A.

ADOPTED AND APPROVED THIS 12th day of November, 2019.

Approved:

____________________________________
Mayor Bart Castleberry

Attest:

____________________________________
Michael O. Garrett
City Clerk/Treasurer
Resolution of the Board of Directors of Conway Corporation

A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CONWAY TO ADOPT A RATE INCREASE TO PROVIDE SUFFICIENT REVENUES FOR THE WASTEWATER DEPARTMENT

WHEREAS, The City of Conway adopted Ordinance O-12-14 to set rates for the Wastewater and

WHEREAS, Staff of Conway Corporation has determined that rates need to be increased to provide sufficient revenues;

WHEREAS, the rating agency suggested additional revenues for adequate cash flow;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Conway Corporation Requests the City Council to adopt an ordinance providing for additional revenues.

Adopted this 15th day of October, 2019

[Signatures]

Chairman, Bob Whitehouse

Secretary, Brad Teague
NOTICE IS HEREBY GIVEN that there has been introduced before the City Council of the City of Conway, Arkansas an ordinance amending the rates for services relating to the City’s wastewater system (the “System”) billed on and after January 1, 2020. The proposed amended rates are as follows:

ORDINANCE NO. 0-19-__

AN ORDINANCE FIXING RATES FOR SERVICES RENDERED BY THE WASTEWATER SYSTEM OF THE CITY OF CONWAY, ARKANSAS; PRESCRIBING MATTERS RELATING THERETO.

WHEREAS, the City of Conway, Arkansas (the “City”) owns a wastewater system (the “System”), which System is operated by Conway Corporation, an Arkansas nonprofit corporation (the “Corporation”), pursuant to an exclusive franchise granted by the City; and

WHEREAS, the Board of Directors of the Corporation has determined the need to provide sufficient revenues and has proposed a rate increase for System services’

WHEREAS, the City has previously established rates for System services pursuant to Ordinance No. O-92-15 adopted on April 28, 1992, as amended and supplemented by the provisions of Ordinance No. O-03-88 adopted on July 8, 2003, Ordinance No. O-09-48 adopted on May 12, 2009 and Ordinance 0-12-14 (the “Prior Rate Ordinance”);

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

Section 1. That all customers of the System shall be classified by the Corporation as residential, commercial or industrial/institutional.

Section 2. That the Prior Rate Ordinance is hereby amended to read as follows with respect to wastewater service billed on and after January 1, 2020, and the rates contained below are declared by the City and the Corporation to be fair, reasonable and necessary: The minimum monthly fee for System service is the Customer User Charge which is based upon customer user classification and consumption rate.

a) Residential customers

Effective January 1, 2020, Customer User Charges payable monthly for Residential customers are:

Customer charge $6.64

Consumption charge $7.57 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

Minimum monthly charge $21.78 per month

Effective January 1, 2021, Customer User Charges payable monthly for Residential customers are:

Customer charge $6.97

Consumption charge $7.95 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

Minimum monthly charge $22.87 per month

Effective January 1, 2022, Customer User Charges payable monthly for Residential customers are:
Customer charge $7.32
Consumption charge $8.35 per 1,000 gallons of metered water consumption (2,000 gallons minimum)
Minimum monthly charge $24.02 per month

b) Commercial customers

Effective January 1, 2020, Customer User Charges payable monthly for Commercial customers are:

Customer charge $8.31
Consumption charge 1st 25,000 gallons of metered water $7.57 per 1,000 gallons of metered water consumption (2,000 gallons minimum)
Consumption charge next 75,000 gallons of metered water $8.26 per 1,000 gallons of metered water consumption
Consumption charge above 100,000 gallons of metered water $7.57 per 1,000 gallons of metered water consumption
Minimum monthly charge $23.45 per month

Effective January 1, 2021, Customer User Charges payable monthly for Commercial customers are:

Customer charge $8.73
Consumption charge 1st 25,000 gallons of metered water $7.95 per 1,000 gallons of metered water consumption (2,000 gallons minimum)
Consumption charge next 75,000 gallons of metered water $8.67 per 1,000 gallons of metered water consumption
Consumption charge above 100,000 gallons of metered water $7.95 per 1,000 gallons of metered water consumption
Minimum monthly charge $24.63 per month

Effective January 1, 2022, Customer User Charges payable monthly for Commercial customers are:

Customer charge $9.17
Consumption charge 1st 25,000 gallons of metered water $8.35 per 1,000 gallons of metered water consumption (2,000 gallons minimum)
Consumption charge next 75,000 gallons of metered water $9.10 per 1,000 gallons of metered water consumption
Consumption charge above 100,000 gallons of metered water $8.35 per 1,000 gallons of metered water consumption
Minimum monthly charge $25.87 per month

c) Industrial/Institutional
Effective January 1, 2020, Customer User Charges payable monthly for Industrial/Institutional customers are:

Customer charge $29.89

Consumption charge 1st 25,000 gallons of metered water $7.57 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

Consumption charge next 75,000 gallons of metered water $8.26 per 1,000 gallons of metered water consumption

Consumption charge above 100,000 gallons of metered water $7.57 per 1,000 gallons of metered water consumption

Minimum monthly charge $45.03 per month

Effective January 1, 2021, Customer User Charges payable monthly for Commercial customers are:

Customer charge $31.38

Consumption charge 1st 25,000 gallons of metered water $7.95 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

Consumption charge next 75,000 gallons of metered water $8.67 per 1,000 gallons of metered water consumption

Consumption charge above 100,000 gallons of metered water $7.95 per 1,000 gallons of metered water consumption

Minimum monthly charge $47.28 per month

Effective January 1, 2022, Customer User Charges payable monthly for Commercial customers are:

Customer charge $32.95

Consumption charge 1st 25,000 gallons of metered water $8.35 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

Consumption charge next 75,000 gallons of metered water $9.10 per 1,000 gallons of metered water consumption

Consumption charge above 100,000 gallons of metered water $8.35 per 1,000 gallons of metered water consumption

Minimum monthly charge $49.65 per month

Section 3. The provisions of this Ordinance are separable and if a section, phrase or provision hereof shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 4. Out of City customers shall pay 150% of the applicable Customer User Charge of In-City customers indicated above.

Section 5. The schedule of charges as described in section 2 shall be increased on January 1, beginning 2023 and each subsequent year by the amount of two percent (2%). A copy of the revised rates shall be posted on the Conway Corporation web site.
Section 6. All ordinances and resolutions and parts thereof in conflict herewith, particularly are hereby repealed to the extent of such conflict.

PASSED this 12th day of November, 2019.

Approved:

_______________________________
Mayor Bart Castleberry

Attest:

_______________________________
Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE FIXING RATES FOR SERVICES RENDERED BY THE WASTEWATER SYSTEM OF THE CITY OF CONWAY, ARKANSAS; PRESCRIBING MATTERS RELATING THERETO.

Whereas the City of Conway, Arkansas (the “City”) owns a wastewater system (the “System”), which System is operated by Conway Corporation, an Arkansas nonprofit corporation (the “Corporation”), pursuant to an exclusive franchise granted by the City; and

Whereas, the Board of Directors of the Corporation has determined the need to provide sufficient revenues and has proposed a rate increase for System services’

Whereas, the City has previously established rates for System services pursuant to Ordinance No. O-92-15 adopted on April 28, 1992, as amended and supplemented by the provisions of Ordinance No. O-03-88 adopted on July 8, 2003, Ordinance No. O-09-48 adopted on May 12, 2009 and Ordinance O-12-14 (the “Prior Rate Ordinance”);

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

Section 1. That all customers of the System shall be classified by the Corporation as residential, commercial or industrial/institutional.

Section 2. That the Prior Rate Ordinance is hereby amended to read as follows with respect to wastewater service billed on and after January 1, 2020, and the rates contained below are declared by the City and the Corporation to be fair, reasonable and necessary: The minimum monthly fee for System service is the Customer User Charge which is based upon customer user classification and consumption rate.

 a) Residential customers

Effective January 1, 2020, Customer User Charges payable monthly for Residential customers are:

Customer charge $6.64

Consumption charge $7.57 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

Minimum monthly charge $21.78 per month

Effective January 1, 2021, Customer User Charges payable monthly for Residential customers are:

Customer charge $6.97

Consumption charge $7.95 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

Minimum monthly charge $22.87 per month
Effective January 1, 2022, Customer User Charges payable monthly for Residential customers are:

Customer charge $7.32

Consumption charge $8.35 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

Minimum monthly charge $24.02 per month

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Effective January 1, 2020, Customer User Charges payable monthly for Commercial customers are:

Customer charge $8.31

Consumption charge 1st 25,000 gallons of metered water $7.57 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

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Consumption charge above 100,000 gallons of metered water $7.57 per 1,000 gallons of metered water consumption

Minimum monthly charge $23.45 per month

Effective January 1, 2021, Customer User Charges payable monthly for Commercial customers are:

Customer charge $8.73

Consumption charge 1st 25,000 gallons of metered water $7.95 per 1,000 gallons of metered water consumption (2,000 gallons minimum)

Consumption charge next 75,000 gallons of metered water $8.67 per 1,000 gallons of metered water consumption

Consumption charge above 100,000 gallons of metered water $7.95 per 1,000 gallons of metered water consumption

Minimum monthly charge $24.63 per month

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Consumption charge above 100,000 gallons of metered water $8.35 per 1,000 gallons of metered water consumption

Minimum monthly charge $25.87 per month

c) Industrial/Institutional
Effective January 1, 2020, Customer User Charges payable monthly for Industrial/Institutional customers are:

- Customer charge $29.89
- Consumption charge 1st 25,000 gallons of metered water $7.57 per 1,000 gallons of metered water consumption (2,000 gallons minimum)
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- Consumption charge above 100,000 gallons of metered water $7.57 per 1,000 gallons of metered water consumption
- Minimum monthly charge $45.03 per month

Effective January 1, 2021, Customer User Charges payable monthly for Commercial customers are:

- Customer charge $31.38
- Consumption charge 1st 25,000 gallons of metered water $7.95 per 1,000 gallons of metered water consumption (2,000 gallons minimum)
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- Consumption charge above 100,000 gallons of metered water $7.95 per 1,000 gallons of metered water consumption
- Minimum monthly charge $47.28 per month

Effective January 1, 2022, Customer User Charges payable monthly for Commercial customers are:

- Customer charge $32.95
- Consumption charge 1st 25,000 gallons of metered water $8.35 per 1,000 gallons of metered water consumption (2,000 gallons minimum)
- Consumption charge next 75,000 gallons of metered water $9.10 per 1,000 gallons of metered water consumption
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- Minimum monthly charge $49.65 per month

Section 3. The provisions of this Ordinance are separable and if a section, phrase or provision hereof shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 4. Out of City customers shall pay 150% of the applicable Customer User Charge of In-City customers indicated above.

Section 5. The schedule of charges as described in section 2 shall be increased on January 1, beginning 2023 and each subsequent year by the amount of two percent (2%). A copy of the revised rates shall be posted on the Conway Corporation web site.
Section 6. All ordinances and resolutions and parts thereof in conflict herewith, particularly are hereby repealed to the extent of such conflict.


Approved:

______________________________
Mayor Bart Castleberry

Attest:

______________________________
Michael O. Garrett
City Clerk/Treasurer

(SEAL)
AN ORDINANCE APPROVING THE TRANSFER OF A PRIVATE CLUB PERMIT LICENSE FOR LOS 3 POTRILLOS OF CONWAY, INC TO A DIFFERENT LOCATION; PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED

Whereas, Los Potrillos of Conway already has a private club permit (ABC #02071) as required under Chapter 4.12.04 of the Conway City Code per Ordinance No. O-17-100 and A.C.A §3-9-222, and

Whereas, this transfer is limited and specific to Los 3 Potrillos currently located at 1090 Skyline Drive and to be newly located at 2490 Sanders road, Conway, AR 72032; and

Whereas, Los 3 Potrillos has provided all the information required in permit application process and met all the standards set forth by the Conway City Council, and

Whereas, the City Council for the City of Conway hereby approves the transfer of the private club permit from the current location of 1090 Skyline Drive to the proposed location of 2490 Sanders Road to operate a private club within the City limits of Conway, and

Whereas, this approval does not authorize the operation of a private club within the City of Conway but does function as an authorization to apply for a private club permit through the Arkansas Alcoholic Beverage Control Division per A.C.A §3-9-222.

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

Section 1. That the application of Los 3 Potrillos to transfer the private club permit from the current location of 1090 Skyline Drive to 2490 Sanders Road is hereby approved.

Section 2. That no private club operations will begin unless and until a permit to operate a private club is issued by the Arkansas Alcoholic Beverage Division.

Section 3. That the approval and permit are subject to suspension or revocation by the City in the event the above listed above violates Conway City Code or State law.

Passed this 27th of August, 2019.

Approved:

___________________________
Mayor Bart Castleberry

Attest:

___________________________
Michael O. Garrett
City Clerk/Treasurer
TO: Mayor Bart Castleberry
CC: City Council Members
FROM: Missy Schrag
DATE: November 5, 2019
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. 312 Club Lane $148.88
2. 626 Third Ave $183.35
3. 2131 Poplar $224.69
4. 21 Bernard $260.38
5. 2137 Poplar $294.08

Please advise if you have any questions.

Thank you for your consideration.
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 312 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 $148.88 ($108.07 + Penalty $10.81 + filing fee $30.00) to be thereafter certified to the Faulkner County Tax Collector; and

WHEREAS, a hearing for the purpose of determine such lien has been set for November 12, 2019 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 12th day of November, 2019.

Approved:

__________________________
Mayor Bart Castleberry

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry
CC: City Council Members

Re: Violation # CE19-0666
Address of Violation: 312 Club Lane

- July 11, 2019 – a Violation was written for grass; rubbish; trash; trash can and left on the premises by Austin Sullivan.
- Property Owner is listed as Marcus & Maria Wilbanks.
- Property was re-inspected on 7/19/2019 with no progress made.
- Certified and regular letters were mailed 7/23/2019 to address on file and a notice was left by post office.
- Property was rechecked on 7/30/2019 with no progress made and City cleanup was requested.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Austin Sullivan
Officer Signature: _______________________ Date: __________________
**City of Conway**  
**Code Enforcement**  

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

TO  
WILBANKS, MARCUS BRIAN & MARIA RENE  
312 CLUB LANE  
CONWAY, AR 72034

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

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**TOTAL**  
$108.07

**TOTAL WITH PENALTY & FILING FEES**  
$148.88

- Total amount due after November 12, 2019 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032
October 3, 2019

RE: Nuisance Abatement at 312 Club Lane, Conway AR
Cost of Clean-Up, Amount Due: $108.07

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 November 12, 2019 Meeting, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

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

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

Respectfully,

Missy Schrag
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 626 Third 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 $183.35 ($139.95 + Penalty $13.40 + filing fee $30.00) to be thereafter certified to the Faulkner County Tax Collector; and

WHEREAS, a hearing for the purpose of determine such lien has been set for November 12, 2019 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 12th day of November, 2019.

Approved:

_______________________
Mayor Bart Castleberry

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry
CC: City Council Members

Re: Violation # CE19-0756
Address of Violation: 626 Third Ave.

- August 15, 2019 – a Violation was written for grass and left on the premises by Kim Beard.
- Property Owner is listed as Bonnie Sublett.
- Property was re-inspected on 8/22/2019 with no progress made.
- Certified and regular letters were mailed 8/22/2019 to address on file and a notice was left by post office.
- Property was rechecked on 8/29/2019 with little progress made, extension granted.
- Property was rechecked on 9/5/2019 with no progress made and a city cleanup was requested.
- Final Cleanup completed on 10/9/2019.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Kim Beard
Officer Signature: __________________________ Date: __________________
City of Conway
Code Enforcement

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

TO SUBLETT, BONNIE
PO BOX 128
WOOSTER AR 72181

Description: Mowing/Clean-up/Admin Fees associated with the nuisance abatement at 626 Third Ave Conway Arkansas

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<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
</tr>
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<tbody>
<tr>
<td>KIM BEARD</td>
<td>710-03916-000</td>
<td></td>
<td>November 12, 2019</td>
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<thead>
<tr>
<th>HOURS</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>LINE TOTAL</th>
</tr>
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<tbody>
<tr>
<td>2</td>
<td>Employee - Mowing/Cleanup</td>
<td>10.73</td>
<td>21.46</td>
</tr>
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<td>2</td>
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<td>21.15</td>
<td>42.30</td>
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<td></td>
<td>Maintenance Fee</td>
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<tr>
<td>1</td>
<td>Administrative Fee (Code Enforcement)</td>
<td>20.49</td>
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<td>17.46</td>
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<td>1</td>
<td>Administrative Fee (Physical Plant)</td>
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<td>10.94</td>
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<tr>
<td>2</td>
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<td>5.60</td>
<td>11.20</td>
</tr>
<tr>
<td>2</td>
<td>Regular Letter</td>
<td>.55</td>
<td>1.10</td>
</tr>
</tbody>
</table>

Total $139.95
Total with Penalty & Filing Fees $183.35

Total amount due after November 12, 2019 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032
RE: Nuisance Abatement at 626 Third Ave. Conway AR
Cost of Clean-Up, Amount Due: $139.95

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 November 12, 2019 Meeting, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

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

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

Respectfully,

Missy Schrag
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 2131 Poplar 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 $224.69 ($204.26 + Penalty $20.43 + filing fee $30.00) to be thereafter certified to the Faulkner County Tax Collector; and

WHEREAS, a hearing for the purpose of determine such lien has been set for November 12, 2019 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 12th day of November, 2019.

Approved:

__________________________
Mayor Bart Castleberry

Attest:

_______________________
Michael O. Garrett
City Clerk/Treasurer
CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry
CC: City Council Members

Re: Violation # CE19-0713
Address of Violation: 2131 Poplar

- August 5, 2019 – a Violation was written for grass; rubbish; trash; appliance; furniture; inoperable/abandon vehicle and left on the premises by Austin Sullivan.
- Property Owner is listed as 8 Dragons Properties, Inc.
- Property was re-inspected on 8/12/2019 with no progress made.
- Certified and regular letters were mailed 8/12/2019 to address on file and a notice was left by post office.
- Property was rechecked on 8/19/2019 with no progress made and City cleanup was requested.
- Final Cleanup completed on 10/3/2019.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Austin Sullivan
Officer Signature: _______________________ Date: __________________
TO: 8 DRAGONS PROPERTIES, INC  
127 AUDUBON DR STE C165  
MAUMELLE AR 72113  

Description: Mowing/Clean-up/Admin Fees associated with the nuisance abatement at 2131 Poplar Conway Arkansas

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
</tr>
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<tbody>
<tr>
<td>Austin Sullivan</td>
<td>710-04767-000</td>
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<td>November 12, 2019</td>
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<thead>
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<th>HOURS</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>LINE TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>1 Employee - Mowing/Cleanup</td>
<td>21.15</td>
<td>84.60</td>
</tr>
<tr>
<td>1</td>
<td>1 Employee - Mowing/Cleanup</td>
<td>10.73</td>
<td>10.73</td>
</tr>
<tr>
<td></td>
<td>Maintenance Fee</td>
<td>15.00</td>
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<td></td>
<td>Sanitation ticket #691161</td>
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<td>Certified Letter</td>
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<td>2</td>
<td>Regular letter</td>
<td>.55</td>
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<tr>
<th></th>
<th>TOTAL</th>
<th>$204.26</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TOTAL WITH PENALTY &amp; FILING FEES</td>
<td>$224.69</td>
</tr>
</tbody>
</table>

Total amount due after November 12, 2019 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032
October 9, 2019

RE: Nuisance Abatement at 2131 Poplar, Conway AR
Cost of Clean-Up, Amount Due: $204.26

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 November 12, 2019 Meeting, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

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

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

Respectfully,

Missy Schrag
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 21 Bernard 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 $260.38 ($209.44 + Penalty $20.94 + filing fee $30.00) to be thereafter certified to the Faulkner County Tax Collector; and

WHEREAS, a hearing for the purpose of determine such lien has been set for November 12, 2019 in order to allow for service of the attached notice of same upon the listed property owners, by certified mail 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 12th day of November, 2019.

Approved:

__________________________
Mayor Bart Castleberry

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
To: Mayor Bart Castleberry  
CC: City Council Members  
Re: Violation # CE19-0628  
Address of Violation: 21 Bernard

- June 19, 2019 – a Warning was left for rubbish/trash & appliance/ furniture and left on the premises.  
- June 27, 2019 – a Violation was written for rubbish/ trash; appliance/furniture; and left on the premises by Spencer Clawson.  
- Property Owner is listed as Danny & Cathy Carter.  
- Property was re-inspected on 7/5/2019 with no progress made.  
- Certified and regular letters were mailed 7/9/2019 to address on file and a notice was left by post office.  
- Property was rechecked on 7/16/2019 with no progress made and City cleanup was requested.  
- Final Cleanup completed on 10/9/2019.  
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Spencer Clawson  
Officer Signature: ___________________________ Date: ________________
INVOICE

City of Conway
Code Enforcement
1201 Oak Street
Conway, AR 72032
Phone: 501-450-6191
Fax 501-450-6144
missy.schrag@cityofconway.org

TO CARTER, DANNY J & CATHY M & DANNY JOSEPH
21 BERNARD DR
CONWAY AR 72034

Description: Mowing/Clean-up/Admin Fees
associated with the nuisance abatement at
21 Bernard St. Conway Arkansas

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
<th>PARCEL NUMBER</th>
<th>PAYMENT TERMS</th>
<th>DUE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spencer Clawson</td>
<td>710-06808-000</td>
<td></td>
<td>November 12, 2019</td>
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</table>

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<thead>
<tr>
<th>HOURS</th>
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<tr>
<td>1</td>
<td>1 Employee - Mowing/Cleanup</td>
<td>10.73</td>
<td>10.73</td>
</tr>
<tr>
<td>1</td>
<td>1 Employee - Mowing/Cleanup</td>
<td>21.15</td>
<td>21.15</td>
</tr>
<tr>
<td>4</td>
<td>2 Employee - Mowing/Cleanup</td>
<td>18.18</td>
<td>72.72</td>
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<td>Sanitation Ticket # 691765; 691756</td>
<td>43.65</td>
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<td>1</td>
<td>Administrative Fee (Code Enforcement)</td>
<td>20.49</td>
<td>20.49</td>
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<tr>
<td>1</td>
<td>Administrative Fee (Code Officer)</td>
<td>17.46</td>
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<tr>
<td>2</td>
<td>Regular letter</td>
<td>.55</td>
<td>1.10</td>
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</table>

**Total** $209.44

**Total with Penalty & Filing Fees** $260.38

- Total amount due after November 12, 2019 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032
October 10, 2019

 Parcel # 710-06808-000

CARTER, DANNY J & CATHY M & DANNY JOSEPH
21 BERNARD DR
CONWAY AR 72034

RE: Nuisance Abatement at 21 Bernard St. Conway AR
Cost of Clean-Up, Amount Due: $209.44

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 **November 12, 2019 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct
a public hearing on three items:

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

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

Respectfully,

Missy Schrag
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 2137 Poplar 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 $294.08 ($240.07 + Penalty $24.01 + filing fee $30.00) to be thereafter certified to the Faulkner County Tax Collector; and

WHEREAS, a hearing for the purpose of determine such lien has been set for November 12, 2019 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 12th day of November, 2019.

Approved:

__________________________
Mayor Bart Castleberry

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry  
CC: City Council Members  
Re: Violation # CE19-0739  
Address of Violation: 2137 Poplar

- July 25, 2019 – a Warning was left for grass; rubbish/trash; trailers and left on the premises.
- August 1, 2019 – a Violation was written for grass; rubbish/trash; trailers and left on the premises by Spencer Clawson.
- Property Owner is listed as 8 Dragons Properties, Inc.
- Property was re-inspected on 8/8/2019 with no progress made.
- Certified and regular letters were mailed 8/12/2019 to address on file and a notice was left by post office.
- Property was rechecked on 8/19/2019 with no progress made and City cleanup was requested.
- Final Cleanup completed on 10/2/2019.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Spencer Clawson  
Officer Signature: _______________________ Date: __________________

City of Conway  
Code Enforcement  
1201 Oak Street  
Conway, Arkansas 72032

Missy Schrag  
Phone: 501-450-6191  
Fax: 501-450-6144
October 3, 2019

RE: Nuisance Abatement at 2137 Poplar St., Conway AR
Cost of Clean-Up, Amount Due: $240.07

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 November 12, 2019 Meeting, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

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

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

Respectfully,

Missy Schrag
City of Conway
Code Enforcement

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

TO
8 DRAGONS PROPERTIES INC
127 AUDUBON DR STE C165
MAUMELLE, AR 72113

Description: Mowing/Clean-up/Admin Fees associated with the nuisance abatement at 2137 Poplar St. Conway Arkansas

<table>
<thead>
<tr>
<th>CODE ENFORCEMENT OFFICER</th>
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<th>PAYMENT TERMS</th>
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<td>Spencer Clawson</td>
<td>710-04770-000</td>
<td></td>
<td>November 12, 2019</td>
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<td>4</td>
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<td>21.15</td>
<td>84.60</td>
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<tr>
<td>2</td>
<td>1 Employee - Mowing/Cleanup</td>
<td>18.18</td>
<td>36.36</td>
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<tr>
<td></td>
<td>Maintenance Fee</td>
<td>15.00</td>
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<tr>
<td></td>
<td>Sanitation ticket# 691020</td>
<td>32.74</td>
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<td>Administrative Fee (Code Enforcement)</td>
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<tr>
<td>2</td>
<td>Regular letter</td>
<td>.55</td>
<td>1.10</td>
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</tbody>
</table>

TOTAL
$240.07

TOTAL WITH PENALTY & FILING FEES
$294.08

- Total amount due after November 12, 2019 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032
A RESOLUTION TO APPROVE THE PROPOSAL FOR ABATEMENT MOWING SERVICES FOR THE CONWAY ENFORCEMENT; AND FOR OTHER PURPOSES:

Whereas, the City of Conway recently accepted proposals for contract mowing services to cut vegetation on residential, commercial and industrial properties that are in violation of the City's ordinance for overgrown vegetation; and

Whereas, the City of Conway received two proposals. Proposals were evaluated based on cost, past similar experience, references and equipment list; and

Whereas, proposal cost is as follows: Matt Skelton Construction - $45/Lot and $90/Truckload of Debris, Natural State Lawn and Landscape - $230/Lot and $185/Truckload of Debris.

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

Section 1. The City of Conway shall enter into an agreement with Matt Skelton Construction for abatement mowing services.

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

PASSED this 12th day of November 2019.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE APPROPRIATING AUCTION PROCEEDS FOR THE CITY OF CONWAY PERMITS AND INSPECTIONS DEPARTMENT VEHICLE REPAIR; AND FOR OTHER PURPOSES:

Whereas, the Conway Permit and Inspections Department recently received $7,650 by selling two vehicles through Gov Deals; and

Whereas, the Conway Permit and Inspection Department has vehicle repair expenditures that have exceeded the 2019 budget amount and would like to replenish this account 001-111-5450.

Whereas, the Conway Permit and Inspection Department would like to appropriate $7,650 from the General Fund Balance Appropriation account 001-119-4900 into 001-111-5450.

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

Section 1. The City of Conway shall appropriate $7,650 from the General Fund Balance Appropriation account 001-119-4900 into the Permit and Inspection Vehicle Repair Expenditure Account 001-111-5450.

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

PASSED this 12th day of November 2019.

Approved:

___________________________
Mayor Bart Castleberry

Attest:

________________________
Michael O. Garrett
City Clerk/Treasurer
A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY TO UTILIZE STATE AID STREET MONIES FOR THE CONWAY DAVIS STREET OVERLAY

Whereas, the City of Conway understands that State Aid Street Program funds are available for certain city projects at the following participating ratios:

<table>
<thead>
<tr>
<th>Work Phase</th>
<th>State Aid %</th>
<th>City %</th>
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</thead>
<tbody>
<tr>
<td>Reconstruction/Resurfacing</td>
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</tr>
<tr>
<td>Construction of City Projects</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Utilities</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Construction</td>
<td>90%</td>
<td>10%</td>
</tr>
<tr>
<td>Construction Engineering</td>
<td>100%</td>
<td>0%</td>
</tr>
</tbody>
</table>

Now, Therefore, Be it Resolved by the City Council of the City of Conway, Arkansas, That:

Section I: The City will participate in accordance with its designated responsibilities in this project.

Section II: The Mayor, or his designee, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this city project.

Section III: The City agrees upon completion of the project to assume the maintenance of the right-of-way by City Forces and/or others including utilities and individuals in accordance with the prevailing Arkansas Department of Transportation regulations.

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

ADOPTED this 12th day of November, 2019.

Approved:

______________________________
Mayor Bart Castleberry

Attest:

______________________________
Michael O. Garrett
City Clerk/Treasurer
City of Conway, Arkansas
Ordinance No. O-19-___

AN ORDINANCE TO WAIVE THE COMPETITIVE BID PROCESS TO LEASE A MOTOR GRADER FOR THE CONWAY TRANSPORTATION DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

Whereas, the City of Conway Transportation Department would like to enter into a three-year agreement with J.A. Riggs Tractor Company and Arvest Bank to lease a 140M3 Motor Grader; and

Whereas, the City of Conway Transportation Department has determined a lease for this equipment through J.A. Riggs Tractor Company and Arvest will be the most economically efficient direction for procuring a motor grader. The monthly payment will be $1,617.00 for thirty-six months; and

Whereas, quotes have been attained and are as follows; Riggs Cat Financing $1852/month, J.A. Riggs/Arvest $1,617/month, John Deere $2,045.58/month.

Whereas, the City of Conway Transportation Department has funds available to cover the cost of the lease in the previously approved budget.

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

Section 1. The City of Conway shall waive the competitive bid process and enter into an agreement with J.A. Riggs Tractor Company and Arvest for thirty-six months at $1,617/month.

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

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

PASSED this 12th day of November 2019.

Approved: ______________________
Mayor Bart Castleberry

Attest: ______________________
Michael O. Garrett
City Clerk/Treasurer
WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT:

THIS WARRANTY DEED, is executed this _____ day of ______________, 2019, by the Grantors, HAROLD H. CRAFTON, Operating Manager of Rush-Hal Development, LLC, a limited liability corporation incorporated under the laws of the State of Arkansas, to the Grantee, the CITY OF CONWAY, Arkansas, a municipal corporation chartered under the laws of the State of Arkansas.

Rush-Hal Development, LLC (“Grantor”), for and in consideration of the sum of ___________________________________________________ ($________________) in Park Impact Fee Credit conveyed to the Grantor by the second party and other good and valuable consideration in hand paid by the City of Conway, Arkansas, (“Grantee”), the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto said City of Conway, Arkansas and unto all assigns forever, the following lands lying in the County of Faulkner and State of Arkansas, to-wit:

PART OF LOT 50, OAK MEADOWS SUBDIVISION TO THE CITY OF CONWAY AND PART OF THE SE 1/4 SE1/4 SE ¼ SECTION 14, TOWNSHIP 5 NORTH, RANGE 14 WEST, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 50, OAK MEADOWS SUBDIVISION TO THE CITY OF CONWAY, ARKANSAS AND RECORDED IN BOOK 670, PAGE 716; THENCE SOUTH 88°19’ 58” EAST ALONG THE NORTH LINE OF SAID LOT 50, A DISTANCE OF 175.52 FEET; THENCE SOUTH 73°12’10” EAST, A DISTANCE OF 47.72 FEET; THENCE NORTH 77° 40’ 23” EAST, A DISTANCE OF 49.23 FEET; THENCE SOUTH 12° 19’ 37” EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 77° 40’ 23” WEST, A DISTANCE OF 35.52 FEET; THENCE SOUTH 51° 49’ 05” EAST, A DISTANCE OF 45.07; THENCE SOUTH 56° 42’ 53” EAST, A DISTANCE OF 108.83
FEET; THENCE SOUTH 29° 16’ 31” EAST, A DISTANCE OF 53.13 FEET; THENCE NORTH 45° 42’ 36” EAST, A DISTANCE OF 39.97; THENCE SOUTH 44° 17’ 24” EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 45° 42’ 36” WEST, A DISTANCE OF 41.56 FEET; THENCE SOUTH 33° 21’ 10” EAST, A DISTANCE OF 50.67 FEET TO THE SOUTH LINE OF SAID LOT 50; THENCE NORTH 88° 10’ 10” WEST ALONG THE SOUTH LINE OF SAID LOT 50, A DISTANCE OF 36.83 FEET; THENCE LEAVING SAID SOUTH LOT LINE NORTH 31° 31’ 20” WEST, A DISTANCE OF 34.05 FEET; THENCE NORTH 45° 55’ 10” WEST, A DISTANCE OF 71.01 FEET; THENCE NORTH 38° 43’ 36” WEST, A DISTANCE OF 28.15 FEET; THENCE NORTH 57° 05’ 25” WEST, A DISTANCE OF 91.53 FEET; THENCE NORTH 72° 17’ 11” WEST, A DISTANCE OF 72.39 FEET; THENCE NORTH 83° 49’ 31” WEST, A DISTANCE OF 48.80 FEET; THENCE NORTH 88° 30’ 51” WEST, A DISTANCE OF 147.78 TO THE WESTERLY LOT LINE OF SAID LOT 50; THENCE ALONG SAID WESTERLY LOT LINE NORTH 56° 46’ 06” EAST, A DISTANCE OF 50.85 FEET TO THE POINT OF BEGINNING, CONTAINING 0.39 ACRES, MORE OR LESS.

TO HAVE AND TO HOLD said property unto Grantee and unto their assigns forever, with all appurtenances thereunto belonging.

I HEREBY COVENANT with said Grantee, the City of Conway, Arkansas, that I will forever warrant and defend the title of said lands against all claims whatsoever.

IN WITNESS WHEREOF, the first party, Harold H. Crafton, Operating Manager of Rush-Hal Development, LLC, have signed and sealed these presents the day and year first above written.

[Signature Pages on Following Pages]
ACKNOWLEDGEMENT

STATE OF ARKANSAS  
COUNTY OF __________)

On this day, before me, a Notary Public, duly commissioned, qualified and acting, with and for said County and State, appeared in person the within named above, to me well known, who stated and acknowledged that they had signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ___ day of _____________, 2019.

___________________________
Notary Public

My Commission Expires:

___________________________
ACKNOWLEDGEMENT

STATE OF ARKANSAS  

COUNTY OF ________

On this day, before me, a Notary Public, duly commissioned, qualified and acting, with and for said County and State, appeared in person the within named above, to me well known, who stated and acknowledged that they had signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ___ day of ____________, 2019.

Notary Public

My Commission Expires:

______________________________

Bart Castleberry, Mayor
City of Conway, Arkansas, Grantee
I CERTIFY UNDER PENALTY OF FALSE SWEARING THAT AT LEAST THE LEGALLY CORRECT AMOUNT OF DOCUMENTARY STAMPS HAVE BEEN PLACED ON THIS INSTRUMENT.

Grantee or Agent

Grantee’s Address

City and State

Grantor’s Name, Address, Phone:
Rush-Hal Development, LLC
3200 Tyler Street, Suite A
Conway, AR 72034

Grantee’s Name, Address, Phone:
City of Conway, Arkansas
1201 Oak Street
Conway, Arkansas 72032

SEND TAX STATEMENTS TO GRANTEE
October 1, 2019

Hal Crafton
Hal Crafton

Re: Property: Part of Lot 50, Oak Meadows Subdivision
Conway, AR 72034
Client: Hal Crafton
File No.: 54119

Opinion of Value: $ 6,000
Effective Date: 09/24/2019

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,

Tommy J Nabholz Jr
Certified Residential
License or Certification #: CR0579
State: AR Expires: 06/20/2020
nabholz.appraisal@conwaycorp.net
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 (hereinafter referred to as “RHD”), and the City of Conway, Arkansas (hereinafter referred to as the “City”) to be effective as of _________________________, 2019 (the “Effective Date”).

RECITALS:

A. RHD is the owner and developer of Lot 50 of Oak Meadows Subdivision, an addition to the City of Conway, which is created pursuant to the Plat recorded in the real estate records of Faulkner County, Arkansas, as Plat Book 670, Page 716 (hereinafter referred to as the “Lot”).

B. RHD is the developer who owns the Lot, which contains an approximately 0.39 acre natural area and preserve including walking paths available for public recreational purposes (hereinafter referred to as the “Trail”). RHD has conveyed the Trail via Warranty Deed in fee simple to the City for the benefit of the public for the purpose of pedestrian and bicycle access, ingress and egress (hereinafter referred to as the “Deed”). The Deed is effective as of _________________________, 2019 and recorded in the real estate records of Faulkner County, Arkansas as Document No. ____________________.

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 Section 12(K) of the Ordinance, developers of Park System Improvements (as defined by the Ordinance) are entitled to credits (hereinafter referred to as the “Credit”) against park impact fees otherwise payable under the Ordinance (“Park Impact Fees”).

E. The City and RHD desire to enter into this Agreement to evidence their determination that the Trail is a Park System Improvement, that development within the Lot is 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:

---

Page 1 of 3
1. The Trail is a Park System Improvement (as defined by the Ordinance), qualifying the Lot and RHD for the Credit.

2. The City hereby acknowledges that RHD is eligible for a Credit in the amount of $6,500.00. The amount of the Credit is determined pursuant to Section 12(K)(2) of the Ordinance based on the appraisal of the property.

3. The City hereby approves awarding RHD a Credit to offset Park Impact Fees, not to exceed $6,500.00 (the “Awarded Credit”), otherwise applicable to Impact-Generating Development (as defined by the Ordinance) within the Lot, in addition to current and future phases of Campbell Cove, specifically Phases II and III. RHD shall have the exclusive right to use the Awarded Credit, provided that RHD may in its sole discretion assign the right to use the designated amount of the Awarded Credit to offset the Park Impact Fee applicable to a project developed by the assignee within the Lot and current and future phases of Campbell Cove, specifically Phases II and III. Any such assignment shall be in writing signed by RHD or its successors and assigns and delivered to the City Planning Department or other department serving as administrator of Park Impact Fees. The Awarded Credit shall also be available to RHD and its designated successors and assigns to offset Park Impact Fees applicable to Impact-Generating Development in any and all future phases of the Lot, in addition to current and future phases of Campbell Cove, specifically Phases II and III.

4. RHD will not be reimbursed for any excess Credit beyond the Park Impact Fees that would otherwise be due from RHD 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

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
City of Conway, Arkansas
Ordinance No. O-19-___

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF +/- 8.0 ACRES LOCATED WEST OF THE TERMINUS OF MUSKOGEE ROAD, TO THE CITY OF CONWAY:

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

Section 1: That the City of Conway, Arkansas, hereby accepts the hereinafter described territory, including all adjacent and abutting rights-of-way, annexed to said City by order of the County Court of Faulkner County, Arkansas heretofore entered on October 15, 2019 and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned C-3. Legal description as follows:

Part of the NE ¼ NE ¼ Section 34, Township 6 North, Range 14 West, lying north of the interstate Highway 40, Faulkner County, Arkansas, more particularly described as follows: Commencing at the northeast corner of said Section 34; thence N88°26'54" W along the north line of said Section 34 for 265.91 feet to a ½” rebar and the point of beginning; thence S01°57'18" W for 425.15 feet to a ½” rebar on the north right of way line of Interstate Hwy 40; thence N85°10'29" W along said right of way line for 866.06 feet to a ½” rebar; thence N01°06'05”E for 367.94 feet to a ½” rebar on the north line of said NE ¼ NE ¼; thence S88°17'14”E along the north line of said Section 34 for 870.61 feet to the point of beginning; containing 348,495 square feet or 8.000 acres, more or less.

And that the above described lands and territory be, and the same hereby are, declared to be a part of the City of Conway, Faulkner County, Arkansas.

Section 2: That the City of Conway hereby accepts the following section of street as public street for maintenance and for the purpose of providing street frontage for the issuance of building permits.

The new portion of Muskogee Road that fronts upon the property, to be constructed during property improvement.

Section 3: From and after this date, all inhabitants residing within and upon the hereinabove described lands and territory shall have and enjoy all the rights and privileges of, and be subject to all the laws, rules, ordinances, limitations and regulations imposed upon the inhabitants within the original limits of said City of Conway, Arkansas, and for voting purposes, said lands are hereby assigned to and designated as part of Ward 2 of the City of Conway, Arkansas.
Section 4: It is hereby declared the annexed land shall be provided the following services immediately upon the effective date of this annexation: police protection; fire protection; maintenance of any publically dedicated streets within the property; and opportunity to connect to potable water, sanitary sewer, electric, and telecommunications services provided by Conway Corporation at the expense of the property owner.

PASSED this 12th day of November, 2019

Approved:

__________________________
Mayor Bart Castleberry

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

Hums Hardware & Furniture, Inc., Petitioner

CC-19-07

ORDER

Comes now before the Court is the above-styled case and after having been presented all the facts and circumstances and having considered the relevant laws, this Court finds and orders the following:

1. A petition for annexation was filed October 3, 2019.
2. All appropriate signatures were affixed to the Petition, as required by A.C.A. 14-40-609.
3. The proposed site to be annexed was adequately described and further displayed a map of the proposed site.
4. The appropriate documentation was provided under A.C.A. 14-40-609.
5. Based on the above premises, the Petitioner's prayer is right and proper.

WHEREFORE, this Court finds that the area described in Exhibit A should be, and hereby is, released for annexation into the City of Conway:

IT IS SO ORDERED.

[Signature]
HON. JIM B. BAKER
Faulkner County Judge
Dated Oct. 15, 2019

We verify that the above referenced Petition complies with A.C.A. 14-40-609.

[Signature]
Margaret Darter, Clerk

[Signature]
Krissy Lewis, Assessor
City of Conway, Arkansas
Ordinance No. O-19-_____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTIES LOCATED AT 1920 SOUTH BOULEVARD AND 212 BARIDON STREET FROM R-2A AND S-1:

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:

[1920 South Blvd]
South 115 feet of Lots 10 and 11; Lot 12, Block 70 Boulevard Addition; also 10’ x 50’ alley and 10’ x 165’ alley.

[212 Baridon St]
North 50 feet of Lots 10 and 11, Block 70 Boulevard Addition; also 10’ x 100’ alley.

to those of S-1, 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 12th day of November, 2019.

Approved:

___________________________
Mayor Bart Castleberry

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer

B-10
MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Justin Brown, 2019 Planning Commission Chairman
Date: November 5, 2019

Re: Request to rezone from R-2A to S-1 properties located at 1920 South Blvd and 212 Baridon St

Ryan Scantling/Conway Baptist Collegiate Ministry has requested to rezone from R-2A (Two-family residential) to S-1 (Institutional) properties located at 1920 South Blvd and 212 Baridon St, with the legal descriptions:

[1920 South Blvd]
South 115 feet of Lots 10 and 11; Lot 12, Block 70 Boulevard Addition; also 10’ x 50’ alley and 10’ x 165’ alley.

[212 Baridon St]
North 50 feet of Lots 10 and 11, Block 70 Boulevard Addition; also 10’ x 100’ alley.

The Conway BCM is proposing to build an approximately 9,000 sf ministry building to serve UCA students.

The Planning Commission reviewed the request at its regular meeting on October 21, 2019 and voted 7-1 that the request be forwarded to the City Council with a recommendation for approval. Justin Brown voted in opposition.

Please advise if you have any questions.
This map was prepared by the City of Conway Planning and Development Department for its use, and may be revised at any time without notice to any user.

The City of Conway Planning and Development Department does not guarantee the correctness, or accuracy of any features on this map. This document is to be used for reference purposes only.

City of Conway
Planning & Development
www.conwayarkansas.gov
www.conwayarkansas.gov/gis

Office
O-1
O-2
O-3

Industrial

Residential

Commercial Office

Special

SOUTH BLVD
BARIDON ST
MITCHELL ST

BCM variance for minimum lot size in S-1 VAR

BCM rezone R-2A to S-1 REZ

1950
218
212
1902
217
1920
137
1903
1910
139
133
222: Front
222: Back
223
217
139
137
139
135
139
139
139
219
221
223
223
223
223
223
223
223

1950
218
212
1902
217
1920
137
1903
1910
139
222: Front
222: Back
223
217
139
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221
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223
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223
223
223

REZ2019OCT02
0.568179 ac.

DESCRIPTION
Planning Commission Review

Agenda Item:
BCM rezone R-2A to S-1 -- REZ

Oct 2019
City of Conway, Arkansas
Ordinance No. O-19-______

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTIES LOCATED AT 2001 AND 2011 TYLER STREET FROM R-2A AND PUD:

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

Section 1: The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the R-2A symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

[Tract 1]
Part of Lot 1 of the SW ¼ NW ¼ Section 1, Township 5 North, Range 14 West, as shown on B.G. Wilson’s map of the City of Conway, Arkansas, being more particularly described as follows: Commencing at the NW corner of said SW ¼ NW ¼ thence South 87°46’29” East 596.46 feet; thence South 00°48’04” West 20.00 feet to a point on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44’08” West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25’06” West 52.00 feet; thence North 00°40’16” East 237.42 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46’29” East 47.47 feet to the Point of Beginning, containing 0.269 acres, more or less.

Less and Except: Part of Lot 1 of the SW ¼ NW ¼ Section 1 Township 5 North Range 14 West; as shown on B.G. Wilson’s map of the City of Conway, Arkansas being more particularly described as follows: Commencing at the NW corner of the SW ¼ NW ¼ thence South 87°46’29” East 596.46 feet; thence South 00°48’04” West 20.00 feet to a point of on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44’08” West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25’06” West 141.67 feet; thence North 00°24’09” East 201.89 feet to a point on the South right- of-way line of Tyler Street; thence along said right-of-way line, South 87°46’29” East 129.77 feet to the Point of Beginning:
right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46'29"
East 47.47 feet to the Point of Beginning, containing 0.412 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 12th day of November, 2019.

Approved:

_________________________
Mayor Bart Castleberry

Attest:

_________________________
Michael O. Garrett
City Clerk/Treasurer
MEMO

To: Mayor Bart Castleberry  
cc: City Council Members  

From: Justin Brown, 2019 Planning Commission Chairman  
Date: November 5, 2019  
Re: Request to rezone from R-2A to PUD properties located at 2001 and 2011 Tyler Street

Kim Doughty and Zack McCannon have requested to rezone from R-2A (Two-family residential) to PUD (Planned Unit Development) properties located at 2001 and 2011 Tyler Street, with the legal descriptions:

[Tract 1]
Part of Lot 1 of the SW ¼ NW ¼ Section 1, Township 5 North, Range 14 West, as shown on B.G. Wilson’s map of the City of Conway, Arkansas, being more particularly described as follows: Commencing at the NW corner of said SW ¼ NW ¼ thence South 87°46’29” East 596.46 feet; thence South 00°48’04” West 20.00 feet to a point on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44’08” West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25’06” West 52.00 feet; thence North 00°40’16” East 237.42 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46’29” East 47.47 feet to the Point of Beginning, containing 0.269 acres, more or less.

[Tract 2]
Part of Lot 1 of the SW ¼ NW ¼ Section 1, Township 5 North, Range 14 West, as shown on B.G. Wilson’s map of the City of Conway, Arkansas, being more particularly described as follows: Commencing at the NW corner of said SW ¼ NW ¼ thence South 87°46’29” East 596.46 feet; thence South 00°48’04” West 20.00 feet to a point on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44’08” West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25’06” West 141.67 feet; thence North 00°24’09” East 201.89 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46’29” East 129.77 feet to the Point of Beginning.

Less and Except: Part of Lot 1 of the SW ¼ NW ¼ Section 1 Township 5 North Range 14 West; as shown on B.G. Wilson’s map of the City of Conway, Arkansas being more particularly described as follows: Commencing at the NW corner of the SW ¼ NW ¼ thence South 87°46’29” East 596.46 feet; thence South 00°48’04” West 20.00 feet to a point of on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44’08” West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25’06” West 52.00 feet; thence North 00°40’16” East 237.42 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46’29” East 47.47 feet to the Point of Beginning, containing 0.412 acres, more or less.

The applicants are seeking to rezone the properties to a Planned Unit Development to accommodate a low-impact mixed use development. They plan to maintain their single-family residence at 2001 Tyler St and operate a specialty grocery and retail store plus host special events, workshops, etc. at 2011 Tyler St.
The Planning Commission reviewed the request at its regular meeting on October 21, 2019 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval including the approved uses and conditions as outlined in the [attached] Bell Urban Farm PUD Final Development Plan.

Please advise if you have any questions.
October 18, 2019

BELL URBAN FARM PLANNED UNIT DEVELOPMENT - FINAL DEVELOPMENT PLAN
2001 & 2011 TYLER STREET

Applicant:
Kim Doughty
Zachariah McCannon
2001 Tyler Street
Conway, AR 72032

Legal Description:
[Tract 1]
Part of Lot 1 of the SW ¼ NW ¼ Section 1, Township 5 North, Range 14 West, as shown on B.G. Wilson’s map of the City of Conway, Arkansas, being more particularly described as follows: Commencing at the NW corner of said SW ¼ NW ¼ thence South 87°46'29" East 596.46 feet; thence South 00°48'04" West 20.00 feet to a point on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44'08" West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25'06" West 52.00 feet; thence North 00°40'16" East 237.42 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46'29" East 47.47 feet to the Point of Beginning, containing 0.269 acres, more or less.

[Tract 2]
Part of Lot 1 of the SW ¼ NW ¼ Section 1, Township 5 North, Range 14 West, as shown on B.G. Wilson’s map of the City of Conway, Arkansas, being more particularly described as follows: Commencing at the NW corner of said SW ¼ NW ¼ thence South 87°46'29" East 596.46 feet; thence South 00°48'04" West 20.00 feet to a point on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44'08" West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25'06" West 141.67 feet; thence North 00°24'09" East 201.89 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46'29" East 129.77 feet to the Point of Beginning:

Less and Except: Part of Lot 1 of the SW ¼ NW ¼ Section 1 Township 5 North Range 14 West; as shown on B.G. Wilson’s map of the City of Conway, Arkansas being more particularly described as follows: Commencing at the NW corner of the SW ¼ NW ¼ thence South 87°46'29" East 596.46 feet; thence South 00°48'04" West 20.00 feet to a point of on the South right-of-way line of Tyler Street and the Point of Beginning; thence South 00°44'08" West 258.04 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line, North 64°25'06" West 52.00 feet; thence North 00°40'16" East 237.42 feet to a point on the South right-of-way line of Tyler Street; thence along said right-of-way line, South 87°46'29" East 47.47 feet to the Point of Beginning, containing 0.412 acres, more or less.
Bell Urban Farm PUD Final Development Plan Conditions:
1. Permitted uses shall be limited to:
   a. Specialty Retail/Grocery (2011 Tyler Street)
   b. Community/Educational Event space
   c. Greenspace/Garden
   d. Single-Family Residence (2001 Tyler Street)
   e. Excluding the approved uses listed above, R-2A zoning shall apply to the sites.

2. The City Council shall have the authority to revoke the PUD zoning if significant and verifiable complaints are received concerning the external impacts of the use specifically noise.

3. Excluding permitted uses, the rules of R-2A shall govern the site.

4. Applicant shall plat the property in accordance with the Subdivision Regulations.

5. Applicant shall submit plans for Development Review for all proposed site improvements in accordance with Section 1101 of the Zoning Code.

6. Business Hours shall be: Monday – Friday 10:00am to 7:00pm; Saturday 8:00am to 6:00pm; Sunday 10:00am to 3:00pm.

7. All deliveries shall occur during business hours.

8. Special events, including workshops and farm to table meals, may occur outside of regular business hours.

9. Parking shall be provided on-site; overflow parking provided by Faulkner County Library outside of library operation hours.
AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE +/-20.94 ACRES LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MUSEUM ROAD AND LOWER RIDGE ROAD FROM A-1 AND R-1:

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 tract of land lying in a part of the NW1/4 SW1/4 of Section 32, T-6-N, R-13-W, Faulkner County, Arkansas more particularly described as follows: Beginning at the SE corner of said NW1/4 SW1/4 of Section 32 at a found concrete monument; thence along the South line of said NW1/4 SW1/4 N88°51'04"W 1277.15 feet to a set 1/2" rebar (PLS#1243) on the East right of way of Museum Road (80' R/W); thence leaving said South line along said East right of way N00°39'27"W 400.00 feet to a set 1/2" rebar (PLS#1243); thence leaving said East right of way S88°51'04"E 275.00 feet to a set 1/2" rebar (PLS#1243); thence N00°39'27"W 409.64 feet to a set 1/2" rebar (PLS#1243) on the South right of way of Lower Ridge Road (100' R/W); thence along said South right of way the following courses: S86°33'16"E 615.36 feet; thence S86°11'41"E 245.45 feet; thence S85°13'14"E 80.05 feet; thence S84°13'20"E 95.60 feet to a set 1/2" rebar (PLS#1243) on the East line of said NW1/4 SW1/4; thence leaving said right of way along said East line S01°42'52"W 760.39 feet to the point of beginning; containing 20.94 acres more or less.

to those of R-1, 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 12th day of November, 2019.

Approved:

___________________________
Mayor Bart Castleberry

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Justin Brown, 2019 Planning Commission Chairman
Date: November 5, 2019

Re: Request to rezone from A-1 to R-1 and C-2 +/-23.56 acres located at the southeast corner of the intersection of Museum Road and Lower Ridge Road

Frank Shaw has requested to rezone from A-1 (Agricultural) to R-1 (Single-family residential) and C-2 (Neighborhood Commercial) +/-23.56 acres located at the southeast corner of the intersection of Museum Road and Lower Ridge Road, with the legal descriptions:

[Tract 1 to be zoned R-1]
Being a tract of land lying in a part of the NW1/4 SW1/4 of Section 32, T-6-N, R-13-W, Faulkner County, Arkansas more particularly described as follows: Beginning at the SE corner of said NW1/4 SW1/4 of Section 32 at a found concrete monument; thence along the South line of said NW1/4 SW1/4 N88°51'04"W 1277.15 feet to a set 1/2" rebar (PLS#1243) on the East right of way of Museum Road (80' R/W); thence leaving said South line along said East right of way N00°39'27"W 400.00 feet to a set 1/2" rebar (PLS#1243); thence leaving said East right of way S88°51'04"E 275.00 feet to a set 1/2" rebar (PLS#1243); thence N00°39'27"W 409.64 feet to a set 1/2" rebar (PLS#1243) on the South right of way of Lower Ridge Road (100' R/W); thence along said South right of way the following courses: S86°33'16"E 615.36 feet; thence S86°11'41"E 245.45 feet; thence S85°13'14"E 80.05 feet; thence S84°13'20"E 95.60 feet to a set 1/2" rebar (PLS#1243) on the East line of said NW1/4 SW1/4; thence leaving said right of way along said East line S01°42'52"W 760.39 feet to the point of beginning; containing 20.94 acres more or less.

[Tract 2 to be zoned C-2]
Commencing at the SE corner of said NW1/4 SW1/4 of Section 32 at a found concrete monument; thence along the South line of said NW1/4 SW1/4 N88°51'04"W 1277.15 feet to a set 1/2" rebar (PLS#1243) on the East right of way of Museum Road (80' R/W); thence leaving said South line along said East right of way N00°39'27"W 400.00 feet to a set 1/2" rebar (PLS#1243) being the point of beginning; thence continue along said East right of way N00°39'27"W 420.68 feet to a set 1/2" rebar (PLS#1243) on the South right of way of Lower Ridge Road; thence leaving said East right of way along said South right of way S86°33'16"E 275.44 feet to a set 1/2" rebar (PLS#1243); thence leaving said South right of way S00°39'27"E 409.64 feet to a set 1/2" rebar (PLS#1243); thence N88°51'04"W 275.00 feet to the point of beginning; containing 2.62 acres more or less.

The applicant is seeking to rezone +/-20.94 acres to R-1 to plat a 100-lot single-family subdivision and +/-2.62 acres to C-2 to be developed for commercial use. The applicant has a secondary request for a conditional use permit to allow an automobile service station on the +/-2.62 acres if the C-2 zoning is approved.

The Planning Commission reviewed the request at its regular meeting on October 21, 2019 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval.
Please advise if you have any questions.
AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE +/-2.62 ACRES LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MUSEUM ROAD AND LOWER RIDGE ROAD FROM A-1 AND C-2:

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:

Commencing at the SE corner of said NW1/4 SW1/4 of Section 32 at a found concrete monument; thence along the South line of said NW1/4 SW1/4 N88°51'04"W 1277.15 feet to a set 1/2" rebar (PLS#1243) on the East right of way of Museum Road (80' R/W); thence leaving said South line along said East right of way N00°39'27"W 400.00 feet to a set 1/2" rebar (PLS#1243) being the point of beginning; thence continue along said East right of way N00°39'27"W 420.68 feet to a set 1/2" rebar (PLS#1243) on the South right of way of Lower Ridge Road; thence leaving said East right of way along said South right of way S86°33'16"E 275.44 feet to a set 1/2" rebar (PLS#1243); thence leaving said South right of way S86°33'16"E 275.44 feet to the point of beginning; containing 2.62 acres more or less.

to those of C-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 12th day of November, 2019.

Approved:

___________________________
Mayor Bart Castleberry

Attest:

__________________________
Michael O. Garrett
City Clerk/Treasurer
MEMO

To: Mayor Bart Castleberry  
cc: City Council Members

From: Justin Brown, 2019 Planning Commission Chairman  
Date: November 5, 2019

Re: Request to rezone from A-1 to R-1 and C-2 +/- 23.56 acres located at the southeast corner of the intersection of Museum Road and Lower Ridge Road

Frank Shaw has requested to rezone from A-1 (Agricultural) to R-1 (Single-family residential) and C-2 (Neighborhood Commercial) +/- 23.56 acres located at the southeast corner of the intersection of Museum Road and Lower Ridge Road, with the legal descriptions:

[Tract 1 to be zoned R-1]
Being a tract of land lying in a part of the NW1/4 SW1/4 of Section 32, T-6-N, R-13-W, Faulkner County, Arkansas more particularly described as follows: Beginning at the SE corner of said NW1/4 SW1/4 of Section 32 at a found concrete monument; thence along the South line of said NW1/4 SW1/4 N88°51'04"W 1277.15 feet to a set 1/2" rebar (PLS#1243) on the East right of way of Museum Road (80' R/W); thence leaving said South line along said East right of way N00°39'27"W 400.00 feet to a set 1/2" rebar (PLS#1243); thence leaving said East right of way S88°51'04"E 275.00 feet to a set 1/2" rebar (PLS#1243); thence N00°39'27"W 409.64 feet to a set 1/2" rebar (PLS#1243) on the South right of way of Lower Ridge Road (100' R/W); thence along said South right of way the following courses: S86°33'16"E 615.36 feet; thence S86°11'41"E 245.45 feet; thence S85°13'14"E 80.05 feet; thence S84°13'20"E 95.60 feet to a set 1/2" rebar (PLS#1243) on the East line of said NW1/4 SW1/4; thence leaving said right of way along said East line S01°42'52"W 760.39 feet to the point of beginning; containing 20.94 acres more or less.

[Tract 2 to be zoned C-2]
Commencing at the SE corner of said NW1/4 SW1/4 of Section 32 at a found concrete monument; thence along the South line of said NW1/4 SW1/4 N88°51'04"W 1277.15 feet to a set 1/2" rebar (PLS#1243) on the East right of way of Museum Road (80' R/W); thence leaving said South line along said East right of way N00°39'27"W 400.00 feet to a set 1/2" rebar (PLS#1243) being the point of beginning; thence continue along said East right of way N00°39'27"W 420.68 feet to a set 1/2" rebar (PLS#1243) on the South right of way of Lower Ridge Road; thence leaving said East right of way along said South right of way S86°33'16"E 275.44 feet to a set 1/2" rebar (PLS#1243); thence leaving said South right of way S00°39'27"E 409.64 feet to a set 1/2" rebar (PLS#1243); thence N88°51'04"W 275.00 feet to the point of beginning; containing 2.62 acres more or less.

The applicant is seeking to rezone +/- 20.94 acres to R-1 to plat a 100-lot single-family subdivision and +/- 2.62 acres to C-2 to be developed for commercial use. The applicant has a secondary request for a conditional use permit to allow an automobile service station on the +/- 2.62 acres if the C-2 zoning is approved.

The Planning Commission reviewed the request at its regular meeting on October 21, 2019 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval. Please advise if you have any questions.
Frank Shaw, use permit for service station in C-2 USE

Frank Shaw rezone to R-1 and C-2 REZ

Frank Shaw rezone to R-1 and C-2 REZ

City of Conway
Planning Commission

DESCRIPTION
Planning Commission Review
REZ2019OCT04
25.12555 ac.
MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Justin Brown, 2019 Planning Commission Chairman
Date: November 5, 2019

Re: Request for conditional use permit to allow an automobile service station in the C-2 zoning district for +/-2.76 acres located at the southeast corner of the intersection of Museum Road and Lower Ridge Road

Frank Shaw has requested a conditional use permit to allow an automobile service station and convenience market in a C-2 zoning district for +/-2.76 acres located at the southeast corner of the intersection of Museum Road and Lower Ridge Road, with the legal description:

Commencing at the SE corner of said NW1/4 SW1/4 of Section 32 at a found concrete monument; thence along the South line of said NW1/4 SW1/4 N88°51’04"W 1277.15 feet to a set 1/2" rebar (PLS#1243) on the East right of way of Museum Road (80’ R/W); thence leaving said South line along said East right of way N00°39’27"W 400.00 feet to a set 1/2" rebar (PLS#1243) being the point of beginning; thence continue along said East right of way N00°39’27"W 420.68 feet to a set 1/2" rebar (PLS#1243) on the South right of way of Lower Ridge Road; thence leaving said East right of way along said South right of way S86°33’16"E 275.44 feet to a set 1/2" rebar (PLS#1243); thence leaving said South right of way S00°39’27"E 409.64 feet to a set 1/2" rebar (PLS#1243); thence N88°51’04"W 275.00 feet to the point of beginning; containing 2.62 acres more or less.

The Comprehensive Plan identifies the intersection of Museum Road and Lower Ridge Road as an appropriate location for Neighborhood Convenience. The applicant is seeking a conditional use permit to allow an automobile service station including a convenience market and fuel pumps at this location. While permitted by right in the C-3 zoning district, this use is only permitted by conditional use permit in the C-2 zoning district.

The Planning Commission reviewed the request at its regular meeting on October 21, 2019 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval including the following conditions:

1. The use shall be subject to Development Review prior to issuance of building permits. Development Review shall be conducted by the Planning Commission; the Planning Commission shall have the authority to impose conditions on the site plan.
2. Access to the site shall be from Museum Rd only. Access to Lower Ridge Rd is prohibited.
3. Any expansions or additions to the structure as well as any changes to the use shall require an amended or new conditional use permit.

Please advise if you have any questions.
Frank Shaw, use permit for service station in C-2 USE

Frank Shaw rezone to R-1 and C-2 REZ

Agenda Item:
Frank Shaw, use permit for service station in C-2 -- USE

DESCRIPTION
Planning Commission Review
USE2019OCT01
3.036688 ac.
MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Justin Brown, 2019 Planning Commission Chairman
Date: November 5, 2019

Re: Request for conditional use permit to allow Retail in the I-3 zoning district at 815 Exchange Avenue

Jason Covington has requested a conditional use permit to allow an Restricted, General, and High-Impact Retail in an I-3 zoning district for property located at 815 Exchange Ave with the legal description:

Part of the NE ¼ SE ¼ of Section 18, T5N, R13W, Faulkner County, Arkansas, being more particularly described as follows: beginning at the northeast corner of said SE ¼ Section 18, T5N, R13W, and running thence along the east line of said SE ¼, south 733.00 feet to the north right of way of Interstate 40; thence along said right of way to a point S68°26’00” W 180.60 feet; thence to a point S29°08’00”W 25.90 feet; thence leaving said right of way N88°02’00”W 384.35 feet; thence N02°03’00”E 384.61 feet (deeded S88°02’00”E 384.35 feet); thence N01°53’27”W 340.27 feet (deeded N02°03’00”E 384.61 feet (deeded S88°02’00”W 384.35 feet); thence S88°06’42”E 339.74 feet (deeded N02°03’00”E 384.61 feet); thence S88°06’45”E 383.30 feet (deeded S88°02’00”E 384.35 feet); thence S01°53’27”W 340.27 feet (deeded S02°03’00”W 340.00 feet) to the point of beginning.

The above described property being more accurately described on a plat of survey by Bock & Clark National Surveyors Network, dated August 22, 2011, last revised September 7, 2011 and designated as Job #201101300-001 as follows: A part of the NE ¼ of the SE ¼ of Section 18, T5N, R13W, Faulkner County, Arkansas, being more particularly described as follows: commencing at a point marking the northeast corner of the NE ¼ of the SE ¼; thence along the east line of said forty, S00°30’52”E, 733.00 feet to a point on the north right of way line of Interstate 40; thence along said north right of way line the following bearings and distances; S87°55’08”W, 180.60 feet to a ¾” existing iron pin; S88°37’08”W, 25.90 feet; thence leaving said north right of line, N88°32’52”W, 306.80 feet to a 1 ½” existing iron pin on the west right of way line of Exchange Ave and the point of beginning; thence continue N88°32’52”W, 384.61 feet to a ½” set rebar with cap; thence N01°35’50”E, 339.74 feet to a ½” existing iron pin; thence S88°37’37”E, 383.30 feet to a ½” set rebar with cap on the west right of way line of Exchange Ave; thence along said west right of way line S01°22’35”W, 340.27 feet to the point of beginning.

The applicant is requesting a conditional use permit to allow retail uses in a property within Conway’s Industrial Park, zoned I-3, which has been converted from warehouse use to tenant lease spaces. Office uses are permitted by right in the I-3 zoning district, but retail uses require a conditional use permit.

The Planning Commission reviewed the request at its regular meeting on October 21, 2019 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval including the following conditions:

1. Any uses which require outside display of goods unscreened from public view shall not be permitted.
2. Any outside storage of materials, goods, or equipment shall be placed behind opaque screening or fence that is at least 6 feet in height and no greater than 8 feet in height.
3. Any expansion of or additions to the structure shall require an amended or new conditional use permit.

Please advise if you have any questions.
To: Mayor Bart Castleberry and City of Conway Council

CC: Kiera Oluokun  Felicia Rogers  Jack Bell

From: Jamie Brice

Date: November 8, 2019

Re: Request to accept Procurement Proposal for 5th Avenue Park Playground

The City of Conway solicited proposals to furnish and install, according to manufacturer’s guidelines; fall surfacing, impression swings or like models, geo-dome or like model, 20’x20’ concrete pad, 20’x 8’ sidewalk, and a 20’x20’ shade system at Fifth Avenue Park located at 600 5th Avenue, Conway, AR 72034.

Proposers were asked to provide a turn key project for a total of $130,000. Two proposals were received from Game Time and Hahn Enterprises, Inc.

The City of Conway request that Council approve Hahn Enterprises to furnish and install playground equipment for this project.

Sincerely,

Jamie Brice
Procurement Manager
City of Conway
AN ORDINANCE APPROPRIATING FUNDS TO PURCHASE PROPERTY ASSOCIATED WITH THE ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT HAZARD MITIGATION ASSISTANCE GRANT PROJECT: AND FOR OTHER PURPOSES

Whereas, the City of Conway, Arkansas, previously approved R-18-55 to mitigate the flooding hazard to nine (9) flood-prone properties along Sugar Creek adjacent to S. Donaghey Ave. and received federal grant funding assistance to purchase eight (8) properties; and

Whereas, one property at 2103 Sugar Creek Rd., centrally located among the other properties, did not meet deadline requirements before grant submission and, therefore, was not procured through the grant process; and

Whereas, the City of Conway Parks and Recreation Department would like to purchase this flood-prone property so that it may incorporated into the hazard mitigation project; and

Whereas, the City of Conway Parks and Recreation Department has funds available in the Parks Impact Fee Fund to purchase stated property. A deed restriction will be filed with the new deeds.

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

THAT:

Section 1. The City of Conway shall appropriate $114,100 from 652-140-4900, Parks Impact Fee Fund Balance Appropriation Account into 613-201-5901 to purchase the property located at 2103 Sugar Creek.

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

PASSED this 12th day of November 2019.

Approved:

___________________________
Mayor Bart Castleberry

Attest:

___________________________
Michael O. Garrett
City Clerk/Treasurer
Sugar Creek Acquisition Map:
A RESOLUTION AUTHORIZING AN APPLICATION TO THE ARKANSAS ECONOMIC DEVELOPMENT COMMISSION’S DIVISION OF RURAL SERVICES RURAL COMMUNITY ASSISTANCE GRANT PROGRAM TO RELOCATE THE ORIGINAL TOADSUCK FERRY FROM PEEL, ARKANSAS TO OLD FERRY LANDING PARK IN CONWAY, ARKANSAS;

Whereas, the Conway City Council has determined that the City of Conway meets eligibility requirements necessary to apply for a grant under the Arkansas Community Assistance Grant Program, and

Whereas, the City of Conway has presented plans to relocate the original Toad Suck Ferry from Peel, AR to Conway, AR to be placed at Toad Suck Park; and

Whereas, the City Council of the City of Conway recognizes the need for the project, concurs its importance, and supports the City of Conway in its efforts to proceed with the same.

Now therefore, be it resolved by the City Council of the City of Conway, Arkansas, that:

Section I: The Mayor of Conway is hereby authorized to submit an application of formal request to the Arkansas Economic Development Commission for purpose of securing state grant funds in the amount of $50,000.00 to aid and assist the City of Conway in executing the proposed project described herein and that the Mayor or Recorder/Treasurer of the City of Conway is further authorized to administer the grant funds for the same project.

THIS RESOLUTION ADOPTED this 12th day of November, 2019

Approved:

______________________________
Mayor Bart Castleberry

Attest:

______________________________
Michael O. Garrett
City Clerk/Treasurer
TO: Mayor Bart Castleberry
FROM: Aaron Knight
DATE: November 5, 2019
SUBJECT: Removal of Items from Inventory

Attached to this memo is a list of computers the Information Technology Department wishes to remove from inventory. Six items are being donated to the following Arkansas District Courts: Damascus, Vilonia and Mayflower. The remainder will either be auctioned on GovDeals or via e-waste. Please let me know if you have any questions.
## City of Conway
### Information Technology Asset Disposal

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AN ORDINANCE APPROPRIATING FUNDS FOR THE TRUCK JOURNEYMAN PROGRAM AT THE CONWAY FIRE DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the Conway Fire Department requests $2,000 for the use of purchasing items for the Truck Journeyman Program, and

Whereas, funds in the amount of $2,000 were received from Walmart to be used for such purpose.

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 General Fund Revenue Donation Account to the Fire Department Miscellaneous Supplies Operating Account (001.134.5699).

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

PASSED this the 12th day of November, 2019

Approved:

_____________________
Mayor Bart Castleberry

Attest:

_____________________
Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE APPROPRIATING REIMBURSEMENTS FUNDS FROM VARIOUS ENTITIES FOR THE CITY OF CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the City of Conway has received reimbursements funds from the following entities:

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<th>Amount</th>
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<td>$2,439.08</td>
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<td>Municipal Vehicle Program</td>
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<td>Insurance proceeds</td>
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Whereas, the Conway Police Department needs these funds to replenish their expenditure accounts.

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

Section 1. The City of Conway shall appropriate funds from various companies in the amount of $38,862.34 from 001.121.4185 and AR State Police in the amount of $2,404.99 from 304.000.4201 to the CPD Overtime Acct, 001.121.5114.

Section 2. The City of Conway shall appropriate funds from Paymac, Inc. in the amount of $2,439.08 from 001.119.4611 and Municipal Vehicle Program in the amount of $594.93 from 001.119.4360 to the CPD vehicle maintenance acct 001.121.5450.

Section 3. The City of Conway shall appropriate funds from Nationwide Insurance in the amount of $996.25 from 001.119.4360 to the CPD Other Miscellaneous account 001.121.5799.

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

PASSED this 12th day of November, 2019.

Approved:

______________________________
Mayor Bart Castleberry

Attest:

______________________________
Michael O. Garrett
City Clerk/Treasurer
AN ORDINANCE APPROPRIATING FUNDS TO THE CONWAY POLICE DEPARTMENT FOR OPERATION SHOP SECURE AND FOR OTHER PURPOSES:

Whereas, the Conway Police Department needs approximately $53,500 in overtime funds for Operation Shop Secure; and

Whereas, the Conway Police Department needs these funds in order to increase police presence in all shopping areas throughout the City of Conway during the holidays which will provide a safer shopping experience for the citizens of Conway.

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

Section 1. The City of Conway shall appropriate $53,500 from the general fund balance appropriation account 001.119.4900 into the Conway Police Departments overtime expense account, 001.121.5114.

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

PASSED this 12th day of November, 2019.

Approved:

__________________________________________
Mayor Bart Castleberry

Attest:

__________________________________________
Michael O. Garrett
City Clerk/Treasurer
An RFP was published and opened on 11/06/2019. The City of Conway received three (3) proposals:

- 365 Fitness $15,000.00
- Sync Fitness & Movement, LLC $12,000.00

The Employee Benefits Committee reviewed the proposals and completed a weighted evaluation on each proposal. The committee recommends Sync Fitness & Movement, LLC.

We respectfully request that you approve the renewal of our contract with Sync Fitness & Movement to continue to provide fitness center membership to City of Conway employees and retirees for the 2020 plan year.
An RFP was published and open for 2020 Dental Benefits on 10/25/19. The Employee Benefits Committee met and reviewed the proposals and completed a weighted evaluation on each proposal. The committee recommends BlueCross BlueShield Option 1A and 1B without a broker. This proposal includes our current dental benefits with BCBS, a dental PPO. The total premium increase is seven point eight percent (7.8%).

BlueCross BlueShield has provided dental benefits to the City of Conway since 2006. The dual option dental benefit plans we currently offer continues to be well received by employees.

We respectively request that you approve the renewal of our contract with BlueCross BlueShield to continue to provide dental benefits to City of Conway employees for the 2020 plan year.
Date: November 6, 2019

To: Mayor Bart Castleberry

Cc: David Grimes Theo Jones Wesley Pruitt
    Andy Hawkins Mark Ledbetter Mary Smith
    Shelia Isby Shelly Mehl

From: Lisa Mabry-Williams

Subject: USAble Life Insurance

The RFP was published and opened on 11/05/2019 for 2020 Life and AD&D benefits. The Employee Benefits Committee reviewed and completed a weighted evaluation on each proposal. The Committee recommends USAble Life without a broker. The Committee also recommends we go with the USAble Life proposal with no age reduction for 2020. The rate for this will remain at $1.80 per employee per month for $10,000 Life & AD&D coverage. All other proposals and our previous policies contain the age reduction clause.

In 2014 and 2016 we received and accepted a two year rate guarantee on the USAble Life quote of $1.80 per employee per month for $10,000 Life and AD&D for 2015, 2016, 2017 and 2018. In 2019 USAble life extended the zero increase renewal with a one year rate guarantee of $1.80 per employee per month for 10,000 Life and AD&D for the 2019 plan year.

The City has had several claims through the years and USAble Life claims are processed promptly and without issue.

USAble Life offered us an eleven percent (11%) rate decrease for 2020 of $1.60 per employee per month for 10,000 Life and AD&D for the 2019 plan year. In addition, they have offered us the rate of $4.00 per employee per month for an increased benefit of $25,000 Life and AD&D for the 2020 plan year. The cost to the City is approximately $14,200 more per year for the increased benefit. The increased benefit without the age reduction will cost the City approximately $15,900 more per year.

We respectively request that you approve the renewal of our contract with USAble to continue to provide Life and AD&D benefits to City of Conway employees for the 2020 plan year and increase the benefit from $10,000 to $25,000 Life and AD&D without the age reduction clause.
Date: November 6, 2019
To: Mayor Bart Castleberry
Cc: David Grimes  Theo Jones  Shelly Mehl
    Andy Hawkins  Mark Ledbetter  Mary Smith
    Shelia Isby  Wesley Pruitt
From: Lisa Mabry-Williams
Subject: 2020 AML MHBF Medical Benefits

An RFP was published and opened for 2020 Medical Benefits on 10/25/2019. We received proposals from the following:

- AML MHBF
- Arkansas BlueCross Blue Shield/Health Advantage
- HJC/Coresource

The Employee Benefits Committee met with representatives from each of the vendors that submitted a proposal. The committee reviewed the proposals and completed a weighted evaluation on each proposal. The committee recommends the Arkansas Municipal Health Benefit Fund for 2020.

The Arkansas Municipal Health Benefit Fund premium rates for the City of Conway will decrease approximately eight (8) percent on January 1. This decrease is due to a drop in our claims experience.

We respectively request that you approve the renewal of our contract with the Arkansas Municipal League Benefit Fund to continue to provide medical benefits to City of Conway employees for the 2020 plan year. We also request that the premium decrease will be distributed between the City and the employees in such a way that the percentage that the City and employee contribute to the premiums remain unchanged for the 2020 plan year.
AN ORDINANCE AMENDING ORD. NO. O-03-109 PROVIDING FOR PROCEDURES FOR MUNICIPAL CANDIDATES TO FILE NOMINATING PETITIONS; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

Whereas, The City of Conway has opted pursuant to Arkansas Code Annotated §14-42-206 to have non-partisan municipal elections.

Whereas, Act 1104 of 2003, codified as Arkansas Code Annotated §14-42-206(e)(1)(B), authorizes the governing body of cities of the first class to require independent candidates for municipal office to file petitions for nomination as independent candidates with the county clerk no earlier than twenty (20) days prior to the preferential primary election and no later than noon on the day before the preferential primary election, even if the municipal offices are all independent or otherwise nonpartisan.

Whereas, to be in line and consistent with other election petition periods, the City of Conway wishes to modify the petition period non-partisan municipal positions from twenty (20) days to seven (7) days prior to the preferential primary election.

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

Section 1. Relevant parts of O-03-109 shall be amended as follows:

Section 1. Independent candidates for municipal office for the City of Conway shall file petitions for nomination as independent candidates with the county clerk no earlier than twenty (20) seven (7) days prior to the preferential primary election and no later than noon on the day before the preferential primary election, as authorized by A.C.A. §14-42-206(e)(1)(B).

Section 2. This ordinance shall be published at least once per week for two consecutive weeks immediately following adoption of the ordinance in a newspaper having a general circulation in the City of Conway.

Section 3. All petitions for nomination for municipal office shall otherwise comply with the requirements set out in A.C.A. §14-42-206 and any other applicable state law.

Section 4. That any ordinance in conflict herewith is hereby repealed to the extent of that conflict.
Section 5. That A.C.A. §14-42-206(e)(2)(A) requires that ordinances of this type be enacted no later than ninety (90) days prior to the filing deadline; that further, A.C.A. §14-42-506(e)(2)(B) requires that such ordinances shall be published immediately following adoption of the ordinance; therefore, it being in the public interest to have this ordinance published immediately, an emergency is hereby declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 12th day of December, 2019.

Approved:

__________________________
Mayor Bart Castleberry

Attest:

___________________________
Michael O. Garrett
City Clerk/Treasurer