

RESOLUTION R-04-29

A RESOLUTION AMENDING RESOLUTION R-04-20 ADOPTING A NEW WRECKER FRANCHISE ARRANGEMENT UNDER A FIVE YEAR TERM WITH FOUR VENDERS, REPEALING RESOLUTION R-04-14, AND FOR OTHER PURPOSES.

Whereas, the City wishes to enter into a differing wrecker franchise arrangement than allowed under Section 4.56 of the Conway Municipal Code, and

Whereas, the flexibility to alter those arrangements is also granted in that code, and

Whereas, the City Council adopted Resolution R-04-20 creating a new franchise arrangement and authorizing the Mayor to enter into a five year franchise with four therein named wreckers services, and

Whereas, the City Council wishes to amend certain provisions contained Resolution R-04-20 and officially repeal the earlier and unused Resolution R-04-14

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

Section 1. The Section 1 of Resolution R-04-20 is hereby amended to read as follows:

That the City Council extends a wrecker franchise to the herein named wrecker services for a period of five years from *December 1, 2004 until November 30, 2009.*

Section 2. That Section 3 of Resolution R-04-20 is hereby amended to read as follows:

That the Franchisees collectively pay twenty thousand (\$20,000) dollars annually for the franchise payable by *December 1st* of each year.

Section 3. That Section 5 of Resolution R-04-20 is hereby amended to read as follows:

This Agreement and all performances and obligations required hereunder may be terminated by the Mayor of the City of Conway *with the approval of the City Council at any regular meeting*, at any time *during the Term of the Agreement*, ~~(and)~~ for ~~(any)~~ cause provided *that the Mayor has the termination recommendation placed on the agenda for that meeting by the proper deadline as established by the City Council and further provided* that the Mayor provides the terminated party with written notice of termination immediately upon the date of termination.

Section 4: That Resolution R-04-14 is repealed.

PASSED this 26th day of October, 2004

APPROVED:



Mayor Tab Townsell

ATTEST:



City Clerk Mike Garrett