

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



Aldermen

Ward 1 Position 1 – Andy Hawkins

Ward 1 Position 2 – David Grimes

Ward 2 Position 1 – Mark Vaughn

Ward 2 Position 2 – Shelley Mehl

Ward 3 Position 1 – Jack Bell

Ward 3 Position 2 – Mary Smith

Ward 4 Position 1 – Theodore Jones, Jr.

Ward 4 Position 2 – Shelia Whitmore

**CITY OF CONWAY**

**5:30pm – Citywide Developments**

**&**

**Planning & Permit Fee Increases**

6:30pm -- Council Meeting

Courtroom in District Court Building

810 Parkway, Conway, AR 72034

September 25<sup>th</sup>, 2007

1. **Call to Order**
2. **Roll Call**
3. **Minutes:** September 18<sup>th</sup>, 2007
4. **Recognition of Guests:**
5. **Public Hearings:**
6. **Report of Standing Committees:**

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

1. Resolution setting a public hearing to discuss closing a utility easement located in the Weatherstone Subdivision.
2. Consideration of the nomination of Jerry Park to the Water Improvement District 10 Commission.
3. Ordinance appropriating funds for the Conway Tree Board to pay for expenses associated with the 2007 Arbor Day celebration.
4. Ordinance appropriating grant funds and waiving bids for tree inventory and consulting services for the Conway Tree Board.

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

1. Consideration to enter into an agreement with Carter Burgess for professional services for the girl's softball complex.
2. Consideration to accept the master plan for the girl's softball complex from Carter & Burgess.

3. Consideration to accept the low bid for a/c units at the Don Owens Sports Center.
4. Ordinance appropriating anticipated revenue funds for First State Soccer Park to Park & Recreation Department.

**C. Public Safety Committee (Police, CEOC, Fire, Dist. Court & City Att., & Animal Control)**

1. Ordinance appropriating funds to the Conway Police Department to replenish operating line items.
2. Ordinance appropriating grant funds to purchase of camera equipment for the Conway Police Department.
3. Consideration of bids for the renovation Station 2 & 4 for the Conway Fire Department.

**D. Personnel**

1. Consideration of 2008 Medical, Dental and Life insurance benefits.  
*(Information will be provided prior to meeting)*
2. Consideration of 2008 Voluntary Benefits.  
*(Information will be provided prior to meeting)*

**7. Old Business**

- A. Consideration of an alternative location in regards to a sidewalk variance request for property located on London Road.
- B. Consideration of a parking lot variance for property located at 2350 Sanders Road.
- C. Ordinance amending the fees collected by the Conway Planning Department.
- D. Ordinance to updated citywide development guidelines (excluding single-family and duplex). *Updated version (as of 08-30-07) available at [www.cityofconway.org](http://www.cityofconway.org).*  
*(Ordinance will be provided at meeting)*

**8. New Business**

- A. Ordinance appropriating funds and waiving bids for the contracted services in conjunction with mold remediation in City Hall.

**Adjournment**

**ORDINANCE NO. 0-07- \_\_\_\_\_**

**AN ORDINANCE AMENDING FEES COLLECTED BY THE PLANNING DEPARTMENT:**

**WHEREAS;** costs to the City for rezoning requests, conditional use permit requests and requests to the Board of Zoning Adjustment for variances as delineated in the Conway Zoning Ordinance rise over time, and;

**WHEREAS;** it is appropriate to increase the fees to cover a part of the cost to the City of Conway of administering these requests;

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

**ZONING ORDINANCE FEES:**

**Section 1:** That the first sentence of SECTION 801.4 - PROCEDURE FOR APPEALS, D. Fee of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

The fee for any appeal or application to the Board shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**Section 2:** That the first sentence of SECTION 901.2 - PROCEDURE FOR AUTHORIZING CONDITIONAL USES, L. Fee of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

The fee for any application for a conditional use permit shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**Section 3:** That the second sentence of SECTION 901.4 - AMENDMENTS, C. Procedure, (1) of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

Any petitioner must pay a filing fee of three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**Section 4:** That the second and third sentences of SECTION 1001.3 – MOVING OF BUILDINGS - Fee of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

The application fee shall be three hundred twenty-five dollars (\$325.00) for any building located within the City of Conway. For any building located outside the City of Conway, the application fee shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**Section 5:** That the first sentence of ARTICLE 1101 SITE PLAN REVIEW SECTION 1001.10 - FEES of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

- A. For site plans with 5000 square feet or less of building gross floor area and 5000 square feet or less of lot coverage area, a fee of three hundred twenty-five dollars (\$325.00) must be paid by the applicant at the time of the submission of the site plan.

- B. For site plans with over 5000 square feet of building gross floor area and 5000 square feet of lot coverage area, a fee of four cents (\$0.04) per square foot of gross floor area and two cents (\$0.02) per square foot of lot coverage area must be paid by the applicant. The maximum fee shall be three thousand two hundred and fifty dollars (\$3250.00)
- C. An appeal for a site plan review that is denied shall be three hundred twenty-five dollars (\$325.00)

**Section 6:** That the last sentence of ARTICLE 401 ZONING DISTRICT REGULATIONS SECTION 401.9 C. PROCEDURES FOR OBTAINING PUD ZONING C. ZONING APPLICATION and PRELIMINARY PLAT of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows “The Application shall be processed following the procedure for a change of zone district boundary as contained in Article 901, with the exception of fees.

**A. FEES**

- 1. NON-RESIDENTIAL - A filing fee of one thousand one hundred and twenty five dollars (\$1125.00) must be paid by the applicant at the time of submission for a nonresidential PUD zoning amendment, no part of which shall be refundable.
- 2. RESIDENTIAL - A filing fee of five hundred and twenty five dollars (\$525.00) must be paid by the applicant at the time of submission for a residential PUD of 10 or less units, a fee of seven hundred and twenty five dollars (\$725.00) for 25 or less residential units, and a fee of one thousand one hundred and twenty five dollars (\$1125.00) for 26 or more units.

**ANNEXATION FEE**

**Section 7:** The fee for any request for annexation to the City of Conway shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.”

**EASEMENT, STREET, AND ALLEY CLOSING FEE**

**Section 8:** The fee for any request for the closing of an easement shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable. The fee for any request for the closing of a street or alley shall be two-thousand dollars (\$2000.00), no part of which shall be refundable.

**OVERLAY DISTRICT VARIANCE FEE**

**Section 9:** I: That SECTION 1, G. of Ordinance 0-00-167 as adopted on December 28, 2000 is hereby amended to add paragraph 4, which shall read as follows:

- 4. The fee for any application for a variance shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**PARKING LOT VARIANCE FEE**

**Section 10:** That the paragraph with the heading REQUIREMENTS ALONG PUBLIC RIGHT-OF WAY of Ordinance 0-91-54 as adopted on December 10, 1991 is hereby amended to add the following sentence that shall read as follows:

The fee for any application for an exception or variance shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**SUBDIVISION, REPLAT, AND LOT MERGER FEE**

**Section 11:** That ARTICLE VI ADMINISTRATION AND ENFORCEMENT, SECTION 3 - FEES of the City of Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on January 25, 2000 is hereby amended to read as follows:

For each preliminary plat submitted at the time of filing, the subdivider shall pay to the Designated Agent the following filing fee:

Residential:

\$200 + Engineering Fee =<10 lots

\$400 + Engineering Fee =<25 lots

\$800 + Engineering Fee =>26 lots

Nonresidential and Mixed Use: \$800 + Engineering Fee

Engineering Fee:

\$100 =< 2 lot subdivision/replat no new street drainage

\$250 => 3 lot subdivision/replat no new street drainage

\$500 + \$25 per lot subdivision / replat with new street drainage

For each Final Plat submitted, the fee shall be as follows:

Residential:

\$200 =<10 lots

\$400 =<25 lots

\$800 =>26 lots

Nonresidential and Mixed Use: \$800

Any subsequent variances, waivers, extensions, etc. after preliminary or final plat approval that require the plat to be placed on the Planning Commission agenda shall pay a fee of one hundred dollars(\$100).

All recording fees shall be paid by the subdivider.

That ARTICLE IX LOT MERGERS, SECTION 3 – PROCEDURES, (2) of the City of Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on January 25, 2000 is hereby amended to read as follows:

(2) The application shall not be accepted until the applicant has paid a fee of \$200.00. All recording fees shall be paid by the subdivider.

**Section 8:** That all above fee increases will become effective on \_\_\_\_\_, 2007.

**Section 9:** That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Mayor Tab Townsell

\_\_\_\_\_  
City Clerk Michael O. Garrett

**AN ORDINANCE ESTABLISHING NEW BUILDING-RELATED PERMIT FEES FOR THE CITY OF CONWAY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:**

**Whereas**, the City of Conway has not raised the majority of its building-related permit fees since 1999; and

**Whereas**, the cost of issuing the permits and conducting the inspections has risen markedly since that time; and

**Whereas**, it is important for fees to reflect a significant percentage of the actual costs to the City of Conway of providing the services paid for by the fees.

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

**Section 1:** That Section 11.04.26, (E) of the Conway Municipal Code is hereby amended to read as follows:

"(E) Application for permits shall be made according to the following table of charges:

All other fees (includes remodeling, additions, and repairs, excluding minor repairs as noted in Section (A,) of this ordinance): All trades

Rough and Final Inspections	\$ 15.00
Reinspect	\$ 25.00
<b>ELECTRICAL</b> All new construction is \$0.06 per square foot, with a minimum of \$36.00, whichever is greater.	
Temporary Construction pole (service) (MUST BE INSPECTED)	no charge
Outlets 1 to 5	\$ 5.50
Over 5	\$ 0.30 each
Light Fixtures & Switches 1 to 5	\$ 5.50
Over 5	\$ 0.30 each
Outside Electric Signs	\$ 6.25
Electric Window Signs	\$ 3.75
Neon Borders, window and outside	\$ 3.75
Service only (such as mobile homes)	\$30.00

TPP (temporary power to structure prior to final inspection-expires in 30 days)	\$20.00
Electric Stove, Ranges, Dryers or Hot Water htrs.	\$ 6.75
Vent Hoods	\$ 2.00
Dish Washers	\$ 2.00
Disposals	\$ 2.00
Electric Heater 1to 15 KW	\$ 3.75
16 to 25 KW	\$ 6.75
Air Conditioners: 20 to 30 amp	\$ 3.00
40 to 60 amp	\$ 4.00

In case the electrical inspector is required to make more than one trip for the purpose of inspecting any work due to a violation of codes, ordinances, wrong address, or any other irregularities caused by the master electrician or his agents, a charge of \$25.00 shall be paid for each additional trip or reinspection.”

**Section 2:** That Section 11.08.05, (b) of the Conway Municipal Code is hereby amended to read as follows:

“(b) Application for permits shall be made on suitable forms provided by the Permits and Inspection Department. The application shall be accompanied by fees in accordance with the following fee schedule:

All new construction (under roof)	\$ 0.06 per square foot
Commercial & Residential minimum	\$250.00

All other:

<b>PLUMBING</b> All new construction (minimum of \$36.00)	\$ 0.06 per sq .ft.
Accessory	\$ 20.00

Fixtures	\$ 3.50
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Water Heater	\$ 10.00
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Gas Service Line per meter	\$ 20.00
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<b>MECHANICAL</b> Heating and Cooling System for a New Structure (minimum \$36.00)	\$ 0.06 per sq. ft.
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Replacement or addition of a Mechanical Heating or Cooling system	\$15.00 each
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Remodeling of a Heating and Cooling System for a structure (ductwork only)	\$36.00 minimum
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Any reinspection or additional inspection required by the inspector and caused by the failure of the subcontractor to be ready for testing or not complying with code procedures is \$25.00.”

**Section 3:** That Section 11.16.06, a. of the Conway Municipal Code is hereby amended to read as follows:

“On all buildings, structures, additions or alterations requiring a building permit, the fee for such permit shall be paid at the time of the filing of the application in accordance with the following schedule:

**BUILDING/Residential (All fees are minimum if cost per square ft. is more.)**

All new free-standing construction (under roof)	\$ 0.15 per sq. ft. (\$250.00 minimum)
Additions to single family dwellings	\$ 35.00
Accessory	\$ 20.00
Remodeling	\$ 30.00
\$ 1.00 per \$1,000 of Construction costs	

**NON-RESIDENTIAL (All fees are minimum if cost per square foot is more.)**

New Construction	\$ 0.15 per sq. ft. (\$250.00 minimum)
Additions	\$ 45.00
Accessory	\$ 50.00
Remodeling	\$ 30.00
\$ 1.00 per \$1,000 of Construction costs	

**Section 4:** That this ordinance shall not take effect until July 1<sup>st</sup>, 2007 but shall be in full force and effect from and after said date.

**Section 5:** That all ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of that conflict.

**Passed** this \_\_\_\_ day of \_\_\_\_\_, 2007.

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

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



**RESOLUTION NO. R-07-\_\_**

**A RESOLUTION TO SET A PUBLIC HEARING TO DISCUSS  
ABANDONING A UTILITY EASEMENT LOCATED IN WEATHERSTONE  
SUBDIVISION; AND FOR OTHER PURPOSES.**

**WHEREAS**, a petition has been filed with the City Council of the City of Conway, Arkansas by Stevenson Custom Homes to abandon a utility easement in Weatherstone Subdivision, that West 7 foot 6 inches utility and drainage easement located on Lots 28 & 45 within the corporate limits of the City of Conway, Arkansas; and

**WHEREAS**, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

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

1. That the City Council shall hear said petition at its regular meeting to be held at District Court Building, 810 Parkway Street, Conway, Arkansas, on the 9<sup>th</sup> day of October 2007 at 6:30 p.m.
2. That the City Clerk is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the manner prescribed by law.

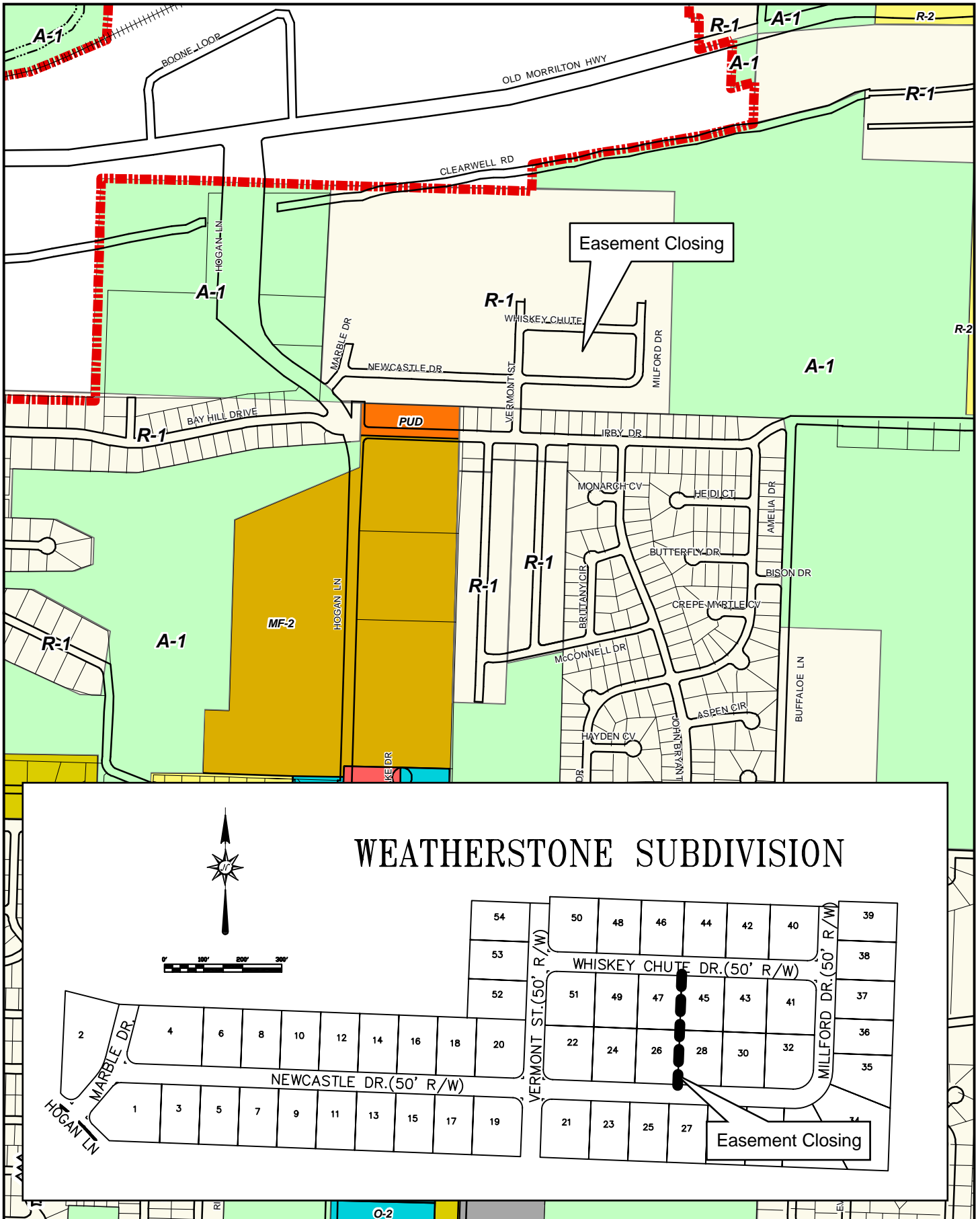
**PASSED** this 25<sup>th</sup> day of September, 2007.

**Approved:**

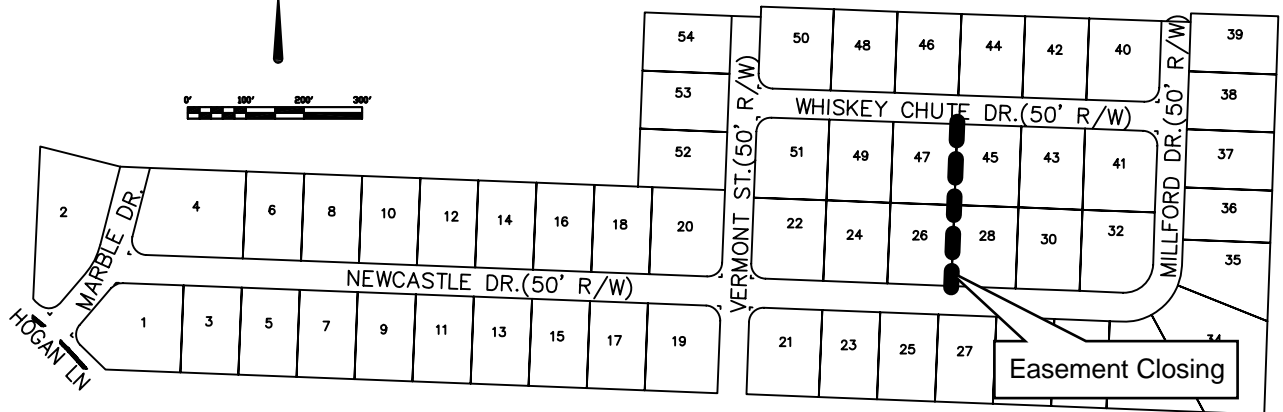
**Attest:**

\_\_\_\_\_  
**Mayor Tab Townsell**

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



## WEATHERSTONE SUBDIVISION



0 250 500 1,000 Feet

**Wetherstone Easement Closing**

City of Conway  
Mayor's Office

# Memo:

**To:** Mayor Tab Townsell  
**CC:** City Council Members  
Todd White, President (POA)  
**From:** Felicia Rogers  
**Date:** September 12<sup>th</sup>, 2007  
**Re:** Water Improvement District 10

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The District 10 Water Commission has nominated Jerry Parks, 6 Richland Hills Drive, Conway, AR 72034 to replace Commissioner Shawn Rea on this board.

Please advise if you have any questions

**ORDINANCE NO. O-07-\_\_**

**AN ORDINANCE APPROPRIATING FUNDS FOR THE CONWAY TREE BOARD TO  
PAY FOR EXPENSES ASSOCIATED WITH THE 2007 ARBOR DAY CELEBRATION ;  
AND FOR OTHER PURPOSES;**

**WHEREAS**, trees in our city increase property value, enhance the economic vitality of business areas, and beautify our community;

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

**WHEREAS:** the funding for this has not previously been appropriated by Council action;

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

**SECTION 1.** The City of Conway shall appropriate \$2839 from the (01.990) General Fund Appropriation Account to 01.108.739 (Tree Board).

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

**PASSED** this 25<sup>th</sup> day of September, 2007.

**APPROVED:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**ATTEST:**

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

The Community Action sub-committee of the Conway Tree Board met Thursday, August 16th to discuss plans for Conway's Arbor Day observance and to also discuss projected expenses for the two-day celebration. This event will also celebrate Conway's recognition as a Tree City USA. The first decision was to reschedule the observance to Friday and Saturday, November 2nd and 3rd. Rescheduling will provide better tree planting weather—not so hot and dry. It will also give us the opportunity to promote art, and possibly, essay or poetry contests in the schools. We will award prizes at the celebrations on Friday/Saturday. We won't be able to hand out free trees from the Forestry Commission, since they don't dig them until after December 15 when they are dormant. We will contact local nurseries to provide discount vouchers to offer attendees. With the voucher, families will be able to select, purchase and plant trees at their convenience.

We wanted to offer Arbor Day T-Shirts, particularly for the kids, along with various promotional items such as balloons, pencils, temporary tattoos, stickers, magnets, bracelets, etc. We also wanted to order informational brochures for adults that will give information about selecting, planting, and pruning trees, etc. Light refreshments would be offered at the Saturday event.

A price list follows of the items the committee favored:

Item	Number	Unit Cost	Total
T-Shirts with Arbor Day logo	150	\$ 8.00	\$ 1,200.00
Arbor Day banner approx. 3' X 20'	1	250.00	250.00
Plaques and trees for school contest prizes	est. 10	est. 50.00	est. 500.00
Arbor Day Flag 4' X 6'	1	35.00	35.00
Educational Brochures and Information	est. 300	.50	est. 150.00
<i>Plant Trees</i> Awareness Bracelets	Set /10 5	10.00	50.00
<i>Plant Trees</i> Temporary Tattoos	Set/100 2	10.00	20.00
<i>Plant Trees</i> Stickers (1.5 " square)	Set/50 4	7.00	28.00
<i>Plant Trees</i> Magnets (business card size)	Set/20 5	5.00	20.00
Arbor Day pencils	Set/50 4	16.00	64.00
Arbor Day balloons	Set/50 6	12.00	72.00
Helium tank rental for balloons (? gallon tank)	1	(approx.) 50.00	50.00
Refreshments		(approx.) 400.00	400.00
Total			\$ 2,839.00

Additionally, the committee discussed having live music (local musicians) to entertain and help draw folks to the Saturday event. We have no idea about the cost, but we'll pursue this if the Council likes the idea. Also, we discussed seeking corporate sponsors to help reduce some of the expenses.

Respectfully submitted,  
 Ouida Wright, Chair  
 Conway Tree Board Community Action Committee

<p style="text-align: center;"><b>Arbor Day Flag</b></p> <p style="text-align: center;"><b>Price: \$27.95 (3 X 5 ft.)</b> <b>\$34.95 (4 X 6 ft.)</b></p>	
<p style="text-align: center;"><b>Plant Trees! Awareness Bracelets</b></p> <p style="text-align: center;"><b>Price: \$9.95 (set of 10)</b></p>	
<p style="text-align: center;"><b>Plant Trees! Temporary Tattoos</b></p> <p style="text-align: center;"><b>Price: \$9.95 (set of 100)</b></p>	
<p style="text-align: center;"><b>Carly Plant Trees Stickers</b> 1 1/2" square</p> <p style="text-align: center;"><b>Price: 6.95 (set of 50)</b></p>	
<p style="text-align: center;"><b>Carly Plant Trees Magnet</b> Business card size</p> <p style="text-align: center;"><b>Price: \$4.95 (set of 20)</b></p>	
<p style="text-align: center;"><b>Arbor Day Pencils</b></p> <p style="text-align: center;"><b>Price: \$15.95 (set of 50)</b></p>	
<p style="text-align: center;"><b>Arbor Day Balloons</b></p> <p style="text-align: center;"><b>Price: \$11.95 (set of 50)</b> (50 mixed colors) (50 all green)</p>	
<p style="text-align: center;"><b>Arbor Day Banner</b></p> <p style="text-align: center;"><b>est. \$250.00</b> 3' X 20' (will order locally)</p>	

**ORDINANCE NO. O-07-\_\_\_**

**AN ORDINANCE APPROPRIATING GRANT FUNDS TO THE CONWAY TREE BOARD; WAIVING BIDS FOR A TREE INVENTORY AND CONSULTING SERVICES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES;**

**WHEREAS**, the City of Conway Tree Board has been awarded a \$20,000 Arkansas Forestry Commission grant to pay for a public tree inventory and consulting services; and

**WHEREAS:** the City of Conway Tree Board has issued an RFP for a tree inventory and consulting services, reviewed all quotations in accordance with Tree Board bylaws, and selected the lowest priced vendor;

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

**SECTION 1.** The City of Conway shall accept grant proceeds in the amount of \$20,000 from Arkansas Forestry Commission and appropriate such funds to cover the expense of tree inventory & consulting services (01.108.739).

**SECTION 2.** The City of Conway shall waive the requirement for obtaining competitive bids for the execution of a public tree inventory and consulting services and shall accept REMAC & National Resource Consulting as sole source vendors.

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

**SECTION 4.** This ordinance is necessary for the protection of the public peace, health, and safety and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

**PASSED** this 25<sup>th</sup> day of September, 2007.

**APPROVED:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**ATTEST:**

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



10816 Executive Center,  
Suite 300  
Little Rock, AR 72211-4383  
Phone: 501.223.0515  
Fax: 501.223.2470  
www.c-b.com

**AGREEMENT FOR PROFESSIONAL SERVICES  
FOR  
GIRLS' SOFTBALL PARK  
Conway, Arkansas**

**September 7, 2007**

**I. PROJECT DESCRIPTION**

Carter & Burgess, Inc. ("C&B") will perform professional design services for the City of Conway ("the City") for park improvements at the Girls' Softball Park (the "Park"). This work will be guided by the "Girls' Softball Park Master Plan", previously developed by C&B and dated August 28, 2007. C&B will prepare final construction documents for the park improvements for the purpose of bidding the work in accordance with City standards and budgets, as well as federal, state and local laws.

C&B's scope of work includes professional landscape architectural, architectural, and engineering design services. Sowell & Russell Architects, Inc. will serve as a subconsultant to C&B. The program for the Park improvements will be based on the Master Plan Preliminary Budget Projections as identified by the City and C&B dated September 7, 2007. This scope of work and fee schedule is based upon an approved program and approximate construction budget of \$6,577,551.50 as identified by the City on September 7, 2007.

**II. SCOPE OF SERVICES**

**A. BASE MAP PREPARATION & FINAL PROGRAM DEVELOPMENT**

1. C&B will utilize the existing survey information dated August 2007, for the Girls' Softball Park and the current site conditions. The City will also provide C&B any additional information required to perform this Scope of Services for on-site and off-site conditions including, but not limited to: above and below ground utilities; easements; property lines; subdivision layouts, roadways, vegetation, hydrology information, etc. Based upon the existing survey and additional information provided by the City, C&B will prepare an existing conditions base map(s) for use in Design Development and final Construction Documents. Should any additional site survey information be necessary, the City will be responsible for providing the information.
2. During the base map preparation, C&B will meet with the City staff to discuss the Park development program and specifically define the City's needs. This meeting will also confirm the final budget allocation by the City for the construction of the Park improvements.



## B. PRELIMINARY DESIGN CONCEPT

1. C&B will prepare a Preliminary Design Concept Plan for the proposed Park improvements. The Concept will be based upon the City approved program items for Master Plan dated August 28, 2007, and with a budget of \$6,577,551.50. The Preliminary Design Concept Plan will also be based upon the "Girls' Softball Park Master Plan" as previously prepared by C&B and approved by the City.
2. Based upon the Preliminary Design Concept Plan, C&B will prepare a Preliminary Cost Estimate for the proposed improvements.
3. C&B will attend one (1) meeting with the City to review the Preliminary Design Concept Plan and Cost Estimate to confirm the overall design and obtain City approval before proceeding into the Design Development phase of work. If the City increases the program and construction budget, C&B will review with the City the required additional fees necessary to cover the increase in scope of work. C&B will not proceed into the Design Development phase until the final program, cost estimates, and consultant design fees have been approved in writing by both C&B and the City.

## C. DESIGN DEVELOPMENT

1. Based upon approval of the Preliminary Design Concept plan from the City, C&B will prepare Design Development drawings for the proposed Park improvements. The Design Development drawings will be prepared at an approximate 50% level of completion of Construction Documents.
2. The City will provide to C&B all front end documents, contracts, insurance requirements, general conditions, etc. for use by C&B in preparing the specifications and contract documents.
3. C&B will prepare a preliminary Table of Contents for the specifications and contract documents.
4. C&B will submit the Design Development drawings and Table of Contents for the specifications and contract documents to the City for review and approval.
5. The City will forward, in writing, to C&B all review comments for the Design Development drawings submittal. C&B will obtain these comments and approval from the City prior to proceeding into the final construction documents.

## D. FINAL CONSTRUCTION DOCUMENTS

1. Based upon approval from the City for the Design Development drawings submittal, C&B will prepare final Construction Documents at an approximate 95% level of completion. The Construction Documents will be comprised of both the drawings and the specifications and contract documents.
2. Based upon the 95% Construction Documents, C&B will prepare a final cost estimate for all the proposed Park improvements.

3. C&B will submit the 95% Construction Documents and cost estimate to the City for final review and comments. The City will provide C&B final, written comments for all revisions requested to the Final Construction Documents.
4. Based upon the final written comments received from the City, C&B will prepare final 100% Construction Documents for the City to utilize in bidding the project.

E. BID PHASE

1. C&B will attend a pre-bid meeting with City representatives and the Construction Manager (“the CM”).
2. C&B will assist the City in preparing addendum(s), if required, during the bid phase.
3. C&B will assist the City in reviewing the CM’s bid and providing a recommendation to the City for award of contract.

F. STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

1. In conjunction with the completion of the Final Construction Documents, C&B will prepare a Storm Water Pollution Prevention Plan (SWPPP) for the proposed site. Any other environmental engineering services would be considered additional services.

G. CONSTRUCTION ADMINISTRATION

1. C&B will assist the City by attending a maximum of thirty (30) 3-hour progress meetings during construction to evaluate completion of work by the Contractor. Should the number of required meetings or amount of meeting time increase, such time can be provided by C&B as an additional service as requested and approved by the City in writing. The City will be responsible for the day-to-day administration of the construction contract.
2. C&B will prepare a written Field Report for each meeting attended during the construction of the project.
3. C&B will process submittal and shop drawing reviews as submitted by the CM during the construction process. Pay applications will also be reviewed each month by C&B and will then be forwarded to the City with the appropriate recommendation.
4. C&B will assist the City in attending one (1) final project walk-through with the CM and his subcontractors to review the completion of work. C&B will provide written comments to the City for the City to utilize in preparing a final “punch list” for work to be completed by the CM.
5. C&B will provide as-builts to the owner as prepared by the contractor. C&B will scan hard copies of the contractor’s as-built mark ups if electronic files are required by the city. C&B will not provide CAD drawings of the as-builts.

**III. BASIS OF COMPENSATION**

The cost for performing these services set forth herein are based upon an approximate construction budget of \$6,577,551.50 and will be as follows:

A.	Base Map Preparation & Final Program Development (Lump Sum).....	\$14,625
B.	Preliminary Design Concept (Lump Sum).....	\$28,725
C.	Design Development (Lump Sum).....	\$170,625
D.	Final Construction Documents (Lump Sum).....	\$243,750
E.	Bid Phase (Lump Sum).....	\$4,875
F.	Construction Administration (Lump Sum).....	\$19,500
	<b>Total Basic Design Services.....</b>	<b>\$487,500</b>
G.	Storm Water Pollution Prevention Plan (SWPPP) (Lump Sum).....	\$3,000
H.	Reimbursable Expenses .....	\$8,200
	<b>Total Design and Reimbursable Fee .....</b>	<b>\$498,700</b>

Reimbursable Expenses: These expenses include, but may not be limited to such items as: reproduction costs, computer plotting, printing, mileage, fax, xerox copies, photography, meals, travel, lodging, rental car, couriers, deliveries, etc.

**IV. ADDITIONAL SERVICES**

Additional Services, not included in this Scope of Services, will be negotiated with the City as necessary. Compensation will be based upon either a mutually agreed lump sum fee or on an hourly basis. See Attachment "A", Billing Rate Schedule, for hourly rates. Items which would be considered Additional Services could include: site surveying, geotechnical investigation, design of additional program items beyond what has been identified by the City for the Park improvements, alternate bid items, additional meetings with City Staff and/or presentation to other groups, additional site visits during construction activity, etc.

**V. ASSUMPTIONS**

- A. The City has designated a construction budget of approximately \$6,577,551,50 for the Park Should this construction budget increase or decrease, or the City should require alternate bid items be included in the construction document package, C&B and the City staff will re-evaluate this scope of work and determine the basis of compensation in accordance with revisions to the design services.

- B. The City will provide as expeditiously as possible all base information, that it currently has in its possession, necessary to complete the Scope of Services described herein. This Scope of Services does not include any survey work. Should additional survey information be needed by C&B, the City will provide this information to C&B. ALL INFORMATION PROVIDED BY THE CITY IS ASSUMED TO BE ACCURATE AND COMPLETE, unless indicated otherwise by the City. Any information required to complete this Scope of Services that cannot be readily provided by the City will remain the responsibility of the City. All such information shall be provided to C&B and any costs associated with acquisition of information will be borne by the City.
- C. This Scope of Services does not include any hydraulic or hydrology engineering design services for the existing creek or other water permitting related issues, such as the following: Federal Emergency Management Agency (FEMA) map revision preparation and processing; U.S. Army Corps of Engineers 404 permitting, ADEQ permits or applications. Any services such as these would be considered additional services.
- D. Any services for environmental engineering such as an Environmental Assessment (E.A.) or Environmental Impact Statement (E.I.S.) are not included in this Scope of Services and would be considered additional services.
- E. The City will pay for all printing of bid documents, all required governmental processing fees, and all public notice advertising costs.
- F. It is anticipated that the park design will be prepared as one bid package. If additional bid packages are required by City for phasing breakouts, C&B will re-evaluate the scope of services to address additional fees not covered in this scope of work.

## **VI. COST ESTIMATES**

Any cost estimates provided by C&B will be on a basis of experience and judgement, but since it has no control over market conditions or bidding procedures, C&B cannot warrant that bids or ultimate construction costs will not vary from these cost estimates; however, C&B acknowledges that the City is relying on the cost estimates provided by C&B and expects minimal variation from the cost estimates provided.



**GIRLS SOFTBALL PARK**  
City of Conway, Arkansas

**Preliminary Budget Projections -PHASE I**  
Prepared September 7, 2007

<b>No.</b>	<b>Item Description</b>	<b>Subtotal</b>
<b>1.</b>	<b>DEMOLITION</b>	
A.	Misc. Clearing (structures)	By Owner
		<hr/>
		<b>\$0.00</b>
<b>2.</b>	<b>MASS GRADING</b>	
A.	Moving On-Site Cut/Fill (Avg. 2.5' Depth)	\$300,000.00
		<hr/>
		<b>\$300,000.00</b>
<b>3.</b>	<b>PARKING &amp; ENTRY</b>	
A.	Bob Courtway Entry Roadway	\$32,500.00
B.	Entry Vehicular Bridge	\$100,000.00
C.	Parking (pavement, curb & gutter)	\$300,000.00
D.	Entry Monument Sign / Gateway Feature (entry sign, monument columns at 1 location, landscaping, etc.)	\$42,500.00
		<hr/>
		<b>\$475,000.00</b>
<b>4.</b>	<b>SOFTBALL-One 4-Plex</b>	
A.	Softball Fields (Includes Fine Grading, Topsoil, Clay Infield, Backstop, Dugouts, Perimeter Fencing and Mowstrip, Bleacher Pads, Bleachers, Score's Table, Turf, and Irrigation)	\$600,000.00
B.	Softball Field Lighting	alternate
C.	Restroom/Concession Building	\$450,000.00
D.	Site Utilities for Building (Water, Sanitary Sewer, Electrical)	\$150,000.00
E.	Plaza Specialty Paving at R/C Bldg. (specialty paving, X SF ea)	\$82,950.00
F.	Plaza Paving (center of 4-plex)	\$51,000.00

<b>No.</b>	<b>Item Description</b>	<b>Subtotal</b>
G.	Pedestrian Walks Serving Ballfields	\$89,600.00
H.	Ballfield Area Landscape Development (Trees, Turf, Irrigation)	\$120,000.00
I.	Site Furnishings	\$60,000.00
J.	Site Electrical Service	\$100,000.00
K.	Bleacher Shade Structures	alternate

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**\$1,703,550.00**

**5. CHAMPIONSHIP FIELD AREA**

A.	Softball Field (Includes Fine Grading, Topsoil, Clay Infield, Backstop, Dugouts, Perimeter Fencing and Mowstrip, Bleacher Pads, Bleachers, Score's Table, Turf, and Irrigation)	\$175,000.00
B.	Softball Field Lighting	\$120,000.00
D.	Site Utilities for Field (Water, San. Sew. for Drinking Fountain)	\$20,000.00
E.	Ballfield Area Landscape Development (Includes Trees, Turf, Irrigation)	\$100,000.00
F.	Site Furnishings	\$20,000.00
G.	Bleacher Shade Structures	alternate

---

**\$435,000.00**

**SUMMARY OF TOTALS**

<b>1.</b>	<b>DEMOLITION</b>	By Owner
<b>2.</b>	<b>MASS GRADING</b>	\$300,000.00
<b>3.</b>	<b>PARKING &amp; ENTRY</b>	\$475,000.00
<b>4.</b>	<b>SOFTBALL-One 4-Plex</b>	\$1,703,550.00
<b>5.</b>	<b>CHAMPIONSHIP FIELD AREA</b>	\$435,000.00

**TOTAL**

BASE TOTAL	\$2,913,550.00
Consultant Fees	\$498,700.00
Owner's Costs	\$70,000.00

**GRAND TOTAL**

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**\$3,482,250.00**

**GIRLS SOFTBALL PARK MASTER PLAN**  
City of Conway, Arkansas

**Preliminary Budget Projections**  
Prepared September 7, 2007

No.	Item Description	Quantity	Unit	Unit Price	Subtotal
<b>1.</b>	<b>DEMOLITION</b>				
	A. Misc. Clearing (structures)	1	LS	\$0.00	By Owner
<b>TOTAL</b>					<b>\$0.00</b>
<b>2.</b>	<b>MASS GRADING</b>				
	A. Moving On-Site Cut/Fill (Avg. 2.5' Depth)	80,000	CY	\$4.00	\$320,000.00
<b>TOTAL</b>					<b>\$320,000.00</b>
<b>3.</b>	<b>PARKING &amp; ENTRY</b>				
	A. Bob Courtway Entry Roadway	130	LF	\$250.00	\$32,500.00
	B. Entry Vehicular Bridge	1	LS	\$100,000.00	\$100,000.00
	C. Parking Drives (curb and gutter)	44,260	SF	\$5.00	\$221,300.00
	D. Parking (pavement, curb & gutter)	430	Spaces	\$1,200.00	\$516,000.00
	E. Parking Lot Storm Drainage	1	LS	\$150,000.00	\$150,000.00
	F. Parking Lot Lighting	1	LS	\$220,000.00	\$220,000.00
	G. Drop-off Area Specialty Paving	6,240	SF	\$10.00	\$62,400.00
	H. Entry Monument Sign / Gateway Feature (entry sign, monument columns at 1 location, etc.)	3	EA	\$25,000.00	\$75,000.00
	I. Flag Pole Area	1	LS	\$15,000.00	\$15,000.00
	J. Entry & Parking Landscape Development (Planting, Irrigation, etc.)	1	LS	\$150,000.00	\$150,000.00
<b>TOTAL</b>					<b>\$1,542,200.00</b>

No.	Item Description	Quantity	Unit	Unit Price	Subtotal
<b>4.</b>	<b>SOFTBALL-One 4-Plex</b>				
A.	Softball Fields (Includes Fine Grading, Topsoil, Clay Infield, Backstop, Dugouts, Perimeter Fencing and Mowstrip, Bleacher Pads, Bleachers, Score's Table, Turf, and Irrigation)	4	EA	\$150,000.00	\$600,000.00
B.	Softball Field Lighting	4	EA	\$100,000.00	\$400,000.00
C.	Restroom/Concession Building	1	LS	\$450,000.00	\$450,000.00
D.	Site Utilities for Building (Water, Sanitary Sewer, Electrical)	1	LS	\$150,000.00	\$150,000.00
E.	Plaza Specialty Paving at R/C Bldg. (specialty paving, X SF ea)	5,530	SF	\$15.00	\$82,950.00
F.	Plaza Paving (center of 4-plex)	5,100	SF	\$10.00	\$51,000.00
G.	Pedestrian Walks Serving Ballfields	11,200	SF	\$8.00	\$89,600.00
H.	Ballfield Area Landscape Development (Trees, Turf, Irrigation)	1	LS	\$120,000.00	\$120,000.00
I.	Site Furnishings	1	LS	\$60,000.00	\$60,000.00
J.	Site Electrical Service	1	LS	\$100,000.00	\$100,000.00
K.	Bleacher Shade Structures	8	EA	\$15,000.00	\$120,000.00
				<b>TOTAL</b>	<b>\$2,223,550.00</b>
<b>5.</b>	<b>CHAMPIONSHIP FIELD AREA</b>				
A.	Softball Field (Includes Fine Grading, Topsoil, Clay Infield, Backstop, Dugouts, Perimeter Fencing and Mowstrip, Bleacher Pads, Bleachers, Score's Table, Turf, and Irrigation)	1	EA	\$175,000.00	\$175,000.00
B.	Softball Field Lighting	1	EA	\$120,000.00	\$120,000.00
D.	Site Utilities for Field (Water, San. Sew. for Drinking Fountain)	1	LS	\$20,000.00	\$20,000.00
E.	Ballfield Area Landscape Development (Includes Trees, Turf, Irrigation)	1	LS	\$100,000.00	\$100,000.00
F.	Site Furnishings	1	LS	\$20,000.00	\$20,000.00
G.	Bleacher Shade Structures	1	LS	\$75,000.00	\$75,000.00
				<b>TOTAL</b>	<b>\$510,000.00</b>



No.	Item Description	Quantity	Unit	Unit Price	Subtotal
<b>6.</b>	<b>PAVILION / PLAYGROUND AREA</b>				
	A. Small Pavilion	1	EA	\$100,000.00	\$100,000.00
	B. Large Pavilion	2	EA	\$200,000.00	\$400,000.00
	C. Community Playground	1	EA	\$100,000.00	\$100,000.00
	D. Site Furnishings	1	LS	\$20,000.00	\$20,000.00
				<b>TOTAL</b>	<b>\$620,000.00</b>
<b>7.</b>	<b>NATURE BASED AREA</b>				
	A. Common Area Turf	65,000	SF	\$0.10	\$6,500.00
	B. Landscape Buffer	1	LS	\$20,000.00	\$20,000.00
	C. Picnic Stations (table, con. Pad)	1	LS	\$50,000.00	\$50,000.00
	E. Tree House	1	EA	\$150,000.00	\$150,000.00
				<b>TOTAL</b>	<b>\$226,500.00</b>
<b>8.</b>	<b>PERIMETER TRAIL &amp; MISC. WALKS</b>				
	A. Concrete Trail (6' wide walks)	26,520	SF	\$4.00	\$106,080.00
	B. Small Plazas at Trail Intersections (specialty paving, landscape)	2	EA	\$15,000.00	\$30,000.00
	C. Pedestrian Walks from Concessions	2,660	SF	\$8.00	\$21,280.00
	D. Pedestrian Lighting	1	LS	\$70,000.00	\$70,000.00
				<b>TOTAL</b>	<b>\$227,360.00</b>
<b>9.</b>	<b>WAYFINDING SIGNAGE</b>				
	A. Wayfinding signage	1	LS	\$50,000.00	\$50,000.00
				<b>TOTAL</b>	<b>\$50,000.00</b>

No.	Item Description	Quantity	Unit	Unit Price	Subtotal
10.	MAINTENANCE	1	LS		BY OWNER

**SUMMARY OF TOTALS**

1.	DEMOLITION			\$0.00	
2.	MASS GRADING			\$320,000.00	
3.	PARKING & ENTRY			\$1,542,200.00	
4.	SOFTBALL-One 4-Plex			\$2,223,550.00	
5.	CHAMPIONSHIP FIELD AREA			\$510,000.00	
6.	PAVILION / PLAYGROUND			\$620,000.00	
7.	NATURE BASED AREA			\$226,500.00	
8.	PERIMETER TRAIL & MISC. WALKS			\$227,360.00	
9.	WAYFINDING SIGNAGE			\$50,000.00	
10.	MAINTENANCE				By Owner
	<b>TOTAL</b>				
	BASE TOTAL			\$5,719,610.00	
	+ 15% CONTINGENCY			\$857,941.50	
	<b>GRAND TOTAL</b>			<b>\$6,577,551.50</b>	

**Note: Professional Services and Owner's Costs for testing etc. are not included.**



SIEBENMORGEN ROAD

ENTRY MONUMENT

FUTURE ROUNDABOUT

PARKING (+/- 25 spaces)

PARKING (+/- 200 spaces)

FUTURE 12' TRAIL

PAVILION

OUTFIELD SEATING

CHAMPIONSHIP FIELD

DROP-OFF AREA

ENTRY MONUMENT

PLAYGROUND

RESTROOM/ CONCESSION

BRIDGE

PAVILION

MAINTENANCE AREA

BOB COURTWAY DRIVE

FUTURE COMMERCIAL DEVELOPMENT

MAINTENANCE BUILDING

STORAGE BINS

PARKING (+/- 200 spaces)

WARM-UP AREA

GAME & FISH CLASSROOM

TRAILHEAD

TREEHOUSE

PICNIC STATIONS

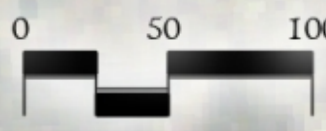
TRAIL NETWORK

TRAIL CONNECTION

LITTLE CREEK



North



Note: This conceptual plan is diagrammatic only and is intended to show potential configuration of park development. This plan is only conceptual and is subject to change in the future due to program priorities, funding sources, budget limitations, site conditions, etc.

# CONWAY GIRL'S SOFTBALL COMPLEX

## MASTER PLAN





# Memo

To: Mayor Tab Townsell  
CC: Conway City Council  
From: Brian Knopp, Parks Director  
Date: September 5, 2007  
Re: Acceptance of Bid

---

The Conway Parks Department recently accepted bids for the replacement of three (3) existing 20 ton package air conditioning units at Don Owens Sports Center. We received two (2) bids:

- 1) Freyaldenhoven Heating & Cooling- \$48,847.80
- 2) Mauldin's Inc- \$52,500.

We are requesting the City Council to accept the low bid from Freyaldenhoven Heating & Cooling.

**ORDINANCE NO.O-07-\_\_\_\_\_****AN ORDINANCE APPROPRIATING ANTICIPATED REVENUE FROM THE FIRST STATE SOCCER PARK TO THE CONWAY PARKS AND RECREATION DEPARTMENT'S 2007 OPERATING BUDGET; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:**

**WHEREAS**, the First State Soccer Park estimates approximately \$50,000 in revenue by the end of December 2007 from Sponsorship Fees and Field Usage Fees; and

**WHEREAS**, the Conway Parks and Recreation Department have and/or will incur approximately \$43,000 in expenses for the First State Soccer Park that were not budgeted for;

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

**SECTION 1.** The City of Conway shall appropriate \$50,000 from the Fund Balance Appropriation Account to the Conway Parks Department 2007 Personal / Operating Budget.

**SECTION 2.** The City of Conway shall replace the above mentioned appropriation with the Sponsorship Fees and Field Usage Fees as they come in.

**SECTION 3.** That 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

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

**PASSED** this 25<sup>th</sup> day of September, 2007.

**APPROVED:**

---

**Mayor Tab Townsell**

**ATTEST:**

---

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

# Memo

To: Mayor Townsell  
Cc: Conway City Council  
From: Brian Knopp  
Date: 09/04/07  
Re: Appropriation of Funds

---

Due to the recent acquisition of the First State Soccer Park and the fact that the Parks Department was not budgeted with funds in 2007 for the expenses associated with that acquisition, the Conway Parks and Recreation Department would like to request that the City Council approve the anticipated revenue that will be received from Sponsorship Fees and Field Usage Fees be appropriated into the operating budget of the Conway Parks and Recreation Department.

Sponsorship fees should be \$43,333 with \$23,333 being received by the end of September and the additional \$20,000 coming in at the end of December.

Field Usage fees will be approximately \$6500 and should be received by the end of September.

The Conway Parks and Recreation Department has currently covered approximately \$7800 in contract labor fees and approximately \$10,000 in expenses with an anticipated additional \$25,000 worth of expenses prior to year end calculated by past history that was provided to us.

With the council's approval of this request the First State Soccer Park expenses should not affect the Conway Parks and Recreation's budgeted 2007 operating accounts.

**ORDINANCE NO. O-07-\_\_\_\_\_****AN ORDINANCE APPROPRIATING FUNDS TO THE  
CONWAY POLICE DEPARTMENT TO REPLENISH  
OPERATING LINE ITEMS; DECLARING AN  
EMERGENCY; AND FOR OTHER PURPOSES**

**WHEREAS**, the Conway Police Department needs additional funds to replenish numerous expense 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 \$20,000 from the General Fund Reserve to the following Conway Police Department expense line items:

01.113.292 – Uniforms	\$ 5,000
01.113.234 – Vehicle Maint	\$10,000
01.113.321 – Tires, tubes, batteries	\$ 5,000

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

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

**PASSED** this 25<sup>th</sup> day of September, 2007

**APPROVED:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**ATTEST:**

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

## ORDINANCE NO. O-07-\_\_\_\_

**AN ORDINANCE APPROPRIATING GRANT FUNDS  
TO THE POLICE DEPARTMENT; AND FOR OTHER  
PURPOSES**

**WHEREAS**, the Conway Police Department has approximately \$1,300 in their donation revenue account and;

**WHEREAS**, the Conway Police Department needs approximately \$1,100 for camera equipment.

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

**SECTION 1.** The City of Conway shall appropriate \$1,100 from the donation revenue account to the following Conway Police Department operational expense accounts:

01.113.354	\$737.08
01.113.331	\$362.92

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

**PASSED** this 25<sup>th</sup> day of September, 2007

**APPROVED:**

---

**Mayor Tab Townsell**

**ATTEST:**

---

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



# Memo

To: Mayor Tab Townsell  
From: Chief Castleberry  
Date: 9/21/2007  
Re: Construction Services – Station #2 and Station #4

---

On September 21, 2007 at 10:00am at City Hall; request for bids from interested companies to provide services for the remodeling / additions of two fire stations began being accepted. Only one proposal was submitted; it is tabulated as follows:

Tru-Star Properties:	Station 2 -	\$260,883.19
	Station 4 -	\$254,562.34
		<hr/>
	Total -	\$515,445.53

We recommend the approval of this submitted bid by Tru-Star Properties for these services.

Please advise if you have any questions.

January 17, 2007

Mayor Townsell and City Council Members  
 City of Conway  
 1201 Oak Street  
 Conway, AR 72032

Dear Mayor Townsell and Council Members,

Our family has been in Conway for over 14 years and we have experienced many changes that have been a result of the decisions of the City Council of Conway. Our initial desire was to have a home in the "country" yet close enough to the city for the shopping conveniences. In 1995 we were annexed though we asked not to be. Later there were several battles with zoning changes proposed by those who wanted to build apartments or light industrial businesses in our neighborhood. We lost the last battle even with the 100 percent agreement of the Planning Commission to remain a residential subdivision. Now we have a portion of our residential subdivision rezoned to reflect light industrial. These events of the past have been difficult to accept.

Currently we are hoping to divide and sell a portion of our approximately 6.25 acres on London Road. In order to do this replat, the City of Conway requires sidewalks to be built along the 640 feet of street frontage. The purpose of this letter is not to complain, but ask you to intervene and review a recent mandate for sidewalks to be a part of the requirement for such a replat. We are willing to pay for sidewalks in another part of the city at the actual cost of the construction. For London Road, there are no existing sidewalks. Therefore, sidewalks built on our property will not connect with any existing sidewalk network and could easily be seen as a distraction and a nuisance to the area. Our road is high, narrow and has no shoulder so is no place to put a sidewalk except at the bottom of a steep ditch. It would be quite an awkward sight to say the least. Also, there is little prospect of additional sidewalks being built along London Road since there is no compelling reason for the owners of the residences there to build them.

We know that something reasonable can be worked out. Please understand that we are willing to do just that. We propose that we be excused from the requirement to build a sidewalk on our land in exchange for building sidewalks of equal footage in areas of the city where it would be more beneficial for all. We have some suggestions where those areas would be, but are willing to follow recommendations from the Council or the City Planning Department. One particular place we are familiar with and suggest for consideration is Block 64 of the Boulevard Addition along the north side of Bruce Street. Many students who live in the rental houses on Bruce, Mitchell and Davis Streets walk this path to classes and there is a well-beaten foot path along the street, but no side walk. That path would be approximately 270 feet of sidewalk, and then we could select additional paths in the area of the University to make a total at least equal to the frontage of our property on London Road. Another possibility would be the south side of Bruce Street from Block 64, since this is another high foot traffic area.

Thank you for your consideration.

Sincerely,

  
 Dwight and Caryn Southerland

CITY OF CONWAY  
 2007 JAN 17 11:21 AM

cc: Brian Patrick

**Parking Lot Variance**

DN: PVR2007AUG01  
ID: PVR2007AUG01  
GL: 61331SW

**Patel Parking Lot Variance**

**REQUESTED VARIANCE(S)**

Allow a curb cut less then 20 feet from the side property line

**APPLICANT'S  
NAME(S)**

Feroz Patel

**PRESENT  
ZONING**

C-3

**ABUTTING  
ZONING**

C-3

**LOCATION**

This property is located at 2350 Sanders Road immediately south of the Holiday Inn Express. Lot 2A

**DIMENSIONS**

0 feet of frontage along Sanders Street  
440 feet maximum east-west depth  
158 feet maximum north-south depth

**AREA**

1.39 acres

**STREET(S) ABUTTING THE LOT AND THEIR CLASSIFICATIONS**

Lot is accessed from Sanders Street by a 45 foot access easement

**STRUCTURES ON THE PROPERTY**

None

**SUBMITTED JUSTIFICATION FOR THE VARIANCE**

The variance is requested in anticipation of the construction of a 3 story, 67 unit La Quinta Inn

**NOTIFICATION REQUIREMENTS**

In compliance

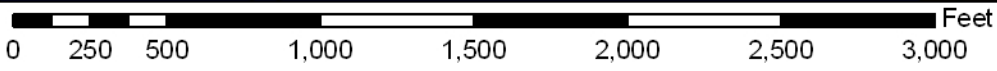
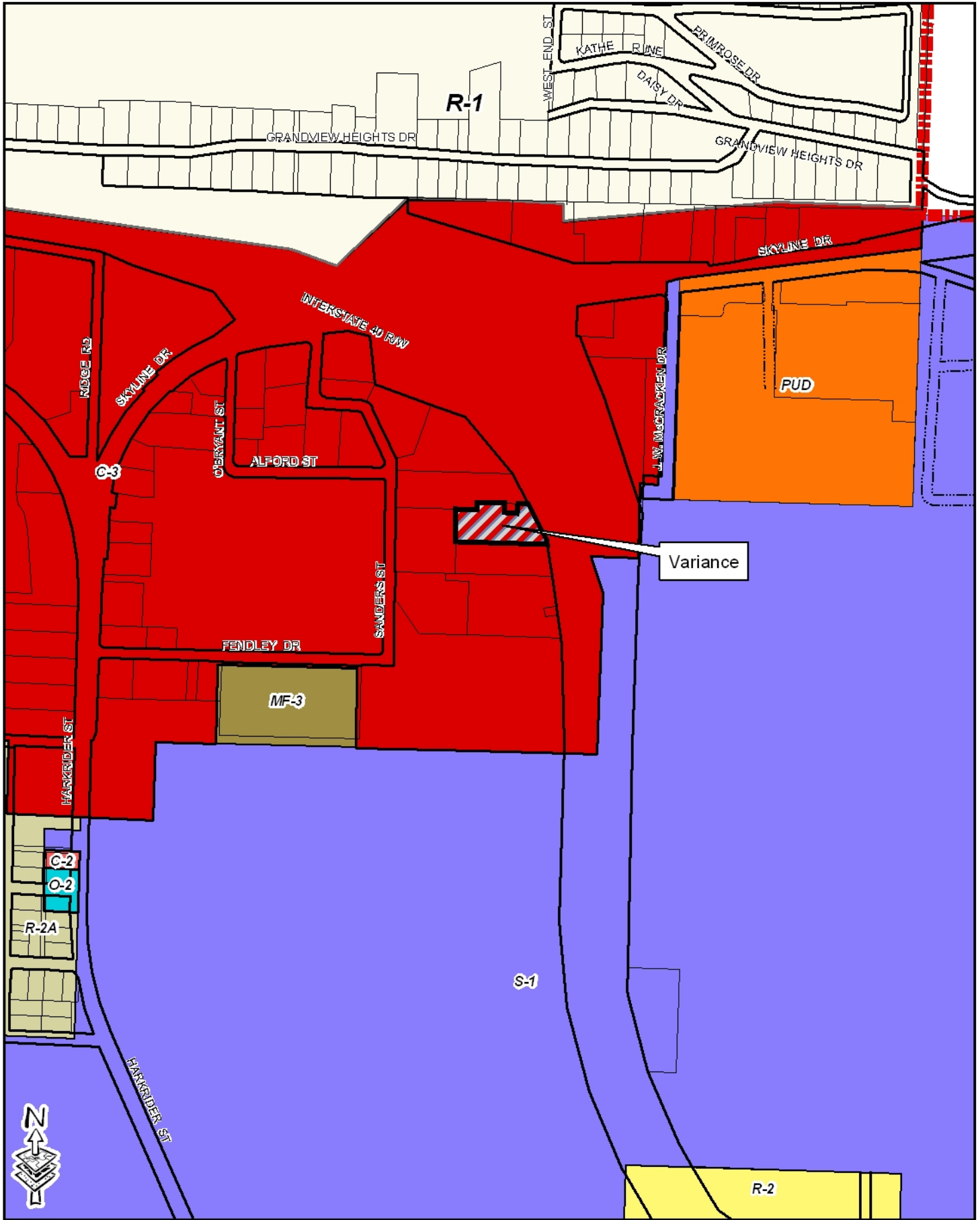
**COMMENTS**

This property is accessed from Sanders Street via a 45 foot access easement. The proposed curb cut is located on the north side of Lot 4, the adjacent lot to the west. This curb cut will allow a drive to be constructed accessing the La Quinta lot. A variance is needed due to the curb cut location would be less than the required 20 feet from the north lot line of Lot 4.

The access to the La Quinta will also provide cross access to the Holiday Inn Express from the La Quinta parking lot. Another private drive running north-south will also be constructed from the La Quinta parking lot to the existing east-west private drive now serving Outback Steakhouse. The existing curb cut for the Holiday Inn Express is approximately 90 feet to the north of this proposed curb cut.

**ENCLOSURES**

A map of the area, plat, and site plan



Patel (La Quinta)  
Parking Lot Variance

BOWMAN REALTY, LLC  
4221 Richards Road  
N.R. AR 71117



LOT-5 McCRACKEN SUB.

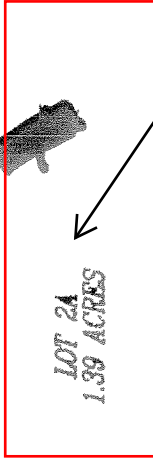
HOLIDAY INN EXPRESS  
LOT 1A  
2.54 ACRES

TRISPEY LING



Sold

LOT 4  
2.12 ACRES

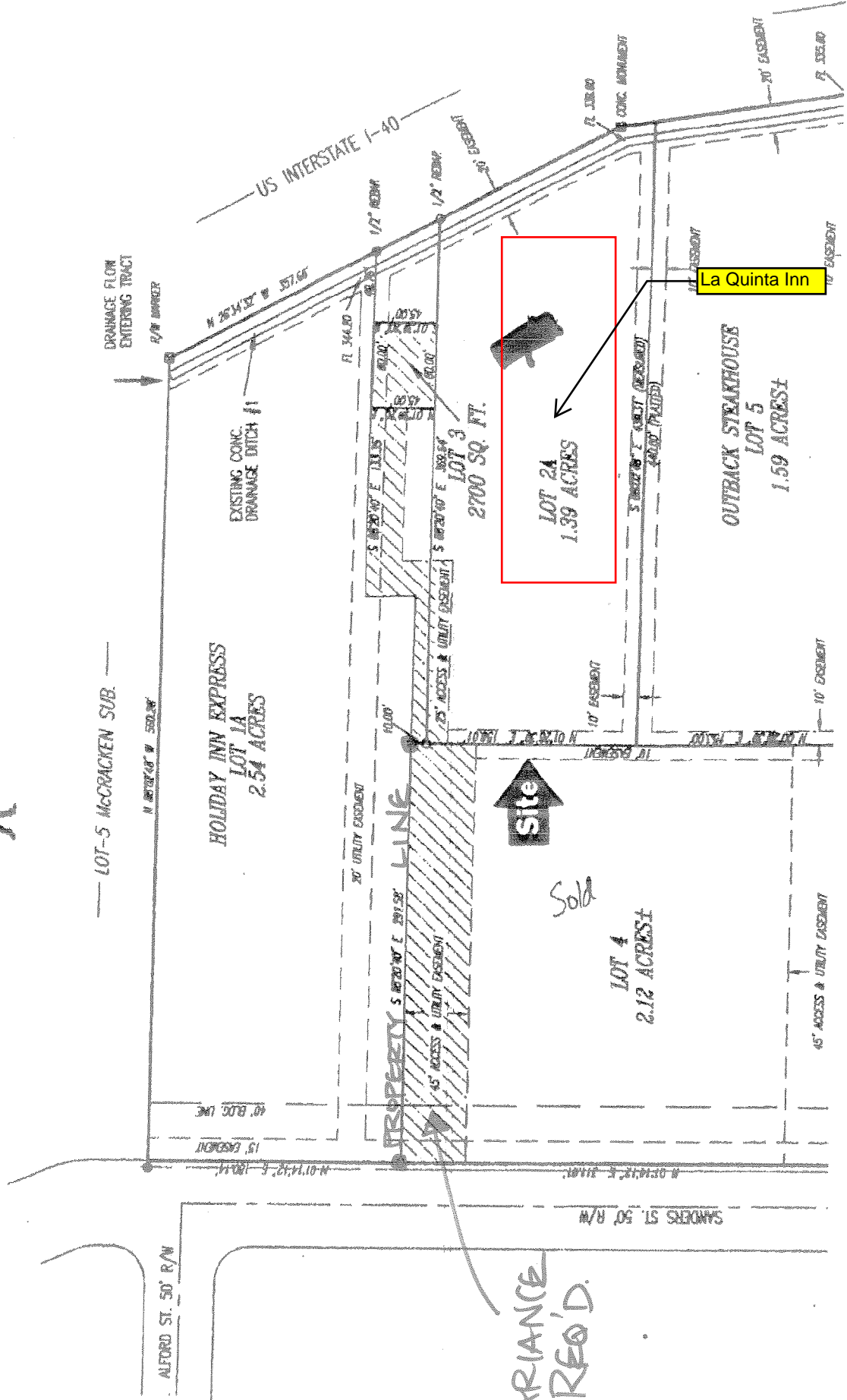


LOT 2A  
1.39 ACRES

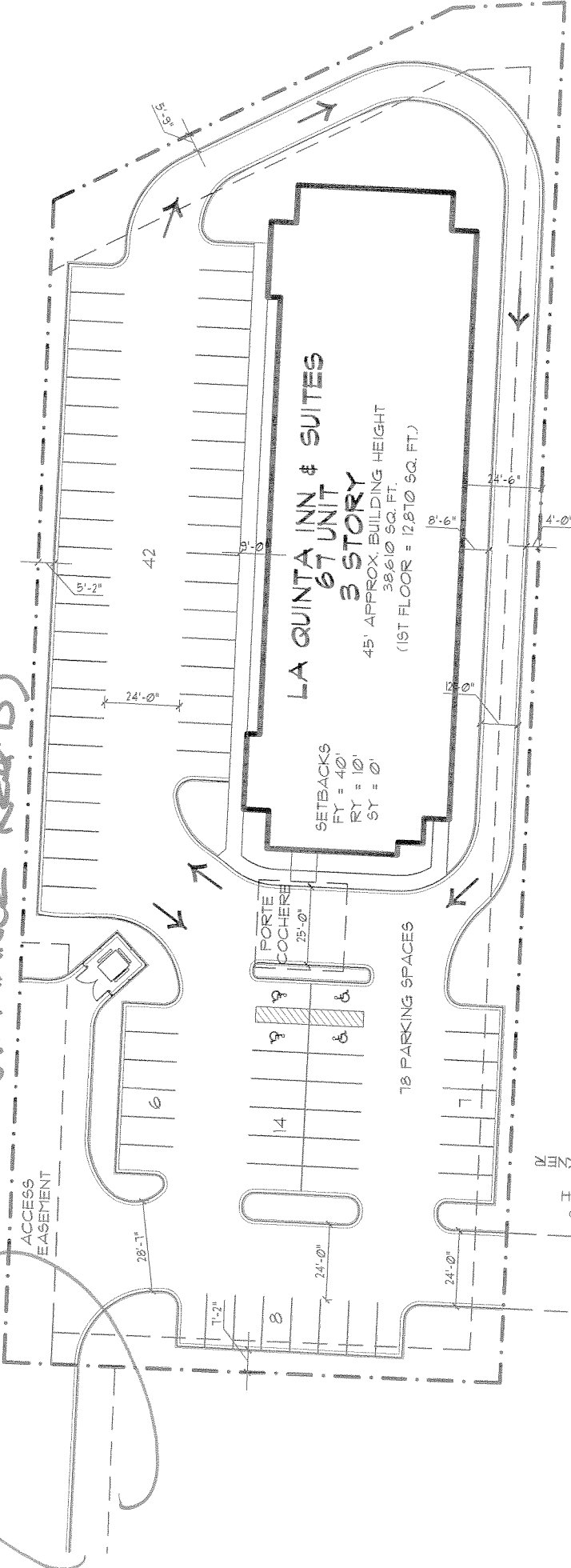
La Quinta Inn

OUTBACK STEAKHOUSE  
LOT 5  
1.59 ACRES

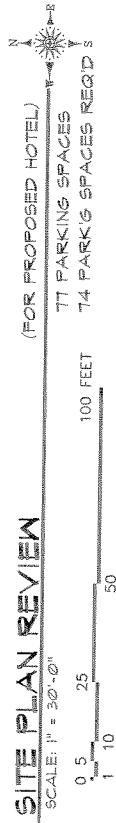
VARIANCE  
REQ'D.



CURB CUT W/IN  
20' OF SIDE LOT LINE  
(VARIANCE REQ'D)



A CROSS ACCESS EASEMENT ON CVTR, AND BOUNDARY LINE OF LOT 5 OF McCracken SUBDIVISION OF THE CITY OF CONWAY, FALKNER COUNTY, ARKANSAS. (AS NEEDED FOR ACCESS)



**SITE PLAN REVIEW**

**RICHARD HUMISTON ARCHITECT**  
523 GARRISON AVE. SUITE 102  
(479) 785-4355  
r.humiston@sbcglobal.net  
FORT SMITH, AR 72901  
fax: (479) 785-4855

**ORDINANCE NO. 0-07- \_\_\_\_\_****AN ORDINANCE AMENDING FEES COLLECTED BY THE PLANNING DEPARTMENT:**

**WHEREAS;** costs to the City for rezoning requests, conditional use permit requests and requests to the Board of Zoning Adjustment for variances as delineated in the Conway Zoning Ordinance rise over time, and;

**WHEREAS;** it is appropriate to increase the fees to cover a part of the cost to the City of Conway of administering these requests;

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

**ZONING ORDINANCE FEES:**

**Section 1:** That the first sentence of SECTION 801.4 - PROCEDURE FOR APPEALS, D. Fee of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

The fee for any appeal or application to the Board shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**Section 2:** That the first sentence of SECTION 901.2 - PROCEDURE FOR AUTHORIZING CONDITIONAL USES, L. Fee of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

The fee for any application for a conditional use permit shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**Section 3:** That the second sentence of SECTION 901.4 - AMENDMENTS, C. Procedure, (1) of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

Any petitioner must pay a filing fee of three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**Section 4:** That the second and third sentences of SECTION 1001.3 – MOVING OF BUILDINGS - Fee of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

The application fee shall be three hundred twenty-five dollars (\$325.00) for any building located within the City of Conway. For any building located outside the City of Conway, the application fee shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**Section 5:** That the first sentence of ARTICLE 1101 SITE PLAN REVIEW SECTION 1001.10 - FEES of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows:

A. For site plans with 5000 square feet or less of building gross floor area and 5000 square feet or less of lot coverage area, a fee of three hundred twenty-five dollars (\$325.00) must be paid by the applicant at the time of the submission of the site plan.

- B. For site plans with over 5000 square feet of building gross floor area and 5000 square feet of lot coverage area, a fee of four cents (\$0.04) per square foot of gross floor area and two cents (\$0.02) per square foot of lot coverage area must be paid by the applicant. The maximum fee shall be three thousand two hundred and fifty dollars (\$3250.00)
- C. An appeal for a site plan review that is denied shall be three hundred twenty-five dollars (\$325.00)

**Section 6:** That the last sentence of ARTICLE 401 ZONING DISTRICT REGULATIONS SECTION 401.9 C. PROCEDURES FOR OBTAINING PUD ZONING C. ZONING APPLICATION and PRELIMINARY PLAT of the City of Conway Zoning Ordinance as adopted by Ordinance 0-94-54 on September 27, 1994 is hereby amended to read as follows “The Application shall be processed following the procedure for a change of zone district boundary as contained in Article 901, with the exception of fees.

**A. FEES**

- 1. NON-RESIDENTIAL - A filing fee of one thousand one hundred and twenty five dollars (\$1125.00) must be paid by the applicant at the time of submission for a nonresidential PUD zoning amendment, no part of which shall be refundable.
- 2. RESIDENTIAL - A filing fee of five hundred and twenty five dollars (\$525.00) must be paid by the applicant at the time of submission for a residential PUD of 10 or less units, a fee of seven hundred and twenty five dollars (\$725.00) for 25 or less residential units, and a fee of one thousand one hundred and twenty five dollars (\$1125.00) for 26 or more units.

**ANNEXATION FEE**

**Section 7:** The fee for any request for annexation to the City of Conway shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.”

**EASEMENT, STREET, AND ALLEY CLOSING FEE**

**Section 8:** The fee for any request for the closing of an easement shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable. The fee for any request for the closing of a street or alley shall be two-thousand dollars (\$2000.00), no part of which shall be refundable.

**OVERLAY DISTRICT VARIANCE FEE**

**Section 9:** I: That SECTION 1, G. of Ordinance 0-00-167 as adopted on December 28, 2000 is hereby amended to add paragraph 4, which shall read as follows:

- 4. The fee for any application for a variance shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**PARKING LOT VARIANCE FEE**

**Section 10:** That the paragraph with the heading REQUIREMENTS ALONG PUBLIC RIGHT-OF WAY of Ordinance 0-91-54 as adopted on December 10, 1991 is hereby amended to add the following sentence that shall read as follows:

The fee for any application for an exception or variance shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.

**SUBDIVISION, REPLAT, AND LOT MERGER FEE**



**Section 11:** That ARTICLE VI ADMINISTRATION AND ENFORCEMENT, SECTION 3 - FEES of the City of Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on January 25, 2000 is hereby amended to read as follows:

For each preliminary plat submitted at the time of filing, the subdivider shall pay to the Designated Agent the following filing fee:

Residential:

\$200 + Engineering Fee =<10 lots

\$400 + Engineering Fee =<25 lots

\$800 + Engineering Fee =>26 lots

Nonresidential and Mixed Use: \$800 + Engineering Fee

Engineering Fee:

\$100 =< 2 lot subdivision/replat no new street drainage

\$250 => 3 lot subdivision/replat no new street drainage

\$500 + \$25 per lot subdivision / replat with new street drainage

For each Final Plat submitted, the fee shall be as follows:

Residential:

\$200 =<10 lots

\$400 =<25 lots

\$800 =>26 lots

Nonresidential and Mixed Use: \$800

Any subsequent variances, waivers, extensions, etc. after preliminary or final plat approval that require the plat to be placed on the Planning Commission agenda shall pay a fee of one hundred dollars(\$100).

All recording fees shall be paid by the subdivider.

That ARTICLE IX LOT MERGERS, SECTION 3 – PROCEDURES, (2) of the City of Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on January 25, 2000 is hereby amended to read as follows:

(2) The application shall not be accepted until the applicant has paid a fee of \$200.00. All recording fees shall be paid by the subdivider.

**Section 8:** That all above fee increases will become effective on \_\_\_\_\_, 2007.

**Section 9:** That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Mayor Tab Townsell

\_\_\_\_\_  
City Clerk Michael O. Garrett

**ORDINANCE NO. O-07-\_\_**

**AN ORDINANCE APPROPRIATING FUNDS AND WAIVING BIDS FOR CONTRACTED SERVICES IN CONJUNCTION WITH MOLD REMEDIATION IN CITY HALL; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:**

**WHEREAS**, The City of Conway City Hall building has been contaminated with mold and mildew which requires cleanup and treatment for which funding has not been previously provided; and

**WHEREAS**, the required mold remediation requires specialized equipment and processes, The City of Conway Administration Department has worked with ABB Enterprises, Inc. and Enviro-Care Cleaning & Restoration on developing an analysis of the nature and extent of the mold problem and will benefit from their expertise and in depth knowledge of this situation,

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

**SECTION 1.** The City of Conway shall waive the requirement for obtaining bids for contracted services in conjunction with the mold remediation of City Hall and shall enter into an agreement with ABB Enterprises, Inc. and Enviro-Care Cleaning & Restoration for said services at a price not to exceed \$17,500. The City of Conway shall appropriate funding for mold remediation from the General Fund Balance (01.990) to the Administration Department improvements (01.101.915).

**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 and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 25<sup>th</sup> day of September 2007.

**APPROVED:**

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**Mayor Tab Townsell**

**ATTEST:**

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