

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 Vaught

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 Committee Meeting – FY2008 Budget

6:30pm -- Council Meeting

Courtroom in District Court Building

810 Parkway, Conway, AR 72034

December 18th, 2007

1. **Call to Order**
2. **Roll Call**
3. **Minutes:** *December 11th, 2007*
4. **Recognition of Guests:** *Employee Service Awards*
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 an alley located between North Ash & Davis Street.
 2. Ordinance appropriating funds for the Planning department salary adjustments and capital improvements.
 3. Ordinance amending section 11.04.02 of the Conway Municipal code in regards to new building permits for the City of Conway.
 4. Consideration of accepting annual bids for asphalt, gravel, concrete pipes, concrete blocks, concrete work, gasoline & diesel.
 - B. **Public Service Committee (Sanitation, Parks & Recreation, & Physical Plant)**
 1. Consideration of accepting annual bids for 6 yard front load containers, 96 gallon (green) refuse roll carts, and 64 gallon (blue) refuse roll carts.
 2. Ordinance appropriating revenue funds to the Conway Sanitation Department for a Household Hazardous Waste Collection Facility.
 3. Ordinance appropriating funds to purchase a vehicle for the Physical Plant Department.

4. Ordinance appropriating funds for gasoline & diesel for the Conway Parks Department.
5. Ordinance appropriating bond proceeds and authorizing establishment of capital projects funds for parks and trail improvements.
6. Ordinance appropriating prepared food tax revenue for the purchase of Pompe Park & accepting donations of land.
7. Ordinance appropriating prepared food tax revenue for the purchase of land on Siebenmorgan Road and Bob Courtway Drive.
8. Consideration of an amended agreement for property located on East Siebenmorgan Road.
9. Ordinance appropriating prepared food tax revenue for the purchase of property on East Siebenmorgan Road.

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

1. Ordinance appropriating funds for renovations of the Guy Murphy Building and to purchase office equipment for the City Attorney's office.
2. Ordinance appropriating funds for expenses related to District Court automation to purchase computer equipment.

D. Finance

1. Consideration to enter into an agreement with Robin Scott for Chief Financial Officer.
2. Discussion/Consideration of an ordinance establishing the FY2008 Budget.
(Ordinance will be provided prior to meeting)

7. Old Business

8. New Business

Adjournment

RESOLUTION NO. R-07-_____

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS CLOSING AN ALLEY BETWEEN NORTH ASH AND DAVIS STREET;

WHEREAS, a petition has been filed with the City Council of the City of Conway, Arkansas by Mitch Fry to close an alley between North Ash and Davis Street 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, ARKANSAS:

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 8th day of January, 2008 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 18th day of December, 2007

APPROVED:

ATTEST:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer

ORDINANCE NO. O-07-___**AN ORDINANCE APPROPRIATING FUNDS FOR PLANNING DEPARTMENT SALARY ADJUSTMENTS AND CAPITAL IMPROVEMENTS AND FOR OTHER PURPOSES:**

WHEREAS, the City Council of the City of Conway amended the fee structure charged by the Planning Department on September 25, 2007 to be effective January 1, 2008 with the intent to partially fund the operations of the Planning Department; and

WHEREAS, the FY 2008 Budget submitted to City Council incorporates an increase in authorized headcount for the Planning Department to position the department to better serve the needs of the citizens of Conway; and

WHEREAS, specific renovations and office equipment costs are necessary to renovate and equip the office space for the staff of the Planning Department which are not of a recurring nature and are therefore considered an appropriate use of City reserves; and

WHEREAS, it is considered necessary to adjust the pay grid for staff positions in the Planning Department to adequately compensate employees at a market rate comparable to the peer cities in Arkansas;

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

SECTION 1. The City of Conway shall appropriate \$21,200 from the General Fund-Fund Balance Appropriation Account to the Planning Department's Capital Accounts for the purchase of office machines and furniture and minor remodeling of the Planning Department to provide equipment and space for newly authorized positions. The City of Conway shall also transfer funding from existing Planning Department operating accounts as necessary to fund the adjustments to the 2007 pay grid to adjust Planning Department salaries to the attached pay grid totaling approximately \$17,000. Personnel adjustments will be effective January 1, 2008.

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

PASSED this 18th day of December 2007.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

City of Conway
Proposed Adjustment to Planning Department Pay Grid
December 31, 2007

Category	Job Title	1	2	3	4	5	6	7
Professionals	GIS Coordinator	14.3798	15.0013	15.6225	16.2438	16.8655	17.4866	18.1080
Professionals	GIS Coordinator	19.2308	20.0000	20.8000	21.6320	22.4973	23.3972	24.3331
Professionals	GIS Coordinator, with AICP or Masters	19.9519	20.7212	21.5212	22.3532	23.2184	24.1183	25.0542
Professionals	GIS Coordinator, with complete CDI	19.4712	20.2404	21.0404	21.8724	22.7377	23.6376	24.5734
Professionals	Planning Spec./Webmaster	14.3798	15.0013	15.6225	16.2438	16.8655	17.4866	18.1080
	Planning Spec./Cartographer	14.3798	15.0013	15.6225	16.2438	16.8655	17.4866	18.1080
Professionals	Planner	17.3115	18.0000	18.7200	19.4688	20.2476	21.0575	21.8998
Professionals	Planner, with AICP or Masters	18.0327	18.7212	19.4412	20.1900	20.9687	21.7786	22.6209
Professionals	Planner, with complete CDI	17.5519	18.2404	18.9604	19.7092	20.4879	21.2978	22.1401
Asst. Dept. Head	Asst. Planning Director*	15.9776	16.6876	17.3978	18.1080	18.8181	19.5283	20.2384
Asst. Dept. Head	Asst. Planning Director*	19.7577	20.5480	21.3699	22.2247	23.1137	24.0383	24.9998
Asst. Dept. Head	Asst. Planning Director, with AICP or Master	20.4788	21.2692	22.0911	22.9459	23.8349	24.7594	25.7209
Asst. Dept. Head	Asst. Planning Director, with complete CDI	19.9981	20.7884	21.6103	22.4651	23.3541	24.2786	25.2402
Support Staff	Administrative Assistant I	12.2495	12.8706	13.4924	14.1136	14.7348	15.3560	15.9776
Support Staff	Planning Technician/Webmaster	14.9038	15.5000	16.1200	16.7648	17.4354	18.1328	18.8581
Support Staff	Planning Technician/Webmaster, with AICP or M	15.6250	16.2212	16.8412	17.4860	18.1565	18.8540	19.5793
Support Staff	Planning Technician/Webmaster, with complete	15.1442	15.7404	16.3604	17.0052	17.6758	18.3732	19.0985

Notes:

Denotes old pay grid and title

Denotes proposed pay grid and title. Personnel will be reassigned an applicable step upon Council approval.

Pay grid adjustment is to the FY2007 grid. Any council action taken to adjust the master pay grid for COLA will be applied to this proposed schedule.

ORDINANCE O-07-_____

AN ORDINANCE AMENDING SECTION 11.04.25 OF THE CONWAY MUNICIPAL CODE; AND FOR OTHER PURPOSES:

WHEREAS, the City of Conway is working toward continually improving the requirements for building within the city limits, we request the following amendment be made to the following section of the Municipal Code:

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

Section 1: That 11.04.25 section C, W, Y of the Conway Municipal Code is hereby amended to read as follows:

(C) Residences and Apartments shall be done with wire not smaller than No. 14 gauge wire, allowing ten (10) outlets per 15 amp circuit and twelve (12) outlets per 20 amp circuits. Provided, however, laundry rooms shall have not more that two (2) outlets per circuit, and kitchen above counters shall have not more than (4) four duplex receptacles per circuit installed with wire not smaller than No. 12 gauge.

(W) Non Metallic sheathed cable will only be allowed in R-1, R-2 and Multi-Family Residence.

(X) Aluminum wire is prohibited other than feeders and service with no smaller that No. 4 gauge.

(Y) Alternative Power Source \$25.00
(such as solar systems, fuel sales, etc.)

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

PASSED this 18th day of December 2007.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

MEMORANDUM

6A-4

TO: MAYOR TAB TOWNSELL

FROM: RONNIE HALL, P.E.
CITY ENGINEER

DATE: December 6, 2007

REFERENCE: 2008 ANNUAL MATERIALS AND SERVICES BIDS

I have attached a summary of the bids opened on December 6, 2007 for 2008 annual materials and services utilized by the Street Department. We request award of the bids as follows:

<u>MATERIALS OR SERVICE</u>	<u>CONTRACTOR</u>	<u>PRICE</u>
Asphalt Pre-Mix	Rogers Group	\$61.00/Ton
Asphalt Hot Mix FOB Plant	Rogers Group	\$49.00/Ton
Asphalt Hot Mix (Type 2) In Place	Rogers Group	\$62.50/Ton
Asphalt Hot Mix (Type 3) In Place	Rogers Group	\$62.50/Ton
Crushed Stone FOB Toad Suck/Gbr.	Rogers Group	\$7.56/Ton
Crushed Stone Delivered	Rogers Group	\$10.80/Ton
Ballast Stone Delivered	Rogers Group	\$11.45/Ton
Stone Backfill delivered	Rogers Group	\$11.23/Ton
Riprap delivered	Rogers Group	\$15.12/Ton
Concrete Class A	Mallard	\$80.11/CY
Concrete Class S	Mallard	\$82.27/CY
Added Cost for 1% Calcium added	Mallard	\$4.00/CY
Reinforced Concrete Pipe:		
12"	Hanson	\$8.82/Ft.
15"	Hanson	\$12.04/Ft.
18"	Hanson	\$15.54/Ft.
24"	Hanson	\$24.61/Ft.
30"	Hanson	\$35.44/Ft.
36"	Hanson	\$48.79/Ft.
42"	Hanson	\$60.93/Ft.
48"	Hanson	\$77.25/Ft.
Concrete Blocks:	Conway Block Company	
Standard Weight Concrete Blocks		\$1.39/Ea.
Interlocking Retaining Wall Blocks		\$4.62/Ea.
Concrete Work:		
4" Curb & Gutter	Lasker Brothers	\$3.50
6" Curb & Gutter	Lasker Brothers	\$4.50
Sidewalk	Lasker Brothers	\$0.85/SF
Concrete Pavement Repair		No Bid
Removal of Unsuitable Subgrade		No Bid
Place and Shape Stone Backfill		No Bid
Gasoline & Diesel:		
Reg. Unleaded Gasoline	M.M. Satterfield	\$2.44/Gal.
Diesel	M.M. Satterfield	\$2.7755/Gal.

CITY OF CONWAY**SUMMARY OF ANNUAL BIDS FOR STREET DEPARTMENT TYPE WORK****FOR YEAR 2008**

ASPHALT	ROGERS GROUP	JAY-PAC	ASPHALT PRODUCTS	2007 LOW BID
PRE-MIX	\$61.00 /TON	\$61.41 /TON	\$71.00 /TON	\$60.00 /TON
HOT MIX FOB PLANT	\$49.00 /TON	\$48.21 /TON	NO BID /TON	\$49.00 /TON
INPLACE HOT MIX (TYPE 2) IN PLACE	\$62.50 /TON	NO BID /TON	NO BID /TON	\$59.75 /TON
INPLACE HOT MIX (TYPE 3) IN PLACE	\$62.50 /TON	NO BID /TON	NO BID /TON	\$59.75 /TON

CRUSHED STONE BASE COURSE	ROGERS GROUP	WEBCO	2007 LOW BID
CRUSHED STONE FOB PLANT	\$7.56 /TON (T.S.)	\$6.99 /TON	\$6.26 /TON (T.S.)
CRUSHED STONE DELIVERED TO STREET DEPT	\$10.80 /TON	\$11.56 /TON	\$9.72 /TON
BALLAST STONE DELIVERED TO STREET DEPT.	\$11.45 /TON	\$12.85 /TON	\$10.26 /TON
STONE BACKFILL DELIVERED TO STREET DEPT	\$11.23 /TON	\$12.37 /TON	\$10.58
RIPRAP DELIVERED TO STREET DEPARTMENT	\$15.12 /TON	\$ 19.89 /TON	\$10.80

CONCRETE	MALLARD	2007 LOW BID
CLASS A CONCRETE	\$80.11 /C.Y.	\$78.48 /C.Y.
CLASS S CONCRETE	\$82.27 /C.Y.	\$80.65 /C.Y.
1% ADDED CALCIUM	\$4.00 /C.Y.	\$4.00 /C.Y.

CONCRETE PIPE:	SIZE	HANSON PIPE	2007 LOW BID
	12"	\$8.82 /FOOT	\$8.75 /FOOT
	15"	\$12.04 /FOOT	\$12.00 /FOOT
	18"	\$15.54 /FOOT	\$15.00 /FOOT
	24"	\$24.61 /FOOT	\$21.75 /FOOT
	30"	\$35.44 /FOOT	\$31.50 /FOOT
	36"	\$48.79 /FOOT	\$43.25 /FOOT
	42"	\$60.93 /FOOT	\$58.00 /FOOT
	48"	\$77.25 /FOOT	\$68.00 /FOOT

CONCRETE BLOCKS:	Conway Block	2007 LOW BID
STANDARD WEIGHT CONCRETE BLOCKS (8"x8"x16")	\$1.39 /EA.	\$1.41 /EA.
INTERLOCKING RETAINING WALL BLOCKS(6"x16"x12")	\$4.62 /EA.	\$4.69 /EA.

CONCRETE WORK (MATERIALS FURNISHED BY CITY):	LASKER BROTHERS	2007 LOW BID
4" HIGH ROLL CURB & GUTTER	\$3.50	\$3.25 /FOOT
6" HIGH UPRIGHT CURB & GUTTER	\$4.50	\$4.25 /FOOT
FORM POUR AND FINISH SIDEWALK	\$0.85 /S.F.	\$0.85 /S.F.
CONCRETE PAVEMENT REPAIR	NO BID	NO BID /S.F.
REMOVAL OF UNSUITABLE SUBGRADE	NO BID	NO BID
PLACE AND SHAPE STONE BACKFILL	NO BID	NO BID

GASOLINE & DIESEL	M.M. SATTERFIELD OIL CO.	2007 LOW BID
REG. UNLEADED GAS	\$2.4400 /GAL.	\$2.0485 /GAL.
DIESEL FUEL	\$2.7755 /GAL.	\$2.0636 /GAL.



CITY OF CONWAY
SANITATION DEPARTMENT

*P.O. Box 915
4550 Hwy. 64 West
Conway, AR 72033
(501) 450-6155
Fax: (501) 450-6157*

Cheryl Harrington
Director

December 11, 2007

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

Re: 6 Yard Front Load Containers

Dear Mayor Townsell,

Bids were submitted at 10:00 am, Thursday December 6, 2007 at Conway City Hall for 6 **Front Load Containers**. Four bids were submitted:

Roll-Offs of America	\$617.00 each
Downing Sales & Service	\$704.49 each
Downing Sales & Service	\$791.84 each
Downing Sales & Service	\$806.42 each

I recommend the bid from Roll-Offs of America for \$617.00 each to be ordered as needed. It was the bid that met or exceeded all specifications that we required.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington
Sanitation Director

BID SUMMARY
6 Yard Front Load Containers

Bid #1 submitted by Roll-Offs of America
250 count-\$154,250.00
\$617.00 each
Bid price held until 3/31/2008
Delivery time 4 weeks

Bid #2 submitted by Downing Sales & Service
250 count-\$176,122.25
\$704.49 each
Bid price held until 2/12/2008
Delivery time 4 weeks

Bid #3 submitted by Downing Sales & Service
250 count-\$197,958.25
\$791.84 each
Bid price held until 2/15/2008
Delivery time 4 weeks

Bid #4 submitted by Downing Sales & Service
250 count-\$201,604.65
\$806.42 each
Bid price held until 2/15/2008
Delivery time 4 weeks

I recommend the bid for Roll-Offs of America for \$154,250.00 or \$617.00 each. The Container suggested is the most reasonably priced. Prices include tax and delivery costs.


BIDDER SUBMITTAL FORM

The Sanitation Department reserves the right to order the quantity of dumpsters as needed of the 250 containers to be bid on.

Item	Price	Qty
6 Yard Front Load Containers	\$ <u>617</u>	250
Total amount of bid	\$ <u>154,250</u>	

Prices quoted must be held firm for sixty (60) days to allow for evaluation. Indicate specific date that prices can be held through: March 31, 2008

Quote F.O.B. City of Conway

 **ROLL-OFFS OF AMERICA**
P.O. BOX 727
DURANT, OK 74702-0727

Delivery time may be a major consideration in determining the lowest responsible bid.

Indicate delivery date: Begin 2 weeks, Finish 4 weeks

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid.

****Bid should include all charges, including taxes, freight, shipping, etc. if applicable**

Please make sure portions through bid specifications are filled in.

Bid specifications can be obtained from www.cityofconway.org

For further information regarding specifics of this bid contact Cheryl Harrington, Sanitation Director at 501-450-6155 or cheryl.harrington@cityofconway.org .

City of Conway - Sanitation Department
Annual Bid 6 Yard Front Load Containers
Bid Number: 2008-10
Bid Opening Date: Thursday, December 6th, 2007

Unsigned bids will be rejected:

ROLL-OFFS OF AMERICA
P.O. BOX 727
DURANT, OK 74702-0727

Authorized Agent Bidding on this project:

Roll Offs USA

Company Name

J. Daniel Hankey

Company Representative Name

J. Daniel Hankey

Representative's Signature

PO Box 727 danny@rolloffs.net

Address

Email Address

Durant OK 74702

City

State

Zip

800-468-6826 580-924-1285

Telephone Number

Fax Number

12-4-07

Date



CITY OF CONWAY
SANITATION DEPARTMENT

*P.O. Box 915
4550 Hwy. 64 West
Conway, AR 72033
(501) 450-6155
Fax: (501) 450-6157*

Cheryl Harrington
Director

December 11, 2007

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

Re: 96 gallon Refuse Roll Carts

Dear Mayor Townsell,

Bids were submitted at 10:00 am, Thursday December 6, 2007 at Conway City Hall for **96 gallon Refuse Roll Carts**. Six bids were submitted:

Otto Environmental Systems	\$18,030.60
Toter Incorporated	\$18,291.42
Schaefer Systems International	\$19,315.80
Rehrig Pacific Company	\$20,412.00
Cascade Engineering	\$20,412.00
Downing Sales & Service	\$21,352.39

I recommend the bid from Toter Incorporated for \$18,291.42. It was the bid that met or exceeded all specifications that we required. Otto Environmental Systems was lowest bid but did not meet all Specifications.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington
Sanitation Director

BID SUMMARY
96 gallon containers

Bid #1 submitted by Otto Environmental System (NC), LLC
378 count-\$18,030.60
\$47.70 each
Bid price held until 6/30/2008
Delivery time 30 days
(Spec. not met)

Bid #2 submitted by Toter Incorporated
378 count-\$18,291.42
\$48.39 each
Bid price held until 2/4/2008
Delivery time 4 weeks

Bid #3 submitted by Schaefer Systems International, Inc
378 count-\$19,315.80
\$51.10 each
Bid price held until 3/1/2008
Delivery time 6-8 weeks

Bid #4 submitted by Rehrig Pacific Company
378 count-\$20,412.00
\$54.00 each
Bid price held until 2/6/2008
Delivery time 30-45 days ARO

Bid #5 submitted by Cascade Engineering
378 count-\$20,412.00
\$54.00 each
Bid price held until 2/06/2008
Delivery time 30-45 days

Bid #5 submitted by Downing Sales & Service
378 count-\$21,352.39
\$53.15 each
Bid price held until 6/1/2008
Delivery time 30-45 days

I recommend the bid from Toter Incorporated for \$18,291.42 or \$48.39 each. The cart suggested is the one with the lowest bid and met all specifications.

3. PRODUCT LITERATURE

a. The bidder shall submit product literature with the bid.

4. SUPPORTING DOCUMENTS

a. The bidder shall include in its bid all evidence and documentation supporting the conformity of the product with the herewith specifications which is not printed on the brochures or catalogues mentioned in paragraph

BIDDER SUBMITTAL FORM

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>QTY</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
1	96 Gallon only Mobile Refuse containers per the attached specifications	378	\$ <u>48.39**</u>	\$ <u>18,291.42</u>

Mfg. /Model Bid:

Toter Incorporated Model 79296 - Universal/Nestable EVR II 96 Gallon Cart

TOTAL BID

\$ 18,291.42

** Pricing is based on orders placed for 378 carts. Orders placed for other than 378 carts may be subject to additional freight.

Prices quoted must be held firm for sixty (60) days to allow for evaluation. Indicate specific date that prices can be held through: 60 days after bid closing date.

Quote F.O.B. City of Conway, Arkansas.

Delivery time may be a major consideration in determining the lowest responsible bid. Indicate delivery date: 4 weeks after receipt of written purchase order.

Protest regarding this bid must be submitted in writing to the Sanitation Director, Cheryl Harrington within five (5) working days of the opening of the bid.

****Bid should include all charges, including taxes, freight, shipping, etc. if applicable**

Please make sure portions through bid specifications are filled in.

Bid Specifications are also available online at www.cityofconway.org

** The City may deduct \$1.00 per cart for pal nut wheel attachment.

** The City may add \$1.25 per cart for Granite color body with Black lid.

SPECIFICATIONS FOR UNIVERSAL MOBILE REFUSE CONTAINERS

1. General

1.1 General Description

The Mobile Refuse Container shall be designed to contain the average solid waste material accumulated by a household in one (1) week's time. The container shall be warranted against material and workmanship defects for no less than 10 years, during which time it will be generally maintenance-free under normal usage conditions. The bidder shall submit a copy of its warranty. The container shall be equipped with suitable wheels, lift bars, handle, and general design so that it can be maneuvered, lifted and dumped by automatic lifting units.

Make/Model: Toter Incorporated Model 79296 -
EVR II Universal/Nestable 96 Gallon Cart

1.2. Quantity

The successful bidder shall provide **378** containers in accordance with specifications.

1.3 Color

The container body, lid and other plastic components shall be **green** for the 96-gallon carts.

2. MATERIAL

2.1 Process

The City prefers a container manufactured using the injection, rotational or blow molding or equivalent.

2.2 Materials

The container shall be made from high-density polyethylene (HDPE) or equal.

2.3 Coloration and ultraviolet Inhibitors

The containers shall be colored upon request from the City with the following requirements. Color shall be obtained by the introduction of color pigments dispersed into the resin in order to obtain uniform distribution in the finished container. Color pigment shall be hot melt or hot mix blended to a uniform mix prior to the molding.

The containers shall be protected against color fading and stabilizing against ultraviolet rays by an additive to the plastic resin of one half (1/2) of 1% of U.V. 531 or equal. Stabilizers shall not be hot melt compounded into the resin.

2.4 Certification

Bidders must supply certificates from virgin resin suppliers, indicating the actual source of the resin and the specifications of the resin.

3. Construction

3.1 Capacity

The container capacity is 96 gallon when full, excluding additional volume achieved by the domed lid in the closed position.
State Capacity: 96.36 gallons

3.2 Dimensions

The exterior dimensions of the completely assembled container shall be as follows:

Height: 41" Minimum 48" Maximum
Length/Depth 36" Maximum
Width 31" Maximum

State Dimensions:
Height: 43.25 inch
Depth: 35.25 inch
Width: 29.75 inch

3.3 Weight of the Container

State the fully assembled weight of the container. 35.2 lbs.

3.4 Interior Construction

The interior surface shall be smooth and free from crevices, recesses, projections and other obstructions where refuse could become entrapped or entangled. The interior construction and shape shall assure the free flow of solid waste contents from the container when dumped.

3.5 Exterior Construction

The exterior surface shall be smooth, free of sharp corners, edges, or structures that could be hazardous or harmful.

3.6 Lid/Hinge

The lid shall be securely attached to the container by way of hinge/handle. The lid shall open freely to the 270 degrees position.

The lid shall be designed in such manner to ensure that the container will be 100% watertight and shall continuously overlap the container body. The continuous overlapping of the body must prevent rainwater, rodents and birds from intruding into the container.

3.7 Handle

The handle shall be of one molded piece and shall extend in full length. Each gripping area shall provide enough space for gloved hand to be placed.

The container must have wind stability rating of no less than 35 mph without falling over. **Wind tunnel tests performed by independent laboratory shall be submitted with the bid.**

3.8 Wheels/Axle

The container shall be equipped with an axle and two wheels. The wheels and axle shall be designed so as to provide the specified wind stability.

The wheels shall consist of a plastic molded and shall be 10 inches in diameter. The wheels shall be fully functional for supporting the specified maximum container weight. Wheel bearing shall be self-lubricating.

The axle shall be solid steel, diameter of ¾ inch and plated for corrosion resistant. Wheel shall be designed for (snap-on) assembly. They shall be tamper proof and not easily removed with ordinary tools. Wheel assemblies using bolts, washer, cotter keys, end caps or any combination that require hand tools for assembly shall not be considered.

3.9 Tipping Fulcrum

The container must be provided with adequate foot fulcrum or a tipping leverage. The container must be capable of being easily transported on a level, sloped or stepped surface in two directions.

4. PERFORMANCE SPECIFICATIONS

4.1 ANSI Compliance

The container shall be in full compliance with the American National Standard ANSI Z245.60. **The bidder shall provide a compliance certification that the container(s) provided to the City meet the requirements of this standard.**

4.2 Cart load rating

The container shall be capable of accommodating a load weighing up to 300 lbs., exclusive of the weight of the container.

4.3 Mobility

The container shall be stable and self-balancing in its upright position when either empty or loaded to its minimum design load capacity.

The container shall be capable of easily moved and maneuvered, with an evenly distributed load equal in weight to minimum design capacity on a level sloped or stepped surface in two directions.

The container shall have sufficient stability against winds

4.4 Abrasion protection

The container shall withstand dragging along streets and driveways as well as the normal abrasion caused by the dumping operation.

4.5 Container pick up points

The container must be capable of being picked up in either a semi-automated or fully automated application.

Semi-Automated:

The pick up points on the container shall fit all standards domestic lifter designs.

Fully-Automated:

The container shall be designed in such a manner that it can be engaged by a fully automated grasping arm of either the belted or non-belted design. The container shall be able to withstand squeezing and dropping throughout its expected lifetime without showing the slightest change in its functionality or structural integrity.

5. CONTAINER REPARABILITY

The container-exposed parts shall be easily reparable.

6. MARKINGS

DO: Rinse with hose occasionally
Keep lid on container

DO NOT: Place hot ashes, charcoal or other hot materials, paints
solvents or flammable liquids in the cart.

Leave on curb for extended period after collection.
Drag cart

Top Lid: Property of City of Conway
Both Sides: Conway Sanitation Department NEW
LOGO (artwork provided with bid specs.)
Front: Serial Number (007-0000)

7. Warranty

All bidders shall include a copy of their warranty with their bids.

8. References

All bidders shall demonstrate their experience in manufacturing containers
by furnishing a list of U.S. municipalities using the proposed containers of
the size, design and material offered. The list must show at least 3
municipalities, each having a minimum of 10,000 of the proposed
containers. The name and telephone number of a contact person at each
of the references shall be provided.

Unsigned bids will not be considered

Authorized Agent Bidding on this project:

Toter Incorporated

Company Name

John G. Scott

Company Representative Name



Representative's Signature

841 Meacham Road

kclark@toter.com

Address

Email Address

Statesville

NC

28677

City

State

Zip

704-872-8171

704-878-0734

Telephone Number

Fax Number

December 4, 2007

Date



CITY OF CONWAY
SANITATION DEPARTMENT

*P.O. Box 915
4550 Hwy. 64 West
Conway, AR 72033
(501) 450-6155
Fax: (501) 450-6157*

Cheryl Harrington
Director

December 11, 2007

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

Re: 64 gallon Refuse Roll Carts

Dear Mayor Townsell,

Bids were submitted at 10:00 am, Thursday December 6, 2007 at Conway City Hall for 64 gallon Refuse Roll Carts. Five bids were submitted:

Toter Incorporated	\$21,600.08
Cascade Engineering	\$23,400.00
Downing Sales & Service	\$23,730.29
Environmental Systems	\$23,758.80
Rehrig Pacific Company	\$24,960.00

I recommend the bid from Toter Incorporated for \$21,600.08. It was the bid that met or exceeded all specifications that we required.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington
Sanitation Director

BID SUMMARY
64 gallon containers

Bid #1 submitted by Toter Incorporated
520 count-\$21,600.08
\$41.54 each
Bid price held until 2/4/2008
Delivery time 4-6 weeks

Bid #2 submitted by Cascade Engineering
520 count-\$23,400.00
\$45.00 each
Bid price held until 264/2008
Delivery time 90 days

Bid #3 submitted by Downing Sales & Service
520 count-\$23,730.29
\$42.95 each
Bid price held until 6/1/2008
Delivery time 30-45 days

Bid #4 submitted by Otto Environmental Systems (NC) LLC
520 count-\$23,758.80
\$45.69 each
Bid price held until 6/306/2008
Delivery time 30 days

Bid #5 submitted by Rehrig Pacific Company
520 count-\$24,960.00
\$48.00 each
Bid price held until 2/06/2008
Delivery time 30-45 days

I recommend the bid from Toter Incorporated for \$21,600.08 or \$41.54 each. The cart suggested is the one with the lowest bid and met all specifications.

2.2. Materials

The container shall be made from high-density polyethylene (HDPE) or equal.

The City prefers containers manufactured using Post Consumer Recycle Plastic Material.

State maximum P.C.R content: 0-35%, subject to availability from supplier

2.3. Recyclable Plastic Buy-back program

The bidder must guarantee the recyclability of all containers and provide a container buy back plan to return the containers no longer in usage to the manufacturer for recycling.

2.4. Coloration and Ultraviolet Inhibitors

The container shall be colored upon request from the City with the following requirements. Color shall be obtained by the introduction of the color pigments dispersed into the resin in order to obtain uniform distribution in the finished container. Color pigment shall be hot melt blended to a uniform mix prior to the molding.

The container shall be protected against color fading and stabilized against ultraviolet rays by an additive to the plastic resin of one-half of 1 % of U. V. 531 or equal. Stabilizers shall be hot melt compounded into the resin.

Only prime virgin material shall be used for coloration and ultraviolet stabilizers.

2.5 Certification

Bidders must supply certificates from virgin and post consumer resin suppliers, indicating the actual source of the resin and the specifications of the resin.

3. Construction

3.1 Capacity

The container capacity is 64 gallon when full, excluding additional volume achieved by the domed lid in the closed position.

3.2 Dimensions

The exterior dimensions of the completely assembled container shall be as follow:

Height	:	43 1/2"	+/- 2%
Length/Depth	:	28"	+/- 2%
Width	:	24"	+/- 2%
Wheel	:	10"	+/- 2%

3.3 Interior Construction

The interior surface shall be smooth and free from crevices, recesses, projections and other obstructions where refuse could become entrapped or entangled. The interior constructions and

shape shall assure the free flow of recyclable contents from the container when dumped.

- 3.5 Exterior Construction The exterior surface shall be smooth, free of sharp corners, edges, or structures that could be hazardous or harmful.
- 3.6 Lid/Hinge The lid shall be securely attached to the container by way of hinge/handle. The lid shall open freely to the 270 degrees position.
- The lid shall be designed in such manner to ensure that the container will be 100% watertight and shall continuously overlap the container body. The continuous overlapping of the body must prevent rainwater, rodents and birds from intruding into the container.
- 3.7 Handle The handle shall be of one molded piece and shall extend in full length. Each gripping area shall provide enough space for a gloved hand to be place.
- The container must have a wind stability rating of no less than 35 mph without falling over. Wind tunnel test performed by an independent laboratory shall be submitted with the bid.
- 3.8 Wheels and axle The container shall be equipped with an axle and two wheels. The wheels and axle shall be designed so as to provide the specified wind stability. The axle shall be groove-mounted with retention straps so as to the waterproof nature of the container.
- The wheels shall consist of a plastic molded and shall be 10 inches in diameter. The wheels shall be fully functional for supporting the specified maximum container weight. Wheel bearings shall be self-lubricating.
- The axle shall be solid steel, minimum diameter of 1/2 inch, and plated for corrosion resistance. Wheel shall be designed for (snap-on) assembly. They shall be tamper proof and not easily removed with ordinary tools. Wheel assemblies using nuts, bolts, washers, cotter keys, end caps or any combination that require hand tools for assembly shall not be considered.
- 3.9 Tipping Fulcrum The container must be provided with adequate foot fulcrum or a tipping leverage point directly on the axle. The container must be capable of being easily transported on a level, sloped or stepped surface in two directions.

4. Performance Specifications

- 4.1 ANSI Compliance The container shall be in full compliance with the American National Standard ANSI X245.60. The bidder shall provide a

compliance certification that the container(s) provided to the City meet the requirements of this standard.

4.2 Cart load rating

The container shall be capable of accommodating a load weighing up to 300 lbs, exclusive of the weight of the container.

4.3 Mobility

The container shall be stable and self-balancing in its upright position when either empty or loaded to its minimum design load capacity.

The container shall be capable of being easily moved and maneuvered, with an evenly distributed load equal in weight to its minimum design capacity on a level, sloped or stepped surface in two directions.

The container shall have sufficient stability against winds.

4.4 Abrasion protection

The container shall withstand dragging along streets and driveways as well as the normal abrasion caused by the dumping operation. The City prefers containers equipped with replaceable wear pads on the bottom of the container for protection against abrasion during extended use. Bottom molded wear strips are acceptable.

4.5 Container pick-up points

The container must be capable of being picked up in either a semi-automated or fully-automated application.

Semi-automated:

The pick-up points on the container shall fit all standard domestic lifter designs.

Fully-automated:

The container shall be design in such a manner that a fully automated grasping arm of either the belted or non-belted design can engage it. The container shall be able to withstand squeezing and dropping throughout its expected lifetime without showing the slightest change in its functionality or structural integrity.

5. Container Reparability

The container-exposed parts shall be easily reparable. The handle mount must be bolted-on for easy replacement. The bottom wear pads must be of a snap-on style for easy replacement.

6. Markings

Top Lid: Property of City of Conway
Both Sides: Conway Sanitation Department NEW LOGO (artwork provided with bid specs.)
Front: Serial Number

7. Warranty

All bidders shall include a copy of their warranty with their warranty with their bid.

8. References

All bidders shall demonstrate their experience in manufacturing containers by furnishing a list of the U.S. municipalities using the proposed containers of the size, design and material offered. The list must show at least 3 municipalities, each having a minimum of 1,000 of the proposed containers. The name and telephone number of a contact person at each of the references shall be provided.

BIDDER SUBMITTAL FORM

Item	Description	Qty	Unit Price	Total Price
1.	64 Gallon Refuse containers per the attached specifications	<u>520</u>	\$ <u>\$41.54*</u>	\$ <u>21,600.08</u>

* Pricing is based on orders placed for 520 carts. Orders placed for other than 520 carts may be subject to additional freight.

Mfg. /Model bid: Toter Incorporated Model 79264 - EVR II Universal/Nestable 64 Gallon Cart

Total Bid \$ 21,600.08

Prices quoted must be held firm for sixty (60) days to allow for evaluation. Indicate specific date that prices can be held through: 60 days after bid closing date

Quote F.O.B. City of Conway

Delivery time may be a major consideration in determining the lowest responsible bid. Indicate delivery date: 4-6 weeks after receipt of written purchase order

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid. Bid should include all taxes, shipping and freight charges if applicable.

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Toter Incorporated

Company Name

John G. Scott

Company Representative Name


Representative's Signature

<u>841 Meacham Road</u>	<u>kclark@toter.com</u>
Address	Email Address
<u>Statesville, NC</u>	<u>28677</u>
City	State
<u>704-872-8171</u>	<u>704-878-0734</u>
Telephone Number	Fax Number

December 4, 2007

Date

* Deduct \$1.00 per cart for pal nut wheel attachment.

* Add \$1.25 per cart for Special Granite color body with solid Black lid.

ORDINANCE NO. O-07- _____

AN ORDINANCE APPROPRIATING REVENUE FUNDS TO THE CONWAY SANITATION DEPARTMENT, AND FOR OTHER PURPOSES:

WHEREAS, the Conway Sanitation Department has determined the need to build a Household Hazardous Waste Collection Facility for the benefit of the residents of the City of Conway;

WHEREAS, the Conway Sanitation Department has been awarded revenue in the amount of \$10,000 from Faulkner County Quorum Court to defray a portion of the cost of the facility; and

WHEREAS, the Sanitation Department also requests an appropriation of \$50,000 from previously collected E-Waste funds to complete the project.

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

SECTION 1. The City of Conway shall accept revenue funding in the amount of \$10,000 from the Faulkner County Quorum Court to the Sanitation Enterprise Fund Donation account (50.909), and shall appropriate \$50,000 from the Sanitation Enterprise Fund Balance account (50.990) to the Buildings Account (50.118.904) to fund the construction of a Household Hazardous Waste Collection Facility.

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

PASSED this 18th day of December, 2007

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

ORDINANCE NO.O-07-_____

AN ORDINANCE APPROPRIATING FUNDS TO PURCHASE A VEHICLE FOR THE PHYSICAL PLANT DEPARTMENT AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway has an immediate need for a vehicle at an approximate cost of \$25,250 for which funding 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 \$20,500 as a General Fund Balance appropriation for the purchase of a truck for the Physical Plant Department (01.109.931).

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

PASSED this 18th day of December, 2007

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

ORDINANCE NO.O-07-_____

**AN ORDINANCE APPROPRIATING FUNDS; DECLARING AN EMERGENCY;
AND FOR OTHER PURPOSES:**

WHEREAS, the Conway Parks Department requests \$7,500 to replenish the gasoline account in their operating budget;

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

SECTION 1. The City of Conway shall appropriate \$7,500 from the Fund Balance Appropriation Account to the Conway Parks Department 2007 Gas and Diesel Expense Operating Line Item Account.

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

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.

PASSED this 18th day of December, 2007.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

ORDINANCE NO. O-07-___**AN ORDINANCE APPROPRIATING BOND PROCEEDS AND AUTHORIZING ESTABLISHMENT OF CAPITAL PROJECTS FUNDS FOR PARKS AND TRAIL IMPROVEMENTS AND FOR OTHER PURPOSES:**

WHEREAS, upon authorization from City Council, the City of Conway has issued \$14,100,000 City of Conway, Arkansas Restaurant Gross Receipts Tax Capital Improvement Bonds, Series 2007 dated December 1, 2007; and

WHEREAS, bond proceeds totaling \$12,223,880 are for the acquisition and improvement of parks and bond proceeds totaling \$1,326,266 are for the acquisition of land and improvement of bikeway/pathway trails in the City of Conway, with the balance of the proceeds of the sale of the bonds covering the costs of issuance and accrued interest;

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

SECTION 1. The City of Conway shall appropriate bond proceeds in the amount of \$13,550,146 (Fund 46) and shall establish capital projects funds (Funds 38 and 39) to account for the acquisition and improvement of parks and trails facilities.

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

PASSED this 18th day of December 2007.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk

ORDINANCE NO. O-07-__

AN ORDINANCE APPROPRIATING PREPARED FOOD TAX REVENUE FOR THE PURCHASE OF POMPE PARK, ACCEPTING DONATIONS OF LAND AND FOR OTHER PURPOSES:

WHEREAS, City Council of the City of Conway authorized the purchase of 16.514 acres of land for development as Pompe Park on April 17, 2007 which was to be funded through the use of Prepared Food Tax and which purchase was completed in June 2007; and

WHEREAS, the Pompe family has donated an additional 3 acres of adjacent land to the City 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 prepared food tax revenue totaling \$1,601,439 for the purchase of land for Pompe Park and shall accept donations of land from the Pompe family valued at \$290,925.

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

PASSED this 18th day of December 2007.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

ORDINANCE NO. O-07-__

**AN ORDINANCE APPROPRIATING PREPARED FOOD TAX REVENUE
FOR THE PURCHASE OF LAND ON SIEBENMORGAN ROAD AND BOB
COURTWAY DRIVE AND FOR OTHER PURPOSES:**

WHEREAS, City Council of the City of Conway authorized the purchase of two parcels of land on Siebenmorgan Road and Bob Courtway Drive at a total cost of \$1,030,653 on April 17, 2007 which was to be funded through the use of Prepared Food Tax revenue and which purchase was completed in June 2007;

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

SECTION 1. The City of Conway shall appropriate prepared food tax revenue totaling \$1,030,653 for the purchase of land for development of park facilities at Siebenmorgan Road and Bob Courtway Drive.

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

PASSED this 18th day of December 2007.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk

AMENDED OFFER AND ACCEPTANCE

- 1. BUYER AND SELLER:** The City of Conway, a municipal corporation chartered under the laws of the State of Arkansas (hereinafter "BUYER"), offers to buy, and Timothy A. Freyaldenhoven (hereinafter "SELLER") agrees to sell, subject to the terms and conditions set forth herein, the following described property in Faulkner County, Arkansas:
- 2. LEGAL DESCRIPTION:**

Part of the NW1/4 SW1/4 of Section 5, Township 5 North, Range 13 West, Faulkner County, Arkansas, more particularly described as follows: Beginning 660 feet East of the Northwest corner of said NW1/4 SW1/4, and run thence East 210.0 feet; thence South 330.0 feet; thence West 210.0 feet; thence North 330.0 feet to the point of beginning.
- 3. PURCHASE PRICE:** The BUYER shall pay for the property the sum of \$128,000.00.
- 4. EARNEST MONEY:** BUYER tenders herewith the sum of \$1.00 as earnest money, which shall not be applied to the purchase price.
- 5. OTHER CONDITIONS:**
 - (a) The SELLER must vacate the property by June 30, 2008. The SELLER will pay no rent while the house or property is occupied by the SELLER after the closing date. The SELLER may vacate the property before June 30, 2008 with written notification to the BUYER. If the SELLER vacates the property on or before May 1, 2008, the BUYER agrees to tender an additional \$5,000 bonus payment to the SELLER.
 - (b) This offer is good until the end of the business day (4:30 p.m.) of December 31, 2007.
 - (c) The SELLER must deliver to the BUYER a copy of the SELLER'S appraisal, which estimates the appraised value of the property to be purchased at \$128,000.00.
 - (d) The SELLER will be allowed to remove any structure or improvement on the property, including but not limited to the house currently on the property, at SELLER'S sole expense. The SELLER shall assume any risk of loss to any structure or improvement.
- 6. CONVEYANCE:** Unless otherwise specified, conveyance shall be made to BUYER, or as directed by BUYER, by general warranty deed, except it shall be subject to all recorded rights of way, covenants and restrictions, easements, and all other reservations of record.
- 7. FINANCING:** Parties agree that said offer is contingent upon the Conway City Council's approval and formal appropriation of funds for the purchase price and all closing costs and revenue stamps to be paid for at closing.

8. TITLE REQUIREMENTS: Sale is contingent upon SELLER providing merchantable title.

9. TAXES AND SPECIAL ASSESSMENTS: Taxes and special assessments due on or before closing shall be paid by SELLER or SELLER'S escrow agent, whichever is appropriate; however, BUYER shall pay any real estate taxes and special assessments that may be payable for the calendar year 2007.

10. CLOSING AND CLOSING COSTS: The closing date shall be as soon as possible but in no case shall it close more than 45 days after the date of execution of this Agreement. The parties agree that the time for closing may be extended by written agreement of the parties. BUYER shall pay any and all normal closing costs or fees and SELLER shall not be responsible for any closing costs. The parties agree to close at Faulkner County Title Company.

11. GOVERNING LAW: This Agreement shall be governed by the laws of the State of Arkansas.

12. MERGER CLAUSE: This Agreement, when executed by both BUYER and SELLER, shall contain the entire understanding and agreement between the BUYER and SELLER with respect to the matters referenced herein, and shall supersede all prior or contemporaneous agreements, representations, and understandings with respect to such matters. No oral representations or statements shall be considered a part hereof.

13. BREACH: Should either party breach this Agreement, the party in default shall pay the other party all of the attorney fees and costs incurred as a result of the default.

BUYER:

CITY OF CONWAY

BY: _____
TAB TOWNSELL, MAYOR

ACCEPTANCE

The above offer is accepted on this _____ day of December, 2007, at _____ a.m. or p.m.

SELLER:

TIMOTHY A. FREYALDENHOVEN

ORDINANCE NO. O-07-__

**AN ORDINANCE APPROPRIATING PREPARED FOOD TAX REVENUE
FOR THE PURCHASE OF PROPERTY ON EAST SIEBENMORGAN ROAD
AND FOR OTHER PURPOSES:**

WHEREAS, the City of Conway is desiring to develop a girls' softball complex on Siebenmorgan Road and Bob Courtway Drive and has a need to purchase property from Tim Freyaldenhoven at 1013 East Siebenmorgan Road which is to be funded through the use of Prepared Food Tax revenue;

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

SECTION 1. The City of Conway shall appropriate prepared food tax revenue totaling an amount not to exceed \$135,000 for the purchase of property located at 1013 East Siebenmorgan Road for development of park facilities at Siebenmorgan Road and Bob Courtway Drive.

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

PASSED this 18th day of December 2007.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

ORDINANCE NO. O-07-__

AN ORDINANCE APPROPRIATING FUNDS FOR RENOVATIONS OF THE GUY MURPHY BUILDING AND OFFICE EQUIPMENT FOR THE OFFICES OF THE CITY ATTORNEY AND FOR OTHER PURPOSES:

WHEREAS, the staff of the City Attorney's office will be relocating to the Guy Murphy Building in early 2008; and

WHEREAS, specific renovations and office equipment costs are necessary to renovate and equip the office space for the staff of the City Attorney's Office which are not of a recurring nature and therefore considered an appropriate use of City reserves;

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

SECTION 1. The City of Conway shall appropriate \$80,023 from the General Fund-Fund Balance Appropriation Account to the City Attorney's Office Capital Accounts for the renovation of the Guy Murphy Building, and purchase of office machines and furniture

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

PASSED this 18th day of December 2007.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk

ORDINANCE NO. O-07-__

AN ORDINANCE APPROPRIATING FUNDING FOR EXPENSES RELATED TO DISTRICT COURT AUTOMATION AND FOR OTHER PURPOSES:

WHEREAS, the District Court has collected an additional fee from all individuals paying fines on time payment plans of \$2.50 per person since August 2001 to fund the cost of court automation; and

WHEREAS, the District Court has a need for computers and printers which may be funded through court automation revenue;

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 in the amount of \$29,645 for District Court expenses related to the court automation which has been collected as fines and will cover computer equipment (01.110.941) as a revenue transfer from Special Revenue - Court Automation (undesignated contingency) to the General Fund - District Court..

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

PASSED this 18th day of December 2007.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

Consulting Agreement

THIS AGREEMENT is made and entered into by and between Robin M. Scott (“Scott”) and the City of Conway (“Conway”) as of and effective January 1, 2008, WITNESSETH:

Conway desires to retain Scott to perform consulting services, which consist of performing the job function and duties of the position of Chief Financial Officer of the City of Conway. Scott will report directly to Mayor Tab Townsell and will serve as an independently contracted Chief Financial Officer. Scott agrees to perform job duties as specified in the job description for the position of Chief Financial Officer, as well as other duties as to be subsequently assigned to her by the Mayor and other duties as she deems necessary in order to carry out her role as Chief Financial Officer for the City of Conway.

TERM OF AGREEMENT: This Agreement is specifically intended to be of a temporary nature, although the agreement may be extended annually under terms to be mutually determined and agreed upon by Scott and Conway. The services to be performed will be provided on a part-time basis, with compensation directly related to the effort expended by Scott. Scott is not an employee of Conway and has no rights or claims to any employee benefits. Should Scott be offered and accept employment with Conway in the future, this agreement will be terminated upon date of employment. Scott will be provided adequate working space and equipment by Conway, but will have sole discretion as to when and where she performs the duties assigned.

COMPENSATION: Scott will be compensated an amount not to exceed \$60,000, which will be billed by Scott for projects as work is performed. Fees paid to Scott for performing the duties of the Chief Financial Officer are equivalent to an hourly rate of \$60.00 and Scott will remit timely invoices detailing the hours incurred in fulfilling this Agreement. Direct out of pocket expenses incurred by Scott in fulfilling her duties will be reimbursed, provided such expenses are specific to her performance under this Agreement and are approved in advance of being incurred by the Mayor. Conway will pay certain dues and subscriptions on behalf of Scott as to be determined by Scott and approved by the Mayor.

TERMINATION OF AGREEMENT: Either party to this Agreement has the ability and authority to terminate the Agreement with two week written notice. Scott performs her duties under the terms of this Agreement at the will of the Mayor and has no continuing right to future consulting fees.

If not terminated by the parties, this Agreement shall remain in effect for one year and may be renewed as evidenced by execution of a renewal agreement.

Robin M. Scott

Tab Townsell, Mayor
City of Conway, Arkansas

(date)

(date)