

City Council Members

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



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 – Jim Rhodes
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones, Jr.
Ward 4 Position 2 – Shelia Whitmore

City of Conway - City Council Meeting
Tuesday, May 11th, 2010 @ 6:30pm
District Court Building – 810 Parkway St., Conway, AR 72032
5:30pm - City Council Committee Meeting:
Building Plans Review Fees & Mechanical Permit Fees

Call to Order

Roll Call

Minutes: **April 27th, 2010**

Announcements / Proclamations / Recognition: National Preservation Month

Presentation: Lowell McClanahan, 1st Quarter Financial Report

1. Public Hearings

A. Public Hearing / Discussion of an ordinance authorizing the issuance of industrial development revenue bonds for Kimberly Clark Corporation.

1. Ordinance authorizing the issuance of industrial development revenue bonds for Kimberly-Clark.

2. Report of Standing Committees:

A. Economic Development Committee (Airport, Conway Corporation, Conway Development Corporation, Chamber of Commerce)

1. Consideration of two requests from the Moon Trust Heirs to lease 2.2 acres of land near the Conway Airport for farming & the relocation of Owens Road for the New Conway Airport Project.

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

1. Resolution setting a public hearing to discuss renaming Sutton Street.
2. Resolution requesting the Faulkner County Tax Collector to place a certified lien on property located at 809 Walnut Street as a result of incurred expenses by the City.
3. Resolution ordering the demolition of a structure located at 335 Natchez Trail and declaring the intent of the City to bring the property up to code.
4. Resolution ordering the demolition of a structure located at 1910 Hillman and declaring the intent of the City to bring the property up to code.
5. Ordinance amending the permit fees for the construction and alterations of buildings and building systems in the City.

6. Ordinance amending the mechanical permit fees for the construction and alterations of mechanical systems in buildings in the City.
7. Ordinance to rezone property located at 1510 South Donaghey Avenue from R-1 to MF-1.
8. Consideration to accept bids on 2010 Pavement Markings for the Conway Street Department.

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

1. Ordinance waiving bids for repairs to a residential trash truck for the Conway Sanitation Department.
2. Consideration to create additional parking at Pompe Park located off Prince Street.

D. Public Safety Committee (Police, CEOC, Information Technology, Fire, District Court, City Attorney & Animal Welfare)

1. Discussion of Code Red Weather Warning System for the City of Conway.

E. Old Business

1. Ordinance appropriating funding for FCCDD, Senior Citizens Center, & Boys & Girls Club for transportation needs within the City of Conway.

F. New Business

1. Discussion of projects for the severance tax revenue received for alternative transportation.

Adjournment

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032

J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-513-3504



MEMO

TO: Mr. Bryan Patrick – Planning Department Director
FROM: Lynn Hicks, Building Official
DATE: 5-4-10
**SUBJECT: Recommendation and Justification to
Establish a Commercial Plans Review Fee**

Attached find a proposed ordinance drafted for the purpose of amending the permit fees for the City of Conway to include a commercial plans review fee.

A comprehensive plan review of construction drawings submitted for permitting purposes is intended to achieve the following:

- 1. Section 106.3 of the Arkansas Fire Prevention Code, Volume II (the adopted commercial building code for the City of Conway) states, “106.3 Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.” By City Code, a plans review of commercial construction drawings is required.**
- 2. The purpose of the plans review is to identify code issues on paper and have such issues corrected by the licensed design professional prior to initiation of construction.**
- 3. Many code issues, if not addressed correctly at the plans stage, can have a devastating effect on cost of the project when encountered in the field, after the construction is in place.**

4. Many code issues are very complex and are beyond even the best field inspector's capabilities to recognize in the field.

The justification for the establishment of the plan review fee is as follows:

1. It is recommended practice to establish a fee schedule with the intent that the fees collected by the department for building permit issuance, plan review and inspection be adequate to cover the cost to the department in these areas.
2. A thorough plans review of a sizeable commercial project can take as many as 4 to 6 hours time initially with additional time necessary for re-review and re-re-reviews after architectural revisions are resubmitted.
3. The general public would not have to subsidize the building codes enforcement efforts if the fees collected for building permits, plans reviews and inspections are designed to cover cost of providing the services provided.
4. Plans review fees are common in municipalities that perform a comprehensive commercial plans review. (i.e. Little Rock, Fayetteville, Harrison, Batesville, Fort Smith, Malvern)
5. 2009 building permit fees were collected in the amount of \$234,930.00. The implementation of a plans review fee as suggested would create an additional revenue (based upon the 2009 permit fees) of \$117,465.00. Totaled together, the 2009 building permit fees plus the proposed plan review fee would have generated \$352,394.00.

Please let me know if you have any questions or need additional information.

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
 1201 Oak Street Conway, Arkansas 72032
 J. Lynn Hicks, CBO - Building Official / Assistant Director of
 Permits, Inspections & Code Enforcement
 Phone 501-450-6107 Fax 501-513-3504



MEMO

TO: Mr. Bryan Patrick – Planning Department Director
FROM: Lynn Hicks, Building Official
DATE: 5-3-10
SUBJECT: Recommendation and Justification to Amend the Mechanical Permit Fee Schedule

I would like to recommend a change to the Schedule of Mechanical Permit Fees:

Such changes are reflected in the following Fee Schedule with the new fees noted in *bold italic font*.

Schedule of Mechanical Permit Fees		
1.	Heating and Cooling Systems for a new construction, Additions and Accessory Buildings	\$0.06 per square foot of area under roof, with a minimum of \$36.00, whichever is greater.
2.	Remodel, Renovations, Alterations, Replacement and Repairs to:	
	One and Two Family Dwellings	\$30.00
	<i>Other than One and Two Family Dwellings</i>	
	<i>Boilers</i>	<i>\$50.00 for one boiler + \$15.00 per each addn. boiler</i>
	<i>Commercial Vent Hoods and Exhaust Systems</i>	<i>\$50.00 for one exhaust system + \$15.00 per each addn. system</i>
	<i>Ductwork</i>	<i>\$50.00 for one system + \$35.00 per each addn. system</i>
	<i>HVAC Change Out/Repair</i>	<i>\$50.00 for one unit + \$25.00 per each addn. unit</i>
	<i>Refrigeration</i>	<i>\$50.00 for one refrigeration unit + \$15.00 per each addn. unit</i>
4.	Re-Inspections and Additional Inspections (*See note below)	\$25.00 per inspection
5.	Work commencing before permit issuance	Permit fee shall be doubled
6.	Building Code Appeals Board Application Fee	\$250.00
*Note – Re-inspections will not be rescheduled until each re-inspection fee for each trade that failed inspection has been paid.		

The justification for the change to the Mechanical Permit Fee Schedule is as follows:

The current Schedule of Mechanical Permit Fees is adopted with a Minimum \$30.00 Mechanical Fee for all “Remodel, Renovations, Alterations, Replacement and Repairs” projects.

This fee is applicable regardless of the amount of work involved or the extent of inspections required.

The same \$30.00 “remodel” fee applies regardless of the extent of the work. A change out of a single mechanical unit on a single family residence is charged the same permit fee as a remodel to a commercial “big box” type of retail facility which may be changing out a dozen mechanical units on the roof, several refrigeration units inside and replacing the commercial vent hoods in the building.

The proposed fee change allows for a continuation of the current fee for one and two family dwellings but changes the fee for projects other than one and two family dwellings to be more commensurate with the scope of the work being installed and the amount of time necessary to conduct the inspection.

Attached find a proposed ordinance drafted for the purpose of amending the Mechanical Permit Fee Schedule in the manner noted above.

Thanks for your help in the matter.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the City Council of the City of Conway, Arkansas, at 6:30 o'clock p.m., on Tuesday, May 11, 2010, at the regular meeting place of the City Council, at District Court, 810 Parkway Street, Conway, Arkansas 72032, on the question of the adoption of an ordinance authorizing the issuance of not to exceed \$45,000,000 principal amount of industrial development revenue bonds on application of Kimberly-Clark Corporation, a Delaware corporation (the "Company"). The bonds will be issued under applicable laws of the State of Arkansas, including particularly Title 14, Chapter 164, Subchapter 2 of the Arkansas Code of 1987 Annotated, to finance the costs of acquiring and installing machinery, equipment and other personal property in connection with an expansion of the Company's consumer products production plant located at 480 Exchange Avenue, Conway, Arkansas 72032.

The facilities being financed will be owned by the City and leased to the Company for lease rentals sufficient to provide for the payment of the principal of, premium, if any, and interest on the bonds, as due. The bonds will not be general obligations of the City, but will be special obligations, and in no event will they constitute an indebtedness of the City within the meaning of any constitutional or statutory limitation.

Interested persons may appear at the public hearing and express their views on the proposed issuance of the bonds. At the hearing all objections and suggestions will be heard and considered, and the City Council will take such action as is deemed proper in the premises.

DATED: April 28, 2010.

CITY OF CONWAY, ARKANSAS

By: /s/ Tab Townsell
Mayor



City of Conway, Arkansas
Ordinance No. O-10-_____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS TO FINANCE CERTAIN INDUSTRIAL FACILITIES; AUTHORIZING THE LEASING OF SUCH FACILITIES TO KIMBERLY-CLARK CORPORATION; AUTHORIZING A TRUST INDENTURE SECURING THE BONDS; AUTHORIZING THE SALE OF THE BONDS; AUTHORIZING AND PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Conway, Arkansas (the "City"), is authorized and empowered under the provisions of Title 14, Chapter 164, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Act"), to issue revenue bonds and to expend the proceeds thereof to finance land, buildings or facilities which can be used in securing or developing industry; and

WHEREAS, Kimberly-Clark Corporation, a Delaware corporation (the "Company"), proposes to acquire and install certain machinery, equipment and other personal property in connection with an expansion of the Company's industrial facility located at 480 Exchange Avenue, Conway, Arkansas 72032 (the "Project"); and

WHEREAS, it is proposed that the City issue its revenue bonds under the Act for the purpose of financing the cost of the Project and the expenses of issuing such bonds; and

WHEREAS, pursuant to and in accordance with applicable provisions of Arkansas law, a public hearing was held on the date hereof before the City Council on the question of the issuance of such revenue bonds under the Act; and

WHEREAS, after due consideration the City has determined to proceed with financing the Project and to issue and sell its revenue bonds under the provisions of the Act, in the aggregate principal amount of not to exceed \$45,000,000 (the "Bonds"), and in connection therewith to enter into a Trust Indenture (the "Indenture"), between the City and Associated Trust Company, N.A., Green Bay, Wisconsin, as Trustee (the "Trustee"), to secure the Bonds; and

WHEREAS, the Project will be owned by the City and leased to the Company pursuant to the provisions of a Lease Agreement (the "Lease Agreement") between the City and the Company; and

WHEREAS, the Company will enter into an Agreement for Payments in Lieu of Taxes (the "PILOT Agreement") with the City as hereinafter provided; and

WHEREAS, pursuant to and in accordance with applicable provisions of Arkansas law, a public hearing was held on the date hereof before the City Council on the question of the issuance of the Bonds; and

WHEREAS, forms of the Indenture, Lease Agreement, and PILOT Agreement have been presented to and are before this meeting;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Conway, Arkansas:

Section 1. The City Council hereby finds that the accomplishment of the Project, and the issuance of the Bonds to finance the same, will provide substantial additional employment and payrolls and will thereby secure and develop industry within and near the City.

Section 2. The issuance of the Bonds in the aggregate principal amount of \$45,000,000, or such lesser amount as shall be requested by the Company, is hereby authorized. The Bonds shall be designated "City of Conway, Arkansas Taxable Industrial Development Revenue Bonds (Kimberly-Clark Corporation Project), Series 2010." The Bonds shall bear interest at the rate of 4.50% per annum and shall mature in the year 2028, which terms are recommended by the Company. The Bonds shall be in the forms and denominations, shall be numbered, shall be dated, and shall be subject to redemption prior to maturity all upon the terms and conditions recommended by the Company and set forth in the Indenture.

Section 3. The Bonds shall be sold to the Company or its designee for the purchase price of 100% of par, which price is recommended by the Company.

Section 4. To prescribe the terms and conditions upon which the Bonds are to be executed, authenticated, issued, accepted, held and secured, the Mayor and City Clerk are hereby authorized and directed to execute, acknowledge and deliver the Indenture for and on behalf of the City. The Indenture is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Trustee and others in order to complete the Indenture in substantially the form submitted to this meeting with such changes as shall be approved by him, his execution to constitute conclusive evidence of such approval.

Section 5. There is hereby authorized the execution and delivery of the Lease Agreement, and the Mayor and City Clerk are hereby authorized to execute, acknowledge and deliver the Lease Agreement for and on behalf of the City. The Lease Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Company and others in order to complete the Lease Agreement in substantially the form submitted to this meeting with such changes as shall be approved by him, his execution to constitute conclusive evidence of such approval.

Section 6. There is hereby authorized the execution and delivery of the PILOT Agreement, and the Mayor is hereby authorized to execute and deliver the PILOT Agreement for and on behalf of the City. The PILOT Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Company and others in order to complete the PILOT Agreement in substantially the form submitted to this meeting with such changes as shall be approved by him, his execution to constitute conclusive evidence of such approval.

Section 7. The issuance and sale of the Bonds are an exceptional situation in which the City has no responsibility for payment of the costs and expenses thereof, all of which are payable by the Company, and the Company's recommendations with respect thereto are acceptable to the City. Therefore, pursuant to applicable laws of the State of Arkansas, including the Act, competitive bidding is hereby waived.

Section 8. The Mayor and City Clerk, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the documents herein authorized and the performance of all obligations of the City thereunder, the issuance, execution, sale and delivery of the Bonds, and the performance of all acts of whatever nature necessary to effect and carry out the authority conferred by this Ordinance. The Mayor and City Clerk are hereby further authorized and directed, for and on behalf of the City, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

Section 9. The City Clerk is hereby authorized and directed to file in the office of the City Clerk, as a part of the minutes of the meeting at which this Ordinance is adopted, for inspection by any interested person copies of the Indenture, the Lease Agreement, and the PILOT Agreement, and such documents shall be on file for inspection by any interested person.

Section 10. The provisions of this Ordinance are hereby declared to be separable, and if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

Section 11. All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 12. There is hereby found and declared to be an immediate need for the securing and developing of industry in order to provide substantial employment and payrolls, thereby alleviating unemployment and otherwise benefitting the public health, safety and welfare of the City and the inhabitants thereof, and the issuance of the Bonds authorized hereby and the taking of the other action authorized hereby are immediately necessary for the accomplishing of these public benefits and purposes. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the preservation of the public peace, health and safety shall be in force and effect immediately upon and after its passage.

PASSED: May 11, 2010.

APPROVED:

ATTEST:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer
(SEAL)

CERTIFICATE

The undersigned, City Clerk of the City of Conway, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. _____, adopted at a regular session of the City Council of the City of Conway, Arkansas, held at the regular meeting place of the City at 6:30 o'clock p.m., on the 11th day of May, 2010, and that the Ordinance is of record in Ordinance Record Book No. _____, at page _____, now in my possession.

GIVEN under my hand and seal on this _____ day of May, 2010.

City Clerk

(SEAL)

MEMORANDUM

TO: Mayor Tab Townsell

FROM: Ronnie Hall, P.E.
City Engineer

DATE: May 4, 2010

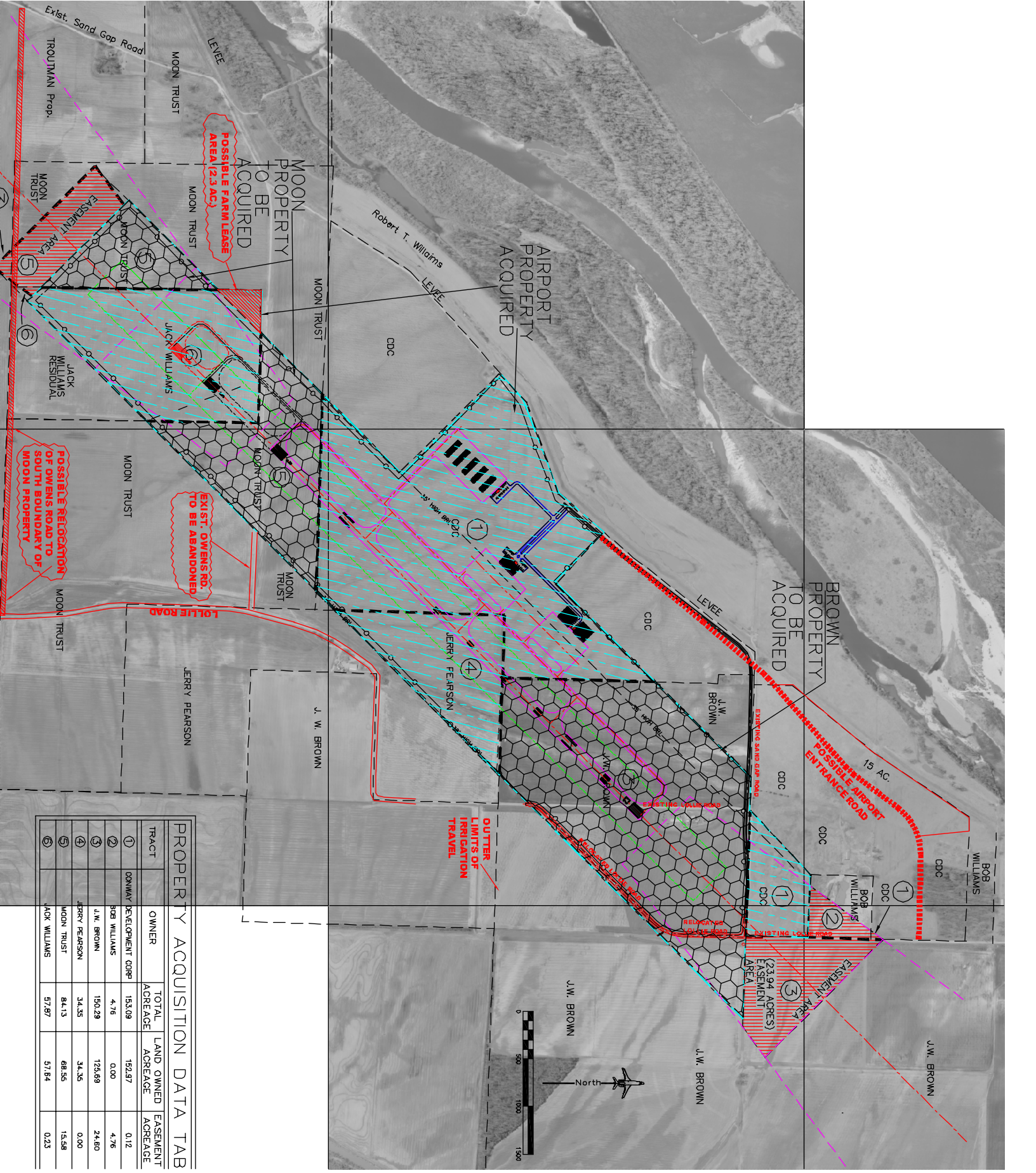
REFERENCE: Moon Trust Considerations
New Conway Airport Property

As per request of Stuart Moon (coordinator for Moon Trust Heirs) the following side issues are submitted for your consideration.

- Lease of the 2.2 Acre triangular shaped area that extends beyond the normal western limits of the airport boundary to the individual (currently Jerry Pearson) leasing the adjacent Moon property. This would allow the farmer to plant and harvest parallel to the runway without creating additional turn rows which result in non productive land. The agreement would include a crop lease rate of \$50 per acre payable to the city and a limit of 5 years to the this commitment. The airport perimeter fence would not follow the boundary of this property, but would remain parallel to the runway.
- Relocation of Owens Road to the south boundary of the Moon Property to eliminate the turn rows that would be created if the road remains and long rows were created parallel to the runway. This relocated Owens Road would be along the location of a County Road that existed until a few years ago. A 50 foot wide easement should be secured from the Moon Trust folks for this roadway.

The improvement of the relocated of Owens road could be included in the airport construction package. The road would be constructed as a gravel road.

The approval of these considerations would enhance the ability to settle the Moon Trust issues.



PROPERTY ACQUISITION DATA TAB

TRACT	OWNER	TOTAL ACREAGE	LAND OWNED ACREAGE	EASEMENT ACREAGE
①	CONWAY DEVELOPMENT CORP	153.09	152.27	0.12
②	BOB WILLIAMS	4.76	0.00	4.76
③	J.W. BROWN	150.29	125.69	24.60
④	JERRY PEARSON	34.35	34.35	0.00
⑤	MOON TRUST	84.13	68.55	15.58
⑥	JACK WILLIAMS	57.87	57.84	0.23



City of Conway, Arkansas
Resolution No. R-10-_____

**A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS RENAMING SUTTON STREET; WITHIN
THE CITY LIMITS OF THE CITY OF CONWAY**

WHEREAS, the City Council of the City of Conway, Arkansas has been petitioned to rename **Sutton Street**.

WHEREAS, the City shall set a date and time for a hearing before the City Council for consideration of this street name change to **Sutton Street to Bishop Anderson Street**

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

1. That the City Council shall conduct a public hearing at its regular meeting to be held at City Hall, 1201 Oak Street, Conway, Arkansas, on the 25th day of May 2010 at 6:30 p.m.
2. That the City Clerk is hereby directed to publish notice of the hearing for the time and in the manner prescribed by law.

PASSED this 11th day of May, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



Church Of God In Christ, Inc.
Zion Temple Church Of God In Christ

Bishop Frank Jefferson Anderson, Pastor

Minister Robert Jones
Community Liaison

Board of Deacons

May 4, 2010

Mayor Tab Townsell
Conway City Council
1201 Oak Street
Conway, AR

RE: Street Name Change

We are asking for the approval of the Mayor and City Council of Conway to change the name of Sutton Street to Bishop Anderson Street. We feel with the recent appointment of Superintendent Frank Anderson, Jr. it would only be fitting that we change the name of the street that his church, Zion Temple Church of God In Christ, Resides to his name.

We have attached a petition of support with the names and signatures of the property owners that have businesses or residence on Sutton Street. We appreciate your time and consideration in this matter.

For His Service,

Jim Radford
Samuel L. Pierce
Eddie Sanders Sr
Eric Overland
Robert W. Wainwright

Zion Temple Church of God In Christ
Deacon Board

Petition to Change Street Name

We the undersigned property owner's are in support of changing the name of Sutton St. to Bishop Anderson St.

Property Owner

Dennis Fouts

Property Address

800 Walnut St.



City of Conway, Arkansas
Resolution No. R-10-_____

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

WHEREAS, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on **809 Walnut Street** within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

WHEREAS, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount **\$166.55** (plus a ten percent collection penalty) to be thereafter certified to the Faulkner County Tax Collector; and

WHEREAS, a hearing for the purpose of determine such lien has been set for **May 11th, 2010** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Conway, Arkansas that:

SECTION 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

ADOPTED this 11th day of May, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-10-_____

A RESOLUTION ORDERING THE DEMOLITION OF STRUTURE LOCATED ON 335 NATCHEZ TRAIL AND DECLARING THE INTENT OF THE CITY TO BRING THE PROPERTY UP TO CITY CODE IF THE OWNER DOES NOT

WHEREAS, there is a structure located at 335 Natchez Trail which because of its, unsightly, unsafe and unsanitary condition, has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas; and

WHEREAS, Conway's Municipal Code and Arkansas Code Annotated § 14-56-203 authorizes this City Council to, by Resolution, order the clean up of said property by the owner within thirty (30) days after proper service.

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

SECTION 1: That the structure at 335 Natchez Trail in Conway, Arkansas, because of its, unsightly, unsafe and unsanitary condition has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas, and it is hereby ordered that the property be brought up city code by the owner therefore.

SECTION 2: That a notice of the time and place of this meeting was mailed to the owner of said property by certified mail, return receipt requested, advising the owner that the City Council would take action on this matter.

SECTION 3: That a copy of this Resolution be forwarded to the owner of said property by certified mail, return receipt requested, directing that said owner has thirty (30) days in which to bring the property up to city code, then the Mayor of the City of Conway, Arkansas is directed to proceed at once to clean up the property and prepare an itemized statement of cost of bringing the property up to code said structure with a request for payment.

SECTION 4: If payment is not made within ten (10) days after receipt of said itemized statement, the Mayor is directed to sell, at public or private sale, any debris or material obtained from the clean up of property and pay to the owner any balance after the City has been reimbursed. If the proceeds from said sale are not sufficient to cover the cost, then the City shall proceed to file a lien on the property in order to recover the money so owed.

PASSED this 11th day of May, 2010

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett,
City Clerk/Treasurer

**Conway Code Enforcement
Incident Report**

Date of Violation: 3-1-10

Violator Name: Brandon and Natalie Collins

Address of Violation: 335 Natchez Trail

Violation Type: Dilapidated Structure


Warning #: CE0277

Description of Violation and Actions Taken:

On 3-1-10 I received a complaint in reference to a house located at 335 Natchez Trail. The complaint was for a house that had been burned and has since been abandoned. Upon arrival, I recognized this house as one that we (Code Enforcement) had written in the past for grass and other violations. I issued a warning at this time (CE0277) for dilapidated structure. The warning was sent to the listed property owners from Arkansas County Data through both regular and certified mail on 3-1-10. The letters came back as undeliverable on 3-4-10 and a recheck was done on 3-12-10. No progress was noted and the residence was checked again on 3-19-10. No progress was noted at this time and I had letters sent to the bank/mortgage company. A copy of the fire report was also obtained from the Conway Fire Department. The structure fire occurred at this residence on 8-4-09. Damage to the residence was in and around the hot water tank. Pictures were taken of the residence and are on file for review.

***This residence has been issued a warning for grass since the date of the original warning for the dilapidated structure.

Code Enforcement Officer: Grant Tomlin

Officer Signature:  _____

Date: 5-3-10

Time: 1428 HRS.



City of Conway, Arkansas
Resolution No. R-10-_____

**A RESOLUTION ORDERING THE DEMOLITION OF STRUTURE LOCATED ON 1910 HILLMAN
 AND DECLARING THE INTENT OF THE CITY TO BRING THE PROPERTY UP TO CITY CODE IF
 THE OWNER DOES NOT**

WHEREAS, there is a structure located at 1910 Hillman which because of its, unsightly, unsafe and unsanitary condition, has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas; and

WHEREAS, Conway's Municipal Code and Arkansas Code Annotated § 14-56-203 authorizes this City Council to, by Resolution, order the clean up of said property by the owner within thirty (30) days after proper service.

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

SECTION 1: That the structure at 1910 Hillman Drive in Conway, Arkansas, because of its, unsightly, unsafe and unsanitary condition has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas, and it is hereby ordered that the property be brought up city code by the owner therefore.

SECTION 2: That a notice of the time and place of this meeting was mailed to the owner of said property by certified mail, return receipt requested, advising the owner that the City Council would take action on this matter.

SECTION 3: That a copy of this Resolution be forwarded to the owner of said property by certified mail, return receipt requested, directing that said owner has thirty (30) days in which to bring the property up to city code, then the Mayor of the City of Conway, Arkansas is directed to proceed at once to clean up the property and prepare an itemized statement of cost of bringing the property up to code said structure with a request for payment.

SECTION 4: If payment is not made within ten (10) days after receipt of said itemized statement, the Mayor is directed to sell, at public or private sale, any debris or material obtained from the clean up of property and pay to the owner any balance after the City has been reimbursed. If the proceeds from said sale are not sufficient to cover the cost, then the City shall proceed to file a lien on the property in order to recover the money so owed.

PASSED this 11th day of May, 2010

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett,
City Clerk/Treasurer

**Conway Code Enforcement
Incident Report**

Date of Violation: 3-11-10

Violator Name: Mark McNutt

Address of Violation: 1910 Hillman Street

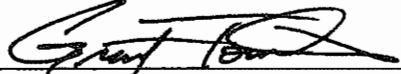
Violation Type: Dilapidated Structure and Appliance/Furniture

Warning #: CE0328

Description of Violation and Actions Taken:

On 3-11-10 I received a complaint regarding a burned house at 1910 Hillman Street. Upon arrival at this location I noticed that a structure fire had occurred at the residence in question. There was also a violation for appliance/furniture. I issued a warning (CE0328) for the property that was listed in Arkansas County Data, Mark McNutt. The warning was mailed to Mr. McNutt through both regular and certified mail on 3-15-10. The certified letter was signed for on 3-20-10 by "R. McNutt." A recheck was conducted on 4-12-10 with no progress noted. A second recheck was done on 4-19-10 with no progress noted. I scheduled to bring the issue before the city council at this time. I also obtained a copy of a fire report from the Conway Fire Department. The CFD responded to a structure fire at this residence on 5-6-09. According to the fire report, the residence sustained heavy fire damage to the second floor and the roof. There was also smoke and water damage throughout the house. The roof of the residence was covered by large, blue tarps. However, some of the tarps have torn, which has left the house open to exposure from the elements (rain, snow, sun, animals). Pictures were taken of the residence and are on file.

Code Enforcement Officer: Grant Tomlin

Officer Signature:  _____

Date: 5-3-10

Time: 1412 HRS.



City of Conway, Arkansas
Ordinance No. O-10-_____

AN ORDINANCE AMENDING THE PERMIT FEES FOR THE CONSTRUCTION AND ALTERATIONS OF BUILDINGS AND BUILDING SYSTEMS IN THE CITY OF CONWAY: AMENDING SECTION 11.16.06A.1 OF THE CONWAY MUNICIPAL CODE: DECLARING AN EMERGENCY AND FOR OTHER PRUPOSES.

WHEREAS, The City of Conway would like to update the permit fees for the construction and alterations to buildings and building systems by adding an additional commercial building permit plans review fee;

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

SECTION 1. Section 11.16.06A.1. of the Conway Municipal Code be hereby amended to delete Section 11.08.06A.1. in its entirety and replace with the following:

“11.16.06A.1. Building Permit fees.

11.16.06.A.1.01 Schedule of building permit fees. A fee for each building permit shall be paid in accordance with the following schedule:

Schedule of Building Permit Fees for One and Two Family Dwellings		
1.	New Building	\$0.10 per square foot of area under roof with a minimum of \$250.00.
2.	Addition	\$0.10 per square foot of area under roof with a minimum \$35.00
3.	Remodeling	\$1.00 per \$1,000 of Construction Cost with a minimum of \$30.00.
4.	Accessory	\$0.10 per square foot of area under roof with a minimum \$20.00
5.	Re-Inspections and Additional Inspections (*See note below)	\$25.00 per inspection
6.	Work commencing before permit issuance	Permit fee shall be doubled
7.	Building Code Appeals Board Application Fee	\$250.00

*Note – Re-inspections will not be rescheduled until each re-inspection fee for each trade that failed inspection has been paid.

Schedule of Building Permit Fees for Other than One and Two Family Dwellings		
1.	New Building	\$0.10 per square foot of area under roof with a minimum of \$250.00.
2.	Addition	\$0.10 per square foot of area under roof with a minimum of \$45.00
3.	Remodeling	\$1.00 per \$1,000 of Construction Cost with a minimum of \$30.00.
4.	Accessory	\$0.10 per square foot of area under roof with a minimum of \$50.00
5.	Temporary Structures	\$0.10 per square foot of area under roof with a minimum of \$250.00.
6.	Re-Inspections and Additional Inspections (*See note below)	\$25.00 per inspection
7.	Work commencing before permit issuance	Permit fee shall be doubled
8.	Building Code Appeals Board Application Fee	\$250.00
9.	Plan Review Fee	Plan Review Fee shall be charged at a rate equal to one-half the building permit fee. The Plan Review shall be charged at the time of submittal of the plans and building permit application
*Note - Re-inspections will not be rescheduled until each re-inspection fee for each trade that failed inspection has been paid.		

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

PASSED this 11th day of May, 2010.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-10-_____

AN ORDINANCE AMENDING THE MECHANICAL PERMIT FEES FOR THE CONSTRUCTION AND ALTERATIONS OF MECHANICAL SYSTEMS IN BUILDINGS IN THE CITY OF CONWAY: AMENDING SECTION 11.56.05.01 OF THE CONWAY MUNICIPAL CODE: DECLARING AN EMERGENCY AND FOR OTHER PRUPOSES.

WHEREAS, The City of Conway would like to update the mechanical permit fees for the construction and alterations to the mechanical systems installed in buildings;

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

SECTION 1. Section 11.56.05.01 of the Conway Municipal Code be hereby amended to read as follows:

“11.56.05.01 Mechanical Permit fees.

11.56.06.A.1.01 Schedule of mechanical permit fees. A fee for each mechanical permit shall be paid in accordance with the following schedule:

Schedule of Mechanical Permit Fees		
1.	Heating and Cooling Systems for a new construction, Additions and Accessory Buildings	\$0.06 per square foot of area under roof, with a minimum of \$36.00, whichever is greater.
2.	Remodel, Renovations, Alterations, Replacement and Repairs to:	
	One and Two Family Dwellings	\$30.00
	Other than One and Two Family Dwellings	
	Boilers	\$50.00 for one boiler + \$15.00 per each addn. boiler
	Commercial Vent Hoods and Exhaust Systems	\$50.00 for one exhaust system + \$15.00 per each addn. system
	Ductwork	\$50.00 for one system + \$35.00 per each addn. system
	HVAC Change Out/Repair	\$50.00 for one unit + \$25.00 per each addn. unit
	Refrigeration	\$50.00 for one refrigeration unit + \$15.00 per each addn. unit
4.	Re-Inspections and Additional Inspections (*See note below)	\$25.00 per inspection
5.	Work commencing before permit issuance	Permit fee shall be doubled
6.	Building Code Appeals Board Application Fee	\$250.00
*Note – Re-inspections will not be rescheduled until each re-inspection fee for each trade that failed inspection has been paid.		

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

PASSED this 11th day of May, 2010.

Approved:

Attest:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-10- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 1510 SOUTH DONAGHEY AVENUE FROM R-1 TO MF-1:

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

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

Part of the West 1/2 SW1/4 NW1/4, Section 24, Township 5 North, Range 14 West, Faulkner County, Arkansas, described as beginning at the northeast corner of said West 1/2 SW1/4 NW1/4 and run thence west along the north line thereof 641.5 feet to the northwest corner of said West 1/2 SW1/4 NW1/4 which point is in the center of a certain County Road; thence south along the center of said County Road 284.6 feet along the west line of said West 1/2 SW1/4 NW1/4; thence north 89 degrees 32 minutes 20 seconds east parallel to the north line of said West 1/2 SW1/4 NW1/4 a distance of 210 feet; thence south 191 feet; thence east 228 feet; thence north 191 feet; thence east 203.5 feet to the east line of said West 1/2 SW1/4 NW1/4; thence north 279 feet to the point of beginning.

to those of **MF-1**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

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

PASSED this 11th day of May, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

April 20, 2010

Council Members
Conway, AR 72032

Dear Council Members:

A request for a rezoning from R-1 to MF-1 by Daryl Brock of Daryl Brock Custom Homes, Inc., for the property that is located at 1510 South Donaghey with the legal description

Part of the West 1/2 SW1/4 NW1/4, Section 24, Township 5 North, Range 14 West, Faulkner County, Arkansas, described as beginning at the northeast corner of said West 1/2 SW1/4 NW1/4 and run thence west along the north line thereof 641.5 feet to the northwest corner of said West 1/2 SW1/4 NW1/4 which point is in the center of a certain County Road; thence south along the center of said County Road 284.6 feet along the west line of said West 1/2 SW1/4 NW1/4; thence north 89 degrees 32 minutes 20 seconds east parallel to the north line of said West 1/2 SW1/4 NW1/4 a distance of 210 feet; thence south 191 feet; thence east 228 feet; thence north 191 feet; thence east 203.5 feet to the east line of said West 1/2 SW1/4 NW1/4; thence north 279 feet to the point of beginning.

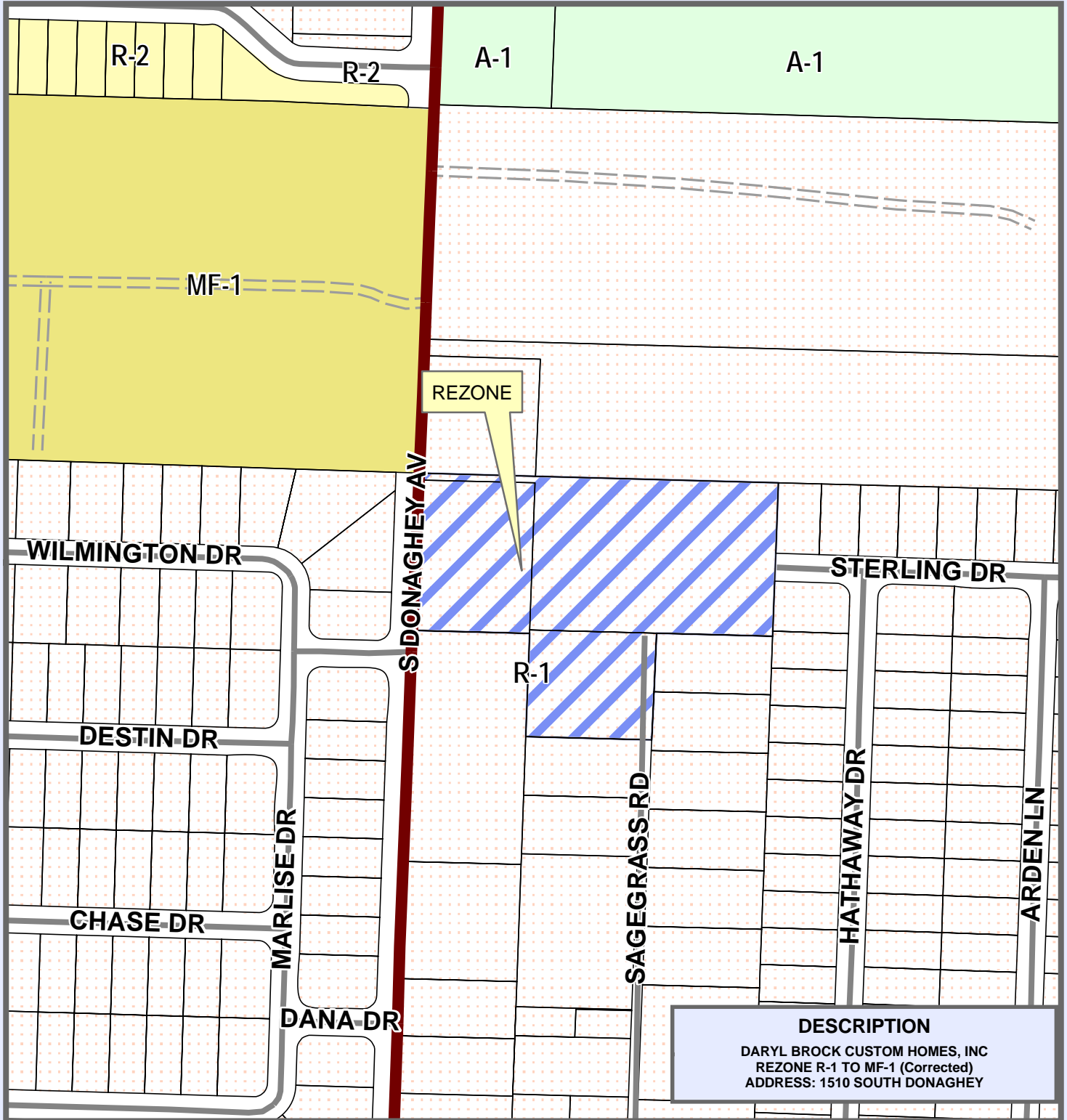
was reviewed by the Planning Commission at their regular meeting on April 19, 2010. The Planning Commission voted 9 – 0 to deny this rezoning. Mr. Brock has requested to appeal this denial at the City Council meeting of April 27, 2010.

Sincerely,

Kent Mathis, Vice Chair
Planning Commission

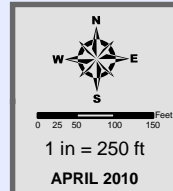
CITY OF CONWAY

BROCK CUSTOM HOMES REZONE R-1 TO MF-1



— INTERSTATE	— LOT LINE
— MAJOR ARTERIAL	— STREAMS
— MINOR ARTERIAL	— LAKES & PONDS
— COLLECTOR	— CITY LIMITS
— RESIDENTIAL	
— PRIVATE ROAD	
— INTERSTATE RAMP	
— RAILROADS	

Residential		Industrial	
R-1	MF-1	I-1	RU-1
R-2A	MF-2	I-2	I-3
R-2	MF-3	RMH	
HR	SR		
Commercial		Office	
C-1	O-1	O-2	O-3
C-2			
C-3			
C-4			



THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

CONTACT INFORMATION
 LANDMARK GIS WEBSITE
gis.cityofconway.org/LANDMARK_DEVELOPMENT
 E-MAIL: Jason.Lyon@CityOfConway.org

Bryan Patrick

From: Bill Adkisson
Sent: Tuesday, April 20, 2010 11:40 AM
To: Bryan Patrick
Subject: Re: Appeal of Brock rezoning denial

Bryan, Daryl Brock wants to appeal the City Planning Commission's denial of his rezoning request. Please put this request on the agenda for the City Council meeting on April 27th. Thank you. Bill Adkisson.

*Requested to postpone until May 11th, 2010 Agenda (FTR)

MEMORANDUM

TO: MAYOR TAB TOWNSELL

FROM: RONNIE HALL, P.E.
CITY ENGINEER

DATE: May 7, 2010

REFERENCE: 2010 Annual Pavement Marking Bids

Bids were received at 10:00 AM, Thursday, May 6, 2010 for the pavement markings (striping & symbols) for the year 2010. The work includes the striping of bike lanes, placement of bike lane symbols and sharrow symbols. The two bids received are summarized below and detailed on the enclosed bid tabulation.

Contractors Specialty Service Co.	\$83,675.00
Time Stripping	\$103,500.00

I recommend that the pavement marking work be awarded to the low bidder, Contractor Specialty Service Company of Maumelle.

CITY OF CONWAY, ARKANSAS
2010 PAVEMENT MARKINGS (BID 2010-25)

TABULATION OF BIDS RECEIVED MAY 6, 2010

DESCRIPTION	ESTIMATED		Contractor Specialty		Time Striping	
	QUANTITY	UNITS	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1 4" WHITE PAVEMENT MARKING	200,000	FEET	\$0.11	\$22,000.00	\$0.10	\$20,000.00
2 4" YELLOW PAVEMENT MARKING	100,000	FEET	\$0.11	\$11,000.00	\$0.10	\$10,000.00
3 SHARROW SYMBOL	730	EACH	\$47.50	\$34,675.00	\$70.00	\$51,100.00
4 BIKE LANE W/ ARROW SYMBOL	320	EACH	\$50.00	\$16,000.00	\$70.00	\$22,400.00
TOTAL AMOUNT				\$83,675.00		\$103,500.00



City of Conway, Arkansas
Ordinance No. O-10-_____

AN ORDINANCE WAIVING THE REQUIREMENT TO OBTAIN COMPETITIVE BIDS AND APPROPRIATING FUNDS FOR EQUIPMENT REPAIR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, a Conway Sanitation Department Residential Trash Truck which is imperative for efficient operations at the landfill recently had the transmission fail; and

WHEREAS, due to the ability to promptly repair the equipment at a reasonable cost, the City desires to utilize G.W. Diesel Service to repair the transmission; and

WHEREAS, budgetary authority for such repairs has not previously been provided;

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 requirements to obtain competitive bids for the repair of the Residential Truck #181 and shall utilize G.W. Diesel Services for repairs.

SECTION 2. The City of Conway shall appropriate an amount not to exceed \$12,100 from the Sanitation Enterprise Fund Balance account (50.990) to Equipment Repairs Operating Account (50.118.235).

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.

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

PASSED this 11th day of May, 2010.

Approved:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-10_____

AN ORDINANCE APPROPRIATING FUNDS FOR THE SENIOR CITIZENS PROGRAM, FCCDD, & BOYS & GIRLS CLUB OF FAULKNER COUNTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, there is a need to support with funding different agencies that provide transportation throughout the City of Conway; and

WHEREAS, Senior Citizens, FCCDD, Boys & Girls Club of Faulkner County all provide a valuable service for the City; and

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

SECTION 1. The City shall enter into an agreement for one year with the agencies listed above and appropriate \$85,407 from General Fund – Fund Balance Appropriation Account (01.990) to the following

\$12,500 (01.106.886) Boys & Girls Club of Faulkner County,
 \$30,000 (01.106.872) Faulkner County Council on Development Disabilities
 \$42,907 (01.106.863) Senior Citizen

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 11th day of May, 2010.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer