

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, June 22nd, 2010@ 6:30pm
District Court Building – 810 Parkway St., Conway, AR 72032
5:30pm - City Council Committee Meeting:
Donaghey Corridor Study

Call to Order

Roll Call

Minutes: **June 8th, 2010**

Announcements / Proclamations / Recognition: ***Employee Service Awards***

1. Public Hearings

A. Discussion of the closing of Old Donaghey Right of Way located near Creekwood/Charles Place Subdivision.

1. Ordinance closing the right of way located between Lots 65-74 of Creekwood Subdivision and Lots 1-7 of Charles Place Subdivision, known as the Old Donaghey Right of Way.

2. Report of Standing Committees:

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

1. Resolution renaming the District Court building to Russell L. "Jack" Roberts District Court Building.
2. Resolution setting a public hearing to discuss the renaming Story Drive.
3. Resolutions requesting the Faulkner County Tax Collector to place certified liens on certain properties as a result of incurred expenses by the City.
4. Ordinance accepting additional federal funding and appropriating additional grant revenue to the CDBG Program.
5. Ordinance providing for the regulation of off-street bicycle parking and loading facilities and to specify requirements for off-street parking and loading facilities.

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

1. Resolution accepting the modification of the existing Conway Class 1 Landfill for the Conway Sanitation Department.
2. Ordinance accepting grant proceeds and appropriating funds for ECO-Fest 2010.

3. Ordinance accepting a donation and appropriating funds for the filming of the City League Championship Baseball Game for the Parks & Recreation Department.
4. Ordinance waiving bids and appropriating funds to purchase additional furnishings for the New Conway Fairgrounds.
5. Consideration of a request to approve spending for Lights over the Lake for the Conway Parks Department.

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

1. Ordinance appropriating insurance proceeds for fire engine repairs for the Conway Fire Department.
2. Ordinance appropriating insurance proceeds for vehicle repair & veterinarian services for the Conway Police Department.
3. Ordinance appropriating asset forfeiture funds to the Conway Police Department.
4. Ordinance appropriating grant funds from the State of Arkansas for child safety seats for the Conway Police Department.
5. Ordinance authorizing the reclassification of positions at the Conway Police Department.
6. Ordinance regulating the possession, sale and ingestion of certain substances and providing penalties for such regulation within the City of Conway.

D. Personnel

1. Ordinance amending the Employee Handbook in regards to Employment Benefits, Surviving Spouse/Dependent Eligibility to participate in the City's Health Care Plan.

E. Old Business

1. Discussion of transportation funding for the Faulkner County Senior Citizens, FCCDD, & Boys & Girls Club for remainder of FY2010.

F. New Business

Adjournment

Donaghey Corridor Study Summary of Recommendations

Conway Planning and Development Department
June 2010

Note: Donaghey Corridor Study and supporting materials available online at
[http://www.conwayplanning.org/Special Projects/SP-Frame.html](http://www.conwayplanning.org/Special%20Projects/SP-Frame.html)

Current / Interim

1. Issue conditional use permits for quiet office use on parcels that meet criteria listed on page 30 of study. (See Appendix C for a complete list of eligible parcels.)
2. Require adaptive reuse of viable structures. (See pages 7-8 and 30.)
3. Allow on-street parking on Caldwell, Robinson, South, and Robins on an as-needed basis. (See page 31.)
4. Construct complete sidewalks on both sides of Donaghey. (See page 30.)
5. Paint sharrows and/or place share-the-road signage in accordance with the Bicycle Master Plan. (See page 30.)

Long-Range

1. Expand Donaghey westward between Prince and Bruce to create a more urban streetscape complete with broad sidewalks and on-street parking. (See page 34.)
2. Expand Donaghey both westward and eastward between Bruce and Dave Ward to create a parkway complete with four travel lanes, typical neighborhood sidewalks, and a landscaped median. (See page 36.)
3. Create a Specific Plan (SP) district that standardizes design and form throughout the Corridor. (See pages 39-40 for design and form charts.)
4. Include allowable land uses in the Specific Plan. (See page 41.)

Ongoing

1. Monitor sites granted conditional use permits to determine the effects the permitted uses are having on neighborhood cohesion and traffic flow and volume.
2. Work with stakeholders on an ongoing basis to determine whether changes are necessary to the long-range plan. The plan should be revisited and updated regularly.



City of Conway - Mayor's Office
1201 Oak Street
Conway, AR 72032
www.cityofconway.org



Memo:

To: Mayor Tab Townsell
CC: City Council Members
From: Felicia Rogers
Date: June 15th, 2010
Re: Donaghey Right of Way – Located Near Creekwood/Charles Place Subdivision

The following list of property owners were notified of the public hearing to be held on

June 22nd, 2010 @ 6:30pm in the District Court Courtroom.

Property Owners from the following addresses have contacted City Hall (as of Thursday, June 17th, 2010) with no objections to this closing of this right of way:

2009 Michelle Circle

2007 Michelle Circle

1930 Donaghey Ave

Please advise if you have any questions.

SHOCK, SHERWOOD OR SHOCK, PATRICIA
2015 MILLWOOD DR
CONWAY AR 72032-2553

BOYLES, RICHARD A
2013 MILLWOOD DR
CONWAY AR 72032-2553

TURNER, CYNTHIA W
2011 MICHELLE CIR
CONWAY AR 72032-2532

→ STERLING, JERRY W & STERLING, JANIE I
2009 MICHELLE CIR
CONWAY AR 72032-2532

→ ASHLOCK, LANNY O & ASHLOCK, BONNIE F
2007 MICHELLE CIR
CONWAY AR 72032-2532

HOKE, DALE E & BONNIE B
2005 MICHELLE CIRCLE
CONWAY AR 72034-

MIDDLETON, HAROLD V & BENNIE J MIDDLETON REVOCABLE
2003 MICHELLE CIR
CONWAY AR 72032-2532

ALISANDRE, ROSE A
2001 MICHELLE CIRCLE
CONWAY AR 72032-

ALLISON, GREGORY S
1911 MICHELLE CIR
CONWAY AR 72032-2530

BRADLEY, JOE & JUNE C/O BRADLEY, DAVID & ETAL
1909 MICHELLE CIR
CONWAY AR 72032-2530

JACKSON, MELVIN TROY & JACKSON, PAMELA LEA
2004 MARILYN DR
CONWAY AR 72032-2529

RATLIFF, JAMES & KIMBERLY
2030 DONAGHEY AVE
CONWAY AR 72032

N & G CONSTRUCTION, INC (2010 Donaghey)
PO BOX 1778
CONWAY AR 72033-

KRAMOLIS, ANDY M (1950 Donaghey)
PO BOX 313
HEBER SPRINGS AR 72543

→ GARCIA, AMANDA
1930 DONAGHEY AVENUE
CONWAY AR 72032

DAY, PHILLIP BLAKE & JENNIFER L (1910 Donaghey)
6 CEDAR HILL RD
CONWAY AR 72032-

MAGANA, FRANCISCO
1840 DONAGHEY AVE
CONWAY AR 72032-

HARRIS, BRYAN L & AMANDA S
PMB 128 813 OAK ST STE 1
CONWAY AR 72032-

June 10, 2010

To Whom It May Concern:

Notice is hereby given that the City of Conway, Arkansas is requesting to close Old Donaghey Right of Way located near Creekwood/Charles Place Subdivision. A public hearing will be held on said request on Tuesday, June 22, 2010 @ 6:30pm in the District Court Building, 810 Parkway Street, Conway, AR 72032.

All persons are called upon to show up for or against request for said closing.

If you have any questions about this request please feel free to email me at felicia.rogers@cityofconway.org or call at 501.450.6110.

Sincerely,

Felicia Rogers
Executive Assistant to the Mayor

Enclosures: City of Conway Map



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

AN ORDINANCE CLOSING A RIGHT OF WAY LOCATED AT BETWEEN LOTS 65-74 OF CREEKWOOD SUBDIVISION AND LOTS 1-7 OF CHARLES PLACE SUBDIVISION KNOWN AS THE OLD DONAGHEY RIGHT OF WAY; AND FOR OTHER PURPOSES;

WHEREAS, a request was duly filed with the City Council of the City of Conway, Arkansas on the 8th day of June, 2010, asking the City Council to vacate and abandon the right of way known as the Old Donaghey Right of Way in the City of Conway, Faulkner County Arkansas.

WHEREAS, after due notice as required by law, the council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a easement herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the right of way to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the right of way.

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

Section 1. The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the property know as the Old Donaghey Right of Way in the City of Conway, Faulkner County Arkansas designated as follows:

Being Lots 65-74 of Creekwood Subdivision as shown on Plat of Records in Plat Book D, Page 19 and Lots 1-7 of Charles Place Subdivision as shown on Plat Book I Page 128 and also known as the Old Donaghey Right of Way, of Faulkner County, Arkansas.

Section 2. Centerpoint Energy has no conflict, Conway Corporation has no objection to the closures as long as the property remains a utility easement, AT&T does has cable lines in this area; therefore this right of way will remain a utility easement.

Section 3. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

PASSED this 22nd day of June, 2010.

APPROVED:

ATTEST:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer



**Conway
Corporation**

Operators of the City-owned Electric, Electronic & Water Systems

June 16, 2010

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

Re: Closure of property known as the Old Donaghey Right of Way in Conway.

Dear Mayor Townsell:

In regard to the closure of the property located adjacent/between Lots 65-74 of Creekwood Subdivision and Lots 1-7 of Charles Place Subdivision know as the Old Donaghey Right of Way, Conway Corporation has no objections to the closure of said property as long as said property remains a utility easement.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

A handwritten signature in cursive script that reads "Leslie Guffey".

Leslie Guffey
Engineering & Planning



CenterPoint Energy
817 North Creek Drive
Conway, AR 72032
501-377-4791
501-336-8372 (fax)

Date: 6/16/2010

Attention: City Council of Conway, and the Honorable Tab
Townsell - Mayor of Conway

Subject: Easement Closing:
Property adjacent/between Lots 65-74 of Creekwood
Subdivision and Lots 1-7 of Charles Place Subdivision
known as the Old Donaghey Right of Way.

CenterPoint Energy has no conflict with the easement closing of
the property located adjacent/between Lots 65-74 of Creekwood
Subdivision and Lots 1-7 of Charles Place Subdivision known as
the Old Donaghey Right of Way as shown per attached plat
drawing.

Kyle Allison, Marketing Consultant
CenterPoint Energy, Conway Area
Arkansas Division

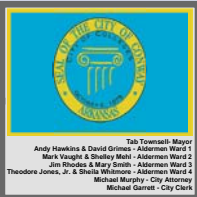
A handwritten signature in black ink, appearing to read "Kyle Allison", with a long horizontal line extending to the right.

CITY OF CONWAY

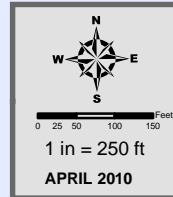
PROPOSED ROW CLOSING -- OLD DONAGHEY ROW



DESCRIPTION
 CLOSING OF OLD DONAGHEY ROW
 CREEKWOOD/CHARLES PLACE SUBS
 ADDRESS: OLD DONAGHEY ROW



INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	MF-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		Commercial	Office
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	Special
			SP
			S-1
			A-1
			PUD



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 INS WEBSITE:
gis.cityofconway.org/LANDMARK_DEVELOPMENT
 E-MAIL: Jason.Lyon@CityOfConway.org



**City of Conway, Arkansas
Resolution No. R-10-__**

**A RESOLUTION RENAMING THE DISTRICT COURT BUILDING TO "RUSSELL L. "JACK" ROBERTS
DISTRICT COURT BUILDING"**

WHEREAS, the late District Judge Russell Lynn "Jack" Roberts, having served the State of Arkansas, Faulkner County and the City of Conway as an active member of the legal community, deputy city attorney, municipal court judge and district court judge; and

WHEREAS, Judge Roberts served as counsel, mentor and friend to so many members of the community and the local bar. Additionally, he positively affected the lives of the thousands upon thousands of people who came before his Court during the 27 years that he served as judge until his death on June 9, 2010; and

WHEREAS, the District Court building located at 810 Parkway should be and is hereby named the "Russell L. "Jack" Roberts District Court Building" in honor of Judge Roberts and his service to Conway and Faulkner County; and

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

1. The Mayor, City Attorney, City Council and the City of Conway do hereby wish to honor the memory of Judge Roberts; therefore, the District Court building located at 810 Parkway should be and is hereby named the "**Russell L. "Jack" Roberts District Court Building**" in honor of Judge Roberts and his service to Conway and Faulkner County.

Passed this 22nd day of June, 2010, the anniversary of Judge Roberts' birth.

Approved:

Mayor Tab Townsell

Attest:

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



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

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS RENAMING STORY DRIVE

WHEREAS, the City Council of the City of Conway, Arkansas has been petitioned to rename **Story Drive**.

WHEREAS, the City shall set a date and time for a hearing before the City Council for consideration of this street name change of to **Storie Drive**.

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 District Court, 810 Parkway Street, Conway, Arkansas, on the 13th day of July 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 22th day of June, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway - Mayor's Office
1201 Oak Street
Conway, AR 72032
www.cityofconway.org



Memo:

To: Mayor Tab Townsell
CC: City Council Members
Barbara McElroy, Code Enforcement

From: Felicia Rogers
Date: June 15th, 2010
Re: Certified Liens – Code Enforcement

The following resolutions are included for a request to the Faulkner County Tax collector to place a certified lien against real property as a result of incurred expenses by the City.

The properties & amount (plus a ten percent collection penalty) are as follows:

- | | |
|-------------------------------|----------|
| 1. 602 5 th Street | \$148.04 |
| 2. 335 Natchez Trail | \$151.44 |

Please advise if you have any questions.



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 602 5th 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 \$148.04 (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 **June 22, 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 22nd of June, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Conway Code Enforcement
Incident Report**

Date of Violation: 04-22-10

Violator Name: May & Tommy Morgan

Address of Violation: 602 5th St.

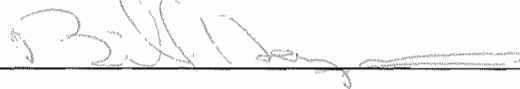
Violation Type: Tall Grass

Warning #: CE0606

Description of Violation and Actions Taken: Responding to a complaint, I observed the grass at 602 5th St in violation. The house was vacant and certified letters were sent to the listed owners of the property. Rechecks were conducted on 05-03-10 and 05-11-10 with no change in condition. The physical plant conducted clean-up and mowing on 05-14-10 to bring the property into compliance. Before and after pictures were taken and are on file.

Code Enforcement Officer: Bill Haynes

Officer Signature: _____



Date: 06-11-10

Time: 0900 hrs.



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 **335 Natchez Trail** 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 **\$151.44** (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 **June 22, 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 22nd day of June, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Conway Code Enforcement
Incident Report**

Date of Violation: 4-26-10

Violator Name: Brandon and Natalie Collins

Address of Violation: 335 Natchez Trail

Violation Type: Tall grass

Warning #: CE0644

Description of Violation and Actions Taken:

On 4-26-10 I went to 335 Natchez Trail to do a recheck on the property from an earlier violation for dilapidated structure (warning # CE0277 written on 3-1-10). When I arrived at the residence, I found that it was in violation of the Conway Nuisance Abatement ordinance, section 3.2.4, for tall grass. I issued a warning (CE0644) to the owner of the residence for the tall grass violation. The warning was sent to the owner through both regular and certified mail on 4-27-10. The certified letter was never signed for. A recheck of the property was conducted on 5-7-10, with no progress made on the tall grass violation. I scheduled for the property to be mowed by the city at this time. The property was mowed by city work crews on 5-11-10 with pictures taken before and after cleanup was completed. Pictures are on file for review. A bill was then sent to the property owner through regular and certified mail. The residence is currently vacant due to a fire. However, we did get a good address for the property owners and sent letters/bills to this residence. The address is 26 Kensington Drive in Conway.

Code Enforcement Officer: Grant Tomlin

Officer Signature: _____



Date: 6-9-10

Time: 1331



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

AN ORDINANCE ACCEPTING ADDITIONAL FEDERAL FUNDING AND APPROPRIATING ADDITIONAL GRANT REVENUE TO THE CONWAY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND FOR OTHER PURPOSES:

WHEREAS, the Department of Housing and Urban Development (“HUD”) has awarded grant funds to the Community Development Block Grant (“CDBG”) in the amount of \$459,943 for FY 2010 funding; and

WHEREAS, a FY 2009 project did not occur, an additional \$10,000 of FY 2009 money can be spent in FY 2010

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

SECTION 1. The City of Conway shall accept grant proceeds from HUD in the amount of \$469,943 for CDBG activities.

SECTION 2. The City of Conway shall transfer \$320,454 from 25.125.999 to the following projects:

\$15,000	25.131.899	Bethlehem House (staffing)
\$10,000	25.133.899	Faulkner County Council on Aging (transportation)
\$20,000	25.134.899	FCCDD (transportation)
\$6,000	25.137.899	Faulkner County Women’s Shelter (transportation)
\$70,000	25.149.899	CAPCA (emergency housing rehabilitation)
\$9,000	25.164.899	Faulkner County Boys and Girls Club (transportation)
\$90,454	25.166.899	Pine Street Revitalization
\$50,000	(new line)	Bethlehem House building
\$50,000	(new line)	Downtown Drainage project

SECTION 3. The City of Conway shall transfer \$149,489 from 25.990 to the following line items:

\$48,509	25.166.899	Pine Street Revitalization
\$8,992	new line item)	Fair Housing
\$11,988	25.125 (various lines)	Administration

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

PASSED this 22nd day of June, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett



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

AN ORDINANCE PROVIDING FOR THE REGULATION OF OFF-STREET BICYCLE PARKING AND LOADING FACILITIES, AND TO SPECIFY THE REQUIREMENTS FOR OFF-STREET BICYCLE PARKING AND LOADING FACILITIES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES;

WHEREAS, the City of Conway desires to promote the safety and general welfare of the community; and

WHEREAS, increasing the safety and capacity of public and private parking areas is possible by requiring off-street parking or off-street loading facilities for bicycles; and

WHEREAS, minimizing adverse effects of off-street parking and off-street loading facilities on adjacent properties through the requirement of design and maintenance standards is warranted due to a growing community of bicyclists; and

WHEREAS, providing adequate and safe facilities for the storage of bicycles is promoted by the National League of Bicyclists;

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

SECTION 1. That Ordinance O-94-54, the City of Conway Zoning Ordinance, as adopted on the 27th Day of September 1994, is hereby amended by readopting by reference Article 1101.7, Paragraph D, Subparagraph 5, "Parking," which was approved following notice as required by law, such amendment consisting of the amended text of which not less than three (3) copies have been and now are filed in the office of the City Clerk of the City of Conway, Arkansas.

SECTION 2: That all ordinances and part of ordinances of a permanent and general nature in effect at the time of adoption of this ordinance and not included herein, are hereby repealed where they are in conflict with this ordinance.

SECTION 3: It being immediately necessary for the preservation of the public peace, health, and safety of the City of Conway, Arkansas, and the inhabitants thereof, an emergency is hereby declared to exist; by reason thereof this ordinance shall take effect and be in full force and effect from and after its passage and publication.

PASSED this 22nd day of June, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

DRAFT

CITY OF CONWAY

ZONING ORDINANCE

Ordinance # 0-94-54
SEPTEMBER, 1994

A re-adoption of ARTICLE 1101: DEVELOPMENT REVIEW, Part Seven, Paragraph D, Subparagraph 5: "Parking" in order to include provisions for bicycle parking areas, features, and standards.

5. Parking

a. Orientation

- i. *Parking areas located in the front setback or between the principal structure and any public street, including corner lots are strongly discouraged. Parking should be provided to the side and rear of the building, with no more than one (1) parking aisle on the side of any structure. Any available and allowed on-street parking shall be exempt from this requirement.*
- ii. *Continuous access, head-in parking is not permitted as off-street parking. Vehicles shall not back out onto public streets.*
- iii. *It is recommended that primary entry drives on large-scale developments include a minimum six (6) foot wide landscaped median to separate incoming and outgoing traffic.*

b. Design

- i. *Parking lots shall be designed with a hierarchy of circulation:*
 - 1) *Major access drives with no parking, framed by use of one or more of the following: building facades, sidewalks, low walls, trees, and/or shrubs. Maximum of forty (40) feet in width.*
 - 2) *Major circulation aisles with little or no parking, generally adjacent to the building(s) being served, and typically wide enough to allow for drop-offs and pick-ups. Maximum of thirty-four (34) feet in width.*
 - 3) *Narrower parking aisles to reduce speeds and allow for direct access to parking spaces. Maximum of twenty (20) feet in width.*
- ii. *To break down large expanses of paved surface, parking areas with greater than forty-eight (48) spaces shall be organized into a series of smaller modules of no greater than forty-eight (48) spaces each. Parking areas within large-scale developments may incorporate up to 96 spaces per module. These modules should be separated and defined by circulation aisles and landscape strips and/or islands consisting of trees and low shrubs.*

DRAFT

- iii. *Bicycle Parking Space Size, Access Aisles, and Vertical Clearance*
 - 1) *Required bicycle parking spaces shall be at least 2 feet by 6 feet each.*
 - 2) *An access aisle of at least 5 feet shall be provided in each bicycle parking facility.*
 - 3) *Such areas shall have a vertical clearance of at least 6 feet.*
- iv. *The "Inverted U" bike rack, at a minimum of thirty inches (30") in width, shall be the required bicycle parking rack throughout the City of Conway, although other racks may be proposed provided that they meet the following performance requirements:*
 - 1) *Support the frame of the bicycle and not just one wheel*
 - 2) *Allow the frame and one wheel to be locked to the rack when both wheels are left on the bike, as well as allow the frame and both wheels to be locked to the rack if the front wheel is removed*
 - 3) *Allow the use of either a cable or U-shaped lock*
 - 4) *Be securely anchored to the ground or building so as to prevent the rack from being removed*
 - 5) *The surfacing of such facilities shall be designed and maintained to be mud and dust free.*
- c. *Location of Parking areas*
 - i. *Off-street parking shall be located within one-thousand feet of the structure to be served, measured as a straight line between the nearest points of the parking area and the structure.*
 - ii. *Off-site Parking*
 - 1) *If off-site parking areas are provided, they shall provide a complete pedestrian infrastructure connecting the parking area and the structure being served.*
 - 2) *Off-site be located on property zoned to allow the same principal use as said structure.*
 - iii. *All off-street parking areas shall have direct access to a street or alley.*
 - iv. *Bicycle parking areas shall be visible, secure, accessible, easy to use, and convenient.*
 - 1) *Cyclists should easily spot short-term parking when they arrive from the street. A highly visible location discourages theft and vandalism. Avoid locations "off on the side" or "around the corner."*
 - 2) *The parking area should be convenient to building entrances and street access, but away from normal pedestrian and auto traffic. Avoid locations that require bicycles to travel over stairs.*
 - 3) *For security, locate bicycle parking within view of passers-by, retail activity, or office windows. These areas should also be well lit for theft protection, personal security, and accident prevention.*
- d. *Required Spaces*

DRAFT

The purpose of required parking is to provide a sufficient number of spaces which accommodate the majority of traffic generated by the range of uses which might locate at a given site over time. In response to this long-term emphasis, the City's required parking numbers correspond to broad use categories, not specific uses.

- i. Automobiles: category minimums and maximums*
 - 1. Residential*
 - a. Minimum 1.5 spaces per dwelling unit*
 - b. Maximum 2.0 spaces per dwelling unit*
 - 2. Lodging*
 - a. Minimum 1.0 spaces per lodging room*
 - b. Maximum 1.1 spaces per lodging room*
 - 3. Office/Institution*
 - a. Minimum 2.8 spaces per 1,000 ft²*
 - b. Maximum 4.2 spaces per 1,000 ft²*
 - 4. Retail/General Business*
 - a. Minimum 3.4 spaces per 1,000 ft²*
 - b. Maximum 4.8 spaces per 1,000 ft²*
 - 5. Restaurant*
 - a. Minimum 9 spaces per 1,000 ft²*
 - b. Maximum 12 spaces per 1,000 ft²*
 - 6. Industry*
 - a. Minimum 0.6 spaces per 1,000 ft²*
 - b. Maximum 1.8 spaces per 1,000 ft²*
- ii. Deductions shall be applied to the above requirements for structures exceeding 10,000 square feet*
 - 1. 10,001 ft² - 20,000 ft² = 95% total*
 - 2. 20,001 ft² - 30,000 ft² = 90% total*
 - 3. 30,001 ft² - 40,000 ft² = 85% total*
 - 4. 40,001 ft² - unlimited = 80% total*
- iii. On-street parking is generally recommended, except on collector streets and above.*
 - 1. Any on-street parking spaces located between the two side lot lines of the site and along the same side as the structure being served shall be counted to satisfy all parking requirements.*
 - 2. All parking within the public right-of-way shall be considered public parking and maintain no signage or signal which indicates otherwise.*
- iv. Bicycles: category minimums and maximums*
 - 1. Residential: minimum 1.0 space per dwelling unit*
 - 2. Lodging: minimum 0.1 spaces per lodging room*
 - 3. Office/Institution: minimum 1 space per 15 provided parking spaces*
 - 4. Retail/General Business: minimum 1 space per 15 provided parking spaces*
 - 5. Restaurant: minimum 1 space 15 provided parking spaces*

DRAFT

6. *Industry: minimum 1 space per 25 provided parking spaces*
 7. *In all cases where bicycle parking is required, no fewer than two (2) spaces shall be required.*
 8. *After the first thirty (50) bicycle spaces are provided, additional spaces required shall be reduced by one-half (0.5) the aforementioned standards.*
- v. *When certain instances warrant interpretation or refinement based upon specific parking needs, a comprehensive assessment shall be made by the Planning Director, City Traffic Engineer, and/or the Bicycle Advisory Board Program Manager in order to provide a more accurate parking requirement.*



**City of Conway, Arkansas
Resolution No. R-10-__**

BE IT RESOLVED BY THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS, A RESOLUTION ENTITLED;

A RESOLUTION ACCEPTING THE MODIFICATION OF THE EXISTING CONWAY CLASS 1 LANDFILL WHICH WILL EXCEED 30 YEARS OF PROJECTED CAPACITY;

A RESOLUTION EXPRESSING THE SUPPORT OF THE CITY OF CONWAY, ARKANSAS, FOR THE FOLLOWING:

WHEREAS, the City of Conway, Arkansas, acknowledges the fact that the City of Conway owns and operates a Class 1 Landfill in Faulkner County, Arkansas, located in Sections 32 & 33, Township 6 North, Range 14 West. The existing Class 1 Landfill currently operates in accordance with Solid Waste Permit No 252-S issued, by the Arkansas Department of pollution Control and Ecology, now known as the Arkansas Department of Environmental Quality;

WHEREAS, based upon the current utilization rate of 117,000 cubic yards per year, the modified site life will be approximately 51.1 years after the proposed vertical expansion; and

WHEREAS, Arkansas Regulation 22.205(c)(4) requires approval from the city or county government if the district's remaining capacity exceeds 30 years.

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

The City of Conway, Arkansas, hereby resolves to accept and support the vertical expansion of the existing Class 1 landfill as proposed by the City of Conway and authorizes approval for exceeding 30 years of capacity assuming the current utilization rate, as allowed in Arkansas Regulation 22.205(c)(4).

ADOPTED AND APPROVED this 22nd date of June, 2010.

Approved:

Mayor Tab Townsell

ATTEST:

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



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

**AN ORDINANCE ACCEPTING GRANT PROCEEDS AND APPROPRIATING FUNDS FOR
CONWAY ECOFEST 2010, AND FOR OTHER PURPOSES:**

WHEREAS, the Arkansas Community Foundation has made 2010 donations of \$1,000 for the Conway EcoFest for which the City of Conway has been selected to serve as the pass through entity;

WHEREAS, Wal-Mart has made two 2010 donations totaling \$3,500 (\$2,500 from the north store, \$1,000 from the Dave Ward store) for the Conway EcoFest for which the City of Conway has been selected to serve as the pass through entity;

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

SECTION 1. The City of Conway shall accept donations from Arkansas Community Foundation and Wal-Mart in the amount of \$4,500 for Conway's EcoFest.

SECTION 2. The City of Conway shall appropriate \$4,500 from General Fund Revenue Donation Account (01 .909) for disbursements to the Conway EcoFest (01.106.899).

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

PASSED this 22nd day of June, 2010.

Approved:

Mayor Tab Townsell

Attest:

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



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

**AN ORDINANCE ACCEPTING A DONATION AND APPROPRIATING FUNDS FOR THE CONWAY
 PARKS DEPARTMENT FOR THE FILMING AND BROADCASTING OF THE CITY LEAGUE
 CHAMPIONSHIP BASEBALL GAMES; AND FOR OTHER PURPOSES:**

WHEREAS, The Conway Parks Department received a \$5,000 donation with the request of such funds be appropriated for the sole purpose of paying for the Filming and Broadcasting of the City League Championship Baseball Games.

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

SECTION 1. The City of Conway shall accept the donation & appropriate the \$5,000 from Parks Miscellaneous Account (01.911) to the Conway Parks Youth Baseball Program Account (01.120.299) to pay for the filming and broadcasting of the City Championship Baseball Games & Scoreboard Show.

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

PASSED this 22nd day of June 2010.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



Memo

To: Mayor Tab Townsell
Cc: Conway City Council
From: Brian Knopp, Parks Director
Date: June 26, 2010
Re: Appropriation of Funds

The Conway Parks Department recently received a \$5,000 donation check for the sole purpose of paying for the filming and broadcasting, as well as the enhancement of the amenities, associated with the Conway City League Championship Games. The season ending games will begin June 17th and run through the championship games held on June 24th and 25th.

We would like to request the Conway City Council to appropriate these funds from the Parks Miscellaneous Account (01.911) to the Parks Youth Baseball Program Account (01.120.299) to be used for the sole purpose as stated by contributor.



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

AN ORDINANCE WAIVING BIDS AND APPROPRIATING FUNDS FOR THE PURCHASE OF PENS, PANELS, COOPS AND OTHER FURNISHINGS FOR THE CONWAY FAIRGROUND PROJECT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

Whereas, the Conway Fairgrounds project is nearing completion, and will be completed in time for the Faulkner County Fair, and

Whereas, various pens, panels, coops, tables, chairs, and other furnishings are necessary for the operation of the Faulkner County Fair as well as other events that will be held in the complex, and

Whereas, quotes have been solicited for these pens, panels, coops and other furnishings, and

Whereas, adequate time is needed for the manufacture of these pens, panels, coops and other furnishings, and

Whereas, funding for these items will be from the Parks & Recreation Impact fees collection and/or the A&P "Hamburger Tax dedicated for Parks.

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

Section 1. The City Council shall waive the requirement for obtaining competitive bids for the purchase of the items herein listed for the Conway Fairground Project and shall utilize the following vendors for the following amounts:

WW Livestock Systems	\$191,251	Livestocks, Pen, Panels & Accessories
Keipper Cooping Company	\$31,346	Fowl & Rabbit Coops & Accessories
Virco Manufacturing	_____	Tables and Chairs

Section 2. The City of Conway shall appropriate the amount listed above from Special Revenue Fund Balance Appropriation (20.990) into the Capital Project Fairgrounds Fund (38.321.767).

Section 3. Any ordinances in conflict with this ordinance are hereby repealed to the extent of that conflict.

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

PASSED this 22nd day of June, 2010

APPROVED:

ATTEST:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer



Memo

To: Mayor Tab Townsell
Cc: Conway City Council
From: Brian Knopp, Parks Director
Date: June 16, 2010
Re: Approval to use Lights over the Lake budget funds

Each year the Conway Parks Department hosts Lights over the Lake at Beaverfork Lake around the 4th of July. Lights over the Lake is a fireworks show that is free of charge to the community. It is held in conjunction with a patriotic program put on by the Conway Symphony Orchestra.

The Conway Parks Department would like to request that the city council approve the spending of the funds that were budgeted in our 2010 operating budget for this event. The fireworks cost \$5,500 and then there are a few miscellaneous costs associated with the event such as portable toilets (\$400).

The Conway Parks Department did not cut the \$8,000 in this line item during the departmental budget cuts due to the fact that this event is a community event that has been enjoyed for years by the citizens of Conway as a family event free of charge.

Thank you for your consideration.



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

**AN ORDINANCE APPROPRIATING INSURANCE PROCEEDS RECEIVED IN 2010 FOR FIRE ENGINE REPAIRS
FOR THE CONWAY FIRE DEPARTMENT; AND FOR OTHER PURPOSES;**

WHEREAS, the City of Conway received insurance proceeds amounting to \$1,117 for damages to Engine 3 inflicted during an accident;

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

SECTION 1. The City of Conway shall accept insurance proceeds received in 2010 in the amount of \$1,117 and appropriate such funds from the General Fund Insurance Proceeds account (01.512) into the fire department vehicle maintenance account 01.115.234.

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

PASSED this 22nd day of June 2010.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



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

**AN ORDINANCE APPROPRIATING INSURANCE FUNDS FOR THE CONWAY POLICE DEPARTMENT;
AND FOR OTHER PURPOSES**

WHEREAS, the City of Conway has received a check in the amount of \$2,532.77 in insurance proceeds to repair a vehicle that was damaged in an accident, a check in the amount of \$2,725.92 for a vehicle that was totaled in an accident and checks totaling \$382.50 for veterinarian services provided to the agencies two K-9's and;

WHEREAS, the Conway Police Department needs these funds to make necessary repairs to existing vehicles in fleet and to replenish the animal supply expenditure account; and

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

SECTION 1. The City of Conway shall accept the insurance proceeds in the amount of \$5,258.69 and appropriate from the Insurance Proceeds Revenue Account (01.512) to the Police Department's vehicle maintenance expenditure account (01.113.234) and;

SECTION 2. The City of Conway shall accept the insurance proceeds in the amount of \$382.50 and appropriate from the Insurance Proceeds Revenue Account (01.512) to the Police Department's animal supply expenditure account (01.113.389).

SECTION 3. The City of Conway shall remove one 1996 Chevrolet Lumina, blue in color, inventory #113-147 from the Police Departments inventory and;

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

PASSED this 22nd day of June, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING ASSET FORFEITURE FUNDS TO THE CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the Conway Police Department needs approximately \$2,250 to replace a laptop that no longer works and approximately \$850 for configuration of Milestone Server, to correct problems with cameras and audio in the police department and;

WHEREAS, money in the Conway Police Department Asset Forfeiture account is allowed, by law, to be used for such purposes as these;

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

Section 1. The City of Conway shall appropriate the following funds from the Asset Forfeiture Revenue account, 21.503, into the Asset Forfeiture expenditure accounts listed below:

\$2,250	21.113.941	Capital Office Machines
\$850	21.113.235	Equipment Maintenance

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

PASSED this 22nd day of June 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
 City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING GRANT FUNDS FROM THE STATE OF ARKANSAS FOR CHILD SAFETY SEATS; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway has received a reimbursement check from the State of Arkansas in the amount of \$312 for child safety seats purchased by the Conway Police Department as part of Seat Belt task force program and;

WHEREAS, the Conway Police Department needs these funds to replenish their training account;

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

SECTION 1. The City of Conway shall accept the grant proceeds in the amount of \$3,121.00 and appropriate from the Insurance Proceeds Revenue Account (01.512) to the Police Department's training expenditure account (01.113.335).

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

PASSED this 22nd day of June, 2010.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE AUTHORIZING THE RECLASSIFICATION OF A MAJOR'S POSITION DOWN TO TWO SERGEANTS POSITIONS FOR THE CONWAY POLICE DEPARTMENT, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the Conway Police Department would like to request the reclassification of a Major's position down to two Sergeant positions and;

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

SECTION 1. The City of Conway shall reclassify one Major's position down to two Sergeant positions decreasing the number of authorized Major slots from four to three and increasing the number of Sergeant slots from twelve to fourteen and;

SECTION 2. No additional salary funds are required for this staffing adjustment.

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

SECTION 4. This ordinance is necessary for the protection of the public peace, health and safety; 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 22nd day of June, 2010.

APPROVED:

Mayor Tab Townsell

ATTEST:

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



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

AN ORDINANCE REGULATING THE POSSESSION, SALE AND INGESTION OF CERTAIN SUBSTANCES; PROVIDING PENALTIES THEREFORE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Conway, Arkansas has determined, that several juveniles and adults within the city limits of the City of Conway, Arkansas have possessed and ingested certain substances which produce intoxicating effects similar to THC or marijuana; and

WHEREAS, neither the state of Arkansas, nor the federal government, at this point have enacted any laws to regulate the sale, possession or ingestion of the same; and

WHEREAS, it has been determined that the effects of these substances, especially in juveniles, are a health concern to the citizens of the City of Conway, Arkansas; and

WHEREAS, A.C.A. 14-55-102 authorizes the City of Conway to enact ordinances to provide for the safety, health and overall welfare of its inhabitants;

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

Section 1: It is hereby declared to be unlawful for any person to give, barter, or sell within the city limits of the City of Conway, Arkansas:

- (1) Salviadinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts
- (2) (6aR,10aR)-9-(hydroxymethyl)-6, 6dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol some trade or other names: HU-210
- (3) 1-Pentyl-3-(1-naphthoyl)indole-some trade or other names:JWH-018\spice
- (4) 1-Butyl-3-(1naphthoyl)indole-some trade or other names:JWH-073.
- (5) N-benzylpiperazine-some other trade names: BZP
- (6) 1-(3-[trifluoromethylphenyl]) piperazine-some trade or other names: TFMP
- (7) or any similar substance.

Section 2: It is unlawful for any person to use, possess, purchase, or attempt to purchase, within the city limits of the City of Conway, Arkansas:

- (1) Salviadinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts
- (2) (6aR,10aR)-9-(hydroxymethyl)-6, 6dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol some trade or other names: HU-210
- (3) 1-Pentyl-3-(1-naphthoyl)indole-some trade or other names:JWH-018\spice
- (4) 1-Butyl-3-(1naphthoyl)indole-some trade or other names:JWH-073.
- (5) N-benzylpiperazine-some other trade names: BZP
- (6) 1-(3-[trifluoromethylphenyl]) piperazine-some trade or other names: TFMP
- (7) Or any similar substance.

Section 3: Any of the aforementioned substances found may be confiscated and destroyed by law enforcement officials.

Section 4: It is not an offense under Section 2 above of this Ordinance if: 1) the person was acting at the direction of an authorized agent of the City of Conway to enforce or ensure compliance with this law prohibiting the sale of the aforementioned substance;

Section 5: It is unlawful for any person to knowingly breathe, inhale or drink any compound, liquid or chemical listed within this Ordinance, or a similar substance for the purpose of inducing a condition of intoxication, stupefaction giddiness, paralysis, irrational behavior, or in any manner, changing, distorting or disturbing the auditory, visual, or mental process.

Section 6: It is unlawful for any person to knowingly, within the city limits of the City of Conway, sell, offer for sale, deliver, give, or possess with the intent to sell, deliver or give to any other person any compound, liquid, or chemical set forth herein, or other substance that will induce a condition of intoxication through breathing or inhalation if he or she has reasonable cause to believe that the compound, liquid or chemical sold, offered for sale, delivered, given or possessed with the intent to sell, or give will be used for the purpose of violating this Ordinance.

Section 7: This Ordinance does not apply to any person who commits any act described in this Ordinance pursuant to the direction or prescription of a licensed physician or dentist authorized to direct or prescribe such act. This Ordinance likewise does not apply to the inhalation of anesthesia for a medical purpose or dental purpose.

Section 8: Any person found to be in violation of this ordinance will be guilty of a misdemeanor and subject to a term of imprisonment not to exceed one (1) year or a fine not to exceed \$1,000.00 or a combination of such imprisonment or fine for a first offense. Fines may be imposed in an amount of to \$2,000.00 for each subsequent offense, in addition to any jail term imposed. In the event the violation would also be punishable by state law, a term of imprisonment consistent with the comparable state legislation may be imposed by the court.

Section 9: That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 22nd day of June, 2010.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-10- ____**

AN ORDINANCE ADOPTING AN EMPLOYEE HANDBOOK AND PERSONNEL POLICY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the Mayor of the City of Conway, Arkansas, has submitted to the City Council a handbook to be used for personnel matters for the City.

WHEREAS, a revision of Section II, Employee Benefits, is needed for the fair and impartial implementation of personnel policies.

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

SECTION 1. A handbook entitled, "Employee Handbook, City of Conway, Personnel Policy," has been examined by the City Council and found to be needed for the fair and impartial implementation of personnel policies. Section II: Employment Benefits, Surviving Spouse/Dependent Eligibility to Participate in the City's Health Care Plan, page 48, is added as follows and Retirees' Eligibility to Participate in the City's Health Care Plan, page 49 is revised to include "To continue coverage, retirees must remain current on both employer and employee contributions."

SURVIVING SPOUSE/DEPENDENT ELIGIBILITY TO PARTICPATE IN THE CITY'S HEALTH CARE PLAN

The spouse and/or eligible dependents of an active employee, whose death occurs after 06/01/2010, may continue to participate in the City's health care plan, receiving the same medical benefits and paying the same premium as active employees as long as the spouse and/or eligible dependents pays both employer and employee contribution to the health care plans. The spouse/dependents must have been participating in the plan at the time of the employee's death to be eligible. Eligible dependents, who are currently covered, may continue coverage until they lose dependent status.

The spouse and/or dependents eligible to participate in the health care plan may also participate in the dental plan as long as the spouse and/or eligible dependents pays both the employer and employee contribution to the dental plan. The spouse/dependents must have been participating in the plan at the time of the employee's death to be eligible.

To continue coverage, survivors must:

- a. Contact the Human Resources Department to indicate their desire to continue coverage within 30 (thirty) days of employee's death;
- b. Submit to the Human Resources Department any required continuation/enrollment forms within 45 (forty-five) days of employee's death;

- c. Submit to the City Clerk payment for all employer and employee contributions not withheld from employee's wages within 60 (sixty) days of employee's death; and
- d. Remain current on both employer and employee contributions.

RETIREES' ELIGIBILITY TO PARTICIPATE IN THE CITY'S HEALTH CARE PLAN

To continue coverage, retirees must remain current on both employer and employee contributions.

SECTION 2. This policy shall be adopted as set forth in the document entitled "Employee Handbook, City of Conway, Personnel Policy."

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

SECTION 4. This ordinance is necessary for the protection of the public peace, health and safety; 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 22nd day of June, 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 with the agencies listed above and appropriate the following from General Fund – Fund Balance Appropriation Account (01.990) to the following

\$6,250	(01.106.886) Boys & Girls Club of Faulkner County,
\$15,000	(01.106.872) Faulkner County Council on Development Disabilities
\$21,453.50	(01.106.863) Faulkner County Senior Citizen Program

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 22nd day of June, 2010.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer