

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



City Council Members

- 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

www.cityofconway.org

Tuesday, March 13th, 2012 @ 6:30pm

Judge Russell L. "Jack" Roberts District Court Building – 810 Parkway St., Conway, AR 72032

5:30pm - Committee Meeting: **No Committee Meeting**

Call to Order Alderman Andy Hawkins
Roll Call Michael O. Garrett, City Clerk/Treasurer
Minutes February 28, 2012
Announcements/Proclamations/Recognitions:

1. Report of Standing Committees:

A. Public Hearing

1. Public Hearing / Closing a portion of Ellis Avenue right of way and a portion of the alley connecting Sanders Street and Lot 105 located in the Village at Hendrix.
2. Ordinance closing a portion of Ellis Avenue right of way and a portion of the alley closing Sanders Street and Lot 105 located in the Village at Hendrix.

B. Economic Development Committee (Airport, Conway Corporation, Conway Development, Historic District, Chamber of Commerce)

1. Ordinance fixing rates for services rendered by the sewer system of the City of Conway.
2. Resolution setting a public hearing for the purpose of receiving comments and questions regarding the proposed Wastewater rate increase.
3. Ordinance repealing Ordinance O-11-39 due to incorrect legal description for land annexed in the Lollie Bottoms area.
4. Ordinance accepting the annexation of the land in the Lollie Bottoms, corrected description from Ordinance O-11-39.

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

1. Ordinance dissolving Water Improvement District No. 10.
2. Ordinance amending Ordinance No. O-95-52 regarding the bidding requirements for certain purchase for the City of Conway.
3. Consideration to award asphalt paving work for the City of Conway.

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

1. Ordinance accepting and appropriating grant proceeds from the Department of Homeland Security for the purchase of mobile/portable radios for the Conway Fire Department.
2. Ordinance waiving the competitive bid process for the purchase of access control system for various City buildings.
3. Ordinance appropriating funds to replace an outdoor warning siren for the City of Conway.
4. Ordinance waiving the competitive bid process for the replace and/or repair of outdoor warning sirens for the City.
5. Ordinance accepting donated items to the Conway Police Department for the Communications Center.
6. Consideration of accepting assets obtained through court order for the Conway Police Department.
7. Consideration to accept bids for the sale of confiscated weapons for the Conway Police Department.
8. Ordinance authorizing funds through pays as you go sales tax bond for the Conway Police Department for vehicles.

Old Business

New Business

Adjournment



City of Conway, Arkansas
Ordinance No. O-12- _____

AN ORDINANCE CLOSING A PORTION OF THE ELLIS AVENUE RIGHT-OF-WAY AND A PORTION OF THE ALLEY CONNECTING SANDERS STREET AND LOT 105 LOCATED IN THE VILLAGE AT HENDRIX AS FOUND IN PLAT OF RECORDS IN FAULKNER COUNTY PLAT BOOK L, PAGE 6; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 3rd day of February 2012 asking the City Council to vacate and abandon a portion of the Ellis Avenue right-of-way and a portion of the alley connecting Sanders Street and Lot 105 located in the Village at Hendrix

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; that all the owners of the property abutting upon the portion of the street and alley 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 those portions of the street and alley.

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 those portions of the Ellis Avenue right-of-way and alley connecting Sanders Street and Lot 105 designated as follows:

Part of Section 1, T-5-N, R-14-W, Faulkner County, Arkansas. Beginning at the NE corner of Lot 104, of The Village at Hendrix, City of Conway, Arkansas, as shown on Plat of Record in Plat Book L, Page 6, Plat Records of Faulkner County, Arkansas; thence South 71 degrees 54 Minutes 43 Seconds West, a distance of 63.14 feet; thence North 18 degrees 05 Minutes 17 Seconds West, a distance of 10.00 feet; thence North 71 Degrees 54 Minutes 43 Seconds East, a distance of 63.64 feet; thence South 15 degrees 12 Minutes 55 Seconds East, a distance of 10.01 feet to the POINT OF BEGINNING; said described tract containing 0.1 Acres, more or less.

Part of Section 1, T-5-N, R-14-W, Faulkner County, Arkansas. Beginning at the SE corner of Lot 104, of The Village at Hendrix, City of Conway, Arkansas, as shown on Plat of Record in Plat Book L, Page 6, Plat Records of Faulkner County, Arkansas; thence South 15 Degrees 12 Minutes 55 Seconds East, a distance of 11.80 feet; thence South 75 Degrees 06 Minutes 36 Seconds West, a distance of 117.94 feet; thence North 71 Degrees 54 Minutes 43 Seconds East, a distance of 19.94 feet; thence North 18 Degrees 05 Minutes 17 Seconds West, a distance of 7.05 feet; thence North 71 Degrees 54 Minutes 43 Seconds East, a distance of 63.88 feet; thence North 74 Degrees 57 Minutes 43 Seconds East, a distance of 34.58 feet to the POINT OF BEGINNING; said described tract containing 0.02 Acres, more or less.

Section 2. 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.

Section 3. This ordinance shall take effect and be in force from and after its passage.

Passed this 13th day of March, 2012.

Approved:

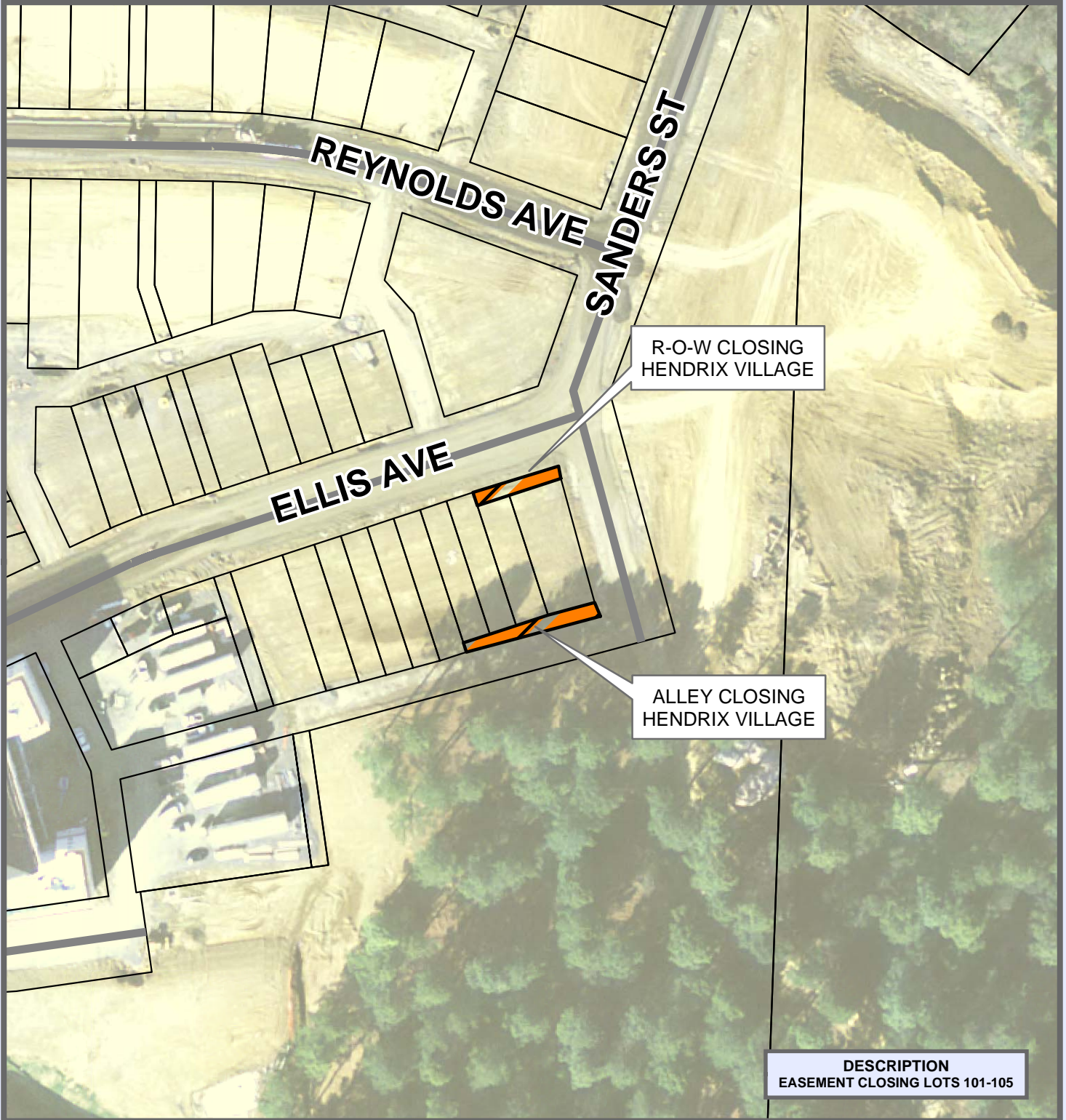
Attest:

Mayor Tab Townsell

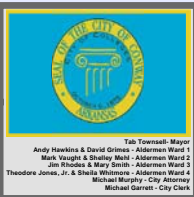
Michael O. Garrett
City Clerk/Treasurer

CITY OF CONWAY

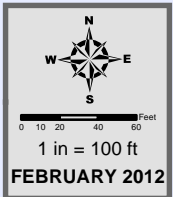
HENDRIX VILLAGE -- ALLEY R-O-W CLOSING



DESCRIPTION
EASEMENT CLOSING LOTS 101-105

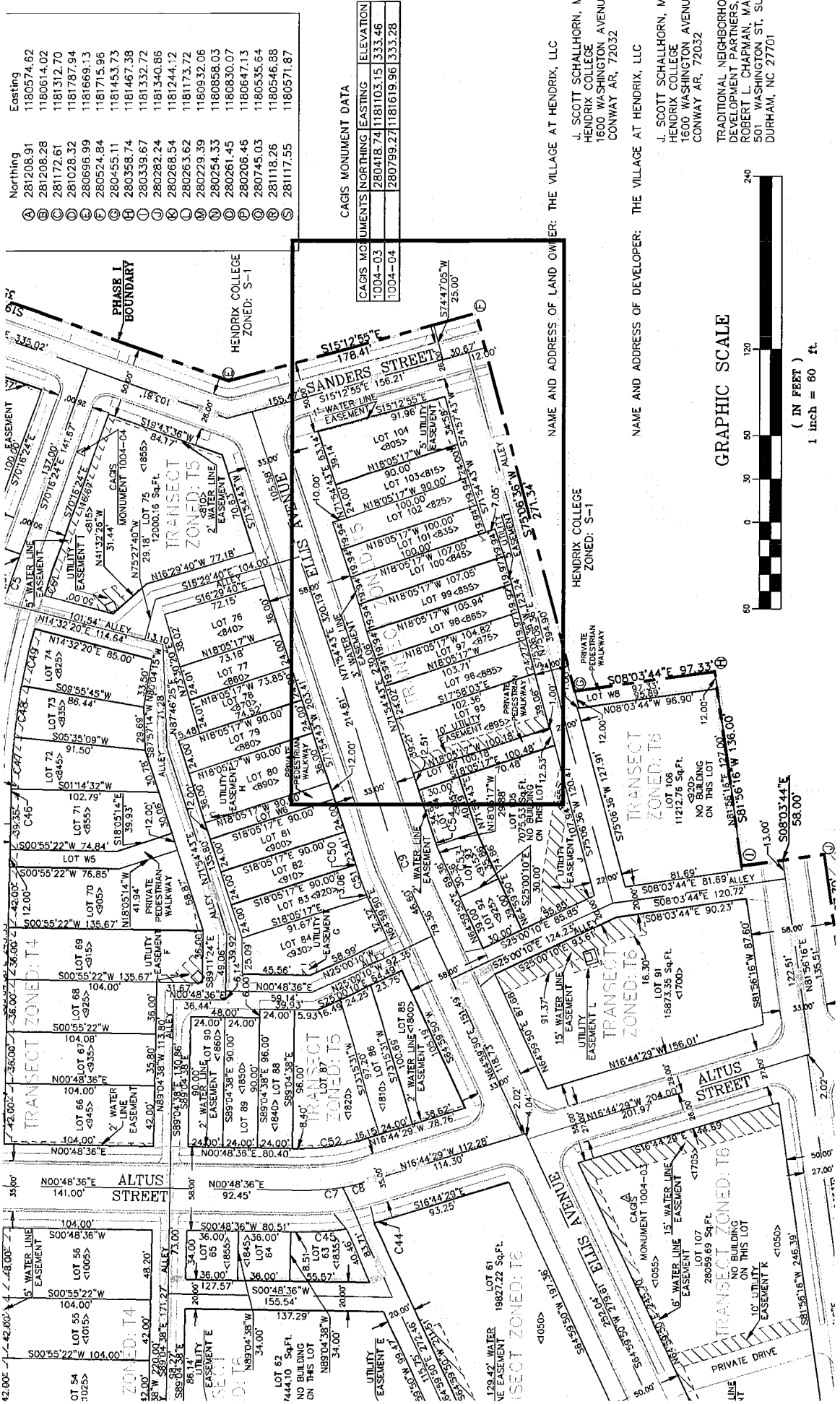


INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	MF-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-2
COLLECTOR	CITY LIMITS	R-2	MF-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		Commercial	Office
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	
		Special	SP
			S-1
			A-1
			PUB



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 IMS WEBSITE:
gis.cityofconway.org (UNDER DEVELOPMENT)
E-MAIL: Jason.Lyon@CityofConway.org



Northing	Easting
(A) 281208.91	1180574.62
(B) 281208.28	1180614.02
(C) 281172.61	1181312.70
(D) 281028.32	1181787.94
(E) 280696.99	1181669.13
(F) 280524.84	1181715.96
(G) 280455.11	1181453.73
(H) 280358.74	1181467.38
(I) 280339.67	1181332.72
(J) 280282.24	1181340.86
(K) 280268.54	1181244.12
(L) 280263.62	1181173.72
(M) 280229.39	1180932.06
(N) 280254.33	1180898.03
(O) 280261.45	1180830.07
(P) 280205.45	1180647.13
(Q) 280745.03	1180535.64
(R) 281118.26	1180546.88
(S) 281117.55	1180571.87

CAGIS MONUMENT DATA

CAGIS MONUMENTS	NORTHING	EASTING	ELEVATION
1004-03	280418.74	1181103.15	1333.46
1004-04	280799.27	1181619.96	1333.28

J. SCOTT SCHALLHORN, MANAGER
HENDRIX COLLEGE
1600 WASHINGTON AVENUE
CONWAY AR, 72032

NAME AND ADDRESS OF LAND OWNER: THE VILLAGE AT HENDRIX, LLC

J. SCOTT SCHALLHORN, MANAGER
HENDRIX COLLEGE
1600 WASHINGTON AVENUE
CONWAY AR, 72032

TRADITIONAL NEIGHBORHOOD
DEVELOPMENT PARTNERS, LLC
ROBERT L. CHAPMAN, MANAGER
501 WASHINGTON ST. SUITE D
DURHAM, NC 27701

GRAPHIC SCALE



HENDRIX COLLEGE
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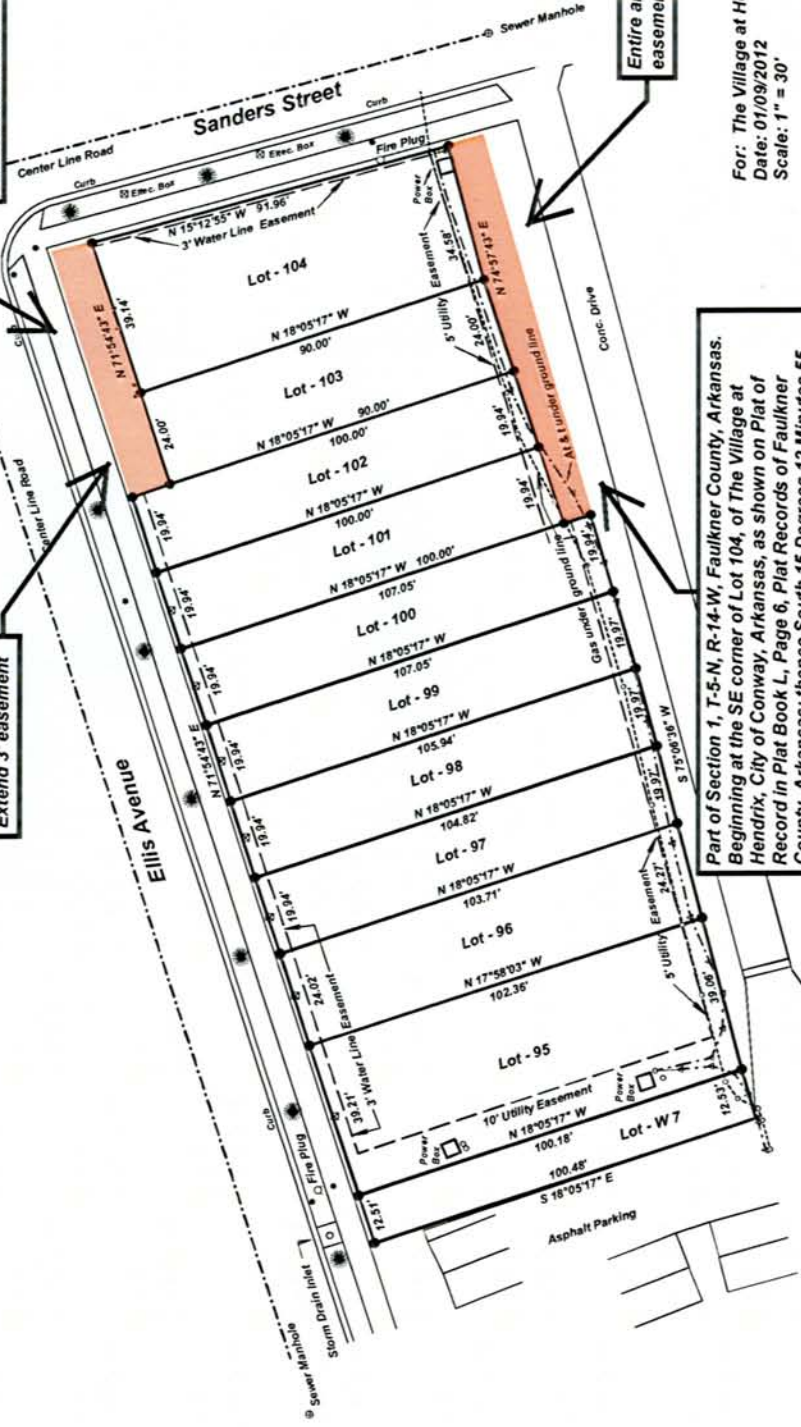
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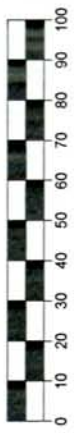
HAMBUCHEN LAND SURVEYING, INC.
 #3 Oak Grove Drive
 CONWAY AR, 72032
 Mobile 450-0771
 Survey@conwaycorp.net

Extend 3' easement

Entire area will be granted as a utility easement.



For: The Village at Hendrix
 Date: 01/09/2012
 Scale: 1" = 30'



Part of Section 1, T-5-N, R-14-W, Faulkner County, Arkansas. Beginning at the SE corner of Lot 104, of The Village at Hendrix, City of Conway, Arkansas, as shown on Plat of Record in Plat Book L, Page 6, Plat Records of Faulkner County, Arkansas; thence South 15 Degrees 12 Minutes 55 Seconds East, a distance of 11.80 feet; thence South 75 Degrees 06 Minutes 36 Seconds West, a distance of 117.94 feet; thence North 71 Degrees 54 Minutes 43 Seconds East, a distance of 19.94 feet; thence North 18 Degrees 05 Minutes 17 Seconds West, a distance of 7.05 feet; thence North 71 Degrees 54 Minutes 43 Seconds East, a distance of 63.88 feet; thence North 74 Degrees 57 Minutes 43 Seconds East, a distance of 34.58 feet to the POINT OF BEGINNING; said described tract containing 0.02 Acres, more or less.



817 N Creek Dr
Conway, AR 72032
Fax: 501 336 8372

January 19, 2012

City of Conway
1201 Oak St
Conway, AR 72032

RE: The Village at Hendrix – Request for Partial Street and Alley Right of Way Closing

To Whom It May Concern:

The above referenced request has been reviewed and Centerpoint Energy has no issues or complaints to closing a portion of the Right-of-Way on Ellis Avenue and a portion of the alley connecting Sanders St and Lot 105.

Thank You,

A handwritten signature in cursive script that reads "Dennis Fisher".

Dennis Fisher

CC: Lawrence Finn
The Village at Hendrix



Conway Corporation

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

January 26, 2012

Lawrence Finn
The Village at Hendrix, LLC
1600 Washington Ave,
Conway, AR 72032

Re: Request for partial Street and Alley Right-of-Way closing.

Dear Lawrence:

Conway Corporation has no objections to the Partial Street and Alley Right-of-Way closing as long as the easements are extended across the areas that are being closed. All of our utilities will be in the easements if they are extended.

If you have questions, please let me know.

Yours truly,

CONWAY CORPORATION

Leslie Guffey
Engineering & Planning



Lynda Palmer
AT&T Arkansas
Mgr.-OSP PIng. & Engrg. Design
Right-of-Way
Joint Use of Poles

1111 West Capitol, Rm 941
Little Rock, AR 72201
(501) 373.5255 Phone
(501) 373.0229 Fax
lynda.palmer@att.com

January 16, 2012

The Village at Hendrix, LLC
Attn: Lawrence Finn
1600 Washington Avenue
Conway, AR 72032

RE: Partial street and alley closing

Dear Mr. Finn:

AT&T has no objection to the proposed closing of a portion of the right-of-way of Ellis Avenue and a portion of the alley connecting Sanders Street and Lot 105 in the Village at Hendrix development. Our engineer informs me that our conduit and cables are in a joint trench with the power company, and that this closing will in no way propose a conflict with our facilities.

Questions about these facilities can be directed to David Cain, Conway AT&T engineer, at 501-373-8171. Administrative questions should be directed to me.

Sincerely,

A handwritten signature in black ink that reads "Lynda Palmer".

CC: David Cain



City of Conway, Arkansas
Ordinance No. O-12- _____

AN ORDINANCE FIXING RATES FOR SERVICES RENDERED BY THE SEWER SYSTEM OF THE CITY OF CONWAY, ARKANSAS; PRESCRIBING MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Conway, Arkansas (the “City”) owns a sewer system (the “System”), which System is operated by Conway Corporation, an Arkansas nonprofit corporation (the “Corporation”), pursuant to an exclusive franchise granted by the City; and

WHEREAS, the City and the Corporation have determined that substantial improvements are required to portions of the System, including, but not limited to, construction of the Tupelo Bayou Wastewater Treatment Plant, new lift stations and improvements to the conveyance system (collectively, the “Improvements”), so that the inhabitants of the City may have adequate and proper sewer facilities, and that the financing of the Improvements will require rates for certain components of System services in excess of the rates presently in effect; and

WHEREAS, the City has previously established rates for System services pursuant to Ordinance No. O-92-15 adopted on April 28, 1992, as amended and supplemented by the provisions of Ordinance No. O-03-88 adopted on July 8, 2003, and Ordinance No. O-09-48 adopted on May 12, 2009 (the “Prior Rate Ordinance”);

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

Section 1. That all customers of the System shall be classified by the Corporation as residential, commercial or industrial/institutional.

Section 2. That Section 2(b) of the Prior Rate Ordinance is hereby amended to read as follows with respect to sewer service billed on and after June 1, 2012, and the rates contained below are declared by the City and the Corporation to be fair, reasonable and necessary:

“(b) OM&R Charge. (i) *Residential Customers*. For the purpose of providing for the operation, maintenance and replacement of the System (“OM&R”), for sewer service billed on and after June 1, 2012, all residential users of the System shall be charged monthly \$__ per 1,000 gallons or portion thereof of metered water consumption, with a \$__ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2013, all residential users of the System shall be charged monthly \$__ per 1,000 gallons or portion thereof of metered water consumption, with a \$__ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2014, all residential users of the System shall be charged monthly \$__ per 1,000 gallons or portion thereof of metered water consumption, with a \$__ minimum charge for 2,000 gallons or less.

(ii) *Commercial Customers.* For the purpose of providing for OM&R, for sewer service billed on and after June 1, 2012, all commercial users of the System shall be charged monthly \$__ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$__ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$__ per 1,000 gallons for all use over 100,000 gallons, with a \$__ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2013, all commercial users of the System shall be charged monthly \$__ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$__ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$__ per 1,000 gallons for all use over 100,000 gallons, with a \$__ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2014, all commercial users of the System shall be charged monthly \$__ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$__ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$__ per 1,000 gallons for all use over 100,000 gallons, with a \$__ minimum charge for 2,000 gallons or less.

(iii) *Industrial and Institutional Customers.* For the purpose of providing for OM&R, for sewer service billed on and after June 1, 2012, all industrial and institutional users of the System shall be charged monthly \$__ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$__ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$__ per 1,000 gallons for all use over 100,000 gallons, with a \$__ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2013, all industrial and institutional users of the System shall be charged monthly \$__ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$__ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$__ per 1,000 gallons for all use over 100,000 gallons, with a \$__ minimum charge for 2,000 gallons or less." For the purpose of providing for OM&R for sewer service billed on and after January 1, 2014, all industrial and institutional users of the System shall be charged monthly \$__ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$__ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$__ per 1,000 gallons for all use over 100,000 gallons, with a \$__ minimum charge for 2,000 gallons or less

Section 3. That Section 3(f) of the Prior Rate Ordinance is hereby amended to read as follows with respect to sewer service billed on and after June 1, 2012, and the rates contained below are declared by the City and the Corporation to be fair, reasonable and necessary:

“(f) Debt Service Charge. (i) *Residential Customers.* For the purpose of providing for the repayment of principal and interest on debt to be incurred to finance and refinance improvements to the System (“Debt Service”), for sewer service billed on and after June 1, 2012, all residential users of the System shall be charged monthly \$0.__ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$__, with a minimum charge of \$__ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2013, all residential users of the System shall be charged monthly \$0.__ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$__, with a minimum charge of \$__ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2014, all residential users of the System shall be charged monthly \$.__ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$__, with a minimum charge of \$__ for 2,000 gallons or less.

(ii) *Commercial Customers.* For the purpose of providing for Debt Service, for sewer service billed on and after June 1, 2012, all commercial users of the System shall be charged

monthly \$0.____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2013, all commercial users of the System shall be charged monthly \$0.____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2014, all commercial users of the System shall be charged monthly \$____. per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less.

(iii) *Industrial and Institutional Customers.* For the purpose of providing for Debt Service, for sewer service billed on and after June 1, 2012, all industrial and institutional users of the System shall be charged monthly \$____. per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2013, all industrial and institutional users of the System shall be charged monthly \$0.____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less.” For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2014, all industrial and institutional users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less.”

Section 4. That Section 5(h) of the Prior Rate Ordinance is hereby amended to read as follows with respect to sewer service billed on and after June 1, 2012:

“(h) Total Minimum User Charge. (i) *Residential Customers.* For sewer service billed on and after June 1, 2012, the total minimum user charge for residential users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ *2). For sewer service billed on and after January 1, 2013, the total minimum user charge for residential users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2). For sewer service billed on and after January1, 2014, the total minimum user charge for residential users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$ (\$____ X2).

(ii) *Commercial Customers.* For sewer service billed on and after June 1, 2012, the total minimum user charge for commercial users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2). For sewer service billed on and after January1, 2013, the total minimum user charge for commercial users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$0. x 2). For sewer service billed on and after January1, 2014, the total minimum user charge for commercial users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$ + \$ (\$____ X 2).

(iii) *Industrial and Institutional Customers.* For sewer service billed on and after June 1, 2012, the total minimum user charge for industrial and institutional users of the System shall be \$ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2). For sewer service billed on and after February 1, 2013, the total minimum user charge for industrial and institutional users of the System shall be \$____

calculated as follows: OM&R for 2,000 gallons (minimum) \$__ + Debt Service for 2,000 gallons (minimum) \$__ + \$__ (\$__ x 2).” For sewer service billed on and after February 1, 2014, the total minimum user charge for industrial and institutional users of the System shall be \$__ calculated as follows: OM&R for 2,000 gallons (minimum) \$__ + Debt Service for 2,000 gallons (minimum) \$__ + \$__ x 2).”

Section 5. The provisions of this Ordinance are separable and if a section, phrase or provision hereof shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 6. The schedule of charges as described in section 2 shall be increased on February 1, beginning 2015 and each subsequent year by the amount of increase in the Consumer Price Index (CPIU) or three (3) per cent (whichever is less) for the preceding year. A copy of the revised rates shall be posted on the Conway Corporation web site. Minimum payments in Section 4 will be adjusted on the web site each February 1 to reflect such new rates.

Section 7. All ordinances and resolutions and parts thereof in conflict herewith, particularly are hereby repealed to the extent of such conflict.

PASSED: _____, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

(S E A L)



City of Conway, Arkansas
Resolution No. R-12- _____

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING COMMENTS AND QUESTIONS ON A PROPOSED WASTEWATER RATE INCREASE

WHEREAS, Conway Corporation operates the wastewater system for the City of Conway pursuant to an exclusive franchise granted to the Corporation by the City; and

WHEREAS, the Board of Directors of the Corporation has approved and recommended that the City Council adopt revised rates for wastewater system services and such revised rates are proposed by an ordinance which has been introduced and read a single time by the City Council; and

WHEREAS, Arkansas Code Annotated Section 14-235-223(d) requires that a public hearing be held following introduction of any ordinance fixing wastewater rates or charges and that notice of such hearing be published in a newspaper published within the City at least ten (10) days prior to the date fixed in the notice for the hearing; and

WHEREAS, the Conway City Council, by Resolution, requires a public hearing prior to final passage of a rate ordinance;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Conway, Arkansas, that a public hearing will be held in conjunction with the City Council meeting on Tuesday, March 27, 2012 at 6:30 p.m. in the City Council Chambers to consider proposed rates for wastewater users and that notice of such hearing will be published in the *Log Cabin Democrat* as soon as possible in the form attached hereto as Exhibit A.

Passed this 13th day of March, 2012

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been introduced before the City Council of the City of Conway, Arkansas an ordinance amending the rates for services relating to the City's wastewater system (the "System") billed on and after June 1, 2012. The proposed amended rates are as follows:

(1) OM&R Charge.

(i) *Residential Customers.* For the purpose of providing for the operation, maintenance and replacement of the System ("OM&R), for sewer service billed on and after June 1, 2012, all residential users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption, with a \$____ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2013, all residential users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption, with a \$____ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2014, all residential users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption, with a \$____ minimum charge for 2,000 gallons or less.

(ii) *Commercial Customers.* For the purpose of providing for OM&R, for sewer service billed on and after June 1, 2012, all commercial users of the System shall be charged monthly \$____ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$____ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$____ per 1,000 gallons for all use over 100,000 gallons, with a \$____ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2013, all commercial users of the System shall be charged monthly \$____ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$____ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$____ per 1,000 gallons for all use over 100,000 gallons, with a \$____ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2014, all commercial users of the System shall be charged monthly \$____ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$____ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$____ per 1,000 gallons for all use over 100,000 gallons, with a \$____ minimum charge for 2,000 gallons or less.

(iii) *Industrial and Institutional Customers.* For the purpose of providing for OM&R, for sewer service billed on and after June 1, 2012, all industrial and institutional users of the System shall be charged monthly \$____ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$____ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$____ per 1,000 gallons for all use over 100,000 gallons, with a \$____ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2013, all industrial

and institutional users of the System shall be charged monthly \$____ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$____ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$____ per 1,000 gallons for all use over 100,000 gallons, with a \$____ minimum charge for 2,000 gallons or less. For the purpose of providing for OM&R for sewer service billed on and after January 1, 2014, all industrial and institutional users of the System shall be charged monthly \$____ per 1,000 gallons for the first 25,000 gallons or portion thereof of metered water consumption, \$____ per 1,000 gallons for the next 75,000 gallons or portion thereof, and \$____ per 1,000 gallons for all use over 100,000 gallons, with a \$____ minimum charge for 2,000 gallons or less.

(2) Debt Service Charge.

(i) *Residential Customers.* For the purpose of providing for the repayment of principal and interest on debt to be incurred to finance and refinance improvements to the System (“Debt Service”), for sewer service billed on and after June 1, 2012, all residential users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2013, all residential users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2014, all residential users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less.

(ii) *Commercial Customers.* For the purpose of providing for Debt Service, for sewer service billed on and after June 1, 2012, all commercial users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2013, all commercial users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2014, all commercial users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less.

(iii) *Industrial and Institutional Customers.* For the purpose of providing for Debt Service, for sewer service billed on and after June 1, 2012, all industrial and institutional users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2013, all industrial and institutional users

of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less. For the purpose of providing for Debt Service for sewer service billed on and after January 1, 2014, all industrial and institutional users of the System shall be charged monthly \$____ per 1,000 gallons or portion thereof of metered water consumption and a fixed customer charge of \$____, with a minimum charge of \$____ for 2,000 gallons or less.

(3) Total Minimum User Charge.

(i) *Residential Customers.* For sewer service billed on and after June 1, 2012, the total minimum user charge for residential users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2). For sewer service billed on and after January 1, 2013, the total minimum user charge for residential users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2). For sewer service billed on and after January 1, 2014, the total minimum user charge for residential users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2).

(ii) *Commercial Customers.* For sewer service billed on and after June 1, 2012, the total minimum user charge for commercial users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2). For sewer service billed on and after January 1, 2013, the total minimum user charge for commercial users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2). For sewer service billed on and after January 1, 2014, the total minimum user charge for commercial users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2).

(iii) *Industrial and Institutional Customers.* For sewer service billed on and after June 1, 2012, the total minimum user charge for industrial and institutional users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2). For sewer service billed on and after January 1, 2013, the total minimum user charge for industrial and institutional users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2). For sewer service billed on and after January 1, 2014, the total minimum user charge for industrial and institutional users of the System shall be \$____ calculated as follows: OM&R for 2,000 gallons (minimum) \$____ + Debt Service for 2,000 gallons (minimum) \$____ + \$____ (\$____ x 2).

(4) CPIU Adjustments. The schedule of OM&R charges as described in Section 1 above shall be increased on _____ 1, beginning [2015] and each subsequent year by the amount of increase in the Consumer Price Index (CPIU) or three percent (3%) (whichever is less) for the

preceding year. A copy of the revised rates shall be posted on the Conway Corporation web site. Minimum payments in Section 3 above will be adjusted on the web site each _____ 1 to reflect such new rates.

A public hearing regarding the proposed rates will be held before the Mayor and City Council of the City of Conway, Arkansas on Tuesday, March 27, 2012, at 6:30 p.m., at the District Court Building, 810 Parkway, Conway, Arkansas. All interested parties are invited to attend the public hearing to express their views concerning the proposed rates.

Tab Townsell, Mayor

Publication Instructions: Publish one time in the *Log Cabin Democrat* not later than March 17, 2012. Please send two proofs of publication, to Kutak Rock LLP, 124 W. Capitol, Suite 2000, Little Rock, Arkansas, 72201, Attn: Gordon M. Wilbourn.



**City of Conway, Arkansas
Ordinance No. O-12-_____**

**AN ORDINANCE REPEALING ORDINANCE O-11-39; DECLARING AN EMERGENCY; AND FOR
OTHER PURPOSES:**

WHEREAS; the legal description for the lands annexed by Ordinance O-11-39 was filed incorrectly;

WHEREAS; it is preferable to repeal Ordinance O-11-39;

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

Section 1: That Ordinance O-11-39 be repealed and legal description be corrected and a new ordinance be filed accepting lands described in O-11-39

Section 2: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 3: That this ordinance is necessary for the protection of the public peace, health and safety, and this ordinance shall be in full force and effective 30 days after its passage and approval.

Passed this 13th day of March, 2012.

Approved:

Attest:

Mayor Tab Townsell

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



City of Conway, Arkansas
Ordinance No. O-12- _____

AN ORDINANCE ACCEPTING THE ANNEXATION OF LAND IN LOLLIE BOTTOMS. CORRECTED DESCRIPTION FOR O-11-39, TO THE CITY OF CONWAY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

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

Whereas, a public hearing was held on the 17th day of May 2011, regarding these proposed annexation and being a corrected legal description for O-11-39; and

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

SECTION 1. That the City of Conway, Arkansas, hereby accepts the hereinafter described territory annexed to said City by order of the County Court of Faulkner County, Arkansas, heretofore entered on the 17th day of May, 2011, and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned 1-3 and described as follows:

A part of the E ½ SE ¼ of Section 2, T-4-2-N, R-15-W, described as beginning at a found ½" rebar at the NE Corner of said E ½ SE ¼ thence along East line of said Section 2, S 01-37-29 W 1220.67 ft to a ½" rebar; thence leaving said East line S 45-04-03 W 1706.20 ft to a set ½" rebar; thence N 44-55-57 W 202.17 ft to a set ½" rebar on the West line of said E ½ SE ¼; thence along said West line N 01-37-30 E 2322.17 feet to a to a set ½" rebar at the NW corner of the NE ¼ SE 1/4 ; thence along the North line of said NE ¼ SE ¼ 1320.01 ft to the point of beginning containing 39.96 acres in the NE ¼ SE ¼ and 17.68 acres in the SE ¼ SE 1/4 , making a total of 57.64 acres more or less.

and that the above said -- described lands and territory be, and the same hereby are, declared to be a part of the City of Conway, Faulkner County, Arkansas.

SECTION 2. That unless a street is specifically named in this ordinance as being accepted for maintenance or to provide street frontage for the issuance of building permits, it shall not be accepted for either purpose.

SECTION 3. From and after this date. the inhabitants residing within and upon the hereinabove described lands and territory shall have and enjoy all the rights and privileges of, and be subject to all the laws, rules, ordinances, limitations and regulations imposed upon the inhabitants within the original limits of said City of Conway, Arkansas, and for voting purposes, said lands are hereby assigned to and designated as a part of **Ward 1** of the City of Conway, Arkansas.

SECTION 5. It is hereby ascertained and declared that it is necessary for the protection and preservation of the public health and safety that the foregoing ordinance shall take effect and be in force from and after its passage and publication.

Passed this 13th day of March, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-12- _____

**AN ORDINANCE DISSOLVING WATER IMPROVEMENT DISTRICT NO. 10 OF
 CONWAY, ARKANSAS.**

WHEREAS, the City of Conway, Arkansas (the "City") by Ordinance No. 095-34 approved by the Conway City Council on April 25, 1995, established the Water Improvement District No. 10 of Conway, Arkansas pursuant to Arkansas Code Annotated §§ 14-88-101 *et seq.* (the "District"); and

WHEREAS, the District issued bonds in the approximate amount of \$2,250,000 in order to construct water storage and transmission lines within the District; and

WHEREAS, on February 1, 2012, the District made its final payment on its bonds; and

WHEREAS, on March __, 2012, the Commissioners of the District passed a resolution dissolving and winding up the affairs of the District, which is attached hereto as Exhibit A; and

WHEREAS, the District has filed its final report pursuant to Arkansas Code Annotated § 14-88-603(b); and

WHEREAS, the District has executed a Quitclaim Deed and Bill of Sale in favor of the City for all real property and personal property owned by the District.

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

Section 1. Water Improvement District No. 10 of Conway, Arkansas be dissolved;

Section 2. That all real and personal property owned by the District be conveyed to the City of Conway, and pursuant to Arkansas Code Annotated § 14-88-603, the District shall pay to the City of Conway all funds which it has on hand;

Section 3. That pursuant to Arkansas Code Annotated §§ 4-88-601 *et seq.*, the District be dissolved, all future levies and assessments be cancelled, and the Board of Commissioners be relieved of any further duties or obligations;

Section 4. That the Commissioners are authorized to do any and all things necessary to perform all other acts of whatever nature necessary to effect and carry out the authority conferred by this Ordinance;

Section 5. That all ordinances and parts thereof in conflict herewith are repealed to the extent of such conflict;

Section 6. It is hereby determined by the Council that there is an immediate need for the District to be dissolved and the Commissioners to be relieved from their duties, in order to provide for the public peace, health and safety, and therefore an emergency is declared to exist and this ordinance shall take effect and be in force from then to after its passage.

Passed this 13th day of March, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

EXHIBIT A

RESOLUTION

WHEREAS, the Municipal Water Improvement District No. 10 of Conway, Arkansas (the "District") was created by City of Conway Ordinance No. 95-34 on April 25, 1995, pursuant to Arkansas Code Annotated § 14-88-101 *et seq.*; and

WHEREAS, the purpose of the District was to finance the construction of a water storage and transmission system (the "Project") to serve the property in the District; and

WHEREAS, on January 30, 1998, the District issued its \$1,745,000 Improvement Bonds, Series 1998A and its \$499,278 Subordinate Appreciation Improvement Bonds, Series 1998B (together, the "Series 1998 Bonds") to finance construction of the Project; and

WHEREAS, the Series 1998 Bonds were scheduled to be retired on February 1, 2020; and

WHEREAS, as of February 1, 2012, the amount owed on the Bonds is principal of \$_____ and interest of \$_____ for a total of \$_____, and there is currently \$_____ on hand to retire the Bonds, so the Bonds will be retired eight years ahead of schedule; and

WHEREAS, in order to wind up the affairs of the District, it will be necessary to convey all real and personal property of the District to the City of Conway, which will assume the ownership of the real and personal property of the District which will be operated and maintained by Conway Corporation;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

Section 1. That the affairs of the District be finalized;

Section 2. That the outstanding bonded indebtedness and any other debts of the District be retired;

Section 3. That all real and personal property of the District be conveyed to the City of Conway;

Section 4. That the District file an Act 210 Annual Taxpayer Transparency Improvement District Report and a final financial report of the District with the Faulkner County County Clerk;

Section 5. That pursuant to Arkansas Code Annotated §§ 14-88-601 *et seq.*, the District be dissolved, all current and future levies and assessments be terminated, and the Board of Commissioners be relieved from further duties.

Section 6. That the Commissioners are authorized to do any and all things necessary to perform all other acts of whatever nature necessary to effect and carry out the authority conferred by this Resolution. They are further authorized, on behalf of the District, to execute all certificates and other instruments that may be required for carrying out the authority conferred by this Resolution or to evidence that authority and its exercise.

Section 7. All resolutions and parts there of in conflict herewith are repealed to the extent of such conflict.

Section 8. This resolution shall be in full force and effect from and after its adoption.

ADOPTED this _____ day of _____, 2012.

Richard C. Collins

Jerry Park

Helen Benafield



City of Conway, Arkansas

Ordinance No. O-12-__

AN ORDINANCE AMENDING ORDINANCE O-95-52 AND CHAPTER 3.04 OF THE CONWAY MUNICIPAL CODE REGARDING THE BIDDING REQUIREMENTS FOR CERTAIN PURCHASES; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the Conway City Council is desirous of amending the current ordinances to be consistent in acknowledging exemptions under state law regarding purchases and bidding requirements for supplies, apparatus, equipment and materials.

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

Section 1. That Ordinance O-95-52 and Section 3.04 of the Conway Municipal Code, PURCHASES, shall be amended to add Section 3.03 and shall read as follows:

“3.04 PURCHASES

3.04.03 EXEMPTIONS UNDER STATE LAW

The bidding requirements under the City of Conway’s ordinances, municipal code and purchasing policies and procedures are subject to any exemptions granted by state law, including, but not limited to, exclusions set out in Ark. Code Ann. § 14-58-303 and § 14-58-104.”

Section 2. That all ordinances in conflict herewith are repealed to the extent of the conflict.

Section 3. That in order to expedite the purchase of necessary supplies, apparatus and materials for which the bidding requirements are not required under state law, it is found that 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 13th day of March, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk / Treasurer

MEMORANDUM

TO: MAYOR TAB TOWNSELL

FROM: RONNIE HALL, P.E.
CITY ENGINEER

DATE: March 8, 2012

REFERENCE: Asphalt Purchasing

Act 756 of 2009 allows cities to obtain asphalt (as well as motor fuels) without soliciting bids. In order to secure a contractor for our asphalt paving work I obtained quotes from several contractors. The results of the quotes for several our 2012 paving projects are as follows:

Redstone Construction

In Place Asphalt Surface (PG 70-22)	\$79.00/Ton	
In Place Asphalt Surface (PG 64-22)	\$77.00/Ton	
In Place Asphalt Binder (PG 64-22)	\$73.50/Ton	
TOTAL FOR PROJECTS LISTED		\$424,950

Cranford Construction

In Place Asphalt Surface (PG 70-22)	\$87.55/Ton	
In Place Asphalt Surface (PG 64-22)	\$82.15/Ton	
In Place Asphalt Binder (PG 64-22)	\$76.70/Ton	
TOTAL FOR PROJECTS LISTED		\$457,740

J's Construction

In Place Asphalt Surface (PG 70-22)	\$94.00/Ton	
In Place Asphalt Surface (PG 64-22)	\$88.00/Ton	
In Place Asphalt Binder (PG 64-22)	\$78.00/Ton	
TOTAL FOR PROJECTS LISTED		\$488,600

I am requesting approval to proceed with utilizing Redstone Construction for our asphalt paving work for the projects listed below.

The initial street paving projects for 2012 are as follows:

<u>LOCATION</u>	<u>Est. Date Available</u>	<u>Approx. Quantity</u>
Donaghey - Prince to Tyler (Binder)	March 23	500 Tons (64-22PG)
Donaghey - Prince to Tyler (Surface Course)	March 23	1,600 Tons (70-22 PG)
Main Street - Front to Harkrider	March 19	700 Tons (64-22 PG)
Reedy Road - Noblett to College	March 19	800 Tons (64-22PG)
College Ave - Country Club to Hannah Dr.	March 19	500 Tons (64-22PG)
Western - College to Bruce	March 19	300 Tons (64-22PG)
Quail Run (Loop off west Dave Ward Drive)	March 27	800 Tons (64-22PG)
Sanders - Outback Drive to Findley	March 27	100 Tons (64-22PG)
Findley - East Walmart Entrance to Sanders	March 27	200 Tons (64-22PG)

CITY OF CONWAY, ARKANSAS
ASPHALT & RELATED WORK
ASPHALT TO BE USED DURING MARCH THRU JULY 2012

TABULATION OF QUOTES RECEIVED MARCH 8, 2012 10:00 AM

DESCRIPTION	ESTIMATED QUANTITY	UNITS	RED STONE CONSTR.		CRANFORD		J'S CONSTRUCTION	
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1 ASPHALT HOT MIX SURFACE COURSE (70-22 PG)	1,600.00	TON	\$79.00	\$126,400.00	\$87.55	\$140,080.00	\$94.00	\$150,400.00
2 ASPHALT HOT MIX BINDER COURSE (64-22 PG)	3,400.00	TON	\$77.00	\$261,800.00	\$82.15	\$279,310.00	\$88.00	\$299,200.00
3 ASPHALT HOT MIX BINDER COURSE	500.00	S.Y.	\$73.50	\$36,750.00	\$76.70	\$38,350.00	\$78.00	\$39,000.00
TOTAL AMOUNT				\$424,950.00		\$457,740.00		\$488,600.00



**City of Conway, Arkansas
Ordinance No. O-12-___**

AN ORDINANCE ACCEPTING AND APPROPRIATING GRANT PROCEEDS AWARDED TO THE FIRE DEPARTMENT AND FOR OTHER PURPOSES:

WHEREAS, the Conway Fire Department has been awarded a grant (EMW-2011-FO-05800) in the amount of \$227,728 by the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS) submitted under the Grant Programs Directorate's (DHS) FY 2011 Assistance to Firefighters Grant Program;

WHEREAS, the Conway Fire Department requests to purchase replacement radios at state contract price - 10 Mobile Radios and 42 Portable Radios to replace the current out dated radios;

WHEREAS, In January 2013 the Federal Communication Commission (FCC) is conducting a mandatory re-banding from wide band to narrow band, this equipment will help bring the department into compliance.

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

SECTION 1: The City of Conway shall accept grant proceeds in the amount of \$182,183 into the Federal Grant Revenue Account 399-000-4750 and appropriate said funds into the Grant Machinery and Equipment expense account 399-131-5910, 80% of the approved grant amount.

SECTION 2: The City of Conway shall appropriate funds in the amount of \$45,545 from the General Fund Balance Appropriation Account 001-119-4900 and transfer said funds into the Grant Machinery and Equipment expense account 399-131-5910 or 20% of the approved grant amount.

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

Passed this 13th day of March, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk / Treasurer



City of Conway, Arkansas
Ordinance No. O-12-_____

AN ORDINANCE WAIVING BIDS FOR THE PURCHASE OF ACCESS CONTROL SYSTEM; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway has an immediate need to install new or replace existing Access Control Systems in various departments within the city; and

WHEREAS, Alarmtec Systems performed the installation of Access Control Systems in the new Police Department building.

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

SECTION 1. The City of Conway shall waive the requirement of obtaining competitive bids for the execution of purchasing Access Control Systems and shall accept Alarmtec Systems as sole source vendor.

SECTION 2. 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 13th day of March, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway
Information Technology**

MEMORANDUM

TO: Mayor, Council Members
FROM: Lloyd Hartzell, Chief Information Officer
DATE: February 7, 2012
SUBJECT: Alarmtec sole source vendor

I am requesting that Alarmtec Inc. be considered a sole source vendor.

Alarmtec Inc. has been the provider for the access control system in the new Conway Police Department building which works in conjunction with the camera system activating them as needed in various areas throughout the building.

There are two projects upcoming that require access control systems to be installed and we would like them to be consistent and integrated with the existing system.

Funding for the upcoming projects will be provided by the Court Automation Fund for the Faulkner County District Court building and grant funds will be used to fund the project for the Conway Emergency Operations Center.

There is no funding required from the general fund for either project.



City of Conway, Arkansas
Ordinance No. O-12-_____

**AN ORDINANCE APPROPRIATING FUNDS TO REPLACE AN OUTDOOR WARNING SIREN;
 DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Conway currently has a total of 21 outdoor warning sirens several of which are old and need to be replaced; and

WHEREAS, the funding for this purchase has not previously been appropriated by Council action;

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

SECTION 1. The City of Conway shall appropriate a total amount of \$20,000 from the General Fund Balance Appropriation (001.119.4900) to Machinery and Equipment account (01.108.5910) for an outdoor warning siren replacement.

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, 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 13th day of March, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway
Information Technology**

MEMORANDUM

TO: Mayor, Council Members

FROM: Lloyd Hartzell, Chief Information Officer

DATE: February 7, 2012

SUBJECT: Outdoor Warning System Sirens

I am requesting that an additional \$20,000 be appropriated from the General Fund to purchase one (1) replacement siren and to upgrade the remaining sirens to FCC regulations.

Ordinarily, we would request funding to replace two (2) sirens each year. This year is unique because we are facing a one-time mandated FCC narrowbanding (the band width that public safety radio transmissions are broadcasted in) order which is due prior to January 1, 2013. The cost of one siren and the upgrade will be approximately \$45,000.

There currently is \$25,000 budgeted in the account and I am requesting an additional \$20,000 to be appropriated.



City of Conway, Arkansas
Ordinance No. O-12-_____

AN ORDINANCE WAIVING BIDS FOR THE REPLACEMENT AND/OR REPAIR OF OUTDOOR WARNING SYSTEM SIRENS; ECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway has an immediate need to replace and/or repair Outdoor Warning System sirens in various locations within the city; and

WHEREAS, COMSERV Wireless has provided maintenance and support of Outdoor Warning System sirens for the City of Conway in the past; and

WHEREAS, COMSERV Wireless is an authorized dealer of American Signal Corporation Outdoor Warning Systems sirens which are currently in use within the City of Conway;

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

SECTION 1. The City of Conway shall waive the requirement of obtaining competitive bids for the execution of replacement and/or repair of Outdoor Warning System sirens and shall accept COMSERV Wireless as sole source vendor.

SECTION 2. 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 13th day of March, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway
Information Technology**

MEMORANDUM

TO: Mayor, Council Members

FROM: Lloyd Hartzell, Chief Information Officer

DATE: February 7, 2012

SUBJECT: Comserv Wireless sole source vendor

As discussed in the memo regarding the outdoor warning systems sirens funds appropriation request the FCC is requiring that all public safety radio system be converted to narrowbanding by January 1, 2013.

Comserv Wireless, an American Signal authorized provider, is a vendor that has been utilized to repair a few of our sirens in the past and is familiar with our systems. Comserv Wireless as well as other vendors has been asked to provide quotes for the narrowbanding upgrade and the Comserv Wireless quote was at a more affordable cost than the other providers.

I am requesting that Comserv Wireless be considered a sole source vendor to provide the necessary support for the narrowbanding project and other services as may be necessary to repair our aging sirens.



City of Conway, Arkansas
Ordinance No. O-12-_____

AN ORDINANCE ACCEPTING DONATED ITEMS TO THE CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, Mayline Furniture has donated varies pieces of furniture to the Conway Communication Center with a stated value of \$7,458; and

WHEREAS, the Conway Communication Center is in need of such furniture to replace old items or fill an unfilled need 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 donated items listed below and add to the list of inventory items for the Conway Police Department:

1 10' Conference Table	\$3,125
1 6' Conference Table	\$1,476
5 Bookcases	\$1,789
2 Desks	\$ 849
1 Dry Erase Board	\$ 219

Total Value: \$7,458

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

PASSED this 13th day of March 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-12- _____

AN ORDINANCE ACCEPTING ASSETS OBTAINED THROUGH COURT ORDER FOR THE CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the Circuit Court of Faulkner County, Arkansas has granted a court order (CIV 2011-266) awarding a various items to the Conway Police Department 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 assets as outlined on the attached court order (CIV - 2011-26) and add to the Conway Police Departments inventory.

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

PASSED this 13th day of March 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
DIVISION 3

IN THE MATTER OF PROPERTY TO BE CONVERTED TO USE **FILED**
BY THE CONWAY POLICE DEPARTMENT SUBJECT TO CITY POLICY CIV 2011-266

2011 OCT 17 PM 3 43

PETITION

RHONDA WHARTON, CLERK

Comes now before the Court the Conway Police Department and for its petition doth
state: BY DC

1) That the items contained on the attached evidence reports are items which are not subject to being returned to any lawful owners although due effort has been made by the Conway Police Department and that therefore said items should be titled in the Conway Police Department and retained by the Conway Police Department for its use.

WHEREFORE the Conway Police Department doth pray this Honorable Court for an order directing that the items listed on attached evidence reports be converted to use by the Conway Police Department subject to city policy.



Cody Hiland
Prosecuting Attorney
Twentieth Judicial District

VERIFICATION

State of Arkansas
County of Faulkner

On this day Chief A.J. Gary appeared before the undersigned Notary Public, and after being duly sworn states and affirms under oath that the facts contained hereinabove are true and correct to the best of his knowledge and belief.



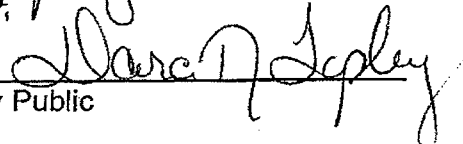
Chief A. J. Gary

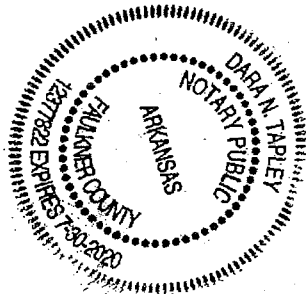
Subscribed and sworn to before me , 2011:

October 17, 2011

My commission expires:

7-30-2020



Notary Public

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
DIVISION 3

IN THE MATTER OF PROPERTY TO BE CONVERTED TO USE
BY THE CONWAY POLICE DEPARTMENT SUBJECT TO CITY POLICY

FILED

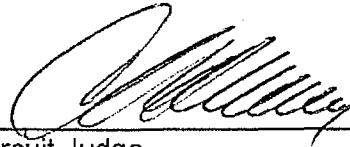
2011 OCT 17 PM 3 44 CIV 2011-266

ORDER

RHONDA WHARTON, CLERK

Comes now before the Court the matter of the petition filed herein by the Conway Police Department and based upon said petition and being fully advised of the premises herein this Court doth find, order, adjudge and decree that the items listed on the evidence reports filed with said Petition should be and hereby are to be converted to use by the Conway Police Department subject to city policy.

IT IS SO ORDERED.



Circuit Judge

Date

10/17/11

City of Conway
Police Department
Chief AJ Gary
1105 Prairie Street
Conway, AR 72032
www.conwaypd.org

Memo:

To: Mayor Tab Townsell
City Council Members

From: Chief A.J. Gary

Date: Thursday, March 08, 2012

Re: Acceptance of Bids - 2012-13

Bids were opened on Tuesday, February 14th, 2012 at Conway City Hall @ 10:00am for the sale of 14 confiscated weapons to a dealer who could apply the value towards the purchase of new Glock 22 service weapons; the following bids were received:

- Cruse Uniforms & Equipment \$1,500
- RBA Inc, DBA Phoenix Distributors \$2,100

Both companies met the bid specifications, however, it is my recommendation that the Council accept the bid from Cruise Uniforms, even though RBA is actually the "low bidder" due to the fact that Cruse Uniforms are the suppliers of the handguns currently carried by CPD and Cruse Uniforms is located within driving distance to allow for resolution of any possible issues with the handguns.

Thank you for your consideration.



City of Conway, Arkansas
Ordinance No. O-12- _____

AN ORDINANCE AUTHORIZING FUNDS THROUGH PAY AS YOU GO SALES TAX BOND FOR THE CONWAY POLICE DEPARTMENT FOR VEHICLES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway Police Department has available funding in the Pay as You Go Sales Tax Bond in the amount of \$2.4 million dollars; and

WHEREAS, the Conway Police Department needs approximately \$492,382 to purchase ten (10) fully equipped new police units as outlined below:

10 Equipped Chevy Tahoe's with CNG package	\$425,917
10 Paint package/decals	\$ 7,400
10 Computer & power supply	\$ 22,000
7 Mobile Digital Recorders	\$ 37,065

WHEREAS, the Conway Police Department plans to purchase the vehicles and all other equipment off state contract when available and proceed with proper competitive bid procedures on all other items not available through state contract and;

WHEREAS, funding for these vehicles have not been previously authorized by Council.

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

Section 1. The City of Conway shall authorize the purchase 10 Chevy Tahoe's with CNG package from Bale Chevrolet from the state contract and additional equipment from state contract/competitive bid process from the Pay as You Go Sales Tax for a total not to exceed \$492,382.

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

PASSED this 13th day of March, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer