

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, April 24th, 2012 @ 6:30pm

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

5:30pm - Committee Meeting:

Discussion of the Urban Agriculture Policy

Call to Order: Mayor Tab Townsell
Roll Call: Michael O. Garrett, City Clerk/Treasurer
Minutes: April 10th, 2012 City Council Meeting
Announcements/Proclamations/Recognitions: Employee Service Awards

1. Report of Standing Committees:

A. Public Hearing

1. Public Hearing to discuss the closing of a portion of Hardy Street in the Harlan Park Subdivision.
2. Ordinance to discuss closing of the south 25 feet of Hardy Street lying adjacent to the north side of Block 1 and also lying adjacent to the north side of Block 4 in the Harlan Park Subdivision.

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

1. Ordinance authorizing the issuance and sale of Wastewater Revenue Improvement Bonds, Series 2012A.
2. Ordinance authorizing the issuance and sale of Wastewater Revenue Improvement Bond subordinated Series 2012B.

(Ordinance will be provided prior to meeting)

3. Resolution authorizing the execution, sale and delivery of Sales & Use Tax Capital Improvement and Refunding Bonds, Series 2012 for the City of Conway.
4. Consideration to purchase right of way for the Washington-Fleming-Clifton Street Roundabout from various owners.

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

1. Ordinance establishing standards for an urban agriculture policy for the City of Conway.
2. Ordinance to rezone property located west of Warwick Hills Lane from A-1 to R-1.

3. Ordinance to rezone property located at 2000 Dave Ward Drive, 706,708 S. Donaghey Ave, and 703, 707 S. Elizabeth Street from R-1 & O-2 to C-3.

D. Public Services Committee (Sanitation, Parks & Recreation & Physical Plant)

1. Ordinance appropriating insurance proceeds received for the Conway Sanitation Department.
2. Ordinance appropriating funds from Parks Special Revenue account to the Parks Capital Budget Account for improvements and various equipment purchases within the department.

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

1. Ordinance appropriating insurance proceeds received for the Information Technology Department.
2. Ordinance appropriating and accepting reimbursement/grant funds from various entities for the City of Conway.
3. Ordinance appropriating funds to replenish gasoline expenditure account for the Conway Animal Welfare Unit.

F. Personnel

1. Ordinance appropriating funding for civil service expenses for the Conway Police and Fire.

G. Finance

1. Consideration to approve the monthly financial reporting ending February 31 & March 31, 2012.
2. Resolution accepting a proposal for banking services for the City of Conway.

Old Business

New Business

1. Consideration of an event permit for the City of Conway.
2. Resolution opposing the passage of the Natural Gas Severance Tax Act of 2012.

Adjournment



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

AN ORDINANCE ESTABLISHING STANDARDS FOR URBAN AGRICULTURE, AND FOR OTHER PURPOSES:

WHEREAS, food miles are positively correlated with greenhouse gas emissions;

AND WHEREAS, approximately eight-five percent (85%) of every food dollar is for processing and middlemen;

AND WHEREAS, there is a growing desire for residents of Conway to have increased access to locally grown food and to grow their own food;

AND WHEREAS, it is desirable to establish standards for urban agriculture and include these regulations in the Conway Zoning Ordinance;

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

SECTION 1. Definitions: The following words and phrases shall have the following meanings for the purposes of this ordinance and shall be added and/or amended alphabetically to the Conway Zoning Ordinance, Article 301, Definitions, Section 301.2

~~**Agriculture:** Farms and general farming, including horticulture, floriculture, dairying, livestock and poultry raising, farm forestry and other similar enterprises or uses, but no farms shall be operated as piggeries, or for the disposal of garbage, sewage, rubbish, offal or rendering plants or for the slaughtering of animals, except such animals as have been raised on the premises or have been maintained on the premises for at least a period of one year immediately prior thereto and for the use and consumption of persons residing on the premises.~~

Agriculture: *production and/or distribution of not potentially hazardous consumable or non-consumable products derived from plant cultivation and/or animal husbandry.*

~~**Agricultural—Commercial:** Farms and general farming, including but not limited to: Agricultural Services, Apiary, Boarding or training animals (Ordinance O-05-139), Farming; all legal plants and all animals excluding pigs, Fishery, Forestry; growing, harvesting or preserving, trees and/or forest products.~~

Agriculture (large-scale): *agriculture on a parcel of land larger than 1 acre that additionally includes but is not limited to large-scale livestock, nursery (plants), public stable, food processing (agricultural), wholesaling or warehousing of farm products and/or by-products, fishery, forestry,*

~~**Agricultural—Limited:** General farming undertaken in conjunction with a residence but with limited potential for commercial use. Including but not limited to: Arboretum or botanical garden, Greenhouse; private, no products sold _____ on premises Garden: no product sold on premises~~

Agriculture (small-scale): agriculture on a parcel of land 1 acre or less that additionally includes but is not limited to small-scale livestock.

~~**Agricultural Products Processing:** A facility which involves the operation(s) of processing, preparing, or packaging agricultural products which are not grown on the site.~~

Compostable Material: organic matter such as yard waste; food scraps: poultry, fish or herbivorous mammal waste; etc., that will break down in such a way that no additional forces are needed for it to fully decompose.

Composting: the biodegradation of compostable material for the purpose of recycling waste and generating fertilizer.

Urban Food Processing: the processing of foods in which value is added to locally obtained goods for individual resale on a local scale, see Section 601.28(c).

Industrial Food Processing: the processing of foods in which a food processing establishment plant manufactures, packages, labels, or stores food for human consumption and distributes food on an industrial scale, see Section 601.289(c).

Garbage: waste products other than compostable material and recyclable material.

Greenhouse: An accessory structure used for the cultivation of plants, separate from “nursery, plant material.”

Garden: Land utilized for the cultivation of plants.

Livestock: domesticated animals raised in an agricultural setting.

Livestock (large-scale): livestock raised on a parcel of land larger than 1 acre, see Section 601.28(a) B.

Livestock (small-scale): livestock raised on a parcel of land 1 acre or less, see Section 601.28(a) A.

Market: indoor or outdoor space designated for the sale of locally produced goods or agricultural products or byproducts, see Section 601.28(b).

Market (large-scale): market in which three or more farmers/producers sell produce or products, including crafts, that are grown/produced within the state of Arkansas,

Market (small-scale): market in which one or more individuals or organizations sell produce or products that are grown/produced within Conway city limits.

Peddling: sale of food and/or goods not grown/produced in Arkansas.

SECTION 2. Zoning Districts: The following uses shall be added/amended to allow by right in the zoning districts. Addendum A to the Conway Zoning Ordinance O-94-54 shall be amended as follows:

SECTION 3. Urban Agriculture Regulations: Article 601 of the Conway Zoning Ordinance shall be amended as follows:

SECTION 601.28(a)—STANDARDS FOR LIVESTOCK

- A. *Livestock (small-scale)*
 - 1) *Livestock (small-scale) is the keeping of animals including, but not limited to, chickens, goats, bees, and rabbits. Animals including, but not limited to cows, horses, and ratites, are not included in livestock (limited).*
 - 2) *The livestock (limited) is a permitted use under Urban Agriculture, and only applies to parcels of land one (1) acre or less.*
 - 3) *No roosters are permitted. Hens must have adequate space to be maintained in a comfortable, healthy, and stress free manner.*
 - 4) *No billies are permitted. Goats must have adequate space to be maintained in a comfortable, healthy, and stress free manner.*
 - 5) *The keeping of all livestock (small-scale) shall be in compliance with Conway’s Animal Control Ordinance (6.08.04).*
- B. *Livestock (large-scale)*
 - 1) *Livestock (large-scale) is the keeping of animals including, but not limited to, chickens, goats, bees, rabbits, cows, horses, and ratites.*
 - 2) *The livestock (large-scale) use applies to parcels of land greater than one (1) acre OR to parcels of land less than one (1) acre that do not meet livestock (small-scale) regulations.*
 - 3) *The keeping of all livestock (large-scale) shall be in compliance with Conway’s Animal Control Ordinance (6.08.04).*

SECTION 601.28(b)—STANDARDS FOR MARKETS

- A. *Market (small-scale) is permitted in the R-1, R-2A, SR, MF-1, MF-2, MF-3, RMH HR, C-1, C-2, C-3, C-4, O-1, O-2, O-3, A-1, S-1, S-2, and TJ zoning districts by right. It is not permitted in R-1, IU-1 and I3 zoning districts.*
- B. *Market (large-scale) is permitted in the C-1, C-2, C-3, C-4, O-1, O-2, O-3, A-1, S-1, S-2, and TJ zoning districts by right. It is permitted in R-1, R-2A, SR, MF-1, MF-2, MF-3, RMH HR, I-1, IU-1, and I-3 zoning districts by conditional use permit.*
- C. *Markets shall not constitute home occupation and therefore not be regulated as such.*
- D. *Produce is meant to only include fresh, whole, raw plants including, but not limited to, fruits, vegetables, herbs, and flowers.*
- E. *The retail sale of fresh eggs, baked goods, and processed produce including, but not limited to, jams, jellies, and sauces, is permitted under the “urban food processing” use, but all state and federal health code regulations apply.*
- F. *Markets in residential districts shall not create additional automobile or truck traffic in excess of the normal amount typical for the area.*
- G. *Sale of locally produced crafts only allowed in large-scale market.*

SECTION 601.28(c)—STANDARDS FOR URBAN FOOD PROCESSING

- A. *Urban food processing is permitted in all zoning districts by right*
- B. *Retail sale of processed food will comply with above regulations*
- C. *Urban food processing is not meant to include food processing establishment plants that manufacture, package, label and store food on an industrial scale.*

SECTION 601.28(d)—STANDARDS FOR COMPOSTING

- A. *Composting is the biodegradation of compostable material (organic matter such as yard waste and food scraps) for the purpose of recycling waste and generating fertilizer.*
- B. *Compostable material is not considered garbage and therefore not subject to regulations under Ordinance O-09-55**

SECTION 4: All other City of Conway ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 5: That this Ordinance is necessary for the protection of the public peace, health and safety, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

Urban Agriculture Policy Executive Summary

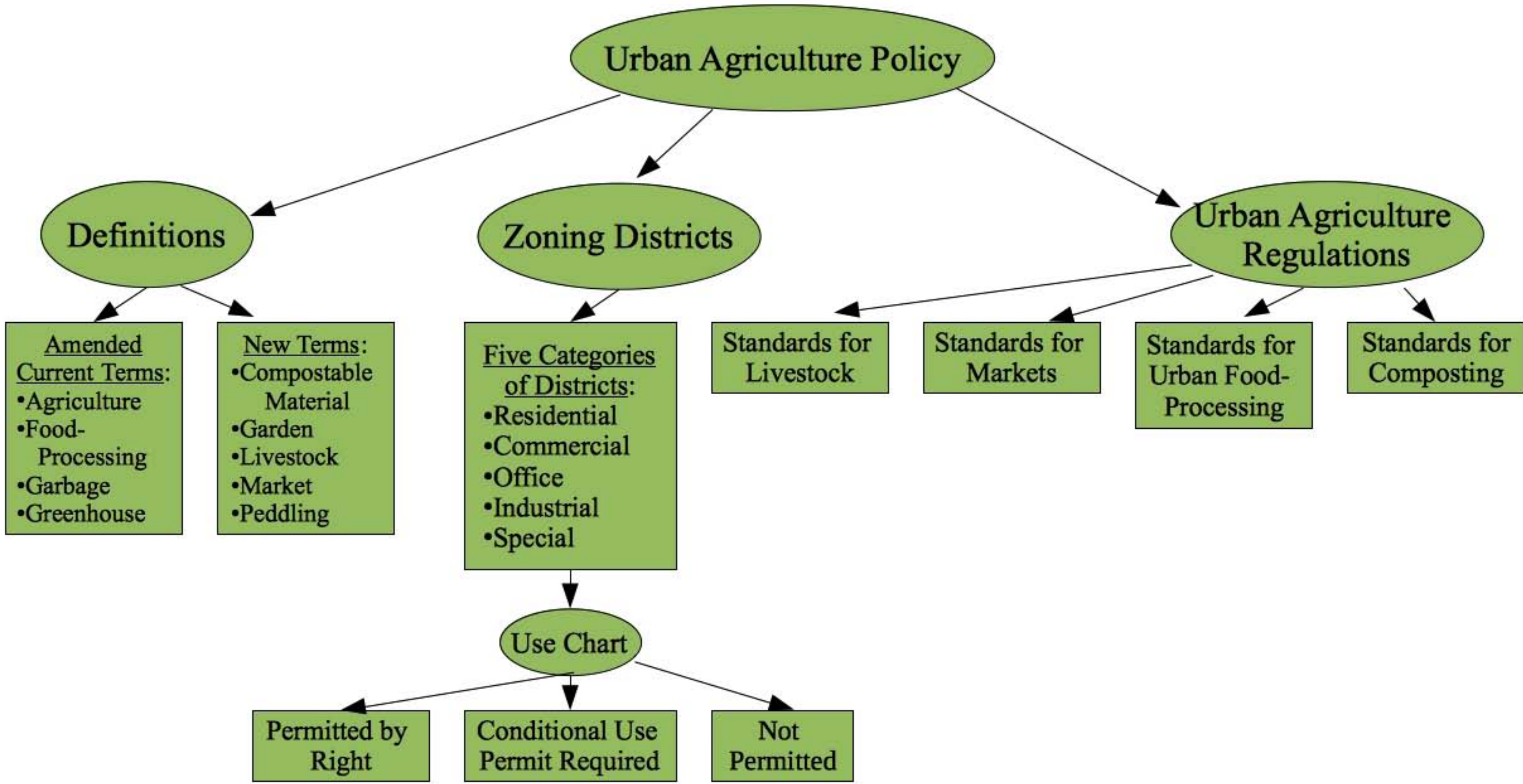
The policy clears up current ambiguous and inconsistent language and addresses the retail sale of locally produced agricultural goods.

The umbrella term “agriculture” is given a simpler definition. One of the goals of the policy is to allow more local commercial activity: the current specification of “commercial” is changed to “large-scale” and the specification of “limited” is changed to “small-scale.” This way, commercial activity is not presumably prohibited. The difference between the two specifications is based on the size of the parcel. Small-scale is agriculture on one acre or less, large-scale is more than one acre.

The terms “industrial food processing” and “urban food processing” are introduced and defined to distinguish between the small-scale food processing that the urban agriculture policy deals with and the conventional food processing that is typically found in industrial zoning districts. All other definitions in the policy are new.

There are important changes to note in the use chart that include small-scale agriculture, greenhouses, urban food processing, and composting.

Small-scale livestock is an activity included in the small-scale agriculture use. It includes but is not limited to chickens, goats, bees, and rabbits, but does not include cows, horses, ratites. No roosters or billy goats are permitted. Keeping of all livestock must be in compliance with Conway's Animal Control Ordinance. The retail sale of eggs, baked goods, and processed produce is permitted but all state and federal health code regulations apply. Urban food processing is not meant to include food processing plants that manufacture, package, label, and store food on an industrial scale. Compostable material is not considered garbage.



Urban Agriculture Policy

Definitions

- Amended Current Terms:
- Agriculture
 - Food-Processing
 - Garbage
 - Greenhouse

- New Terms:
- Compostable Material
 - Garden
 - Livestock
 - Market
 - Peddling

Zoning Districts

- Five Categories of Districts:
- Residential
 - Commercial
 - Office
 - Industrial
 - Special

Use Chart

Permitted by Right

Conditional Use Permit Required

Not Permitted

Urban Agriculture Regulations

Standards for Livestock

Standards for Markets

Standards for Urban Food-Processing

Standards for Composting



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

AN ORDINANCE CLOSING THE SOUTH 25 FEET OF HARDY STREET LYING ADJACENT TO THE NORTH SIDE OF BLOCK 1 AND ALSO LYING ADJACENT TO THE NORTH SIDE OF BLOCK 4, AS SHOWN ON A PLAT OF HARLAN PARK SUBDIVISION TO THE CITY OF CONWAY, ARKANSAS, AS RECORDED IN PLAT BOOK A, PAGE 212 TO THE FAULKNER COUNTY RECORDS; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 24th day of April 2012 asking the City Council to vacate and abandon a portion of the Hardy Street right-of-way within the city limits of the City of Conway;

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 an 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 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.

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 Hardy Street right-of-way designated as follows:

The south 25 feet of Hardy Street lying adjacent to the north side of Block 1 and also lying adjacent to the north side of Block 4, as shown on a Plat of Harlan Park Subdivision to the City of Conway, Arkansas, as recorded in Plat Book A, Page 212.

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 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

CITY OF CONWAY

HARDY STREET -- ROW CLOSING



DESCRIPTION
UNBUILT HARDY ST
25 FT STREET ROW CLOSING

Tab Townsack - Mayor
 Mark Vaughn & Shelly Mott - Aldermen Ward 1
 Jim Bishop & Mary Smith - Aldermen Ward 2
 Theodore Jones, Jr. & Sheila Williams - Aldermen Ward 3
 Michael Murphy - City Attorney
 Michael Garrett - City Clerk

Bryan Patrick - Director
 Wes Craighead - Deputy Director
 Christy Sutherland - Planner
 Linda Meza - Planning Tech
 Jason Lyon - GIS Coordinator

CONWAY PLANNING COMMISSION
 Craig Cloud - Chair
 Chris Steppock - Vice-Chair

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

1 in = 200 ft
APRIL 2012

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: 815 WEBSTER
 gis.cityofconway.org (UNDER DEVELOPMENT)
 E-MAIL: Jason.Lyon@CityOfConway.org



April 10, 2012

Tim Tyler Surveying and Mapping Inc.
Attn: Kim Tyler
240 Skyline Dr, Ste 3000
Conway, AR 72032

AT&T Arkansas
Attn: Lynda Sommerfeldt Palmer
1111 West Capitol, Room 941
Little Rock, AR 72201

City of Conway Street Dept
Attn: Ronnie Hall
#100 East Robins
Conway, AR 72032

Conway Corporation
Attn: Leslie Guffey
PO Box 99
Conway, AR 72033

RE: Street closing, portion of Hardy Street

To Whom It May Concern:

Centerpoint Energy has reviewed the above referenced street closure document has no objections to the closing of the south 25 feet of Hardy Street lying adjacent to the north side of Block 1 and also lying adjacent to the north side of Block 4, as shown on a plat of Harlan Park Subdivision to the City of Conway, Arkansas, as recorded in Plat Book A, page 212 to the Faulkner County Records.

Thank You,

Dennis Fisher
Tanya Malcolm
817 N Creek Dr
Conway, AR 72032
501-472-4363



Lynda Palmer
AT&T Arkansas
Mgr.-OSP Png. & 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

April 13, 2012

Tim Tyler Surveying and Mapping, Inc.
Attn: Kim Tyler, CFM
240 Skyline Drive, Ste 3000
Conway, AR 72032

Dear Kim:

The purpose of this letter is to conditionally grant your request to close the south 25' of Hardy Street lying adjacent to the north side of Block 1, and also lying adjacent to the north side of Block 4, as shown on a plat of Harlan Park Subdivision to the City of Conway, Arkansas, as recorded in Plat Book A at Page 212 in the Faulkner County Records, UPON THE DEDICATION OF A UTILITY EASEMENT WHICH WILL ENCOMPASS AT&T's EXISTING FACILITIES WITHIN THE ABOVE PROPOSED AREA TO BE CLOSED.

Questions concerning these facilities may be directed to David Cain at 501-373-8171.

Sincerely,

Lynda Palmer



April 17, 2012

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

Dear Mayor Townsell:

Conway Corporation doesn't have any issues with the street closing of the following described property:

The south 25 feet of Hardy Street lying adjacent to the north side of Block 1 and also lying adjacent to the north side of Block 4, as shown on a plat of Harlan Park Subdivision to the City of Conway, Arkansas, as recorded in Plat Book A, page 212 to the Faulkner County Records.

We do however request that a 15 foot easement be centered on the existing electric line running down the existing right of way.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

Leslie Guffey
Engineering & Planning

cc: Kim Tyler

KUTAK ROCK LLP
DRAFT 04/17/12

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF \$_____ OF WASTEWATER REVENUE IMPROVEMENT BONDS, SERIES 2012A, BY THE CITY OF CONWAY, ARKANSAS FOR THE PURPOSE OF FINANCING THE COST OF CERTAIN CAPITAL IMPROVEMENTS TO THE CITY'S WASTEWATER SYSTEM; AUTHORIZING THE EXECUTION AND DELIVERY OF A THIRD SUPPLEMENTAL TRUST INDENTURE PURSUANT TO WHICH THE SERIES 2012A BONDS WILL BE ISSUED AND SECURED; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT PURSUANT TO WHICH THE SERIES 2012A BONDS WILL BE OFFERED; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE SERIES 2012A BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Conway, Arkansas (the "City"), a city of the first class, presently owns a wastewater collection and treatment system (the "Wastewater System") serving the residents of the City, which Wastewater System is operated and maintained by the Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the "Corporation"), pursuant to an exclusive franchise to operate the Wastewater System granted to the Corporation by the City; and

WHEREAS, the City also presently owns an electric generation and distribution system (the "Electric System") serving the residents of the City, which Electric System is operated and maintained by the Corporation pursuant to a lease from the City and an exclusive franchise to operate the Electric System granted to the Corporation by the City; and

WHEREAS, the City is authorized and empowered under the provisions of the Constitution and laws of the State of Arkansas, including particularly Amendment 65 and Arkansas Code Annotated Sections 14-164-401 *et seq.* (Repl. 1998 & 2011 Supp.) (as from time to time amended, the "Act") to issue and sell its wastewater revenue bonds for the purpose of financing the cost of improvements to the Wastewater System; and

WHEREAS, pursuant to the provisions of Ordinance No. O-92-20 of the City, adopted and approved on April 28, 1992, the City has previously issued its Sewer Revenue Bond, Series 1992 (the "Series 1992 Bond"), in the original principal amount of not to exceed \$13,700,000; and

WHEREAS, pursuant to the provisions of Ordinance No. O-04-19 of the City, adopted and approved on March 16, 2004, the City has previously issued its Wastewater Revenue

Improvement Bonds, Series 2004 (the “Series 2004 Bonds”), in the original principal amount of \$8,300,000; and

WHEREAS, pursuant to the provisions of Ordinance No. O-09-76 of the City, adopted and approved on July 14, 2009, the City has previously issued its Wastewater Revenue Improvement Bonds, Series 2009 (the “Series 2009 Bonds”), in the original principal amount of \$12,000,000; and

WHEREAS, pursuant to the provisions of Ordinance No. O-10-109 of the City, adopted and approved on October 12, 2010, the City has previously issued its Wastewater Revenue Improvement Bonds, Series 2010 (the “Series 2010 Bonds”), in the original principal amount of \$14,955,000; and

WHEREAS, in order to secure funds necessary to finance the acquisition, construction and equipping of additional betterments and improvements with respect to the Wastewater System, including primarily the acquisition, construction and equipping of a portion of the costs relating to the conveyance system and lift stations required in connection with the proposed Tupelo Bayou wastewater treatment plant (the “Plant”), and engineering and other expenses in connection therewith, but also including costs of acquiring, constructing and equipping the Plant itself (the “Project”), to fund a debt service reserve and to pay printing, legal, underwriting and other expenses incidental to the issuance of wastewater revenue bonds for such purposes, the City has now determined to issue its Wastewater Revenue Improvement Bonds, Series 2012A, in an aggregate principal amount of \$_____ (the “Series 2012A Bonds”); and

WHEREAS, in order to secure additional funds necessary to finance the remaining costs of acquisition, construction and equipping of the proposed Tupelo Bayou wastewater treatment plant, and engineering and other expenses in connection therewith, the City has also determined to issue its Wastewater Revenue Improvement Bond, Subordinate Series 2012B, in an aggregate principal amount of not to exceed \$_____ (the “Series 2012B Bond”); and

WHEREAS, the City has determined to issue and secure the Series 2012A Bonds, on a prior and senior basis to the security for its outstanding Series 1992 Bond and the proposed Series 2012B Bond, and on a parity basis with the security for its outstanding Series 2004 Bonds, Series 2009 Bonds and Series 2010 Bonds, pursuant to a Third Supplemental Trust Indenture (the “Third Supplemental Trust Indenture”), by and among the City, the Corporation and First Security Bank, as trustee (the “Trustee”), a form of which has been presented to and is before this meeting; and

WHEREAS, the City proposes to enter into a Bond Purchase Agreement (the “Bond Purchase Agreement”) in substantially the form presented to and before this meeting, with Crews & Associates, Inc. and Stephens Inc., Little Rock, Arkansas (the “Underwriters”), providing for the sale of the Series 2012A Bonds; and

WHEREAS, an open public hearing on the question of the issuance of the Series 2012A Bonds and the Series 2012B Bond has been held before the City Council and Mayor of the City on March 27, 2012, following publication of notice of such public hearing in the *Log Cabin Democrat* on March 16, 2012.

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

Section 1. The City Council hereby finds and declares that the acquisition, construction and equipping of the Project is in the best interest of the City and the customers of the Wastewater System.

Section 2. Under the authority of the Constitution and laws of the State of Arkansas, including particularly Amendment 65 to the Constitution of Arkansas and the Act, there is hereby authorized the issuance of bonds of the City to be designated as “Wastewater Revenue Improvement Bonds, Series 2012A” (the “Series 2012A Bonds”). The Series 2012A Bonds shall be issued in the original aggregate principal amount of _____ Dollars (\$_____), shall mature on the dates and in the amounts and shall bear interest as follow:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
October 1, 2015		%
October 1, 2016		%
October 1, 2017		%
October 1, 2018		%
October 1, 2019		%
October 1, 2020		%
October 1, 2021		%
October 1, 2022		%
October 1, 2023		%
October 1, 2024		%
October 1, 2025		%
October 1, 2026		%
October 1, 2027		%
October 1, 2028		%
October 1, 2029		%
October 1, 2030		%
October 1, 2031		%
October 1, 2032		%
October 1, 2033		%
October 1, 2034		%
October 1, 2035		%
October 1, 2036		%
October 1, 2037		%

The proceeds of the Series 2012A Bonds will be utilized to acquire, construct and equip the Project, to fund a debt service reserve and to pay printing, underwriting, legal and other expenses incidental to the issuance of the Series 2012A Bonds. The payment of the principal of and interest on the Series 2012A Bonds will be secured primarily by the net revenues of the Wastewater System and shall be secured on a secondary basis by surplus net revenues of the Electric System, all as provided in the Trust Indenture dated as of April 1, 2004, as previously supplemented by a First Supplemental Trust Indenture dated as of October 1, 2009, and a Second

Supplemental Trust Indenture dated as of November 1, 2010, and as further supplemented and amended by a Third Supplemental Trust Indenture to be dated as of May 1, 2012 (as supplemented and amended, the Indenture”), by and among the City, the Corporation and the Trustee. Such security shall be granted on a parity basis with the security for the Series 2004 Bonds, the Series 2009 Bonds and the Series 2010 Bonds and on a prior and senior basis to the security for the Series 1992 Bond and the Series 2012B Bond. The Series 2012A Bonds shall be issued in the forms and denominations, shall be dated, shall be numbered, shall be subject to redemption prior to maturity and may contain such other terms, covenants and conditions, all as set forth in the Indenture.

The Mayor is hereby authorized and directed to execute and deliver the Series 2012A Bonds in substantially the form thereof contained in the Third Supplemental Trust Indenture submitted to this meeting, and the City Clerk is hereby authorized and directed to execute and deliver the Series 2012A Bonds and to affix the seal of the City thereto, and the Mayor and City Clerk are hereby authorized and directed to cause the Series 2012A Bonds to be accepted and authenticated by the Trustee. The Mayor is hereby authorized to confer with the Trustee, the Underwriters, and Kutak Rock LLP, Little Rock, Arkansas (“Bond Counsel”), in order to complete the Series 2012A Bonds in substantially the form contained in the Third Supplemental Trust Indenture submitted to this meeting, with such changes as shall be approved by such persons executing the Series 2012A Bonds, their execution to constitute conclusive evidence of such approval.

Section 3. To prescribe the terms and conditions upon which the Series 2012A Bonds are to be executed, authenticated, issued, accepted, held and secured, the Mayor is hereby authorized and directed to execute and acknowledge the Third Supplemental Trust Indenture, by and among the City, the Corporation and the Trustee, and the City Clerk is hereby authorized and directed to execute and acknowledge the Third Supplemental Trust Indenture and to affix the seal of the City thereto, and the Mayor and the City Clerk are hereby authorized and directed to cause the Third Supplemental Trust Indenture to be accepted, executed and acknowledged by the Corporation and the Trustee. The Third Supplemental Trust Indenture is hereby approved in substantially the form submitted to this meeting, including, without limitation, the provisions thereof pertaining to the pledge of Wastewater System net revenues and Electric System surplus net revenues to the Series 2012A Bonds and the terms of the Series 2012A Bonds. The Mayor is hereby authorized to confer with the Corporation, the Trustee, the Underwriters and Bond Counsel in order to complete the Third Supplemental Trust Indenture in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the Third Supplemental Trust Indenture, their execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Third Supplemental Trust Indenture in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

Section 4. There is hereby authorized and approved a Preliminary Official Statement of the City, including the cover page and appendices attached thereto, relating to the Series 2012A Bonds. The previous distribution and use of the Preliminary Official Statement in connection with the offer and sales of the Series 2012A Bonds is hereby ratified. The

Preliminary Official Statement, as amended to conform to the terms of the Bond Purchase Agreement, including Exhibit A thereto, and with such other changes and amendments as are mutually agreed to by the City, the Corporation and the Underwriters, is herein referred to as the “Official Statement,” and the Mayor is hereby authorized to execute the Official Statement for and on behalf of the City. The Official Statement is hereby approved in substantially the form of the Preliminary Official Statement submitted to this meeting, and the Mayor is hereby authorized to confer with the Corporation, the Trustee, the Underwriters and Bond Counsel in order to complete the Official Statement in substantially the form of the Preliminary Official Statement submitted to this meeting with such changes as shall be approved by such persons, the Mayor’s execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Preliminary Official Statement is on file with the City Clerk and is available for inspection by any interested person.)

Section 5. In order to prescribe the terms and conditions upon which the Series 2012A Bonds are to be sold to the Underwriters, the Mayor is hereby authorized and directed to execute, at the request of the Corporation, a Bond Purchase Agreement on behalf of the City, to be dated as of the date of its execution (the “Bond Purchase Agreement”), by and between the City and the Underwriters, and the Bond Purchase Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Corporation, the Underwriters and Bond Counsel in order to complete the Bond Purchase Agreement in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the Bond Purchase Agreement, their execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Bond Purchase Agreement in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

Section 6. In order to provide for continuing disclosure of certain financial and operating information with respect to the City, the Wastewater System and the Electric System in compliance with the provisions of Rule 15c2-12 of the U.S. Securities and Exchange Commission, the Mayor is hereby authorized and directed to execute a Continuing Disclosure Agreement to be dated as of the date of its execution (the “Continuing Disclosure Agreement”), by and among the City, the Corporation and First Security Bank, as dissemination agent (the “Dissemination Agent”), and the Mayor is hereby authorized and directed to cause the Continuing Disclosure Agreement to be executed by the Corporation and the Dissemination Agent. The Continuing Disclosure Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Corporation, the Dissemination Agent, the Underwriters and Bond Counsel in order to complete the Continuing Disclosure Agreement in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the Continuing Disclosure Agreement, their execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Continuing Disclosure Agreement in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

Section 7. The Mayor and City Clerk, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to effect the issuance, sale, execution and delivery of the Series 2012A Bonds and to effect the execution and delivery of the Third Supplemental Trust Indenture, the Continuing Disclosure Agreement, the Bond Purchase Agreement, the Official Statement and a Tax Regulatory Agreement relating to the tax exemption of interest on the Series 2012A Bonds, and to perform all of the obligations of the City under and pursuant thereto. The Mayor and the City Clerk are further authorized and directed, for and on behalf of the City, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

Section 8. Kutak Rock LLP, Little Rock, Arkansas, is hereby appointed to act as Bond Counsel on behalf of the City in connection with the issuance and sale of the Series 2012A Bonds.

Section 9. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared to be illegal or invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Ordinance.

Section 10. All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 11. It is hereby found and determined that there is an urgent need to finance certain improvements and betterments to the Wastewater System in order to alleviate hardships to the residents of the City, and in order to do so on the most favorable terms, it is necessary to enter into the Bond Purchase Agreement as soon as possible. Therefore, an emergency is hereby declared to exist and this Ordinance, being necessary for the immediate preservation of the public health, safety and welfare, shall be in force and take effect immediately upon and after its passage.

ADOPTED AND APPROVED THIS 24th DAY OF APRIL, 2012.

APPROVED:

ATTEST:

Mayor

City Clerk

(S E A L)



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

A RESOLUTION OF THE CITY COUNCIL OF CONWAY, ARKANSAS AUTHORIZING THE EXECUTION, SALE AND DELIVERY OF SALES AND USE TAX CAPITAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2012, AS AUTHORIZED BY ORDINANCE NO. O-12-35; APPROVING THE TERMS OF THE SALE THEREOF; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, by Ordinance No. O-12-35 of the Ordinances of the City of Conway, Arkansas (the "City"), passed and approved April 10, 2012 (the "Authorizing Ordinance"), there was authorized the issuance of the City's Sales and Use Tax Capital Improvement and Refunding Bonds, Series 2012, in total principal amount not to exceed \$12,350,000 (the "Series 2012 Bonds"), to be dated and otherwise as described in detail in the Authorizing Ordinance; and

WHEREAS, pursuant to and subject to the limitations set forth in the Authorizing Ordinance, the Mayor was authorized and directed to execute a Bond Purchase Agreement on behalf of the City for the sale of the Series 2012 Bonds to Stephens Inc. and Crews & Associates, Inc. (the "Underwriters");

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

Section 1. There is now confirmed the issuance and delivery of the Series 2012 Bonds to the Underwriters in the aggregate principal amount of \$11,255,000, designated "City of Conway, Arkansas Sales and Use Tax Capital Improvement and Refunding Bonds, Series 2012," as more particularly described in the Authorizing Ordinance, at the price of 99.225% of the principal amount of the Series 2012 Bonds, plus a net reoffering premium of \$142,474.00, and plus accrued interest to and through the day preceding the closing date, and which Series 2012 Bonds shall mature and shall bear interest as follows:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Price</u>
May 1, 2013	\$1,270,000	2.000%	101.261%
May 1, 2014	1,295,000	2.000%	102.109%
May 1, 2015	1,325,000	2.250%	103.169%
May 1, 2016	1,355,000	2.250%	102.293% ⁽¹⁾
May 1, 2017	1,385,000	2.250%	101.281% ⁽¹⁾
May 1, 2018	1,415,000	2.500%	101.133% ⁽¹⁾

May 1, 2019	1,450,000	2.500%	100.422% ⁽¹⁾
May 1, 2020	1,485,000	2.600%	99.288%
May 1, 2021	275,000	2.750%	98.825%

⁽¹⁾ Priced to the first optional redemption date.

Section 2. That the provisions of this Resolution are hereby declared to be separable and if a section, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Resolution.

ADOPTED: April 24th, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

[S E A L]

CERTIFICATE

The undersigned, City Clerk of the City of Conway, Arkansas, does hereby certify that the foregoing is a true and correct copy of Resolution No. _____ of the City Council of the City of Conway, Arkansas, duly adopted by said Council on April ____, 2012, as the same now appears of record in this office.

IN WITNESS WHEREOF I have hereunto set my hand and seal of the City on this ____ day of April, 2012.

Arkansas City Clerk of the City of Conway,

[S E A L]



City of Conway
 Street and Engineering Department
 100 East Robins Street
 Conway, AR 72032

Ronnie Hall, P.E.
 City Engineer
ronnie.hall@cityofconway.org
 501-450-6165

April 18, 2012

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

Re: Washington – Fleming-Clifton Roundabout
 Right of Way

Dear Mayor Townsell;

We have received the appraisals for the right of way required for the Roundabout at the Washington-Fleming –Clifton Intersection. The property required from the various owners along with the appraised value is listed as follows:

Hobbs Property (Northwest Corner)	1,988 S.F.	\$16,000
Trent Property (Northeast Corner)	4,342 S.F.	\$35,000
Thompson Property (Southeast Corner)	970 S.F.	\$7,800

Coats Appraisals Service appraised both the Hobbs and Trent Property at about \$8.00 per square foot and rounded the value off to the amount shown. I applied the same \$8.00 per square foot value to the Thompson Property to arrive at the value shown.

I am requesting approval of these amounts to offer the above owners for the required right of way to construct this intersection improvement.

Thanks,

Ronnie Hall, P.E.



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

AN ORDINANCE ESTABLISHING STANDARDS FOR URBAN AGRICULTURE, AND FOR OTHER PURPOSES:

WHEREAS, food miles are positively correlated with greenhouse gas emissions;

AND WHEREAS, approximately eight-five percent (85%) of every food dollar is for processing and middlemen;

AND WHEREAS, there is a growing desire for residents of Conway to have increased access to locally grown food and to grow their own food;

AND WHEREAS, it is desirable to establish standards for urban agriculture and include these regulations in the Conway Zoning Ordinance;

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

SECTION 1. Definitions: The following words and phrases shall have the following meanings for the purposes of this ordinance and shall be added and/or amended alphabetically to the Conway Zoning Ordinance, Article 301, Definitions, Section 301.2

~~**Agriculture:** Farms and general farming, including horticulture, floriculture, dairying, livestock and poultry raising, farm forestry and other similar enterprises or uses, but no farms shall be operated as piggeries, or for the disposal of garbage, sewage, rubbish, offal or rendering plants or for the slaughtering of animals, except such animals as have been raised on the premises or have been maintained on the premises for at least a period of one year immediately prior thereto and for the use and consumption of persons residing on the premises.~~

Agriculture: *production and/or distribution of not potentially hazardous consumable or non-consumable products derived from plant cultivation and/or animal husbandry.*

~~**Agricultural—Commercial:** Farms and general farming, including but not limited to: Agricultural Services, Apiary, Boarding or training animals (Ordinance O-05-139), Farming; all legal plants and all animals excluding pigs, Fishery, Forestry; growing, harvesting or preserving, trees and/or forest products.~~

Agriculture (large-scale): *agriculture on a parcel of land larger than 1 acre that additionally includes but is not limited to large-scale livestock, nursery (plants), public stable, food processing (agricultural), wholesaling or warehousing of farm products and/or by-products, fishery, forestry,*

~~**Agricultural—Limited:** General farming undertaken in conjunction with a residence but with limited potential for commercial use. Including but not limited to: Arboretum or botanical garden, Greenhouse; private, no products sold _____ on premises Garden: no product sold on premises~~

Agriculture (small-scale): agriculture on a parcel of land 1 acre or less that additionally includes but is not limited to small-scale livestock.

~~**Agricultural Products Processing:** A facility which involves the operation(s) of processing, preparing, or packaging agricultural products which are not grown on the site.~~

Compostable Material: organic matter such as yard waste; food scraps: poultry, fish or herbivorous mammal waste; etc., that will break down in such a way that no additional forces are needed for it to fully decompose.

Composting: the biodegradation of compostable material for the purpose of recycling waste and generating fertilizer.

Urban Food Processing: the processing of foods in which value is added to locally obtained goods for individual resale on a local scale, see Section 601.28(c).

Industrial Food Processing: the processing of foods in which a food processing establishment plant manufactures, packages, labels, or stores food for human consumption and distributes food on an industrial scale, see Section 601.289(c).

Garbage: waste products other than compostable material and recyclable material.

Greenhouse: An accessory structure used for the cultivation of plants, separate from “nursery, plant material.”

Garden: Land utilized for the cultivation of plants.

Livestock: domesticated animals raised in an agricultural setting.

Livestock (large-scale): livestock raised on a parcel of land larger than 1 acre, see Section 601.28(a) B.

Livestock (small-scale): livestock raised on a parcel of land 1 acre or less, see Section 601.28(a) A.

Market: indoor or outdoor space designated for the sale of locally produced goods or agricultural products or byproducts, see Section 601.28(b).

Market (large-scale): market in which three or more farmers/producers sell produce or products, including crafts, that are grown/produced within the state of Arkansas,

Market (small-scale): market in which one or more individuals or organizations sell produce or products that are grown/produced within Conway city limits.

Peddling: sale of food and/or goods not grown/produced in Arkansas.

SECTION 2. Zoning Districts: The following uses shall be added/amended to allow by right in the zoning districts. Addendum A to the Conway Zoning Ordinance O-94-54 shall be amended as follows:

SECTION 3. Urban Agriculture Regulations: Article 601 of the Conway Zoning Ordinance shall be amended as follows:

SECTION 601.28(a)—STANDARDS FOR LIVESTOCK

- A. *Livestock (small-scale)*
 - 1) *Livestock (small-scale) is the keeping of animals including, but not limited to, chickens, goats, bees, and rabbits. Animals including, but not limited to cows, horses, and ratites, are not included in livestock (limited).*
 - 2) *The livestock (limited) is a permitted use under Urban Agriculture, and only applies to parcels of land one (1) acre or less.*
 - 3) *No roosters are permitted. Hens must have adequate space to be maintained in a comfortable, healthy, and stress free manner.*
 - 4) *No billies are permitted. Goats must have adequate space to be maintained in a comfortable, healthy, and stress free manner.*
 - 5) *The keeping of all livestock (small-scale) shall be in compliance with Conway’s Animal Control Ordinance (6.08.04).*
- B. *Livestock (large-scale)*
 - 1) *Livestock (large-scale) is the keeping of animals including, but not limited to, chickens, goats, bees, rabbits, cows, horses, and ratites.*
 - 2) *The livestock (large-scale) use applies to parcels of land greater than one (1) acre OR to parcels of land less than one (1) acre that do not meet livestock (small-scale) regulations.*
 - 3) *The keeping of all livestock (large-scale) shall be in compliance with Conway’s Animal Control Ordinance (6.08.04).*

SECTION 601.28(b)—STANDARDS FOR MARKETS

- A. *Market (small-scale) is permitted in the R-1, R-2A, SR, MF-1, MF-2, MF-3, RMH HR, C-1, C-2, C-3, C-4, O-1, O-2, O-3, A-1, S-1, S-2, and TJ zoning districts by right. It is not permitted in R-1, IU-1 and I3 zoning districts.*
- B. *Market (large-scale) is permitted in the C-1, C-2, C-3, C-4, O-1, O-2, O-3, A-1, S-1, S-2, and TJ zoning districts by right. It is permitted in R-1, R-2A, SR, MF-1, MF-2, MF-3, RMH HR, I-1, IU-1, and I-3 zoning districts by conditional use permit.*
- C. *Markets shall not constitute home occupation and therefore not be regulated as such.*
- D. *Produce is meant to only include fresh, whole, raw plants including, but not limited to, fruits, vegetables, herbs, and flowers.*
- E. *The retail sale of fresh eggs, baked goods, and processed produce including, but not limited to, jams, jellies, and sauces, is permitted under the “urban food processing” use, but all state and federal health code regulations apply.*
- F. *Markets in residential districts shall not create additional automobile or truck traffic in excess of the normal amount typical for the area.*
- G. *Sale of locally produced crafts only allowed in large-scale market.*

SECTION 601.28(c)—STANDARDS FOR URBAN FOOD PROCESSING

- A. *Urban food processing is permitted in all zoning districts by right*
- B. *Retail sale of processed food will comply with above regulations*
- C. *Urban food processing is not meant to include food processing establishment plants that manufacture, package, label and store food on an industrial scale.*

SECTION 601.28(d)—STANDARDS FOR COMPOSTING

- A. *Composting is the biodegradation of compostable material (organic matter such as yard waste and food scraps) for the purpose of recycling waste and generating fertilizer.*
- B. *Compostable material is not considered garbage and therefore not subject to regulations under Ordinance O-09-55**

SECTION 4: All other City of Conway ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 5: That this Ordinance is necessary for the protection of the public peace, health and safety, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED WEST OF WARWICK HILLS LANE FROM A-1 TO R-1:

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

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

A part of the NW1/4 NW1/4 of Section 5, Township 5 North, Range 14 West, Faulkner County, Arkansas, begin more particularly described as beginning at the Southwest corner of said NW1/4 NW1/4 and running thence N02°00'19"E, along the West line of said NW1/4 NW1/4, 697.64 feet; thence run S88°24'13"E, 1090.72 feet to the West right of way of Warwick Hills Lane; thence run S02°01'38"W along said right of way, 692.61 feet to the South line of said NW1/4 NW1/4; thence run N88°40'04"W, 1090.50 feet to the Point of Beginning. Said Tract contains 17.40 acres more or less.

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

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

PASSED this 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

April 17, 2012

Council Members
Conway, AR 72032

Dear Council Members:

Hal Crafton request on behalf of Rush-Hal Development for rezoning from A-1 to R-1 for property located west of Warwick Hills Lane with the legal description

A part of the NW1/4 NW1/4 of Section 5, Township 5 North, Range 14 West, Faulkner County, Arkansas, begin more particularly described as beginning at the Southwest corner of said NW1/4 NW1/4 and running thence N02°00'19"E, along the West line of said NW1/4 NW1/4, 697.64 feet; thence run S88°24'13"E, 1090.72 feet to the West right of way of Warwick Hills Lane; thence run S02°01'38"W along said right of way, 692.61 feet to the South line of said NW1/4 NW1/4; thence run N88°40'04"W, 1090.50 feet to the Point of Beginning. Said Tract contains 17.40 acres more or less.

was reviewed by the Planning Commission at its regular meeting on Monday, April 16, 2012. The Planning Commission voted 7– 0 that the request be sent to the City Council with a recommendation for approval.

Submitted by,

Craig Cloud, Chairman
Planning Commission



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

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 2000 DAVE WARD DRIVE; 706, 708 S. DONAGHEY; AND 703, 707 S. ELIZABETH FROM R-1 AND O-2 TO C-3:

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

SECTION 1: The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the **R-1** and **O-2** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

Lots 5 and 6, Block 2, Harlan Park, Faulkner County, Arkansas
 Lot 9 and Part of Lot 10, Block 2, Harlan Park Subdivision
 Lot 8, Block 2, Harlan Park Subdivision
 Lot 4, Block 2, Harlan Park Subdivision
 Lot 7, Block 2, Harlan Park Subdivision

to those of **C-3**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

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

PASSED this 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

April 17, 2012

Council Members
Conway, AR 72032

Dear Council Members:

Frank Shaw request on behalf of Kum & Go for rezoning from R-1 and O-2 to C-3 for property located at 2000 Dave Ward Drive; 706, 708 S. Donaghey; and 703, 707 S. Elizabeth with the legal description

Lots 5 and 6, Block 2, Harlan Park, Faulkner County, Arkansas
Lot 9 and Part of Lot 10, Block 2, Harlan Park Subdivision
Lot 8, Block 2, Harlan Park Subdivision
Lot 4, Block 2, Harlan Park Subdivision
Lot 7, Block 2, Harlan Park Subdivision

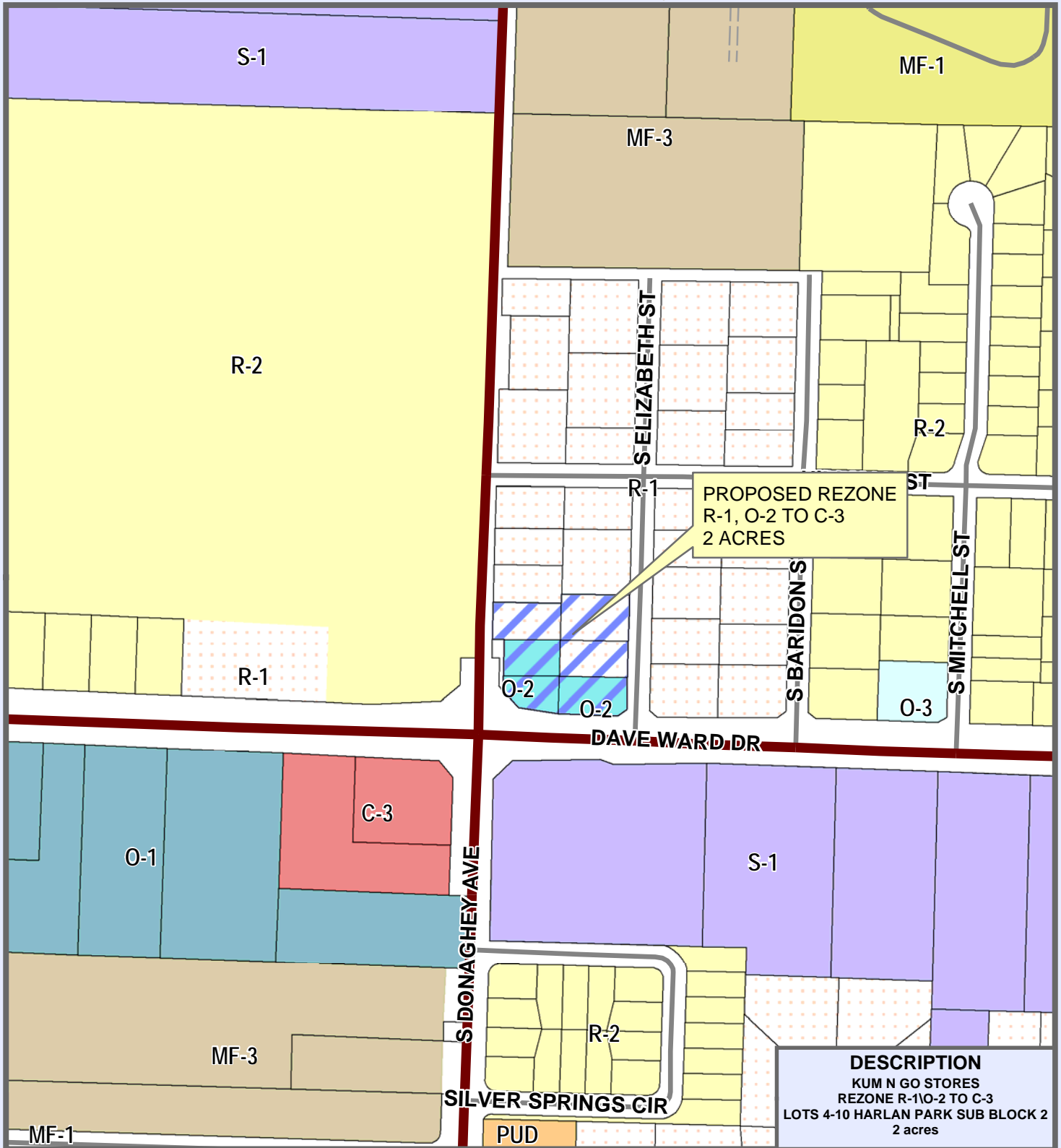
was reviewed by the Planning Commission at its regular meeting on Monday, April 16, 2012. Initially, there was a motion to approve the rezoning that failed on a 3 – 4 vote. Voting for the motion to approve were Matthew Brown, Anne Tucker, and Lee Washington. A second motion was then made that the request be sent to the City Council with no recommendation; that motion passed 6 – 1. Anne Tucker was the lone dissenting vote on the motion to forward without recommendation. The chair did not vote on either motion.

Submitted by,

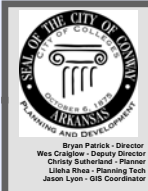
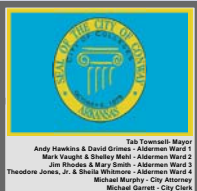
Craig Cloud, Chairman
Planning Commission

CITY OF CONWAY

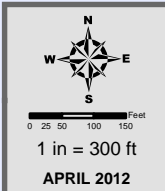
KUM N GO REZONE -- R-1, O-2 TO C-3



DESCRIPTION
KUM N GO STORES
REZONE R-1/O-2 TO C-3
LOTS 4-10 HARLAN PARK SUB BLOCK 2
2 acres



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	Special
RAILROADS		C-1	SP
		C-2	S-1
		C-3	A-1
		C-4	PUD
			TJ



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

CONTACT INFORMATION
 LANDMARK GIS WEBSITE:
 gis.cityofconway.org (UNDER DEVELOPMENT)
 E-MAIL: Jason.Lyon@CityOfConway.org

Printing Date: 3/26/2012
 File Stored by: Maps\GIS\BARPS\2012\KUM N GO REZ.MXD
 Prepared by: Jason Lyon



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

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

WHEREAS, the Conway Sanitation Department requests a revenue appropriation of \$16,540.68 to repair a rented 2008 CAT Dozer; and

WHEREAS, funds in the amount of \$16,540.68 were received by Municipal Vehicle Insurance Program to be used for said purpose;

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

SECTION 1. The City of Conway shall appropriate \$16,540.68 from the Sanitation Enterprise Fund Insurance Proceeds revenue account (510.510.4360) to the Equipment Repairs expense account (510.510.5440).

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

PASSED this 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

**AN ORDINANCE APPROPRIATING FUNDS FROM PARKS SPECIAL REVENUE ACCOUNTS TO THE CONWAY
 PARKS DEPARTMENT CAPITAL BUDGET ACCOUNTS; AND FOR OTHER PURPOSES**

WHEREAS, The Conway Parks Department needs to make improvements and replace various equipment within their department;

WHEREAS, Parks Impact Fees and Parks and Recreation A&P money is allocated to be used for such manner;

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

SECTION 1. The City of Conway shall appropriate \$340,000 from Parks Impact Fees Fund Balance Appropriation Account (652.140.4900) to the following Parks Department Capital Budget Accounts:

252.140.5990	Parks CIP- Misc	\$170,000.00
252.156.5990	Conway Station Park CIP-Misc	\$120,000.00
252.159-5990	Fairgrounds CIP-Misc	\$ 50,000.00

SECTION 2. The City of Conway shall appropriate \$141,800 from A&P Sales Tax Fund Balance Appropriation Account (252.000.4900) to the following Parks Department Capital Budget Accounts:

252.140.5910	Parks Machinery & Equipment	\$42,800.00
252.140.5920	Parks Vehicles	\$44,000.00
252.159.5910	Fairgrounds Machinery & Equip	\$35,000.00
252.161.5910	Beaverfork Machinery & Equip	\$20,000.00

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

PASSED this 24th day of April 2012.

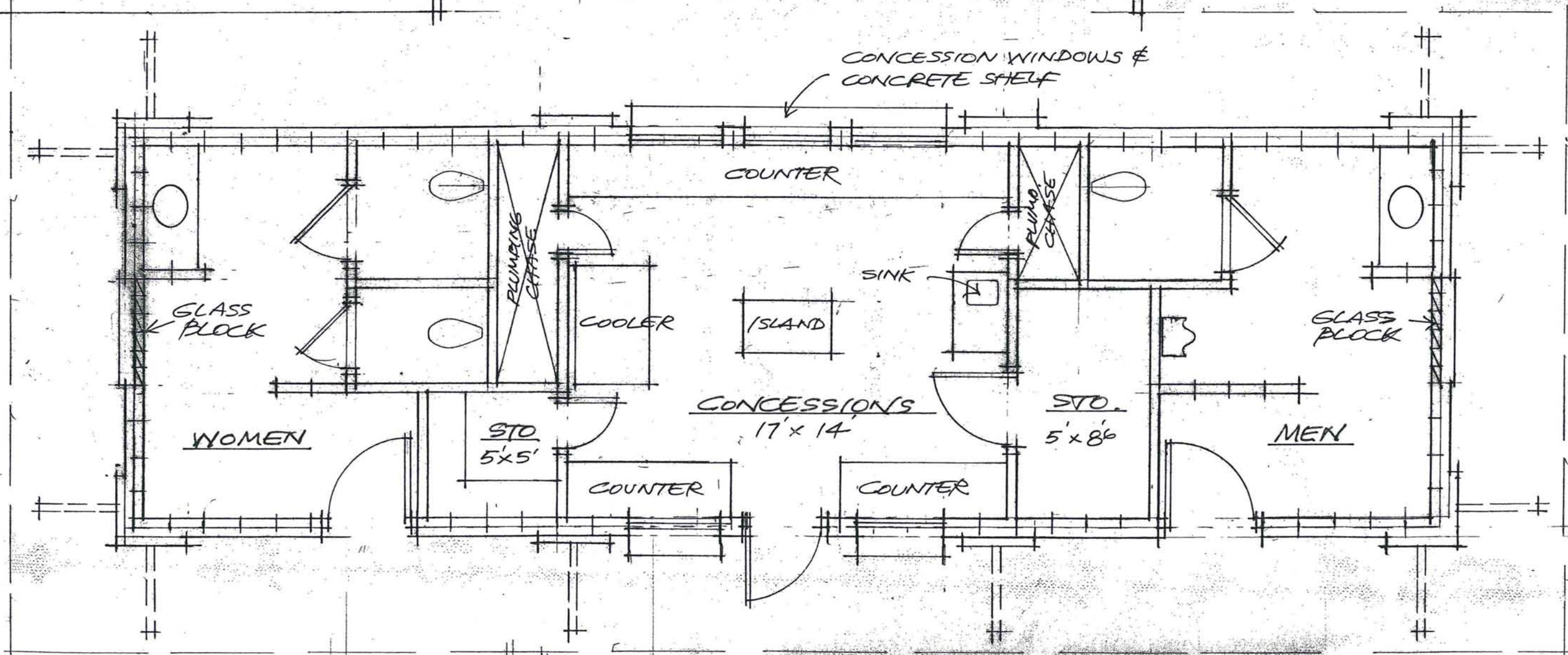
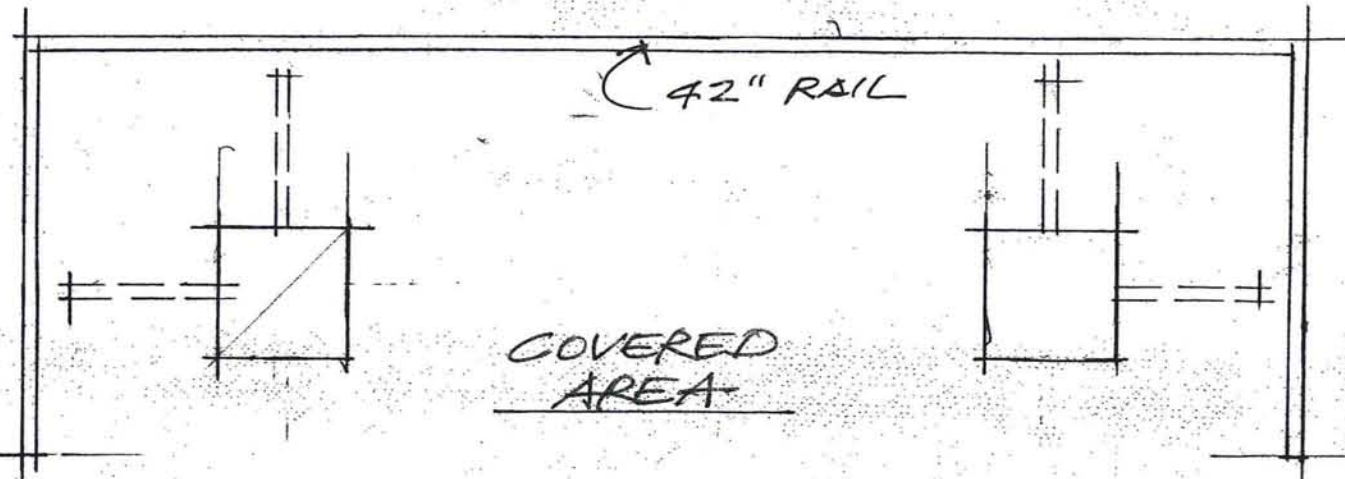
Approved:

Mayor Tab Townsell

Attest:

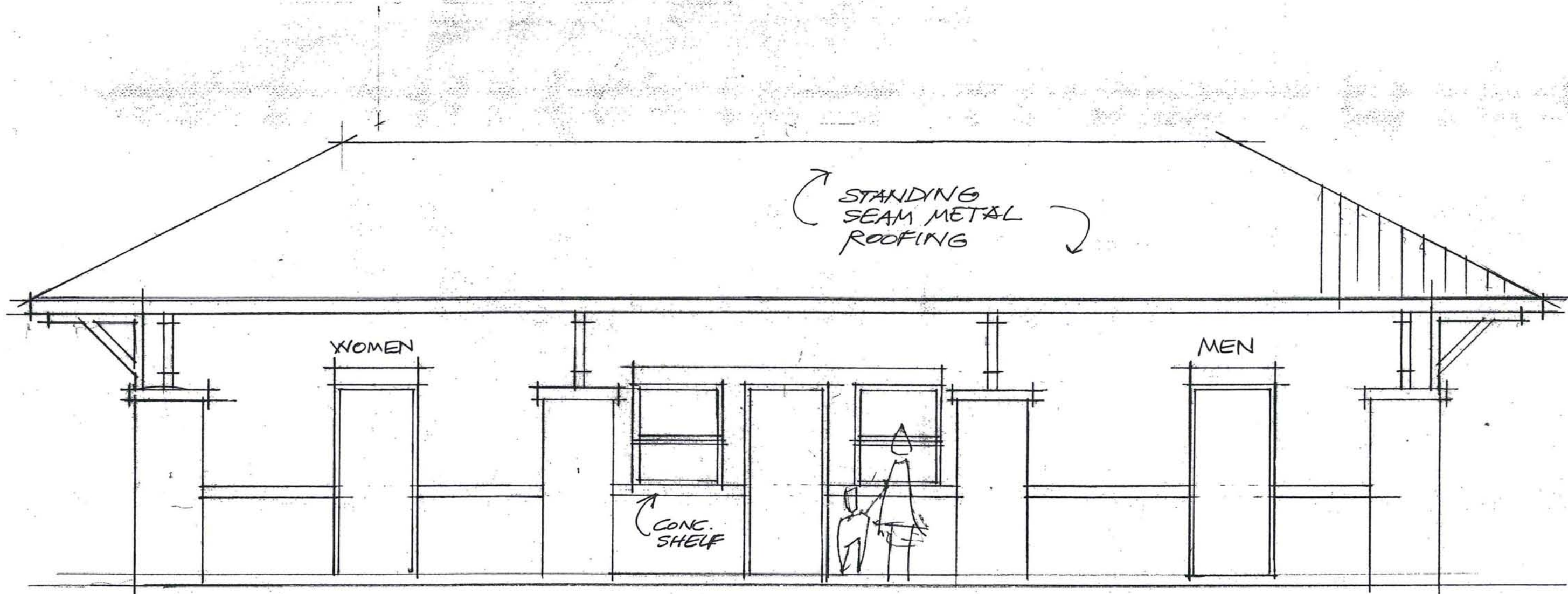
Michael O. Garrett
City Clerk/Treasurer

Capital Item	Location	Cost	Funding Source		
			From	To	
Backstop Extension	Conway Station Park	\$ 20,000	652-140-4900	252-156-5990	CSP_CIP Misc
Mower for Beaverfork	Beaverfork	\$ 20,000	252-000-4900	252-161-5910	Beaverfork_Machinery & Equip
Mower	Parks General	\$ 10,700	252-000-4900	252-140-5910	Parks_Machinery Equip
Mower	Parks General	\$ 10,700	252-000-4900	252-140-5910	Parks_Machinery Equip
Mower	Parks General	\$ 10,700	252-000-4900	252-140-5910	Parks_Machinery Equip
Mower	Parks General	\$ 10,700	252-000-4900	252-140-5910	Parks_Machinery Equip
Restroom Construction	Conway Station Park	\$ 100,000	652-140-4900	252-156-5990	CSP_CIP Misc
Lighting, Electrical, Scoreboard Curtis Walker Park	Curtis Walker Park	\$ 170,000	652-140-4900	252-140-5990	Parks_CIP Misc
Truck	Parks General	\$ 22,000	252-000-4900	252-140-5920	Parks_Vehicles
Truck	Parks General	\$ 22,000	252-000-4900	252-140-5920	Parks_Vehicles
Paving front of Expo	Expo and Fairgrounds	\$ 50,000	652-140-4900	252-159-5990	Fairgrounds_CIP Misc
Frontend Loader	Expo and Fairgrounds	\$ 35,000	252-000-4900	252-159-5910	Fairgrounds_Machinery & Equip
		\$ 340,000	652-140-4900	Fund Balance Appropriation_Impact	
		\$ 141,800	252-000-4900	Fund Balance Appropriation_A&P	

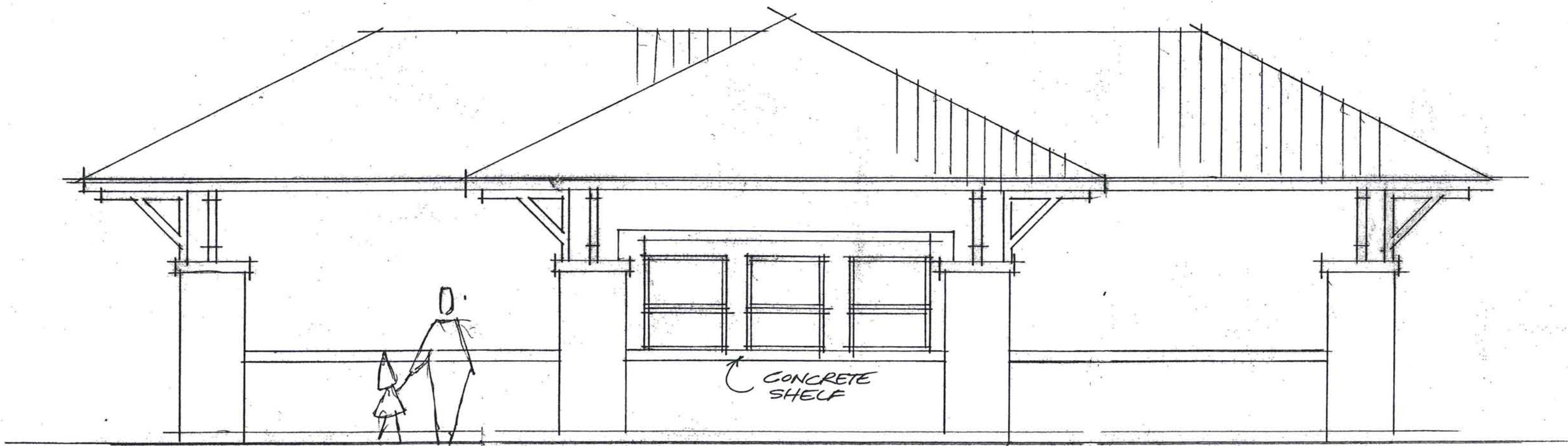


FLOOR PLAN
 $\frac{1}{4}'' = 1'-0''$

15'-4" x 50'-0"
 767 SQUARE FEET

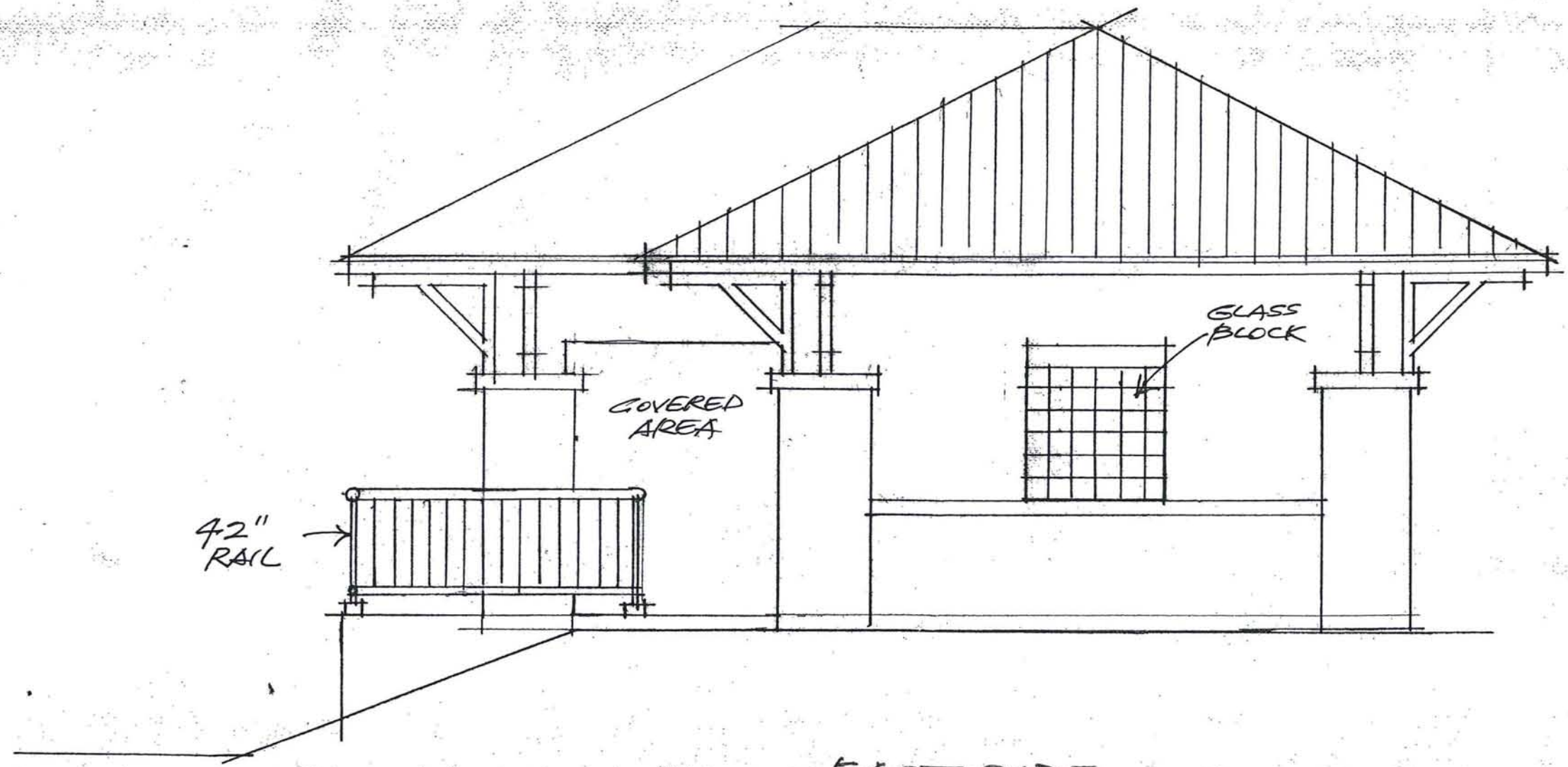


NORTH SIDE
1/4" = 1'-0"



SOUTH SIDE

$\frac{1}{4}'' = 1'-0''$



42"
RAIL

COVERED
AREA

GLASS
BLOCK

EAST SIDE
1/4" = 1'-0"



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

**AN ORDINANCE APPROPRIATING INSURANCE PROCEEDS RECEIVED IN 2012 FOR THE
INFORMATION TECHNOLOGY FORD ESCAPE; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Conway received insurance proceeds amounting to \$807.19 for damages to a Ford Escape used by the Information Technology Department, 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 2012 in the amount of \$807.19 and appropriate such funds from the General Fund Insurance Proceeds Revenue account (001.119.4360) into the Information Technology Department vehicle maintenance account (001.108.5450).

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

PASSED this 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING & ACCEPTING REIMBURSEMENTS AND GRANT FUNDS FROM VARIOUS ENTITIES FOR THE CITY OF CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway Police Department has received \$50,155.67 in reimbursements from various companies for extra duty security and \$5,081.10 in EUDL grant reimbursement funds from the Department of Finance and Administration and;

WHEREAS, the Conway Police Department needs these funds to replenish their expenditure accounts;

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

SECTION 1. The City of Conway shall accept reimbursement funds in the amount of \$50,155.67 and appropriate from the Extra Duty revenue account, 001.121.4185 to the Police Department's following salary expense accounts:

001.121.5114	Overtime	\$42,160.35
001.121.5140	LOPFI	\$5,831.21
001.121.5171	SS Contribution	\$2,164.11

SECTION 2. The City of Conway shall accept reimbursement funds totaling \$5,081.10 and appropriate from the Federal Grant revenue account (399.121.4750) to the following Police Department's expenditure accounts:

001.121.5114	Overtime	\$2,383.60
001.121.5799	Misc Expenses	\$ 197.50
001.121.5320	Legal notices/advertising	\$2,500.00

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

PASSED this 24th day of April, 2012.

Approved:

Attest:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer



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

**AN ORDINANCE APPROPRIATING GENERAL FUNDS TO THE CONWAY ANIMAL WELFARE UNIT
AND FOR OTHER PURPOSES; AND FOR OTHER PURPOSES**

WHEREAS, the Conway Animal Welfare Unit needs approximately \$10,000 to replenish their gasoline expenditure accounts and;

WHEREAS, the Animal Welfare Unit is requesting general fund appropriation of \$10,000 to cover these expenses;

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

Section 1. The City of Conway shall appropriate \$10,000 from the General Fund appropriation account (001.119.4900) to the Animal Welfare Unit's gasoline expenditure account (001.127.5630) and;

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

PASSED this 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING FUNDING FOR CIVIL SERVICE EXPENSES, AND FOR OTHER PURPOSES:

WHEREAS, the City of Conway has a need to pay for expenses related to Civil Service Commission expenses including promotional police officer and firefighter testing; and entry level police officer and fire fighter testing; for which funding has not previously been provided;

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

SECTION 1. The City of Conway shall appropriate \$ 19,600 for expenses related to the Civil Service Commission expenses for police and fire department promotional and entry testing from General Fund, Appropriation Account (001.119.4900) into Civil Service Account (001.119.5770).

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

PASSED this 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING FUNDING FOR UPGRADING FACILITIES AT 365 FITNESS FOR USE BY CITY OF CONWAY EMPLOYEES; AND FOR OTHER PURPOSES

WHEREAS, 365 Fitness (formerly Extreme Fitness) has provided fitness facilities for the employees of the City of Conway at no charge for more than 7 years, and

WHEREAS, 365 Fitness is willing to extend this no charge contract with the City of Conway for an additional two years, and

WHEREAS, 365 Fitness services are utilized by many City of Conway employees for mandatory and non-mandatory uses, and

WHEREAS, the use of 365 Fitness by City of Conway firefighters driving fire apparatus has caused extensive damage to the parking lot of 365 Fitness, and

WHEREAS, the repair of the parking lot of 365 Fitness will cost approximately \$2,000.

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

Section 1: The City of Conway shall enter into a contract to extend free fitness services to its employees for a period of two years ending December 31, 2014.

Section 2: The City of Conway shall appropriate funds not to exceed \$2,000 from 001.119.4900 from General Fund Balance appropriation account to 01.101. 5799 other miscellaneous expense account to pay contractor providing repair of parking lot of 365 Fitness, with prior after work is approved by City Engineer.

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

PASSED this 24th day of April, 2012.

Approved:

Attest:

Mayor Tab Townsell

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



City of Conway, Arkansas
Monthly Financial Reports
February 29, 2012

City of Conway
 Monthly Financial Report - General Fund
 For the month ended February 29, 2012



Revenues	Budget	Month Activity	Year to Date	Encumbered	(Over)/Under Budget	% Expend/Collect
Ad Valorem Tax	2,863,135	125,785	332,807		2,530,328	12%
Payments in Lieu of Tax	58,560	-	1,744		56,816	3%
State Tax Turnback	1,600,000	59,257	243,881		1,356,119	15%
Sales Tax	15,205,000	1,584,126	2,841,538		12,363,462	19%
Beverage Tax	335,000	36,401	63,422		271,578	19%
Franchise Fees	2,612,300	254,742	465,445		2,146,855	18%
Airport Revenue	51,800	6,140	12,129		39,671	23%
Airport Fuel Sales .05 / GAL	7,500	634	1,112		6,388	15%
Permits	626,700	26,829	56,694		570,006	9%
ACIEA Revenues	-	(2,555)	938		(938)	100%
Dog Tags & Fees	25,000	2,060	3,775		21,225	15%
Municipal Court Fines and Fees	750,000	61,981	114,786		635,214	15%
Law Enforcement	721,000	39,060	131,881		589,119	18%
State Grant Revenues	40,000	-	-		40,000	0%
Parks	389,000	72,313	76,432		312,568	20%
Interest Income	4,000	146	238		3,762	6%
Act 749 Public Safety	1,000	110	133		867	13%
Donations	-	-	303		(303)	100%
Other Grant Revenues	50,000	-	-		50,000	0%
Miscellaneous Revenues	91,400	16,554	24,401		66,999	27%
Transfers from Other Funds	422,400	-	-		422,400	0%
Total Revenues	25,853,795	2,283,583	4,371,659	-	21,482,137	17%
Expenditures						
Admin (Mayor, HR, Safety)	511,540	21,507	52,155	18,926	440,459	14%
Finance	334,639	13,433	39,838	-	294,801	12%
City Clerk/Treasurer	197,992	7,710	23,797	-	174,195	12%
City Council	88,273	-	12,057	-	76,216	14%
Permits and Planning	722,992	28,431	84,808	3,559	634,625	12%
Physical Plant	379,551	16,644	46,327	1,306	331,918	13%
Fleet Maintenance	277,288	11,842	21,220	4,293	251,775	9%
Information Technology	588,556	14,253	40,395	38,221	509,941	13%
Airport	32,500	1,971	5,800	-	26,700	18%
Nondepartmental	519,039	10,087	245,726	18,668	254,645	51%
Police	9,662,631	410,242	1,175,224	32,208	8,455,199	12%
Animal Welfare	356,444	13,862	38,947	3,552	313,945	12%
Municipal District Court	812,799	34,992	120,204	1,109	691,485	15%
City Attorney	265,367	9,952	28,918	-	236,449	11%
Fire	8,198,325	397,462	1,061,807	63,176	7,073,343	14%
Parks	2,429,553	103,428	236,645	24,647	2,168,261	11%
Total Expenditures	25,377,488	1,095,816	3,233,868	209,665	21,933,956	14%
Net Revenue/(Expense)	476,307		1,137,791			

*All figures are unaudited

Notes:

1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway
General Fund
2012



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-12-07	1/24/12	New phone system at City Hall	20,000
O-12-13	2/28/12	Update city-wide salary study	3,000
O-12-18	3/13/12	Match to DHS grant for fire radios	45,545
O-12-20	3/13/12	Replace an outdoor warning siren	20,000
O-12-29	3/27/12	Flame resistant uniforms for fire dept	10,781
O-12-31	3/27/12	City's portion of new 911 system	54,270
			<hr/> <hr/> <u>153,596</u>

City of Conway
 Balance Sheet - General Fund
 For the month ended February 29, 2012



Cash - Operating	1,299,686
Petty Cash	715
Taxes Receivable	2,841,538
Accounts Receivable	3,317,107
Due from Other Funds	48,657
Due from Street	153,128
Due from Component Unit	140,000
Due from Municipal Court	(63,790)
Fleet Inventory	35,923
Fuel Inventory	3,585
General Inventory	(1,338)
<i>Assets</i>	<u>7,775,211</u>
Trade Accounts Payable	46,477
Salaries Payable	906
Federal Tax Payable	(189)
State Tax Payable	(107)
FICA Tax Payable	(330)
Medicare Tax Payable	(85)
Group Insurance Payable	89,215
LOPFI Payable	(92,699)
Nonuniform Pension Payable	-
Misc. Deductions Payable	(15,105)
Held for Others - Friends of the Animals	3,034
Due to Other Funds	524,220
Deferred Revenue	2,439,169
<i>Liabilities</i>	<u>2,994,507</u>
<i>Fund Balance</i>	<u>4,780,704</u>
<i>Total Liabilities & Fund Balance</i>	<u>7,775,211</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Street Fund
 For the month ended February 29, 2012



	<u>Budget</u>	<u>Month</u>	<u>Year to</u>	<u>Encumbered</u>	<u>(Over)/Under</u>		<u>%</u>
		<u>Activity</u>	<u>Date</u>		<u>Budget</u>	<u>Expend/Collect</u>	
Revenues							
Ad Valorem Tax	1,200,000	64,782	128,453		1,071,547		11%
Payments in Lieu of Tax	10,000	-	-		10,000		0%
State Tax Turnback	2,500,000	222,657	427,594		2,072,406		17%
Sales Tax	250,000	24,450	43,858		206,142		18%
Sign Permits	500	-	-		500		0%
Engineering Fees	10,000	200	550		9,450		6%
Interest Income	20,000	205	315		19,685		2%
Miscellaneous Revenues	200,000	210	665		199,335		100%
Total Revenues	4,190,500	312,505	601,434	-	3,589,066		14%
Expenditures							
Personnel Costs	1,974,999	89,820	230,315	-	1,744,684		12%
Other Operating Costs	2,123,401	56,995	105,721	57,812	1,959,868		2%
Total Operating Costs	4,098,400	146,815	336,035	57,812	3,704,553		7%
Capital Outlay	661,071	-	50,000	161,413	449,658		32%
Total Expenditures	4,759,471	146,815	386,035	219,225	4,154,211		4%
Net Revenue/(Expense)	(568,971)		215,399				

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway
Street Fund
2012



Fund Balance Appropriations

<u>Ordinance</u>	<u>Description</u>	<u>Amount</u>
O-12-01	Transportation for Boys & Girls Club, FCCDD	50,000

Fund Balance Adjustments - Budget Carryovers from 2011

1.	Street Paving & Reconstruction	117,900
2.	Construction in Progress	250,000
3.	Machinery & Equipment	40,288
		<u>408,188</u>
		<u>458,188</u>

City of Conway
 Balance Sheet - Street Fund
 For the month ended February 29, 2012



Cash - Operating	838,712
Certificates of Deposit	300,000
Taxes Receivable	43,858
Accounts Receivable	1,751,966
Due from Other Funds	849,503
<i>Assets</i>	<u>3,784,070</u>
Trade Accounts Payable	106,273
Misc. Deductions Payable	(84)
Due to Other Funds	8,560
Due to General	145,970
Deferred Revenue	1,264,754
<i>Liabilities</i>	<u>1,525,473</u>
<i>Fund Balance</i>	<u>2,258,596</u>
<i>Total Liabilities & Fund Balance</i>	<u>3,784,070</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Sanitation
 For the month ended February 29, 2012



Revenues	Budget	Month	Year to	Encumbered	(Over)/Under	%
		Activity	Date		Budget	Expend/Collect
Sanitation Fees	7,470,000	648,360	1,312,995		6,157,005	18%
Proceeds - Recycled Materials	725,000	64,407	92,122		632,878	13%
Landfill Fees - E Waste	10,000	-	-		10,000	0%
Landfill Fees - Appliances	200,000	18,218	36,418		163,582	18%
Sale of Reuse Items	21,000	-	-		21,000	0%
Cart Revenues	150	-	-		150	0%
Miscellaneous Revenues	3,000	-	-		3,000	0%
Interest Income	45,000	4,601	9,414		35,586	21%
Insurance Proceeds	5,000	-	-		5,000	0%
Total Revenues	8,479,150	735,586	1,450,948	-	7,028,202	17%
Expenditures						
Personnel Costs	3,358,594	142,793	393,870	-	2,964,724	12%
Other Operating Costs	3,161,530	142,984	224,009	96,494	2,841,028	10%
Total Operating Costs	6,520,124	285,777	617,879	96,494	5,805,752	11%
Capital Outlay	2,043,862	-	-	-	2,043,862	0%
Total Expenditures	8,563,986	285,777	617,879	96,494	7,849,614	8%
Net Revenue/(Expense)	(84,836)		833,070			

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.



City of Conway
Sanitation Fund
2012

Fund Balance Adjustments - Budget Carryovers from 2011

1. Machinery & Equipment	77,836
2. Construction in Progress	7,000
	<hr/>
	<u>84,836</u>

City of Conway
 Balance Sheet - Sanitation
 For the month ended February 29, 2012



Cash - Operating	3,475,970
Petty Cash	200
Post Closure Cash Account	3,413,002
Accounts Receivable	644,265
Due from Other Funds	65,165
General Inventory	2,122
Land & Buildings	4,394,619
Accum. Depr. - Buildings	(1,412,500)
Infrastructure	691,618
Accum. Depr. - Infrastructure	(307,051)
Machinery and Equipment	9,939,497
Accum. Depr. - M&E	(3,210,836)
Construction in Progress	689,767
<i>Assets</i>	<u>18,385,838</u>
Trade Accounts Payable	72,708
Salaries Payable	331,643
Group Insurance Payable	17,275
Other Accrued Expenses	855,700
Due to Other Funds	368,568
Accrued Interest Payable	32,255
2010 Recycling Note - US Bank	1,575,781
Landfill Close/Post Close	4,386,590
<i>Liabilities</i>	<u>7,640,521</u>
<i>Net Assets</i>	<u>10,745,317</u>
<i>Total Liabilities and Net Assets</i>	<u>18,385,838</u>

*All figures are unaudited



City of Conway, Arkansas
Monthly Financial Reports
March 31, 2012

City of Conway
 Monthly Financial Report - General Fund
 For the month ended March 31, 2012



Revenues	Budget	Month Activity	Year to Date	Encumbered	(Over)/Under Budget	% Expend/Collect
Ad Valorem Tax	2,863,135	24,666	357,473		2,505,662	12%
Payments in Lieu of Tax	58,560	-	1,744		56,816	3%
State Tax Turnback	1,600,000	59,247	303,128		1,296,872	19%
Sales Tax	15,205,000	1,184,575	4,026,112		11,178,888	26%
Beverage Tax	335,000	25,218	88,640		246,360	26%
Franchise Fees	2,612,300	264,228	729,673		1,882,627	28%
Airport Revenue	51,800	6,290	18,419		33,382	36%
Airport Fuel Sales .05 / GAL	7,500	1,611	2,723		4,777	36%
Permits	626,700	57,143	113,837		512,863	18%
ACIEA Revenues	-	580	1,518		(1,518)	100%
Dog Tags & Fees	25,000	2,060	5,835		19,165	23%
Municipal Court Fines and Fees	750,000	92,083	206,869		543,131	28%
Law Enforcement	721,000	27,018	158,899		562,101	22%
State Grant Revenues	40,000	-	-		40,000	0%
Parks	389,000	94,728	171,107		217,893	44%
Interest Income	4,000	144	382		3,618	10%
Act 749 Public Safety	1,000	188	321		679	32%
Donations	-	-	303		(303)	100%
Other Grant Revenues	50,000	-	-		50,000	0%
Miscellaneous Revenues	91,400	4,885	29,339		62,061	32%
Transfers from Other Funds	422,400	-	-		422,400	0%
Total Revenues	25,853,795	1,844,663	6,216,321	-	19,637,474	24%
Expenditures						
Admin (Mayor, HR)	511,540	56,810	108,965	18,926	383,649	21%
Finance	334,639	37,204	77,042	-	257,597	23%
City Clerk/Treasurer	197,992	17,080	40,877	-	157,115	21%
City Council	88,273	5,598	17,655	-	70,618	20%
Permits and Planning	722,992	79,968	164,776	3,559	554,657	23%
Physical Plant	379,551	37,588	83,914	1,306	294,330	22%
Fleet Maintenance	277,288	19,057	40,277	4,293	232,717	15%
Information Technology	588,556	86,769	127,164	38,221	423,172	22%
Airport	32,500	1,972	7,773	-	24,727	24%
Nondepartmental	519,039	8,833	254,559	18,668	245,812	49%
Police	9,662,631	1,024,484	2,199,708	32,208	7,430,715	23%
Animal Welfare	356,444	37,385	76,332	3,552	276,560	21%
Municipal District Court	812,799	89,917	210,122	1,109	601,568	26%
City Attorney	265,367	26,492	55,409	-	209,958	21%
Fire	8,198,325	902,285	1,964,091	63,176	6,171,058	24%
Parks	2,429,553	189,751	426,396	24,647	1,978,510	18%
Total Expenditures	25,377,488	2,621,192	5,855,060	209,665	19,312,764	23%
Net Revenue/(Expense)	476,307		361,261			

*All figures are unaudited

Notes:

1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway
General Fund
2012



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-12-07	1/24/12	New phone system at City Hall	20,000
O-12-13	2/28/12	Update city-wide salary study	3,000
O-12-18	3/13/12	Match to DHS grant for fire radios	45,545
O-12-20	3/13/12	Replace an outdoor warning siren	20,000
O-12-29	3/27/12	Flame resistant uniforms for fire dept	10,781
O-12-31	3/27/12	City's portion of new 911 system	54,270
			<hr/> <hr/> <u>153,596</u>

City of Conway
 Balance Sheet - General Fund
 For the month ended March 31, 2012



Cash - Operating	589,092
Petty Cash	715
Taxes Receivable	2,841,538
Accounts Receivable	3,218,427
Due from Other Funds	48,657
Due from Street	153,195
Due from Component Unit	140,000
Due from Municipal Court	(63,790)
Fleet Inventory	35,923
Fuel Inventory	37,462
General Inventory	(2,676)
Assets	<u>6,998,543</u>
Trade Accounts Payable	46,488
Salaries Payable	906
Federal Tax Payable	(189)
State Tax Payable	(107)
FICA Tax Payable	(330)
Medicare Tax Payable	(85)
Group Insurance Payable	89,237
LOPFI Payable	(92,699)
Nonuniform Pension Payable	-
Misc. Deductions Payable	(15,276)
Held for Others - Friends of the Animals	3,034
Due to Other Funds	524,220
Deferred Revenue	2,439,169
Liabilities	<u>2,994,368</u>
Fund Balance	4,004,174
Total Liabilities & Fund Balance	<u>6,998,543</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Street Fund
 For the month ended March 31, 2012



	<u>Budget</u>	<u>Month</u>	<u>Year to</u>	<u>Encumbered</u>	<u>(Over)/Under</u>		<u>%</u>
		<u>Activity</u>	<u>Date</u>		<u>Budget</u>	<u>Expend/Collect</u>	
Revenues							
Ad Valorem Tax	1,200,000	8,867	137,320		1,062,681		11%
Payments in Lieu of Tax	10,000	-	-		10,000		0%
State Tax Turnback	2,500,000	191,600	619,193		1,880,807		25%
Sales Tax	250,000	18,283	62,141		187,859		25%
Sign Permits	500	-	-		500		0%
Engineering Fees	10,000	2,100	2,650		7,350		27%
Interest Income	20,000	787	1,102		18,898		6%
Miscellaneous Revenues	200,000	-	665		199,335		0%
Total Revenues	4,190,500	221,637	823,071	-	3,367,429		20%
Expenditures							
Personnel Costs	1,974,999	217,141	447,510	-	1,527,489		23%
Other Operating Costs	2,123,401	109,674	215,340	33,220	1,874,841		10%
Total Operating Costs	4,098,400	326,815	662,850	33,220	3,402,330		16%
Capital Outlay	661,071	79,501	129,501	111,886	419,683		20%
Total Expenditures	4,759,471	406,316	792,352	145,106	3,822,013		17%
Net Revenue/(Expense)	(568,971)		30,720				

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway
Street Fund
2012



Fund Balance Appropriations

<u>Ordinance</u>	<u>Description</u>	<u>Amount</u>
O-12-01	Transportation for Boys & Girls Club, FCCDD	50,000

Fund Balance Adjustments - Budget Carryovers from 2011

1.	Street Paving & Reconstruction	117,900
2.	Construction in Progress	250,000
3.	Machinery & Equipment	40,288
		<u>408,188</u>
		<u><u>458,188</u></u>

City of Conway
Balance Sheet - Street Fund
For the month ended March 31, 2012



Cash - Operating	657,941
Certificates of Deposit	300,000
Taxes Receivable	43,858
Accounts Receivable	1,748,125
Due from Other Funds	849,503
<i>Assets</i>	<u>3,599,457</u>
Trade Accounts Payable	106,273
Misc. Deductions Payable	(84)
Due to Other Funds	8,560
Due to General	146,037
Deferred Revenue	1,264,754
<i>Liabilities</i>	<u>1,525,540</u>
<i>Fund Balance</i>	<u>2,073,917</u>
<i>Total Liabilities & Fund Balance</i>	<u>3,599,457</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Sanitation
 For the month ended March 31, 2012



Revenues	Budget	Month	Year to	Encumbered	(Over)/Under	%
		Activity	Date		Budget	Expend/Collect
Sanitation Fees	7,470,000	651,441	1,964,436		5,505,564	26%
Proceeds - Recycled Materials	725,000	51,364	143,486		581,514	20%
Landfill Fees - E Waste	10,000	-	-		10,000	0%
Landfill Fees - Appliances	200,000	37,077	73,495		126,505	37%
Sale of Reuse Items	21,000	-	-		21,000	0%
Cart Revenues	150	-	-		150	0%
Miscellaneous Revenues	3,000	-	-		3,000	0%
Interest Income	45,000	5,115	14,528		30,472	32%
Insurance Proceeds	5,000	-	-		5,000	0%
Total Revenues	8,479,150	744,997	2,195,945	-	6,283,205	26%
Expenditures						
Personnel Costs	3,358,594	353,289	747,159	-	2,611,436	22%
Other Operating Costs	3,161,530	203,292	427,301	563,003	2,171,226	14%
Total Operating Costs	6,520,124	556,581	1,174,459	563,003	4,782,662	18%
Capital Outlay	2,043,862	-	-	870,348	1,173,514	0%
Total Expenditures	8,563,986	556,581	1,174,459	1,433,351	5,956,176	14%
Net Revenue/(Expense)	(84,836)		1,021,486			

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.



City of Conway
Sanitation Fund
2012

Fund Balance Adjustments - Budget Carryovers from 2011

1. Machinery & Equipment	77,836
2. Construction in Progress	7,000
	<hr/>
	<u>84,836</u>

City of Conway
 Balance Sheet - Sanitation
 For the month ended March 31, 2012



Cash - Operating	3,663,185
Petty Cash	200
Post Closure Cash Account	3,413,002
Accounts Receivable	644,265
Due from Other Funds	65,165
General Inventory	2,122
Land & Buildings	4,394,619
Accum. Depr. - Buildings	(1,412,500)
Infrastructure	691,618
Accum. Depr. - Infrastructure	(307,051)
Machinery and Equipment	9,939,497
Accum. Depr. - M&E	(3,210,836)
Construction in Progress	689,767
<i>Assets</i>	<u>18,573,053</u>
Trade Accounts Payable	71,507
Salaries Payable	331,643
Group Insurance Payable	17,275
Other Accrued Expenses	855,700
Due to Other Funds	368,568
Accrued Interest Payable	32,255
2010 Recycling Note - US Bank	1,575,781
Landfill Close/Post Close	4,386,590
<i>Liabilities</i>	<u>7,639,320</u>
<i>Net Assets</i>	<u>10,933,733</u>
<i>Total Liabilities and Net Assets</i>	<u>18,573,053</u>

*All figures are unaudited



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

A RESOLUTION ACCEPTING A PROPOSAL AND ENTERING INTO AN AGREEMENT FOR BANKING SERVICE FOR THE CITY OF CONWAY; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway accepted proposals from financial institutions for banking services for a five year period ending December 31, 2017, and

WHEREAS, the proposal rendered by _____ is deemed to be the most advantageous to the City of Conway in both direct and indirect cost and services available;

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

SECTION 1: The City Council of the City of Conway hereby ratifies the appointment of _____ as the financial institution for the City's banking activities for day to day operations and authorizes the Mayor to renew the customary banking agreements.

PASSED this 24th day of April, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Event Permit Application**

NB-1

www.cityofconway.org

501.450.6110

501.450.6145 (f)

Any individual or organization planning to host or produce a festival or event which will be held on City of Conway property or utilize city resources must complete this application and return it **within 30 days of the event to the Mayor's Office, Attn: Jack Bell, 1201 Oak Street, Conway, AR 72032 for approval.** Any misrepresentation in this application or deviation from the final approved specifications and activities described herein may result in the immediate revocation of the approved permit. No application will be processed without the Hold Harmless Clause being signed and without the approval of the owner/operator of any location in which the event will be held. Please do not write on the back side of any page of this form.

Event Name: _____

Event Date(s): _____

Event Producer: _____

Primary Contact: _____			
(Primary contact is the person who is to be contacted regarding the application or event)			
Address: _____			
City: _____	State: _____	Zip: _____	
Phone Day: _____	Night: _____		
Cell: _____	Fax: _____		
Email: _____			
Secondary Contact: _____			
Address: _____			
City: _____	State: _____	Zip: _____	
Phone Day: _____	Night: _____		
Cell: _____	Fax: _____		
Email: _____			

Event Location: _____

Event Types: Check all that apply:

<input type="checkbox"/> Not for Profit	<input type="checkbox"/> Wedding Ceremony	<input type="checkbox"/> Walk/Run Footrace
<input type="checkbox"/> For Profit	<input type="checkbox"/> Wedding Reception	<input type="checkbox"/> Competition
<input type="checkbox"/> Public	<input type="checkbox"/> Meeting/Dinner	<input type="checkbox"/> Parade
<input type="checkbox"/> Private	<input type="checkbox"/> Press Conference	<input type="checkbox"/> Rally Demonstration
<input type="checkbox"/> Concert	<input type="checkbox"/> Auction	<input type="checkbox"/> Festival
<input type="checkbox"/> Trade Show/Expo	<input type="checkbox"/> Block Party	<input type="checkbox"/> Other _____
<input type="checkbox"/> Movie/TV Production	<input type="checkbox"/> Bicycle Event	<input type="checkbox"/> Other _____

Event Description: _____

Event Duration	Hours of Operation	Start	End
Starting Date: _____	Day 1	_____	_____
Ending Date: _____	Day 2	_____	_____
	Day 3	_____	_____
Site Preparation			
Starting Date: _____		Time: _____	
Dismantle/Cleanup			
Ending Date: _____		Time: _____	
Total Attendance: _____ Peak Attendance: _____ Peak Time: _____			

Event Features: Check all that apply

<input type="checkbox"/>	Alcoholic Beverages Served	<input type="checkbox"/>	Security Required
<input type="checkbox"/>	Alcoholic Beverages Sold	<input type="checkbox"/>	Street Closings
<input type="checkbox"/>	Carnival Rides	<input type="checkbox"/>	Temporary Electrical Service
<input type="checkbox"/>	Crowd Control Required	<input type="checkbox"/>	Temporary Restrooms
<input type="checkbox"/>	Elevated Noise Levels	<input type="checkbox"/>	Tents
<input type="checkbox"/>	Emergency Medical Services Required	<input type="checkbox"/>	Vendor Booths
<input type="checkbox"/>	Parade/March	<input type="checkbox"/>	Vendor Food
<input type="checkbox"/>	Fireworks	<input type="checkbox"/>	Other _____

Hold Harmless Clause:

The City shall not be liable to user's employees, agents, invitees, licensee, visitors, or to any other person, for injury to person or damage to property on or about the leased premises caused by the negligence or misconduct of user, its agents, servant or employees, or of any other person entering upon the leased premises under express or implied invitation by user, or caused by the building improvements located on the leased premises becoming out of repair, or caused by leakage of gas, oil, water, smoke, or steam or by electricity emanating from the leased premises. The event producer agrees to indemnify and hold harmless the City from any loss, attorney's fees, and expenses or claims arising out of any such damage or injury. The City reserves the right to revoke this application at any time.

The applicant ensures the compliance with the following:

- The observance of applicable laws and ordinances;
- Any stipulations or restrictions of the permit;
- The applicant assumes all liabilities that may arise by street closing and related activity.

Permit applied for and all terms and stipulation agreed to by:

Signature: _____ Date: _____

Event Permit Approval:

Owner/Operator

Approval Signature: _____ **Location** _____ **Date:** _____

Mayor's Office Approval: _____ **Date:** _____

Conway Police Department Approval: _____ **Date:** _____



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

A RESOLUTION OPPOSING THE PASSAGE OF THE NATURAL GAS SEVERANCE TAX ACT OF 2012

WHEREAS, the natural gas industry in Arkansas has created thousands of jobs that pay significantly higher salaries than the state average; and

WHEREAS, the Conway Development Corporation reports that over 2,000 of these jobs are in Faulkner County and the City of Conway; and

WHEREAS, the development of the natural gas industry has had a tremendous positive impact on the economy of Arkansas, Faulkner County, and the City of Conway in recent years; and

WHEREAS, the natural gas severance tax rate in Arkansas was increased dramatically in 2008 and those tax collections are up approximately 4,000%; and

WHEREAS, Arkansas’s current natural gas severance tax rate is comparable to those of surrounding states; and

WHEREAS, the Natural Gas Severance Tax Act of 2012 proposes a 7% flat severance tax which would be among the highest in the country; and

WHEREAS, further increases in taxes on the natural gas industry would threaten Arkansas’s ability to compete for natural gas drilling capital and the resulting jobs and economic impact,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and City Council of Conway, Arkansas opposes passage of the Natural Gas Severance Tax Act of 2012.

ADOPTED this 24th day of April, 2012.

Approved:

Attest:

Mayor Tab Townsell

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

Sponsor:

**Mark Vaught
Alderman, Ward 2, Position 1**