

Mayor Bart Castleberry
Clerk/Treasurer Michael O. Garrett
City Attorney Chuck Clawson



City Council Members

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Wesley Pruitt
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

Tuesday, April 9th, 2019 City Council Agenda

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

<u>5:30pm:</u>	No Committee Meeting
<u>6:30pm:</u>	City Council Meeting
<u>Call to Order:</u>	Bart Castleberry, Mayor
<u>Roll Call:</u>	Michael O. Garrett, Clerk/Treasurer
<u>Minutes Approval:</u>	March 26 th , 2019

Report of Standing Committees:

A. Community Development Committee (Airport, Community Development, Planning & Development, Permits & Inspection (Code Enforcement), Historic District, Transportation)

1. Consideration to approve the nomination of Denise Ealy Perry to the Conway Corp Board of Directors.
2. Consideration to remove and dispose of property from inventory for the Transportation Department.

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

1. Ordinance appropriating grant funds for the Dave Ward Drive Pedestrian Overpass for the Parks & Recreation Department.
2. Consideration to enter into an agreement for city beautification/litter program with Renewal Ranch.

C. New Business

1. Ordinance to establish a Conway Municipal Property Owner's Multipurpose Improvement District #13.

Adjournment



Bret Carroll
Chief Executive Officer

501.450.6020
501.450.6099 fax
bret.carroll@conwaycorp.com

April 2, 2019

The Honorable Bart Castleberry, Mayor
and Members of the City Council
City of Conway, Arkansas
1201 Oak Street
Conway, AR 72032

Dear Ladies and Gentlemen:

The Board of Directors of the Conway Corporation, in conformance with Resolution 88-11, published a legal notice in the Log Cabin Democrat on February 8, 2019, advertising for nominees to the Conway Corporation Board of Directors. (A copy of that legal notice is enclosed.)

As of March 8, 2019, the expiration of the nominating period, four nominations had been received.

The Conway Corporation Board of Directors met on March 26, 2019, and Denise Ealy Perry was elected to succeed Dr. Greg Murry, whose term expires May 8, 2019.

As mandated by the Articles of Incorporation of the Conway Corporation, it is my pleasure to submit to the Conway City Council for its ratification and approval the election of Denise Ealy Perry.

We respectfully request your favorable consideration.

Sincerely,

A handwritten signature in blue ink that reads "Bret A. Carroll".

Bret Carroll
Chief Executive Officer
Conway Corporation

BA:na

Enclosure (legal notice)

PROOF OF PUBLICATION

STATE OF ARKANSAS
 COUNTY OF FAULKNER

FEB 15 2019

Account 209
CONWAY CORPORATION
P.O. BOX 99
CONWAY, AR 72033

I, Curtina Clark, do hereby certify that I am the Authorized Agent of the **Log Cabin Democrat**, a daily newspaper published in the city of Conway, Arkansas, and having a bona fide circulation in Faulkner County, Arkansas, that said newspaper has been published at regular intervals continuously during a period of at least twelve (12) months

Prior to the date of publication of the annexed

...PUBLIC NOTICE.....

and is in all respects eligible and qualified to publish legal notices under the provisions of Act 1 Assembly of the State of Arkansas as amended by act 263 of the 1937 Acts of the General As

I further certify that said legal advertisement, a copy of which is hereby attached, was published1..... insertions on the following days, to-wit:

Section / Ad #	Run Date	Page Placement
LEGAL NOTICES		
10013026	02/08/2019	
	1	

PUBLIC NOTICE:

Conway Corp is accepting nominations for board membership. The Conway Corp Board of Directors elects one director annually to serve a seven-year term. Nominees are being accepted for the term to begin May 8, 2019.

Nominations will be accepted at the office of the Chief Executive Officer, 650 Locust St., Conway, Arkansas 72034, on or before March 8, 2018. Nominations should be submitted in writing and include the following information: (1) name and address of person making nomination; (2) name and address of nominee; (3) personal background information, qualifications, and the reason(s) the nominee wishes to be considered; and (4) signatures of nominator and nominee, if different.

Nominees must be a Conway citizen willing to serve the community without compensation, philosophically in tune with municipal ownership of utility systems, free of conflicts of interest, and firmly established in Conway.

Information included in all applications will become public information.

AFFIANT: Curtina Clark

Subscribed and sworn to this 14th day of February, 2019

Notary Public Elisha Wolverton

My commission expires December 13, 2020



MEMO

City of Conway, Arkansas
 Jamie Brice, Procurement Manager
 1201 Oak Street
 Conway, AR 72032
www.cityofconway.org

To: Mayor Bart Castleberry and City of Conway Council

CC: Finley Vinson Jacob Reynolds Felicia Rogers Jack Bell

From: Jamie Brice

Date: April 4th, 2019

Re: Request to remove and dispose of asset(s) from inventory

The City of Conway Transportation Department would like to remove the following assets from inventory:

Dept	Asset	Description	Purchased	Orig. Cost	Depreciation	Book Value
201	2300	FORD PUMPER	08-18-1983	\$ 95,745	\$ 95,745	0
201	2282	F-450 RED	04-17-1996	\$ 94,685	\$ 94,685	0
201	2294	2008 CHEVY SILVERADO K1500	02-05-2008	\$ 18,541	\$ 18,541	0
201	2245	1999 GMC DUMP TRUCK	11-20-1999	\$ 36,566	\$ 36,566	0

If approved, these items will be auctioned via an online auction, such as GovDeals.com or PublicSurplus.com, properly disposed of, or sold as scrap metal, depending on the condition of the items.

Sincerely,



Jamie Brice
 Procurement Manager
 City of Conway

Department Head Acknowledgement

Name: B. Finley Vinson, PE, PTOE, LEED AP

Signature: 



**City of Conway, Arkansas
Ordinance No. O-19-__**

AN ORDINANCE APPROPRIATING GRANT FUNDS FOR THE DAVE WARD DRIVE PEDESTRIAN OVERPASS FOR THE CONWAY PARKS & RECREATION DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the Conway City Council has received reimbursement funds for the Dave Ward Drive Pedestrian Overpass from the State of Arkansas; and

Whereas, this project is being funded by the Conway Parks & Recreation A&P Funds; as well as Metroplan and the Arkansas Highway Department grant monies. ARDOT Project Number 80522, Federal Aid Project Number RTP-1302(265).

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

Section 1. The City of Conway shall appropriate an amount of \$392,928.43 from Parks and Recreation A&P Fund Grant Revenue Account (252-000-4200) to the Conway Parks Department Parks General CIP Account (252-140-5908) for reimbursement of construction of the Dave Ward Drive Pedestrian Overpass.

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

PASSED this 9th day of April 2019.

Approved:

Mayor Bart Castleberry

Attest:

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

MEMO

City of Conway, Arkansas
Office of the Mayor
1201 Oak Street
Conway, AR 72032
www.cityofconway.org

To: Mayor Bart Castleberry and City of Conway Council

CC: Joe Hopper, Sanitation Director
Bobby Kelly, Communications Coordinator

From: Felicia Rogers

Date: April 4th, 2019

Re: Renewal Ranch Agreement

The City of Conway would like to enter into an agreement with Renewal Ranch for a city beautification and litter eradication program. This partnership along with the City's Adopt a Street Program & the annual City of Conway Citywide Cleanup (which is being held on April 26 & 27), is just one of the few ways the City of Conway is trying to address litter within the City.

The City Attorney will provide a contract prior to the meeting.

If you have any questions, please feel free to contact our office.



**City of Conway, Arkansas
Ordinance No. O-19-__**

**AN ORDINANCE TO ESTABLISH AND LAY OFF CONWAY MUNICIPAL PROPERTY OWNERS'
MULTIPURPOSE IMPROVEMENT DISTRICT NO. 13**

Whereas, a Petition to form Conway Municipal Property Owners' Multipurpose Improvement District No. 13 has been filed with the Conway City Clerk; and

Whereas, the City Clerk has presented the petition to the Mayor; and

Whereas, the Mayor has set April 9th, 2019 at 6:30p.m. as the date and time for a hearing before the Conway City Council for consideration of the petition; and

Whereas, the Conway City Council has determined from an abstractor's certificate of property ownership that those signing the petition constitute all the owners of the real property to be located in said district; and

Whereas, the Arkansas Municipal Property Owners' Improvement District Law provides that if the governing body determines that all the owners of the real property to be located in the district have petitioned for the improvements, it shall then be its duty by ordinance to establish and lay off the district as defined in the petition and to appoint the commissioners named in the petition.

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

Section 1. That the real property described in Exhibit "A" attached hereto and made a part hereof is hereby established and laid off as Conway Municipal Property Owners' Multipurpose Improvement District No. 13 for the purpose of constructing and installing facilities for waterworks, recreation, drainage, gas pipelines, underground trenches and excavations necessary for the installation of electric and telephone distribution systems, sanitary sewers, streets, including curbs and gutters, sidewalks, together with facilities related to any of the foregoing within said district.

Section 2. The following three individuals are hereby appointed as commissioners of said improvement district: Bill Hegeman, Bret Carroll and Charles Nabholz.

Section 3. The name of improvement district shall be Conway Municipal Property Owners' Multipurpose Improvement District No. 13.

Section 4. The Conway City Council hereby determines that there is a need for additional infrastructure within the City and hereby determines that the passage of this ordinance will facilitate construction of additional infrastructure within the City. Therefore, an emergency is hereby declared to exist, and this ordinance being necessary for the public health, safety and welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 9th day of April, 2019.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer
(S E A L)

EXHIBIT A
Legal Description

A tract of land situated in the SE ¼ Section 7; the NE ¼, SW ¼ Section 7; the NW ¼, SW ¼ Section 7; the NW ¼, SW ¼ Section 8; the SW ¼, NW ¼ Section 8; the NW ¼, NE ¼ Section 18 and the SW ¼, NE ¼ Section 18 Township 5 North, Range 13 West, City of Conway, Faulkner County, Arkansas more particularly described as follows:

Commencing at the Southeast Corner said SE ¼ Section 7 thence along the South Line of said SE ¼ Section 7 N88°46'39"W, 1390.96 feet to the Point of Beginning; thence S03°29'24"W, 1420.53 feet to a point 121.00 feet South of the South Line of the NW ¼, NE ¼ said Section 18; thence N86°28'19"W, 499.44 feet; thence N03°00'44"E, 102.80 feet to a point on the South Line of the said NW ¼, NE ¼ said Section 18; thence N03°00'44"E, 1299.52 feet to a point on the South Line of Said Section 7; thence continuing N03°00'44"E, 585.41feet; thence N41°19'49"W, 708.48 feet to a point on the eastern boundary of Oak Grove Cemetery; thence along said east boundary N01°20'02"E, 113.12 feet; thence N57°27'51"W, 184.26 feet; thence N01°07'25"E, 60.00 feet to a point on the North Right of Way of Bruce Street (60' ROW); thence N01°08'39"E, 100.00 feet; thence N88°51'21"W, 800.00 feet; thence S01°08'39"W, 100.00 feet to a Point on the North Right of Way of Bruce Street (60' ROW); thence N88°51'21"W, 649.69 feet along said North Right of Way line to the intersection of the North Right of Way Line of Bruce Street with the East Right of Way Line of Ingram Street (50' ROW); thence along said East Right of Way line of Ingram Street N02°24'10"E, 1258.25 feet to a point 40 feet south of the North Line of said NE ¼, SW ¼ Section 7; thence along a line 40 feet south of and Parallel to the North Line of said NE ¼, SW ¼ Section7 and said SE ¼ Section 7, S88°37'10"E, 3,985.35 feet to a point on the west line of said NW ¼, SW ¼ Section 8; thence S88°07'23"E, 520.12 feet along a line 40 feet south of and parallel to the North line of said NW ¼, SW ¼ Section 8; thence N01°50'11"E, 106.30 feet; thence N72°28'18"E, 259.22 feet; thence N89°28'45"E, 101.83 feet; thence S56°31'07"E, 88.53 feet to the southerly right of way line of Interstate 40; thence along said southerly I-40 Right of Way line S39°29'48"E, 15.83 feet; thence S59°33'46"W, 81.01 feet to a point 80 feet westerly of said Southerly Right of Way Line of Interstate 40; thence S39°29'48"E, 254.32 feet along a line 80 feet offset and parallel to said Southerly Right of Way Line of Interstate 40; thence N75°30'31"E, 88.27 feet to the southerly right of way line of Interstate 40; thence along said southerly I-40 Right of Way line S39°29'48"E, 83.16 feet; thence along said southerly I-40 Right of Way line S25°37'48"E, 140.97 feet; thence S64°22'12"W, 80.00 feet to a point on the north right of way line of Plane Road thence along said northerly Right of Way line of Plane Road (60' ROW) N88°21'10"W, 1216.83 feet to the west right of way line of 9th Avenue; thence S02°07'09"W, 641.52 feet along said west right of way line; thence N87°38'36"W, 1319.91 feet; thence S03°29'24"W, 1709.50 feet to the Point of Beginning, containing 151 acres, more or less.

The above is a perimeter description of the old airport property which the Conway Development Corporation (CDC) bought from the city. Below is the legal description for the adjacent land owned by the City of Conway which will be included in the legal description as well:

A tract of land situated in the SE ¼ Section 7, Township 5 North, Range 13 West, City of Conway, Faulkner County, Arkansas more particularly described as follows:

Commencing at the Southeast Corner said SE ¼ Section 7 thence along the South Line of said SE ¼ Section 7 N88°46'39"W, 30.00 feet to the Point of Beginning; thence continuing along the South Line of said SE ¼ Section 7, N88°46'39"W, 1,360.96 feet; thence N03°29'24"E, 1,709.50 feet; thence S87°38'36"E, 1,319.91 to the western right of way line of 9th Avenue and a Point 30.0 feet west of the eastern line of said SE ¼, Section 7; thence S02°07'09"W, 1,682.17 feet to the Point of Beginning and containing 52.17 acres more or less.

What follows is a description of land sold by CDC to King Air FBC, LLC, which tract is EXCLUDED from the District:

A TRACT OF LAND BEING SITUATED IN PARTS OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 7, TOWNSHIP 5 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND MAGNETIC NAIL AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF SOUTHWEST QUARTER; THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SOUTHWEST QUARTER

N88°20'43"W A DISTANCE OF 36.23 FEET TO A POINT; THENCE N2°24'10"E A DISTANCE OF 44.92 FEET TO A SET 5/8" REBAR, SAID POINT BEING THE POINT OF BEGINNING FOR THIS TRACT AND BEING ON THE EASTERLY RIGHT-OF-WAY OF INGRAM STREET; THENCE ALONG SAID RIGHT-OF-WAY N2°24'10"E A DISTANCE OF 991.23 FEET TO A SET 5/8" REBAR; THENCE LEAVING SAID RIGHT-OF-WAY S88°37'03"E A DISTANCE OF 1172.97 FEET TO A SET 5/8" REBAR, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF BRUCE STREET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF BRUCE STREET THE FOLLOWING CALLS; THENCE S31°31'13"W A DISTANCE OF 240.81 FEET TO A SET 5/8" REBAR; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CHORD BEARING OF S70°46'23"W 253.10' TO A SET 5/8" REBAR; THENCE S20°03'15"W A DISTANCE OF 60.00 FEET TO A SET 5/8" REBAR; THENCE S69°58'27"E A DISTANCE OF 67.62 FEET TO A SET 5/8" REBAR; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET AND A CHORD BEARING OF S19°13'37"E 92.92 FEET TO A SET 5/8" REBAR; THENCE S31°31'13"W A DISTANCE OF 60.87 FEET TO A SET 5/8" REBAR; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 954.87 FEET AND A CHORD BEARING OF S61°22'48"W A DISTANCE OF 950.88 FEET TO A SET 5/8" REBAR; THENCE N88°48'10"W A DISTANCE OF 56.36 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 18.70 ACRES MORE OR LESS.



NOTICE

YOUR SIGNATURE HEREON SHOWS THAT YOU FAVOR THE ESTABLISHMENT OF AN IMPROVEMENT DISTRICT. IF THE DISTRICT IS FORMED, YOU MAY BE CHARGED FOR THE COST OF THE IMPROVEMENTS.

PETITION TO FORM THE CITY OF CONWAY MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 13

For its Petition to form The City of Conway Municipal Property Owners' Multipurpose Improvement District No. 13, the undersigned petitioners state:

1. Petitioners are the record title owners to all of the real property described in Exhibit "A" attached hereto and made a part hereof as reflected by the deed records in the Office of the Circuit Clerk and Ex-Officio Recorder of Faulkner County, Arkansas. All of said property is located within the corporate limits of the City of Conway, Arkansas.

2. Petitioners desire that the real property described in Exhibit "A" attached hereto and made a part hereof be laid off into a Municipal Property Owners' Improvement District ("District") pursuant to Ark. Code Ann. Sections 14-94-101 *et seq.* for the purpose of (a) constructing waterworks, sewers, recreational facilities and systems of gas pipelines,

and (b) grading, draining, paving, curbing, and guttering street and laying sidewalks, together with facilities related to any of the foregoing within said district.

3. Petitioners name the following three individuals to be appointed as commissioners of the district: Bill Hegeman, Bret Carroll and Charles Nabholz.

4. Petitioners propose that the name of the district be The City of Conway Municipal Property Owners' Multipurpose Improvement District No. 13.

WHEREFORE, the undersigned petition the City Council of Conway, Arkansas, to enact an ordinance establishing and laying off the real property described in Exhibit "A" attached hereto and made a part hereof into The City of Conway Municipal Property Owners' Multipurpose Improvement District No. 13 for the purpose of (a) constructing waterworks, sewers, recreational facilities, and systems of gas pipelines, and (b) grading, draining, paving, curbing and guttering streets and laying sidewalks, together with facilities related to any of the foregoing within said district.

DATED this 1st day of April, 2019.

CONWAY DEVELOPMENT CORPORATION

By: W. C. Adkinson

THE CITY OF CONWAY, ARKANSAS

By: Bret Carroll

EXHIBIT A
Legal Description

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ABTRACTOR'S CERTIFICATE OF PROPERTY OWNERSHIP

Margie Sublett, manager of the title department of Faulkner County Title Company, hereby certifies that the last deeds of the real estate records in the office of the Circuit Clerk and Ex-Officio Recorder of Faulkner County, Arkansas, reflect that:

(1) The Conway Development Corporation and the City of Conway, Arkansas, are the record title owners of all the real property described in Exhibit "A" to the Petition to Form The City of Conway Municipal Property Owners' Multipurpose Improvement District No. 13, a copy of which is attached hereto and made a part hereof; and

(2) Arvest Bank (as successor to Bear State Bank) hold a first mortgage lien on more than ten percent (10%) of the real property described in Exhibit A.

DATED this 3rd day of April, 2018.

FAULKNER COUNTY TITLE COMPANY

By: Margie Sublett
Margie Sublett