

Mayor Bart Castleberry
Clerk/Treasurer Michael O. Garrett
City Attorney Charles Finkenbinder



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, August 24th, 2021, City Council Agenda

Conway Municipal Building - City Council Chambers - 1111 Main Street, Conway, AR 72032

5:30pm Committee:

Discussion of potential location for District Court

Discussion of potential location for an Aquatic & Community Facility

6:30pm:

City Council Meeting

Call to Order:

Bart Castleberry, Mayor

Roll Call:

Michael O. Garrett, Clerk/Treasurer

Minutes Approval:

July 27th, 2021

Monthly Financial Report Approval:

Month ending July 31st, 2021

A. Community Development Committee (Airport, Community Development, Code Enforcement, Permits, Inspections, & Transportation, Planning & Development,)

1. Resolution to approve the bid for construction of the airport maintenance hangar.
2. Resolution setting a public hearing to discuss the closing of a portion of a utility easement in the crossing at Audubon Subdivision.
3. Ordinance to approve the PY2021 funding for the Community Development Block Grant program.
4. Request to approve the nomination of Adam Bell for the Conway Planning Commission.
5. Consideration to approve the impact fee credit agreement for Conrad Court Subdivision.
6. Ordinance requesting to annex property located at 21 Mill Pond Road to be zoned A-1.
7. Ordinance requesting to rezone property located at 640 & 680 Hogan Lane from O-2 to C-2.
8. Consideration to approve the request for conditional use permit to allow a storage facility in the C-2 zoning district for property located at 640 & 680 Hogan Lane.
9. Ordinance to amend the Conway Zoning Code concerning Short Term Rentals for Transient Occupation.

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

1. Resolution authorizing the mayor to enter into an independent contractor agreement for the watering of the hanging flowers throughout downtown Conway.
2. Ordinance to appropriate funds and approve the bid for construction of Stone Dam Creek Trail from Mimosa to Donaghey Avenue for Parks and Recreation.
3. Resolution to approve the bid for construction of an additional pavilion at Fifth Avenue Park.
4. Resolution authorizing the mayor to enter into a real estate contract to acquire property located at 450 Corporate Drive for the future Aquatic Parks and Recreation Facilities.

C. Public Safety Committee (District Court, Department of Information Systems & Technology, Animal Welfare, CEOC (Communication Emergency Operations Center), Police, Fire, & Office of the City Attorney)

1. Resolution authorizing the Mayor to enter into an agreement to acquire property located at 1203 N. Museum Road for the relocation of District Court.
2. Ordinance to appropriate funds for fire safety promotional products for the Fire Department.
3. Consideration to approve the disposal of seized assets for the Police Department.
4. Ordinance appropriating reimbursement funds for the Police Department.

Adjournment



City of Conway, Arkansas
Monthly Financial Reports
July 31, 2021

City of Conway
 Monthly Financial Report - General Fund
 For the month ended July 31, 2021



Revenues	Budget	Month Activity	Year to Date	Encumbered	(Over)/Under Budget	% Expend/Collect
Ad Valorem Tax	4,000,000	83,168	1,936,416		2,063,584	48%
Payments in Lieu of Tax	15,000	-	3,263		11,737	22%
State Tax Turnback	930,000	253,961	677,335		252,665	73%
Insurance Tax Turnback - LOPFI	1,300,000	-	-		1,300,000	0%
Sales Tax	20,500,000	2,131,422	14,056,563		6,443,437	69%
Beverage Tax	325,000	-	77,090		247,910	24%
Franchise Fees	3,427,200	308,947	2,081,384		1,345,816	61%
Office Space Leases	59,400	5,617	44,933		14,467	76%
Permits	458,500	72,573	428,712		29,788	94%
Public Safety	2,295,535	151,485	1,295,782		999,753	56%
Parks	633,250	42,288	284,071		349,179	45%
Insurance Proceeds	164,482	(42,464)	201,533		(37,051)	123%
Interest Income	123,000	17,544	107,280		15,720	87%
Proceeds from Sale of Assets	-	1,605	17,391		(17,391)	-
Donations	4,500	-	5,241		(741)	116%
Miscellaneous Revenues	101,000	10,854	75,005		25,995	74%
Transfers from Other Funds	770,000	-	86,500		683,500	11%
Total Revenues	35,106,867	3,037,000	21,378,500	-	13,728,367	61%
Expenditures						
Admin (Mayor, HR)	1,271,795	73,785	505,102	9,040	757,654	40%
Finance	448,445	39,225	283,261	176	165,008	63%
City Clerk/Treasurer	149,813	10,916	82,778	-	67,035	55%
City Council	82,148	6,370	39,804	-	42,344	48%
Planning	1,085,961	72,521	579,416	3,091	503,454	53%
Physical Plant	761,534	55,835	403,191	13,060	345,283	53%
Information Technology	1,279,978	149,085	637,327	146,295	496,356	50%
Nondepartmental	1,179,013	221,180	864,295	9,126	305,592	73%
Police	13,174,515	943,194	6,861,288	118,066	6,195,160	52%
CEOC	1,424,261	98,868	713,377	15,019	695,865	50%
Animal Welfare	489,698	35,364	252,046	2,076	235,577	51%
Municipal District Court	915,987	70,861	535,407	100	380,480	58%
City Attorney	508,995	34,049	251,308	542	257,144	49%
Fire	11,184,657	854,745	6,350,823	162,364	4,671,469	57%
Parks	2,968,522	281,740	1,612,436	28,165	1,327,921	54%
Total Expenditures	36,925,321	2,947,737	19,971,859	507,121	16,446,341	54%
Net Revenue/(Expense)	(1,818,454)		1,406,641			

*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
2021



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-21-12	1/12/21	Purchase property adjacent to Fire Station 7	150,000
O-21-13	1/21/21	Employee bonuses	583,000
O-21-31	3/9/21	Restructure job titles and salaries at CEOC	125,000
O-21-36	3/23/21	Add Safety and Training Manager to Admin dept	54,000
O-21-37	3/23/21	Purchase various capital items not included in original budget	81,000
O-21-38	3/23/21	Partnership with Conway Public School - Bus cameras	23,250
O-21-76	6/22/21	Employee pay adjustments from Salary Study Committee	57,000
O-21-78	6/22/21	Police department pay adjustments	195,000
			<u>\$ 1,268,250</u>

City of Conway
 Balance Sheet - General Fund
 As of July 31, 2021



Cash - Operating	8,844,593
Cash - Reserve	1,251,328
Petty Cash	715
Taxes Receivable	4,046,802
Accounts Receivable	4,257,253
Due from Street	28,353
Due from Component Unit	197,243
Due from Municipal Court	58,583
Fuel Inventory	(5,964)
General Inventory	585
<i>Assets</i>	<u>18,679,492</u>
Accounts Payable	(50,960)
Salaries Payable	4,323
Insurance and Benefits Payable	(56,189)
Event Deposits	2,850
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Deferred Revenue	4,175,486
Unearned Revenue - City Hall Lease	1,020,000
<i>Liabilities</i>	<u>5,105,705</u>
<i>Fund Balance</i>	<u>13,573,787</u>
<i>Total Liabilities & Fund Balance</i>	<u>18,679,492</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Street Fund
 For the month ended July 31, 2021



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
Revenues						
Ad Valorem Tax	1,400,000	31,053	712,963		687,037	51%
Payments in Lieu of Tax	6,000	-	-		6,000	0%
State Tax Turnback	2,700,000	260,443	1,605,338		1,094,662	59%
State Tax Turnback - Other	1,440,000	138,003	939,997		500,003	65%
Severance Tax	-	9,614	66,799		(66,799)	-
State Tax Turnback - Wholesale	360,000	33,918	222,119		137,881	62%
Sales Tax	280,000	29,865	196,958		83,042	70%
Sign Permits	-	-	420		(420)	-
Engineering Fees	15,000	1,875	11,075		3,925	74%
Interest Income	72,000	7,317	47,908		24,092	67%
Proceeds from Sale of Assets	-	19,440	19,440		(19,440)	-
Miscellaneous Revenues	-	-	2,539		(2,539)	-
Total Revenues	6,273,000	531,527	3,825,555	-	2,447,445	61%
Expenditures						
Personnel Costs	3,161,073	180,385	1,437,599	-	1,723,474	45%
Other Operating Costs	<u>3,704,913</u>	<u>216,859</u>	<u>1,279,260</u>	<u>147,962</u>	<u>2,277,691</u>	<u>35%</u>
Total Operating Costs	6,865,986	397,244	2,716,859	147,962	4,001,165	40%
Capital Outlay	<u>804,431</u>	<u>16,200</u>	<u>242,195</u>	<u>299,286</u>	<u>262,950</u>	<u>30%</u>
Total Expenditures	7,670,417	413,444	2,959,055	447,248	4,264,115	39%
Net Revenue/(Expense)	(1,397,417)		866,500			

*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
2021



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-21-13	1/21/21	Employee bonuses	51,000

City of Conway
Balance Sheet - Street Fund
As of July 31, 2021



Cash - Operating	6,654,812
Taxes Receivable	56,703
Accounts Receivable	1,961,873
<i>Assets</i>	<u>8,673,388</u>
Accounts Payable	(1,981)
Insurance and Benefits Payable	(1,860)
Due to General	28,353
Deferred Revenue	1,474,929
<i>Liabilities</i>	<u>1,499,441</u>
<i>Fund Balance</i>	<u>7,173,947</u>
<i>Total Liabilities & Fund Balance</i>	<u>8,673,388</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Sanitation
 For the month ended July 31, 2021



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
Revenues						
Sanitation Fees	9,000,000	812,923	5,489,365		3,510,635	61%
Proceeds - Recycled Materials	350,000	127,539	418,248		(68,248)	119%
Landfill Fees - General	200,000	26,157	153,401		46,599	77%
Insurance Proceeds	-	-	13,802		(13,802)	-
Interest Income	200,000	18,804	126,595		73,405	63%
Proceeds from Sale of Assets	33,858	-	47,013		(13,155)	139%
Miscellaneous Revenues	-	-	525		(525)	-
Total Revenues	9,783,858	985,422	6,248,948	-	3,534,910	64%
Expenditures						
Personnel Costs	5,487,301	379,533	2,959,009	500	2,527,792	54%
Other Operating Costs	<u>3,253,927</u>	<u>257,023</u>	<u>1,220,620</u>	<u>225,672</u>	<u>1,807,635</u>	<u>38%</u>
Total Operating Costs	8,741,228	636,556	4,179,629	226,172	4,335,426	48%
Capital Outlay	<u>1,242,562</u>	<u>-</u>	<u>9,504</u>	<u>810,041</u>	<u>423,016</u>	<u>1%</u>
Total Expenditures	9,983,789	636,556	4,189,133	1,036,214	4,758,442	42%
Net Revenue/(Expense)	(199,932)		<u><u>2,059,815</u></u>			

*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
2021



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-21-13	1/21/21	Employee bonuses	104,000

City of Conway
 Balance Sheet - Sanitation
 As of July 31, 2021



Cash - Operating	12,420,640
Petty Cash	200
Post Closure Cash Account	6,099,776
Accounts Receivable	13,968
Due from Component Unit	878,787
General Inventory	2,122
Land & Buildings	2,201,732
Infrastructure	831,994
Machinery and Equipment	3,378,044
Vehicles	(75,892)
Deferred Outflows of Resources	1,903,527
Deferred Outflows of Resources-OPEB	18,248
Assets	<u>27,673,145</u>
Accounts Payable	4,893
Insurance and Benefits Payable	(7,184)
Compensated Absences	189,878
Net Pension Obligation	12,544,384
Deferred Inflows of Resources	1,612,058
Deferred Inflows of Resources-OPEB	126,149
Net OPEB Liability	606,008
Landfill Close/Post Close	8,362,165
Liabilities	<u>23,438,351</u>
Net Position	4,234,794
Total Liabilities and Net Position	<u>27,673,145</u>

*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway
 Monthly Financial Report - Airport
 For the month ended July 31, 2021



Revenues	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
Sales Tax	15,000	1,585	9,495		5,505	63%
Airport Fuel Sales	700,000	79,379	427,550		272,450	61%
T-Hangar Rent	162,000	3,540	70,016		91,984	43%
Community Hangar Rent	33,600	2,800	18,900		14,700	56%
Ground Leases	125,000	8,712	60,984		64,016	49%
Misc Revenue - Non air	3,700	300	2,443		1,257	66%
Loan Proceeds	600,000	-	-		600,000	0%
Miscellaneous Revenues	<u>15,000</u>	<u>2,546</u>	<u>12,861</u>		<u>2,139</u>	<u>86%</u>
Total Revenues	1,654,300	98,862	602,249	-	1,052,051	36%
Expenditures						
Personnel Costs	318,656	24,806	184,685	-	133,971	58%
Fuel for Resale	600,000	84,673	377,783	-	222,217	63%
Other Operating Costs	<u>141,900</u>	<u>20,603</u>	<u>76,950</u>	<u>16,320</u>	<u>48,630</u>	<u>54%</u>
Total Operating Costs	1,060,556	130,082	639,419	16,320	404,818	60%
Capital Outlay	<u>750,000</u>	-	-	-	<u>750,000</u>	<u>0%</u>
Total Expenditures	1,810,556	130,082	639,419	16,320	1,154,818	35%
Net Revenue/(Expense)	(156,256)		<u>(37,169)</u>			

*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

Airport Fund

2021

Fund Balance Appropriations



<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-21-13	1/21/21	Employee bonuses	7,000
O-21-58	5/25/21	Funds to supplement grant for new T-hangar	150,000
			<u>\$ 157,000</u>

City of Conway
 Balance Sheet - Airport
 As of July 31, 2021



Cash - Operating	478,306
Taxes Receivable	2,389
Accounts Receivable - Fuel Vendor	(135,979)
Land	1,254,473
Buildings	3,688,493
Machinery & Equipment	399,379
Vehicles	1,828
Infrastructure	23,601,813
Deferred Outflows of Resources-OPEB	1,029
<i>Assets</i>	<u>29,291,731</u>
Compensated Absences	5,127
Deferred Inflows of Resources	34,168
Deferred Inflows of Resources-OPEB	7,112
<i>Liabilities</i>	<u>46,407</u>
<i>Net Position</i>	29,245,324
<i>Total Liabilities & Net Position</i>	<u>29,291,731</u>

*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway
Monthly Financial Report - Major Project Funds
As of July 31, 2021



Parks and Rec A&P Tax

Balance, 6/30/21	1,917,614
Receipts	382,242
Payments	(174,274)
Balance, 7/31/21	\$ 2,125,582

Pay as you go Sales Tax

Balance, 6/30/21	4,388,733
Receipts	71,628
Payments	(147,346)
Balance, 7/31/21	\$ 4,313,016

Street Impact Fees

Balance, 6/30/21	1,416,803
Receipts	49,162
Payments	-
Balance, 7/31/21	\$ 1,465,965

Parks Impact Fees

Balance, 6/30/21	906,425
Receipts	16,298
Payments	-
Balance, 7/31/21	\$ 922,723

Street Sales Tax

Balance, 6/30/21	9,521,393
Receipts	9,975
Payments	(325,217)
Balance, 7/31/21	\$ 9,206,151



**City of Conway, Arkansas
Resolution No. R-21-**

A RESOLUTION TO APPROVE THE LOWEST BID FOR CONSTRUCTION OF AN AIRPORT MAINTENANCE HANGAR; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway solicited bids for the construction of an Airport Maintenance Hangar; and

WHEREAS, six qualified bids were received as attached. Wills Construction, LLC submitted the lowest bid in the amount of \$920,000; and

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

Section 1. The City of Conway approves the lowest bid from Wills Construction, LLC in the amount of \$920,000.

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

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

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



City of Conway, Arkansas
Purchasing Department
1111 Main Street
Conway, AR 72032
501.358.6810

City of Conway
Purchasing Department
Bid Tabulations
www.conwayarkansas.gov

Number of Bids Received: 6
Bids Opened by: Jamie Brice and Jack Bell

2021-17 Airport Maintenance Hangar
Bid Opening Date: August 11, 2021, 1:00 p.m. Local Time, Town Hall Square Conference Room

<u>Bidder's Name</u>		<u>Total Bid Amount</u>
C & S Contracting		\$1,209,371.00
Cornerstone Construction of Russellville Inc.		\$1,154,781.00
Pick-It Construction		\$1,251,229.00
Wills Construction, LLC		\$920,000.00
Cline Construction Group, LLC		\$1,096,952.00
Salter Construction		\$1,115,000.00

Bid Winner: Pending

Bid Approval Date Council approval pending

Contact Person: Jamie.brice@conwayarkansas.gov



**City of Conway, Arkansas
Resolution No. O-21-**

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE CLOSING OF A PORTION OF A UTILITY EASEMENT IN THE CROSSING AT AUDUBON SUBDIVISION, IN THE CITY OF CONWAY, ARKANSAS:

WHEREAS, a petition has been filed with the City Council of the City of Conway, Arkansas by Bill & Julie Adkisson and Tobey & Lindsay Koehler, to abandon the ten-foot utility easement running roughly west to east from the western property line of Lot 5-B to the eastern property line of Lot 17, all contained in the Crossing at Audubon Subdivision, within the corporate limits of the City of Conway, Arkansas; and

WHEREAS, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

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

Section 1. That the City Council shall hear said petition at its regular meeting to be held in the Conway City Council Chambers, 1111 Main Street, Conway, Arkansas, on the 14th day of September 2021 at 6:30 pm.

Section 2. That the City Clerk is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the matter prescribed by law.

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

BEFORE THE CITY COUNCIL OF THE CITY
OF CONWAY, ARKANSAS

PETITION TO VACATE UTILITY EASEMENT
CROSSING LOTS 5-B AND 17 OF THE
CROSSING AT AUDUBON SUBDIVISION

The Crossing at Audubon is a platted subdivision within the corporate limits of the City of Conway, Arkansas. The plat is recorded in Plat Book K at page 158 in the plat records of Faulkner County, Arkansas. Attached as Exhibit A is a copy of the recorded plat of the subdivision. Attached as Exhibit B is an enlarged reproduction of a portion of the subdivision more clearly reflecting the easement which the petitioners seek to vacate shaded in yellow.

Tobey Koehler and Lindsay Koehler are the owners of lot 5-B of "The Crossing at Audubon". William C. Adkisson and Julie G. Adkisson are the owners of Lot 17 of "The Crossing at Audubon". As shown on the exhibits, a ten foot utility easement runs from the west line of the subdivision across the southern portion of Lot 5-B and continues across the northern portion of lot 17. After diligent inquiry with utility providers, these petitioners are of the belief that

there are no utilities currently in use or needed in the future for the lots in question or the surrounding lots in the subdivision or adjacent properties.

WHEREFORE, these petitioners pray that the City Council for the City of Conway, Arkansas, vacate the utility easement reflected on the attached plats, that the ordinance authorizing its vacation be recorded in the land records of Faulkner County, Arkansas, and for all other proper relief.

Tobey Koehler, Lindsay
Koehler, William C. Adkisson,
and Julie G. Adkisson

By William C. Adkisson
William C. Adkisson
Attorney at Law
Post Office Box 996
Conway, Arkansas 72033

Exhibit A

THE CROSSING AT AUDUBON
 LYING IN THE SW 1/4, NW 1/4 SECTION 9
 T-5-N, R-14-W FAULKNER COUNTY
 ARKANSAS

Proposed Sidewalks:
 Shall be constructed of concrete with a minimum thickness of four (4) inches and shall be a minimum of five (5) feet wide. Installed with the edge closest to the street located five and one-half (5.5) feet from the back of curb. (Conway Subdivision Ordinance #0-00-03 Section 9)

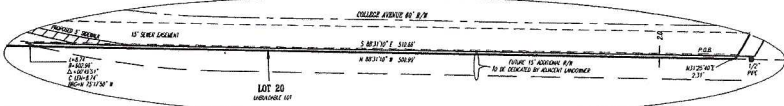
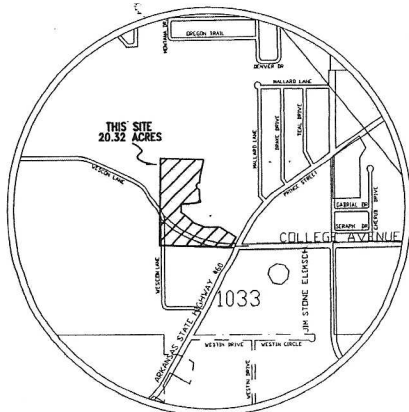
NOTE:
 Access shall not be denied to Lot 18 from College Avenue or Wascon Lane.

● denotes iron pin found
 ○ denotes iron pin set
 Basis of bearings is Arkansas State Plane Grid North.
 Legal Description:

The Crossing at Audubon, being a replat of Lots 4 and 5 Audubon Place Subdivision and a part of the SW 1/4 NW 1/4, Section 9, T-5-N, R-14-W, Faulkner County, Arkansas, more particularly described as beginning at the SE corner of said SW 1/4 NW 1/4; thence N85°31'10"W 222.56 feet to the true point of beginning; thence N85°31'10"W 1104.59 feet to the SW corner of said SW 1/4, NW 1/4; thence N01°07'03"E 600.76 feet; thence N 16°44'50" E 25.97 feet; thence S 88°10'36" E 7.46 feet; thence N06°16'58" W 112.27 feet; thence N01°07'03"E 588.85 feet to the NW corner of said SW 1/4, NW 1/4; thence S88°08'53"E 665.00 feet; thence S11°58'52" W 289.49 feet; thence S03°22'20" W 75.00 feet; thence with a curve to the left having a radius of 50.00', with a chord bearing of S11°59'03" W, with a chord length of 98.67', thence with a curve to the right having a radius of 25.00', with a chord bearing of S34°08'35" E, with a chord length of 28.86', thence S01°07'03" W 98.02 feet; thence with a curve to the left having an arc length of 89.78', with a radius of 175.00', with a chord bearing of S13°34'47" E, with a chord length of 88.80', thence S81°00'32" W 110.00 feet; thence S87°23'56" W 193.19 feet; thence S01°07'03" W 120.75 feet; thence S50°48'43" E 265.79 feet; thence S69°37'25" E 180.00 feet; thence N89°23'25" E 225.60 feet; thence S58°27'05" E 296.87 feet; thence S31°32'55" W 163.64 feet; to the point of beginning, containing, 20.32 Acres more or less.

A portion of the property is within the 100 year flood plain according to Flood Insurance Rate Map #0504500130F, panel 130 of 250, Faulkner County, Arkansas, effective date March 13, 2001.

THIS PROPERTY IS REFERENCED TO CAGIS MONUMENT #1033
 NAD83 (1997) COORDINATES
 N: 274182.824
 E: 1162467.614
 ELEV: 279.535



Certificate of Owner
 We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, easements, etc. as shown on said plat.
 Date of Execution: 10-27-05
 Owners: William C. Addison, Russell & Esther Rogers
 4150 Prince St. Conway, AR 72032 3824 Noble Circle Dr. Springdale, AR 72702
 Developer: William C. Addison
 Source of Title: Deed Book 334 Page 357 Source of Title: Deed Book 2004 Page 21488

Certificate of Accuracy
 This document filed for record 10-31-05 by 2025 in Plat Book No. 1033 page 8
 Signed: [Signature] Deed Clerk, Sharon Renner

Certificate of Surveying Accuracy
 I, Timothy P. Tyler, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and of minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.
 Date of Execution: 10-27-05
 Signed: [Signature] Registered Land Surveyor No. 1243 State of Arkansas

Certificate of Final Plat Approval
 Pursuant to the Conway Subdivision Regulations and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of the said rules and regulations.
 Date of Execution: 10/31/05
 Signed: [Signature] Conway Planning Commission Chairman

This property is serviced by Conway Utilities: Water and Sewer - Conway, Arkansas, Faulkner County.
 Zoning of property A-1 and O-3
 Lots 4-6, 5-4, 6-4, 6-5, 6-6 are zoned A-1
 Lots 12, 13, 14, 15, 16, 17, 18, 19 & 20 are zoned O-3
 Note:
 Iron pins are set at all lot corners and at points of curve. Lots with rounded corners are 20' radius unless noted otherwise. Distances on curves are chord distances. All easements shall be for general utilities and/or drainage. Building lines are 25' unless noted otherwise. All easements are 10' to 15'.
 Date of survey: February 23, 2002
 This plat was prepared by Tim P. Tyler, Arkansas Professional Land Surveyor No. 1243
 240 Hwy 65 North, Conway Arkansas 72032 Phone 501-329-1400

FILED FOR RECORD
 Date: 10-31-05
 at 2:50 PM
 SHARON RIMMER, CLERK
 BY: [Signature] D.C.

PROJECT TITLE:
THE CROSSING AT AUDUBON
 LYING IN THE SW 1/4, NW 1/4 SECTION 9

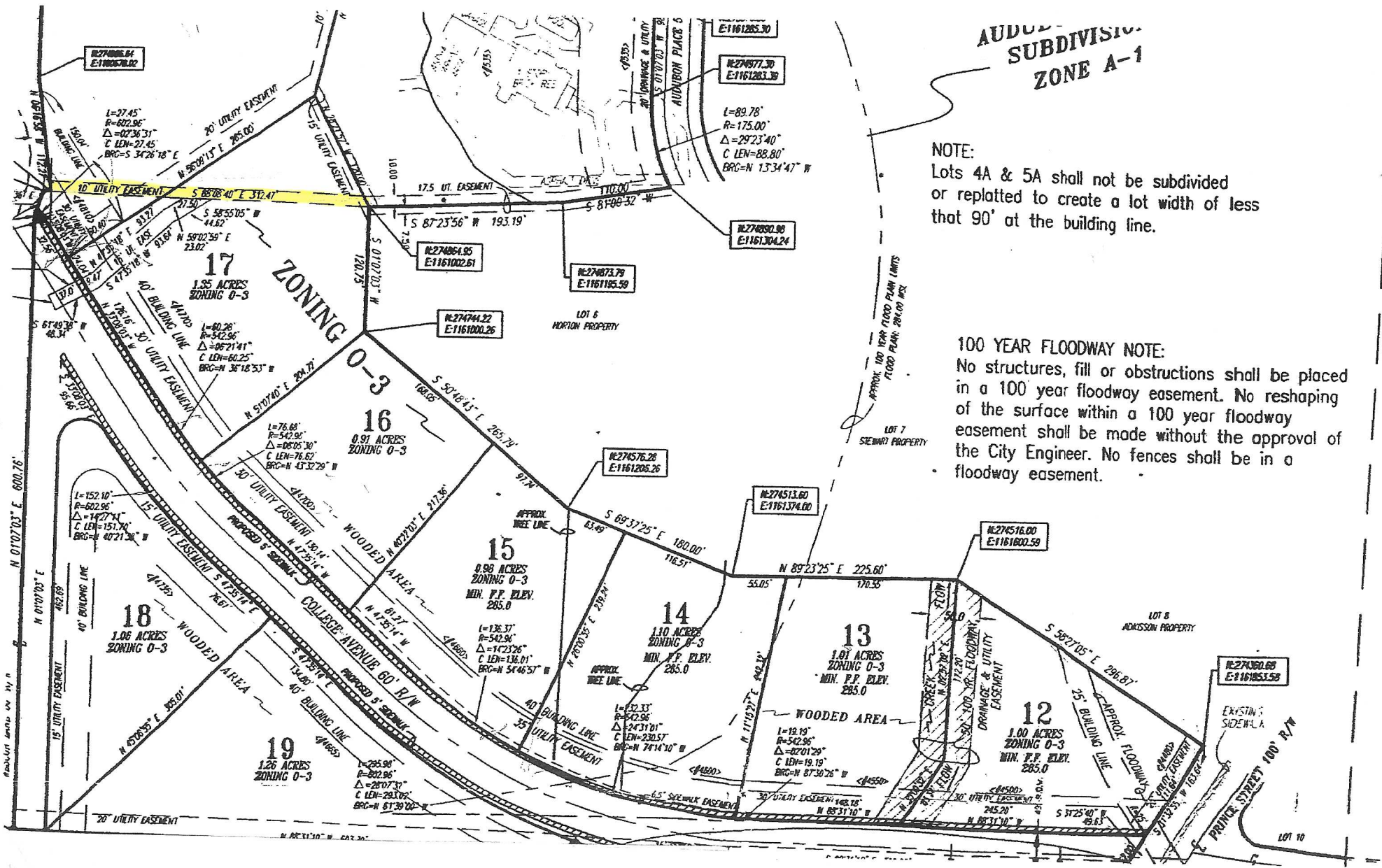
NO.	DATE	REVISION
1	07/06/05	ADDED THEE LINE
2	07/19/05	REMOVED PROPOSED SIDEWALK ON WASCON LANE, LABELED EROSION
3	08/03/05	ADDED DETAIL FOR LOT 20

NO.	DATE	REVISION

INTENDED FOR RECORD
 DATE: 10-31-05
 TIME: 2:50 PM
 BY: SHARON RIMMER, CLERK

TIM TYLER SURVEYING AND MAPPING
 #240 HWY #65 NORTH
 CONWAY, ARKANSAS 72032
 TEL: (501) 329-1400 FAX: (501) 329-1400

EXHIBIT B



**ADDL SUBDIVISION
ZONE A-1**

NOTE:
Lots 4A & 5A shall not be subdivided or replatted to create a lot width of less than 90' at the building line.

100 YEAR FLOODWAY NOTE:
No structures, fill or obstructions shall be placed in a 100 year floodway easement. No reshaping of the surface within a 100 year floodway easement shall be made without the approval of the City Engineer. No fences shall be in a floodway easement.

S 02°19'53" W 1317.20'

LOT 10



**City of Conway, Arkansas
Ordinance No. O-21-_____**

AN ORDINANCE ACCEPTING FEDERAL FUNDING, APPROPRIATING GRANT REVENUE & APPROVING CONTRACTS FOR SERVICES FOR THE CONWAY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND FOR OTHER PURPOSES:

Whereas, the Department of Housing and Urban Development (“HUD”) has awarded grant funds to the Community Development Block Grant (“CDBG”) in the amount of \$488,416 for FY2021 funding; and

Whereas, each nonprofit agency receiving funding must enter into an agreement with the Community Development Block Grant Program.

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

Section 1. The City of Conway shall accept grant proceeds from HUD in the amount of \$488.416 for Community Development Block Grant activities.

Section 2. The City of Conway shall appropriate \$488,416 to the following projects:

\$317,470.40	Overnight Emergency Shelter
\$97,683.20	Administration
\$52,262.40	Services – Emergency Rental & Utility Assistance
\$7,000.00	Services - Boys & Girls Club of Faulkner County - Transportation
\$7,000.00	Services - Faulkner County Council of Aging – Transportation
\$7,000.00	Services - Independent Living Services - Transportation

Section 3. The City of Conway shall approve entering into agreements with all the listed agencies above for the Program Year 2021 once all contracts with HUD has been executed by the City of Conway

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

PASSED this 24th day of August, 2021.

Approved:

Attest:

Mayor Bart Castleberry

Michael O. Garrett
City Clerk/Treasurer



CITY OF CONWAY | 1111 Main Street
Planning and Development | Conway, AR 72032
T 501.450.6105
F 501.450.6144
www.conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Brandon Ruhl, 2021 Planning Commission Nomination Committee Chairman
Date: August 24, 2021

Re: Nomination for Conway Planning Commission

The Conway Planning Commission currently has 1 vacancy as of July 24, 2021 with the resignation of Brian Townsend's position. Staff has contacted a prior applicant from the 2020 nomination register to fill the vacant position.

Planning staff presented to the Planning Commission members, to submit Adam Bell for approval to serve on the Conway Planning Commission, filling the vacant seat left by Brian Townsend, ending, December 31, 2023.

Please advise if you have any questions.



City of Conway
www.conwayarkansas.gov
Board/Commission Nomination Form:

Date: _____

Board applying for: (One board per form)

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: _____

Address: _____ *City, State, Zip* _____

Phone/Home: _____ *Work:* _____

Email address: _____

Person making nomination: _____

Address: _____

Phone/Home: _____ *Work:* _____

Email address: _____

Please send to: Office of the Mayor / Office of City Clerk/Treasurer

1111 Main Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)
[*felicia.rogers@conwayarkansas.gov*](mailto:felicia.rogers@conwayarkansas.gov)
[*denise.hurd@conwayarkansas.gov*](mailto:denise.hurd@conwayarkansas.gov)

Please provide the following information for consideration to a City of Conway Board/Commission. List community/civic activities. Indicate activities in which you (or your nominee) are or have been involved.

Indicate why you (or your nominee) are interested in serving on this board or commission and what other qualifications apply to this position.

What contributions do you hope to make?

Please feel free to attach to this application any additional information.

The City of Conway strives to ensure all City Boards are representative of our diverse community. To assist in these endeavors; please provide the following information on a voluntary basis:

Age: _____ *Sex:* _____ *Race:* _____

Occupation: _____ *Ward* _____

Email Address: _____

Signature of Applicant or Nominator

Date



MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: James Walden, AICP – Planning Director
Date: August 24, 2021

Re: Impact fee agreement and improvements made to Conrad Court Subdivision

The impact fee credit agreement for Conrad Court Subdivision was brought to the City Council for a first reading at the June council meeting. The item is currently on the agenda for final approval of the impact fee credit agreement.

A developer is entitled to impact fee credits for road impact fees when improvements are made to city's major roadway system. The developer must construct the improvements and submit an impact fee credit agreement for approval by City Council.

The applicant initially designed Conrad Court as two phases, considering tying in Wills Drive as an extension of Blake Lane. Due to the development to the south, the city requested this project be completed as a single phase with a full extension of Blake Lane to the south end of the Conrad property, a tie-in to Wills Drive, a tie-into Rivendell Subdivision, widening of Blake Lane to allow for greater traffic demand, and the requisite ancillary construction of storm drain, sidewalks, etc.

The street work on Blake Lane is a major roadway system improvement. Based on the submitted documentation the developer is requesting a credit totaling \$201,563.00.

Please advise if you have any questions.

A handwritten signature in blue ink, appearing to read "J. Walden", is positioned above the typed name.

James P. Walden, AICP
Planning Director

IMPACT FEE CREDIT AGREEMENT

THIS IMPACT FEE CREDIT AGREEMENT, (hereinafter referred to as this “*Agreement*”) is entered into between **Conrad and Conrad Properties, LLC**, an Arkansas Limited Liability Company (hereinafter referred to as “*Conrad*”), and the **City of Conway, Arkansas** (hereinafter referred to as the “*City*”) to be effective as of August 24th, 2021 (the “*Effective Date*”).

RECITALS:

A. Conrad is the developer of Conrad Court, an addition to the City of Conway, Phase I of which is created pursuant to the Plat recorded on December 16, 2020, in the real estate records of Faulkner County, Arkansas, as Document Number P202000065 (along with future phases, if any, hereinafter referred to as the “*Neighborhood*”).

B. Conrad Court was planned in two (2) phases initially with phase II contemplating the tie in to Wills Drive as an extension of Blake Lane. However, due to the development to the south of Rivendell Subdivision, the city requested Conrad complete its project in a single phase with: full extension of Blake Lane to the south end of the Conrad property; a tie-in to Wills Drive; a tie-into Rivendell Subdivision; widening Blake Lane to allow for greater traffic demand, and the requisite ancillary construction of storm drain, sidewalks, etc. Conrad has conveyed the roadways of the development in fee simple to the City.

C. The City has enacted Ordinance O-03-98, levying road and park impact fees upon Impact-Generating Development within the City of Conway (hereinafter referred to as the “*Ordinance*”).

D. Pursuant to Article VI. Section 12(K)(1)(a) of the Ordinance, developers of major roadway improvements (as defined by the Ordinance) are entitled to credits (hereinafter referred to as the “*Credit*”) against impact fees otherwise payable under the Ordinance (“*Impact Fees*” – both street and park).

E. The City and Conrad desire to enter into this Agreement to evidence their determination that the street work on Blake Lane is a Major Roadway System Improvement, that development within the Neighborhood is entitled to the Credit and the amount of the Credit.

NOW, THEREFORE, in consideration of the recitals herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The street work for Blake Lane with the subdivision of Conrad Court is a Major Roadway System Improvement (as defined by the Ordinance), qualifying the Neighborhood and Conrad for the Credit;

2. The City hereby acknowledges that Conrad is eligible for a Credit in the amount of \$201,563.00. The amount of the Credit is determined pursuant to Section 12(K)(2) of the Ordinance based on the cost of construction and development of the Roadway System;

3. The City hereby approves awarding Conrad a Credit to offset all Impact Fees, not to exceed \$201,563.00 (the “Awarded Credit”), otherwise applicable to Impact-Generating Development (as defined by the Ordinance) within the Neighborhood, in addition to Conrad Court and also Museum Meadows. Conrad shall have the exclusive right to use the Awarded Credit, provided that Conrad may in its sole discretion assign the right to use the designated amount of the Awarded Credit to offset the Impact Fee applicable to a project developed by the assignee within the Neighborhood, as well as Museum Meadows. Any such assignment shall be in writing signed by Conrad or its successors and assigns and delivered to the City Planning Department or other department serving as administrator of Impact Fees. The Awarded Credit shall also be available to Conrad and its designated successors and assigns to offset Impact Fees applicable to Impact-Generating Development in any and all future phases of the Neighborhood and Museum Meadows; and,

4. Conrad will not be reimbursed for any excess Credit beyond the Impact Fees that would otherwise be due from Conrad or its assigns from Impact Generating Development in the Neighborhood and any and all future phases.

[Signature Page Follows]

DRAFT

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date and year first written above.

Conrad and Conrad Properties, LLC

By: _____
Bobby Conrad, Member

City of Conway, Arkansas

By: _____
Bart Castleberry, Mayor

ATTEST:

By: _____
City Clerk/Treasurer

THIS INSTRUMENT PREPARED BY:

Shane A. Henry, #07258
SHANE HENRY & ASSOCIATES, PLLC
335 Hogan Lane, Suite 100
Conway, AR 72034
501-329-3889; 501-329-3890 fax
shane@shanehenry.attorney

DRAFT

David Hopkins, P.E.

Civil Engineer

17 March 2021

Conway Transportation Department
100 East Robbins
Conway, AR 72032

RE: Conrad Court Subdivision
East German Lane
Cost of Street Widening

Dear Sirs:

I was contacted and asked to render an opinion for the cost of roadway classification changes that were requested by the City of Conway and related to the Conrad Court Subdivision. These improvements are as indicated on the referenced project plans. My opinion of cost is as follows:

PART A: Blake Lane platted as 27' Local street (803 LF); constructed as 36' Collector.

• Unclassified Excavation/Undercut (535 CY @ \$12.67)=	\$ 6,778
• Compacted Embankment (402 CY @ \$15.26)=	\$ 6,134
• Aggregate Base Course (587 TON @ \$31.77)=	\$ 18,649
• ACHM Surface (297 Ton @ \$90/Ton) =	<u>\$ 26,730</u>
Subtotal PART A	\$ 58,291

PART B: Blake Lane extended south 468 LF; constructed as 36' Collector.

• Unclassified Excavation/Undercut (1248 CY @ \$12.67)=	\$ 15,812
• Compacted Embankment (936 CY @ \$15.26)=	\$ 14,283
• Concrete Curb & Gutter (936 LF @ \$21.58)=	\$ 20,199
• Aggregate Base Course (860 TON @ \$31.77)=	\$ 27,322
• Concrete Sidewalks (624 SY @ \$50.45)=	\$ 31,481
• ACHM Surface (378 Ton @ \$90) =	\$ 34,020
• Seeding (0.13 AC @ \$1192.71) =	<u>\$ 155</u>
Subtotal PART B	\$143,272

TOTAL = \$201,563

If you have any questions or comments, please give me a call at (501) 813-6746 or email me at hoptruck@sbcglobal.net.

Sincerely,



David Hopkins, P.E.
Civil Engineer

* Unit prices based on ARDOT Weighted Average Unit Prices For The Year 2020



CITY OF CONWAY
 TRANSPORTATION DEPARTMENT
 100 EAST ROBINS
 CONWAY, ARKANSAS 72032
 501-450-6165

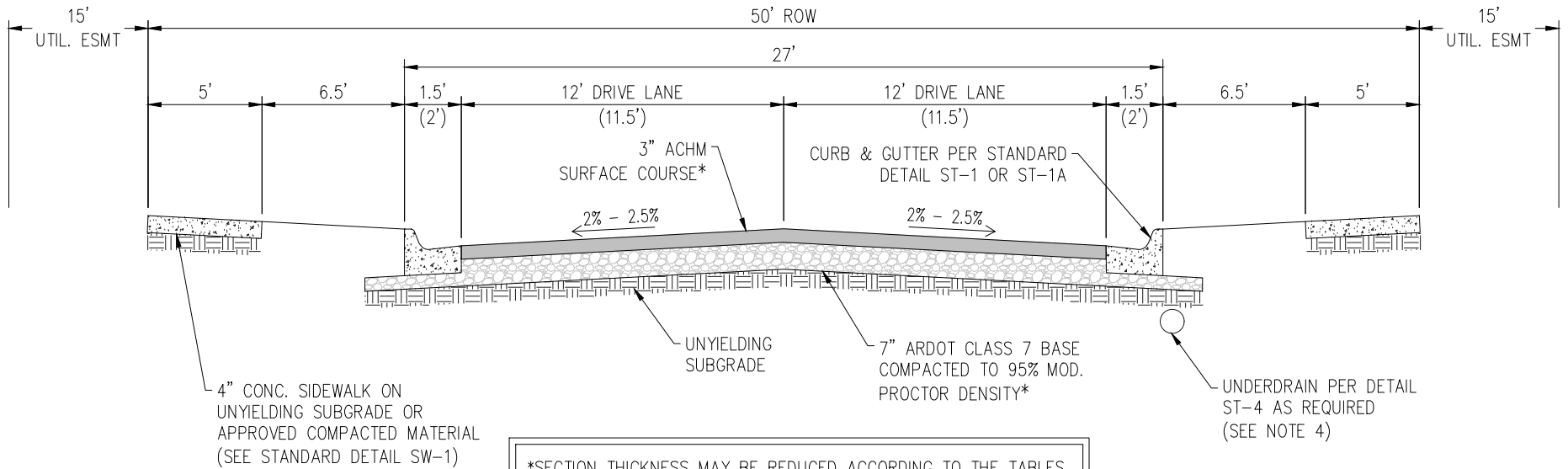
DESIGN STANDARDS	
DESIGN SPEED	25 MPH
MAX. GRADE	15%
MIN. SIGHT DISTANCE	150'
MIN. HORIZ. CENTERLINE CURVE RADIUS	100'
MIN. TANGENT BETWEEN HORIZ. CURVES	50' PREFERRED 0' MINIMUM

DESIGN NOTES:

1. SHALL BE DESIGNED IN ACCORDANCE WITH ARDOT "ROADWAY DESIGN PLAN DEVELOPMENT GUIDELINES" AND AASHTO'S "A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS & STREETS", CURRENT EDITION
2. DESIGN CLASSIFICATION = LOCAL URBAN
3. REFERENCE DETAIL SHEET TS-0 FOR FURTHER DESIGN INFORMATION.
4. UNDERDRAINS SHALL BE INSTALLED PER DETAIL ST-4 AT ALL LOCATIONS DEEMED NECESSARY BY THE CITY ENGINEER.

TITLE: TYPICAL SECTIONS
 DESCRIPTION: LOCAL IN A RESIDENTIAL ZONE
 DRAWN BY: NFR
 CHECKED BY: BRV
 FILE NAME: 1-LOCAL RESIDENTIAL STREET SECTION.dwg

DATE: FEBRUARY 2017
 SHEET: TS-1



*SECTION THICKNESS MAY BE REDUCED ACCORDING TO THE TABLES ON SHEET TS-0 PENDING APPROVAL OF A TRAFFIC STUDY AND/OR GEOTECHNICAL REPORT AT THE DISCRETION OF THE CITY ENGINEER

TYPICAL SECTION
 LOCAL IN A RESIDENTIAL ZONE
 (EXCLUDING MF-1, MF-2 & MF-3)



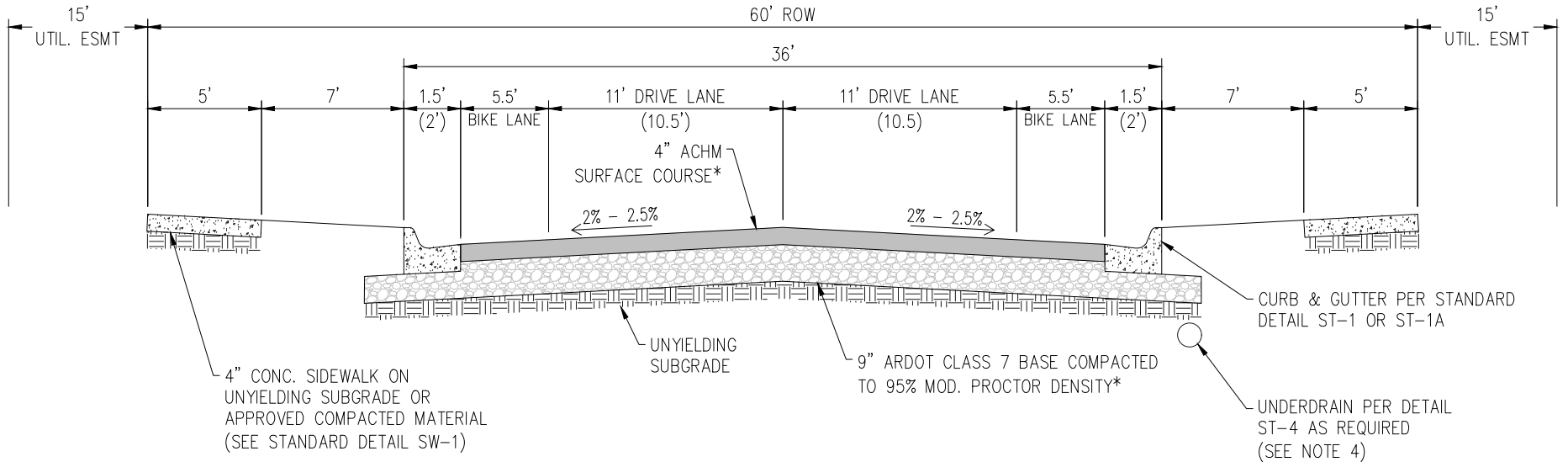
CITY OF CONWAY
 TRANSPORTATION DEPARTMENT
 100 EAST ROBINS
 CONWAY, ARKANSAS 72032
 501-450-6165

DESIGN STANDARDS	
DESIGN SPEED	30 MPH
MAX. GRADE	10%
MIN. SIGHT DISTANCE	200'
MIN. HORIZ. CENTERLINE CURVE RADIUS	300'
MIN. TANGENT BETWEEN HORIZ. CURVES	50' PREFERRED 0' MINIMUM

DESIGN NOTES:

1. SHALL BE DESIGNED IN ACCORDANCE WITH ARDOT "ROADWAY DESIGN PLAN DEVELOPMENT GUIDELINES" AND AASHTO'S "A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS & STREETS", CURRENT EDITION
2. DESIGN CLASSIFICATION = URBAN COLLECTOR
3. REFERENCE DETAIL SHEET TS-0 FOR FURTHER DESIGN INFORMATION.
4. UNDERDRAINS SHALL BE INSTALLED PER DETAIL ST-4 AT ALL LOCATIONS DEEMED NECESSARY BY THE CITY ENGINEER.

TITLE: TYPICAL SECTIONS
 DESCRIPTION: COLLECTOR IN A RESIDENTIAL ZONE
 DATE: FEBRUARY 2017
 SHEET: TS-5



*SECTION THICKNESS MAY BE REDUCED ACCORDING TO THE TABLES ON SHEET TS-0 PENDING APPROVAL OF A TRAFFIC STUDY AND/OR GEOTECHNICAL REPORT AT THE DISCRETION OF THE CITY ENGINEER

TYPICAL SECTION
 COLLECTOR IN A RESIDENTIAL ZONE
 (EXCLUDING MF-1, MF-2 & MF-3)



City of Conway, Arkansas
Ordinance No. O-21-

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF ± 44.38 ACRES LOCATED AT 21 MILL POND ROAD, TO THE CITY OF CONWAY:

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

Section 1. That the City of Conway, Arkansas, hereby accepts the hereinafter described territory, including all adjacent and abutting rights-of-way, annexed to said City by order of the County Court of Faulkner County, Arkansas heretofore entered on **August 24, 2021**, and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned **A-1**. Legal description as follows:

A PART OF THE SW ¼ OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 14 WEST, DESCRIBED AS BEGINNING AT A POINT WHICH IS NORTH 89° 32 MINUTES 43 SECONDS EAST 466.67 FEET OF THE NORTHWEST CORNER OF SAID SW ¼, AND RUN THENCE SOUTH 0° 25 MINUTES WEST 2004.44 FEET; THENCE N 89° 24 MINUTES 40 SECONDS EAST 1197.42 FEET; THENCE NORTH 0° 03 MINUTES 31 SECONDS EAST 729.67 FEET; THENCE NORTH 89° 32 MINUTES 43 SECONDS WEST 350 FEET; THENCE NORTH 0° 03 MINUTES 31 SECONDS EAST 1244.5 FEET; THENCE NORTH 89° 32 MINUTES 43 SECONDS WEST 834.83 FEET; TO THE POINT OF BEGINNING CONTAINING 44.38 ACRES MORE OF LESS.

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

Section 2. From and after this date, all inhabitants residing within and upon the hereinabove described lands and territory shall have and enjoy all the rights and privileges of, and be subject to all the laws, rules, ordinances, limitations and regulations imposed upon the inhabitants within the original limits of said City of Conway, Arkansas, and for voting purposes, said lands are hereby assigned to and designated as part of **Ward 4** of the City of Conway, Arkansas.

Section 3. It is hereby declared the annexed land shall be provided the following services immediately upon the effective date of this annexation: police protection; fire protection; maintenance of any publicly dedicated streets within the property; and opportunity to connect to potable water, electric, and telecommunications services provided by Conway Corporation at the expense of the property owner.

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

FILED
TIME: _____

APR 28 2021

MARGARET DARTER
FAULKNER COUNTY CLERK
BY Amiller DC

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

Winfred and Carmen Thompson, Petitioners

CC-21-07

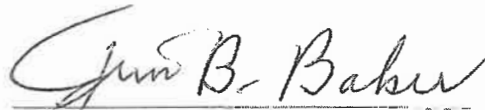
ORDER

Comes now before the Court is the above-styled case and after having been presented all the facts and circumstances and having considered the relevant laws, this Court finds and orders the following:

1. A petition for annexation was filed April 14, 2021.
2. All appropriate signatures were affixed to the Petition, as required by A.C.A. 14-40-609.
3. The proposed site to be annexed was adequately described and further displayed a map of the proposed site.
4. The appropriate documentation was provided under A.C.A. 14-40-609.
5. Based on the above premises, the Petitioner's prayer is right and proper.

WHEREFORE, this Court finds that the area described in Exhibit A should be, and hereby is, released for annexation into the City of Conway:

IT IS SO ORDERED.




HON. JIM B. BAKER
Faulkner County Judge

Dated

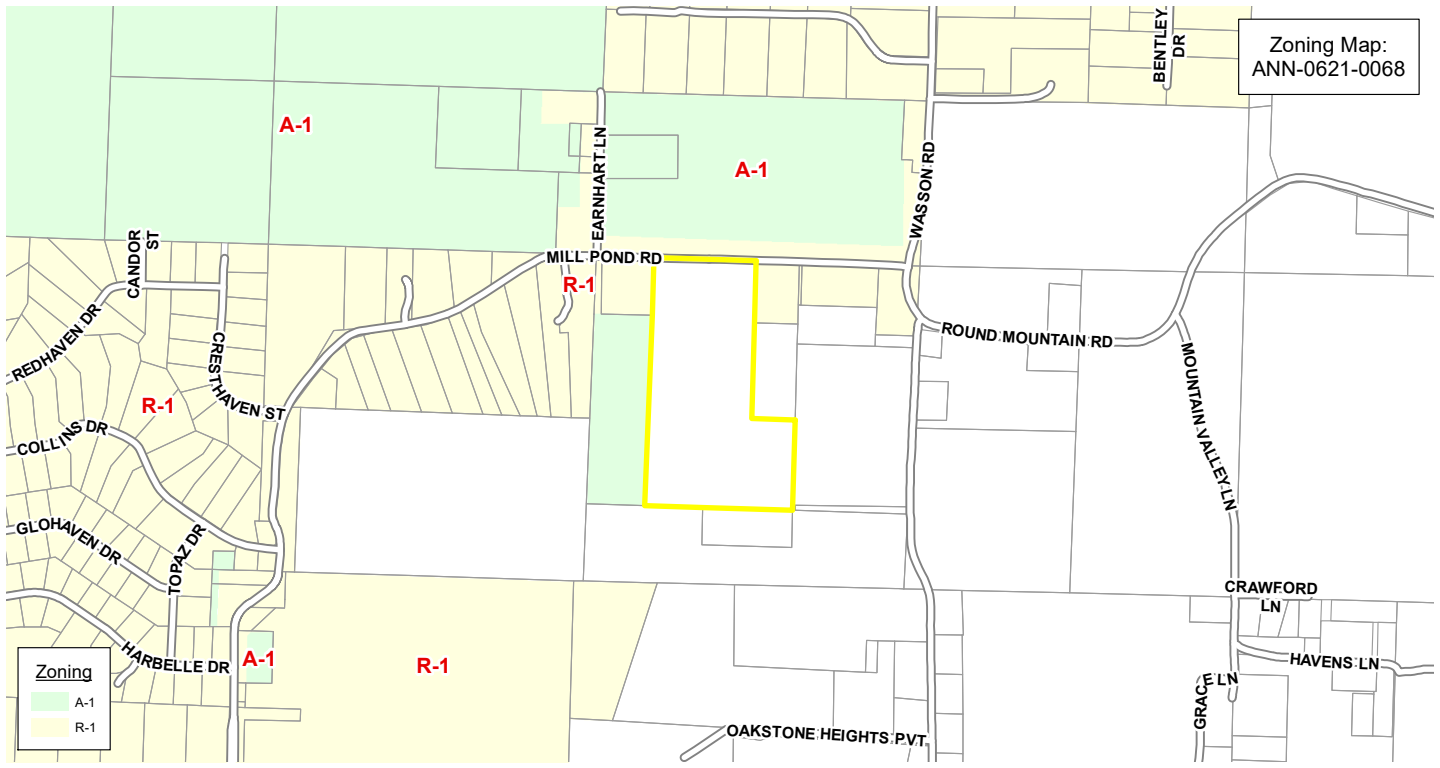
April 28th, 2021

We verify that the above referenced Petition complies with A.C.A. 14-40-609.


Margaret Darter, Clerk


Krissy Lewis, Assessor

A part of the SW 1/4 of Section 36, Township 5 North, Range 14 West, described as beginning at a point which is north 89 degrees 32 minutes 43 seconds east 466.67 feet of the northwest corner of said SW 1/4, and run thence south 0 degrees 25 minutes west 2004.44 feet; thence north 89 degrees 24 minutes 40 seconds east 1197.42 feet; thence north 0 degrees 03 minutes 31 seconds east 729.67 feet; thence north 89 degrees 32 minutes 43 seconds west 350 feet; thence north 0 degrees 03 minutes 31 seconds east 1244.5 feet; thence north 89 degrees 32 minutes 43 seconds west 834.83 feet; to the point of beginning, containing 44.38 acres, more or less.





City of Conway, Arkansas

Ordinance No. O-21-

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED AT 640 AND 680 HOGAN LANE FROM O-2 TO C-2:

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 **O-2** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

680 HOGAN LANE, CONWAY, AR 72034:

PART OF THE SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T5N-R14W, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT 365.67 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SW $\frac{1}{4}$ NE $\frac{1}{4}$; RUN THENCE SOUTH 139.67 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 44 SECONDS EAST 419.0 FEET; THENCE NORTH 139.67 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 44 SECONDS WEST; 419.0 FEET TO THE POINT OF BEGINNING.

640 HOGAN LANE, CONWAY, ARKANSAS 72034:

PART OF THE SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T5N, R14W, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT 505.34 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SW $\frac{1}{4}$ NE $\frac{1}{4}$; RUN THENCE SOUTH 139.66 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 44 SECONDS EAST 419.0 FEET; THENCE NORTH 139.66 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 44 SECONDS WEST 419.0 FEET TO THE POINT OF BEGINNING.

to those of **C-2**, 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 August 2021.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Brandon Ruhl, 2021 Planning Commission Chairman
Date: August 24, 2021

Re: Request to rezone from O-2 to C-2 ± 2.68 acres located at 640 and 680 Hogan Lane

Jim Burrows, has requested to rezone from O-2 to C-2 ± 2.68 acres located at 640 and 680 Hogan Lane, with the legal description:

680 HOGAN LANE, CONWAY, AR 72034:

PART OF THE SW ¼ NE ¼, SECTION 9, T5N-R14W, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT 365.67 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SW ¼ NE ¼; RUN THENCE SOUTH 139.67 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 44 SECONDS EAST 419.0 FEET; THENCE NORTH 139.67 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 44 SECONDS WEST; 419.0 FEET TO THE POINT OF BEGINNING.

640 HOGAN LANE, CONWAY, ARKANSAS 72034:

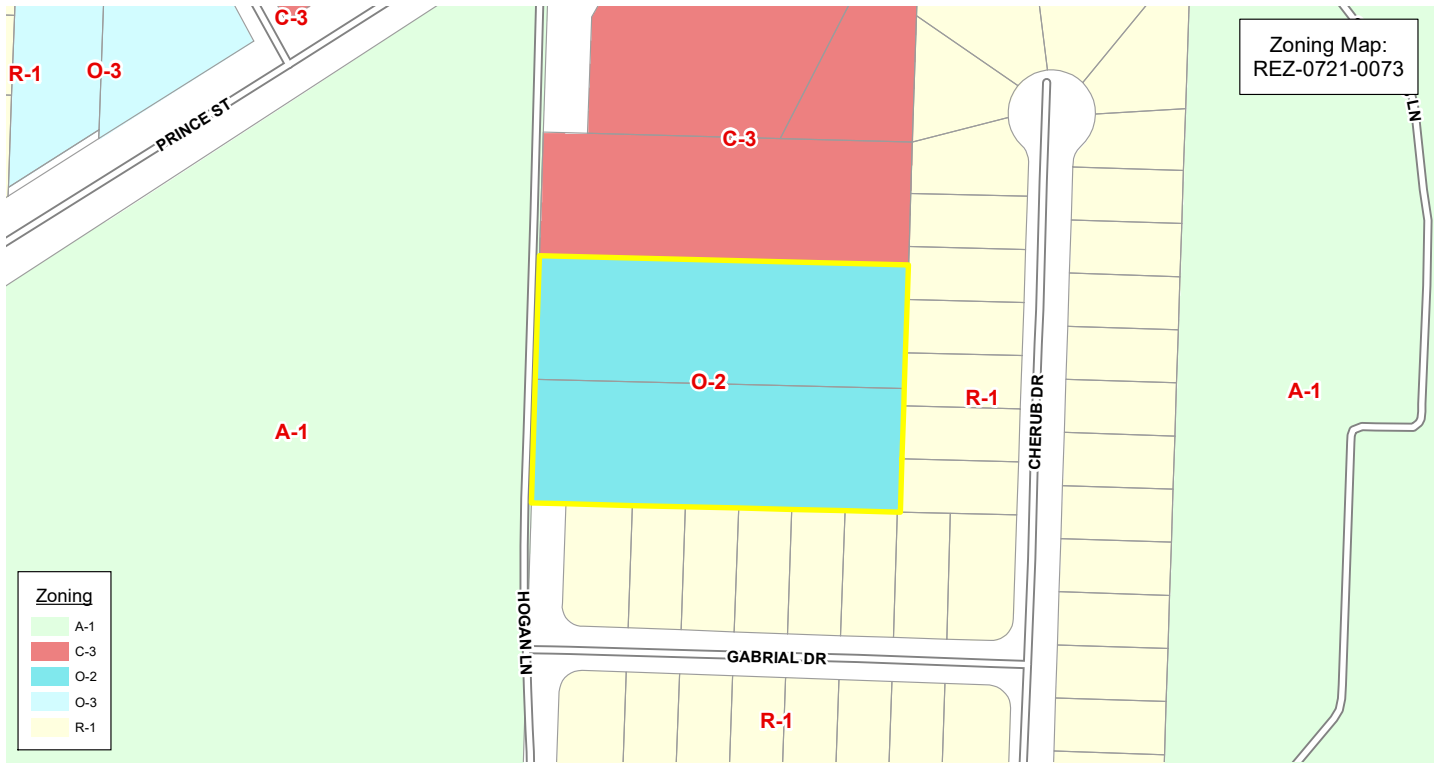
PART OF THE SW ¼ NE ¼, SECTION 9, T5N, R14W, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT 505.34 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SW ¼ NE ¼; RUN THENCE SOUTH 139.66 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 44 SECONDS EAST 419.0 FEET; THENCE NORTH 139.66 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 44 SECONDS WEST 419.0 FEET TO THE POINT OF BEGINNING.






The applicant is seeking to rezone the property from O-2 to C-2 for the future development of a mini-storage facility. A mini-storage facility would require the approval of conditional use permit in the C-2 zoning district. Given the sites proximity to an existing commercial pocket, the request appears to be appropriate, and the zoning change would not likely negatively impact adjacent property.

The Planning Commission reviewed the request at its regular meeting on August 16, 2021 and voted 6-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

Zoning Map:
REZ-0721-0073



Zoning	
	A-1
	C-3
	O-2
	O-3
	R-1

R-1 O-3

C-3

PRINCE ST

A-1

HOGAN LN

C-3

O-2

R-1

CHERUB DR

A-1

GABRIEL DR

R-1

N.L.



MEMO

To: Mayor Bart Castleberry
 cc: City Council Members

From: Brandon Ruhl, 2021 Planning Commission Chairman
 Date: August 24, 2021

Re: Conditional Use request to allow self-storage facility in C-2 zone located at 640 & 680 Hogan Lane
 Jim Burrows, has requested a conditional use permit to allow a self-storage facility in the C-2 zoning district located at 640 & 680 Hogan Lane, with the legal description:

680 HOGAN LANE, CONWAY, AR 72034:

PART OF THE SW ¼ NE ¼, SECTION 9, T5N-R14W, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT 365.67 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SW ¼ NE ¼; RUN THENCE SOUTH 139.67 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 44 SECONDS EAST 419.0 FEET; THENCE NORTH 139.67 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 44 SECONDS WEST; 419.0 FEET TO THE POINT OF BEGINNING.

640 HOGAN LANE, CONWAY, ARKANSAS 72034:

PART OF THE SW ¼ NE ¼, SECTION 9, T5N, R14W, FAULKNER COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT 505.34 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SW ¼ NE ¼; RUN THENCE SOUTH 139.66 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 44 SECONDS EAST 419.0 FEET; THENCE NORTH 139.66 FEET; THENCE SOUTH 89 DEGREES 20 MINUTES 44 SECONDS WEST 419.0 FEET TO THE POINT OF BEGINNING.

The applicant intends to develop the property with a self-storage facility. Given the sites proximity to an existing commercial pocket, the request appears to be appropriate. The property lies in an existing mixed-use area with commercial, residential, and institutional uses in the immediate vicinity.

Staff recommends approval of the conditional use permit with the following 12 conditions:

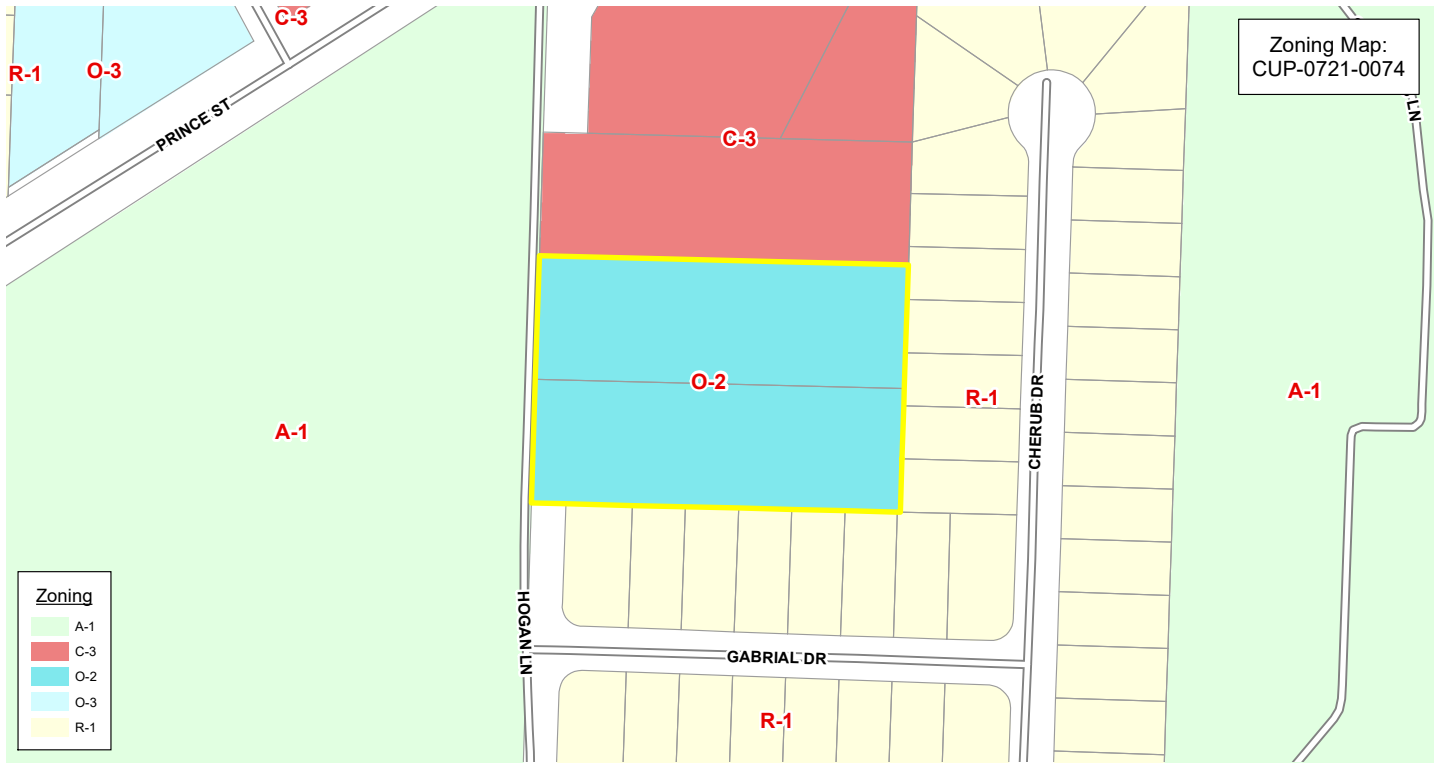
1. The use shall be subject to Development Review, in accordance with Article 1101 of the Zoning Code, prior to issuance of building permits.
2. Platting of the property, in accordance with the Subdivision Regulations, shall be required.
3. Any proposed fencing shall be masonry or ornamental metal. The Planning Director may approve alternative materials.
4. The development shall be built in a manner that's consistent with the conceptual site plan and operational plan included in this application. Significant deviation will require modification to the Conditional Use Permit.
5. Landscaping shall be provided in excess of that required by Article 1101 of the Zoning Code. At a minimum, this shall include one canopy tree planted every 15 feet along the Hogan Ln.
6. The storage of hazardous chemical, petroleum products, or explosives is prohibited.
7. The operation of spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, and other similar equipment is prohibited.






8. No storage unit may be used for the purposes of operating a business except for the purpose of providing storage for a business which is located off-site.
9. Any outside storage, including vehicles, recreational vehicles, trailers, etc. or vehicles/equipment for rental use shall be screened and shielded from view of adjacent property or public right-of-way.
10. All lighting shall not exceed twenty (20) feet in height and be full cut-off, shielded lighting as defined by the IESNA. Such lighting shall be directed to prevent the trespass of light onto the adjacent properties.
11. Any expansions or additions to the structure(s) as well as any changes to the use shall require an amended or new conditional use permit.
12. Conditional Use Permit expires 2 years from the date of issue if no building permit has been issued.

The Planning Commission reviewed the request at its regular meeting on August 16, 2021 and voted 6-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

Zoning Map:
CUP-0721-0074



Zoning	
	A-1
	C-3
	O-2
	O-3
	R-1



City of Conway, Arkansas
Ordinance No. O-21-

AN ORDINANCE AMENDING THE CONWAY ZONING CODE ESTABLISHING STANDARDS FOR SHORT TERM RENTALS FOR TRANSIENT OCCUPATION:

WHEREAS, it is desirable to establish standards for the regulation of short term rentals and include these regulations in the Conway Zoning Code; and

WHEREAS, The Conway Planning Commission has prepared amendments to the Conway Zoning Code, gave proper public notice in accordance with Arkansas Code Annotated § 14-56-422, held a duly authorized public hearing on August 16th, 2021, and adopted the prepared amendments.

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

Section 1. The Conway Zoning Code be amended as follows:

Section 301.2 DEFINITIONS OF TERMS AND USES.

Bed and Breakfast: A dwelling unit that contains no more than ten (10) guest rooms where lodging, with or without meals, is provided for compensation for a term of less than 30 days.

Short Term Rental: The rental of no more than one entire dwelling with no more than five (5) sleeping rooms to one (1) family or no more than eight (8) persons not related by blood, marriage, custodial relationship, or guardianship for less than thirty (30) days with or without the owner living on the premises.

Section 601.29 SHORT TERM RENTALS

Requirements applying to Short Term Rentals are as follows:

A. **General.** The purpose of these provisions are to provide guidelines that balance the right for city homeowners to utilize the benefits of Short Term Rental units while protecting the health, safety, and welfare of the entire community. Additionally, these provisions seek to protect the users of Short Term Rentals.

B. All Short Term Rentals shall obtain and maintain a Short Term Rental license to operate within city limits. To obtain a Short Term Rental license, application shall be made to the Conway City Clerk's office and the following information is required:

1. **Applicant Information:** The applicant shall be the property owner or provide written authorization to act on the behalf of the property owner. The applicant shall provide their name, address, applicable business entity information, and authorization of agency.
2. **Insurance:** The applicant shall provide an up-to-date certificate of insurance documenting that the dwelling is insured as a Short Term or vacation rental with a general commercial liability policy of at least one million dollars (\$1,000,000) of coverage.
3. **Inspection:** The potential short term rental shall be inspected by the Fire Marshal and Chief Building Official or his/her designee for compliance with the Arkansas Fire Prevention Code regarding all applicable provisions including those for transient accommodation.
4. **Local Property Representative:** The applicant shall designate a local property representative who shall be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of:
 - a. Responding within one (1) hour to complaints regarding the condition, operation, or conduct of occupants of the Short Term Rental;
 - b. Taking remedial action to resolve any such complaints.

The name, address, and telephone contact number of the property owner and the local property representative shall be kept on file with the Conway City Clerk's office and Conway Police Department. The failure to provide the contact information, failure to keep the contact information current, failure to respond in a timely manner to complaints, or the occurrence of repeated complaints may result in the suspension or revocation of the Short Term Rental license.

5. Fee: An annual fee set according to the fee schedule adopted by the Conway City Council. The fee shall be submitted at the time of application/renewal for the Short Term Rental license. If no fee schedule is adopted, the annual fee shall be one hundred dollars (\$100).
6. A&P Tax Permit: The applicant shall be required to provide proof of a current Conway A&P Tax Permit prior to issuance of a Short Term Rental license.

C. License Renewal: Licenses issued during any part of a calendar year must be renewed the succeeding year. Annual license renewal applications must be submitted to the City of Conway by January 31st. A ten percent (10%) late fee shall be assessed for renewal applications submitted after March 1st. A thirty percent (30%) late fee shall be assessed for renewal applications submitted after April 1st. A license shall be deemed revoked if an application for renewal has not been made before May 1st.

D. Update of Information: If any information changes related to the applicant materials provided, the applicant shall be required to immediately provide an update of such information to the Conway City Clerk's office.

E. Revocation: Any Short Term Rental license may be revoked upon written notice by Certificate of Mailing by the Conway City Clerk for any of the following:

1. A false material statement or misrepresentation has been made in, or in support of, the application;
2. A change occurs in any material fact upon which the Short Term Rental license was issued that has not been reported to the City Clerk as a change to the required applicant materials within thirty (30) days of the change;
3. The Short Term Rental has been the site of a violation of any provision of law, or otherwise fails to meet sanitation standards, Arkansas Fire Prevention Code requirements regarding all applicable provisions including those for transient accommodation, or other applicable standards established by local, state, or federal law.
4. The local property representative failed to timely respond to two (2) or more complaints within any twelve (12) month period.

F. Revocation Appeal: Any holder of a Short Term Rental license which is revoked by the City Clerk may appeal such decision to the Conway City Council within thirty (30) days of issuance by Certificate of Mailing of revocation by the Conway City Clerk. Appeal review by the Conway City Council shall be on the basis of determining factual compliance by the applicant with the provisions of this Code and in determining if the severity of noncompliance warrants revocation due to consistent lack of effort by the applicant to correct known issues.

G. Information Packet: A packet of information shall be provided to renters and posted noticeably in the common area of the Short Term Rental, summarizing guidelines and restrictions applicable to the Short Term Rental use, including:

1. Information on maximum occupancy;
2. Applicable noise and use restrictions;
3. Location of off-street parking;
4. Direction that trash shall not be stored within public view, except within proper containers for the purpose of collection, and provision of the trash collection schedule;
5. Contact information for the local property representative;

6. Evacuation routes;
7. The renter's responsibility not to trespass on private property or to create disturbances; and;
8. Notification that the renter is responsible for complying with these regulations and that the renter may be cited or fined by the city for violating any provisions of this or any other applicable code.

H. Use: Short Term Rentals may only occur in a legally permitted and zoned single-family dwelling. All other transient use and Short Term Rentals shall meet the applicable standards and requirements for a bed and breakfast, hotel, or motel.

I. Parking: One (1) off-street parking space per bedroom rented shall be provided. Where on-street parking is available, up to two (2) spaces may be used to meet this requirement. These parking requirement shall not apply in C-1 or the C-MU district.

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

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



1111 MAIN STREET • CONWAY, AR 72032
(501) 450-6105 • planningcommission@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: James Walden, AICP – Planning and Development Director
Date: August 24, 2021

Re: Consideration to amend the Conway Zoning Code concerning regulation of Short Term Rentals for Transient Occupation

The City has received concern from community residents regarding the regulation for short term rental properties, primarily concern that no regulations exist. Short term rentals are houses used for short term stays of less than 30 days, commonly rented out via platforms such as AirBNB or VRBO. Planning Staff was requested to draft an amendment to the Zoning Code addressing the issue. The intent of the draft regulations is to approach the issue in an unrestrictive manner, while policing bad actors. The draft regulations require licensure, ensure A&P taxes are paid, require annual inspections, and require a local property representative to respond to complaints or issues that may arise.

The Planning Commission reviewed the request at its regular meeting on August 16, 2021 and voted 6-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



City of Conway, Arkansas
Resolution No. R-21-

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN A INDEPENDENT CONTRACTOR AGREEMENT FOR THE WATERING OF THE HANGING FLOWERS OWNED BY THE CONWAY DEVELOPMENT CORPORATION LOCATED THROUGHOUT DOWNTOWN CONWAY.

WHEREAS, the Conway Development Corporation owns the hanging flowers that are located throughout downtown Conway. The City of Conway, specifically the Physical Plant, maintains these hanging flowers and waters them five (5) days a week.

WHEREAS, the City of Conway desires to enter into an Independent Contractor Agreement with William Canady, a former City of Conway Physical Plant employee who has retired from the City, for the purpose of watering the hanging flowers located throughout downtown Conway.

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

Section 1. The City Council for the City of Conway shall hereby authorize the Mayor to enter into an Independent Contractor Agreement with William Canady for the purpose of maintaining and watering the hanging flowers that are owned by the Conway Development Corporation and are located throughout downtown Conway

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

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

INDEPENDENT CONTRACTOR AGREEMENT

THIS AGREEMENT ("Agreement") for an independent contractor relationship, effective as of _____, is made and entered into by and between THE CITY OF CONWAY, ARKANSAS ("CITY") and WILLIAM CANADY ("WILLIAM").

WHEREAS, the CITY is a municipal corporation organized and existing under the laws of the state of Arkansas; and

WHEREAS, the CITY operates a department of Physical Plant which maintains all City property and buildings, including but not limited to all maintenance and upkeep; and

WHEREAS, the CITY desires to retain WILLIAM to perform the service of watering flowers; and

WHEREAS, the CITY and WILLIAM desire to enter into a written agreement specifying the rights and obligations of the respective parties.

NOW, THEREFORE, IN CONSIDERATION OF SUCH AGREEMENT FOR THE RETENTION OF THE SERVICES OF WILLIAM, AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, IT IS HEREBY AGREED AS FOLLOWS:

1. ENGAGEMENT. The Physical Plant Department maintains flowers and landscaping throughout the city. WILLIAM will provide watering services to the hanging flowers in the City. While the CITY designates that WILLIAM shall water the flowers five (5) days a week, WILLIAM shall have full control over the schedule of when the service is performed each day. He is free to water the flowers as he deems fit with minimal supervision. The CITY will supply all equipment and supplies necessary to perform the watering services.

2. TERM. The term of this Agreement shall commence on the date hereof and shall terminate on November 5, 2021. Either the CITY or WILLIAM may terminate this Agreement for any reason by giving the written notice specified in this Section. Notice of intent to

terminate the Agreement shall be given in writing at least ten (10) days prior to termination. In the event **WILLIAM** terminates the Agreement, the written notice shall be **MAILED** to **SPENCER CLAWSON, AT THE FOLLOWING ADDRESS:**

**822 Locust St.
Conway, Arkansas 72034**

IN THE EVENT THE CITY TERMINATES THE AGREEMENT, THE WRITTEN NOTICE SHALL BE MAILED TO WILLIAM CANADY AT THE FOLLOWING ADDRESS:

9 TIMBERLOVE TRL.
CONWAY, AR 72034

3. COMPENSATION. **WILLIAM** shall receive as compensation for the performance of services hereunder the sum of \$710.80 per week for a total maximum of forty (40) hours per week. Such compensation shall be payable on a monthly basis, without deduction, including no deduction for federal, social security or Arkansas state income taxes. In addition, the **CITY** shall carry no workers' compensation insurance, or health insurance to cover **WILLIAM** for any type of loss which might result to **WILLIAM** in connection with the performance of the services set forth in this Agreement.

4. INDEPENDENT CONTRACTOR. It is expressly agreed that **WILLIAM** is acting as an independent contractor in performing the services specified herein. The parties to this Agreement do not desire to create the relation of employer and employee, and it is expressly understood that, while the **CITY** will make certain requests with respect to various types of activities performed pursuant to the terms of this Agreement as noted in paragraph **1**, **WILLIAM** shall have full and exclusive control over how such activities are performed or carried out.

5. **SEVERABILITY.** It is the desire and intent of the **CITY and WILLIAM** that the provisions of this Agreement be enforced to the fullest extent permissible under the laws of the state of Arkansas, to the extent not inconsistent with applicable federal law or regulations. Accordingly, the terms of this Agreement are severable, and if any particular portion be adjudicated or determined to be invalid, unenforceable, or partially unenforceable, such determination of invalidity, unenforceability, or partial unenforceability shall only apply to that portion of this Agreement and the balance of the Agreement shall nevertheless be enforceable to the fullest extent permissible under the laws and regulations applicable hereto.

6. **MODIFICATION OF AGREEMENT.** No waiver or modification of this Agreement, or any covenant, condition or limitation herein contained shall be valid unless in writing, duly executed by the party to be charged therewith. No evidence of any waiver or modification shall be offered or received in evidence in any proceeding or litigation between the parties hereto or arising out of or affecting this Agreement, or the rights or the obligations of the parties hereunder, unless such waiver or modification is in writing, duly executed, as aforesaid.

7. **ENTIRE AGREEMENT.** This Agreement constitutes the final and entire agreement between the parties hereto and contains all of the terms and conditions agreed upon. No other terms regarding the subject matter of this Agreement shall be deemed to exist or to bind the parties hereto unless same be in writing dated subsequent to the date this Agreement is executed by all parties, and such subsequent writing is duly executed by all parties to this Agreement.

8. **MISCELLANEOUS.**

a. This Agreement shall be construed without regard to the identity of the parties who drafted the provisions contained herein. Moreover, each and every provision of this Agreement shall be construed as though each party hereto participated equally in the drafting

thereof. As a result of the foregoing, any rule of construction that the document is to be construed against the drafting party shall not be applicable;

b. All captions contained in this Agreement are inserted only as a manner of convenience and no way define, limit or extend the scope or intent of the Agreement; and

c. The Agreement shall be governed by the laws of the state of Arkansas.

IN WITNESS WHEREOF; this Independent Contractor Agreement is hereby duly executed by the parties as follows:

CITY OF CONWAY, ARKANSAS

By: _____
BART CASTLEBERRY, MAYOR

STATE OF ARKANSAS)
)SS
COUNTY OF FAULKNER)

SUBSCRIBED AND SWORN to before me, this _____ day of _____ 2021.

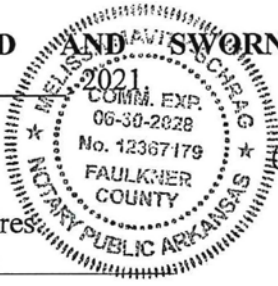
Notary Public

My Commission Expires:

William Canady Sr.

STATE OF ARKANSAS)
)SS
COUNTY OF FAULKNER)

SUBSCRIBED AND SWORN to before me, this 16th day of August



Melina Parry Schrag
Notary Public

My Commission Expires:
6/30/2028



City of Conway, Arkansas
Ordinance No. O-21-

AN ORDINANCE TO APPROPRIATE FUNDS AND APPROVE THE LOWEST BID FOR CONSTRUCTION OF STONE DAM CREEK TRAIL FROM MIMOSA TO DONAGHEY AVEUNE; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway solicited bids for the construction of Stone Dam Creek Trail from Mimosa to under Donaghey Avenue; and

WHEREAS, two qualified bids were received; JCI Construction - \$1,327,181.60 and Green Dream International LLC - \$1,978,241.80; and

WHEREAS, the City of Conway will receive \$453,000 in state grants for this project and will pay for the remaining balance of \$874,181 with Parks Impact Fee funds; and

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

Section 1. The City of Conway approve the lowest bid from JCI Construction in the amount of \$1,327,181.60

Section 2. The City of Conway shall appropriate \$874,181 from the Parks Impact Fee Fund Balance Appropriation account 652-140-4900 into the Parks Impact Fee CIP account 652-140-5990.

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

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Purchasing Department
1111 Main Street
Conway, AR 72032
501.358.6810

City of Conway
Purchasing Department
Bid Tabulations
www.conwayarkansas.gov

Number of Bids Received: 2
Bids Opened by: Jamie Brice and Steve Ibbotson

2021-18 Stone Dam Creek Trail
Bid Opening Date: August 12, 2021, 2:00 p.m. Local Time, Town Hall Square Conference Room

Bidder's Name	Total Bid Amount
JCI	\$1,327,181.60
Green Dream International LLC	\$1,978,241.80

Bid Winner: Pending
Bid Approval Date Council approval pending
Contact Person: Jamie.brice@conwayarkansas.gov



**City of Conway, Arkansas
Resolution No. R-21-**

A RESOLUTION TO APPROVE THE BID FOR CONSTRUCTION OF A PAVILION AT FIFTH AVENUE PARK; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway has budgeted to build and requested solicitations for the construction of a 20' x 30' rectangular gable shelter in Fifth Avenue Park; and

WHEREAS, two qualified bids were received; Play by Design - \$50,069.00 and Hahn Enterprises - \$61,887.04; and

WHEREAS, due to time constraints and the fact that Play by Design is not able to meet the timeline for the funding cycle for HUD, the City of Conway recommends that Council approve the bid from Hahn Enterprises in the amount of \$61,887.04; and

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

Section 1. The City of Conway approves the bid from Hahn Enterprises in the amount of \$61,887.04.

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

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

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



City of Conway, Arkansas
Purchasing Department
1111 Main Street
Conway, AR 72032
501.358.6810

City of Conway
Purchasing Department
Bid Tabulations
www.conwayarkansas.gov

Number of Bids Received: 2

Bids Opened by: Jamie Brice,
Shawanna Rodgers and Steve
Ibbotson

2021-16 5th Ave Pavilion

<u>Bidder's Name</u>		<u>Total Bid Amount</u>
Play By Design		\$50,069.00
Hahn Enterprises		\$61,887.04

Bid Winner: Pending

Bid Approval Date Council approval pending

Contact Person: Jamie.brice@conwayarkansas.gov



City of Conway, Arkansas
Resolution No. R-21-

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE CONTRACT TO ACQUIRE PROPERTY LOCATED AT 450 CORPORATE DRIVE, CONWAY AR 72032 FOR FUTURE AQUATIC PARKS AND RECREATION FACILITIES; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway has an opportunity to purchase a building adjacent to other City owned property. This building would create a cost savings for planned aquatic and parks and recreation facilities; and

WHEREAS, the City of Conway would like to enter into an agreement to have the option to purchase the building, if feasible after the next special election; and

WHEREAS, the City of Conway is actively seeking a rededication of the A&P bond.

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

Section 1. The City Council for the City of Conway does hereby authorize the Mayor to enter into negotiations and a possible real estate contract, to acquire in fee simple the property at 450 Corporate Drive, Conway AR 72032.

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

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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Google Earth



**City of Conway, Arkansas
Resolution No. R-21-**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO NEGOTIATION AND A REAL ESTATE CONTRACT TO ACQUIRE PROPERTY LOCATED AT 1203 N. MUSEUM ROAD, AS BEING NECESSARY FOR THE RELOCATION OF DISTRICT COURT; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway District Court has outgrown the existing facility located at 810 Parkway and has found a property that would be a more suitable site for the court building, located at 1203 N. Museum Road; and

WHEREAS, the subject property is located at 1203 N. Museum Road and includes a masonry construction commercial building on 2.053 Acres. The building consist of 9,101 SF and 145 paved parking spaces; and

WHEREAS, the property described above has appraised for \$1,485,000.

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

Section 1. The City Council for the City of Conway does hereby authorize the Mayor to enter into negotiations and a possible real estate contract, to acquire in fee simple the property at 1203 N. Museum Road, Conway AR 72032.

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

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

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

FINANCING SCENARIOS FOR RELOCATING DISTRICT COURT TO MUSEUM RD

**All amounts are estimates at this time.

-Current District Court building would be sold, with proceeds to be applied to the project.

Appraised values:	District Court	545,000
	City Attorney	<u>360,000</u>
		905,000

1) *Do not utilize remaining Cares Act funds, which results in a 5-year loan needed to complete the project.*

Purchase price for building on Museum	1,500,000
Remodel estimate	<u>1,000,000</u>
Total cost	2,500,000
Less: Sale of existing buildings	(905,000)
Net cost	1,595,000
Annual loan payment, 5 years, 2.5%	343,319

2) *Utilize remaining Cares Act funds and proceeds from sale of existing buildings to fully fund the project.*

Purchase price for building on Museum	1,500,000
Remodel estimate	<u>1,000,000</u>
Total cost	2,500,000
Less: Remaining Cares Act funds	(1,700,000)
Sale of existing buildings	(905,000)
Net cost	(105,000)



**City of Conway, Arkansas
Ordinance No. O-21-**

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

WHEREAS, the Conway Fire Department requests \$5,000 for the use of purchasing fire safety promotional products including coloring books, and;

WHEREAS, funds in the amount of \$5,000 were received from Centennial Bank to be used for such purpose; and

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

Section 1. The City of Conway shall appropriate \$5,000 from the General Fund Revenue Donation Account (001.131.4705) to the Fire Department Miscellaneous Supplies Operating Account (001.136.5699);

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

PASSED this the 24th day of August 2021

Approved:

Mayor Bart Castleberry

Attest:

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

MEMORANDUM

TO: City Council Members/Mayor Bart Castleberry
FROM: Chief William Tapley
DATE: August 24, 2021
SUBJECT: Request for disposal of seized assets

The Conway Police Department has requested the disposal of several seized items listed below. These items are no longer needed. I would like to request approval to remove these items from our inventory listing and to dispose of them. These items will be sold through auction, "as is", on www.publicsurplus.com

- Bose Sound Bar Serial Number- 070022Z61910323AE
- White Xbox with accessories Serial Number- 225702363348
- Square studded diamond earrings Serial Number- (Unavailable)

Thank you for your consideration.



**City of Conway, Arkansas
Ordinance No. O-21-**

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

WHEREAS, the City of Conway has received reimbursements funds from the following entities:

Various Companies	\$16,255.88	Extra Duty Services
Municipal Vehicle Program	\$6,630.24	Insurance Proceeds
DEA/Marshall	\$8,211.93	Taskforce Funds

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 appropriate funds from Various Companies in the amount of \$16,255.88 from 001.121.4185 to the CPD overtime expense account, 001.121.5114.

Section 2. The City of Conway shall appropriate funds from Municipal Vehicle Program in the amount of \$6,630.24 from 001.119.4360 to the CPD vehicle maintenance expense account 001.121.5450.

Section 3. The City of Conway shall appropriate funds from various companies in the amount of \$8,211.93 from 001.121.4185 to CPD overtime account 001.121.5114.

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

PASSED this 24th day of August 2021.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer