



City of Conway, Arkansas
CITY COUNCIL
Agenda • February 22, 2022

www.conwayarkansas.gov

Elected Officials

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

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Anne Tucker
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

5:30pm

No Committee Meeting

6:00pm:

City Council Meeting • City Council Chambers • 1111 Main Street

Call to Order:

Bart Castleberry, Mayor

Roll Call:

Michael O. Garrett, Clerk/Treasurer

Minutes Approval:

February 8th, 2022

Monthly Financial Report:

Month Ending January 31st, 2022

A. Public Hearing:

1. Public Hearing to discuss the ordinance to authorize the issuance and sale of electric revenue improvement bonds for Conway Corporation.

B. Economic Development Committee (Conway Area Chamber of Commerce, Conway Development Corporation, Conway Downtown Partnership, & Conway Corporation)

1. Ordinance to authorize the issuance and sale of electric revenue improvement bonds for Conway Corporation.
2. Ordinance amending Ordinance No. O-05-162 and extending the lease of the City's electric plant and facilities of the City's electric plant and facilities to Conway Corporation.
3. Ordinance amending Ordinance No. O-05-163 and extending the franchise of Conway Corporation to operate and maintain the electric plant and facilities for the City of Conway.

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

1. Resolution requesting Faulkner County to place a certified lien on property located at 2307 Independence Ave for incurred cost by the City of Conway.
2. Ordinance to approve the location of a private club permit for Bear Town Rockin Sushi to be located at 975 S. Amity Drive.
3. Ordinance accepting and appropriating donations funds for the Conway Tree Board.
4. Ordinance authorizing personnel changes with the Planning and Development Department.
5. Resolution authorizing the Mayor to enter into a real estate contract to acquire a portion of the property located at 2424 College Avenue
6. Resolution authorizing the Mayor to enter into a real estate contract to acquire a portion of the property located at 2500 College Avenue.

7. Resolution authorizing the Mayor to enter into a real estate contract to acquire a portion of the property located at 2504 College Avenue.
8. Resolution authorizing the Mayor to enter into a real estate contract to acquire a portion of the property located at 2512 College Avenue.
9. Resolution authorizing the Office of the City Attorney to seek condemnation to acquire a portion of property located at 2036 Prince Street.

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

1. Ordinance appropriating funds for park improvements for the Parks & Recreation Department.

Adjournment



City of Conway, Arkansas
Monthly Financial Reports
January 31, 2022

City of Conway
 Monthly Financial Report - General Fund
 For the month ended January 31, 2022



Revenues	Budget	Month		Year to Date	Encumbered	(Over)/Under	
		Activity				Budget	%
						Expend/Collect	
Ad Valorem Tax	4,000,000	232,503		232,503		3,767,497	6%
Payments in Lieu of Tax	15,000	-		-		15,000	0%
State Tax Turnback	950,000	125,855		125,855		824,145	13%
Insurance Tax Turnback - LOPFI	1,300,000	-		-		1,300,000	0%
Sales Tax	24,000,000	2,258,908		2,258,908		21,741,092	9%
Beverage Tax	400,000	-		-		400,000	0%
Franchise Fees	3,467,700	91,170		91,170		3,376,530	3%
Office Space Leases	67,400	-		-		67,400	0%
Permits	558,500	46,051		46,051		512,449	8%
Public Safety	2,208,000	76,492		76,492		2,131,508	3%
Parks	633,250	55,137		55,137		578,113	9%
State Grant Revenues	75,000	-		-		75,000	0%
Insurance Proceeds	-	15,740		15,740		(15,740)	-
Interest Income	123,000	18,950		18,950		104,050	15%
Proceeds from Sale of Assets	-	490		490		(490)	-
Miscellaneous Revenues	100,750	21,333		21,333		79,418	21%
Transfers from Other Funds	770,000	-		-		770,000	0%
Total Revenues	38,668,600	2,942,628		2,942,628		35,725,972	8%
Expenditures							
Admin (Mayor, HR)	1,180,881	125,172		125,172	77,392	978,317	11%
Finance	536,892	23,708		23,708	140	513,044	4%
City Clerk/Treasurer	163,561	11,167		11,167	-	152,394	7%
City Council	90,420	6,594		6,594	-	83,826	7%
Planning	755,410	48,209		48,209	326	706,875	6%
Physical Plant	703,594	45,967		45,967	357	657,270	7%
Information Technology	1,456,799	65,896		65,896	225,773	1,165,130	5%
Permits and Inspections	490,085	18,770		18,770	-	471,315	4%
Nondepartmental	1,184,103	95,663		95,663	4,874	1,083,566	8%
Police	13,827,734	954,103		954,103	20,334	12,853,298	7%
CEOC	1,512,097	102,013		102,013	11	1,410,073	7%
Animal Welfare	638,476	31,644		31,644	60,089	546,743	5%
Municipal District Court	951,867	103,833		103,833	185	847,849	11%
City Attorney	611,403	38,319		38,319	2,803	570,282	6%
Fire	13,888,136	764,248		764,248	35,564	13,088,325	6%
Parks	3,308,072	183,150		183,150	31,323	3,093,598	6%
Total Expenditures	41,299,530	2,618,456		2,618,456	459,170	38,221,904	6%
Net Revenue/(Expense)	(2,630,930)			324,172			

*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
2022

Fund Balance Appropriations



Ordinance Date Description

Amount

\$ -

City of Conway
 Balance Sheet - General Fund
 As of January 31, 2022



Cash - Operating	11,932,680
Cash - Reserve	1,503,144
Petty Cash	715
Taxes Receivable	4,046,802
Accounts Receivable	4,490,386
Due from Street	45,803
Due from Component Unit	219,902
Due from Municipal Court	58,583
Fuel Inventory	8,217
General Inventory	585
<i>Assets</i>	<u>22,306,818</u>
Accounts Payable	13,442
Insurance and Benefits Payable	(29,675)
Event Deposits	3,400
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Due to Other Funds	1,368
Deferred Revenue	4,122,932
Unearned Revenue - City Hall Lease	1,000,000
<i>Liabilities</i>	<u>5,121,662</u>
<i>Fund Balance</i>	<i>17,185,156</i>
<i>Total Liabilities & Fund Balance</i>	<u>22,306,818</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Street Fund
 For the month ended January 31, 2022



	<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>
Revenues						
Ad Valorem Tax	1,400,000	85,663	85,663		1,314,337	6%
Payments in Lieu of Tax	6,000	-	-		6,000	0%
State Tax Turnback	3,000,000	248,774	248,774		2,751,226	8%
State Tax Turnback - Other	1,640,000	150,496	150,496		1,489,504	9%
Severance Tax	-	31,110	31,110		(31,110)	-
State Tax Turnback - Wholesale	460,000	35,602	35,602		424,398	8%
Sales Tax	325,000	31,651	31,651		293,349	10%
Engineering Fees	15,000	900	900		14,100	6%
Interest Income	80,000	7,902	7,902		72,098	10%
Total Revenues	6,926,000	592,098	592,098	-	6,333,902	9%
Expenditures						
Personnel Costs	3,498,042	214,028	214,028	-	3,284,014	6%
Other Operating Costs	<u>3,179,042</u>	<u>229,275</u>	<u>229,275</u>	<u>106,661</u>	<u>2,843,106</u>	<u>7%</u>
Total Operating Costs	6,677,084	443,303	443,303	106,661	6,127,120	7%
Capital Outlay	<u>450,943</u>	<u>37,631</u>	<u>37,631</u>	<u>93,312</u>	<u>320,000</u>	<u>8%</u>
Total Expenditures	7,128,027	480,934	480,934	199,973	6,447,120	7%
Net Revenue/(Expense)	(202,027)		111,164			

*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
2022



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
			<u>\$ -</u>

City of Conway
Balance Sheet - Street Fund
As of January 31, 2022



Cash - Operating	7,261,808
Taxes Receivable	56,703
Accounts Receivable	2,004,762
<i>Assets</i>	<u>9,323,274</u>
Accounts Payable	11,641
Insurance and Benefits Payable	1,377
Due to General	45,803
Deferred Revenue	1,517,818
<i>Liabilities</i>	<u>1,576,639</u>
<i>Fund Balance</i>	7,746,635
<i>Total Liabilities & Fund Balance</i>	<u>9,323,274</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Sanitation
 For the month ended January 31, 2022



	<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	9,500,000	-	-		9,500,000	0%
Proceeds - Recycled Materials	500,000	76,958	76,958		423,042	15%
Landfill Fees - General	230,000	16,875	16,875		213,125	7%
Interest Income	-	3,558	3,558		(3,558)	#DIV/0!
Miscellaneous Revenues	200,000	20,079	20,079		179,921	-
Total Revenues	10,430,000	117,469	117,469	-	10,312,531	1%
Expenditures						
Personnel Costs	5,562,606	424,887	424,887	710	5,137,009	8%
Other Operating Costs	3,415,414	33,386	33,386	147,734	3,234,295	1%
Total Operating Costs	8,978,020	458,273	458,273	148,444	8,371,304	5%
Capital Outlay	2,160,003	-	-	606,003	1,554,000	0%
Total Expenditures	11,138,024	458,273	458,273	754,447	9,925,304	4%
Net Revenue/(Expense)	(708,024)		(340,804)			

*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
2022



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
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City of Conway
 Balance Sheet - Sanitation
 As of January 31, 2022



Cash - Operating	12,672,330
Petty Cash	200
Post Closure Cash Account	6,138,314
Accounts Receivable	14,011
Due from Component Unit	878,787
General Inventory	2,122
Land & Buildings	2,194,464
Infrastructure	828,939
Machinery, Equipment & Vehicles	3,440,747
Deferred Outflows of Resources	2,194,273
Deferred Outflows of Resources-OPEB	285,019
<i>Assets</i>	<u>28,649,205</u>
Accounts Payable	15,741
Insurance and Benefits Payable	18,514
Compensated Absences	248,057
Net Pension Obligation	13,981,351
Deferred Inflows of Resources	1,198,395
Deferred Inflows of Resources-OPEB	126,025
Net OPEB Liability	1,006,173
Landfill Close/Post Close	8,362,165
<i>Liabilities</i>	<u>24,956,421</u>
<i>Net Position</i>	<u>3,692,784</u>
<i>Total Liabilities and Net Position</i>	<u>28,649,205</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 January 31, 2022



Revenues	Budget	Month	Year to	Encumbered	(Over)/Under	%
		Activity	Date		Budget	Expend/Collect
Sales Tax	15,000	2,155	2,155		12,845	14%
Airport Fuel Sales	853,460	51,786	51,786		801,674	6%
T-Hangar Rent	178,839	49,027	49,027		129,812	27%
Community Hangar Rent	43,200	3,400	3,400		39,800	8%
Ground Leases	20,257	8,712	8,712		11,545	43%
Misc Revenue - Non air	9,000	3,500	3,500		5,500	39%
State Grant Revenues	-	125,000	125,000		-	-
Reimbursement from Conway Aircraft	-	82,933	82,933		(82,933)	-
Miscellaneous Revenues	16,800	1,768	1,768		15,032	11%
Total Revenues	1,136,556	328,281	328,281	-	808,275	29%
Expenditures						
Personnel Costs	326,214	15,402	15,402	-	310,812	5%
Fuel for Resale	600,000	66,114	66,114	-	533,886	11%
Other Operating Costs	149,342	-	-	781	148,561	0%
Total Operating Costs	1,075,556	81,516	81,516	781	993,260	8%
Capital Outlay	-	83,512	83,512	-	(83,512)	#DIV/0!
Total Expenditures	1,075,556	165,028	165,028	781	909,747	15%
Net Revenue/(Expense)	61,000		163,253			

*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
2022



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
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City of Conway
 Balance Sheet - Airport
 As of January 31, 2022



Cash - Operating	406,118
Taxes Receivable	2,389
Accounts Receivable - Fuel Vendor	(2,774)
Fuel Inventory	71,273
Land	1,254,473
Buildings	3,688,493
Machinery & Equipment	399,379
Vehicles	1,828
Infrastructure	23,912,309
Deferred Outflows of Resources-OPEB	11,666
<i>Assets</i>	<u>29,745,154</u>
Accounts Payable	1,398
Compensated Absences	5,127
Deferred Inflows of Resources	41,185
Deferred Inflows of Resources-OPEB	5,159
<i>Liabilities</i>	<u>52,869</u>
<i>Net Position</i>	29,692,285
<i>Total Liabilities & Net Position</i>	<u>29,745,154</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 January 31, 2022



Parks and Rec A&P Tax

Balance, 12/31/21	2,210,764
Receipts	361,901
Payments	(120,680)
Balance, 1/31/22	\$ 2,451,984

Pay as you go Sales Tax

Balance, 12/31/21	7,222,088
Receipts	584,982
Payments	(367,774)
Balance, 1/31/22	\$ 7,439,297

Street Impact Fees

Balance, 12/31/21	1,679,046
Receipts	32,602
Payments	(35,862)
Balance, 1/31/22	\$ 1,675,787

Parks Impact Fees

Balance, 12/31/21	1,008,703
Receipts	19,085
Payments	-
Balance, 1/31/22	\$ 1,027,788

Street Sales Tax

Balance, 12/31/21	12,693,934
Receipts	638,234
Payments	(33,713)
Balance, 1/31/22	\$ 13,298,455

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Mayor and City Council of the City of Conway, Arkansas (the “City”) at the place and time set forth below on the question of the issuance by the City of up to \$27,800,000 principal amount of its Electric Revenue Improvement Bonds, Tax-Exempt Series 2022A (the “Bonds”), under the authority of Amendment 65 to the Arkansas Constitution and Arkansas Code Annotated §§14-164-401 *et seq.* and §§14-203-101 *et seq.*

The proceeds of the Bonds will be used (i) to provide for a new Operations Center campus for Conway Corporation, including, but not limited to, the design, construction and equipping of an office building, warehouse and vehicle maintenance shop, the renovation of existing building(s), the addition of covered parking for Conway Corporation vehicles and equipment, and associated site work (collectively, the “Operations Center Project”), (ii) to fund a debt service reserve, and (iii) to pay costs of issuance of the Bonds. The Operations Center Project will be located on approximately 190 acres currently owned by Conway Corporation or the City near Stone Dam Creek on South German Lane within the City.

A public hearing will be held with respect to the issuance of the Bonds on Tuesday, February 22, 2022, at 6:00 p.m., in the City Council Chambers, 1111 Main Street, Conway, Arkansas. Any persons interested may express their views, both orally and in writing, on the proposed issuance of the Bonds and on the nature of the improvements to be financed thereby. At such hearing, all objections and suggestions will be heard and considered, and such action will be taken by the City Council as is deemed proper in response to said objections and suggestions.

This notice is published and the above described hearing is to be held in satisfaction of the requirements of Arkansas Code Annotated §19-9-607.

Bart Castleberry, Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF (1) NOT TO EXCEED \$27,800,000 OF ELECTRIC REVENUE IMPROVEMENT BONDS, TAX-EXEMPT SERIES 2022A, AND (2) NOT TO EXCEED \$14,700,000 OF ELECTRIC REVENUE REFUNDING BONDS, TAXABLE SERIES 2022B, BY THE CITY OF CONWAY, ARKANSAS FOR THE PURPOSE OF FINANCING AND REFINANCING THE COST OF CERTAIN CAPITAL IMPROVEMENTS BENEFITTING THE CITY’S ELECTRIC SYSTEM; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE PURSUANT TO WHICH THE SERIES 2022 BONDS WILL BE ISSUED AND SECURED; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT PURSUANT TO WHICH THE SERIES 2022 BONDS WILL BE OFFERED; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE SERIES 2022 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Conway, Arkansas (the “City”), a city of the first class, presently owns an electric generation and distribution system (the “Electric System”) serving the residents of the City, which Electric System is operated and maintained by Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the “Corporation”), pursuant to a lease from the City and an exclusive franchise to operate the Electric System granted to the Corporation by the City; and

WHEREAS, the City is authorized under the provisions of Amendment 65 to the Constitution of the State of Arkansas and Arkansas Code Annotated §§14-164-401 *et seq.* and §§14-203-101 *et seq.* (the “Authorizing Legislation”) to issue and sell its electric revenue bonds for the purpose of financing and refinancing the cost of improvements to the Electric System; and

WHEREAS, pursuant to Amendment 65 and the Authorizing Legislation, the City has previously issued its \$25,000,000 Electric Revenue Improvement Bonds, Series 2015 (the “Series 2015 Bonds”), of which \$14,150,000 in principal amount remains outstanding, for the purpose of financing various betterments and improvements to the Electric System; and

WHEREAS, in order to secure funds necessary (i) to finance certain additional betterments and improvements with respect to the Electric System, including a new Operations Center campus for the Corporation, including, but not limited to, the design, construction and equipping of an office building, warehouse and vehicle maintenance shop, the renovation of existing building(s), the addition of covered parking for Corporation vehicles and equipment, and associated site work (collectively, the “Operations Center Project”), (ii) to fund a debt service reserve, and (iii) to pay printing, legal, underwriting and other expenses incidental to the

issuance of electric revenue bonds for such purposes, the City has now determined to issue its Electric Revenue Improvement Bonds, Tax-Exempt Series 2022A, in an aggregate principal amount of not to exceed \$27,800,000 (the “Series 2022A Bonds”); and

WHEREAS, in order (i) to refund the Series 2015 Bonds and thereby restructure the debt service requirements of obligations secured by revenues of the Electric System, (ii) to fund a debt service reserve, and (iii) to pay printing, legal, underwriting and other expenses incidental to the issuance of electric revenue bonds for such purposes, the City has now determined to issue its Electric Revenue Refunding Bonds, Taxable Series 2022B, in an aggregate principal amount of not to exceed \$14,700,000 (the “Series 2022B Bonds,” and together with the Series 2002A Bonds, the “Series 2022 Bonds”); and

WHEREAS, the City has determined to issue and secure the Series 2022 Bonds pursuant to a Trust Indenture (the “Indenture”), by and among the City, the Corporation and The Bank of New York Mellon Trust Company, N.A., as trustee (the “Trustee”), a form of which has been presented to and is before this meeting; and

WHEREAS, the City proposes to enter into a Bond Purchase Agreement (the “Bond Purchase Agreement”) in substantially the form presented to and before this meeting, with Stephens Inc. and Crews & Associates, Inc., Little Rock, Arkansas (the “Underwriters”), providing for the sale of the Series 2022 Bonds; and

WHEREAS, an open public hearing on the questions of the issuance of the Series 2022 Bonds and the financing of the Operations Center Project has been held before the City Council and Mayor of the City on February 22, 2022, following publication of notice of such public hearing in the *Log Cabin Democrat* on February 11, 2022.

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

Section 1. The City Council hereby finds and declares that (i) the acquisition, construction, equipping and installation of the Operations Center Project and (ii) the refunding of the Series 2015 Bonds are each in the best interests of the City and the customers of the Electric System.

Section 2. (a) Under the authority of the Constitution and laws of the State of Arkansas, including particularly Amendment 65 to the Constitution of Arkansas and the Authorizing Legislation, there is hereby authorized the issuance of bonds of the City to be designated as “Electric Revenue Improvement Bonds, Tax-Exempt Series 2022A” (the “Series 2022A Bonds”). The Series 2022A Bonds shall be issued in the original aggregate principal amount of not to exceed Twenty-Seven Million Eight Hundred Thousand Dollars (\$27,800,000), and shall mature not later than December 1, 2046, in the principal amounts and bearing interest at the rates to be specified in the Bond Purchase Agreement. In no event shall the true interest cost relating to the Series 2022A Bonds exceed 4.00% per annum. The proceeds of the Series 2022A Bonds will be utilized to acquire, construct, equip and install the Operations Center Project, to fund a debt service reserve, and to pay printing, underwriting, legal and other expenses incidental to the issuance of the Series 2022A Bonds.

(b) Under the authority of the Constitution and laws of the State of Arkansas, including particularly Amendment 65 to the Constitution of Arkansas and the Authorizing Legislation, there is hereby authorized the issuance of bonds of the City to be designated as “Electric Revenue Refunding Bonds, Taxable Series 2022B” (the “Series 2022B Bonds”). The Series 2022B Bonds shall be issued in the original aggregate principal amount of not to exceed Fourteen Million Seven Hundred Thousand Dollars (\$14,700,000), and shall mature not later than December 1, 2032, in the principal amounts and bearing interest at the rates to be specified in the Bond Purchase Agreement. In no event shall the true interest cost relating to the Series 2022B Bonds exceed 4.00% per annum. The proceeds of the Series 2022B Bonds will be utilized to refund the Series 2015 Bonds, to fund a debt service reserve, and to pay printing, underwriting, legal and other expenses incidental to the issuance of the Series 2022B Bonds.

(c) The payment of the principal of and interest on the Series 2022A Bonds and the Series 2022B Bonds (collectively, the “Series 2022 Bonds”) will be secured by a pledge of the revenues of the Electric System as provided in a Trust Indenture to be dated as of the date of delivery of the Series 2022 Bonds (the “Indenture”), by and among the City, the Corporation and the Trustee. The Series 2022 Bonds shall be issued in the forms and denominations, shall be dated, shall be numbered, shall mature, shall be subject to redemption prior to maturity, and may contain such other terms, covenants and conditions, all as set forth in the Indenture.

(d) The Mayor is hereby authorized and directed to execute and deliver the Series 2022 Bonds in substantially the forms thereof contained in the Indenture submitted to this meeting, and the City Clerk is hereby authorized and directed to execute and deliver the Series 2022 Bonds and to affix the seal of the City thereto, and the Mayor and City Clerk are hereby authorized and directed to cause the Series 2022 Bonds to be accepted and authenticated by the Trustee. The Mayor is hereby authorized to confer with the Trustee, the Underwriters, and Kutak Rock LLP, Little Rock, Arkansas (“Bond Counsel”), in order to complete the Series 2022 Bonds in substantially the forms contained in the Indenture submitted to this meeting, with such changes as shall be approved by such persons executing the Series 2022 Bonds, their execution to constitute conclusive evidence of such approval.

Section 3. To prescribe the terms and conditions upon which the Series 2022 Bonds are to be executed, authenticated, issued, accepted, held and secured, the Mayor is hereby authorized and directed to execute and acknowledge the Indenture, by and among the City, the Corporation and the Trustee, and the City Clerk is hereby authorized and directed to execute and acknowledge the Indenture and to affix the seal of the City thereto, and the Mayor and the City Clerk are hereby authorized and directed to cause the Indenture to be accepted, executed and acknowledged by the Corporation and the Trustee. The Indenture is hereby approved in substantially the form submitted to this meeting, including, without limitation, the provisions thereof pertaining to the pledge of the Electric System revenues to the Series 2022 Bonds and the terms of the Series 2022 Bonds. The Mayor is hereby authorized to confer with the Corporation, the Trustee, the Underwriters and Bond Counsel in order to complete the Indenture in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the Indenture, their execution to constitute conclusive evidence of such approval.

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

Section 4. There is hereby authorized and approved a Preliminary Official Statement of the City, including the cover page and appendices attached thereto, relating to the Series 2022 Bonds. The Preliminary Official Statement is hereby “deemed final” within the meaning of U.S. Securities and Exchange Commission Rule 15c2-12. The distribution and use of the Preliminary Official Statement in connection with the offer and sale of the Series 2022 Bonds is hereby approved. The Preliminary Official Statement, as amended to conform to the terms of the Bond Purchase Agreement, including Exhibit A thereto, and with such other changes and amendments as are mutually agreed to by the City, the Corporation and the Underwriters, is herein referred to as the “Official Statement,” and the Mayor is hereby authorized to execute the Official Statement for and on behalf of the City. The Official Statement is hereby approved in substantially the form of the Preliminary Official Statement submitted to this meeting, and the Mayor is hereby authorized to confer with the Corporation, the Trustee, the Underwriters and Bond Counsel in order to complete the Official Statement in substantially the form of the Preliminary Official Statement submitted to this meeting with such changes as shall be approved by such persons, the Mayor’s execution to constitute conclusive evidence of such approval.

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

Section 5. In order to prescribe the terms and conditions upon which the Series 2022 Bonds are to be sold to the Underwriters, the Mayor is hereby authorized and directed to execute, at the request of the Corporation, a Bond Purchase Agreement on behalf of the City, to be dated as of the date of its execution (the “Bond Purchase Agreement”), by and between the City and the Underwriters, and the Bond Purchase Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Corporation, the Underwriters and Bond Counsel in order to complete the Bond Purchase Agreement in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the Bond Purchase Agreement, their execution to constitute conclusive evidence of such approval.

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

Section 6. In order to provide for the defeasance and redemption of the Series 2015 Bonds, the Mayor is hereby authorized and directed to execute an Escrow Deposit Agreement to be dated as of the date of its execution (the “Escrow Agreement”), by and between the City and The Bank of New York Mellon Trust Company, N.A., as escrow trustee (the “Escrow Trustee”), and the Mayor is hereby authorized and directed to cause the Escrow Agreement to be executed by the Escrow Trustee. The Escrow Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Corporation, the Underwriters and Bond Counsel in order to complete the Escrow Agreement in substantially the form submitted to this meeting with such changes as shall be approved by such persons

executing the Escrow Agreement, their execution to constitute conclusive evidence of such approval.

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

Section 7. In order to provide for continuing disclosure of certain financial and operating information with respect to the Electric System in compliance with the provisions of Rule 15c2-12 of the U.S. Securities and Exchange Commission, the Mayor is hereby authorized and directed to execute a Continuing Disclosure Agreement to be dated as of the date of its execution (the “Continuing Disclosure Agreement”), by and among the City, the Corporation and The Bank of New York Mellon Trust Company, N.A., as dissemination agent (the “Dissemination Agent”), and the Mayor is hereby authorized and directed to cause the Continuing Disclosure Agreement to be executed by the Corporation and the Dissemination Agent. The Continuing Disclosure Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Corporation, the Dissemination Agent, the Underwriters and Bond Counsel in order to complete the Continuing Disclosure Agreement in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the Continuing Disclosure Agreement, their execution to constitute conclusive evidence of such approval.

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

Section 8. The Mayor and City Clerk, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to effect the issuance, sale, execution and delivery of the Series 2022 Bonds and to effect the execution and delivery of the Indenture, the Continuing Disclosure Agreement, the Bond Purchase Agreement, the Official Statement, the Escrow Agreement and a Tax Compliance Agreement relating to the tax exemption of interest on the Series 2022A Bonds, and to perform all of the obligations of the City under and pursuant thereto. The Mayor and the City Clerk are further authorized and directed, for and on behalf of the City, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

Section 9. The rates for services of the Electric System previously enacted pursuant to Ordinance No. O-17-57 and Ordinance No. O-19-66 are hereby ratified and confirmed.

Section 10. That the City considers this Ordinance to be its declaration of official intent to issue the Series 2022A Bonds and to make reimbursement with a portion of the proceeds thereof for all original expenditures incurred in the acquisition, design, construction, equipping and furnishing of the Operations Center Project between the date that is sixty (60) days prior to the date of this Ordinance and the date a series of bonds is issued for such purposes, plus a *de minimis* amount and preliminary expenditures, as such terms are defined in Section 1.150-2(f) of the Federal Income Tax Regulations.

Section 11. Kutak Rock LLP, Little Rock, Arkansas, is hereby appointed to act as Bond Counsel on behalf of the City in connection with the issuance and sale of the Series 2022 Bonds.

Section 12. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared to be illegal or invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Ordinance.

Section 13. All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 14. It is hereby found and determined that there is an urgent need to finance and refinance certain improvements and betterments to the Electric System in order to alleviate hardships to the residents of the City, and in order to do so on the most favorable terms, it is necessary to enter into the Bond Purchase Agreement as soon as possible. Therefore, an emergency is hereby declared to exist and this Ordinance, being necessary for the immediate preservation of the public health, safety and welfare, shall be in force and take effect immediately upon and after its passage.

ADOPTED AND APPROVED THIS ____ DAY OF _____, 2022.

APPROVED:

ATTEST:

Mayor

City Clerk

(S E A L)



City of Conway, Arkansas
Ordinance No. O-22- _____

AN ORDINANCE AMENDING ORDINANCE NO. O-05-162 AND EXTENDING THE LEASE OF THE CITY'S ELECTRIC PLANT AND FACILITIES TO CONWAY CORPORATION; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Conway, Arkansas (the "City"), a city of the first class, presently owns an Electric Plant (as defined in Ordinance No. O-05-162) serving the residents of the City, which Electric Plant is presently leased to and operated and maintained by the Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the "Corporation"), pursuant to a lease (the "Lease") between the City and the Corporation embodied in and approved by Ordinance No. O-05-162 adopted on December 13, 2005; and

WHEREAS, the City desires to extend the term of the Lease of the Electric Plant to the Corporation;

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

Section 1. The term of the Lease of the Electric Plant to the Corporation set forth in Ordinance No. O-05-162 is hereby extended to December 31, 2050 and Section 1 of Ordinance No. O-05-162 is hereby deemed amended to such effect. All other provisions of Ordinance No. O-05-162 shall remain in full force and effect.

Section 2. The extension of the term of the Lease granted by this Ordinance shall be accepted in writing by the Corporation within thirty (30) days from the date of adoption of this Ordinance, whereupon the Lease term shall be deemed to be extended as provided in Section 1.

Section 3. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared to be illegal or invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Ordinance.

Section 4. All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. There is hereby found and declared to be an immediate need for further securing the provision of Electric Service (as defined in Ordinance No. O-05-163) to the City and the inhabitants thereof for the period stated in Section 1 hereof, and the extension of the Lease authorized hereby is immediately necessary for the accomplishment of this purpose. It is, therefore, declared that an emergency exists and this ordinance being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect immediately upon and after its passage.

ADOPTED AND APPROVED THIS 22nd DAY OF FEBRUARY, 2022.

Approved:

Attest:

Mayor Bart Castleberry

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-22- _____

AN ORDINANCE AMENDING ORDINANCE NO. O-05-163 AND EXTENDING THE FRANCHISE OF THE CONWAY CORPORATION TO OPERATE AND MAINTAIN THE ELECTRIC PLANT AND FACILITIES OF THE CITY OF CONWAY, ARKANSAS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Conway, Arkansas (the "City"), a city of the first class, presently owns an Electric Plant (as defined in Ordinance No. O-05-163) serving the residents of the City, which Electric Plant is presently operated and maintained by the Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the "Corporation"), pursuant to an exclusive franchise to operate and maintain the Electric Plant granted to the Corporation by the City pursuant to Ordinance No. O-05-163 adopted on December 13, 2005; and

WHEREAS, the City desires to extend the term of the franchise previously granted to the Corporation;

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

Section 1. The term of the franchise granted to the Corporation by Ordinance No. O-05-163 is hereby extended to December 31, 2050 and Section 2 of Ordinance No. O-05-163 is hereby deemed amended to such effect. All other provisions of Ordinance No. O-05-163 shall remain in full force and effect.

Section 2. The extension of franchise granted by this Ordinance shall be accepted in writing by the Corporation within thirty (30) days from the date of adoption of this Ordinance, whereupon the franchise shall be deemed to be extended as provided in Section 1.

Section 3. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared to be illegal or invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Ordinance.

Section 4. All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. There is hereby found and declared to be an immediate need for further securing the provision of Electric Service (as defined in Ordinance No. O-05-163) to the City and the inhabitants thereof for the period stated in Section 1 hereof, and the extension of the franchise authorized hereby is immediately necessary for the accomplishment of this purpose. It is, therefore, declared that an emergency exists and this ordinance being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect immediately upon and after its passage.

ADOPTED AND APPROVED THIS 22nd DAY OF FEBRUARY, 2022.

Attest:

Approved:

Michael O. Garrett
 City Clerk/Treasurer

Mayort Bart Castleberry



City of Conway, Arkansas

Resolution No. R-22-

A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY, AND FOR OTHER PURPOSES.

WHEREAS, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 2307 Independence Ave. within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

WHEREAS, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$131.29 (\$119.35 + Penalty \$11.94 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

WHEREAS, a hearing for the purpose of determine such lien has been set for **February 22, 2022** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

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

SECTION 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

ADOPTED this 22nd day of February, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

City of Conway
Code Enforcement

1111 Main St.
Conway, Arkansas 72032
www.conwayarkansas.gov



Missy Schrag

Conway Permits & Code Enforcement
Phone 501-450-6191
Fax 501-450-6144

PATRICIA D CHAMBERS
2307 INDEPENDENCE AVE
CONWAY AR 72034

Parcel # 710-00554-000

RE: Nuisance Abatement at 2307 INDEPENDENCE AVE. Conway AR
Cost of Clean-Up, Amount Due: \$119.35

To whom it may concern:

Because you failed or refused to remove, abate, or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **February 22, 2022 Meeting**, 6:30 p.m. located at 1111 Main Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1111 Main Street Conway Arkansas 72032** with the **attention** to **Missy Schrag**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

Missy Schrag
City of Conway
Code Enforcement

INVOICE

City of Conway Code Enforcement

DATE: FEBRUARY 18, 2022

822 Locust St.
Conway, AR 72034
Phone: 501-450-6191
Fax 501-450-6144
missy.schrag@conwayarkansas.gov

TO PATRICIA D CHAMBERS
2307 INDEPENDENCE AVE
CONWAY AR 72034

Description: Mowing/Clean-up/Admin Fees
associated with the nuisance abatement at
2307 INDEPENDENCE AVE, Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Kim Beard	710-00554-000		FEBRUARY 22, 2022

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.	36.36	36.36
	SANITATION TICKETS #789104	32.74	32.74
1	Administrative Fee (Code Enforcement)	20.49	20.49
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Cert5ified Letter	5.60	11.20
TOTAL			\$119.35
TOTAL WITH PENALTY & FILING FEES			\$131.29

- Total amount due after February 22, 2022 includes collection penalty & filing fees

Make all checks payable to City of Conway Code Enforcement @ 1111 Main Street Conway Arkansas 72032



CODE CASE DETAILED REPORT RESPROP-1221-0493 FOR CITY OF CONWAY

Case Type: Residential Property Maintenance **Project:** **Opened Date:** 12/21/2021
Status: Schedule City Clean up **District:** City of Conway **Closed Date:** 01/18/2022
Assigned To: Kim Beard **Description:** Rubbish & trash on front porch

Parcel: 710-00554-000 Main **Address:** 2307 Independence Ave Main
Conway, AR 72034

Owner
Patricia D Chambers
2307 Independence
Conway, AR 72034

Note	Created By	Date and Time Created
1. 1-10 NP schedule for city cleanup	Kim Beard	1/10/2022 2:05 pm

Violation Code: 3.5.1 Accumulation of Rubbish or Garbage **Violation Status:** Resolved **Citation Issue Date:** 12/21/2021
Code Description: Accumulation of trash/rubbish on property **Compliance Date:** 01/11/2022
Corrective Action: Rubbish & trash on front porch needs to be cleaned up **Resolved Date:** 02/15/2022

Inspection Number	Inspection Type	Inspection Status	Inspection Date
ICODE-4900-2021 Inspector: Kim Beard Checklist Comments:	Property Maintenance Follow-up Investigation	No Progress	01/04/2022 11:43 am
ICODE-5024-2022 Inspector: Kim Beard Checklist Comments:	Property Maintenance Follow-up Investigation	No Progress	01/11/2022 11:39 am
ICODE-5159-2022 Inspector: Kim Beard Checklist Comments:	Code Enforcement Final Investigation	City Cleanup Performed	01/12/2022 2:29 pm



City of Conway, Arkansas
Ordinance No. O-22-_____

AN ORDINANCE APPROVING THE PRIVATE CLUB PERMIT FOR BEAR TOWN ROCKIN SUSHI OF CONWAY, INC. AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMITS FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED

WHEREAS, Bear Town Rockin Sushi has applied for a private club permit as required under Chapter 4.12.04 of the Conway City Code per Ordinance No. O-17-100 and A.C.A §3-9-222; and

WHEREAS, the application is limited and specific to Bear Town Rockin Sushi located at 975 S. Amity Road, Conway, AR 72032; and

WHEREAS, the applicant has provided all the information required in permit application process and met all the standards set forth by the Conway City Council; and

WHEREAS, the City Council for the City of Conway hereby approves the application for permit for the proposed location to operate a private club within the City limits of Conway; and

WHEREAS, this approval does not authorize the operation of a private club within the City of Conway but does function as an authorization to apply for a private club permit through the Arkansas Alcoholic Beverage Control Division per A.C.A §3-9-222.

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

Section 1. That the application for private club permit is hereby approved for and Bear Town Rockin Sushi located at 975 S. Amity Road, Conway, AR 72032.

Section 2. That no private club operations will begin unless and until a permit to operate a private club is issued by the Arkansas Alcoholic Beverage Division.

Section 3. That the approval and permit are subject to suspension or revocation by the City in the event the applicant violates Conway City Code or State law.

Passed this 22nd day of February, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-22- ____**

AN ORDINANCE ACCEPTING AND APPROPRIATING DONATION FUNDS FOR THE CONWAY TREE BOARD;

Whereas, donations in the amount of \$5,000.00 have been received in support of the Conway Tree Board.

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

SECTION 1: The City of Conway, Arkansas, shall accept donation funds in the amount of \$5,000.00 and appropriate said funds from Donation Account (260-000-4705) to the Tree Board Expense Account (260-000-5430).

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

PASSED this 22nd day of February, 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



City of Conway, Arkansas
Ordinance No. O-22-

AN ORDINANCE AUTHORIZING CHANGES WITHIN THE PLANNING AND DEVELOPMENT DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the Planning and Development department has determined that there is a need to provide for additional review of building permits prior to issuance of building; and

Whereas, these tasks are frequently undertaken by a Plans Examiner; and

Whereas, the Planning and Development department requests the creation of a Plans Examiner title and salary.

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

Section 1: The following title and salary shall be created and authorized:

Plans Examiner \$53,052

Section 2: The City of Conway shall appropriate from the City General Fund an amount of \$74,817 to Planning and Development Salaries (001.105.5111) to fund the title, \$1,500 to Conferences/Education (001.105.5750) to fund licensing requirements, and \$1,500 to Travel Expenses (001.105.5720) to fund any necessary travel.

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

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

PASSED this 22nd day of February, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



CITY OF CONWAY
Planning and Development

1111 Main Street
Conway, AR 72032

T 501.450.6105
F 501.450.6144

www.conwayarkansas.gov

February 15th, 2022

Re: Plans Examiner Position

Mayor and Council Members,

Enclosed with this memo is an ordinance to create a new Plans Examiner position to handle plan review for all building permit applications. This is being sought to enhance current reviews of building permits in a manner consistent with best practices observed in many of Arkansas' largest cities. Plans Examiner positions exist in the cities of: Little Rock, North Little Rock, Rogers, Fayetteville, Springdale, and Fort Smith among others.

The placement of the position in the Planning and Development Department will help streamline the review process for permitting purposes. The position will coordinate with numerous departments in the city in review as well as with the Permits department on ensuring compliance of construction with approved plans.

Below is a draft of the anticipated job description.

Please contact me at (501) 450-6105 or james.walden@conwayarkansas.gov if you have any questions or concerns.

Respectfully,

James P. Walden, AICP
Director of Planning and Development

Plans Examiner

Exempt: Yes
Department: Planning and Development
Reports to: Planning and Development Director
Location: City Hall

General Description of Position: Under direction of the Planning and Development Director, the Plans Examiner is responsible for review of building permit applications and plans; coordinates permit reviews between various city departments; coordinates with architects, contractors, and permits staff on applications; and works with building inspectors to ensure construction conforms to approved plans.

1. Review all building permit applications for conformance with applicable codes and ordinances. Also, facilitate the review and approval process with other departments in an efficient and effective manner, maintaining communication with applicants and design professionals at all stages of the process.
2. Coordinate with permits technicians on obtaining revisions or corrections on building permit applications prior to issuance of building permits.
3. Correspond and meet as required with architects, engineers, contractors, and owners during planning, design and construction of commercial projects concerning minimum code, related city ordinances, and applicable state law requirements.
4. Work with Planning Department staff to streamline review of commercial and multi-family development applications from site plan to building permit review, including coordination on pre-application meetings with architects, engineers, and contractors to identify building code issues that may affect site plan design.
5. Assist the Planning and Development/Permits Director with interpretation of codes, ordinances, and applicable laws for building inspectors.
6. Coordinate inspection criteria with job-site construction supervisor and inspectors as required to determine compliance with codes and ordinances; ascertain that construction meets the approved specifications and plans; review and approve minor field changes to design that do not affect site design or building elevations; coordinate with the Permits Director on issuing stop work orders and identifying corrective actions where construction does not meet the approved specifications and drawings.
7. Prepare reports and document inspection activity including remedies and minor field changes to approved plans and specifications that do not affect site design or building elevations.
8. Actively participate in the continuing education requirements including all requirements to maintain State and National certifications.

Qualifications

1. High School diploma or GED and five years of related plans examination or inspection experience. Prefer Bachelor's degree (B.A. or B.S.) in Construction, Construction Management, Architecture, Engineering or closely related field from four year college or university and two years of related plans examination experience.

2. Valid Arkansas Driver's License.
3. Ability to obtain International Code Council (ICC) certification as a Commercial Inspector and Building Plans Examiner within three years of hire date. Obtain Arkansas State Plumbing, HVAC/R, and Electrical Inspector licenses within one year of hire date.
4. Effectively communicate with others orally and in writing.
5. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.
6. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.
7. Must be proficient in the use of a computer and software programs such as word processing and spreadsheet applications, and must be able to become proficient in the use of other software programs such as Energov and Bluebeam Revu. Must be able to effectively operate standard office equipment.
8. While performing the functions of this job, the employee is regularly required to talk and hear. The employee regularly is required to stand, walk, and sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl. The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus. The employee is regularly required to traverse uneven terrain such as construction sites.
9. While performing the functions of this job, the employee is frequently exposed to moving mechanical parts; high, precarious places, outside weather conditions; risk of electrical shock.



City of Conway, Arkansas
Resolution No. R-22-___

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE CONTRACT TO ACQUIRE PROPERTY LOCATED AT 2424 COLLEGE AVENUE, AS BEING NECESSARY FOR THE CITY OF CONWAY'S COLLEGE-FARRIS ROUNDABOUT PROJECT.

Whereas, it has been determined that acquisition of a portion of the property located at 2424 College Avenue, Conway, AR 72034, owned by KDAH LLC, is necessary in order for the Conway Department of Transportation to begin and complete the College-Farris Roundabout Project, and that it is in the best interest of the City to purchase that portion of the property needed to complete the project, said project being illustrated in the attached diagram.

Whereas, the property is further described as:

LEGAL DESCRIPTION:

A PART OF THE SW1/4 NE1/4, SECTION 11, T-5-N, R-14-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID SW1/4 NE1/4; THENCE ALONG THE WEST LINE OF SAID SW1/4 NE1/4 NO 1 055'47"E A DISTANCE OF 120.85'; THENCE LEAVING SAID WEST LINE S88°04'13"E A DISTANCE OF 35.00'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 110.49', WITH A RADIUS OF 70.00', WITH A CHORD BEARING OF S43°17'24"E, WITH A CHORD LENGTH OF 99.37'; THENCE S88°30'36"E A DISTANCE OF 5.00'; THENCE SOI 029'24"W A DISTANCE OF 50.04' TO THE SOUTH LINE OF SAID SW1/4 NE 1/4; THENCE ALONG SAID SOUTH LINE N88°30'36"W A DISTANCE OF 110.92' TO THE POINT OF BEGINNING, CONTAINING 9,084.89 SQUARE FEET (0.2086 ACRES), MORE OR LESS.

Whereas, the property owner has agreed to sell the property/right of way for the sum of \$25,658.00, which was the price of the appraisal.

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

Section 1: The City Council for the City of Conway shall hereby authorize the Mayor to enter into a real estate contract with KDAH LLC, for the portion of the property at 2424 College Avenue, Conway, AR 72034 being necessary for completion of the College-Farris Roundabout Project.

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

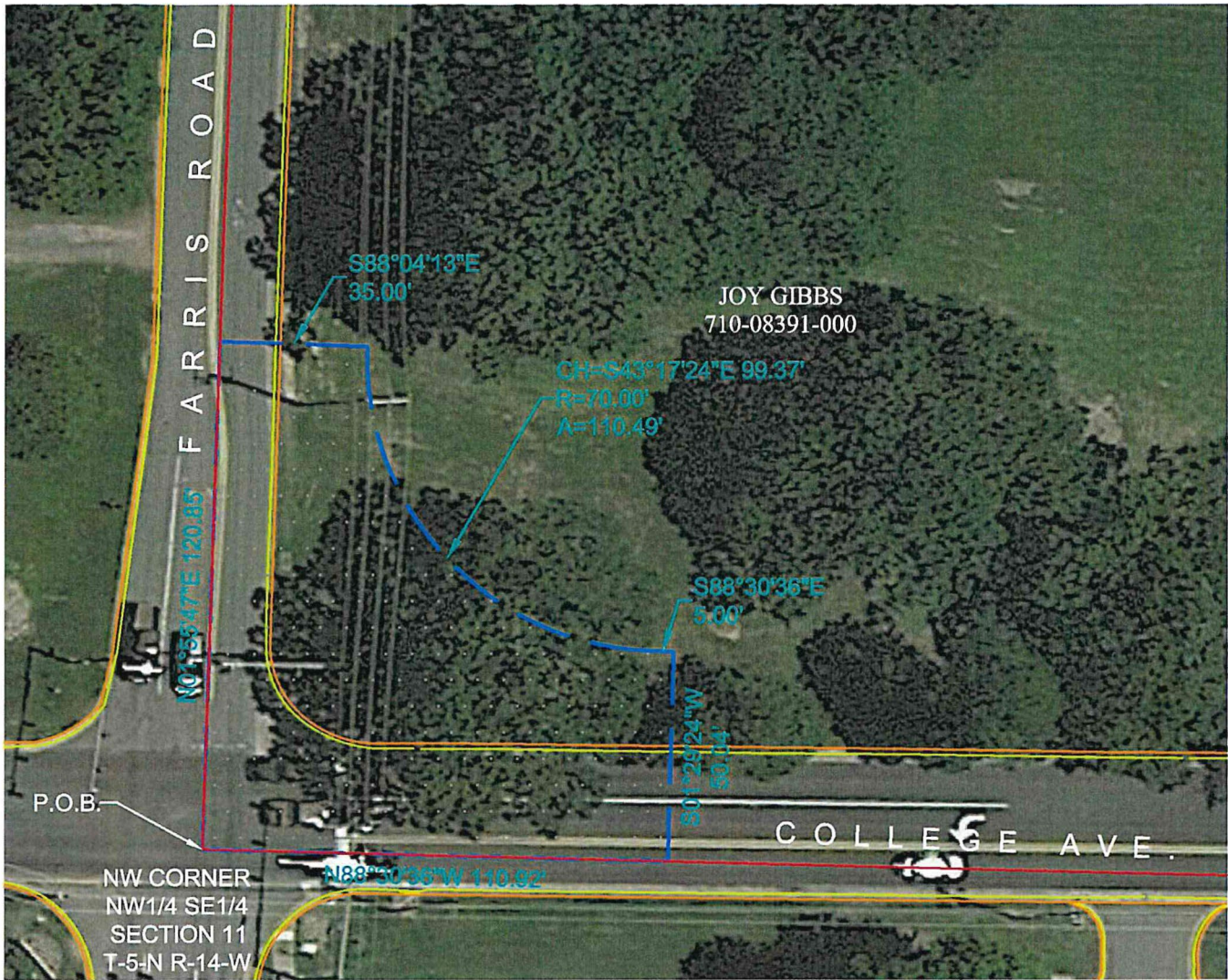
Pass this 22nd day of February, 2022.

Approved:

Attest:

Mayor Bart Castleberry

Michael O. Garrett
City Clerk/Treasurer



JOY GIBBS
710-08391-000

LEGAL DESCRIPTION:

A PART OF THE SW1/4 NE1/4, SECTION 11, T-5-N, R-14-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID SW1/4 NE1/4; nmNCE ALONG THE WEST LINE OF SAID SW1/4 NE1/4 N01°55'47"E A DISTANCE OF 120.85'; TIENCE LEAVING SAID WEST LINE S88°04'13"E A DISTANCE OF 35.00'; TIENCE WITH A CURVE TURNING TO nm LEFT WITH AN ARC LENGTH II OF 110.49', WITH A RADIDS OF 70.00', WITH A CHORD BEARING OF S43°17'24"E, WITH A CHORD LENGTH II OF 99.37'; TIENCE S88°30'36"E A DISTANCE OF 5.00'; TIENCE S01°29'24"W A DISTANCE OF 50.04' TO nm SOUTH LINE OF SAID SW1/4 NE1/4; TIENCE ALONG SAID SOUTH LINE N88°30'36"W A DISTANCE OF 110.92' TO nm POINT OF BEGINNING, CONTAINING 9,084.89 SQUARE FEET (0.2086 ACRES), MORE ORLESS.

BEARINGS ESTABLISHED BY
STATE PLANE COORDINATES
HARN 97(NAD 83)
ARKANSAS NORTH ZONE



CENTRAL A RKANSAS P ROFESS/ONAL S URVEYING OFFICE (501) 513-4800 MOBILE (501) 472-2862 FAA (501) 513-0900 P.O. BOX 298 ROBERT O. FRENC CONWAY, AR 72033 P.L.S. 1363	SURVEY FOR: CITY OF CONWAY
	OFFICE: JF
	DATE: 05/25/2021
STATE CODE: PLATTED SUBDIVISION	SCALE: 1"=50'



City of Conway, Arkansas
Resolution No. R-22-___

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE CONTRACT TO ACQUIRE PROPERTY LOCATED AT 2500 COLLEGE AVENUE, AS BEING NECESSARY FOR THE CITY OF CONWAY'S COLLEGE-FARRIS ROUNDABOUT PROJECT.

Whereas, it has been determined that acquisition of a portion of the property located at 2500 College Avenue, Conway, AR 72034, owned by Longing Family Trust, is necessary in order for the Conway Department of Transportation to begin and complete the College-Farris Roundabout Project, and that it is in the best interest of the City to purchase that portion of the property needed to complete the project, said project being illustrated in the attached diagram.

Whereas, the property is further described as:

LEGAL DESCRIPTION:

A PART OF LOT I , LACEY LYNN ADDITION, AS SHOWN IN PLAT BOOK E, PAGE 76, RECORDS OF FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A THE SW CORNER OF SAID LOT I , SAID POINT BEING ON THE NORTH RIGHT OF WAY OF COLLEGE AVENUE; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE WEST LINE OF SAID LOT I N02°29'39"E A DISTANCE OF 10.00'; THENCE LEAVING SAID WEST LINE S87°32'34"E A DISTANCE OF 25.06'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 125.66', WITH A RADIUS OF 80.00', WITH A CHORD BEARING OF N47°27'26"E , WITH A CHORD LENGTH OF 113.14'; THENCE N02°27'26"E

A DISTANCE OF 40.28' TO THE NORTH LINE OF SAID LOT I; THENCE ALONG SAID NORTH LINE S87°37'12"E A DISTANCE OF 5.00' TO THE NE CORNER OF SAID LOT I , SAID POINT BEING ON THE EAST RIGHT OF WAY OF FARRIS ROAD; THENCE ALONG THE EAST LINE OF SAID LOT I AND SAID WEST RIGHT OF WAY S02°27'26"W A DISTANCE OF 130.29' TO THE NORTH RIGHT OF WAY OF COLLEGE AVENUE; THENCE LEAVING SAID WEST RIGHT OF WAY AND ALONG SAID NORTH RIGHT OF WAY N87°32'34"W A DISTANCE OF 110.07' TO THE POINT OF BEGINNING, CONTAINING 3,076.50 SQUARE FEET (0.0706 ACRES), MORE OR LESS.

Whereas, the property owner has agreed to sell the property/right of way for the sum of \$36,918.00, which was the price of the appraisal.

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

Section 1: The City Council for the City of Conway shall hereby authorize the Mayor to enter into a real estate contract with Longing Family Trust, for the portion of the property at 2500 College Avenue, Conway, AR 72034 being necessary for completion of the College-Farris Roundabout Project.

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

PASSED this 22nd day of February, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



LEGAL DESCRIPTION :

A PART OF LOT 1, LACEY LYNN ADDITION, AS SHOWN IN PLAT BOOK E, PAGE 76, RECORDS OF FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A THE SW CORNER OF SAID LOT 1, SAID POINT BEING ON THE NORTH RIGHT OF WAY OF COLLEGE AVENUE; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE WEST LINE OF SAID LOT 1 N02°29'39\"E A DISTANCE OF 10.00'; THENCE LEAVING SAID WEST LINE S87°32'34\"E A DISTANCE OF 25.06'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 125.66, WITH A RADIDS OF 80.00', WITH A CHORD BEARING OF N47°27'26\"E, WITH A CHORD LENGTH OF 113.14'; THENCE N02°27'26\"E A DISTANCE OF 40.28' TO THE NORTH LINE OF SAID LOT 1; THENCE ALONG SAID NORTH LINE S87°37'12\"E A DISTANCE OF 5.00' TO THE NE CORNER OF SAID LOT 1, SAID POINT BEING ON THE EAST RIGHT OF WAY OF FARRIS ROAD; THENCE ALONG THE EAST LINE OF SAID LOT 1 AND SAID WEST RIGHT OF WAY S02°27'26\"W A DISTANCE OF 130.29' TO THE NORTH RIGHT OF WAY OF COLLEGE AVENUE; THENCE LEAVING SAID WEST RIGHT OF WAY AND ALONG SAID NORTH RIGHT OF WAY N87°32'34\"W A DISTANCE OF 110.07' TO THE POINT OF BEGINNING, CONTAINING 3,076.50 SQUARE FEET (0.0706 ACRES), MORE OR LESS.

BEARINGS AND DISTANCES
 BY
 STATE PLANE COORDINATES
 ARKANSAS NORTH ZONE



SL\m OF

Handwritten notes and signatures:
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CENTRAL ARKANSAS PROFESSIONAL SURVEYING OFFICE (501) 513-4800 MOBILE (501) 472-2862 FAA (501) 513-0900 P.O. BOX 298 ROBERT D. FRENC CONWAY, AR 72033 P.L.S. 1363	SURVEY FOR: CITY OF CONWAY
	OFFICE: JF
	DATE: 05/25/2021
STATE CODE: PLAITED SUBDIVISION	SCALE: 1"=50'



City of Conway, Arkansas
Resolution No. R-22-___

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE CONTRACT TO ACQUIRE PROPERTY LOCATED AT 2504 COLLEGE AVENUE, AS BEING NECESSARY FOR THE CITY OF CONWAY'S COLLEGE-FARRIS ROUNDABOUT PROJECT.

Whereas, it has been determined that acquisition of a portion of the property located at 2504 College Avenue, Conway, AR 72034, owned by SCHMS, LLC is necessary in order for the Conway Department of Transportation to begin and complete the College-Farris Roundabout Project, and that it is in the best interest of the City to purchase that portion of the property needed to complete the project, said project being illustrated in the attached diagram.

Whereas, the property is further described as:

LEGAL DESCRIPTION:

A PART OF BLOCK 3, LANEY'S SUBDIVISION AS SHOWN IN PLAT BOOK A, PAGE 83, RECORDS OF FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID BLOCK 3, SAID POINT BEING ON THE WEST RIGHT OF WAY OF FARRIS ROAD; THENCE ALONG THE WEST LINE OF SAID BLOCK 3 AND SAID WEST RIGHT OF WAY S01°22'49"W A DISTANCE OF 74.30'; THENCE LEAVING SAID EAST LINE AND WEST RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 117.10', WITH A RADIUS OF 75.00', WITH A CHORD BEARING OF N43°20'59"W , WITH A CHORD LENGTH OF 105.57' TO A POINT BEING ON THE NORTH LINE OF SAID BLOCK 3, SAID POINT BEING ON THE SOUTH RIGHT OF WAY OF COLLEGE AVENUE ; THENCE ALONG SAID NORTH LINE AND SAID SOUTH RIGHT OF WAY S88°04'47"E A DISTANCE OF 74.30' TO THE POINT OF BEGINNING , CONTAINING 1,180.88 SQUARE FEET (0.0271 ACRES), MORE OR LESS.

Whereas, the property owner has agreed to sell the property/right of way for the sum of \$20,801.00 which was the price of the appraisal.

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

Section 1: The City Council for the City of Conway shall hereby authorize the Mayor to enter into a real estate contract with SCHMS, LLC, for the portion of the property at 2504 College Avenue, Conway, AR 72034 being necessary for completion of the College-Farris Roundabout Project.

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

PASSED this 22nd day of February, 2022.

Attest:

Approved:

Mayor Bart Castleberry

Michael O. Garrett
City Clerk/Treasurer



LEGAL DESCRIPTION :

A PART OF BLOCK 3, LANEY'S SUBDMISION AS SHOWN IN PLAT BOOK A, PAGE 83, RECORDS OF FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS :

BEGINNING AT THE NE CORNER OF SAID BLOCK 3, SAID POINT BEING ON THE WEST RIGHT OF WAY OF FARRIS ROAD; THENCE ALONG THE WEST LINE OF SAID BLOCK 3 AND SAID WEST RIGHT OF WAY $S01^{\circ}22'49''W$ A DISTANCE OF 74.30'; THENCE LEAVING SAID EAST LINE AND WEST RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARCLength OF 117.10', WITH A RADIDS OF 75.00', WITH A CHORD BEARING OF $N43^{\circ}20'59''W$, WITH A CHORD LENGTH OF 105.57' TO A POINT BEING ON THE NORTH LINE OF SAID BLOCK 3, SAID POINT BEING ON THE SOUTH RIGHT OF WAY OF COLLEGE AVENUE; THENCE ALONG SAID NORTH LINE AND SAID SOUTH RIGHT OF WAY $S88^{\circ}04'47''E$ A DISTANCE OF 74.30' TO THE POINT OF BEGINNING, CONTAINING 1,180.88 SQUARE FEET (0.0271 ACRES), MORE OR LESS.



BEARINGS ESTABLISHED BY
STATE PLANE COORDINATES
HARN 97 (NAD 83)
ARKANSAS NORTH ZONE



CENTRAL A RKANSAS P ROFESS/ONAL S URVEYING OFFICE (501) 513-4800 MOBILE (501) 472-2862 FAX (501) 513-0900 P.O. BOX 298 ROBERT D. FRENC CONWAY, AR 72033 P.L.S. 1363	SURVEY FOR: CITY OF CONWAY
	OFFICE: JF
	DATE: 05/25/2021
STATE CODE: PLATTED SUBDIVISION	SCALE: 1"=50'



**City of Conway, Arkansas
Resolution No. R-22-__**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE CONTRACT TO ACQUIRE PROPERTY LOCATED AT 2512 COLLEGE AVENUE, AS BEING NECESSARY FOR THE CITY OF CONWAY'S COLLEGE-FARRIS ROUNDABOUT PROJECT.

Whereas, it has been determined that acquisition of a portion of the property located at 2512 College Avenue, Conway, AR 72034, owned by Longing Family Trust, is necessary in order for the Conway Department of Transportation to begin and complete the College-Farris Roundabout Project, and that it is in the best interest of the City to purchase that portion of the property needed to complete the project, said project being illustrated in the attached diagram.

Whereas, the property is further described as:

LEGAL DESCRIPTION:

A PART OF LOT 2, LACEY LYNN ADDITION, AS SHOWN IN PLAT BOOK E, PAGE 76, RECORDS OF FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" REBAR FOR THE SW CORNER OF SAID LOT 2, SAID POINT BEING ON THE NORTH RIGHT OF WAY OF COLLEGE AVENUE; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE WEST LINE OF SAID LOT 2 N02°27'26"E A DISTANCE OF 10.00'; THENCE S87°32'34"E A DISTANCE OF 79.94' TO THE EAST LINE OF SAID LOT 2; THENCE ALONG SAID EAST LINE S02°29'39"W A DISTANCE OF 10.00' TO THE SE CORNER OF SAID LOT 2, SAID POINT BEING ON THE NORTH RIGHT OF WAY OF COLLEGE AVENUE ; THENCE ALONG THE SOUTH LINE OF SAID LOT 2 AND SAID NORTH RIGHT OF WAY N87°32'34"W A DISTANCE OF 79.93' TO THE POINT OF BEGINNING, CONTAINING 799.35 SQUARE FEET (0.0184 ACRES), MORE OR LESS.

Whereas, the property owner has agreed to sell the property/right of way for the sum of \$6,395.00, which was the price of the appraisal.

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

Section 1: The City Council for the City of Conway shall hereby authorize the Mayor to enter into a real estate contract with Longing Family Trust, for the portion of the property at 2512 College Avenue, Conway, AR 72034 being necessary for completion of the College-Farris Roundabout Project.

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

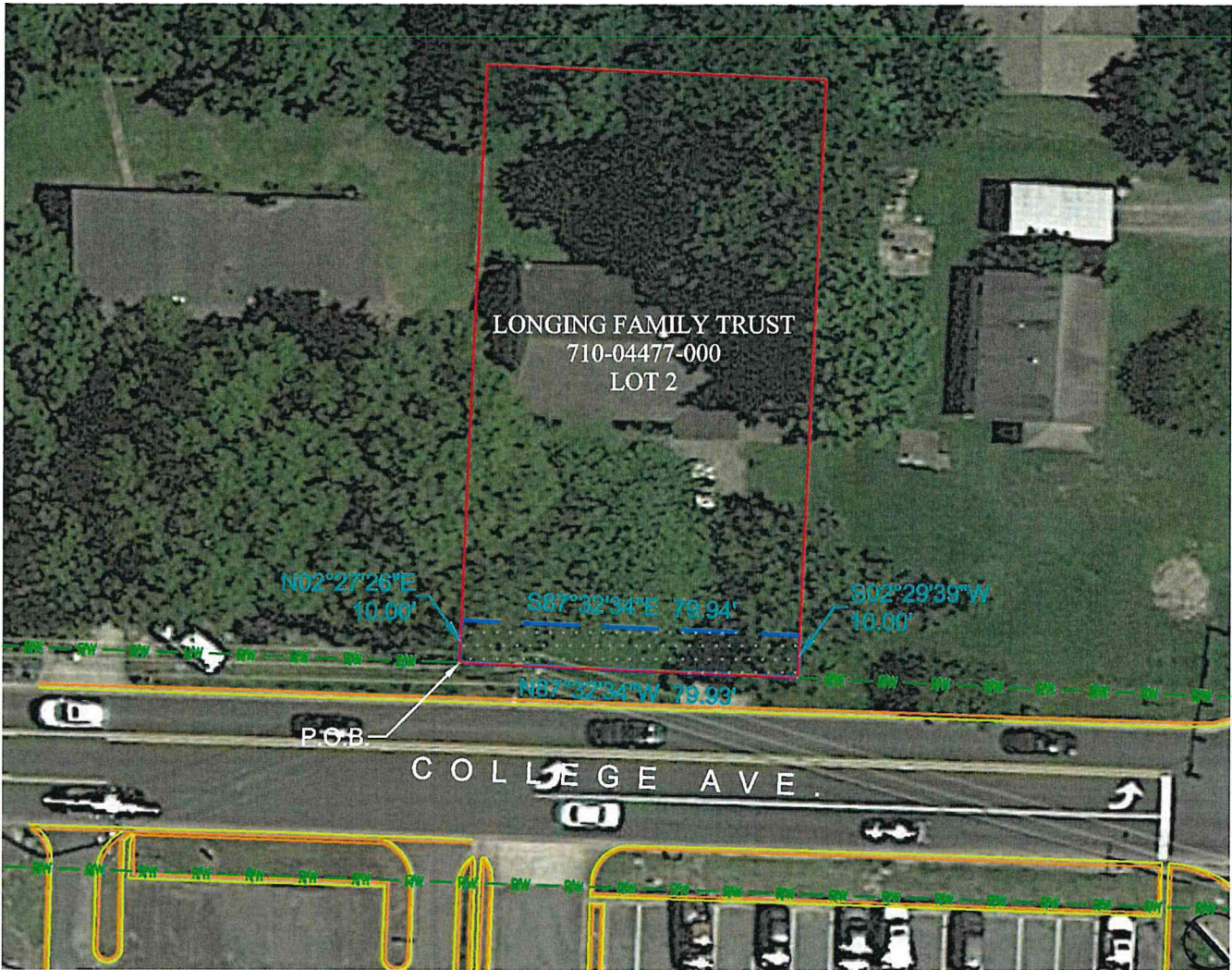
Passed this 22nd day of February, 2022.

Approved:

Attest:

Mayor Bart Castleberry

Michael O. Garrett
City Clerk/Treasurer



LEGAL DESCRIPTION:

A PART OF LOT 2, LACEY LYNN ADDITION, AS SHOWN IN PLAT BOOK E, PAGE 76, RECORDS OF FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 112" REBAR FOR THE SW CORNER OF SAID LOT 2, SAID POINT BEING ON THE NORTH RIGHT OF WAY OF COLLEGE AVENUE; THENCE LEAVING SAID RIGHT OF WAY AND ALONG THE WEST LINE OF SAID LOT 2 N02°27'26"E A DISTANCE OF 10.00'; THENCE S87°32'34"E A DISTANCE OF 79.94' TO THE EAST LINE OF SAID LOT 2; THENCE ALONG SAID EAST LINE S02°29'39"W A DISTANCE OF 10.00' TO THE SE CORNER OF SAID LOT 2, SAID POINT BEING ON THE NORTH RIGHT OF WAY OF COLLEGE AVENUE; THENCE ALONG THE SOUTH LINE OF SAID LOT 2 AND SAID NORTH RIGHT OF WAY N87°32'34"W A DISTANCE OF 79.93' TO THE POINT OF BEGINNING, CONTAINING 799.35 SQUARE FEET (0.0184 ACRES), MORE OR LESS.

BEARINGS ESTABLISHED BY
STATE PLANE COORDINATES
HARN 97(NAD 83)
ARKANSAS NORTH ZONE



CENTRAL ARKANSAS PROFESSIONAL SURVEYING OFFICE (501) 513-4800 MOBILE (501) 472-2882 FAX (501) 513-0900 P.O. BOX 298 CONWAY, AR 72033 P.L.S. 1363 ROBERT D. FRENCH	SURVEY FOR: CITY OF CONWAY
	OFFICE: JF
	DATE: 05/25/2021
STATE CODE: PLATIED SUBDIVISION	SCALE: 1"=50'



**City of Conway, Arkansas
Resolution No. R-22-___**

A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO ACT PURSUANT TO ARKANSAS CODE ANNOTATED §18-15-201 ET SEQ., AND OTHER STATE STATUTORY AUTHORITY TO SEEK CONDEMNATION BY EMINENT DOMAIN PROCEEDINGS OF CERTAIN PROPERTIES DESCRIBED HEREIN FOR THE PUBLIC PURPOSE OF CONSTRUCTING AND MAINTAINING STREET, ROAD, SIDEWALK AND BOULEVARD RIGHT OF WAY AND ALL NECESSARY AND PROPER EASEMENTS RELATED THERETO FOR THE CITY OF CONWAY'S DONAGHEY PHASE II IMPROVEMENT PROJECT.

WHEREAS, the City of Conway, Arkansas, is a city of the First Class duly organized and existing as a municipal corporation under the laws of the State of Arkansas. The City of Conway ("the City") has its principal place of business within the borders of Faulkner County, Arkansas, Under Arkansas law, the City is empowered under Arkansas Code Annotated § 18-15-201, et seq., and other statutory authority to condemn real property by eminent domain for the purposes of streets, parks, boulevards, and public buildings (among other lawful purposes); and

WHEREAS, as part of the planning, construction and maintenance of Donaghey Phase II ("the Project"), the City is in the process of planning and developing sufficiently wide and safe roads, streets, boulevards, sidewalks, and necessary and proper rights of way within the statutory areas relative to the corporate limits of Conway as set out in A.C.A. § 18-15-201(a)(2), the City Council for the City of Conway has found and determined that it is necessary for public purposes to acquire the real properties described herein upon which to construct and maintain said roadway, street and sidewalks. It is now necessary for public purposes to acquire the real properties described herein upon which to construct and maintain said roadway and sidewalks. Because the City has established a legitimate public purpose for said properties, it is empowered under ACA §18-15-201 to seek condemnation through eminent domain of the properties as described herein and to properly compensate the owners of said lands pursuant to state law.

WHEREAS, to secure timely access to said real properties, however, it is necessary that eminent domain authority be declared, established, and exercised for the purpose of the construction, maintenance, and public use of the improved roadway, streets, boulevards, utilities, rights of way, sidewalks and appropriate appurtenances developed thereto. As well and on behalf of the public, the City must continue ownership and control of the real property described herein, as necessary for the public purposes of continued maintenance, traffic control, safety, drainage, pedestrian passage and necessary and proper services throughout the affected areas and properties described herein.

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

SECTION 1: The City Council for the City of Conway hereby finds and determines that it is necessary for public purposes to acquire the real properties owned by certain landowner described herein upon which to construct and maintain said roadway, streets, boulevards, sidewalks and necessary easements. Being unable to reach an agreement and compromise as to the amount of just compensation to pay the respective landowners, it is necessary for public purposes to acquire the real properties owned by the landowner described herein upon which to construct and maintain said roadway, streets, boulevards, sidewalks and necessary easements. Because the City has established a legitimate public purpose for said

properties, the City is empowered under Ark. Code Ann. §18-15-201 to seek condemnation through eminent domain of the properties described herein and to properly compensate the owners of said lands pursuant to state law.

SECTION 2: Savannah and Amy Colson are the individuals who own real estate upon and along the Project area which is needed for the Project. The street address of the property is 2036 Prince, Conway, Arkansas 72034, with the real estate in question more particularly described below:

PART OF LOTS 13 AND 13A, BLOCK 2 OF LEDBETIER ADDITION, CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 13A; THENCE NORTH 02°23'21" EAST ALONG THE WEST LINE OF SAID LOT 13A A DISTANCE OF 66.53 FEET TO A POINT OF CURVE; THENCE ON A CURVE TO THE LEFT A DISTANCE OF 87.83 FEET, HAVING A RADIUS OF 60 FEET AND A CHORD BEARING SOUTH 39°32'50" EAST A DISTANCE OF 80.20 FEET TO A POINT; THENCE SOUTH 81°29'02" EAST A DISTANCE OF 49 .66 FEET TO THE SOUTH LINE OF SAID LOT 13; THENCE NORTH 88°29'02" WEST ALONG THE SOUTH LINE OF SAID LOTS 13 AND 13A A DISTANCE OF 103.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.03 ACRES (1,249 SQ. FT.) MORE OR LESS.

SECTION 3: The City is further in need of Temporary Construction Easements for the Project, as more particularly described above, from the landowners as identified and detailed above.

SECTION 4: To secure timely access to said real properties, it is necessary that eminent domain authority be declared, established, and exercised for the purpose of the construction, maintenance, and public use of the improved roadway, streets, boulevards, sidewalks, rights of way, necessary and proper easements and appropriate appurtenances developed thereto. As well and on behalf of the public, the City must continue ownership and control of the real property described herein, as necessary for the public purposes of continued maintenance, traffic control, safety and necessary and proper rights of way and easements throughout the affected areas and properties described herein.

SECTION 5: The Office of the City Attorney of the City is hereby authorized to act on behalf of the City and initiate statutory proceedings for eminent domain and condemnation of the lands described herein for the purposes stated herein, up to and including filing appropriate legal pleadings and process in those courts of law having jurisdiction over such process and proceedings.

Passed this 22nd day of February, 2022.

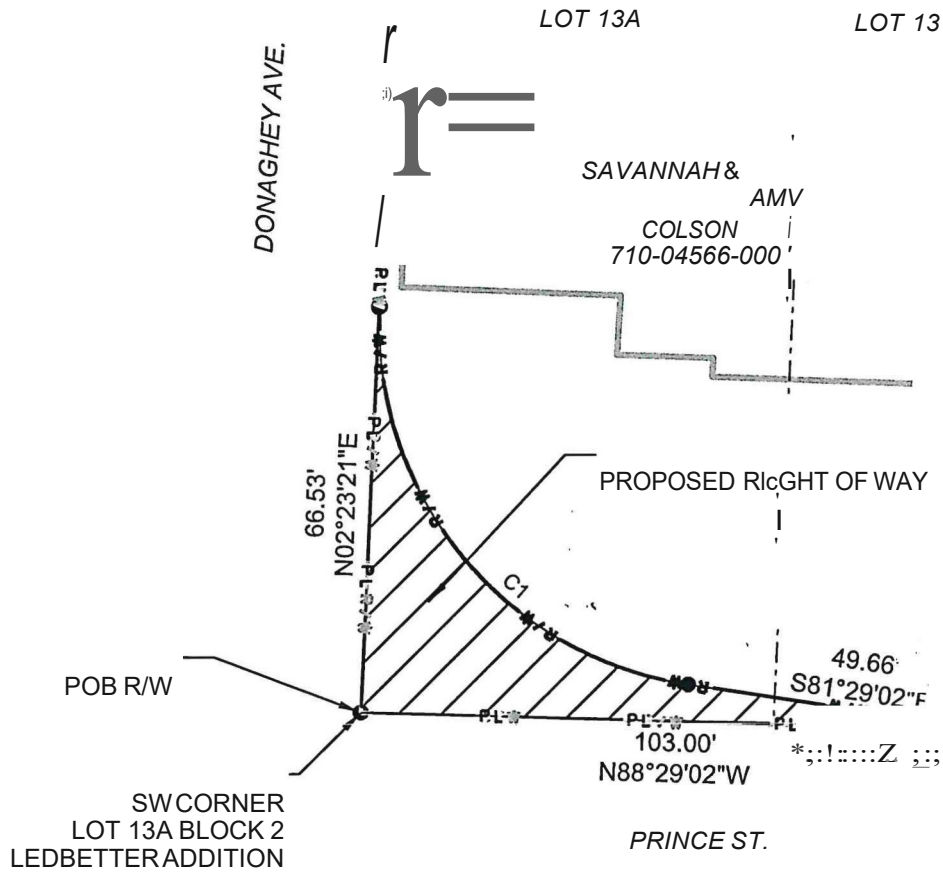
Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

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CURVE	RADIUS	DISTANCE	CHORD ANGLE	CHORD DISTANCE
C1	60'	87.83'	S 39°32'50" E	80.20'

AREA CALCULATIONS	SQ. FT.	ACRES
PROPOSED RIGHT OF WAY	1,249	0.029

LEGEND

- PL - EXISTING PROPERTY LINE
- R/W - EXISTING RIGHT-OF-WAY LINE
- 11w - PROPOSED RIGHT-OF-WAY LINE
- - - - SECTION QUARTER LINES
- - - - LOT LINES



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831 Parkway
 Suite C
 Conway, AR 72034
 (501) 537-3293

CITY OF CONWAY
 CONWAY, AR
 DONAGHEY AVE. IMPROVEMENTS
 (PRINCE TO DAVE WARD)
 CONWAY (S)



JOB NO.
18147010
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16



**City of Conway, Arkansas
Ordinance No. O-22-_____**

AN ORDINANCE APPROPRIATING FUNDS FOR THE CONWAY PARKS AND RECREATION DEPARTMENT; AND FOR OTHER PURPOSES:

Whereas, The City of Conway Parks and Recreation Department has identified needed park improvements to be made at Bainbridge Park at a cost of \$161,000; and

Whereas, budgetary authority for such expenditure has not previously been provided.

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

Section 1. The City of Conway shall appropriate funds in the amount of \$ 161,000.00 from the Conway Parks Department A&P Fund Balance Appropriation Account (252-000-4900) to the Conway Parks Department A&P CIP-Misc Account(252.140.5990) for the cost of the labor and materials for the improvements at Bainbridge Park.

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

PASSED this 22nd day of February 2022.

Approved:

Mayor Bart Castleberry

Attest:

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