



City of Conway, Arkansas
CITY COUNCIL
Agenda • July 26, 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

<u>5:30pm:</u>	Discussion of 911 Consolidation Plan
<u>6:30pm:</u>	City Council Meeting • City Council Chambers • 1111 Main Street
<u>Call to Order:</u>	Bart Castleberry, Mayor
<u>Roll Call:</u>	Michael O. Garrett, Clerk/Treasurer
<u>Minutes Approval:</u>	June 28, 2022
<u>Monthly Financial Report:</u>	Month ending June 30, 2022

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

1. Resolution requesting the Faulkner County Tax Collector place a lien on property located at 602 5th Street for expenses incurred by the City for Code Enforcement.
2. Ordinance authorizing personnel changes within the Administration Department.
3. Ordinance amending Title 11 of the Conway Municipal Code for the adoption of the 2018 plumbing and gas code, adoption of the 2021 mechanical code for the Permits and Inspections Department.
4. Ordinance appropriating reimbursement funds from Conway Aircraft for the Airport Department.
5. Ordinance appropriating matching grant funds from Arkansas Division of Aeronautics for maintenance hangar construction for the Airport Department.
6. Ordinance appropriating matching grant funds from Arkansas Division of Aeronautics for T-Hangar construction for the Airport Department.
7. Ordinance approving the replacement of the box culvert on Nutter Chapel for the Transportation Department.
8. Resolution entering into agreement with Faulkner County to replace the bridge on Middle Road over Golden Greek for the Transportation Department.
9. Consideration to approve the appeal of an Ordinance to rezone ±3.88 acres east of Bill Bell Ln at the intersection of Acuff Ln from R-1 to C-2.
10. Ordinance amending Ordinance O-99-95 and establishing amended procedures to be followed prior to annexation of property to the City of Conway for the Planning Department.
11. Ordinance amending the Conway Zoning Code establishing standards for tree planting for all new construction of single-family and two-family/duplex dwellings for the Planning Department.

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

1. Ordinance waiving the bid process, appropriating funds, and approving the purchase of five vehicles, for the Sanitation Department.
2. Resolution to remove assets from inventory and for other purposes for the Sanitation Department.
3. Ordinance appropriating funds for playground and equipment at MLK Square for the Parks & Recreation Department.
4. Ordinance accepting the bid from JCI Construction Inc. for Pompe Park/ Veterans Plaza Phase I for the Parks & Recreation Department.
5. Discussion of future plans for Centennial Soccer Park.

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

1. Ordinance appropriating funds received from JSI Metal (Linn's Auto) for the Fire Department.
2. Ordinance appropriating funds for repairs for Battalion 5 for the Fire Department.
3. Ordinance appropriating donation funds for fire safety promotional products for the Fire Department.
4. Ordinance accepting the bid from Western Mill Wright and appropriating funds to replace the siding at the Conway Animal Welfare Unit.

D. New Business

1. Resolution approving the City of Conway American Rescue Act Plan project list.
2. Ordinance appropriating funds for employee bonuses.
3. Ordinance appropriating funds for Lake Beaverfork boat dock slips for the Parks & Recreation Department.
4. Ordinance appropriating funds to pay off fire truck for the Fire Department.
5. Ordinance appropriating funds for Conway Fire Station #3 Building for the Fire Department.
6. Ordinance appropriating funds for the Lower Ridge Water Project which will be a joint project with Faulkner County, Conway Corporation the City of Conway.

Adjournment



CITY OF CONWAY
OFFICE OF THE CHIEF OF POLICE

1105 Prairie Street
 Conway, AR 72032
 (501) 450-6120
 FAX (501) 328-1241



William Tapley
Chief of Police

22 June 2022

Mayor Castleberry,

On March 15, 2022, the newly formed 911 Consolidation Oversight Committee held its first meeting. During this meeting, I (Conway PD Assistant Chief Chris Harris) was nominated as the chairperson for the committee and Sean Canady was nominated as the secretary. One of the decisions made by the committee was that topics would be discussed by the committee then voted on. Those votes would then be presented to Judge Baker as well as yourself for approval.

On April 5, 2022, the committee met and voted on several topics:

- All monies generated from the emergency telephone service charges and funds received or allocated by the Arkansas 911 Board to the City and County shall go to the operation of the Faulkner County Emergency Operation Center. **(Voted unanimously 11-0)**
- If those funds are insufficient to meet the operating expenses of the system, the City of Conway and Faulkner County shall share the shortfall cost based on the percentages of their respective populations based on the most recent Census. Currently this breaks down as **Conway 52%** of the population and **Faulkner County 48%**. **(Voted unanimously 11-0)**
- Raise all employees' salaries to the current level of the City of Conway Communications Center employees once the consolidation is performed. **(Voted unanimously 11-0)**

On May 3, 2022, the committee met and had the following discussions:

- Human Resource representatives from the City of Conway and Faulkner County were present and discussed benefits packages for each entity.
- ADEM stated a grant proposal for Faulkner County regarding converting their CAD system to Southern cannot move forward without a completed and submitted plan to the State 911 Board.

On May 31, 2022, the committee met and had the following discussion:

- The committee was supposed to meet on this date and vote which entity (City of Conway or Faulkner County) would hold the budget for the Communications Center. Two of the committee members said they would abstain from the vote because they wanted to discuss all options with Communication Center employees first.
- Chief Tapley suggested to postpone the vote until June 14, 2022, to give the City and County officials the opportunity to meet with Communication employees.



William Tapley
Chief of Police

CITY OF CONWAY
OFFICE OF THE CHIEF OF POLICE

1105 Prairie Street
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On June 14, 2022, the committee met and voted on the following topic:

- All monies appropriated for the Center shall be paid into a fund and managed by the Communications Director with specific guidelines as established by the City budget process and 911 Governing Board. All procurement for the system shall be governed by the City of Conway's purchasing and procurement procedures. **(Voted 7-4 in favor of City of Conway holding the budget for the center.)**

It was discussed that we needed to give all the information to the Conway City Attorney as well as the County Attorney so they could begin the process of drawing up the Interlocal Agreement. For the 911 Consolidation Oversight Committee to be formally established and recognized as a governing board, the Interlocal Agreement will have to be drafted, approved and signed by Judge Baker as well as yourself, and then presented to the Conway City Council and the Faulkner County Quorum Court.

Best regards,

A handwritten signature in blue ink, appearing to read "C.H. Harris".

Assistant Chief of Police
Chris Harris



City of Conway, Arkansas
Monthly Financial Reports
June 30, 2022

City of Conway
 Monthly Financial Report - General Fund
 For the month ended June 30, 2022



Revenues	Budget	Month	Year to Date	Encumbered	(Over)/Under	%
		Activity			Budget	Expend/Collect
Ad Valorem Tax	4,000,000	238,083	1,943,061		2,056,939	49%
Payments in Lieu of Tax	15,000	327	-		15,000	0%
State Tax Turnback	950,000	61,857	435,138		514,862	46%
Insurance Tax Turnback - LOPFI	1,300,000	-	-		1,300,000	0%
Sales Tax	24,000,000	2,170,329	13,589,903		10,410,097	57%
Beverage Tax	400,000	38,872	240,151		159,849	60%
Franchise Fees	3,467,700	319,399	2,028,762		1,438,938	59%
Utility Tap Fees	-	-	30,280		(30,280)	-
Office Space Leases	67,400	-	28,083		39,317	42%
Permits	558,500	38,747	315,561		242,939	57%
Public Safety	2,304,391	70,848	900,075		1,404,316	39%
Parks	633,250	63,105	426,046		207,204	67%
Insurance Proceeds	32,562	38,561	76,723		(44,161)	236%
Interest Income	123,000	19,566	110,252		12,748	90%
Proceeds from Sale of Assets	-	12,262	15,744		(15,744)	-
Donations	1,000	-	1,000		-	100%
Federal Grant Revenues	221,900	-	-		221,900	0%
Miscellaneous Revenues	101,148	13,885	84,861		16,287	84%
Transfers from Other Funds	770,000	260,000	260,000		510,000	34%
Total Revenues	38,945,851	3,345,840	20,485,639		18,460,212	53%
Expenditures						
Admin (Mayor, HR)	1,186,361	70,610	534,617	40,141	611,603	45%
Finance	536,892	28,731	229,469	949	306,473	43%
City Clerk/Treasurer	163,561	12,175	73,921	-	89,640	45%
City Council	90,420	6,512	33,391	-	57,029	37%
Planning	849,552	176,221	428,945	3,776	416,831	50%
Physical Plant	750,196	57,351	326,466	28,202	395,528	44%
Information Technology	1,473,729	72,861	576,809	182,809	714,112	39%
Permits and Inspections	415,903	23,546	194,177	456	221,270	47%
Nondepartmental	1,195,103	32,651	516,242	1,778	677,083	43%
Police	14,727,477	1,303,314	6,614,503	323,268	7,789,706	45%
CEOC	1,578,597	106,843	648,615	72,557	857,425	41%
Animal Welfare	651,489	35,092	212,190	66,456	372,843	33%
Municipal District Court	952,557	73,878	479,825	693	472,038	50%
City Attorney	611,403	36,506	219,128	1,634	390,641	36%
Fire	13,890,817	842,402	5,477,516	218,778	8,194,523	39%
Parks	3,369,712	308,466	1,518,691	61,359	1,789,663	45%
Total Expenditures	42,443,769	3,187,158	18,084,505	1,002,857	23,356,407	43%
Net Revenue/(Expense)	(3,497,919)		2,401,134			

*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

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-22-17	1/25/22	Construction of new Fire Station #3	2,579,500
O-22-35	3/22/22	Perimeter fence for Police training facility	93,006
O-22-43	4/12/22	Landscape planting on Prince Street	22,285
O-22-44	4/12/22	Contractor agreement for watering downtown flowers	22,000
O-22-45	4/12/22	Police dept Connect and Protect grant match	55,475
O-22-52	4/26/22	Prior year funds to replace CEOC battery backup system	66,500
O-22-55	5/24/22	Purchase Jim Pearce property for Police dept	245,500
O-22-67	6/28/22	Addition of four police officer positions	136,700
O-22-68	6/28/22	Reclassify Police dept Fleet Assistant to Fleet Technician	8,000
O-22-69	6/28/22	Employee pay adjustments from Salary Study Committee	104,540
O-22-70	6/28/22	Settlement of lawsuit with Kaala D. Jones	11,000
			<u>\$ 3,344,506</u>

City of Conway
 Balance Sheet - General Fund
 As of June 30, 2022



Cash - Operating	13,996,617
Cash - Reserve	1,504,232
Petty Cash	715
Taxes Receivable	4,993,556
Accounts Receivable	4,778,282
Due from Street	76,181
Due from Component Unit	219,099
Due from Municipal Court	62,383
Fuel Inventory	(17,864)
General Inventory	585
<i>Assets</i>	<u>25,613,789</u>
Accounts Payable	(51,563)
Insurance and Benefits Payable	(47,583)
Event Deposits	3,900
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	15,595
Deferred Revenue	4,124,814
Unearned Revenue - City Hall Lease	980,000
<i>Liabilities</i>	<u>5,030,164</u>
<i>Fund Balance</i>	<u>20,583,625</u>
<i>Total Liabilities & Fund Balance</i>	<u>25,613,789</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Street Fund
 For the month ended June 30, 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						
Ad Valorem Tax	1,400,000	87,726	715,197		684,803	51%
Payments in Lieu of Tax	6,000	-	-		6,000	0%
State Tax Turnback	3,000,000	238,906	1,414,773		1,585,227	47%
State Tax Turnback - Other	1,640,000	148,243	890,159		749,841	54%
Severance Tax	-	23,301	159,912		(159,912)	-
State Tax Turnback - Wholesale	460,000	32,417	194,602		265,398	42%
Sales Tax	325,000	30,410	190,419		134,581	59%
Engineering Fees	15,000	2,325	6,325		8,675	42%
Interest Income	80,000	12,198	53,526		26,474	67%
Total Revenues	6,926,000	575,525	3,624,913	-	3,301,088	52%
Expenditures						
Personnel Costs	3,498,042	206,190	1,223,568	-	2,274,474	35%
Other Operating Costs	<u>4,044,042</u>	<u>729,264</u>	<u>1,779,697</u>	<u>137,808</u>	<u>2,126,538</u>	<u>44%</u>
Total Operating Costs	7,542,084	935,454	3,003,265	137,808	4,401,011	40%
Capital Outlay	<u>5,778,943</u>	<u>-</u>	<u>37,631</u>	<u>523,903</u>	<u>5,217,409</u>	<u>1%</u>
Total Expenditures	13,321,027	935,454	3,040,896	661,711	9,618,420	23%
Net Revenue/(Expense)	(6,395,027)		584,016			

*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>
O-22-27	3/8/22	Purchase Conway Corp property	5,178,000

City of Conway
Balance Sheet - Street Fund
As of June 30, 2022



Cash - Operating	7,641,254
Taxes Receivable	69,969
Accounts Receivable	2,109,436
<i>Assets</i>	<u>9,820,659</u>
Accounts Payable	(876)
Insurance and Benefits Payable	(5,213)
Due to General	76,181
Deferred Revenue	1,517,818
<i>Liabilities</i>	<u>1,587,909</u>
<i>Fund Balance</i>	8,232,749
<i>Total Liabilities & Fund Balance</i>	<u>9,820,659</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Sanitation
 For the month ended June 30, 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	933,609	5,032,984		4,467,016	53%
Proceeds - Recycled Materials	500,000	6,404	466,667		33,333	93%
Landfill Fees - General	230,000	27,652	125,116		104,884	54%
Insurance Proceeds	-	217,116	221,919		(221,919)	-
Interest Income	200,000	32,150	136,668		63,332	68%
Miscellaneous Revenues	-	100	100		(100)	-
Total Revenues	10,430,000	1,217,031	5,983,454	-	4,446,546	57%
Expenditures						
Personnel Costs	5,562,606	427,694	2,442,474	-	3,120,132	44%
Other Operating Costs	<u>3,415,414</u>	<u>403,775</u>	<u>1,146,281</u>	<u>243,800</u>	<u>2,025,334</u>	<u>34%</u>
Total Operating Costs	8,978,020	831,469	3,588,755	243,800	5,145,466	40%
Capital Outlay	<u>2,160,003</u>	<u>42,541</u>	<u>371,655</u>	<u>235,924</u>	<u>1,552,425</u>	<u>17%</u>
Total Expenditures	11,138,024	874,010	3,960,409	479,724	6,697,890	36%
Net Revenue/(Expense)	(708,024)		<u><u>2,023,044</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
2022

Fund Balance Appropriations



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

City of Conway
 Balance Sheet - Sanitation
 As of June 30, 2022



Cash - Operating	14,808,757
Petty Cash	200
Post Closure Cash Account	6,174,405
Accounts Receivable	14,011
Due from Component Unit	903,057
General Inventory	2,122
Land & Buildings	2,424,145
Infrastructure	783,854
Machinery, Equipment & Vehicles	2,381,173
Deferred Outflows of Resources	2,194,273
Deferred Outflows of Resources-OPEB	285,019
Assets	<u>29,971,016</u>
Accounts Payable	4,668
Insurance and Benefits Payable	7,339
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
Liabilities	<u>24,934,173</u>
Net Position	5,036,843
Total Liabilities and Net Position	<u>29,971,016</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 June 30, 2022



Revenues	Budget	Month Activity	Year to Date	Encumbered	(Over)/Under Budget	% Expend/Collect
Sales Tax	15,000	3,726	15,095		(95)	101%
Airport Fuel Sales	853,460	172,044	719,572		133,888	84%
T-Hangar Rent	178,839	7,109	101,244		77,595	57%
Community Hangar Rent	43,200	3,600	21,600		21,600	50%
Ground Leases	20,257	-	26,136		(5,879)	129%
Misc Revenue - Non air	9,000	400	5,200		3,800	58%
State Grant Revenues	-	125,000	309,299		(309,299)	-
Reimbursements from Conway Aircraft	-	-	312,587		(312,587)	-
Miscellaneous Revenues	16,800	1,561	11,531		5,269	69%
Total Revenues	1,136,556	313,440	1,522,264	-	(385,708)	134%
Expenditures						
Personnel Costs	326,214	24,406	173,373	-	152,841	53%
Fuel for Resale	600,000	166,171	590,110	-	9,890	98%
Other Operating Costs	149,342	16,198	65,978	13,392	69,971	44%
Total Operating Costs	1,075,556	206,775	829,462	13,392	232,702	77%
Capital Outlay	-	-	618,737	1,822	(620,559)	-
Total Expenditures	1,075,556	206,775	1,448,199	15,215	(387,857)	135%
Net Revenue/(Expense)	61,000		74,065			

*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>
			\$ -

City of Conway
Balance Sheet - Airport
As of June 30, 2022



Cash - Operating	237,907
Taxes Receivable	4,043
Accounts Receivable - Fuel Vendor	41,411
Fuel Inventory	126,356
Land	1,254,473
Buildings	3,430,723
Machinery & Equipment	234,086
Infrastructure	22,959,891
Deferred Outflows of Resources-OPEB	11,666
<i>Assets</i>	<u>28,300,557</u>
Compensated Absences	5,127
Net OPEB Liability	41,185
Deferred Inflows of Resources-OPEB	5,159
<i>Liabilities</i>	<u>51,471</u>
<i>Net Position</i>	28,249,086
<i>Total Liabilities & Net Position</i>	<u>28,300,557</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 June 30, 2022



Parks and Rec A&P Tax

Balance, 5/31/22	2,478,174
Receipts	281,385
Payments	(341,271)
Balance, 6/30/22	\$ 2,418,288

Pay as you go Sales Tax

Balance, 5/31/22	7,140,383
Receipts	1,059,089
Payments	(789,484)
Balance, 6/30/22	\$ 7,409,989

Street Impact Fees

Balance, 5/31/22	1,578,491
Receipts	37,152
Payments	-
Balance, 6/30/22	\$ 1,615,643

Parks Impact Fees

Balance, 5/31/22	-
Receipts	-
Payments	-
Balance, 6/30/22	\$ 801,280

**Bank website is experiencing some issues and this account statement is unavailable, but the ending balance is verified.

Street Sales Tax

Balance, 5/31/22	13,904,372
Receipts	1,316,808
Payments	(31,103)
Balance, 6/30/22	\$ 15,190,076



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 602 5th St. 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 \$172.74 (\$129.76 + Penalty \$12.98 + 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 **July 26, 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 26th day of July, 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



Phone 501-450-6191
Fax 501-450-6144

YVONNE MORGAN
1495 STONY POINT RD
HOUSTON, AR 72070-8104

Parcel # 710-03597-000

RE: Nuisance Abatement at 602 5th St. Conway AR
Cost of Clean-Up, Amount Due: \$129.76

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 **July 26, 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,

City of Conway
Code Enforcement

INVOICE

City of Conway Code Enforcement

DATE: JUNE 14, 2022

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

TO YVONNE MORGAN
1495 STONY POINT RD
HOUSTON, AR 72070-8104

Description: Mowing/Clean-up/Admin Fees
associated with the nuisance abatement at
602 5TH ST. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
MICHAEL DAVIS	710-03597-000		JULY 26, 2022

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.	30.00	30.00
	Maintenance Fee (Mower/bush hog/weed eat)	15.00	15.00
	Weed Control	25.00	25.00
1	Administrative Fee (Code Enforcement)	30.00	30.00
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Cert5ified Letter	5.60	11.20
		TOTAL	\$129.76
		TOTAL WITH PENALTY & FILING FEES	\$172.74

- Total amount due after July 26, 2022 includes collection penalty & filing fees

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



CODE CASE HISTORY REPORT RESPROP-0522-0911 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
05/24/2022	Michael Davis	Code Case added			Code Case (RESPROP-0522-0911)
05/24/2022	Michael Davis	Due Date	[none]	5/24/2022	Code Case Workflow Step (Violations)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Violations)
	Michael Davis	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.2.4 Grass or Weeds)
06/01/2022	Michael Davis	Due Date	[none]	5/24/2022	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Code Case Workflow Step Start Date	[none]	6/1/2022	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Inspection added			Inspection ([Auto])
	Michael Davis	Action Workflow Status	Not Started	Failed	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
	Michael Davis	Violation Compliance Date	5/31/2022	6/8/2022	Violation (3.2.4 Grass or Weeds)
06/14/2022	Michael Davis	Code Case Status	Open	Schedule City Clean up	Code Case (RESPROP-0522-0911)



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

AN ORDINANCE AUTHORIZING PERSONNEL CHANGES WITHIN THE ADMINISTRATION DEPARTMENT; FOR OTHER PURPOSES:

Whereas, the City of Conway has determined there is a need for a new position to assist citizens with the building permit process; and

Whereas, this addition will provide the citizens with a higher level of service and understanding in regards to the building permit process; and

Whereas, this change will not affect the adopted 2022 Administration Department budget.

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

Section 1. The authorized staffing level will be increased by one by adding the following title and salary shall be created in addition to existing titles:

Business Services Coordinator \$55,000

Section 2. The position listed above will be funded from existing funds in the 2022 Administration Department budget.

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

PASSED this 26th day of July, 2022

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE AMENDING TITLE 11 OF THE CONWAY MUNICIPAL CODE; UPDATING THE CITY PLUMBING AND GAS CODES BY ADOPTION OF THE 2018 ARKANSAS PLUMBING CODE AND THE 2018 ARKANSAS FUEL GAS CODE; UPDATING THE CITY MECHANICAL CODE BY ADOPTION OF THE 2021 INTERNATIONAL MECHANICAL CODE; AND FOR OTHER PURPOSES

Whereas, the City of Conway would like to update the City Plumbing, Gas, and Mechanical codes to match those adopted by the State of Arkansas.

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

Section 1. Title 11, Chapter 11.08 shall be renamed: **PLUMBING AND GAS CODES**

Section 2. Title 11, Chapter 11.08.02 shall be amended to read as follows:

11.08.02 – Adopted by reference That there is hereby adopted by the City of Conway, Arkansas, pursuant to A.C.A. § 14-55-207(a), the 2018 Arkansas Plumbing Code and 2018 Arkansas Fuel Gas Code, as well as subsequent editions as adopted by the State of Arkansas, for the purpose of establishing rules and regulations for the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing/gas systems as herein provided, and for the issuance of permits and collection of fees thereto so as to safeguard life, health, and public welfare and the protection of property.

Section 3. Title 11, Chapter 11.08.03 shall be amended to read as follows:

11.08.03 – Amendments to said codes The City of Conway does not have any current amendments to the 2018 Arkansas Plumbing or Fuel Gas Codes.

Section 4. Title 11, Chapter 11.08.05.B shall be deleted.

Section 5. Title 11, Chapter 11.56.01 shall be amended to read as follows:

11.56.01 – Adopted by reference That there is hereby adopted by the City of Conway, Arkansas, pursuant to A.C.A. § 14-55-207(a), the 2021 International Mechanical Code, as well as subsequent editions as adopted by the State of Arkansas, for the purpose of establishing rules and regulations for the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical/HVAC systems as herein provided, and for the issuance of permits and collection of fees thereto so as to safeguard life, health, and public welfare and the protection of property.

Section 6. Title 11, Chapter 11.56.03 shall be amended to read as follows:

11.56.03 – Amendments to said code

- A. Amend Section 603.5 of the 2021 International Mechanical Code as follows: Fibrous/non-metallic ducts are prohibited in the City of Conway.
- B. Amend Section 603.6 of the 2021 International Mechanical Code as follows: The following limitations apply to flexible ducts in the City of Conway:
 - a. Flex duct is prohibited in residential projects.
 - b. Flex duct shall be allowed in commercial projects, branch lines only or when approved by authority having jurisdiction.
 - c. Mechanically approved fittings are required for all turns.
 - d. Mechanically approved fittings are required for takeoff.

Section 4. Title 11, Chapter 11.56.01 shall be deleted.

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

PASSED this 26th day of July, 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 PROCEEDS RECEIVED FROM CONWAY AIRCRAFT FOR THE AIRPORT DEPARTMENT, AND FOR OTHER PURPOSES:

Whereas reimbursement funds in the amount of \$230,632.08 were received from Conway Aircraft to cover costs associated with the construction of a maintenance hangar, pursuant to the lease agreement dated May 10, 2021; and

Whereas, the Airport department requests the acceptance and appropriation of these funds.

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

Section 1. The City of Conway shall appropriate \$230,632.08 from the Miscellaneous Revenue account (550.109.4799) to the CIP – Misc. account (550.109.5990).

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

Passed this 26th day of July 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 GRANT PROCEEDS RECEIVED FROM THE ARKANSAS DIVISION OF AERONAUTICS FOR THE AIRPORT DEPARTMENT, AND FOR OTHER PURPOSES:

Whereas, matching grant funds in the amount of \$184,298.64 were received from the Arkansas Division of Aeronautics in the fiscal year 2022 to cover costs associated with the construction of a Maintenance Hangar; and

Whereas, the Airport department requests the acceptance and appropriation of these funds.

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

Section 1. The City of Conway shall appropriate \$184,298.64 from the State Grant Revenue account (550.109.4201) to the CIP – Misc. account (550.109.5990) in the 2021 budget.

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

Passed this 26th day of July 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 GRANT PROCEEDS RECEIVED FROM THE ARKANSAS DIVISION OF AERONAUTICS FOR THE AIRPORT DEPARTMENT, AND FOR OTHER PURPOSES:

Whereas, matching grant funds in the amount of \$250,000 were received from the Arkansas Division of Aeronautics in the fiscal year 2022 to cover costs associated with the construction of a T-Hangar; and

Whereas, the Airport department requests the acceptance and appropriation of these funds.

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

Section 1. The City of Conway shall appropriate \$250,000 from the State Grant Revenue account (550.109.4201) to the CIP – Misc. account (550.109.5903) in the 2022 budget.

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

Passed this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE WAIVING THE BID PROCESS TO REPLACE A BOX CULVERT IN THE NUTTERS CHAPEL PROJECT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

Whereas, The Conway Transportation Department request Council waive the bid process to replace a large box culvert in the Nutters Chapel project to expedite project completion; and

Whereas, The Conway Transportation Department received a quote from JCI Construction in the amount of \$86,250 to replace the culvert; and

Whereas, The Conway Transportation Department has budgeted for this in the 2022 Transportation Fund budget.

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

Section 1. The City of Conway shall waive the bid process and accept the quote from JCI Construction in the amount of \$86,250 to replace the culvert.

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

Section 3. This ordinance is necessary for the protection of the public peace, health and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



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

A RESOLUTION ALLOWING THE CITY TO ENTER INTO AN AGREEMENT WITH FAULKNER COUNTY TO REPLACE THE BRIDGE ON MIDDLE ROAD OVER GOLD CREEK; AND FOR OTHER PURPOSES:

Whereas, the City of Conway request to enter into an agreement to replace the bridge on Middle Road over Gold Creek and reconstruct approximately 700' of roadway for the approaches to the bridge; and

Whereas, the City of Conway will oversee the bidding, contracting, and construction management for this project. Faulkner County will pay for the construction project up to \$1,498,988.80.

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

Section 1. The City of Conway shall enter into an agreement with Faulkner County to replace the bridge and 700' of the road on Middle Road over Gold Creek.

Section 2. Mayor Bart Castleberry is hereby authorized and directed to execute all appropriate applications, agreements, and contracts necessary to expedite the construction of the above stated project.

PASSED this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



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

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE ±3.88 ACRES LOCATED EAST OF THE INTERSECTION OF BILL BELL LANE AND ACUFF LANE FROM R-1 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 **R-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

A PART OF THE SE1/4, SECTION 24, T-05-N, R-14-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" PIPE FOR THE NE CORNER OF SAID SE1/4; THENCE ALONG THE EAST LINE OF SAID SE1/4 S01°48'29"W A DISTANCE OF 1109.60' TO A SET 1/2" REBAR W/CAP (1363) FOR THE POINT OF BEGINNING; THENCE CONTINUE S01°48'29"W A DISTANCE OF 434.97' TO A SET 1/2" REBAR W/CAP (1363); THENCE LEAVING SAID EAST LINE N88°55'15"W A DISTANCE OF 271.62' TO A SET 1/2" REBAR W/CAP (1363) BEING ON THE EAST RIGHT OF WAY OF BILL BELL LANE; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING CALLS: N18°35'47"W A DISTANCE OF 233.89' TO SET 1/2" REBAR W/CAP (1363); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 309.50', WITH A RADIUS OF 580.00', WITH A CHORD BEARING OF N33°53'01"W, WITH A CHORD LENGTH OF 305.84' TO A SET 1/2" REBAR W/CAP (1363); THENCE LEAVING SAID RIGHT OF WAY S88°14'08"E A DISTANCE OF 371.57' TO A SET 1/2" REBAR W/CAP (1363); THENCE S01°48'29"W A DISTANCE OF 29.47' TO SET 1/2" REBAR W/CAP (1363); THENCE S88°11'31"E A DISTANCE OF 160.01' TO THE POINT OF BEGINNING, CONTAINING 3.88 ACRES MORE OR LESS.

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 26th day July 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Rhea Williams, 2022 Planning Commission Chairman
Date: July 26, 2022

Re: **(APPEAL)** Request to rezone from R-1 to C-2 ±3.88 acres east of Bill Bell Lane at the intersection of Acuff Lane

Chris Thornton with MCMG, LLC has requested to rezone from R-1 to C-2 ±3.88 acres located east of Bill Bell Lane at the intersection of Acuff Lane. The proposed rezoning is not consistent with the Comprehensive Plan, which calls for single-family residential in the area. Given future use of the adjacent site, a use that would allow a transition to the existing single-family neighborhood to the intense public utility use would be compatible for the surrounding area and a good alternative to multi-family development.

Planning staff recommended approval of rezoning. While the proposed rezoning is not consistent with the Comprehensive Plan, the rezoning will provide a reasonable transition from the adjacent utility facility, allow for compatible use of the property, and will not likely harm adjacent property.

The Planning Commission reviewed the request at its regular meeting on May 16, 2022. After considerable public comment, the Planning Commission voted 1-6, failing the rezoning request. Mr. Thornton has elected to request appeal of the Planning Commission denial. His letter of appeal and supporting documents are included within this packet.

The City Council has two options for action:

- City Council may uphold the decision of the Planning Commission, denying the application with reasons cited regarding the potential development too great for the area.
- City Council may overturn the decision of the Planning Commission, approving the application, as amended.

The legal description for the property under consideration is as follows:

A PART OF THE SE1/4, SECTION 24, T-05-N, R-14-W, FAULKNER COUNTY, ARKANSAS
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A FOUND 2" PIPE FOR THE NE CORNER OF SAID SE1/4; THENCE ALONG
THE EAST LINE OF SAID SE1/4 S01°48'29"W A DISTANCE OF 1109.60' TO A SET 1/2" REBAR
W/CAP (1363) FOR THE POINT OF BEGINNING; THENCE CONTINUE S01°48'29"W A
DISTANCE OF 434.97' TO A SET 1/2" REBAR W/CAP (1363); THENCE LEAVING SAID EAST
LINE N88°55'15"W A DISTANCE OF 271.62' TO A SET 1/2" REBAR W/CAP (1363) BEING ON
THE EAST RIGHT OF WAY OF BILL BELL LANE; THENCE ALONG SAID RIGHT OF WAY THE
FOLLOWING CALLS: N18°35'47"W A DISTANCE OF 233.89' TO SET 1/2" REBAR W/CAP
(1363); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 309.50',

WITH A RADIUS OF 580.00', WITH A CHORD BEARING OF N33°53'01"W, WITH A CHORD LENGTH OF 305.84' TO A SET 1/2" REBAR W/CAP (1363); THENCE LEAVING SAID RIGHT OF WAY S88°14'08"E A DISTANCE OF 371.57' TO A SET 1/2" REBAR W/CAP (1363); THENCE S01°48'29"W A DISTANCE OF 29.47' TO SET 1/2" REBAR W/CAP (1363); THENCE S88°11'31"E A DISTANCE OF 160.01' TO THE POINT OF BEGINNING, CONTAINING 3.88 ACRES MORE OR LESS.

Please advise if you have any questions.



MCMG, LLC

1855 McKennon Street, Suite 100
Conway, AR 72032
501-764-0291

June 10, 2022

Dear Mayor Castleberry and City Council,

Thank you for reviewing this appeal.

First, and perhaps most importantly, this project has the approval and support of the City of Conway Planning Department. What does a staff approval mean? It means that it's GOOD PLANNING. We all know these professionals have impressive planning and engineering credentials and are independent thinking and working for the best interests of the City of Conway. They are appropriately uninterested in politics. Simply, if it's good for the city, they are in favor of it. If it's not good for the city, they aren't. I'm proud that this project has the YES recommendation of the professionals in the City of Conway Planning Department.

Second, for those of you who know me and my company, you know that IF this project wasn't the best use of the land and a good fit for the area, our team wouldn't be here to request a permit. Our team has a history of providing superlative quality development, and in many cases, higher quality than is required by the city. Stonebrook Cove subdivision is a beautiful gated neighborhood of 55+ residents which has enhanced the city with its timeless craftsman architecture, its stately brick wall and elegant gated entrance...one of the few neighborhoods you'll find with a complete landscape lighting system throughout which obviates the street lights and makes the neighborhood feel safer and more comfortable at night. A newer cousin to Stonebrook Cove, Woodland Cove subdivision is another example of that same outstanding quality...We voluntarily built a beautiful brick wall there because in the end, it made the project fit our vision for quality the best.

Things that we are confident the planning staff considered in granting their support were that:

- a) **Traffic mitigation is the key issue** to the neighbors in this area. The proposed use will have the **lowest possible traffic count** vs any alternative use...much lower than if the land was used for multifamily or single family housing. The people who opposed this (all were from 1000-2000 feet away, and NONE were within view from their homes) are speaking as though this project will make traffic worse. The EXISTING zoning for approximately 21 homes will make traffic worse – changing to this use will **improve** what they are concerned about. This may be easily verified by planning statistics, which are available through the city planners.
- b) Noise is another issue that must be considered. The noise generated by basketball goals, vehicles, home repairs, etc. will be substantially higher for 21 homes. The proposed use is the QUIETEST use of all.
- c) This tract of land is bordered on THREE SIDES by a noise, sight, and traffic nuisance. On the East, it is bordered by the intense industrial uses of Conway Corporation and Virco. The industrial

uses, as we all know, are soon to be even **greater** as Conway Corp. ramps up its use of the sewer treatment plant site there. In addition to the nuisances on the eastern border, the southern border is in the process of being ramped up by Conway Corp to be their new entrance, etc. They will be hauling telephone poles in and out of this site continually, and this is going to be a substantial noise and visual nuisance for any residential use. On the western border of the property is the very busy and very fast running traffic of the collector, Bill Bell Lane. Per the people who spoke at the planning commission, the traffic situation there is a great nuisance. We agree wholeheartedly! These nuisances, along with the odd shape of the property due to the bend in the road, make this site unsuitable for residential development. Had it been suitable for residential development, it would have obviously been left within the subdivision that was designed next door. But it wasn't...it was carved out because it wasn't suitable. The professional standard used by professional planners calls for adaptations to the conditions on the ground, and for the inclusion of **transitional zoning** between the single family and the industrial areas. This transitional use is a perfect custom fit.

- d) IF it was to be residential, the clear use for this land is multifamily. Multifamily has already been applied for and that use was rejected.
- e) Our proposal for a premium self storage facility will solve or mitigate all the problems that would be there with ANY other use.
- f) We propose to brick the entire side of the property which faces north as well as the areas facing the busy street to the west. In addition to that, we propose a green buffer to both the north and the south. In addition to the trees we will plant in that north section, we propose to plant a hedge of Eleagnus. I have planted these same plants beside my home in The Village at Hendrix. I'd welcome anyone to come by and look at this. In one year, they have grown really nicely, and they will be a solid 10-12' high screen in another year or two. We agree to use attractive "wrought iron" fencing across the front to complement an attractive landscape berm and planting beds to rival that of any upscale neighborhood.
- g) Regarding the C-2 zoning, we suggest that our approval be conditioned upon the recording of covenants that will run with the land, indicating that the site will be used as presented, and that, should the buildings be destroyed by any force of nature or man, they can only be replaced with the same material and for the same use. (This is a legitimate way of placing in stone any concerns for whether this would become a pharmacy or some other randomly selected use.) There is precedent that we have used covenants that were prescribed by the city in the past to make clarifications for the future. We can provide an example that was done just a few years ago in the City of Conway if needed.
- h) Security was another issue raised by one gentleman. His straw-man scenario referenced a crude, outdated system with no door alarms, which is only used by older, low-end operators. We use state of the art security systems which combine individual door alarms with high definition color cameras with night vision capabilities. Our security system is set up on a dialer which will alert our on-duty manager 24/7/365. If **any** door opens and the authorized user is not on site, we know it instantly, we check the cameras in real-time, and we can respond in seconds. Our sites are always manicured, attractive, clean, and tended to with conscientious care.

In summary, the professional standards for the science of planning call for adaptations to the conditions on the ground as they develop, and for the inclusion of transition zoning between the single family and the industrial areas. This transitional use is a perfect custom fit. This proposal is in the best interest of both the City of Conway AND the neighbors, based on what they said at the planning commission meeting. Almost all of the people who spoke against this project were NOT within the 200' area which receives the notices. Rather, they were all at least 1,000 feet away and some were 2,000 feet away. None of them were from anywhere even close to being within view of the property. None of the concerns voiced were debated by the planning commissioners other than a brief mention of item (g) above. There was no rebuttal. I genuinely don't feel that the project had a legitimate consideration at that segment of the approval process. When the merits of a proposal are not debated and considered, but rather, the cases appear to be simply voted on based on the number of people who show up for or against the project, it doesn't inspire confidence in the system.

We are grateful that our system offers the appeal opportunity to the City Council, and we rely upon and welcome your thoughtful consideration.

Respectfully submitted,

Chris Thornton

P.S. If approved, we will be happy to support the walking trail, and will readily grant the proposed easement dedication as requested by the planning department staff.

P.P.S. Please see the hedge example shown below from my personal home to the parking lot next door. This hedge is only less than two years old and is already doing really well. We expect it to be 8' tall in a year and 10' tall in 2 years.



Eleagnus hedge

Hedge at Chris' house between house and large parking lot...less than 2 years old! In one more year will be 8' tall!



Overhead View

Photo from an 8' high vantage point to show what is already screened on "new" hedges



Hedge view from parking lot toward Chris' house – we will install same kind of hedge on North buffer.



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

AN ORDINANCE AMENDING ORDINANCE O-99-95 AND ESTABLISHING AMENDED PROCEDURES TO BE FOLLOWED PRIOR TO ANNEXATION OF PROPERTY TO THE CITY OF CONWAY, AND FOR OTHER PURPOSES:

Whereas, the City of Conway has, and continues to experience growth due to the annexation of property, and

Whereas, this growth places strains on the City resources to maintain and upgrade streets and drainage due to substandard development processes that burden Conway taxpayers, and

Whereas, Ordinance O-99-95 largely solved these problems but has unnecessarily limited annexations in certain cases;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT ORDINANCE O-99-95 SHALL BE AMENDED AS FOLLOWS:

Section 1: That no property shall be annexed to the City of Conway before it has been established in the annexing ordinance, directly or by reference, which portions of which existing streets within that property shall be accepted by the City as public streets for maintenance and which streets shall be recognized as public streets for the sole purpose of allowing the issuance of building permits.

Section 2: That no streets that are not specifically noted in the annexing ordinance or by reference as being accepted as a public street for maintenance or as a public street for the sole purpose of allowing issuance of building permits shall be maintained by the City, nor accepted as a public street until the City of Conway shall accept them as such by the passage of an appropriate ordinance.

Section 3: That, by means of voluntary annexation, no street within an area to be annexed shall be accepted as a public street for maintenance if created as a result of an illegal subdivision. Such determination shall be established in the annexation ordinance.

Section 4: That, by means of voluntary annexation, no property shall be annexed to the City of Conway if part of an illegal subdivision created after July 1, 1986. This shall be determined by evidentiary support of copies of deeds showing the property in its current configuration since July 1, 1986, by documentation showing the property arrived in its current configuration when not under the jurisdictional area of the Conway Subdivision Ordinance, or deed records showing the property and parent tract are both in excess of five (5) acres. Exceptions may be granted for parcels/lots or portions thereof where it can be determined by the Planning and Development Director or City Engineer and indicated in the annexation ordinance, that annexation would not result in subversion of the Conway Subdivision Ordinance or be necessary to address an immediate and urgent threat to the public health and welfare of the City of Conway.

Section 5: That for any petition for voluntary annexation, the Planning and Development Director or his/her designee shall, in writing and prior to the petition being heard by the Conway City Council, identify any barriers to development that may exist for the property under consideration.

Section 6: All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 26th day July, 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

July 18th, 2022

Re: Annexation Ordinance

Mayor and Council Members,

Enclosed with this memo is an ordinance to amend the annexation review procedures for the city. The amendment comes as result of changes presented by the existing ordinance, O-99-95. City staff has seen increased demand for annexation in the last several years. The primary intent of the original ordinance was to prevent the annexation of illegally subdivided land. This practice had become a very costly problem in the late 90s, causing the to rebuild streets that hadn't been properly designed or constructed when illegally constructed. However, the ordinance has been unnecessarily restrictive for certain types of annexations.

The primary changes to the ordinance include simplifying review elements regarding platting compliance. The primary intent remains to prevent the annexation of illegal subdivisions. Additionally, the ordinance allows for the Planning Director or City Engineer to allow applications that do not meet the review criteria when it is clear the intent for annexation is not to subvert the requirements of the subdivision ordinance.

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



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

AN ORDINANCE AMENDING THE CONWAY ZONING CODE ESTABLISHING STANDARDS FOR TREE PLANTING FOR ALL NEW CONSTRUCTION OF SINGLE-FAMILY AND TWO-FAMILY/DUPLEX DWELLINGS:

Whereas, it is desirable to establish standards for the regulation of tree planting 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 notice in accordance with Arkansas Code Annotated § 14-56-422, held a duly authorized public hearing on July 18th, 2022, and adopted the prepared amendments; and

Whereas, a committee consisting of city staff, members of the Conway Tree Board, and other stakeholder groups were formed to study the issue of tree preservation and develop recommendations; and

Whereas, this committee met and discussed adding this requirement in addition to others.

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 601.30 TREE PLANTING FOR SINGLE-FAMILY AND TWO-FAMILY/DUPLEX DWELLINGS

The planting of at least one (1) tree with a minimum 1.5" diameter at breast height shall be

required for all new construction of single-family and two-family/duplex dwellings where no tree(s) exist on the parcel or lot. The tree shall be planted before the final Certificate of Occupancy for any single-family or two-family/duplex dwelling is issued. It shall be the responsibility of the Building Permits and Inspections Department to verify tree planting requirements are met prior to the release of a Certificate of Occupancy for any new single-family or two-family/duplex construction.

Section 2. The Planning and Development Department is hereby directed to develop a list of active homebuilders in the city and provide notice of this ordinance change, including educational resources for proper tree planting.

Section 3. That any ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 4. Given that it will take time for information to be disseminated to the public and homebuilders and time for homebuilders to adapt to the new requirement, this amendment shall not be effective until March 1st, 2023.

PASSED this 26th day of July 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

July 13th, 2022

Re: Tree Planting

Mayor and Council Members,

Enclosed with this memo is an ordinance to amend the Zoning Code to require tree planting for all new single-family and duplex homes. The amendment comes as a result of a special task force consisting of tree board members, Councilmember Mehl, Hal Crafton, Jim Rankin, Bobby French, and Alexander Baney. The role of the task force has been to develop recommendations to address issues of related tree preservation and tree loss in the development process. The proposal below is the first recommendation of the special task force with additional recommendations to follow in the coming months. The effect of this proposal is to require tree planting for all new single-family and duplex homes in an effort to mitigate tree loss that occurs during the development process.

The plan was presented to the Planning Commission on July 18th for a formal public hearing.

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



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

AN ORDINANCE APPROPRIATING REVENUE FUNDS RECEIVED FROM THE MUNICIPAL VEHICLE PROGRAM AND APPROVING THE PURCHASE OF FIVE (5) VEHICLES FOR THE CONWAY DEPARTMENT OF SANITATION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

Whereas, the Conway Department of Sanitation requests a revenue appropriation in the amount of \$217,116 for the damage of a 2011 International 7500SBA rear load collection vehicle, a 2013 Mack LEU613 side load collection vehicle, and a 2014 Peterbilt PB320 sideload collection vehicle that were involved in a fire on April 6, 2022; and

Whereas, funds in the amount of \$217,116.00 were received from Municipal Vehicle Program to be used for said purpose; and

Whereas, the Department of Sanitation received three quotes for each truck (all quotes and detail attached) and request Council approve the lowest quotes – two Automated Side Loads from Rivercity Hydraulics \$686,1220, one 25 yard Read Load from Rivercity Hydraulics \$232,431.49, one Front Load from J & R Equipment \$358,738.55, and one 13 yard Rear Load from Rivercity Hydraulics \$199,753.19; and

Whereas, funds in the amount of \$217,116.00 were received from Municipal Vehicle Program to be used for said purpose and the remaining balance to purchase the stated vehicles is included in the Department of Sanitation 2022 budget; 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 \$217,116.00 from the Sanitation Enterprise Fund Insurance Proceeds account (510.510.4360) to the Machinery and Equipment Account (510.510.5910).

Section 2. The competitive bid process is waived, and the City of Conway shall purchase two Automated Side Loads from Rivercity Hydraulics \$686,1220, one 25-yard Read Load from Rivercity Hydraulics \$232,431.49, one Front Load from J & R Equipment \$358,738.55, and one 13-yard Rear Load from Rivercity Hydraulics \$199,753.19 under Sourcewell contracts.

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 26th day of July, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

Quotes				
Automated Side Load	Price	QTY	Total	Vendor
Crane Carrier w/ Heil Python	\$380,444.48	2	\$760,888.96	
Autocar w/ Heil Python	\$399,551.46	2	\$799,102.92	
Mack LR w/ Heil Python	\$343,056.10	2	\$686,112.20	Rivercity Hydraulics (Sourcewell)
25yd Rear Load				
	Price	QTY	Total	
Mack/ Heil	\$281,618.90	1	\$281,618.90	
Freightliner/ Heil	\$232,531.49	1	\$232,431.49	Rivercity Hydraulics (Sourcewell)
Freightliner/ Leach	\$257,026.40	1	\$257,026.40	
Front Load				
	Price	QTY	Total	
Autocar/ Heil	\$384,246.15	1	\$384,246.15	
Crane Carrier/ Heil	\$366,440.69	1	\$366,440.69	
Crane Carrier/ Wittke	\$358,738.55	1	\$358,738.55	J&R Equipment (Sourcewell)
13yd Rear Load				
	Price	QTY	Total	
Mack/ Heil	\$204,512.31	1	\$204,512.31	
International/ Heil	\$203,141.74	1	\$203,141.74	
Freightliner/ Heil	\$199,753.19	1	\$199,753.19	Rivercity Hydraulics (Sourcewell)



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

A RESOLUTION TO REMOVE ASSETS FROM INVENTORY FOR THE DEPARTMENT OF SANITATION; AND FOR OTHER PURPOSES:

Whereas, the City of Conway Department of Sanitation has several assets that are no longer in service and request permission to remove from inventory and dispose of or sell these assets; and

Whereas, the City of Conway Department of Sanitation request Council's approval to remove the following assets from inventory:

<u>Asset #</u>	<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Description</u>	<u>Vin/ Serial Number</u>
2437	2008	Komatsu	HM350	Haul Truck	2070
N/A	2009	Chevrolet	SILVERADO 2500 4X4	Crew Cab Pickup	1GCHK49K89E147398
N/A	2009	Bobcat	S220	Skid Loader	A5GK35363
N/A	2004	Dodge	Ram 2500	Crew Cab Pickup	3D7KA28D64G235633
00053	2013	Mack Automated	LEU-613	Automated Side Loader	1M2AU02CODM007489
00475	2014	Peterbilt	PB320	Automated Side Loader	3BPZL20X1CF152205
00054	2011	International	7500SBA	Rear Loader	1HTWNAZROCJ648006

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

Section 1. The City of Conway shall remove the above listed assets from inventory. The City of Conway Department of Sanitation is authorized to sell or dispose of the listed assets.

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

PASSED this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

**AN ORDINANCE APPROPRIATING ADVERTISING AND PROMOTION FUNDS FOR THE CONWAY
PARKS AND RECREATION DEPARTMENT; AND FOR OTHER PURPOSES**

Whereas, the Conway Parks and Recreation Department is responsible for the Markham Square/MLK Square project monuments and playground equipment; and

Whereas, the City of Conway has Restaurant Tax Advertising & Promotion funds available and requests to appropriate said funding for this project.

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

Section 1. The City of Conway shall appropriate \$373,696.34 from the Parks and Recreation A&P Fund Balance Appropriation account (252-000-4900) to the Parks and Recreation A&P CIP-Miscellaneous Account (252.140.5990).

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

PASSED this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



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

AN ORDINANCE ACCEPTING THE LOW BID AND APPROPRIATING FUNDS FOR THE POMPE PARK/VETERANS PLAZA – PHASE I PROJECT FOR CONWAY PARKS & RECREATION, AND FOR OTHER PURPOSES

Whereas, approved Crafton Tull & Associates for the Pompe Park project on November 9th, 2021; and

Whereas, Crafton, Tull, & Associates Inc. solicited bids for the construction of Pompe Park (Phase I) to include the Veteran’s Plaza on July 13th, 2022; and

Whereas, five bids were submitted for this project, with JCI Construction Inc. submitting the lowest bid in the amount of \$1,562,729; and

Whereas, the City of Conway has funds available in the A&P Fund and would like to appropriate funds for this project.

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

Section 1. The City of Conway shall accept the low bid from JCI Construction Inc. and allow the Mayor to enter into an agreement and execute all documents associated with the Pompe Park/Veteran’s Plaza Project Phase I.

Section 2. The City of Conway shall appropriate \$1,562,729 from the A&P Fund Balance Appropriation account 252-000-4900 into the A&P CIP - Misc account 252-165-5990.

Section 3. The City of Conway shall appropriate \$30,000 from the Parks & Recreation Voluntary Property Tax Fund Balance Appropriation Account (221.140.4900) to the Parks & Recreation – CIP Misc. Account (221.140.5990) for the Veteran’s Plaza and a public art feature to be included in Pompe Park.

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

PASSED this 26th day of July, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

BID TAB

PROJECT: Pompe Park, Phase 1

Bid No.: 2022.08

CTA #: 21806401

OWNER: City of Conway, Arkansas

DATE: Wednesday, July 13, 2022

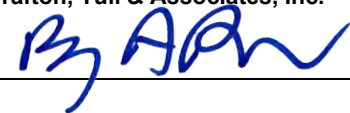
LOCATION: Conway City Hall

1111 Main Street

Conway, AR 72032

NAME OF CONTRACTOR	Arkansas Contractor License	ACKNOWLEDGE ADDENDUMS	TOTAL BASE BID PRICE	TOTAL BID	5% BID BOND
Crow Group	0045540423	yes	\$2,319,000.00	\$2,344,000.00	yes
JCI Construction	0046730323	yes	\$1,527,729.00	\$1,562,729.00	yes
Noland Construction	0080980423	yes	\$1,725,000.00	\$1,750,000.00	yes
Township Builders	0039640632	yes	\$2,693,000.00	\$2,723,000.00	yes
Wagner General Contractors	0165491022	yes	\$2,200,000.00	\$2,228,000.00	yes

Crafton, Tull & Associates, Inc.





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

AN ORDINANCE APPROPRIATING FUNDS RECEIVED FROM JSI METAL RECYCLING (LINN’S AUTO) FOR THE CONWAY FIRE DEPARTMENT, AND FOR OTHER PURPOSES

Whereas, funds in the amount of \$1,301 were received from Linn’s Auto Inc. for recycling metal for the Conway Fire Department; and

Whereas, the Conway Fire Department requests \$1,301 for the use of fuel charges.

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

Section 1. The City of Conway shall appropriate \$1,301 from the Miscellaneous Revenue Account (001.119.4799) to the Fire Department Fuel Operating Account (001.131.5630).

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

PASSED this the 26 day of July, 2022

Approved:

Mayor Bart Castleberry

Attest:

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



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

**AN ORDINANCE APPROPRIATING FUNDS RECEIVED FROM THE MUNICIPAL LEAGUE FOR THE
CONWAY FIRE DEPARTMENT, AND FOR OTHER PURPOSES**

Whereas, the Conway Fire Department requests \$2,877 for the use of repairing Battalion 5 from damages incurred during a wreck; and

Whereas, funds in the amount of \$2,877 were received from the Municipal Insurance Program for such reasons.

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

Section 1. The City of Conway shall appropriate \$2,877 from the Insurance Proceeds Account (001.119.4360) to the Fire Department Vehicle Maintenance Operating Account (01.131.5450).

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

PASSED this 26th day of July, 2022

Approved:

Mayor Bart Castleberry

Attest:

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



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

**AN ORDINANCE APPROPRIATING FUNDS FOR FIRE SAFETY PROMOTIONAL PRODUCTS FOR
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.

**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 26th day of July, 2022

Approved:

Mayor Bart Castleberry

Attest:

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



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

AN ORDINANCE ACCEPTING THE LOWEST BID AND APPROPRIATING AD VAL FUNDS TO REPLACE THE METAL SIDING AT THE CITY OF CONWAY ANIMAL WELFARE UNIT, AND FOR OTHER PURPOSES:

Whereas, The Conway Animal Welfare building exterior currently has rust damage that could soon lead to water issues; and

Whereas, The Conway Animal Welfare Department budgeted \$45,000 in 001.127.5904 in the 2022 budget and will need to work with the contractor Collier roofing to preserve the roof warrant (\$4,000); and

Whereas, The City of Conway solicited bids for this project and received four bids: Elijah Hampton \$97,460, Kordsmeier Remodeling \$95,288.61, Wagner General \$115,500 and Western Mill Wright \$76,500; and

Whereas, The Conway Animal Welfare Department request Council appropriate \$35,500 from the Animal Welfare Ad Val Fund to complete this project and request the Council approve the lowest bid.

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

Section 1. The City of Conway shall accept the lowest bid from Western Mill Wright in the amount of \$76,500.

Section 2. The City of Conway shall appropriate \$35,500 from the Animal Welfare Ad Val Fund Balance Appropriation Account 222-127-4900 and transfer funds into 001-127-5904 CIP -Building Improvements.

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

PASSED this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



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

A RESOLUTION APPROVING THE PROJECT LIST FOR THE AMERICAN RESCUE PLAN ACT FUNDING RECEIVED FOR THE CITY OF CONWAY, AND FOR OTHER PURPOSES

Whereas, on March 11, 2021, Joe Biden, the President of the United States of America signed into law the American Rescue Plan Act (ARPA) which provides financial assistance to assist in the continued relief from the impact of the Covid-19 pandemic; and

Whereas, the City of Conway, Arkansas has been awarded a total of \$12,333,839.00 in funding; such funding is to be received in two disbursements, and

Whereas, the City of Conway has received the initial funding in the amount of \$6,116,919.50, with the second installation scheduled to be received by September/October 2022; and

Whereas, the United States Department of Treasury has adopted guidelines regarding the use of ARPA funding; and

Whereas, the City has identified ten eligible projects for use by city departments for the ARPA funding.

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

Section 1. The City of Conway shall approve the below project list for the ARPA funding:

1. Sagegrass Sewer Main Extension Project
2. Overnight Emergency Shelter
3. Drainage and Stormwater Improvements
4. Conway Station Park Field Turf
5. Employee Premium Pay
6. Conway Police Department Shooting Range
7. Beaverfork Lake Boat Dock Slips
8. Finance & HR Software Upgrades
9. Conway Fire Station #3 Fire Apparatus Payment
10. Conway Fire Station #3

Section 2. The City will ensure compliance with all final guidance issued by the United States Department of Treasury.

PASSED this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING FUNDS FOR EMPLOYEE BONUSES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

Whereas, the City Council appreciates the hard work and dedication of the employees of the City of Conway; and

Whereas, the City has received American Rescue Plan funding which may be used to provide premium pay to eligible workers; and

Whereas, the City of Conway wants to show gratitude for employees who have served with distinction during the COVID-19 pandemic.

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

Section 1: The City of Conway shall appropriate \$820,000 from the Grant Fund Balance Appropriation Account (399.000.4900) to the salary accounts for each department in order to provide a one-time bonus equal to a 3% cost of living adjustment for full-time employees and \$300 for part-time employees. To receive a bonus, employees must be hired prior to the last full pay period in July, 2022 and must be actively employed on the date of distribution. Employees pending termination will not receive a bonus. The bonus shall be distributed on August 12th, 2022.

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

Section 3. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING FUNDS FOR THE BEAVERFORK LAKE BOAT DOCK SLIPS PROJECT, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

Whereas, the City of Conway Parks & Recreation has a need to replace the boat dock slips at Beaverfork Lake; and

Whereas, due to the limited number of vendors, the City of Conway would like to procure this equipment through a Sourcewell Cooperative Contract; and

Whereas, a quote was provided for the dirt work from A&B Dirt Mowers to demolish, remove, and reconstructed the rock levee; and

Whereas, American Rescue Plan funding in the amount up to of \$550,000 would be used for this project.

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

Section 1. The City of Conway shall approve the cooperative Sourcewell contract with EZ Dock of Texas in the amount of \$320,000 and waive the competitive bid process and approve the quote in the amount of \$200,000 from A&B Dirt Movers for the Beaverfork Lake Boat Slips.

Section 2. The City of Conway shall appropriate an amount not to exceed \$550,000 from the Grant Fund Balance Appropriation Account (399.000.4900) into the Parks & Recreation Account (399.140.5990)

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 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING FUNDS FOR THE CITY OF CONWAY FIRE DEPARTMENT TO MAKE THE FINAL PAYMENT ON A FINANCED PUMPER/RESCUE UNIT, AND FOR OTHER PURPOSES

Whereas, the City of Conway passed O-18-43 allowing the City to finance a Pumper/Rescue unit VIN# 20130 in the amount of \$699,227; and

Whereas, the City of Conway requests Council appropriate American Rescue Plan funding in the amount of \$96,517.90 to pay off this current debt.

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

Section 1. The City of Conway shall appropriate \$96,517.90 from the Grant Fund Balance Appropriation Account (399.000.4900) into the Grant Fund Machinery & Equipment Account (399.131.5910) to make the final payment of this debt to PNC Equipment Finance LLC.

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

PASSED this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING ADDITIONAL FUNDS FOR THE CITY OF CONWAY FIRE STATION #3 BUILDING; AND FOR OTHER PURPOSES

Whereas, the City of Conway passed O-22-17 appropriating funds in the amount of \$2,579,500 for the Conway Fire Station 3 Building Project. Design is complete, and the final estimate is now an additional \$1,250,000; and

Whereas, the City of Conway requests additional funds as follows; \$750,000 from American Rescue Plan funding and \$500,000 from the General Fund to complete this project.

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

Section 1. The City of Conway shall appropriate an amount not to exceed \$500,000 for Fire Station #3 from the General Fund Balance Appropriation Account 001.119.4900 into the General Fund Fire Department Capital Building Account 001-131-5902 and \$750,000 from the Grant Fund Balance Appropriation Account (399.000.4900) to the Grant Fund CIP – Building Account (399.131.5902).

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

PASSED this 26th day of July 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING FUNDING FOR THE LOWER RIDGE WATER PROJECT FOR CONWAY CORPORATION, AND FOR OTHER PURPOSES:

Whereas, O-85-11 amended by O-19-55 allows water mains to be extended outside the city limits in the Filed Water Plan; and

Whereas, The Lower Ridge Water Project includes 46 lots in the city and 38 lots outside the city and with current planned development has up to 300 potential customers; and

Whereas there is a need for safe, clean drinking water in this area for the protection of public health; and

Whereas, this project is an eligible expense for the American Rescue Funding the City received; and

Whereas, Faulkner County Quorum court has agreed to pay \$1.57 million for out-of-city costs; and

Whereas, Conway Corporation will split in-city costs with the City of Conway; and

Whereas, this job will be managed by Conway Corporation.

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

Section 1. The City of Conway shall appropriate funding in the amount not to exceed \$437,500 from the Grant Fund Balance Appropriation Account (399.000.4900) to the Grant Fund CIP – Building Account (399.131.5902) for the Lower Ridge Water Project. This project is from the Drainage/Stormwater project line item of the American Rescue funding.

Section 2. The mayor of Conway is authorized to pay an amount up to \$437,500 upon an invoice from Conway Corporation and is allowed to enter into an agreement and execute all documents associated with this project.

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

Passed this 26th day of July, 2022.

Approved:

Mayor Bart Castleberry

Attest:

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