City of Conway Council Agenda

Mayor Tab Townsell
City Clerk Michael O. Garrett
City Attorney Chuck Clawson

City Council Members

Ward 1 Position 1 – Andy Hawkins

Ward 1 Position 2 – David Grimes

Ward 2 Position 1 – Wesley Pruitt

Ward 2 Position 2 – Shelley Mehl

Ward 3 Position 1 – Mark Ledbetter

Ward 3 Position 2 – Mary Smith

Ward 4 Position 1 – Theodore Jones Jr.

Ward 4 Position 2 – Shelia Whitmore

Council Meeting Date: **March 8th, 2016**

5:30pm: ***No Committee Meeting***

6:30pm: Council Meeting

Call to Order: Mayor Tab Townsell

Roll Call: City Clerk/Treasurer Michael O. Garrett

Minutes Approval: ***February 23rd, 2016***

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1. Report of Standing Committees:

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

1. Consideration to terminate the helipad easement agreement with Conway Community Services.

2. Consideration to approve a counter offer on the Newberry Tract #4 property acquisition for the Central Landing Blvd. Project.

3. Ordinance adopting by reference the City of Conway Airport Height and land use zoning overlay district.

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

1. Consideration to allow the Faulkner County Solid Waste Management District to construct a storage building on the grounds of the Sanitation Department.

2. Ordinance to waive the competitive bid process to repair the landfill compactor at the Sanitation Department.

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

1. Consideration to approve the school resource officer contract with Conway Public Schools.

D. New Business

1. Resolution setting a public hearing to discuss a mosquito abatement program for the City.

Adjournment

This Instrument Prepared By
and after Recording Return to:
J. Cliff McKinney, Esq.
QUATTLEBAUM, GROOMS & TULL PLLC
111 Center Street, Suite 1900
Little Rock, Arkansas 72201
(501) 379-1700

TERMINATION OF HELIPAD EASEMENT

This Termination of Helipad Easement ("Agreement") is entered into on the date written below by and between **CITY OF CONWAY, ARKANSAS** ("City"), and **CONWAY COMMUNITY SERVICES**, an Arkansas non-profit corporation ("CCS"), as follows:

WHEREAS, City and CCS entered into that certain Helipad Easement, dated September 16, 2015, and recorded in the real property records of Faulkner County, Arkansas on September 21, 2015 as Doc # 2015-15162 (the "Helipad Easement"); and

WHEREAS, City and CCS wish to terminate the Helipad Easement.

NOW THEREFORE, for Ten and No/100 United States Dollars ($10.00) and other good and valuable consideration including the terms, conditions, covenants, and provisions contained herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree that the Helipad Easement is hereby terminated effective immediately.

[Signatures on Following Pages]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of this ____ day of March, 2016.

CONWAY COMMUNITY SERVICES,
an Arkansas non-profit corporation

By:_____
Doug Weeks,
Senior Vice President of
Hospital Operations

STATE OF ARKANSAS)
)ss: ACKNOWLEDGMENT
COUNTY OF PULASKI)

On this _____ day of March, 2016, before me, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named Doug Weeks, to me personally well known, who stated that he is the Senior Vice President of Hospital Operations of CONWAY COMMUNITY SERVICES, an Arkansas non-profit corporation, and is duly authorized in such capacity to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ___ day of March, 2016.

_____
Notary Public

My Commission Expires:
_____
(S E A L)

CITY OF CONWAY ARKANSAS

By:_____
Tab Townsell, Mayor

STATE OF ARKANSAS)
)ss: ACKNOWLEDGMENT
COUNTY OF FAULKNER)

On this _____ day of March, 2016, before me, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named Doug Weeks, to me personally well known, who stated that he is the Mayor of the City of Conway, Arkansas, and is duly authorized in such capacity to execute the foregoing instrument for and in the name and behalf of said city, and further stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ___ day of March, 2016.

_____
Notary Public

My Commission Expires:
_____
(S E A L)

This Instrument Prepared By
and after Recording Return to:
J. Cliff McKinney, Esq.
QUATTLEBAUM, GROOMS & TULL PLLC
111 Center Street, Suite 1900
Little Rock, Arkansas 72201
(501) 379-1700

QUITCLAIM DEED

CITY OF CONWAY, ARKANSAS ("Grantor"), for and in consideration of the sum of Ten and No/100 United States Dollars ($10.00) and other good and valuable consideration in hand paid by **CONWAY COMMUNITY SERVICES**, an Arkansas non-profit corporation("Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby grant and quitclaim unto Grantee, and unto its successors and assigns forever, all its right, title, interest and claim in and to the real property situated in Faulkner County, Arkansas, described as Lot 1B, Conway Community Services Campus Replat to the City of Conway, Faulkner County, Arkansas.

TO HAVE AND TO HOLD the Property unto Grantee, and unto its successors and assigns forever, with all appurtenances thereunto belonging in "AS IS, WHERE IS, WITH ALL FAULTS AND WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, EXPRESS OR IMPLIED" condition and subject to all matters of record or fact.

EFFECTIVE this ____ day of March, 2016.

CITY OF CONWAY, ARKANSAS

By:_____
Tab Townsell,
Mayor

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument. This transaction is exempt because no consideration is paid and the grantee is a governmental entity.
GRANTEE OR AGENT: Conway Community Services
GRANTEE'S ADDRESS:
_____

_____

_____
GRANTEE'S SIGNATURE

STATE OF ARKANSAS)
)ss: ACKNOWLEDGMENT
COUNTY OF FAULKNER)

On this _____ day of March, 2016, before me, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named Tab Townsell, to me personally well known, who stated that he is the Mayor of the City of Conway, and is duly authorized in such capacity to execute the foregoing instrument for and in the name and behalf of said city, and further stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ___ day of March, 2016.

_____
Notary Public

My Commission Expires:

_____

(S E A L)

O. R. Colan ASSOCIATES
REAL ESTATE SOLUTIONS FOR INFRASTRUCTURE

February 24, 2016

Mr. Glendon Newberry
418 Polk Street
Conway, AR 72032

Re: Results of City Council Meeting on February 23, 2016

Dear Mr. Newberry:

As a result of the City Council Meeting on Tuesday, February 23, 2016, the City is making the following counteroffer for acquiring your land for the Central Landing Project. It is as follows:

1. The Council, without an appraisal report from you, cannot approve your request for $4.00 per square foot. $4.00 per square foot significantly exceeds the amount of appraised values paid to other property owners for similar properties in the project area. $4.00 cannot be considered without an appraisal report from you supporting such a value. The City would like to counteroffer in the amount of **$2.50** per square foot for the property, and $2.50 for the Temporary Construction Easement.

   $2.50 x 2,597sqft = **$6,492.50 – Land Acquisition**

   $2.50 x 1,721sqft = $4,302.50 x 10% = $430.25 x 2years = **$ 860.50 – Temp Construction Easement**

2. The Council approved up to **$4,500.00** for replacement of all trees. This amount will be disbursed to you after the project is complete and you are ready to replace the trees.

3. Payment of **$2,800.00** for the fencing remains the same as determined in the City's appraisal.

Total amount of the City's counteroffer for your consideration is: **$14,653.00**

Please take your time in considering this counteroffer. Please call me when you have made a decision.

Sincerely,

Shantelle Y. Mears

Shantelle Y. Mears
Acquisition Agent for City of Conway

O. R. Colan ASSOCIATES

REAL ESTATE SOLUTIONS FOR INFRASTRUCTURE

March 1, 2016

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

Re: Newberry Tract – Central Landing Acquisition – Response to City's Counteroffer dated February 24, 2016

Dear Mayor Townsell:

Enclosed is a copy of the City's counteroffer letter to Mr. Glendon Newberry dated February 24, 2016. Mr. Newberry wanted time to think over the terms of the counteroffer from the city and conveys to you the following:

1) Mr. Newberry has spoken to several owners in the project area and knows for a fact that the City has paid in upwards of $3.50 per square foot for land acquisition and TCEs for the Central Landing Project. He feels that because of the corner lot, frontage road, and assessed value of his land that his property should be worth more to the City. **He would therefore like to ask for your consideration of $3.00 per square foot for the land value.** He is not in a financial position to obtain his own appraisal at this time.

2) Mr. Newberry also contends that the City has not required that other owners replace the trees the City is taking in order to receive payment. He wants to know why you asking him to replace his trees without compensating him as part of acquiring his property. **He wants the $4,500.00** as part of the acquisition deal, with no stipulations on replacement of the trees like everyone else has received.

3) He requests payment of **$2,800.00** for replacement of the fencing as previously agreed to.

He wants the entire package to total no less than **$16,000.00**. He informed me that he WILL attend next Tuesday's City Council meeting on **March 8, 2016** to answer any questions and "plead" his case to the Council.

O. R. Colan ASSOCIATES

REAL ESTATE SOLUTIONS FOR INFRASTRUCTURE

Land Acquisition: $3.00 per square foot x 2,597sqft =	$7,791.00
TCE: $3.00 per square foot x 1,721sqft = $5,163.00 x 10% = $516.30 x 2 years =	$1,032.60
Tree Replacement =	$4,500.00
Fence Replacement =	$2,800.00
Newberry Total Counteroffer #2	**$16, 123.60**

Regards,

Shantelle Y Mears, Acquisition Agent

cc: Mr. Glendon Newberry, 418 Polk Street, Conway, AR 72032
B. Finley Vincent, P.E., City of Conway

City of Conway, Arkansas

Ordinance No. O-16-___

Repealing previously enacted O-11-35 & O-13-130 & O-16-10

CITY OF CONWAY AIRPORT HEIGHT AND LAND USE ZONING OVERLAY DISTRICT

AN ORDINANCE ADOPTING BY REFERENCE THE CITY OF CONWAY AIRPORT HEIGHT AND LAND USE ZONING OVERLAY DISTRICT; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

WHEREAS, "The Airport Zoning Enabling Act," Act 116, Acts of Arkansas, 1941 (as amended) gives the City of Conway the authority for establishing restriction around Airports for the health and safety of the public. It is hereby found that an obstruction to navigable airspace has the potential for endangering the lives of property and users of the Conway Municipal Airport, and property or occupants of land in its vicinity; that such obstruction may affect existing and future instrument approach minimums of the Conway Municipal Airport; and that such obstructions may reduce the size of areas available for landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the Conway Municipal airport and the public investment therein

WHEREAS, certain agricultural crops, constructed water impoundments and other land use practices may create bird and waterfowl attractants in the vicinity of the Airport. Birds and waterfowl in the vicinity of the runway may create a safety hazard for aircraft using the Conway Municipal Airport. Therefore, the City of Conway desires to establish land use controls to minimize the potential for creating new bird or waterfowl attractants in the vicinity of the a Conway Municipal Airport. Preexisting land uses shall be exempt from these bird and waterfowl attract controls if uses can be documented prior to the effective date of this Overlay District. This land use restricting may extend beyond the City Limits of Conway into the unincorporated lands of Faulkner County as provided in Arkansas State Code ACA 14-56-413.

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

SECTION 1: The City of Conway Airport Height and Land Use Overlay District is hereby adopted by reference which was approved following notice as required by law, three (3) copies have been and are now filed in the office of the Clerk of the City of Conway, Arkansas consisting of:

1. Text of the City of Conway Airport Height and Land Use Overlay District;

2. Exhibit A – containing a legal description of the Overlay District and one (1) map;

3. Exhibit B – containing two (2) maps created by Garver, LLC depicting "Conway Municipal Airport Height Zoning Maps 1 & 2,"; and

4. Exhibit C – containing Overlay District Zoning and Development Design Standards along with a legal description.

SECTION 2: Ordinances O-11-35 and O-13-130 and O-16-10 are repealed in their entirety. All other ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 3: That this ordinance is necessary for the protection of the public peace, health and safety, and 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 ___day of March, 2016.

Approved:

_____
Mayor Tab Townsell

Attest:

_____
Michael O. Garrett
City Clerk/Treasurer

City of Conway, Arkansas

Adopted by Reference Ordinance No. O-16-___

Repealing previously enacted O-11-35 & O-13-130 & O-16-10

CITY OF CONWAY AIRPORT HEIGHT AND LAND USE ZONING OVERLAY DISTRICT

A ZONING OVERLAY DISTRICT TO LIMIT HEIGHT OF OBJECTS AND OTHER LAND USE CONTROLS IN THE VICINITY OF THE CONWAY MUNICIPAL AIRPORT.

AN OVERLAY DISTRICT REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH, AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF THE CONWAY MUNICIPAL AIRPORT, BY CREATING APPROPRIATE ZONES AND ESTABLISHING THE BOUNDARIES THEROF; PROVIDING FOR CHANGES IN THE RESTRICTIONS AND BOUNDARIES OF SUCH ZONES; DEFINING CERTAIN TERMS USED HERIN; REFERRING TO THE "CONWAY MUNICIPAL AIRPORT HEIGHT ZONING MAP," WHICH IS INCORPORATED IN AND MADE A PART OF THIS OVERLAY DISTRICT; PROVIDING FOR ENFORCEMENT; ESTABLISHING ADMINISTRATIVE RESPONSIBILITY; AND IMPOSING PENALTIES.

WHEREAS, "The Airport Zoning Enabling Act," Act 116, Acts of Arkansas, 1941 (as amended) gives the City of Conway the authority for establishing restriction around Airports for the health and safety of the public. It is herby found that an obstruction to navigable airspace has the potential for endangering the lives and property of users of the Conway Municipal Airport, and property or occupants of land in its vicinity; that such obstruction may affect existing and future instrument approach minimums of the Conway Municipal Airport; and that such obstructions may reduce the size of areas available for landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the Conway Municipal airport and the public investment therein. Accordingly, it is declared:

(1) that the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by the Conway Municipal Airport;

(2) that it is necessary in the interest of the public health, safety and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented;

(3) that the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation; and

(4) that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation, or the marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

WHEREAS, certain agricultural crops, constructed water impoundments and other land use practices may create bird and waterfowl attractants in the vicinity of the Airport. Birds and waterfowl in the vicinity of the runway may create a safety hazard for aircraft using the Conway Municipal Airport. Therefore, the City of Conway desires to establish land use controls to minimize the potential for creating new bird or waterfowl attractants in the vicinity of the Conway Municipal Airport. Preexisting land uses

shall be exempt from these bird and waterfowl attract controls if uses can be documented prior to the effective date of this Overlay District. This land use restricting may extend beyond the City Limits of Conway into the unincorporated lands of Faulkner County as provided in Arkansas State Code ACA 14-56-413.

IT IS HEREBY ORDAINED BY THE CONWAY CITY COUNCIL OF CONWAY, ARKANSAS, AS FOLLOWS:

SECTION I: SHORT TITLE
This Overlay District shall be known and may be cited as the "City of Conway Airport Height and Land Use Zoning Overlay District."

SECTION II: DEFINITIONS
As used in this Overlay District, unless the context otherwise requires:

1. AIRPORT: Conway Municipal Airport located in the southwest portion of the City of Conway, Arkansas.
2. AIRPORT ELEVATION: 278.6 feet above mean sea level.
3. AIRPORT MANAGER: The person responsible for the day-to-day operations and management of the Conway Municipal Airport appointed by the Conway City Council.
4. APPROACH SURFACE: An imaginary plane longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the appropriate approach zone height limitation slope set forth in Section IV of this Overlay District. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
5. APPROACH, TRANSITIONAL, HORIZONTAL, AND CONICAL ZONES: These zones are set forth in Section III of this Overlay District.
6. City Council: Shall mean the City of Conway's City Council.
7. CONICAL SURFACE: An imaginary surface extended outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
8. GRANDFATHERED IN: A term used to indicate a condition or practice in existence prior to the enactment of restriction or rules impacting the condition or practice and allowed to be exempt from the rules and restriction and continue because of the preexisting condition.
9. HAZARD TO AIR NAVIGATION: An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.
10. HEIGHT: For the purpose of determining the height limits in all zones set forth in this Overlay District and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.
11. HORIZONTAL SURFACE: An imaginary horizontal plane 150 feet above the airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone. The actual elevation of the horizontal surface is 428.6 feet above mean sea level.
12. NONCOMFORMING USE: Any pre-existing structure, object of natural growth or use of land which is inconsistent with the provisions contained herein at the time of the adoption of this Overlay District or any amendment thereto.
13. NONPRECISION INSTRUMENT RUNWAY: A runway have an existing or planned instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.
14. OBSTRUCTION: Any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in Section IV of this Overlay District.
15. PERSON: Any individual, firm, partnership, public or private corporation, company, association, joint stock association or government entity, and includes any trustee, receiver, assignee or other similar representative thereof.

16. PRECISION INSTRUMENT RUNWAY: A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), Precision Approach Radar (PAR), Microwave Landing System (MLS), or Precision Global Positioning System (GPS). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
17. PRIMARY SURFACE: An imaginary surface longitudinally centered on a runway. The primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is set forth in Section III of this Overlay District. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway (pavement) centerline.
18. RUNWAY: An area prepared for landing and takeoff of aircraft along its length.
19. STRUCTURE: Any object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formations and overhead transmission lines.
20. CONWAY AIRPORT COMMISSION: A Commission consisting of seven (7) members to be appointed by the Conway City Council to oversee the operations and management of the Conway Municipal Airport. Until a Conway Airport Commission is appointed, the Conway City Council will serve as this body.
21. TRANSITIONAL SURFACES: These imaginary surfaces extend outward at 90 degree angles to the runway centerline (and the extended runway centerline) at a slope of (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.
22. TREE: Any object of natural growth.

SECTION III: AIRPORT ZONES

In order to carry out the provision of this Overlay District (a legal description of the Overlay District and a map depicting the entire Overlay District are attached herein as "**Exhibit A**"), there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surface, horizontal surface and conical surface as they apply to the Conway Municipal Airport. Such zones are shown on the "Conway Municipal Airport Height Zoning Maps 1 & 2," consisting of two sheets, prepared by Garver, LLC dated March, which is attached to this Overlay District attached as "**Exhibit B**". An area located in more than one of the following zones is considered to be only in the zone with more restrictive height limitation. The various height restriction zones are hereby established and defined as follows.

1. Nonprecision Instrument Approach Zone (Runway 4) - the inner edge of this approach zone coincides with width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 4,000 feet at the horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
2. Precision Instrument Approach Zone (Runway 22) - The inner edge of this approach zone coincided with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
3. Transitional Zones - Area beneath the transitional surfaces.
4. Horizontal Zone - The horizontal zone is established by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of each runway, and connecting

the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

5. Conical Zone - The area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

Furthermore, there are herby created and established zones which include all the land lying beneath the runway protection zones as they apply to the Conway Municipal Airport. The runway protection zones are hereby established and defined as follows:

1. Runway Protection Zone (Runway 4) – The inner edge of the zone begins 200 feet beyond the end of the runway and it is trapezoidal in shape and centered about the extended runway centerline. The inner width is 1,000 feet, the outer width is 1,510 feet and the length is 1,700 feet, containing 48.978 acres, more or less.
2. Runway Protection Zone (Runway 22) – The inner edge of the zone begins 200 feet beyond the end of the runway and it is trapezoidal in shape and centered about the extended runway centerline. The inner width is 1,000 feet, the outer width is 1,750 feet and the length is 2,500 feet, containing 78.914 acres, more or less.

SECTION IV: AIRPORT ZONE HEIGHT LIMITATIONS

Except as otherwise provided in this Overlay District, no structure shall be erected, altered or maintained, and no tree shall be allowed to grow in any zone created by this Overlay District to a height in excess of the applicable height limitation herein established for such zone. Such applicable height limitations are hereby established for each of the zones as follows:

1. Nonprecision Instrument Approach Surface (Runway 4) - Slopes thirty-four (34) feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface, and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
2. Precision Instrument Approach Surface (Runway 22) - Slopes fifty (50) feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface, and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes outward forty (40) feet horizontally for each foot upward to an additional horizontal distance of 40,000 feet along the extended runway centerline.
3. Transitional Surface - Slope seven (7) feet outward for each foot upward, beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation or 428.6 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward, beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface and horizontal surface. Where a precision instrument runway approach surface projects beyond the conical surface, there are established height limits sloping seven (7) feet outward for each foot upward, beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet, measured at 90 degree angles to the extended runway centerline.
4. Horizontal Surface – Established at 150 feet above the airport elevation or at a height of 428.6 feet above mean sea level.
5. Conical Surface - Slopes twenty (20) feet outward for each foot upward, beginning at the periphery of the horizontal surface and at 150 feet above the airport elevation, and extending to a height 350 feet above the airport elevation or at a height of 628.6 feet above mean sea level.
6. Excepted Height Limitations - Nothing in this Overlay District shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a

height up to 50 feet above the surface of the land (unless the object penetrates the approach surface).

An area covered by two or more zones shall be controlled by the more restrictive height limitations.

SECTION V: LAND USE RESTRICTION

In order to minimize the potential for developing bird, waterfowl and wildlife attractants in the vicinity of the Conway Municipal Airport, the following restrictions are placed on lands in Faulkner County and the City of Conway that are within 10,000 feet of the runway (ultimate 7,000 foot planned runway length) located on the Conway Municipal Airport. These land use controls will not prohibit existing and historical land use practices or existing and historical activities on lands from continuing as preexisting non-conforming uses on lands within the area covered by this Overlay District. The area covered by these restrictions lies east of the Arkansas River and is described in detail in Exhibit A attached hereto.

1. The establishment of an artificially flooded area or water impoundment is prohibited. This includes creating dams, levees, depressions, holes or other water retention structures that results in ponding of surface water. Natural streams, lakes, sloughs, swamp areas or waterponded areas that are in existence at the effective date of this Overlay District are exempt from this provision.
2. Causing the flooding of unharvested agricultural crops, flooding of crop land after harvest of the crop or flooding of any lands for the purpose of attracting waterfowl or leading to the attracting of waterfowl is prohibited. Installing devices to prevent the natural runoff of water is prohibited. Pumping water from a well or natural body of water of water for the purpose of flooding an area of land is prohibited. The practice of flooding agricultural crops during the growing season (April thru September) for crops historically grown on grounds is exempt from this provision.
3. The planting and growing of cereal grains, rice and other bird attractant crops as listed in AC 150/5200-33B is prohibited unless "grandfathered in". The existing properties and lands with established history of growing these crops will be considered a pre-existing condition and their activities "grandfathered in" and not be impacted by this restriction. The usual annual changing of crops due to crop rotation or changing of crops or change in crop due to market conditions will not be deemed as a discontinuing the growing any crops.
4. Cereal grain and rice storage facilities not in existence at the effective date of this Overlay District shall incorporate special provisions to prevent the spilling, scattering and availability of the bird and wildlife access to grains.
5. The scattering or distribution of grain on the ground surface for the purpose of or leading to the attraction of birds and waterfowl is prohibited.
6. Any site grading or reshaping of the land surface be completed in a manner that would prevent trapped or standing water.
7. Prohibit land uses listed in AC 150/5200-33B that are potentially bird, waterfowl or wildlife attractants are prohibited unless "grandfathered in" or unless specific approval is given by FAA for the proposed land use.
8. Prohibit any activity, improvement, change in land use or other actions that results in electrical interference with navigational signals or radio communications between the airport and aircraft is prohibited.
9. Prohibit any activities, improvements or land use changes that make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airports, impair visibility in the vicinity of the airport or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

SECTION VI: NONCONFORMING USES

1. Regulations Not Retroactive - Notwithstanding the provisions of Section VI, paragraph 3 hereof, the regulations prescribed in this Overlay District shall not be construed to prohibit existing and historical land uses and agricultural practices from continuing; prohibit existing and historical crops grown on lands from continuing; prohibit existing and historical activities on lands from continuing; or require removal, lowering, or other change or alteration of any Nonconforming Use, or otherwise interfere with the continuance of a Nonconforming Use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Overlay District or any duly enacted amendment thereto, and is diligently prosecuted.
2. Marking and Lighting - Notwithstanding the preceding provision of this Section, the owner of any existing Nonconforming Use is hereby required to permit the installation, operation and maintenance thereon of such markings and lights, as shall be deemed necessary by the Conway Municipal Airport Commission, to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markings and lights shall be installed, operated and maintained at the expense of Conway Municipal Airport Commission.
3. Lowering or Removal of Nonconforming Uses - In order to eliminate or mitigate existing hazards to landing and taking-off at the Conway Municipal Airport, to improve and make safer the Conway Municipal Airport, and to permit public use of any obstruction navigable airspace needed for such use, the Conway Municipal Airport Commission may acquire, by purchase, grant or condemnation, such estate or interest in any Nonconforming Use for which a permit has been granted in accordance with Section VII, paragraph 3 hereof, as is necessary to permit lowering or removal of such Nonconforming Use to the extent necessary to conform to the applicable height limitation prescribed in this Overlay District or any duly enacted amendment thereto. In cases of imminent danger to the health, safety and general welfare of the public, the Conway Municipal Airport Commission shall take such immediate steps as necessary to remove said danger, and a hearing shall thereafter be held to determine what compensation, if any, should be made to the owner of the structure or tree causing said danger.

SECTION VII: PERMITS

1. Future Uses - Except as specifically provided in a, b, and c hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established and no tree shall be planted in any zone hereby created, which exceeds fifty (50) feet in height, unless a permit therefor shall have been applied for and granted by the Conway Municipal Airport Commission. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity for it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Overlay District shall be granted unless a variance has been approved in accordance with Section VII, paragraph 6.

    a In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

    b In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground except when such tree or structure would extend above the height limit prescribed for such approach zones.

c In the areas lying within the limits of the transitional zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than one hundred (100) feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour or topographic features, would extend above the height limit prescribed for such transitional zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction or alteration of any structure, or growth of any tree in excess of any of the height limits established by this Overlay District, except as set forth in Section IV, paragraph 6.

2. Existing Uses- No permit shall be granted that would allow the establishment or creation of an obstruction, or that would allow a Nonconforming Use to become a greater hazard to air navigation than it was on the effective date of this Overlay District (or any duly enacted amendments thereto) or than it is when the application for a permit is made. Except as indicated, all applications for such a permit for existing uses shall be granted.
3. Continuance of Nonconforming Uses- The owner of any Nonconforming Use shall be granted a permit authorizing continuance of such Nonconforming Use, upon application made by him; provided that, if such application is not made within ninety (90) days of the effective date of this Overlay District or any duly enacted amendment thereto the Conway Municipal Airport Commission shall by appropriate action compel the owner of the Nonconforming Use, at his own expense to lower or remove such object to the extent necessary to conform to the regulations. Notwithstanding the foregoing provisions, no permit allowing the continuation of any Nonconforming use shall be granted where such use is at the time a permit is applied for, not in conformity with the regulations in effect immediately prior to the enactment of any ordinance amending this Article, including but not limited to changes in the height zoning map incorporated herein which may from time to time be amended to eliminated or mitigate existing hazards to landing and taking off at the Conway Municipal Airport, to ensure compliance with all applicable federal laws, or for any other lawful reason.
4. Change and Repair of Nonconforming Uses- Before any Nonconforming Use for which a permit has been issued in accordance with Section VII, paragraph 3 hereof, may be altered or repaired, rebuilt, allowed to grow higher or replanted, a permit must be secured from the Conway Municipal Airport Commission authorizing such change or repair. No such permit shall be granted that would permit the structure or tree in question to be made higher or become a greater hazard to air navigation than it was when the permit for its continuance was granted.
5. Nonconforming Uses Abandoned or Destroyed- Whenever the Conway Municipal Airport Commission determines that a Nonconforming Use has been abandoned or more than 50 percent (%) torn down or destroyed, whether voluntarily, by act of God or otherwise, or has become more than 50% deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations. In such cases of 50% destruction, deterioration or decay, whether application is made for a permit for repair or not, the Conway Municipal Airport Commission shall, by appropriate action, compel the owner of the Nonconforming Use, at his own expense to lower or remove such object to the extent necessary to conform to the applicable height limit.
6. Variances- Any person desiring to erect increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed in this Overlay District, must apply to the Conway Municipal Airport Commission for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace.

Variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in practical difficulty or unnecessary hardship, and the relief will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and will be in accordance with this Overlay District. No application for variance may be considered by the Conway Municipal Airport Commission unless a copy of the application has been furnished to the Airport Manager for advice as to the aeronautical effects of the variance. If the Airport Manager does not respond to the application for a variance within fifteen days after receipt, the Conway Municipal Airport Commission may act on its own to grant or deny the application.

7. Obstruction Marking and Lighting- Any permit or variance granted may, if such action is deemed advisable to effectuate the purposes of this Overlay District and be reasonable in the circumstances, be conditioned as to require the owner of the structure or tree in question to install, operate and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Conway Municipal Airport Commission, this condition may be modified to require the owner to permit the Conway Municipal Airport Commission, at its own expense, to install, operate and maintain the necessary markings and lights.
8. Notice of Hearing of Application for Permits and Variances; Introduction of Evidence- In all cases of applications for permits and variances as provided for in Section VII hereof a public notice shall be published in the manner prescribed by law for publication of legal notices, of a public hearing upon the application in question; a public hearing shall be held at which any person having an interest in the proceeding shall have an opportunity to offer evidence for or in opposition to the application in question; and written findings of fact and conclusions of law shall be made by the Conway Municipal Airport Commission, based upon the evidence offered at the public hearing.

SECTION VIII: LAND USES AND DEVELOPMENT DESIGN REGULATIONS SPECIFIC TO I-1 ZONED AIRPORT PROPERTY – DESIGN OVERLAY AREA

Within the Conway Airport Height and Land Use Zoning Overlay District, City property designated as I-3 (Intensive Industrial) zoning district by ordinance O-11-40, dated May 24, 2011, shall have specific allowances and regulations supporting aviation activities as specified in "Exhibit C" consisting of design standards, design area legal description, and map.

SECTION IX: ENFORCEMENT

It shall be the duty of the Conway Municipal Airport Commission to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Airport Manager upon a form published for that purpose. Applications required by this Overlay District to be submitted to the Airport Manager shall be promptly considered and granted or denied.

SECTION X: CITY COUNCIL

1. The City Council shall have and exercise the following powers: to hear and decide appeals from any order, requirement, decision or determination made by the Conway Municipal Airport Commission in the enforcement of this Overlay District.
2. The City Council shall adopt rules governing the discharge of its duty in harmony with the provisions of this Overlay District. Meetings of the City Council shall be public. The City Council shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the County Clerk and on due cause shown.
3. The City Council shall make written findings of facts and conclusions of law, giving the facts upon which it acted and its legal conclusions from such facts in reversing, affirming or modifying any order, requirement, decision or determination which comes before it under the provisions of this Overlay District.

SECTION XI: APPEALS

1. Any person aggrieved, or any taxpayer affected, by any decision of the Conway Municipal Airport Commission made in the administration of this Overlay District, may appeal to the City Council.
2. All appeals hereunder must be taken within 30 days time, by filing with the Conway Municipal Airport Commission a notice of appeal specifying the grounds thereof. The Conway Airport Commission shall forthwith transmit to the City Council all the papers constituting the record upon which the action appealed from was taken.
3. An appeal shall stay all proceedings in furtherance of the action appealed unless the Conway Municipal Airport Commission certifies to the City Council, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate, a stay would in the opinion of the Conway Municipal Airport Commission cause imminent peril to life or property. In such case, proceedings shall not be stayed by order of the City Council on notice to the Conway Municipal Airport Commission and on due cause shown.
4. The City Council shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in the interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney.
5. The City Council may, in conformity with the provisions of this Overlay District, reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination appealed from any may make such order, decision, requirement, decision or determination as may be appropriate under the circumstances.

SECTION XII: JUDICIAL REVIEW

Any person aggrieved, aggrieved, or any taxpayer affected, by any decision of the City Council may, within thirty days thereof, appeal therefrom to the Circuit Court of Faulkner County, as provided in Section 6 of the "Airport Enabling Act", Act 116, Acts of Arkansas, 1941. Appeals from the Circuit Court shall be in accordance with statutes governing such appeals in force and effect at the time an appeal is taken.

SECTION XIII: PENALTIES

Each violation of this Overlay District, or of any regulation, order or ruling promulgated hereunder, shall constitute a misdemeanor and be punishable by a fine of not more than 500 dollars, or imprisonment for not more than 180 days, or both; and each day a violation continues to exist shall constitute a separate offense. In addition, the Conway Municipal Airport Commission may institute in any court of competent jurisdiction, an appropriate action or proceeding to prevent, restrain, correct or abate any violation of the regulations of this Overlay District, or any order or ruling made in connection with its administration or enforcement, and the court shall adjudge then to the plaintiff such relief, by way of injunction (which may be mandatory) or otherwise, as may be proper under all the facts and circumstances of the case, in order fully to carry out and effectuate the purpose of this Overlay District and the orders and rulings made pursuant to the authority herein given.

SECTION XIV: CONFLICTING REGULATIONS

Where there exists a conflict between any of the regulations or limitations prescribed in this Overlay District and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

SECTION XV: SEVERABILITY

If any of the provisions of this Overlay District or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of this Overlay District which can be given effect without the invalid provision or application, and to this end, the provisions of this Overlay District are declared to be severable.

SECTION XVI: EFFECTIVE DATE
Adopted by the Conway City Council by referring ordinance O-16- ___ March ___, 2016.

Approved:

_____
Mayor Tab Townsell

ATTEST:

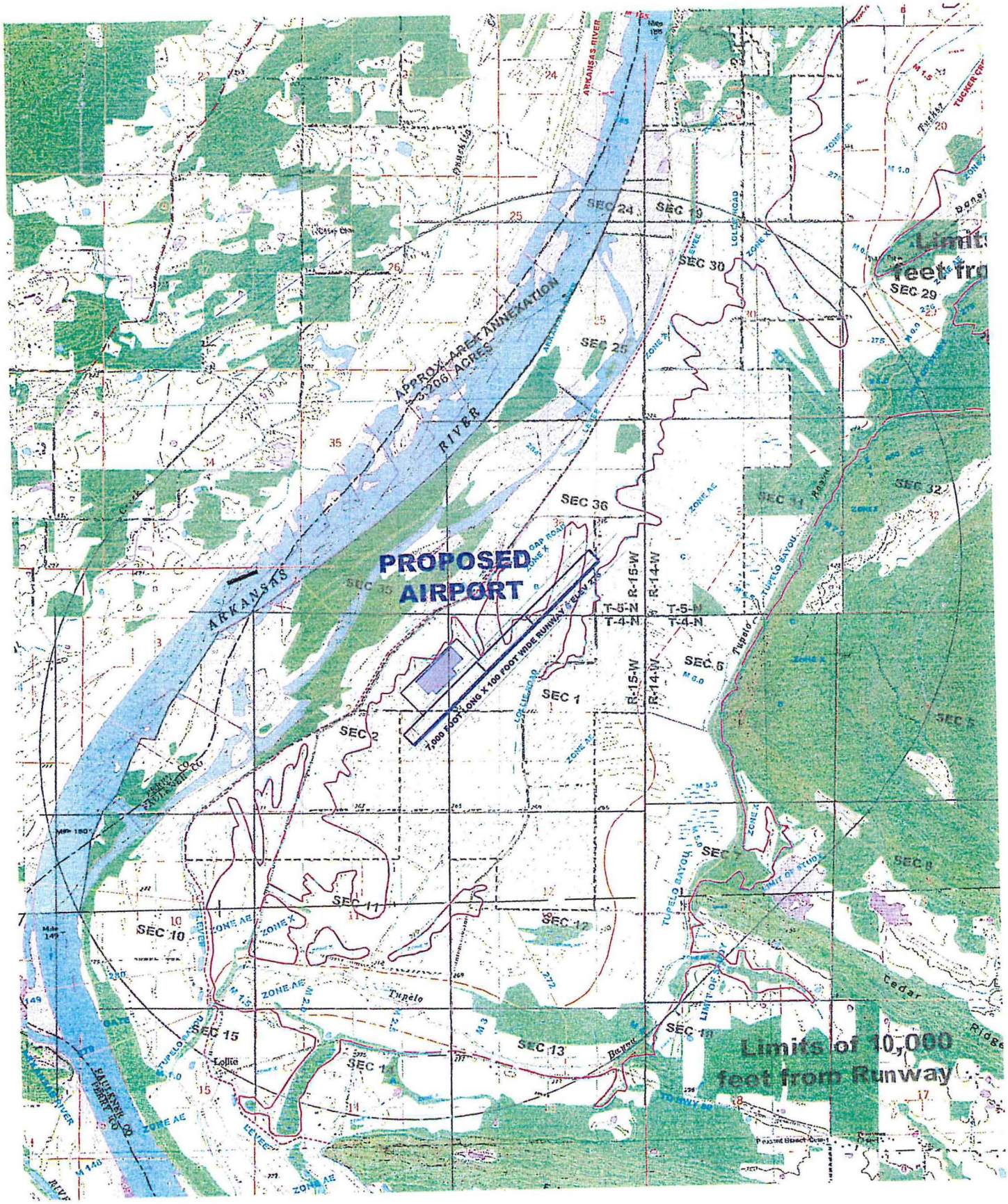
_____
Michael O. Garrett
City Clerk/Treasurer

EXHIBIT A

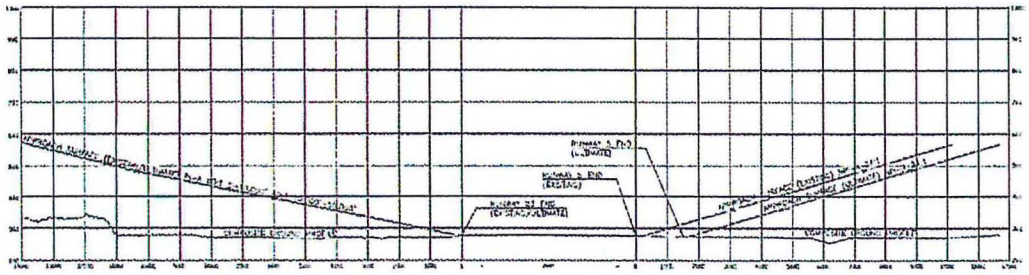
CONWAY AIRPORT LAND USE ZONING OVERLAY DISTRICT LEGAL DESCRIPTION

All lands lying within 10,000 feet of the ultimate 7,000 foot long Runway at the City of Conway Municipal Airport as shown on the Conway Municipal Airport Height Zoning Map dated March 2011 and laying east of the ordinary high water line along the easterly bank (left descending bank) of the Arkansas River. The Sections and portions of Sections of lands included in this area are as follows:

Part of S ½, SW ¼ Section 19, T-5-N, R-14-W; Part of NE ¼ Section 30, T-5-N, R-14-W; the NW ¼ Section 30, T-5-N, R-14-W; the S ½ Section 30, T-5-N, R-14-W; Part of SW ¼, NW ¼ Section 29, T-5-N, R-14-W; Part of SW ¼ Section 29, T-5-N, R-14-W; Section 31, T-5-N, R-14-W; the W ½ Section 32, T-5-N, R-14-W; Part of the W ½, NE ¼, Section 32, T-5-N, R-14-W; Part of the W ½, SE ¼ Section 32, T-5-N, R-14-W; Section 6, T-4-N, R-14-W; Part of the W ½, Section 5, T-4-N, R-14-W; Part of W ½, NE ¼, Section 5, T-4-N, R-14-W; The NW ¼ Section 7, T-4-N, R-14-W; Part of the NE ¼ Section 7, T-4-N, R-14-W; Part of the SW ¼ Section 7, T-4-N, R-14-W; Part of the NW ¼, SE ¼ Section 7, T-4-N, R-14-W; Part of the NW ¼, NW ¼ Section 18, T-4-N, R-14-W; Part of the N ½, Section 13, T-4-N, R-15-W; Part of the NW ¼, SW ¼ Section 13, T-4-N, R-15-W; Part of N ½ Section 14, T-4-N, R-15-W, Part of N ½, SE ¼ Section 14, T-4-N, R-15-W; Part of NE ¼, NW ¼ Section 14, T-4-N, R-15-W; Part of the NE ¼ Section 15, T-4-N, R-15-W; Part of the NE ¼, NW ¼ Section 15, T-4-N, R-15-W; Part of SW ¼ Section 10, T-4-N, R-15-W; Part of the NW ¼ Section 10, T-4-N, R-15-W; the E ½ Section 10, T-4-N, R-15-W; Section 11, T-4-N, R-15-W; Section 12, T-4-N, R-15-W; Section 1, T-4-N, R-15-W; Section 2, T-4-N, R-15-W; Part of the Se ¼ Section 3, T-4-N, R-15-W; Part of the E ½, SW ¼ Section 3, T-4-N, R-15-W; Part of the SW ¼, NE ¼, Section 3, T-4-N, R-15-W; Part of the E ½, NE ¼, Section 3, T-4-N, R-15-W; Part of SW ¼, SW ¼ Section 35, T-5-N, R-15-W; Part of the E ½, SW ¼ Section 35 T-5-N, R-15-W; Part of the SE ¼ Section 35, T-5-N, R-15-W; Part of the S ½, NE ¼ Section 35, T-5-N, R-15-W; Part of the NW ¼, NE ¼ Section 35, T-5-N, R-15-W; The E ½ Section 36, T-5-N, R-15-W; The SW ¼ Section 36, T-5-N, R-15-W; Part of the NW ¼ Section 36 T-5-N, R-15-W; Part of the S 1/2, SW ¼ Section 25, T-5-N, R-15-W; Part of the NE ¼, SW ¼ Section 25, T-5-N, R-15-W; The SE ¼ Section 25, T-5-N, R-15-W; The E ½ , NE ¼ Section 25, T-5-N, R-15-W; Part of the W 1/2 , NE ¼, Section 25, T-5-N, R-15-W; Part of the SE ¼, SE ¼ Section 24.

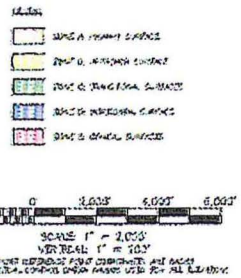


CONWAY MUNICIPAL AIRPORT HEIGHT ZONING MAP

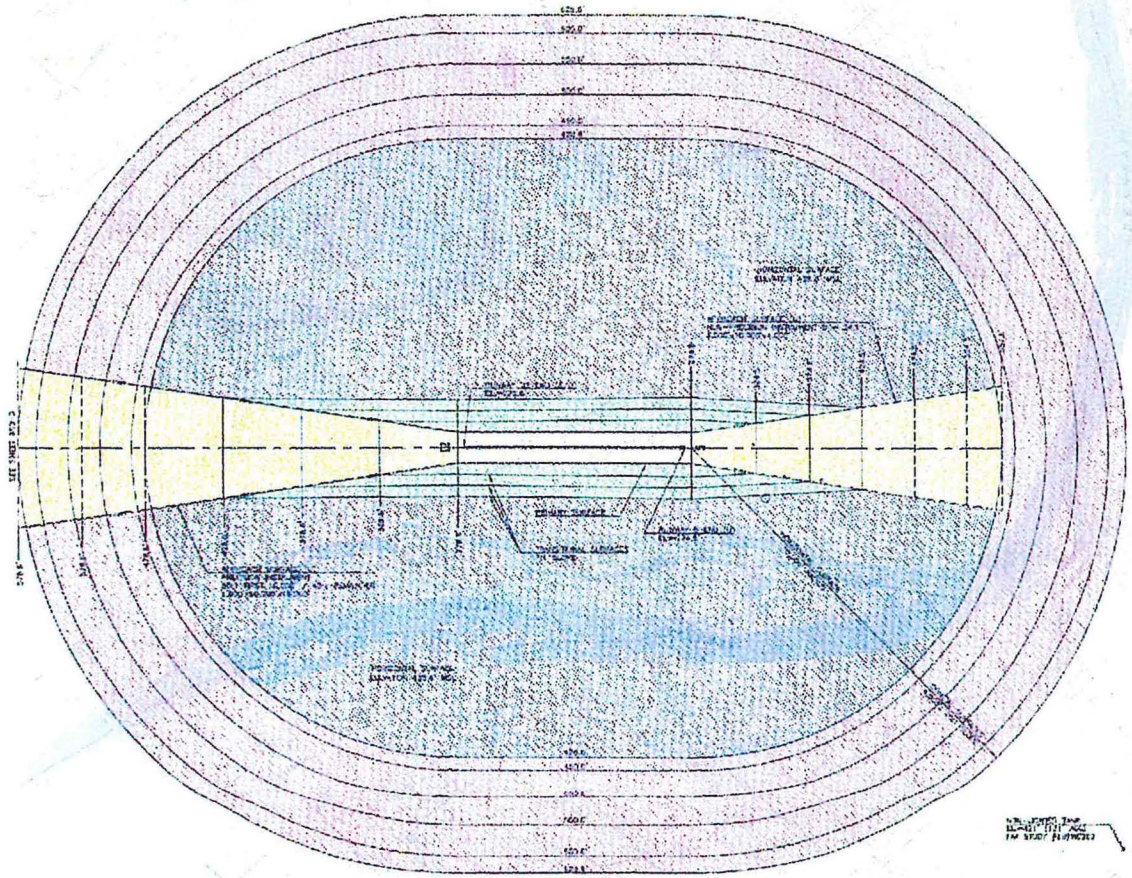


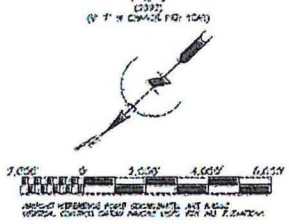
RUNWAY 5-23 OBSTRUCTION DISPOSITION TABLE

DESCRIPTION	TOP ELEVATION	SURFACE PENETRATED	PENETRATION IN FEET	LOCATION	DISPOSITION
NO OBSTRUCTIONS					



SCALE: 1" = 2,000'
VERTICAL: 1" = 100'





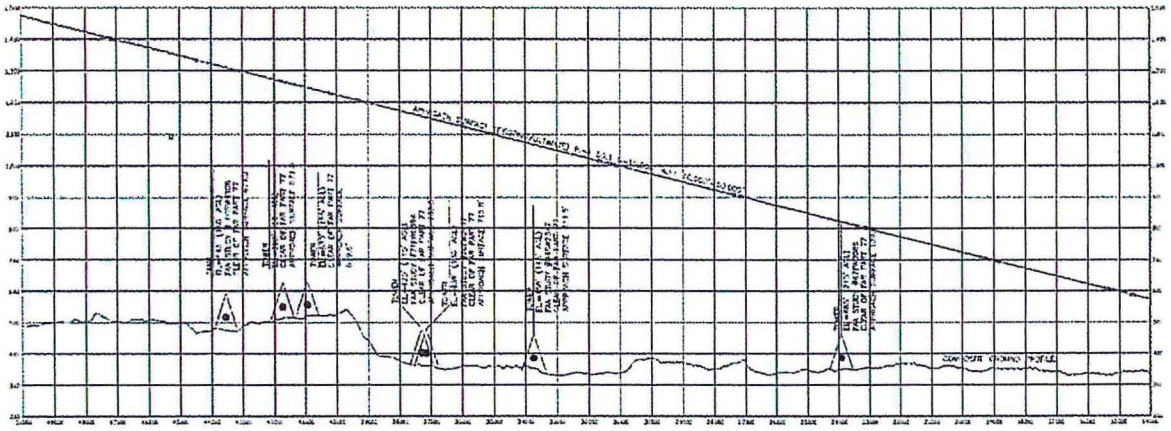
CONWAY MUNICIPAL AIRPORT
CONWAY, ARKANSAS

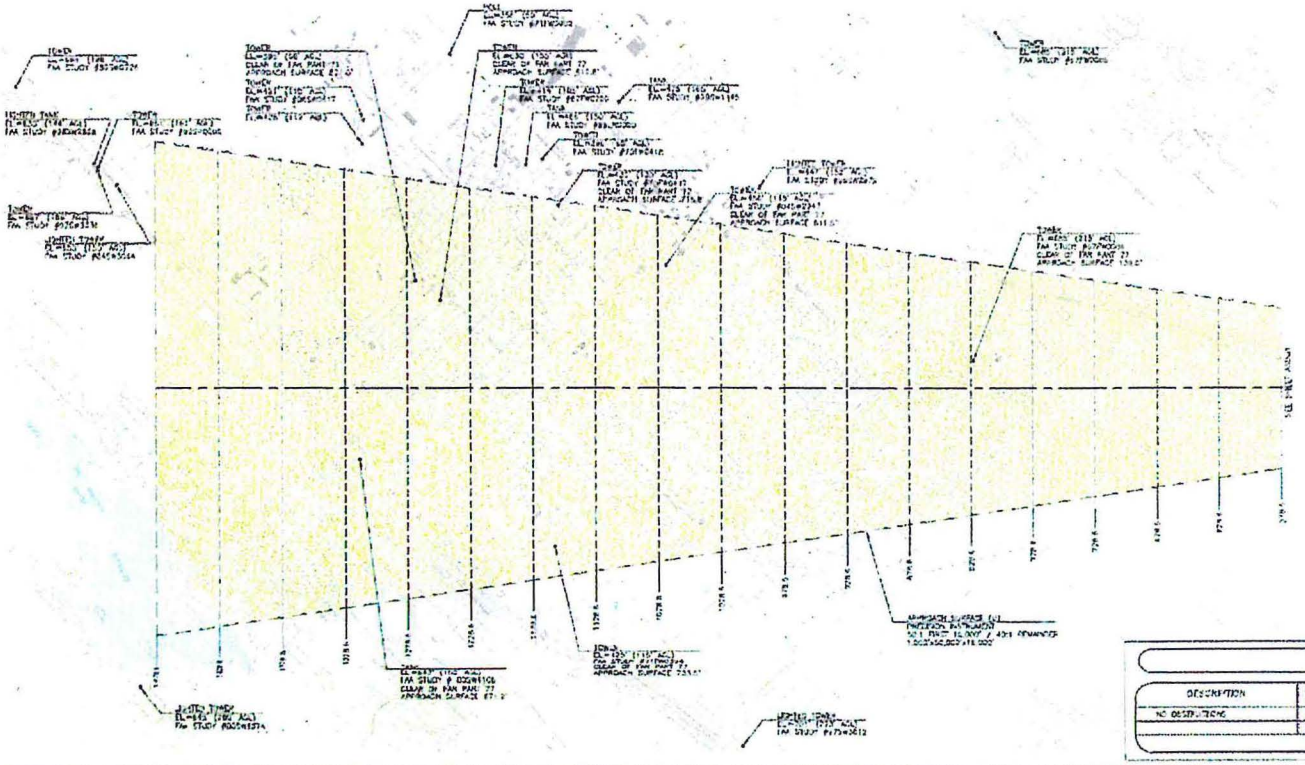
AIRPORT HEIGHT ZONING MAP

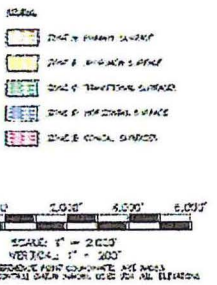
AIRPORT HEIGHT ZONING MAP 1

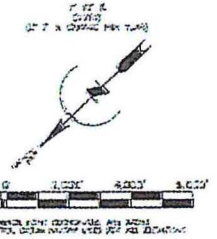
JOB NO.: 68050523
DATE: MARCH, 2011
DESIGNED BY: BWR
DRAWN BY: RDP

SHEET NUMBER
HZM-1









RUNWAY 6-23 OBSTRUCTION DISPOSITION TABLE

DESCRIPTION	TOP ELEVATION	SURFACE PENETRATED	PENETRATION BY (FEET)	LOCATION	DISPOSITION
NO OBSTRUCTIONS					

GARVER

CONWAY MUNICIPAL AIRPORT

AIRPORT HEIGHT ZONING MAP

AIRPORT HEIGHT ZONING MAP

JOB NO.: 08050523
DATE: MARCH, 2011
DESIGNED BY: BWR
DRAWN BY: RDF

SHEET NUMBER
HZM-2

Exhibit C
Airport Overlay District Zoning And Development Design Standards

1. **Airport Layout Plan.** The Airport Layout Plan shall serve as the master planning map for locations of buildings, structures, fueling, runways, aprons, taxiways, etc. (NEED UPDATED AIRPORT LAYOUT PLAN)

2. **Land Uses.** The land uses for the Airport shall complement and enhance the aviation aspect of the Cantrell Field. **All non-aviation related activities are prohibited.**

   Special Exceptions. Special exceptions shall include any land uses outside of aviation activities allowed in an I-3 Intensive Industrial zone either by right or with a conditional use permit. These uses shall be approved on a case-by-case basis. All special exceptions shall conform to the laws and regulations of the City of Conway, FAA regulations, state and federal regulations. Adult entertainment facilities, regardless of type, are not eligible for a special exception. Proposed exceptions must be approved by the City of Conway. Special exceptions requiring a conditional use permit shall require review by the Planning Commission and approval of the City Council as stipulated in the Conway Zoning Ordinance.

3. **Federal Aviation Administration Requirements.** These minimum development standards apply to areas within the Airport boundary. Within the Airport, there are documented standards which are rigidly enforced by the FAA. No lighting, communication, emissions, building locations, or operational activities of any sort shall be permitted that would potentially interfere with the operation of the Airport, aircraft, or navigational aids. All airside and landside facilities shall be in full compliance with all dimensional criteria and standards set forth by the City of Conway and the FAA.

4. **Prohibited Nuisances and Hazards.** No business, trade, activity, or operation, which shall be noxious, offensive, or illegal; or which shall be contrary to any regulations, including, without imitations, those of the Federal EPA, the State of Arkansas Department of Environmental Quality (ADEQ), or the City of Conway, or which shall cause an emission of dust, smoke, odors, fumes, radiation, noise, or vibrations, which may be or become a nuisance or an unreasonable annoyance to the occupants of any adjacent or neighboring site, shall be conducted. All on-site operations and activities shall be conducted with reasonable and appropriate precautions against radiation, fire, explosion, and other hazards.

   No on-site operations or activities which require or involve the use, storage, generation, or disposal of "toxic wastes" or "hazardous materials," as defined in or under any federal, state, or local regulations, or as defined by the City of Conway, shall be allowed, other than in conformity with these regulations and as specifically approved by the City of Conway.

5. **Lot Sizes.** The minimum lot size shall be not less than that required for the building pad, required parking and all set-backs. The City of Conway may approve constrained parcels that do not meet the minimum criteria.

6. **Building Location and Height.** The location of all buildings, regardless of intended use, shall be consistent with the Airport Layout Plan, which may be amended from time to time by the City of Conway. No structures may exceed a height that would penetrate the imaginary surfaces shown on the Federal Aviation Regulations Part 77 drawing and the Airport Layout Plan. Height limitations on the entire Airport shall comply with FAA requirements for transitional surfaces and for line-of sight from the rotating beacon or Air Traffic Control Tower, if so equipped, to all runways, taxiways and aprons.

7. **Building Orientation.** For buildings contiguous with the Airport Operations Area (AOA) fence, a distinct entrance for airside and landside users shall be provided. Building footprints shall be presented on the site plan. Building on each site shall be oriented to minimize service docks, dumpsters, refuse collection areas, and stockpiles from public view.

8. **Setbacks:** All parking areas and buildings shall be set back from the airfield ramps, taxiways, and other areas used by aircraft, in compliance with standards established by the FAA or as required by the Airport Layout Plan and the City of Conway.

9. **Outside Storage.** All outside storage of equipment or other materials is prohibited.

10. **Accessory Buildings and Temporary Structures.** Accessory buildings (such as storage sheds) and temporary structures are prohibited.

11. **General aviation aprons and taxi lanes.** General Aviation aprons and taxi-lanes leading into aprons shall be in accordance with FAA AC 150/5300-13 (or current version), Airport Design. Lighting shall be in accordance with

FAA AC 150/5340-30 (or current version). Signage and Marking shall comply with FAA AC 150/5340-1 and 150-5340-18 (or current version).

- Pavement sections on all aprons and taxi lanes leading into aprons shall be designed to the same standards as the aprons.
- All aircraft pavements shall be designed and constructed using FAA approved materials and standards.
- Apron grades shall be consistent with minimum local drainage requirements, but shall be limited to a maximum grade of 1.0 percent to facilitate the towing and taxiing of aircraft.
- Apron grades shall be designed to direct drainage away from buildings.
- Stormwater inlets shall be installed within the pavement limits to facilitate the drainage to the stormwater management system only when and where necessary.
- The outer perimeter of the GA apron facing the airfield shall be equipped with edge lights. Taxilane edge lights shall be installed according to FAA specifications. All airfield lighting electrical installations or connections shall be coordinated with and must be approved by the City of Conway prior to installation.
- The apron shall be marked and striped in accordance with applicable FAA advisory circulars.
- Setbacks and clearances shall comply with those standards outlined in FAA AC 150/5300-13, Airport Design, for the aircraft types operating or anticipated to operate on the apron.
- Designated thoroughfares for fueling, maintenance, and other ground service vehicles shall be designed to minimize vehicular traffic conflicts with aircraft movements.

12. **Vehicular Access.** Vehicular movement to aircraft storage hangars shall be restricted from crossing any airport taxiways or runway. All aircraft storage hangars shall provide automobile parking that does not interfere with aircraft operations. Vehicle parking on ramp areas is expressly prohibited except for necessary service vehicles.

    Buildings normally open to the public ensure that pedestrian and vehicular access is restricted to roads and parking lots.

    All improvements or facilities sited on the landside/AOA interface shall have appropriate access to both the landside and the AOA. All customer facilities and accommodations for passengers and crew of transient aircraft must include a ramp or other convenient access for the disabled, and must include sanitary restrooms equipped for use by their guests or employees.

13. **Utilities and Water / Sewer Facilities.** All utilities shall be located underground and located in the right-of-way adjacent to the road. Each lot shall connect to the utilities and service pedestals or boxes located outside of the roadway sight lines. The area around the service pedestal or boxes shall be kept clear of permanent structures. Landscape irrigation, if installed, shall be designed in such a manner that water is not directly thrown or sprayed on the pedestals or boxes.

    Utility meters shall be installed where necessary, as required by utility companies. Temporary power poles are permissible while the primary structure is being constructed, but shall be removed prior to the time the Certificate of Occupancy (CO) is issued. Power poles shall not be placed within the roadway sight lines.

    A plan indicating water and sewer facilities to be installed for the project will be provided to the City of Conway, along with the site plan for the project. This plan should conform to the requirements of City of Conway (water, sewer), and all applicable regulatory agencies.

14. **Fuel Tanks.** Fixed fuel storage systems shall contain safety fixtures and filtration systems that meet industry standards. The system shall have at least 10,000 gallons of above ground storage for each type of fuel to be provided. The storage system shall include adequate fuel spill prevention features and containment capabilities. A Fuel Spill Prevention Countermeasures and Control (SPCC) Plan must also be submitted to the City of Conway and the Arkansas Department of Environmental Quality for approval. Compliance with the City of Conway Building Code, NFPA, and ADA is required.

    Tank Location. All fuel shall be stored in above-ground tanks approved by the City of Conway and located in a location in accordance with the FAA approved and Airport Layout Plan (ALP), with setbacks from buildings and roads as required by the NFPA. No underground storage facilities shall be permitted without express written approval from the City of Conway.

- Vehicular access and circulation around the fuel storage facilities shall not impact or impede existing Airport roads, and shall in no case require the use of dedicated airside pavements or facilities. Primary access roads to the site must be designed for heavy truck traffic.
- Facility shall be fenced and signed to reduce the chance of unauthorized entry or tampering with the fuel system.
- The fueling facility shall be marked in accordance with FAA AC 150/5230-4.

Fuel Storage Tank General Regulations:

- Separate storage tanks and fuelers shall be provided for each grade of fuel distributed. Tanks and mechanical equipment must be labeled and color-coded per FAA requirements (AC 150/5230-4) to distinguish the different fuel grades. Dead man controls shall be provided for unloading fuel from the tanks into the refueling vehicles. Over-the-road tankers are prohibited from all airside areas.
- Minimum storage tank size shall be 10,000 gallons each for aviation fuel and (Jet A and Avgas).
- All above-ground tanks shall be installed in a concrete containment basin designed to capture any accidental spill of the contents of the fuel storage facility and/or delivery vehicle in accordance with all EPA, NFPA, and other federal, state, and local laws and regulations, as amended. Emergency fuel shut-off stations shall be located near the fuel tanks, and shall be accessible, well marked, and lit as per AC 150/5230-4.
- All surface drainage from the storage area and docking/loading area shall be captured in a closed drainage system and directed through a fuel spill and/or oil-water separator device approved by the ADEQ.
- At a minimum, aboveground storage facilities shall be diked with an impervious retention basin capable of containing 110 percent of the capacity of the largest tank and shall be either double-lined or vaulted.
- Fuel storage equipment shall be provided with metering devices that maintain and produce accurate receipts of fuel dispensed from the facility and are calibrated and approved by the State of Arkansas Department of Agriculture, Division of Weights and Measures. Specifications for the metering equipment shall be submitted to the City of Conway for review and approval. Fueling equipment and procedures shall comply with all federal, state, and local laws and regulations as amended.
- Design and construction drawings and specifications shall be approved by the Airport Advisory Committee and ADEQ.
- Above-ground storage facilities shall conform to the requirements of NFPA 30, Flammable and Combustible Liquids Code, Florida Administrative Code-Chapter 62-761, and other applicable requirements for storage facilities.

Fuel Tank Safety Regulations. All fueling facilities shall conform to the highest standards of safety.

- Facility shall be posted with "Flammable—No Smoking" signs conforming to NFPA standards.
- Facility shall:
  - Contain no feature that would allow introduction of any foreign material into fuel.
  - Be free of materials, equipment, functions, and activities that would be ignition sources.
  - Be constructed in such a manner as to prevent the introduction of the product into the wrong storage tank.
  - Be constructed with lightning protection in accordance with NFPA standards.
- Facility shall be equipped with protection for electrical equipment and wiring. This protection shall provide reasonable safeguards from heat, abrasion, or other impact that could cause failure of insulation, open spark, or other ignition source. See NFPA Standard 70, National Electrical Code.
- Grounding and bonding equipment shall provide that piping, filters, tanks, and electrical components are electrically bonded together and interconnected for adequate electrical ground.
- Twenty pound Class B fire extinguishers shall be readily available to the operator of fueling equipment, in conformance with NFPA standards.
- All hoses, nozzles, filters, and connectors shall meet or exceed recommendations in FAA AC 150/5230-4.

- Distribution of fuel into aircraft shall be by self-fueling, stationary fueling systems or mobile pumping equipment (fuelers). Fueling with portable gas cans is permitted with a self-fueling permit, as issued by the City of Conway.

15. **Hazardous Materials.** The applicant shall submit a hazardous materials handling program, as necessary, indicating full disclosure of any hazardous materials that may be stored on-site. Standard storage, use and disposal procedures, emergency procedures and schedule of regular inspections and approvals necessary to comply with Airport standards, City of Conway, state and federal regulations.

16. **Security.** Development shall be designed, constructed, and separated in a manner that assists the City of Conway in controlling access from the landside to the airside. Security access points may be established by the City of Conway and shall be designated on the site plan submitted to the City of Conway. Lessee shall fully comply with all standards set forth by the Airport Security Plan, and any other regulations established or amended from time to time by the City of Conway.
Coordination with the City of Conway will be essential to assure that the latest and most up-to-date information is available during development and construction of airport facilities.

    If the Leasehold is located in an area designated as a Security Identification Display Area (SIDA), which is accessible only to those persons displaying security media issued by the City of Conway, each person must wear and display the security media issued by the City of Conway at all times while within the SIDA. Lessee shall control the premises to prevent unauthorized access to the Air Operations Area (AOA) or SIDA. Lessee shall strictly comply with all applicable provisions of the Airport Master Security Plan. Should Lessee implement a security system, such security system must comply with the Airport's security specifications.

    For facilities entirely or partially located within the AOA or SIDA, electrical wiring and security data conduits shall be provided by the City of Conway to operate security devices (gates, access controls, and cameras). Four (4), four-inch PVC conduits shall be provided where required: one for power, one for data, and two spare.

18. **Antennas and Satellite Dishes.** No antenna or satellite dish for transmissions or reception of television signals or any other form of electromagnetic radiation shall be erected, used, or maintained outside any building, whether attached to an improvement or otherwise, without the prior written approval of the City of Conway. Conway Corporation shall provide cable television and internet service.

19. **Fire Suppression.** The building owner shall install fire detection devices within the premises and such devices shall be monitored to communicate the need for emergency response. The building owner shall also install a single-key fire department emergency access system, such as a KnoxBox®. The emergency access system is intended to ensure immediate building entry by firefighters without delay. All buildings, including aircraft hangars shall meet all applicable City of Conway and Arkansas state fire codes.

20. **Aircraft Wash Racks.** Aircraft wash racks shall be equipped with oil/water separators and oil catch tanks to prevent fuel oil, or other petroleum based products from being discharged into the stormwater or sanitary sewer system. Waste disposal and sanitary system plans shall be provided to the City of Conway.

    All facilities shall obtain necessary permits and be in compliance with ADEQ regulations.

21. **Variance Procedures.**

    Structure and Design Variance. The City of Conway shall consider and may grant a variance to any covenant, restriction, or condition listed herein. Variance conditions must be documented to satisfaction of the City of Conway, including reasons why the property cannot conform to the aforementioned covenants, restrictions or conditions. Variance requests shall be submitted to and reviewed by the Airport Manager. The Airport Manager shall present the variance request to the Airport Advisory Committee. The Airport Advisory Committee shall then make a recommendation to the City Council. The City Council shall be the final approving body for any variance requests.

    Land Use Variance. Any variance for land uses shall follow procedures as specified in Airport Zoning and Overlay District Design Standards 2. Land Uses.

EXHIBIT C - Legal Description

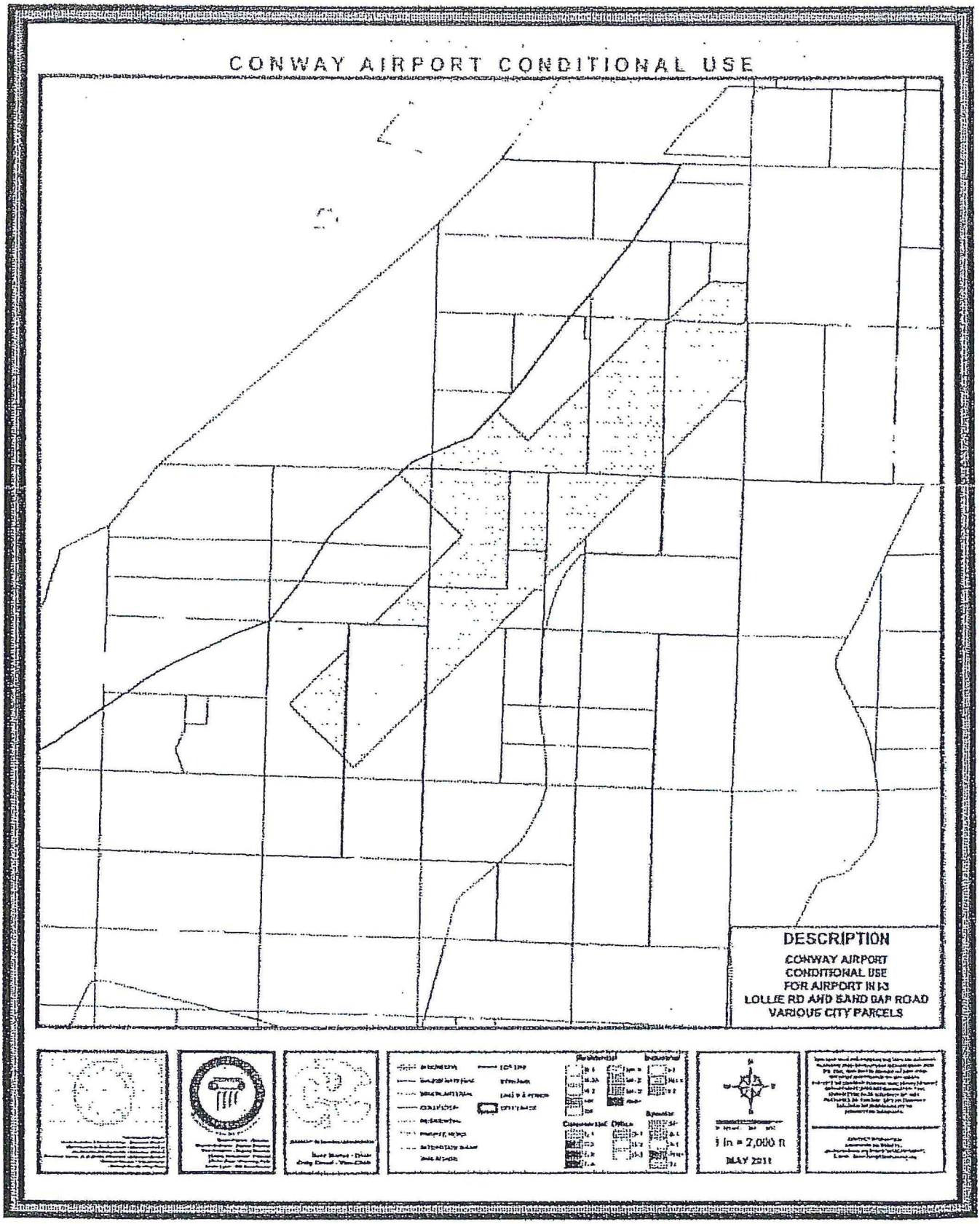
CONWAY AIRPORT SPECIFIC LAND USE AND DEVELOPMENT DESIGN AREA LEGAL DESCRIPTION

Beginning at a found ½" rebar at the SW corner of the SE ¼ SE ¼ of Section 36; thence along the west line of the E ½ of the SE ¼ N01-33-45E 2643.61 to a found 2" pipe at the SW corner of said SE ¼ NE ¼, said point being the point of beginning; thence leaving said west line N46-47-10E 928.85 feet; thence S88-00-44E 660.00 feet to the east line of said SE ¼ NE ¼; thence along said east line S01-28-28W 660.00 feet to the SE corner of the SE ¼ NE ¼; thence leaving said SE corner S01-37-44W 892.75 feet; thence S45-04-03W 1960.01 feet to the east line of said SW ¼ SE ¼; thence along said east line S01-33-45W 318.43 feet; thence along the south line of the SW ¼ SE ¼, Section 36, T-5-N, R-15-W, N87-54-05W 299.59 feet; thence S45-04-03W 2441.49 feet; thence continuing S45-04-03W 282.95 feet; thence continuing S45-04-03W 2594.46 feet a point on the west line of Section 1; thence along said west line N01-37-29E 1220.67 feet to a point at the NW corner of the NW ¼ SW ¼ of Section 1; thence along the south line of said SE ¼ NE ¼ Section 2 N88-18-04W 922.53 feet; thence leaving said south line N45-04-03E 917.47 feet; thence continuing N45-04-03E 1192.29 feet; thence N44-55-57W 1473.44 feet; thence N48-50-49E 336.58 feet; thence N68-51-34E 1053.86 feet; N41-07-16E 632.97 feet; thence S44-55-57E 730.68 feet; thence N45-04-03E 2913.91 feet; thence S88-02-42E 340.13 feet to the point of beginning. 374.02 Acres more or less.

Also:
Part of the W ½ SE ¼ of Section 2, T-4-N, R-15-W, Faulkner County Arkansas; more particularly described as beginning at the NE corner of Section 2, T-4-N, R-15-W; thence along the east line of said Section 2, S01-37-29W 2645.33 feet to the NE corner of the NE ¼ SE ¼; thence leaving said east line N88-18-04W 1320.01 feet to the NE corner of the NW ¼ SE ¼; thence along the east line of said W ½ SE ¼ S01-37-30W 420.22 feet to the point of beginning; thence continue along said east line S01-37-30W 1901.95 feet; thence leaving said east line N44-55-57W 1307.83 feet; thence N45-04-03E 1380.94 feet to the point of beginning. 20.73 acres more or less.

Also:
A part of the E ½ SE ¼ of Section 2, T-4-2-N, R-15-W, described as beginning at a found ½" rebar at the NE Corner of said E ½ SE ¼ thence along East line of said Section 2, S01-37-29W 1220.67 feet to a ½" rebar; thence leaving said East line S45-04-03W 1706.20 feet to a set ½" rebar; thence N44-55-57W 202.17 feet to a set ½" rebar on the West line of said E ½ SE ¼; thence along said West line N01-37-30E 2322.17 feet to a set ½" rebar at the NW corner of the NE ¼ SE ¼; thence along the North line of said NE ¼ SE ¼ 130.01 feet to the point of beginning containing 39.96 acres in the NE ¼ SE ¼ and 17.68 acres in the SE ¼ SE ¼, making a total of 57.64 acres more or less.

Exhibit C - Map



CONWAY MUNICIPAL AIRPORT DESIGN DEVELOPMENT AREA MAP

Faulkner County Solid Waste Management District (FCSWMD)

Memo:

To: Mayor Tab Townsell

From: Jack Bell, Chairman

CC: City Council

Joseph Hopper, Sanitation Director

Date: March 2, 2016

Re: Re: Constructing a building on Sanitation property

The Faulkner County Solid Waste Management District (FCSWMD) would like permission to construct a 20' X 30' storage building northwest of the Materials Recovery Facility on the grounds of the Sanitation Department.

This building will be used to house electronic waste, records and other materials. The cost of the building will be borne by the FCSWMD through ADEQ e-waste grant funds.

If you have any questions, please advise.

City of Conway, Arkansas
Ordinance No. O-16-_____

AN ORDINANCE DECLARING AN EXCEPTIONAL SITUATION AND WAIVING THE REQUIREMENTS OF OBTAINING COMPETITIVE BIDDING FOR THE REPAIRS TO THE BOMAG 772 LANDFILL COMPACTOR AT THE CITY LANDFILL; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

Whereas, the landfill program of the Department of Sanitation, in order to conduct business efficiently and in a timely manner and to fully and adequately provide for the compacting of refuse and the spread of waste evenly in layers over the landfill, on behalf of the inhabitants of the City, and,

Whereas, G.W. Van Keppel Company, a provider of primary component parts, materials, and services for this landfill compactor, is a certified dealer of such parts and services and is an approved City vendor and is able to provide these repair services in order for the landfill program to conduct and maintain uninterrupted daily operations at the landfill.

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

Section 1: An exceptional situation exists requiring the waiving of the conditions of competitive bidding, so that competitive bidding requirements are hereby waived, and the repairs to the landfill compactor for $64,035.95 from G.W. Van Keppel Company, are approved.

Section 2. That any ordinance which conflicts with this ordinance is hereby 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 8th day of March, 2016.

Approved:

_____
Mayor Tab Townsell

Attest:

_____
Michael O. Garrett
City Clerk/Treasurer

Department of Sanitation

Memorandum

To: Tab Townsell, Mayor

From: Joe Hopper, Director

Subject: Compactor Repair

Date: March 2, 2016

The Department of Sanitation is currently utilizing a 2011 Bomag 772 landfill compactor which currently indicates use at 10,769 hours. The compactor recently experienced a catastrophic failure in the gearbox, which in turn damaged a set of hydraulic drive pumps rendering the machine unusable until repaired. We are using our largest bulldozer for compaction in the meantime.

We are currently in the process of increasing the exterior slopes in preparation of vertical expansion. Compaction is crucial at this stage, not only for space savings, but to ensure we have a "solid" foundation as we increase elevation. Since our fill progression is currently focused on the outside perimeters, subpar compaction rates could be problematic with regards to erosion control, leachate leaks, and settling/sink holes. Furthermore, the areas we are set to start filling in the next few weeks are areas where permanent access roads are to be constructed. Those areas require ample compaction that we cannot obtain with a bulldozer. We estimate that we're losing around 220 cubic yards of airspace per day without the compactor.

G.W. Van Keppel Co. of Little Rock assessed the equipment failure and provided repair/parts estimates totaling $64,035.95. $14,859.32 of that amount is a core charge which will be refunded once we return the faulty parts. Van Keppel is the only vendor in our area that provides service to Bomag equipment. We recommend that the proposed ordinance be accepted and approved by the City Council at the next meeting.

Please let me know if you should require additional information.

AGREEMENT

This Agreement is entered this __ ____ day of _____, 2016, between the City of Conway, Arkansas, and the Conway School District.

WITNESSETH:

WHEREAS, District desires to maintain and improve a School Resource Officers' Program ("Program") to serve the respective needs and to provide for the maximum mutual benefit of the parties hereto; and

WHEREAS, this objective is to be accomplished by the controlled interaction of the City's police officers with students and staff of the District; and

WHEREAS, the district desires to reduce juvenile crime and to promote students' well being.

NOW, THEREFORE, IN CONSIDERATION OF THE COVENANTS SET FORTH HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. **SERVICES**

The City shall provide seven police officers and one police sergeant on a full-time basis to serve as School Resource Officers for the Conway School District. Two officers will be placed at the Conway High School; two officers will be placed at the Conway Junior High School; one officer will be placed at each middle school; and all officers will share the responsibilities of the elementary schools. The program may be expanded to add additional officers.

2. **CONSIDERATION**

In consideration for providing the above-described services, the Conway School District shall pay to the City the sum of $280,000 which represents approximately half of the total costs associated with the officers' salaries, benefits, and the average overtime/comp that they receive as part of their SRO duties. The compensation shall be paid by the Conway School District to the City of Conway in full, between July 1, 2015 and July 30, 2016.

3. **TERMS**

The term of this Agreement shall be for a period commencing July 1, 2015, to and including, June 30, 2016. Absent termination by one of the parties hereto, or amendments mutually agreed upon by the parties, this Agreement shall automatically be renewed for additional terms of one year. This Agreement and all performances and obligations required hereunder may be terminated by the Mayor of the City of Conway or Superintendent of the Conway School District at any time and for any cause provided that the terminating party provides the other party with written notice of termination immediately upon the date of termination.

4. **PERSONNEL**

The School Resource Officers provided by the City shall be considered employees of the City. The School Resource Officers shall perform their services in accordance with Exhibit "A". Notwithstanding anything contained in this Agreement or the attachments to this Agreement, the School Resources Officer shall at all times be subject to the policies and procedures of the Conway Police Department. The City and the District shall be jointly responsible for the selection of an officer from the list of eligible candidates provided by the City. The City shall be responsible for the special training of the officer as required for participation in this program, and the scheduling of such School Resource Officers.

5. **INSURANCE**

City and District acknowledge that the other party is a governmental entity, duly organized under the laws of the State of Arkansas, and that each party relies on tort immunity. Accordingly, either parties, as a requirement of this Agreement shall not require additional insurance.

6. **ASSIGNMENT AND SUBCONTRACTING**

This Agreement and the performance of services required hereunder shall not be assigned or subcontracted by either party without the written consent of the other party.

7. **NOTICES**

Notices hereunder shall be given by first-class mail or personal service. Notice to the City shall be delivered or addressed to the Mayor, City of Conway, 1201 Oak Street, Conway, AR 72032. Notice to the District shall be delivered or addressed to the Superintendent of Schools, 2220 Prince Street, Conway, AR 72034.

Conway School District	City of Conway
_____	_____
Superintendent	Mayor Tab Townsell
Date:_____	Date:_____

SCHOOL DISTRICT

Exhibit A

SCHOOL RESOURCE OFFICER

QUALIFICATIONS:

1. A police officer with a minimum of three years of law enforcement experience.
2. Officer has effective oral communication skills.
3. Officer has effective written communication skills.
4. Officer has strong desire to work with children and young adults.

BASIC PERFORMANCE RESPONSIBILITIES:

A. The school resource officer will report directly to the school resource officer supervisor. The school resource officer supervisor will coordinate all resource officer activities with the Assistant Superintendent of Schools. Each school resource officer shall:
   1. Provide a general security presence within the school district at each of the SRO's assigned schools.
   2. Provide informal counseling to students and/or faculty.
   3. Act as a guest lecturer in the classroom in law enforcement related areas.
   4. Act as a liaison between the department and the school district.
   5. Investigate crimes occurring on school property.

B. The school resource officer will assist school officials in setting up procedures for juvenile delinquency prevention programs by:
   1. Providing assistance to students and school staff members.
   2. Presenting various crime prevention, drug, and alcohol seminars.
   3. Serving as a positive role model.
   4. Bridging the communication gap between students and police.
   5. Enforcing State, Federal, and local laws whenever necessary.
   6. Preventing the organization of youth based gangs.

C. The school resource officer will assist school officials with maintaining order in and around the school by investigating criminal behavior and taking enforcement action as appropriate to help insure a safe environment for students and school district officials.

D. The school resource officer shall project a professional appearance and attitude that has a positive influence on the community.

E. The school resource officer will report to his or her assigned school at the time designated by the school resource officer supervisor and will:
   1. Report to the area of assignment and remain in this area unless duty demands otherwise.
   2. Be visible in or around schools before school, during assemblies, lunch hours, and after school to ensure smooth school operation.
   3. Keep supervisors informed of the progress of investigations and/or problems in his or her area of responsibility.
   4. Accurately record daily activities as assigned and submit reports to the unit supervisor for approval.

F. The school resource officer will perform any other duties as assigned by his or her supervisor.

G. School resource officers who are assigned to schools will be on their assignments throughout the normal calendar year.

H. Vacations other than school holidays will be taken primarily during times when school is not in session.

Note: The school resource officers will work extra-curricular activities at their assigned schools that the school resource officer supervisor deems necessary for the program to succeed. Compensation for the extra-curricular activities worked by the positions will be paid by time off through school holidays and summer months, to include the use of the School Resource Officer's accrued compensation time. Due to the accrual of this time the school resource officers are exempted from the departments 100 hour cap on accrued compensatory time.

I have read and agree to the above stipulations concerning extra-curricular activities.

_____	_____
School Resource Officer	**School Resource Officer**
_____	_____
School Resource Officer	**School Resource Officer**
_____	_____
School Resource Officer	**School Resource Officer**
_____	_____
School Resource Officer	**School Resource Officer**

City of Conway, Arkansas
Resolution No. R-16-____

A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS A MOSQUITO CONTROL ABATEMENT PROGRAM FOR THE CITY OF CONWAY, ARKANSAS; AND FOR OTHER PURPOSES

Whereas, the City of Conway, Arkansas would like to discuss a mosquito control abatement program and would like to have public input regarding this program; and

Whereas, the City shall set a date and time for a hearing before the City Council for consideration of this discussion.

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

1. That the City Council shall hear said discussion regarding mosquito control abatement program at its regular meeting to be held at the Russell L. "Jack" Roberts District Court Building, 810 Parkway Street, Conway, Arkansas, on **March 22nd, 2016 at 6:30 p.m.**

PASSED this 8th day of March, 2016.

Approved:

_____
Mayor Tab Townsell

Attest:

_____
Michael O. Garrett
City Clerk/Treasurer

A MOSQUITO ABATEMENT PROPOSAL PREPARED FOR:

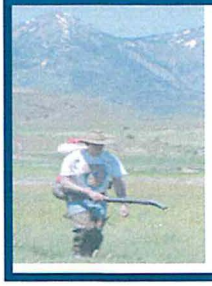
Conway, AR

City of Conway, AR
1201 W Oak St
Conway, AR 72032

March 2, 2016

Submitted by:
Vector Disease Control
1320 Brookwood Drive, Suite H
Little Rock, AR 72202
www.vdci.net

Global Leaders in Mosquito Control



Vector Disease Control International
Mosquito Control Specialists

Dear: Missy

Thank you for your time in speaking with me the other day and discussing your mosquito control program for Conway. I have prepared for you a proposal for mosquito abatement services to be conducted within the City limits of Conway, Arkansas. The enclosed proposal details all of the services that VDCI is capable of implementing within our integrated mosquito management programs.

VDCI's commitment to providing the best possible service to its customers is evident in everything we do. Our prior experience in performing mosquito operations in Arkansas has resulted in a working knowledge of the local mosquito species, breeding habitats and control measures that will be required to establish the best possible program for Conway. VDCI is a company built on the foundations of public health, ethics, professionalism, and technical expertise with the goal of creating true partnerships with local municipalities and residents. All of our employees are committed to excellence in vector control and public health and always strive to improve the quality of human life in communities through public education and the control of mosquitoes and other disease vectors.

We invite you to review our proposal to provide a full and complete Mosquito Abatement Services Program. I am excited to discuss you current program with you, and to see how we can tailor a program to fit the city's budget, and the needs of the residents. We are confident you will see that our qualifications, commitment to excellence and experience will allow for a successful and cost-effective partnership between our two agencies.

Thank you for your time, and we look forward to hearing from you in the near future.

Respectfully,

Brett Killingsworth, Business Development
Vector Disease Control International
848 Foley Street
Jackson, MS 39202
Cell: 662-312-9626
Email: bkillingsworth@vdci.net

Business Office:
20 Brookwood Dr
Suite H
Little Rock, AR
72202

T- 800.413.4445
F- 866.839.8595

www.vdci.net

Table of Contents

Summary of VDCI's Proposed Integrated Mosquito Management Program

General Program Services

- Mapping of all Surveillance and Control Sites
- Logging all Service Requests and Activities in our Computer Database
- Answer Service Requests and Questions within 24hrs
- Public Education and Outreach Activities
- Program Quality Control
- Monthly and Yearly Reporting of all Program Activities
- Regulatory Compliance with County, State, and Federal Laws including the National Pollutant Discharge Elimination System (NPDES)
- Comprehensive Insurance Coverage

Mosquito Surveillance Operations

- Regular Inspection and Mapping of all mosquito-breeding sites throughout the City
- Weekly Monitoring of CDC Light Traps
- Landing Rates performed throughout the City as needed
- Sort, Identify and Pool mosquitoes for viral testing with RAMP system
- Regular Monitoring of Weather Data to predict peak activity periods
- Recording and Mapping of all applicable surveillance data in our Computer Database for Routine Reporting to the City

Larval Mosquito Control Operations

- Targeted application of larvicides to mosquito breeding sites throughout the City, daily as needed
- Targeted application of pupicide (Agnique MMF) to mosquito breeding sites containing a high proportion of mosquito pupae as needed
- Identify and report appropriate areas for source reduction projects
- Perform early season Aerial Larvicide Applications (max 300 acres)
- Recording and Mapping of all Larvicide Applications in our Computer Database for Routine Reporting

Adult Mosquito Control Operations

- Conduct ground ULV adulticide applications as deemed necessary
- Perform backpack/Electrostatic barrier applications as needed or as requested by

the City or City Residents for special events, festivals, and activities

- Conduct Aerial Adulticide Applications with consultation from the City as needed
- Recording and Mapping of all Adulticide Applications in our Computer Database for Routine Reporting to the City

Public Service Requests

- Provide a toll free "Hotline" for residents to report mosquito issues
- Prepare and distribute mosquito and WNV educational brochures to residents
- Respond to service requests within 24 hrs of receiving request
- Remediate mosquito problems appropriately in response to every service request

Reporting

- Enter all surveillance and control data into VDCI's database each week
- Integrate GPS and GIS data into easy to read maps and reports
- Prepare and submit comprehensive monthly and annual reports of all surveillance and control activities
- Prepare and maintain all appropriate permits and pesticide use reports

Contact Information

Corporate Name: Vector Disease Control International, LLC
1320 Brookwood Drive, Suite H
Little Rock, AR 72202

Chief Executive Officer: Jay M. Davis
1320 Brookwood Drive, Suite H
Little Rock, AR 72202
Tel: 800-413-4445
Cell: 615-417-3340
Fax: 866-839-8595
Email: jdavis@vdci.net

Chief Operating Officer: Daniel Markowski, PhD
950 North Broadway, Suite B
Greenville, MS 38701-9136
Tel: 888-277-7557
Cell: 662-822-1270
Fax: 866-839-8595
Email: dmarkowski@vdci.net

Company Profile

Vector Disease Control International, LLC (VDCI) is committed to providing the best possible service to our customers and this dedication is evident in everything we do. We strive to improve the quality of human life in communities through education, surveillance and the control of mosquitoes and other disease vectors. We are also committed to research and the use and support of application technologies. VDCI is a company built on the foundations of public health, ethics, professionalism, and technical expertise. Many of our staff come from the field of public health and have directed mosquito control districts all over the country. At all times, we will conduct business through partnerships with our customers in a manner that protects the environment and the welfare of local residents.

Founded in 1992 with a single contract in central Arkansas, VDCI is headquartered in Little Rock, AR. Starting with the simple idea to provide municipalities with the products and services needed to run effective mosquito control programs, VDCI now has nearly 20 years experience in the field of public health. In late 2010, Vector Disease Control, Inc. began a strategic transition and has re-branded itself as Vector Disease Control International, LLC. This transition is expected to strengthen our capacity to compete in the global market place. As of 2011, VDCI no longer operates as Vector Disease Control, Inc. Our continued growth and development nationally and internationally will increase our capacity to offer a seamless supply of products and equipment to each of the programs we service. In this new decade, VDCI has an unrivaled sense of commitment and will strive to continue to provide the most efficacious and scientifically sound mosquito surveillance and control programs possible based on the American Mosquito Control Association (AMCA) and Centers for Disease Control and Prevention (CDC) guidelines for managing quality mosquito control programs within each municipality that we service.

Because it is often impossible to eradicate all mosquitoes given their behavior patterns, resilient nature and enormous breeding potential, our goal is to manage mosquito populations within tolerable levels and simultaneously help prevent possible outbreaks of mosquito-borne diseases. To achieve this goal, we use a combination of the most effective methods of controlling mosquitoes including surveillance, public education, biological control and the use of insecticides. Inspection of the treatment area coupled with collections from mechanical traps enable us to determine which species of mosquito are present, their population size and locations. This information is critical for determining when, where, and how often larvicides and adulticides need to be applied.

The employees of VDCI recognize and readily accept the special considerations and responsibilities inherent in the use of ground and aerial larviciding and adulticiding techniques within a mosquito control program, including a West Nile virus outbreak. As a private entity working for the city, VDCI looks forward to developing a close working relationship with all appropriate city officials, and, as such, will work with and support the city in all surveillance, application and public relation decisions. With our fleet of over 100 trucks and 10 fixed-wing aircraft, we are able to provide both aerial and ground applications

in any situation nationwide. We take great pride in the ability of our programs to protect the public's health from mosquitoes and the diseases they may transmit.

Detailed Description of the Program

I. Inspection and Surveillance

The cornerstone of any successful mosquito control operation is its surveillance program. VDCI uses the most up-to-date and widely accepted surveillance tools available to the industry. Proper identification of mosquito species and knowledge of their bionomics focuses control efforts on the areas of concern. Many different surveillance tools can be used to develop a clear picture of mosquito problems including CDC light traps, gravid traps, landing rates, egg surveys, Ovi traps and dipper counts. VDCI's staff is experienced in all aspects of mosquito surveillance. All of the appropriate surveillance methods will be used to develop a true picture of the current mosquito population dynamics, and with this information, an effective and efficient control plan will be implemented.

A. Larval Mosquito Surveillance

Larval surveillance is one of the most important aspects of a mosquito control program. With continuous surveillance of larval habitats, mosquito population surges can be predicted and often abated through the well-timed application of larvicides. Additionally, knowledge of mosquito-breeding sites can increase adulticide efficacy because these areas can be selectively targeted before adult mosquitoes disperse to nearby areas.

Larval habitats (permanent water, temporary pools, drainage ditches, septic ditches, catch basins, artificial containers and tree holes) will be inspected regularly and mapped into a GIS database using GPS technology.

Permanent Water sites consist of habitat that remains inundated for an extended period of time. Examples of these sites would be lakes, rivers, retention ponds, swamps, etc. Permanent water sites will be inspected on a routine basis throughout the mosquito-breeding season. These areas are capable of producing large numbers of certain species of mosquitoes such as *Culex tarsalis, Coquilletidia perturbans* and various *Anopheles* species.

Temporary Floodwater is standing water that may exist for short periods of time after high water or rainfall. Examples of this type of habitat would include bottom lands, woodland pools, swales (low areas), drainage ditches, tire ruts, and depressions. Large numbers of mosquitoes can be produced in a short period of time from these sites. These areas must be inspected for the presence of larvae as soon as

possible after every substantial rainfall. Mosquitoes expected to be found at these sites include *Aedes vexans, Ochlerotatus nigromaculis* and *Ochelrotatus melanimon.*

Artificial Containers/Tree Holes are considered one of the most troublesome problems faced by a mosquito control operation. Artificial containers may occur county-wide and produce mosquitoes in every back yard. Anything that holds water can produce artificial container species. Old tires, cans, bottles, buckets, cups, pet water bowls, birdbaths, gutters, and swimming pools are some of the more common artificial containers. Some of the species that occur in artificial containers include *Culex quinquefasciatus, Culex tarsalis, Ochlerotatus melanimon, Culiseta incidens and Ochlerotatus dorsalis.* As private and public properties are inspected, container habitats will be checked and removed/emptied as needed.

Septic Water Habitats occur when water holding areas become polluted with high levels of organic matter. Examples of this type habitat would include oxidation ponds, ditches with sewage discharge or run off from decaying plant or animal life. Septic water can often produce the largest number of mosquitoes per unit of area. *Culex quinquefasciatus* is often the most common species found in this habitat, and is also a primary vector for West Nile virus in the United States. Routine management of this habitat type and the control of arbo-viral vectors will be vital to the public's health.

Catch Basins occur throughout urban areas and are capable of breeding numerous mosquito species. Of primary concern in these habitats again is *Culex quinquefasciatus*, the primary vector of West Nile virus. Although all catch basins may hold water at some point in time, not all catch basins are sites of prolific mosquito breeding. Improper drainage, poor design, and amount of rainfall can all contribute to the number of mosquitoes produced in catch basins. Catch basins will be assessed for mosquito breeding and where appropriate treated.

B. Adult Mosquito Surveillance

Surveillance of adult mosquitoes should include several methods of collection to sample for nocturnal, diurnal, and crepuscular species. Adult mosquito surveillance helps to elucidate the mosquito distribution, density, and species composition throughout the control area. Furthermore, it can provide direct evidence of an increased risk of contracting mosquito-borne viruses. It is also crucial for the efficient and precise application of adulticides. All mosquito species found in an area are not attracted to the same trap type; therefore, the following combination of methods will be employed in the City.

CDC (Centers for Disease Control) Miniature Light Traps are lightweight, portable, battery operated traps that will be used throughout the county to assess local adult mosquito population abundance. These traps are baited with dry ice (a source of CO_2) to

increase their appeal to host-seeking mosquitoes. This is the primary type of trap used by VDCI, as it attracts the widest variety of mosquito species. They are usually set on a weekly basis from mid-May through October in sites throughout the City.

Gravid Traps are lightweight, portable, battery operated traps that use putrid water as an attractant for ovipositing mosquitoes. They are ideal for collecting *Culex* mosquitoes that oviposit in these habitats, and are often a useful tool in the early detection of West Nile virus. Gravid traps may be set each week from mid-May through October throughout the City.

Landing Rates are performed by field staff and are instrumental in determining which species of mosquitoes are actively feeding on humans in an area. Inspectors establish areas throughout the county where they can expose themselves as bait and count the number mosquitoes landing on them in a given time (usually one to ten minutes). These counts will be conducted throughout the City as needed (a.m. or p.m.).

II. Control Measures

At VDCI, we use insecticides approved by the Environmental Protection Agency (EPA) for the control of larval and adult mosquitoes. These safe, effective insecticides can be delivered by means of ground or aerial application equipment. VDCI operates one of the largest privately owned fleets of full time mosquito control aircraft in the U.S. Aerial applications of insecticides over populated areas within the City are performed using twin engine, instrument-rated aircraft as required by the Federal Aviation Administration (FAA). We also operate a fleet of over 100 trucks and ATVs equipped with ULV aerosol generators and/or power sprayers capable of a quick response to any mosquito outbreak. All of our equipment, both ground and aerial, are equipped with the latest in GPS/GIS technology to provide detailed reporting on all applications.

A. Source Reduction

Large scale drainage projects are important in reducing mosquito habitat. Although VDCI does not attempt drainage projects, we will work closely with local agencies in identifying drainage problems. VDCI also conducts neighborhood source reduction campaigns. Our technicians conduct house-to-house inspections as needed to reduce the production of urban mosquitoes (such as *Culex quinquefasciatus*) and will educate homeowners on ways to identify and remove mosquito production sources to control backyard production, as well as how to help themselves and their families by using personal protection such as repellent, proper clothing and window screens.

B. Biological Control of Larval Mosquitoes

Biological control of mosquitoes ranges from naturally occurring organisms such as birds, bats, fish, dragonflies, copepods and mosquito larvae, to artificially introduced organisms such as *Bacillus thuringiensis* var *israelensis* (Bti) and *Bacillus sphaericus*. Although few of the biological control agents occurring in nature are available to mosquito control specialists, the introduction and replenishment of *Gambusia affinis* (the mosquito fish) affords good control in pools, ponds, ditches, and drainage canals. The most widely used and environmentally sound biological agent is Bti. This larvicide became commercially available in 1978 and has become the larvicide of choice by VDCI. Bti is available in liquid, granular, and time-release formulations and poses little threat of resistance development.

When mosquito larvae are detected in an area, they are preferentially controlled through the application of Bti. Dependent upon the conditions present, granular, liquid or time-release Bti formulations may be applied.

C. Chemical Control of Larval Mosquitoes

Chemical control of larval mosquitoes is carried out when and where biological control is not feasible. Altosid, an insect growth regulator (IGR), can be used in any mosquito-producing area where extended control is desired. These areas can be treated on a 30-150 day schedule once positive production is found. Control of mosquitoes found in tire piles and catch basins throughout the county can be treated at 30-day intervals using Altosid. Any use of non-biological larvicides is closely monitored and mosquito species exposed are tested for any evidence of resistance. Chemical larvicides may be used in briquette, granular, and liquid forms depending upon treatment needs and habitat type.

Larviciding is conducted using a variety of equipment and methods as follows:

1. **Backpack Applicators and Spreaders** are used where vehicle access is unavailable. Tire piles, swales, retention ponds, backyards, etc. can be treated with this type of equipment.

2. **Power Sprayers and Spreaders** are mounted on All Terrain Vehicles (ATV) or trucks. The holding tanks carry from 15 to 100 gallons of larvicide. These mechanisms can be used with all types of larvicide and in most habitat types, such as ditches, swales, septic ditches, etc. Parks, golf courses, and ball fields can be treated quickly when surveillance indicates the presence of mosquito larvae.

3. **Aerial Applications**, if necessary, can be accomplished using a single engine aircraft when areas to large for other application techniques are encountered.

Pastures, orchards, swamps and inaccessible backwater areas can be quickly and efficiently treated with the proper utilization of air power.

D. Control of Mosquito Pupae

Once a mosquito enters the pupa stage of its life cycle, most larvicides are no longer effective due to their modes of action. When mosquito pupae are located during inspections, VDCI uses Agnique MMF (Mono-molecular Film) as its primary control product. Agnique MMF coats the water's surface with a one molecule thick layer that prevents the mosquito pupae from penetrating the surface with their breathing tubes (siphons), which suffocates them quickly and efficiently.

E. Chemical Control of Adult Mosquitoes

Chemical control of adult mosquitoes is used whenever and wherever it is determined that mosquito populations have reached unacceptable levels. Surveillance, source reduction, larviciding, and public education are used to reduce the quantity, and application frequency, of adulticides that are needed. However, the end result of integrated mosquito management is often the application of adulticides. The chemical adulticides used are always as safe and as environmentally friendly as possible. Additionally, VDCI always takes care to avoid developing resistance to pesticides in local mosquito populations. VDCI will apply only EPA and Mississippi State registered public health pesticides labeled for mosquito control such as deltamethrin, bifenthrin, resmethrin, permethrin, and natural pyrethrin.

Pesticides are mixed, and spray equipment calibrated, so that the proper application rates are applied. All hand-held, ATV-mounted, truck-mounted and aerial adulticide equipment is calibrated and droplet size (MMD) tests are conducted routinely to insure the most efficient kill rates with each application.

Adulticiding is conducted using two primary techniques:

1. **ULV (Ultra-low Volume) Spraying.** ULV spraying is a technique developed specifically for mosquito control that utilizes aerosol sprayers, designed and calibrated to produce droplets that fall within a specific size range, to apply extremely low quantities of pesticide within the control area. VDCI uses only the most advanced hand-held, ATV-mounted, truck-mounted and aerial ULV application equipment. All of our vehicles are equipped with GPS tracking units capable of delineating the spray routes of each vehicle. Detailed maps, graphically illustrating the application data, can be produced after each spray operation. VDCI's larvicide trucks have the capacity to serve as adulticide vehicles as needed. Hand-held and ATV-mounted ULV adulticide equipment may be used to supplement truck-mounted equipment. Smaller areas such as residences, camps, golf courses, parks, and special events can be treated with handheld equipment. VDCI's aerial adulticide fleet is second to none. Our

twin engine, fixed-wing aircraft are capable of applying any registered adulticide over congested areas as required by the FAA. Our experience and success in urban mosquito spraying with aircraft is unsurpassed in the industry. In the unlikely event aerial application of adulticides is required, VDCI can quickly respond to any requests by government agencies to do so.

2. **Residual Barrier Applications.** VDCI uses only the safest, public health approved methods and pesticides whenever we make residual adulticide applications. Backpack applicators or hand-held sprayers are used to apply these long lasting adulticides to vegetation, exterior surfaces of buildings, or virtually anywhere else that adult mosquitoes rest. When the adult mosquitoes land on these treated surfaces, they absorb the pesticide and die. Barrier treatments are an important part of VDCI's integrated mosquito control programs, especially in areas with high potential for disease transmission to humans.

III. Disease Monitoring

The goal of VDCI's mosquito-borne disease surveillance program is to detect mosquito-borne viruses in local bird and mosquito populations before sufficient amplification of virus can occur. After virus is detected, management practices can be discussed and implemented thereby reducing the number of infected mosquitoes and simultaneously reducing the risk of human transmission.

A. West Nile Virus Surveillance

Typically, mosquito-borne viruses can first be detected in bird populations, followed by detection in mosquitoes after the virus has had the opportunity to establish itself locally in birds. Of primary concern is the recent introduction of WNV. The principle mosquito species involved in the transmission of WNV are those in the genus *Culex*, especially *Cx. quinquefasciatus* and *Cx. tarsalis*. These mosquitoes are very abundant in the northwestern United States. *Cx. quinquefasciatus* mosquitoes are primarily found in urban areas because the larvae live in water with high organic content, such as sewer drains, catch basins, settling lagoons, and similar areas, while *Cx. tarsalis* mosquitoes are primarily found in rural areas near irrigated pastures and croplands. Therefore, separating these mosquitoes from others in collections will be important for purposes of surveillance and monitoring. Sorting and identification of the mosquitoes collected in the CDC light traps and the gravid traps is conducted by VDCI staff. In addition, VDCI has the ability to test mosquito pools for WNV with the new Rapid Analyte Measurement Platform (RAMP) bioassay which provides timely identification of WNV-infected mosquito pools for increased response capability.

B. Response to Mosquito-borne Diseases

Contact with local health agencies will be maintained during the mosquito control season. Reports regarding the presence of infectious mosquito-borne diseases will be made available to those agencies. Regular contact will be maintained with state

and federal health agencies in order to project possible regional health concerns. Any finding of local significance will immediately be reported to the proper City and County officials in addition to the required routine reporting.

VDCI will work closely with all of the appropriate agencies to implement the best response to any findings of mosquito-borne diseases within the City. The presence of mosquito-borne pathogens within the City will result in one or more responses or interventions by VDCI only after consultation and discussion with the appropriate officials.

IV. Public Education

Public relations and education are an important part of VDCI's community involvement. We have programs suited for civic groups, church groups, school groups, and government organizations. We feel that an educated public is extremely important to the successful implementation of any mosquito control program and our presentations and workshops can be tailored to any topic of particular interest or need. VDCI's operations are open to the public, tour groups, school groups, or anyone interested in mosquito control. Press releases can be issued to inform the public of the progress of the mosquito control program during the mosquito control season.

Additionally, brochures and fact sheets are available detailing the actions that individuals can take to both protect themselves from adult mosquitoes and to reduce the mosquito production areas within their immediate surroundings. Information is included concerning contact individuals and local telephone numbers to call for service requests and additional mosquito information.

V. Service Requests and Citizen Complaints

The public is encouraged to call the VDCI's local office, toll free, with service requests. All complaint calls are recorded and used to help identify mosquito problem areas. Service requests are used as a secondary indicator of where mosquito populations are high and causing human annoyance problems. These calls enable us to pinpoint localized problem areas and to target larval and adult control operations and increase overall control effectiveness. In each instance of a call, a technician is dispatched to the area within 24 hours, and all appropriate actions, ranging from removal of tires and other debris, applying larvicide when larvae are present, or making targeted applications of adulticide, are undertaken.

VI. Reporting

The officers and staff of VDCI are very cognizant that we work for specific public municipalities. Although we are a private entity, we are able to operate much like a

department within the City. We work diligently to establish seamless working relationships with each and every governing body we work for.

All mosquito surveillance, disease monitoring, and mosquito control activity is documented and reported monthly throughout the mosquito season.. VDCI employs state of the art GPS tracking for all pesticide applications we make and can of produce detailed maps of each area that is treated.

Attached are examples of surveillance reports and post application maps that VDCI has prepared in other municipalities.

VII. Quality Control

Through prior and existing QA experience, VDCI will implement an active quality assurance system to ensure that all our work is performed to the highest possible standards of operational safety and efficacy. VDCI has a very stringent policy on maintaining the aerial and ground equipment to the highest level. We conduct routine inspections of all operational aspects of our surveillance and control programs. Our staff are trained, licensed and permitted as required on an annual basis. VDCI will monitor spray quality and deposition as required. A full report on all calibrations prior to and during spray missions can be made available if requested in a timely manner. VDCI maintains records of all quality control activities as required by the National Pollutant Discharge Elimination System (NPDES) Pesticide General Permit, and all other applicable laws and regulations.

VIII. EPA National Pollutant Discharge Elimination System (NPDES) Permits

On October 31st, 2011 , the United States Environmental Protection Agency (EPA) released a Final National Pollutant Discharge Elimination System (NPDES) permit that regulates and authorizes certain pesticide applications under the Clean Water Act. The Pesticide General Permit (PGP) will regulate applications of pesticides into or near the waters of the United States to control **mosquitoes**, aquatic weeds and algae, aquatic nuisance animals, and forest canopy pests.

VDCI has been actively involved in understanding the upcoming NPDES regulation and how it will affect the mosquito control industry throughout the United States. We have commented on every phase of the EPA's draft permit and are actively working with the EPA to assure compliance in each of our programs.

As always, we will ensure all of our operations are conducted with complete compliance to all regulations, including the upcoming NPDES regulation, and will fully support each community within which we work. As such, VDCI, as the responsible party for all pesticide applications, is proposing to be the primary NPDES permit holder.

To meet the current technology-based limitations in the permit, VDCI will: (1) use the "lowest effective amount of pesticide product per application" and optimize the frequency of such applications; (2) perform regular maintenance activities to reduce leaks, spills and unintended discharges; and (3) clean, calibrate and maintain application equipment on a regular basis. Additionally, as proposed herein, we will implement all appropriate integrated pest management (IPM) practices. The IPM practices as described in the current PGP involve identifying pests, addressing effective management of the identified pests, and following specified procedures for pesticide application.

In most cases, the data and records required in the current PGP are no more than what VDCI currently maintains for our programs in Mississippi. However, VDCI will review each of our record sheets and database forms to ensure the proper data is being recorded. In addition, we will have on file a documented IPM plan, auditable records of thresholds for treatment, equipment maintenance & calibration, application data, and an updated Pesticide Discharge Management Plan. All data will be reported annually to the EPA and maintained for a minimum of 3 years.

Key Program Staff

Daniel Markowski, Ph.D., Chief Operating Officer, works diligently to ensure that all aspects of the contracts meet VDCI's rigorous mosquito surveillance and control standards. Dr. Markowski is a graduate of Memphis State University (B.S. Biology) and the University of Rhode Island (M.S. Zoology; Ph.D. Biological Sciences). He has been involved in pest control practices since the mid 1980's. Most recently, he directed New York City's Vector Control Program in 2001 and 2002 before accepting his current position with VDCI. Beginning in 2003, he served a 3-year term as the American Mosquito Control Association's North Atlantic Regional Director.

Kris New, Regional Director, will be responsible for the initial setup of the program, and will be the liaison between VDCI and the City. Kris holds a B.S. Degree from Mississippi State University in Agricultural Engineering, along with 9 years experience in the mosquito industry. He holds pesticide certifications from multiple states including Mississippi and is also OSHA-30 certified. Kris began working for VDCI in 2008 and has supervised mosquito control operations in central Mississippi and in Alabama. Kris resides in Brandon, Mississippi.

In addition to the personnel listed above, VDCI employs one of the most educated and experienced staffs in the professional mosquito control industry. Many of our supervisory staff have earned Bachelors of Science and Masters of Science degrees in Biology or Entomology. Our staff has a broad level of experience ranging from former product sales representatives to former governmental program directors to research biologists. VDCI's operational staff are licensed and/or certified to apply pesticides used for public health mosquito control in multiple states.

Experience

Vector Disease Control International is a nationwide mosquito/vector control service provider, with mosquito surveillance and control operations in the following states:

Arkansas	12 Full Service IPM Contracts
California	4 Countywide Aerial Agreements
Florida	5 Countywide Aerial Agreements
Idaho	Statewide Aerial Contract
	8 Countywide Aerial Agreements
	6 Full Service IPM Contracts
Illinois	3 Full Service IPM Contracts
Louisiana	2 Parish Service Agreements
	2 Full Service IPM Contracts
Mississippi	2 Full Service IPM Contracts
Ohio	1 Full Service IPM Contract
Oregon	3 Countywide Aerial Agreements
Pennsylvania	Statewide Aerial Adulticide Contract
	1 Full Service IPM Contracts
Texas	Harris County Aerial Agreement
Utah	3 Countywide Aerial Agreements
Washington	2 Countywide Aerial Agreements
Wyoming	2 Countywide Aerial Agreement

VDCI's staff represents a highly trained and select group of proven mosquito control professionals that are capable of responding to mosquito-related emergencies in all areas of the United States. These scientists and mosquito control experts enable VDCI to enter an area and immediately monitor for mosquitoes and mosquito-borne diseases, assess the mosquito control needs, and take the appropriate steps to minimize the impact of these mosquitoes or diseases on the local human population. With 10 aircraft, over 100 ground vehicles, and mobile surveillance and control teams; VDCI can respond to all mosquito surveillance and control needs virtually anywhere in the United States within hours.

References

City of Jonesboro, AR **(Full IPM Contract)**
Mayor Harold Perrin
P.O. Box 1845
515 W Washington Ave.
Jonesboro, AR 72403
(T) 870-932-0820

Greenville, MS **(Full IPM Contract)**
Mayor Chuck Jordan
City of Greenville, Mississippi
340 Main St
Greenville, MS 38701
(T) 662-378-1501

Blytheville, AR **(Full IPM Contract)**
Mayor James Sanders
City of Blytheville
124 West Walnut Street
Blytheville, AR 72315
(T) 870-763-3602

Jackson, Mississippi **(Full IPM Contract)**
Darion Warren, Infrastructure Mgt.
P.O. Box 17
219 South President Street
Jackson, Mississippi 39205
(601) 960-1168
dwarren@city.jackson.ms.us

Allen Parish Mosquito Abatement District **(Full IPM Contract)**
Mr. Brian Tilley, President
248 Airport Road
Oakdale, Louisiana 71463
(318) 215-0029

Additional references can be made available upon request.

Proposal Pricing (2 options)

The amounts listed are **all-inclusive with no additional charges or costs,** except aerial services (as noted below). All required contract tasks listed including Mosquito Surveillance Activities (Larval and Adult), Larviciding, Adulticiding and Education, Disease Monitoring, Regulatory Compliance and Report Generation as defined in this proposal and detailed below will be performed for the specified amounts. If requested, VDCI is prepared to provide a full and complete presentation of all services and associated costs to the City of Conway.

Option 1

Full Service Integrated Mosquito Management Program	
Program Establishment and Administration	
GIS/GPS Mapping	
Database Development, Management, and NPDES Reporting	
Larval Mosquito Surveillance Daily Inspections of all Habitat types with GIS Mapping	
Adult Mosquito Surveillance CDC Miniature Light Traps (3 weekly Traps as needed) Gravid Traps (3 weekly Traps as needed) Landing Rate Counts (as needed)	
Disease Monitoring Routine disease Testing for West Nile Virus on Mosquito Pools per Week	
Larval Mosquito Control Source Reduction (as needed) Granular and Liquid Bti Applications (daily as needed) Granular and Briquet Methoprene Applications (daily as needed) Pupacide Applications (daily as needed)	
Public Education Develop Presentations, Brochures, and Fact Sheets for Residents	
Adult Mosquito Control Handheld ULV Applications (as needed) ATV ULV Applications (as needed) Truck ULV Applications (as needed)	
TOTAL PROGRAM COST	$150,000