



# City of Conway Council Agenda

Council Meeting Date:

**November 25<sup>th</sup>, 2014**

5:30pm – Committee Meeting:

**Presentation of the FY2012 Audit  
Monthly Financial Report Ending 10/31/2014**

6:30pm - Council Meeting

Call to Order: Mayor Tab Townsell

Roll Call: City Clerk/Treasurer Michael O. Garrett

Minutes Approval: **November 11<sup>th</sup>, 2014**

**Employee Service Awards**

**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

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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. Ordinance accepting and appropriating donation funds for the Conway Tree Board.
2. Ordinance amending Ordinance O-02-82 to change the hours of one-way traffic on South Blvd.
3. Ordinance to rezone property located at 1655 South Donaghey Avenue from A-1 to R-1.
4. Consideration to approve a conditional use permit to allow restrict retail at property that is located in O-3 at 2002 Dave Ward Drive.
5. Consideration to approve a conditional use permit to allow a tattoo studio at property that is located in C-1 at 1022 Main Street.
6. Consideration to approve clinic treatment services at property that is located in T4 Transitional – Northeast Old Conway Area Plan at 1222-1224, 1223-1225, and 1227-1229 Jersey Street.

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

1. Consideration to approve the bid a Hooklift roll off truck & front load refuse truck for the Conway Sanitation Department.

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

1. Consideration to approve for a firing range target system for the Conway Police Department.

2. Ordinance appropriating funds for Operation Shop Secure for the Conway Police Department.

**D. Finance**

1. Ordinance appropriating funds for the Employee Appreciation Bonus.
2. Consideration to accept the FY2012 audit from BKD.
3. Consideration to approve the monthly financial report ending October 31, 2014.

**E. New Business**

1. Ordinance amending Section 4.56 of the Conway Municipal Code establishing a wrecker franchise services for the City of Conway.

**Adjournment**



City of Conway, Arkansas  
Monthly Financial Reports  
October 31, 2014

City of Conway  
 Monthly Financial Report - General Fund  
 For the month ended October 31, 2014



Revenues	Budget	Month	Year to	Encumbered	(Over)/Under	%
		Activity	Date		Budget	Expend/Collect
Ad Valorem Tax	2,960,000	77,823	1,207,568		1,752,432	41%
Payments in Lieu of Tax	25,000	16,361	20,235		4,765	81%
State Tax Turnback	1,995,402	212,678	1,967,824		27,578	99%
Sales Tax	17,350,000	1,482,795	13,853,517		3,496,483	80%
Beverage Tax	420,000	-	294,834		125,166	70%
Franchise Fees	2,655,000	221,898	2,079,769		575,231	78%
Airport Revenue	75,000	3,780	61,086		13,915	81%
Airport Fuel Sales .05 / GAL	10,000	-	5,834		4,166	58%
Permits	514,000	35,633	357,679		156,321	70%
ACIEA Revenues	-	2,147	4,459		(4,459)	-
Dog Tags & Fees	25,000	2,755	23,580		1,420	94%
Municipal Court Fines and Fees	990,000	78,749	954,779		35,221	91%
Law Enforcement	794,675	49,121	688,776		105,899	87%
Federal Grant Revenues	40,000	-	20,294		19,706	51%
State Grant Revenues	-	49,830	199,830		(199,830)	-
Parks	493,500	38,176	501,204		(7,704)	102%
Interest Income	5,200	1,422	15,048		(9,848)	289%
Insurance Proceeds	39,876	1,017	43,982		(4,106)	110%
Donations	9,020	703	19,650		(10,630)	218%
Act 833 Revenue	80,000	-	70,020		9,980	88%
Miscellaneous Revenues	185,772	30,905	152,335		33,437	82%
Transfers from Other Funds	423,000	35,250	352,500		70,500	83%
Loan Proceeds	3,500,000	500,000	4,000,000		(500,000)	114%
Fund Balance Appropriation	75,000	-	-		75,000	0%
<b>Total Revenues</b>	<b>32,666,945</b>	<b>2,841,180</b>	<b>26,896,435</b>	<b>-</b>	<b>5,770,510</b>	<b>82%</b>
<b>Expenditures</b>						
Admin (Mayor, HR)	539,787	40,469	436,300	280	103,207	81%
Finance	495,937	27,409	329,017	-	166,920	66%
City Clerk/Treasurer	181,599	10,642	110,518	117	70,964	61%
City Council	81,915	7,105	62,430	-	19,485	76%
Planning	361,696	37,872	300,817	1,267	59,612	83%
Physical Plant	517,870	37,740	375,274	1,534	141,062	72%
Fleet Maintenance	146,258	14,228	118,583	5,570	22,105	81%
Information Technology	853,926	76,243	689,706	59,001	105,218	81%
Airport	3,532,500	106,304	3,393,583	451,730	(312,813)	96%
Permits and Inspections	530,383	40,255	435,158	797	94,428	82%
Nondepartmental	641,289	20,824	558,649	2,683	79,956	87%
Police	10,991,359	885,814	8,923,614	34,282	2,033,463	81%
Animal Welfare	432,371	27,999	324,673	7,578	100,121	75%
Municipal District Court	856,518	66,095	683,639	259	172,621	80%
City Attorney	356,462	25,165	286,789	190	69,483	80%
Fire	9,163,428	737,744	7,316,836	33,829	1,812,763	80%
Parks	2,823,726	234,252	2,086,755	41,927	695,044	74%
	32,507,024	2,396,160	26,432,341	641,044	5,433,638	81%
Transfer to Reserve	500,000	-	-	-	500,000	0%
<b>Total Expenditures</b>	<b>33,007,024</b>	<b>2,396,160</b>	<b>26,432,341</b>	<b>641,044</b>	<b>5,933,638</b>	<b>80%</b>
<b>Net Revenue/(Expense)</b>	<b>(340,079)</b>		<b>464,094</b>			

\*All figures are unaudited

Notes:

1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway  
General Fund  
2014



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-14-02	1/14/14	Employee fitness center membership	16,238
O-14-13	1/28/14	Fire dept purchase of air compressor for breathing apparatuses	19,839
O-14-14	1/28/14	Additional MEMS subsidy	27,500
O-14-23	2/25/14	Purchase computers	25,548
O-14-25	3/18/14	Repair Planning Dept car	4,503
O-14-28	3/18/14	Purchase computers	107,359
O-14-41	5/13/14	Civil Service Commission expenses	8,751
O-14-67	8/12/14	Civil Service Commission expenses	16,500
			<u>\$ 226,238</u>

City of Conway  
 Balance Sheet - General Fund  
 For the month ended October 31, 2014



Cash - Operating	4,305,433
Cash - Reserve	1,000,000
Petty Cash	715
Taxes Receivable	2,500,000
Accounts Receivable	2,687,541
Due from Street	2,419
Fleet Inventory	15,539
Fuel Inventory	22,436
<b>Assets</b>	<b><u>10,534,084</u></b>
Accounts Payable	151,117
Insurance and Benefits Payable	28,409
Event Deposits	500
Due to Other Funds	21,551
Due to County - PILOT	384,470
Deferred Revenue	2,574,772
<b>Liabilities</b>	<b><u>3,160,819</u></b>
Fund Balance - Committed to cash flow	2,000,000
Fund Balance - Committed to reserve	1,000,000
Fund Balance - Unassigned	4,373,265
<b>Fund Balance</b>	<b><u>7,373,265</u></b>
<b>Total Liabilities &amp; Fund Balance</b>	<b><u>10,534,084</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Street Fund  
 For the month ended October 31, 2014



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
<b>Revenues</b>						
Ad Valorem Tax	1,450,000	40,329	560,205		889,795	39%
Payments in Lieu of Tax	15,000	-	-		15,000	0%
State Tax Turnback	3,402,296	305,669	2,949,461		452,835	87%
Severance Tax	250,000	32,649	292,664		(42,664)	117%
Sales Tax	245,000	20,777	194,504		50,496	79%
Sign Permits	500	-	240		260	48%
Engineering Fees	10,000	600	7,150		2,850	72%
Insurance Proceeds	-	-	10,116		-	-
Interest Income	3,500	1,726	15,343		(11,843)	438%
Miscellaneous Revenues	-	-	2,957		(2,957)	-
<b>Total Revenues</b>	<b>5,376,296</b>	<b>401,751</b>	<b>4,032,640</b>	<b>-</b>	<b>1,353,772</b>	<b>75%</b>
<b>Expenditures</b>						
Personnel Costs	2,137,888	149,067	1,661,819	-	476,069	78%
Other Operating Costs	<u>3,305,012</u>	<u>124,424</u>	<u>1,632,150</u>	<u>155,550</u>	<u>1,517,313</u>	<u>49%</u>
Total Operating Costs	5,442,900	273,491	3,293,968	155,550	1,993,382	61%
Capital Outlay	<u>289,000</u>	<u>-</u>	<u>247,136</u>	<u>114,981</u>	<u>(73,118)</u>	<u>86%</u>
<b>Total Expenditures</b>	<b>5,731,900</b>	<b>273,491</b>	<b>3,541,105</b>	<b>270,531</b>	<b>1,920,264</b>	<b>62%</b>
<b>Net Revenue/(Expense)</b>	<b>(355,604)</b>		<b>491,535</b>			

\*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway  
Street Fund  
2014



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-14-24	3/18/14	New part-time traffic data collector position	3,604
O-14-73	9/9/14	Match to Metroplan for adaptive traffic signals	27,000
			<u>\$ 30,604</u>



City of Conway  
Balance Sheet - Street Fund  
For the month ended October 31, 2014



Cash - Operating	2,571,181
Taxes Receivable	35,000
Accounts Receivable	1,613,174
Due from Other Funds	6,451
<b><i>Assets</i></b>	<b><u>4,225,836</u></b>
Accounts Payable	46,535
Due to General	2,421
Deferred Revenue	1,264,754
<b><i>Liabilities</i></b>	<b><u>1,313,709</u></b>
<b><i>Fund Balance</i></b>	<b><u>2,912,127</u></b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>4,225,836</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Sanitation  
 For the month ended October 31, 2014



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
<b>Revenues</b>						
Sanitation Fees	9,120,000	702,328	7,259,981		1,860,019	80%
Proceeds - Recycled Materials	300,000	56,874	400,186		(100,186)	133%
Landfill Fees - General	240,000	23,535	201,714		38,286	84%
Insurance Proceeds	-	20,239	21,882		(21,882)	-
Interest Income	55,000	4,810	43,034		11,966	78%
Proceeds from Sale of Assets	-	-	495		(495)	-
Gain/Loss Disposal of Asset	-	-	(1,082)		1,082	-
Miscellaneous Revenues	-	357	2,673		(2,673)	-
<b>Total Revenues</b>	<b>9,715,000</b>	<b>808,142</b>	<b>7,928,883</b>	<b>-</b>	<b>1,786,117</b>	<b>82%</b>
<b>Expenditures</b>						
Personnel Costs	3,897,458	275,122	3,041,632	-	855,826	78%
Other Operating Costs	3,507,087	296,684	2,506,625	130,289	870,173	71%
Total Operating Costs	7,404,545	571,806	5,548,257	130,289	1,725,999	75%
Capital Outlay	2,674,843	623,274	898,399	123,148	1,653,296	33.6%
<b>Total Expenditures</b>	<b>10,079,388</b>	<b>1,195,080</b>	<b>6,446,656</b>	<b>253,437</b>	<b>3,379,295</b>	<b>64%</b>
<b>Net Revenue/(Expense)</b>	<b>(364,388)</b>		<b>1,482,228</b>			

**\*All figures are unaudited**

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway  
Sanitation Fund  
2014



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-14-88	9/23/14	Engineering for landfill gas exploration	101,545

City of Conway  
 Balance Sheet - Sanitation  
 For the month ended October 31, 2014



Cash - Operating	2,652,230
Petty Cash	200
Post Closure Cash Account	5,000,529
Due from Other Funds	14,365
General Inventory	2,122
Land & Buildings	2,914,029
Infrastructure	1,236,034
Machinery and Equipment	6,218,271
Vehicles	36,514
Computer Equip & Software	4,792
<b><i>Assets</i></b>	<b><u>18,079,088</u></b>
Accounts Payable	35,625
Salaries Payable	337,361
Net Pension Obligation	855,700
Accrued Interest Payable	32,255
2010 Recycling Note - US Bank	809,873
Landfill Close/Post Close	4,386,590
<b><i>Liabilities</i></b>	<b><u>6,457,404</u></b>
<b><i>Net Assets</i></b>	<b><u>11,621,684</u></b>
<b><i>Total Liabilities and Net Assets</i></b>	<b><u>18,079,088</u></b>

**\*All figures are unaudited**

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

City of Conway  
 Monthly Financial Report - Airport  
 For the month ended October 31, 2014



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
<b>Revenues</b>						
Airport Fuel Sales	286,000	73,016	155,369		130,631	54%
T-Hangar Rent	32,560	4,983	25,351		7,209	78%
Community Hangar Rent	6,000	-	-		6,000	0%
Ground Leases	20,250	-	-		20,250	0%
Miscellaneous Revenues	1,000	1,500	3,150		(2,150)	315%
<b>Total Revenues</b>	<b>345,810</b>	<b>79,499</b>	<b>183,869</b>	<b>-</b>	<b>161,941</b>	<b>53%</b>
<b>Expenditures</b>						
Personnel Costs	88,921	12,811	39,275	-	49,646	44%
Fuel for Resale	230,400	9,262	116,023	-	114,377	50%
Other Operating Costs	39,150	2,974	5,409	37	33,704	14%
Total Operating Costs	358,471	25,047	160,707	37	197,727	45%
Capital Outlay	-	-	-	-	-	0%
<b>Total Expenditures</b>	<b>358,471</b>	<b>25,047</b>	<b>160,707</b>	<b>37</b>	<b>197,727</b>	<b>45%</b>
<b>Net Revenue/(Expense)</b>	<b>(12,661)</b>		<b>23,162</b>			

\*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway  
Balance Sheet - Airport  
For the month ended October 31, 2014



Cash - Operating	(8,458)
Accounts Receivable - Fuel Vendor	31,620
<b><i>Assets</i></b>	<b><u>23,162</u></b>
Accounts Payable	-
<b><i>Liabilities</i></b>	<b><u>-</u></b>
<b><i>Fund Balance</i></b>	<b>23,162</b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>23,162</u></b>

\*All figures are unaudited

City of Conway  
Monthly Financial Report - Major Project Funds  
For the month ended October 31, 2014



Parks and Rec A&P Tax

Balance, 9/30/14	1,115,461
Receipts	244,451
Payments	(312,482)
Balance, 10/31/14	\$ 1,047,430

Pay as you go Sales Tax

Balance, 9/30/14	882,170
Receipts	1,375,246 *
Payments	(934,254)
Balance, 10/31/14	\$ 1,323,162

Street Impact Fees

Balance, 9/30/14	424,009
Receipts	12,373
Payments	(70,403)
Balance, 10/31/14	\$ 365,979

Parks Impact Fees

Balance, 9/30/14	118,534
Receipts	7,670
Payments	-
Balance, 10/31/14	\$ 126,205

\*Received \$100k refund from Exxon on pipeline move project; drew down \$1 million on South Interchange loan.



**City of Conway, Arkansas**  
**Ordinance No. O-14- \_\_\_\_\_**

**AN ORDINANCE ACCEPTING AND APPROPRIATING DONATION FUNDS FOR THE CONWAY TREE BOARD TO HELP PAY FOR EXPENSES ASSOCIATED WITH THE ANNUAL ARBOR DAY CELEBRATION; AND FOR OTHER PURPOSES;**

**Whereas**, donations in the amount of \$434 were received from Faulkner County Farm Bureau, Inc., Faulkner County Master Gardeners, and various others in support of the annual Arbor Day celebration; and

**Whereas**, the holiday of Arbor Day, recognized by official proclamation, is one of critical importance to the education of the general public to the beneficial role our urban forest plays within our community.

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

**Section 1:** The City of Conway, Arkansas, shall accept donation funds in the amount of \$434 and appropriate said funds from the Donations Account (260-000-4705) to the Tree Board Account (260-000-5430).

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

**PASSED** this 25<sup>th</sup> day of November, 2014.

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

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





**City of Conway, Arkansas  
Ordinance No. O-14-\_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE O-02-08 TO CHANGE THE HOURS OF ONE-WAY TRAFFIC ON SOUTH BOULEVARD; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES:**

**Whereas**, because the hours of operation of the Sallie Cone Preschool have been adjusted since Ordinance O-02-08 was passed on January 8<sup>th</sup>, 2002.

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

**Section 1.** South Boulevard to be a one-way street going east from its intersection with Davis Street to its intersection with Center Street from 7:00 a.m. to 9:00 a.m. and from 2:00 p.m. until 4:00 p.m. Monday through Friday during the time that school is in session.

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

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

**PASSED** this 25<sup>th</sup> day of November, 2014.

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

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



**City of Conway, Arkansas**  
**Ordinance No. O-14- \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 1655 SOUTH DONAGHEY AVENUE FROM A-1 TO R-1:**

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

**Section 1:** The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the **A-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

Lot 9 Churchill Place Replat Phase 1

To those of **R-1**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

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

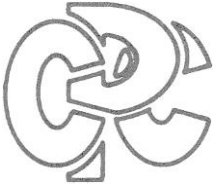
**PASSED** this 25<sup>th</sup> day of November, 2014.

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

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



# CONWAY PLANNING COMMISSION

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1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

November 18, 2014

Council Members  
Conway, AR 72032

Dear Council Members:

A request for a rezoning from A-1 to R-1 for property that is located at 1655 South Donaghey Avenue with the legal description:

Lot 9, Churchill Place Replat Phase I

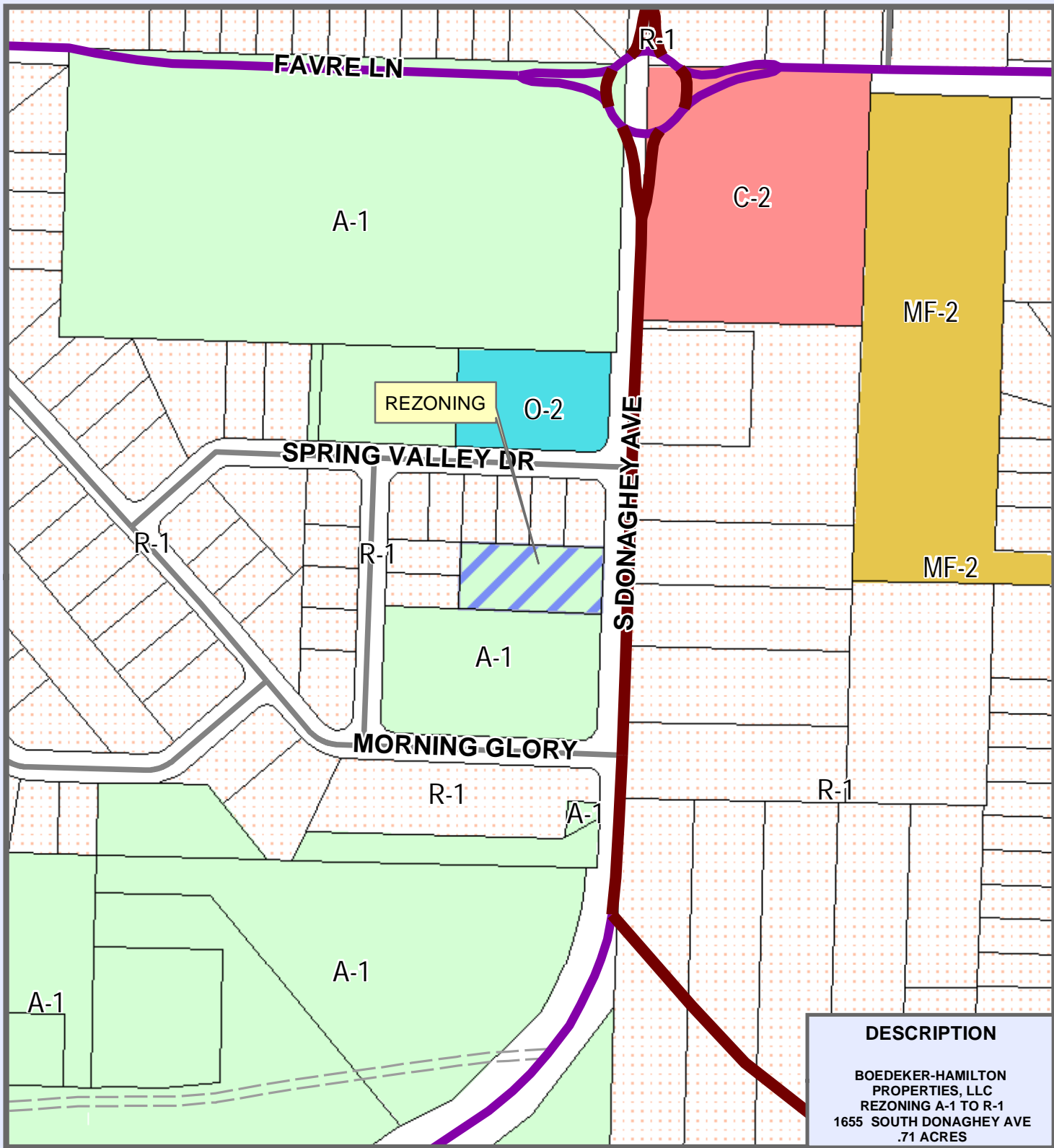
was reviewed by the Planning Commission at its regular meeting on November 17, 2014. The Planning Commission voted 9-0-1 that the request be sent to the City Council with a recommendation for approval.

Submitted by,

Jeff Allender, Chair  
Planning Commission

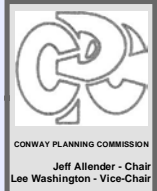
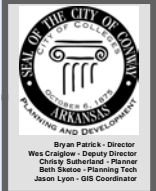
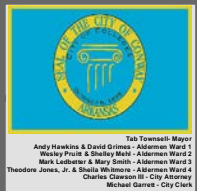
# CITY OF CONWAY

BOEDEKER-HAMILTON PROPERTIES, LLC -- REZONING A-1 TO R-1



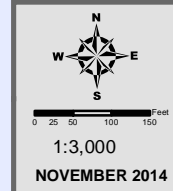
**DESCRIPTION**

**BOEDEKER-HAMILTON  
PROPERTIES, LLC  
REZONING A-1 TO R-1  
1655 SOUTH DONAGHEY AVE  
.71 ACRES**



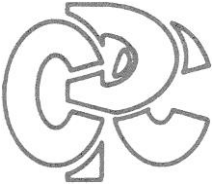
— INTERSTATE	— LOT LINE
— MAJOR ARTERIAL	— STREAMS
— MINOR ARTERIAL	— LAKES & PONDS
— COLLECTOR	— CITY LIMITS
— RESIDENTIAL	— PRIVATE ROAD
— INTERSTATE RAMP	— RAILROADS

Residential		Industrial	
R-1	MF-1	I-1	RU-1
R-2A	MF-2	I-2	RU-2
R-2	MF-3	I-3	RU-3
HR	RMH		
SR			
Commercial		Special	
C-1	O-1	SP	S-1
C-2	O-2		A-1
C-3	O-3		PLD
C-4			TJ



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CONTACT INFORMATION  
 LANDMARK HIS WEBSITE:  
 gis.cityofconway.org (UNDER DEVELOPMENT)  
 E-MAIL: Jason.Lyon@CityOfConway.org



# CONWAY PLANNING COMMISSION

---

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

November 18, 2014

Council Members  
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow restricted retail at property that is located in O-3 (Residential Office District) at 2002 Dave Ward Drive with the legal description:

Part of the SW 1/4 NW 1/4 of Section 13, Township 5 North, Range 14 West, Faulkner County, Arkansas described as follows: from the Southeast Corner of Harlan Park Subdivision as shown on plat of record in Plat Book A, Page 212, run East 200 feet to the point of beginning; run thence North 140 feet; run thence East 150 feet; run thence South 140 feet; run thence West 150 feet to the point of beginning, less and except that portion thereof conveyed to the Arkansas State Highway Commission by deed recorded in the official records of Faulkner County, Arkansas, as Document #2000-16471, being the property located at 2002 Dave Ward Drive, Conway, AR 72034.

was reviewed by the Planning Commission at its regular meeting on November 17, 2014. The Planning Commission voted 7-3 that the request be sent to the City Council with a recommendation for approval subject to the following conditions. Planning Commissioners Matthew Brown, Jon Arms and Jerry Rye voted against the motion to approve the conditional use permit request

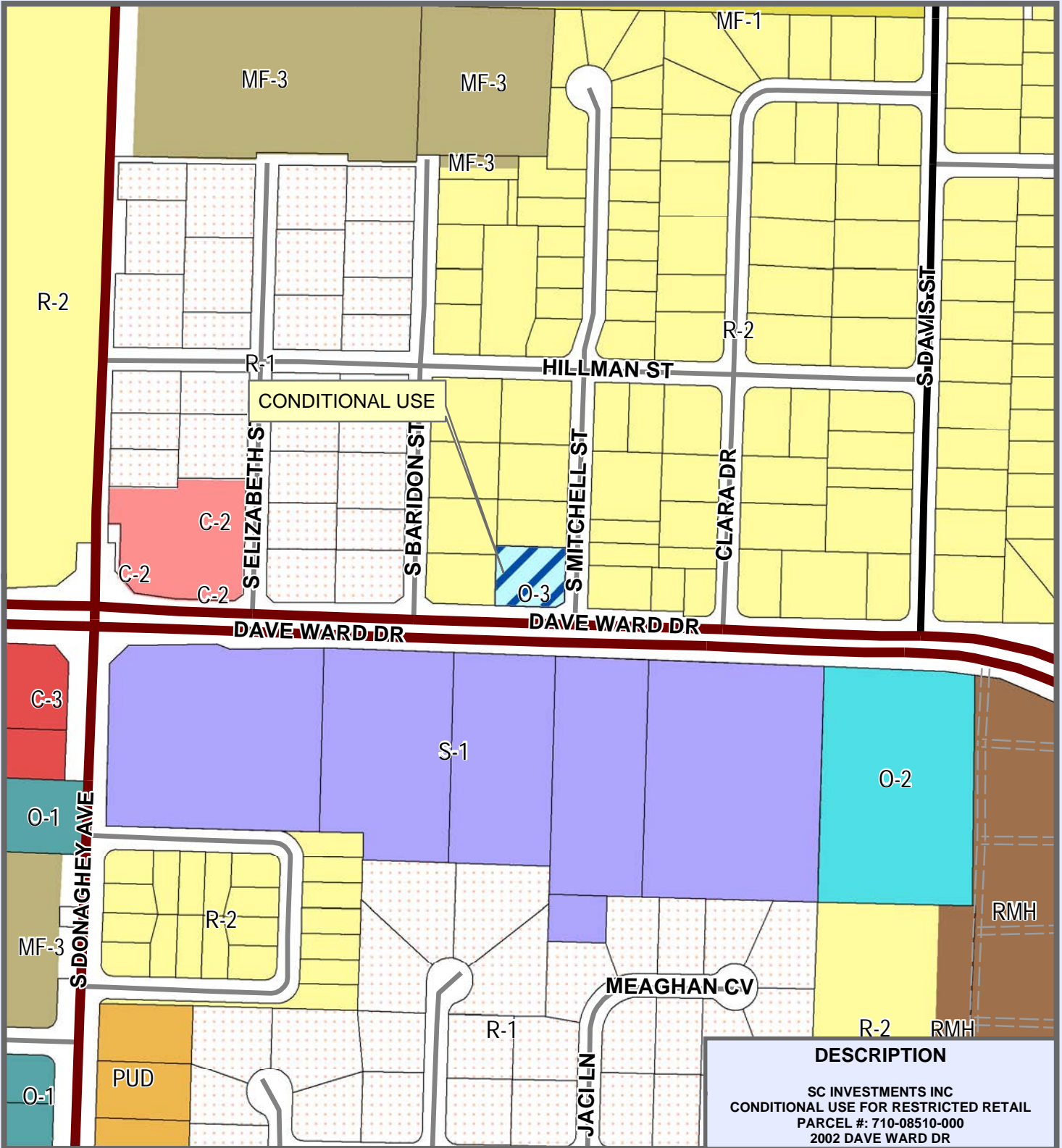
1. Hours of operation will be limited to 8:00 am to 5:30 pm Monday thru Friday.
2. Conditional Use Permit is limited to the applicant, SC Investments, Inc., for a window sales office with display and warehousing.
3. Ingress/Egress to the property must be from South Mitchell Street.

Submitted by,

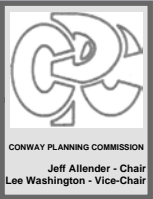
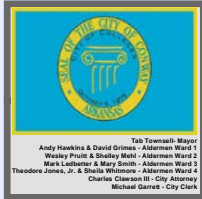
Jeff Allender, Chair  
Planning Commission

# CITY OF CONWAY

SC INVESTMENTS INC -- CONDITIONAL USE



**DESCRIPTION**  
 SC INVESTMENTS INC  
 CONDITIONAL USE FOR RESTRICTED RETAIL  
 PARCEL #: 710-08510-000  
 2002 DAVE WARD DR



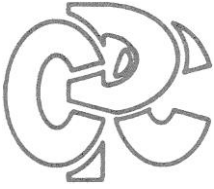
INTERSTATE	LOT LINE
MAJOR ARTERIAL	STREAMS
MINOR ARTERIAL	LAKES & PONDS
COLLECTOR	CITY LIMITS
RESIDENTIAL	PRIVATE ROAD
INTERSTATE RAMP	RAILROADS

Residential	Commercial	Office	Industrial	Special
R-1	C-1	O-1	I-1	SP
R-2A	C-2	O-2	I-2	S-1
R-2	C-3	O-3	I-3	A-1
HR	C-4		RMH	PUD
SR				TJ



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 E-MAIL: Jason.Lyon@CityofConway.org



# CONWAY PLANNING COMMISSION

---

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

November 18, 2014

Council Members  
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow a tattoo studio at property that is located in C-1 (Central Business District) at 1022 Main Street with the legal description:

Lot 16, Block 5 Robinsons Plan

was reviewed by the Planning Commission at its regular meeting on November 17, 2014. The Planning Commission voted 9-0 that the request be sent to the City Council with a recommendation for approval subject to the following conditions.

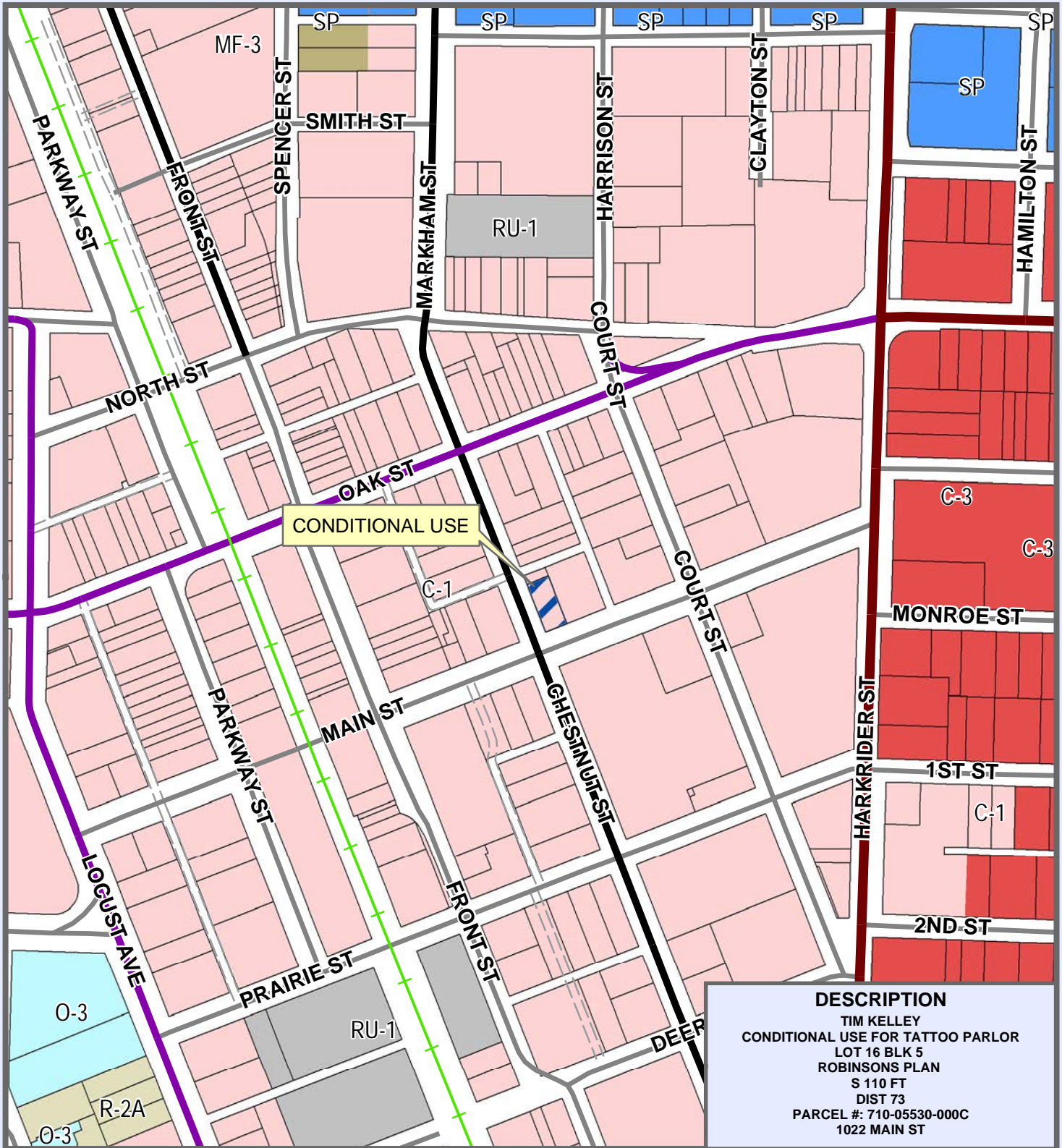
1. Hours of operation be limited to 10:30 am to 9:00 pm Monday thru Saturday.
2. Conditional use permit is limited to the applicant, Tim Kelley.

Submitted by,

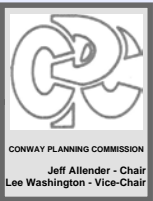
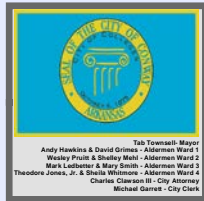
Jeff Allender, Chair  
Planning Commission

# CITY OF CONWAY

TIM KELLEY -- CONDITIONAL USE



**DESCRIPTION**  
 TIM KELLEY  
 CONDITIONAL USE FOR TATTOO PARLOR  
 LOT 16 BLK 5  
 ROBINSONS PLAN  
 S 110 FT  
 DIST 73  
 PARCEL #: 710-05530-000C  
 1022 MAIN ST



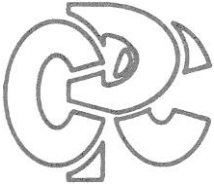
INTERSTATE	LOT LINE	Residential	Industrial
MAJOR ARTERIAL	STREAMS	R-1	I-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	RU-1
COLLECTOR	CITY LIMITS	R-2	I-3
RESIDENTIAL		HR	RMH
PRIVATE ROAD		SR	
INTERSTATE RAMP		Commercial	Office
RAILROADS		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	Special
			SP
			S-1
			A-1
			PUD
			TJ



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CONTACT INFORMATION  
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 E-MAIL: Jason.Lyon@CityOfConway.org





# CONWAY PLANNING COMMISSION

---

1201 OAK STREET CONWAY, AR 72032 (501) 450-6105

November 18, 2014

Council Members  
Conway, AR 72032

Dear Council Members:

A request for a conditional use permit to allow clinic treatment services at property that is located in T4 Transitional – Northeast Old Conway Area Specific Plan at 1222-1224, 1223-1225, and 1227-1229 Jersey Street with the legal description:

Lots 5 and 6, Block 8, Browns Subdivision; Lot 18, Block 6, Browns Subdivision

was reviewed by the Planning Commission at its regular meeting on November 17, 2014. The Planning Commission voted 6-3-1 that the request be sent to the City Council with a recommendation for approval subject to the following conditions. Planning Commissioners Marilyn Armstrong and Anne Tucker and Vice-Chairman Lee Washington voted against the motion to approve the conditional use permit request. Chairman Jeff Allender abstained.

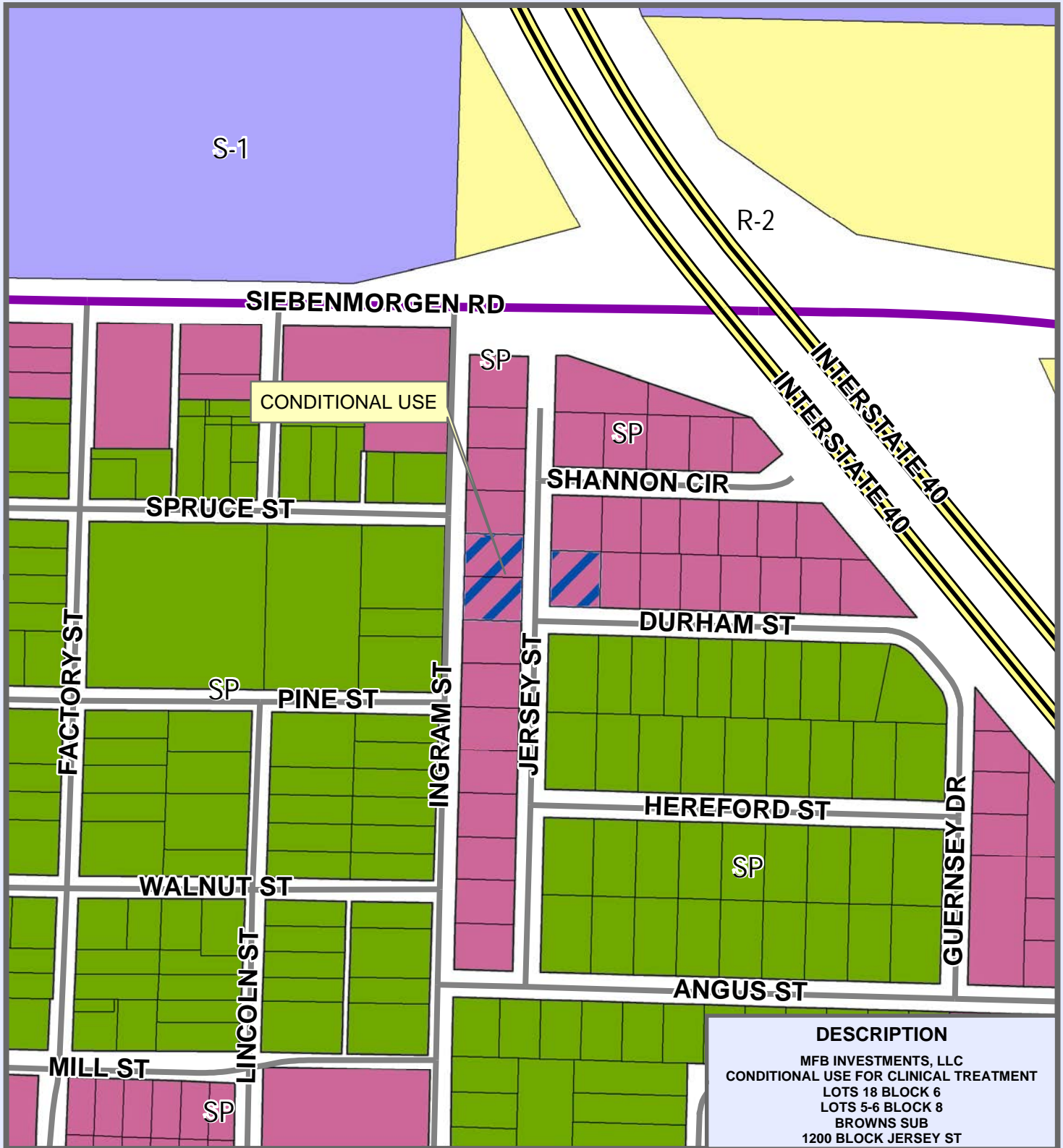
1. Hours of operation will not be limited.
2. Conditional Use Permit is limited to MFB Investments, LLC (Phoenix Recovery).
3. The conditional use permit is valid for one (1) year. Applicant must appear before the Conway City Council in November 2015 for review.
4. On-site counseling treatment services may only be offered to Class C and less felony offenders. Violent offenders and sex offenders may not be treated.

Submitted by,

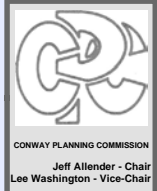
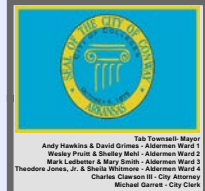
Jeff Allender, Chair  
Planning Commission

# CITY OF CONWAY

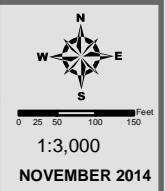
MFB INVESTMENTS, LLC -- CONDITIONAL USE



**DESCRIPTION**  
**MFB INVESTMENTS, LLC**  
**CONDITIONAL USE FOR CLINICAL TREATMENT**  
**LOTS 18 BLOCK 6**  
**LOTS 5-6 BLOCK 8**  
**BROWNS SUB**  
**1200 BLOCK JERSEY ST**



<ul style="list-style-type: none"> <li>INTERSTATE</li> <li>MAJOR ARTERIAL</li> <li>MINOR ARTERIAL</li> <li>COLLECTOR</li> <li>RESIDENTIAL</li> <li>PRIVATE ROAD</li> <li>INTERSTATE RAMP</li> <li>RAILROADS</li> </ul>	<ul style="list-style-type: none"> <li>LOT LINE</li> <li>STREAMS</li> <li>LAKES &amp; PONDS</li> <li>CITY LIMITS</li> </ul>	<p><b>NEOCA</b></p> <ul style="list-style-type: none"> <li>Green Space</li> <li>Sub-urban</li> <li>Townhouse</li> <li>Transition</li> <li>Urban</li> </ul>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>R-1</li> <li>R-2A</li> <li>R-2</li> <li>HR</li> <li>SR</li> </ul> <p><b>Commercial</b></p> <ul style="list-style-type: none"> <li>C-1</li> <li>C-2</li> <li>C-3</li> <li>C-4</li> </ul>	<p><b>Industrial</b></p> <ul style="list-style-type: none"> <li>MF-1</li> <li>MF-2</li> <li>MF-3</li> <li>RMH</li> </ul> <p><b>Office</b></p> <ul style="list-style-type: none"> <li>O-1</li> <li>O-2</li> <li>O-3</li> </ul>	<p><b>Special</b></p> <ul style="list-style-type: none"> <li>SP</li> <li>S-1</li> <li>A-1</li> <li>PUD</li> <li>TJ</li> </ul>
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[gis.cityofconway.org](http://gis.cityofconway.org) (UNDER DEVELOPMENT)  
 E-MAIL: Jason.Lyon@CityOfConway.org



**CITY OF CONWAY**  
**SANITATION DEPARTMENT**  
*P.O. Box 915*  
*4550 Hwy. 64 West*  
*Conway, AR 72033*  
*(501) 450-6155*  
*Fax: (501) 450-6157*

**Cheryl Harrington**  
*Director*

November 6, 2014

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

Re: 2015 Hook Lift Roll-Off Truck

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Thursday, October 30, 2014 at Conway City Hall for a 2015 Hook Lift Roll-Off Truck. One bid were submitted:

River City Hydraulics, Inc.

\$178,684.00 after trade

I recommend accepting the bid from River City Hydraulics, Inc. for \$178,684.00 after trade. Prices include tax and delivery costs. This bid meets all specifications to include tire sizes of 425/65/22.5 Steer & 11R22.5 Rear.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington  
Sanitation Director

**BID SUMMARY**  
2015 Hook Lift Roll-Off Truck  
Bid #2014-20

Bid #1 submitted by River City Hydraulics, Inc.  
2015 Freightliner/Stellar Hook Lift model 190-24-65  
With Front Steer Tires 425/65/22.5/Rear Tires 11R22.5  
\$178,684.00 after trade  
Delivery time 200 Days ARO

I recommend accepting the bid from River City Hydraulics, Inc. with a bid of \$178,684.00 after trade. This truck meets all specifications to include tire sizes of 425/65/22.5 Steer & 11R22.5 Rear. Prices include tax and delivery costs.



**CITY OF CONWAY**  
**SANITATION DEPARTMENT**  
*P.O. Box 915*  
*4550 Hwy. 64 West*  
*Conway, AR 72033*  
*(501) 450-6155*  
*Fax: (501) 450-6157*

**Cheryl Harrington**  
*Director*

November 6, 2014

Mayor Tab Townsell  
1201 Oak Street  
Conway, AR 72032

Re: 2015 Commercial Front Load Refuse Truck

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Thursday, October 30, 2014 at City of Conway City Hall for 2015 Commercial Front Load Refuse Truck. Six bids were submitted:

Truck Component Services	\$226,480.00 after trade
Tri State Truck Center	\$250,129.00 after trade
Shiple Motor Equipment Co.	\$253,000.00 after trade
Shiple Motor Equipment Co.	\$257,000.00
River City Hydraulics, Inc.	\$259,415.00 after trade
Tri State Truck Center	\$261,962.00 after trade

I recommend accepting the bid #2 from Tri State Truck Center for \$250,129.00 after trade. This bid meets all specifications to include tire sizes of 425/65/22.5 Steer & 11R22.5 Rear.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington  
Sanitation Director

## BID SUMMARY

### 2015 Commercial Front Load Refuse Truck Bid #2014-21

Bid #1 submitted by Truck Component Services  
2015 Peter Built Truck/New Way Body  
\$226,480.00 after trade  
Including tire sizes 425/65/22.5 Steer & 11R22.5 Rear  
Delivery time 120-150 Days ARO

Bid #2 submitted by Tri State Truck Center  
2015 Mack MRU633 w/ Heil Front Load  
\$250,129.00 after trade  
Including tire sizes 425/65/22.5 Steer & 11R22.5 Rear  
Delivery time 90-100 days ARO

Bid #3 submitted by Shipley Motor Equipment Co.  
2015 Mack LEU633/Heil Front Load  
\$253,000.00 after trade  
Including tire sizes 425/65/22.5 Steer & 11R22.5 Rear  
Delivery time 90-120 Days ARO

Bid #4 submitted by Shipley Motor Equipment Co.  
2015 Mack/Labrie Front Load  
\$257,000.00  
Including tire sizes 425/65/22.5 Steer & 11R22.5 Rear  
Delivery time 260 Days ARO

Bid #5 submitted by River City Hydraulics, Inc.  
2015 Peter Built/Heil Half Pack  
\$259,415.00 after trade  
Including tire sizes 425/65/22.5 Steer & 11R22.5 Rear  
Delivery time 120-150 Days ARO

Bid #6 submitted by Tri State Truck Center  
2015 Mack MRU633/McNeilus  
\$261,962.00 after trade  
Including tire sizes 425/65/22.5 Steer & 11R22.5 Rear  
Delivery time 180-200 Days ARO

I recommend accepting the bid #2 from Tri State Truck Center with a bid of \$250,129.00 after trade. This truck meets all specifications including tire sizes 425/65/22.5 Steer & 11R22.5 Rear. Prices include tax and delivery costs.

City of Conway  
Chief of the Police  
A.J. Gary  
1105 Prairie Street  
Conway, AR 72032  
[www.cityofconway.org](http://www.cityofconway.org)

# MEMO

**TO:** City Council Members/Mayor Tab Townsell  
**FROM:** Chief A.J. Gary  
**DATE:** November 18, 2014  
**SUBJECT:** Acceptance of Bids / Firing Range Target System

Bids were opened November 3, 2014 for a firing range target system; the following bids were received:

- Advanced Training Systems      \$44,895.00
- Action Target, Inc.                \$48,598.00

All companies met the bid specifications; however, it is my recommendation that the Council accept the low bid from Advanced Training Systems.

Thank you for your consideration.



**City of Conway, Arkansas**  
**Ordinance No. O-14-\_\_\_\_\_**

**AN ORDINANCE APPROPRIATING GENERAL FUNDS TO THE CONWAY POLICE DEPARTMENT FOR OPERATION SHOP SECURE AND FOR OTHER PURPOSES:**

**Whereas**, The Conway Police Department needs approximately \$50,000 in overtime funds for Operation Shop Secure and;

**Whereas**, the Conway Police Department needs these funds in order to increase police presence in all shopping areas throughout the City of Conway during the holidays which will provide a safer shopping experience for the citizens of Conway.

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

**Section 1.** The City of Conway shall appropriate \$50,000 from the general fund balance appropriation account 001.119.4900 into the Conway Police Department overtime expense account, 001.121.5114.

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

**PASSED** this 25<sup>th</sup> day of November, 2014.

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

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





**City of Conway, Arkansas**  
**Ordinance No. O-14-\_\_\_\_\_**

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

**Whereas**, The City Council of the City of Conway would like to recognize the efforts of full time and part time city employees through the award of an employee appreciation bonus, for which funding must be provided;

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

**Section 1:** The City of Conway shall appropriate \$175,525 from Fund Balance Appropriation Accounts to the salary accounts for each department in order to provide an expression of appreciation to all full time employees in the net amount of \$300 and all part time employees in the net amount of \$150. Each Fund will bear the cost of bonuses for employees, as follows:

General Fund - \$131,500  
 Street Fund - \$12,325  
 Sanitation Enterprise Fund - \$30,500  
 Airport Fund - \$1,200

All part time elected officials are excluded. To receive a bonus, employees must be hired prior to the last full pay period in November and must be actively employed on the date of distribution. Employees pending termination will not receive any appreciation bonus.

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

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

**PASSED** this 25<sup>th</sup> day of November, 2014.

**Approved:**

\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

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



**City of Conway, Arkansas  
Ordinance No. O-14-\_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 4.56 OF THE CONWAY MUNICIPAL CODE, REPEALING IN THEIR ENTIRETY ORDINANCE NO'S. O-09-140, O-04-122, O-04-85, O-04-61, O-04-49 AND O-00-139; DECLARING AN EMERGENCY; AND ALL OTHER PURPOSES**

**Whereas**, the City of Conway wishes to alter the terms and conditions under which it grants wrecker franchises for city tows.

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

**Section 1.** That Section 4.56.02 of the Conway Municipal Code is hereby amended to read as follows:

**4.56.01 Procedure for awarding franchise:**

The City of Conway desires to maintain quality wrecker services to the public utilizing the streets within the corporate limits of the city when circumstances require the City to initiate a call for wrecker services. This agreement, between the City and the providers of wrecker services, is for the purpose of addressing the respective needs and to provide for the maximum benefit of the travelling public.

Interested wrecker companies (franchisee) with a base of operations in the territorial jurisdiction who wish to join this agreement to provide wrecker services will submit a letter of interest along with all required documentation after adoption of this ordinance. Interested franchisee' deemed qualified will begin providing wrecker services on December 1<sup>st</sup>, 2014 or as soon as practical thereafter and will rotate wreckers duties on a monthly basis. The initial order of rotation will be determined by random draw from all qualified franchisee' Beginning Oct 1<sup>st</sup>, 2015, current franchisee' and other interested towing franchisee wishing to remain or join the franchise agreement with the City of Conway will be required to a letter of interest and required documents and be inspected by the Conway Police Department for requirement compliance. New franchisees will be placed at the end of the current rotation list. If more than one franchisee joins, their place at the end of the current list will be decided by random drawing

A. Procedure and qualification requirements for joining the towing rotation agreement includes submission of required documents include, but not limited to:

1. Letter of Interest that identifies:

- a. Franchisee owner (s).
- b. Franchisee' physical location.
- c. Storage area(s) location if different from physical location.
- d. Franchisee contact information to include phone number and email address.
- e. Any and all licenses for consensual and non-consensual towing as required by the Arkansas Towing and Recovery Board.
- f. Any disciplinary action taken against franchisee by Arkansas Towing and Recovery Board for previous 5 years from date of letter of interest submission to the City of Conway.

2. Proof of ownership, current lease or agreement showing that you have or have available the following:
  - a. 2– One (1) ton light duty wreckers.
  - b. 1– Twenty (25) ton rated wrecker with tandem rear axles.
  - c. 1– One and one half (1.5) ton or heavier rollback (flatbed).

Lease or agreement must extend from December 1<sup>st</sup> to November 30<sup>th</sup> of the following year.  
Proof of ownership, lease or agreement must be submitted with letter of interests.

3. Documentation that the City of Conway, Arkansas is listed as a Certificate Holder on the franchisee member's Insurance Certificate. Franchisee must provide proof of general liability insurance of at least \$750,000 or the minimum amount required by the Arkansas Towing and Recovery Board, whichever is higher. Franchisee must have at a minimum the following insurance coverage for on-hook vehicles or Arkansas Towing and Recovery Board required minimum, whichever is higher.
  - a. Light Duty (vehicles less than 1 ton in weight)-\$50,000.00.
  - b. Medium Duty (vehicles with weight of 1 ton to 2 and ½ tons)-\$100,000.00
  - c. Heavy Duty (vehicles with a weight of more than 2 and ½ tons)-\$200,000.00

Proof of Insurance for each vehicle must be submitted with bid.

**Section 2.** That Section 4.56.02 of the Conway Municipal Code is hereby amended to read as follows:

**4.56.02 Duties of franchisee and rates for service:** The Franchisee shall be required to provide and perform the following services:

- A. The Franchisee shall provide a base of operations and storage area inside the territorial jurisdiction of the city of Conway and with easy accessibility to the public. The said storage area must provide security for vehicles stored. The Franchisee must, at a minimum, enclose the said storage area with a suitable fence at least six (6) feet in height with lockable gate(s) with two (2) feet barbed wire on top or razor wire on top and provide continuous video surveillance that is capable of recording images for at least 30 days. Storage area must provide at least 10,000 square feet of storage.
- B. The Franchisee shall maintain service 24 hours per day each day during the term of the Franchise, holidays not excepted, throughout all the City.
- C. The Franchisee and all his employees while providing contract services will be subject to the supervision of the City Police Department and its patrolmen who will inspect the area after any accident to see that the Franchisee has performed his services satisfactorily.
- D. Franchisee and his employees will be required to provide services authorized in the agreement courteously and with the attitude that their service is an extension of city government and that their dealings with the public will be carried out with the utmost respect for the citizens with whom they come in contact.

When the city of Conway has an official hold on a vehicle, the agent or owner will have to secure a release from the Conway Police Department. The storage fees for vehicles held for forfeiture by the city of Conway will be \$1.00 per day. The Franchisee shall not release such a held vehicle until a properly executed official release shall have been presented to the Franchisee.

When the city of Conway has no official hold on the car in custody of the Franchisee, the Franchisee shall provide a copy of the list of permissible and actual charges to the owner or agent of the car in custody upon vehicle redemption. This list will have a space in which the agent or owner of the car in custody will sign that he has read the list.

- E. The list of charges provided by the Police Department or by the Franchisee shall contain a request to the effect that any complaints concerning the services provided by the Franchisee should be made to the office of the Police Chief, telephone number 501-450-6126.
- F. The Franchisee herein granted will be subject to cancellation at any time by the Franchisee or the city of Conway upon written notice within 60 days prior to the effective date of said cancellation; provided that, the Franchise automatically will expire one (1) year from its date of adoption.
- G. If any franchisee's wrecker service insurance is terminated during the agreement period, the franchisee will be terminated immediately, unless a new Insurance Certificate is furnished with the same requirements with no lapses in coverage.
- H. The franchisee shall be in good standing with the Arkansas Towing and Recover Board.
- I. Cars to be officially held:  
In this category of cars, the Franchisee is functioning as a governmental entity and so shall meticulously follow the terms and conditions of the Franchise agreement, taking care to do so with the spirit of public service and courtesy.
- J. Cars hauled but not officially held:  
Cars serviced by the Franchisee in this category are to be treated as customers or clients of the government and the Franchisee. By virtue of this Franchise, cars are towed or serviced by the Franchisee by mere fact of the owner of the car not having indicated a preference as to what wrecker service to use and/or the car needed to be towed. But there is not official claim on care in this category. Inasmuch as the city lends its faith and image to the Franchisee in calling the contract wrecker, the Franchisee shall charge no more than the amounts provided in the franchise.

Junk cars: Cars that are unable to be moved from private property and ordered by the city to be moved by the Franchisee will be handled as officially held cars.

This Franchise provides for the removal of cars from public and private areas inside the city limits of Conway, Arkansas.

- K. Definition of towed vehicle classes:

Definitions-Vehicle Classification:

- 4. Light Duty Vehicle-All vehicles having a Gross Vehicle Weight Rating (GVWR) of up to one (1) ton.
- 5. Medium Duty Vehicle- All vehicles having a GVWR of more than one (1) ton and not exceeding two and a half (2 ½) tons.
- 6. Heavy Duty Vehicle-All vehicles having a GVWR of more than two and a half (2 ½) tons.

- M. Towing, storage and other allowable fees.

Allowable Charges:

- 1. Light Duty Vehicles:
  - a. In town tow charge will not exceed \$85.00.
  - b. Winch fee per ½ hour (if needed) will not exceed \$20.00.
  - c. On-scene time fee will not exceed \$40.00 per hour. On scene time for purposes of fee charged, begins after the first 30 minutes and is charged per franchisee vehicle on scene, not per franchisee' employees on scene.
  - d. Storage per 24 hour period (outside) will not exceed \$25.00.
  - e. Storage per 24 hour period (inside) will not exceed \$50.00.
  - f. Storage fee per any 24 hour period (combination of inside and outside) will not exceed \$50.00.

- g. The Franchisee will be required to sweep and haul away all debris, glass, and metal parts of automobiles damaged at the scene of an accident. Clean up fees if needed will never exceed \$20.00 per call, an additional \$10.00 may be charged if oil dry is required for fluid clean up.
- 2. Medium Duty Vehicles:
  - a. In town tow charge will not exceed \$115.00.
  - b. Winch fee per ½ hour (if needed) will not exceed \$20.00.
  - c. On-scene time fee will not exceed \$50.00 per hour. On scene time for purpose of fee charged, begins after the first 30 minutes and is charged per franchisee vehicle on scene, not per franchisee' employees on scene.
  - d. Storage per 24 hour period (outside) will not exceed \$25.00.
  - e. The Franchisee will be required to sweep and haul away all debris, glass, and metal parts of automobiles damaged at the scene of an accident and any cargo that has spilled onto the roadway. Clean up fees if needed will never exceed \$20.00 per call, an additional \$10.00 may be charged if oil dry is required for fluid clean up.
- 3. Heavy Duty Vehicles:
  - a. In town tow charges will not exceed \$386.00.
  - b. Winch fee per ½ hour (if needed) will not exceed \$30.00
  - c. On-scene time fee will not exceed \$60.00. On scene time begins after the first 30 minutes and is charged per franchisee vehicle on scene, not per franchisee' employees on scene.
  - d. Storage per 24 hour period (outside) will not exceed \$50.00 for semi-tractor
  - e. Storage per 24 hour period (outside) will not exceed \$50.00 for semi-trailer.
  - f. The Franchisee will be required to sweep and haul away all debris, glass, and metal parts of automobiles damaged at the scene of an accident and any cargo that has spilled onto the roadway. Clean up fees if needed will never exceed \$50.00 per hour per employee needed for cleanup, an additional \$10.00 may be charged if oil dry is required for fluid clean up. If specialized equipment is needed for cleanup of cargo, an itemized bill will be prepared detailing costs to the customer.
- 4. Releasing of Vehicles:
 

After a vehicle has been placed in the storage area, the Franchisee(s) may charge no more than \$30.00 to release said vehicle if said release occurs between the hours of 6:00 p.m. and 8:00 a.m. or release occurs on Sundays or federally recognized holidays where federal employees are not scheduled to work.
- 5. Administration Fee:
 

An administration fee of no more than \$25.00 can be charged to any vehicle. This administration fee is intended to offset any labor or administrative cost associated with maintaining or releasing the vehicle or processing any paperwork after the vehicle is taken to the Franchisee' storage location.
- 6. Notification Fee:
 

Any notification (letter) fee charged will be in accordance with the Arkansas Towing and Recovery Board rules and regulations.
- 7. All out of Conway city limit tows will be based on contract rates based on the on-scene time of the company.
- 8. Crash wraps or tarp:
 

Wraps and tarp charges will not exceed \$10.00 for any class of vehicle. Franchisee will note on tow slip the name of CPD employee or citizen who requested tarp or wrap.

- N. Inspections:  
All tow slips and related documents will be available for inspection for any tow related complaint. Submit to a random inspection of tow slips and storage related documents for inspection to ensure compliance with Towing Contract Agreement and related city ordinances/state laws at a rate of no more than 5 inspections per year for franchisee. Submit to examination of storage areas to ensure compliance with ordinance both during submission of initial application, renewal application or random inspection.
- O. Comply with all city ordinances, state laws and Arkansas Towing and Recovery Board regulations that are in effect or take effect during the agreement period.
- P. Company on rotation will respond to calls for tow services from Conway City departments within 20 minutes with the exception of the time and date periods of 7:30 a.m. to 8:30 am and between 5:00 p.m. to 6:00 p.m. Monday through Friday. The on-call company is responsible for timely responses for tow requests pursuant to this agreement.
- Q. Provide to City of Conway all State of Arkansas Consent and Non-Consent Towing licenses on an annual basis when the license is renewed.
- R. Provide towing service with no charge to all City of Conway light duty vehicles.
- S. Provide tow slips that have individual sections for date and time of pick-up and release.

**Section 3. Penalties:**

That Section 4.56.03 of the Conway Municipal Code is hereby amended to read as follows:

Any person, firm and/or corporation violating any of the provisions of this ordinance shall be guilty of a violation and, upon conviction, shall be fined not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for each offense. Additionally, any franchisee that is found to have violated any provision of this ordinance may be removed from the current year rotation agreement and banned from participating in subsequent towing agreements for the following year. Any Franchisee that is found to have violated any provision of this ordinance by overcharging for any fee may be removed from the current year rotation agreement and banned from participating in subsequent towing agreements for the following 60 months. Adjudication of alleged violations will be decided by Conway Chief of Police.

**Section 4.** With adoption of this ordinance, Ordinance No's. O-09-140, O-04-122, O-04-85, O-04-61, O-04-49, & O-00-139 are hereby repealed in their entirety.

**Section 5.** Resolution No. R-04-20 and Resolution No. R-04-29 are hereby repealed in their entirety.

**Section 6.** That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

**PASSED** this 25<sup>th</sup> day of November, 2014.

**Approved:**

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**Mayor Tab Townsell**

**Attest:**

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