

Mayor Bart Castleberry  
Clerk/Treasurer 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 Isby

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**Tuesday, October 8<sup>th</sup>, 2019 City Council Agenda**

Judge Russell L. “Jack” Roberts District Court Building – 810 Parkway St., Conway, AR 72032

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<b><u>5:30pm:</u></b>	<b>No Committee Meeting</b>
<b><u>6:30pm:</u></b>	City Council Meeting
<b><u>Call to Order:</u></b>	Bart Castleberry, Mayor
<b><u>Roll Call:</u></b>	Michael O. Garrett, Clerk/Treasurer
<b><u>Minutes Approval:</u></b>	September 24 <sup>th</sup> , 2019

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**Report of Standing Committees:**

**A. Community Development Committee (Airport, Community Development, Planning & Development, Permits & Inspection (Code Enforcement), Historic District, Transportation)**

1. Resolution to approve the issuance of bonds for the purpose of assisting in the financing of the acquisition, construction & renovation of an industrial facility at property located at 1800 Sturgis Road.
2. Consideration to approve the nomination of Andrew Regester to the Bicycle & Pedestrian Advisory Board.
3. Resolution to condemn the structure located at 3290 Stone Road.
4. Resolution authoring the submittal of the Consolidated Rail Infrastructure and Safety Improvement grant (CRISI) and commitment of funds for the Transportation Department.

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

1. Resolution accepting the lowest bid for a wastewater force main at the recycling center for the Department of Sanitation.

**Old Business:**

1. Resolution to condemn the structure located at 475 East Robins #183.

**New Business**

1. Resolution of a **voluntary** levy of **two-tenth's (.2) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a **Animal Shelter** for the City of Conway.
2. Resolution of a **voluntary** levy of **four-tenth's (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a recreation assessment raising special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining the **public recreation and playgrounds** of City of Conway.

3. Resolution of a **voluntary** levy of **four-tenths (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue the exclusive purpose of operating and maintaining the **cemeteries** for the City of Conway.
4. Resolution of a levy of **four-tenths (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a **Policeman's Pension and Relief Fund**.
5. Resolution of a levy of **four-tenths (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a **Fireman's Pension and Relief Fund**.
6. Resolution of a levy of **four-tenths (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for paid **Non-uniformed employees**.
7. Resolution of a levy of **three (3.0) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising **General Fund Revenues**.

**Adjournment**

**RESOLUTION NO. R-19-\_\_\_\_\_****A RESOLUTION OF INTENT OF THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS REGARDING THE ISSUANCE OF BONDS FOR THE PURPOSE OF ASSISTING IN THE FINANCING OF THE ACQUISITION, CONSTRUCTION, RENOVATION, REFURBISHMENT AND EQUIPPING OF AN INDUSTRIAL FACILITY LOCATED WITHIN THE CITY**

**WHEREAS**, the City of Conway, Arkansas (the “City”) is authorized under the provisions of the Municipalities and Counties Industrial Development Revenue Bond Law, Arkansas Code Annotated §§14-164-201 *et seq.* (1998 Repl. & 2017 Supp.) (the “Act”), to own, acquire, construct, reconstruct, improve, equip and lease facilities to secure and develop industry and to assist in the financing thereof by the issuance of bonds payable from the revenues derived from such facilities; and

**WHEREAS**, as defined in the Act, “industry” includes manufacturing and distribution facilities and corporate and management offices for industry; and

**WHEREAS**, a Delaware corporation company engaged in the manufacturing of high quality wood products (the “Company”), has evidenced its interest in acquiring, constructing, renovating, refurbishing and equipping certain existing industrial facilities (the “Project”) located at 1800 Sturgis Road within the corporate boundaries of the City if permanent financing for the Project can be provided through the issuance of revenue bonds under the authority of the Act; and

**WHEREAS**, in order to secure and develop industry within the City in accordance with the provisions of the Act, the City desires to assist the Company or an affiliate thereof (the “Company”) in the financing of the Project through the issuance of the City’s Not to Exceed \$75,000,000 Taxable Industrial Development Revenue Bonds;

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

Section 1. It is the City’s present intention to assist the Company in the financing of the proposed Project through the issuance of industrial development revenue bonds under the authority of the Act. It is presently estimated by the Company that bonds in the aggregate principal amount of not to exceed approximately \$75,000,000 would be required for this purpose. However, the City’s intent is to issue the bonds from time to time, pursuant to the terms of the Act, in such amount as shall be requested by the Company for accomplishing all or any part of the Project, whether or not such amount is more or less than the above estimate and whether or not the facilities and improvements finally acquired, constructed, renovated, refurbished and/or equipped are identical to or different from the facilities presently expected to constitute the Project.

Section 2. In conjunction with any issuance of bonds to assist in the financing of the Project, the City states its intention to enter into an agreement with the Company providing for annual payments by the Company in lieu of ad valorem taxes in an amount equal to thirty-five

percent (35%) of the aggregate amount of ad valorem taxes that would otherwise be due with respect to the Project facilities but for the City's issuance of the bonds. It is the City's present intention that said bonds and the corresponding agreement for payments in lieu of ad valorem taxes would have a term of approximately twenty (20) years. Any payment made in lieu of ad valorem taxes would be distributed to the political subdivisions which would have received ad valorem tax payments with respect to the Project facilities in the proportion that the millage levied by each affected political subdivision bears to the total millage levied by all affected political subdivisions.

Section 3. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall be in full force and effect from and after its adoption.

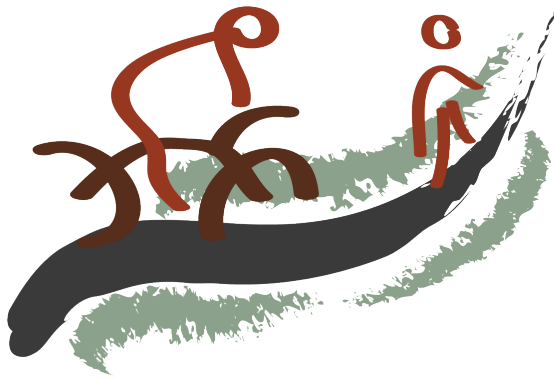
ADOPTED this 8<sup>th</sup> day of October, 2019.

By: \_\_\_\_\_  
Mayor Bart Castleberry

ATTEST:

By: \_\_\_\_\_  
Michael O. Garrett  
City Clerk/Treasurer

(SEAL)



**BICYCLE & PEDESTRIAN  
ADVISORY BOARD**  
CITY OF CONWAY, ARKANSAS

## MEMO

**To:** Mayor Bart Castleberry  
**CC:** City Council Members

**From:** Peter Mehl, Chairman  
**Date:** October 3, 2019

**Re:** Nomination for approval

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The Bicycle & Pedestrian Advisory Board submits the following name for approval as member of the board.

Andrew Register to complete Matt Murphy's term ending December 31, 2020

Please advise if you have any questions.



City of Conway  
[www.cityofconway.org](http://www.cityofconway.org)  
Board/Commission Nomination Form:

Date: 9/13/19

Board applying for: (One board per form)

Bicycle and Pedestrian Advisory Board

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

Person Nominated: Andrew Regester

Address: 1620 Freyaldenhoven Lane City, State, Zip Conway, AR 72032

Phone/Home: 501-499-9257 Work: \_\_\_\_\_

Person making nomination: Peter Mehl

Address: \_\_\_\_\_

Phone/Home: \_\_\_\_\_ Work: \_\_\_\_\_

Please send to: *Michael O. Garrett*

City Clerk/Treasurer  
1201 Oak Street  
Conway, AR 72032  
(501) 450-6100  
(501) 450-6145 (f)  
[cityclerk@cityofconway.org](mailto:cityclerk@cityofconway.org)  
[felicia.rogers@cityofconway.org](mailto:felicia.rogers@cityofconway.org)

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

I assist with organized CAB rides and other group bike rides in and around Conway and have volunteered at the Conway Bike Share in the past.

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

I have an interest in being involved in decisions for improvements and new developments to Conway's bike infrastructure to make Conway a more bicycle-friendly community.

*What contributions do you hope to make?*

I hope to assist with creating new and better ways of getting around Conway via bicycle.

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

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

Age: 31 Sex: Male Race: White

Occupation: Software Developer Ward 2

Email Address: aj.regester@gmail.com

Andrew Regester  
Signature of Applicant or Nominator

9/13/19  
Date



**City of Conway, Arkansas  
Resolution No. R-19-\_\_\_\_\_**

**A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 3290 STONE RD., CONWAY, ARKANSAS AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE**

**Whereas**, the structure located at 3290 Stone Rd., Conway, Arkansas 72034, has been deemed a nuisance and unfit for human habitation, unsafe, unsanitary, and detrimental to the public safety, health, and welfare by Code Enforcement Officials for the City of Conway; and

**Whereas**, the structure appears to be a manufactured home, sage green in color with white trim, and combustible siding; and

**Whereas**, from land documents, Adam Treece have owned the property since 2018; and

**Whereas**, the structure has been inspected and issues thoroughly documented by Conway Code Enforcement; and

**Whereas**, after a hearing in the presence of the Conway City Council with all parties given the opportunity to be heard, the City Council has determined this structure should be condemned.

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

**Section 1:** That after said public hearing the structure located at 3290 Stone Rd. has been condemned by vote of the City Council.

**Section 2:** That this decision is in the best interest of the public health, safety, and welfare.

**Section 3:** That it is the will of the Conway City Council that the structure located at 3290 Stone Rd. be razed thirty (30) days from today if it is still standing as per the authority granted by Arkansas State law and any costs of the demolition be assessed to the property owner(s).

**Adopted** this 8<sup>th</sup> day of October, 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway**  
Code Enforcement  
1201 Oak Street  
Conway, Arkansas 72032



*Missy Schrag*  
Ph. 501-450-6191  
Fax 501-450-6144

[www.cityofconway.org](http://www.cityofconway.org)

September 9, 2019

Adam Treece LLC  
2 Ellzey Ln  
Greenbrier, AR 72058

**RE: NOTICE OF CONDEMNATION HEARING FOR 3290 STONE RD. CONWAY**

Dear Mr. Treece:

You are the listed owner of **3290 Stone Rd.** in Conway. This letter is to inform you that the structure located at **3290 Stone Rd.** has been deemed a nuisance by Code Enforcement officials for the City of Conway. Specifically, the structure is in violation of Ordinance O-09-55 as dilapidated, unsightly, unsanitary, and detrimental to public health and safety.

There will be a hearing at the next regularly scheduled City Council meeting for a determination as to whether to consider the referenced structure a nuisance and condemn it. If the resolution passes, the structure will be demolished after 30 days. The cost of the demolition will be your responsibility.

This letter will serve as your notice that the City Council meeting will be held on **Tuesday, October 8, 2019 at 6:30 pm at the Jack Roberts District Court building at 810 Parkway Street.** This will be your opportunity to be heard about this issue concerning 3290 Stone Rd.

Sincerely,

Missy Schrag  
Code Enforcement Department  
501-450-6191

# ADAM TREECE LLC

3290 STONE RD  
CONWAY, AR 72032-



- [Basic](#)
- [Land](#)
- [Sales](#)
- [Valuation](#)
- [Taxes](#)
- [Receipts](#)
- [Improvements](#)
- [View Map](#)

## Basic Info

Parcel Number:	710-08603-000
County Name:	Faulkner County
Property Address:	ADAM TREECE LLC 3290 STONE RD CONWAY, AR 72032- <a href="#">Map This Address</a>
Mailing Address:	ADAM TREECE LLC 2 ELLZEY LANE GREENBRIER AR 72058
Collector's Mailing Address	ADAM TREECE LLC 2 ELLZEY LN GREENBRIER, AR 72058
Total Acres:	0.46
Timber Acres:	0.00
Sec-Twp-Rng:	26-06N-14W
Lot/Block:	/
Subdivision:	
Legal Description:	PT E 1/2 SE SW (per deed 2004-7171) Part of the E/2 SE SW of Sec 26, T6N, R14W, Faulkner County, AR desc as follows: Beg at a point 110' S of the NEC of said E/2 SE SW and run th S 181.5'; th W 150'; th N 181.5'; th E 150' to the POB. (?? Acreage **.46ac on card, By dimensions on deed is .63 ??/Cant find a deed where Mitchell deeded off anything.)
School District:	1C CONWAY CITY
Homestead Parcel?:	No
Tax Status:	Taxable
Over 65?:	No

# ADAM TREECE LLC

3290 STONE RD  
CONWAY, AR 72032-



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## Sales History

Filed	Sold	Price	Grantor	Grantee	Book	Page	Deed Type
6/11/2018	6/4/2018	3,100	THURSTON, JOHN COMMISSIONER OF STATE LANDS	ADAM TREECE LLC	2018	09054	LWD(Limited Warranty Deed)
8/18/2008	8/18/2008	0	REDEMPTION 249594		2008	16006	REDEMP(REDEMPTION DEED)
6/19/2008	6/19/2008	0	MITCHELL, SHIRLEY ANN	SOUTHWESTERN BELL TELEPHONE	2008	11913	ESMT(Easement)
12/11/2007	12/11/2007	0	EASEMENT FOR FACILITIES		2007	25319	ESMT(Easement)
4/13/2004	4/13/2004	12,000		MITCHELL	2004	7171	SWD(Special Warranty Deed)
4/2/2003	4/2/2003	17,000		ALTEGRA CREDIT	03	7771	CMD(Commissioners Deed)
6/6/2002	6/6/2002	37,191		TOP ALTEGRA	02	11755	TD(TRUSTEES DEED)
5/11/1998	5/11/1998	0		JAMES E & DEBORA D WOOLDRIDGE	98	10716	
11/22/1995	11/22/1995	0		DEATH CERTIF. FOR EUGENE			
12/31/1985	12/31/1985	0	STONE	WOOLDRIDGE	357	-826	

# ADAM TREECE LLC

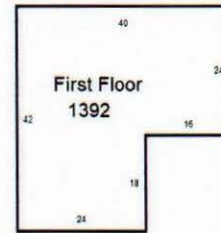
3290 STONE RD  
CONWAY, AR 72032-



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## Residential Improvements

### Residential Improvement #1



Drawn by Adam Treece LLC

Living Area 1st Floor	1,392	Basement Unfinished	0
Living Area 2nd Floor	0	Basement Finished w/Partitions	0
		Basement Finished w/o Partitions	0
<b>Living Area Total SF</b>	<b>1,392</b>	<b>Basement Total SF</b>	<b>0</b>
Occupancy Type:	Single Family		
Grade:	D5-10		
Story Height:	1 Story		
Year Built:	Year Built Not Available		
Effective Age:	40		
Construction Type:	Low Frame		
Roof Type:	Fiberglass		
Heat / AC:	None		
Fireplace:	0		

Bathrooms:	1 full																															
Foundation Type:	Closed Piers																															
Floor Type:	Wood Subfloor																															
Floor Covering:	carpet:	1,392	sq ft																													
Outbuildings / Yard Improvements:	<table border="1"> <thead> <tr> <th>OB/VI Item</th> <th>Quantity</th> <th>Size</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>FR OB - NCV</td> <td>1</td> <td></td> <td></td> </tr> <tr> <td>MTL OB - NCV</td> <td>1</td> <td></td> <td></td> </tr> <tr> <td>OB (SMALL) - NCV</td> <td>1</td> <td></td> <td></td> </tr> <tr> <td>WD - NCV</td> <td>1</td> <td></td> <td></td> </tr> <tr> <td>WFX4 - NCV</td> <td>1</td> <td></td> <td></td> </tr> <tr> <td>WFX6 - NCV</td> <td>1</td> <td></td> <td></td> </tr> </tbody> </table>	OB/VI Item	Quantity	Size	Description	FR OB - NCV	1			MTL OB - NCV	1			OB (SMALL) - NCV	1			WD - NCV	1			WFX4 - NCV	1			WFX6 - NCV	1					
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house, building and/or structure be judicially declared to be a nuisance by a Court having jurisdiction of such matters, the City Council is hereby authorized to employ an attorney to bring such an action for said purpose in the name of the City, and the only notice to be given to the owner(s) and mortgagee(s) and/or lien holder(s) of any such house, building and/or structure sought to be judicially declared to be a nuisance will be that as now provided for by law in such cases in Circuit Court. When any such house, building and/or structure has been declared judicially to be a nuisance by a Court of competent jurisdiction, a fine of one hundred dollars (\$100.00) is hereby imposed against the owner(s) thereof from the date said finding is made by the Court and for each day thereafter, said nuisance be not abated constitutes a continuing offense punishable by a fine of one hundred dollars (\$100.00) per day.

(Ord. No. O-09-55)

5.09.17 - Unsightly appearances.

- A. *Uncut weeds, grass and other unsightly and unsanitary articles.* All property owners and occupants within the municipal boundaries of the City of Conway are required to cut weeds and grass, remove garbage, rubbish and other unsightly and unsanitary articles and things from their property, and to eliminate, fill up, or remove stagnant pools of water or any other unsanitary thing, place or condition which might become a breeding place for mosquitoes, flies and germs harmful to the health of the community. For specific requirements related to the required maintenance of grass and weeds, refer to subsection 3.2.4.
- B. *Nuisance Structures.* Any building or other structure which is in such a dilapidated condition that it is unsafe or unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health or safety of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located shall constitute a nuisance.
  1. *Unsafe structures:* An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe conditions due to lack of abandonment of lack of maintenance, or, unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.
  2. *Unfit structure for human occupancy:* A structure is unfit for human occupancy whenever the Code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation,

illumination, sanitary or heating facilities or other essential equipment required by this Code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

3. *Unlawful structure:* An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this Code, or was erected, altered or occupied contrary to law.

(Ord. No. O-09-55)



## 5.09.18 - Additional remedies.

- A. *Authorized abatement:* If the owner of any lot or other real property within the city shall neglect or refuse to remove, abate or eliminate any condition, violation, or prohibition as may be provided for in this Code, after having been given a Notice of Violation with seven (7) days' notice in writing to do so by the appropriate city official, the city is hereby authorized to do whatever is necessary to correct the condition, including but not limited to entering upon the property and having such weeds, rank grass or other vegetation cut and removed, or eliminating any unsanitary and unsightly condition, or causing necessary repairs to be made and charging the cost thereof to the owner of such premises, which shall constitute a lien thereon. The above mentioned seven days' notice shall be calculated by counting the first day of the seven-day period as the day after written notice is given to the owner, by counting every calendar day, including weekends and holidays, and by establishing the deadline to take the above required actions as 11:59 p.m. on the seventh day. Condemnations shall follow the procedures established in Section 7 of Article I. The City reserves the right to secure a priority clean-up lien pursuant to A.C.A. § 14-54-903.
- B. *Authorized removal of basketball goals:* Code Enforcement Officers shall have the authority to order the immediate removal of any permanent or temporary basketball goal (unless approved by the City) that is on any public street or on any right-of-way adjacent to a public street. If the apparent owner of the basketball goal is unknown, unavailable, or unwilling to remove the basketball goal, a Code Enforcement Officer may cause the goal to be removed.
- C. *Vacating of Unfit or Unsafe Structures and Utility Services:* Any dwelling or dwelling unit declared as unfit for human habitation or unsafe by the Conway Code Enforcement Department as so designated and placarded by a Code Enforcement Officer, shall be vacated within seven (7) days after notice of such action has been given by the Building official to both the owner and occupant of the building. On the eighth day after said notice the Code Enforcement Department shall notify all utility services that no such services shall be provided to the dwelling or dwelling unit. After utility services are cutoff no further services shall be made available until a rehabilitation permit is obtained or until the Director of Code Enforcement notifies utilities that service may be provided to the dwelling or dwelling unit.

(Ord. No. O-09-55)



## 5.09.07 - Condemnation.

- A. *Keeping condemned structures prohibited:* That it shall be and it is hereby declared to be unlawful for any person or persons, partnership, corporation or association, to own, keep or maintain any house, building and/or structure within the corporate limits of the City of Conway, Arkansas, which constitutes a nuisance and which is found and declared to be a nuisance by Resolution of the City Council.
- B. *Condemnation:* That any such house, building, and/or structure which is found and declared to be a nuisance by Resolution of the City Council will be condemned to insure the removal thereof as herein provided.
- C. *Notices:* The Code Enforcement Department shall be responsible for publication, mailing or delivery of all notices required to condemn structures.
1. That prior to the consideration of a Resolution by the City Council declaring any house, building and/or structure as a nuisance, the owner(s) and any mortgagee(s) or lien holder(s), of such house, building and/or structure shall be mailed written notification of the date, time and place that the City Council will consider said Resolution. In addition, said notice shall inform the owner(s) and any mortgagee(s) or lien holder(s), of the right to be heard at the City Council meeting on the proposed Resolution declaring such house, building and/or structure to be a nuisance.
  2. Should the owner(s) and mortgagee(s) and/or lien holder(s) of any such house, building and/or structure be unknown or their whereabouts be unknown or if they do not reside in Arkansas, then a copy of the written notice shall be posted upon said premises and the City Clerk or his designee shall make an affidavit setting out the facts as to unknown address, unknown whereabouts and/or non-resident status of said owner(s), mortgagee(s), and lien holder(s). Thereupon, service of publication as now provided for by law against unknown and/or non-resident defendant(s) may be had and an attorney ad litem shall be appointed to notify such persons by registered letter addressed to their last known place(s) of residence or business.
- D. *Resolution Information:* That the Resolution of the City Council condemning any house, building and/or structure which constitutes a nuisance will include in said Resolution an adequate description of the house, building, and/or structure; the name(s), if known, of the owner(s) and mortgagee(s) and/or lien holder(s) thereof; and shall set forth the reason or reasons said house, building and/or structure is or has been condemned as a nuisance.
- E. *Posting:* After a house, building and/or structure has been found and declared to be a nuisance and condemned by Resolution as herein provided, a true and certified copy of said Resolution will be mailed to the owner(s) and mortgagee(s) and/or lien holder(s) thereof, if the whereabouts of said owner(s) and mortgagee(s) and/or lien holder(s) thereof be known or their last known address be known, and a copy thereof shall be posted at a conspicuous



place on said house, building and/or structure. Provided, that if the owner(s) and mortgagee(s) and/or lien holder(s) of said house, building and/or structure be unknown or if his or their whereabouts or last known address be unknown, the posting of the copy of said Resolution as hereinabove provided will suffice as notice of the condemnation.

- F. *Removal:* If the house, building and/or structure constituting a nuisance has not been torn down and removed, or said nuisance otherwise abated, within thirty (30) days after posting the true copy of the Resolution at a conspicuous place on said house, building and/or structure constituting the nuisance, it will be torn down and/or removed by the Senior Code Enforcement Officer or his duly designated representative.
- G. *Saleable material:* The Senior Code Enforcement Officer or any other person or persons designated by him to tear down and remove any such house, building and/or structure constituting a nuisance will insure the removal thereof and dispose of the same in such a manner as deemed appropriate in the circumstances and to that end may, if the same have a substantial value, sell said house, building and/or structure, or any saleable material thereof, by public sale to the highest bidder for cash, ten (10) days' notice thereof being first given by one (1) publication in some newspaper having a general circulation in the City, to insure its removal and the abatement of the nuisance.
- H. *Proceeds:* All proceeds of the sale of any such house, building and/or structure, or the proceeds of the sale of saleable materials there from and all fines collected from the provisions of this ordinance shall be paid by the person or persons collecting the same to the City Clerk-Treasurer. If any such house, building and/or structure, or the saleable materials thereof, be sold for an amount which exceeds all costs incidental to the abatement of the nuisance (including the cleaning up of the premises) by the City, plus any fine or fines imposed, the balance thereof will be returned by the City Treasurer to the former owner or owners of such house, building and/or structure constituting the nuisance.
- I. *Liens:* If the City has any net costs in removal of any house, building or structure, the City shall place a lien on the personal property or real estate property as provided by A.C.A. § 14-54-904.
- J. *Fine:* A fine of not less than two hundred fifty dollars (\$250.00); nor more than five hundred dollars (\$500.00) is hereby imposed against the owner(s) of any house, building and/or structure found and declared to be a nuisance by Resolution of the City Council thirty (30) days after the same has been so found and declared to be a nuisance and for each day thereafter said nuisance be not abated constitutes a separate and distinct offense punishable by a fine of two hundred fifty dollars (\$250.00) for each said separate and distinct offense; provided the notice as herein provided in Section E hereof has been given within ten (10) days after said house, building and/or structure has been by Resolution found and declared to be a nuisance.
- K. *Judicial declaration:* In the event it is deemed advisable by the City Council that a particular

## A.C.A. § 14-54-901

Unofficially updated through Act 751 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, and 738 sec. 7), and also including Acts 1051, 1052, 1068, 1069, 1074, 1079 and 1084 and all laws effective through May 1, 2019 of the 2019 Regular Session. Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission.

**AR - Arkansas Code Annotated > Title 14 Local Government > Subtitle 3. Municipal Government > Chapter 54 Powers Of Municipalities Generally > Subchapter 9-- Regulation of Unsanitary Conditions**

### **14-54-901. Municipal authority.**

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Incorporated towns and cities of the first and second class are empowered to order the owner of lots and other real property within their towns or cities to cut weeds; to remove garbage, rubbish, and other unsightly and unsanitary articles and things upon the property; and to eliminate, fill up, or remove stagnant pools of water or any other unsanitary thing, place, or condition which might become a breeding place for mosquitoes, flies, and germs harmful to the health of the community, after the town or city has provided therefor by an ordinance to that effect.

### **History**

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Acts 1943, No. 100, § 1; A.S.A. 1947, § 19-2325.

Annotations

### **Case Notes**

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#### **Ordinances Appropriate.**

City ordinances did not exceed the authority granted under this section where they specifically addressed the storage of household appliances and furniture, building rubbish, dead trees, and the height of weeds and grass, and the testimony of the city employees demonstrated that the purpose behind the ordinances was to prevent conditions that might become a breeding place for mosquitoes, snakes, vermin, and other things harmful to the health of the community. *Steffy v. City of Fort Smith*, 2018 Ark. App. 170, 545 S.W.3d 804 (2018).

#### **Cited:**

*Tsann Kuen Enters. Co. v. Campbell*, 355 Ark. 110, 129 S.W.3d 822 (2003).

### **Research References & Practice Aids**

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#### **HIERARCHY NOTES:**

Tit. 14, Subtit. 3, Ch. 54 Note

Tit. 14, Subtit. 3, Ch. 54, Subch. 9 Note



### A.C.A. § 14-54-903

Unofficially updated through Act 751 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, and 738 sec. 7), and also including Acts 1051, 1052, 1068, 1069, 1074, 1079 and 1084 and all laws effective through May 1, 2019 of the 2019 Regular Session. Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission.

**AR - Arkansas Code Annotated > Title 14 Local Government > Subtitle 3. Municipal Government > Chapter 54 Powers Of Municipalities Generally > Subchapter 9-- Regulation of Unsanitary Conditions**

#### 14-54-903. Refusal of owner to comply -- Definitions.

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(a)As used in this section:

(1)

(A)"Clean-up lien" means a lien securing the cost of work undertaken by a town or city to remove, abate, or eliminate a condition in violation of local codes or ordinances.

(B)A clean-up lien may have priority against other lienholders as provided in this section;

(2)"Court lien" means a lien securing the fines or penalties imposed by a court of competent jurisdiction against the owner of an unsafe and vacant structure or weed lot for failure to comply with applicable building codes that have been secured by a court lien by action of the local governing body;

(3)"Priority clean-up lien" means a clean-up lien for work undertaken by a city or town on an unsafe and vacant structure or weed lot that is given priority status over other lienholders following notice and hearing;

(4)"Unsafe and vacant structure" or an "abandoned home or residential property" means:

(A)A structure located on previously platted and subdivided property that is not fit for human habitation and has been declared unsafe and vacant by the city or town in which it is located in violation of an applicable ordinance; or

(B)A home or residential property that is:

(i)Unoccupied;

(ii)In violation of a city safety standard; and

(iii)Located in an area eligible for federal funds under § 14-54-905; and

(5)"Weed lot" means a previously platted and subdivided lot that is vacant or upon which an unsafe and vacant structure is located and that contains debris, rubbish, or grass which is higher than that permitted by local ordinance.

(b)If the owner or lienholder of any lot or other real property within an incorporated town or city neglects or refuses to remove, abate, or eliminate any condition under an ordinance passed by the city or town as provided in § 14-54-901, after having been given seven (7) days' notice in writing to do so, then the town or city may do whatever is necessary to correct the condition and to charge the cost thereof to the owner of the lots or other real property.

(c)

A.C.A. § 14-54-903

- (1) The town or city is given a lien against the property for the costs, including all administrative and collection costs.
  - (2) The town or city shall file the lien with the circuit clerk no later than one hundred twenty (120) days after the town or city completes the clean-up work on the property.
  - (3) The town or city may perfect its clean-up lien as a lien against the property if the property:
    - (A) Contains an unsafe and vacant structure; or
    - (B) Has been cited as a weed lot.
  - (4) The clean-up lien amount shall equal costs, including administrative costs, that the city or town incurs to help bring the property into compliance with local ordinances because the owner or lienholder failed to remove or repair an unsafe and vacant structure or failed to correct the conditions that caused the property to become a weed lot within the time required by the notice.
  - (5)
    - (A) If a court of competent jurisdiction levies fines or penalties against the owner of an unsafe and vacant structure or weed lot for failure to comply with applicable building codes, then the local governing body, by majority vote, from time to time and subject to notice and hearing provided by this section, may secure any outstanding court fines or penalties resulting from the owner's failure to clean up an unsafe and vacant structure or weed lot with a court lien against the property for the full value of all the outstanding fines and penalties.
    - (B) A court lien does not have first priority status over prior recorded liens and may be imposed in addition to clean-up liens.
  - (6)
    - (A) Notices shall be sent by regular mail and by certified mail, return receipt requested.
    - (B) Notice to an owner is sufficient if sent to the owner's address of record on file with the applicable county treasurer, county collector, or county assessor.
  - (7)
    - (A) If the city or town wishes to secure a priority clean-up lien, it shall provide seven (7) business days' notice to lienholders before undertaking any work at the property.
    - (B) Notice is sufficient if the notice is sent to the lienholder's address shown in the relevant land records.
    - (C) Cities and towns are not required to give notices to holders of unrecorded liens or to unrecorded assignees of lienholders.
    - (D) Any lienholder receiving notice under this section shall send, within seven (7) business days from receipt of the notice, a written response to the city or town indicating whether the owner of the property is in default under the terms of the note or mortgage.
- (d) Any notice required under this section may be issued by a:
- (1) Police officer employed by the city or town;
  - (2) City or town attorney; or
  - (3) Code enforcement officer employed by the city or town.
- (e)(1) (A) After the work has been completed, the city or town shall provide second notice to the owner of the total amount of the clean-up lien, including administrative and filing costs.
- (B) If the city or town wishes to secure a priority clean-up lien after the work has been completed, it shall provide second notice to the lienholders of record of the total amount of the clean-up lien.



## A.C.A. § 14-54-903

(2) Cities and towns are not required to give notice of court liens to prior lienholders.

(3) Notice of the amount of a clean-up lien or a court lien may be combined with the notice of the hearing before the governing body to create and impose the clean-up lien or court lien.

(f) The amount of any clean-up lien or court lien provided in this section may be determined at a public hearing before the governing body of the city or town held after thirty (30) days' written notice by mail, return receipt requested, to the owner of the property if the name and address of the owner are known and to the lienholders of record.

(g) If the name of the owner cannot be determined, then the amount of the clean-up lien or court lien shall be determined at a public hearing before the governing body of the city or town only after publication of notice of the hearing in a newspaper having a bona fide circulation in the county where the property is located for one (1) insertion per week for four (4) consecutive weeks.

(h)

(1) The determination of the governing body confirming the amount of any clean-up lien or court lien and creating and imposing any clean-up lien or court lien under this section is subject to appeal by the property owner or by any lienholder of record in the circuit court, filed within forty-five (45) days after the determination is made.

(2) If the owner or lienholder fails to appeal in this time, the lien amount is fully perfected and not subject to further contest or appeal.

(i) The city or town shall file its lien with the circuit clerk no later than sixty (60) days after the governing body of the city or town confirms the lien amount, or if the lien is appealed, within sixty (60) days after the city or town wins on appeal.

(j)

(1) If the city or town wishes to secure a first-priority status for any priority clean-up lien created and imposed under this section, it shall file an action with the circuit court within which the property is located seeking a declaration that the clean-up lien is entitled to priority over previously recorded liens and naming the holders of the recorded liens as defendants.

(2) Priority status shall be awarded to the priority clean-up lien with respect to any previously recorded lien if the court determines that such lienholder has failed to exercise its rights to foreclose its lien when the obligation it secures becomes in default or has failed to pay the costs of work undertaken by a city or town that composes the clean-up lien. However, the amount as to which the clean-up lien shall have priority shall be the amount the court finds reasonable and is limited to:

(A) No more than one thousand dollars (\$1,000) for grass or weed cutting;

(B) No more than five thousand dollars (\$5,000) to board and secure the property;

(C) No more than seven thousand five hundred dollars (\$7,500) to demolish any structures on the property; or

(D) No more than fifteen thousand dollars (\$15,000) for environmental remediation.

## History

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Acts 1943, No. 100, § 2; A.S.A. 1947, § 19-2326; Acts 1989, No. 239, § 1; 2005, No. 887, § 1; 2007, No. 854, § 1; 2009, No. 143, § 1; 2011, No. 903, § 1; 2017, No. 495, § 1.

Annotations

## Notes

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A.C.A. § 14-54-903

**Amendments.**

The 2005 amendment redesignated former (b) as present (b)(1); and added (b)(2) and (c).

The 2009 amendment inserted "or ordinances" in (a)(1)(A); inserted "priority" preceding "clean-up" in (c)(7)(A), (j)(1), and (j)(2); deleted "as may be provided for" following "condition" in (b), in (e), inserted (e)(1)(B), redesignated the remainder of (e)(1) accordingly, and deleted "and lienholders of record" following "notice to the owner" in (e)(1)(A); and made minor stylistic changes throughout the section.

The 2011 amendment added the (a)(4)(A) designation and (a)(4)(B); and inserted "or an abandoned home or residential property" in the introductory language of (a)(4).

The 2017 amendment, in (c)(6)(B), inserted "on file", inserted "county" preceding "collector", and substituted "county collector, or county assessor" for "or collector".

**Research References & Practice Aids**

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**HIERARCHY NOTES:**

Tit. 14, Subtit. 3, Ch. 54 Note

Tit. 14, Subtit. 3, Ch. 54, Subch. 9 Note

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End of Document



## A.C.A. § 14-56-203

Unofficially updated through Act 751 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, and 738 sec. 7), and also including Acts 1051, 1052, 1068, 1069, 1074, 1079 and 1084 and all laws effective through May 1, 2019 of the 2019 Regular Session. Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission.

**AR - Arkansas Code Annotated > Title 14 Local Government > Subtitle 3. Municipal Government > Chapter 56 Municipal Building And Zoning Regulations -- Planning > Subchapter 2-- Building Regulations**

### **14-56-203. Removal or *razing* of buildings.**

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Cities of the first class, cities of the second class, and incorporated towns may order the removal or *razing* of, or remove or *raze*, buildings or houses that in the opinion of the city council or town council have become dilapidated, unsightly, unsafe, unsanitary, obnoxious, or detrimental to the public welfare and shall provide by ordinance the manner of removing and making these removals.

### **History**

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Acts 1907, No. 352, § 2, p. 842; C. & M. Dig., § 7755; Pope's Dig., § 10054; Acts 1979, No. 219, § 1; A.S.A. 1947, § 19-2803; Acts 2017, No. 303, § 1.

Annotations

### **Notes**

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#### **Amendments.**

The 2017 amendment inserted "or *razing*" in the section heading; substituted "Cities of the first class, cities of the second class, and incorporated towns may" for "Cities of the first and second class shall have the power to", substituted "or remove or *raze*, buildings" for "or to remove or *raze*, any buildings", inserted "city council or town", and made stylistic changes.

### **Case Notes**

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Constitutionality.  
Authority.  
Compensation.

#### **Constitutionality.**

Where preponderance of evidence was to effect that buildings in question were a fire, health, and structural hazard, decree ordering their destruction under city ordinance enacted under the authority of this section was proper and



## A.C.A. § 14-56-203

did not constitute a violation of owner's constitutional rights. Springfield v. City of Little Rock, 226 Ark. 462, 290 S.W.2d 620 (1956).

**Authority.**

The authority of a city of first class to regulate the removing of houses does not give the city the authority to establish a building line. City of Stuttgart v. Strait, 212 Ark. 126, 205 S.W.2d 35 (1947).

Summary judgment was properly awarded to a city on a property owner's petition for an injunction to prevent the city from razing the owner's house because the city had the authority under the statute to determine that the house was a nuisance; the city had the authority given by statute to raze buildings that were detrimental to the public welfare. Kearney v. City of Little Rock, 2009 Ark. App. 125, 302 S.W.3d 629 (2009).

Because the issues regarding a building located in an historic district went beyond the character of the building and into the safety of the public, the authority to determine the status of the building belonged to the city under this section and the city ordinance, and due process was achieved; the city declared the owner's building a public nuisance and blocked off the street and the perimeter of the building in part to prevent injury to the public. Trice v. City of Pine Bluff, 2017 Ark. App. 638, 536 S.W.3d 139 (2017).

**Compensation.**

The city may order unsanitary buildings or buildings injurious to the public health destroyed without compensation to the owner if necessary to abate the nuisance and protect the public health and safety. Springfield v. City of Little Rock, 226 Ark. 462, 290 S.W.2d 620 (1956).

**Research References & Practice Aids**

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**Cross References.**

Enforcement of removal or razing orders, § 14-54-904.

**HIERARCHY NOTES:**

Tit. 14, Subtit. 3, Ch. 56 Note

Tit. 14, Subtit. 3, Ch. 56, Subch. 2 Note

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**City of Conway, Arkansas  
Resolution No. R-19-\_\_\_\_\_**

**A RESOLUTION APPROVING THE SUBMITTAL OF AN APPLICATION FOR THE CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENT GRANT (CRISI) FOR THE CONWAY TRANSPORTATION DEPARTMENT; AND FOR OTHER PURPOSES**

**Whereas**, the City of Conway Transportation Department has an opportunity to apply for the Consolidated Rail Infrastructure and Safety Improvement Grant (CRISI) that could be used to improve the intersection of Tyler Street and Donaghey Avenue; and

**Whereas**, the CRISI grant is an 80/20 grant, requiring a 20% commitment from the City of Conway Transportation Department; and

**Whereas**, the Engineer’s estimate for this project is \$2,859,117, and the City of Conway estimated match would be \$571,823.

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

**Section 1.** The City of Conway shall authorize the submittal of the application for the Consolidated Rail Infrastructure and Safety Improvement (CRISI) Grant and commitment of the match funding from the Conway Transportation Department.

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

**PASSED** this 8<sup>th</sup> day of October 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-19-\_\_\_**

**AN RESOLUTION ACCEPTING THE LOWEST BID FOR A WASTEWATER FORCE MAIN AT THE RECYCLING CENTER FOR THE DEPARTMENT OF SANITATOIN; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:**

**Whereas**, the City of Conway solicited bids for the construction of a 3” Wastewater Force Main for the City of Conway Department of Sanitation Recycling Center and received one bid from Paladino-Nash, Inc.; and

**Whereas**, the City of Conway Department of Sanitation included budgeted funds in capital account 510-510-5904.

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

**Section 1.** The City of Conway shall accept the bid from Paladino-Nash, Inc. in the amount of \$109,834.60.

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

**Section 4.** This resolution 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 8<sup>th</sup> day of October 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas**

**Resolution No. R-19-\_\_**

**A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 475 EAST ROBINS #183., CONWAY, ARKANSAS AND FOR CODE ENFORCEMENT TO RAZE SAID PROPERTY IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE**

**Whereas**, the structure located at 475 East Robins #183., Conway, Arkansas 72034, has been deemed a nuisance and unfit for human habitation, unsafe, unsanitary, and detrimental to the public safety, health, and welfare by Code Enforcement Officials for the City of Conway; and

**Whereas**, the structure appears to be a singlewide mobile home structure, white in color with dark trim, and metal siding; and

**Whereas**, from land documents, Cheryl Imboden have owned the property since 2013; and

**Whereas**, the structure has been inspected and issues thoroughly documented by Conway Code Enforcement; and

**Whereas**, after a hearing in the presence of the Conway City Council with all parties given the opportunity to be heard, the City Council has determined this structure should be condemned.

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

**Section 1:** That after said public hearing the structure located at 475 East Robins #183. has been condemned by vote of the City Council.

**Section 2:** That this decision is in the best interest of the public health, safety, and welfare.

**Section 3:** That it is the will of the Conway City Council that the structure located at 475 East Robins #183, be razed thirty (30) days from today if it is still standing as per the authority granted by Arkansas State law and any costs of the demolition be assessed to the property owner(s).

**Adopted** this 8<sup>th</sup> day of October, 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas**  
**Resolution No. R-19-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF A VOLUNTARY PROPERTY TAX FOR THE PURPOSE OF OPERATING THE CITY OF CONWAY ANIMAL WELFARE SHELTER, FOR THE YEAR 2019 TO BE COLLECTED IN 2020.**

**Whereas**, Ark. Code Ann. § 26-25-102 provides that a city may levy a voluntary property tax on the real and personal property located within the city for the City of Conway Animal Welfare Shelter, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**Whereas**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**Whereas**, by vote of the electors of the City of Conway, Arkansas, at Special Election held on November 5<sup>th</sup>, 1968, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2019 to be collected in 2020.

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

**Section 1:** The voluntary property tax rate for the City of Conway Animal Welfare Shelter on the real and personal property situated within the city and to be collected in the year 2020 shall be fixed and levied at the rate of Two Tenths (.2) mill on each dollar of assessed value of real and personal property.

**Section 2:** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3:** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2019, to be collected in 2020, at its regular meeting in November according to law.

Passed this 8<sup>th</sup> day of October, 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-19-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF A VOLUNTARY PROPERTY TAX FOR THE PURPOSE OF OPERATING THE CITY OF CONWAY PUBLIC RECREATION AND PLAYGROUNDS, FOR THE YEAR 2019 TO BE COLLECTED IN 2020.**

**Whereas**, Ark. Code Ann. § 26-25-102 provides that a city may levy a voluntary property tax on the real and personal property located within the city for the City of Conway Public Recreation and Playgrounds, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**Whereas**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**Whereas**, by vote of the electors of the City of Conway, Arkansas, at Special Election held on October 27<sup>th</sup>, 1964 under the provisions of Ordinance No. A-418, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2019 to be collected in 2020.

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

**Section 1:** The voluntary property tax rate for the City of Conway public recreation and playgrounds on the real and personal property situated within the city and to be collected in the year 2020 shall be fixed and levied at the rate of **Four-Tenth's (.4) mill** on each dollar of assessed value of real and personal property.

**Section 2:** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3:** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2019, to be collected in 2020, at its regular meeting in November according to law.

Passed this 8<sup>th</sup> day of October, 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-19-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF A VOLUNTARY PROPERTY TAX FOR THE PURPOSE OF OPERATING AND MAINTAINING THE CITY OF CONWAY CEMETERIES, FOR THE YEAR 2019 TO BE COLLECTED IN 2020.**

**Whereas**, Ark. Code Ann. §26-25-102 provides that a city may levy a **voluntary** property tax on the real and personal property located within the city for the **City of Conway Cemeteries**, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**Whereas**, Ark. Code Ann. §26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**Whereas**, the City Council has determined that it is in the best interests of the City of Conway and its citizens to levy the rate of voluntary taxation on the real and personal property located within the said city as set forth herein, and to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2019 to be collected in 2020.

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

Section 1: The voluntary property tax rate for the City of Conway Cemeteries on the real and personal property situated within the city and to be collected in the year 2020 shall be fixed and levied at the rate of **Four-Tenth's (.4) mill** on each dollar of assessed value of real and personal property.

Section 2: The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

Section 3: The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2019, to be collected in 2020, at its regular meeting in November according to law.

Passed this 8<sup>th</sup> day of October, 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-19-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF PROPERTY TAX FOR THE CITY OF CONWAY POLICE OFFICER PENSION, FOR THE YEAR 2019 TO BE COLLECTED IN 2020**

**Whereas**, Ark. Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for the City of Conway Police Officer Pension and Relief Fund, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**Whereas**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**Whereas**, by vote of the electors of the City of Conway, Arkansas, at General Election held on November 4<sup>th</sup>, 1958, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2019 to be collected in 2020.

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

Section 1: The property tax rate for the City of Conway Policeman’s Pension and Relief Fund on the real and personal property situated within the city and to be collected in the year 2020 shall be fixed and levied at the rate of Four-Tenth’s (.4) mill on each dollar of assessed value of real and personal property.

Section 2: The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

Section 3: The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2019, to be collected in 2020, at its regular meeting in November according to law.

Passed this 8<sup>th</sup> day of October, 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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





**City of Conway, Arkansas  
Resolution No. R-19-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF PROPERTY TAX FOR THE CITY OF CONWAY FIRE FIGHTER’S PENSION AND RELIEF FUND, FOR THE YEAR 2019 TO BE COLLECTED IN 2020**

**Whereas**, Ark. Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for the City of Conway Fire Fighter’s Pension and Relief Fund, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**Whereas**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**Whereas**, by vote of the electors of the City of Conway, Arkansas, at Special Election held on May 3<sup>rd</sup>, 1966, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2019 to be collected in 2020.

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

**Section 1:** The property tax rate for the City of Conway Fire Fighters Pension and Relief Fund on the real and personal property situated within the city and to be collected in the year 2020 shall be fixed and levied at the rate of Four-Tenth’s (.4) mill on each dollar of assessed value of real and personal property.

**Section 2:** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3:** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2019, to be collected in 2020, at its regular meeting in November according to law.

Passed this 8<sup>th</sup> day of October, 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-19-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF PROPERTY TAX FOR THE CITY OF CONWAY NON-UNIFORM PENSION AND RELIEF FUND, FOR THE YEAR 2019 TO BE COLLECTED IN 2020**

**Whereas**, Ark. Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for the Conway Paid Non-Uniformed Pension and Relief Fund, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**Whereas**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**Whereas**, by vote of the electors of the City of Conway, Arkansas, at Special Election held on May 3<sup>rd</sup>, 1966, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2019 to be collected in 2020.

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

**Section 1:** The property tax rate for the City of Conway Paid Non-Uniformed Pension and Relief Fund on the real and personal property situated within the city and to be collected in the year 2020 shall be fixed and levied at the rate of Four Tenth's (.4) mill on each dollar of assessed value of real and personal property.

**Section 2:** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3:** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2019, to be collected in 2020, at its regular meeting in November according to law.

Passed this 8<sup>th</sup> day of October, 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-19-\_\_\_**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF PROPERTY TAX FOR THE CITY OF  
CONWAY, ARKANSAS FOR THE YEAR 2019 TO BE COLLECTED IN 2020**

**Whereas**, Ark. Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for the purpose of raising **General Fund revenues** in any one year, pursuant to the provisions of the Arkansas Constitution; and

**Whereas**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**Whereas**, the City Council has determined that it is in the best interests of the City of Conway and its citizens to levy the rate of taxation on the real and personal property located within the said city as set forth herein, and to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2019 to be collected in 2020.

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

**Section 1:** The property tax rate for the City of Conway **General Fund Revenue** on the real and personal property situated within the city and to be collected in the year 2020 shall be fixed and levied at the rate of **Three (3.0) mill** on each dollar of assessed value of real and personal property.

**Section 2:** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3:** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2019, to be collected in 2020, at its regular meeting in November according to law.

Passed this 8<sup>th</sup> day of October, 2019.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

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