



City of Conway, Arkansas
CITY COUNCIL
Agenda • September 27, 2022
www.conwayarkansas.gov

Elected Officials

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

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Anne Tucker
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

<u>5:30pm:</u>	Pafford Medical Service Update
<u>6:30pm:</u>	City Council Meeting • City Council Chambers • 1111 Main Street
<u>Call to Order:</u>	Bart Castleberry, Mayor
<u>Roll Call:</u>	Michael O. Garrett, Clerk/Treasurer
<u>Minutes Approval:</u>	September 13, 2022
<u>Monthly Financial Report:</u>	Month ending August 31, 2022

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

1. Ordinance to rezone 1.28 acres of property located at 82 Lower Ridge Road from A-1 to R-2A.
2. Ordinance to rezone 2.02 acres of property located at 4701 Westin Park Drive from O-2 to R-1.
3. Ordinance to amend zoning code Article 901 to clarify the review procedures for rezoning and conditional use permit applications.

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

1. Resolution approving the purchase of a crawler dozer for the Sanitation Department.

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

1. Ordinance appropriating funds for fuel replenishment for the Conway Fire Department.
2. Consideration to approve the removal of inventory for the Conway Police Department
3. Ordinance appropriating reimbursement funds for the Conway Police Department.
4. Ordinance appropriating asset forfeiture funds for the Conway Police Department

Adjournment



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

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



Revenues	Budget	Month		Encumbered	(Over)/Under	
		Activity	Year to Date		Budget	% Expend/Collect
Ad Valorem Tax	4,000,000	72,862	2,112,907		1,887,093	53%
Payments in Lieu of Tax	15,000	22,124	47,316		(32,316)	315%
State Tax Turnback	950,000	51,842	709,400		240,600	75%
Insurance Tax Turnback - LOPFI	1,300,000	280,581	576,091		723,909	44%
Sales Tax	24,000,000	2,467,890	18,400,280		5,599,720	77%
Beverage Tax	400,000	59,838	362,910		37,090	91%
Franchise Fees	3,467,700	406,905	2,807,976		659,724	81%
Utility Tap Fees	-	-	47,091		(47,091)	-
Office Space Leases	67,400	-	39,272		28,128	58%
Permits	558,500	31,566	395,599		162,901	71%
Public Safety	2,352,860	153,984	1,368,996		983,864	58%
Parks	633,250	84,956	573,836		59,414	91%
Insurance Proceeds	56,532	31,118	137,363		(80,831)	243%
Interest Income	123,000	53,172	205,455		(82,455)	167%
Proceeds from Sale of Assets	-	(9,723)	8,658		(8,658)	-
Donations	7,000	6,000	7,000		-	100%
Federal Grant Revenues	221,900	-	-		221,900	0%
State Grant Revenues	-	613,605	613,605		(613,605)	-
Miscellaneous Revenues	102,449	17,511	117,077		(14,629)	114%
Transfers from Other Funds	770,000	-	260,000		510,000	34%
Total Revenues	39,025,590	4,344,230	28,790,832		10,234,759	74%
Expenditures						
Admin (Mayor, HR)	1,186,361	87,026	740,263	25,452	420,646	62%
Finance	536,892	38,815	300,521	-	236,371	56%
City Clerk/Treasurer	163,561	14,454	102,075	-	61,486	62%
City Council	90,420	9,310	49,213	-	41,207	54%
Planning	849,552	54,493	531,039	46	318,467	63%
Physical Plant	750,196	75,207	495,777	919	253,501	66%
Information Technology	1,473,729	83,661	764,311	224,266	485,152	52%
Permits and Inspections	415,903	24,401	245,615	1,019	169,269	59%
Nondepartmental	1,195,103	39,736	829,291	4,506	361,306	69%
Police	14,756,266	1,011,601	8,939,607	217,444	5,599,215	61%
CEOC	1,578,597	94,196	845,747	72,336	660,514	54%
Animal Welfare	686,989	37,292	285,909	81,934	319,146	42%
Municipal District Court	952,557	74,541	630,704	185	321,668	66%
City Attorney	611,403	40,168	295,695	1,562	314,145	48%
Fire	14,527,875	775,627	7,244,464	171,529	7,111,882	50%
Parks	3,373,605	338,550	2,195,248	22,832	1,155,524	65%
Total Expenditures	43,149,009	2,799,078	24,495,479	824,031	17,829,499	57%
Net Revenue/(Expense)	(4,123,419)		4,295,352			

*All figures are unaudited

Notes:

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

City of Conway
General Fund
2022



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-22-17	1/25/22	Construction of new Fire Station #3	2,579,500
O-22-25	2/28/22	Startup cost subsidy for Paffford Medical Services	90,000
O-22-35	3/22/22	Perimeter fence for Police training facility	93,006
O-22-43	4/12/22	Landscape planting on Prince Street	22,285
O-22-44	4/12/22	Contractor agreement for watering downtown flowers	22,000
O-22-45	4/12/22	Police dept Connect and Protect grant match	55,475
O-22-52	4/26/22	Prior year funds to replace CEOC battery backup system	66,500
O-22-55	5/24/22	Purchase Jim Pearce property for Police dept	245,500
O-22-67	6/28/22	Addition of four police officer positions	136,700
O-22-68	6/28/22	Reclassify Police dept Fleet Assistant to Fleet Technician	8,000
O-22-69	6/28/22	Employee pay adjustments from Salary Study Committee	104,540
O-22-70	6/28/22	Settlement of lawsuit with Kaala D. Jones	11,000
O-22-89	7/26/22	Additional costs for new Fire Station #3	500,000
			<u>\$ 3,934,506</u>

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



Cash - Operating	15,855,266
Cash - Reserve	1,509,652
Petty Cash	715
Taxes Receivable	4,993,556
Accounts Receivable	4,764,400
Due from Street	87,021
Due from Component Unit	219,099
Due from Municipal Court	62,383
Fuel Inventory	(3,784)
General Inventory	585
<i>Assets</i>	<u>27,488,895</u>
Accounts Payable	(51,563)
Insurance and Benefits Payable	(56,174)
Event Deposits	4,100
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Deferred Revenue	4,124,494
Unearned Revenue - City Hall Lease	980,000
<i>Liabilities</i>	<u>5,011,052</u>
<i>Fund Balance</i>	22,477,843
<i>Total Liabilities & Fund Balance</i>	<u>27,488,895</u>

*All figures are unaudited

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



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u>		<u>%</u>
					<u>Budget</u>	<u>Expend/Collect</u>	
Revenues							
Ad Valorem Tax	1,400,000	26,700	778,140		621,860	56%	
Payments in Lieu of Tax	6,000	-	-		6,000	0%	
State Tax Turnback	3,000,000	266,264	1,956,856		1,043,144	65%	
State Tax Turnback - Other	1,640,000	153,957	1,205,320		434,680	73%	
Severance Tax	-	35,817	221,864		(221,864)	-	
State Tax Turnback - Wholesale	460,000	33,284	261,246		198,754	57%	
Sales Tax	325,000	34,580	257,821		67,179	79%	
Engineering Fees	15,000	2,275	10,000		5,000	67%	
Interest Income	80,000	7,575	68,608		11,392	86%	
Miscellaneous Revenues	-	-	284		(284)	-	
Total Revenues	6,926,000	560,451	4,760,139	-	2,165,861	69%	
Expenditures							
Personnel Costs	3,498,042	187,941	1,602,405	-	1,895,637	46%	
Other Operating Costs	4,044,042	309,332	2,241,822	216,469	1,585,751	55%	
Total Operating Costs	<u>7,542,084</u>	<u>497,272</u>	<u>3,844,227</u>	<u>216,469</u>	<u>3,481,388</u>	<u>51%</u>	
Capital Outlay	<u>5,778,943</u>	<u>-</u>	<u>5,229,968</u>	<u>523,903</u>	<u>25,072</u>	<u>91%</u>	
Total Expenditures	13,321,027	497,272	9,074,195	740,372	3,506,460	68%	
Net Revenue/(Expense)	(6,395,027)		<u>(4,314,055)</u>				

*All figures are unaudited

Notes:

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

City of Conway
Street Fund
2022



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-22-27	3/8/22	Purchase Conway Corp property	5,178,000

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



Cash - Operating	2,755,660
Taxes Receivable	69,969
Accounts Receivable	2,109,436
<i>Assets</i>	<u>4,935,065</u>
Accounts Payable	(876)
Insurance and Benefits Payable	(3,576)
Due to General	87,021
Deferred Revenue	1,517,818
<i>Liabilities</i>	<u>1,600,387</u>
<i>Fund Balance</i>	3,334,678
<i>Total Liabilities & Fund Balance</i>	<u>4,935,065</u>

*All figures are unaudited

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



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
Revenues						
Sanitation Fees	9,500,000	859,786	6,638,397		2,861,603	70%
Proceeds - Recycled Materials	500,000	75,241	670,289		(170,289)	134%
Landfill Fees - General	230,000	25,580	173,149		56,851	75%
Insurance Proceeds	-	-	221,919		(221,919)	-
Interest Income	200,000	54,409	236,495		(36,495)	118%
Miscellaneous Revenues	-	-	863		(863)	-
Total Revenues	10,430,000	1,015,016	7,941,113	-	2,488,888	76%
Expenditures						
Personnel Costs	5,562,606	382,652	3,204,681	-	2,357,925	58%
Other Operating Costs	3,415,414	237,886	1,715,784	198,468	1,501,163	50%
Total Operating Costs	8,978,020	620,538	4,920,465	198,468	3,859,088	55%
Capital Outlay	2,377,119	54,190	607,628	1,537,526	231,964	26%
Total Expenditures	11,355,140	674,729	5,528,093	1,735,994	4,091,053	49%
Net Revenue/(Expense)	(925,140)		2,413,019			

*All figures are unaudited

Notes:

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

City of Conway
Sanitation Fund
2022



Fund Balance Appropriations

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

City of Conway
 Balance Sheet - Sanitation
 As of August 31, 2022



Cash - Operating	15,170,365
Petty Cash	200
Post Closure Cash Account	6,204,433
Accounts Receivable	14,011
Due from Component Unit	903,057
General Inventory	2,122
Land & Buildings	2,424,145
Infrastructure	783,854
Machinery, Equipment & Vehicles	2,381,173
Deferred Outflows of Resources	2,194,273
Deferred Outflows of Resources-OPEB	285,019
<i>Assets</i>	<u>30,362,652</u>
Accounts Payable	5,329
Insurance and Benefits Payable	8,338
Compensated Absences	248,057
Net Pension Obligation	13,981,351
Deferred Inflows of Resources	1,198,395
Deferred Inflows of Resources-OPEB	126,025
Net OPEB Liability	1,006,173
Landfill Close/Post Close	8,362,165
<i>Liabilities</i>	<u>24,935,833</u>
<i>Net Position</i>	5,426,818
<i>Total Liabilities and Net Position</i>	<u>30,362,652</u>

*All figures are unaudited

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

City of Conway
 Monthly Financial Report - Airport
 For the month ended August 31, 2022



Revenues	Budget	Month	Year to	Encumbered	(Over)/Under	%
		Activity	Date		Budget	Expend/Collect
Sales Tax	15,000	3,554	22,204		(7,204)	148%
Airport Fuel Sales	853,460	154,121	1,017,921		(164,461)	119%
T-Hangar Rent	178,839	7,419	114,243		64,596	64%
Community Hangar Rent	43,200	3,600	28,800		14,400	67%
Ground Leases	20,257	8,603	46,394		(26,137)	229%
Misc Revenue - Non air	9,000	-	5,500		3,500	61%
State Grant Revenues	250,000	-	309,299		(59,299)	124%
Reimbursements from Conway Aircraft	230,632	-	314,144		(83,512)	136%
Miscellaneous Revenues	16,800	2,340	14,039		2,761	84%
Total Revenues	1,617,188	179,636	1,872,542	-	(255,354)	116%
Expenditures						
Personnel Costs	326,214	24,259	227,644	-	98,570	70%
Fuel for Resale	600,000	192,676	862,750	-	(262,750)	144%
Other Operating Costs	149,342	15,694	121,926	4,018	23,398	82%
Total Operating Costs	1,075,556	232,629	1,212,320	4,018	(140,782)	113%
Capital Outlay	480,632	-	620,529	30	(139,927)	-
Total Expenditures	1,556,188	232,629	1,832,849	4,048	(280,709)	118%
Net Revenue/(Expense)	61,000		39,693			

*All figures are unaudited

Notes:

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

City of Conway
Airport Fund
2022



Fund Balance Appropriations

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

City of Conway
 Balance Sheet - Airport
 As of August 31, 2022



Cash - Operating	246,976
Taxes Receivable	4,043
Accounts Receivable - Fuel Vendor	33,475
Fuel Inventory	90,851
Land	1,254,473
Buildings	3,430,723
Machinery & Equipment	234,086
Infrastructure	22,959,891
Deferred Outflows of Resources-OPEB	11,666
<i>Assets</i>	<u>28,266,185</u>
Compensated Absences	5,127
Net OPEB Liability	41,185
Deferred Inflows of Resources-OPEB	5,159
<i>Liabilities</i>	<u>51,471</u>
<i>Net Position</i>	28,214,714
<i>Total Liabilities & Net Position</i>	<u>28,266,185</u>

*All figures are unaudited

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

City of Conway
Monthly Financial Report - Major Project Funds
As of August 31, 2022



Parks and Rec A&P Tax

Balance, 7/31/22	2,915,851
Receipts	411,974
Payments	(221,786)
Balance, 8/31/22	\$ 3,106,039

Pay as you go Sales Tax

Balance, 7/31/22	7,721,564
Receipts	30,984
Payments	(358,026)
Balance, 8/31/22	\$ 7,394,521

Street Impact Fees

Balance, 7/31/22	1,690,005
Receipts	28,357
Payments	-
Balance, 8/31/22	\$ 1,718,362

Parks Impact Fees

Balance, 7/31/22	679,929
Receipts	216,651
Payments	(208,412)
Balance, 8/31/22	\$ 688,168

Street Sales Tax

Balance, 7/31/22	15,871,991
Receipts	41,618
Payments	(110,380)
Balance, 8/31/22	\$ 15,803,229



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

AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED AT 82 LOWER RIDGE ROAD, FROM A-1 TO R-2A:

Whereas, in accordance Arkansas Code Annotated § 14-56-416 has adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

Whereas, Proper public notice was given, and the Conway Planning Commission held a duly authorized public hearing on **September 19th, 2022**, and adopted the amendments.

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:

PART OF THE E ½ SW ¼ OF SECTION 32, T-6-N, R-13-W, FAULKNER COUNTY, ARKANSAS DESCRIBED AS BEGINNING AT THE SW CORNER OF SAID E ½ SW ¼; THENCE N01°42'52"E 1184.15 FEET; THENCE CONTINUE N01°42'52"E 682.86 FEET TO THE POINT OF BEGINNING; THENCE S88°08'56"E 219.91 FEET; THENCE N01°39'32"E 245.68 FEET TO THE CENTERLINE OF LOWER RIDGE ROAD; THENCE ALONG SAID CENTERLINE N84°49'55"W 58.24 FEET; THENCE N83°19'28"W 162.14 FEET TO THE WEST LINE OF SAID E ½ SW ¼; LEAVING SAID CENTERLINE OF LOWER RIDGE ROAD ALONG THE WEST LINE OF THE E ½ SW ¼ S01°42'52"W 262.68 FEET TO THE POINT OF BEGINNING, CONTAINING 1.28 ACRES, MORE OR LESS.

to those of **R-2A**, 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 27th day September, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



1111 MAIN STREET • CONWAY, AR 72032
(501) 450-6105 • planningcommission@cityofconway.org

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Rhea Williams, 2022 Planning Commission Chairman

Date: September 27, 2022

Re: Request to rezone property located at 82 Lower Ridge Road, from A-1 to R-2A

Mark Paladino, has requested to rezone property located at 82 Lower Ridge Road, from A-1 to R-2A, with the legal description:

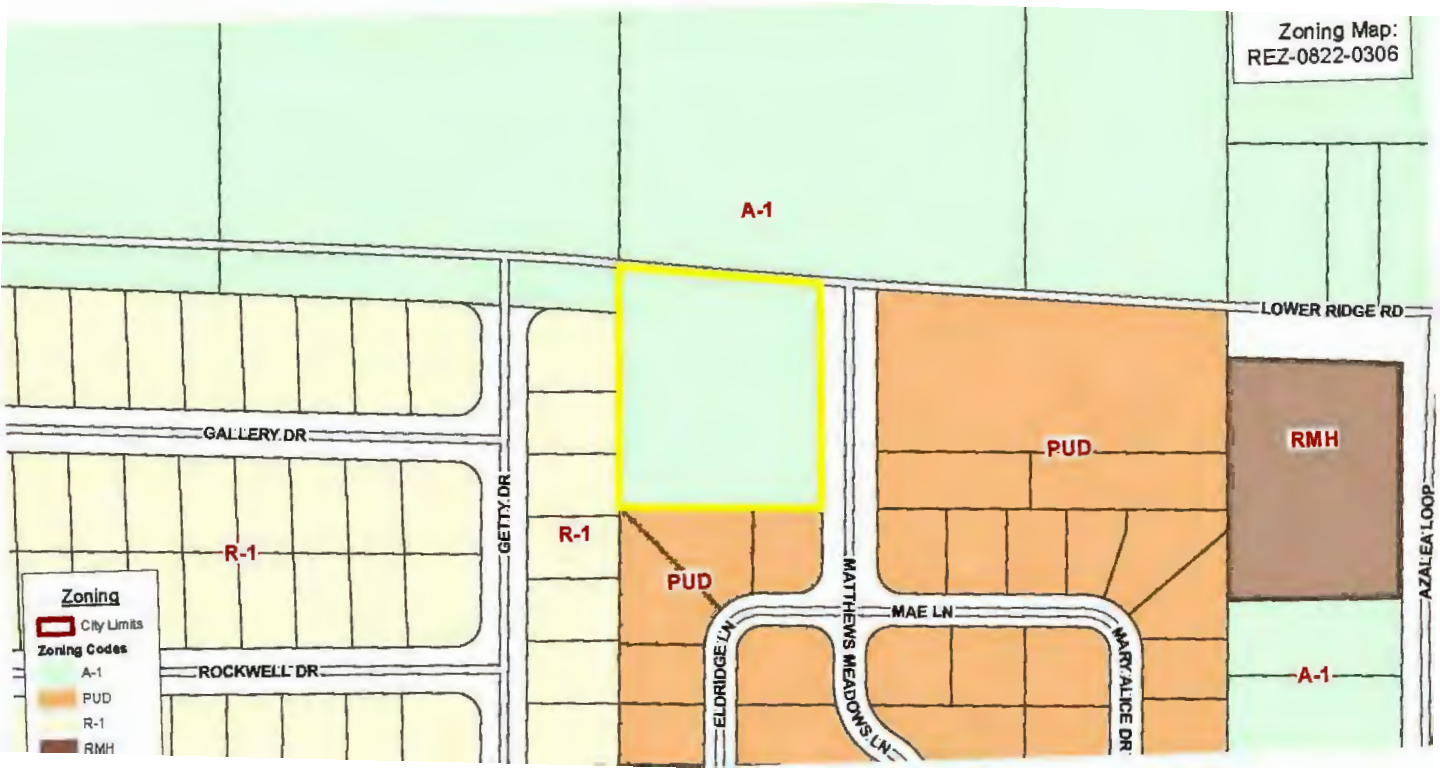
PART OF THE E ½ SW ¼ OF SECTION 32, T-6-N, R-13-W, FAULKNER COUNTY, ARKANSAS DESCRIBED AS BEGINNING AT THE SW CORNER OF SAID E ½ SW ¼; THENCE N01°42'52"E 1184.15 FEET; THENCE CONTINUE N01°42'52"E 682.86 FEET TO THE POINT OF BEGINNING; THENCE S88°08'56"E 219.91 FEET; THENCE N01°39'32"E 245.68 FEET TO THE CENTERLINE OF LOWER RIDGE ROAD; THENCE ALONG SAID CENTERLINE N84°49'55"W 58.24 FEET; THENCE N83°19'28"W 162.14 FEET TO THE WEST LINE OF SAID E ½ SW ¼; LEAVING SAID CENTERLINE OF LOWER RIDGE ROAD ALONG THE WEST LINE OF THE E ½ SW ¼ S01°42'52"W 262.68 FEET TO THE POINT OF BEGINNING, CONTAINING 1.28 ACRES, MORE OR LESS.

The applicant is seeking the rezoning from A-1 to R-2A for the purpose of duplex construction. The property can support 2 duplexes (4 dwelling units) if rezoned to R-2A. The Comprehensive Plan indicates a slightly higher density residential development can be appropriate. As requested, the rezoning would likely negatively impact adjacent properties and will allow for appropriate redevelopment of the property.

Staff recommendation: Planning Staff recommends approval of the request as it would allow appropriate use of the property and would not likely negatively impact adjacent property.

The Planning Commission reviewed the request at its regular meeting on September 19, 2022 and voted 6-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



Zoning

- City Limits
- Zoning Codes**
- A-1
- PUD
- R-1
- RMH

A-1

GALLERY DR

R-1

ROCKWELL DR

GETTY DR

R-1

PUD

ELDRIDGE LN

MATTHEWS MEADOWS LN

MAE LN

MARY ALICE DR

PUD

LOWER RIDGE RD

RMH

AZALEA LOOP

A-1



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

AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED AT 4701 WESTIN PARK DRIVE, FROM O-2 TO R-1:

Whereas, in accordance Arkansas Code Annotated § 14-56-416 has adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

Whereas, Proper public notice was given, and the Conway Planning Commission held a duly authorized public hearing on **September 19th, 2022**, and adopted the amendments.

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 **O-2** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

LOT 2, WESTIN PARK SUBDIVISION

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 27th day September, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



1111 MAIN STREET • CONWAY, AR 72032
(501) 450-6105 • planningcommission@cityofconway.org

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Rhea Williams, 2022 Planning Commission Chairman
Date: September 27, 2022

Re: Request to rezone property located 4701 Westin Park Drive, from O-2 to R-1

Jim Hawks, has requested to rezone property located at 4701 Westin Park Drive, from O-2 to R-1, with the legal description:

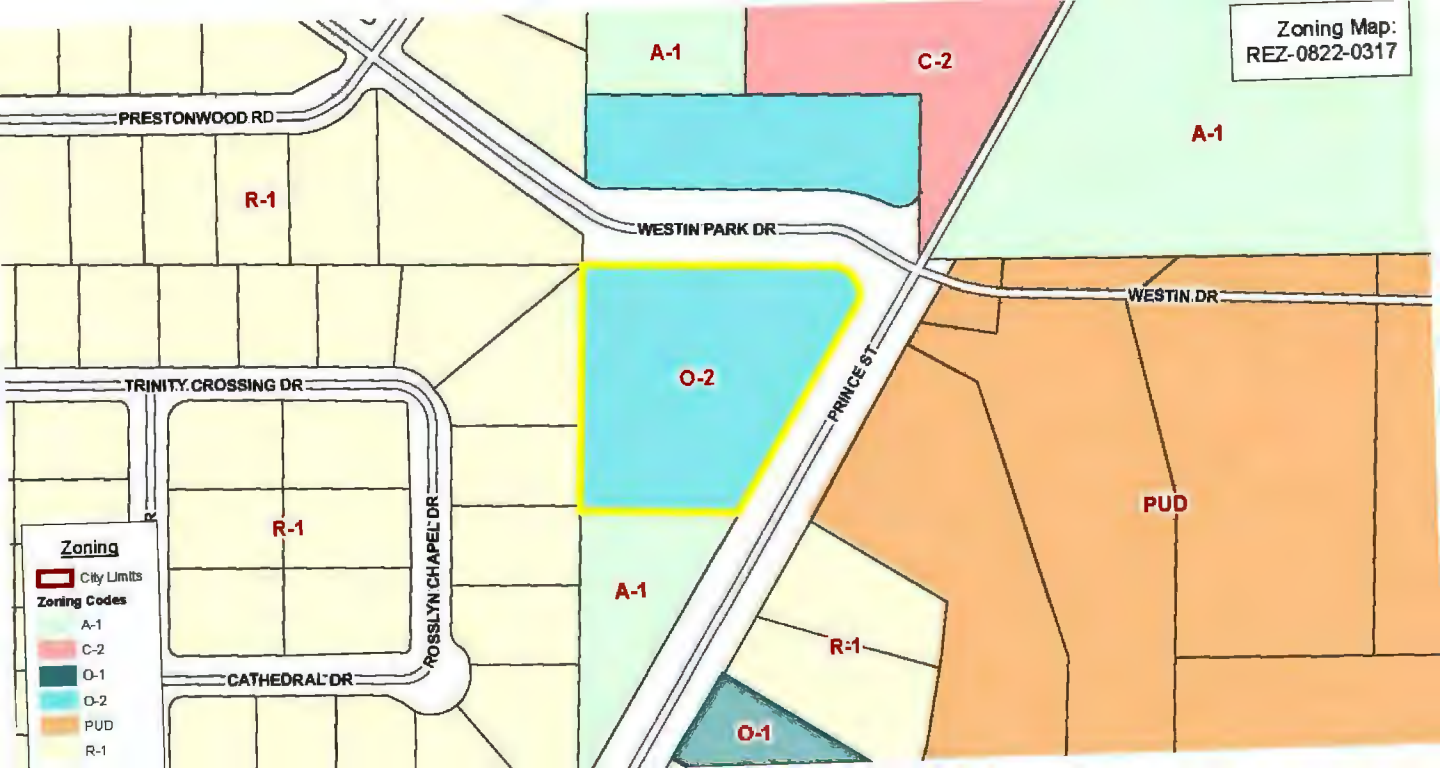
LOT 2, WESTIN PARK SUBDIVISION

The applicant is seeking the rezoning from O-2 to R-1. The zoning change is consistent with the land use plan which designates this area as single family. While the area of the site would yield a maximum of 11 lots, this yield is highly unlikely, and staff anticipates a much fewer number of lots on the site. The request will not likely negatively impact adjacent property.

Staff recommendation: Staff recommends approval of the request. Rezoning to a one family residential district is consistent with neighboring properties and with the Comprehensive Plan. This rezoning will allow for appropriate use of the property and will not likely negatively impact adjacent properties.

The Planning Commission reviewed the request at its regular meeting on September 19, 2022 and voted 6-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



Zoning

- City Limits
- Zoning Codes
 - A-1
 - C-2
 - O-1
 - O-2
 - PUD
 - R-1



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

AN ORDINANCE AMENDING THE PROCEDURES FOR AUTHORIZING CONDITIONAL USES AND AMENDMENTS TO CONWAY ZONING CODE O-94-54, AS AMENDED; AND FOR OTHER PURPOSES:

WHEREAS, the City Council of the City of Conway wishes to amend procedures for authorizing conditional use permits and rezoning in order to better protect the public welfare;

WHEREAS, in accordance Arkansas Code Annotated § 14-56-416 has the City Council of City of Conway adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

WHEREAS, the Conway Planning Commission has prepared amendments to the Conway Zoning Code, gave proper notice in accordance with Arkansas Code Annotated § 14-56-422, held a duly authorized public hearing on September 19th, 2022, and adopted the prepared amendments;

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

SECTION 1: That these amendments to the Conway Zoning Code are hereby adopted by reference, and included as exhibit "A" to this ordinance, as Section 902 and Section 903 of O-94-54, as amended and also known as the Conway Zoning Code.

SECTION 2: That the existing Sections 901.2 and 901.4 are hereby repealed.

SECTION 3: That any ordinances in conflict herewith are hereby repealed to the extent of the conflict, except that it is understood that it will take time for adequate implementation of the code by design professionals and city staff. Given this, these amendments shall not take effect until November 18th, 2022.

PASSED this 27th day of September, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

EXHIBIT "A"

SECTION 902 – CONDITIONAL USE PERMITS

902.1 – PURPOSE

Because of their unique character and impact on adjacent properties, some uses in this code are designated as conditional uses and require a permit. Depending on the nature of the use, a use requiring such permit may or may not be desirable and appropriate in all circumstances. Each application must be individually considered to provide reasonable conditions of approval to mitigate the impact of the use and protect the adjacent area from harm by the use.

The following regulations in conjunction with other provisions of this code, specifically Article 601 – Special Provisions, provide the procedure and standards for the evaluation of conditional use permit applications.

902.2 – APPLICATION FOR A CONDITIONAL USE PERMIT

An application shall be made by the property owner/authorized agent. The application may accompany a rezoning request and shall be made by means provided by the City of Conway in accordance with the Planning Commission calendar. No application shall be accepted and processed without all required materials and payment of fees.

The application shall include the following information and documents:

- A. Applicant Information. The name and address of the applicant.
- B. Property Owner/Authorized Agent Form. Form indicating that the applicant is the owner(s) of the property or the applicant is authorized to apply and act on behalf of the owner(s).
- C. Location Information. Address and accurate legal description of the property.
- D. Use Description/Operational Plan. A written description of the proposed use of the property including an operational plan.
- E. Scaled Site Plan. A scaled site plan showing property boundaries, building locations, building outlines, driveways, parking, screening, abutting streets, north arrow, and other pertinent information as may be required by the Administrative Official. The Administrative Official shall have the authority to require plans prepared and stamped by a licensed design professional.
- F. Fee. Payment of the prescribed nonrefundable fee as indicated the Schedule of Fees adopted by the City Council. The fee shall be at least three hundred twenty-five (\$325) dollars.

902.3 – PUBLIC NOTICE

Public notice for conditional use permit applications shall consist of a legal notice in a publication of general circulation within the City of Conway, public notice signs on the property, and mailed notice to property owners within two hundred (200) feet. No application may be heard for a public hearing by the Planning Commission until all forms of public notice have been made. The following requirements shall satisfy public notice requirements:

A. Legal Notice

The applicant shall be responsible for publication of a legal notice in a publication of general circulation within the City of Conway. Notice must be published once at least fifteen (15) days prior to the public hearing. The notice shall include:

1. Requested use sought in the application and current zoning of the property.
2. Location including accurate legal description and address. If no address is assigned, a general description of the location in relation to a nearby address shall suffice.
3. Time, date, and location of the public hearing.

An affidavit of publication shall be provided to the Administrative Official at least ten (10) days prior to the public hearing.

B. Public Notice Signs

The applicant shall be responsible for posting a sign or signs of public notice on the property at least fifteen (15) days prior to the public hearing. Sign posting shall meet the following requirements:

1. One (1) sign for each five hundred (500) feet of street frontage with at least one (1) sign per street frontage.
2. Signs shall be placed at the property line nearest the street, and be clearly visible to passing vehicle and pedestrian traffic.

Signs shall be supplied by the City of Conway and the Administrative Official shall determine the number of required signs. The applicant shall pay a nonrefundable fee established by the Schedule of Fees adopted by the City Council. The fee shall be at least ten (\$10) dollars per sign.

Photographic proof of posting of the required public notice signs shall be provided to the Administrative Official at least ten (10) days prior to the public hearing.

C. Letters of Public Notice

The applicant shall mail, by USPS First Class mail with Certificates of Mailing, a notice of the public hearing to all property owners within two hundred (200) feet of the property as well as all school board members and the school superintendent of the school district in which the property is located. Notice must be mailed at least fifteen (15) days prior to the public hearing. The City of Conway shall supply the required mailing list.

Notice shall be made using a completed form provided by the City of Conway which shall at least include a description of the conditional use being sought, location, and date/time/location of the public hearing. The applicant may include additional information regarding the application.

Proof of mailing, including Certificates of Mailing and a copy of notice letter, shall be provided to the Administrative Official at least ten (10) days prior to the public hearing.

902.4 – REVIEW PROCEDURE

A. Staff Review

The Administrative Official shall review the application and may provide a recommendation for action on the item.

B. Planning Commission Review

The Planning Commission shall hold a public hearing on the application and render a decision within at least forty-five (45) days following the closing of the public hearing.

1. Approval: If the Planning Commission approves the application, the item shall be forwarded to the City Council for review and action.
2. Denial: If a conditional use permit request is denied by the Planning Commission, written notice of denial shall be provided to the applicant within fifteen (15) days of the decision being rendered. Such written notice shall include the reasons for denial of the application. The applicant may appeal the denial to the City Council in writing, stating why they consider the Planning Commission's findings and decision to be in error. The appeal must be filed with the Administrative Official within thirty (30) days of receiving the written notice of denial and shall be subject to a public hearing before the City Council. The applicant must complete the public notice requirements indicated in § 902.3 and pay a nonrefundable fee prescribed in a Schedule of Fees adopted by the City Council. The fee shall be at least two hundred (\$200) dollars.

If no appeal is filed, the decision of the Planning Commission shall be final and no further action on the application shall take place.

C. City Council Review

The Planning Commission shall report their findings and recommendations, including recommended conditions and/or restrictions, to the City Council. The City Council may grant the application as presented, grant the application with other/additional conditions and/or restrictions, deny the application, or remand the case back to the Planning Commission for additional consideration. If the case is remanded back to the Planning Commission, an additional public hearing at the next regular meeting of the Planning Commission shall be required and public notice given in accordance with § 902.3.

No conditional use permit shall become effective without approval by the City Council.

902.5 – STANDARDS FOR APPROVAL

The Planning Commission and/or City Council shall not approve a conditional use permit unless making a finding of fact that affirms the following:

- A. The establishment, maintenance, and operation of the conditional use will not result in external effects that will harm adjacent and nearby properties.
- B. Negative external effects of the conditional use can be mitigated with appropriate and reasonable conditions of approval.

- C. Adequate buffering devices such as fencing, landscaping, or grading are sufficiently used to protect adjacent and nearby properties.
- D. Establishment of the conditional use will not impede normal and orderly development and improvement of adjacent and nearby properties.
- E. Safeguards limiting noxious or offensive emissions, including lighting, noise, glare, dust, and odor have been addressed in the proposed application.
- F. Traffic generated by the use will not unduly burden transportation facilities within the surrounding area.
- G. The size of the site is adequate for the conditional use.
- H. The conditional use will be in compliance with all applicable provisions of this code including, but not limited to, area requirements, off-street parking and loading, and landscaping for the district in which it is located.

902.6 – CONDITIONS OF APPROVAL, LIMITATIONS, EXPANSION, EXPIRATION, AND REVOCATION

A. Conditions of Approval

Reasonable conditions or restrictions upon construction, location, and operation of a conditional use may be imposed as part of approval of any conditional use. Once the conditional use is commenced all conditions shall take effect unless otherwise specified as part of approval.

B. Limitations

1. No conditional use may be operated in a manner as to require the approval of a zoning variance as a result of commencement of the conditional use.
2. The Planning Commission and City Council shall not be permitted to authorize any reduction in minimum requirements of any provisions of this code as part of approval of a conditional use permit.
3. A conditional use application may not be filed for a site that has received final denial action within one (1) year from the effective date of final denial action unless authorized by the City Council.

C. Expansion

Any expansion of the use, including but not limited to, additions, substantial increase in use intensity, new buildings, new or additional parking, expansion of the use to new areas/buildings on the site, or any substantial changes in character shall require approval of a new conditional use permit.

D. Expiration

A conditional use permit shall expire if the use is not commenced within eighteen (18) months of approval and if the use ceases for a consecutive period of greater than eighteen (18) months. Upon expiration, all use of the property shall be required to revert to its status prior to approval.

E. Revocation

Where any specific conditions or restrictions of a permit are violated, ignored, or otherwise not observed, the permit may be revoked. In such instances, the Administrative Official shall provide written notice to the property owner using Certified Mail. Such notice shall identify the alleged violation of the conditions or restrictions of the conditional use permit, required corrective action, deadline for corrective action, and right to file appeal of the determination of the Administrative Official. The Administrative Official shall designate the deadline for corrective action, giving the property owner at least thirty (30) days and no greater than ninety (90) days.

If no appeal is filed within thirty (30) days of receipt of written notice and corrective action is not taken in accordance with the deadline provided by the Administrative Official, the permit shall be revoked. Revocation shall be immediate, and the property shall revert to its use status prior to issuance of the conditional use permit.

If an appeal is filed, the matter shall be forwarded to the City Council for review. The City Council shall review evidence submitted by Administrative Official. The property owner may additionally submit evidence to be considered by the City Council including an oral petition. The City Council shall be authorized to revoke the conditional use permit upon finding that the property owner has violated the conditions or restrictions of the permit. If such action is taken, revocation shall be immediate, and the property shall revert to its use status prior to issuance of the conditional use permit.

SECTION 903 – AMENDMENTS

903.1 – GENERAL

This code may be amended by changing the text, the Official Zoning Map, or both in accordance with the procedures in this section.

903.2 – REQUEST FOR AMENDMENTS

The following may initiate a request to amend this Code:

- A. The Administrative Official acting on behalf of the Mayor or City Council.
- B. The Administrative Official acting on behalf of the Planning Commission.
- C. A property owner or his/her authorized agent.

903.3 – AMENDMENTS INITATED BY THE MAYOR OR CITY COUNCIL

Amendments initiated by the Administrative Official acting on behalf of the Mayor or City Council may be made in the following manner:

- A. The City Council may refer a request for amendment to the Planning Commission to be considered in accordance with procedures outline in § 903.4.
- B. The City Council may amend this Code in accordance with the provisions of § 14-56-423 of the Arkansas Code, Annotated.

903.4 – AMENDMENTS INITATED BY THE PLANNING COMMISSION

Amendments initiated by the Administrative Official acting on behalf of the Planning Commission may be made in the following manner:

- A. The Planning Commission may consider amendments or additions to the Zoning Code.
- B. If the proposed amendments are not consistent with the Comprehensive Plan or other applicable adopted plans, the Planning Commission must first consider and adopt any necessary changes to the plan(s).
- C. The Planning Commission will hold a public hearing to consider amendments to the Zoning Code and, when necessary, amendments to the Comprehensive Plan or other applicable adopted plans.
- D. Notice of such hearing shall be published at least fifteen (15) days prior to the public hearing in a publication of general circulation in the City of Conway and shall include a general description of the changes being made. Changes in zoning district classifications initiated by the Planning Commission shall be considered comprehensive changes affecting the entire city and notice to individual property owners shall not be made.
- E. The Administrative Official shall make a map and/or documents indicating the proposed changes available in City Hall and on the city website for review at least thirty (30) days prior to the public hearing at which the changes will be considered.
- F. Following the public hearing, the proposed amendments may be approved as presented, or in modified form, by a majority of the entire Planning Commission.
- G. Following its adoption of the amendments of the Zoning Code or adopted plans, the item shall be forwarded to the City Council for consideration of adoption.
- H. The City Council may adopt the amendments as prepared, revise and adopt the prepared amendments, reject the amendments, or remand the matter back to the Planning Commission for further consideration. If the matter is remanded back to the Planning Commission, an additional public hearing at the next regular meeting of the Planning Commission shall be required and public notice given in accordance with § 903.5.B.

903.5 – AMENDMENTS INITATED BY A PROPERTY OWNER

Amendments initiated by a property owner or his/her authorized may be made in the following manner:

- A. Application
An application shall be made by the property owner/authorized agent. The application shall be made by means provided by the City of Conway in accordance with the Planning Commission calendar. No application shall be accepted and processed without all required materials and payment of fees.

The application shall include the following information and documents:

1. Applicant Information. The name and address of the applicant.
2. Property Owner/Authorized Agent Form. Form indicating that the applicant is the owner(s) of the property or the applicant is authorized to apply and act on behalf of the owner(s).
3. Location Information. Address and accurate legal description of the property.
4. Survey. A boundary survey of the property including building locations, building outlines, driveways, parking lots, abutting streets, north arrow, and other pertinent information as may be required by the Administrative Official.
5. Fee. Payment of the prescribed nonrefundable fee as indicated the Schedule of Fees adopted by the City Council. The fee shall be at least three hundred twenty-five (\$325) dollars.

B. Public Notice

Public notice for amendment application shall consist of a legal notice in a publication of general circulation within Conway, public notice signs on the property, and mailed notice to property owners within two hundred (200) feet. No application may be heard for a public hearing by Planning Commission until all forms of public notice have been made. The following requirements shall satisfy public notice requirements:

1. Legal Notice: The applicant shall be responsible for publication of a legal notice in a publication of general circulation within the City of Conway. Notice must be published once at least fifteen (15) days prior to the public hearing. The notice shall include:
 - a. The existing zoning district of the property and the proposed zoning district sought in the application.
 - b. Location including accurate legal description and address. If no address is assigned, a general description of location in relation to a nearby address shall suffice.
 - c. Time, date, and location of the public hearing.

An affidavit of publication shall be provided to the Administrative Official at least ten (10) days prior to the public hearing.

2. Public Notice Signs: The applicant shall be responsible for posting a sign or signs of public notice on the property at least fifteen (15) days prior to the public hearing. Sign posting shall meet the following requirements:
 - a. One (1) sign for each five hundred (500) feet of street frontage with at least one (1) sign per street frontage.
 - b. Signs shall be placed at the property line nearest the street and be clearly visible to passing vehicle and pedestrian traffic.

Signs shall be supplied by the City of Conway and the Administrative Official shall determine the number of required signs. The applicant shall pay a nonrefundable fee established by the Schedule of Fees adopted by the City Council. The fee shall be at least ten (\$10) dollars per sign.

Photographic proof of posting of the required public notice signs shall be provided to the Administrative Official at least ten (10) days prior to the public hearing.

3. Letters of Public Notice: The applicant shall mail, by USPS First Class mail with Certificates of Mailing, a notice of the public hearing to all property owners within two hundred (200) feet of the property and all school board members and school superintendent of the school district in which the property is located. Notice must be mailed at least fifteen (15) days prior to the public hearing. The City of Conway shall supply the required property owner list.

Notice shall be made using a completed form provided by the City of Conway which shall at least include a description of the existing and proposed zoning districts of the property, location, and date/time/location of the public hearing. The applicant may include additional information regarding the application.

Proof of mailing including Certificates of Mailing and a copy of notice letter shall be provided to the Administrative Official at least ten (10) days prior to the public hearing.

C. Review Procedure

1. Staff Review: The Administrative Official shall review the application and may provide a recommendation for action on the item.
2. Planning Commission Review: The Planning Commission shall hold a public hearing on the application and render a decision within at least forty-five (45) days following the closing of the public hearing.
 - a. Amendments to the Application:
 - 1) An application may be amended by the applicant no later than ten (10) days prior to the public hearing for the application, provided the amendment shall result in the applicant seeking a lower intensity proposed zoning district than the original request. In such instances, no additional public hearing shall be required.
 - 2) Any amendment to an application sought later than ten (10) days prior to public hearing for the application shall be automatically tabled following the public hearing for the application. An additional public hearing at the next regular meeting of the Planning Commission shall be required and public notice given in accordance with § 903.5.B. before a vote by the Planning Commission may be conducted on the application.
 - b. Approval: If the Planning Commission approves the application, the item shall be forwarded to the City Council for review and action.

- c. Denial: If an amendment request is denied by the Planning Commission, written notice of denial shall be provided to the applicant within fifteen (15) days of the decision being rendered. Such written notice shall include the reasons of denial of the application. The applicant may appeal the denial to the City Council in writing, stating why they consider the Planning Commission's findings and decisions to be in error. The appeal must be filed with the Administrative Official within thirty (30) days of receiving the written notice of denial and shall be subject to a public hearing before the City Council. The applicant must complete the public notice requirements indicated in § 903.5 and pay a nonrefundable fee prescribed in a Schedule of Fees adopted by the City Council. The fee shall be at least two hundred (\$200) dollars.

If no appeal is filed, the decision of the Planning Commission shall be final and no further action on the application shall take place.

3. City Council Review: For applications approved by the Planning Commission, the Commission shall report their findings and recommendations to the City Council. The City Council by ordinance may grant the amendment as requested, deny the amendment request, or remand the case back to the Planning Commission for additional consideration of the item. Any amendment or modification of the request shall require the application be remanded back to the Planning Commission. If the case is remanded back to the Planning Commission, an additional public hearing at the next regular meeting of the Planning Commission shall be required and public notice given in accordance with § 903.5.B.

D. Effect of Denial

An amendment application may not be filed for a site that has received final denial action within one (1) year from the effective date of final denial action unless authorized by the City Council.

903.6 – GUIDELINES FOR DECISION MAKING

In consideration of amendments, the Planning Commission and City Council shall, at a minimum, consider the following:

- A. Public comments received regarding the amendments.
- B. The consistency of the amendments with the Comprehensive Plan or other adopted plans.
- C. The potential public benefits of the amendment.
- D. Issues identified by the Administrative Official.
- E. If concerning an individual property, the impact of the amendment application on adjacent and nearby properties including potential development impacts.



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September 21, 2022

MEMO - RE: Conditional Use and Rezoning Changes

From: James Walden, AICP

To: Mayor and Council Members

Enclosed with this memo is an ordinance change to the procedures for authorizing conditional use permits and rezonings. This change is being brought forward to cleanup our existing procedures and set limits for conditional use permits.

The following are the major changes:

- 1) Clarify public notification signage requirements.
- 2) Set limits for the amendment of rezoning applications prior to a public hearing.
- 3) Set an expiration date of 18 months from passage for any conditional use permit that goes unused. This is meant to combat a current issue of numerous old, unused conditional permits across the city, many of which would likely not receive approval under current standards.
- 4) Provide for the revocation of conditional use permits when the terms of the permit are not being followed by the property owner.
- 5) Establish review criteria for conditional use permits and rezonings.

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

Respectfully,

James P. Walden, AICP
Director of Planning and Development



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

A RESOLUTION TO APPROVE THE PURCHASE OF A CRAWLER DOZER FOR THE CITY OF CONWAY DEPARTMENT OF SANITATION; AND FOR OTHER PURPOSES

Whereas, the City of Conway Department of Sanitation has a need to purchase a crawler dozer to replace a 2012 John Deere 950J (asset #770) with over 15,000 hours for use at the city’s landfill; and

Whereas, the total purchase amount of the replacement dozer is \$452,602.95 and the 2022 Conway Department of Sanitation Budget includes funds to purchase the dozer; and

Whereas, the Conway Department of Sanitation has obtained two quotes and Stribling Equipment, LLC provided the lowest quote through a Sourcewell Cooperative Purchasing Contract. Quotes received as follows:

- John Deere 850L (Stribling Equipment, LLC) - \$452,602.95
- Caterpillar D6 (Riggs CAT) - \$566,800.00

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

Section 1. The City of Conway approves the Sourcewell cooperative purchase from Stribling Equipment, LLC in the amount of \$452,602.95.

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

PASSED this 27th day of September 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



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

AN ORDINANCE APPROPRIATING FUNDS TO REPLENISH THE FUEL BUDGET AT THE CONWAY FIRE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the Conway Fire Department needs approximately \$40,000 to replenish their fuel expense account; and

WHEREAS, the Conway Fire Department needs these funds in order to replenish their accounts due to a shortage in funds for the remainder of the year.

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

Section 1. The City of Conway shall appropriate \$40,000 from the General Fund Balance Appropriation Account (001.119.4900) to the Fire Department Fuel Expense Operating Account (01.131.5630);

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

PASSED this 27th day of September, 2022

APPROVED:

Mayor Bart Castleberry

ATTEST:

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

MEMORANDUM

TO: City Council Members/Mayor Bart Castleberry
FROM: Chief William Tapley
DATE: September 27, 2022
SUBJECT: Request for disposal of seized assets

The Police Department has the following vehicles that are not being used:

- 2008 Ford Focus VIN 1FAHP35N28W194548
- 2007 BMW 3281 VIN WBAVA33567PG51839
- 2013 Dodge Charger VIN 2C3CDXAT7DH584437
- 2012 Toyota Rav 4 VIN JH2SC51709K600163
- 2003 Ford F-150 VIN 1FTW07L43KA97749
- 30 pieces of Silver N/A
- 6 pieces of Gold N/A

I would like to request approval to remove these items from our inventory listing and to dispose of them. These vehicles/items will be sold through auction, "as is", on www.publicsurplus.com.

Thank you for your consideration.



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

AN ORDINANCE APPROPRIATING REIMBURSEMENTS FUNDS FROM VARIOUS ENTITIES FOR THE CITY OF CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the City of Conway has received reimbursements funds from the following entities:

Various Companies	\$12,113.21	Extra Duty Services
Various Companies	\$2,000	Donations
BVP	\$18,400.00	Reimbursement
Municipal Vehicle Program	\$4,309.11	Insurance Proceeds
Municipal Vehicle Program	\$78,520.29	Insurance Proceeds

Whereas, the Conway Police Department needs these funds to replenish its expenditure accounts.

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

Section 1. The City of Conway shall appropriate funds from various companies in the amount of \$12,113.21 from 001.121.4185 to the CPD overtime expense account, 001.121.5114.

Section 2. The City of Conway shall appropriate funds from various companies in the amount of \$2,000.00 from 001.121.4705 to the CPD grant and donation expense account 001.121.5760.

Section 3. The City of Conway shall appropriate funds from the Patrick Leahy Bulletproof Vest Partnership in the amount of \$18,400 from 001.121.4186 to the CPD Accountable Equipment expense account 001.121.5650.

Section 4. The City of Conway shall appropriate funds from Municipal Vehicle Program in the amount of \$4,309.11 from 001.119.4360 to the AWU maintenance expense account 001.127.5450.

Section 5. The City of Conway shall appropriate funds from Municipal Vehicle Program in the amount of \$78,520.29 from 001.119.4360 to the CPD vehicle maintenance expense account 001.121.5450.

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

PASSED this 27th day of September, 2022.

Approved:

Attest:

Mayor Bart Castleberry

Michael O. Garrett
City Clerk/Treasurer



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

**AN ORDINANCE APPROPRIATING ASSET FORFEITURE FUNDS TO THE POLICE DEPARTMENT;
AND FOR OTHER PURPOSES**

WHEREAS, the Conway Police Department needs approximately \$20,787 to purchase a live scan fingerprint system for our department. This will replace the outdated model and meet the new requirements and;

WHEREAS, the Conway Police Department needs approximately \$20,787.00 to purchase the live scan fingerprint system and this will include service needs with instate technicians and;

WHEREAS, money in the Conway Police Department Asset Forfeiture account is allowed, by law, to be used for such purposes as these;

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

SECTION 1. The City of Conway shall appropriate funds in the amount of \$20,787 from the Seized Asset Forfeiture revenue account 250-121-4900, into the CIP-Miscellaneous Asset Forfeiture Expense Account 250-121-5990 and;

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

PASSED this 27th day of September, 2022.

APPROVED:

Mayor Bart Castleberry

ATTEST:

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