

City Council Members

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Mark Vaught
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Jim Rhodes
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones, Jr.
Ward 4 Position 2 – Shelia Whitmore

City Council Meeting - Tuesday, April 12th, 2011 @ 6:30pm

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

5:30 pm – Discussion of the Development of the Old Landfill & City Reserve Account

Call to Order

Roll Call

Minutes: **March 8th, 2011 & March 22nd, 2011**

Announcements / Proclamations / Recognition:

1. Report of Standing Committees:

A. Economic Development Committee (Airport, Conway Corporation, Conway Development Corporation, Chamber of Commerce)

1. Resolution to adopt the Conway2025 Plan.
2. Consideration to grant an easement for the Conway Corporation Sewer Project.

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

1. Consideration to approve the newly reorganized Historic District Commission.
2. Ordinance to rezone property located at the southwest corner of Blaney Hill road and Vail Avenue from A-1 to RU-1.
3. Ordinance to rezone property located at 3725 College Avenue from O-2 to A-1.
4. Consideration of a conditional use permit from Pediatrics Plus to allow restricted office in an R-2 zone for property located 2725 College Avenue.
5. Ordinance creating zoning district T-2 rural zone for the purpose of zoning within the Conway Territorial Jurisdiction.
6. Ordinance to zone property within the Conway Territorial jurisdiction along Highway 65 & Highway 64 west to T-2 Rural Zoning District.
7. Consideration to accept bids on a School zone flasher system for the Conway Street Department.
8. Consideration to accept bids on an ornamental steel fence located at Nina Russ Lane & the Meadows Corporate Center North Line.

9. Consideration to accept bids for construction (earthwork) of Old Military Road-McNutt Road realignment at Donnell Ridge Road. ***(Bid tab information will be provided at the meeting)***

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

1. Ordinance to amend the Conway Municipal Code Title 6 as related to the Animal Welfare Unit.
2. Ordinance to implement continue employment after the conclusion of participation in the deferred retirement option plan (DROP) for the City of Conway Fire Pension Fund.

Old Business

New Business

1. Consideration of a property exchange between the Hart Family & the City of Conway.
2. Resolution creating a City of Conway Reserve Account.

Adjournment

City of Conway
Bicycle Advisory Board

Memo:

To: Mayor Tab Townsell

From: Peter Mehl, Chair
Bicycle Advisory Board

Date: April 6th, 2011

Re: Developing the Old Landfill Area for Mountain Bike Trails

It has come to our attention that the old city landfill property on Blaney Hill Road would make an ideal mountain bike and hiking area. In particular, the 70 acres west of the land fill cap could, with some volunteer help, easily be developed into trails. Erik Leamon, owner of The Ride, knows of a number of individuals willing to help with this project. Conway Advocates for Bicycling will also provide volunteer help for such a project.

Cheryl Harrington has already contacted ADEQ and learned that if we are not disturbing the old landfill cap we can proceed with development in the area, but if we are doing any type of disturbance to the cap we need to submit more detailed plans to the Solid Waste Division.

Any extensive development on the landfill cap is not advisable at this point as there may be a need to repair or replace the cap in the near future and hence any development could be lost.

If you have any questions please advise.



City of Conway, Arkansas
Resolution No. R-11-_____

A RESOLUTION CREATING A CITY OF CONWAY RESERVE ACCOUNT AND DEDICATING OF ADDITIONAL REVENUE; AND FOR OTHER PURPOSES

Whereas, the City Council has scheduled a special election for May 10th, 2011 on the question of rededicating City of Conway municipal bonds issued in 2006; which purpose will be to reallocate a quarter cent sales tax currently dedicated to debt service on the 2006B bond issue such that one-eighth of a cent would be allocated for debt service on the bonded indebtedness remaining in the 2006B issue and that one-eighth of a cent would be allocated to the General Fund for operations; and

Whereas, the City Council recognizes the wishes of the public to have a clear indication of the City Council's intent for the usage of funds provided if the question passes; and

Whereas, the City Council shall authorize a certain portions of those funds be set aside for certain purposes including the funding of employee step grade increases, the funding of a general fund reserve account, and for other purposes.

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

Section 1. A City of Conway Reserve Account is hereby created within the general fund system. This account will be assigned a new general ledger account number and have a separate bank account number to be assigned at a later date once set up.

Section 2. Employee step grade increases that have not been funded prior to the FY2011 shall be funded to certain level as determined by City Council with a portion of the revenue generated by the one-eighth cent dedication.

Section 3. The City of Conway Reserve Account shall be partially funded by the revenue generated by the one-eight cent rededication & the remaining portion of the revenue generated by the one-eight cent rededication shall be used for such purposes as directed by the City Council.

Section 4. The City of Conway Reserve Account shall only be accessed at such times and for such purposes as approved by the City Council.

PASSED this 12th day of April, 2011

Approved:

Mayor Tab Townsell

Attest:

Michael Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-11- _____

A RESOLUTION CREATING A CITY OF CONWAY RESERVE ACCOUNT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council recognizes the need for a certain portion of its revenue to be set aside to ensure the ability to continue city operation in times of unforeseen circumstances, and

WHEREAS, the City Council may authorize a certain portion of the general revenue of the city to be set aside to create a City of Conway Reserve Account within the General Fund Accounting System, and

WHEREAS, this account would be set up separately from all other accounts; including a separate bank account and general ledger account number.

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

Section 1. A City of Conway Reserve Account is hereby created within the general fund. This account will be assigned a new general ledger account number and have a separate bank account number to be assigned at a later date once set up.

Section 2. The City of Conway Reserve Account balance shall be maintained to a balance of not less than 1/6th (one sixth) of the amount of the annual budget of the general fund of the City of Conway.

Section 3. The City of Conway Reserve Account shall be funded by annual payments from the general revenue of the city in an amount not less than \$500,000 until said balance is reached and maintained.

Section 4. The City of Conway Reserve Account shall only be accessed at such times and for such purposes as approved by the City Council.

PASSED this 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-11-_____**

**A RESOLUTION DECLARING THE DEDICATION OF ADDITIONAL REVENUE FUNDS; AND
FOR OTHER PURPOSES**

WHEREAS, the City Council has scheduled a special election for May 10th, 2011 on the question of rededicating City of Conway municipal bonds issued in 2006; which purpose will be to reallocate a quarter cent sales tax currently dedicated to debt service on the 2006B bond issue such that one-eighth of a cent would be allocated for debt service on the bonded indebtedness remaining in the 2006B issue and that one-eighth of a cent would be allocated to the General Fund for operations; and

WHEREAS, the City Council recognizes the wishes of the public to have a clear indication of the City Council's intent for the usage of funds provided if the question passes; and

WHEREAS, the City Council shall authorize a certain portions of those funds be set aside to for certain purposes including the funding of employee step grade increases, the funding of a general fund reserve account, and for other purposes.

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

Section 1. Employee step grade increases that have not been funded prior to the 2011 fiscal year shall be funded by the required portion of the revenue generated by the one-eighth cent rededication.

Section 2. The City of Conway Reserve Account shall be partially funded by the revenue generated by the one-eighth cent rededication.

Section 3. The remaining portion of the revenue generated by the one-eighth cent rededication shall be used for such purposes as directed by the City Council.

PASSED this 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Resolution No. R-11-_____**

**A RESOLUTION BY THE CITY COUNCIL TO ADOPT THE CONWAY 2025 AS THE STRATEGIC VISION FOR
THE CITY OF CONWAY**

Whereas, the City of Conway along with the Conway Area Chamber of Commerce recognizes the need for a strategic, long range plan for the future in order for the City to grow and thrive; and

Whereas, Over 1400 Conway area residents participated in a survey identifying strategic planning priorities for the City of Conway; and

Whereas, More than 300 volunteers met in more than 50 meetings to establish 132 goals related to the vibrancy and growth of Conway; and

Whereas, the Conway 2025 plan will serve as a useful roadmap for local government in setting budgets and making policy; and

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

Section 1: That the City of Conway hereby adopts the Conway 2025 as the strategic vision for the City of Conway.

ADOPTED this 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

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

PUBLIC POLICY

- Local art featured in Conway parks. 
- Every park has area dedicated to nature and wildlife. 
- Parks designed for special needs children, dog parks, recreational parks geared towards adults and small neighborhood parks. \$ 
- Parks are safe and efficiently operated. Interruptions for maintenance or closures are rare. 
- Parks system offers programming that promotes education and development. 
- Parks have consistent signage and “branding” that educates and informs users.  
- Parks, paths and trails promote environmental stewardship and sustainability. 
- A city water park on par with Carondelet Park/Regional Complex in St. Louis. \$ 
- Benchmarks other city parks systems and identifies opportunities for green space in the city. 
- Markham Street is home to an amphitheatre and park on site of the former scrap yard. \$ 
- Parks have plenty of clean and safe restrooms. \$ 
- Multi-purpose, coliseum-style facility that regularly hosts large, multi-day events. \$ 
- Walkable/livable “villages” developed using planning tools such as Traditional Neighborhood Development and form-based zoning. 
- Mixed use developments are prevalent instead of previous “subdivision ordinance” style of planning. 
- Planning ordinance that accommodates truly high density residential developments. 
- Historic architecture and landscape features are preserved and interpreted by its citizens. 
- I-40 provides an attractive view of Conway to drivers. Lake Conway provides an attractive southern entrance for drivers on I-40. Property owners collaborate to keep the corridor well-maintained. Landscaping and aesthetic elements are incorporated into highway infrastructure.  
- Establish program requiring that trees cut down for construction projects are replaced. 
- Commercial buildings are built to a scale that is consistent with nearby buildings. 
- Billboards are attractive to visitors and residents. 

PUBLIC POLICY cont'd.

- Former Conway Airport site redeveloped as an asset to the Oak Street corridor and surrounding neighborhoods. City, CDC and other community partners implement a plan for use of the property. \$ 🏠
- Identifies possible public art projects (electrical boxes could be painted, sculpture in roundabouts, murals, neighborhood gateways, etc). 🏠
- Citizens able to cross the railroad tracks safely and efficiently throughout town. 🏠
- Drivers have multiple routes for traveling east and west across the city. \$ 🏠
- Hwy 64 and 65 are connected by multiple routes, reducing unnecessary local traffic in Conway. \$ 🏠
- Stoplights are efficient and coordinated. 🏠
- Regular and reliable public transportation, result of MetroPlan transportation study. Reliable funding and is well used. Integrated with other transit systems in the LR metro area. \$ 🏠 🕒
- Land allocated for public transportation infrastructure (“wait stations”, rail, additional lanes, carpool lots, etc.) 🏠
- Alternative energy sources play a significant role in our public transportation. 🏠
- Regional transit providers collaborate and share resources. Existing transportation programs for youth, elderly and disabled offer expanded service and access to all populations. Integrated into regional public transportation networks. \$ 🏠 🕒
- Colleges, universities, major employers, hospitals and schools are financial partners in sustaining public transportation. \$ 🕒
- Downtown is prepared to serve as a hub for regional public transportation. 🏠 🕒
- Roundabouts have replaced stoplights at intersections where space is sufficient. 🏠
- Streets have a system of managed access. Higher speed corridors have limited curb cuts. 🏠
- City government considers aesthetics of streets and makes decisions that are “context sensitive.” Landscaping, street trees, sidewalks and bike paths are promoted in the design process. \$ 🏠
- City government has adequate revenue for maintenance, reconstruction and construction of streets, bike lanes and sidewalks. \$ 🏠

PUBLIC POLICY cont'd.

- Comprehensive system of cycling lanes and sidewalks that facilitate car-free travel and is connected with traditional public transportation infrastructure. \$ 🏠
- Police Dept enforces traffic laws aimed at/for bicycles. 🏠
- Citizens interact with “sidewalk administrator” as liaison between citizens, city government and developers. 🏠 🕒
- Walking trails and bike paths are well lit and equipped with video security stations and emergency phones. \$ 🏠
- Downtown linked to UCA, CBC, Hendrix and local high schools by bike trails. \$ 🏠 🕒
- Linked with Pulaski County through a regional bike path system accessing the river and downtown. \$ 🏠 🕒
- Equal access to parks, sidewalks and trails that are developed and well maintained using reliable revenue streams from a variety of sources. \$ 🏠
- Expertly developed plan for its trails system, built and maintained with reliable sources of revenue. \$ 🏠
- Airport that is safe and meets expectations and business needs of the community. 🏠 🕒
- Plans for development of high traffic or high visibility corridors (Donaghey, Oak Street, Old Morrilton Hwy, Markham Street, etc), developed with public input, and address aesthetics and beautification. \$ 🏠
- Downtown has multiple parking decks to accommodate shoppers, employees, visitors and residents. \$ 🏠
- Downtown drainage issues remedied, in part, by improvements made along Markham and Spencer Streets, and are effective and aesthetically pleasing. \$ 🏠
- Simon Park is a destination and home to an interactive water feature. 🏠
- Renovation and new construction projects built to standards in a master plan of development for downtown. 🏠 🕒
- Downtown buildings are preserved or removed responsibly. 🏠
- Oak Street corridor between I-40 and downtown is an attractive entryway to Conway and downtown. Redevelop according to specific design guidelines. \$ 🏠
- Markham Street is a lively corridor between downtown and Hendrix Village, anchored by a park and amphitheatre on site of old salvage yard. \$ 🏠

RIGHT OF WAY AND EASEMENT

THE CITY OF CONWAY

To

THE CITY OF CONWAY, ARKANSAS

KNOW ALL MEN BY THESE PRESENTS:

That We, The City of Conway (GRANTORS), for and in consideration of the sum of One Dollar, to us paid by the City of Conway, Arkansas, a City of the first class, (GRANTEE), cash in hand, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto said GRANTEE, its successors and assigns, forever, right of way and easements 40 feet wide on, over, across and under the following described lands, owned by us and situated in Faulkner County, Arkansas, to-wit:

Said utility easement 40 feet wide shall Center on a Sewer Main to be laid across the following described properties:

Parcel One: The SE 1/4 of the NW 1/4 of Section 19, T-5-N, R-13-W. (Also known as Parcel ID 710-08151-000, per Faulkner County Tax Assessor records).

Parcel Two: The W 1/2 of the NW 1/4 of Section 19, T-5-N, R-13-W, less and except the East Twenty (20) acres of the NW 1/4 of the NW 1/4. (Also known as Parcel ID 710-08149-000E, per Faulkner County Tax Assessor records).

Said right of way and easement shall be located upon and over such portion of the above described lands as has been agreed on by GRANTOR and GRANTEE.

It being understood and agreed that the said GRANTEE, or its successors or assigns, shall have the right to enter upon the above described lands at such time as it or they may deem proper to make such excavations and do such other work as it or they deem proper and necessary for the laying, relaying, maintaining, repairing, or replacing of utilities and appliances incident thereto, but it is expressly understood and agreed that the said GRANTEE, or its successors or assigns, shall be liable to the GRANTORS herein, or their heirs or assigns, for any and all damage that may be done in the prosecution of said work to any crops, fences or other improvements upon said lands, and that should it be necessary to disturb said improvements upon said lands, the said GRANTEE shall rebuild same immediately in as good condition as same were before provided that GRANTEE is not responsible for any action that is caused by the actions of any other Party that is allowed to utilize the Easement.

TO HAVE AND TO HOLD the same unto the said GRANTEE, and unto its successors and assigns, forever, with full right of ingress and egress at all times in, upon, over or under and to said lands for the purposes aforesaid.

Page 2 - Right of Way and Easement

And for said sum we do further grant, sell and convey unto said GRANTEE, its successors and assigns for a term of one year from and after the start of construction on the herein described lands, a right of way and easement eighty (80) feet wide on, over, across, through and under the aforesaid lands, for the purpose of providing a construction and work area for building and laying of utilities and that this right of way and easement shall be located upon and over such portion of the above described lands as has been or may hereafter be selected by the officers or agents of said GRANTEE.

WITNESS our hands and seals this ____ day of _____, 2011.

ACKNOWLEDGMENT

STATE OF ARKANSAS
County of Faulkner.

BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public within and for the County aforesaid, duly commissioned and acting, The City of Conway to me well known as the GRANTORS in the foregoing instrument, and acknowledged that they had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this ____ day of _____, 2011.

Notary Public

My Commission Expires:



1201 Oak Street
Conway, AR 72032

T 501.450.6105
F 501.450.6144

2011 Historic District Commission Roster

Velton Daves
Chairman

Ward 3
955 Western Ave 72034
501.499.6382 h
veltond@uca.edu
Term Expires:
December 31, 2012

Steve Hurd, Architect
Vice Chairman

Ward 4
607 Davis 72034
arquiteque@conwaycorp.net
501.336.9447
Term Expires:
N/A

Becky Harris*
Secretary

Ward 3
3 Essex Drive 72034
bekaroo2@aol.com
501.454.5455 m
Term Expires:
December 31st, 2011

Scott Zielstra*

Ward 4
2610 Orchard Park, 72034
zielstra@yahoo.com
501.475.5820 h
501.342.0521 w
Term Expires:
December 31st, 2011

Chad Brown

Ward 3
2430 Charlie Dayer Dr 72034
cjbrown1@ualr.edu
501.250.4928 h
501.412.8245 w
Term Expires:
December 31, 2011

**Betty Pickett - Pine Street Community
Development Corporation Member**

Ward 4
1903 College Ave 72034
501.329.5862 h
bpickett@conwaycorp.net
Term Expires:
December 31, 2011

Mary Etta Qualls

Ward 4
9 Richland Hills Cove 72034
501.730.4404 h
mqualls@conwaycorp.net
Term Expires:
December 31, 2012

(Trey) Glen Massingill III

Ward 2
1722 Caldwell St 72034
trey.massingill@gmail.com
501.613.3832 h
501.342.3173 w
Term Expires:
December 31, 2012

George Covington, Sr.
Downtown Partnership Member

Ward 1
1053 Front Street 72032
501.450.6217 h
501.329.3357w
gcovington@conwaycorp.net
Term Expires:
December 31, 2013

Melissa Togni

Ward 4
411 Oliver St 72034
501.339.6909 h
melissa.headrick@stephens.com Term
Expires:
December 31, 2013

Barbara Stroope

Ward 2
1220 Davis Street 72034
501.908.9070 m
b.e.stroope@gmail.com
Term Expires:
December 31, 2013

*Due to the merger of the Old Conway Design Review Board and the Historic District Commission, during 2011 there will be two ex-officio members voting on Old Conway matters only.

The Historic District Commission normally meets the 4th Monday of each month at City Hall in the Downstairs Conference Room at 6:00 pm.

For information or documentation, go online: www.conwayplanning.org or call the Planning & Development Department at 501.450.6105.



**City of Conway, Arkansas
Ordinance No. O-11- _____**

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF BLANEY HILL ROAD AND VAIL AVENUE FROM A-1 TO RU-1:

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

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

Lot 18 Cimarron Park

to those of **RU-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 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



CONWAY PLANNING COMMISSION

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

March 22, 2011

Council Members
Conway, AR 72032

Dear Council Members:

Carlton Burnett request for rezoning from A-1 to RU-1 for property located at the southwest corner of Blaney Hill Road and Vail Avenue with the legal description:

Lot 18 Cimarron Park

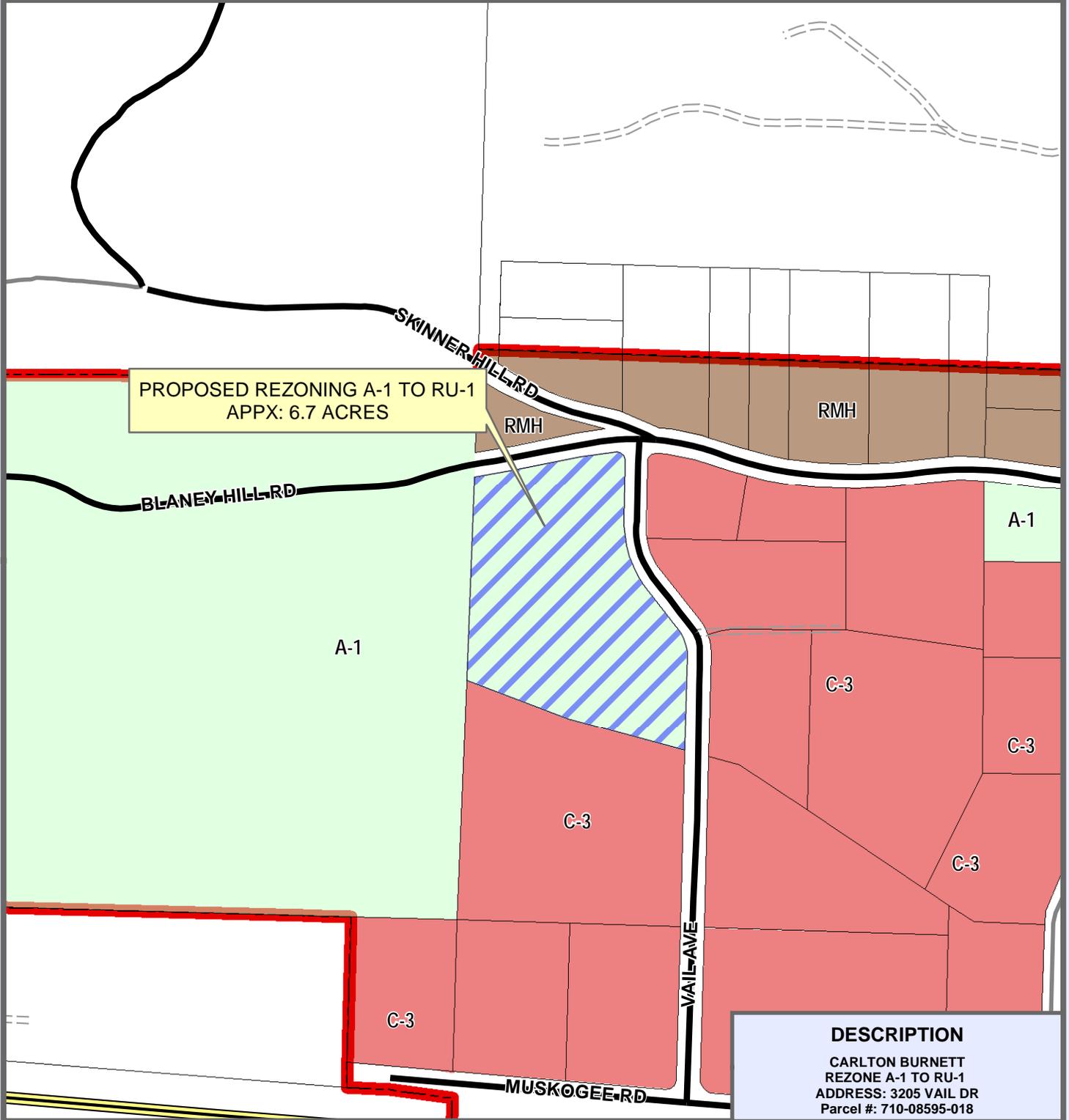
was reviewed by the Planning Commission at its regular meeting on March 21, 2011. The Planning Commission voted 8 – 0 that the request be sent to the City Council with a recommendation for approval.

Submitted by,

Kent Mathis, Chairman
Planning Commission

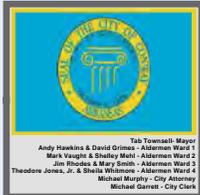
CITY OF CONWAY

CARLTON BURNETT REZONING -- LOT 18 CIMARRON PARK



PROPOSED REZONING A-1 TO RU-1
APPX: 6.7 ACRES

DESCRIPTION
CARLTON BURNETT
REZONE A-1 TO RU-1
ADDRESS: 3205 VAIL DR
Parcel #: 710-08595-018



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



THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

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



City of Conway, Arkansas
Ordinance No. O-11- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 3725 COLLEGE AVENUE O-2 TO A-1:

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

SECTION 1: The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the **O-2** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

Being a part of the N $\frac{1}{2}$ SE $\frac{1}{4}$, of Section 9, T-5-N, R-14-W, Faulkner County, Arkansas, described as beginning at the NW corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 9; thence N 89°56'10" E along the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 372.6 feet; thence S 0°28'26"W 400.0 feet; thence S 89°56'10" W 624.8 feet; thence N 9°17'47" East 404.29 feet to the North line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 9; thence N 89°36'36" E 190.2 feet to the point of beginning, containing 5.45 acres, more or less.

to those of **A-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 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

March 22, 2011

Council Members
Conway, AR 72032

Dear Council Members:

Letitia McMaster request for rezoning from O-2 to A-1 for property located at 3725 College Avenue with the legal description:

Being a part of the N $\frac{1}{2}$ SE $\frac{1}{4}$, of Section 9, T-5-N, R-14-W, Faulkner County, Arkansas, described as beginning at the NW corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 9; thence N $89^{\circ}56'10''$ E along the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 372.6 feet; thence S $0^{\circ}28'26''$ W 400.0 feet; thence S $89^{\circ}56'10''$ W 624.8 feet; thence N $9^{\circ}17'47''$ East 404.29 feet to the North line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 9; thence N $89^{\circ}36'36''$ E 190.2 feet to the point of beginning, containing 5.45 acres, more or less.

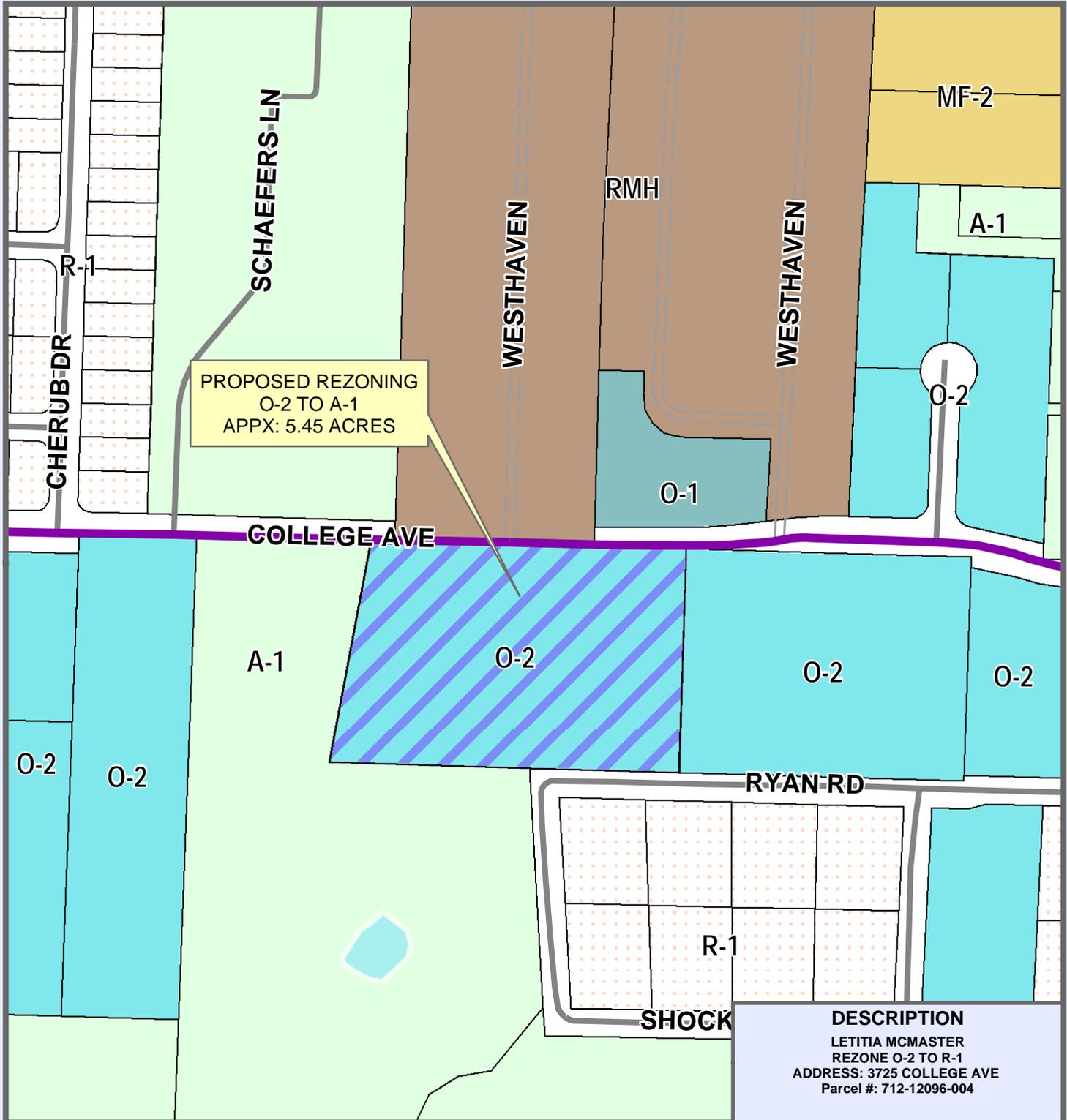
was reviewed by the Planning Commission at its regular meeting on March 21, 2011. The Planning Commission voted 8 – 0 that the request be sent to the City Council with a recommendation for approval.

Submitted by,

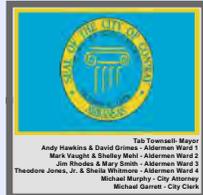
Kent Mathis, Chairman
Planning Commission

CITY OF CONWAY

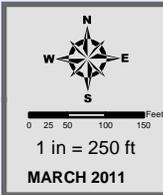
MCMASTER REZONE O-2 TO A-1 -- 3725 COLLEGE AVE **



DESCRIPTION
 LETITIA MCMASTER
 REZONE O-2 TO R-1
 ADDRESS: 3725 COLLEGE AVE
 Parcel #: 712-12096-004



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



THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

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



CONWAY PLANNING COMMISSION

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

March 22, 2011

Council Members
Conway, AR 72032

Dear Council Members:

Pediatrics Plus request for a conditional use permit to allow restricted office in an R-2 zone for the property located at 2725 College Avenue with the legal description

Beginning at a point 200 feet west of the Northeast corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section Eleven (11), in Township Five (5) North of the Base Line, in Range Fourteen (14) West of the Fifth Principal Meridian, and running thence West 210 feet; thence running South 75-33/77 yards; thence running East 210 feet; thence running North 75-33/77 yards to the point of beginning, and containing One and one-tenth (1.01 A.) Acres, more or less, as surveyed by B. F. Stermer, County Surveyor of Faulkner County, Arkansas, on August 17th, 1951.

was reviewed by the Planning Commission at its regular meeting on March 21, 2011. The Planning Commission voted 8 – 0 that the request be sent to the City Council with a recommendation for approval subject to the following conditions.

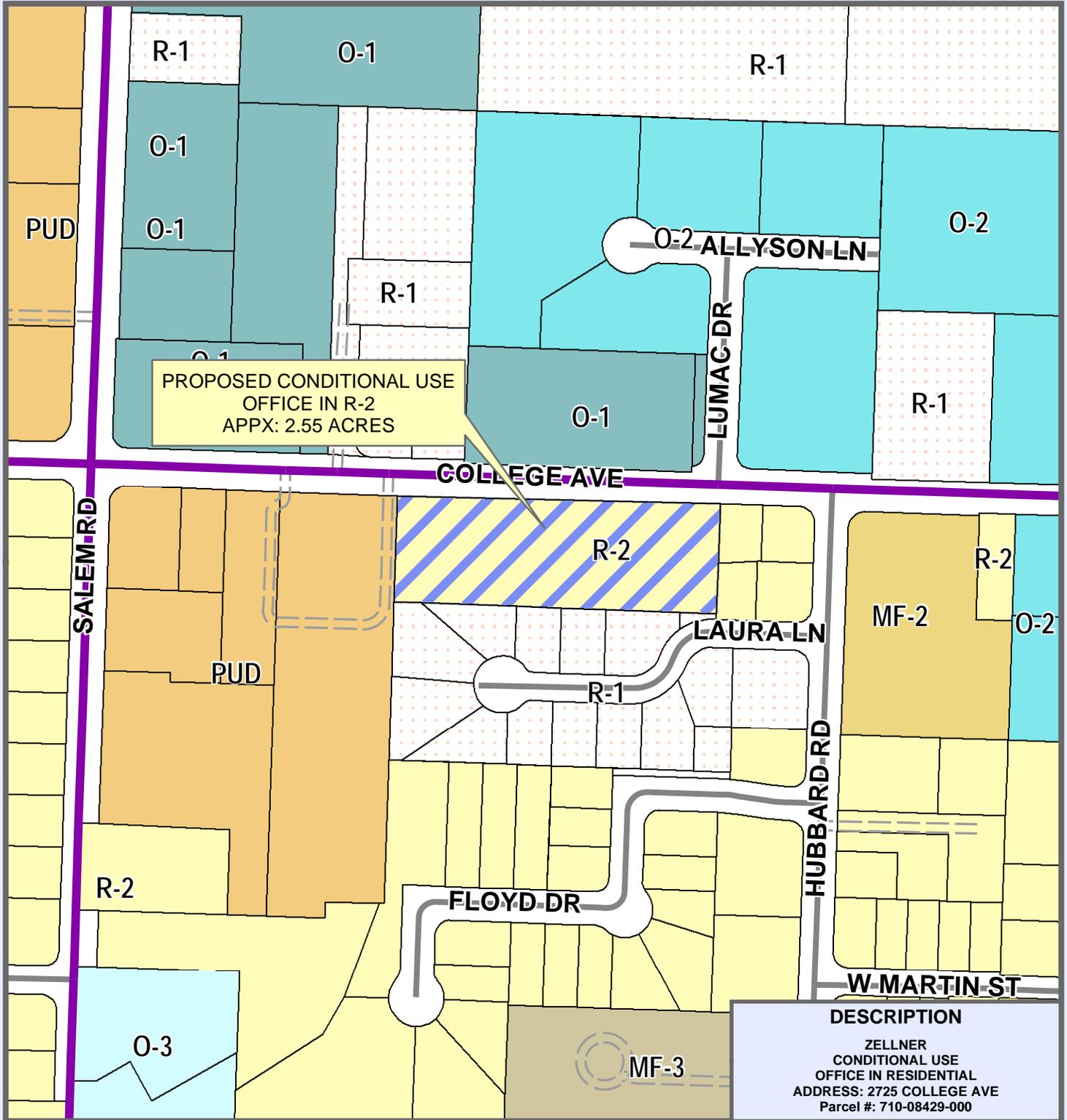
1. Hours of operation for administrative office purposes only will be from 7:00 a.m. to 6:00 p.m. daily, seven days a week.
2. Wall signage is limited to 2 square feet in area. Freestanding signage shall be a non-illuminated monument or two pole sign no greater than 4 feet in height and 4 feet wide.
3. Conditional use permit is restricted to this applicant only.
4. Construction of sidewalks shall be as required by the Development Review process and approved by the City Engineer.
5. Parking is limited to no more than 6 cars on the property during hours of operation.
6. Dedication of pedestrian/bike trail easements, drainage easements, and College Avenue right-of-way is required.

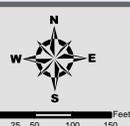
Submitted by,

Kent Mathis, Chair
Planning Commission

CITY OF CONWAY

ZELLNER CONDITIONAL USE -- 2725 COLLEGE AVE



 <small>Andy Hawkins & David Grimes - Aldermen Ward 1 Mark Vaughn & Shelley Mahl - Aldermen Ward 2 Jim Rhodes & Mary Smith - Aldermen Ward 3 Theodore Jones, Jr. & Sheila Whitmore - Aldermen Ward 4 Michael Murphy - City Attorney Michael Garrett - City Clerk</small>	 <small>Bryan Patrick - Director Donald Anthony - Deputy Director Wes Craiglow - Deputy Director Christy Sutherland - Planner Liliana Rivera - Planning Tech Jason Lyon - GIS Coordinator</small>	 CONWAY PLANNING COMMISSION Kent Mathis - Chair Craig Cloud - Vice-Chair	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> <ul style="list-style-type: none"> — INTERSTATE — MAJOR ARTERIAL — MINOR ARTERIAL — COLLECTOR — RESIDENTIAL --- PRIVATE ROAD — INTERSTATE RAMP — RAILROADS </td> <td style="width: 50%;"> <ul style="list-style-type: none"> — LOT LINE — STREAMS — LAKES & PONDS CITY LIMITS </td> </tr> </table>	<ul style="list-style-type: none"> — INTERSTATE — MAJOR ARTERIAL — MINOR ARTERIAL — COLLECTOR — RESIDENTIAL --- PRIVATE ROAD — INTERSTATE RAMP — RAILROADS 	<ul style="list-style-type: none"> — LOT LINE — STREAMS — LAKES & PONDS CITY LIMITS 	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%;"> Residential R-1 R-2A R-2 HR SR </td> <td style="width: 33%;"> Industrial MF-1 MF-2 MF-3 RMH </td> <td style="width: 33%;"> Commercial C-1 C-2 C-3 C-4 </td> <td style="width: 33%;"> Office O-1 O-2 O-3 </td> <td style="width: 33%;"> Special SP S-1 A-1 PUD </td> </tr> </table>	Residential R-1 R-2A R-2 HR SR	Industrial MF-1 MF-2 MF-3 RMH	Commercial C-1 C-2 C-3 C-4	Office O-1 O-2 O-3	Special SP S-1 A-1 PUD	 1 in = 250 ft MARCH 2011	<p>THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.</p> <p style="text-align: center;">CONTACT INFORMATION LANDMARK HIS WEBSITE: gis.cityofconway.org (UNDER DEVELOPMENT) E-MAIL: Jason.Lyon@CityOfConway.org</p>
<ul style="list-style-type: none"> — INTERSTATE — MAJOR ARTERIAL — MINOR ARTERIAL — COLLECTOR — RESIDENTIAL --- PRIVATE ROAD — INTERSTATE RAMP — RAILROADS 	<ul style="list-style-type: none"> — LOT LINE — STREAMS — LAKES & PONDS CITY LIMITS 												
Residential R-1 R-2A R-2 HR SR	Industrial MF-1 MF-2 MF-3 RMH	Commercial C-1 C-2 C-3 C-4	Office O-1 O-2 O-3	Special SP S-1 A-1 PUD									



City of Conway, Arkansas
Ordinance No. O-11-__

AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE O-94-54 CREATING ZONING DISTRICT T-2 RURAL ZONE FOR THE PURPOSE OF ZONING WITHIN THE CONWAY TERRITORIAL JURISDICTION; CORRECTIONS, DELETIONS, AND AMENDMENTS IN SUPPORT OF A NEW TERRITORIAL JURISDICTION ZONE, REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, The City of Conway wishes to regulate certain land uses and signage within its Territorial Jurisdiction for the protection of citizens and property within the territory and adjoining Conway city limits as allowed by Arkansas State Code ACA 14-56-413:

WHEREAS, The City of Conway would like to administer and regulate zoning ordinances within its Territorial Jurisdiction and;

WHEREAS, The City of Conway would like to amend certain certain zoning regulations of the Zoning Ordinance in support of this territorial jurisdiction zoning and;

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

SECTION 1. Classification of Districts

Article 201. Section 201.2 - Classification of Districts shall be amended as follows:

Section 201.2 Classification of Districts

This Ordinance classifies and regulates the use of land, buildings, and structures within the city limits **and Territorial Jurisdiction** of Conway, Arkansas as hereinafter set forth. For the purpose of promoting the health, safety, convenience, and welfare of the inhabitants by dividing the city into **zones zoning districts** and regulating therein the use of the land, **and** the use and size of buildings, **including as to** height and number of stories, the coverage of land by buildings, the size of yards and open spaces, density of population, and location of buildings. Zoning districts shall be designated as follows:

Special

T-2 - Rural District

SECTION 2. T-2 Rural District

A new zoning district is desired to regulate zoning beyond Conway City limits within Conway's Territorial Jurisdiction. As allowed by Arkansas State Code, Conway has zoning authority up to two miles beyond the City limits. This zoning district shall be designated as T-2 Rural District. Language shall be added and/or amended as follows with existing zoning districts reordered and resequenced in proper order. T-2 land uses shall be added to Addendum A in accordance with basic uses as presented below:

SECTION 401.7 - Special Zoning Districts

General Description

Special zoning districts do not readily conform to standard Residential, Office, Commercial, Institutional, or Industrial classifications. These special districts allow a greater degree of land use functions, design, and/or unique geographical criteria.

1. T-2 Rural District

A. Purpose

The T-2 Rural Zone is a zoning district within Conway's Territorial Jurisdiction consisting of less densely populated areas in open or cultivated states, some low density residential developments, and scattered commercial and industrial uses. Typical buildings are farmhouses, agricultural buildings, and single-family residences. Streets are typically rural in nature with open ditches with the exception of higher density residential developments with curbed and guttered streets.

B. Permitted Uses

The permitted uses for this district are set forth below. If the the letter "X" appears the listed use is allowed by right. Where the letter "C" occurs, the use is permitted subject to acquiring a conditional use permit as set forth

in Article 901 – Section 901.2. If no “X” or “C” appears within the chart, the use is not permitted.

ZONING DISTRICT T-2 USES	Permitted - X Conditional - C
Agricultural Uses	X
Residential Uses - All forms of residential housing including multi-family and mobile homes	X
Home Occupation	X
Industrial Uses	C
Manufacturing	C
Commercial Uses	C
Gas, Oil, and Mineral Exploration	C
Community and Public Facilities	C
Religious Activities	C
Commercial Businesses	C
Office Uses	C
Transmission Towers	C
<i>Seasonal Sales (Including fireworks)</i>	X
<i>Temporary Sales</i>	X

C. LOT, YARD AND HEIGHT REGULATIONS

All subdivision activity within the Conway Territorial Jurisdiction is subject to the regulations of the Conway Subdivision Ordinance O-00-03.

No lot or yard shall be established or reduced in dimension or area in any T-2 Rural District in a manner that does not meet the minimum requirements set forth in the following table. No building or structure shall be erected or enlarged that will cause the maximum lot coverage or maximum height regulations to be exceeded as set forth in the following table. However, a building or structure may exceed the maximum allowed height, but not number of stories, when an additional one foot of each yard setback is provided for each one foot of additional height.

A minimum of ten (10) feet shall separate all detached buildings. Accessory buildings shall meet the same requirements as principal buildings.

LOT REGULATIONS	DIMENSION, LIMIT, OR AREA LARGE LOT SUBDIVISION (LOTS WITH ≥150 STREET FRONTAGE)	DIMENSION, LIMIT, OR AREA SMALL LOT SUBDIVISION (LOTS WITH ≤150 STREET FRONTAGE)
Minimum Lot Area	None	6000 square feet
Minimum Lot Width at Building Line	None	60 feet
Maximum Lot Coverage	None	35% (40% Corner Lots)
Number of Buildings / Lot	No Limit	1 Principal Use + Accessory Building
YARD REGULATIONS		
Minimum Front Yard	0	25
Minimum Side Yard - Interior	0	6
Minimum Side Yard - Exterior	0	25
Minimum Rear Yard	0	25
HEIGHT REGULATIONS		
Maximum Number of Feet	None	35(1)
Maximum Number of Stories	None	2.5

D. General Regulations:

Building Permits and Inspections - Within the T-2 Rural Zone, no building permits or inspections shall be required.

Signage - Signage shall be regulated as per Conway Sign Regulations found in Section 1301 of the Conway Zoning Ordinance. ***Signs of a temporary nature in support of temporary sales events shall be allowed without obtaining a sign permit. These signs shall be on premise at the temporary sale location.***

Development Review - Development Review as per Article 1101 of the Conway Zoning Ordinance shall not be required within the T-2 Rural Zone.

Loss of pre-existing status - All nonconforming land uses, buildings, and structures shall be regulated as per Article 701 of the Conway Zoning Ordinance. With the exception of the one year period as specified in 701.3 - Nonconforming Uses, 701.3.A - Building Vacancy and 701.3.B - Damage or Destruction of Buildings or Structures, and 701.3.D - Change in Use. A nonconforming use shall lose its legal pre-existing nonconforming status upon closure and/or vacancy and must seek a conditional use permit to continue operation within the Rural T-2 Zoning District.

Seasonal Sales - *Sales of a seasonal nature such as Christmas Trees, fireworks, and flowers held indoors or outdoors.*

Temporary Sales - *Sales of a temporary nature held at a temporary location.*

SECTION 3. Amendments to Section 1301 -Sign Ordinance

Section 1301.3.03 – Sign Ordinance, Commercial, Office, Institutional, and Industrial Zones – Sign Permit Required shall be amended as follows:

Zones: Commercial, office, institutional, and industrial zones C-2, C-3, O-1, O-2, O-3, S-1, S-2, I-1, I-2, **T-2**, and I-3

SECTION 4. Continuation of Nonconforming Buildings, Structures and Uses

Section 701.1 – Continuation of Nonconforming Buildings, Structures and Uses shall be amended as follows:

A nonconforming building or structure legally existing at the time of adoption of this Ordinance or any use, structure or lot which has been rendered nonconforming by the provision of this Ordinance may be continued and maintained except as otherwise provided in this Section **and as noted in Section 401.7 Special Zoning Districts.**

SECTION 5. Ordinances in Conflict

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

SECTION 6. Emergency Clause

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

PASSED this 12th day of April, 2011.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



CITY OF CONWAY
Planning and Development

1201 Oak Street
Conway, AR 72032

T 501.450.6105
F 501.450.6144

www.conwayplanning.org

Synopsis of Proposed Zoning Ordinance Amendments Creating a T-2 Rural Zone and Supporting Revisions

The proposed ordinance amends the Zoning Ordinance to create a new zone, the T-2 Rural zone. The T-2 Rural zone is to be applied to appropriate areas in the Conway Territorial Jurisdiction. State law allows Conway's to extend its zoning up to two miles beyond the City Limits.

Section 1: Classification of Zoning Districts.

This section clarifies the general introductory paragraph and creates the T-2 Rural District.

Section 2: T-2 Rural Zone Specific Regulations

This section creates the specific regulations of the T-2 Rural zoning district. This zone will regulate inappropriate land use within the Territorial Jurisdiction. Basically, any residential use is allowed by right. Any use more intensive than residential will require a conditional use permit. This permit will be sought like any other CU permit within the city. These regulations would help ensure a quality of life for residents in the territory and adjacent city. Fireworks sales will be allowed by right.

Lot dimensions, setbacks, building height, etc. are not regulated for large lot subdivisions or tracts of land. A large lot subdivision in the Territorial Jurisdiction is defined in the Subdivision Ordinance as a subdivision having lots with greater than 150 feet of street frontage.

No building permits or inspections are required. Likewise, the animal control ordinance and nuisance abatement ordinance will not be enforced in the territory.

Signage will be regulated as per the Conway Sign Ordinance, Section 1301 of the Zoning Ordinance.

A pre-existing non-conforming use (grandfathered) shall lose its legal standing upon closure or vacancy. Before a business may reopen, it must seek a conditional use permit.

Section 3: Sign Ordinance Amendments

This section makes changes to the sign ordinance adding the T-2 Rural zone. T-2 signs shall be regulated like signs within the city limits. For example, a commercial business may have a monument sign up to 8 feet in height and up to 64 square feet in area per side. Sign permits would be required.

Section 4: Continuation of Nonconforming Buildings

This section clarifies language concerning the pre-existing nonconforming status of structures in relation to the new T-2 Rural zoning district. Actual structures not in compliance with standards such as setbacks etc., shall be allowed continued use. However, non-residential uses in the Territory will lose their pre-existing non-conforming status upon closure or vacation of the building. For example, if a business closes, ceases operation, or vacates a building they must seek a conditional use permit before another business may resume at the property.



**City of Conway, Arkansas
Ordinance No. O-11- ____**

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO ZONE PROPERTY WITHIN THE CONWAY TERRITORIAL JURISDICTION ALONG HIGHWAY 65 AND HIGHWAY 64 WEST TO T-2 RURAL ZONING DISTRICT:

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

Hwy 65 Corridor:

That portion of the following sections outside the City Limits of the City of Conway, Arkansas:

S 1/2 of the SE Quarter of Section 29, T6N R13W

NE Quarter Section 31, T6N R13W

N 1/2 of Section 32, T6N R13W

Hwy 64 West:

That portion of the following sections outside the City Limits of the City of Conway, Arkansas:

S 1/2 of Section 26, T6N R14W

S 1/2 of Section 27, T6N R14W

SW Quarter of Section 28, T6N R14W

S 1/2 of Section 29, T6N R14W, east of the Cadron Creek

Section 32, T6N R14W, east and south of the Cadron Creek

NE Quarter of Section 33, T6N R14W

S 1/2 of Section 33, T6N R14W

N 1/2 of Section 34, T6N R14W

a corresponding use district is hereby established in the area above described and said property is hereby zoned.

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

PASSED this 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



CONWAY PLANNING COMMISSION

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

March 22, 2011

Council Members
Conway, AR 72032

Dear Council Members:

At its regular meeting on Monday, March 21, 2011, the Planning Commission reviewed a proposed ordinance amending Sections 201.1 and 201.3 of the Conway Zoning Ordinance to zone property within the Conway Territorial Jurisdiction along Highway 65 and Highway 64 West to T-2 Rural Zoning District. The Planning Commission voted 8 – 0 to table the proposed ordinance until a special meeting could be held on Monday, April 4, 2011, to further discuss the issue.

The special meeting convened at 7:00 p.m. on April 4 with commission members Kent Mathis, Chris Steplock, Jeff Sturdivant, John Hairston, Kim Gardner, Lee Washington, and Craig Cloud present to continue discussion of the proposed ordinance. Also present at the meeting was Treasure Hills Subdivision resident Dawn Jackson.

Mr. Mathis led discussion. Questions were asked of the Director of Planning concerning the choice of applicable area, future annexation plans, “grandfathering” of pre-existing businesses, fireworks and temporary sales, signage, etc. These questions were answered. Minor revisions to the ordinance concerning land use definitions and temporary signage were discussed.

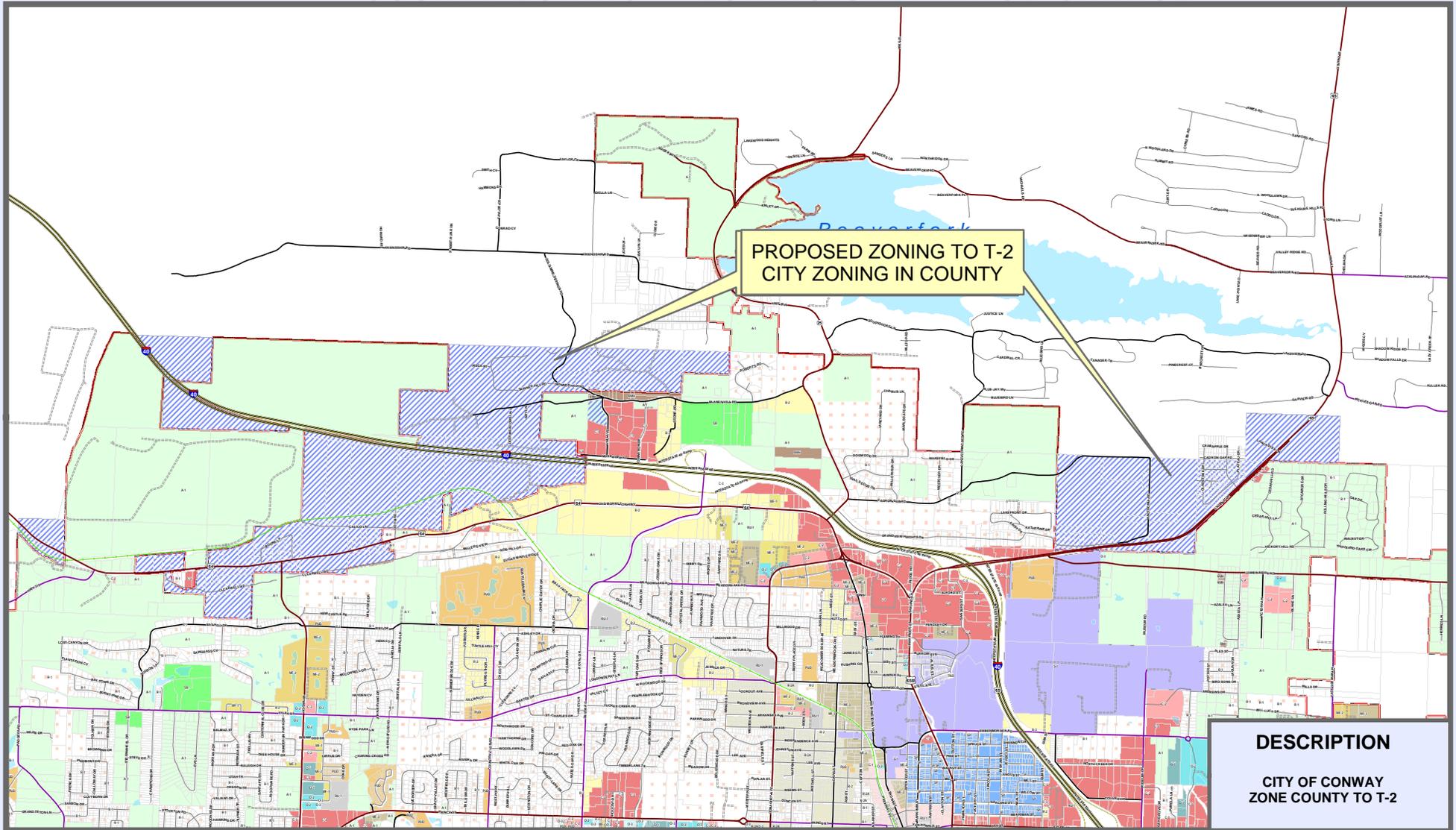
Mr. Steplock made the motion to approve the amended ordinance and forward it to the City Council with a recommendation for their approval. Mr. Hairston seconded. The vote to approve was 6 – 0.

Submitted by,

Bryan Patrick, Director
Planning & Development

CITY OF CONWAY

COUNTY ZONING -- ZONING ORDINANCE CHANGE



DESCRIPTION

CITY OF CONWAY
ZONE COUNTY TO T-2

Tan Tomaski - Mayor
Andy Hawkins & David Grimes - Aldermen Ward 1
Mark Vaughn & Shelby Mott - Aldermen Ward 2
Jim Rhodes & Mary Smith - Aldermen Ward 3
Theodore Jones, Jr. & Sheila Williams - Aldermen Ward 4
Michael Murphy - City Attorney
Michael Garrett - City Clerk

Bryan Patrick - Director
Donald Anthony - Deputy Director
Wes Craglow - Deputy Director
Christy Sutherland - Planner
Lilaha Rhea - Planning Tech
Jason Lyon - GIS Coordinator

CONWAY PLANNING COMMISSION
Kent Mathis - Chair
Craig Cloud - Vice-Chair

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

0 375 750 1,500 2,250 Feet
1 in = 4,000 ft
MARCH 2011

THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.

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

MEMORANDUM

TO: MAYOR TAB TOWNSELL

FROM: ALAN ALVEY
TRAFFIC SYSTEMS MANAGER

DATE: MARCH 29, 2011

REFERENCE: SCHOOL ZONE FLASHERS

The Street and Engineering Department received sealed bids on Tuesday March 29, 2011 for the purpose of upgrading the school zone flasher system from a one way paging system to a two way Ethernet based system. The equipment currently used by the City of Conway uses a 150 MHz paging system for communication. This system has become obsolete and will become unavailable in 2012.

The Street Department already has in place an Ethernet infrastructure at the traffic signals in the City of Conway. These signals are at or near all of the school zone flashers. The current system will be used to communicate with the school flashers. The school zone flashers will be upgraded to use the Ethernet system to create a two way communication path between the traffic operations center and the school zones.

There were four bids received by the Mayor's office, they are as follows:

Temple Inc	\$33,826.18
Mid-American Signal	\$35,888.00
Spot Devices	\$42,625.00
Pinkley Sales Co.	\$51,091.84

The Street and Engineering Department is recommending acceptance of the low bid of \$33,826.18 and approval for purchase of the school zone flasher system from Temple Inc.

**CITY OF CONWAY
CITY OF CONWAY STREET DEPARTMENT**

Bid Number:	<u>2011-14</u>	BID OPENING LOCATION: City of Conway Mayor's Office	MAIL TO: City of Conway Mayor's Office	DELIVER TO: City of Conway Mayor's Office
		1201 Oak Street	1201 Oak Street	1201 Oak Street
Bid Opening Date:	<u>March 29</u>	Conway, AR 72032	Conway, AR 72032	Conway, AR 72032
	Time: <u>10:00AM</u>			

BID INVITATION

Sealed bids for furnishing the commodities and/or services described below, subject to the Conditions on the reverse hereof and as may be attached hereto will be received at the above-noted mail and delivery locations until the above-noted bid opening date and time, and then publicly opened at the above-noted bid opening location. **Bids must be submitted on this form, with attachments when appropriate, or bids will be rejected. Late bids and unsigned bids will not be considered.**

In compliance with this Bid Invitation and subject to all the Conditions thereof, the undersigned offers and agrees to furnish any and all items upon which prices are quoted, at the price set opposite each item.

Company Name: Temple, Inc
Address: P.O. Box 2066

City: Decatur State: AL Zip: 35602

Federal Tax ID or Social Security No.: 630573758

Name (Type or Print): Brad White
Title: Sales Representative
Phone: 256-353-3820 Fax: 256-353-4578
E-mail Address: brad.white@temple-inc.com

Signature: 
Signature must be original (not photocopied) and in ink.

Unsigned bids will be rejected.

	Description	Quantity	Unit	Unit Price	Amount
	School zone time switch conversion from one way pager to Ethernet based two way				
1	Master radios.	9	9	\$675.99	\$6083.91
2	Time clocks two units to be solar powered	25	25		
3	Radio to time switch conversion as necessary		25	\$689.61	\$17240.25
4	Omni antennas for masters	9	9	\$240.03	\$2160.27
5	Yagi antennas for time clocks	25	25	\$240.03	\$6000.75
6	Software and software keys to be provided without a reoccurring contract or maintenance fee.				No Charge
7	On site installation support to be provided	1	1	No Charge	No Charge
8	Three year warranty for time clocks and master radios		25	\$93.64	\$2341.00
			TOTAL BID		\$33826.18

The successful bidder will be required to complete delivery within 45 days after award.

All freight, tax and fees shall be included in the bid price

Bid prices are FOB Conway Street Department, 100 East Robins Street, Conway, Arkansas

Any additional information and clarifications may be obtained by contacting

Mr. Alan Alvey, Traffic Systems Manager

Street Department

City of Conway

100 East Robins

Conway Arkansas 72032

Or by calling 501-450-6165

Unsigned bids will not be considered

**CITY OF CONWAY
CITY OF CONWAY STREET DEPARTMENT**

Bid Number:	<u>2011-14</u>	BID OPENING LOCATION: City of Conway Mayor's Office	MAIL TO: City of Conway Mayor's Office	DELIVER TO: City of Conway Mayor's Office
		1201 Oak Street	1201 Oak Street	1201 Oak Street
Bid Opening Date:	<u>March 29</u>	Conway, AR 72032	Conway, AR 72032	Conway, AR 72032
		Time: <u>10:00AM</u>		

BID INVITATION

Sealed bids for furnishing the commodities and/or services described below, subject to the Conditions on the reverse hereof and as may be attached hereto will be received at the above-noted mail and delivery locations until the above-noted bid opening date and time, and then publicly opened at the above-noted bid opening location. **Bids must be submitted on this form, with attachments when appropriate, or bids will be rejected. Late bids and unsigned bids will not be considered.**

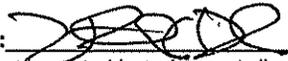
In compliance with this Bid Invitation and subject to all the Conditions thereof, the undersigned offers and agrees to furnish any and all items upon which prices are quoted, at the priceset opposite each item.

Company Name: MID AMERICAN SIGNAL, Inc
Address: 2429 S Mill St

Name (Type or Print): BILL DRESSLER
Title: SALES MANAGER
Phone: 913 432 5002 Fax: 913 432 2213
E-mail Address: BILLD@MIDAMIGNAL.COM

City: KANSAS CITY State: KS Zip: 66103

Federal Tax ID or Social Security No.: 48-091-3501

Signature: 
Signature must be original (not photocopied) and in ink.

Unsigned bids will be rejected.

Item No.	Description	Quantity	Unit	Unit Price	Amount
	School zone time switch conversion from one way pager to Ethernet based two way				
1	Master radios.	9		820 ⁰⁰	7380 ⁰⁰
2	Time clocks two units to be solar powered	25		859 ⁰⁰	21475 ⁰⁰
3	Radio to time switch conversion as necessary				
4	Omni antennas for masters	9		212 ⁰⁰	1908 ⁰⁰
5	Yagi antennas for time clocks	25		85 ⁰⁰	2125 ⁰⁰
6	Software and software keys to be provided without a reoccurring contract or maintenance fee.				
7	On site installation support to be provided	1		3000 ⁰⁰	3000 ⁰⁰
8	Three year warranty for time clocks and master radios				
				TOTAL BID	<u>\$35,888⁰⁰</u>

The successful bidder will be required to complete delivery within 45 days after award.

All freight, tax and fees shall be included in the bid price

Bid prices are FOB Conway Street Department, 100 East Robins Street, Conway, Arkansas

Any additional information and clarifications may be obtained by contacting

Mr. Alan Alvey, Traffic Systems Manager
Street Department
City of Conway
100 East Robins
Conway Arkansas 72032
Or by calling 501-450-6165

Unsigned bids will not be considered

**CITY OF CONWAY
CITY OF CONWAY STREET DEPARTMENT**

Bid Number:	<u>2011-14</u>	BID OPENING LOCATION: City of Conway Mayor's Office 1201 Oak Street Conway, AR 72032	MAIL TO: City of Conway Mayor's Office 1201 Oak Street Conway, AR 72032	DELIVER TO: City of Conway Mayor's Office 1201 Oak Street Conway, AR 72032
Bid Opening Date:	<u>March 29</u>	Time: <u>10:00AM</u>		

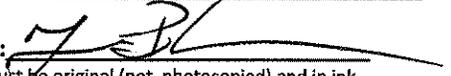
BID INVITATION

Sealed bids for furnishing the commodities and/or services described below, subject to the Conditions on the reverse hereof and as may be attached hereto will be received at the above-noted mail and delivery locations until the above-noted bid opening date and time, and then publicly opened at the above-noted bid opening location. **Bids must be submitted on this form, with attachments when appropriate, or bids will be rejected. Late bids and unsigned bids will not be considered.**

In compliance with this Bid Invitation and subject to all the Conditions thereof, the undersigned offers and agrees to furnish any and all items upon which prices are quoted, at the price set opposite each item.

Company Name: Spot Devices
 Address: 1455 Kleppe Lane
 City: Reno State: NV Zip: 89431
 Federal Tax ID or Social Security No.: 34-1980136

Name (Type or Print): Thomas Burnham
 Title: Vice-President
 Phone: 775-353-8454 Fax: same
 E-mail Address: chrisp@spotdevices.com

Signature: 
 Signature must be original (not photocopied) and in ink.

Unsigned bids will be rejected.

Item No.	Description	Quantity	Unit	Unit Price	Amount
	School zone time switch conversion from one way pager to Ethernet based two way				
	Freight	1	1	\$250	\$250.00
1	Master radios.	9	N/A	included	included
2	Time clocks two units to be solar powered	25	25	\$1,495	\$37,375.00
3	Radio to time switch conversion as necessary				
4	Omni antennas for masters	9	N/A	included	included
5	Yagi antennas for time clocks	25	25	included	included
6	Software and software keys to be provided without a reoccurring contract or maintenance fee.				
7	On site installation support to be provided	1		\$5,000	\$5,000.00
8	Three year warranty for time clocks and master radios				
				TOTAL BID	\$42,625.00

The successful bidder will be required to complete delivery within 45 days after award.

All freight, tax and fees shall be included in the bid price

Bid prices are FOB Conway Street Department, 100 East Robins Street, Conway, Arkansas

Any additional information and clarifications may be obtained by contacting

Mr. Alan Alvey, Traffic Systems Manager

Street Department

City of Conway

100 East Robins

Conway Arkansas 72032

Or by calling 501-450-6165

Unsigned bids will not be considered

**CITY OF CONWAY
CITY OF CONWAY STREET DEPARTMENT**

Bid Number:	<u>2011-14</u>	BID OPENING LOCATION: City of Conway Mayor's Office	MAIL TO: City of Conway Mayor's Office	DELIVER TO: City of Conway Mayor's Office
		1201 Oak Street	1201 Oak Street	1201 Oak Street
Bid Opening Date:	<u>March 29</u>	Time: <u>10:00AM</u>	Conway, AR 72032	Conway, AR 72032

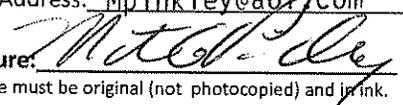
BID INVITATION

Sealed bids for furnishing the commodities and/or services described below, subject to the Conditions on the reverse hereof and as may be attached hereto will be received at the above-noted mail and delivery locations until the above-noted bid opening date and time, and then publicly opened at the above-noted bid opening location. **Bids must be submitted on this form, with attachments when appropriate, or bids will be rejected. Late bids and unsigned bids will not be considered.**

In compliance with this Bid Invitation and subject to all the Conditions thereof, the undersigned offers and agrees to furnish any and all items upon which prices are quoted, at the price set opposite each item.

Company Name: Pinkley Sales Co.
 Address: 344 W. Hefner Road
 City: Oklahoma City State: OK Zip: 73114
 Federal Tax ID or Social Security No.: 73-1168340

Name (Type or Print): Martin G. Pinkley
 Title: President
 Phone: 405-755-0858 Fax: 405-752-7947
 E-mail Address: Mpinkley@aol.com

Signature: 
 Signature must be original (not photocopied) and in ink.

Unsigned bids will be rejected.

Item No.	Description	Quantity	Unit	Unit Price	Amount
	School zone time switch conversion from one way pager to Ethernet based two way				
1	Master radios. EP-WEBIO- Contact Closure, Ethernet Gateway	9		\$1,148.00	\$10,332.00
2	Time clocks two units to be solar powered EP-WBCU	25		988.00	24,700.00
3	Radio to time switch conversion as necessary			Included	
4	Omni antennas for masters AN-159K	9		424.00	3,816.00
5	Yagi antennas for time clocks AN-140K	25		214.00	5,350.00
6	Software and software keys to be provided without a reoccurring contract or maintenance fee.			Included	
7	On site installation support to be provided	1		3,000.00	3,000.00
8	Three year warranty for time clocks and master radios			Included	
				TOTAL BID	47,198.00

State, City & Co. Tax 3,893.84

The successful bidder will be required to complete delivery within 45 days after award. **51,091.84 Total Bid**

All freight, tax and fees shall be included in the bid price

Bid prices are FOB Conway Street Department, 100 East Robins Street, Conway, Arkansas

Any additional information and clarifications may be obtained by contacting
 Mr. Alan Alvey, Traffic Systems Manager
 Street Department
 City of Conway
 100 East Robins
 Conway Arkansas 72032
 Or by calling 501-450-6165

Unsigned bids will not be considered

***EXCEPTION TO SPECS: TIME SWITCH ADDRESSING: NO DIP SWITCHES**

Encom software allows the user to add a customizable name and description to each individual unit which can be viewed from the master list in zonewatch or through the Web Browser tool.



City of Conway
 Street and Engineering Department
 100 East Robins Street
 Conway, AR 72032

Ronnie Hall, P.E.
 City Engineer
ronnie.hall@cityofconway.org
 501-450-6165

April 7, 2011

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

Re: Fence Installation
 Nina Russ Lane & Meadows Corporate Center North Line

Dear Mayor Townsell;

Bids were received at 10:30 AM, Thursday, April 7, 2011 at Conway City Hall for the above referenced project. This project involves the construction of 1,700 feet of 6' Ornamental Steel Fence and 3,325 feet of 4' Ornamental Steel Fence. This fencing was part of the right of way acquisition agreement between the City and Stanley Russ for the Nina Russ Lane right of way. The 6' fence is along the east side of Nina Russ Lane. The 4' fence is along the west side of Nina Russ Lane as well as the boundary between the Meadows Corporate Center and the Russ property. The seven bids received are listed below and detailed on the enclosed bid tabulation.

Legacy Fence	\$129,948.50
Central Oklahoma Fence, LLC.	\$144,614.00
West Memphis Fence & Construction, Inc.	\$161,291.00
RMD Holdings, Ltd (dba Nationwide Construction Group)	\$166,125.00
Nichols Landscape Company, Inc.	\$184,798.50
United Fence & Construction Co., Inc..	\$185,131.25
Bill's Fence Co.	\$204,475.00

I recommend award of this bid to the low bidder Legacy Fence of Conway in the amount of \$129,948.50.

The funding for this project has been previously identified as "pay as you go" sales tax.

Please advise if you have questions or need additional information.

Sincerely,

Ronnie Hall, P.E.

CITY OF CONWAY, ARKANSAS
ORNAMENTAL STEEL FENCE CONSTRUCTION
 NINA RUSS LANE & NORTH LINE MEADOWS
 TABULATION OF BIDS RECEIVED April 7, 2011

DESCRIPTION	ESTIMATED QUANTITY	UNITS	Legacy		Central Oklahoma Fence		West Memphis Fence		Nichols Landscape Co.	
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1 6' High Ornamental Steel Fence	1,700	FEET	\$29.46	\$50,082.00	\$32.18	\$54,706.00	\$36.67	\$62,339.00	\$41.00	\$69,700.00
2 4' High Ornamental Steel Fence	3,325	FEET	\$24.02	\$79,866.50	\$27.04	\$89,908.00	\$29.76	\$98,952.00	\$29.00	\$96,425.00
TOTAL AMOUNT				\$129,948.50		\$144,614.00		\$161,291.00		\$166,125.00

DESCRIPTION	ESTIMATED QUANTITY	UNITS	Nichols Landscape Co.		United Fence & Construction		Bill's Fence Co.			
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		
1 6' High Ornamental Steel Fence	1,700	FEET	\$44.20	\$75,140.00	\$32.68	\$55,556.00	\$44.00	\$74,800.00		
2 4' High Ornamental Steel Fence	3,325	FEET	\$32.98	\$109,658.50	\$38.97	\$129,575.25	\$39.00	\$129,675.00		
TOTAL AMOUNT				\$184,798.50		\$185,131.25		\$204,475.00		



City of Conway, Arkansas
Ordinance No. O-11-_____

**AN ORDINANCE AMENDING ORDINANCE NO. 0-04-60, THE
 "ANIMAL CONTROL" ORDINANCE; REPEALING ANY ORDINANCES
 IN CONFLICT; DECLARING AN EMERGENCY AND FOR OTHER
 PURPOSES.**

WHEREAS, the Animal Welfare Unit desires to amend Title 6 of the Conway Municipal Code;

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

SECTION 1. Title 6 shall be amended as follows:

Section 6-04-01 is amended to alter the definition of "cat" be defined as:

Any domestic or feral cat (felis catus or Felis domesticus) over the age of six months.

Section 6.04.04 Impoundment is amended to read as follows:

- A. Any domestic animal found to be at large within the corporate limits of this city shall be picked up by the Animal Welfare Officer and there confined in a humane manner. Dogs or cats which are not claimed by their owners or an authorized representative identified in writing by the owner within five (5) days may be put up for adoption or destroyed at the discretion of the Animal Welfare Officer in a humane manner.
- D. Upon payment of a twenty-five (\$25.00) adoption fee per dog or cat paid to the Animal Welfare

Unit and a spaying/neutering fee, which shall be set by the veterinarian selected to perform the alteration and paid to the veterinarian performing the sterilization, the Animal Welfare Officer may transfer title of all dogs and cats held by the Animal Welfare Unit to any party except the owner or owner's representative after the aforementioned five (5) business day period has expired and the animal has not been claimed by its owner subject to the licensing and vaccination requirements set out in this ordinance.

Upon payment of the adoption and altering fees, sterilization shall be performed within thirty (30) days except that the Animal Welfare Unit may grant an extension of time not to exceed thirty (30) days upon the request of the owner, unless in the opinion of a veterinarian licensed to practice veterinary medicine in the state of Arkansas, the animal

is medically compromised to the extent that such sterilization should not be performed at that time.

The signed promise shall be binding and failure to comply shall constitute a violation of this section. In such case, the animal described therein shall be returned to the Animal Welfare Unit upon demand. Ownership of the animal reverts to the Animal Welfare Unit in such instance. No claim may be made by the owner to recover expenses incurred for maintenance of the animal including the initial procurement cost. All dogs and cats adopted will be microchipped before being released. The cost of the microchipping is included in the \$25.00 fee listed above.

Section 6.04.05 Reclaiming animals; fee for reclaiming is amended to read as follows:

- A. Any person owning, possessing or keeping an animal which has been allowed to run at large and which has been impounded may claim and retrieve such animal from the Animal Welfare Unit by payment of a fee of Ten Dollars (\$10.00) per day that the animal remains in custody; owner of such impounded animal shall be responsible for all costs incurred. If a dog or cat has not been vaccinated against rabies within the immediately preceding twelve months and/or is not currently licensed, as applicable, said animal shall be reclaimed only after payment of the appropriate fees.

The burden of proof as to vaccination and licensing shall be upon the party attempting to claim the dog or cat from the Animal Welfare Officer under this ordinance. (O-09-82) The person reclaiming the animal must provide positive picture identification such as Drivers License, Arkansas ID card or School ID provided that the name, address and date of birth are contained on the card.

- E. Upon redemption an additional fee of Ten Dollars (\$10.00) shall be assessed for microchipping. The microchip will be administered and registered by the Conway Animal Welfare Unit.
- F. All fees described in this section shall be in addition to whatever penalties might be assessed for misdemeanor violations described in other sections under this ordinance. (Ord. No. O-04-60, Sec. 5)

Section 6.04.08 Number of animals is amended to read as follows:

- A.4 Numbers of animals are counted beginning at 12 weeks in determining the quantity present on site.
- A.5 The permit shall be issued by the Animal Welfare Unit. There is no cost for the permit and is renewable annually
- A.6 The holder of the permit shall agree to random inspection of the kennel to insure compliance with these regulations to insure that safe and sanitary conditions are maintained. The Animal Welfare Unit shall be responsible for notifying the permittee of his/her renewal date. The permittee shall be responsible for completing the renewal procedure in a timely manner.

Section 6.04.16 Animal care is amended to read as follows:

- A. All animals, excluding livestock, must be provided with appropriate shelter and a safe, non-injurious environment, as per federal Animal Welfare Act Guidelines. Shelters and enclosures, whether temporary or permanent, must be constructed so that they are the appropriate size, strength, and material that allow the animal to stand, stretch, turn around, and lie down freely. Unless heated, animal houses shall contain proper bedding to insure protection from weather conditions.

The shelters, enclosures and fenced areas for animals must be kept free of hazards such as trash, sharp edges, protruding nails, broken or splintered wood, metal or glass shards, machinery, loose wires, or any other material that may cause injury.

Section 6.04.22 Keeping of dangerous or vicious dogs is amended to read as follows:

- C. Confinement indoors: No dangerous or vicious dog may be kept on a porch, patio or in any part of a house or building that would allow the dog to exit on its own volition unless to a kennel as described in Section B above. In addition no such animal may be kept in a building when the windows are open or when screen window or screen doors are the only obstacles preventing the dog from exiting the structure unless they exit to the proper enclosure.
- E. Insurance: All owners, keepers or harborers of vicious or dangerous dogs must within ten (10) days of being so designated provide proof to the Animal Welfare Unit of public liability insurance in a single incident amount of Fifty Thousand Dollars (\$50,000.00) for bodily injury or death of any person or persons for damage to property owned by any persons which may result from the keeping or maintenance of the dog. The insurance policy shall provide that no cancellation shall be made without ten (10) days written notice being provided to the Animal Welfare Unit.

Section 6.08.04 Keeping of livestock prohibited is amended to read as follows:

- A.1. The keeping of horses, cows, donkeys, mules, goats, sheep, or ratites (flightless birds such as ostrich, emu etc.) is permitted where they are maintained on an enclosed pasture with a minimum of three acres for each animal. Such enclosures shall be kept in a sanitary, healthful, and secure condition so as to prevent any nuisance to citizens.
- B. For any other animals commonly referred to as farm animals including but not limited to chickens, guinea, goose and ducks, space allotment and food and water must be adequate enough for each animal to be maintained in a comfortable, healthy and stress-free manner. Pens shall be designed to prevent run off of feces to adjacent property owners and maintain in such a way to prevent undue odors. (Ord. No. O-04-60. Sec. 4)

Section 6.08.05 Hunting and trapping is amended to read as follows:

- C. No person shall set any trap, to catch any animal, permit any trap owned by them or in their control to be set to catch any animal, or allow a trap to be set to catch an animal on their property unless approved by the Animal Welfare Unit. Any animal so trapped shall be immediately relinquished to the Animal Welfare Unit.

SECTION 2. That any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

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

Passed this 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-11-_____**

AN ORDINANCE TO IMPLEMENT CONTINUED EMPLOYMENT AFTER THE CONCLUSION OF PARTICIPATION IN THE DEFERRED RETIREMENT OPTION PLAN (DROP) FOR THE CITY OF CONWAY FIRE PENSION FUND

WHEREAS, the City Council authorizes the Continued Employment after DROP provision for all eligible members of the City of Conway Fire Pension Fund as provided in ACA 24-11-830.

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

Section 1. The City of Conway recognizes that the Arkansas Local Police and Fire Retirement System (LOPFI) is the administrator of the City of Conway Pension Fund. Therefore, the Mayor is hereby authorized to provide LOPFI an approved copy of this ordinance granting the implementation of Continued Employment after DROP for the City of Conway Fire Pension Fund. During this period of Continued Employment after DROP, member and employer contributions for the affected member shall cease. In addition, the crediting of benefits to the DROP account cease and no benefits shall be paid until the member actually terminates employment.

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

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

PASSED this 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



The Heart of Conway Development

March 8, 2011

Mayor Tab Townsell
1201 Oak Street
Conway, AR 72032

Dear Mayor Townsell,

This is a follow-up letter to summarize our negotiations for a 1031 property exchange between the Hart family and the City of Conway.

We entered into negotiations in August of 2010 to help the city address parking issues for the new Fairgrounds. We have agreed to an in-kind swap of 13 acres of land adjoining the new Fairgrounds (see attached drawing) for 7.69 acres of land on Lake Beaverfork owned by the city.

The appraisals of the property indicated that this would be a more than fair exchange for the city. The Multi Family Land appraised for \$55,340/acre by Coats Appraisal Service and \$60,984/acre by Affiliated Real Estate for an average of \$58,162 per acre. The Beaverfork Land appraised for \$600,000 by Coats Appraisal and \$500,000 by Affiliated Real Estate for an average of \$550,000. The swap based on those values is \$550,000 for the city's 7.69 acres = \$58,162/acre or 9.456 acres of Hart Land.

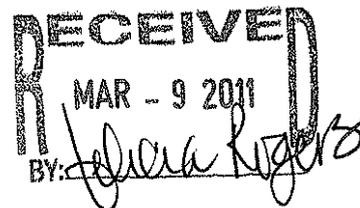
We are agreeing in kind to swap 13 acres for the Beaverfork property which is more than the 9.456 acres that the appraisals indicate. If the city needs more than 13 acres we would be happy to sell additional acreage at current appraised prices. Also, we discussed rezoning our remaining MF-2 property to C-3 which we are interested in pursuing. The best time to sell lakefront property is the spring and spring is drawing near.

Therefore, we are asking to have the issue placed on the Conway City Council agenda so we can move forward if approved.

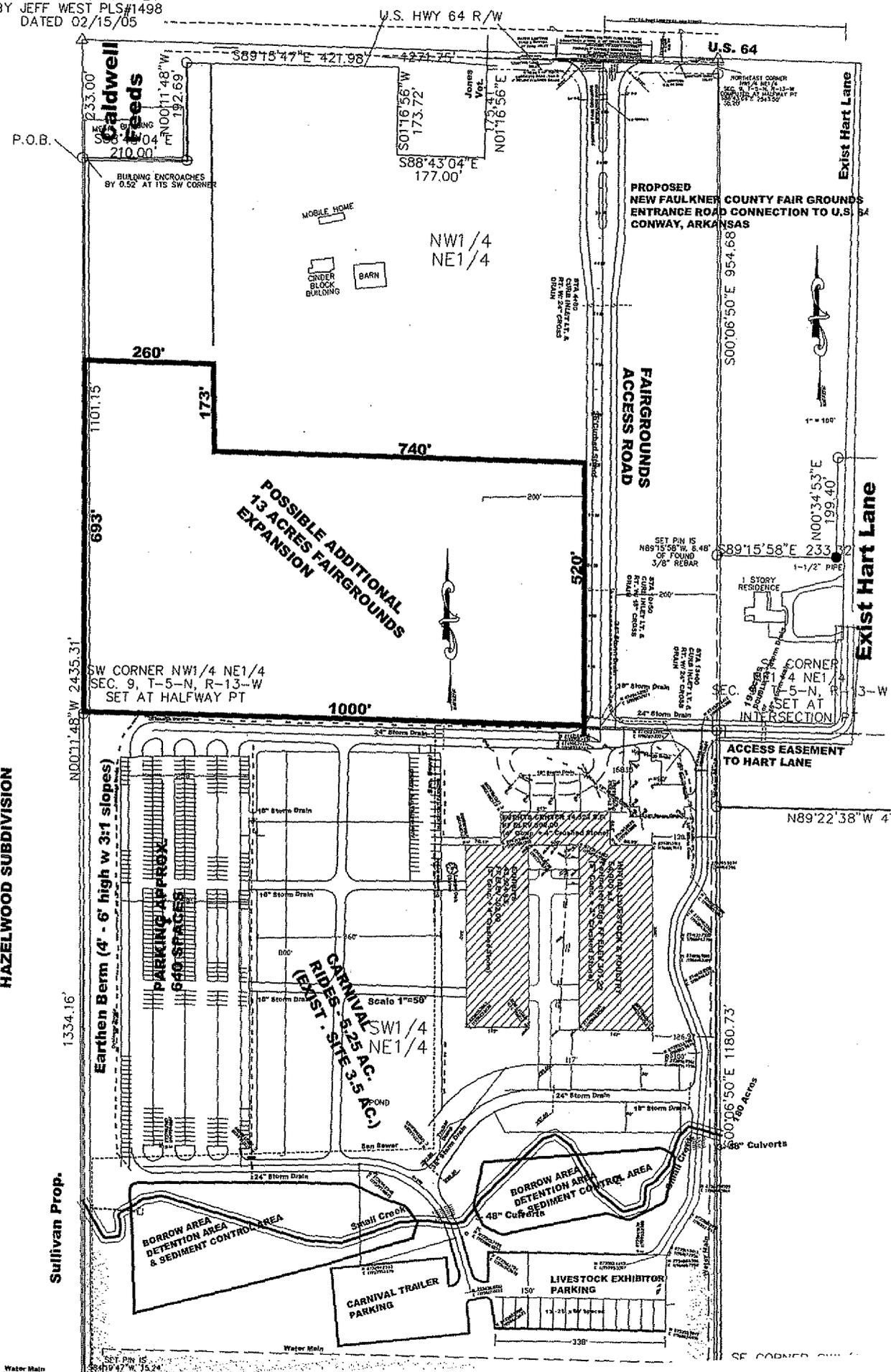
Thanks again for your time and consideration on this issue.

Sincerely,

Mitch Hart
Principal Broker/Owner - Century 21 Dunaway & Hart, Inc
President - HartLand Development



CONVEYANCE SURVEY
BY JEFF WEST PLS#1498
DATED 02/15/05



HAZELWOOD SUBDIVISION

Sullivan Prop.

Water Main

SET PIN IS 8910'47\" W, 15.24'

SE CORNER



City of Conway, Arkansas
Resolution No. R-11-_____

A RESOLUTION CREATING A CITY OF CONWAY RESERVE ACCOUNT AND DEDICATING OF ADDITIONAL REVENUE; AND FOR OTHER PURPOSES

Whereas, the City Council has scheduled a special election for May 10th, 2011 on the question of rededicating City of Conway municipal bonds issued in 2006; which purpose will be to reallocate a quarter cent sales tax currently dedicated to debt service on the 2006B bond issue such that one-eighth of a cent would be allocated for debt service on the bonded indebtedness remaining in the 2006B issue and that one-eighth of a cent would be allocated to the General Fund for operations; and

Whereas, the City Council recognizes the wishes of the public to have a clear indication of the City Council's intent for the usage of funds provided if the question passes; and

Whereas, the City Council shall authorize a certain portions of those funds be set aside for certain purposes including the funding of employee step grade increases, the funding of a general fund reserve account, and for other purposes.

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

Section 1. A City of Conway Reserve Account is hereby created within the general fund system. This account will be assigned a new general ledger account number and have a separate bank account number to be assigned at a later date once set up.

Section 2. Employee step grade increases that have not been funded prior to the FY2011 shall be funded to certain level as determined by City Council with a portion of the revenue generated by the one-eighth cent dedication.

Section 3. The City of Conway Reserve Account shall be partially funded by the revenue generated by the one-eight cent rededication & the remaining portion of the revenue generated by the one-eight cent rededication shall be used for such purposes as directed by the City Council.

Section 4. The City of Conway Reserve Account shall only be accessed at such times and for such purposes as approved by the City Council.

PASSED this 12th day of April, 2011

Approved:

Mayor Tab Townsell

Attest:

Michael Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-11-_____**

**A RESOLUTION CREATING A CITY OF CONWAY RESERVE ACCOUNT; DECLARING AN EMERGENCY; AND
FOR OTHER PURPOSES**

WHEREAS, the City Council recognizes the need for a certain portion of its revenue to be set aside to ensure the ability to continue city operation in times of unforeseen circumstances, and

WHEREAS, the City Council may authorize a certain portion of the general revenue of the city to be set aside to create a City of Conway Reserve Account within the General Fund Accounting System, and

WHEREAS, this account would be set up separately from all other accounts; including a separate bank account and general ledger account number.

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

Section 1. A City of Conway Reserve Account is hereby created within the general fund. This account will be assigned a new general ledger account number and have a separate bank account number to be assigned at a later date once set up.

Section 2. The City of Conway Reserve Account balance shall be maintained to a balance of not less than 1/6th (one sixth) of the amount of the annual budget of the general fund of the City of Conway.

Section 3. The City of Conway Reserve Account shall be funded by annual payments from the general revenue of the city in an amount not less than \$500,000 until said balance is reached and maintained.

Section 4. The City of Conway Reserve Account shall only be accessed at such times and for such purposes as approved by the City Council.

PASSED this 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Resolution No. R-11-_____**

**A RESOLUTION DECLARING THE DEDICATION OF ADDITIONAL REVENUE FUNDS; AND
FOR OTHER PURPOSES**

WHEREAS, the City Council has scheduled a special election for May 10th, 2011 on the question of rededicating City of Conway municipal bonds issued in 2006; which purpose will be to reallocate a quarter cent sales tax currently dedicated to debt service on the 2006B bond issue such that one-eighth of a cent would be allocated for debt service on the bonded indebtedness remaining in the 2006B issue and that one-eighth of a cent would be allocated to the General Fund for operations; and

WHEREAS, the City Council recognizes the wishes of the public to have a clear indication of the City Council's intent for the usage of funds provided if the question passes; and

WHEREAS, the City Council shall authorize a certain portions of those funds be set aside to for certain purposes including the funding of employee step grade increases, the funding of a general fund reserve account, and for other purposes.

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

Section 1. Employee step grade increases that have not been funded prior to the 2011 fiscal year shall be funded by the required portion of the revenue generated by the one-eighth cent rededication.

Section 2. The City of Conway Reserve Account shall be partially funded by the revenue generated by the one-eighth cent rededication.

Section 3. The remaining portion of the revenue generated by the one-eighth cent rededication shall be used for such purposes as directed by the City Council.

PASSED this 12th day of April, 2011.

Approved:

Mayor Tab Townsell

Attest:

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