

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

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**City Council Meeting - Tuesday, June 28<sup>th</sup>, 2011 @ 6:30pm**

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

**5:30pm - Committee Meeting:**

**No Committee Meeting**

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Call to Order

Roll Call

Minutes: **June 14<sup>th</sup>, 2011**

Announcements / Proclamations / Recognition: **Employee Service Awards**

**1. Report of Standing Committees:**

**A. Public Hearing:**

1. Public Hearing / Ordinance closing of an alley located within The Village at Hendrix, Phase I.
2. Public Hearing / Ordinance closing of the southernmost 250 feet of Simon Street (unpaved).

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

1. Resolutions requesting the Faulkner County Tax Collector to place certified liens on certain properties as a result of incurred expenses by the City.
2. Consideration of a right of way easement of a water line extension project for Conway Corporation.
3. Ordinance accepting grant proceeds and appropriating funds for Conway EcoFest 2011.
4. Ordinance establishing standards for public tree preservation and protection for the City of Conway.
5. Ordinance to rezone property located at the Northeast corner of Dave Ward Drive and South German Lane from I-3 to C-3.

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

1. Consideration of bids on a 2012 Commercial Rear Load Refuse Truck & a 2012 Hook Lift Roll- Off Truck for the Conway Sanitation Department.
2. Consideration of a bid for 3, 6, & 8 Yard Front Load Containers for the Conway Sanitation Department.

**Old Business**

1. Discussion regarding options for the property located at 912 Front Street.

## **New Business**

1. Ordinance granting a temporary franchise agreement for The Big House Burger Joint Inc. to have several vending carts in Downtown Conway & Simon Park.
2. Ordinance to amend Ordinance No. O-10-18; in regards to increasing the City's supplemental tax on any controlled beverage.

## **Adjournment**



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

**AN ORDINANCE CLOSING THE ALLEY LOCATED SOUTH OF REYNOLDS AVENUE AND EAST OF HARKRIDER STREET  
 IN THE VILLAGE AT HENDRIX, PHASE 1 AND FOR OTHER PURPOSES;**

**WHEREAS**, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 7<sup>th</sup> day of June, 2011 asking the City Council to vacate and abandon that portion of the alley as found in Plat of Records in Faulkner County Plat book L, Page 6.

**WHEREAS**, after due notice as required by law, the council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a easement herein described; has not been actually used by the public generally; that all the owners of the property abutting upon the portion of the alley to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the alley.

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

**Section 1.** The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the alley designated as follows except that petitioner shall provide additional public dedicated access to Lots 116 through 119 or combine Lots 116 through 119 with lots having public access:

Part of the Village at Hendrix, Phase 1 to the city of Conway Arkansas as found in Plat of Records in Faulkner County Plat book L Page 6; beginning at the SE corner of Lot 115 of said plat of Village at Hendrix; thence South 00°55'22" West, a distance of 20.01' to a point on the north line of Lot 108; thence North 89°04'38" West, a distance of 20.30' to the NW corner of Lot 108; thence South 01°35'07" East, a distance of 143.76' along the west line of said Lot 108; thence South 09°59'38" East, a distance of 77.01' along said west line; thence South 82°55'23" West, a distance of 54.07' to the NW corner Lot 119; thence North 09°59'38" West, a distance of 50.05' to the SW corner Lot 118; thence North 82°55'23" East, a distance of 34.04' to the SE corner of Lot 118; thence North 09°59'38" West, a distance of 27.40'; thence North 01°35'07" west, a distance of 166.12' to the NE corner of Lot 116; thence South 89°04'38" East, a distance of 41.10' to the POINT OF BEGINNING; said described tract containing 0.16 Acres, more or less.

**Section 2.** A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

**Section 3.** This ordinance shall take effect and be in force from and after its passage.

Passed this 28<sup>th</sup> day of June, 2011

**Approved:**

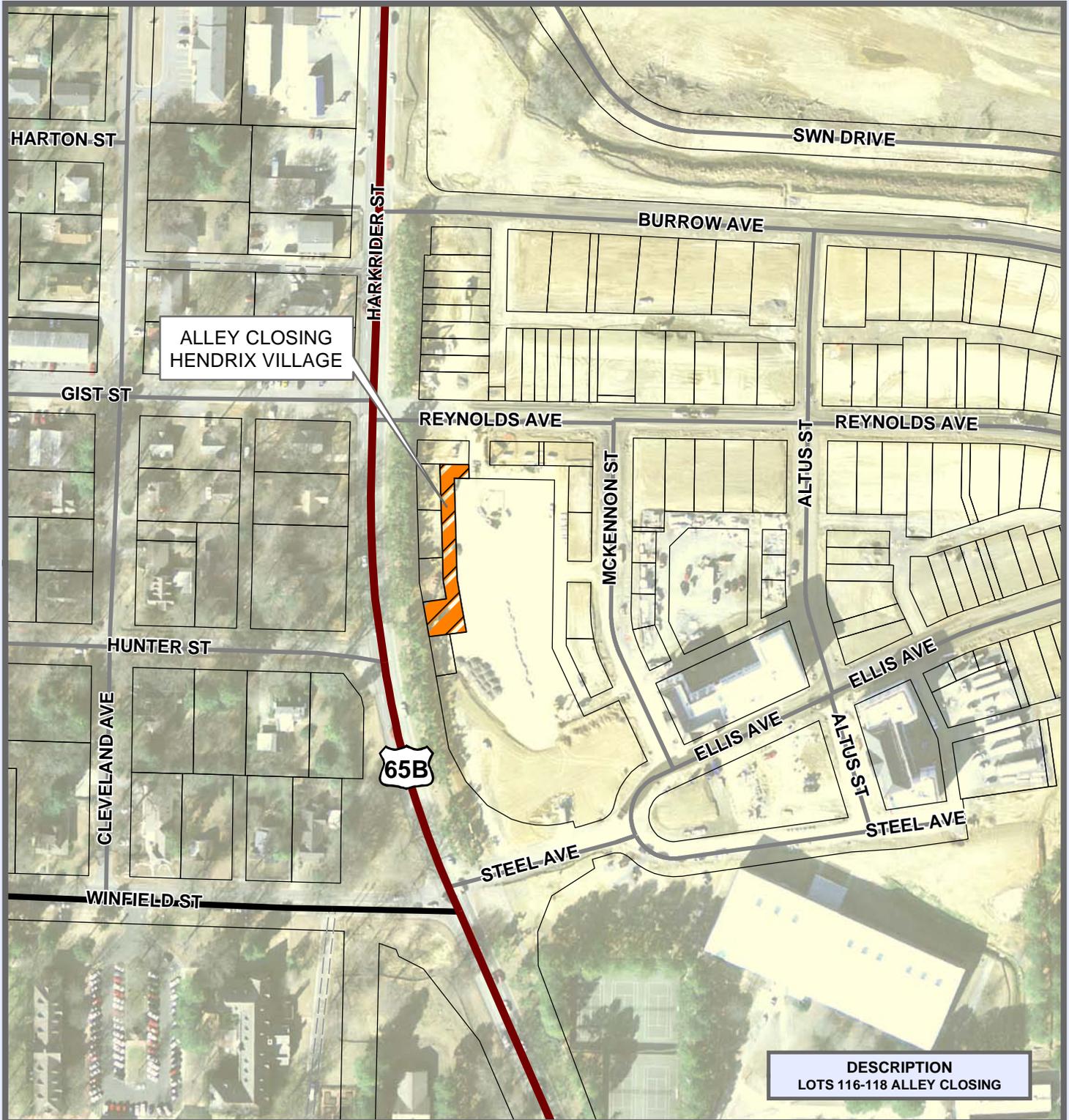
\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

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

# CITY OF CONWAY

## HENDRIX VILLAGE -- ALLEY CLOSING



**DESCRIPTION**  
LOTS 116-118 ALLEY CLOSING

Tab Townsack - Mayor  
 Mark Vaughn & Shalby Mott - Aldermen Ward 2  
 Jim Bishop & Mary Smith - Aldermen Ward 3  
 Theodore Jones, Jr. & Sheila Williams - Aldermen Ward 4  
 Michael Murphy - City Attorney  
 Michael Garrett - City Clerk

Bryan Patrick - Director  
 Wes Craighead - Deputy Director  
 Christy Sutherland - Planner  
 Linda Rhea - Planning Tech  
 Jason Lyon - GIS Coordinator

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

<ul style="list-style-type: none"> <li>INTERSTATE</li> <li>MAJOR ARTERIAL</li> <li>MINOR ARTERIAL</li> <li>COLLECTOR</li> <li>RESIDENTIAL</li> <li>PRIVATE ROAD</li> <li>INTERSTATE RAMP</li> <li>RAILROADS</li> </ul>	<ul style="list-style-type: none"> <li>LOT LINE</li> <li>STREAMS</li> <li>LAKES &amp; PONDS</li> <li>CITY LIMITS</li> </ul>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>R-1</li> <li>R-2A</li> <li>R-2</li> <li>HR</li> <li>SR</li> </ul>	<p><b>Industrial</b></p> <ul style="list-style-type: none"> <li>MF-1</li> <li>MF-2</li> <li>MF-3</li> <li>RMH</li> </ul>	<p><b>Commercial</b></p> <ul style="list-style-type: none"> <li>C-1</li> <li>C-2</li> <li>C-3</li> <li>C-4</li> </ul>	<p><b>Office</b></p> <ul style="list-style-type: none"> <li>O-1</li> <li>O-2</li> <li>O-3</li> </ul>	<p><b>Industrial</b></p> <ul style="list-style-type: none"> <li>I-1</li> <li>I-2</li> <li>I-3</li> </ul>	<p><b>Special</b></p> <ul style="list-style-type: none"> <li>SP</li> <li>S-1</li> <li>A-1</li> <li>PUB</li> </ul>
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1 in = 200 ft  
**JUNE 2011**

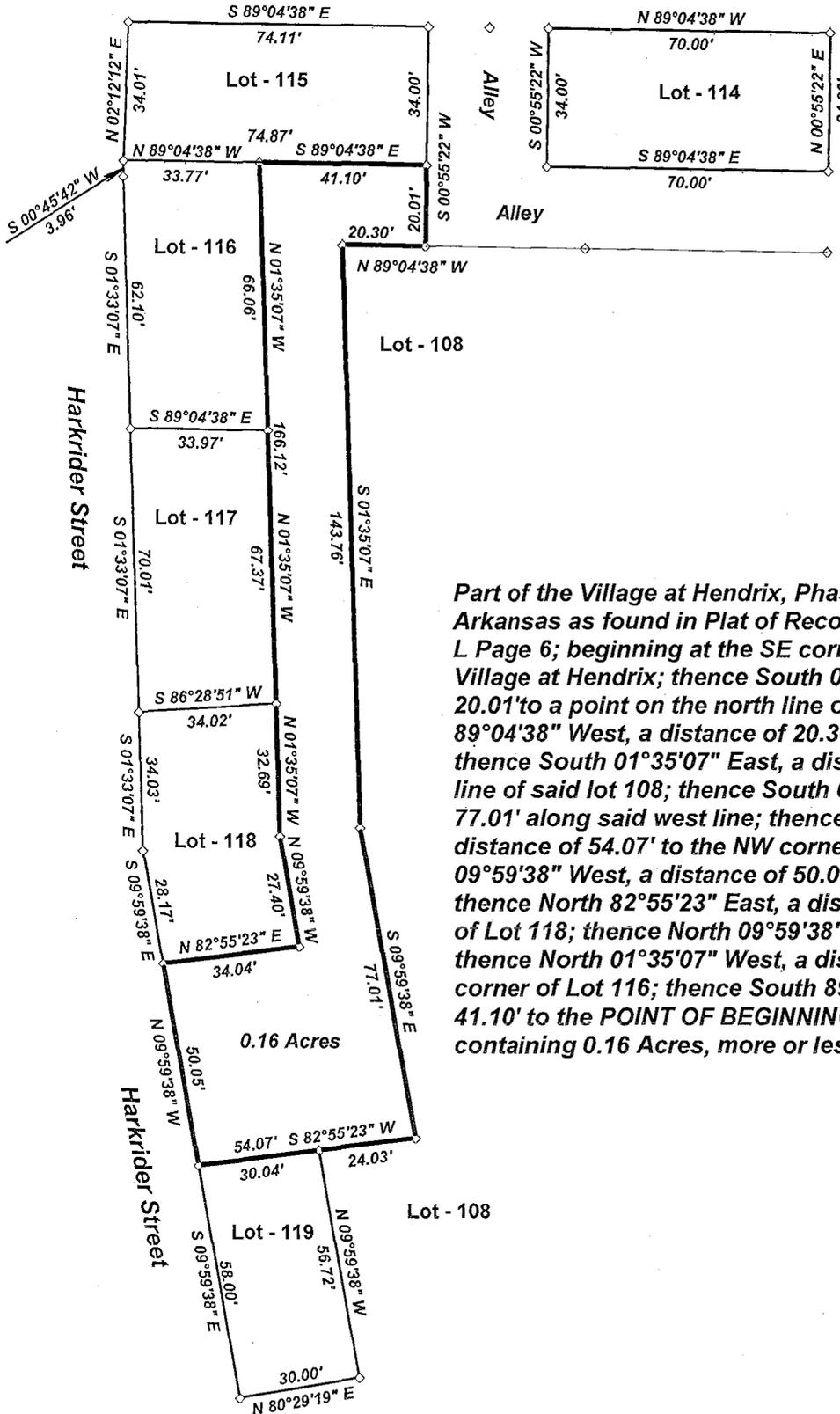
THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE, AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER. THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. CITY OF CONWAY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

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

# HAMBUCHEN LAND SURVEYING, INC.

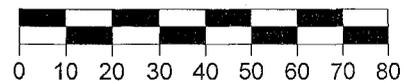
# 3 Oak Grove Drive  
 CONWAY AR. 72032  
 Mobile 450-0771  
 Survey@conwaycorp.net

Reynolds Avenue



Part of the Village at Hendrix, Phase 1 to the city of Conway Arkansas as found in Plat of Records in Faulkner County Plat book L Page 6; beginning at the SE corner of Lot 115 of said plat of Village at Hendrix; thence South 00°55'22" West, a distance of 20.01' to a point on the north line of Lot 108; thence North 89°04'38" West, a distance of 20.30' to the NW corner of Lot 108; thence South 01°35'07" East, a distance of 143.76' along the west line of said lot 108; thence South 09°59'38" East, a distance of 77.01' along said west line; thence South 82°55'23" West, a distance of 54.07' to the NW corner Lot 119; thence North 09°59'38" West, a distance of 50.05' to the SW corner Lot 118; thence North 82°55'23" East, a distance of 34.04' to the SE corner of Lot 118; thence North 09°59'38" West, a distance of 27.40'; thence North 01°35'07" West, a distance of 166.12' to the NE corner of Lot 116; thence South 89°04'38" East, a distance of 41.10' to the POINT OF BEGINNING; said described tract containing 0.16 Acres, more or less.

For: Lawrence Finn  
 Date: 05/18/11  
 Scale: 1" = 40'







817 N Creek Dr  
Conway, AR 72032  
Fax: 501 336 8372

June 2, 2011

Conway Planning Commission  
1201 Oak St  
Conway, AR 72032

Centerpoint Energy  
817 N Creek Dr  
Conway, AR 72032

To Whom It May Concern:

Centerpoint Energy has no objection to closing of the Easement south of Reynolds Drive and east of Harkrider Street in the Village at Hendrix.

Sincerely,

A handwritten signature in black ink that reads "Dennis C. Fisher".

Dennis Fisher  
Operations Leader  
Centerpoint Energy



# Conway Corporation

*Operators of the City-owned Electric, Electronic & Water Systems*

May 31, 2011

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

Re: Alley closure, Phase 1 of the Village at Hendrix

Dear Mayor Townsell:

Conway Corporation doesn't have any objections to the closing of this alley at the Village at Hendrix Phase 1.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

Leslie Guffey  
Engineering & Planning



**Lynda Palmer**  
Manager-OSP Planning & Eng. Design  
(Right-of-Way & Joint Use of Poles)

AT&T Arkansas  
Construction / Engineering  
1111 West Capitol Ave., Room 941  
Little Rock, AR 72201

T: 501.373.5255  
F: 501.373.0229  
lynda.palmer@att.com

May 26, 2011

The Village at Hendrix  
Conway, AR 72032  
Via e-mail to Lawrence Finn  
[Finn@TheVillageAtHendrix.com](mailto:Finn@TheVillageAtHendrix.com)

Dear Mr. Finn:

AT&T has no objections to the vacation of the alley as shown on the Phase 1 final plat. We have no facilities within the alleyway and have no plans to place any in the future.

Questions about A&T's facilities in Conway should be directed to David Cain, our Conway area engineer, at 501-373-8171. Questions about procedures for easement and right-of-way closures should come to me.

Sincerely,

A handwritten signature in cursive script that reads "Lynda Palmer".

CC: David Cain

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**From:** Ronnie Hall [mailto:Ronnie.Hall@cityofconway.org]  
**Sent:** Thursday, May 26, 2011 11:40 AM  
**To:** Alexander, Kerrie  
**Subject:** RE: Alley Closing application - The Village at Hendrix

The alley closure should be conditioned on providing additional public dedicated access to Lots 116 thru 119 or combining Lots 116 thru 119 with Lots having public access.  
Ronnie Hall

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**From:** Finn, Lawrence  
**Sent:** Wednesday, May 25, 2011 11:42 AM  
**To:** 'lynda.palmer@att.com'; 'jeffery.turley@centerpointenergy.com'; 'leslie.guffey@conwaycorp.com'; 'ronnie.hall@cityofconway.org'  
**Cc:** Alexander, Kerrie; Davis, Ward  
**Subject:** Alley Closing application

All,

The Village at Hendrix is preparing a petition to vacate an alley currently shown on our phase 1 final plat (see attached). The referenced alley has not been constructed and the Village does not plan to build the alley as shown. A legal description and survey defining the alley is enclosed. Please review the attached documents and respond with comment or approval in support of our petition.

Regards,

Lawrence Finn  
The Village at Hendrix



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

**AN ORDINANCE CLOSING THE SOUTHERNMOST 250 FEET OF SIMON STREET (UNPAVED) LOCATED AT 650 SIMON ROAD; AND FOR OTHER PURPOSES;**

**WHEREAS**, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 7<sup>th</sup> day of June, 2011 asking the City Council to vacate and abandon that portion of Simon Street that is the southernmost 250 feet.

**WHEREAS**, after due notice as required by law, the council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as an easement herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the street to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the street.

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

**Section 1.** The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the southernmost 250 feet of Simon Street designated as follows except that a 20 foot easement centered on an active sewer main in the existing right of way shall be maintained for Conway Corporation even after closure:

Being a part of the E ½ W ½ NE ¼ Section 8, T-5-N, R-13-W Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said E ½ W ½ NE ¼; thence N 01°44'31" E 1078.14 feet; thence S 88°24'16" E 150.0 feet to the point of beginning; thence S 01°44'31" W 250.0 feet; thence S 88°36'48" E 50.0 feet; thence N 01°44'31" E 250.0 feet; thence N 88°36'48" W 50.0 feet to the point of beginning containing 0.28 acres more or less.

**Section 2.** A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

**Section 3.** This ordinance shall take effect and be in force from and after its passage.

Passed this 28<sup>th</sup> day of June, 2011.

**Approved:**

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

**Attest:**

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

**Petition of written consent for the  
Vacating of Easement  
For the intent of Public Use**

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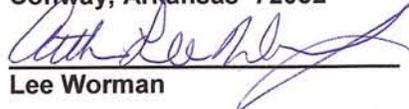
**The 250' southernmost portion of Simon Road, Conway, Arkansas**

**Legal Description of Street Closure, (or portion thereof), to be vacated:**

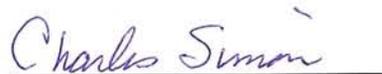
Being a part of the E ½ W ½ NE ¼ Section 8, T-5-N, R-13-W Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said E ½ W ½ NE ¼; thence N 01°44'31" E 1078.14 feet; thence S 88°24'16" E 150.0 feet to the point of beginning; thence S 01°44'31" W 250.0 feet; thence S 88°36'48" E 50.0 feet; thence N 01°44'31" E 250.0 feet; thence N 88°36'48" W 50.0 feet to the point of beginning containing 0.28 acres more or less.

**Abutting property owners:**

**Worman Properties, LLC  
650 Simon Road  
Conway, Arkansas 72032**

  
\_\_\_\_\_  
**Lee Worman**

**Charles Simon  
57 Sandpiper Court  
Conway, AR 72032**

  
\_\_\_\_\_  
**George Simon**  
Charles



**Conway**  
Corporation

*Operators of the City-owned Electric, Electronic & Water Systems*

June 21, 2011

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

Re: Closure of Simon Road Right-of-Way, southernmost 250 feet.

Dear Mayor Townsell:

Conway Corporation currently has an active sewer main in the existing Right of Way of the southernmost 250 feet of Simon Road. Conway Corporation doesn't have an issue with the closing as long as a 20 foot easement centered the sewer main is maintained after the closure.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

A handwritten signature in blue ink that reads "Leslie Guffey". The signature is written in a cursive, flowing style.

Leslie Guffey  
Engineering & Planning

Doc#2011- 9872  
Date 06/21/2011  
12:46:09 PM  
Filed & Recorded in  
Official Records of  
Faulkner County  
RHONDA WHARTON  
FAULKNER COUNTY CIRCUIT CLERK  
Fees \$20.00  
by \_\_\_\_\_ *ROP* D.C.



**CONCURRENCE TO  
CLOSE PORTION OF A DEDICATED STREET**

BE IT KNOWN BY THESE PRESENTS that Southwestern Bell Telephone Company, d/b/a AT&T Arkansas, a Missouri corporation, hereby concurs in the closing of the southernmost two hundred and fifty feet (250') of Simon Road, City of Conway, Faulkner County, to-wit:

Being a part of the E ½ W ½ NE ¼ Section 8, T-5-N, R-13-W Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said E ½ W ½ NE ¼; thence N 01°44'31" E 1078.14 feet; thence S 88°24'16" E 150.0 feet to the point of beginning; thence S 01°44'31" W 250.0 feet; thence S 88°36'48" E 50.0 feet; thence N 01°44'31" E 250.0 feet; thence N 88°36'48" W 50.0 feet to the point of beginning containing 0.28 acres more or less.

Signed and executed this 18<sup>th</sup> day of June, 2011.

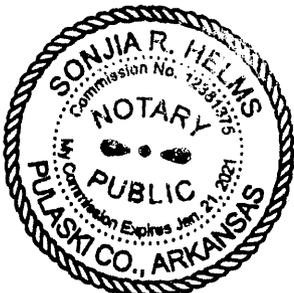
By: *Lynda E. Sommerfeldt Palmer*  
Lynda E. Sommerfeldt Palmer  
Mgr.-OSP Planning & Engineering Design  
Right-of-Way and Joint Use Poles

**CORPORATE ACKNOWLEDGMENT**

STATE OF ARKANSAS  
COUNTY OF PULASKI

On this the 18th day of June, 2011, before me, the undersigned authority, duly commissioned and qualified in and for the state and county set forth above, personally came and appeared Lynda E. Sommerfeldt Palmer, who, after being duly sworn, declared that she is a Manager-OSP Planning & Engineering Design for Southwestern Bell Telephone Company, d/b/a AT&T Arkansas, and that she executed the foregoing instrument as the act and deed of said company of her own free will and for the purposes and considerations therein expressed and with due authority.

In witness whereof I hereunto set my hand and official seal.



*Sonja R. Helms*  
Sonja Helms, Notary Public in and for Pulaski Co., AR  
My Commission Expires: 01/21/2021



June 21, 2011

Tim Tyler Surveying and Mapping  
Kim Tyler  
240 Skyline Dr, Ste 3000  
Conway, AR 72032

Centerpoint Energy  
817 N Creek Dr  
Conway, AR 72032

RE: Simon Street Easement

To Whom It May Concern:

Centerpoint Energy has no objection to closing of the Easement on Simon Street.

Sincerely,

A handwritten signature in black ink that reads "Dennis C. Fisher". The signature is written in a cursive, flowing style.

Dennis Fisher  
Operations Leader  
Centerpoint Energy

**Simon Street Closing**



**View to North, Street Closure near gap area between fence**



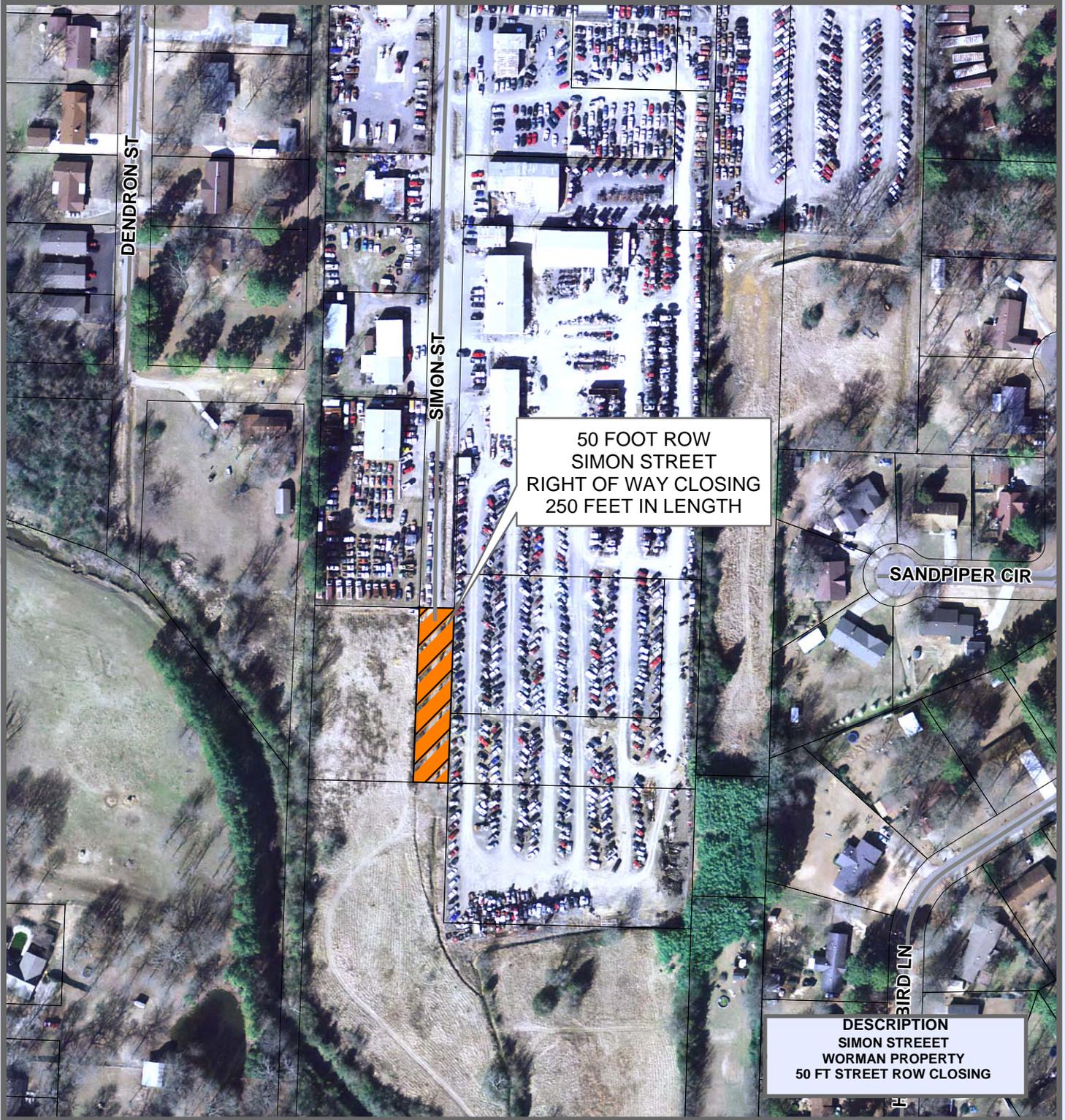
**Fence on western boundary of property**



**Newly Constructed fence located south of 15" Utility easement**

# CITY OF CONWAY

## SIMON STREET -- ROW CLOSING




Andy Hawkins & David Grimes - Aldermen Ward 1  
 Mark Vaughn & Shalley Mott - Aldermen Ward 2  
 Jim Rhoads & Mary Smith - Aldermen Ward 3  
 Theodore Jones, Jr. & Sheila Whitmore - Aldermen Ward 4  
 Michael Burgett - City Attorney  
 Michael Garrett - City Clerk



Bryan Patrick - Director  
 Wes Craiglow - Deputy Director  
 Cindy Sutherland - Planner  
 Lisha Rhea - Planning Tech  
 Jason Lyon - GIS Coordinator



**Kent Mathis - Chair**  
**Craig Cloud - Vice-Chair**

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

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



1 in = 200 ft  
**JUNE 2011**

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



City of Conway - Mayor's Office  
1201 Oak Street  
Conway, AR 72032  
[www.cityofconway.org](http://www.cityofconway.org)



## Memo:

**To:** Mayor Tab Townsell  
**CC:** City Council Members  
Barbara McElroy, Code Enforcement

**From:** Felicia Rogers  
**Date:** June 23, 2011  
**Re:** Certified Liens – Code Enforcement

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The following resolutions are included for a request to the Faulkner County Tax collector to place a certified lien against real property as a result of incurred expenses by the City.

The properties & amount (plus a ten percent collection penalty) are as follows:

- |   |          |
|---|----------|
| 1. 165 Niagara Falls                      | \$156.19 |
| 2. Mildred Street (Parcel #710-04605-000) | \$156.33 |
| 3. 241 Center Street                      | \$220.13 |

Please advise if you have any questions.



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

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on **165 Niagara Falls** within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount **\$156.19** (plus a ten percent collection penalty and a filing fee, to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **June 28<sup>th</sup>, 2011** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

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

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

**SECTION 2:** That this Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** this 28<sup>th</sup> day of June, 2011.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Planning & Development  
1201 Oak Street  
Conway, Arkansas 72032



**Barbara McElroy**  
Administrative Assistant  
Phone: 501-450-6107  
Fax: 501-450-6144

## MEMO:

To: Mayor Tab Townsell  
CC: City Council Members

From: Barbara McElroy  
Date: June 16, 2011

Re: 165 Niagra Falls

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- April 26<sup>th</sup>, 2011 – Warning Violation written by Oattie Cowgill regarding grass.
- Property Owner is listed as Jermain Martin.
- Property was rechecked on 5/4/2011 by Oattie Cowgill no progress had been made on the property and it appeared to be vacant.
- Certified letter and regular letter was sent on 5/5/2011 and both letters came back with no forwarding information.
- Property cleanup notice was sent over to Physical Plant for mowing.
- Final Cleanup finished on 5/24/2011.
- Invoice for mowing and copy of final bill was sent to Mr. Martin at address on file; included amount due, date and time of the City Council meeting.
- Invoice attach

If you have any questions please advise.

Conway Code Enforcement  
Incident Report

Date of Violation: 4-26-11

Violator Name: Jermain Martin

Address of Violation: 165 Niagra Falls

Violation Type: Grass

Warning #: 2839

Description of Violation and Actions Taken: On April 26, 2011 a warning was issued for tall grass. On May 4, 2011 the property was checked for code compliance and nothing had been done. Certified and regular letters were sent on May 5, 2011 with the certified letter coming back. The property was checked again on May 19, 2011 and no changes were noted so clean up was scheduled. The physical plant brought the property back to code after mowing areas of the yard that were 4 feet tall. Pictures were taken and are on file. Pictures can be obtained upon request.

Code Enforcement Officer: Oattie Cowgill

Officer Signature: Oattie Cowgill

Date: 6-16-11

Time: 1556 hrs.



# INVOICE

**City of Conway**  
**Code Enforcement**

DATE: MAY 24, 2011

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
barbara.mcelroy@cityofconway.org

TO Jermain Martin  
165 Niagra Falls  
Conway, AR 72032-4501

Description: Mowing/Clean up/Admin Fees  
associated with the nuisance abatement at  
165 Niagra Falls

CODE ENFORCEMENT OFFICER	JOB	PAYMENT TERMS	DUE DATE
Ottie Cowgill	165 Niagra Falls	Due upon receipt	June 24, 2011

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	Mowing	17.99	17.99
1	Mowing	13.75	13.75
1	Mowing	10.02	10.02
1	Mowing	10.02	10.02
1	Mowing	10.02	10.02
1	Maintenance Fee	15.00	15.00
1	Administrative Fee (Barbara McElroy)	24.15	24.15
1	Administrative fee (Ottie Cowgill)	18.96	18.96
1	Administrative Fee (Glenn Berry)	21.70	21.70
2	Certified Letter	6.85	13.70
2	Regular letter	.44	.88
SUBTOTAL			\$156.19
SALES TAX			
TOTAL			\$156.19

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

**Payments are due 30 days from date of this letter**



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

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on a vacant lot on **Mildred Street (Parcel #710-04605-000)** within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount **\$156.33** (plus a ten percent collection penalty and a filing fee, to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **June 28<sup>th</sup>, 2011** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

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

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

**SECTION 2:** That this Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** this 28<sup>th</sup> day of June, 2011.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Planning & Development  
1201 Oak Street  
Conway, Arkansas 72032



**Barbara McElroy**  
Administrative Assistant  
Phone: 501-450-6107  
Fax: 501-450-6144

## MEMO:

To: Mayor Tab Townsell  
CC: City Council Members

From: Barbara McElroy  
Date: June 16, 2011

Re: Vacant lot on Mildred Street

---

- April 10<sup>th</sup>, 2011 –Warning Violation written by Grant Tomlin regarding grass.
- Property Owner is listed as Summit Electric Co. of Arkansas.
- Certified and regular letter was mailed 5/16/2011 to Summit Electric to address on file and both letters came back unable to forward.
- Property was rechecked on 5/23/2011 by Grant Tomlin no progress had been made on the property.
- Property cleanup notice was sent over to the Physical Plant for mowing.
- Final Cleanup finished on 5/24/2011.
- Invoice for mowing and copy of final bill was sent to Summit Electric at address on file; included amount due, date and time of the City Council meeting.
- Invoice attach

If you have any questions please advise.

**Conway Code Enforcement  
Incident Report**

**Date of Violation:** 5-10-11

**Violator Name:** Summit Electric Company of Arkansas

**Address of Violation:** Mildred Street (vacant lot), Parcel # 710-04605-000

**Violation Type:** Tall grass

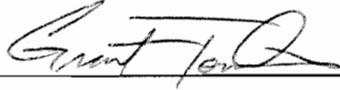
**Warning #:** CE2939

**Description of Violation and Actions Taken:**

On 5-10-11 I was checking the area of Mildred Street for code violations. While checking the area, I noticed that a vacant lot on Mildred Street was in violation of the Conway Nuisance Abatement Code, section 3.2.4, for tall grass. I had written this property in the past and knew that it belonged to Summit Electric Company. I wrote a warning, CE2939, for the property and mailed it through both regular and certified mail to the listed address for the owner in Arkansas County Data. Both letters were undeliverable and came back to our office. The lot was mowed by our work crew on 5-24-11. Pictures were taken before and after the lot was mowed and are on file for review. A bill for the cleanup was sent to the owners through both regular and certified mail.

**Code Enforcement Officer:** Grant Tomlin # 407

**Officer Signature:** \_\_\_\_\_



**Date:** 6-16-11

**Time:** 0910

# INVOICE

## City of Conway Code Enforcement

DATE: MAY 24, 2011

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
barbara.mcelroy@cityofconway.org

TO Summit Electric Co. of Arkansas  
P.O. Box 438  
Bryant, AR 72089

Description: Mowing/Clean up/Admin Fees  
associated with the nuisance abatement at  
vacant lot on Mildred Street

CODE ENFORCEMENT OFFICER	JOB	PAYMENT TERMS	DUE DATE
Grant Tomlin	Mildred Street	Due upon receipt	June 24, 2011

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	Mowing	17.99	17.99
1	Mowing	13.75	13.75
1	Mowing	10.02	10.02
1	Mowing	10.02	10.02
1	Mowing	10.02	10.02
1	Maintenance Fee	15.00	15.00
1	Administrative Fee (Barbara McElroy)	24.15	24.15
1	Administrative fee (Grant Tomlin)	19.10	19.10
1	Administrative Fee (Glenn Berry)	21.70	21.70
2	Certified Letter	6.85	13.70
2	Regular letter	.44	.88
SUBTOTAL			\$156.33
SALES TAX			
TOTAL			\$156.33

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

**Payments are due 30 days from date of this letter**



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

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 241 Center Street within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$220.13 (plus a ten percent collection penalty and a filing fee, to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **June 28<sup>th</sup>, 2011** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

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

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

**SECTION 2:** That this Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** this 28<sup>th</sup> day of June, 2011.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Planning & Development  
1201 Oak Street  
Conway, Arkansas 72032



**Barbara McElroy**  
Administrative Assistant  
Phone: 501-450-6107  
Fax: 501-450-6144

# MEMO:

To: Mayor Tab Townsell  
CC: City Council Members

From: Barbara McElroy  
Date: June 16, 2011

Re: 241 Center Street

---

- April 4<sup>th</sup>, 2011 – Warning Violation written by Grant Tomlin regarding grass and rubbish.
- Property Owner is listed as Brandy Benfer.
- Certified and regular letter was mailed 4/5/2011 to homeowner and was signed by L. WMS on 4/11/2011.
- Property was rechecked on 4/19/2011 by Grant Tomlin no progress had been made on the property.
- Code Enforcement made contact with the owner and was informed that the property was in foreclosure and the bank had taken possession of the property.
- Certified letter and regular letter was sent on 5/9/2011 to Chase Home Finance Company and was signed by J. Cowans on 5/12/2011.
- Home owners certified letter came back unclaimed and unable to forward.
- Property was rechecked on 5/20/2011 and no progress had been made.
- Property cleanup notice was sent over to Physical Plant for mowing and clean up.
- Final Cleanup finished on 5/24/2011.
- Invoice for mowing and copy of final bill was sent to the homeowner and the mortgage company at address on file; included amount due, date and time of the City Council meeting.
- Invoice attach

If you have any questions please advise.

**Conway Code Enforcement  
Incident Report**

**Date of Violation:** 4-4-11

**Violator Name:** Brandy Benfer/Chase Bank

**Address of Violation:** 241 Center Street

**Violation Type:** Tall grass, rubbish/trash

**Warning #:** CE2707

**Description of Violation and Actions Taken:**

On 4-4-11, I received a complaint regarding tall grass and trash at 241 Center Street. When I arrived at the residence, I could tell that the home was vacant. The property was in violation of the Conway Nuisance Abatement Code, sections 3.2.4 and 3.5.1, for tall grass and rubbish/trash. I issued a warning (CE2707) for the listed violations to the owner of the property as listed in Arkansas County Data. Code Enforcement Assistant Barbara McElroy found that the property was in foreclosure with Chase Bank. A copy of the warning was sent to both the property owner (Benfer) and to Chase Bank through regular and certified mail. The certified letter to the bank was signed for, however the letter to the property owner was not. A recheck of the property was done on 5-20-11 with no progress being made. Cleanup was scheduled at this time. Cleanup was done on 5-24-11. Pictures of the property before the cleanup was done are not available. However, pictures were taken after the cleanup was completed and are on file for review. A bill was sent to both parties through certified and regular mail.

**Code Enforcement Officer:** Grant Tomlin # 407

**Officer Signature:**  \_\_\_\_\_

**Date:** 6-16-11

**Time:** 0924

# INVOICE

**City of Conway**  
**Code Enforcement**

DATE: MAY 26, 2011

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
barbara.mcelroy@cityofconway.org

TO Brandy Benfer  
241 Center Street  
Conway, AR 72034

Description: Mowing/Clean up/Admin Fees  
associated with the nuisance abatement at  
241 Center Street

CODE ENFORCEMENT OFFICER	JOB	PAYMENT TERMS	DUE DATE
Grant Tomlin	241 Center Street	Due upon receipt	June 26th, 2011

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1.5	Mowing/clean up	17.99	26.98
1.5	Mowing/clean up	13.75	20.62
1.5	Mowing/clean up	10.02	15.03
1.5	Mowing/clean up	10.02	15.03
1.5	Mowing/clean up	10.02	15.03
1.5	Maintenance fee	15.00	22.50
1	Land fill fee	10.83	10.83
1	Administrative Fee (Barbara McElroy)	24.15	24.15
1	Administrative fee (Grant Tomlin)	19.10	19.10
1	Administrative Fee (Glenn Berry)	21.70	21.70
4	Certified Letter	6.85	27.40
2	Regular letter	.44	1.76
SUBTOTAL			\$220.13
SALES TAX			
TOTAL			\$220.13

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

**Payments are due 30 days from date of this letter**

## 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, a right of way and easement 15 feet wide on, over, across and under the following described lands, owned by us and situated in Faulkner County, Arkansas, to-wit:

A 15 foot easement is to Center on a Water Line to be installed across the following described property: The NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  and a part of the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , all being located in Section 20, T5N, R14W, Faulkner County, Arkansas, more fully described as follows: Beginning at the Northwest Corner of said NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; thence N 88 degrees 58 minutes E, along the North line of said NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  and the said NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , 1,728.88 feet; thence S 00 degrees 03 minutes E, 1,297.66 feet to a point on the South line of said NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; thence S 88 degrees 58 minutes W, along the South line of said NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  and the said NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , 1,728.88 feet; thence N 00 degrees 03 minutes W, along the West line of said NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , 1,297.64 feet to the point of beginning, containing 51.5 acres, more or less. (Also Known As Parcel ID 712-12401-003, 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.

And for said sum we do further grant, sell and convey unto said GRANTEE, its successors and assigns for a term of six months from and after the start of construction on the herein described lands, a right of way and easement forty (40) 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:

\_\_\_\_\_



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

**AN ORDINANCE ACCEPTING GRANT PROCEEDS AND APPROPRIATING FUNDS FOR  
CONWAY ECOFEST 2011, AND FOR OTHER PURPOSES:**

**WHEREAS**, the Faulkner County Community Foundation has made a donation of \$1,000 for the 2011 Conway EcoFest for which the City of Conway has been selected to serve as the pass through entity;

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

**SECTION 1.** The City of Conway shall accept donations from the Faulkner County Community Foundation (Giving Tree Grant), in the amount of \$1,000 for Conway's EcoFest.

**SECTION 2.** The City of Conway shall appropriate \$1,000 from General Fund Revenue Donation Account (001.119.4705) for disbursements to the Conway EcoFest (001.119.5399).

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

**PASSED this 28<sup>th</sup> day of June, 2011.**

**Approved:**

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

**Attest:**

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



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

**AN ORDINANCE TO CREATE THE CONWAY TREE BOARD AND SET OBJECTIVES FOR THE MAINTENANCE OF CONWAY'S PUBLIC TREES**

**WHEREAS**, it is the purpose of this ordinance to preserve and enhance the natural beauty of Conway, to protect the health and safety of the residents of Conway, and to protect the environment by providing the development of Community Forest Management Plan for the regulation of the planting, maintenance, removal, and protection of trees on public property within the City of Conway. Objectives that will fulfill this purpose are as follows:

- To create a desirable environment for Conway residents and improve their quality of life;
- To moderate the effects of the sun, wind, and temperature changes;
- To reduce noise, glare, and visual pollution;
- To filter pollutants and airborne particulate matter from the air and generate oxygen;
- To decrease storm water runoff, flooding, and silt accumulation;
- To stabilize soil and prevent erosion;
- To provide habitat for wildlife;
- To increase property values and protect investment;
- To preserve desirable trees;
- To help preserve river and stream banks;
- To screen incompatible uses;
- To encourage public education about trees and their value to the community;
- To promote the maintenance of trees based upon the American National Standards Institute practices;
- To promote energy conservation;
- To increase tree canopy within the City of Conway;

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

**SECTION 1.** The City of Conway has determined that a definite plan for the care, preservation, and disposition of the trees on public property is necessary; and that there is hereby established that Conway Tree Board in order to carry out these objectives for the preservation of the public health, safety, and welfare.

**SECTION 2.** The following terms shall be defined for the purposes of this ordinance:

- A) Public Property. Areas owned, leased, or occupied by the city of Conway;

- B) Right of Way. As Defined by the Conway Subdivision Ordinance, Rights of Way are intended for streets, crosswalks, water mains, sanitary sewers, storm drains or any other use involving maintenance by a public agency or a public utility shall be dedicated to public use by the maker of the plat on which such right-of-way is established.
- C) Tree. Any self-supporting woody perennial plant, usually having a main trunk(s), and many branches, and at maturity, a normally attaining a trunk diameter greater than six inches at breast height and height of over ten feet.
- D) Public Tree. Any tree as defined in subsection (c) growing on Public Property except for property used as a water or sewer plant, electric substation or in a Right of Way.
- E) Destroy. Any intentional or negligent act, which in the opinion of the Tree Board, will cause a tree to decline and die within a period of two years including and limited to only the following reasons:
  - 1) Damage inflicted upon the root system of a tree by the application of toxic substance;
  - 2) The operation of heavy machinery within the Drip Line of a Tree;
  - 3) The change of Natural grade by excavation of filling the area from the trunk of a tree to the drip line;
  - 4) The deposit of a nonporous substance such as asphalt or concrete to a point within the Drip Line of a Tree or
  - 5) The Abuse or mutilation of a Tree, except that nothing herein shall be construed to prevent reasonable and proper trimming of trees in accordance with Accepted Horticultural practices.
- F) Drip Line. An imaginary vertical line extending from the outermost portion of a Tree canopy to the ground.
- G) Significant Tree. Any Public Tree that is a living woody perennial plant with a base diameter of six inches or more as measured three feet above ground level.
- H) Easement. As defined in the Conway Subdivision Ordinance (0-00-03), an easement is a grant by a property owner of the use, for a specific purpose or purposes, of land by the public, a corporation or certain persons.
- I) Tree Board. The Conway Tree Board established by Ordinance 0-06-26

**SECTION 3.** In order to develop a Community Tree Management Plan, the Conway Tree Board will be established for the City of Conway, Arkansas.

The Conway Tree Board will consist of nine members, all citizens and residents of Conway, who shall be appointed by the Mayor with the approval of the City Council. At least one member shall be a member of the Conway Area Chamber of Commerce, at least one member shall be representative of the City of Conway, at least one member shall be a business owner in the City of Conway, and at least one member shall be an employee of Conway Corporation appointed by Conway Corporation Management. At least one member shall be a nursery man, professional horticulturist, landscape architect, or master gardener.

The Conway Tree Board, as it deems necessary for guidance, shall choose its own officers, establish its own rules and by-laws, and keep a record of its proceedings. A majority of the members shall be a quorum for the transaction of business. The term of the persons to be

appointed by the Mayor shall be three years with staggered terms. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed by the Mayor shall be three years with staggered terms. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

The Conway Tree Board shall assist the community and its officials in disseminating information about the protection, maintenance, and improvement of the City of Conway's tree population. The Conway Tree Board shall propose such legislation, as may be necessary and practical to pursue the ends for which the Conway Tree Board was created.

The Conway Tree Board shall develop tree-planting programs in conjunction with other public agencies, private agencies, and with City Council approval. The Tree Board shall have authority to recommend trees to be placed in the general area of utility lines in order to decrease the need for pruning and maintenance in such areas.

The Conway Tree Board shall educate the public concerning tree maintenance and the benefits of trees.

The Conway Tree Board shall provide technical advice and assistance to developers, builders, contractors etc., upon request in the selection and protection of naturally occurring trees, during the development of wooded areas.

The Conway Tree Board shall communicate with such professional and technical services as it may see fit, within the scope of this ordinance.

**SECTION 4.** In order to maintain trees on public property:

1. Trees planted on public property shall become City of Conway property.
2. The City of Conway and Conway Corporation shall have the authority to prune, maintain, and remove trees, plants, and shrubs within the Rights of Way of all streets, alleys, avenues, lanes, squares, and easements as may be necessary to insure public safety or preserve or enhance the symmetry and beauty of such public grounds. The City of Conway and Conway Corporation shall follow American National Standards Institute pruning standards.
3. The City of Conway and Conway Corporation any Public Utility that has a Franchise Agreement with the city of Conway may remove or cause to be removed, any Tree located in an Easement or Right of Way or part thereof which is in an unsafe condition or by which reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, phone lines, cable lines, underground drainage (piped or open) or other public improvements, or is affected with any injurious fungus, insect, or pest.
4. It shall be unlawful for any person to destroy, transplant or remove any Public Tree within the city of Conway without first receiving the permission of the Tree Board and the City Council.
5. Under disaster or emergency circumstances, the City of Conway and Conway Corporation may remove or prune trees severely damaged by storms or other natural causes.

6. By reasons of its nature and practicality, the City of Conway and Conway Corporation shall have the authority to prune, maintain, and remove trees, plants, and shrubs as necessary during any season or time of the year.
7. All supervisory personnel of the City of Conway and Conway Corporation employees who may prune trees in a non-emergency situation shall participate in an educational course on basic tree science and proper techniques of pruning.

**SECTION 5.** The provisions of this ordinance are hereby declared to be separable and if any section, phrase, or provision shall be declared or held illegal, or invalid, such invalidity shall not affect the remainder of the sections, phrases, or provisions.

**PASSED** this 28<sup>th</sup> day of June, 2011.

**Approved:**

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

**Attest:**

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



**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 NORTHEAST CORNER OF DAVE WARD DRIVE AND SOUTH GERMAN LANE FROM I-3 TO C-3:**

**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 **I-3** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

All that part of the NE¼ SE¼ of Section 13; T-5-N, R-14-W, Faulkner County Arkansas; more particularly described as beginning at the NW corner of said NE¼ SE¼; thence along the West line of said NE¼ SE¼ S01°31'29"W 158.49 feet to the point of beginning; thence leaving said West line S88°51'49"E 274.65 feet; thence S01°39'39"W 115.92 feet; thence S36°34'46"E 432.50 feet; thence S01°31'29"W 412.57 feet to the North right-of-way of Dave Ward Drive/State Highway #60; thence along said right-of-way to a point N64°54'47"W 535.87 feet; thence to a point N38°15'04"W 44.75 feet; thence to a point N02°42'58"E 91.84 feet; thence to a point S88°34'42"W 23.38 feet to the West line of said NE1/4 SE1/4; thence along said West line N01°31'29"E 527.74 feet to the point of beginning containing 327,135.6 square feet equal to 7.51 acres more or less.

to those of **C-3**, 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.

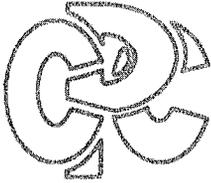
**PASSED** this 28<sup>th</sup> day of JUNE, 2011.

**Approved:**

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

**Attest:**

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



## CONWAY PLANNING COMMISSION

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

June 21, 2011

Council Members  
Conway, AR 72032

Dear Council Members:

RJ Properties, LLC request for rezoning from I-3 to C-3 for property located at the northeast corner of Dave Ward Drive and South German Lane with the legal description:

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 13; T-5-N, R-14-W, Faulkner County Arkansas; more particularly described as beginning at the NW corner of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence along the West line of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  S01°31'29"W 158.49 feet to the point of beginning; thence leaving said West line S88°51'49"E 274.65 feet; thence S01°39'39"W 115.92 feet; thence S36°34'46"E 432.50 feet; thence S01°31'29"W 412.57 feet to the North right-of-way of Dave Ward Drive/State Highway #60; thence along said right-of-way to a point N64°54'47"W 535.87 feet; thence to a point N38°15'04"W 44.75 feet; thence to a point N02°42'58"E 91.84 feet; thence to a point S88°34'42"W 23.38 feet to the West line of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence along said West line N01°31'29"E 527.74 feet to the point of beginning containing 327,135.6 square feet equal to 7.51 acres more or less.

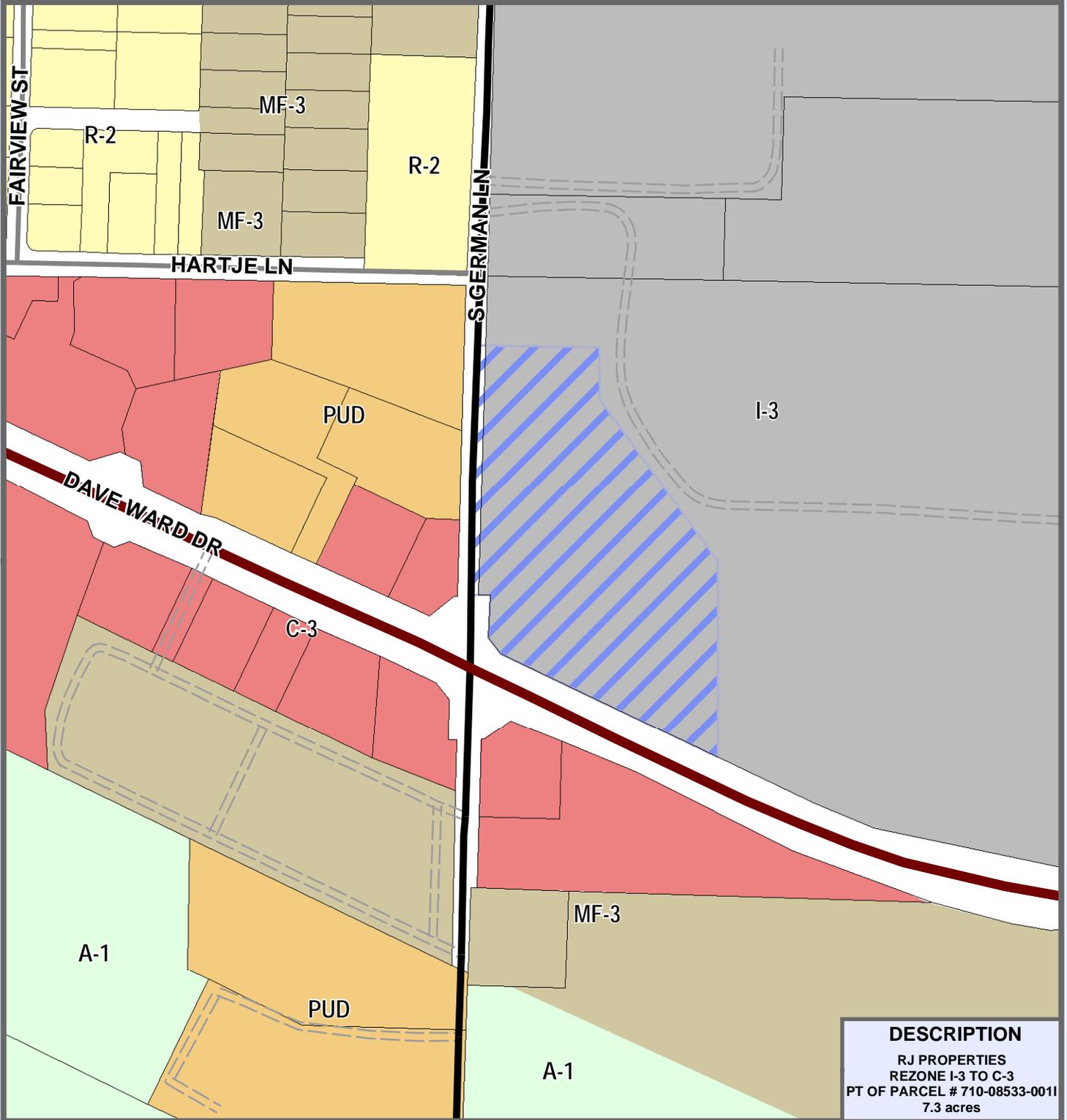
was reviewed and tabled by the Planning Commission at its regular meeting on Monday, April 18, 2011, following the public hearing on the item. At its June 20 regular meeting, the Planning Commission voted 7 – 0 that the request be sent to the City Council with a recommendation for approval. A lack of the required representation at the Planning Commission meeting was the cause for this item being tabled.

Submitted by,

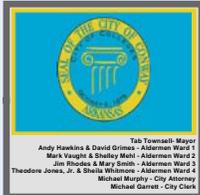
Kent Mathis, Chairman  
Planning Commission

# CITY OF CONWAY

## RJ PROPERTIES REZONE I-3 TO C-3



**DESCRIPTION**  
**RJ PROPERTIES**  
**REZONE I-3 TO C-3**  
**PT OF PARCEL # 710-08533-0011**  
**7.3 acres**



INTERSTATE	LOT LINE	<b>Residential</b>	<b>Industrial</b>
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		<b>Commercial Office</b>	<b>Special</b>
RAILROADS		C-1	SP
		C-2	S-1
		C-3	A-1
		C-4	O-1
			O-2
			O-3
			PUD
			TJ



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

Printing Date: 5/1/2011  
 File: MainCity Maps\2011\05MAY2011RJ PROPERTIES REZ.Mxd  
 Drawn by: Jason Lyon



**CITY OF CONWAY**  
**SANITATION DEPARTMENT**

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

**Cheryl Harrington**  
*Director*

June 2, 2011

Mayor Tab Townsell  
 1201 Oak Street  
 Conway, AR 72032

Re: 2012 Commercial Rear Load Refuse Truck

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Wednesday, June 1, 2011 at City of Conway City Hall for a 2012 Commercial Rear Load Refuse Truck. Five bids were submitted:

Diamond International	\$153,679.96
Truck Center of Arkansas	\$155,793.00
Shiple Motor	\$165,295.55
Peterbilt Truck Centers of Little Rock	\$166,278.00
Shiple Motor	\$169,683.55

I recommend accepting Bid from Diamond International for \$153,679.96. This was the lowest bid and met all bid specs.

Please advise if you have questions or need additional information.

Sincerely,

*Cheryl Harrington*

Cheryl Harrington  
 Sanitation Director

**BID SUMMARY**  
2012 Commercial Rear Load Refuse Truck  
Bid #2011-23

Bid #1 submitted by Diamond International  
2012 7500 SFA 6X4 (SF537)  
\$153,679.96  
Delivery time 75 Days

Bid #2 submitted by Truck Center of Arkansas  
2012 Freightliner M-2 Truck / Heil 5000 Body  
\$155,793.00  
Delivery time November 11,2011

Bid #3 submitted by Shipley Motor  
2012 Mack GU533 6x4 /Heil 5000  
\$165,295.55  
Delivery time 180 Days

Bid #4 submitted by Peterbilt Truck Centers of Little Rock  
2012 Peterbilt 348/2011 E-Z Pack Goliath G300C-25  
\$166,278.00  
Delivery time 90 Days after AOB

Bid #5 submitted by Shipley Motor  
2012 Mack GU533/2011 E-Z Pack Goliath G300C-25  
\$169,683.55  
Delivery time 180 Days

I recommend accepting the bid from Diamond International with a bid of \$153,679.96. This truck meets all specifications. Prices include tax and delivery costs.

City of Conway – Mayor's Office  
2011-23 - Bid Sheet Commercial Rear Load Refuse Truck  
Bid Opening Date: Wednesday, June 1<sup>st</sup>, 2011  
City Hall - Downstairs Conference Room @ 10:00am

Total Bid Amount: 153,678<sup>96</sup>  
Description of Truck: garbage truck Inc. 7500  
Anticipated Delivery Date: 75 days.

*Unsigned bids will be rejected:*

Authorized Agent Bidding on this project:

Diamond International  
Company Name

Company Representative Name

Brian B. Rodgers  
Representative's Signature

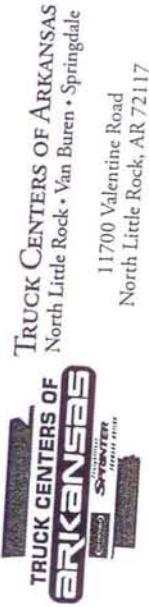
11401 Diamond Dr brian.rodgers@diamondtrucks.  
Address Email Address

W. Little Rock AR 72117  
City State Zip

501 945-8400 501-945-8490  
Telephone Number Fax Number

6-1-11  
Date

*Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.*



TRUCK CENTERS OF ARKANSAS  
North Little Rock • Van Buren • Springdale  
11700 Valentine Road  
North Little Rock, AR 72117  
Local: 501.955.3200  
Toll Free: 800.562.8075  
Fax: 501.907.2066  
www.truckcentersar.com

Robert Mooney  
Vocational Truck Sales  
Mobile: 501.650.5379  
rmooney@truckcentersar.com

City of Conway – Mayor’s Office  
2011-23 - Bid Sheet Commercial Rear Load Refuse Truck  
Bid Opening Date: Wednesday, June 1<sup>st</sup>, 2011  
City Hall - Downstairs Conference Room @ 10:00am

Amount: \$ 155,793<sup>00</sup>  
Type of Truck: Freightliner M-2 / Heil 5000  
Anticipated Delivery Date: November 11

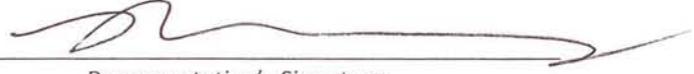
Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Truck centers of Arkansas  
Company Name

North Little Rock Ar  
Robert Mooney

Company Representative Name

  
Representative’s Signature

11700 valentine Rd  
Address  
rmooney@truckcentersar.com  
Email Address

NLR  
City  
AR  
State  
72117  
Zip

501-955-3200  
Telephone Number  
501-907-2066  
Fax Number

6-1-11  
Date

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.



City of Conway – Mayor’s Office  
 2011-23 - Bid Sheet Commercial Rear Load Refuse Truck  
 Bid Opening Date: Wednesday, June 1<sup>st</sup>, 2011  
 City Hall - Downstairs Conference Room @ 10:00am

Total Bid Amount: \$ 165,295.55

Description of Truck: GU533

Anticipated Delivery Date: 180 days

**Unsigned bids will be rejected:**

Authorized Agent Bidding on this project:

Shipley Motor  
Company Name

Dustin Bell

Company Representative Name

Dustin Bell  
Representative's Signature

620 mountain base rd      dustin@shipleymotor.com  
Address      Email Address

Pottsville      AR      72858  
City      State      Zip

474-264-8654      474-445-8260  
Telephone Number      Fax Number

6-1-11  
Date

*Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.*

City of Conway – Mayor’s Office  
 2011-23 - Bid Sheet Commercial Rear Load Refuse Truck  
 Bid Opening Date: Wednesday, June 1<sup>st</sup>, 2011  
 City Hall - Downstairs Conference Room @ 10:00am

Total Bid Amount: 166278.00

Description of Truck: 2012 PETERBILT 348

Anticipated Delivery Date: 90 DAYS AFTER AOB

**Unsigned bids will be rejected:**

Authorized Agent Bidding on this project:

PETERBILT TRUCK CENTERS OF LITTLE ROCK  
 Company Name



Company Representative Name

GARY BARNES  
 Representative’s Signature

1 PETERBILT DRIVE gary.barnes@peterbilttruckcenters.com  
 Address Email Address

NORTH LITTLE ROCK ARKANSAS 72117  
 City State Zip

501-955-2000 1-866-422-3797  
 Telephone Number Fax Number

5/31/2011  
 Date

*Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.*



**BRIAN RODGERS**  
 SALES REPRESENTATIVE  
 1141 DIAMOND DRIVE  
 NORTH LITTLE ROCK, AR 72117  
 T: 501.945.8400 F: 501.945.8690  
 800.844.4388 C: 501.295.9203  
 brian.rodgers@diamondtrucks.com  
 www.diamondtrucks.com  
 facebook.com/diamondtrucks

City of Conway – Mayor’s Office  
 2011-23 - Bid Sheet Commercial Rear Load Refuse Truck  
 Bid Opening Date: Wednesday, June 1<sup>st</sup>, 2011  
 City Hall - Downstairs Conference Room @ 10:00am

Amount: \$ 169,683.55  
 Truck: GU533  
 Delivery Date: 180 days

**Unsigned bids will be rejected:**

Authorized Agent Bidding on this project:

Shiple Motor  
 Company Name  
Dustin Bell

Company Representative Name

Dustin Bell  
 Representative’s Signature

620 mountain base Rd. dustin@shipleymotor.com  
 Address Email Address

Pottsville AR 72858  
 City State Zip

478-264-8659 478-488-8265  
 Telephone Number Fax Number

6-1-11  
 Date

Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.



**CITY OF CONWAY**  
**SANITATION DEPARTMENT**

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

**Cheryl Harrington**  
*Director*

June 2, 2011

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

Re: 2012 Hook Lift Roll-Off Truck

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Wednesday, June 1, 2011 at Conway City Hall for a 2012 Hook Lift Roll-Off Truck. Three bids were submitted:

Diamond Int'l of Little Rock	\$125,760.17
Truck Centers of Arkansas	\$127,939.00
Shiple Motor	\$137,614.31

I recommend accepting the bid from Diamond Int'l of Little Rock for \$125,760.17. Prices include tax and delivery costs. This bid meets all specifications.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington  
Sanitation Director

**BID SUMMARY**  
2011 Hooklift Roll-Off Truck  
Bid #2011-22

Bid #1 submitted by Diamond Int'l of Little Rock  
2012 International Work Star Truck/Stellar Hook  
\$125,760.17  
Delivery time 75 days

Bid #2 submitted by Truck Centers of Arkansas  
2012 Freightliner M-2 Truck & Stellar Hooklift  
\$127,939.00  
Delivery time September 11, 2011

Bid #3 submitted by Shipley Motor  
2012 Mack GU533 Truck & Stellar Hooklift  
\$137,614.31  
Delivery time 180 Days

I recommend accepting the bid from Diamond Int'l of Little Rock with a bid of \$125,760.17. This truck meets all specifications. Prices include tax and delivery costs.



**BRIAN RODGERS**  
 SALES REPRESENTATIVE  
 11401 DIAMOND DRIVE  
 NORTH LITTLE ROCK, AR 72117  
 T: 501.945.8400 F: 501.945.8496  
 800.844.4388 C: 501.295.9203  
 brian.rodgers@diamondtrucks.com  
 www.diamondtrucks.com  
 facebook.com/diamondtrucks

City of Conway – Mayor’s Office  
 Bid Sheet  
 2011-22 – 2011 Hooklift Roll-off Truck  
 Bid Opening Date: Wednesday, June 1<sup>st</sup>, 2011  
 City Hall - Downstairs Conference Room @ 10:00am

Description of Truck: Int. Workstar Hooklift  
 Anticipated Delivery Date: 75 days

**Unsigned bids will be rejected:**

Authorized Agent Bidding on this project:

Diamond International.  
 Company Name

Haley Atwood.  
 Company Representative Name

[Signature]  
 Representative’s Signature

11401 Diamond Dr. Address Brian.rodgers@diamondtrucks.com Email Address  
N. Little Rock City AR State 72117 Zip  
501-945-8400 Telephone Number 501-945-8480 Fax Number  
6-1-11 Date

<u>Description</u>	<u>(USA DOLLAR)</u>	<u>Price</u>
Factory List Prices:		
Product Items	\$116,277.00	
Service Items	\$0.00	
Total Factory List Price Including Options:		\$116,277.00
Detail, DOT, Fire Extinguisher	\$485.00	
Total Preparation And Delivery:		\$485.00
Freight Charge	\$1,845.00	
Total Freight:		\$1,845.00
Total Factory List Price Including Freight:		\$118,607.00
Less Customer Allowance:		(\$36,746.83)
Total Vehicle Price:		\$81,860.17
Total Body/Allied Equipment:		\$43,900.00
Total Sale Price:		\$125,760.17
Total Per Vehicle Sales Price:		\$125,760.17
Net Sales Price:		\$125,760.17

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.

Approved by Seller:

Accepted by Purchaser:

Soler 6-1-11  
Official Title and Date

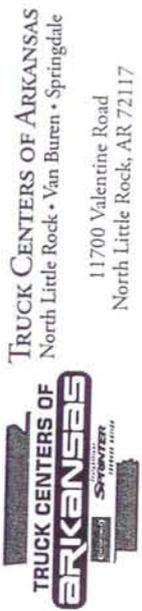
\_\_\_\_\_  
Firm or Business Name

[Signature]  
Authorized Signature

\_\_\_\_\_  
Authorized Signature and Date

This proposal is not binding upon the seller without Seller's Authorized Signature

\_\_\_\_\_  
Official Title and Date



Robert Mooney  
Vocational Truck Sales  
Mobile: 501.650.5379  
rmooney@truckcentersar.com

City of Conway – Mayor’s Office  
Bid Sheet  
2011-22 – 2011 Hooklift Roll-off Truck  
Bid Opening Date: Wednesday, June 1<sup>st</sup>, 2011  
City Hall - Downstairs Conference Room @ 10:00am

Amount: 127,939<sup>00</sup>

Description of Truck: Freightliner M-2 / Stellar

Anticipated Delivery Date: Sept 11

**Unsigned bids will be rejected:**

Authorized Agent Bidding on this project:

Truck Centers of Arkansas  
Company Name

Robert Mooney  
Company Representative Name

[Signature]  
Representative’s Signature

11700 Valentine Rd Address rmooney@truckcentersar.com Email Address

MRR City AR State 72117 Zip

501-955-3200 Telephone Number 501-907-2066 Fax Number

6-1-11  
Date



City of Conway – Mayor’s Office  
 Bid Sheet  
 2011-22 – 2011 Hooklift Roll-off Truck  
 Bid Opening Date: Wednesday, June 1<sup>st</sup>, 2011  
 City Hall - Downstairs Conference Room @ 10:00am

Total Bid Amount: \$ 137,614.31

Description of Truck: GU533

Anticipated Delivery Date: 180 days

**Unsigned bids will be rejected:**

Authorized Agent Bidding on this project:

Shiplay motor  
Company Name

Dustin Bell  
Company Representative Name

Dustin Bell  
Representative’s Signature

620 Mountain base rd                      dustin@shiplaymotor.com  
Address    Email Address

Pottsville                                      AR                                      72858  
City    State                                      Zip

477-264-8654                                      477-448-8265  
Telephone Number                                      Fax Number

6-1-11  
Date



**CITY OF CONWAY**  
**SANITATION DEPARTMENT**

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

**Cheryl Harrington**  
*Director*

June 17, 2011

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

Re: 3, 6 & 8 Yard Front Load Containers

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Thursday June 16, 2011 at Conway City Hall for 3, 6 & 8 Yard Front Load Containers. Four bids were submitted:

Louisiana Container Co., Inc.	\$30,102.00
N.E.O. Fab	\$30,294.00
Wastequip Mfg. Co., LLC	\$31,224.00
Truck Component Services (TCS)	\$33,698.23

I recommend accepting the bid from Louisiana Container Co., Inc. for \$30,102.00. The Container suggested is the most reasonably priced. Prices include tax and delivery costs.

Please advise if you have questions or need additional information.

Sincerely,

*Cheryl Harrington*  
Cheryl Harrington  
Sanitation Director

**BID SUMMARY**  
**3, 6 & 8 Yard Front Load Containers**  
**Bid #2011-25**

Bid #1 submitted by Louisiana Container Co. Inc  
\$604.00 each (12) 3 yard Front load containers  
\$699.00 each (24) 6 yard Front load containers  
\$1,013.00 each (6) 8 yard Front load containers  
Total Bid \$30,102.00  
Delivery time 30 Days ARO

Bid #2 submitted by N.E.O. Fab  
\$494.00 each (12) 3 yard Front load containers  
\$773.00 each (24) 6 yard Front load containers  
\$969.00 each (6) 8 yard Front load containers  
Total Bid \$30,294.00  
Delivery time 30 Days ARO

Bid #3 submitted by Wastequip Mfg. Co., LLC  
\$532.00 each (12) 3 yard Front load containers  
\$791.00 each (24) 6 yard Front load containers  
\$976.00 each (6) 8 yard Front load containers  
Total Bid \$31,224.00  
Delivery time 2-4 weeks ARO

Bid #4 submitted by Truck Component Services (TCS)  
\$530.00 each (12) 3 yard Front load containers  
\$740.00 each (24) 6 year Front load containers  
\$885.00 each (6) 8 yard Front load containers  
Total Bid \$33,698.23  
Delivery time 2-4 weeks ARO

I recommend the bid #1 Louisiana Containers Co., Inc. for \$30,102.00 or \$604.00 each for (12) 3 yard, \$699.00 each for (24) 6 yard containers & \$1,013.00 each for (6) 8 yard containers. The Container suggested is the most reasonably priced. Prices include tax and delivery costs.

Authorized Agent bidding on this project:  
2011-25 - 3, 6, 8, Front Yard Containers:

LOUISIANA CONTAINER Co INC.  
Company Name

Cecil Holden  
Company Representative Name

Cecil Holden  
Representative's Signature

7657 Hwy 71 South      cecil@LOUISIANACONTAINER.COM  
Address      Email Address

ALEXANDRIA      LA      71302  
City      State      Zip

318-473-2526      318-487-0068  
Telephone Number      Fax Number

06-14-11  
Date

*Unsigned bids will be rejected:*

*Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.*

City of Conway – Mayor's Office  
 Bid Sheet  
 2011-24 – 3, 6, 8 Yard Load Containers  
 Bid Opening Date: Thursday, June 16<sup>th</sup>, 2011  
 City Hall - Downstairs Conference Room @ 10:00am

Item	Price	Qty
3 Yard Front Load Containers (w/access doors)	\$ <u>604</u> @ 12 =	<u>7,248</u> <sup>00</sup>
SLANT 6 Yard Front Load Containers (no access doors)	\$ <u>699</u> @ 24 =	<u>16,776</u> <sup>00</sup>
6 Yard Front Load Containers (w/access doors)	\$ _____	_____
6 Yard Front Load Containers (w/access doors)	\$ _____	_____
8 Yard Front Load Containers (w/access doors)	\$ <u>1,013</u> @ 6 =	<u>6,078</u> <sup>00</sup>
<b>Total amount of bid</b>		\$ <u>30,102</u> <sup>00</sup>

The Sanitation Department reserves the right to order the quantity of dumpsters as needed of the 222 containers to be bid on.

All bids should be good for 120 days. Indicate specific date that prices can be held through:  
OCTOBER 15, 2011

Delivery should start within 30 days & be finished within 90 days.

Indicate delivery date: 30 DAYS FROM BID ACCEPTANCE.

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid.

\*\* Bid should include all charges, including taxes, freight, shipping, etc. if applicable.

Please make sure portions through bid specifications are filled in & be sure to fill out the Authorized agent form on page 6.

**Authorized Agent bidding on this project:  
2011-25 - 3, 6, 8, Front Yard Containers:**

N.E.O. FAB  
Company Name

John Alkemann  
Company Representative Name

[Signature]  
Representative's Signature

604 Henley Blvd neotab@sbcglobal.net  
Address Email Address

Miami OK 74354  
City State Zip

918 541-9203 918 541-9204  
Telephone Number Fax Number

6/9/11  
Date

**Unsigned bids will be rejected:**

*Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.*

City of Conway – Mayor's Office  
 Bid Sheet  
 2011-25 – 3, 6, 8 Yard Load Containers  
 Bid Opening Date: Thursday, June 16<sup>th</sup>, 2011  
 City Hall - Downstairs Conference Room @ 10:00am

Item	Price	Qty
3 Yard Front Load Containers <sup>No</sup> <del>w/</del> access doors)	\$ <u>494<sup>00</sup></u>	<u>12</u>
6 Yard Front Load Containers (no access doors)	\$ <u>773<sup>00</sup></u>	<u>24</u>
<del>6 Yard Front Load Containers (w/access doors)</del>	\$ _____	_____
<del>6 Yard Front Load Containers (w/access doors)</del>	\$ _____	_____
8 Yard Front Load Containers (w/access doors)	\$ <u>969<sup>00</sup></u>	<u>6</u>

Total amount of bid \$ 30,294<sup>00</sup>

The Sanitation Department reserves the right to order the quantity of dumpsters as needed of the ~~222~~ containers to be bid on.

All bids should be good for 120 days. Indicate specific date that prices can be held through:  
9/30/2011

Delivery should start within 30 days & be finished within 90 days.

Indicate delivery date: 30 days ARO

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid.

\*\* Bid should include all charges, including taxes, freight, shipping, etc. if applicable.

Please make sure portions through bid specifications are filled in & be sure to fill out the Authorized agent form on page 6.

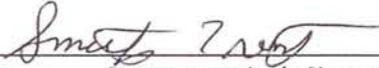
**Authorized Agent bidding on this project:**  
**2011-25 – 3, 6, 8, Front Yard Containers:**

Wastequip Mfg. Co., LLC

Company Name

Smith Trent, Vice President

Company Representative Name



Representative's Signature

(Bid Location) 841 Meacham Road

Address

MJenkins@wastequip.com

Email Address

Statesville

City

NC

State

28677

Zip

800-255-4126 Ext 144

Telephone Number

704-878-0734

Fax Number

June 14, 2011

Date

***Unsigned bids will be rejected:***

***Please feel free to submit additional information on this bid on a separate piece of paper; however this sheet should be included & signed with any bid submitted.***

City of Conway – Mayor’s Office  
 Bid Sheet  
 2011-25 – 3, 6, 8 Yard Load Containers  
 Bid Opening Date: Thursday, June 16<sup>th</sup>, 2011  
 City Hall - Downstairs Conference Room @ 10:00am

Item	Price	Qty
<b>3 Yard Front Load Containers (w/access doors)</b> Slant Top Design - NO access doors	\$ <u>532.00 each</u>	<u>12</u>
<b>6 Yard Front Load Containers(no access doors)</b> Slant Top Design	\$ <u>791.00 each</u>	<u>24</u>
<b>6 Yard Front Load Containers (w/access doors)</b> Flat Top Design with door - Access door not available on a slant top	\$ <u>835.00 each</u>	<u>Not Listed</u>
<b>6 Yard Front Load Containers (w/access doors)</b> Flat Top Design with door - Access door not available on a slant top	\$ <u>835.00 each</u>	<u>Not Listed</u>
<b>8 Yard Front Load Containers (w/access doors)</b> Flat Top Design with door - Access door not available on a slant top	\$ <u>976.00 each</u>	<u>6</u>

**Total amount of bid** \$ To be determined - Amount depends on quantity ordered.

*The Sanitation Department reserves the right to order the quantity of dumpsters as needed of the 222 containers to be bid on.*

All bids should be good for 120 days. Indicate specific date that prices can be held through:  
120 Days After Bid Opening

Delivery should start within 30 days & be finished within 90 days.

Indicate delivery date: 2-4 Weeks ARO

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid.

\*\* Bid should include all charges, including taxes, freight, shipping, etc. if applicable.

Please make sure portions through bid specifications are filled in & be sure to fill out the Authorized agent form on page 6.



City of Conway – Mayor’s Office  
 Bid Sheet  
 2011-25 – 3, 6, 8 Yard Load Containers  
 Bid Opening Date: Thursday, June 16<sup>th</sup>, 2011  
 City Hall - Downstairs Conference Room @ 10:00am

Item	Price	Qty
3 Yard Front Load Containers (w/access doors)	\$ <u>6,360.00</u>	12 @ <u>\$530.00 Ea.</u>
6 Yard Front Load Containers(no access doors)	\$ <u>17,760.00</u>	24 @ <u>\$740.00 Ea</u>
8 Yard Front Load Containers (w/access doors)	\$ <u>5,310.00</u>	6 @ <u>\$885.00 Ea.</u>
Freight based on quantities listed at front of bid	\$ <u>1,700.00</u>	5 loads @ <u>\$340.00 Ea.</u>
Sales Tax based upon quantities listed at front of bid	\$ <u>2,568.23</u>	Tax Rate <u>8.25%</u>
 <b>Total amount of bid</b>		 <b>\$ <u>33,698.23</u></b>

*The Sanitation Department reserves the right to order the quantity of dumpsters as needed of the 222 containers to be bid on.*

All bids should be good for 120 days. Indicate specific date that prices can be held through:

\_\_\_\_\_

Delivery should start within 30 days & be finished within 90 days.

Indicate delivery date: 2-4 Weeks After Receipt Of Order

Protests regarding this bid must be submitted in writing to the Sanitation Director within five (5) working days of the opening of this bid.

\*\* Bid should include all charges, including taxes, freight, shipping, etc. if applicable.

*Please make sure portions through bid specifications are filled in & be sure to fill out the Authorized agent form on page 6.*



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

**A RESOLUTION ORDERING THE DEMOLITION OF STRUCTURE LOCATED ON 912 FRONT STREET AND DECLARING THE INTENT OF THE CITY TO BRING THE PROPERTY UP TO CITY CODE IF THE OWNER DOES NOT**

**WHEREAS**, there is a structure located at 912 Front Street which because of its, unsightly, unsafe and unsanitary condition, has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas; and

**WHEREAS**, Conway's Municipal Code and Arkansas Code Annotated § 14-56-203 authorizes this City Council to, by Resolution, order the cleanup of said property by the owner within thirty (30) days after proper service.

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

**SECTION 1:** That the structure at 912 Front Street in Conway, Arkansas, because of its, unsightly, unsafe and unsanitary condition has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas, and it is hereby ordered that the property be brought up city code by the owner therefore.

**SECTION 2:** That a notice of the time and place of this meeting was mailed to the owner of said property by certified mail, return receipt requested, advising the owner that the City Council would take action on this matter.

**SECTION 3:** That a copy of this Resolution be forwarded to the owner of said property by certified mail, return receipt requested, directing that said owner has thirty (30) days in which to bring the property up to city code, then the Mayor of the City of Conway, Arkansas is directed to proceed at once to clean up the property and prepare an itemized statement of cost of bringing the property up to code said structure with a request for payment.

**SECTION 4:** If payment is not made within ten (10) days after receipt of said itemized statement, the Mayor is directed to sell, at public or private sale, any debris or material obtained from the clean up of property and pay to the owner any balance after the City has been reimbursed. If the proceeds from said sale are not sufficient to cover the cost, then the City shall proceed to file a lien on the property in order to recover the money so owed.

PASSED this 28<sup>th</sup> day of June, 2011.

**Approved:**

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

**Attest:**

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



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

**AN ORDINANCE GRANTING A TEMPORARY FRANCHISE TO THE BIG HOUSE BURGER JOINT INC, TO UTILIZE CERTAIN AREAS OF DOWNTOWN CONWAY & SIMON PARK TO OPERATE A VENDING CART; AND FOR OTHER PURPOSES.**

**Whereas**, Mike Willbanks of The Big House Burger Joint (mobile cart) desires to utilize a seven block perimeter of downtown & Simon Park to operate a vending cart, and

**Whereas**, the City of Conway has control of such streets and public grounds and parks and find it advantageous to grant a franchise for the use of a vending cart in Downtown Conway.

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

**SECTION 1:** A temporary franchise that shall be in effect until December 31, 2011 is hereby granted from the City of Conway (hereinafter referred to as "City") to Mike Willbanks of **Big House Burger Joint Inc.** (hereinafter referred to as "Franchisee") for the purpose of the use of a vending cart in Downtown Conway & Simon Park for profit in a limited areas within the City of Conway. Franchisee, in the conduct of his business shall be authorized to utilize City Owned sidewalks located in a 7 block perimeter of downtown Conway area and Simon Park. Mr. Willbanks will contact the Mayor's Office prior to any event in Simon Park to ensure availability of the Park.

Section 2: This franchise is non-exclusive.

Section 3. Fees – A fee of \$50 shall be charged for this franchise.

Section 4. Franchisee shall be responsible for obtaining insurance in the amount of \$25,000 per person for bodily injury claims with a \$50,000 aggregate limit for bodily injury claims and \$25,000 for property damages, and that this franchise shall not be valid without such insurance.

Section 5. This franchise shall not be transferred to any other party.

Section 6. That franchisee shall be responsible for keeping the sidewalks; park and public grounds and parking areas clean of all waste and trash that is generated by the operations of this franchise. That failure to do comply will be adequate grounds for revocation of this franchise.

Section 7. All operations and facilities shall be maintained in a safe manner and licensed and inspected as required by the State of Arkansas. That failure to comply will be adequate grounds for revocation of this franchise.

Section 8. That the City assumes no maintenance or liability responsibility for franchisee's plant or appurtenances.

Section 9. That the Mayor, Police Chief or Fire Chief may temporarily revoke this franchise or restrict the free exercise of this franchise if it is determined that a situation exists that requires such revocation or restriction for the public safety or for abatement of a public nuisance. Upon such temporary revocation or restriction, Franchisee shall remove equipment and appurtenances from the park and/or public grounds at his expense until further notice from the city.

**PASSED** this 28<sup>th</sup> day of June, 2011.

**Approved:**

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**Mayor Tab Townsell**

**Attest:**

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



## The Big House Burger Joint, Inc.®

Corporate Headquarters  
825 Parkway, Suite 6  
Conway, Arkansas 72034

**"Shop on the Web"**  
[www.bighouseburgerjoint.com](http://www.bighouseburgerjoint.com)



Fax: 501-548-6137

June 22, 2011

To: City of Conway  
City Council Members

Fm: The Big House Burger Joint, Inc.  
General Managers and Owners

Re: Request of Franchise for Prepared Food Vending

The Big House Burger Joint, a restaurant holding A&P Tax Permit #00338, requests a franchise with the City of Conway to vend prepared foods from a vending cart that will be placed on City-owned sidewalks located in a 7 block perimeter of downtown Conway's business district.

Specifics and guarantees include:

1. The cart will operate at one (1) location per day from Monday through Friday, weekly.
2. The cart will offer a breakfast menu from 7:00am to 9:30pm.
3. The cart will offer a lunch menu from 11:00am to 2:00pm.
4. The cart will NOT be located near the front door of any business.
5. The cart will NOT be located in a position that limits foot traffic and accessibility.
6. The cart will be located on sidewalks only and NOT in any portion of a street or alley.
7. The following are possible locations that meet the previous guarantees:
  - a. Sidewalk at Parkway and Oak on the perimeter of the parking lot.
  - b. Sidewalk on Main at the north perimeter of Farmers' Market lot.
  - c. On the Main street sidewalk, under the Pine trees at the south perimeter of Simon Park.
  - d. On the sidewalk corner at Chestnut and Main, adjacent to the Quinn Building.
  - e. On the sidewalk on the north side of Oak Street between the Chamber's parking lot and Walgreen's parking lot but NOT on either lot.
  - f. On the sidewalk at the corner of Van Ronkle and Chestnut.



City of Conway, AR  
**Franchise Application**

**Business Applicant Information**

Applicant Name: The Big House Burger Joint, Incorporated

Type of Business: Restaurant

Business Name: The Big House K-9 Kart

Business Address: 825 Parkway Ave, Ste 6

Business Mailing Address: Conway AR 72034

Business Phone Number: 501-548-0115

**Additional Information**

The Big House Burger Joint, a restaurant holding A & P Tax Permit # 00338, requests a franchise with the City of Conway to vend prepared foods from a vending cart that will be placed on City owned sidewalks located in a 7 block perimeter of downtown Conway business district.

As a franchise applicant in the City of Conway I have read the attached Ordinance, O-99-101, and understand the rules and regulations that are set forth therein and do hold myself responsible for providing the requested documents and information to the proper departments as well as following and abiding by its procedures and guidelines for operating my business.

Business owner/Applicant Signature Mike Willbanks Date 6/22/2011



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
6/22/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER  
 Campbell and Company  
 11 S. Arkansas  
 Fayetteville AR 72801  
 RED  
 1 Chance Enterprises Inc,  
 a Big House Burger Joint  
 5 Parkway Suite 4  
 Conway AR 72034

CONTACT NAME: Pam Halverson or Sonia Burgess	
PHONE (A/C No. Ext): (479) 968-2062	FAX (A/C No.): (479) 968-2077
E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE	
INSURER A: USF	NAIC #
INSURER B: First Comp	27626
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES CERTIFICATE NUMBER: CL1162209805 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
<b>GENERAL LIABILITY</b>						
<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			CIP92327	10/22/2010	10/22/2011	EACH OCCURRENCE \$ 1,000,000
<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
						MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 2,000,000
						PRODUCTS - COMP/OP AGG \$ 1,000,000
GEN'L AGGREGATE LIMIT APPLIES PER:						
<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						\$
<b>AUTOMOBILE LIABILITY</b>						
<input type="checkbox"/> ANY AUTO						COMBINED SINGLE LIMIT (Ea accident) \$
<input type="checkbox"/> ALL OWNED AUTOS		<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per person) \$
<input type="checkbox"/> HIRED AUTOS		<input type="checkbox"/> NON-OWNED AUTOS				BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
<input type="checkbox"/> UMBRELLA LIAB		<input type="checkbox"/> OCCUR				EACH OCCURRENCE \$
<input type="checkbox"/> EXCESS LIAB		<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
<input type="checkbox"/> DED		<input type="checkbox"/> RETENTION \$				\$
<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>						
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	WC0109002-02	4/14/2011	4/14/2012	WC STATUTORY LIMITS
If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				E.L. EACH ACCIDENT \$ 100,000
						E.L. DISEASE - EA EMPLOYEE \$ 100,000
						E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

## CERTIFICATE HOLDER CANCELLATION

City of Conway  
 1201 Oak Street  
 Conway, AR 72032

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE  
 P Halverson/SONIA *Pam Halverson*

## Conway A & P Forms and Payments

All forms pertaining to the Conway A & P tax are available online for your convenience at [www.cityofconway.org](http://www.cityofconway.org). Click on "**Departments**" and then click on "**City Clerk**".

If you choose to mail your monthly payments *the only address mailed payments will be accepted at is:*

The mailing address for PAYMENTS is:

**CITY OF CONWAY PREPARED FOOD TAX  
PO BOX 1404  
CONWAY, AR 72033-1404**

Should you choose to make payments in person you may take them at the customer service desk located in the lobby at the following Centennial Bank location:

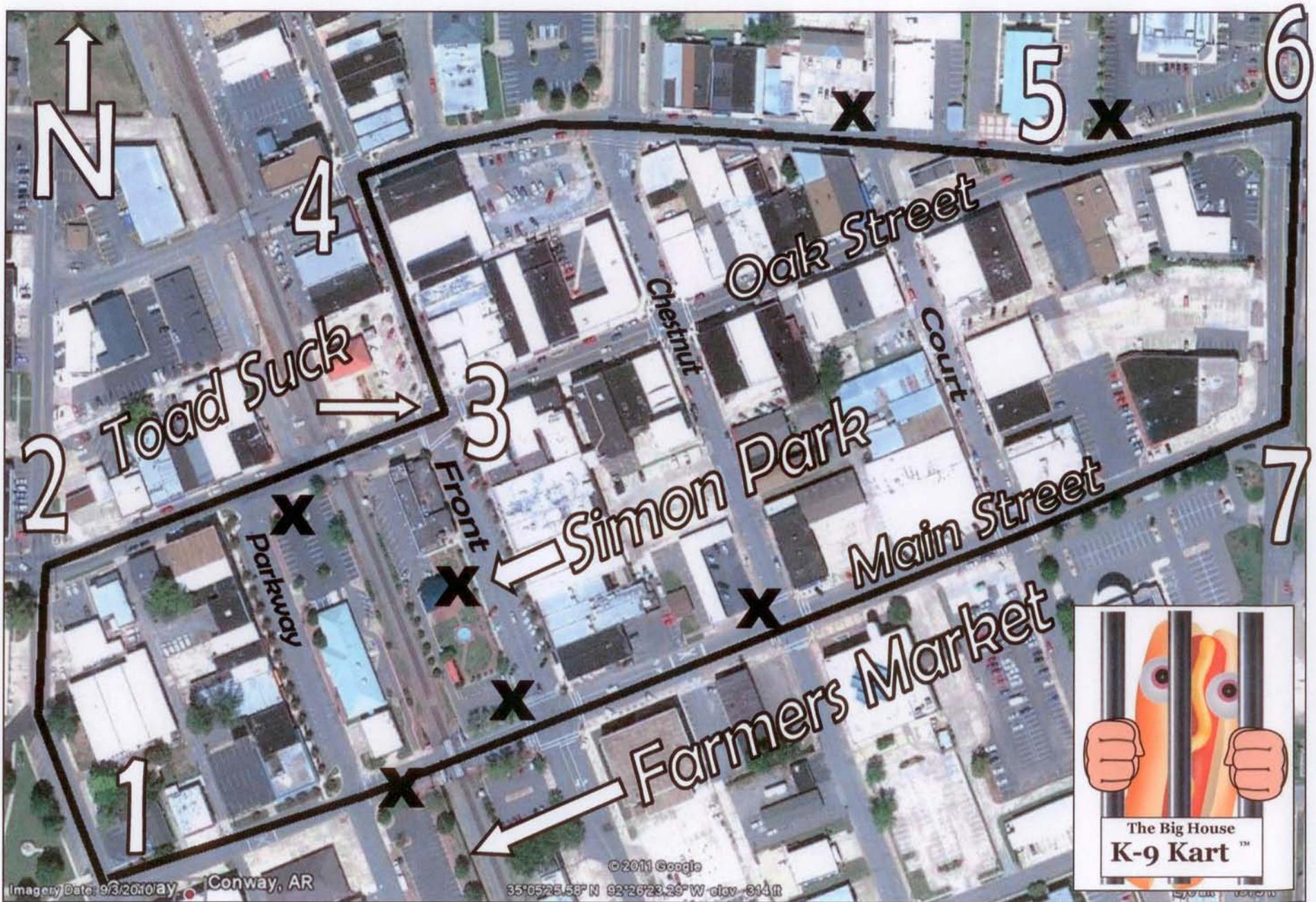
**Centennial Bank (Main Office)  
620 Chestnut  
Conway, AR 72032**

If you have any questions, please call the Conway City Clerk's office at 501-450-6100.

CITY OF CONWAY  
ADVERTISING & PROMOTION  
TAX PERMIT

BUSINESS The Big House Burger Joint  
ADDRESS 1100 Amity Rd  
(PHYSICAL LOCATION)  
DATE OF ISSUE 09-09-2010  
PERMIT NO. 00338

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1. Locust on Main to 2. Locust and Oak to 3. Oak and Front to 4. Front and North/Van Ronkle to 5. Oak and Van Ronkle to 6. Oak and Harkrider to 7. Harkrider and Main and back to 1. Main and Locust. Containing 7 full blocks. Possible locations rotating daily are shown with X. Plus occasionally scheduling Simon Park when not in use.





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

**AN ORDINANCE TO AMEND ORDINANCE NO. O-10-18 THAT ESTABLISHED THE PERMITTING PROCESS AND PRIVILEGE PERMIT FOR SELLING OR DISPENSING ANY CONTROLLED BEVERAGE WITHIN THE CITY OF CONWAY BY BUSINESSES LICENSED BY THE STATE TO SELL ALCOHOLIC BEVERAGES; AND LEVIED THE PERMIT FEES AND A CITY SUPPLEMENTAL TAX; REPEALING ANY ORDINANCES IN CONFLICT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Mayor and City Council desire to amend Ordinance O-10-18 that levied the city supplemental tax on any controlled beverage within the City of Conway; and

**WHEREAS**, Title 3 of the Arkansas Code relating to Alcoholic Beverages recognizes the power of local governmental bodies to regulate the operation of establishments under that Title as may be necessary for the protection of public health, welfare, safety, and morals; and

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

**Section 1:** Section 18 (Number 4) shall be amended to read as follows:

4. **Supplemental beverage tax.** In addition to the Supplemental Privilege Permit fee, there is hereby imposed and levied a city supplemental tax of **five percent (5%)** upon the annual gross receipts which are derived by such private club from charges to the members and/or their guests for the following services:
  - a. For the preparation and serving of mixed drinks, and
  - b. For the cooling and serving of beer, light wine, and wine.
  - c. The city's supplemental beverage tax is in addition to the state supplemental tax on private clubs and shall be paid to the City Clerk/Treasurer's Office, shall be due monthly at the same time that the state supplemental tax is due, and shall be accompanied by one copy of the state supplemental tax return. If any permittee shall fail to remit the supplemental tax within the time period that the state tax is due, a penalty of 10% of the tax due shall be due and payable in addition to the tax.

**Section 2:** All other parts and enumerated paragraphs in Section 18; remain intact, unamended, and are in full force and effect.

**Section 3:** That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

**PASSED** this 28<sup>th</sup> day of June, 2011.

**Approved:**

**Attest:**

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

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