



Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett

City Council Members

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 – John Thompson
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones, Jr.
Ward 4 Position 2 – Shelia Whitmore

City of Conway, Arkansas
5:30pm -- Committee Meeting:
No Committee Meeting
6:30pm -- City Council Meeting
Courtroom in District Court Building
810 Parkway, Conway, AR 72034
December 16th, 2008

1. Call to Order

2. Roll Call

3. Minutes: *December 9th, 2008*

4. Recognition of Guests: *Employee Service Awards*

5. Public Hearings:

A. Public Hearing to discuss closing a drainage and utility easement located in Cresthaven Subdivision Phase III.

1. Ordinance closing the fifteen foot drainage and utility easement located on the southern lot line of lot 65 Cresthaven Subdivision Phase III and the fifteen foot drainage and utility easement on the western lot line of lot 66.

6. Report of Standing Committees:

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

1. Resolution ordering the demolition of properties located at 407 & 411 Donaghey Avenue.
2. Consideration to allow THA & JDA Development Group to cut vegetation and trim trees along the south side of Interstate I-40 at Exit 125 along the highway right of way.
3. Consideration of annual bids on the following items: asphalt, gravel, concrete, concrete pipe, concrete blocks, concrete work, and gasoline and diesel.
4. Consideration to accept bids (second lowest) from Bale Chevrolet & Whiteside Chevrolet for a one ton truck (4 door crew cab) and a one ton standard cab truck for the Street Department.
5. Consideration to enter into an agreement with Peters & Associates for traffic signal modification at Dave Ward Drive at South Donaghey Avenue.
6. Consideration of an offer and acceptance to purchase property located at Lots 1, 2, 11 & 12, Block 15, Burns Addition to the City of Conway. **(Information to be provided)**
7. Consideration of additional staffing personnel for redevelopment purposes within CDBG.

B. Public Safety Committee (Police, CEOC, IT Technology, Fire, Dist. Court & City Att., & Animal Control)

1. Ordinance to accept a donation proceeds for the Conway Police Department.
2. Ordinance to accept restitution for overtime performed by the Conway Police Department.
3. Ordinance to appropriate insurance funds received from Farm Bureau to the CPD.
4. Consideration to accept bids on the following items: Law Enforcement Motorcycle Vehicles, Automated License Plate Reader (ALPR), Leather Gear, and the annual uniform bid for the Conway Police Department.
5. Consideration to accept legal service representation of management in Civil Service Commission appeal hearings. ***(Information to be provided at meeting)***

C. Finance

1. Consideration of salary increases for department heads & the employment of the chief financial officer for the City.
2. Ordinance adopting the FY 2009 City of Conway budget.

7. Old Business

8. New Business

- A.** Consideration of a request from Rock Tenn to terminate their lease with the City of Conway in accordance with the Act 9 Bond agreement. ***(Information will be provided at meeting)***

Adjournment

Happy Holidays from the City of Conway



City of Conway, Arkansas
Ordinance No. O-08-_____

AN ORDINANCE TO CLOSE A UTILITY & DRAINAGE EASEMENT IN THE CRESTHAVEN SUBDIVISION, PHASE III, WITHIN THE CITY LIMITS OF CONWAY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 16th of December, 2008 asking the City Council to close the fifteen foot drainage and utility easement located on the southern lot line of lot 65 Cresthaven Subdivision Phase III and the fifteen foot drainage and utility easement on the western lot line of lot 66 as shown in Plat book k on page 326, Record of Faulkner County, within the City limits of Conway, AR.,

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 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 easement 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 utility and drainage easement.

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 easement designated as follows:

The south 15 foot utility and drainage easement located on Lot 65, and the existing west 15 foot utility and drainage easement located on Lot 66, in Cresthaven Subdivision Phase III; as shown in Plat book K, on page 326, Record of Faulkner County, AR.

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

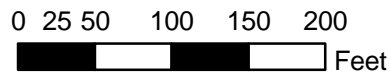
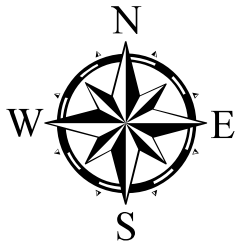
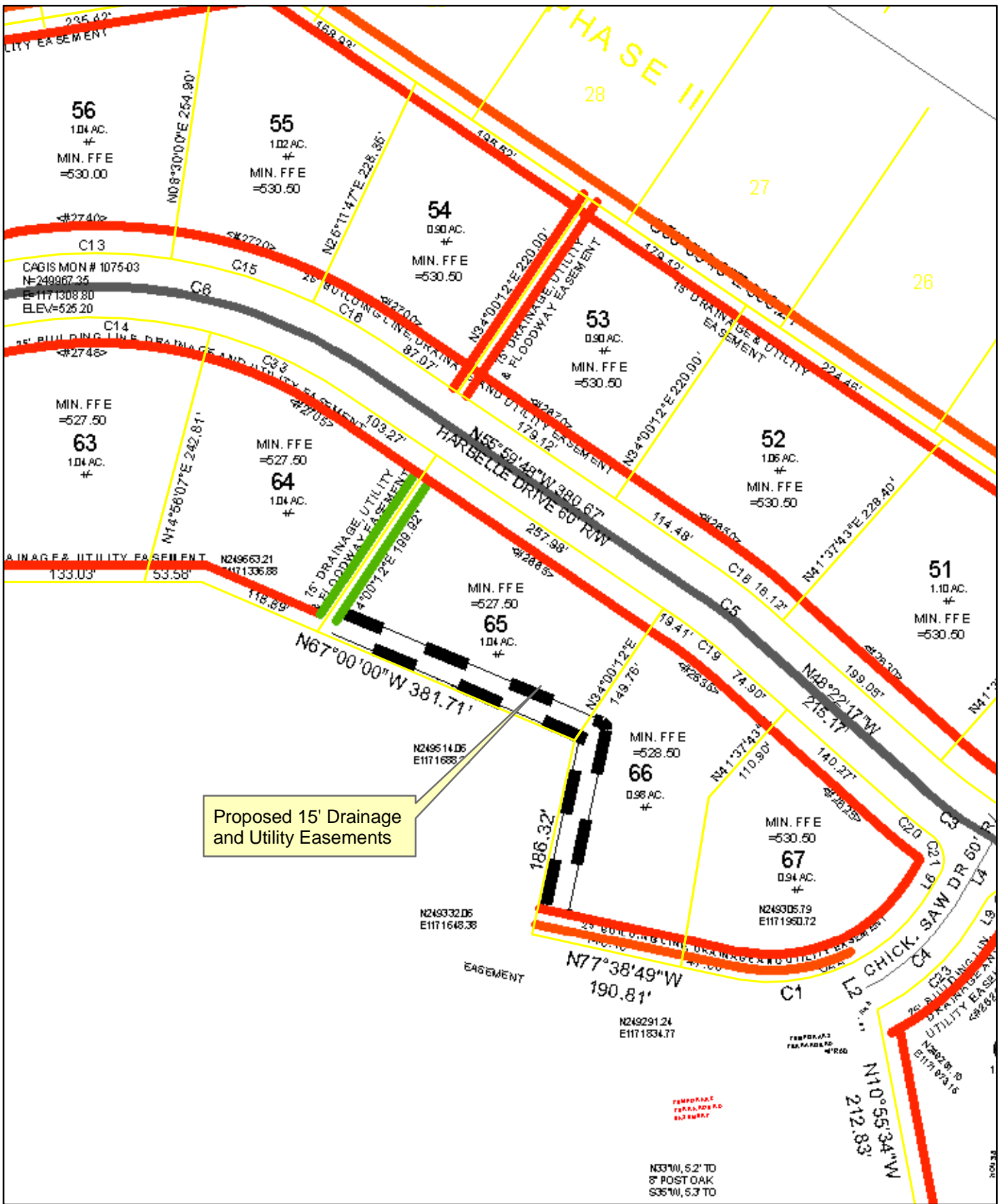
PASSED this 16th day of December, 2008

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



Easement Closing Cresthaven Ph. III Portion of Lots 65-66 City of Conway

Source:
City of Conway
Created: 12/5/2008



BEARINGS ESTABLISHED BY PLAT REFERENCE



- ⊙ ROUND I.P. REBAR
- SET I.P. REBAR
- △ W/ID CAP
- ▽ CONVENTIONAL POINT
- UNMONUMENTED

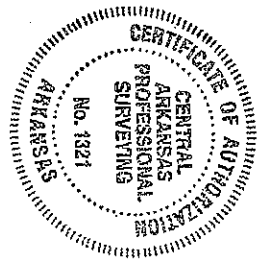
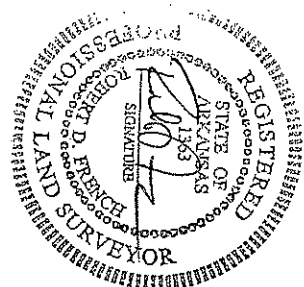
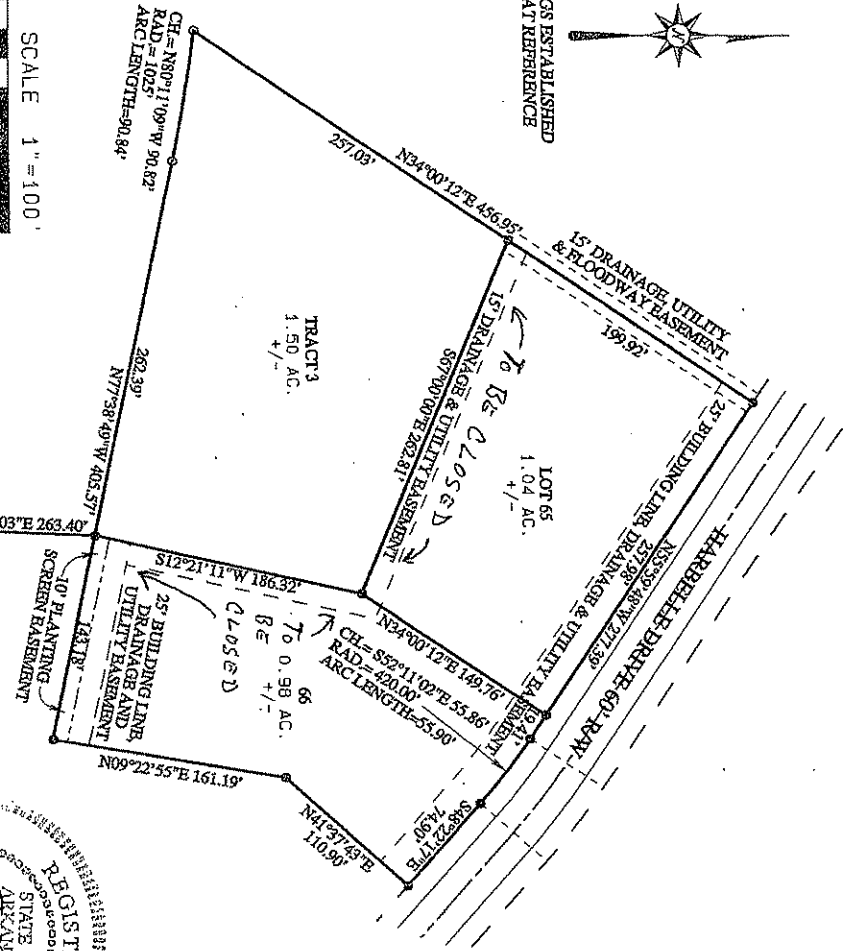
102° 57' 40" N
102° 57' 40" W
10' RECORDED

1333.47' N
1297.00' E

109° 22' 55" E 161.19'

SE CORNER
N1/2 NW 1/4
SEC. 2, T4N R14W
CALC. PER SURVEY BY
BILL TYLER, RL58231

3/8" REBAR
SW CORNER
N1/2 NW 1/4
SEC. 2, T4N R14W



SURVEYOR'S NOTES:
ALL VISIBLE IMPROVEMENTS AND ENCROACHMENTS, IF ANY, ARE AS SHOWN. SAID TRACT IS SUBJECT TO ALL RIGHTS OF WAY, COVENANTS, EASEMENTS, AND RESTRICTIONS ON RECORD OR PHYSICALLY IN PLACE.

TRACT 1:
LOT 65, CRESTHAVEN SUBDIVISION PHASE III, AS SHOWN IN PLAT BOOK K, ON PAGE 326, RECORD OF FAULKNER COUNTY, ARKANSAS.

TRACT 2:
LOT 66, CRESTHAVEN SUBDIVISION PHASE III, AS SHOWN IN PLAT BOOK K, ON PAGE 326, RECORD OF FAULKNER COUNTY, ARKANSAS.

TRACT 3:

CENTRAL ARKANSAS PROFESSIONAL SURVEYING	DAVID HENZE	DATE: 11/04/08	SCALE: 1"=100'
509-644-4111	517 E. 20TH ST. SUITE 200	11/04/08	1"=100'



**Conway
Corporation**

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

December 11, 2008

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

Re: Closing of utility and drainage easement as shown on Lots 65 and 66, in
Cresthaven Subdivision Phase 3, in Conway, as recorded in Plat Book K, page
326, Records of Faulkner County, Arkansas.

Dear Mayor Townsell:

Conway Corporation has no objections to the request to close the existing South
15 foot utility and drainage easement located on Lot 65, and the existing West 15 foot
utility and drainage easement located on Lot 66, in Cresthaven Subdivision Phase 3, in
Conway Arkansas.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION

A handwritten signature in black ink that reads "Tony R. Leach".

Tony R. Leach
Engineering and Planning

cc: Central Arkansas Professional Surveying



CenterPoint Energy
817 North Creek Drive
Conway, AR 72032
501-377-4791
501-336-8372 (fax)

Date: 12/12/08

Attention: Central Arkansas Professional Surveying,
City Council of Conway, and the Honorable Tab
Townsell - Mayor of Conway

Subject: Easement Closing:
Southern lot line of lot 65 Cresthaven Subdivision
Phase III and western lot line of lot 66

CenterPoint Energy has no conflict with the releasing of the 15-foot drainage and utility easement located on the southern lot line of lot 65 Cresthaven Subdivision Phase III and the 15-foot drainage and utility easement on the western lot line of lot 66 as shown in plat book K on page 326, Record of Faulkner County, Arkansas. Easement closing as per attached plat drawings.

Kyle Allison, Marketing Consultant
CenterPoint Energy, Conway Area
Arkansas Division



City of Conway, Arkansas
Resolution No. R-08-_____

**A RESOLUTION ORDERING THE DEMOLITION OF PROPERTIES LOCATED ON 407 & 411
DONAGHEY AVENUE AND DECLARING THE INTENT OF THE CITY TO BRING THE PROPERTY
UP TO CITY CODE IF THE OWNER DOES NOT**

WHEREAS, there is a structures located at 407 & 411 Donaghey 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 clean up 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 407 & 411 Donaghey Avenue 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 said pool be drained and 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 16th day of December, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett,
City Clerk/Treasurer

December 11th, 2008

To Whom It May Concern:

This is to certify that I have no objections to THA and JDA Development Group cutting vegetation (bush hogging & tree trimming) on the highway right of way, along the south side of Interstate 40 at Exit 125. I understand that this is a permitted activity allowed by the Arkansas Highway & Transportation Department.

Respectfully,

Tab Townsell
Mayor

MEMORANDUM

6A-3

TO: MAYOR TAB TOWNSELL

FROM: RONNIE HALL, P.E.
CITY ENGINEER

DATE: December 10, 2009

REFERENCE: 2009 ANNUAL MATERIALS AND SERVICES BIDS

I have attached a summary of the bids opened on December 10, 2008 for 2009 annual materials and services utilized by the Street Department. We request award of the bids as follows:

<u>MATERIALS OR SERVICE</u>	<u>CONTRACTOR</u>	<u>PRICE</u>
Asphalt Pre-Mix	Rogers Group	\$81.00/Ton
Asphalt Hot Mix FOB Plant	Rogers Group	\$63.60/Ton
Asphalt Hot Mix (Type 2)In Place	To be bid at later date	
Asphalt Hot Mix (Type 3)In Place	To be bid at later date	
Crushed Stone FOB El Paso	Webco	\$6.99/Ton
Crushed Stone Delivered	Webco	\$10.59/Ton
Ballast Stone Delivered	Rogers Group	\$11.64/Ton
Stone Backfill delivered	Webco	\$11.13/Ton
Riprap delivered	Webco	\$17.50/Ton
Concrete Class A	Mallard	\$84.97/CY
Concrete Class S	Mallard	\$87.14/CY
Added Cost for 1% Calcium added	Mallard	\$4.00/CY
Reinforced Concrete Pipe:		
12"	Hanson	\$9.14/Ft.
15"	Hanson	\$12.49/Ft.
18"	Scurlock	\$15.60/Ft.
24"	Scurlock	\$22.75/Ft.
30"	Scurlock	\$32.90/Ft.
36"	Scurlock	\$50.30/Ft.
42"	Hanson	\$63.19/Ft.
48"	Scurlock	\$77.15/Ft.
Concrete Blocks:	Conway Block Company	
Standard Weight Concrete Blocks		\$1.46/Ea.
Interlocking Retaining Wall Blocks		\$4.25/Ea.
Concrete Work:		
4" Curb & Gutter	Lasker Brothers	\$3.00
6" Curb & Gutter	Lasker Brothers	\$4.25
Sidewalk	Triple L Constr	\$0.65/SF
Concrete Pavement Repair	Triple L Constr	\$27.00/S.Y.
Removal of Unsuitable Subgrade		No Bid
Place and Shape Stone Backfill		No Bid
Gasoline & Diesel:		
Reg. Unleaded Gasoline	M.M. Satterfield	\$1.4305/Gal.
Diesel	M.M. Satterfield	\$1.9570/Gal.

CITY OF CONWAY

**SUMMARY OF ANNUAL BIDS FOR STREET DEPARTMENT TYPE WORK
FOR YEAR 2009**

ASPHALT	ROGERS GROUP	JAY-PAC	2008 LOW BID
PRE-MIX	\$81.00 /TON	\$90.00 /TON	\$61.00 /TON
HOT MIX FOB PLANT	\$63.30 /TON	\$66.00 /TON	\$49.00 /TON
INPLACE HOT MIX (TYPE 2) IN PLACE (to be bid later)	/TON	/TON	\$62.50 /TON
INPLACE HOT MIX (TYPE 3) IN PLACE (to be bid later)	/TON	/TON	\$62.50 /TON

CRUSHED STONE BASE COURSE	ROGERS GROUP	WEBCO	Quality Trucking	2008 LOW BID
CRUSHED STONE FOB PLANT	\$8.01 /TON (T.S.)	\$6.99 /TON(EI Paso)	\$12.25 /TON	\$7.56 /TON (T.S.)
CRUSHED STONE DELIVERED TO STREET DEPT	\$10.99 /TON	\$10.59 /TON	\$12.25 /TON	\$10.80 /TON
BALLAST STONE DELIVERED TO STREET DEPT.	\$11.64 /TON	\$11.93 /TON	\$13.35 /TON	\$11.45 /TON
STONE BACKFILL DELIVERED TO STREET DEPT	\$11.64 /TON	\$11.13 /TON	\$12.40	\$11.23 /TON
RIPRAP DELIVERED TO STREET DEPARTMENT	\$18.94 /TON	\$ 17.50 /TON	\$18.60	\$15.12 /TON

CONCRETE	MALLARD	Southern Star	2008 LOW BID
CLASS A CONCRETE	\$84.97 /C.Y.	\$87.00 /C.Y.	\$80.11 /C.Y.
CLASS S CONCRETE	\$87.14 /C.Y.	\$89.00 /C.Y.	\$82.27 /C.Y.
1% ADDED CALCIUM	\$4.00 /C.Y.	\$2.50 /C.Y.	\$4.00 /C.Y.

CONCRETE PIPE:	SIZE	HANSON PIPE	Scurlock Industries	2008 LOW BID
	12"	\$9.14 /FOOT	\$10.10	\$8.82 /FOOT
	15"	\$12.49 /FOOT	\$13.95	\$12.04 /FOOT
	18"	\$16.12 /FOOT	\$15.60	\$15.54 /FOOT
	24"	\$25.53 /FOOT	\$22.75	\$24.61 /FOOT
	30"	\$36.76 /FOOT	\$32.90	\$35.44 /FOOT
	36"	\$50.60 /FOOT	\$50.30	\$48.79 /FOOT
	42"	\$63.19 /FOOT	\$63.50	\$60.93 /FOOT
	48"	\$80.12 /FOOT	\$77.15	\$77.25 /FOOT

CONCRETE BLOCKS:		Conway Block	2008 LOW BID
STANDARD WEIGHT CONCRETE BLOCKS (8"x8"x16")		\$1.46 /EA.	\$1.39 /EA.
INTERLOCKING RETAINING WALL BLOCKS(6"x16"x12")		\$4.50 /EA.	\$4.62 /EA.

CONCRETE WORK (MATERIALS FURNISHED BY CITY):	LASKER BROTHERS	Triple L Constr.	2008 LOW BID
4" HIGH ROLL CURB & GUTTER	\$3.00 /FOOT	\$5.00 /FOOT	\$3.50 /FOOT
6" HIGH UPRIGHT CURB & GUTTER	\$4.25 /FOOT	\$6.00 /FOOT	\$4.50 /FOOT
FORM POUR AND FINISH SIDEWALK	\$1.00 /S.F.	\$0.65 /S.F.	\$0.85 /S.F.
CONCRETE PAVEMENT REPAIR	NO BID	\$27.00 /S.Y.	
REMOVAL OF UNSUITABLE SUBGRADE	NO BID	NO BID	
PLACE AND SHAPE STONE BACKFILL	NO BID	NO BID	

GASOLINE & DIESEL	M.M. SATTERFIELD OIL CO.	2008 LOW BID
REG. UNLEADED GAS	\$1.4305 /GAL.	\$2.4400 /GAL.
DIESEL FUEL	\$1.9570 /GAL.	\$2.7755 /GAL.

MEMORANDUM

TO: MAYOR TAB TOWNSELL
 FROM: RONNIE HALL, P.E.
 DATE: December 11, 2008
 REFERENCE: STREET DEPARTMENT TRUCK BIDS

After award of our one ton truck bids to Gwatney Pontiac Buick GMC at the Council meeting on December 9, 2008, Gwatney said the vehicles had been sold and were no longer available.

We therefore request award of the bids received at 10:00 am Tuesday November 25, 2008 for a one ton truck 4-door crew cab truck and a one ton standard cab truck for street department work crews be reconsidered. The results of the bids are as follows:

One Ton Crew Cab

Gwatney Pontiac Buick GMC (Vehicle Sold)	\$23,995.00
Bale Chevrolet (6 to 8 weeks delivery)	\$23,773.00
Bale Chevrolet (1 week delivery)	\$24,600.00
Smith Ford	\$27,257.00
Whiteside Chevrolet (Ohio)	\$29,092.00

One Ton Standard Cab

Gwatney Pontiac Buick GMC (Vehicle Sold)	\$19,251.00
Whiteside Chevrolet (Ohio)	\$19,900.00
Bale Chevrolet (6 to 8 weeks delivery)	\$20,673.00
Bale Chevrolet (2 week delivery)	\$23,292.00
Smith Ford	\$22,414.00

We recommend award of the One Ton Crew Cab to Bale Chevrolet. This truck is needed immediately by our concrete crew to replace a non-operating truck.

We recommend award of the One Ton Standard Cab truck, Whiteside Chevrolet (They stated in a phone conversation that there is no added cost for delivery).

We have funds in our 08 budget to cover the cost of these trucks. These trucks are needed to replace the non-operating truck described above and a truck that is near its end.



**PETERS & ASSOCIATES
ENGINEERS, INC.**

• CIVIL & TRAFFIC ENGINEERING •

5507 Ranch Drive - Suite 205 (501) 868-3999
Little Rock, Arkansas 72223 Fax (501) 868-9710

This is an agreement made as of _____, 2008 between

The City of Conway, Arkansas (OWNER)

AND

Peters & Associates Engineers, Inc. hereinafter referred to as "ENGINEER"

The OWNER and the ENGINEER in consideration of the mutual covenants in this contract agree in respect of the performance of professional engineering services by ENGINEER and in respect of the payment for those services by OWNER as set forth below. Execution of this agreement by the ENGINEER and OWNER constitutes OWNER'S written authorization to ENGINEER to proceed on the date first above written with services described in Section II below.

SECTION I - GENERAL

The OWNER agrees to employ the ENGINEER and the ENGINEER agrees to perform professional engineering services for the project. The ENGINEER has visited the site of the project. Engineering will conform to the requirements and standards of the OWNER, and the standards of skill and care ordinarily used by members of the ENGINEER'S profession practicing under similar conditions. In accordance with applicable regulations, laws and procedures, the ENGINEER will coordinate his services with the OWNER, and others required in the accomplishment of the work.

SECTION II - SCOPE OF SERVICES

The ENGINEER shall render all professional engineering services as listed below:

Traffic Signal Design for Modification of Traffic Signal at Dave Ward Drive at South Donaghey Avenue

The City of Conway, Arkansas has a need for modification of the existing traffic signal to accommodate revised intersection geometrics.

The ENGINEER will prepare construction plans to:

- Modify the existing traffic signal equipment at the intersection of Dave Ward Drive at South Donaghey Avenue. Relocate the existing traffic signal equipment or install new signal equipment to allow for roadway improvements as depicted on construction plans provide by the City of Conway.

- Construction plans will be provided by the ENGINEER to relocate or replace the existing galvanized steel poles and mast arms, signal heads, video detection, pull-boxes, intersection wiring and other traffic signal equipment with the appropriate traffic signal equipment to serve and operate the revised intersection geometrics.
- These plans will be based on construction plans and surveys prepared and furnished by City of Conway to the Consultant in an acceptable AutoCAD™ format.

Tasks associated with this work are outlined as follows and are based on the current site layout and surveys furnished by the City of Conway.

- Review site layout and surveys furnished by the City of Conway.
- Conduct site visit to determine field conditions and identify items to be relocated for the existing signal installation.
- Determine the location of existing equipment that can be used in place or relocated and reused.
- Determine appropriate location for galvanized steel poles and mast arms, signal heads, video detection, pull-boxes, intersection wiring and other traffic signal equipment at the intersection.
- Use Arkansas State Highway and Transportation Department (AHTD) details for traffic signal equipment installation.
- Review final design with City of Conway and the Arkansas State Highway and Transportation Department (AHTD) and obtain approval of plans.
- Prepare bid schedule to relocate or furnish galvanized steel poles and mast arms, signal heads, video detection, pull-boxes, intersection wiring and other traffic signal equipment.

Additional Traffic Engineering Services

When requested by the OWNER, the ENGINEER shall provide an estimate of cost for requested additional traffic engineering services and perform such only after written authorization has been given by the OWNER.

SECTION III - THE OWNER and ENGINEER FURTHER AGREE

1. This is an Arkansas Contract and in the event of a dispute concerning a question of fact in connection with the provisions of this contract which cannot be disposed of by mutual agreement between the OWNER and ENGINEER, the matter shall be resolved in accordance with the Laws of the State of Arkansas.
2. This Agreement may be terminated by either party by seven (7) days written notice in the event of substantial failure to perform in accordance with the terms hereof by the one (1) party through no fault to the other party. If this Agreement is so terminated, the ENGINEER

shall be paid for the time and materials expended to accomplish the services performed to date; however, the ENGINEER may be required to furnish an accounting of all costs. If the contract is so terminated, the engineer shall be paid for his time at the rate of 2.50 times the actual salary costs paid to his employees working on the project, and the actual costs of materials expended.

3. The ENGINEER will provide capabilities in critical program areas requiring expertise, and experience, and familiarity with the City of Conway street system. The services to be provided under this Agreement will be performed as directed by OWNER, consistent with program objectives and time schedules. Compensation will be provided on a "Lump Sum" basis consistent with SECTION IV - ENGINEERING FEES.
4. The ENGINEER shall obtain and maintain, at the ENGINEER'S expense, such insurance as required by law to protect the ENGINEER from claims under the Workers Compensation Act and such comprehensive general liability insurance as required by law to protect the ENGINEER from all claims for bodily injury, death, or property damage which may arise from the performance by the ENGINEER or by the ENGINEER'S agents of the ENGINEER'S functions and services required under this Agreement.
5. The ENGINEER shall obtain and maintain, at the ENGINEER'S expense, professional liability insurance in an amount not less than \$1,000,000.
6. After completion of the Project, and prior to final payment, the ENGINEER shall deliver to the OWNER, all original documentation (including electronic files and mapping) prepared under this Contract.

SECTION IV - ENGINEERING FEES

1. The OWNER agrees to pay the ENGINEER the "Lump Sum" fee of \$9,000.00. Reimbursable expenses shall be exclusive of the fee. Reasonable out of pocket expenses for materials and services will be invoiced at actual cost, and receipts will be made available upon request. Common items that are acceptable include: printing and photographic work, special delivery services, and subsistence expenses such as meals and automobile mileage.
2. For Additional Traffic Engineering Services as described in SECTION II, the engineering fees shall be as indicated and based on the HOURLY FEE SCHEDULE listed below:

CLASSIFICATION	FEE
Principal Engineer	\$ 151.00
Project Manager	\$ 125.00
Senior Technician	\$ 85.00
Technician/CADD Operator	\$ 55.00

The OWNER and the ENGINEER agree to negotiate the Engineering Fee in accordance with the scope of services to be performed. The same hourly fee schedule indicated above shall apply for providing authorized Additional Traffic Engineering Services.

SECTION V - TERM, COMMENCEMENT, AND COMPLETION

1. The Traffic Signal Design for Modification of Traffic Signal at Dave Ward Drive at South Donaghey Avenue is to be completed no later than **January 16, 2009** unless extended or terminated by the OWNER in accordance with this Agreement. Authorized work associated with Additional Traffic Engineering Services will be completed as directed by the City. Time is of the essence in performance of this Agreement. The ENGINEER shall complete the work, and the OWNER shall provide any required approval of the work in a reasonable and timely manner.

2. The ENGINEER shall begin work under the terms of this Agreement within ten (10) days of receiving written notice to proceed.

SECTION VI - OWNER RESPONSIBILITY

1. OWNER shall designate a person(s) to act as OWNER'S representative with respect to the services to be rendered under this Agreement.

2. OWNER shall make available to the ENGINEER all data, criteria, drawings, manuals, operating history, meeting minutes and logs relevant to the project effort.

3. OWNER shall provide ENGINEER access to all the facilities necessary to perform this Agreement.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first above written.

OWNER:

CITY OF CONWAY, ARKANSAS

ENGINEER:

PETERS & ASSOCIATES ENGINEERS,
INC.



Address for giving notices:

City of Conway
City Hall
Conway, Arkansas 72032

Address for giving notices:

Ernest J. Peters, P.E.
Peters & Associates Engineers, Inc.
5507 Ranch Drive, Suite 205
Little Rock, Arkansas, 72223

2009 Administration 20%	\$ 80,000.00	
SALARIES		
CDBG Director	\$ 53,681.00	
CDBG Staff Person	\$ 41,519.34	Used Admin Asst II salary
CDBG Admin Budget	\$ 15,500.00	
Total	\$ 110,700.34	
73% of salary can be charged to the activity or program they are responsible for working on at the time	\$ 30,700.34	
PROJECT MONEY AVAILABLE NOW	\$ 314,806.00	This is 07 & 08 Money only

Employee Salary	Social Security	Medicare	Non-Uniformed Pension	Life Insurance (monthly)	Medical Insurance (monthly)	Dental Insurance (Monthly)	Unemployment Insurance (annual)
	6.20%	1.45%	6%	\$1.70	\$492.76	\$44.56	\$135.00

Administration - CDBG
 Administrative Asst. II
 14.7393 X 2080

30657.74 \$1,900.78 \$444.54 \$1,839.46 \$20.40 \$5,913.12 \$534.72 \$135.00

**Workman's
Compensati
on
Insurance**
0.24%

**Annual Salary
Cost w/finge
benefits**

\$73.58

\$41,519.34



City of Conway, Arkansas
Ordinance No. O-08-_____

**AN ORDINANCE ACCEPTING DONATION PROCEEDS RECEIVED FROM TARGET TO THE CONWAY
POLICE DEPARTMENT; AND FOR OTHER PURPOSES**

WHEREAS, the Conway Police Department received grant funds in the amount of \$530 from Target for Crime Prevention and;

WHEREAS, the Conway Police Department needs approximately \$725 to handbooks for the Community watch program;

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

SECTION 1. The City of Conway shall accept the donation in the amount of \$530 and appropriate from the City's General Fund Donation Account (01.909) to the Police Department's Special Print expenditure account (01.113.336).

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

PASSED this 16th date of December, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-08- _____

**AN ORDINANCE ACCEPTING RESTITUION FOR OVERTIME PERFORMED BY THE CONWAY
 POLICE DEPARTMENT PERSONNEL; AND FOR OTHER PURPOSES**

WHEREAS, the City of Conway received \$56,044 restitution from the Conway Police Department extra duty employment program as of September 3rd, 2008 to December 8th, 2008;

WHEREAS, budgetary authority for the additional required overtime has not previously been provided;

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

Section 1. The City of Conway shall accept restitution in the amount of \$56,044 and shall appropriate the same amount to the Conway Police Department overtime account (01.113.121).

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

PASSED this 16th day of December, 2008.

APPROVED:

 Mayor Tab Townsell

ATTEST:

 Michael O. Garrett
 City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-08-_____

AN ORDINANCE APPROPRIATING INSURANCE FUNDS RECEIVED FROM SOUTHERN FARM BUREAU TO THE CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway has received a check in the amount of \$12,964.25 from Southern Farm Bureau (insurance proceeds) for vehicle damages for wreckage of a patrol unit and;

WHEREAS, the Conway Police Department needs these funds to replace the vehicle that was salvaged;

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

SECTION 1. The City of Conway shall accept the insurance proceeds in the amount of \$12,964.25 and appropriate from the Insurance Proceeds Revenue Account (01.512) to the Police Department's Capital Vehicle account (01.113.931).

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

PASSED this 16th date of December, 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

MEMORANDUM

TO: City Council Members/Mayor Tab Townsell
FROM: Chief A.J. Gary
DATE: December 12, 2008
SUBJECT: Acceptance of Bids

Bids were opened December 11, 2008 for the following items:

Two 2009 Honda ST1300PA motorcycles; two bids were received

- **Sunrise Honda** **\$14,284 each**
- Honda of Cool Springs \$15,479.96 each

Automated License Plate Reader; four bids were received

- **Federal Signal Corporation** **\$29,205.00**
- Portable Computer Systems \$25,495.00
- Eltag North America \$31,186.00
- Genetec Did not meet specifications

Safariland leather gear; three bids were received

- **Cruse Uniforms and Equipment** **\$391.20**
- CopStuff \$560.63
- GTS Incomplete

2009 Uniform Bid; four bids were received

- **Conway Police Supply** **\$854.74**
- COP Stuff \$306.93 (partial)
- Cruse Uniform \$887.05
- Tyler Uniform \$796.43

It is my recommendation that the Council accepts the following bids:

Honda motorcycles	Sunrise Honda
Automated License Plate Reader	Federal Signal Corporation
Safariland leather gear	Cruse Uniforms and Equipment
Conway Police Department Uniforms	Conway Police Supply

Thank you for your consideration.

M E M O R A N D U M

TO: **The Honorable Tab Townsell
and Members of City Council**

FROM: **Robin Scott
Chief Financial Officer**

DATE: **December 12, 2008**

REFERENCE: **Budget Adjustment Requests**

I would like to request consideration of two items which would adjust the final allocation of FY 2009 budget. These changes would not affect the budget in total or the proposed ordinance, but would affect the allocation within the budget and reduce the amount currently in undesignated contingencies.

The first request is consideration of raises for the department heads and full time elected officials. Attached is a schedule which presents salaries with a proposed 1% cost of living adjustment. I would recommend this adjustment to be effective January 1, 2009. Compensation for all positions, including department heads, will be further considered with the salary survey study currently underway.

The second request is a change in the employment arrangement for my position. I have served as Chief Financial Officer since 2003 under a year by year contract at \$60 per hour. Based on several upcoming challenges and demands on the Finance Department, I believe that it would benefit the City to change this arrangement to that of an employed position. As the Mayor and I have discussed recently, such a change would require me to dedicate more time on behalf of the city, although I have been and will remain to be basically available full time. I am attaching a schedule which shows the Arkansas Municipal League 2008 salaries for Council's information and consideration.

If these requests are approved, the FY 2009 budget amount allocated to undesignated contingencies will be adjusted and allocated to the appropriate departments.

Personnel Proposals

Department Heads and Elected Officials Salary Schedule

COLA 101.00%

Name	Description	Current Grade/Step	Current Salary	Plus COLA	Group Insurance Unemploy (Health, ment Dental, Insurance Life)	FICA - Medicare	Non- Uniform Pension	Pension Uniform	Total Cost to City
Townsell, Tab	Administration	Mayor	77,625	78,401	135	6,002	5,998	-	90,536
Garrett, Mike	City Clerk	City Clerk	56,612	57,178	135	2,974	4,374	-	64,662
Patrick, Bryan	Permits	Planning and Permits Director	70,000	70,700	135	6,002	5,409	4,242	86,488
Harrington, Tony	Physical Plant	Physical Plant Director	44,801	45,249	135	2,974	3,462	2,715	54,535
Clifton, Donna	District Court	District Court Clerk	53,499	54,034	135	4,712	4,134	-	63,015
Roberts, Russell	District Court	District Court Judge	95,065	96,016	135	4,712	7,345	-	108,208
Murphy, Mike	City Attorney	City Attorney	83,796	84,634	135	6,002	6,474	-	97,245
Hartzell, Lloyd	IT Director	IT Director	54,503	55,048	135	4,712	4,211	3,303	67,409
Gary, A. J.	Police	Police Chief	80,404	81,208	135	2,975	6,212	17,383	107,914
Castleberry, Bart	Fire	Fire Chief	82,012	82,832	135	5,974	-	4,921	93,862
Knopp, Brian	Parks	Parks Director	61,500	62,115	135	4,712	4,752	3,690	75,404
Hall, Ronnie	Street	City Engineer/Street Director	79,553	80,348	135	4,696	6,147	4,821	96,147
Harrington, Cheryl	Sanitation	Sanitation Director	66,160	66,822	135	4,723	5,112	3,970	80,762
									<u>1,086,185</u>
COLA Cost for Department Heads - full weighted cost eff 1/1/09									<u><u>9,835</u></u>

Scott, Robin	Finance	Chief Financial Officer	\$60/hr	TBD	135	20	7.65%	6.00%	0	TBD
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AML 2008 Salary Survey - Chief Financial Officer

Little Rock	\$	102,602.00
Fort Smith	\$	82,368.00
Fayetteville	\$	93,685.00
Springdale	\$	69,881.00
North Little Rock	\$	87,091.00
Jonesboro	\$	83,405.00
Pine Bluff	\$	84,952.00
Rogers	\$	86,507.00
Hot Springs	\$	88,779.00
Average	\$	86,586.00
Average without LR	\$	84,584.00
High	\$	102,602.00
Low	\$	69,881.00



City of Conway, Arkansas
Ordinance No. O-08-_____

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF CONWAY, ARKANSAS, FOR THE FISCAL YEAR JANUARY 1, 2009 THROUGH DECEMBER 31, 2009, AND PROVIDING THAT THE AMOUNTS STATED IN THE BUDGET DOCUMENT AS ADOPTED EXPENDITURES SHALL BECOME APPROPRIATED FOR THE VARIOUS FUNDCTIONS AND ACTIVITIES SPECIFIED IN SAID BUDGET DOCUMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the Mayor of the City of Conway has submitted to the City Council BUDGET FOR THE FISCAL YEAR 2009;

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

SECTION 1. A Budget for the fiscal year 2009 for the City of Conway, Arkansas, as set forth in the document entitled "City of Conway FY 2009 Budget"; providing a total appropriation for the following funds:

General Fund	\$	24,121,702
Street Fund	\$	3,933,452
Sanitation Enterprise Fund	\$	6,575,500
Sanitation Replacement Fund	\$	1,475,000
Fleet Maintenance Fund	\$	115,585
Conway Fire Pension Fund	\$	583,950
Conway Non-uniform Pension Fund	\$	1,173,950
Conway Police Pension Fund	\$	632,050
Special Revenue Fund	\$	3,010,591
CDBG Fund	\$	400,000
Capital Project Fund 31 Fire	\$	5,000
Capital Project Fund 34 Street	\$	3,128,862
Capital Project Fund 36 Police	\$	7,500
Debt Service	\$	5,033,086

SECTION 2. From the effective date of the budget, to wit: January 1, 2009, the several amounts as stated therein as adopted expenditures shall be and are hereby appropriated for the several purposes, functions and activities within the various departments, offices and agencies specified therein.

SECTION 3. The Mayor is directed to cause the proper accounting entries to be made in the books and records of the City so as to reflect the appropriations for the aforesaid fiscal year, and he is further directed to file a certified copy of the adopted budget for the fiscal year with the City Clerk of the City of Conway, Arkansas.

SECTION 4. All ordinances in conflict herewith are repealed to the extent of that conflict.

SECTION 5. This ordinance is necessary for the protection of the public peace, health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 9th day of December 2008.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer