

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

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



5:30pm -- Committee Meeting:

TBA

6:30pm -- City Council Meeting

Courtroom in District Court Building

810 Parkway, Conway, AR 72032

November 3rd, 2009

- 1. Call to Order**
- 2. Roll Call**
- 3. Minutes:** *October 13th & October 26th, 2009*
- 4. Recognition of Guests:** *Employee Service Awards*
- 5. Public Hearings:**
- 6. Report of Standing Committees:**
 - A. Economic Development Committee (Airport, Conway Corporation, Conway Development Corporation, Chamber of Commerce)**
 1. Ordinance regarding the new federal standards pertaining to electric utilities (PURPA) of 1978 as amended by the energy independence and security act of 2007.
 - B. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, & Conway Housing Authority)**
 1. Consideration to accept the nomination of Erik Leamon to the Bicycle Advisory Board.
 2. Ordinance accepting and appropriating grant proceeds awarded to the City of Conway from the Department of Energy's Efficiency & Conservation Block Grant.
 3. Resolutions requesting the Faulkner County Tax Collector to place certified liens on certain properties as a result of incurred expenses by the City.
 4. Ordinance to rezone property located south and east of the intersection of Denison Street and West Martin Street from R-2 to MF-3.
 5. Ordinance to rezone property located at 3535 Nutter Chapel Road from A-1 to R-2A.
 6. Consideration of a conditional use permit to allow MF-1 density in R2A at 3535 Nutter Chapel Rd.
 7. Consideration to enter into an agreement for HVAC preventive maintenance for City Hall.
 - C. Public Service Committee (Sanitation, Parks & Recreation, & Physical Plant)**
 1. Ordinance authorizing the reclassification of a position for the Conway Sanitation Department.
 2. Consideration to approve the removal of items from inventory for the Sanitation Department.
 3. Discussion of options for bronze statues at the City of Colleges Park.

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

1. Ordinance accepting donated funds from Wal-Mart to the Conway Fire Department.
2. Ordinance accepting donated IED equipment from Faulkner County to the Fire Department.
3. Ordinance accepting assets obtained through court order for the Conway Police Department.
4. Ordinance appropriating insurance funds received from VPI Pet Insurance & Southern Farm Bureau to the Conway Police Department.
5. Consideration to accept bids for fitness equipment and smartboards for the Conway Police Dept.
6. Ordinance appropriating asset forfeiture funds to purchase fitness equipment and various other items for the Conway Police Department.

E. Personnel

1. Ordinance adopting an employee handbook and personnel policy for the City of Conway.

7. Old Business

8. New Business

- A. Ordinance appropriating funds for Employee Appreciation Bonus for the City of Conway.
- B. Resolution Annual Resolutions for Quorum Court
 1. Resolution of a voluntary levy of two-tenths (.2) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a **Animal Shelter** for the City of Conway.
 2. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a **Policeman's Pension and Relief Fund**.
 3. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a **Fireman's Pension and Relief Fund**.
 4. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for paid **Non-uniformed employees**.
 5. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue the exclusive purpose of operating and maintaining the **cemeteries** for the City of Conway.
 6. Resolution of a voluntary levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a recreation assessment raising special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining the **public recreation and playgrounds** of City of Conway.
 7. Resolution of a levy of one and nine-tenths (1.9) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising **General Fund Revenues**.

Adjournment



City of Conway, Arkansas
Ordinance No. O-09-_____

AN ORDINANCE REGARDING NEW FEDERAL STANDARDS PERTAINING TO ELECTRIC UTILITIES UNDER THE PUBLIC UTILITIES REGULATORY POLICIES ACT OF 1978, AS AMENDED BY THE ENERGY INDEPENDENCE AND SECURITY ACT OF 2007; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Public Utility Regulatory Policies Act of 1978 (“PURPA”) as amended by the Energy Independence and Security Act of 2007 requires municipal electric utilities with total retail sales of 500 million kilowatt-hours during any calendar year to formally consider and determine whether to adopt four new electric utility standards relating to integrated resource planning, design modifications promoting energy efficiency investment, smart grid investments and smart grid information (the “Standards”);

WHEREAS, Conway Corporation, the lessee operator of the city-owned electric utility, had annual retail sales in excess of this 500 million kilowatt-hours and accordingly must comply with PURPA, as amended by the Energy Independence and Security Act of 2007; and

WHEREAS, Management of Conway Corporation published a notice in the Log Cabin Democrat on December 9, 2008 and conducted a public hearing on December 19, 2008 and requested written comments through March 20, 2009 as required by PURPA, as amended by the Energy Independence and Security Act of 2007; and

WHEREAS, Management of Conway Corporation have considered the comments and evaluated the consequences of these new Standards to the Corporation and have recommended policies on those Standards; and

WHEREAS, the Board of Directors of Conway Corporation has adopted a resolution accepting the recommendation of Management;

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

SECTION ONE. Integrated Resource Planning will not be implemented.

SECTION TWO. Rate design modification promoting energy efficiency investments are covered in current rate design allowing energy recovery for efficiency and no further changes are needed.

SECTION THREE. Smart Grid investments cannot be made under current contracts.

SECTION FOUR. Smart Grid information – no changes.

SECTION FIVE. It is ascertained and declared that the implementation of this Ordinance is of immediate concern to the inhabitants of the City; that by reason thereof an emergency exists and this Ordinance, being necessary for the immediate preservation of public welfare, shall take effect and be in full force from and after its passage and approval.

PASSED this 3rd day of November, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

[SEAL]



City of Conway - Mayor's Office
1201 Oak Street
Conway, AR 72032
www.cityofconway.org



Memo:

To: Mayor Tab Townsell
CC: City Council Members
From: Felicia Rogers
Date: October 28th, 2009
Re: Bicycle Advisory Board

The City of Conway Bicycle Advisory Board would like to nominate Eric Leamon for a vacant position on there board.

Please advise if you have any questions



City of Conway, Arkansas
Ordinance No. O-09-_____

AN ORDINANCE ACCEPTING AND APPROPRIATING GRANT PROCEEDS AWARDED TO THE CITY OF CONWAY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the City of Conway has been awarded a grant in the amount of \$564,000 from the Department of Energy's Energy Efficiency and Conservation Block Grant to assist with six projects.

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

SECTION 1. The City of Conway shall accept grant proceeds from the Department of Energy in the amount of \$564,000 and appropriate funds from the Federal Grant Revenue account (09.943) into the various project accounts.

SECTION 2. The funds shall be disbursed as follows:

1. \$31,400 will be used to purchase LED traffic lights.
2. \$255,000 represents the cost of traffic synchronization software, computers, displays and communication equipment to regulate traffic signals within the City of Conway.
3. \$100,000 will go into a revolving loan fund for residential builders.

Sub-grantee Conway Corporation:

1. \$150,000 is set aside for a Residential Revolving Loan Fund for homeowners.
2. \$3,200 will be used for blower door testing equipment to perform home energy audits.
3. \$25,000 is for LivingWise education program for seventh grade students in Conway.

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

SECTION 4. This ordinance is necessary for the protection of the public peace, health and safety and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



City of Conway - Mayor's Office
 1201 Oak Street
 Conway, AR 72032
www.cityofconway.org



Memo:

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

From: Felicia Rogers
Date: October 29, 2009
Re: Certified Liens – Code Enforcement

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.	2704 Bruce Street	\$140.62
2.	2530 T.J. Drive	\$141.74
3.	8 Azalea Loop	\$183.04
4.	44 Frances Drive	\$199.58
5.	600 Club Lane	\$278.18



City of Conway, Arkansas
Resolution No. R-09-_____

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 2704 Bruce 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 \$140.62 (plus a ten percent collection penalty) 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 **November 3rd, 2009** 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 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Conway Code Enforcement
Incident Report**

Date of Violation: 08-18-09

Violator Name: Blanca Romero

Address of Violation: 2704 Bruce

Violation Type: Tall Grass

Warning #: CE9123

Description of Violation and Actions Taken: The violations of tall grass & mattress left outdoors were observed and warning written on 08-18-09. A recheck was conducted on 08-26-09 with no change. Letters were sent out on 08-27-09 and notice left by mail on 08-29-09. Another recheck was conducted on 09-08-09 and the mattress was gone but grass was unchanged. A final recheck was conducted on 09-15-09 with no change in condition. The Physical Plant came out and completed mowing on 09-18-09. Pictures are on file.

Code Enforcement Officer: Bill Haynes

Officer Signature: _____



Date: 09-18-09

Time: 1325 hrs



City of Conway, Arkansas
Resolution No. R-09-_____

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 2530 T.J. Drive 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 \$141.74 (plus a ten percent collection penalty) 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 **November 3rd, 2009** 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 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Conway Code Enforcement
Incident Report**

Date of Violation: 9-14-09

Violator Name: Emmitt Hiser

Address of Violation: 2530 T. J. Drive

Violation Type: Tall Grass

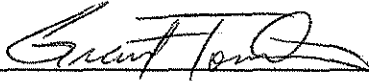
Warning #: CE9321

Description of Violation and Actions Taken:

On 9-14-09 I drove by 2530 T.J. Drive to check on the grass at the residence. We (city) had already mowed the property twice in 2009. The property is vacant and in bankruptcy/foreclosure. Upon arrival I found that the grass was again in violation of the Conway Nuisance Abatement Code. I contacted Code Enforcement Assistant Barbara McElroy and had her put the property on the mowing/cleanup schedule. Pictures were taken of the property at this time. The property was mowed on 9-18-09 with pictures taken before and after the cleanup was complete. A bill was sent to the owner via certified mail to the listed mailing/billing address in Arkansas County Data. Pictures are on file for viewing/review.

Code Enforcement Officer: Grant Tomlin

Officer Signature: _____



Date: 10-20-09

Time: 1248



City of Conway, Arkansas
Resolution No. R-09-_____

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 **8 Azalea Loop** 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 **\$183.04** (plus a ten percent collection penalty) 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 **November 3rd, 2009** 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 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Conway Code Enforcement
Incident Report**

Date of Violation: August 25, 09

Violator Name: Marsha Chase

Address of Violation: 8 Azalea

Violation Type: Grass

Warning #: 9212

Description of Violation and Actions Taken: On 8-25-09 a warning was issued to Miss Chase in reference to tall grass. On 9-4-09 I checked the property and nothing had been done. On 9-11-09 the property was still out of compliance so clean up was scheduled. Pictures are on file and available upon request.

Code Enforcement Officer: Oattie Cowgill

Officer Signature: Oattie Cowgill

Date: 9-15-09

Time: 1030am





City of Conway, Arkansas
Resolution No. R-09-_____

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 44 Frances Drive 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 \$199.58 (plus a ten percent collection penalty) 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 **November 3rd, 2009** 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 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Conway Code Enforcement
Incident Report**

Date of Violation: 09-03-09

Violator Name: Mark Thurman


Address of Violation: 44 Frances

Violation Type: Tall Grass

Warning #: CE9135

Description of Violation and Actions Taken: I observed and wrote a warning for tall grass on 09-03-09. A recheck was conducted on 09-11-09 with no change in condition. Letters were sent out on 09-14-09 with notice being left on 09-15-09 by mail. Another recheck was conducted on 09-23-09 with only a small portion of the front yard being mowed. The Physical Plant completed mowing on 09-28-09. Pictures are on file.

Code Enforcement Officer: Bill Haynes

Officer Signature:  _____

Date: 09-28-09

Time: 1030 hrs



City of Conway, Arkansas
Resolution No. R-09-_____

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 600 Club Lane 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 \$278.18 (plus a ten percent collection penalty) 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 **November 3rd, 2009** 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 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

**Conway Code Enforcement
Incident Report**

Date of Violation: 08-25-09

Violator Name: Rhino Building Co. of AR.

Address of Violation: 600 Club Ln.

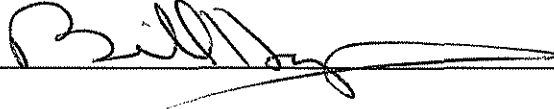
Violation Type: Tall Grass

Warning #: CE9086

Description of Violation and Actions Taken: Responding to a citizen complaint I observed the violation of tall grass in an empty lot at 600 Club Ln on 08-25-09. Certified and regular letters were sent to the listed owners on 08-26-09 with notice being left by mail on 08-27-09. Rechecks were conducted on 09-08-09 and 09-15-09 with no change in condition. The Physical Plant bush hogged the lot on 09-28-09.

Code Enforcement Officer: Bill Haynes

Officer Signature:

A handwritten signature in black ink, appearing to read "Bill Haynes", is written over a horizontal line. The signature is cursive and somewhat stylized.

Date: 09-28-09

Time: 1408 hrs



City of Conway, Arkansas
Ordinance No. O-09- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED SOUTH AND EAST OF THE INTERSECTION OF DENISON STREET AND WEST MARTIN STREET FROM R-2 TO MF-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 **R-2** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

Lots 1 through 7, West Martin Street Subdivision

A part of the NE¼ SW¼, Section 11, T-5-N, R-14-W, Faulkner County, Arkansas described as beginning at a point 248.4 feet west and 221 feet north of the SE corner of the above said NE¼ SW¼; to the true P.O.S.; run thence north 199 feet; thence west 381.6 feet; thence south 199 feet; thence run east 381.6 feet to the point of beginning. Containing 1.74 acres more or less. Also a part of Block 1 Laney Addition to the City of Conway Arkansas..

to those of **MF-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 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

October 24, 2009

Council Members
Conway, AR 72032

Dear Council Members:

A request for rezoning from R-2 to MF-3 for property addressed as 2505 through 2517 (*odd numbers only*) West Martin Street located south and east of the intersection of Denison and West Martin streets with the legal description

Lots 1 through 7, West Martin Street Subdivision:

A part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, T-5-N, R-14-W, Faulkner County, Arkansas described as beginning at a point 248.4 feet west and 221 feet north of the SE corner of the above said NE $\frac{1}{4}$ SW $\frac{1}{4}$; to the true P.O.S.; run thence north 199 feet; thence west 381.6 feet; thence south 199 feet; thence run east 381.6 feet to the point of beginning. Containing 1.74 acres more or less. Also a part of Block 1 Laney Addition to the City of Conway Arkansas.

was reviewed by the Planning Commission at its regular meeting on October 19, 2009. The 4 – 2 vote on a motion to deny the rezoning request effectively denied it for lack of a majority when the Planning Commission failed to achieve the required six (6) votes. Commissioners Craig Cloud and Terry Sossong voted against the motion to deny the request. Those voting for denial feel that West Martin Street is too narrow to support an additional multi-family apartment complex. Also raised at public hearing was the possibility of drainage issues developing with the addition of more concrete and pavement that a multi-family complex would require.

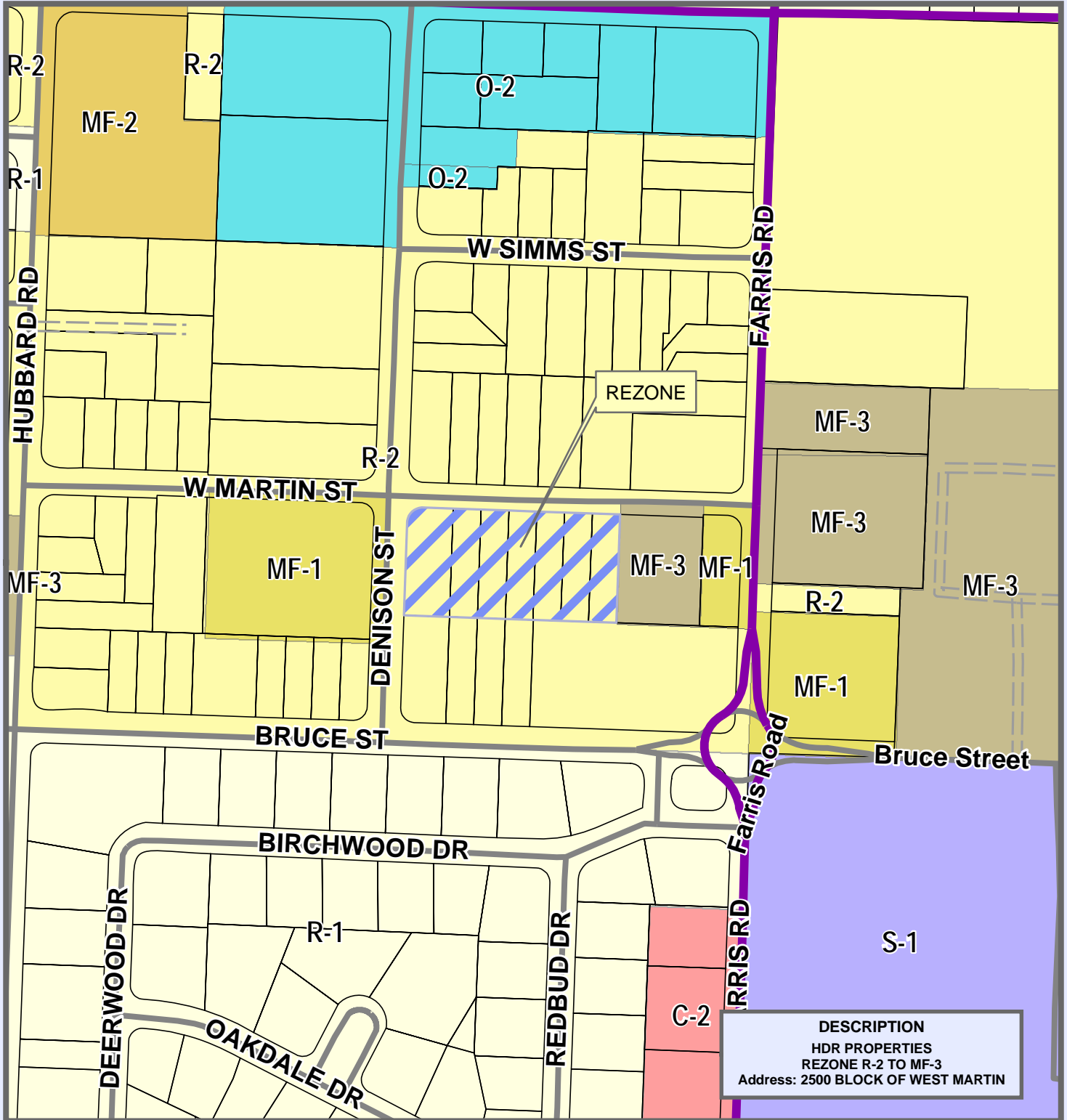
The applicant's designated agent submitted a written request to appeal the Planning Commission's denial to the City Council at the November 3, 2009, council meeting. Public notification of this appeal in the form of a public hearing sign announcing the appeal was verified as posted on the property seven (7) days prior to this City Council meeting as required by ordinance.

Submitted by,

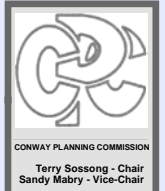
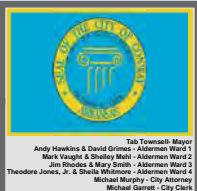
Terry Sossong, Chairman
Planning Commission

CITY OF CONWAY

HDR PROPERTIES R-2 TO MF-3



DESCRIPTION
HDR PROPERTIES
REZONE R-2 TO MF-3
Address: 2500 BLOCK OF WEST MARTIN



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



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

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



City of Conway, Arkansas
Ordinance No. O-09- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT 3535 NUTTER CHAPEL ROAD FROM A-1 TO R-2A:

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

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

A PART OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 27, TOWNSHIP 5 NORTH, RANGE 14 WEST, DESCRIBED AS BEGINNING AT A POINT 528.0 FEET EAST OF THE NW CORNER OF SAID NE $\frac{1}{4}$ NW $\frac{1}{4}$ AND RUN THENCE EAST 377.33 FEET TO A POINT WHICH IS 418.00 FEET WEST OF THE NE CORNER OF SAID NE $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE S00°45'35"E, 209.0 FEET; THENCE EAST 418.00 FEET TO THE EAST LINE OF SAID NE $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE S00°45'35"E ALONG AND WITH SAID EAST LINE 352.32 FEET; THENCE N86°05'45"W, 794.84 FEET; THENCE N01°06'13"W, 507.25 FEET TO THE POINT OF BEGINNING, CONTAINING 7.73 ACRES, MORE OR LESS; SUBJECT TO AN EASEMENT FOR ROAD PURPOSES OVER AND ACROSS THE WEST 50 FEET OF SAID LANDS.

to those of **R-2A**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

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

PASSED this 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

October 24, 2009

Council Members
Conway, AR 72032

Dear Council Members:

A request for rezoning from A-1 to R-2A with an attendant conditional use for MF-1 density for property located at 3535 Nutter Chapel Road with the legal description

A part of the NE¼ NW¼, Section 27, Township 5 North, Range 14 West, described as beginning at a point 528.0 feet East of the NW corner of said NE¼ NW¼ and run thence East 377.33 feet to a point which is 418.00 feet West of the NE corner of said NE ¼ NW ¼ ; thence S00°45'35"E, 209.0 feet; thence East 418.00 feet to the East line of said NE¼ NW¼; thence S00°45'35"E along and with said East line 352.32 feet; thence N86°05'45"W, 794.84 feet; thence N01°06'13"W, 507.25 feet to the point of beginning, containing 7.73 acres, more or less; subject to an easement for road purposes over and across the west 50 feet of said lands.

was reviewed by the Planning Commission at its regular meeting on September 21, 2009. Following the public hearing and commission discussion, a vote of 9 – 0 held the rezoning request in committee until the October meeting to give the applicant time to submit drawings and / or additional information to the Commission on the proposed development of the property. Also, the public hearing on the conditional use was *suspended* on a 9 – 0 vote until the next Planning Commission meeting on October 19, 2009, at which time the applicant would have had an opportunity to submit additional information and drawings for the rezoning request prior to reopening of the public hearing on the conditional use.

At the October 19 meeting, applicant presented drawings and additional information. However, with only six (6) commissioners present and the vote on a motion to approve the rezoning to R-2A being only 5 - 1, the motion failed for a lack of majority, i.e., six votes. That effectively rendered the conditional use moot due to the lack of R-2A rezoning approval. Commissioner Chris Steplock voted against the rezoning expressing concerns about pushing out of single-family homeowners in the area along with inadequate street infrastructure and access. Commissioners did, however, discuss possible conditions that might have been placed on the conditional use had the rezoning been approved, and Commission Chairman Terry Sossong instructed that a letter be forwarded to council (*see attachment*) listing conditions that were discussed and would likely have been placed on the conditional use had it been approved.

The applicant's designated agent submitted a written request to appeal the Planning Commission's denial at the November 3, 2009, city council meeting. Public notification of this appeal in the form of a public hearing sign announcing the appeal was verified as posted on the property seven (7) days prior to this City Council meeting as required by ordinance.

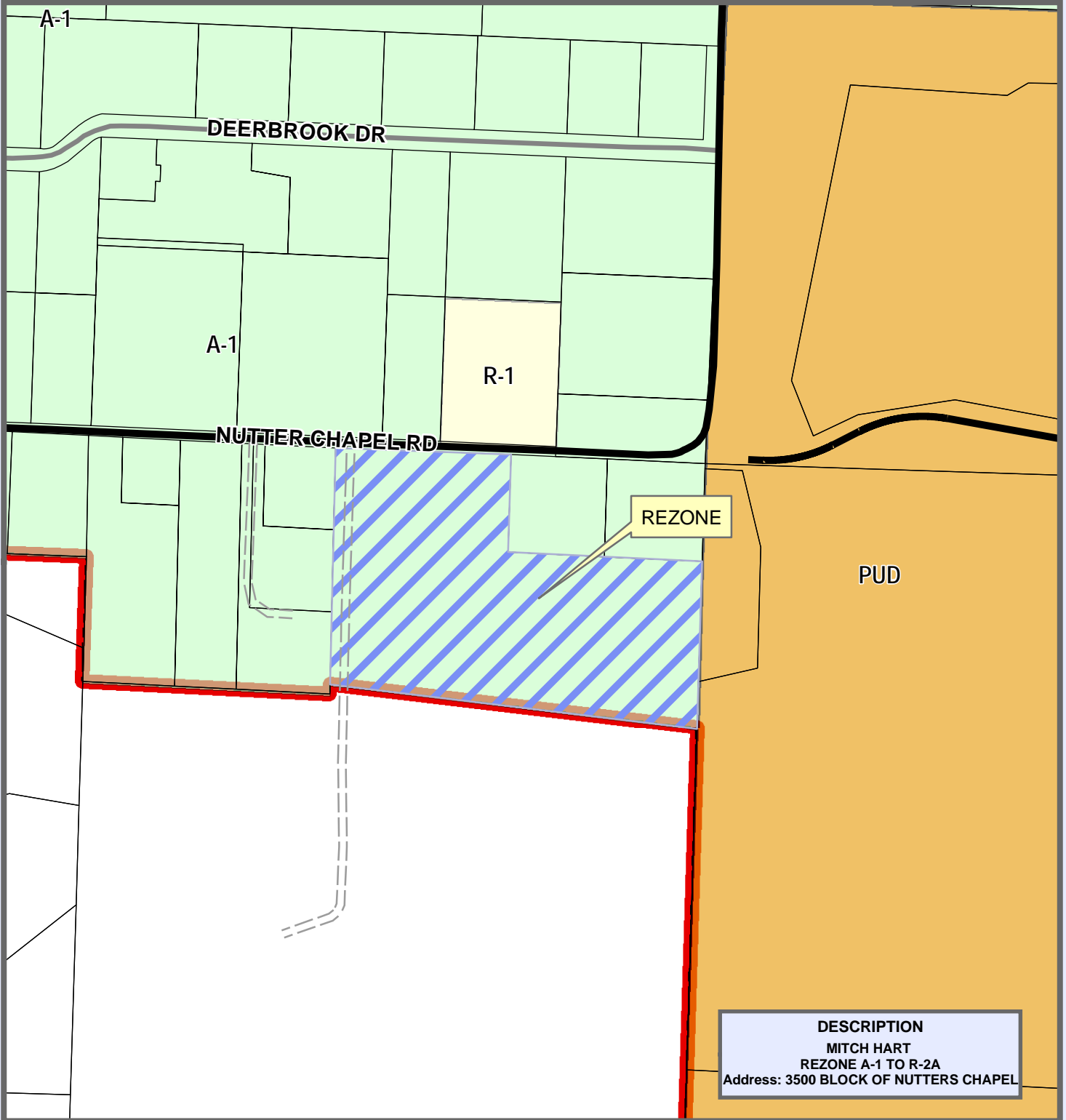
Submitted by,

Terry Sossong, Chairman
Planning Commission

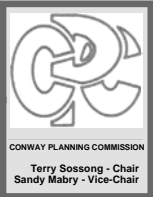
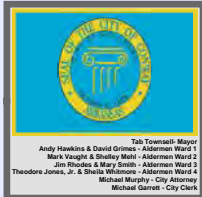
Attachment (1)

CITY OF CONWAY

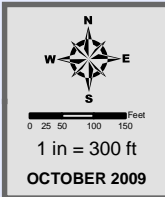
MITCH HART REZONE A-1 TO R-2A



DESCRIPTION
MITCH HART
REZONE A-1 TO R-2A
Address: 3500 BLOCK OF NUTTERS CHAPEL



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



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

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



CONWAY PLANNING COMMISSION

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

October 24, 2009

Council Members
Conway, AR 72032

Dear Council Members:

RE: Conditional Use Permit Request for MF-1 density in R-2A Zoning

At our Planning Commission meeting on Monday, October 19, 2009, we voted 5 – 1 on a motion to approve the R-2A rezoning request to which the subject conditional use would have been attached. With only six commissioners in attendance, the motion failed for lack of a majority of six. Prior to voting on the rezoning, commissioners requested the public hearing on the conditional use be reconvened so that they could consider the rezoning request in light of MF-1 density and possible conditions that might be placed on it should the rezoning pass.

Although the motion to approve the R-2A rezoning failed for lack of a six-vote majority, the Planning Commission chose not to entertain other motions such as forwarding the rezoning to Council without recommendation. Below are the conditions the Planning Commission discussed and on which they would have voted had the rezoning been approved for submission to the council for final action. Commissioners felt these possible conditions should be forwarded to the council as a starting point for their consideration should the applicant appeal the denial of the rezoning and the conditional use.

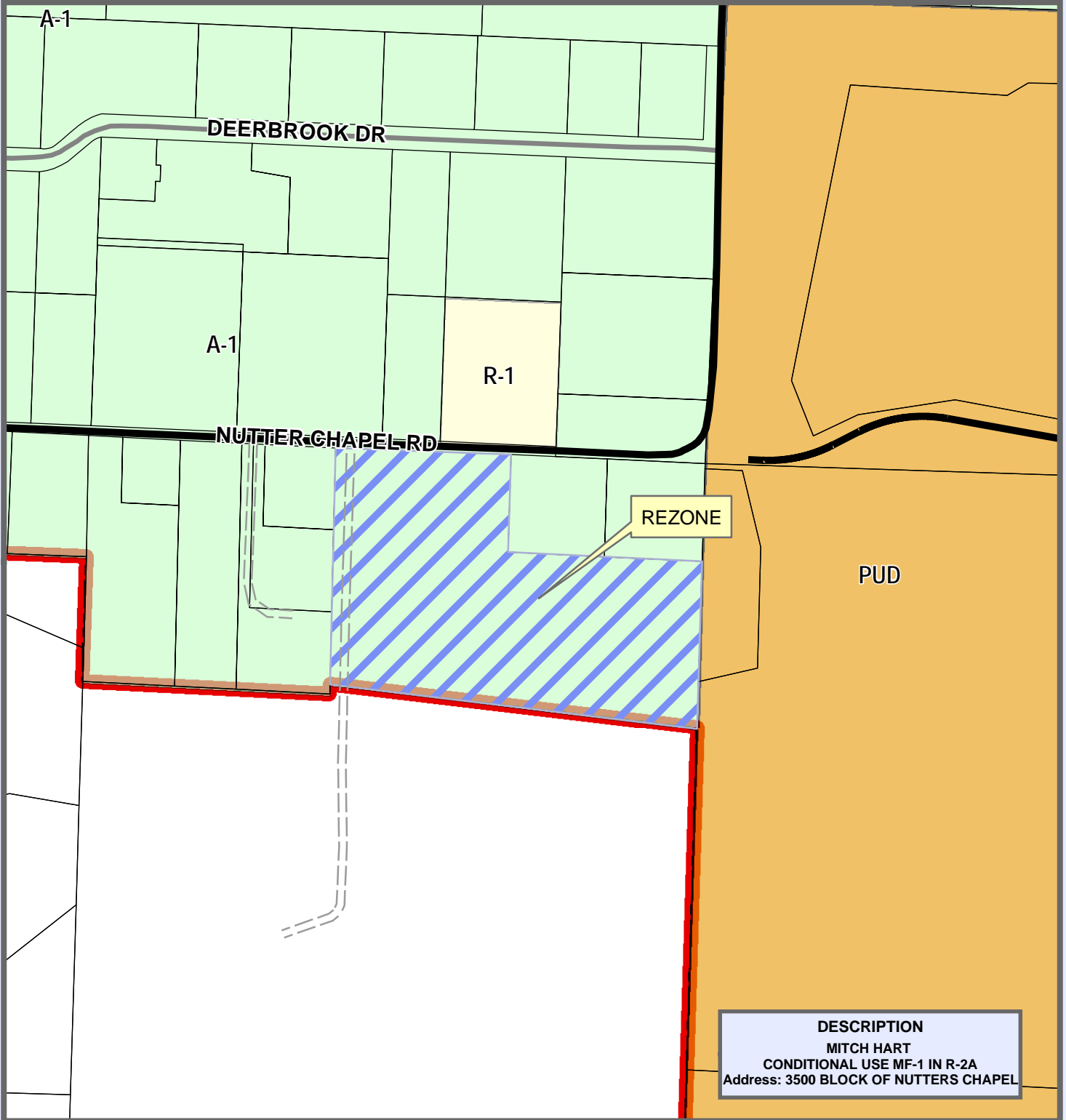
1. All buildings on the site are to be single-story structures.
2. Masonry shall occupy no less than 71% of any façade of any structure.
3. Architectural shingles required on all structures.
4. Privacy fencing is required along the west and north property lines. Should applicant acquire the one-acre property to the north, no fencing along the north property line would be required.
5. No banners allowed.

Submitted by,

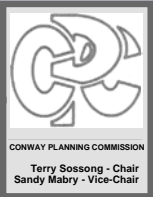
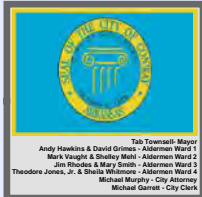
Terry Sossong, Chairman
Planning Commission

CITY OF CONWAY

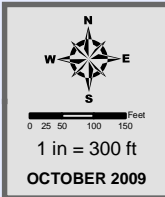
MITCH HART CONDITIONAL USE MF-1 IN R-2A



DESCRIPTION
MITCH HART
CONDITIONAL USE MF-1 IN R-2A
Address: 3500 BLOCK OF NUTTERS CHAPEL



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



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CONTACT INFORMATION
 LANDMARK GIS WEBSITE
gis.cityofconway.org/LANDMARK_DEVELOPMENT/
 E-MAIL: Jason.Lyon@CityOfConway.org



City of Conway - Mayor's Office
1201 Oak Street
Conway, AR 72032
www.cityofconway.org



Memo:

To: Mayor Tab Townsell
CC: City Council Members
From: Felicia Rogers
Date: October 28th, 2009
Re: Preventive Maintenance Agreement

The City of Conway is in need of a preventive maintenance agreement for the HVAC located in City Hall.

Two proposals were received and they are as follows:

Freyaldenhoven Heating & Cooling	\$9,566.00
Middleton Heat & Air	\$13,740.00

This agreement will be entered into effective January 1, 2010 on a yearly basis.

Please advise if you have any questions.



Freyaldenhoven Heating & Cooling, inc.

1101 Front Street · Conway, AR 72032 · 329-2951

"Quality is our Specialty"

PROPOSAL

PRESENTED TO

Conway City Hall

FOR PREVENTIVE MAINTENANCE AGREEMENT

This maintenance proposal includes all heating & air conditioning equipment. We propose the following work and services:

- **Two complete tune-up and operation inspections a year.**
- **Water Treatment.**
- **Monthly filter changes.**

A 4-hour response time for emergency calls will be met with travel time excluded.

The flat rate charge for additional services will bill out at a \$105.00 diagnostic fee plus the repair cost, regardless of the time of day; as well as Weekends and Holidays.

This agreement also provides a 15% discount off of list price for all parts.

No repairs will be done without prior authorization from designated manager.

A complete list of the equipment model and serial numbers on all equipment to be serviced and maintained will be on file.

This agreement is for 1 year from the date of acceptance and will renew annually unless terminated by 30 day written notice...

Total investment for one year _____ **\$9,566.00**

Respectfully Submitted,

Mark England (501) 940-0326
Freyaldenhoven Heating & Cooling, Inc.
1101 Front St.
Conway, AR. 72032
501-329-2951 Fax 501-327-2568

_____ *Accepted*

_____ *Date*



Freyaldenhoven Heating & Cooling, inc.

1101 Front Street · Conway, AR 72032 · 329-2951

"Quality is our Specialty"

PREVENTIVE MAINTENANCE

BENEFITS:

1. Improved Efficiency.
2. Extended Equipment Life.
3. Improved Capacity.
4. 15% Discount on Repair-Service-Labor/Materials.
5. Priority Customer.
6. Inflation Protection.
7. Agreement is Transferable.
8. 24-Hr Emergency Service.
9. Never an Overtime Charge.

PRECISION TUNE-UP PROCEDURES

INCLUDE:

1. Clean and Adjust Burner Assembly.
2. Clean Ignition Assembly.
3. Clean Heat Exchanger or Elements.
4. Monitor Flue Draft.
5. Adjust Operating Pressures.
6. Monitor Starting Capabilities.
7. Test Safety Controls.
8. Clean and Adjust Blower Components.
9. Measure for Correct Airflow.
10. Tighten Electrical Connections.
11. Measure Volts/Amps on Motors.
12. Lubricate all Moving Parts.
13. Adjust Thermostat Calibration.
14. Clean Evaporator Coil if Accessible.
15. Clean Condenser Coil.
16. Clean Condensate Drains.
17. Measure Temperature Difference.



PO Box 506
Bryant, AR 72089
HVAC # 084059

Office: (501) 224-4888
Office: (800) 404-0371
FAX: (501) 847-7711

Voted the "Best of the Best" Twelve Years in a Row

April 14, 2009

City of Conway
City Hall
Oak & Front Street
Conway, AR 72032

Subject: Planned Maintenance of the HVAC Mechanical System

Location: Same as above

Middleton Heat & Air is pleased to submit our planned maintenance proposal on the subject facility. The maintenance program is designed to ensure that the covered equipment is maintained in optimum operating condition, which will provide reduced energy usage, and extend equipment life.

After careful consideration, it has been determined that the equipment should be maintained on:

- Full Coverage Maintenance Program – (Maintenance, labor, and parts)

Enclosures

The following enclosures are included which along with this letter, constitute our planned maintenance agreement:

- List of Mechanical Equipment to be Covered
- Maintenance Schedule Showing the Extent of Service Performed
- Rate Schedule for Unscheduled Emergency Service
- Terms and Conditions

Services Provided

These services are designed to ensure your equipment will be maintained on a scheduled basis, and is supported by our 24-hour emergency service when required. The following are provided as part of our planned maintenance program:

- All oils and grease (Oil analysis if required)
- Condenser inspection and coil cleaning (Once a year)
- Air handler inspection and cleaning (Once a year)
- Package unit inspection and cleaning (Once a year)
- Chiller inspection and cleaning (Once a year)
- Boiler inspection, cleaning and annual (Once a year)
- Change drive belts (Once a year)
- Replace return air filters (On a quarterly basis)

Initial _____

Exclusions

- Engineering, design or professional services.
- Sump or structural components of cooling towers or evaporative condensers.
- Labor, material or equipment required or recommended by insurance companies, governmental agencies, Local/State/Federal Codes or Union Regulations.
- No corrections in design of system or equipment are included in this agreement.
- Repair or replacement resulting from negligence, vandalism, repairs by others, weather conditions, amounts recoverable from insurance companies, or any other occurrence out of the control of the Contractor.
- Repair or replacement of Non-movable parts.
- Replacement of refrigerants.
- Repair or replacement of old package unit with SN: X106855.
- Repair or replacement of equipment considered obsolete (Parts not available).
- Repair, replacement or cleaning of ductwork or insulation.
- Repair or replacement of ductwork to correct air flow problems.
- Repair or replacement of boiler tubes/pressure vessel or refractory.
- Repair or replacement of electrical disconnects switches or boxes, circuit breakers or circuit panels.
- Repair or replacement of fire dampers.
- Repair or replacement of piping or valves for gas, waste, water supply, sanitary, chilled water, hot water or steam drains, or condensate.
- Repair or replacement of microprocessors, gauges, thermometers, recording instruments or portable instruments.
- Repair or replacement of compressors, condenser/evaporator coils or heat exchangers over ten (10) years old is limited to a maximum liability of \$100.00 per ton (12,000 btu).
- Repair or replacement of flues, chimneys, or vent pipes is excluded.
- Repair or replacement of equipment cabinets, panels, or casings.

Initial Inspection

During the first thirty (30) days of this Agreement or upon seasonal start-up, if Contractor should find any equipment covered under this Agreement to be in need of repair and/or replacement, Contractor will inform the Customer in writing of the equipment condition and proposed corrective action. When the Contractor so notifies the Customer, it is understood that the Contractor will not be responsible for the pre-existing and/or present condition of the equipment, nor repair or replacement thereof, until such time the equipment is restored or replaced to the satisfaction of the Contractor.

Price

Total cost to accomplish the program as outlined is **\$13,740.00** per year, payable at **\$1,145.00** per month; plus applicable state and local taxes. Additional service not covered under the agreement will be billed in accordance with the Middleton Heat & Air current customer discounted rates.

This Agreement shall become effective immediately upon signature by Customer and Contractor. This Agreement shall be effective for a period of one (1) year from date of signing. Either party may terminate this Agreement per compliance with the General Conditions.

Sincerely,

Jim Courtney
Commercial Maintenance Services
Middleton Heat & Air, Inc.

Customer's Acceptance: (By authorizing this section you agree to the terms and conditions of this agreement)

Signature: _____

Effective Date _____

Print Name: _____

Title: _____

EQUIPMENT	MANUFACTURER	MODEL NUMBER	SERIAL NUMBER	LOCATION
Chiller	Carrier	30RAN025-511KA	3103F46235	Roof
Air Handler#1	Carrier	40RM-007-B600GC	3598F66223	Equipment Rm.
Air Handler#2	Carrier	40RM-007-B600GC	3598F66260	Equipment Rm.
Air Handler#3	Carrier	40RM-007-B600GC	3598F66239	Equipment Rm.
Air Handler#4	Carrier	40RM-007-B600GC	0698F22252	Equipment Rm.
Condenser#1	Carrier	38AK-007-501	3798G00171	Roof
Condenser#2	Carrier	38AK-007-501	3798G00173	Roof
Condenser#3	Carrier	38AK-007-501	3798G00170	Roof
Condenser#4	Carrier	38AK-008-501	3697G00160	Roof
Package Unit	Excluded from	Parts and labor	X106855	Roof
Ex. Fan 1	*	*	*	*
Ex. Fan 2	*	*	*	*
Ex. Fan 3	*	*	*	*
Ex. Fan 4	*	*	*	*
Boiler	Bryan	BE-75W-3T3	61843	Equipment Rm.
Pump	*	*	*	*
15 Console Air Handlers	*	*	*	*

* To Be Listed

PLANNED MAINTENANCE SCHEDULE

The following schedule details items serviceable as applicable to your system.

BOILER ANNUAL

1. Disarm and lockout - blow down boiler.
2. Remove gas manifold – clean orifices.
3. Clean Burners
4. Disassemble and inspect – service low water floats.
5. Open hand holes and inspect waterside – flush boiler.
6. Check refractory for cracks.
7. Inspect flue stack and cap.
8. Fill and restart boiler.
9. Check expansion tank for leaks – recharge with air.
10. Take stack gas analysis.
11. Evaluate fuel-air mixture – trim firing rate air mixtures.
12. Check all boiler safety controls for proper operation.
13. Check all operating controls.
14. Measure and record gas pressures.
15. Perform flame safeguard system test.

BOILERS

1. Observe combustion and flame quality.
2. Inspect orifices, passages and nozzles.
3. Visually inspect refractory.
4. Check igniter operation.
5. Check operation of low water cut-off.
6. Check condition and operation of all controls including, but not limited to: operating control, high temperature/pressure safety limit, flame failure safety, high/low gas pressure and cut-off on gas burners.
7. Check operation of automatic water feed make-up.
8. Check sight glass level and adjust on expansion tanks.
9. Check strainers.
10. Inspect flue pipe for soot and corrosion.
11. Perform boiler annual during fall start up service.

CHILLER MAINTENANCE CHECKLIST

1. Visually inspect all equipment for proper operation and safety functions.
2. Check all set points for proper settings and function.
3. Assess evaporator and condenser coil fouling as required.
4. Check compressor motor temperature per manufacturer's specifications.
5. Leak test all compressor fittings, oil pump joints and fittings, and relief valves.
6. Check insulation for condition and appropriateness.
7. Check proper control function of hot gas by-pass and liquid injection.
8. Check vane control setting per manufacturer's specification if applicable.
9. Check motor load limit control setting per manufacturer's specification.
10. Check balance operation settings per manufacturer's specification.
11. Check chilled water reset settings and function per manufacturer's specification.
12. Check chiller lockout set point per manufacturer's specification.
13. Clean condenser tubes annually as part of the shutdown procedures.
14. Check compressor motor and assembly alignments to manufacturer's specification.
15. Check all compressor motor and assembly seals and provide lubrication as required.
16. Conduct oil analysis on oil and filter.
17. Change oil and filter as required.
18. Check oil pump and seals.
19. Check oil heater and thermostat.
20. Check all strainers, valves, etc.
21. Check all electrical connections and tighten as required.
22. Assess proper water flow in the evaporator and condenser coils.
23. Check refrigerant level and condition, record amounts and address leakage issues.

CHILLED WATER PIPING VALVES

1. Check for leaks.
2. Check for proper flow rate and adjust valves as necessary.
3. Check motorized valves for integrity of linkage and external moving parts.
4. Lubricate as necessary.

COMPRESSOR

1. Check for general conditioning and operation.
2. Check oil level, when applicable.
3. Check for unusual noise and vibration.
4. Check crankcase heater operation.
5. Check for proper operation of high and low pressure controls.
6. Check for visible refrigerant leaks.
7. Check super heat on thermal expansion valves.
8. Check motor amps with nameplate limitations.
9. Check motor starter coils, contacts and connections.
10. Check and log all operating pressures and conditions.

CONDENSING UNITS (AIR COOLED)

1. Check fan for proper rotation and balance.
2. Visually inspect fan for alignment and balance.
3. Check fan blades and clean dirt accumulation.
4. Check for condition of drive belts and adjust as necessary.
5. Check coil condition for damage or obstruction.
6. Inspect for visible refrigerant or oil leaks.
7. Clean coils with non-acid, biodegradable foam cleaner during the Spring Start up service.
8. Lubricate motor bearing if applicable.
9. Inspect all coils, contactors, relays, control circuit wiring, and connections. Tighten as needed.

CONTROLS

1. Check settings of time clocks and change settings for seasonal control.
2. Check operation of all zone thermostats.
3. Check for proper set point.
4. Check and lubricate all damper motors for proper operations.

FILTERS

1. Replace filters with high efficiency pleated filters, as per Agreement.
2. Check filters on filtration systems that have pressure differential gauges. Log pressures.
3. Check filter racks for proper fit – ensure no “by-pass” of filter rack.

AIR HANDLER/FAN/COIL UNITS

1. Lubricate fan and motor bearings as necessary.
2. Examine motor mounts.
3. Check drive belts and adjust if necessary.
4. Check drives for alignment.
5. Check coil for leaks and general condition.
6. Check for adequate temperature drop across the coil.
7. Inspect condensate drains. Clean if accessible.
8. Inspect motor starter to include coils, contacts and connections and tighten as necessary.

PACKAGE UNIT

1. Check condenser and evaporator coil condition.
2. Clean condenser coils with non-acid, biodegradable foam cleaner.
3. Check control setpoints.
4. Check and calibrate safeties.
5. Check expansion valves for proper feed and superheat.
6. Check reversing valve (heat pumps) for proper operation.
7. Check crankcase heater.
8. Check refrigerant charge. Check for visible refrigerant and oil leaks.
9. Check oil level and condition if applicable.
10. Test compressor efficiency
11. Log compressor discharge pressure
12. Log compressor suction pressure
13. Log motor operating amperage
14. Check temperature differential, evaporator
15. Check condensate drains.
16. Clean condensate drains if accessible.
17. Check fan condition
18. Check fan for proper rotation and clearance.
19. Check motor starter coils, contacts and connections. Tighten as necessary.
20. Check flame quality at burner section.
21. Check orifices and nozzles.
22. Adjust fuel air ratios.
23. Lubricate bearings as required.
24. Examine motor mounts.

TERMS AND CONDITIONS

CONDITIONS:

The planned maintenance work necessary for proper operation of the mechanical system will be the responsibility of Middleton and will be billed at the Agreement rate. Middleton will provide necessary tools, material, equipment, labor and trucks required to perform this work during normal business hours, which are 7:30 AM to 4:30 PM, Monday through Friday.

Customers under a Planned Maintenance Agreement will receive priority response. Emergency service after hours will be available at any time, 24 hours per day.

Middleton will make recommendations, as deemed necessary, to improve the system performance. Such recommendations will include estimates when requested.

RATES: (For non-covered or pre-existing items)

- | | |
|--|---|
| 1. Current customer repair labor rate: | \$79.00 per hour |
| 2. Customer discount is 10%: | \$71.10 per hour |
| | Plus \$71.10 /1 st half hour |
| 3. Customers receive a 10% discount on parts | |

TERMS:

- This Agreement shall become effective immediately upon signature by Customer and Contractor. This Agreement shall be effective for a period of one (1) year. Either party may terminate this Agreement upon thirty days written notice per compliance with the General Conditions.
- Middleton Heat & Air
- Terms of payment – net thirty (30) days
- Quoted prices are valid for thirty days unless otherwise specified.

GENERAL CONDITIONS

Customer agrees not to assign or transfer this agreement without written approval of Middleton. To do so may result in the cancellation of the agreement by Middleton and a charge to the customer for work performed to date.

Where equipment is located above ceiling space, Middleton shall not be liable for any damages caused from water, including, but not limited to, damage caused by stopped up drain lines and overflowed drain pans.

The services to be performed under this agreement are not a guarantee against obsolescence. Normal wear and inspections shall not be construed as an approval or guarantee of the condition of the equipment.

Middleton shall be excused for any delay in completion of the Agreement and shall not be liable for the loss of or damage to air conditioning equipment caused by natural disasters, acts of the owner or the owner's agent, employee or independent Contractor, stormy weather, labor trouble, acts of public utilities, public bodies or inspectors, extra work, transportation conditions, materials shortages, or damages attributable to additions, alterations, adjustments, repairs made by others, or other contingencies unforeseen by Middleton and beyond the reasonable control of Middleton.

Should the owner, or his representative, direct any modification or addition to the work covered by this Agreement, the costs shall be adjusted accordingly.

Ductwork, air balancing, variable air volume boxes, electrical power wiring outside equipment cabinets, plumbing, or any work required because of negligence, misuse of equipment, vandalism, sabotage, fire, flood or acts of natural causes, shortage of high voltage electrical supply, will not be included in the agreement.

Middleton requires payment within thirty (30) days of date of invoice. Middleton shall have the right to stop work if any payment shall not be made to Middleton under this agreement, within forty-five (45) days of the invoice date.

If the customer should default in any of his obligations under this Agreement, Middleton shall have the right to recover, as damages, at Middleton's opinion, either the reasonable value of work performed by Middleton or the balance of the Agreement price plus any other damages sustained as a result of the custom's default. Title to and ownership of all equipment and materials installed by Middleton as expressly agreed; remain in Middleton until payment in full, for any and all equipment and materials has been received by Middleton. In the event of default hereunder, Middleton shall have the right without notice to enter at any time the premises of the Customer where in any materials or equipment of Middleton's is located and to take possession and removal of the same without recourse to any legal proceedings for the purpose, or without any liability whatsoever arising therefrom.

If either party becomes involved in litigation arising out of this agreement or the performance hereof, the court or arbitration panel shall award reasonable costs and expenses, including attorney's fees, to the party entitled thereto. In awarding attorney's fees, the court or arbitration panel will now be bound by any court fee scheduled, but shall, if it is in the interest of justice to do so, award full amount of costs, expenses and attorney's fees paid or incurred in good faith.

In the event of any dispute of the parties hereto, whether involving a claim in tort, Agreement or otherwise, the same shall be submitted to arbitration. Within a reasonable period of time after receipt of notice of demand for arbitration, the parties to the dispute shall each appoint a party arbitrator and give notice of such appointment to the other. Within a reasonable period of time after the appointment of the party arbitrators, the two arbitrators so selected shall select a neutral arbitrator and give notice of the selection thereof to the parties. The arbitrators shall hold a hearing within a reasonable period of time from the date of notice of selection of the neutral arbitrator. Arbitration shall be compulsory and binding and except as provided herein and governed by the provisions of the Arkansas Code of Civil Procedure pertaining to arbitration. Either party is entitled to utilize attachment and mechanic's lien proceedings concurrently with arbitration proceedings, and neither party will be held to have waived the right to arbitrate by virtue of levy of attachment or recording and perfecting a mechanic's lien.

No action of any character arising from or related to this Agreement, or the performance thereof shall be commenced by either party against the other more than two years after completion of cessation of work under this Agreement.

The Customer may cancel this agreement upon any anniversary date provided that thirty (30) day written notice informing either party of such cancellation is received by either party at least thirty (30) days prior to the anniversary date. The Contractor may cancel this agreement upon written notice to the Customer if any invoiced amounts are not paid when due or covered equipment has been altered, added to, or repairs are made by others. If the Customer should cancel this Agreement, it is understood, Customer is responsible to pay for all services rendered prior to the date of cancellation at normal rates.

Unless specifically stated otherwise, all terms and conditions set forth in these General Conditions shall be incorporated by reference in any purchase order or Agreement written by the customer who is based in whole or in part as a result of this document and accepted by Middleton or its authorized agent.



City of Conway, Arkansas
Ordinance No. O-09-_____

AN ORDINANCE AUTHORIZING THE RECLASSIFICATION OF A PART TIME SPECIAL PROJECT COORDINATOR TO A SECRETARY POSITION FOR THE CONWAY SANITATION DEPARTMENT, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the City of Conway Sanitation Department would like to request the reclassification of the part time special project coordinator position to a Secretary position for the Conway Sanitation Department.

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

SECTION 1. The City of Conway shall reclassify the PT Special Project Coordinator to a Secretary position within the Sanitation Department.

SECTION 2. No additional salary funds are required for this staffing adjustment.

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

SECTION 4. 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 3rd day of November, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

	Service Proposal
X	Reclassification

City of Conway Service Proposal & Reclassification Request

Attach your back-up to this form when submitting Service Proposals and Reclassification Requests to the Budget Office.

Department / Division Name	Sanitation
-----------------------------------	------------

	Position Title	Pay Grade	Annual Salary
Proposed:	Secretary for Fleet Maintenance	3	22,937

"Current" information needed for reclassification only

Estimated Cost of Position:

Expenses:	
Salary Cost (when reclass, calculate the difference between current & proposed only)	463
Benefits (Non-Uniform Pension, Life/Medical/Dental Insurance, Unemployment Insurance, and Workers' Compensation Insurance)	1,645
Total	2,108

Salary and fringe benefit costs are based on the costs for 4 pay periods

Estimated Operating Expenses: Account Number / Name	Amount
Total Operating Expenses	-

Estimated Capital Expenses: Account Number / Name	Amount
Total Capital Expenses	-

Total Estimated Cost of New Position	
---	--

M E M O R A N D U M

TO: The Honorable Tab Townsell
and Members of City Council

FROM: Cheryl Herrington
Director, Department of Sanitation

DATE: October 22, 2009

REFERENCE: Disposal of property

I would like to request approval to remove the following items from our inventory listing and to dispose of them.

- Recycling Robot (replaced with like equipment available to Sanitation Department from the Faulkner County Solid Waste District)
- Recycling Sorting Line (to be replaced in early 2010 with automated recycling sort line)

The items will be disposed of through sale or scrap, whichever appears to provide the best price to the City.



**City of Conway, Arkansas
Ordinance No. O-09- _____**

AN ORDINANCE ACCEPTING DONATED FUNDS & APPROPRIATING FUNDS TO THE CONWAY FIRE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the Conway Fire Department received a donation in the amount of \$1,000 from Walmart; and

WHEREAS, requests the donation be used for the purchase of a Rescue Randy mannequin to be used at entry level tests and bi-annual department fit tests for the Conway Fire Department, and

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 said above amount and appropriate from the General Fund Revenue Donation Account (01.909) to the Fire Department Other Equipment Capital Account (01.115.921);

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

PASSED this 3rd day of November, 2009

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-09- _____**

**AN ORDINANCE ACCEPTING DONATED IED EQUIPMENT FROM FAULKNER COUNTY;
APPROPRIATING PROCEEDS OF DONATION; DECLARING AN EMERGENCY; AND FOR OTHER
PURPOSES**

WHEREAS, the City of Conway has a need for various pieces of IED equipment for emergency management

WHEREAS, a donation has been made by Faulkner County of several detection equipment items, one Bomb Squad vehicle, and one HazMat Team vehicle to be disbursed to the Fire Department; and

WHEREAS, Faulkner County has requested that the City of Conway Fire Department accept these items for emergency management.

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

Section 1. That the City of Conway does hereby accept the donation of the emergency management equipment with an estimated value of \$191,110.

Section 2. The City of Conway shall appropriate \$191,110 from the General Fund Donation Account 01.909. Allocations of \$191,110 will be placed into 01.115.926 Fire Department.

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

PASSED 3rd day of November, 2009

Approved:

Mayor Tab Townsell

Attest:

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



City of Conway, Arkansas
Ordinance No. O-09- _____

AN ORDINANCE ACCEPTING ASSETS OBTAINED THROUGH COURT ORDER FOR THE CITY OF CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the Circuit Court of Faulkner County has granted a court order awarding specific seized assets to the Conway Police Department as enumerated on the attached list.

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

Section 1. The Conway Police Department shall accept the assets outlined on the attached listing through court order by the Circuit Court for the use of the Conway Police Departments having a stated value of \$500.00.

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

PASSED this 3rd day of November, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
DIVISION 1

FILED

2009 MAY 19 PM 3 08

IN THE MATTER OF PROPERTY TO BE RETAINED
BY THE CONWAY POLICE DEPARTMENT

CIV 2009-192 RHONDA WHARTON, CLERK

PETITION

BY [Signature] DC

Comes now before the Court the Conway Police Department and for its petition doth state:

1) That the items contained on the attached evidence reports are items which are not subject to being returned to any lawful owners although due effort has been made by the Conway Police Department and that therefore said items should be titled in the Conway Police Department and retained by the Conway Police Department for its use.

WHEREFORE the Conway Police Department doth pray this Honorable Court for an order directing that the items listed on attached evidence reports be forfeit to the Conway Police Department for its use.

[Signature]

Marcus Vaden
Prosecuting Attorney
Twentieth Judicial District

VERIFICATION

State of Arkansas
County of Faulkner

On this day Chief A.J. Gary appeared before the undersigned Notary Public, and after being duly sworn states and affirms under oath that the facts contained hereinabove are true and correct to the best of his knowledge and belief.

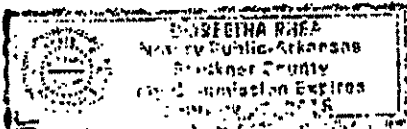
[Signature]
Chief A.J. Gary

Subscribed and sworn to before me May 19, 2009.

My commission expires:

1-03-2015

[Signature]
Notary Public



IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
DIVISION 1

FILED

2009 MAY 19 PM 3 08

IN THE MATTER OF PROPERTY TO BE RETAINED
BY THE CONWAY POLICE DEPARTMENT

RHONDA VANDERGRIF, CLERK

ORDER

BY MT DC

Comes now before the Court the matter of the petition filed herein by the Conway Police Department and based upon said petition and being fully advised of the premises herein this Court doth find, order, adjudge and decree that the items listed on the evidence reports filed with said Petition should be and hereby are deemed titled in the Conway Police Department and shall be retained by said Conway Police Department for its use.

IT IS SO ORDERED.



Circuit Judge

5/19/09

Date

INCIDENT NUMBER

PROPERTY TO RETAIN FOR DEPARTMENT USE

LOCATION

ESTIMATED VALUE

2006-08482

AKAI BIG SCREEN TV. SERIAL #ACKS3CEYB01332M

CID STORAGE ROOM

\$500.00

P. 005/005

(FAX) 501 450 6198

WESTIN

OCT-28-2009(WED) 15:09



City of Conway, Arkansas
Ordinance No. O-09-_____

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

WHEREAS, the City of Conway has received three checks totaling \$605.59 from VPI Pet Insurance (insurance proceeds) for K9 veterinarian bills and;

WHEREAS, the Conway Police Department needs these funds to replenish their K9 expenditure account for future expenses;

WHEREAS, the City of Conway has received a check in the amount of \$915.14 from Southern Farm Bureau (insurance proceeds) for repairs necessary to fix a CPD motorcycle that was damaged in an accident and;

WHEREAS, the Conway Police Department needs these funds to make the necessary repairs;

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 \$605.59 and appropriate from the Insurance Proceeds Revenue Account (01.512) to the Police Department's K9 Animal expenditure account (01.113.389).

SECTION 2. The City of Conway shall accept the insurance proceeds in the amount of \$915.14 and appropriate from the Insurance Proceeds Revenue Account (01.512) to the Police Department's vehicle maintenance expenditure account (01.113.234).

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

PASSED this 3rd day of November, 2009.

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: June 1, 2009
SUBJECT: Acceptance of Bid for fitness equipment

Bids were opened May 5, 2009 for fitness equipment for the new police facility; we received two bids:

Premier Fitness, Inc	\$49,743.48
Advanced Exercise Equipment	\$36,298.70

Due to the fact that Advanced Exercise Equipment did not provide information for all equipment included on the specs I am requesting that the Council accept the bid received from Premier Fitness, Inc.

Thank you for your consideration.



City Of Conway

MEMORANDUM



To: Chief Gary

From: Chris Kalz *C. Kalz '08*

Date: 10-20-09

Re: Fitness equipment

.....

Chief Gary,

We received two bids for equipment for the fitness room. After looking at both bids it is my opinion that we need to go with the bid from Premier Fitness. I have included several comparisons to show why and the Promaxima bid is not meeting the specs set forth in the bid invitation.

- 1) Starting with the treadmills; I picked a commercial line that was in the middle as far as price and durability from the Precor Company. The bid from Promaxima appears to have bid from the low end. My fear is that the low end treadmill will not last as long and not be able to handle the amount of traffic that we will be putting on it.
- 2) I located through Precor a two in one motion trainer. This machine combines an elliptical and step machine in one. The Promaxima bid an arc trainer. Promaxima did not send specs or photos for this machine which does not follow the bid invitation. I tried to find equipment that had more than one function utilizing the space that we have. Without any information on the arc trainer I'm not able to even see where it will fit in the room.
- 3) The duel cable system from Hoist has a large frame that is stronger than the Promaxima, it has a stronger pull up bar, a larger weight stack, and Hoist has an accessory kit for storage. This also helps with saving space. The Promaxima has a smaller frame, less weight, smaller pull up bar, and no storage. This also does not meet the bid specs from the invitation.
- 4) The three way Olympic bench from Hoist has a spotter stand, weight storage, and a larger stronger frame. Promaxima sent only a picture of their bench. This does not meet the bid invitation. From looking at the picture I can see it does not have weight storage and there is no spotter stand.

This is just four examples of a large bid. I do not believe that Promaxima has met the bid invitation by not sending all of the specs for the machines. One of the machines has nothing at all. I feel the Promaxima equipment is of lesser value and quality. This explains to me the big difference in the cost between the bids. I believe the bid from Promaxima should not even be considered because of the lack of information presented.

Bidder # 1



Date	Estimate #
9/22/2009	2009-44

Premier Fitness Inc.

1121 South Bowman Rd
Suite C3
Little Rock, AR 72211

Office 501-227-4300
Fax 501-227-4308
premierfitness.jason@gmail.com

Web Site premierfitnessinc.com

Sold To/Install At:

Conway Police Department
1105 Prairie St
Conway, AR 72032
ATTN: Felicia Rogers
BID NUMBER 2009-44

P.O. No.	Terms	Date	Rep
		2/13/2009	JB

Qty	Item	Description	List Price	Unit Price	Total
1	Hoist HD-1910	Hoist Personal Pulley System	\$2,999.00	\$2,114.00	2,114.00T
1	Hoist-CF-3753	Hoist Commercial 7 Degree Smith Machine	\$3,599.00	\$2,771.00	2,771.00T
1	Hoist-HD-2300	Hoist HD-2300 Mid Row/Lat Pulldown	\$2,599.00	\$1,819.00	1,819.00T
1	Hoist-RPL-5403	Hoist Composite Motion Leg Press Plate Loaded	\$3,399.00	\$2,957.00	2,957.00T
1	Hoist HD-2200	Hoist Pec Dec / Rear Delt	\$2,599.00	\$1,884.00	1,884.00T
1	Hoist CF-2179	Hoist Commercial 3-Way Olympic Incline/Flat/Decline Bench	\$1,699.00	\$1,345.00	1,354.00T
1	Hoist HD-2400	Hoist HD-2400 Seated Leg Ext/Leg Curl	\$2,999.00	\$2,174.00	2,174.00T
1	Hoist CF-3160	Hoist Commercial Adjustable Flat / Incline Bench	\$799.00	\$636.00	636.00T
1	Hoist CF-3960	Hoist Utility Bench	\$399.00	\$318.00	318.00T
1	Hoist CF-3165	Hoist Super Flat/Incline/Decline Bench Commercial Freeweight	\$899.00	\$717.00	717.00T
1	Hoist-CF-3461-3	Hoist 3 Tier Horizontal Dumbbell Rack (15 Pair)	\$1,129.00	\$900.00	900.00T
1	Hoist CF-3444/-OP...	Hoist Weight Tree w/ Bar Holders	\$528.00	\$421.00	421.00T
2	Precor C954i	Precor C954i Treadmill 120v Experience Series	\$6,895.00	\$5,593.00	11,186.00T
1	Precor AMT100i	Precor AMT100i Adaptive Motion Trainer Experience Series	\$7,995.00	\$6,882.00	6,882.00T
1	Freight	Freight Expense for Precor Cardio Equipment			340.00T
1360	SD-xxxR	VTX Dumbbells; 8 Side Black Rubber Hex; Chrome Grip (5,10,15Lbs,20 -110 lbs in ten pound increments. Sold in pairs)	\$1.80/ Lb. = \$2,448.00	\$1.45 /LB	1,980.00T
1440	GO-xxxVR	VTX PRO SERIES Olympic 2" Plates, Rubber encased "wide flanged" 3 hole Grip Plate	\$2.00/ Lb = \$2,880.00	\$2,237.00	2,237.00T
1	Olympic Bar	USA Olympic Style 7' Bar- Black	\$200.00 ea	\$149.00	149.00T
2	T-TOZ-47B	Troy Barbell Commercial Black Olympic Curl Bar	\$180.00 ea	\$120.00	240.00T

Sales tax will be added unless you are tax exempt.
Pricing good for 30 days unless otherwise specified.
Payment due in full at time of order unless otherwise specified on this agreement.
Proof of tax-exempt status required if applicable.
A 25% restocking fee will be charged for returns.
Signature below constitutes acceptance of the terms and conditions of sale

Subtotal

Sales Tax (0.0%)

Total



Date	Estimate #
9/22/2009	2009-44

Premier Fitness Inc.

1121 South Bowman Rd
Suite C3
Little Rock, AR 72211

Office 501-227-4300
Fax 501-227-4308
premierfitness.jason@gmail.com

Web Site premierfitnessinc.com

Sold To/Install At:

Conway Police Department
1105 Prairie St
Conway, AR 72032
ATTN: Felicia Rogers
BID NUMBER 2009-44

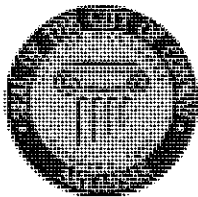
P.O. No.	Terms	Date	Rep
		2/13/2009	JB

Qty	Item	Description	List Price	Unit Price	Total
1	USA-GOB-60B	USA Sports 5ft Olympic Bar Black	\$110.00	\$70.00	70.00T
1	Accessory Pack	Accessories Include - (2) Metal Handles; (1) Tricep Rope; (1) Close Grip Row Att; (1) V-Bar Tricep Attach	\$210.00	\$150.00	150.00T
1	Freight	Freight Expense for VTX / USA Sports			320.00T
1	Freight	Freight Expense for Hoist Strength Equipment			2,500.00T
1	Delivery	Inside Delivery and Set Up of Equipment or Supplies			380.00T
		—First year of Preventive Maintenance Program FREE— Includes full P.M. of cardio and strength equipment up to twice a year. Priced at \$1,250.00—FREE			0.00
		Included FREE- Rubber Pads for equipment; Rubber Cardio Mats for all cardio pieces. TKO 65cm Fitness Balls Qty (2)	\$29.99	FREE	0.00
		A PRE-PAYMENT DISCOUNT OF 3% WILL BE OFFERED			

Sales tax will be added unless you are tax exempt.
Pricing good for 30 days unless otherwise specified.
Payment due in full at time of order unless otherwise specified on this agreement.
Proof of tax-exempt status required if applicable.
A 25% restocking fee will be charged for returns.
Signature below constitutes acceptance of the terms and conditions of sale

Subtotal	\$44,499.00
Sales Tax (0.0%)	\$0.00
Total	\$44,499.00

Bidder # 2 - Promaxima Manufacturing Inc.



City of Conway Police Department
Bid # 2009-44
Fitness/Health Center Equipment
Opening Date: Monday, Oct 19, 2009
City Hall - Downstairs Conference Room @
10:00am
www.cityofconway.org

Bid Price for Fitness/Health Center Equipment: \$ 29,814.00

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Promaxima MFB
Company Name

John Rutigliano, JR
Company Representative Name

[Signature]
Representative's Signature

5310 Ashbrook John@Promaxima.com
Address Email Address

Houston TX 77459
City State Zip

800-231-6652 713-667-9941
Telephone Number Fax Number

10/13/2009
Date

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

QUOTE

Promaxima Manufacturing, LTD

5310 Ashbrook
Houston, TX 77081
(800) 231-6652
Fax: (713) 667-9941

QUOTE NUMBER: 0074499

QUOTE DATE: 10/13/09

EXPIRATION DATE: 12/31/99

CUSTOMER NO: 00-CI72032

QUOTE TO:
CITY OF CONWAY-MAYOR'S OFFICE
1201 OAK STREET
Conway, AR 72032

SHIP TO:
CITY OF CONWAY-MAYOR'S OFFICE
1201 OAK STREET
Conway, AR 72032

ATTN: FELICIA ROGERS
Phone: (501) 450-6110
Fax:

DELIVERY INFO:

SALESPERSON: John Rutigliano Jr

CUSTOMER P.O.	SHIP VIA	F.O.B.	TERMS
			Due on Delivery

REQD	QUANTITY	ITEM NO. DROP SHIP?	DESCRIPTION	UNIT PRICE	AMOUNT
BID NUMBER 2009-44 BID OPENING DATE: MONDAY OCT. 19TH 2009 *****					
	2	CV-SX6	SX 6 FULL COMMERCIAL UNLIMITED USE TREADMILL: 4 hp. AC Motor Continuous Duty, Maintenance Free Brushless Motor, 20" x 60" 4 Ply Self-Lubricating Running Belt, 500lbs User Weight Capacity, Speed.5 to 10 MPH, 0 to 16% Elevation, Shock Absortion Dec k System, 12 Programs, Polar Contact Heart Rate & Polar Receiver, LifeTime Warranty on the Motor and Frame; 3 Years On All Parts	2,895.00	5,790.00
	1	CV-750AT	Cybox 750 AT Total body Arc Trainer	5,899.00	5,899.00
	1	P-173	Dual Adjustable Cable Column With Chin Up & 2 - 150lb Weight Stacks	1,695.00	1,695.00
	2	CA-L	Single Closed Cable Grip Handle	0.00	0.00
	1	CA-9	Deluxe Triceps Rope	0.00	0.00
	1	CA-G	Narrow Grip Low Row Handle	0.00	0.00
	1	CA-10	Multi Purpose V bar w Rubber	0.00	0.00
	1	PL-53	3- Way Bench Press Incline/Decline/Chest Press	495.00	495.00
	1	FW-68	Adjustable Flat/ Incline/ Decline Military Bench With Wheels	235.00	235.00
	1	FW-150	Adjustable Deluxe Work Bench 0 to 90 Degrees, No Pop Pin. Foot Lever Back Pad Adjustment. Seat Lock Out Adjustment System, Wheels For Easy Movement	250.00	250.00
	1	P-5000	Raptor Seated Leg Press, 300 lb. Weight Stack	1,795.00	1,795.00
	1	PLR-955	Smith Macbine 3" x 3" Steel Frame With Linear Bearings & 2" Case Hardened Steel Guide Rods, 7 - Degree Lifting Angle, Rotating Counter Balance Lifting Bar Starting At 10lbs., 6 - Laser Notched Slots On Each Side Accommodates All User Heights, Stainles s Steel Weight Plate Holders	1,795.00	1,795.00
	1	P-4300	Raptor Combo HI Lat Pull / Seated Mid Row 225 lb. Weight Stack	1,795.00	1,795.00
	1	P-1100	Raptor Rear Deltoid / Pectoral Fly, 225 lb. Weight Stack	1,795.00	1,795.00
	1	FW-70	Olympic Plate & Bar Holder	110.00	110.00
	1	FW-58A	Dumbbell Rack W/Saddles 3 - Tier Holds 15 Pair	460.00	460.00
	1	PLR-800	Seated Utility Bench with Wheels	165.00	165.00
	1	P-5500	Raptor Dual Leg Extension / Seated Leg Curl 225 lb. Weight Stack	1,795.00	1,795.00

CONTINUED

Promaxima Manufacturing, LTD

5310 Ashbrook
Houston, TX 77081
(800) 231-6652
Fax: (713) 667-9941

QUOTE NUMBER: 0074499

QUOTE DATE: 10/13/09

EXPIRATION DATE: 12/31/99

CUSTOMER NO: 00-CI72032

QUOTE TO:
CITY OF CONWAY-MAYOR'S OFFICE
1201 OAK STREET
Conway, AR 72032

SHIP TO:
CITY OF CONWAY-MAYOR'S OFFICE
1201 OAK STREET
Conway, AR 72032

ATTN: FELICIA ROGERS
Phone: (501) 450-6110
Fax:

DELIVERY INFO:

SALESPERSON: John Rutigliano Jr

CUSTOMER P.O.	SHIP VIA	F.O.B.	TERMS
			Due on Delivery

QUANTITY REQD	ITEM NO. DROP SHIP?	DESCRIPTION	UNIT PRICE	AMOUNT
1		Troy VTX Dumbbell Set (5,10,15, 20-110(10lb increments)	1,679.00	1,679.00
1		1440lbs of VTX Pro Series Olympic Plates	1,699.00	1,699.00
1		AOB-1200B 7' Olympic Bar	150.00	150.00
2		TOZ-47B Curl Bar	74.00	148.00
1		Troy 5' Olympic Bar (Black)	69.00	69.00
		Freight & Installation		1,995.00

1 Year Bi-Annual Preventative Maintenance Will Be Performed by Promaxim at No Charge

Net Order:	29,814.00
Sales Tax:	0.00
Order Total:	29,814.00

MEMORANDUM

TO: City Council Members/Mayor Tab Townsell
FROM: Chief A.J. Gary
DATE: October 23, 2009
SUBJECT: Acceptance of Bid for Turnkey Multimedia System

Bids were opened October 19, 2009 for turnkey multimedia system for the new police facility; we received one bid from Video Reality for a total of \$31,368.47.

I am requesting that the Council accept the bid received from Video Reality.

Thank you for your consideration.

**City of Conway Police Department
Turnkey Multimedia System Specifications**

Description	Qty	Price
SMART BOARD 685	1	1959 = 3918
16 FOOT USB EXTENSION CABLE	4	20 = 80.00
MITSUBISHI 3500 LUMENS XGA LCD PROJECTOR (Hose Invented)	2	3261 = 6522
12" EXTENSION POLE	2	27.40 = 54.80
CHEF FILING TIVE MOUNT	2	124 = 248.00
UNIVERSAL PROJECTOR MOUNT	2	168 = 336.00
24 RU ROTATING AND SLIDING RACK	1	507
MIDDLE ATLANTIC DATATEL 9 OUTLET RACKMOUNT POWER STRIP	2	78 = 156.00
SONY DVD RECORDER AND VHS PLAYER WITH HD TUNER	2	349 = 698.00
MIDDLE ATLANTIC 1 RU VENT PANEL	3	16 = 48.00
MIDDLE ATLANTIC CUSTOM RACK TRAY	2	134 = 268.00
MIDDLE ATLANTIC 2U SHELF 14 3/4" D 50LBS	1	43.00
MIDDLE ATLANTIC 3 RU RACK DRAWER	1	179
8X4 RGBHV SWITCHER WITH STEREO AUDIO	1	1487
CRESTRON CONTROLLER	1	150
ISYS 10.4' LECTERN/WALL MOUNT TOUCH PANEL WITH VIDEO, AUDIO, (5) PUSHBUTTONS, AND WHITE FACEPLATE	2	3100 = 6200.00
CRESTRON POWER SUPPLY	2	152 = 304.00
120 WAT MIXER AMPLIFIER	2	545 = 1090.00
FOA RACK SAYS	2	23 = 46.00
ELECTROVOICE 8' CEILING SPEAKERS - ONE PAIR	4	243.00 = 972.00
COMPUTER VGA DOCUMENT CAMERA VGA 3.5MM AUDIO USB NETWORK AND	1	112
DB9 RS232	1	112
CUSTOM PLATE WITH VGA, 3.5MM AUDIO, USB AND NETWORK	1	97.00
USB 2X4 SWITCH FOR SLAVE ROOM	1	132
USB POWERED HUB	1	56.00
ALL CABLES NEEDED FOR INSTALLATION	1	100
SHIPPING CHARGES AND HANDLING CHARGES	1	670.00
INSTALLATION OF ABOVE LISTED EQUIPMENT	1	1200.00
PROGRAMMING AND CONFIGURATION OF CRESTRON EQUIPMENT	1	1600.00


Company Name:

Video Reality

+ Tax

- See Attached Quote

Authorized Signature:





City of Conway Police Department
 2009-45 – Turnkey Multimedia System
 Bid Opening Date: Monday, October 19, 2009
 City Hall - Downstairs Conference Room @ 10:00am
www.cityofconway.org

Unsigned bids will be rejected:

Authorized Agent Bidding on this project:

Video Reality
 Company Name

James Piraino
 Company Representative Name

[Signature]
 Representative's Signature

P.O. Box 721730 piraino@video-reality.com
 Address Email Address

Oklahoma City OK 73172-1730
 City State Zip

405-721-3764 405-722-6409
 Telephone Number Fax Number

10/14/09
 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.



Phone # 405-721-3764 Fax # 405-722-6409
 WWW.VIDEO-REALITY.C...

Quote

Date	Quote #
10/5/2009	4376

A Division Of JL Hein Service Inc.

PO BOX 721730
 OKLAHOMA CITY, OK. 73172

**Video Reality is the only reseller in
 Arkansas and Oklahoma with
 Factory Trained Technicians for
 Smart Technologies products**

Name / Address
CITY OF CONWAY LLOYD HARTZELL 4605 WESCON LANE CONWAY, AR. 72034

**All quotes are good for
 30 days.**

Sales Person
JP

Item	Description	Qty	Rate	Total
SB685 gov	SMART BOARD 685	2	1,959.00	3,918.00T
USB-XT	16 FOOT USB EXTENSION CABLE	4	20.00	80.00T
WD3300U	mitsubishi 4000 ANSI-LUMEN DLP 16X10 PROJECTOR	2	3,271.00	6,542.00T
CMS-012	12" EXTENSION POLE	2	27.40	54.80T
CMS-440	CHIEF CEILING TILE MOUNT	2	134.00	268.00T
RPA-U	UNIVERSAL PROJECTOR MOUNT	2	168.00	336.00T
SRSR-4-24	24 RU ROTATING AND SLIDING RACK	1	567.00	567.00T
PD-915R	MIDDLE ATLANTIC DATATEL 9 OUTLET RACKMOUNT POWER STRIP	2	78.00	156.00T
RDR-VXD655	SONY DVD RECORDER AND VHS PLAYER WITH HD TUNER	2	349.00	698.00T
VT1	MIDDLE ATLANTIC 1 RU VENT PANEL	3	16.00	48.00T
RSH4A	MIDDLE ATLANTIC CUSTOM RACK TRAY	2	134.00	268.00T
U2	MIDDLE ATLANTIC 2U SHELF 14 3/4" D 50LBS	1	43.00	43.00T
D3	MIDDLE ATLANTIC 3 RU RACK DRAWER	1	173.00	173.00T
FGP37-0804-844	8X4 RGBHV SWITCHER WITH STEREO AUDIO	1	1,487.00	1,487.00T
MP2E	CRESTRON CONTROLLER	1	1,150.00	1,150.00T
TPS-4000LW	Isys® 10.4' Lectern/Wall Mount Touchpanel with Video, Audio, (5) Pushbuttons, and White faceplate. Mounting accessories sold separately. For custom engraving, faceplates and mounting options, see Configuration and Ordering Guide	2	3,100.00	6,200.00T
PW-2420RU	CRESTRON POWER SUPPLY	2	152.00	304.00T

Subtotal

Sales Tax (8.25%)

Total





Phone # 405-721-3764 Fax # 405-722-6409
 WWW.VIDEO-REALITY.C...

Quote

Date	Quote #
10/5/2009	4376

A Division Of JL Hein Service Inc.

PO BOX 721730
 OKLAHOMA CITY, OK. 73172

**Video Reality is the only reseller in
 Arkansas and Oklahoma with
 Factory Trained Technicians for
 Smart Technologies products**

Name / Address
CITY OF CONWAY LLOYD HARTZELL 4605 WESCON LANE CONWAY, AR. 72034

All quotes are good for
 30 days.

Sales Person
JP

Item	Description	Qty	Rate	Total
TOA A-712	120 WAT MIXER AMPLIFIER	2	545.00	1,090.00T
MB25B	TOA RACK EARS	2	23.00	46.00T
EVID C8.2	ELECTROVOICE 8' CEILING SPEAKERS - ONE PAIR	4	243.00	972.00T
JLHEI-WQ116509	COMPUTER VGA, DOCUMENT CAMERA VGA, 3.5MM AUDIO, USB, NETWORK AND DB9 RS232	1	112.00	112.00T
MISC.	CUSTOM PLATE WITH VGA, 3.5MM AUDIO, USB AND NETWORK	1	97.00	97.00T
MISC.	USB 2X1 SWITCH FOR SLAVE ROOM	1	132.00	132.00T
MISC.	USB POWERED HUB	1	56.00	56.00T
CABLE	ALL CABLES NEEDED FOR INSTALLATION	1	710.00	710.00T
SHIPPING	SHIPPING CHARGES AND HANDLING CHARGES	1	670.00	670.00T
INSTALLATION	INSTALLATION OF ABOVE LISTED EQUIPMENT	1	1,200.00	1,200.00T
INSTALLATION	PROGRAMMING AND CONFIGURATION OF CRESTRON EQUIPMENT	1	1,600.00	1,600.00T

Subtotal	\$28,977.80
Sales Tax (8.25%)	\$2,390.67
Total	\$31,368.47





City of Conway, Arkansas
Ordinance No. O-09- _____

AN ORDINANCE APPROPRIATING ASSET FORFEITURE FUNDS TO THE CONWAY POLICE DEPARTMENT FOR FITNESS EQUIPMENT AND COMPUTERS; AND FOR OTHER PURPOSES

WHEREAS, the Conway Police Department needs approximately \$94,539 to purchase fitness equipment and smartboards for the new police facility, and ten computers to replace older ones throughout the department and;

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

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

Section 1. The City of Conway shall appropriate the following funds from the Asset Forfeiture Revenue account, 21.503, into the Asset Forfeiture expenditure accounts listed below:

\$48,171.00	21.113.921 Capital Other Equipment
\$46,368.47	21.113.941 Capital Office Machines

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

PASSED this 3rd day of November, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-09-_____

**AN ORDINANCE ADOPTING AN EMPLOYEE HANDBOOK AND PERSONNEL POLICY; DECLARING
 AN EMERGENCY; AND FOR OTHER PURPOSES:**

WHEREAS, the Mayor of the City of Conway, Arkansas, has submitted to the City Council a handbook to be used for personnel matters for the City.

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

SECTION 1. A handbook entitled, "Employee Handbook, City of Conway, Personnel Policy," has been examined by the City Council and found to be needed for the fair and impartial implementation of personnel policies.

SECTION 2. This policy shall be adopted as set forth in the document entitled "Employee Handbook, City of Conway, Personnel Policy."

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

SECTION 4. 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 3rd day of November, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-09-_____

AN ORDINANCE APPROPRIATING FUNDS FOR EMPLOYEE APPRECIATION BONUS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, The City Council of the City of Conway would like to recognize the efforts of full time and part time city employees through the award of an employee appreciation bonus, for which funding must be provided;

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

Section 1: The City of Conway shall appropriate \$184,812 from Fund Balance Appropriation Accounts to the salary cost for each department in order to provide an expression of appreciation to all full time employees in the net amount of \$300 and all part time employees in the net amount of \$150. Each Fund will bear the cost of bonuses for employees, as follows: General Fund - \$141,237; Street Fund - \$13,125; Sanitation Enterprise Fund - \$29,400; Fleet Maintenance - \$700; and CDBG Fund - \$350. All part time elected officials are excluded. To receive a bonus, employees must be hired prior to the last full pay period in November and must be actively employed on the date of distribution. Employees pending termination will not receive any appreciation bonus.

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

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

PASSED this 3rd day of November, 2009.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-09-_____**

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

That a levy of Two-Tenth's (.2) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon as a Voluntary Animal Shelter assessment in the same manner and at the same time as the State and County taxes for the year beginning January 1, 2010, are collected, for the purpose of raising a special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining a Municipal Animal Shelter and/or enforcing the laws of the City regarding dogs within the City of Conway, Arkansas, authorized by a vote of the electors of the City of Conway, Arkansas, at a special election held on November 5, 1968, and that the Mayor of the City of Conway, is hereby ordered and directed to make out and certify unto the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas a certified copy of this Resolution to the end that said Court may make levy and cause said extension and collection of taxes as aforesaid.

PASSED this 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City/Clerk Treasurer



**City of Conway, Arkansas
Resolution No. R-09-_____**

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

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County taxes for the beginning January 1, 2010, for a Policeman's Pension and Relief Fund authorized by vote of the electors of Conway, Arkansas, at General Election held on November 4th, 1958, and that the Mayor of the City of Conway, Arkansas, is hereby ordered and directed, to make out and certify unto the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of the Resolution to the end that said Court may make said levy and cause the extension and collection of taxes aforesaid.

PASSED this 3rd day of November 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City/Clerk Treasurer



**City of Conway, Arkansas
Resolution No. R-09-_____**

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

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County taxes for the beginning January 1, 2010, for the purpose of raising a special revenue to provide for a Firemen's Pension and Relief Fund authorized by vote of the electors of Conway, Arkansas, at Special Election held on May 3rd, 1966, and that the Mayor of the City of Conway, Arkansas is hereby ordered and directed, to make out and certify unto the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of the Resolution to the end that said Court may make said levy and cause the extension and collection of taxes aforesaid.

PASSED this 3rd day of November, 2009

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09-_____

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

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County taxes for the beginning January 1, 2010, for the purpose of raising a special revenue to provide for a Pension and Relief Fund for Paid Non-Uniformed Employees authorized by vote of the electors of Conway, Arkansas, at Special Election held on May 3rd, 1966, and the Mayor of the City of Conway, Arkansas, ordered and directed, to make out and certify unto the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of the Resolution to the end that said Court may make said levy and cause the extension and collection of taxes aforesaid.

PASSED this 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09-_____

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

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon as a Voluntary Cemetery Assessment by the County Clerk and Collected by the County Collector as a voluntary assessment in the year beginning January 1, 2010, are collected for the purpose of raising a special revenue for the exclusive purpose of operating and maintaining the cemeteries for the City of Conway, Arkansas, and that the City Clerk-Treasurer of the City of Conway, Arkansas, and that the Mayor of the City of Conway, hereby is ordered and directed to make out and certify unto the County Clerk and the Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of this Resolution to the end that said Court may make said levy and cause said extension and collection of taxes as aforesaid.

PASSED this 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Resolution No. R-09-_____

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

That a levy of Four-Tenth's (.4) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year and that said levy be assessed thereon as a Voluntary Recreation Assessment by the County Clerk and Collected by the County Collector as a voluntary assessment in the same manner and at the same time as the State and County taxes for the year beginning January 1, 2010, are collected for the purpose of operating and maintaining the public recreation and playgrounds of the City of Conway, Arkansas, authorized by a vote of the election held on October 27th, 1964, under the provisions of Ordinance No. A-418, and that the Mayor of the City of Conway, is hereby ordered and directed to make out and certify to the County Clerk and Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of this Resolution to the end that said Court may make said levy and cause said extension and collection of taxes as aforesaid.

PASSED this 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City/Clerk Treasurer



**City of Conway, Arkansas
Resolution No. R-09-_____**

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

That a levy of One and Nine-Tenth's (1.9) mill on the dollar be made and the same hereby is made upon the assessment of all taxable real and personal property in the City of Conway, Arkansas, as made by the Assessor of Faulkner County, Arkansas, during the current year, for the year beginning January 1, 2010, for the purpose of raising General Fund Revenues of said City of Conway, the Mayor of the City of Conway is hereby ordered and directed to make out and certify unto the County Clerk and the Quorum Court of Faulkner County a copy of the Resolution to the end that said County may make said levy as aforesaid.

PASSED this 3rd day of November, 2009.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City/Clerk Treasurer