

City Council Members

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



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

City Council Meeting - Tuesday, January 11th, 2011 @ 6:30pm
Judge Russell L. "Jack" Roberts District Court Building – 810 Parkway St., Conway, AR 72032
5:30 pm - Committee Meeting: Presentation by Stephens Inc. & Kutak Rock

Call to Order

Roll Call

Minutes: **December 28th, 2010**

Announcements / Proclamations / Recognition:

1. Public Hearings:

A. Public Hearing to discuss closing a 15' utility easement located in the Tommy Lewis Addition PH 2, Lot 3.

1. Ordinance closing a 15' utility easement located in the Tommy Lewis Addition PH 2, Lot 3.

2. Report of Standing Committees:

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

1. Resolution setting a public hearing to consider the abandonment of certain alley and street rights of way in the Pine Street neighborhood.
2. Consideration of the nomination of Trey Massingill & Quida Wright to the Conway Tree Board.
3. Ordinance updating the City's mechanical code by adoption of the 2010 Arkansas Mechanical Code.

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

1. Ordinance reducing the number of non sworn positions and authorizing the reclassification of a position for the Conway Police Department.

Old Business

New Business

1. Discussion/Resolution creating a Conway Citizen Taskforce for Operation, Personnel, & Financial matters.
(Resolution to be provided prior to meeting)

Adjournment



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

AN ORDINANCE CLOSING THE FIFTEEN (15) FOOT UTILITY EASEMENT LOCATED AT TOMMY LEWIS ADDITION PH 2, LOT 3 AS SHOWN ON RIGHT OF WAY AND EASEMENT DOC. #2007-5080 (DRAWING ATTACHED); AND FOR OTHER PURPOSES;

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas on the 14th day of December, 2010 asking the City Council to vacate and abandon all that portion of a utility easement as shown on Right of Way and Easement Doc. #2007-5080.

WHEREAS, after due notice as required by law, the council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the easement or the portion thereof, hereinbefore described, has heretofore been dedicated to the public use as a easement herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the utility easement to be vacated have filed with the council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the abandonment of the utility easement as shown on Right of Way and Easement Doc. #2007-5080 (see drawing).

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

Section 1. The City of Conway, Arkansas releases, vacates, and abandons all its rights, together with the rights of the public generally, in and to the fifteen (15) foot utility easement as shown on Right of Way and Easement Doc. #2007-5080 subject to the relocation of a sewer main and restoration of service prior to the closure of that portion of this easement (drawing attached) designated as follows:

Tommy Lewis addition Phase 2, Lot 3

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

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

Passed this 11th day of January, 2011.

Approved:

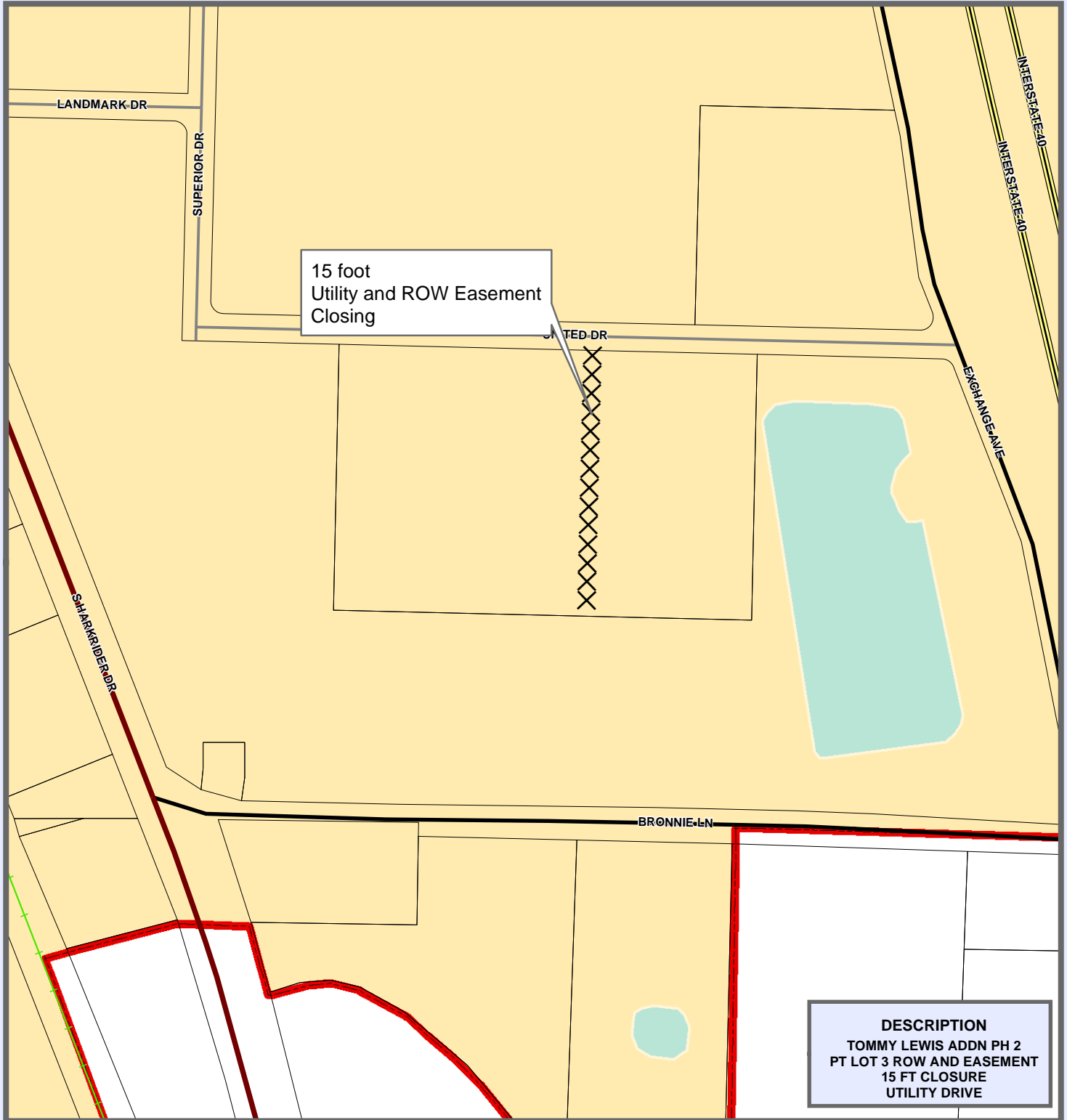
Mayor Tab Townsell

Attest:

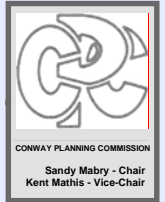
Michael O. Garrett
City Clerk/Treasurer

CITY OF CONWAY

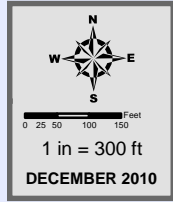
TOMMY LEWIS ADDN PH 2: PT OF LOT 3 EASEMENT CLOSING



DESCRIPTION
TOMMY LEWIS ADDN PH 2
PT LOT 3 ROW AND EASEMENT
15 FT CLOSURE
UTILITY DRIVE



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

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

Name of Street or Alley, (or portion thereof), to be vacated:

15' Right of Way and Easement Doc #2007-5080

Abutting property owners:

Name

Address

owner - Conway C3D, LP

9301 N Central Expressway

Tower II Suite 360

x 

Dallas, TX 75231

Donald C. Wilson

adjacent - 105 Development Group, LLC

PO Box 10482

Conway, AR 72304



Lynda Palmer
AT&T Arkansas
Mgr.-OSP Plng. & Engrg. Design
Right-of-Way
Joint Use of Poles

1111 West Capitol, Rm 941
Little Rock, AR 72201
(501) 373.5255 Phone
(501) 373.0229 Fax
lynda.palmer@att.com

November 30, 2010

Kimley-Horn and Associates, Inc
Attn: Hillary Von Ahsen, PE
12700 Park Central Dive, Suite 1800
Dallas, TX 75251

Dear Ms. Von Ahsen:

In response to your request that AT&T relinquish its interest in a utility easement that intersects Lot 3 of the Tommy Lewis Addition, Phase 2, to the City of Conway, Faulkner County, Arkansas, we are able to give our concurrence.

AT&T has no facilities within this easement and has no plans to use it in the future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynda Palmer".

CC: David Cain, AT&T Engr.



December 2, 2010

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

Re: Closure of 15' utility easement on Part of Lot 3 Tommy Lewis Addition Phase 2

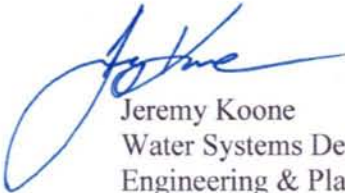
Dear Mayor Townsell:

Conway Corporation currently has an active sewer main in the existing 15 foot utility easement as shown on Right of Way and Easement Doc. #2007-5080, Records of Faulkner County, Arkansas. Conway Corporation requires the sewer main to be relocated and service restored prior to the closure of a portion of this easement. The portion of the easement to be closed is shown on the attached Alta Survey by Central Arkansas Professional Surveying, dated 11/11/10. Once the main is relocated, Conway Corporation has no objections to the closure of this portion of the easement.

If you have any questions, please let me know.

Respectfully yours,

CONWAY CORPORATION



Jeremy Koone
Water Systems Designer
Engineering & Planning



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

Date: 12/2/2010

Attention:

Hillary Keil VonAhsen, PE Kinley-Horn
Conway City Planning Department,
Honorable Tab Townsell - Mayor of Conway

Subject: Closing of Easement(United Drive) , Conway, AR

CenterPoint Energy has no conflict with the closing of the easement in section described as: Right of Way, United Drive doc#2007-5080.

(Diagram of area attached).

Tanya Malcolm, SR Marketing Consultant
CenterPoint Energy, Conway Area
Arkansas Division



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

**A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE ABANDONMENT OF CERTAIN
ALLEY AND STREET RIGHTS OF WAY IN THE PINE STREET NEIGHBORHOOD:**

WHEREAS, The City of Conway conducted a study of the Northeast Old Conway Area and adopted regulations based on this study in August, 2009; and

WHEREAS, The Northeast Old Conway Area Study recommends the closure of certain street and alley rights of way to encourage redevelopment; and

WHEREAS, The City of Conway would like to abandon a portion of Clayton Street, a portion of Walnut Street, an alley running east-west between Clayton and Sutton Streets, an alley running east-west between Sutton and Harrison Streets, and an alley running east-west between Clayton and Harkrider Streets, all within the corporate limits of the City of Conway, Arkansas; and

WHEREAS, The City shall set a date and time for a hearing before the City Council for consideration of these right of way abandonments;

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

1. That the City Council shall hear said petition at its regular meeting to be held at District Court Building, 810 Parkway Street, Conway, Arkansas, on the 25th day of January 2011 at 6:30 p.m.
2. That the City Clerk is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the manner prescribed by law.

Passed this 11th day of January, 2011.

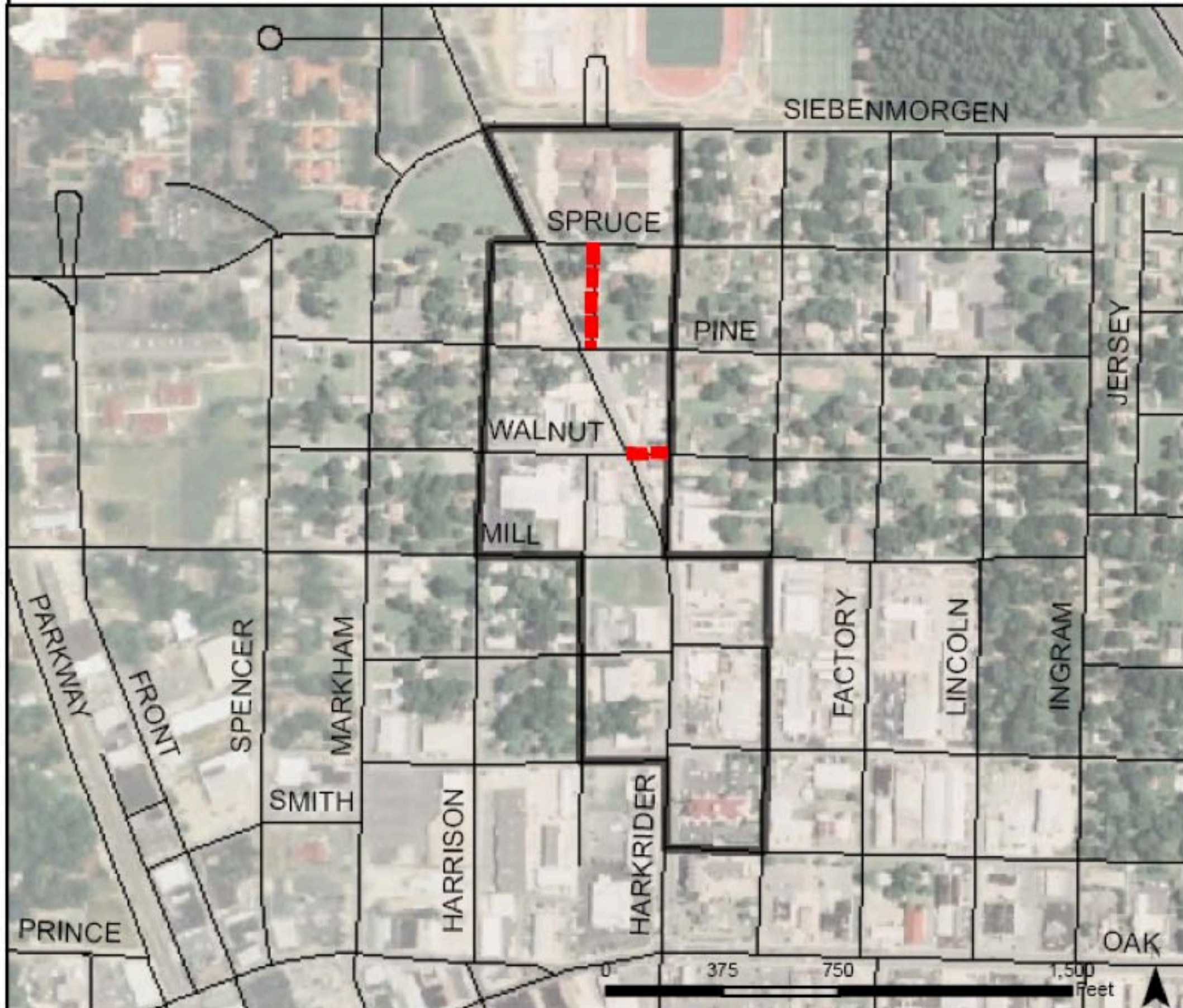
Approved:

Mayor Tab Townsell

Attest:

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

The Harkrider Corridor Street Plan



- The Harkrider Corridor
- Street
- New street/connection
- Closed street

Conway Planning and Development Department
May 27, 2009

Sources: ESRI, Geostor

Map 5.4: The Harkrider Corridor Alleyway Plan (Proposed)

The Harkrider Corridor Alleyway Plan



- Markham Street Corridor
- Street
- Open alleyway; should be built
- Open alleyway; build as warranted
- Open alleyway; should be closed
- Realign and open alleyway
- Closed alleyway; should be built



Conway Planning and Development Department
May 27, 2009

Sources: ESRI, Geostor

CITY OF CONWAY, ARKANSAS

Conway Tree Board
110 S. Amity Rd. Conway, Arkansas 72032
Phone 501-329-8344 Fax 501-329-0483

**MEMO**

TO: Mayor Tab Townsell/ Felicia Rogers
FROM: Kami Marsh, Conway Tree Board
DATE: January 4th, 2011
SUBJECT: Recommendations for Appointment and
Re-Appointments to the City of Conway Tree Board

I would like to recommend the following appointments and re-appointments to the City of Conway Building Code Board of Appeals:

Mr. Trey Massingill (Replace Allie Harrison)	Member at Large	3 Year Term
Mrs. Ouida Wright (Continuation of Membership)	Member at Large	3 Year Term

The applications providing background and credentials for each recommended appointment are attached.

Please let me know if you have any questions or need additional information.

Thank you

RECEIVED

2010 JAN -4 P 3:21

CITY OF CONWAY



City of Conway

www.cityofconway.org

Board/Commission Nomination Form:

Date: 11/4/2010

Board(s) Preferred (Please be specific)

TREE BOARD

Person Nominated: (TREV) GLEN F. MASSENBELL III

Address: 317 A DAVIS ST City, State, Zip CONWAY, AR 72034

Phone/Home: 501 255 8491 Work: 501 342 3173

Person making nomination: GLEN F MASSENBELL III

Address: 317 A DAVIS ST CONWAY, AR 72034

Phone/Home: 501 255 8491 Work: 501 342 3173

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100

List community/civic activities. Indicate activities in which you (or your nominee) are or have been involved.

~~Member of~~ Friend of the County Tax Board - 2010
County Historic District Commissioner - 2010

Indicate why you (or your nominee) are interested in serving on this board or commission and what other qualifications apply to this position.

I am interested in serving on this board in order to contribute to the preservation, oversight, and advocacy issues in the City of Conway.

What contributions do you hope to make?

While I hope to contribute in any way that is needed, I am primarily interested in the so-called "Internet" aspect of this board. This would include primarily, outreach in the digital/web realm.

Please feel free to attach to this application any additional information.

The City of Conway strives to ensure all City Boards are representative of our diverse community. To assist in these endeavors, please provide the following information on a voluntary basis:

Age: 34 Sex: M Race: CAUCASIAN

Occupation: Software Developer

Email Address: TREY.MASSINGELL@GMAIL.COM

Trey Massingell III
Signature of Applicant or Nominator

11/9/2010
Date



RECEIVED

2010 DEC 17 AM 11:01

1174 - Conway

City of Conway
www.cityofconway.org
Board/Commission Nomination Form:

Date: 12/16/10

Board applying for: (One board per form)

CONWAY Tree Board

(If you are applying for more than one board, you will only need to fill out the second page once.)

Person Nominated: Ouida Wright

Address: 1170 Winfield St City, State, Zip Conway, AR 72032

Phone/Home: (501) 329-9334 Work: 501-730-3292
Cell

Person making nomination: self

Address: _____

Phone/Home: _____ Work: _____

Please send to: Michael O. Garrett
City Clerk/Treasurer
1201 Oak Street
Conway, AR 72032
(501) 450-6100
(501) 450-6145 (f)

Please provide the following information for consideration to a City of Conway Board/Commission. List community/civic activities. Indicate activities in which you (or your nominee) are or have been involved.

Served on planning committee for Tree City USA and have been charter member of Conway Tree Board since its inception. Also, organized Arbor Day celebrations since 2006, Faulkner Co. Master Gardener past president. Currently president of AR Master Gardeners. Currently on Board of Dir. of AR Urban Forestry Council and nomination review comm. for AR Famous & Historic Tree Program.

Indicate why you (or your nominee) are interested in serving on this board or commission and what other qualifications apply to this position.

I have made several PowerPoint presentations in other cities to encourage Tree City USA establishment. Also presented programs on Arbor Day using our event as a model. Being a Tree Board member has given me credibility in helping other communities develop these valuable programs.

What contributions do you hope to make?

I would like to continue sharing Conway's positive experiences around the state and also help establish new programs (tree farm, Champion Tree, etc) and continue the missions of the Tree Board, especially that of increasing the treecanopy of the City, managing urban forestry with development and citizen education.

Please feel free to attach to this application any additional information.

The City of Conway strives to ensure all City Boards are representative of our diverse community.

To assist in these endeavors; please provide the following information on a voluntary basis:

Age: 64 Sex: F Race: Cauc

Occupation: retired Ward 2B

Email Address: ouida.wright@conwaycorp.net

Ouida Wright
Signature of Applicant or Nominator

12/16/10
Date



City of Conway, Arkansas

Ordinance No. O-11-__

AN ORDINANCE AMENDING TITLE 11 OF THE CONWAY MUNICIPAL CODE; UPDATING THE CITY MECHANICAL CODE BY ADOPTION OF THE 2010 ARKANSAS MECHANICAL CODE, REPEALING ANY ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Mayor and City Council desire to amend Title 11 of the Conway Municipal Code to update the City Mechanical Code to coincide with the State adopted Mechanical Code;

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

SECTION 1. Title 11 and its Chapter 11.56.01 shall be amended to read as follows:

11.56.01 **Adopted by reference** That there is hereby adopted by the City of Conway, Arkansas, pursuant to A.C.A. 14-55-207(a), for the purpose of establishing rules and regulations for safe mechanical installations, including alteration, repair, replacements, equipment, appliances, fixtures, fittings and appurtenances thereto so as to safeguard life, health and public welfare and the protection of property, that certain Mechanical Code known as the Arkansas Mechanical Code, 2010 edition thereof, as well as subsequent editions as adopted by the State of Arkansas, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction and installation of all mechanical systems within the corporate limits of the City of Conway, Arkansas, except as regulated by other ordinances of this code.

SECTION 2. Not less than three (3) copies of this code, or the pertinent parts thereof, have been and are now filed in the office of the Clerk/Treasurer of the City of Conway, Arkansas, for inspection and view by the public prior to the passage of this ordinance, and the same are hereby adopted and incorporated, as amended, as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all electrical systems within the corporate limits of the City of Conway, Arkansas, except as regulated by other ordinances of the Conway Municipal Code.

SECTION 3. Pursuant to A.C.A. 14-55-207©, the City of Conway has published a public notice, by publication in a paper of general circulation within the City of Conway, stating that copies of code, or the pertinent parts thereof, are open to public examination prior to passage of this ordinance.

SECTION 4. Title 11 and its Chapter 11.56.03 is deleted in its entirety and replaced with:

11.56.03 **Amendments to the code hereby adopted** The code hereby adopted is amended and changed in the following respects:

A. **Amend Section 603.5 of the Arkansas Mechanical Code** as adopted by the City of Conway to add the following:

603.5.2 City of Conway Amendment - Fiber duct prohibited. Fiber duct shall not be allowed in the City of Conway.

B. **Amend Section 603.6.2 of the Arkansas Mechanical Code** as adopted by the City of Conway to add the following:

603.6.2.3 City of Conway Amendment - Flex duct limitations. The following limitations apply to the use of flex duct in the City of Conway:

- a. Flex duct shall be allowed only on branch lines.
- b. Flex duct shall be no longer than fourteen (14') in length.
- c. Mechanically approved fittings are required for all turns.
- d. Mechanically approved fittings are required for take off

SECTION 5. All ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 6. This ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 11th day of January, 2011.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

CITY OF CONWAY, ARKANSAS

Department of Planning & Development
1201 Oak Street Conway, Arkansas 72032

J. Lynn Hicks, CBO - Building Official / Assistant Director of
Permits, Inspections & Code Enforcement
Phone 501-450-6107 Fax 501-450-6144



MEMO

TO: Mr. Bryan Patrick
FROM: Lynn Hicks
DATE: 1-3-11
**SUBJECT: Proposed Update of the
City Mechanical Code**

The State of Arkansas has adopted the 2010 Arkansas Mechanical Code, effective statewide on January 1, 2011.

The City of Conway has currently adopted the 2003 Arkansas Mechanical Code and unless updated to coincide with the State adopted Mechanical Code, the contracting community will be required to comply with two different editions of mechanical codes.

Also, the upgrade to newer edition of the code provides the citizens of Conway with the safety and protection afforded by the most updated and evolved codes for the installation of mechanical systems.

With your support I would like to recommend presentation of an ordinance to the Mayor and City Council to update the City Mechanical Code to the 2010 edition of the Arkansas Mechanical Code.

If you have any questions or need any additional information, please advise.



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

AN ORDINANCE REDUCING THE NUMBER OF AUTHORIZED NON SWORN POSITIONS FOR THE CONWAY POLICE DEPARTMENT AND AUTHORIZING THE RECLASSIFICATION OF A SECRETARY’S POSITION TO AN ADMINISTRATIVE ASSISTANT POSITION; AND FOR OTHER PURPOSES:

WHEREAS, the Conway Police Department is currently authorized forty five (45) non sworn positions and is requesting to eliminate one (1) vacant Secretary position and reclassify one (1) vacant Secretary to an Administrative Assistant position;

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

SECTION 1. The City of Conway shall eliminate one Secretary position and shall reclassify one Secretary’s position to one Administrative Assistant position.

This will decrease the number of authorized non-sworn positions by one.

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.

PASSED this 11th day of January, 2011.

Approved:

Mayor Tab Townsell

Attest:

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