

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



City Council Members

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

**City of Conway - City Council Meeting**

[www.cityofconway.org](http://www.cityofconway.org)

Tuesday, May 22<sup>nd</sup>, 2012 @ 6:30pm

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

5:30pm - Committee Meeting:

**No Committee Meeting**

\*\*\*\*\*

Call to Order: Mayor Tab Townsell  
 Roll Call: Michael O. Garrett, City Clerk/Treasurer  
 Minutes: May 8<sup>th</sup>, 2012 City Council Meeting  
 Announcements/Proclamations/Recognitions: Employee Service Awards

**1. 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 discuss changing the name of Ridge Road to Pike Ridge.
2. Resolution setting a public hearing to discuss the closing of a 10 foot utility easement located in the Conway Marketplace East Phase 2.
3. Consideration to accept nominations for the Advertising and Promotion Commission.
4. Consideration to enter into an easement agreement with The Village of Hendrix for property referred to as the Watershed.
5. Ordinance authorizing the issuance and sale of franchise fee revenue refunding bonds Series 2012 by the City of Conway.

**B. Public Services Committee (Sanitation, Parks & Recreation & Physical Plant)**

1. Ordinance appropriating insurance proceeds to the Conway Sanitation Department.
2. Consideration to accept bids for (2) 2012 Commercial Front Load Refuse Truck & (2) 2012 Commercial Rear Load Refuse Truck for the Conway Sanitation Department.

**New Business**

1. Consideration of a request by the Hearts on Fire to paint Engine 10 for promotional purposes to raise awareness of cancer.
2. Consideration of a request by Cresthaven Property Owner's Association to use the excess Water District Improvement #10 funds for improvements to Mill Pond Road.
3. Ordinance adopting and requiring an event permit application for special events to be held on City of Conway Property and utilizing city personnel/resources.

**Adjournment**



**City of Conway, Arkansas  
Resolution No. R-12-\_\_\_\_\_**

**A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS RENAMING RIDGE ROAD TO PIKE  
RIDGE IN THE CITY LIMITS OF THE CITY OF CONWAY.**

**WHEREAS**, the City Council of the City of Conway, Arkansas has been petitioned by Jack Pike to rename Ridge Road to Pike Ridge; and

**WHEREAS**, the City shall set a date and time for a hearing before the City Council for consideration of this street name change.

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

1. That the City Council shall conduct a public hearing at its regular meeting to be held at District Court, 810 Parkway Street, Conway, Arkansas, on the June 12<sup>th</sup>, 2012 @ 6:30pm.
2. That the City Clerk is hereby directed to publish notice of the hearing for the time and in the manner prescribed by law.

**PASSED** this 22<sup>nd</sup> day of May, 2012.

**Approved:**

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

**Attest:**


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

# CITY OF CONWAY

## RIDGE RD RENAME TO PIKE RIDGE RD



**DESCRIPTION**  
**RENAME RIDGE RD TO PIKE RIDGE RD**  
**OLD MORRILTON HWY TO SKYLINE DR**



Tab Townsall - Mayor  
 Andy Hawkins & David Grimes - Alderman Ward 1  
 Mark Vaughn & Shelly Mott - Alderman Ward 2  
 Jim Rhoads & Mary Smith - Alderman Ward 3  
 Theodore Jones, Jr. & Sheila Whitmore - Alderman Ward 4  
 Michael Murphy - City Attorney  
 Michael Garrett - City Clerk




Bryan Patrick - Director  
 Wes Craglow - Deputy Director  
 Christy Sutherland - Planner  
 Liletha Ribea - Planning Tech  
 Jason Lyon - GIS Coordinator



CONWAY PLANNING COMMISSION  
 Craig Cloud - Chair  
 Chris Steplock - Vice-Chair

INTERSTATE	LOT LINE	<b>Residential</b>	<b>Industrial</b>
MAJOR ARTERIAL	STREAMS	R-1	I-1
MINOR ARTERIAL	LAKES & PONDS	R-2A	MF-1
COLLECTOR	CITY LIMITS	R-2	MF-2
PRIVATE ROAD		R-3	MF-3
INTERSTATE RAMP		HR	RMH
RAILROADS		SR	I-3
		<b>Commercial</b>	<b>Office</b>
		C-1	O-1
		C-2	O-2
		C-3	O-3
		C-4	S-1
			A-1
			PUJ



0 1530 60 90 Feet  
 1 in = 300 ft  
 MAY 2012

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  
 LAND MARK IMS WEBSITE:  
[gis.cityofconway.org](http://gis.cityofconway.org) (UNDER DEVELOPMENT)  
 E-MAIL: Jason.Lyon@CityofConway.org



**City of Conway, Arkansas  
Resolution No. R-12- \_\_\_\_\_**

**A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE CLOSING OF A 10 FOOT UTILITY EASEMENT LOCATED IN LOT 2B OF REPLAT OF LOT 2R CONWAY MARKETPLACE EAST PHASE 2 AND FURTHER DESCRIBED AS THE 10 FOOT UTILITY EASEMENT ON THE NORTH LOT LINE LESS AND EXCEPT THE EAST 15 FEET, AND THE 10 FOOT UTILITY EASEMENT ON THE SOUTH LOT LINE LESS AND EXCEPT THE EAST 15 FEET AND THE WEST 45 FEET, AND REMOVE THE 15 FOOT CROSS ACCESS EASEMENT ON THE WEST LOT LINE:**

**WHEREAS**, a petition has been filed with the City Council of the City of Conway, Arkansas by Mitch Hart for HartLand Development Company to abandon an easement located in the Conway Marketplace East Phase 2 Subdivision within the corporate limits of the City of Conway, Arkansas; and

**WHEREAS**, upon the filing of the petition with the City, the City shall set a date and time for a hearing before the City Council for consideration of the petition.

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

1. That the City Council shall hear said petition at its regular meeting to be held at the Russell L. "Jack" Roberts District Court Building, 810 Parkway Street, Conway, Arkansas, on **June 12<sup>th</sup>, 2012 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 22<sup>nd</sup> day of May, 2012.

**Approved:**

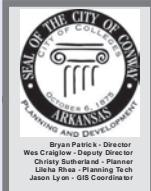
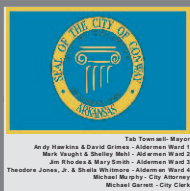
\_\_\_\_\_  
**Mayor Tab Townsell**

**Attest:**

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

# CITY OF CONWAY

## CONWAY MARKETPLACE EAST SUBDIVISION -- EASEMENT CLOSINGS



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



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

City of Conway  
Mayor's Office  
[www.cityofconway.org](http://www.cityofconway.org)

# Memo:

To: Mayor Tab Townsell  
CC: City Council Members  
Barbara Money, A&P Commission  
From: Felicia Rogers  
Date: May 18<sup>th</sup>, 2012  
Re: A&P Commission Board Nominations

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Nominations were advertised for two open positions on the Advertising and Promotion Commission and the board has selected the following:

- Ray Kordsmeier (At Large Position)
- Mike Kraft (Tourism Industry Position)

Each term will be four years.

Please advise if you have any questions.

RECEIVED

4/2/12  
K Francis



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

Date: 3/30/2012

Board applying for: (One board per form)

Advertising & Promotion Commission

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

Person Nominated: Ray Kadsmerer

Address: 1 Barford Conway City, State, Zip Conway AR 72034

Phone/Home: 501 329 8554 Work: 501 329 3944

Person making nomination: \_\_\_\_\_

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.

Chamber of Commerce, Past Chairman, Rotary - Past Chairman  
Conway Regional Hospital Board - Past Chairman, Civil Service  
Comm, Past Chairman, Public Facilities Board, Current Chairman  
Advertising & Promotion Board, current Vice Chairman

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

I think Conway is a great place to live & work  
want to continue to be a part of the city's  
growth & prosperity

What contributions do you hope to make?

Involved in the community, well know & accessible  
to a large & diverse group of people, have  
good business and marketing skills.

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: 60 Sex: M Race: C

Occupation: Owner Kordbmer Furniture Ward 3

Email Address: Kordbmerfurniture@Conway Corp. net

Ray Kordbmer  
Signature of Applicant or Nominator

3/30/2012  
Date



RECEIVED

4/2/12  
K Francis



City of Conway

[www.cityofconway.org](http://www.cityofconway.org)

Board/Commission Nomination Form:

Date: 3/31/12

Board applying for: (One board per form)

A & P Commission

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

Person Nominated: Mike Kraft

Address: 4 Summerfield City, State, Zip Conway, AR 72034

Phone/Home: 501-269-5233 Work: 501-329-7278

Person making nomination: Mike Kraft

Address: 4 Summerfield

Phone/Home: 501-269-5233 Work: 501-329-7278

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.

member ATA, member downtown Partnership, member Chamber, member Grace United Methodist, Board United Way.

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

I enjoy serving the board presently. I enjoy serving the community & seeing ~~around~~ the results of the investment of the community by way of taxes. I believe the increases we have w/ A&P taxes are related to the events the money is allocated to.

What contributions do you hope to make?

I hope my experience will help us to continue to spend our money wisely and continue revenue increases as we expand the arts for a highly cultural environment

*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: 39 Sex: M Race: W

Occupation: Restaurant Owner Ward 3

Email Address: mkMIKESPLACE@yahoo.com

  
Signature of Applicant or Nominator

3/31/12  
Date

This instrument prepared by:  
 J. Scott Schallhorn  
 Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.  
 425 West Capitol Avenue, Suite 1800  
 Little Rock, Arkansas 72201

## EASEMENT AGREEMENT

### KNOW ALL BY THESE PRESENTS:

This Easement Agreement is executed and entered into by and between **The Village at Hendrix, LLC**, an Arkansas limited liability company ("*Grantor*"), 1600 Washington Avenue, Conway, Arkansas 72032, and the **City of Conway, Arkansas**, a city of the first class ("*Grantee*"), 1201 Oak Street, Conway, Arkansas 72032 effective as of \_\_\_\_\_, 2012 (the "*Effective Date*").

### RECITALS:

A. Grantor is the owner of a parcel of land situated in the City of Conway, Arkansas known as the "*Watershed*" on which is located various streams, trails, walking paths and other natural features. The Watershed is more particularly described on Exhibit A attached hereto.

B. Grantor has agreed to grant and convey to Grantee for the benefit and use of the public, the perpetual right to enter onto the Watershed and use the walking paths, footbridges and similar improvements intended for public use, subject to the terms and conditions hereof.

### NOW, THEREFORE:

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee, for the use and benefit of the public, and unto its successors and assigns forever, a non-exclusive easement and right-of-way over and across the Watershed for the sole purpose of pedestrian and bicycle access, ingress and egress.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns, subject to the following terms and conditions:

1. The Watershed is designed for use primarily as an undisturbed natural area. In order to preserve that design and purpose, access to the Watershed is

intentionally limited to the constructed trails, bridges, benches and seating areas within the Watershed (the "*Public Use Areas*"). Grantee's and the public's right to access and use the Watershed is hereby limited to the Public Use Areas, as they currently exist or as they may be modified in the future, and for no other areas within the Watershed.

2. Grantee and the public shall have the right to use the Watershed only for the purposes expressed herein and shall not have the right to permit others, either directly or indirectly, to use said right of way for any other purpose without having obtained the prior written consent of Grantor.

3. Grantor, its successors and assigns shall continue to have the full and free use of the Watershed so long as it does not unreasonably interfere with the rights granted under this instrument.

4. Grantor, its successors and assigns, reserves the right to create, post and enforce reasonable rules and regulations concerning the use of the Watershed and Public Use Areas, including without limitation hours of use.

5. Grantor, its successors and assigns, further reserves the right to (i) close, temporarily or seasonally, any or all of the Public Use Areas for maintenance, upkeep or modification, or for the preservation or protection of the Public Use Areas, the Watershed, or the wildlife or vegetation located on it; (ii) cease maintenance of or permanently close portions of the Public Use Areas that, in Grantor's reasonable judgment, are not adequately or properly used or are reasonably determined by Grantor to be unsafe or dangerous for use by the public; or (iii) relocate any or all of the Public Use Areas.

6. The Watershed is subject to (i) certain use restrictions set forth in the Notice of Deed Restriction dated as of August 25, 2010, and recorded in the Faulkner County, Arkansas real estate records as Document No. 2010-16626 (the "*Deed Restriction*"), and (ii) the Easement Agreement (Springing) by and between Grantor and Grantee dated as of January 25, 2012 and recorded in the Faulkner County, Arkansas real estate records as Document No. 2012-7184 (the "*Springing Easement*"),. All use of the Watershed and the Public Use Areas thereon shall be in accordance with the Deed Restriction and the Springing Easement, along with any other matters of record.

7. By acceptance of the rights granted pursuant to this Easement, Grantee acknowledges the grant of the easement for the use and benefit of the public and that the rights of the general public to use the Watershed arise only through the rights conveyed to Grantee by this instrument. To any and all lawful extent, Grantor shall have available to it and may exercise the defense of sovereign immunity that would otherwise be available to Grantee if Grantee held title to the Watershed and made it available to the public for use as set forth herein.

[SIGNATURES FOLLOW ON IMMEDIATELY SUCCEEDING PAGE]

In Witness Whereof, this instrument is executed to be effective as of as of the Effective Date.

**The Village at Hendrix, LLC**

By: Ward Davis  
Ward Davis, Chief Executive Officer

STATE OF ARKANSAS      §  
   §  
COUNTY OF Perry      §

ACKNOWLEDGMENT

On this 14<sup>th</sup> day of May, 2012, before me, a Notary Public duly commissioned, qualified and acting within and for the jurisdiction aforesaid appeared in person the within named Ward Davis, to me personally well known, who stated that he is the Chief Executive Officer of **The Village at Hendrix, LLC**, a limited liability company, and was duly authorized in that capacity to execute the foregoing instrument for and in the name and behalf of said company, and further stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal.

Kerrie L. Alexander  
Notary Public

My Commission Expires:  
7/20/2017



[SIGNATURES CONTINUED]

In Witness Whereof, this instrument is executed to be effective as of as of the Effective Date.

**City of Conway, Arkansas**

By: \_\_\_\_\_  
Tab Townsell, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

STATE OF ARKANSAS       §  
  §  
COUNTY OF \_\_\_\_\_ §

**ACKNOWLEDGMENT**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2012, before me, a Notary Public duly commissioned, qualified and acting within and for the jurisdiction aforesaid appeared in person the within named Tab Townsell and \_\_\_\_\_, to me personally well known, who stated that they are the Mayor and \_\_\_\_\_ City Clerk, respectively, of **City of Conway, Arkansas**, a city of the first class, and were duly authorized in that capacity to execute the foregoing instrument for and in the name and behalf of said city, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

## EXHIBIT A

### (Watershed)

A TRACT OF LAND LYING IN A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 14 WEST, AND ALSO LYING IN A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 13 WEST, ALL IN FAULKNER COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NOS. 64 AND 65-B A.K.A. HARKRIDER STREET WITH THE NORTH RIGHT-OF-WAY OF BURROW AVENUE, ALSO BEING THE NORTHWEST CORNER OF VILLAGE AT HENDRIX PHASE 1 AS RECORDED IN PLAT BOOK L PAGE 6 OF THE PLAT RECORDS OF FAULKNER COUNTY, ARKANSAS; THENCE NORTHERLY ALONG SAID HARKRIDER STREET THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) NORTH 00°55'39" EAST 31.50 FEET, AND 2) NORTH 00°55'39" EAST 250.56 FEET; THENCE LEAVING HARKRIDER STREET, RUN NORTH 47°06'26" EAST 87.00 FEET; THENCE NORTH 37°03'34" WEST 27.28 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SOUTHWESTERN ENERGY DRIVE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2009-15422 FILED AUGUST 14, 2009 IN THE FAULKNER COUNTY CIRCUIT CLERK'S OFFICE; THENCE SOUTHEASTERLY AND EASTERLY ALONG SAID SOUTHWESTERN ENERGY DRIVE AND ALONG SOUTH LINE OF SAID DOCUMENT THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: 1) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 56.00 FEET THROUGH A CENTRAL ANGLE OF 35°54'46" AN ARC LENGTH OF 35.10 FEET AND HAVING A CHORD WHICH BEARS SOUTH 71°51'44" EAST 34.53 FEET FROM THE LAST SAID POINT, 2) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 118.00 FEET THROUGH A CENTRAL ANGLE OF 22°43'49" AN ARC LENGTH OF 46.81 FEET AND HAVING A CHORD WHICH BEARS SOUTH 42°32'27" EAST 46.51 FEET FROM THE LAST SAID POINT, 3) SOUTH 31°10'32" EAST 96.63 FEET, 4) SOUTH 35°19'09" EAST 96.88 FEET, 5) ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET THROUGH A CENTRAL ANGLE OF 55°54'06" AN ARC LENGTH OF 195.13 FEET AND HAVING A CHORD WHICH BEARS SOUTH 59°07'35" EAST 187.49 FEET FROM THE LAST SAID POINT, 6) SOUTH 87°04'38" EAST 426.06 FEET, AND 7) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 775.06 FEET THROUGH A CENTRAL ANGLE OF 32°10'53" AN ARC LENGTH OF 435.33 FEET AND HAVING A CHORD WHICH BEARS SOUTH 70°59'09" EAST 429.63 FEET FROM THE LAST SAID POINT, TO THE SOUTHEAST CORNER OF TRACT OF LAND DESCRIBED IN SAID DOCUMENT; THENCE LEAVING SOUTHWESTERN ENERGY DRIVE AND SOUTH LINE OF SAID DOCUMENT, RUN SOUTH 07°55'32" WEST 15.32 FEET; THENCE SOUTH 59°26'27" EAST 44.00 FEET; THENCE SOUTH 89°26'27" EAST 8.39 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SANDERS STREET; THENCE NORTHERLY ALONG SAID SANDERS STREET THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 268.70 FEET THROUGH A CENTRAL ANGLE OF 30°18'08" AN ARC LENGTH OF 142.11 FEET AND HAVING A CHORD WHICH BEARS NORTH 52°06'42" EAST 140.46 FEET FROM THE LAST SAID POINT, AND 2) ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 428.12 FEET THROUGH A CENTRAL ANGLE OF 69°57'30" AN ARC LENGTH OF 522.74 FEET AND HAVING A CHORD WHICH BEARS NORTH 32°21'03" EAST 490.86 FEET FROM THE LAST SAID POINT, BEING A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 6; THENCE LEAVING SANDERS STREET, RUN SOUTH 88°51'28" EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER FOR A DISTANCE OF 623.45 FEET; THENCE LEAVING SAID NORTH LINE, RUN SOUTH 01°43'28" WEST 443.96 FEET; THENCE SOUTH 01°45'29" WEST 162.59 FEET; THENCE SOUTH 01°22'55" WEST 254.39 FEET; THENCE SOUTH 05°30'50" EAST 413.77 FEET; THENCE SOUTH 14°54'27" EAST 250.46 FEET; THENCE SOUTH 15°02'37" EAST 170.79 FEET; THENCE NORTH 71°43'42" WEST 216.77 FEET; THENCE NORTH 01°22'38" WEST 326.79 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1000.02 FEET THROUGH A CENTRAL ANGLE OF 17°51'33" AN ARC LENGTH OF 311.71 FEET AND HAVING A CHORD WHICH BEARS NORTH 10°18'25" WEST 310.45 FEET FROM THE LAST SAID POINT; THENCE NORTH 18°52'38" WEST 106.93 FEET; THENCE NORTH 25°01'29" WEST 266.45 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET THROUGH A CENTRAL ANGLE OF 93°17'22" AN ARC LENGTH OF 81.41 FEET AND HAVING A CHORD WHICH BEARS NORTH 71°40'10" WEST 72.71 FEET FROM THE LAST SAID POINT; THENCE SOUTH 61°41'09" WEST 133.11 FEET; THENCE NORTH 29°36'48" WEST 93.61 FEET; THENCE NORTH 37°09'15" WEST 199.15 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 55.35 FEET THROUGH A CENTRAL ANGLE OF 80°39'28" AN ARC LENGTH OF 77.91 FEET AND HAVING A CHORD WHICH BEARS NORTH 79°25'31" WEST 71.64 FEET FROM THE LAST SAID POINT; THENCE SOUTH 40°42'52" WEST 123.81 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 11663.24 FEET THROUGH A CENTRAL ANGLE OF 00°45'09" AN ARC LENGTH OF 153.17 FEET AND HAVING A CHORD WHICH BEARS SOUTH 40°22'42" WEST 153.17 FEET FROM THE LAST SAID POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1058.75 FEET THROUGH A CENTRAL ANGLE OF 08°46'44" AN ARC LENGTH OF 162.22 FEET AND HAVING A CHORD WHICH BEARS NORTH 54°04'11" WEST 162.06 FEET FROM THE LAST SAID POINT; THENCE NORTH 31°44'46" WEST 9.20 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1029.00 FEET THROUGH A CENTRAL ANGLE OF 04°29'14" AN ARC LENGTH OF 80.59 FEET AND HAVING A CHORD WHICH BEARS NORTH 61°14'30" WEST 80.57 FEET FROM THE LAST SAID POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1029.00 FEET THROUGH A CENTRAL ANGLE OF 23°35'31" AN ARC LENGTH OF 423.70 FEET AND HAVING A CHORD WHICH BEARS NORTH 75°16'53" WEST 420.71 FEET FROM THE LAST SAID POINT; THENCE NORTH 87°04'38" WEST 699.58 FEET; THENCE NORTH 89°04'38" WEST 16.35 FEET; THENCE NORTH 89°04'38" WEST 31.50 FEET TO THE POINT OF BEGINNING. CONTAINING 17.38 ACRES, MORE OR LESS.



**City of Conway, Arkansas**  
**Ordinance No. O-12-\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$4,500,000 OF FRANCHISE FEE REVENUE REFUNDING BONDS, SERIES 2012, BY THE CITY OF CONWAY, ARKANSAS FOR THE PURPOSE OF REFUNDING THE CITY'S OUTSTANDING FRANCHISE FEE REVENUE IMPROVEMENT BONDS, SERIES 2006; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST SUPPLEMENTAL TRUST INDENTURE PURSUANT TO WHICH THE SERIES 2012 BONDS WILL BE ISSUED AND SECURED; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT PURSUANT TO WHICH THE SERIES 2012 BONDS WILL BE OFFERED; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE SERIES 2012 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Conway, Arkansas (the "City") is authorized and empowered under the provisions of the Constitution and laws of the State of Arkansas, including particularly Amendment 65 and Arkansas Code Annotated Sections 14-164-401 *et seq.* (1998 Repl. & Supp. 2011) (as from time to time amended, the "Act") to issue and sell its revenue bonds for the purpose of financing "capital improvements" (as defined in the Act); and

**WHEREAS**, pursuant to the authority of Amendment 65 and the Act, the City has previously issued its Franchise Fee Revenue Improvement Bonds, Series 2006 (the "Series 2006 Bonds"), presently outstanding in the aggregate principal amount of \$4,400,000, for the purpose of financing the costs of acquiring, constructing, extending and equipping certain improvements to the City's wastewater and electric systems and certain roadway infrastructure and related improvements within the City's Meadows Industrial Park or Guy Murphy Industrial Park; and

**WHEREAS**, as authorized under the provisions of Amendment 65 and the Act, the City has now determined to issue and sell its Franchise Fee Revenue Refunding Bonds, Series 2012, in the principal amount of not to exceed \$4,500,000 (the "Series 2012 Bonds"), for the purpose of redeeming all of the outstanding Series 2006 Bonds, such Series 2012 Bonds to be secured by and payable solely from municipal franchise fees charged and collected by the City; and

**WHEREAS**, the City has determined to issue and secure the Series 2012 Bonds pursuant to a First Supplemental Trust Indenture (the "First Supplemental Trust Indenture"), by and between the City and Community First Trust Company, as trustee (the "Trustee"), a form of which has been presented to and is before this meeting; and

**WHEREAS**, the City has made arrangements for the sale of the Series 2012 Bonds to Stephens Inc. and Crews & Associates, Inc. (the "Underwriters"), pursuant to the terms of a Bond Purchase Agreement between the City and the Underwriters (the "Bond Purchase Agreement") in substantially the form presented to and before this meeting;

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

**Section 1.** The City Council hereby finds and declares that the current refunding of the Series 2006 Bonds is in the best interests of the City due to the reduction of the interest expense relating to the indebtedness represented by the Series 2006 Bonds.



**Section 2.** Under the authority of the Constitution and laws of the State of Arkansas, including particularly Amendment 65 to the Constitution of the State of Arkansas and the Act, there is hereby authorized the issuance of bonds of the City to be designated as "Franchise Fee Revenue Refunding Bonds, Series 2012" (the "Series 2012 Bonds"). The Series 2012 Bonds shall be issued in the original aggregate principal amount of not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000), and shall mature not later than December 1, 2030, in the principal amounts and bearing interest at the rates specified in the Bond Purchase Agreement. In no event shall the true interest cost relating to the Series 2012 Bonds exceed 4.00% per annum. The proceeds of the Series 2012 Bonds will be utilized, along with other available moneys, to effect a current refunding of the Series 2006 Bonds, to fund a debt service reserve, and to pay printing, underwriting, legal and other expenses incidental to the issuance of the Series 2012 Bonds. The Series 2012 Bonds shall be considered to be Additional Bonds under that certain Trust Indenture dated as of December 1, 2006 (the "Original Indenture"), pursuant to which the Series 2006 Bonds were issued and secured. The Series 2012 Bonds shall be issued in the forms and denominations, shall be dated, shall be numbered, shall mature, shall be subject to redemption prior to maturity, and shall contain such other terms, covenants and conditions, all as set forth in the First Supplemental Trust Indenture submitted to this meeting.

The Mayor is hereby authorized and directed to execute and deliver the Series 2012 Bonds in substantially the form thereof contained in the First Supplemental Trust Indenture submitted to this meeting, and the City Clerk is hereby authorized and directed to execute and deliver the Series 2012 Bonds and to affix the seal of the City thereto, and the Mayor and City Clerk are hereby authorized and directed to cause the Series 2012 Bonds to be accepted and authenticated by the Trustee. The Mayor is hereby authorized to confer with the Trustee, the Underwriters, and Kutak Rock LLP, Little Rock, Arkansas ("Bond Counsel"), in order to complete the Series 2012 Bonds in substantially the form contained in the First Supplemental Trust Indenture submitted to this meeting, with such changes as shall be approved by such persons executing the Series 2012 Bonds, their execution to constitute conclusive evidence of such approval.

**Section 3.** In order to pay the principal of and interest on the Series 2012 Bonds as they mature or are called for redemption prior to maturity, there is hereby pledged all receipts of municipal franchise fees heretofore or hereafter charged and collected by the City from private entities for the privilege of the use of City streets, alleys, easements and other City-owned property (the "Franchise Fees"). The City covenants and agrees that collections of the Franchise Fees shall not be reduced or discontinued so long as the Series 2012 Bonds are outstanding and that all receipts of the Franchise Fees will be accounted for separately as special funds on the books of the City and will be deposited and used solely as provided in the Original Indenture, as supplemented and amended by the First Supplemental Trust Indenture. Such pledge of Franchise Fees securing the Series 2012 Bonds is prior and superior to existing pledges of the Franchise Fees securing (i) the City's Franchise Fee Revenue Lease-Purchase Agreement, Series 2008, and (ii) the City's Taxable Electric Franchise Fee Revenue Bonds (Hewlett-Packard Company Project), Series 2008.

**Section 4.** To prescribe the terms and conditions upon which the Series 2012 Bonds are to be executed, authenticated, issued, accepted, held and secured, the Mayor is hereby authorized and directed to execute and acknowledge the First Supplemental Trust Indenture (the "Trust Indenture"), and the City Clerk is hereby authorized and directed to execute and acknowledge the First Supplemental Trust Indenture and to affix the seal of the City thereto, and the Mayor and the City Clerk are hereby authorized and directed to cause the First Supplemental Trust Indenture to be accepted, executed and acknowledged by the Trustee. The First Supplemental Trust Indenture is hereby approved in substantially the form submitted to this meeting, including, without limitation, the provisions thereof pertaining to the pledge of the Franchise Fees and the terms of the Series 2012 Bonds. The Mayor is hereby authorized to confer with the Trustee, the Underwriters and Bond Counsel in order to complete the First Supplemental Trust Indenture in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the First Supplemental Trust Indenture, their execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the First Supplemental Trust Indenture in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

**Section 5.** There is hereby authorized and approved a Preliminary Official Statement of the City, including the cover page and appendices attached thereto, relating to the Series 2012 Bonds. The Preliminary

Official Statement is hereby “deemed final” within the meaning of U.S. Securities and Exchange Commission Rule 15c2-12. The distribution of the Preliminary Official Statement is hereby approved. The Preliminary Official Statement, as amended to conform to the terms of the Bond Purchase Agreement, including Exhibit A thereto, and with such other changes and amendments as are mutually agreed to by the City and the Underwriters, is herein referred to as the “Official Statement,” and the Mayor is hereby authorized to execute the Official Statement for and on behalf of the City. The Official Statement is hereby approved in substantially the form of the Preliminary Official Statement submitted to this meeting, and the Mayor is hereby authorized to confer with the Trustee, the Underwriters and Bond Counsel in order to complete the Official Statement in substantially the form of the Preliminary Official Statement submitted to this meeting with such changes as shall be approved by such persons, the Mayor’s execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Preliminary Official Statement is on file with the City Clerk and is available for inspection by any interested person.)

**Section 6.** In order to prescribe the terms and conditions upon which the Series 2012 Bonds are to be sold to the Underwriters, the Mayor is hereby authorized and directed to execute a Bond Purchase Agreement on behalf of the City, to be dated as of the date of its execution (the “Bond Purchase Agreement”), by and between the City and the Underwriters, and the Bond Purchase Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Underwriters and Bond Counsel in order to complete the Bond Purchase Agreement in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the Bond Purchase Agreement, their execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Bond Purchase Agreement in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

**Section 7.** In order to provide for continuing disclosure of certain financial and operating information with respect to the Franchise Fees and the City in compliance with the provisions of Rule 15c2-12 of the U. S. Securities and Exchange Commission, the Mayor is hereby authorized and directed to execute a Continuing Disclosure Agreement to be dated as of the date of its execution (the “Continuing Disclosure Agreement”), by and between the City and Community First Trust Company, as dissemination agent (the “Dissemination Agent”), and the Mayor is hereby authorized and directed to cause the Continuing Disclosure Agreement to be executed by the Dissemination Agent. The Continuing Disclosure Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Dissemination Agent, the Underwriters and Bond Counsel in order to complete the Continuing Disclosure Agreement in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the Continuing Disclosure Agreement, their execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Continuing Disclosure Agreement in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

**Section 8.** The Mayor and City Clerk, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to effect the issuance, sale, execution and delivery of the Series 2012 Bonds and to effect the execution and delivery of the First Supplemental Trust Indenture, the Continuing Disclosure Agreement, the Bond Purchase Agreement, the Official Statement and a Tax Regulatory Agreement relating to the tax exemption of interest on the Series 2012 Bonds, and to perform all of the obligations of the City under and pursuant thereto. The Mayor and the City Clerk are further authorized and directed, for and on behalf of the City, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

**Section 9.** The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared to be illegal or invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Ordinance.

**Section 10.** All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**Section 11.** It is hereby found and determined that there is an urgent need to refinance certain outstanding indebtedness of the City secured by Franchise Fees in order to lower the interest cost on obligations payable from Franchise Fees, and in order to do so on the most favorable terms, it is necessary to enter into the Bond Purchase Agreement as soon as possible. Therefore, an emergency is hereby declared to exist and this Ordinance, being necessary for the immediate preservation of the public health, safety and welfare, shall be in force and take effect immediately upon and after its passage.

**ADOPTED AND APPROVED THIS 22<sup>nd</sup> day of May, 2012**

Approved:

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

Attest:

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

SEAL



**City of Conway, Arkansas  
Ordinance No. O-12-\_\_\_\_\_**

**AN ORDINANCE APPROPRIATING REVENUE FUNDS TO THE CONWAY SANITATION  
DEPARTMENT; AND FOR OTHER PURPOSES:**

**WHEREAS**, the Conway Sanitation Department requests a revenue appropriation of \$2,426.42 to repair a 2009 Chevrolet Silverado Pick up; and

**WHEREAS**, funds in the amount of \$2,426.42 were received by Municipal Vehicle Insurance Program to be used for said purpose;

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

**SECTION 1.** The City of Conway shall appropriate \$2,427 from the Sanitation Enterprise Fund Insurance Proceeds revenue account (510.510.4360) to the Equipment Repairs expense account (510.510.5450).

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

**PASSED** this 22<sup>nd</sup> day of May, 2012

**Approved:**

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

**Attest:**

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



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

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

**Cheryl Harrington**  
*Director*

May 9, 2012

Mayor Tab Townsell  
 1201 Oak Street  
 Conway, AR 72032

Re: 2012 Commercial Front Load Refuse Truck

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Wednesday, May 2, 2012 at City of Conway City Hall for 2012 Commercial Front Load Refuse Truck. Six bids were submitted:

Shiple Motor	\$138,815.55
Peterbilt of Fort Smith	\$158,062.00
Truck Centers of Arkansas	\$162,586.00
River City Hydraulics, Inc.	\$175,000.00
Tri State Truck Center	\$180,492.00
River City Hydraulics, Inc.	\$193,934.00

I recommend accepting Bid from River City Hydraulics, Inc. for \$175,000.00. This was not the lowest bid but meet all bid specs.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington  
 Sanitation Director

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

Bid #1 submitted by Shipley Motor  
2012 MRU 613  
\$138,815.55 after trade-in  
Delivery time 180 Days

Bid #2 submitted by Peterbilt of Fort Smith  
2013 Peterbilt 320 w/New Way Mammoth 40 Yard FEL  
\$158,062.00 after trade-in  
Delivery time 115-135 Days

Bid #3 submitted by Truck Centers of Arkansas  
2012 Autocar Acx/New Way Mammoth  
\$162,586.00 after trade-in  
Delivery time 65-85 Days

Bid #4 submitted by River City Hydraulics, Inc.  
2013 Mack MRU with Heil Half/pack  
\$175,000.00 after trade-in  
Delivery time 45 Days ARO

Bid #5 submitted by Tri State Truck Center  
2013 Mack MRU 613 w/Heil Hale Pack  
\$180,492.00 after trade-in  
Delivery time 90-150 Days

Bid #6 submitted by River City Hydraulics, Inc.  
2012 Crane Carrier LET2 w/Heil Half/pack  
\$193,934.00 after trade-in  
Delivery time 150 Days

I recommend accepting the bid #4 from Truck Centers of Arkansas with a bid of \$175,000.00 after trade-in. This truck meets all specifications with dealer ship within a 60 mile radius. Prices include tax and delivery costs.

City of Conway – Mayor's Office  
2012-23 – 2012 Automated Front Loading Refuse Truck  
Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012  
City Hall - Downstairs Conference Room @ 10:00am

Net Bid Amount:  
2012 Automated Front  
Loading Refuse Truck

\$ 217,000.<sup>00</sup>

Trade In Bid Amount

\$ 42,000.<sup>00</sup>

2005 MACK

VIN 1M2K189C55M027756

Total Bid Amount:

\$ 175,000.<sup>00</sup>

Description of Truck

2013 MACK MRU WITH HEIL HALF/PACK

Anticipate Delivery Date:

45 DAYS ARD

*The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)*

Authorized Agent Bidding on this project:

River City Hydraulics INC  
Company Name

Roger Williams

Company Representative Name

Roger Williams

Representative's Signature

122 Magnet Drive

Address

rchrager@sbcglobal.net

Email Address

Sherwood

City

AR

State

72120

Zip

501.835.5230

Telephone Number

501.834.1233

Fax Number

4-25-12

Date

**City of Conway – Mayor's Office**  
**2012-23 – 2012 Automated Front Loading Refuse Truck**  
**Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012**  
**City Hall - Downstairs Conference Room @ 10:00am**

**Net Bid Amount:**  
 2012 Automated Front  
 Loading Refuse Truck

\$ 78,086.00 Body only

**Trade In Bid Amount**  
 2005 MACK  
 VIN 1M2K189C55M027756

\$ 51,500.00 - (Truck Component services)

**Total Bid Amount:**

\$ 138,815.55 each

**Description of Truck**

MRU613

**Anticipate Delivery Date:**

180 days

The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)

Authorized Agent Bidding on this project:

Shipley motor  
Company Name

Dustin Bell  
Company Representative Name

Dustin Bell  
Representative's Signature

620 Mountain Base Rd      dustin@shipley/motor.com  
Address      Email Address

Fotsville      AR      72558  
City      State      Zip

479-264-8659      479-498-8265  
Telephone Number      Fax Number

4-30-12  
Date



**City of Conway – Mayor's Office**  
**2012-23 – 2012 Automated Front Loading Refuse Truck**  
**Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012**  
**City Hall - Downstairs Conference Room @ 10:00am**

**Net Bid Amount:**  
 2012 Automated Front Loading Refuse Truck
 \$ 209,562.00

**Trade In Bid Amount**
\$ 51,500.00  
 2005 MACK  
 VIN 1M2K189C55M027756

**Total Bid Amount:**
\$ 158,062.00

**Description of Tuck**
2013 Peterbilt 320 w/  
New Way Mammoth 40 Yard FEL

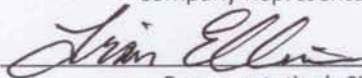
**Anticipate Delivery Date:**
Approximately 115-135 days  
after receipt of order

**The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)**

Authorized Agent Bidding on this project:

Peterbilt of Fort Smith  
 Company Name

Travis Ellison  
 Company Representative Name

  
 Representative's Signature

<u>6915 Alma Highway</u>	<u>tellison@larsongroup.net</u>
Address	Email Address
<u>Van Buren</u>	<u>72956</u>
City	Zip
<u>AR</u>	<u>877-881-8437</u>
State	Fax Number
<u>479-719-0302</u>	
Telephone Number	
<u>05-01-12</u>	
Date	

City of Conway – Mayor's Office  
2012-23 – 2012 Automated Front Loading Refuse Truck  
Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012  
City Hall - Downstairs Conference Room @ 10:00am

Net Bid Amount:  
2012 Automated Front  
Loading Refuse Truck

\$ 214,086<sup>00</sup>

Trade In Bid Amount

\$ 51,500<sup>00</sup>

2005 MACK

VIN 1M2K189C55M027756

Total Bid Amount:

\$ 162,586<sup>00</sup>

Description of Truck

Auto Car ACX / Newbury Mammoth

Anticipate Delivery Date:

65-85 days

The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)

Authorized Agent Bidding on this project:

Truck Centers of Arkansas

Company Name

Robert Mooney

Company Representative Name

[Signature]

Representative's Signature

11700 valentine rd

Address

mooney@truckcenters.com

Email Address

N. Little Rock

City

AR

State

72117

Zip

501-955-3200

Telephone Number

501-907-2066

Fax Number

5-1-2012

Date

City of Conway – Mayor's Office  
2012-23 – 2012 Automated Front Loading Refuse Truck  
Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012  
City Hall - Downstairs Conference Room @ 10:00am

Net Bid Amount:  
2012 Automated Front  
Loading Refuse Truck

\$ 218,992.<sup>00</sup>

Trade In Bid Amount

\$ 38,500.<sup>00</sup>

2005 MACK

VIN 1M2K189C55M027756

Total Bid Amount:

\$ 180,492.<sup>00</sup>

Description of Truck

2013 Mack MRU613 w/ Heil HALE  
90-150 Days PACK

Anticipate Delivery Date:

*The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)*

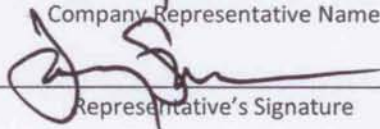
Authorized Agent Bidding on this project:

Tri State Truck Center

Company Name

Tommy Lawrence

Company Representative Name



Representative's Signature

4614 Thibault Rd

Address

tlawrence@tri.statetruck.com

Email Address

Little Rock AR

City

State

72206

Zip

501-490-1122

Telephone Number

501-490-1354

Fax Number

5-1-12

Date

**City of Conway – Mayor's Office**  
**2012-23 – 2012 Automated Front Loading Refuse Truck**  
**Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012**  
**City Hall - Downstairs Conference Room @ 10:00am**

**Net Bid Amount:**  
 2012 Automated Front  
 Loading Refuse Truck

\$ 235,934.<sup>00</sup>      235,934.<sup>00</sup>

**Trade In Bid Amount**  
 2005 MACK  
 VIN 1M2K189C55M027756

\$ 42,000.<sup>00</sup>

**Total Bid Amount:**

\$ 193,934.<sup>00</sup>

**Description of Truck**

CRANE Carrier LET2 with HEIL HALF/PAK

**Anticipate Delivery Date:**

150 DAYS ARO

*The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)*

Authorized Agent Bidding on this project:

River City Hydraulics Inc  
 Company Name

Roger Williams  
 Company Representative Name

Roger Williams  
 Representative's Signature

122 Magnet Dr  
 Address

rchruger@sbcglobal.net  
 Email Address

Sherwood

AR

72120

City

835-5230

State

Zip

501-834-5230

Telephone Number

501-834-1233

Fax Number

4-25-12

Date



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

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

**Cheryl Harrington**  
*Director*

May 9, 2012

Mayor Tab Townsell  
1201 Oak Street  
Conway, AR 72032

Re: 2-2012 Commercial Rear Load Refuse Truck

Dear Mayor Townsell,

Bids were submitted at 10.00 am, Wednesday, May 2, 2012 at City of Conway City Hall for 2-2012 Commercial Rear Load Refuse Truck. Six bids were submitted:

Truck Centers of Arkansas	\$223,904.00
River City Hydraulics, Inc.	\$230,854.00
Peterbilt of Fort Smith	\$234,208.00
River City Hydraulics, Inc.	\$234,082.90
River City Hydraulics, Inc.	\$242,706.00
ShIPLEY Motor	\$344,472.02

I recommend accepting Bid from Truck Centers of Arkansas for \$223,904.00. This was the lowest bid and met all bid specs.

Please advise if you have questions or need additional information.

Sincerely,

Cheryl Harrington  
Sanitation Director

**BID SUMMARY**  
2012 Commercial Rear Load Refuse Truck  
Bid #2012-24

Bid #1 submitted by Truck Centers of Arkansas  
2-2012 Freightliner M-2-112/Loadmaster  
\$223,904.00 after trade-ins  
Delivery time 165-180 Days

Bid #2 submitted by River City Hydraulics, Inc.  
2-2012 Freightliner M-2-112/Heil 5000 Packer  
\$230,854.00 after trade-ins  
Delivery time 100-120 Days

Bid #3 submitted by Peterbilt of Fort Smith  
2-2013 Peterbilt 348w/Loadmaster Excel "S" Yard Rear Load  
\$234,208.00 after trade-ins  
Delivery time 135-150 Days

Bid #4 submitted by River City Hydraulics, Inc.  
2-2012 International/Heil 5000 Packer  
\$234,082.90 after trade-ins  
No Delivery time

Bid #5 submitted by River City Hydraulics, Inc.  
2-2012 Kenworth T400/Heil 5000 Packer  
\$242,706.00 after trade-ins  
No Delivery time

Bid #6 submitted by Shipley Motor  
2-2012 GU 713  
\$344,472.02 after trade-ins  
Delivery time 180 Days

I recommend accepting the bid from Truck Centers of Arkansas with a bid of \$223,904.00. This truck meets all specifications. Prices include tax and delivery costs.



TRUCK CENTERS OF ARKANSAS  
North Little Rock • Van Buren • Springdale

11700 Valentine Road  
North Little Rock, AR 72117

Local: 501.955.3200

Toll Free: 800.562.8875

Fax: 501.907.2066

www.truckcentersar.com

Robert Mooney

Vocational Truck Sales

Mobile: 501.650.5379

rmooney@truckcentersar.com

City of Conway – Mayor’s Office

Commercial Rear Front Loading Refuse Truck

Bidding Date: Wednesday, May 2<sup>nd</sup>, 2012

Downstairs Conference Room @ 10:00am

Net Bid Amount:  
2012 Commercial Rear  
Loading Refuse Truck  
Trade In Bid Amount

each \$ 155,452<sup>00</sup> <sup>2)</sup> \$ 310,904<sup>00</sup>

2007 Freightliner  
VIN 1FVHCYCDJ27HY25128

\$ 46,000<sup>00</sup>

2007 Freightliner  
VIN 1FVHCYB548HZ05561

\$ 41,000<sup>00</sup>

Total Bid Amount:

\$ 223,904<sup>00</sup>

Description of Truck

Freightliner M-2-112 with Loadmaster

Anticipate Delivery Date:

165-180 days

The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)

Authorized Agent Bidding on this project:

Truck Centers of Arkansas

Company Name

Robert Mooney

Company Representative Name

[Signature]

Representative’s Signature

11700 Valentine Rd

Address

rmooney@truckcentersar.com

Email Address

N. Little Rock

City

AR

State

72117

Zip

501-955-3200

Telephone Number

501-907-2066

Fax Number

5-1-2012

Date

City of Conway – Mayor's Office  
2012-24 – 2012 Commercial Rear Front Loading Refuse Truck  
Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012  
City Hall - Downstairs Conference Room @ 10:00am

Net Bid Amount:  
2012 Commercial Rear  
Loading Refuse Truck  
Trade In Bid Amount

each  
\$ 162,927<sup>00</sup> @ 325,854<sup>00</sup>

2007 Freightliner  
VIN 1FVHCYDJ27HY25128

\$ 45,000<sup>00</sup>

2007 Freightliner  
VIN 1FVHCYB548HZ05561

\$ 50,000<sup>00</sup>

Total Bid Amount:

\$ 230,854<sup>00</sup>

Description of Truck - Freightliner m2 112 - Heil 5000 packer

Anticipate Delivery Date: 100-120 days

The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)

Authorized Agent Bidding on this project:

River City Hydraulics Inc  
Company Name

Roger Williams  
Company Representative Name

Roger Williams  
Representative's Signature

122 magnex Dr  
Address

rchruger@sbgglobal.net  
Email Address

Sherwood  
City

Ar  
State

72124  
Zip

501-835-5230  
Telephone Number

501-834-1233  
Fax Number

4-25-2012  
Date



City of Conway – Mayor's Office  
2012-24 – 2012 Commercial Rear Front Loading Refuse Truck  
Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012  
City Hall - Downstairs Conference Room @ 10:00am

**Net Bid Amount:**

2012 Commercial Rear  
Loading Refuse Truck

\$ 160,604.00 Each \$321,208.00

**Trade In Bid Amount**

2007 Freightliner  
VIN 1FVHCYCDJ27HY25128

\$ 46,000.00

2007 Freightliner  
VIN 1FVHCYB548HZ05561

\$ 41,000.00

**Total Bid Amount:**

\$ 234,208.00

**Description of Tuck**

2013 Peterbilt 348 w/  
Loadmaster Excel "S" 25 Yard Rear Load

**Anticipate Delivery Date:**

135-150 days after receipt of order (approximately)

Sales tax not included, sales tax to be paid at licensing.

The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)

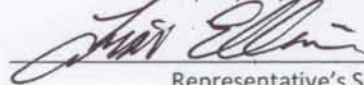
Authorized Agent Bidding on this project:

Peterbilt of Fort Smith

Company Name

Travis Ellison

Company Representative Name



Representative's Signature

6915 Alma Highway

Address

tellison@larsongroup.net

Email Address

Van Buren

AR

72956

City

State

Zip

479-719-0302

Telephone Number

877-881-8437

Fax Number

05-01-2012

Date

City of Conway – Mayor's Office  
2012-24 – 2012 Commercial Rear Front Loading Refuse Truck  
Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012  
City Hall - Downstairs Conference Room @ 10:00am

Net Bid Amount:  
2012 Commercial Rear  
Loading Refuse Truck  
Trade In Bid Amount

\$ 164,541.45 x 2

2007 Freightliner  
VIN 1FVHCYCDJ27HY25128

\$ 45,000<sup>00</sup>

2007 Freightliner  
VIN 1FVHCYB548HZ05561

\$ 50,000<sup>00</sup>  
\$ 234,082.90

Total Bid Amount:

Description of Truck - INTERNATIONAL with Heil 5000  
PACKER  
Anticipate Delivery Date: \_\_\_\_\_

*The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)*

Authorized Agent Bidding on this project:

River City Hydraulics, INC  
Company Name

Roger Williams  
Company Representative Name

Roger Williams  
Representative's Signature

122 Margaret Dr rchroger@sbcglobal.net  
Address Email Address

Shenwood AK 7124  
City State Zip

501-835-5230 501-834-1233  
Telephone Number Fax Number

4.25.12  
Date

City of Conway – Mayor's Office  
2012-24 – 2012 Commercial Rear Front Loading Refuse Truck  
Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012  
City Hall - Downstairs Conference Room @ 10:00am

Net Bid Amount:  
2012 Commercial Rear  
Loading Refuse Truck  
Trade In Bid Amount

\$ 168,853.00 x 2

2007 Freightliner  
VIN 1FVHCYCDJ27HY25128

\$ 45,000

2007 Freightliner  
VIN 1FVHCYB548HZ05561

\$ 50,000

Total Bid Amount:

\$ 242,706.00

Description of Truck - KENWORTH - T400 WITH HEIL 5000 PACKER

Anticipate Delivery Date: \_\_\_\_\_

*The bidder shall include all charges, including taxes, fees, freight and shipping. (If applicable)*

Authorized Agent Bidding on this project:

River City Hydraulics Inc  
Company Name

Roger Williams  
Company Representative Name

Roger Williams  
Representative's Signature

122 Magnet Dr vchvogel@sbcglobal.net  
Address Email Address

Sherrwood  
City

Ar  
State

72124  
Zip

501-835-5230  
Telephone Number

501-834-1233  
Fax Number

4-25-12  
Date

**City of Conway – Mayor's Office**  
**2012-24 – 2012 Commercial Rear Front Loading Refuse Truck**  
**Bid Opening Date: Wednesday, May 2<sup>nd</sup>, 2012**  
**City Hall - Downstairs Conference Room @ 10:00am**

**Net Bid Amount:**  
 2012 Commercial Rear  
 Loading Refuse Truck  
 Trade In Bid Amount

\$ 65,025.00 each / 130,050.00 BODYS ONLY

2007 Freightliner  
 VIN 1FVHCYCDJ27HY25128

\$ 46,000.00 (Truck Component Services)

2007 Freightliner  
 VIN 1FVHCYB548HZ05561

\$ 41,000.00 (Truck Component Services)

**Total Bid Amount:**

\$ 172,364.51 each

**Description of Truck**

GU 713

**Anticipate Delivery Date:**

180 days

The bidder shall include all charges, including taxes, fees, freight and shipping. (if applicable)

Authorized Agent Bidding on this project:

Shipley Motor CO.  
 Company Name

Dustin Bell  
 Company Representative Name

Dustin Bell  
 Representative's Signature

620 Mountain Base Rd      dustin@shipleymotor.com  
 Address      Email Address

Pottsville      AR      72858  
 City      State      Zip

478-264-8059      478-498-8105  
 Telephone Number      Fax Number

4-30-2012  
 Date

May 14, 2012

Mayor of Conway and City Council Members

City of Conway

1201 Oak Street

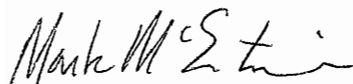
Conway, AR 72032

Dear City of Conway Mayor and Council,

The purpose of this letter is to seek your permission to paint Engine 10 pink (which is one of our last line reserve engines) for promotional purposes to raise awareness of cancer. Cancer, as you know, is a devastating disease that affects a wide variety of people of all ages. Mark McEntire of the Conway Fire Department has organized a group of firefighters called "Hearts on Fire" to purchase and personally deliver care packages to cancer survivors in Faulkner County using funds primarily from donations and fundraising. One of the main fundraising events to fund the "Hearts on Fire" is the Firefighters for the Cure event being held in downtown Conway October 12-14, 2012. We understand pink is primarily for breast cancer awareness. However, our organization is not raising funds or awareness primarily for breast cancer but rather utilizing the pink engine as a marketing tool to raise money for our cancer survivors and raise awareness for all cancers. The cost of the paint and labor for painting Engine 10 has been donated and will be of no cost to the city. Thank you for your consideration and especially your approval in this matter.

Sincerely yours,

Hearts on Fire



Mark McEntire

Engineer, Conway Fire Department

# CPOA

Cresthaven Property Owners' Association

PO Box 311  
Conway, AR 72033  
<http://groups.google.com/group/cresthaven>

March 27, 2012

Mayor Tab Townsell  
City of Conway  
1201 Oak St.  
Conway, Arkansas 72032

Subject: Use of excess Water District 10 Funds

Dear Tab;

Working with Richard Collins, we have received good news that Water District 10, which serves our neighborhood and has for approximately 12 years, will be paid off successfully in 12 years rather than 20 as planned.

Further we have received good news that the Water Board's estimates of funds to close out the district has been as exact a person can make it and is a positive balance of between \$31,000 and \$32,000.

As the district was winding down, we have seen water related taxes drop by 80% due last year and another 20% this year.

Congratulations to all involved.

In regard to the excess funds, we concur with Doctor Collins that the effort and the loss of funds in processing a pro-rata return to each property owner is not the most prudent use of the excess funds, and that giving the funds to the city is preferred.

In this regard CPOA would like to see the funds used for the benefit of the District 10 property owners that have paid the excess funds. We propose that the funds be used to repave Mill Pond at the curve between entrances to Cresthaven Subdivision (between Collins Road and Harbelle Road entrances to the subdivision). This small stretch of road was not included in the resurfacing of Mill Pond a few years ago. The roughness of this section of road has been an issue with Cresthaven Subdivision for some time. The size of the project and its location make it a good use of funds generated by Water District 10 on a road serving District 10.

Your consideration and acceptance of our request will be deeply appreciated.

Thank you in advance.

Respectfully Submitted

Chairman  
Cresthaven Property Owners Association,  
Cresthaven Subdivision--a community of 160 properties.

CC: Jack Bell



**City of Conway, Arkansas**  
**Ordinance No. O-12-\_\_**

**AN ORDINANCE ADOPTING AND REQUIRING AN EVENT PERMIT APPLICATION FOR SPECIAL EVENTS TO BE HELD ON CITY OF CONWAY PROPERTY AND UTILIZING CITY PERSONNEL/RESOURCES; AND FOR OTHER PURPOSES**

**Whereas**, the City of Conway needs to have advance notification of events that will take place on city property, and

**Whereas**, Conway Police Department needs advance planning time to determine staffing needs for special events taking place on city property, and

**Whereas**, other city departments need advance planning time to determine equipment and personnel needs for special events taking place on city property, and

**Whereas**, the City of Conway needs documentation of contact information, location, event type, event duration, and event features for special events planned for city property, and

**Whereas**, there is a need to acquire a refundable deposit to ensure events are held as scheduled.

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

**Section 1.** The City of Conway, Arkansas Event Permit (attachment A) is hereby adopted and will be required for special events on city property and utilizing city personnel/resources.

**Section 2.** Permit Application will be returned to the Mayor's office at least 30 days prior to the planned event. Notice of approval will be given at least 15 days prior to event. Application signed by Mayor's office and Conway Police official will constitute a permit.

**Section 3.** A \$100 refundable deposit will be required at time of application. If the event is held as scheduled, or cancellation notice is given at least 7 days prior to scheduled date of event to the Mayor's office, deposit will be refunded. If event is not held as scheduled, deposit will be forfeited.

**Section 4.** Events that are held in city parks that do not require additional city personnel or resources are not required to secure this permit.

**Section 5.** Nothing in this ordinance is intended to limit or impede the first amendment rights of any individual or group.

**PASSED** this 22<sup>nd</sup> day of May, 2012.

**Attest:**

**Approved:**

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

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



**City of Conway, Arkansas  
Event Permit Application**

[www.cityofconway.org](http://www.cityofconway.org)

**501.450.6110  
501.450.6145 (f)**

Any individual or organization planning to host or produce a festival or event which will be held on City of Conway property and utilize city personnel/resources must complete this application and **return it at least 30 days prior to the event to the Mayor's Office, Attn: Jack Bell, 1201 Oak Street, Conway, AR 72032 for approval.** Response will be within 15 days. Any misrepresentation in this application or deviation from the final approved specifications and activities described herein may result in the immediate revocation of the approved permit. No application will be processed without the Hold Harmless Clause being signed and without the approval of the owner/operator of any location in which the event will be held. A \$100 refundable deposit is required. If event is held or cancellation notification is received at least 7 days prior to event, deposit will be returned. Otherwise deposit will be forfeited.

**Event Name:** \_\_\_\_\_  
**Event Date(s):** \_\_\_\_\_  
**Event Producer:** \_\_\_\_\_

<b>Primary Contact:</b> _____			
<small>(Primary contact is the person who is to be contacted regarding the application or event)</small>			
<b>Address:</b> _____			
<b>City:</b> _____	<b>State:</b> _____	<b>Zip:</b> _____	
<b>Phone</b>	<b>Day:</b> _____	<b>Night:</b> _____	
	<b>Cell:</b> _____	<b>Fax:</b> _____	
<b>Email:</b> _____			
<b>Secondary Contact:</b> _____			
<b>Address:</b> _____			
<b>City:</b> _____	<b>State:</b> _____	<b>Zip:</b> _____	
<b>Phone</b>	<b>Day:</b> _____	<b>Night:</b> _____	
	<b>Cell:</b> _____	<b>Fax:</b> _____	
<b>Email:</b> _____			

**Event Location:** \_\_\_\_\_

**Event Types:** Check all that apply:

<input type="checkbox"/>	Not for Profit	<input type="checkbox"/>	Wedding Ceremony	<input type="checkbox"/>	Walk/Run Footrace
<input type="checkbox"/>	For Profit	<input type="checkbox"/>	Wedding Reception	<input type="checkbox"/>	Competition
<input type="checkbox"/>	Public	<input type="checkbox"/>	Meeting/Dinner	<input type="checkbox"/>	Parade
<input type="checkbox"/>	Private	<input type="checkbox"/>	Press Conference	<input type="checkbox"/>	Rally Demonstration
<input type="checkbox"/>	Concert	<input type="checkbox"/>	Auction	<input type="checkbox"/>	Festival
<input type="checkbox"/>	Trade Show/Expo	<input type="checkbox"/>	Block Party	<input type="checkbox"/>	Other _____
<input type="checkbox"/>	Movie/TV Production	<input type="checkbox"/>	Bicycle Event	<input type="checkbox"/>	Other _____

**Event Description** (Further details may be attached) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



<b>Event Duration</b>	<b>Hours of Operation</b>	<b>Start</b>	<b>End</b>
Starting Date: _____	Day 1	_____	_____
Ending Date: _____	Day 2	_____	_____
	Day 3	_____	_____
<b>Site Preparation</b>			
Starting Date: _____		Time: _____	
<b>Dismantle/Cleanup</b>			
Ending Date: _____		Time: _____	
<b>Total Attendance: _____ Peak Attendance: _____ Peak Time: _____</b>			

**Event Features:** Check all that apply

<input type="checkbox"/>	Alcoholic Beverages Served	<input type="checkbox"/>	Security Required
<input type="checkbox"/>	Alcoholic Beverages Sold	<input type="checkbox"/>	Street Closings
<input type="checkbox"/>	Carnival Rides	<input type="checkbox"/>	Temporary Electrical Service
<input type="checkbox"/>	Crowd Control Required	<input type="checkbox"/>	Temporary Restrooms
<input type="checkbox"/>	Elevated Noise Levels	<input type="checkbox"/>	Tents
<input type="checkbox"/>	Emergency Medical Services Required	<input type="checkbox"/>	Vendor Booths
<input type="checkbox"/>	Parade/March	<input type="checkbox"/>	Vendor Food
<input type="checkbox"/>	Fireworks	<input type="checkbox"/>	Other _____

**Hold Harmless Clause:**

The City shall not be liable to user's employees, agents, invitees, licensee, visitors, or to any other person, for injury to person or damage to property on or about the leased premises caused by the negligence or misconduct of user, its agents, servant or employees, or of any other person entering upon the leased premises under express or implied invitation by user, or caused by the building improvements located on the leased premises becoming out of repair, or caused by leakage of gas, oil, water, smoke, or steam or by electricity emanating from the leased premises. The event producer agrees to indemnify and hold harmless the City from any loss, attorney's fees, and expenses or claims arising out of any such damage or injury. The City reserves the right to revoke this application at any time.

The applicant ensures the compliance with the following:

- o The observance of applicable laws and ordinances;
- o Any stipulations or restrictions of the permit;
- o The applicant assumes all liabilities that may arise by street closing and related activity.

Permit applied for and all terms and stipulation agreed to by:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

<b><u>Event Permit Approval:</u></b>		
<b>Owner/Operator</b>		
<b>Approval Signature:</b> _____	<b>Location</b> _____	<b>Date:</b> _____
<b>Mayor's Office Approval:</b> _____	<b>Date:</b> _____	
<b>Conway Police Department Approval:</b> _____	<b>Date:</b> _____	