



City of Conway Council Agenda

<u>Council Meeting Date:</u>	August 14th, 2018
<u>5:30pm - Committee Meeting:</u>	No Committee Meeting
<u>6:30pm:</u>	Council Meeting
<u>Call to Order:</u>	Mayor Bart Castleberry
<u>Roll Call:</u>	Michael O. Garrett, City Clerk/Treasurer
<u>Minutes Approval:</u>	July 24 th , 2018

Mayor Bart Castleberry
City Clerk Michael O. Garrett
City Attorney Chuck Clawson

City Council Members

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Wesley Pruitt
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

1. Report of Standing Committees:

A. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, Engineering, & Airport)

1. Consideration to approve the reappointment of members to the Health Facilities Board.
2. Resolution accepting the bid for Siebenmorgen Road Half Street Improvement project – Phase II for the Community Development Department.
3. Ordinance adopting regulations to govern the construction, installation, maintenance and removal of small wireless communication facilities in the right of way for the City of Conway.

B. Public Safety Committee (Police, Fire, District Court, Animal Welfare Unit, Communication Emergency Operations Center, Information Technology, & City Attorney)

1. Consideration to approve a bid for a dozer undercarriage replacement for a John Deere Dozer at the Sanitation Department.
2. Resolution approving the purchase of residential waste and recycling carts for the Department of Sanitation.
3. Discussion on engagement letter from Thrash Law Firm regarding the A&P Commission.
4. Discussion/Update on the Raines vs. City of Conway case.

C. Old Business

1. Consideration to approve the offer and acceptance for property located at 1111 Main Street.

Adjournment

MEMO

City of Conway, Arkansas
Office of the Mayor
1201 Oak Street
Conway, AR 72032
www.cityofconway.org

To: Mayor Bart Castleberry
CC: City Council Members
From: Felicia Rogers
Date: August 7th, 2018
Re: Health Facilities Board

The Office of the Mayor would like to recommend the following for reappointments to the Health Facilities Board:

- Jack Bell Term expires August 15th, 2019
- Robin Scott Term expires August 15th, 2020
- Jamie Gates Term expires August 15th, 2021
- Fletcher Smith Term expires August 15th, 2022
- Michael O. Garrett Term expires August 15th, 2023

Please advise if you have any questions.



**City of Conway, Arkansas
Resolution No. R-18-___**

A RESOLUTION ACCEPTING THE BID FOR SIEBENMORGEN ROAD HALF STREET IMPROVEMENT PROJECT – PHASE II FOR THE COMMUNITY DEVELOPMENT DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the Community Development Department solicited bids for the Siebenmorgen Road Half Street Improvements Phase II for the widening of the street, installation of concrete curbs, gutters, walks and underground storm drainage; and

Whereas, five bids were submitted on August 6th, 2018 and J’s Construction Company provided the lowest bid; and

Whereas, this project will be funded from the Community Development Block Grant Program Year 2017.

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 bid from J’s Construction Company in the amount of \$175,240 for the Siebenmorgen Road Half Street Improvements Phase II.

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

PASSED this 14th day of August, 2018.

Approved:

Mayor Bart Castleberry

Attest:

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

BID TABULATION

JOB: City of Conway - Siebenmorgen Road Phase II
DESCRIPTION:
JOB NO.: 18703600
DATE: 8/6/2018

ITEM NO.	DESCRIPTION OF ITEMS	CONTRACT QUANTITY	UNIT	ENGINEER'S ESTIMATE		DKM Construction		Fureigh Heavy Const		JCI Construction Inc.		J's Construction Company		Redstone Construction Group	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1.0	Mobilization	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 5,875.00	\$ 5,875.00	\$ 5,000.00	\$ 5,000.00	\$ 11,200.00	\$ 11,200.00	\$ 15,500.00	\$ 15,500.00
2.0	Project Control and Staking	1	LS	\$ 3,500.00	\$ 3,500.00	\$ 5,500.00	\$ 5,500.00	\$ 2,250.00	\$ 2,250.00	\$ 2,500.00	\$ 2,500.00	\$ 2,625.00	\$ 2,625.00	\$ 7,800.00	\$ 7,800.00
3.0	Erosion Control	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 5,795.00	\$ 5,795.00	\$ 3,877.50	\$ 3,877.50	\$ 2,600.00	\$ 2,600.00	\$ 1,200.00	\$ 1,200.00	\$ 4,900.00	\$ 4,900.00
4.0	Site Preparation	1	LS	\$ 22,000.00	\$ 22,000.00	\$ 8,800.00	\$ 8,800.00	\$ 4,312.50	\$ 4,312.50	\$ 25,000.00	\$ 25,000.00	\$ 5,500.00	\$ 5,500.00	\$ 5,000.00	\$ 5,000.00
5.0	Trench and Excavation Safety System	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 4,730.00	\$ 4,730.00	\$ 2,500.00	\$ 2,500.00	\$ 500.00	\$ 500.00	\$ 100.00	\$ 100.00	\$ 4,900.00	\$ 4,900.00
6.0	Unclassified Excavation	600	CY	\$ 10.00	\$ 6,000.00	\$ 19.00	\$ 11,400.00	\$ 5.90	\$ 3,540.00	\$ 15.00	\$ 9,000.00	\$ 11.00	\$ 6,600.00	\$ 32.00	\$ 19,200.00
7.0	Compacted Embankment	915	CY	\$ 30.00	\$ 27,450.00	\$ 19.00	\$ 17,385.00	\$ 14.10	\$ 12,901.50	\$ 14.00	\$ 12,810.00	\$ 18.00	\$ 16,470.00	\$ 22.00	\$ 20,130.00
8.0	4' x 4' Curb Inlet	2	Ea	\$ 3,500.00	\$ 7,000.00	\$ 3,745.63	\$ 7,491.26	\$ 2,656.50	\$ 5,313.00	\$ 3,200.00	\$ 6,400.00	\$ 4,000.00	\$ 8,000.00	\$ 5,200.00	\$ 10,400.00
9.0	5' x 6' Curb Inlet	4	Ea	\$ 4,500.00	\$ 18,000.00	\$ 4,860.90	\$ 19,443.60	\$ 4,620.00	\$ 18,480.00	\$ 4,500.00	\$ 18,000.00	\$ 4,500.00	\$ 18,000.00	\$ 6,500.00	\$ 26,000.00
10.0	4' x 4' Grated Inlet	1	Ea	\$ 3,500.00	\$ 3,500.00	\$ 3,710.70	\$ 3,710.70	\$ 2,657.00	\$ 2,657.00	\$ 3,000.00	\$ 3,000.00	\$ 3,900.00	\$ 3,900.00	\$ 4,000.00	\$ 4,000.00
11.0	6' x 6' Grated Inlet	1	Ea	\$ 5,000.00	\$ 5,000.00	\$ 5,100.98	\$ 5,100.98	\$ 4,389.00	\$ 4,389.00	\$ 5,200.00	\$ 5,200.00	\$ 4,350.00	\$ 4,350.00	\$ 6,900.00	\$ 6,900.00
12.0	5' x 6' Junction Box	1	Ea	\$ 4,500.00	\$ 4,500.00	\$ 4,310.90	\$ 4,310.90	\$ 4,851.00	\$ 4,851.00	\$ 4,800.00	\$ 4,800.00	\$ 3,500.00	\$ 3,500.00	\$ 5,500.00	\$ 5,500.00
13.0	18" x 29" RCAP (Class I)	110	LF	\$ 80.00	\$ 8,800.00	\$ 44.70	\$ 4,917.00	\$ 69.00	\$ 7,590.00	\$ 77.00	\$ 8,470.00	\$ 84.50	\$ 9,295.00	\$ 70.00	\$ 7,700.00
14.0	27" x 44" RCAP (Class III)	258	LF	\$ 120.00	\$ 30,960.00	\$ 95.91	\$ 24,744.78	\$ 92.00	\$ 23,736.00	\$ 110.00	\$ 28,380.00	\$ 94.50	\$ 24,381.00	\$ 100.00	\$ 25,800.00
15.0	Remove and Reinstall 27" x 44" RCAP	47	LF	\$ 50.00	\$ 2,350.00	\$ 66.00	\$ 3,102.00	\$ 104.00	\$ 4,888.00	\$ 100.00	\$ 4,700.00	\$ 69.00	\$ 3,243.00	\$ 65.00	\$ 3,055.00
16.0	Tie 27" x 44" RCAP to Existing Box Culvert	1	Ea	\$ 2,000.00	\$ 2,000.00	\$ 1,650.00	\$ 1,650.00	\$ 294.00	\$ 294.00	\$ 1,500.00	\$ 1,500.00	\$ 500.00	\$ 500.00	\$ 2,100.00	\$ 2,100.00
17.0	Concrete Sidewalk (w/ ADA Ramps)	160	SY	\$ 50.00	\$ 8,000.00	\$ 47.30	\$ 7,568.00	\$ 51.00	\$ 8,160.00	\$ 57.00	\$ 9,120.00	\$ 49.55	\$ 7,928.00	\$ 61.00	\$ 9,760.00
18.0	Concrete Curb & Gutter	575	LF	\$ 18.00	\$ 10,350.00	\$ 14.30	\$ 8,222.50	\$ 15.00	\$ 8,625.00	\$ 14.00	\$ 8,050.00	\$ 15.40	\$ 8,855.00	\$ 25.00	\$ 14,375.00
19.0	Class 7 Aggregate Base Course	450	Ton	\$ 28.00	\$ 12,600.00	\$ 29.70	\$ 13,365.00	\$ 31.00	\$ 13,950.00	\$ 30.00	\$ 13,500.00	\$ 23.50	\$ 10,575.00	\$ 30.00	\$ 13,500.00
20.0	ACHM Binder Course (2 1/2")	120	Ton	\$ 85.00	\$ 10,200.00	\$ 130.90	\$ 15,708.00	\$ 137.00	\$ 16,440.00	\$ 130.00	\$ 15,600.00	\$ 91.00	\$ 10,920.00	\$ 109.00	\$ 13,080.00
21.0	ACHM Surface Course (1 1/2")	75	Ton	\$ 95.00	\$ 7,125.00	\$ 132.00	\$ 9,900.00	\$ 139.00	\$ 10,425.00	\$ 131.00	\$ 9,825.00	\$ 99.00	\$ 7,425.00	\$ 120.00	\$ 9,000.00
22.0	Concrete Driveways	90	SY	\$ 65.00	\$ 5,850.00	\$ 49.50	\$ 4,455.00	\$ 58.00	\$ 5,220.00	\$ 54.00	\$ 4,860.00	\$ 51.70	\$ 4,653.00	\$ 87.50	\$ 7,875.00
23.0	Construction Traffic Control	1	LS	\$ 5,500.00	\$ 5,500.00	\$ 3,000.00	\$ 3,000.00	\$ 2,938.00	\$ 2,938.00	\$ 5,000.00	\$ 5,000.00	\$ 1,500.00	\$ 1,500.00	\$ 5,800.00	\$ 5,800.00
24.0	Topsoil Placed and Final Grading	35	CY	\$ 30.00	\$ 1,050.00	\$ 51.00	\$ 1,785.00	\$ 24.00	\$ 840.00	\$ 30.00	\$ 1,050.00	\$ 30.00	\$ 1,050.00	\$ 85.00	\$ 2,975.00
25.0	Seeding & Mulching Disturbed Areas	0.1	Acre	\$ 2,500.00	\$ 250.00	\$ 4,000.00	\$ 400.00	\$ 5,875.00	\$ 587.50	\$ 3,000.00	\$ 300.00	\$ 2,500.00	\$ 250.00	\$ 7,700.00	\$ 770.00
26.0	Pavement Markings	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 1,100.00	\$ 1,100.00	\$ 1,155.00	\$ 1,155.00	\$ 1,200.00	\$ 1,200.00	\$ 2,300.00	\$ 2,300.00	\$ 950.00	\$ 950.00
27.0	Relocate Existing Street and Traffic Signs	1	LS	\$ 500.00	\$ 500.00	\$ 320.00	\$ 320.00	\$ 235.00	\$ 235.00	\$ 500.00	\$ 500.00	\$ 150.00	\$ 150.00	\$ 165.00	\$ 165.00
28.0	18" RCP (Class I)	22	LF	\$ 40.00	\$ 880.00	\$ 34.79	\$ 765.38	\$ 35.00	\$ 770.00	\$ 50.00	\$ 1,100.00	\$ 35.00	\$ 770.00	\$ 96.04	\$ 2,112.88
29.0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
30.0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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39.0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
40.0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				ENGINEER'S ESTIMATE		DKM Construction		Fureigh Heavy Const		JCI Construction Inc.		J's Construction Company		Redstone Construction Group	
				Estimate	\$ 222,365.00	Bid	\$ 198,670.10	Bid	\$ 176,800.00	Bid	\$ 207,965.00	Bid	\$ 175,240.00	Bid	\$ 249,247.88



ORDINANCE NO. O-18-_____

AN ORDINANCE ADOPTING REGULATIONS TO GOVERN THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND REMOVAL OF SMALL WIRELESS COMMUNICATION FACILITIES IN THE RIGHT-OF-WAY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Arkansas law, the City Council of Conway, Arkansas (“City”) is authorized to adopt regulations by reference (Ark. Code Ann. §14-55-207); and

WHEREAS, certain Wireless Service Providers propose to occupy public rights-of-way owned, held in trust and maintained by the City, in order to install and maintain small wireless communication facilities that will enhance data connectivity through wireless communication services; and

WHEREAS, the City recognizes the economic and social value of data connectivity and desires to encourage wireless infrastructure investment by providing a fair and predictable process for the deployment of small wireless communication facilities within the public rights-of-way in a manner that is: (1) safe; (2) compatible with and complementary to the provision of services by the City and others lawfully using the rights-of-way; and (3) consistent with the aesthetic standards of the City; and

WHEREAS, the Conway Corporation owns and operates a municipal utility (“Conway Corp”) that among other services, performs the essential public service of distributing electric power and providing light and other important services; and

WHEREAS, Conway Corporation is responsible for safeguarding its employees and the integrity of its electric system, obtaining fair compensation for the use of its infrastructure through collection of fees and other charges, ensuring compliance with all applicable federal, state and local laws, rules and regulations, ordinances and standards and policies, and permitting fair and reasonable access to available capacity on Conway Corporation’s infrastructure; and

WHEREAS, Conway Corporation is willing, when it may lawfully do so, to issue one or more Permits authorizing the placement or installation of Wireless Communication Facilities on Conway Corporation’s Poles and/or Streetlights; and

WHEREAS, City is willing to permit Wireless Service Providers to occupy City’s public rights-of-way for the placement or installation of Wireless Support Structures and Wireless Attachments, to include installation on Traffic Poles; and

WHEREAS, the City and Conway Corporation preserve the rights to own, operate, and manage property in a proprietary manner while fairly governing the conduct of business and access to public rights-of-way.

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

SECTION 1: That the **Small Wireless Communication Facility Regulation of the City of Conway**, attached hereto as Exhibit "A" and incorporated herein by reference, is hereby adopted in its entirety.

SECTION 2: That three (3) copies of this ordinance shall be filed with the Office of the City Clerk and on the Conway Corporation web site for inspection and view by the public prior to adoption.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: That any person who violates this ordinance shall be subject to a fine of no less than \$100 nor more than \$1,000 per offense, except that when an offense is, in its nature, continuous in respect to time, the person in violation shall be subject to a fine of no less than \$50 nor more than \$500 per day.

SECTION 6: It is hereby found and determined that improved data connectivity would improve the Conway economy and enhance the ability of Conway citizens to share information and that adoption of a new regulation governing the installation, maintenance, and removal of small wireless communication facilities in the City's rights-of-way is necessary to achieve these benefits in a manner that is consistent with broad City interests including the proper and orderly growth of the City of Conway, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; **THEREFORE**, 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 14th day of August, 2018.

APPROVED:

Mayor Bart Castleberry

ATTEST:

Michael O. Garrett,
City Clerk/Treasurer



Executive Summary

Small Cell Wireless Communications Facility Regulation

Our lives continue to become increasingly reliant on the internet. We use it for business, social connections, entertainment and this new category of technology called the internet of things. To engage in these activities, we need to move lots of data quickly and reliably. Sometimes we do that across a wired connection, but more-and-more we access information wirelessly across cellular networks. The small computers that we carry in our pockets are placing heavy demands on the existing cellular system. We need significant improvements in cellular infrastructure to meet the data demands that are forecasted for the next several years.

The industry's solution to this problem has been called *small cells*. Traditional cell towers that are located throughout the city carry voice and data for lots of users across a large footprint with a limited data transfer rate. Small cells have shorter range and support fewer users, but at a significantly higher speed. Small cells are proposed to work in conjunction with traditional cell towers to provide users both data reliability and speed.

From the wireless service providers' perspective, installation in the right-of-way presents the fastest and most cost-effective method to deploy small cell devices. It allows providers to avoid many property acquisition and maintenance costs. Also, by using existing poles in the right-of-way for attachment, wireless service providers can make construction faster, more predictable and less costly.

From the city's perspective, reliable high-speed data communication is important, but so are other public concerns like safety, efficiency, fairness, appearance and cost recovery. The current legal landscape places few restrictions on the city in regulating small cells, but that could change. The proposed regulation is intended to fairly balance competing interests of the city while providing a reasonable environment for the deployment of small cell devices.

Key components are identified below:

Safety

- No installations on top of distribution poles
- Must be accessible by bucket truck.
- Pole loading calculations by engineers
- Defined standards and final inspections
- Violations quickly remedied

Efficiency

- Maximizes use of existing poles
- Up to 25 similar pole sites per application
- Combined ROW/attachment permitting process
- Structured to expedite pre-approved designs

Fairness

- Only FCC-licensed entities
- All entities treated the same
- Squatting/speculating prohibited
- Risk allocation

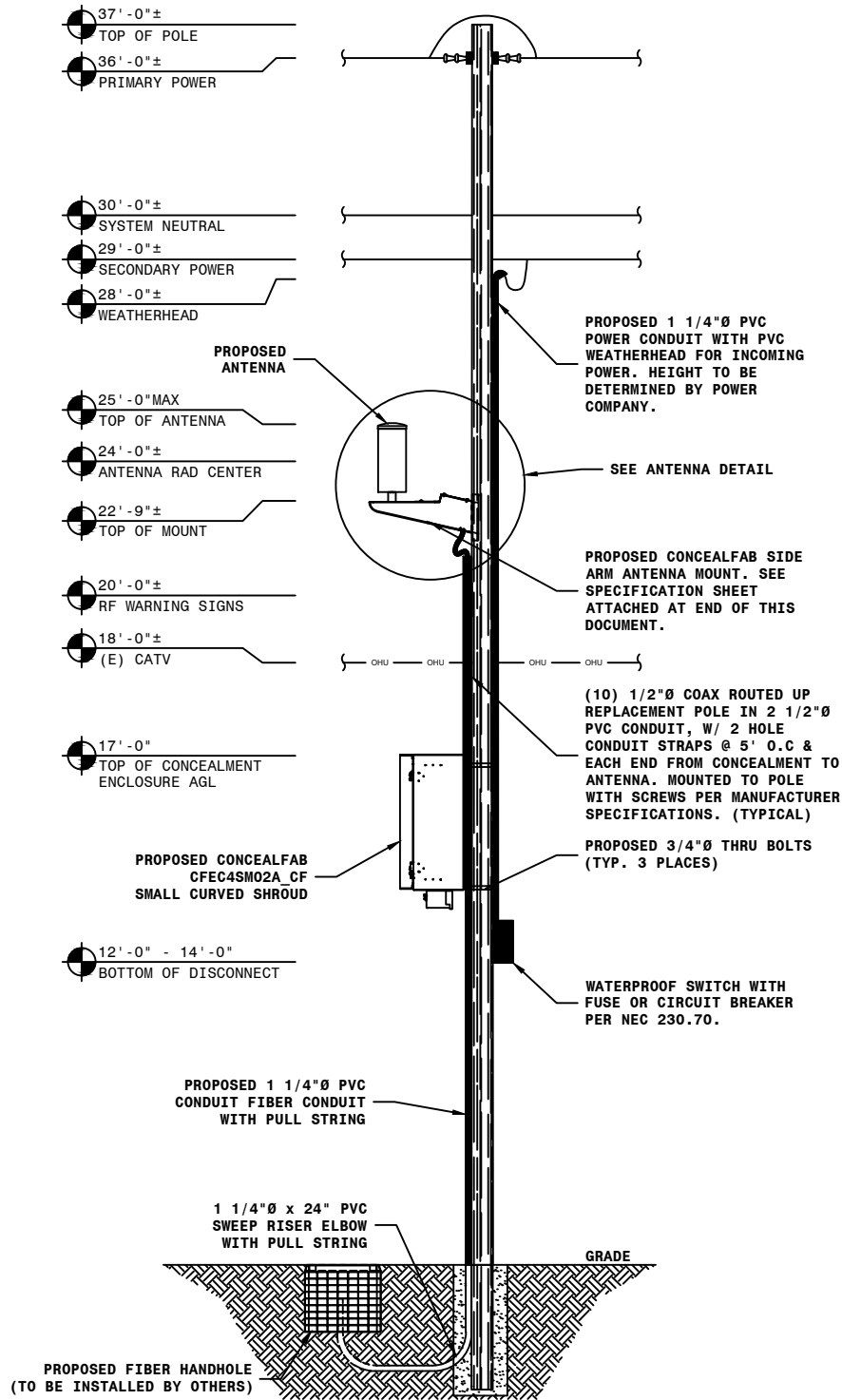
Appearance

- Minimized visual impact
- Minimize number of poles
- Historic District protections
- Protection of decorative lights
- Update design after 8 years

Cost Recovery

- Permit Application fees
- Make-ready costs
- Attachment fees
- Inspection & Reinspection fees

WIRELESS COMMUNICATION FACILITY STANDARD 45 FOOT CLASS 2 POLE



POLE ELEVATION

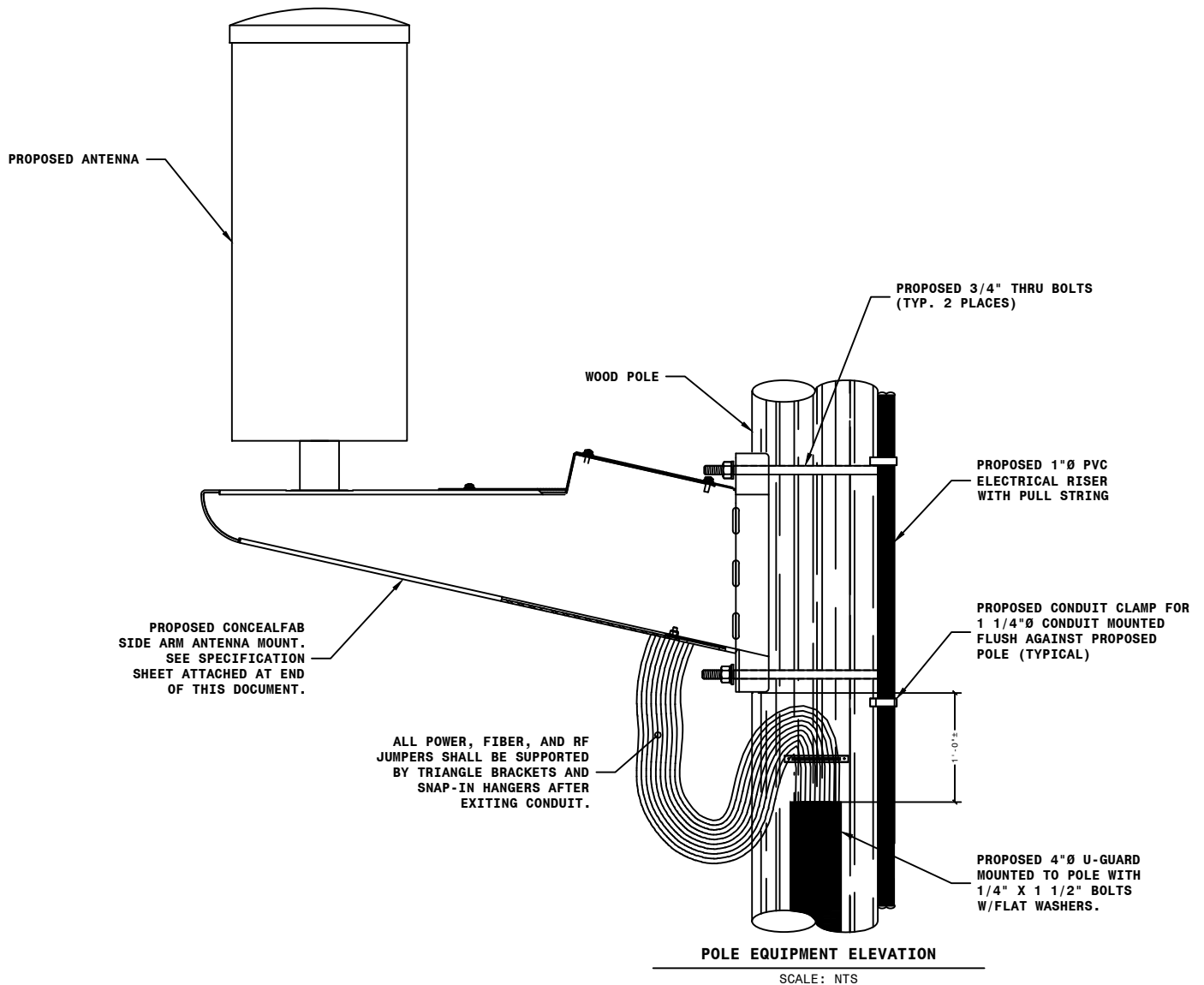
SCALE: NTS



APPR BY:	DWG	NO. OH-JU-WIFI004A	
CHECKED BY:	DG	PLOT: NONE	SH. 1 OF 2
DRAWN BY:	RS		

NO.	DATE:	REVISION	BY:	APPR:
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WIRELESS COMMUNICATION FACILITY ANTENNA DETAIL



NOTES:

1. ANTENNA MUST BE INSTALLED BY A QUALIFIED CONTRACTOR TO WORK IN THE COMMUNICATION SPACE.
2. POLE LOCATION MUST BE APPROVED BY CONWAY CORP. DO NOT INSTALL ANTENNA ON EQUIPMENT POLES SUCH AS CAPACITOR BANKS, RECLOSERS, SWITCHES, TRANSFORMERS, U.G. RISERS, POWER SUPPLIES, AMI COLLECTORS, ETC. POLE LOCATIONS MUST BE BUCKET TRUCK ACCESSIBLE.
3. ONLY ONE ANTENNA PER POLE ALLIED.
4. ONE RF CAUTION SIGN, MEETING IEEE C95.2, MUST BE INSTALLED ON WI-FI EQUIPPED POLES.
5. A MINIMUM CLASS 2 POLE IS REQUIRED. POLE HEIGHTS EXCEEDING 35' ABOVE GROUND ARE NOT ALLOWED.
6. ALL ANTENNA DESIGNS MUST BE APPROVED BY CONWAY CORP.
7. ALL ANTENNAS AND ANCILLARY EQUIPMENT SHALL BE LABELED WITH THE OWNER'S NAME AND CONTACT INFORMATION, INCLUDING AN EMERGENCY CONTACT NUMBER.
8. ANTENNA LOCATIONS CANNOT VIOLATE EXISTING JOINT USE ALLOCATIONS OR AGREEMENTS WITH OTHER JOINT USE PARTIES.
9. ALL WI-FI EQUIPMENT (INCLUDING ANTENNA) SHALL MAINTAIN A MINIMUM OF FORTY-TWO (42) INCHES OF SEPERATION BELOW ALL CONWAY CORP CONDUCTORS, INCLUDING DRIP LOOPS.



APPR BY:	DWG	NO. OH-JU-WIFI004B
CHECKED BY:	DG	
DRAWN BY:	RS	
PLOT: NONE		SH. 2 OF 2

NO.	DATE:	REVISION	BY:	APPR:

MEMO



To: Mayor Bart Castleberry and City of Conway Council

CC: Joe Hopper Felicia Rogers Jack Bell

From: Jamie Brice

Date: August 7th, 2018

Re: Dozer Undercarriage Replacement Bid # 2018-15

The City of Conway received three bids on July 11th, 2018 to replace the undercarriage on the 2012 John Deere 950J Dozer at the Sanitation Department.

Please see the attached Bid Tabulation. I would like to recommend Council accept the only qualified bid received from Stribling Equipment, in the amount of \$40,227.06. Funding to cover the cost of this project is included in the 2018 Sanitation Enterprise Budget.

Sincerely,

Jamie Brice
 Purchasing Manager
 City of Conway

Department Head Acknowledgement

Name: Joe Hopper

Signature:

Date: 08/07/2018



City of Conway, Arkansas
Purchasing Department
1201 Oak Street
Conway, AR 72032
501.358.6810

City of Conway
Purchasing Department
Bid Tabulations
www.cityofconway.org

Number of Bids Received 3__

Bids Opened by: Jamie Brice

2018-15 Undercarriage replacement for 2012 John Deere 950J Dozer
Bid Opening Date: July 11th at 2:00 p.m. - City Hall Downstairs Conference Room

Bidder's Name		Total Bid Amount
Stribling Equipment		\$40,227.06
Heavyquip	Did not acknowledge addendum or meet specifications	\$26,360.46
Scott Construction Equipment	Withdrew bid	\$38,956.24

Bid Winner: Stribling Equipment |
Date: Pending Council Approval 08/14/18
Contact Person: Jamie.brice@cityofconway.org



**City of Conway, Arkansas
Resolution No. R-18-_____**

AN RESOLUTION APPROVING THE PURCHASE OF RESIDENTIAL WASTE AND RECYCLING CARTS FOR THE CONWAY DEPARTMENT OF SANITATION; AND FOR OTHER PURPOSES

Whereas, The Department of Sanitation desires to purchase residential waste and recycling carts for issuance to residential customers within the City of Conway; and

Whereas, the Department of Sanitation has obtained three quotes for the required type of carts with Rehrig Pacific Company providing the lowest quote of \$69,399.72; and

Whereas, bidding is not required because the carts are being procured through U.S. Communities, a national cooperative purchasing program; and

Whereas, the City Council has previously approved the 2018 annual budget for the Department of Sanitation which includes fund for cart purchases.

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

Section 1: The City of Conway shall enter into an agreement with Rehrig Pacific Company to purchase recycling carts in the amount of \$69,399.72.

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

Passed this 14th day of August, 2018.

Approved:

Mayor Bart Castleberry

Attest:

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

THRASH LAW FIRM, P.A.
1101 Garland Street
Little Rock, AR 72201

Thomas P. Thrash
tomthrash@thrashlawfirm.com

Telephone: 501-374-1058
Facsimile: 501-374-2222

July 31, 2018

Via E-Mail: chuck.clawson@cityofconway.org

Chuck Clawson
City of Conway
Conway A&P Commission
1234 Main Street
Conway, AR 72034

Re: *Pine Bluff A&P Commission, et al v. Hotels.com, et al*
Intervention and Claim

Dear Mr. Clawson:

Please allow this letter to confirm your request that we represent the interest of the City of Conway and Conway A&P Commission, as Intervenors and Claimants in the above referenced case. Your execution and approval of this *Letter of Agreement* will represent our authority to proceed with your interventions and claims in the above-described litigation.

You will not be responsible for any attorneys' fees or expenses. We will advance all expenses and deduct the expenses from any recovery in this case. Any award of legal fees and expenses will be determined and approved by the Court and will be paid from the overall recovery in this case. The attorneys representing the Plaintiffs and Intervenors in this case include: Thrash Law Firm, P.A., 1101 Garland Street, Little Rock, Arkansas 72201; Williams & Anderson PLC, 111 Center Street, Suite 2200, Little Rock, AR 72201; The Finnell Firm, PO Box 63, Rome, GA 30162-0063; and Bird Law Group, P.C., 2170 Defoor Hills Road NW, Atlanta, GA 30318.

If this accurately represents our agreement, please acknowledge your approval by your signature below.

Sincerely,



Thomas P. Thrash

APPROVED AND AGREED TO:

Chuck Clawson, City Attorney
City of Conway and Conway A&P Commission