



City of Conway, Arkansas
CITY COUNCIL
Agenda • June 28th, 2022
www.conwayarkansas.gov

Elected Officials

Mayor Bart Castleberry
City Clerk Michael O. Garrett
City Attorney Charles Finkenbinder

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Anne Tucker
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

<u>5:30pm:</u>	Conductor Presentation & Salary Survey Review
<u>6:30pm:</u>	City Council Meeting • City Council Chambers • 1111 Main Street
<u>Call to Order:</u>	Bart Castleberry, Mayor
<u>Roll Call:</u>	Michael O. Garrett, Clerk/Treasurer
<u>Minutes Approval:</u>	May 24 th , 2022
<u>Monthly Financial Report:</u>	Month ending May 31 st , 2022

A. Economic Development Committee (Conway Area Chamber of Commerce, Conway Development Corporation, Conway Downtown Partnership, & Conway Corporation)

1. Ordinance to extend the franchise agreement of Conway Corporation to operate the cable telecommunication plant and facility for the City of Conway.
2. Ordinance extending the lease agreement and increasing the monthly lease of Conway Corporation to operate the cable telecommunication plant and facility for the City of Conway.

B. Community Development Committee (Airport, Community Development, Code Enforcement, Permits, Inspections, & Transportation, Planning & Development)

1. Ordinance approving the private club permit location for The Rogue Roundabout Inc. to be located at 804 Chestnut Street.
2. Ordinance to approve personnel changes within the Permits and Inspections Department.
3. Ordinance appropriating funds and accept the low bid for the Markham Street Jump Start Phase II project for the Transportation Department.
4. Resolution to approve the Public Art Master Plan as an amendment to the comprehensive plan for the City of Conway.
5. Ordinance to annex ±55.91 acres located north of Emyp Trail, west of Orchard Park Subdivision and south of Crethaven Subdivision, Phase IV.
6. Consideration to approve a conditional use permit to allow an Automobile Body Shop in the I-3 zoning district for property located at 1215 Thomas G Wilson Drive (CUP-0522-0256)
7. Consideration to approve a conditional use permit to allow Religious Activities in the R-2A zoning district for property located at 1919 South Boulevard. (CUP-0522-0266)
8. Ordinance establishing a moratorium on the issuance of sign permits for billboards and certain types of freestanding signs.

9. Consideration to approve the appeal of an Ordinance to rezone ±3.88 acres east of Bill Bell Ln at the intersection of Acuff Ln from R-1 to C-2.

C. Public Service Committee (Physical Plant, Parks & Recreation, & Sanitation)

1. Ordinance appropriating insurance funds received for the Parks & Recreation Department.

D. Public Safety Committee (District Court, Department of Information Systems & Technology, Animal Welfare, Communication Emergency Operations Center, Police, Fire, & Office of the City Attorney)

1. Ordinance appropriating reimbursement funds from various entities for the Conway Police Department.
2. Ordinance appropriating funds for the purchase of a vehicle for the Conway Police Department.
3. Resolution accepting funding from the State of Arkansas for the police officer stipend program for the Conway Police Department.
4. Resolution expressing the willingness of the Conway Police Department to utilize 2020 JAG funds.
5. Ordinance to appropriate funding received from the 2020 JAG grant for the Conway Police Department.
6. Ordinance to approve personnel changes within the Conway Police Department.
7. Ordinance authorizing a reclassification of positions and salary changes for Fleet Maintenance within the Conway Police Department
8. Consideration to approve entering into an agreement with Conway Public Schools for School Resource Officers for the 2022-2023 school year.
9. Resolution authorizing entering into an agreement with Counseling Associates to implement the Connect and Protect Grant for the Conway Police Department.

E. Finance

1. Ordinance appropriating funds for employee pay adjustments for various departments in the City of Conway.

F. New Business

1. Ordinance appropriating funds for a settlement offer in the Kaala Jones vs. City of Conway case.

Adjournment



City of Conway, Arkansas
Monthly Financial Reports
May 31, 2022

City of Conway
 Monthly Financial Report - General Fund
 For the month ended May 31, 2022



Revenues	Budget	Month		Encumbered	(Over)/Under	
		Activity	Year to Date		Budget	% Expend/Collect
Ad Valorem Tax	4,000,000	1,086,507	1,704,651		2,295,349	43%
Payments in Lieu of Tax	15,000	-	-		15,000	0%
State Tax Turnback	950,000	61,857	373,281		576,719	39%
Insurance Tax Turnback - LOPFI	1,300,000	-	-		1,300,000	0%
Sales Tax	24,000,000	2,427,989	11,417,574		12,582,426	48%
Beverage Tax	400,000	-	-		400,000	0%
Franchise Fees	3,467,700	535,728	1,709,363		1,758,337	49%
Utility Tap Fees	-	-	30,280		(30,280)	-
Office Space Leases	67,400	-	22,467		44,933	33%
Permits	558,500	63,513	279,035		279,465	50%
Public Safety	2,242,799	157,754	827,057		1,415,742	37%
Parks	633,250	84,905	362,941		270,309	57%
Insurance Proceeds	21,605	15,842	38,162		(16,557)	177%
Interest Income	123,000	18,197	90,685		32,315	74%
Proceeds from Sale of Assets	-	410	3,482		(3,482)	-
Donations	1,000	-	1,000		-	100%
Federal Grant Revenues	221,900	-	-		221,900	0%
Miscellaneous Revenues	101,148	7,575	71,095		30,052	70%
Transfers from Other Funds	770,000	-	-		770,000	0%
Total Revenues	38,873,301	4,460,276	16,931,074		21,942,227	44%
Expenditures						
Admin (Mayor, HR)	1,180,881	78,709	464,008	40,919	675,955	39%
Finance	536,892	101,501	200,738	4,600	331,554	37%
City Clerk/Treasurer	163,561	12,166	61,746	-	101,815	38%
City Council	90,420	6,512	26,878	-	63,542	30%
Planning	849,552	52,422	252,542	128,915	468,095	30%
Physical Plant	747,876	61,660	268,448	24,798	454,631	36%
Information Technology	1,456,799	172,090	503,948	158,672	794,179	35%
Permits and Inspections	395,943	24,572	169,844	510	225,589	43%
Nondepartmental	1,184,103	34,041	482,172	3,055	698,876	41%
Police	14,251,766	1,048,247	5,261,285	286,209	8,704,272	37%
CEOC	1,578,597	114,948	541,772	69,636	967,189	34%
Animal Welfare	648,609	38,807	177,098	66,095	405,416	27%
Municipal District Court	951,867	74,962	405,947	463	545,456	43%
City Attorney	611,403	36,029	182,623	623	428,158	30%
Fire	13,890,817	915,401	4,584,252	207,120	9,099,446	33%
Parks	3,313,582	278,998	1,210,224	41,547	2,061,811	37%
Total Expenditures	41,852,668	3,051,065	14,793,526	1,033,161	26,025,981	35%
Net Revenue/(Expense)	(2,979,367)		2,137,548			

*All figures are unaudited

Notes:

1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway
General Fund
2022



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-22-17	1/25/22	Construction of new Fire Station #3	2,579,500
O-22-35	3/22/22	Perimeter fence for Police training facility	93,006
O-22-43	4/12/22	Landscape planting on Prince Street	22,285
O-22-44	4/12/22	Contractor agreement for watering downtown flowers	22,000
O-22-45	4/12/22	Police dept Connect and Protect grant match	55,475
O-22-52	4/26/22	Prior year funds to replace CEOC battery backup system	66,500
			<u>\$ 2,838,766</u>

City of Conway
 Balance Sheet - General Fund
 As of May 31, 2022



Cash - Operating	13,675,786
Cash - Reserve	1,503,408
Petty Cash	715
Taxes Receivable	4,993,556
Accounts Receivable	4,784,035
Due from Street	72,352
Due from Component Unit	219,099
Due from Municipal Court	62,383
Fuel Inventory	(11,552)
General Inventory	585
<i>Assets</i>	<u>25,300,368</u>
Accounts Payable	(51,563)
Insurance and Benefits Payable	(43,493)
Event Deposits	3,850
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Deferred Revenue	4,124,124
Unearned Revenue - City Hall Lease	980,000
<i>Liabilities</i>	<u>5,023,113</u>
<i>Fund Balance</i>	<u>20,277,255</u>
<i>Total Liabilities & Fund Balance</i>	<u>25,300,368</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Street Fund
 For the month ended May 31, 2022



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
Revenues						
Ad Valorem Tax	1,400,000	399,920	627,471		772,529	45%
Payments in Lieu of Tax	6,000	-	-		6,000	0%
State Tax Turnback	3,000,000	241,765	1,175,867		1,824,133	39%
State Tax Turnback - Other	1,640,000	153,506	741,915		898,085	45%
Severance Tax	-	27,764	136,611		(136,611)	-
State Tax Turnback - Wholesale	460,000	32,422	162,186		297,814	35%
Sales Tax	325,000	34,021	160,009		164,991	49%
Engineering Fees	15,000	300	4,000		11,000	27%
Interest Income	80,000	9,978	41,328		38,672	52%
Total Revenues	6,926,000	899,676	3,049,387	-	3,876,613	44%
Expenditures						
Personnel Costs	3,498,042	208,777	1,017,379	-	2,480,663	29%
Other Operating Costs	4,044,042	505,853	1,046,603	730,633	2,266,806	26%
Total Operating Costs	7,542,084	714,630	2,063,982	730,633	4,747,469	27%
Capital Outlay	5,778,943	-	37,631	523,903	5,217,409	1%
Total Expenditures	13,321,027	714,630	2,101,613	1,254,536	9,964,878	16%
Net Revenue/(Expense)	(6,395,027)		947,774			

*All figures are unaudited

Notes:

1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway
Street Fund
2022



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-22-27	3/8/22	Purchase Conway Corp property	5,178,000

City of Conway
Balance Sheet - Street Fund
As of May 31, 2022



Cash - Operating	7,999,343
Taxes Receivable	69,969
Accounts Receivable	2,109,436
<i>Assets</i>	<u>10,178,747</u>
Accounts Payable	(876)
Insurance and Benefits Payable	(7,053)
Due to General	72,352
Deferred Revenue	1,517,818
<i>Liabilities</i>	<u>1,582,240</u>
<i>Fund Balance</i>	8,596,507
<i>Total Liabilities & Fund Balance</i>	<u>10,178,747</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Sanitation
 For the month ended May 31, 2022



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
Revenues						
Sanitation Fees	9,500,000	869,723	4,170,744		5,329,256	44%
Proceeds - Recycled Materials	500,000	120,017	460,263		39,737	92%
Landfill Fees - General	230,000	25,602	98,970		131,030	43%
Insurance Proceeds	-	-	4,803		(4,803)	-
Interest Income	200,000	25,216	104,518		95,482	52%
Total Revenues	10,430,000	1,040,558	4,839,298	-	5,590,702	46%
Expenditures						
Personnel Costs	5,562,606	432,551	2,014,780	200	3,547,626	36%
Other Operating Costs	3,415,414	184,500	742,506	201,127	2,471,782	22%
Total Operating Costs	8,978,020	617,051	2,757,286	201,327	6,019,408	31%
Capital Outlay	2,160,003	-	329,114	278,792	1,552,097	15%
Total Expenditures	11,138,024	617,051	3,086,399	480,119	7,571,505	28%
Net Revenue/(Expense)	(708,024)		1,752,899			

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway
Sanitation Fund
2022

Fund Balance Appropriations



<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
			\$ -

City of Conway
 Balance Sheet - Sanitation
 As of May 31, 2022



Cash - Operating	14,539,062
Petty Cash	200
Post Closure Cash Account	6,164,698
Accounts Receivable	14,011
Due from Component Unit	903,057
General Inventory	2,122
Land & Buildings	2,424,145
Infrastructure	783,854
Machinery, Equipment & Vehicles	2,381,173
Deferred Outflows of Resources	2,194,273
Deferred Outflows of Resources-OPEB	285,019
<i>Assets</i>	<u>29,691,614</u>
Accounts Payable	4,957
Insurance and Benefits Payable	(2,207)
Compensated Absences	248,057
Net Pension Obligation	13,981,351
Deferred Inflows of Resources	1,198,395
Deferred Inflows of Resources-OPEB	126,025
Net OPEB Liability	1,006,173
Landfill Close/Post Close	8,362,165
<i>Liabilities</i>	<u>24,924,916</u>
<i>Net Position</i>	<u>4,766,698</u>
<i>Total Liabilities and Net Position</i>	<u>29,691,614</u>

*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway
 Monthly Financial Report - Airport
 For the month ended May 31, 2022



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
Revenues						
Sales Tax	15,000	3,186	11,100		3,900	74%
Airport Fuel Sales	853,460	130,738	561,151		292,309	66%
T-Hangar Rent	178,839	9,801	94,135		84,704	53%
Community Hangar Rent	43,200	3,600	18,000		25,200	42%
Ground Leases	20,257	-	26,136		(5,879)	129%
Misc Revenue - Non air	9,000	200	4,800		4,200	53%
State Grant Revenues	-	-	184,299		(184,299)	-
Reimbursements from Conway Aircraft	-	-	312,587		(312,587)	-
Miscellaneous Revenues	16,800	2,668	9,970		6,830	59%
Total Revenues	1,136,556	150,193	1,222,178	-	(85,622)	108%
Expenditures						
Personnel Costs	326,214	21,866	148,967	-	177,247	46%
Fuel for Resale	600,000	74,442	423,939	-	176,061	71%
Other Operating Costs	149,342	18,400	49,780	9,656	89,906	33%
Total Operating Costs	1,075,556	114,708	622,686	9,656	443,213	58%
Capital Outlay	-	284,362	618,737	7,885	(626,622)	-
Total Expenditures	1,075,556	399,070	1,241,423	17,541	(183,409)	115%
Net Revenue/(Expense)	61,000		<u>(19,246)</u>			

*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway
Airport Fund
2022

Fund Balance Appropriations



<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
			\$ -

City of Conway
 Balance Sheet - Airport
 As of May 31, 2022



Cash - Operating	142,460
Taxes Receivable	4,043
Accounts Receivable - Fuel Vendor	9,517
Fuel Inventory	160,387
Land	1,254,473
Buildings	3,430,723
Machinery & Equipment	234,086
Infrastructure	22,959,891
Deferred Outflows of Resources-OPEB	11,666
<i>Assets</i>	<u>28,207,246</u>
Compensated Absences	5,127
Net OPEB Liability	41,185
Deferred Inflows of Resources-OPEB	5,159
<i>Liabilities</i>	<u>51,471</u>
<i>Net Position</i>	28,155,775
<i>Total Liabilities & Net Position</i>	<u>28,207,246</u>

*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway
Monthly Financial Report - Major Project Funds
As of May 31, 2022



Parks and Rec A&P Tax

Balance, 4/30/22	2,299,144
Receipts	413,677
Payments	(234,647)
Balance, 5/31/22	\$ 2,478,174

Pay as you go Sales Tax

Balance, 4/30/22	7,320,581
Receipts	9,031
Payments	(189,229)
Balance, 5/31/22	\$ 7,140,383

Street Impact Fees

Balance, 4/30/22	1,607,631
Receipts	107,651
Payments	(136,791)
Balance, 5/31/22	\$ 1,578,491

Parks Impact Fees

Balance, 4/30/22	936,788
Receipts	94,516
Payments	(195,067)
Balance, 5/31/22	\$ 836,237

Street Sales Tax

Balance, 4/30/22	13,937,410
Receipts	17,344
Payments	(50,383)
Balance, 5/31/22	\$ 13,904,372



City of Conway, Arkansas
Ordinance No. O-22-_____

AN ORDINANCE AMENDING ORDINANCE NO. O-08-111 AND EXTENDING THE FRANCHISE OF THE CONWAY CORPORATION TO OPERATE A CABLE TELECOMMUNICATIONS PLANT AND FACILITIES OF THE CITY OF CONWAY, ARKANSAS.

WHEREAS, the City of Conway, Arkansas (the “City”), a city of the first class, presently owns a Telecommunications Plant (as defined in Ordinance No. O-08-111) serving the residents of the City, which Telecommunications Plant is presently operated and maintained by the Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the “Corporation”), pursuant to an exclusive franchise to operate and maintain the Telecommunications Plant granted to the Corporation by the City pursuant to Ordinance No. O-08-111 adopted on September 23, 2008; and

WHEREAS, the City desires to extend the term of the franchise previously granted to the Corporation;

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

Section 1. The term of the franchise granted to the Corporation by Ordinance No. O-08-111 is hereby extended to December 31, 2050 and Section 2 of Ordinance No. O-08-111 is hereby deemed amended to such effect. All other provisions of Ordinance No. O-08-111 shall remain in full force and effect.

Section 2. The extension of franchise granted by this Ordinance shall be accepted in writing by the Corporation within thirty (30) days from the date of adoption of this Ordinance, whereupon the franchise shall be deemed to be extended as provided in Section 1.

Section 3. 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 4. All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

ADOPTED AND APPROVED THIS 28th day of June 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

[SEAL]



**City of Conway, Arkansas
Ordinance No. O-22-_____**

AN ORDINANCE AMENDING ORDINANCE NO. O-08-112 AND EXTENDING THE LEASE OF THE CITY'S TELECOMMUNICATIONS PLANT AND FACILITIES TO CONWAY CORPORATION; INCREASING THE MONTHLY LEASE PAYMENT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Conway, Arkansas (the "City"), a city of the first class, presently owns a Telecommunications Plant (as defined in Ordinance No. O-08-112) serving the residents of the City, which Telecommunications Plant is presently leased to and operated and maintained by the Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the "Corporation"), pursuant to a lease (the "Lease") between the City and the Corporation embodied in and approved by Ordinance No. O-08-112 adopted on September 23, 2008; and

WHEREAS, the City desires to extend the term of the Lease of the Telecommunications Plant to the Corporation;

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

Section 1. The term of the Lease of the Electric Plant to the Corporation set forth in Ordinance No. O-08-112 is hereby extended to December 31, 2050 and

Section 2. Section 3 of Paragraph 2 of Ordinance No. O-08-112 is hereby amended to read as follows. The Lessee agrees and promises to pay a Lease payment of \$16,000 per month beginning August 1, 2022.

Section 3. Ordinance No. O-08-112 is hereby deemed amended to such effect. All other provisions of Ordinance No. O-08-112 shall remain in full force and effect.

Section 4. The extension of the term of the Lease granted by this Ordinance shall be accepted in writing by the Corporation within thirty (30) days from the date of adoption of this Ordinance, whereupon the Lease term shall be deemed to be extended as provided in Section 1.

Section 5. 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 6. All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

ADOPTED AND APPROVED THIS 28th day of June 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



**City of Conway, Arkansas
Ordinance No. O-22-_____**

AN ORDINANCE APPROVING THE PRIVATE CLUB PERMIT FOR THE ROGUE ROUNDABOUT INC. AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMITS FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED

WHEREAS, The Rogue Roundabout Inc. has applied for a private club permit as required under Chapter 4.12.04 of the Conway City Code per Ordinance No. O-17-100 and A.C.A §3-9-222; and

WHEREAS, the application is limited and specific to The Rogue Roundabout Inc., located at 804 Chestnut Street, Conway, AR 72032; and

WHEREAS, the applicant has provided all the information required in the permit application process and met all the standards set forth by the Conway City Council; and

WHEREAS, the City Council for the City of Conway hereby approves the application for a permit for the proposed location to operate a private club within the City limits of Conway; and

WHEREAS, this approval does not authorize the operation of a private club within the City of Conway but does function as an authorization to apply for a private club permit through the Arkansas Alcoholic Beverage Control Division per A.C.A §3-9-222.

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

Section 1. The application for a private club permit is hereby approved for and specific to The Rogue Roundabout Inc. located at 804 Chestnut Street Conway, AR 72032.

Section 2. That no private club operations will begin unless and until a permit to operate a private club is issued by the Arkansas Alcoholic Beverage Division.

Section 3. That the approval and permit are subject to suspension or revocation by the City in the event the applicant violates Conway City Code or State law.

Passed this 28th day of June, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-22-_____

AN ORDINANCE AUTHORIZING THE CREATION OF A NEW JOB TITLE FOR THE PERMITS AND INSPECTIONS DEPARTMENT; AND FOR OTHER PURPOSES:

Whereas, the Permits and Inspections Department has determined a need to reorganize the department; and

Whereas, the Permits and Inspections Department's current staffing includes: one Director of Permits and Inspections, four Building Inspectors; and

Whereas, the Permits and Inspections Department desires to create a new Job Classification, "Assistant Director of Permits and Inspections"; and

Whereas, the Assistant Director of Permits and Inspections will continue to perform the present duties of the Building Inspector and gain new duties of Assistant Director; and

Whereas, this change will not affect the adopted 2022 Permits and Inspections Department budget.

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

Section 1. The following title and salary shall be created in addition to existing titles:

Assistant Director of Permits and Inspections \$53,000

Section 2. The position listed above will be funded from existing funds in the 2022 Permits and Inspections Department budget.

Section 3. The authorized staffing in the Permits and Inspections Department shall be set at one Director of Permits and Inspections, one Assistant Director of Permits, four Building Inspectors.

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

PASSED this 28th day of June, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasure



**City of Conway, Arkansas
Ordinance No. O-22-_____**

AN ORDINANCE APPROPRIATING MATCHING FUNDS AND ACCEPTING THE LOWEST BID FOR THE MARKHAM STREET JUMP START PHASE II PROJECT FEDERAL AID SURFACE TRANSPORTATION PROGRAM (STP) FUNDS.

Whereas, Conway City Council previously approved the application and committed matching funds for the Federal-aid Transportation Grant administered by the Arkansas Department of Transportation and Metroplan for Markham Street Jump Start Phase II Roadway Improvements, and

Whereas, The City of Conway was awarded \$1,500,000.00, and

Whereas, The City of Conway received a total of two bids for this construction project. Fureigh Heavy Construction Submitted the lowest bid, in the amount of \$1,782,413.57, and

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

Section I: The City of Conway accepts the lowest bid for Fureigh Heavy Construction in the amount of \$1,782,413.57.

Section II: The City of Conway shall appropriate the grant match of \$375,000 from the Street Pay as You Go Sales and Use Fund Balance Appropriation Account 613-201-4900 into the expense account 613-201-5905.

Section III: Conway City Council pledges its full support and hereby authorizes the City of Conway to cooperate with Metroplan and the Arkansas Department of Transportation to initiate action to implement this project.

Approved this 28th day of June 2022.

Approved:

Mayor Bart Castleberry

Attest:

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

CITY OF CONWAY
 MARKHAM ST. JUMP START IMPVTS., PH. 2 (CONWAY) (S)
 BID TABULATION
 BID OPENING: MAY 25, 2022; 2:00 PM

ITEM NO.	SPEC. NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	ENGINEER'S ESTIMATE			FUREIGH HEAVY CONSTRUCTION low bidder			JCI CONSTRUCTION INC. 2nd low bidder		
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	
1	SP2-5.1	Sidewalk (Type Special)	S.Y.	29	\$250.00	\$7,250.00	\$250.00	\$7,250.00	\$250.00	\$7,250.00	\$250.00	\$7,250.00	
2	SP4-5.1	Utility Connections & Service Points	L.S.	1	\$20,000.00	\$20,000.00	\$15,625.00	\$15,625.00	\$25,000.00	\$25,000.00	\$25,000.00		
3	SP4-5.2	Non-Metallic Conduit 2" Schedule 40 PVC	L.F.	1,600	\$22.00	\$35,200.00	\$18.40	\$29,440.00	\$30.00	\$48,000.00	\$30.00	\$48,000.00	
4	SP4-5.3	Non-Metallic Conduit 2" Schedule 80 PVC	L.F.	200	\$26.00	\$5,200.00	\$26.00	\$5,200.00	\$30.00	\$6,000.00	\$30.00	\$6,000.00	
5	SP4-5.4	Pole Foundation (Type I)	EACH	14	\$3,500.00	\$49,000.00	\$750.00	\$10,500.00	\$2,400.00	\$33,600.00	\$2,400.00	\$33,600.00	
6	SP4-5.5	Pole Foundation (Type II)	EACH	2	\$4,000.00	\$8,000.00	\$1,500.00	\$3,000.00	\$2,700.00	\$5,400.00	\$2,700.00	\$5,400.00	
7	SP4-5.6	Pole Foundation (Type III)	EACH	12	\$4,500.00	\$54,000.00	\$1,500.00	\$18,000.00	\$2,700.00	\$32,400.00	\$2,700.00	\$32,400.00	
8	SP5-5.1	Concrete Pull Box	EACH	28	\$1,000.00	\$28,000.00	\$750.00	\$21,000.00	\$1,500.00	\$42,000.00	\$1,500.00	\$42,000.00	
9	E1-4.1	Site Preparation	L.S.	1	\$165,000.00	\$165,000.00	\$100,000.00	\$100,000.00	\$230,900.00	\$230,900.00	\$230,900.00		
10	E2-6.1	Unclassified Excavation	C.Y.	1,338	\$40.00	\$53,520.00	\$25.00	\$33,450.00	\$25.00	\$33,450.00	\$25.00	\$33,450.00	
11	E2-6.2	Embankment Construction	C.Y.	109	\$55.00	\$5,995.00	\$16.00	\$1,744.00	\$25.00	\$2,725.00	\$25.00	\$2,725.00	
12	E2-6.3	Undercut Excavation and Backfill	C.Y.	2,898	\$40.00	\$115,920.00	\$25.00	\$72,450.00	\$35.00	\$101,430.00	\$35.00	\$101,430.00	
13	E4-5.1	Trench and Excavation Safety System	L.S.	1	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00		
14	I1-5.1	Maintenance of Traffic	L.S.	1	\$55,000.00	\$55,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00		
15	I3-6.1a	18" Reinforced Concrete Pipe, Class III	L.F.	73	\$120.00	\$8,760.00	\$85.00	\$6,205.00	\$65.00	\$4,745.00	\$65.00	\$4,745.00	
16	I3-6.1b	18" Reinforced Concrete Pipe, Class V	L.F.	82	\$160.00	\$13,120.00	\$95.00	\$7,790.00	\$75.00	\$6,150.00	\$75.00	\$6,150.00	
17	I3-6.1c	22"x14" Reinforced Concrete Arch Pipe, Class IV	L.F.	405	\$170.00	\$68,850.00	\$112.00	\$45,360.00	\$95.00	\$38,475.00	\$95.00	\$38,475.00	
18	I3-6.1d	44"x27" Reinforced Concrete Arch Pipe, Class III	L.F.	251	\$260.00	\$65,260.00	\$242.00	\$60,742.00	\$200.00	\$50,200.00	\$200.00	\$50,200.00	
19	I5-6.1a	Drop Inlet (Type MO)	EACH	11	\$6,000.00	\$66,000.00	\$7,500.00	\$82,500.00	\$4,000.00	\$44,000.00	\$4,000.00	\$44,000.00	
20	I5-6.1b	Drop Inlet (Reverse Throat)	EACH	7	\$12,000.00	\$84,000.00	\$8,690.00	\$60,830.00	\$4,400.00	\$30,800.00	\$4,400.00	\$30,800.00	
21	I5-6.1c	Drop Inlet (Type C)	EACH	1	\$10,000.00	\$10,000.00	\$8,000.00	\$8,000.00	\$4,800.00	\$4,800.00	\$4,800.00	\$4,800.00	
22	I5-6.1d	4" Extension	EACH	15	\$1,500.00	\$22,500.00	\$1,200.00	\$18,000.00	\$1,000.00	\$15,000.00	\$1,000.00	\$15,000.00	
23	I5-6.1e	Junction Box (Type ST)	EACH	1	\$10,000.00	\$10,000.00	\$6,700.00	\$6,700.00	\$4,500.00	\$4,500.00	\$4,500.00	\$4,500.00	
24	I5-6.1f	Junction Box (Type E)	EACH	5	\$8,000.00	\$40,000.00	\$8,400.00	\$42,000.00	\$5,500.00	\$27,500.00	\$5,500.00	\$27,500.00	
25	I8-5.1	Pavement Repair	S.Y.	160	\$100.00	\$16,000.00	\$300.00	\$48,000.00	\$150.00	\$24,000.00	\$150.00	\$24,000.00	
26	I12-5.1	Temporary Erosion Control	L.S.	1	\$20,000.00	\$20,000.00	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	
27	I16-5.1a	Sidewalk	S.Y.	1,244	\$75.00	\$93,300.00	\$62.00	\$77,128.00	\$60.00	\$74,640.00	\$60.00	\$74,640.00	
28	I16-5.1b	Cycle Track	S.Y.	501	\$75.00	\$37,575.00	\$65.00	\$32,565.00	\$65.00	\$32,565.00	\$65.00	\$32,565.00	
29	I16-5.1c	Ramps	S.Y.	42	\$180.00	\$7,560.00	\$225.00	\$9,450.00	\$175.00	\$7,350.00	\$175.00	\$7,350.00	
30	I16-5.1d	Concrete Steps	S.Y.	2	\$1,000.00	\$2,000.00	\$1,000.00	\$2,000.00	\$700.00	\$1,400.00	\$700.00	\$1,400.00	
31	I16-5.2	Hand Railing	L.F.	43	\$120.00	\$5,160.00	\$150.00	\$6,450.00	\$200.00	\$8,600.00	\$200.00	\$8,600.00	
32	I17-5.1a	Concrete Combination Curb and Gutter (Type A) (1'-6")	L.F.	1,586	\$30.00	\$47,580.00	\$24.00	\$37,984.00	\$20.00	\$31,720.00	\$20.00	\$31,720.00	
33	I17-5.1b	Concrete Combination Curb and Gutter (Type A) (6'-6")	L.F.	289	\$100.00	\$28,900.00	\$125.00	\$36,125.00	\$125.00	\$36,125.00	\$125.00	\$36,125.00	
34	I17-5.1c	Concrete Curb (Type D)	L.F.	76	\$40.00	\$3,040.00	\$35.50	\$2,698.00	\$30.00	\$2,280.00	\$30.00	\$2,280.00	
35	I18-4.1	Roadway Construction Control	L.S.	1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	
36	I21-5.1	Brick Pavers	S.Y.	172	\$300.00	\$51,600.00	\$125.00	\$21,500.00	\$200.00	\$34,400.00	\$200.00	\$34,400.00	
37	L1-5.1	Sodding	S.Y.	1,018	\$6.00	\$6,108.00	\$3.25	\$3,308.50	\$5.00	\$5,090.00	\$5.00	\$5,090.00	
38	L2-5.1	Trees, Plants, and Groundcover	L.S.	1	\$60,000.00	\$60,000.00	\$45,000.00	\$45,000.00	\$160,000.00	\$160,000.00	\$160,000.00	\$160,000.00	
39	L3-5.1	Tree Grates	EACH	15	\$2,500.00	\$37,500.00	\$2,000.00	\$30,000.00	\$3,000.00	\$45,000.00	\$3,000.00	\$45,000.00	
40	L4-5.1	Bioretention Planters	S.F.	1,627	\$150.00	\$244,050.00	\$175.00	\$284,725.00	\$140.00	\$227,780.00	\$140.00	\$227,780.00	
41	L5-5.1	Bioretention Planter Grating	S.F.	1,627	\$65.00	\$105,755.00	\$70.00	\$113,890.00	\$50.00	\$81,350.00	\$50.00	\$81,350.00	
42	M3-4.1	Cold Milling Asphalt Pavement	S.Y.	229	\$35.00	\$8,015.00	\$35.00	\$8,015.00	\$30.00	\$6,870.00	\$30.00	\$6,870.00	
43	M5-5.1	Pipe Embedment	C.Y.	76	\$50.00	\$3,800.00	\$45.00	\$3,420.00	\$40.00	\$3,040.00	\$40.00	\$3,040.00	



ITEM NO.	SPEC.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	ENGINEER'S ESTIMATE			low bidder			2nd low bidder		
					PRICE	AMOUNT	UNIT PRICE	PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
44	P1-5.1	Aggregate Base Course (Class 7)	1,408	TON	\$35.00	\$49,280.00	\$35.00	\$49,280.00	\$34.00	\$47,872.00	\$34.00	\$47,872.00	
45	P3-5.1a	ACHM Surface Course	709	TON	\$120.00	\$85,080.00	\$115.00	\$81,585.00	\$135.00	\$95,715.00	\$135.00	\$95,715.00	
46	P3-5.1b	ACHM Binder Course	532	TON	\$100.00	\$53,200.00	\$100.00	\$53,200.00	\$120.00	\$63,840.00	\$120.00	\$63,840.00	
47	P5-5.1a	Concrete Driveway (Type I)	26	S.Y.	\$100.00	\$2,600.00	\$85.00	\$2,210.00	\$75.00	\$1,950.00	\$75.00	\$1,950.00	
48	P5-5.1b	Concrete Driveway (Type II)	46	S.Y.	\$90.00	\$4,140.00	\$85.00	\$3,910.00	\$75.00	\$3,450.00	\$75.00	\$3,450.00	
49	T1-5.1a	Thermoplastic Pavement Marking - 4" White	394	L.F.	\$6.00	\$2,364.00	\$1.55	\$610.70	\$2.00	\$788.00	\$2.00	\$788.00	
50	T1-5.1b	Thermoplastic Pavement Marking - 4" Yellow	1,766	L.F.	\$6.00	\$10,596.00	\$1.55	\$2,737.30	\$2.00	\$3,532.00	\$2.00	\$3,532.00	
51	T1-5.1c	Thermoplastic Pavement Marking - 6" White	85	L.F.	\$12.00	\$1,020.00	\$3.60	\$306.00	\$4.50	\$382.50	\$4.50	\$382.50	
52	T1-5.1d	Thermoplastic Pavement Marking - 12" White	193	L.F.	\$15.00	\$2,895.00	\$13.25	\$2,557.25	\$17.00	\$3,281.00	\$17.00	\$3,281.00	
53	T1-5.1e	Thermoplastic Pavement Marking - Green	1,053	S.F.	\$14.00	\$14,742.00	\$14.53	\$15,300.09	\$18.00	\$18,954.00	\$18.00	\$18,954.00	
54	T1-5.1f	Thermoplastic Pavement Marking (Bicycle on Green Background)	5	EACH	\$350.00	\$1,750.00	\$850.00	\$4,250.00	\$1,000.00	\$5,000.00	\$1,000.00	\$5,000.00	
55	T1-5.1g	Thermoplastic Pavement Marking (Arrow on Green Background)	5	EACH	\$350.00	\$1,750.00	\$850.00	\$4,250.00	\$1,000.00	\$5,000.00	\$1,000.00	\$5,000.00	
56	T2-4.1a	Standard Roadside Sign	33	S.F.	\$50.00	\$1,650.00	\$65.00	\$2,145.00	\$80.00	\$2,640.00	\$80.00	\$2,640.00	
57	T2-4.1b	Street Name Sign	17	S.F.	\$60.00	\$1,020.00	\$55.00	\$935.00	\$70.00	\$1,190.00	\$70.00	\$1,190.00	
58	T3-5.1	Thermoplastic Crosswalks	599	S.F.	\$25.00	\$14,975.00	\$20.27	\$12,141.73	\$25.00	\$14,975.00	\$25.00	\$14,975.00	
59	W1-4.1	Automatic Irrigation System	1	L.S.	\$50,000.00	\$50,000.00	\$55,000.00	\$55,000.00	\$65,000.00	\$65,000.00	\$65,000.00		
60	W2-5.1	Valve, Meter, or Pull Box Adjusted to Grade	20	EACH	\$500.00	\$10,000.00	\$300.00	\$6,000.00	\$500.00	\$10,000.00	\$500.00	\$10,000.00	
TOTALS						\$2,104,780.00		\$1,762,413.57		\$1,997,704.50			





**City of Conway, Arkansas
Resolution No. R-22-__**

A RESOLUTION ADOPTING A PUBLIC ART MASTER PLAN AS AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR THE CITY OF CONWAY, ARKANSAS;

Whereas, cities of first class have the power to adopt and enforce plans for the coordinated, adjusted, and harmonious development of the municipality and its environs; and

Whereas, the City Council of the City of Conway, Arkansas wishes to adopt a Public Art Master Plan; and

Whereas, the Conway Planning Commission held a duly advertised Public Hearing on May 23rd-June 21st, 2022 to allow discussion and citizen comments on the proposed plan; and

Whereas, the Planning Commission adopted the plan on June 21st, 2022 and has forwarded it to the City Council for adoption as an appendix to the Comprehensive Plan.

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

Section 1. The Public Art Plan is hereby adopted and shall be enforced through the Conway Comprehensive Plan and other regulations of the City of Conway, Arkansas.

Section 2. That the City Clerk is directed to file a copy of the adopted plan with Faulkner County Circuit Clerk, and to ensure the Planning and Development Department maintains a copy for public review.

PASSED this 28th day of June 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



CITY OF CONWAY
Planning and Development

1111 Main Street
Conway, AR 72032

T 501.450.6105
F 501.450.6144

www.conwayarkansas.gov

June 17th, 2022

Re: Public Art Master Plan

Mayor and Council Members,

Enclosed with this memo is a resolution to adopt the newly prepared Public Art Master Plan as an appendix to the City of Conway Comprehensive Plan. This will mark the formal acceptance of the plan and its establishment as a municipal plan for the city.

The plan was presented to this body on May 10th, and has subsequently gone through a public hearing before the Planning Commission on May 23rd – June 21st. The plan lays out a roadmap for further development of city's Public Art program over the next 10-15 years.

Please contact me at (501) 450-6105 or james.walden@conwayarkansas.gov if you have any questions or concerns.

Respectfully,

James P. Walden, AICP
Director of Planning and Development



**City of Conway, Arkansas
Ordinance No. O-22-___**

A ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF ± 55.91 ACRES LOCATED NORTH OF EMPY TRAIL, WEST OF ORCHARD PARK SUBDIVISION AND SOUTH OF CRESTHAVEN SUBDIVISION PHASE IV, TO THE CITY OF CONWAY:

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

SECTION 1: That the City of Conway, Arkansas, hereby accepts the hereinafter described territory, including all adjacent and abutting rights-of-way, annexed to said City by order of the County Court of Faulkner County, Arkansas heretofore entered on **June 28, 2022**, and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned **R-1**. Legal description as follows:

Being a tract of land lying in the NE1/4 of of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas more particularly described as follows:

Commencing at the NW corner of NE1/4 of said Section 3; thence along the North line of said NE1/4, S88°41'57"E 46.20 feet to a found stone for the SW corner of the SW1/4 SE1/4 of Section 34, T-5-N, R-14-W; thence continuing along said North line, S88°21'43"E 537.87 feet; thence S15°07'01"W 118.11 feet to the Point of Beginning; thence S77°51'02"E 513.94 feet; thence S72°18'58"E 536.05 feet; thence S72°18'58"E 1000.18 feet; thence S89°46'21"E 105.50 feet to a point on the East line of said NE1/4; thence along the East line S01°57'31"W 436.84; thence continuing along said East line, S01°57'31"W 671.24 feet; thence leaving said East line N78°52'40"W 50.20 feet; thence N63°08'53"W 189.17 feet; thence S77°13'21"W 129.87 feet; thence S46°36'08"W 63.27 feet; thence S72°31'27"W 116.57 feet to a point lying on the Northeasterly Right of Way of Empy Trail; thence along the Northeasterly Right of Way of Empy Trail S02°49'55"W 241.71 feet; thence along said Northeasterly Right of Way with a curve turning to the left with an arc length of 620.70 feet, with a radius of 525.70 feet, with a chord bearing of S57°15'39"E, with a chord length of 585.27 feet to a point lying of the East line of said NE1/4; thence along said East Line S01°57'31"W 89.97 feet to the SE corner of said NE1/4; thence leaving said East line, along the South line of said NE1/4 N88°59'18"W 130.93 feet to a point on the Southwesterly Right of Way of Empy Trail; thence along the Southwesterly Right of Way with a curve turning to the right with an arc length of 556.30 feet, with a radius of 622.96 feet, with a chord bearing of N53°09'36"W, with a chord length of 538.00 feet; thence continuing along said Southwesterly Right of Way, N49°48'24"W 153.34 feet; thence N14°56'45"W 143.92 feet; thence N06°13'22"E 147.60 feet; thence N29°51'43"W 337.49 feet; thence N76°13'48"W 370.46 feet; thence N86°43'27"W 253.86 feet; thence with a curve turning to the right with an arc length of 249.34 feet, with a radius of 622.96 feet, with a chord bearing of N75°15'28"W, with a chord length of 247.68 feet; thence N63°47'29"W 358.73 feet; thence leaving said Southwesterly Right of Way N01°45'47"E 1016.70 feet to the Point of Beginning, containing 55.91 acres, more or less.

Subject to all roadways, easements and reservations that are of record or physically in place.

And that the above described lands and territory be, and the same hereby are, declared to be a part of the City of Conway, Faulkner County, Arkansas.

SECTION 2: From and after this date, all inhabitants residing within and upon the hereinabove described lands and territory shall have and enjoy all the rights and privileges of, and be subject to all the laws, rules, ordinances, limitations and regulations imposed upon the inhabitants within the original limits of said City of Conway, Arkansas, and for voting purposes, said lands are hereby assigned to and designated as part of **Ward 4** of the City of Conway, Arkansas.

SECTION 3: It is hereby declared the annexed land shall be provided the following services immediately upon the effective date of this annexation: police protection; fire protection; maintenance of any publicly dedicated streets within the property; and opportunity to connect to potable water, electric, and telecommunications services provided by Conway Corporation at the expense of the property owner.

PASSED this 28th day of June, 2022.

APPROVED:

Mayor Bart Castleberry

ATTEST:

Michael O. Garrett
City Clerk/Treasurer

FILED

JUN 20 2022

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

Frank Shaw, Petitioner

CC-22-03

MARGARET DARTER
FAULKNER COUNTY CLERK
BY JB DC

AMENDED ORDER

Comes now before the Court the above-styled case, and after having been presented the facts and circumstances, and having considered the relevant laws, this Court finds and orders the following:

1. A petition of annexation was filed May 12, 2022. An amended petition of annexation was filed May 19, 2022. A second amended petition was filed June 17, 2022.
2. All appropriate signatures were affixed to the Petition, as required by A.C.A. 14-40-609.
3. The proposed site to be annexed was adequately described and further displayed a map of the proposed site.
4. The appropriate documentation was provided under A.C.A. 14-40-609.
5. Based on the above premises, the Petitioner's prayer is right and proper.

WHEREFORE, this Court finds that the area described in Exhibit A should be, and hereby is, released for annexation into the City of Conway:

IT IS SO ORDERED.

Jim B. Baker
HON. JIM B. BAKER
Faulkner County Judge

Dated June 20th, 2022

We verify that the above referenced Petition complies with A.C.A. 14-40-609.

Margaret Darter
Margaret Darter, Clerk

Krissy Lewis
Krissy Lewis, Assessor

APPLICATION REQUESTING ANNEXATION
Conway Planning Commission • City of Conway, Arkansas

Frank Shaw hereby petitions the City of Conway, Arkansas for annexation

name of applicant

of the following lands into the City of Conway.

Being a tract of land lying in the NE1/4 of of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas more particularly described as follows:

Commencing at the NW corner of NE1/4 of said Section 3; thence along the North line of said NE1/4, S88°41'57"E 46.20 feet to a found stone for the SW corner of the SW1/4 SE1/4 of Section 34, T-5-N, R-14-W; thence continuing along said North line, S88°21'43"E 537.87 feet; thence S15°07'01"W 118.11 feet to the Point of Beginning; thence S77°51'02"E 513.94 feet; thence S72°18'58"E 536.05 feet; thence S72°18'58"E 1000.18 feet; thence S89°46'21"E 105.50 feet to a point on the East line of said NE1/4; thence along the East line S01°57'31"W 436.84; thence continuing along said East line, S01°57'31"W 671.24 feet; thence leaving said East line N78°52'40"W 50.20 feet; thence N63°08'53"W 189.17 feet; thence S77°13'21"W 129.87 feet; thence S46°36'08"W 63.27 feet; thence S72°31'27"W 116.57 feet to a point lying on the Northeasterly Right of Way of Empy Trail; thence along the Northeasterly Right of Way of Empy Trail S02°49'55"W 241.71 feet; thence along said Northeasterly Right of Way with a curve turning to the left with an arc length of 620.70 feet, with a radius of 525.70 feet, with a chord bearing of S57°15'39"E, with a chord length of 585.27 feet to a point lying of the East line of said NE1/4; thence along said East Line S01°57'31"W 89.97 feet to the SE corner of said NE1/4; thence leaving said East line, along the South line of said NE1/4 N88°59'18"W 130.93 feet to a point on the Southwesterly Right of Way of Empy Trail; thence along the Southwesterly Right of Way with a curve turning to the right with an arc length of 556.30 feet, with a radius of 622.96 feet, with a chord bearing of N53°09'36"W, with a chord length of 538.00 feet; thence continuing along said Southwesterly Right of Way, N49°48'24"W 153.34 feet; thence N14°56'45"W 143.92 feet; thence N06°13'22"E 147.60 feet; thence N29°51'43"W 337.49 feet; thence N76°13'48"W 370.46 feet; thence N86°43'27"W 253.86 feet; thence with a curve turning to the right with an arc length of 249.34 feet, with a radius of 622.96 feet, with a chord bearing of N75°15'28"W, with a chord length of 247.68 feet; thence N63°47'29"W 358.73 feet; thence leaving said Southwesterly Right of Way N01°45'47"E 1016.70 feet to the Point of Beginning, containing 55.91 acres, more or less. Subject to all roadways, easements and reservations that are of record or physically in place.

and requests the property to be zoned R1 upon annexation.
desired zoning classification

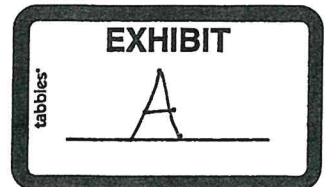
All petitioners must sign

Name Frank Shaw

Address P.O. Box 10943




City, State, Zip Conway, AR 72034

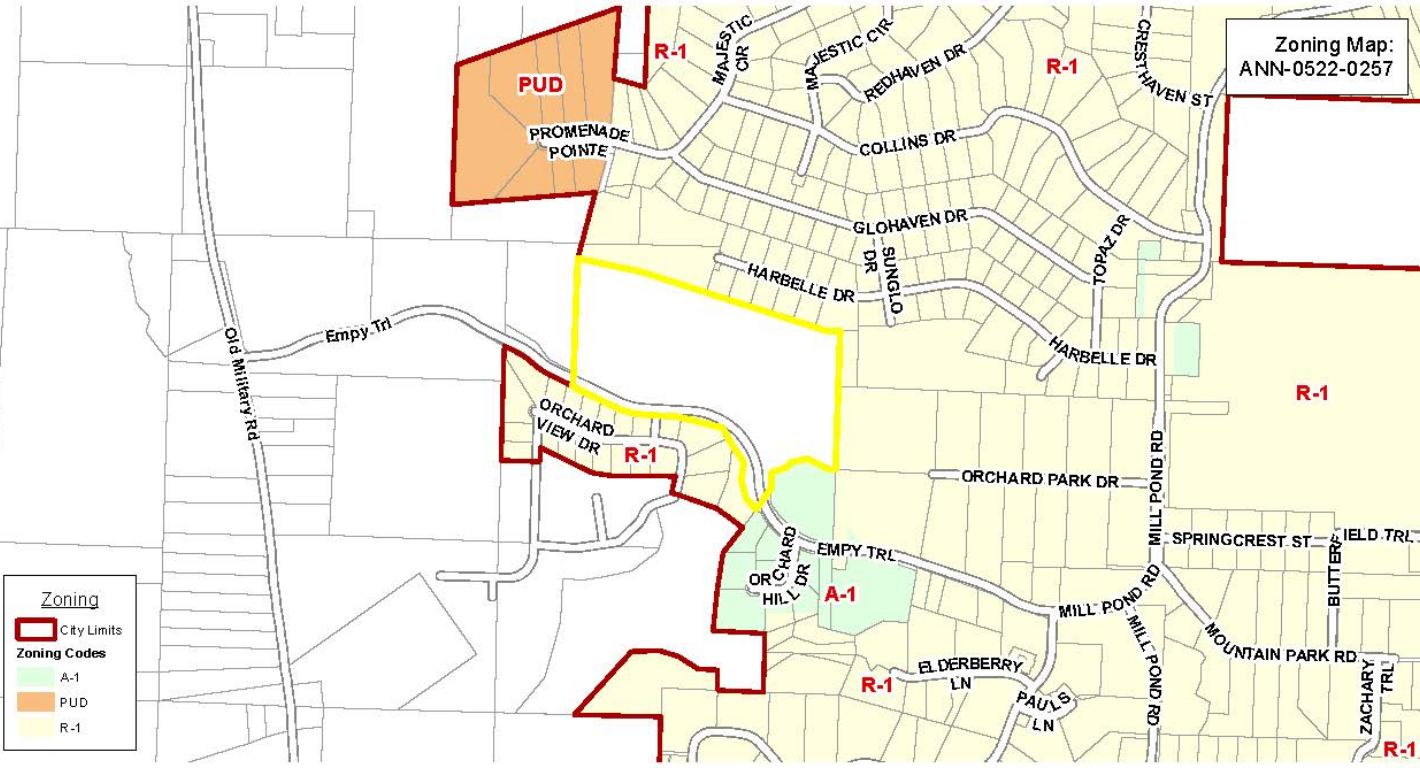
Signature *Frank Shaw*



Zoning Map:
ANN-0522-0257

Zoning

-  City Limits
- Zoning Codes**
-  A-1
-  PUD
-  R-1





1111 MAIN STREET • CONWAY, AR 72032
(501) 450-6105 • planningcommission@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Rhea Williams, 2022 Planning Commission Chairman
Date: June 28, 2022

Re: Conditional Use request to allow Automobile Body Shop in I-3 zone for property located at 1215 Thomas G Wilson Dr

Ly Wisenhunt, has requested to allow Automobile Body Shop in the I-3 zone for property located at 1215 Thomas G Wilson Dr, with the legal description:

LOT 3, BLOCK 1 REPLAT CONWAY INDUSTRIAL PARK EAST 411.52 X 271.80

The applicant is proposing to operate an automobile body shop at the location. The site is located in a mostly industrial area; the proposed use is appropriate and is consistent with Comprehensive Plan. As conditioned, the use would not likely negatively impact adjacent property.

Staff recommendation: Staff recommends approval of the conditional use permit, with the following 6 conditions:

1. No work may be conducted outside the building.
2. All proposed signage shall comply with Article 1301 (Sign Ordinance) of the Conway Zoning Code.
3. Any new fencing shall require approval by Planning Staff and shall comply with Article 1101 (Development Review) of the Conway Zoning Code.
4. Any new lighting shall not exceed twenty (20) feet in height and be full cut-off, shielded lighting as defined by the IESNA. Such lighting shall be directed to prevent the trespass of light onto the adjacent properties.
5. Any expansion of the structure or site shall require development review approval.
6. Any change to the use may require a new or amended conditional use permit.

The Planning Commission reviewed the request at its regular meeting on June 21, 2022 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

Zoning Map:
CUP-0522-0256

C-3

C-3


I-3

I-3


THOMAS G WILSON DR


E W MARTIN DR


Zoning

 City Limits

Zoning Codes

 C-3

 I-3

 PUD



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 (501) 450-6105 • planningcommission@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
 cc: City Council Members

From: Rhea Williams, 2022 Planning Commission Chairman
 Date: June 28, 2022

Re: Conditional use request to allow Religious Activities in the R-2A zone for property located at 1919 South Boulevard

H + N Architects, has requested conditional use approval to allow Religious Activities in the R-2A zone for property located at 1919 South Boulevard, with the legal description:

LOT 1, ROMAN CATHOLIC DIOCESE REPLAT

The applicant is requesting to develop the property with a new religious student ministry facility. The existing zoning is consistent with Comprehensive Plan. A small-scale, religious institutional use is appropriate given the site's proximity to UCA. In recent years the UCA campus has expanded to the east and many single-family residential sites have been re-purposed or redeveloped in support of the student population.

Staff recommendation: Staff recommends approval of the conditional use request, with the following 9 conditions:

1. The development shall be subject to both Historic District Commission (HDC) and Development Review Approval. The HDC approved the proposed design in April 2022 contingent on 1) the issuance of a conditional use permit allowing the requested use and 2) the submission of revised plans to the Planning Director for final approval.
2. The use of EIFS or vinyl siding shall be prohibited.
3. Landscaping shall be at least 1.25 times that required by Article 1101 of the Conway Zoning Code, including the planting of street trees along Baridon St and South Blvd.
4. A 36" combination brick and Hardie® siding wall shall be required to screen the transformer and parking areas along South Blvd.
5. All proposed signage shall fully comply with Article 1301 (Sign Ordinance) of the Conway Zoning Code and the Old Conway Design Overlay District Guidelines.
6. Any proposed fencing shall comply with Article 1101 (Development Review) of the Conway Zoning Code and the Old Conway Design Overlay District Guidelines.
7. All lighting shall not exceed twenty (20) feet in height and be full cut-off, shielded lighting as defined by the IESNA. Such lighting shall be directed to prevent the trespass of light onto the adjacent properties.
8. Any future expansion or additions to the site beyond approval of the development review plans will require a new or amended conditional use permit.
9. Conditional Use Permit expires 2 years from the date of issue if a building permit has not been issued.

The Planning Commission reviewed the request at its regular meeting on June 21, 2022 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

Zoning Map:
CUP-0522-0266

MF-3

R-2A

S-1

BARIDON ST

SOUTH BLVD

MITCHELL ST

R-2A

R-2A

R-2A

MF-3

Zoning

 City Limits

Zoning Codes

-  MF-3
-  R-2A
-  S-1



**City of Conway, Arkansas
Ordinance No. O-22- _____**

AN ORDINANCE ESTABLISHING A MORATORIUM ON THE ISSUANCE OF SIGN PERMITS FOR BILLBOARDS AND CERTAIN TYPES OF FREESTANDING SIGNS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the City Council of the City of Conway is examining current regulations in the Conway Sign Ordinance regarding billboards and freestanding signage; and

WHEREAS, the City Council of the City of Conway intends to amend the Sign Ordinance within 90-days; and

WHEREAS, prior to completion of such amendment to the Sign Ordinance, the City Council of the City of Conway desires to halt any further construction of billboards and freestanding signs outside the Interstate Sign Zone in excess of twelve (12) feet tall.

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

SECTION 1: That, a moratorium shall be placed on the issuance of sign permits for any billboards to be located in the City of Conway.

SECTION 2: That, a moratorium shall be placed on the issuance of sign permits for freestanding signs, such as pole signs, which are in excess of twelve (12) feet tall and being located outside the Interstate Sign Zone as defined in Section 8 of the Conway Sign Ordinance.

SECTION 3: Such moratorium shall expire 90-days following passage of this ordinance or upon passage of amendments to the Conway Sign Ordinance, whichever comes first.

SECTION 4: That it being necessary for the public peace and welfare of the citizens of the City of Conway, Arkansas, an emergency is hereby declared to exist and this Ordinance shall take effect and be in force from and after its passage and publication.

PASSED this ___ day of June, 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



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 (501) 450-6105 • planningcommission@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
 cc: City Council Members

From: Rhea Williams, 2022 Planning Commission Chairman
 Date: June 28, 2022

Re: **(APPEAL)** Request to rezone from R-1 to C-2 ±3.88 acres east of Bill Bell Lane at the intersection of Acuff Lane

Chris Thornton with MCMG, LLC has requested to rezone from R-1 to C-2 ±3.88 acres located east of Bill Bell Lane at the intersection of Acuff Lane. The proposed rezoning is not consistent with the Comprehensive Plan, which calls for single-family residential in the area. Given future use of the adjacent site, a use that would allow a transition to the existing single-family neighborhood to the intense public utility use would be compatible for the surrounding area and a good alternative to multi-family development.

Planning staff recommended approval of rezoning. While the proposed rezoning is not consistent with the Comprehensive Plan, the rezoning will provide a reasonable transition from the adjacent utility facility, allow for compatible use of the property, and will not likely harm adjacent property.

The Planning Commission reviewed the request at its regular meeting on May 16, 2022. After considerable public comment, the Planning Commission voted 1-6, failing the rezoning request. Mr. Thornton has elected to request appeal of the Planning Commission denial. His letter of appeal and supporting documents are included within this packet.

The City Council has two options for action:

- City Council may uphold the decision of the Planning Commission, denying the application with reasons cited regarding the potential development too great for the area.
- City Council may overturn the decision of the Planning Commission, approving the application, as amended.

The legal description for the property under consideration is as follows:

A PART OF THE SE1/4, SECTION 24, T-05-N, R-14-W, FAULKNER COUNTY, ARKANSAS
 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT A FOUND 2" PIPE FOR THE NE CORNER OF SAID SE1/4; THENCE ALONG
 THE EAST LINE OF SAID SE1/4 S01°48'29"W A DISTANCE OF 1109.60' TO A SET 1/2" REBAR
 W/CAP (1363) FOR THE POINT OF BEGINNING; THENCE CONTINUE S01°48'29"W A
 DISTANCE OF 434.97' TO A SET 1/2" REBAR W/CAP (1363); THENCE LEAVING SAID EAST
 LINE N88°55'15"W A DISTANCE OF 271.62' TO A SET 1/2" REBAR W/CAP (1363) BEING ON
 THE EAST RIGHT OF WAY OF BILL BELL LANE; THENCE ALONG SAID RIGHT OF WAY THE
 FOLLOWING CALLS: N18°35'47"W A DISTANCE OF 233.89' TO SET 1/2" REBAR W/CAP
 (1363); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 309.50',

WITH A RADIUS OF 580.00', WITH A CHORD BEARING OF N33°53'01"W, WITH A CHORD LENGTH OF 305.84' TO A SET 1/2" REBAR W/CAP (1363); THENCE LEAVING SAID RIGHT OF WAY S88°14'08"E A DISTANCE OF 371.57' TO A SET 1/2" REBAR W/CAP (1363); THENCE S01°48'29"W A DISTANCE OF 29.47' TO SET 1/2" REBAR W/CAP (1363); THENCE S88°11'31"E A DISTANCE OF 160.01' TO THE POINT OF BEGINNING, CONTAINING 3.88 ACRES MORE OR LESS.

Please advise if you have any questions.



MCMG, LLC

1855 McKennon Street, Suite 100
Conway, AR 72032
501-764-0291

June 10, 2022

Dear Mayor Castleberry and City Council,

Thank you for reviewing this appeal.

First, and perhaps most importantly, this project has the approval and support of the City of Conway Planning Department. What does a staff approval mean? It means that it's GOOD PLANNING. We all know these professionals have impressive planning and engineering credentials and are independent thinking and working for the best interests of the City of Conway. They are appropriately uninterested in politics. Simply, if it's good for the city, they are in favor of it. If it's not good for the city, they aren't. I'm proud that this project has the YES recommendation of the professionals in the City of Conway Planning Department.

Second, for those of you who know me and my company, you know that IF this project wasn't the best use of the land and a good fit for the area, our team wouldn't be here to request a permit. Our team has a history of providing superlative quality development, and in many cases, higher quality than is required by the city. Stonebrook Cove subdivision is a beautiful gated neighborhood of 55+ residents which has enhanced the city with its timeless craftsman architecture, its stately brick wall and elegant gated entrance...one of the few neighborhoods you'll find with a complete landscape lighting system throughout which obviates the street lights and makes the neighborhood feel safer and more comfortable at night. A newer cousin to Stonebrook Cove, Woodland Cove subdivision is another example of that same outstanding quality...We voluntarily built a beautiful brick wall there because in the end, it made the project fit our vision for quality the best.

Things that we are confident the planning staff considered in granting their support were that:

- a) **Traffic mitigation is the key issue** to the neighbors in this area. The proposed use will have the **lowest possible traffic count** vs any alternative use...much lower than if the land was used for multifamily or single family housing. The people who opposed this (all were from 1000-2000 feet away, and NONE were within view from their homes) are speaking as though this project will make traffic worse. The EXISTING zoning for approximately 21 homes will make traffic worse – changing to this use will **improve** what they are concerned about. This may be easily verified by planning statistics, which are available through the city planners.
- b) Noise is another issue that must be considered. The noise generated by basketball goals, vehicles, home repairs, etc. will be substantially higher for 21 homes. The proposed use is the QUIETEST use of all.
- c) This tract of land is bordered on THREE SIDES by a noise, sight, and traffic nuisance. On the East, it is bordered by the intense industrial uses of Conway Corporation and Virco. The industrial

uses, as we all know, are soon to be even **greater** as Conway Corp. ramps up its use of the sewer treatment plant site there. In addition to the nuisances on the eastern border, the southern border is in the process of being ramped up by Conway Corp to be their new entrance, etc. They will be hauling telephone poles in and out of this site continually, and this is going to be a substantial noise and visual nuisance for any residential use. On the western border of the property is the very busy and very fast running traffic of the collector, Bill Bell Lane. Per the people who spoke at the planning commission, the traffic situation there is a great nuisance. We agree wholeheartedly! These nuisances, along with the odd shape of the property due to the bend in the road, make this site unsuitable for residential development. Had it been suitable for residential development, it would have obviously been left within the subdivision that was designed next door. But it wasn't...it was carved out because it wasn't suitable. The professional standard used by professional planners calls for adaptations to the conditions on the ground, and for the inclusion of **transitional zoning** between the single family and the industrial areas. This transitional use is a perfect custom fit.

- d) IF it was to be residential, the clear use for this land is multifamily. Multifamily has already been applied for and that use was rejected.
- e) Our proposal for a premium self storage facility will solve or mitigate all the problems that would be there with ANY other use.
- f) We propose to brick the entire side of the property which faces north as well as the areas facing the busy street to the west. In addition to that, we propose a green buffer to both the north and the south. In addition to the trees we will plant in that north section, we propose to plant a hedge of Eleagnus. I have planted these same plants beside my home in The Village at Hendrix. I'd welcome anyone to come by and look at this. In one year, they have grown really nicely, and they will be a solid 10-12' high screen in another year or two. We agree to use attractive "wrought iron" fencing across the front to complement an attractive landscape berm and planting beds to rival that of any upscale neighborhood.
- g) Regarding the C-2 zoning, we suggest that our approval be conditioned upon the recording of covenants that will run with the land, indicating that the site will be used as presented, and that, should the buildings be destroyed by any force of nature or man, they can only be replaced with the same material and for the same use. (This is a legitimate way of placing in stone any concerns for whether this would become a pharmacy or some other randomly selected use.) There is precedent that we have used covenants that were prescribed by the city in the past to make clarifications for the future. We can provide an example that was done just a few years ago in the City of Conway if needed.
- h) Security was another issue raised by one gentleman. His straw-man scenario referenced a crude, outdated system with no door alarms, which is only used by older, low-end operators. We use state of the art security systems which combine individual door alarms with high definition color cameras with night vision capabilities. Our security system is set up on a dialer which will alert our on-duty manager 24/7/365. If **any** door opens and the authorized user is not on site, we know it instantly, we check the cameras in real-time, and we can respond in seconds. Our sites are always manicured, attractive, clean, and tended to with conscientious care.

In summary, the professional standards for the science of planning call for adaptations to the conditions on the ground as they develop, and for the inclusion of transition zoning between the single family and the industrial areas. This transitional use is a perfect custom fit. This proposal is in the best interest of both the City of Conway AND the neighbors, based on what they said at the planning commission meeting. Almost all of the people who spoke against this project were NOT within the 200' area which receives the notices. Rather, they were all at least 1,000 feet away and some were 2,000 feet away. None of them were from anywhere even close to being within view of the property. None of the concerns voiced were debated by the planning commissioners other than a brief mention of item (g) above. There was no rebuttal. I genuinely don't feel that the project had a legitimate consideration at that segment of the approval process. When the merits of a proposal are not debated and considered, but rather, the cases appear to be simply voted on based on the number of people who show up for or against the project, it doesn't inspire confidence in the system.

We are grateful that our system offers the appeal opportunity to the City Council, and we rely upon and welcome your thoughtful consideration.

Respectfully submitted,

Chris Thornton

P.S. If approved, we will be happy to support the walking trail, and will readily grant the proposed easement dedication as requested by the planning department staff.

P.P.S. Please see the hedge example shown below from my personal home to the parking lot next door. This hedge is only less than two years old and is already doing really well. We expect it to be 8' tall in a year and 10' tall in 2 years.



City of Conway, Arkansas
Ordinance No. O-22- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE ±3.88 ACRES LOCATED EAST OF THE INTERSECTION OF BILL BELL LANE AND ACUFF LANE FROM R-1 TO C-2:

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

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

A PART OF THE SE1/4, SECTION 24, T-05-N, R-14-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" PIPE FOR THE NE CORNER OF SAID SE1/4; THENCE ALONG THE EAST LINE OF SAID SE1/4 S01°48'29"W A DISTANCE OF 1109.60' TO A SET 1/2" REBAR W/CAP (1363) FOR THE POINT OF BEGINNING; THENCE CONTINUE S01°48'29"W A DISTANCE OF 434.97' TO A SET 1/2" REBAR W/CAP (1363); THENCE LEAVING SAID EAST LINE N88°55'15"W A DISTANCE OF 271.62' TO A SET 1/2" REBAR W/CAP (1363) BEING ON THE EAST RIGHT OF WAY OF BILL BELL LANE; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING CALLS: N18°35'47"W A DISTANCE OF 233.89' TO SET 1/2" REBAR W/CAP (1363); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 309.50', WITH A RADIUS OF 580.00', WITH A CHORD BEARING OF N33°53'01"W, WITH A CHORD LENGTH OF 305.84' TO A SET 1/2" REBAR W/CAP (1363); THENCE LEAVING SAID RIGHT OF WAY S88°14'08"E A DISTANCE OF 371.57' TO A SET 1/2" REBAR W/CAP (1363); THENCE S01°48'29"W A DISTANCE OF 29.47' TO SET 1/2" REBAR W/CAP (1363); THENCE S88°11'31"E A DISTANCE OF 160.01' TO THE POINT OF BEGINNING, CONTAINING 3.88 ACRES MORE OR LESS.

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

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

PASSED this 28th day June, 2022.

Approved:

Attest:

Mayor Bart Castleberry

Michael O. Garrett
City Clerk/Treasurer



Hedge at Chris' house between house and large parking lot...less than 2 years old! In one more year will be 8' tall!



Overhead View

Photo from an 8' high vantage point to show what is already screened on "new" hedges



Hedge view from parking lot toward Chris' house – we will install same kind of hedge on North buffer.



City of Conway, Arkansas
Ordinance No. O-22-_____

**AN ORDINANCE APPROPRIATING FUNDS FOR THE CONWAY PARKS AND RECREATION DEPARTMENT;
AND FOR OTHER PURPOSES:**

Whereas, The Conway Parks and Recreation Department has received a check in the amount of \$3,150.00 from Geico General Insurance Co for insurance proceeds toward the railing damage of Tucker Creek Walking Trail near Walmart on Prince Street; and

Whereas, The City of Conway has receipted this check on May 20, 2022 to the Insurance Proceeds General Account (001.119.4360); and

Whereas, The Conway Parks Department will use these funds to repair the railing.

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

Section 1. The City of Conway shall appropriate funds in the amount of \$3,150.00 from the Insurance Proceeds Account (001.119.4360) to the Conway Parks Department Grounds Maintenance Account (001.140.5430).

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

PASSED this 28th day of June , 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-22-_____**

AN ORDINANCE APPROPRIATING REIMBURSEMENTS FUNDS FROM VARIOUS ENTITIES FOR THE CITY OF CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the City of Conway has received reimbursements funds from the following entities:

Various Companies	\$51,139.44	Extra Duty Services
DEA/Marshall	\$8,819.91	Taskforce Funds
Municipal Vehicle Program	\$7,806.94	Insurance Proceeds
Gall's Uniforms	\$1,632.79	Overpayment

Whereas, the Conway Police Department needs these funds to replenish their expenditure accounts.

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

Section 1. The City of Conway shall appropriate funds from various companies in the amount of \$51,139.44 from 001.121.4185 to the CPD overtime expense account, 001.121.5114.

Section 2. The City of Conway shall appropriate funds from various companies in the amount of \$8,819.91 from 001.121.4185 to the CPD overtime account 001.121.5114.

Section 3. The City of Conway shall appropriate funds from Municipal Vehicle Program in the amount of \$7,806.94 from 001.119.4360 to the CPD vehicle maintenance expense account 001.121.5450.

Section 4. The City of Conway shall appropriate funds from Gall's in the amount of \$1,632.79 from 001.121.4186 to the CPD uniforms expense account 001.121.5670.

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

PASSED this 28th day of June, 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



**City of Conway, Arkansas
Ordinance No. O-22-____**

AN ORDINANCE APPROPRIATING FUNDS FOR THE PURCHASE OF A POLICE VEHICLE; AND FOR OTHER PURPOSES

Whereas, the Conway Police Department wishes to purchase a vehicle, for which there is not adequate funding currently available in the Pay as you Go Fund budget; and

Whereas, an insurance reimbursement was received in July of 2021 for the equipment inside three police vehicles determined to be total losses; and

Whereas, police vehicles were sold at auction in fiscal year 2022; and

Whereas, these revenues added to available budget funds will cover the cost of a new vehicle and added equipment.

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

Section 1. The City of Conway shall appropriate \$7,189.69 from the Pay as you Go Fund Balance Appropriation Account (613.201.4900) to the Police Vehicle Account (613.121.5920).

Section 2. The City of Conway shall appropriate \$11,257.50 from the Pay as you Go Proceeds from the Sale of Assets Account (613.121.4611) to the Police Vehicle Account (613.121.5920).

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

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

PASSED this 28th day of June, 2022

Approved:

Mayor Bart Castleberry

Attest:

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



City of Conway, Arkansas
Resolution No. R-22-_____

A RESOLUTION ACCEPTING FUNDING FROM THE STATE OF ARKANSAS FOR POLICE OFFICER STIPENDS; AUTHORIZING THE USE OF FUNDS TO PAY ELIGIBLE FULL-TIME LAW ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT; AMENDING THE 2022 BUDGET FOR THE AMOUNT OF FUNDING RECEIVED; AND FOR OTHER PURPOSES.

Whereas, it was found and determined by the General Assembly of the State of Arkansas that the safety and security of Arkansas citizens and businesses require the presence of a trained workforce of qualified law enforcement officers; that economic conditions have impaired the ability of state and local governments to recruit and retain qualified law enforcement officers; and that Act 224 of 2022 will improve the safety of all citizens by providing immediate financial benefits to encourage the recruitment and retention of qualified law enforcement officers.

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

Section 1. The City of Conway shall accept funding from the State of Arkansas pursuant to Act 224 of 2022 for stipends to be paid to eligible full-time law enforcement officers in the Police Department.

Section 2. The City of Conway shall amend it's 2022 General Fund budget for the funding, at a later date via ordinance, after the amount of funding is known.

Passed this 28th day of June, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-22-__**

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY TO UTILIZE 2020 EDWARD BYRNE JUSTICE GRANT(JAG) PROGRAM FUNDS

Whereas, the U.S. Department of Justice has made Edward Byrne Justice Assistance Grant (JAG funds) available to local governments to further its mission of assisting state, local, and tribal law enforcement efforts to prevent or reduce crime and;

Whereas, \$24,756 is jointly allocated to the City of Conway and Faulkner County and;

Whereas, funding will be shared equally by the City of Conway and Faulkner County and;

Whereas, the City Council conducted a public hearing on the application on this date and;

Whereas, an interlocal Agreement will be signed to document funding arrangements and;

Whereas, the Faulkner County Sheriff's Office will serve as fiscal agent for the grant and;

Whereas, the City's share of funding will be used to purchase supportive equipment for the Conway Police Department.

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

Section 1. The Conway City Council pledges its full support for Conway Police Department equipment purchases funded by the JAG Grant.

Passed this 28th day of June, 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



**City of Conway, Arkansas
Ordinance No. O-22- ____**

**AN ORDINANCE APPROPRIATING GRANT FUNDS FOR THE CONWAY POLICE DEPARTMENT, AND FOR
OTHER PURPOSES**

Whereas, The City of Conway will receive funds from the Faulkner County Sheriff’s office in the amount of \$12,378 on behalf of the Conway Police Department and the Faulkner County Sheriff’s Department as part of the 2020 Justice Assistance Grant, joint application.

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

Section 1. The City of Conway shall accept all grant proceeds totaling \$12,378 and appropriate from 399-121-4750, Federal Grant Revenue account into account 399-121-5680, Small Equipment/Tools.

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

PASSED this 28th day of June, 2022.

Approved:

Mayor Bart Castleberry

Attest:

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



City of Conway, Arkansas
Ordinance No. O-22-_____

AN ORDINANCE AUTHORIZING PERSONNEL CHANGES WITHIN THE POLICE DEPARTMENT AND APPROPRIATING FUNDS FOR AN ADDITIONAL FOUR POSITIONS AND RELATED COST, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

WHEREAS, the Police Department has determined that it can more effectively and efficiently manage City property and resources while responding to calls for service through an increase of four (4) additional police officer positions; two (2) positions will be assigned as SRO positions in the Conway Public Schools, two (2) positions are in relation to the BJA Connect and Protect Grant, and

WHEREAS, the City Council has determined that there are a need for four (4) additional Police Officer Positions in the Police Department; and

WHEREAS, the City will receive reimbursement from the BIA Connect and Protect Grant for the two positions related to it (80% in years 1 and 2, 60% in year 3); and

WHEREAS a budget adjustment in the amount of \$136,700 is required for the remainder of the 2022 budget year.

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

SECTION 1. The authorized staffing level of the Police Department is increased by four (4) full time Police Officer Positions.

SECTION 2. The City of Conway shall appropriate \$136,700 from the Fund Balance Appropriation Account (001.119.4900) to the appropriate salary and benefit expense accounts in the Police department's budget.

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

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

PASSED this 28th day of June 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-22-_____**

AN ORDINANCE AUTHORIZING THE RECLASSIFICATION OF ONE (1) NON- UNIFORMED POSITION IN THE CONWAY POLICE DEPARTMENT AND A CHANGE IN SALARY SCALE, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the Conway Police Department has determined that it can more effectively and efficiently manage City property and resources through the reclassification of one (1) non-uniformed Shop/Fleet Assistant/Mechanic position to one (1) non-uniformed Fleet Maintenance Technician Entry position and adding the following levels of pay based on years of service along with training requirements:

Fleet Maintenance Technician Entry	\$44,651
Fleet Maintenance Technician Basic	\$48,287
Fleet Maintenance Technician General	\$51,923
Fleet Maintenance Technician Intermediate	\$55,559
Fleet Maintenance Technician Advanced	\$59,195

WHEREAS, Fleet Maintenance Technician Entry, Basic, General, Intermediate and Advanced level requirements are established by the Police Chief.

WHEREAS a budget adjustment in the amount of \$8,000 is required for the remainder of the 2022 budget year.

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

SECTION 1. The City of Conway shall reclassify one (1) non-uniformed Shop/Fleet Assistant/Mechanic position to one (1) non-uniformed Fleet Maintenance Technician Entry position and add Entry, Basic, General, Intermediate and Advanced pay levels based on years of service and training requirements.

SECTION 2. Rate increases will be awarded during the first pay period of January each year when the employee receives the certificate during the 12-month period prior to January 1.

SECTION 3. The City of Conway shall appropriate \$8,000 from the Fund Balance Appropriation Account (001.119.4900) to the appropriate salary and benefit expense accounts in the Police Department's budget.

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

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

PASSED this 26th day of June 2022.

Approved:

Mayor Bart Castleberry

Attest:

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

SCHOOL DISTRICT

Exhibit A

SCHOOL RESOURCE OFFICER

QUALIFICATIONS:

1. A police officer with a minimum of three years of law enforcement experience.
2. Officer has effective oral communication skills.
3. Officer has effective written communication skills.
4. Officer has strong desire to work with children and young adults.

BASIC PERFORMANCE RESPONSIBILITIES:

- A. The school resource officer will report directly to the school resource officer supervisor. The school resource officer supervisor will coordinate all resource officer activities with the Assistant Superintendent of Schools. Each school resource officer shall:
 1. Provide a general security presence within the school district at each of the SRO's assigned schools.
 2. Provide informal counseling to students and/or faculty.
 3. Act as a guest lecturer in the classroom in law enforcement related areas.
 4. Act as a liaison between the department and the school district.
 5. Investigate crimes occurring on school property.
- B. The school resource officer will assist school officials in setting up procedures for juvenile delinquency prevention programs by:
 1. Providing assistance to students and school staff members.
 2. Presenting various crime prevention, drug, and alcohol seminars.
 3. Serving as a positive role model.
 4. Bridging the communication gap between students and police.
 5. Enforcing State, Federal, and local laws whenever necessary.
 6. Preventing the organization of youth based gangs.
- C. The school resource officer will assist school officials with maintaining order in and around the school by investigating criminal behavior and taking enforcement action as appropriate to help insure a safe environment for students and school district officials.
- D. The school resource officer shall project a professional appearance and attitude that has a positive influence on the community.
- E. The school resource officer will report to his or her assigned school at the time designated by the school resource officer supervisor and will:
 1. Report to the area of assignment and remain in this area unless duty demands otherwise.
 2. Be visible in or around schools before school, during assemblies, lunch hours, and after school to ensure smooth school operation.
 3. Keep supervisors informed of the progress of investigations and/or problems in his or her area of responsibility.
 4. Accurately record daily activities as assigned and submit reports to the unit supervisor for approval.
- F. The school resource officer will perform any other duties as assigned by his or her supervisor.

AGREEMENT

This Agreement is entered this 1st day of July, 2022, between the City of Conway, Arkansas, and the Conway School District.

WITNESSETH:

WHEREAS, District desires to maintain and improve a School Resource Officers' Program ("Program") to serve the respective needs and to provide for the maximum mutual benefit of the parties hereto; and

WHEREAS, this objective is to be accomplished by the controlled interaction of the City's police officers with students and staff of the District; and

WHEREAS, the district desires to reduce juvenile crime and to promote students' well being.

NOW, THEREFORE, IN CONSIDERATION OF THE COVENANTS SET FORTH HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. **SERVICES**

The City shall provide seven police officers and one police sergeant on a full-time basis to serve as School Resource Officers for the Conway School District. Two officers will be placed at the Conway High School; two officers will be placed at the Conway Junior High School; one officer will be placed at each middle school; and all officers will share the responsibilities of the elementary schools. The program may be expanded to add additional officers.

2. **CONSIDERATION**

In consideration for providing the above-described services, the Conway School District shall pay to the City the sum of \$338,534.08 which represents approximately half of the total costs associated with the officers' salaries, benefits, and the average overtime/comp that they receive as part of their SRO duties. The compensation shall be paid by the Conway School District to the City of Conway in full, between July 1, 2022, and July 30, 2023.

3. **TERMS**

The term of this Agreement shall be for a period commencing July 1, 2022, to and including, July 30, 2023. Absent termination by one of the parties hereto, or amendments mutually agreed upon by the parties, this Agreement shall automatically be renewed for additional terms of one year. This Agreement and all performances and obligations required hereunder may be terminated by the Mayor of the City of Conway or Superintendent of the Conway School District at any time and for any cause provided that the terminating party provides the other party with written notice of termination immediately upon the date of termination.

4. **PERSONNEL**

The School Resource Officers provided by the City shall be considered employees of the City. The School Resource Officers shall perform their services in accordance with Exhibit "A". Notwithstanding anything contained in this Agreement or the attachments to this Agreement, the School Resources Officer shall at all times be subject to the policies and procedures of the Conway Police Department. The City and the District shall be jointly responsible for the selection of an officer from the list of eligible candidates provided by the City. The City shall be responsible for the special training of the officer as required for participation in this program, and the scheduling of such School Resource Officers.

5. **INSURANCE**

City and District acknowledge that the other party is a governmental entity, duly organized under the laws of the State of Arkansas, and that each party relies on tort immunity. Accordingly, either parties, as a requirement of this Agreement shall not require additional insurance.

6. **ASSIGNMENT AND SUBCONTRACTING**

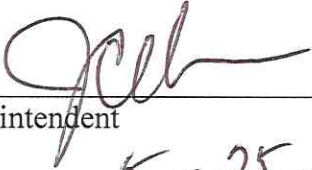
This Agreement and the performance of services required hereunder shall not be assigned or subcontracted by either party without the written consent of the other party.

7. **NOTICES**

Notices hereunder shall be given by first-class mail or personal service. Notice to the City shall be delivered or addressed to the Mayor, City of Conway, 1111 Main Street, Conway, AR 72032. Notice to the District shall be delivered or addressed to the Superintendent of Schools, 2220 Prince Street, Conway, AR 72034.

Conway School District

City of Conway




Superintendent
Date: 5-25-22

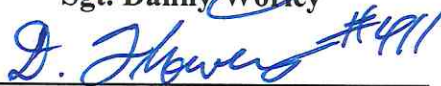
Mayor Bart Castleberry
Date: _____


- G. School resource officers who are assigned to schools will be on their assignments throughout the normal calendar year.
- H. Vacations other than school holidays will be taken primarily during times when school is not in session.

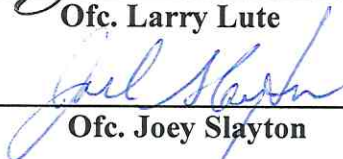
Note: The school resource officers will work extra-curricular activities at their assigned schools that the school resource officer supervisor deems necessary for the program to succeed. Compensation for the extra-curricular activities worked by the positions will be paid by time off through school holidays and summer months, to include the use of the School Resource Officer's accrued compensation time. Due to the accrual of this time the school resource officers are exempted from the departments 100 hour cap on accrued compensatory time.


I have read and agree to the above stipulations concerning extra-curricular activities.


 Sgt. Danny Worley #188


 Ofc. Derrick Flowers #491



 Ofc. Larry Lute #286


 Ofc. Joey Slayton


 Ofc. Jonathon Boone


 Ofc. Daniel Hogan #391


 Ofc. Daniel Mullaney #412


 Ofc. Timothy Woods #403



**City of Conway, Arkansas
Resolution No. R-22-_____**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH COUNSELING ASSOCIATES, AS BEING NECESSARY FOR THE CITY OF CONWAY TO IMPLEMENT ITS AWARD OF THE DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE CONNECT AND PROTECT GRANT; AND FOR OTHER PURPOSES

Whereas, the City has been awarded a Federal Department of Justice (DOJ) grant, award number 15PBJA-21-GG-04306-MENT as part of the DOJ's Bureau of Justice Assistance Connect and Protect grant; which will enable the Conway Police Department to provide further and better service to individuals in the community in crisis, and specifically those suffering from mental illness; and

Whereas, the City accepted the DOJ award by Resolution R-22-03, and the City has appropriated the matching funds by Ordinance O-22-45; and

Whereas, Counseling Associates Inc, is the provider listed in the City's grant application to the DOJ and is recognized as the local community mental health provider for Faulkner County; and

Whereas, formal agreement with CAI will enable the Conway Police Department to implement the grant and provide the services to the citizens of Conway.

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

Section 1: The City Council for the City of Conway shall hereby authorize the Mayor to enter into a contract with Counseling Associates as being necessary for the implementation of the Connect and Protec Grant Project.

Section 2: That this resolution shall be in full force and effect from and after its passage and approval.

PASSED this 28th day of June, 2022.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-22- ____

**AN ORDINANCE APPROPRIATING FUNDS FOR EMPLOYEE PAY ADJUSTMENTS, AND FOR
 OTHER PURPOSES**

Whereas, Mayor Bart Castleberry formed a committee to study the City's pay scale and to take an in-depth look at the scale and how it compares to other Arkansas cities' pay scales; and

Whereas, the basis for this study was the 2022 Arkansas Municipal League Salary Survey for cities with a population of 10,000 or more; and

Whereas, the committee identified eight positions for which the City of Conway pay was in the bottom 20% of pay compared to the other cities that reported having those same positions; and

Whereas, the committee identified four positions for which the City of Conway pay was in the bottom 50% of pay compared to the other cities that reported having those same positions, and also were identified by the committee as ranking high based on three points of criteria – 1) Difficulty to fill/retain 2) Requires Specialized Training 3) Criticality; and

Whereas, the committee identified eleven positions for which the City of Conway pay was below \$15.00 per hour; and

Whereas, a listing of the positions is attached to this ordinance in Appendix A; and

Whereas, the committee recommends increasing the pay for these positions to improve the City's standing in the public sector job market; and

Whereas, the committee also recommends increasing the pay for two positions which are a level above two of the positions paying below \$15.00 per hour; and

Whereas, the committee also recommends increasing the pay for all part-time positions to a minimum of \$13.00 per hour; and

Whereas, the committee recommends that these increases be effective with the pay period beginning July 3, 2022, which marks the start of the second half of the City's 2022 pay period schedule.

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

Section 1. The City of Conway shall appropriate \$104,540 from the General Fund Balance Appropriation Account (001.119.4900) to the proper salary and benefit accounts.

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

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

PASSED this 28th day of June, 2022

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer

Appendix A

<u>AML Position Title</u>	<u>City of Conway Title/Grade</u>	<u>Old Rate</u>	<u>New Rate</u>
Network Coordinator	Information Support Specialist/Project Mgr. 905 Information Support Specialist/Web Developer 907 Information Support Specialist 910	44,845	50,000
Grounds Maintenance Laborer	Facility Monitor 917	25,741	31,200
Police Property Room Supervisor	Lead Evidence Technician 823	36,400	42,000
Grounds Maintenance Supervisor	Grounds Maintenance Supervisor PP 809	38,064	42,000
HR Generalist	Human Resources Manager 950	43,680	50,000
Parks Supervisor	Grounds Supervisor II 806, Monitor Supervisor 807	38,604	40,000
Safety Loss Control Specialist	Safety/Loss Control Manager 975	52,000	55,000
Network Analyst	Network Coordinator 909 Information Security Coordinator 911 Telecommunications Coordinator 912	59,280	62,000
Animal Services Manager	Animal Welfare Manager 36	50,098	55,000
Mechanical Inspector	Building Inspector 18	45,760	50,000
Building Inspector	Building Inspector 18	45,760	50,000
Plumbing & Gas Inspector	Building Inspector 18	45,760	50,000
Electrical Inspector	Building Inspector 18	45,760	50,000
Other – Under \$15.00/hour			
	Animal Welfare Kennel Tech 801	25,741	31,200
	Custodian 803	27,539	31,200
	Custodian II 951	28,795	32,240
	Facility Monitor 917	25,741	31,200
	Facility Monitor/Grounds Maint 802	25,741	31,200
	Grounds Keeper P&R 802	27,557	31,200
	Grounds Keeper PP 804	27,557	31,200
	Maintenance Specialist I 9	29,371	31,200
	Recreation Supervisor 861	28,207	31,200
	Concrete Aide Transportation 10	29,371	31,200
	Grounds Keeper Transportation 904	27,557	31,200
	Maintenance Specialist I Transportation 891	29,756	31,200
	Maintenance Specialist II Transportation 892	31,668	32,240
	Collector I 918	30,285	31,200
	Collector II 919	32,102	32,656
	Maintenance Specialist I Sanitation 921	30,285	31,200



City of Conway, Arkansas
Ordinance No. O-22-_____

AN ORDINANCE APPROPRIATING FUNDS FOR SETTLEMENT OF A LAWSUIT IN THE KAALA D. JONES VS. CITY OF CONWAY; AND FOR OTHER PURPOSES:

Whereas, litigation was initiated against the City of Conway and four of its police officers by Kaala D. Jones in Federal District Court Case 4:21-CV-205-JM alleging Conway police officers violated the rights of Kaala D. Jones stemming from an investigation in the City of Conway in October of 2018; and

Whereas, the Federal District Court ordered the parties to the lawsuit to appear at the Federal District Court in Little Rock, Arkansas on June 23, 2022, to attend a settlement conference; and

Whereas, despite the City's good faith belief that the City neither the Conway Police Department nor the officers named in the lawsuit have any liability or acted in violation of the Plaintiff's rights, due to the risks of trial, the City believes it to be in the best interests to enter into a settlement of the claims made.

Whereas, it is therefore necessary to amend the budget and appropriate the funds necessary for the settlement payment.

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

Section 1. The City of Conway shall approve the settlement offer for the Kaala D. Jones case in the amount of \$110,000 in which 90% will be paid by the Municipal League and 10% will be paid by the city.

Section 2. The City of Conway shall appropriate \$11,000 from the General Fund Balance Appropriation account (001.119.4900) to Other Misc. Expense account (001.119.5799).

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

PASSED this 28th day of June, 2022

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer