



City of Conway Council Agenda

Council Meeting Date:

March 24th, 2015

5:30pm – Committee Meeting:

**Preliminary Discussion of the
Parks Improvement Plan**

6:30pm - Council Meeting

Call to Order: Mayor Tab Townsell

Roll Call: City Clerk/Treasurer Michael O. Garrett

Minutes Approval: *March 10th, 2015*

Employee Service Awards

Mayor Tab Townsell

City Clerk Michael O. Garrett

City Attorney Chuck Clawson

City Council Members

Ward 1 Position 1 – Andy Hawkins

Ward 1 Position 2 – David Grimes

Ward 2 Position 1 – Wesley Pruitt

Ward 2 Position 2 – Shelley Mehl

Ward 3 Position 1 – Mark Ledbetter

Ward 3 Position 2 – Mary Smith

Ward 4 Position 1 – Theodore Jones Jr.

Ward 4 Position 2 – Shelia Whitmore

1. Report of Standing Committees:

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

1. Ordinance amending Ordinance O-13-116 appointing new members & establishing terms for the Central Business Improvement District No. 1.
2. Ordinance authorizing the City to enter into an agreement with the Arkansas Department of Environmental Quality for property located at 1110 Spencer Street.
3. Resolution expressing the willingness of the City to utilize federal aid transportation alternative and recreational trail funds to develop the Dave Ward Drive Pedestrian Bridge Overpass.
4. Resolution to accept maintenance, operations and right of way of state Highway 60 Spur (South Donaghey Avenue) from the Arkansas Highway and Transportation Department.
5. Consideration for approval to enter a credit purchase agreement for the box culvert construction for the 6th Street Overpass Improvements.
6. Discussion of closing Spruce Street to vehicular traffic in conjunction with the rebuilding of Washington Avenue.
7. Ordinance appropriating funds to cover retirement benefits for the Planning Department.
8. Ordinance accepting the annexation of certain lands comprised of 15 acres located on the north side of Prince Street west of Chapel Creek Subdivision.
9. Resolution establishing the intent of the City to annexation certain lands at the northwest corner of East German Lane and Bill Lucy Drive.

10. Ordinance to rezone property located at northwest corner of E. German Lane and Bill Lucy Drive from A-1 to RU-1.
11. Consideration of a conditional use permit for a self-storage facility at property located at the northwest corner of E. German Lane & Bill Lucy Drive.
12. Consideration to amend the Wal-Mart neighborhood Market PUD condition no. 6 (hours of operation).

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

1. Consideration to approve the bid for access control parking system for the Parks Department.

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

1. Ordinance appropriating reimbursement funds from various entities for the Animal Welfare Unit.
2. Ordinance appropriating funding from various entities for the Conway Police Department
3. Ordinance waiving bids for the purchase of SWAT equipment for the Conway Police Department.

D. Finance

1. Consideration to approve the monthly financial report ending February 28th, 2015.

Adjournment



City of Conway
Human Resources Department
City Hall
1201 Oak Street
Conway, Arkansas 72032
www.cityofconway.org

Date: March 17, 2015
To: Mike Winter
Cc: Amy Springer
From: Lisa Mabry-Williams
Subject: Years of Service Recognition – Presentation of Pins

The City will present service pins in recognition of employees with 5, 10, 15, 20, 25 and 30 years of service at the 2nd City Council Meeting of each month. Mayor Townsell will present the pins to the employees. During the Council meeting on Tuesday, March 24th at 6:30 p.m. the following employees are eligible to receive a pin:

**Years
of**

<u>Service</u>	<u>Name</u>	<u>Date of Hire</u>	<u>Department</u>
25	Tony Harrington, Physical Plant Director	03/19/1990	Physical Plant
	Captain Kevin Moix	03/01/1990	Fire
	Battalion Chief Charles Prout	03/01/1990	Fire
	Battalion Chief Robin Roberts	03/01/1990	Fire

We would like to extend an invitation to the above listed employees to attend the City Council meeting at 6:30 p.m. on Tuesday, March 24th, 2015. The service pin presentation will be the first item on the Council agenda. Please let me know if you and your respective employees plan to attend the meeting to receive their pins from the Mayor. Thank you for your assistance.



City of Conway, Arkansas
Ordinance No. O-15- _____

AN ORDINANCE AMENDING ORDINANCE 0-13-116 APPOINTING A NEW MEMBER OF THE CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 1 OF THE CITY OF CONWAY, ARKANSAS, ESTABLISHING TERMS, AND DECLARING AN EMERGENCY

Whereas, the City Council of the City of Conway on November 12, 2013 adopted Ordinance 0-13-116 which established the Central Business Improvement District No. 1 of the City of Conway, Arkansas; and

Whereas, Section 2 of that ordinance appointed the initial commissioners and required that terms be randomly selected; and

Whereas, Commissioner David Druey resigned due to relocation of his residence outside the state of Arkansas; and

Whereas, the largest owner of property in the District and the other commissioners wish for the City Council to name Greg Sanson as a Commissioner.

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

Section 1. Section Two of Ordinance 0-13-116 is hereby revised to add this additional language:

“The initial term of office of Commission George Covington, Sr. is for two years beginning November 1, 2013 and ending October 31, 2015. The initial term of office of Commissioners Steve Magie and Greg Nabholz is for four years beginning November 1, 2013 and ending on October 31, 2017. The terms of Ray Kordsmeier and David Druey have full six year terms that expire on October 31, 2019.”

Section 2. Greg Sanson is appointed as Commissioner to succeed David Druey and his term expires on October 31, 2019.

Section 3. It is hereby found and declared that the general improvement of such central business district is urgent. Therefore, an emergency is declared to exist, and this Ordinance, being necessary for the preservation of the public peace, health and safety, shall take effect, and be in force from the date of its approval.

PASSED this 24th day of March, 2015.

Approved:

Attest:

Mayor Tab Townsell

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-15-__**

AN ORDINANCE AUTHORIZING THE CITY OF CONWAY TO ENTER INTO AN IMPLEMENTING AGREEMENT WITH THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR OTHER PURPOSES

Whereas, the City was accepted into the Arkansas Brownfield Program on March 25, 2013 for the property located at 1110 Spencer Street, formerly known as Conway Scrap Metals, which was subsequently acquired by the City on July 2, 2014; and

Whereas, Environmental Studies have found that hazards exist on said property, to which the City has applied for an EPA Brownfield grant for the cleanup of the property; and

Whereas, the City desires to maintain certain liability protections offered by the Arkansas Brownfield Program, and seeks to remediate the property of any Hazards and redevelop the property for public benefit in accordance with said program; and

Whereas, the Arkansas Department of Environmental Quality (ADEQ) wishes to enter into an Implementing Agreement with the City, which lays out certain requirements the City must follow in the properties remediation, of which the City may withdraw its participation in this program at any time by providing written notification to ADEQ.

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

Section 1: The Mayor of the City of Conway is hereby authorized to enter into an Implementing Agreement with the Arkansas Department of Environmental Quality for the purpose of initiating remediation activities at 1110 Spencer Street.

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

Passed this 24th of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

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

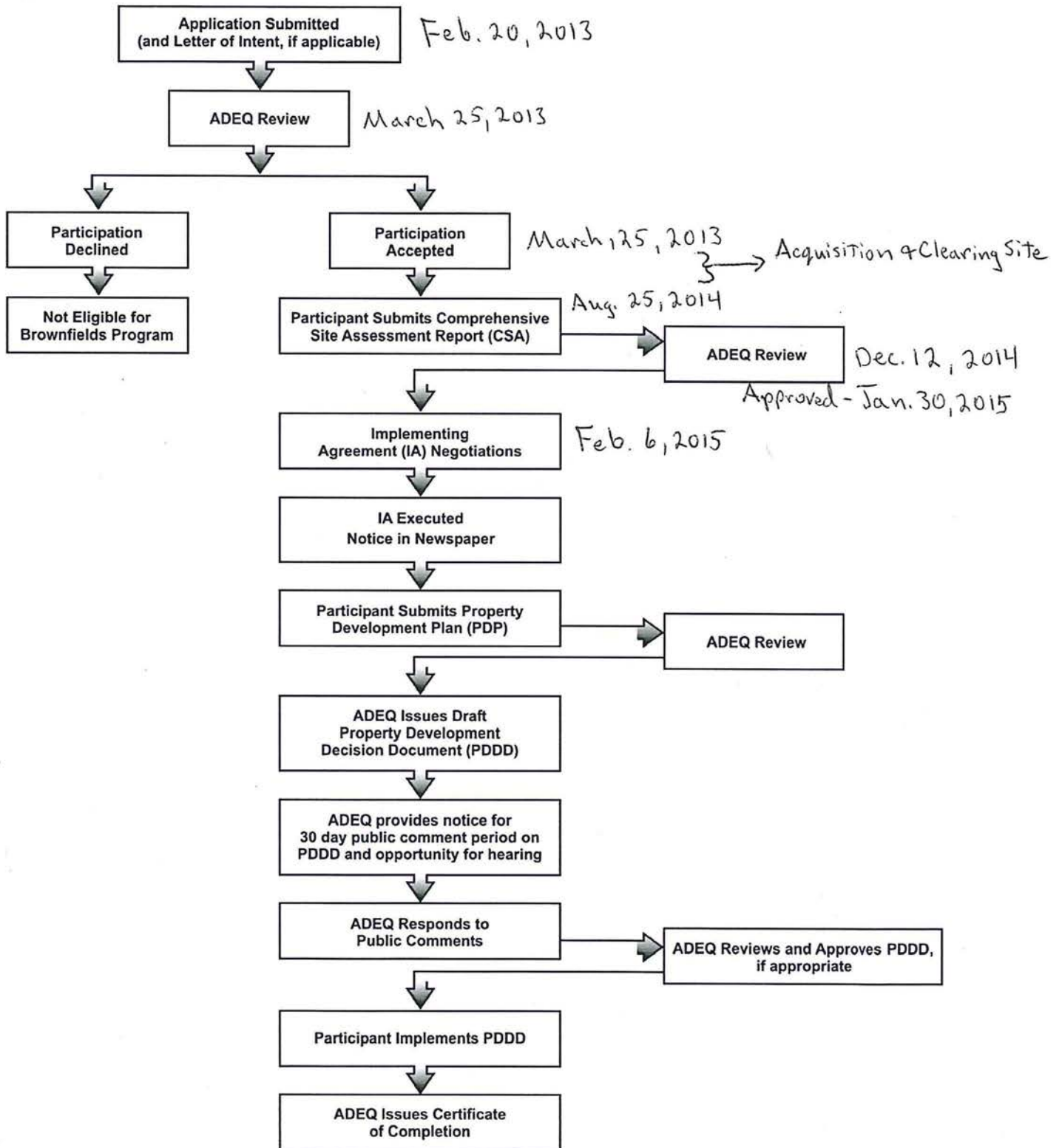
Implementing Agreement (IA) Action Steps

Monday, March 02, 2015
2:18 PM

IA#	Task Rank	Task	Task Description	Responsible Entity	Deadline	Start Date	End Date	COST
1	1	IA Signing	IA is effective upon the day of signing	Conway	none			0
1a	2	Publish Notice	LCD publication: Identify Property, intended future land use, and nature of activity proposed for property. (Note- Proof of Publication must be provided within 30 days of 1a)	Conway	Within 10 days of IA#1			\$150 General Fund
7	3	Filing Notice of IA & Future Amendments	File with Faulkner County Circuit Court Real Estate Records a "Notice of the IA" (Conway is the Grantor for the Notice)	Conway	Within 45 days of IA#1			\$50 General Fund
7a	4	ADEQ submission	Submit to ADEQ a file-marked copy of the Circuit Court Record filing from IA#7	Conway	Within 45 days of IA#7			
2	5	PDP	Property Development Plan developed by Conway and submitted to ADEQ -	Conway	March			Staff time
3		PDDD	Property Development Decision Document - issued by ADEQ after review of PDP to address contamination and remedial actions	ADEQ	April			
3a	6	RFQ	City of Conway advertises RFQ for Environmental Remediation Contractor based on PDDD	Conway	May			Staff time
4		PDDD Notice	Public Notice & Hearing of PDDD issued	ADEQ	May			
5		Final PDDD	Issued by ADEQ after public comment	ADEQ	June			
5a	7	Development Designs	Design & Engineering of Public Space - (R-15-07 on 01/13/2015); NEA grant award (tentative) for \$100,000 (50/50 Match)	Conway	Fall 2015			\$100,000 R-15-07
5b	8	Funding Dev.	Funding Sources for Re-Development of Scrap Yard Determined	Conway	Fall 2015			Unknown
5c	9	PDDD revision	Submit any requested revisions of the PDDD to ADEQ if needed based on final Re-Development Designs.	Conway	Fall 2015			Staff time
6	10	Remediation	Remediation Activities are undertaken and completed EPA-Brownfield Grant \$200,000 (O-14-107)	Conway	Spring 2016			\$40,000 O-14-107
8	11	ADEQ submission	Submit a completion report to ADEQ that remediation & redevelopment is complete per IA & PDDD	Conway	Within 45 days of IA#6			
8a		Certificate of Completion	ADEQ issues Certificate of Completion to Conway	ADEQ				



PROJECT FLOW CHART ADEQ Brownfields Program



ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:
THE CITY OF CONWAY

PARTICIPANT

REGARDING:
FORMER CONWAY SCRAP METAL SITE
1110 SPENCER STREET
CONWAY, FAULKNER COUNTY, ARKANSAS
AFIN: 23-01158

LIS No. -

IMPLEMENTING AGREEMENT

This Implementing Agreement (hereinafter "IA") is made and entered into by and between the Arkansas Department of Environmental Quality (hereinafter "ADEQ") and the City of Conway, Arkansas (hereinafter "Participant"). This IA is intended to establish remedial requirements and environmental liabilities for the Participant for an approximately 1.2 acre tract of land located at 1110 Spencer Street in Conway, Faulkner County, Arkansas (hereinafter "Property").

This IA is made pursuant to the authority of Ark. Code Ann. §§ 8-7-201 *et seq.*, 8-7-501 *et seq.*, Arkansas Pollution Control and Ecology Commission (hereinafter "APC&EC") Regulation 23, Hazardous Waste Management, (hereinafter "Regulation 23"), Ark. Code Ann. § 8-7-1101 *et seq.* (hereinafter the "Arkansas Brownfield Program"), and APC&EC Regulation 29, Brownfield Redevelopment.

This Agreement is of substantial public benefit and is in the public interest.

I. FINDINGS OF FACT

1. The Property is located northeast of the intersection of Spencer Street and Garland Street in downtown Conway, Faulkner County, Arkansas. The physical address for the property is 1110 Spencer Street, Conway, Arkansas. The Property consists of a 1.2 acre, more or less, tract of land. The subject property is located within a mixed use area of Conway, Arkansas. The Property is bounded on the north by residential

and on the south, east and west by commercial/industrial.

2. The Property is located at 1110 Spencer Street, Conway, Faulkner County, Arkansas.

The legal description is as follows:

1110 Spencer Street (Conway Scrap Metal property): Lots 3, 4, 7 and south 35 ft of Lot 6 Block 9, Harrison Addition; Lot 6 Block 1 Bruce Addition to the City of Conway, Faulkner County, Arkansas.

3. Review of the Brownfield Application submitted by the Participant indicates the Property and the Participant are eligible to be enrolled in the Arkansas Brownfield Program under APC&EC Reg. 29.402 and Ark. Code Ann. § 8-7-1104(a). The Participant submitted a Letter of Intent to acquire the Property on February 19, 2013.
4. FTN Associates Ltd. performed a Phase I Environmental Site Assessment (hereinafter "ESA") on the Property in May 2014. The Phase I ESA indicated potential soil and groundwater contamination issues related to the property having been a scrap metal yard for decades. Petroleum staining and odors were also noted during the Phase I ESA.
5. On January 30, 2015, ADEQ completed a review of the FTN Associates Ltd. Comprehensive Site Assessment report (hereinafter "CSA"). ADEQ determined that the report contains sufficient information to meet the Arkansas Brownfield Program requirements of a CSA thereby establishing a baseline of existing contamination for the Property.
6. The CSA indicated the highest occurrence of contamination was found within the upper two (2) feet of soil. Chemicals of Potential Concern identified for soil include polychlorinated biphenyls (PCBs), total petroleum hydrocarbons in the diesel range (TPH-DRO), polynuclear aromatic hydrocarbons, bis(2-ethylhexyl) phthalate (DEHP) and several metals. For the most part, the extent of contamination at this site

is defined by the presence of PCB contamination. Several Volatile Organic Compounds, Semi-Volatile Organic Compounds, PCBs and metals were detected above United States Environmental Protection Agency (USEPA) Regional Screening Levels (RSLs) for tapwater in groundwater samples. DEHP and vinyl chloride were the only organic chemicals that exceeded both the USEPA tapwater RSL and the maximum contaminant level. An area of standing water on site contained elevated levels of lead, arsenic, antimony, manganese and TPH-DRO. The source of standing water on the site is probably precipitation.

II. AGREEMENT

As good and valuable consideration for participation in the Arkansas Brownfield Program and redevelopment of the Property, clean-up activities, and liability considerations, ADEQ and the Participant hereby agree that:

1. The Participant, within ten (10) calendar days of the effective date of this IA, shall publish a notice of this IA in a newspaper of general circulation that serves the City of Conway, Arkansas area that identifies the Property, the intended future land use of the Property, and the nature of the activity that the Participant proposes for the Property. The Participant shall provide proof of this publication of the notice in the form of a publisher's affidavit to ADEQ within thirty (30) calendar days following the effective date of this IA.
2. The Participant shall submit to ADEQ a Property Development Plan (hereinafter "PDP").
3. ADEQ shall issue a Property Development Decision Document (hereinafter "PDDD") to address contamination and subsequent remedial actions, if any, identified in the PDP.

4. Pursuant to Ark. Code Ann. § 8-7-1104(h)(1), ADEQ shall provide public notice of the PDDD. The opportunity for a public hearing is also provided regarding the PDDD.
5. Following the public notice of the PDDD, ADEQ will issue a final PDDD, considering all comments submitted, if any, pursuant to the public notice discussed in paragraph 4 above. The PDDD shall address remedial actions, if any, as determined by ADEQ. The final PDDD shall become an amendment to this IA.
6. Upon receiving the final PDDD for the Property, the Participant shall initiate and complete the remedial action activities, if any, addressed in the final PDDD.
7. The Participant shall file within thirty (30) calendar days of the executed date, a notice of the IA with the clerk of the Circuit Court in Faulkner County, Real Estate Section. Notice of any amendments to this IA also shall be filed by the Participant with the clerk of the Circuit Court in Faulkner County within thirty (30) calendar days after their effective dates. The notice of the IA shall be filed in a manner that establishes the Participant as the Grantor for the notice of the IA in the property records. A file-marked copy shall be submitted to ADEQ within forty-five (45) calendar days of the effective filing date.
8. The Participant shall submit a completion report to ADEQ within forty-five (45) calendar days of completion of the remedial work required as a result of the PDDD. The completion report shall include sufficient information to document that the site has been redeveloped according to the provisions of the IA and the final PDDD. After ADEQ receives this information and determines to its satisfaction that all remedial work and activities have been completed, ADEQ shall issue a Certificate of Completion to the Participant.
9. The Participant shall provide a copy of this IA to all prospective owners, assigns, or successors in title before the Property is transferred.

10. The Participant shall not permit, authorize, or allow any activity that aggravates or contributes to the contamination of the air, land, or water, including downward migration of contamination, from any existing contamination on or from the Property. The term “existing contamination” shall include any contamination occurring or identified prior to the effective date of this IA.
11. The Participant, its assigns, or successors shall not use or redevelop the Property in a manner that is inconsistent with the intended use described in this IA or amendments thereto.
12. ADEQ covenants and agrees that the Participant shall not be assessed or responsible for paying any fines or penalties related to the contamination of the Property that occurred prior to the effective date of the IA.
13. Nothing in this IA shall be construed as a waiver of liability for any future contamination of the Property by the Participant, its assigns, its successors, subsequent owners, or third parties occurring after the effective date of this IA.
14. This IA, including all rights and clean-up liabilities entered into by ADEQ, is transferable in its entirety, upon written notice to ADEQ, to all subsequent owners, assigns, and successors of interest to the Property who did not, by act or omission, cause or contribute to any release or threatened release of hazardous substances on the Property.
15. The Participant may propose to modify the intended use of the Property described in the IA and PDDD by submitting a written proposal to ADEQ for review and approval. The written proposal will describe the proposed modification of the intended use and any justification and supporting information for the proposed modification. ADEQ will evaluate the protectiveness of remedial activities to

determine if the proposed modification would pose a potential unacceptable risk to human health or the environment. After review of the proposed modification, ADEQ will provide its decision in writing to the Participant either granting the proposed modification or denying it.

16. Any modification from the intended use of the Property described in the IA that has not been approved by ADEQ will result in any liability assurances, considerations, or provisions contained in this IA and amendments thereto or certificates of completion issued hereunder, to be null and void and of no effect.
17. The Participant may withdraw its participation in the Arkansas Brownfield Program at any time by providing written notification to ADEQ.
18. Should the Participant fail to complete any term and condition required by or set forth in this IA, and at the time of exit, the Participant has acquired the Property and is considered to be the legal owner of the Property, the ADEQ reserves the right to deem the Participant in default of this IA; the Participant will be notified in writing by ADEQ that their enrollment in the Arkansas Brownfield Program is no longer valid.
20. The Participant affirms, declares, and represents that it did not, by act or omission, cause or contribute to any release or threatened release of hazardous substance on or from the Property; and is not otherwise considered to be a responsible party pursuant to Ark. Code Ann. § 8-7-1104(a)(2).
21. The Participant, its assigns, and successors of interest, shall not transfer the Property to a party that is a responsible party pursuant to Ark. Code Ann. § 8-7-512(a)(2)-(a)(4) for such pollution or contamination on the Property. If such transfer is made, this IA and Certificate of Completion issued hereunder shall be null and void.

22. Any notice required by this IA shall be made in writing and delivered to:

Arkansas Department of Environmental Quality
Attention: Brownfield Program
5301 Northshore Drive
North Little Rock, AR 72118-5317

City of Conway
Attn: Mayor Tab Townsell
1201 Oak Street
Conway, Arkansas 72032

23. This IA shall become effective upon the signature of the Director of ADEQ.

IT IS SO AGREED.

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY:

By: _____
Director
Becky W. Keogh

Date: _____

PARTICIPANT:
City of Conway, Arkansas

By: _____

Date: _____

Title: _____



**City of Conway, Arkansas
Resolution No. R-15-_____**

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CONWAY TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES FUNDS AND FEDERAL-AID RECREATIONAL TRAILS FUNDS

Whereas, The City of Conway understands Federal-aid Recreational Trails Funds/Transportation Alternative Funds are available at 80% federal participation and 20% local match labor to develop or improve Dave Ward Drive Pedestrian Bridge Overpass; and

Whereas, The City of Conway understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement; and

Whereas, this project using federal funding, will be open and available for use by the general public and maintained by the applicant.

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

Section I: The City of Conway will participate in accordance with its designated responsibility including maintenance of this project.

Section II: Mayor Tab Townsell is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above state project.

Section III: The City of Conway pledges its full support and hereby authorizes the Mayor Tab Townsell or his designation personnel to cooperate with the Arkansas State Highway and Transportation Department to initiate action to implement this project.

This RESOLUTION adopted this 24th day of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Resolution No. R-15-___**

A RESOLUTION TO ACCEPT MAINTENANCE, OPERATIONS, AND RIGHT OF WAY OF STATE HIGHWAY 60 SPUR (SOUTH DONAGHEY AVENUE) FROM THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT;

Whereas, the Arkansas Highway and Transportation Department no longer has need for State Highway 60 Spur as a highway route; and

Whereas, the Arkansas Highway and Transportation Department is prepared to donate the Highway 60 Spur right of way to the City of Conway; and

Whereas, the City of Conway is willing to assume responsibility for the maintenance and operation of Highway 60 Spur to provide expedient development, access management and permitting.

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

Section 1. The City of Conway hereby approves acceptance of the Highway 60 Spur right-of-way from the Arkansas Highway and Transportation Department. This resolution replaces resolution R-14-22.

PASSED this 24th day of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

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



City of Conway
Street and Engineering Department
100 East Robins Street
Conway, AR 72032

Finley Vinson, P.E.
City Engineer
finley.vinson@cityofconway.org
501-450-6165

March 17, 2015

Mayor Tab Townsell
City Hall
1201 Oak Street
Conway, Ark. 72032

Re: Central Landing Access Improvements
6th Street Overpass Project
Box Culvert Construction
Wet Lands Permit and Mitigation

Dear Mayor Townsell:

As part of the environmental review process it was determined that the replacement of the 900 feet open concrete channel along the west side of Amity Road at Elsinger Boulevard with an enclosed concrete box culvert impacted wetlands and streams under the jurisdiction of the Corps of Engineers.

The impact on wetland and stream can be mitigated by the acquisition of 0.47 wetland credits and 3,280 stream credits from an approved mitigation bank. As shown on the attached invoice the cost of these credits from the Cardon Creek Mitigation Bank, LLC is \$119,960.

It is my understanding that this group converted farmed wetlands along the Cadron Creek into a managed wetland area in accordance with plans and guidelines approved by the U.S. Army Corps of Engineers.

It is important that we move forward as soon as possible with securing these mitigation credits to avoid delays in the 6th Street Overpass project schedule. The AHTD will not give us a permit to start construction on the box culvert project until the 404 permit is completed.

I am requesting approval for you to sign the attached Credit Purchase Agreement and approval of payment of \$119,960 to the Cadron Creek Mitigation Bank. The funds could be paid from the "pay as you go" sales tax fund.

Please advise if you have questions or comments.

Thanks,

Ronnie D. Hall, P.E.



Cadron Creek Mitigation Bank, LLC

INVOICE

Date	Invoice #
10/20/2014	CCMB_10202014

Cadron Creek Mitigation Bank

Bill To
City of Conway Ronnie Hall, City Engineer Cantrell Field Redevelopment Care of: Garver USA Mr. Ryan Mountain, Senior Environmental Scientist/Specialist Transportation Team 2049 East Joyce Blvd. Fayetteville, AR 72703

Quantity	Permit Number	Description	Price Each	Amount
3,280	SWL 2014-00083	Stream Credits	\$36	\$118,080
0.47		Wetland Credits	\$4,000	\$1,880
Please remit payment to: Cadron Creek Mitigation Bank				
TOTAL				\$119,960.00

**CREDIT PURCHASE AGREEMENT
CITY OF CONWAY, CANTRELL FIELD REDEVELOPMENT
CADRON CREEK MITIGATION BANK, LLC**

This Credit Purchase Agreement ("Agreement") is made between the City of Conway and Cadron Creek Mitigation Bank, LLC, ("CCMB") an Arkansas limited liability company as follows:

1. Purpose. The City of Conway wishes to purchase stream and wetland credits from CCMB located in Conway County, Arkansas. CCMB wishes to sell these stream and wetland credits. This Agreement reduces the understanding of the parties to writing.
2. Acquisition of Credits. The City of Conway will purchase ± 0.47 wetland and $\pm 3,280$ stream credits from CCMB to comply with compensatory mitigation requirements associated with Permit No. SWL-2014-000083 related to the Cantrell Field Redevelopment which is located within the primary service area of CCMB. The number of stream and wetland credits required is represented by stream and wetland impact credits calculated by the US Army Corps of Engineers, Little Rock District. The purchase price for the stream and wetland credits will be \$36 and \$4,000 per credit, respectively. At closing, CCMB will execute a Notice of Purchase letter to the US Army Corps of Engineers, Little Rock District, necessary to convey the stream and wetland credits to the City of Conway and the City of Conway will pay the purchase price to CCMB in good funds.
3. Warranty of CCMB. CCMB warrants that it is the sole owner of the stream and wetland credits to be conveyed at closing free and clear of all encumbrances and that it has the right to sell and transfer the stream and wetland credits.
4. Closing. The closing of this Agreement will take place on a date designated by the City of Conway which will be on or before April 30, 2015. The closing date may be extended by CCMB, in its sole discretion.
5. Contingency. The obligation of the City of Conway to close the purchase and sale of the stream and wetland credits is contingent upon approval of the permit application for Permit No. SWL-2014-000083 by the United States Army Corp of Engineers, Little Rock District on or before April 30, 2015 or the extended closing date set by CCMB. The obligation of the City of Conway to close the purchase and sale of the stream and wetland credits is subject to no other condition or contingency.

6. Miscellaneous. This Agreement will be governed by Arkansas law. This Agreement is the entire agreement of the parties related to the subject matter contained herein. This Agreement may only be altered or amended by a document in writing signed by the parties, except that CCMB may unilaterally extend the closing date as provided in Section 4. The terms of this Agreement will bind and benefit the parties and their successors in interest.

DATED: _____, 2014.

City of Conway

By: _____
Ronnie Hall, City Engineer

Cadron Creek Mitigation Bank, LLC
By: Coffman Holding, LLC, Sole Member

By: Marshall B. Coffman
Marshall B. Coffman, CEO



MEMO

To: Mayor Tab Townsell

From: Finley Vinson, P.E., PTOE

cc:

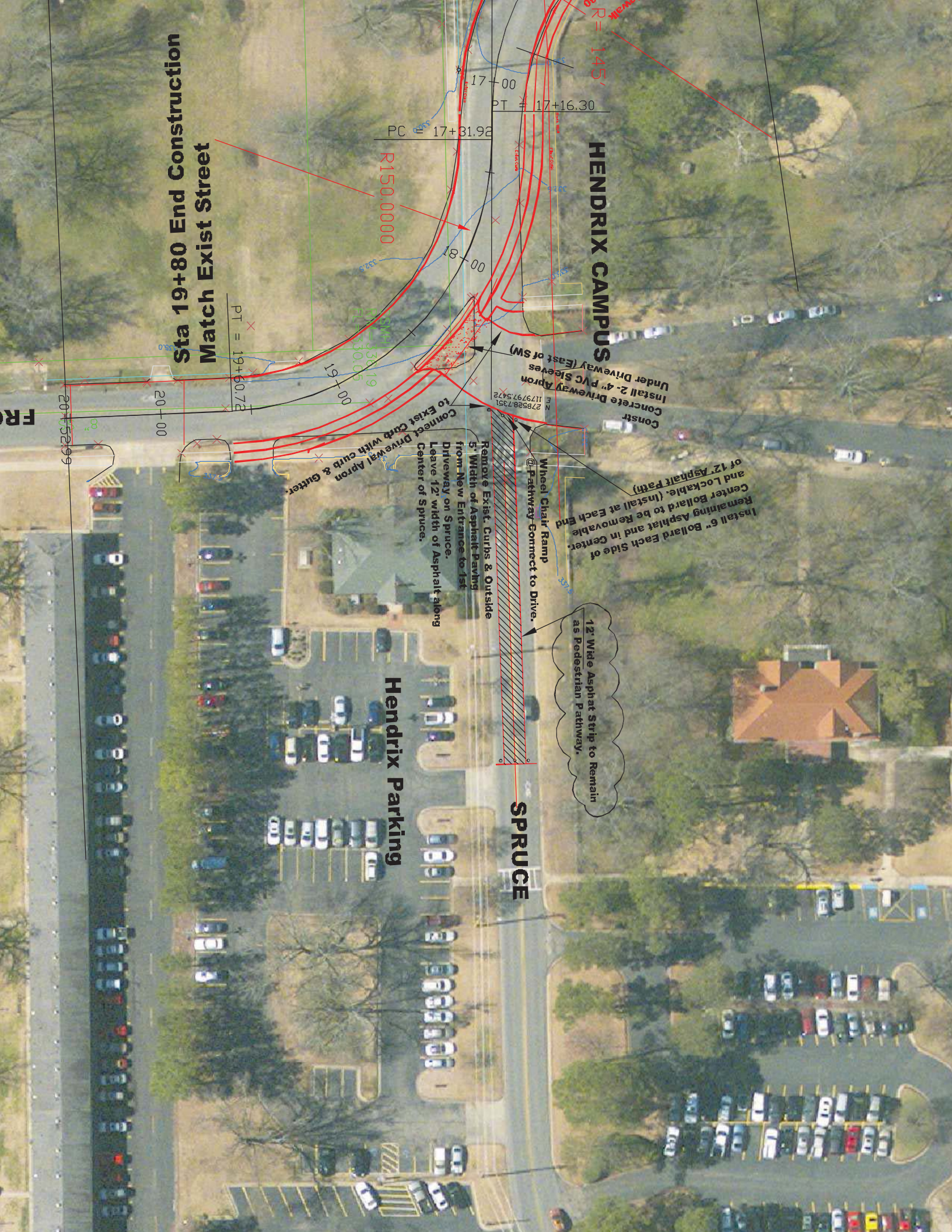
Date: March 16, 2015

Re: Spruce Street Closure Request

Hendrix College has requested the closure of the western 250' of Spruce Street to vehicular traffic in conjunction with the rebuilding of Washington Avenue.

Plans depicting this closure are attached for your consideration.

Please let me know how you would like to proceed.



HENDRIX CAMPUS

Constr
Concrete Driveway Apron
Install 2-4" PVC Sleeves
Under Driveway (East of SW)

Install 6" Bollard Each Side of
Remaining Asphalt and in Center.
Center Bollard to be Removable
and Lockable. (Install at Each End
of 12' Asphalt Path)

12' Wide Asphalt Strip to Remain
as Pedestrian Pathway.

SPRUCE

Remove Exist. Curbs & Outside
5' Width of Asphalt Paving
from New Entrance to 1st
Driveway on Spruce.
Leave 12' width of Asphalt along
Center of Spruce.

Wheel Chair Ramp
@ Pathway Connect to Drive.

Hendrix Parking

Sta 19+80 End Construction
Match Exist Street

R150.0000

PT = 17+16.30

PC = 17+31.92

PT = 19+60.72

20+00

20+52.99

FR



**City of Conway, Arkansas
Ordinance No. O-15-__**

AN ORDINANCE APPROPRIATING FUNDS FOR THE PLANNING DEPARTMENT SALARY AND WAGES ACCOUNT, NONUNIFORM RETIREMENT, SOCIAL SECURITY, CONTRIBUTIONS, AND OTHER EMPLOYEE BENEFITS ACCOUNT; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

Whereas, A Planner within the City of Conway Planning Department is retiring and the Community Development Program Manager will assume the open Planner position, and;

Whereas, funds are necessary for the two month training period of said new Planner and closure of the retiring Planner's vacation and sick leave 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 \$22,429.47 from General Fund – Fund Balance Appropriation Account (001.990) to the below Planning Department Accounts:

\$19,737.43 to the Salary and Wages Account (001.105.5111)

\$1,183.32 to the Non-uniform Account (001.105.5150)

\$1,508.72 to the Social Security Contributions Account (001.105.5170)

Section 2. That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

Section 3. That this ordinance is necessary for the protection, peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 24th day of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-15- _____

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF 15.00 ACRES LOCATED ON THE NORTH SIDE OF PRINCE STREET WEST OF CHAPEL CREEK SUBDIVISION, TO THE CITY OF CONWAY, ARKANSAS WITH A ZONING OF R-1; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES:

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, annexed to said City by order of the County Court of Faulkner County, Arkansas heretofore entered on **March 3, 2015** and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be rezoned **R-1** and described as follows:

A part of the SW1/4 SE1/4 of Section 8, Township 5 North, Range 14 West, Faulkner County, Arkansas being more particularly described as commencing at the southwest corner of said SW1/4 SE1/4 and running thence N01°48'42"E, 29.30 feet to the north Right of Way of Prince Street for the point of beginning; thence continue N01°48;42"E, 732.45 feet to the southwest corner of Lot 12 of Chapel Creek Subdivision Phase I; thence run along the boundary of said subdivision S88°07'49"E, 902.40 feet to the southeast corner of Lot 83 of said subdivision; thence run S01°31'22"W along the boundary of said subdivision 709.96 feet to the north Right of Way of Prince Street; thence run along said Right of Way N89°55'06"W, 424.42 feet; thence N89°13'53"W, 481.83 feet to the point of beginning containing 15.00 acres more or less.

And that above said – 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 3** of the City of Conway, Arkansas.

Section 3: It is hereby ascertained and declared that it is necessary for the protection and preservation of the public health and safety that the foregoing ordinance shall take effect and be in force from and after its passage and publication.

PASSED this 24th day of March, 2015.

Approved:

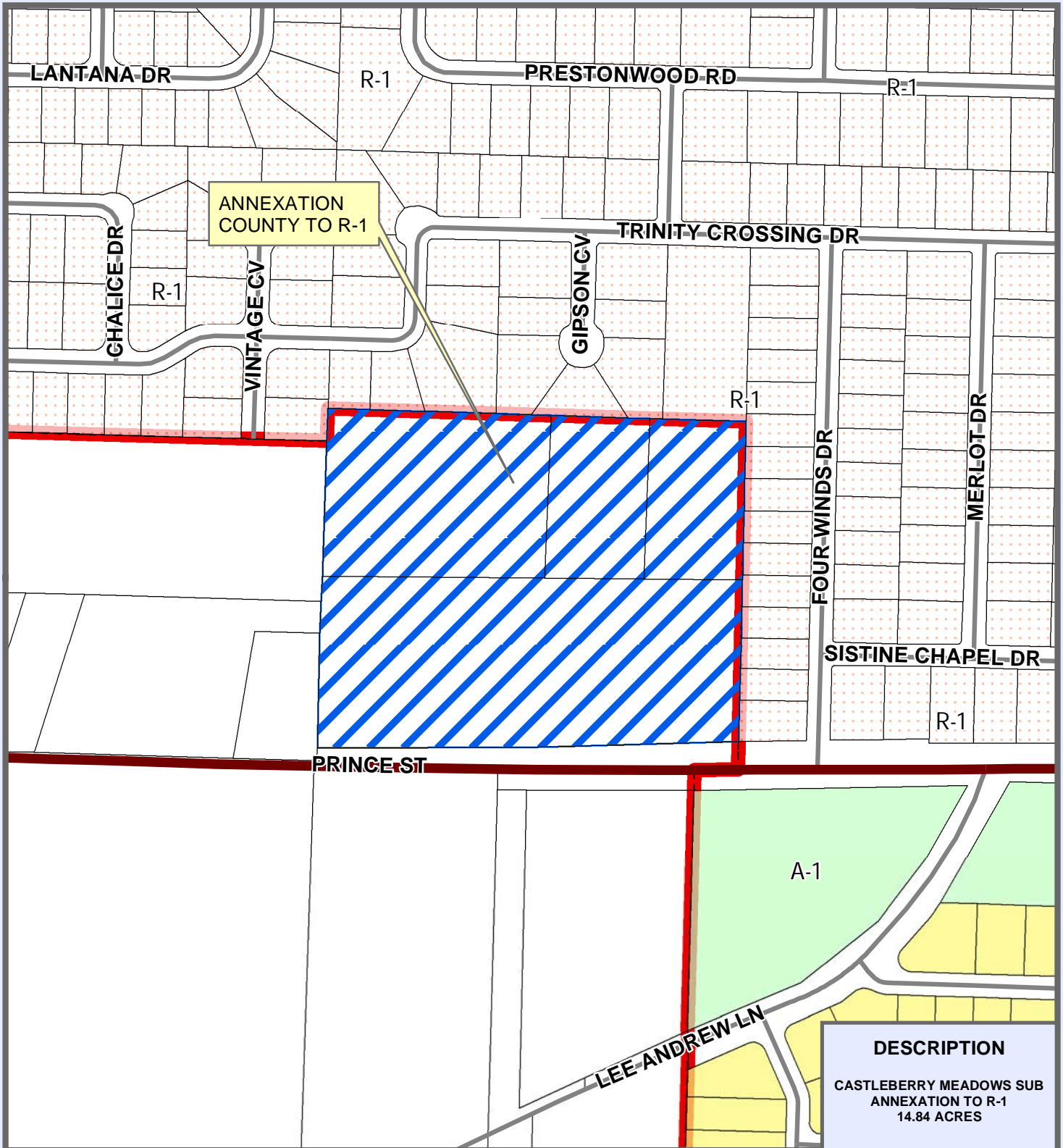
Mayor Tab Townsell

Attest:

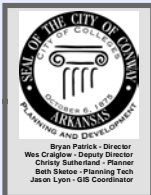
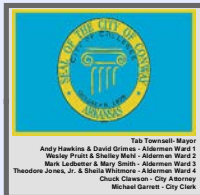
Michael O. Garrett
City Clerk/Treasurer

CITY OF CONWAY

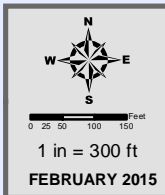
CASTLEBERRY MEADOWS SUB -- ANNEXATION (R-1 ZONING)



DESCRIPTION
CASTLEBERRY MEADOWS SUB
ANNEXATION TO R-1
14.84 ACRES



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



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CONTACT INFORMATION
 WWW.CONWAY-PLANNING.ORG/GIS
 E-MAIL: Jason.Lyon@CityOfConway.org



City of Conway, Arkansas
Resolution No. R-15- ____

A RESOLUTION ESTABLISHING THE INTENT OF THE CITY OF CONWAY TO ANNEX CERTAIN LANDS LOCATED AT THE NORTHWEST CORNER OF E. GERMAN LANE AND BILL LUCY DRIVE.

Whereas, the City Council of the City of Conway, Arkansas, has been informed that Trinity Development has petitioned the County Court of Faulkner County, Arkansas, for annexation into the City of Conway, Arkansas, the following described lands in Faulkner County, Arkansas:

Part of the southeast quarter of the northeast quarter (SE1/4, NE1/4) of Section Five (S-5), Township Five North (T-5-N), Range 13 West (R-13-W), Faulkner County, Arkansas, more particularly described as: Beginning at the northeast corner of said southeast quarter of the northeast quarter (SE1/4, NE1/4), and run thence south 607.00 feet; thence north 84 degrees 50 minutes west along the middle of a county road 754.4 feet; thence north 556.5 feet to the north line of said southeast quarter of the northeast quarter (SE1/4, NE1/4); thence south 88 degrees 40 minutes east 751.3 feet to the point of beginning, containing 10.03 acres, more or less.

Whereas, it is desired to indicate unto the County Court of Faulkner County, Arkansas, the attitude of the City of Conway, Arkansas toward such annexation.

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

1. The City Council does hereby declare its willingness to accept said lands as a part of the City of Conway, Arkansas to be zoned **A-1**.
2. That such lands shall not be annexed until such time as those streets within and abutting this property that are to be accepted for city maintenance and those streets that are to be accepted as public roads solely for the purpose of issuing building permits shall have been established and noted on the annexing ordinance and right-of-way dedicated.
3. That such lands shall not be annexed until such time as it has been determined which parcels of property within the annexation have been created in accordance with the Subdivision Ordinance requirements and are therefore eligible for issuance of building permits.
4. That such lands shall not be annexed until such time as agreements with Conway Corporation, the City of Conway's utilities provider, shall have

been established and noted on the annexing ordinance and utility easements dedicated.

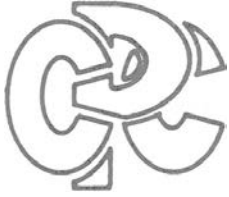
PASSED this 24th day of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

MEMO

To: Mayor Tab Townsell
CC: City Council Members

From: Lee Washington, Planning Commission Chairman
Date: March 17, 2015

Re: Request for Annexation with A-1 zoning of property located at the northwest corner of E. German Lane and Bill Lucy Drive

A request for annexation with A-1 zoning of those lands located on the northwest corner of E. German Lane and Bill Lucy Drive with the legal description:

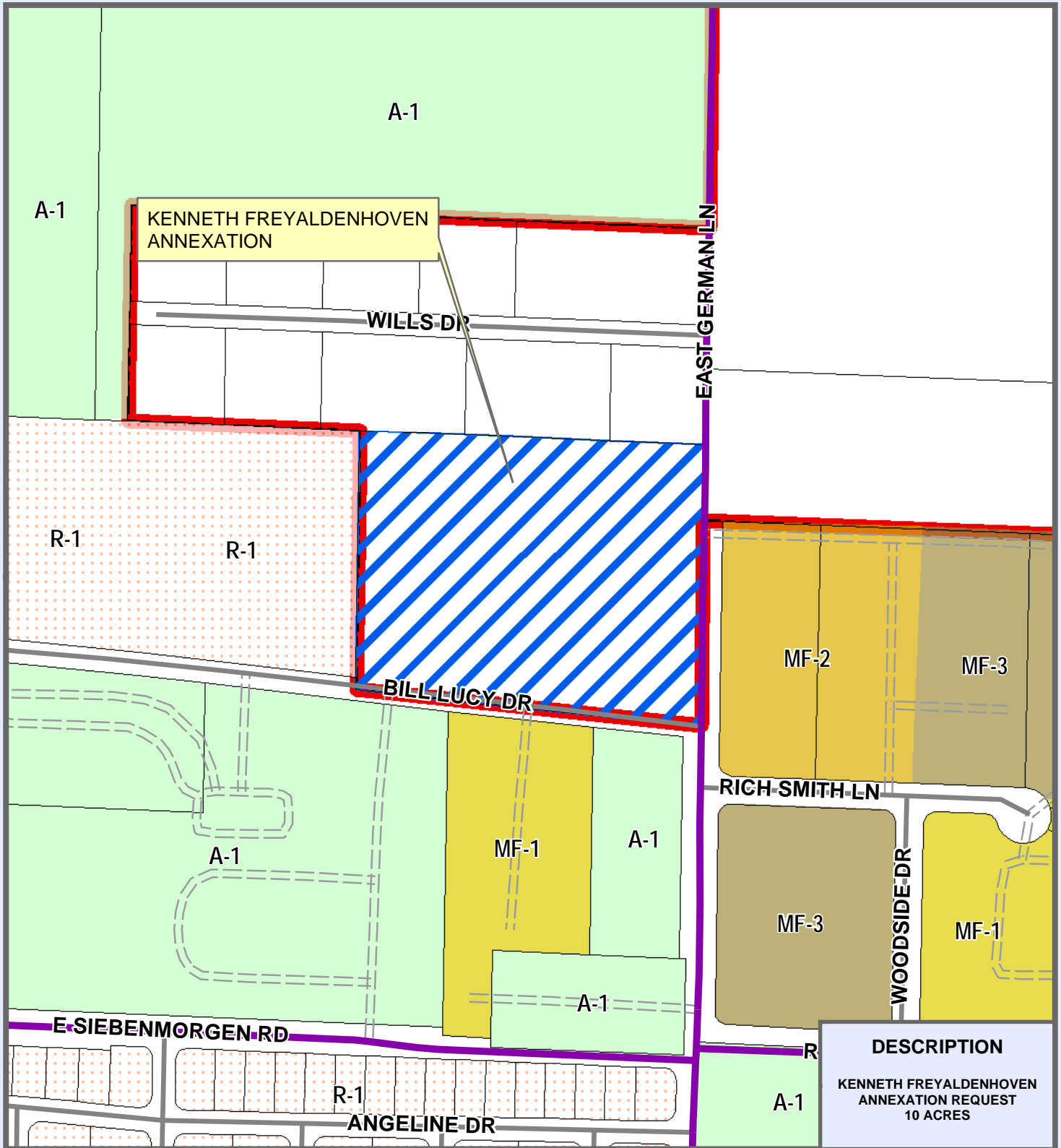
Part of the southeast quarter of the northeast quarter (SE1/4, NE1/4) of Section Five (S-5), Township Five North (T-5-N), Range 13 West (R-13-W), Faulkner County, Arkansas, more particularly described as: Beginning at the northeast corner of said southeast quarter of the northeast quarter (SE1/4, NE1/4), and run thence south 607.00 feet; thence north 84 degrees 50 minutes west along the middle of a county road 754.4 feet; thence north 556.5 feet to the north line of said southeast quarter of the northeast quarter (SE1/4, NE1/4); thence south 88 degrees 40 minutes east 751.3 feet to the point of beginning, containing 10.03 acres, more or less

was reviewed by the Planning Commission at its regular meeting on March 16, 2015. The Planning Commission voted 9-0 that the request be sent to the City Council with a recommendation for approval.

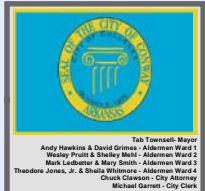
Please advise if you have any questions.

CITY OF CONWAY

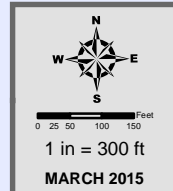
KENNETH FREYALDENHOVEN -- ANNEXATION



DESCRIPTION
KENNETH FREYALDENHOVEN
ANNEXATION REQUEST
10 ACRES



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



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CONTACT INFORMATION
 WWW.CONWAYPLANNING.ORG/GIS
 E-MAIL: Jason.Lyon@CityOfConway.org



City of Conway, Arkansas
Ordinance No. O-15- _____

AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE PROPERTY LOCATED AT THE NORTHWEST CORNER OF E. GERMAN LANE AND BILL LUCY DRIVE FROM A-1 TO RU-1:

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

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

Part of the southeast quarter of the northeast quarter (SE1/4, NE1/4) of Section Five (S-5), Township Five North (T-5-N), Range 13 West (R-13-W), Faulkner County, Arkansas, more particularly described as: Beginning at the northeast corner of said southeast quarter of the northeast quarter (SE1/4, NE1/4), and run thence south 607.00 feet; thence north 84 degrees 50 minutes west along the middle of a county road 754.4 feet; thence north 556.5 feet to the north line of said southeast quarter of the northeast quarter (SE1/4, NE1/4); thence south 88 degrees 40 minutes east 751.3 feet to the point of beginning, containing 10.03 acres, more or less.

to those of **RU-1**, 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 24th day of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



CONWAY PLANNING COMMISSION

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

MEMO

To: Mayor Tab Townsell
CC: City Council Members

From: Lee Washington, Planning Commission Chairman
Date: March 17, 2015

Re: Request for Rezoning for property located at the northwest corner of E. German Lane and Bill Lucy Drive from A-1 to RU-1

A request for a rezoning from A-1 to RU-1 for property located at the northwest corner of E. German Lane and Bill Lucy Drive with the legal description:

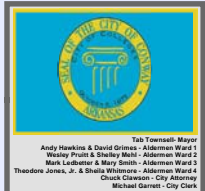
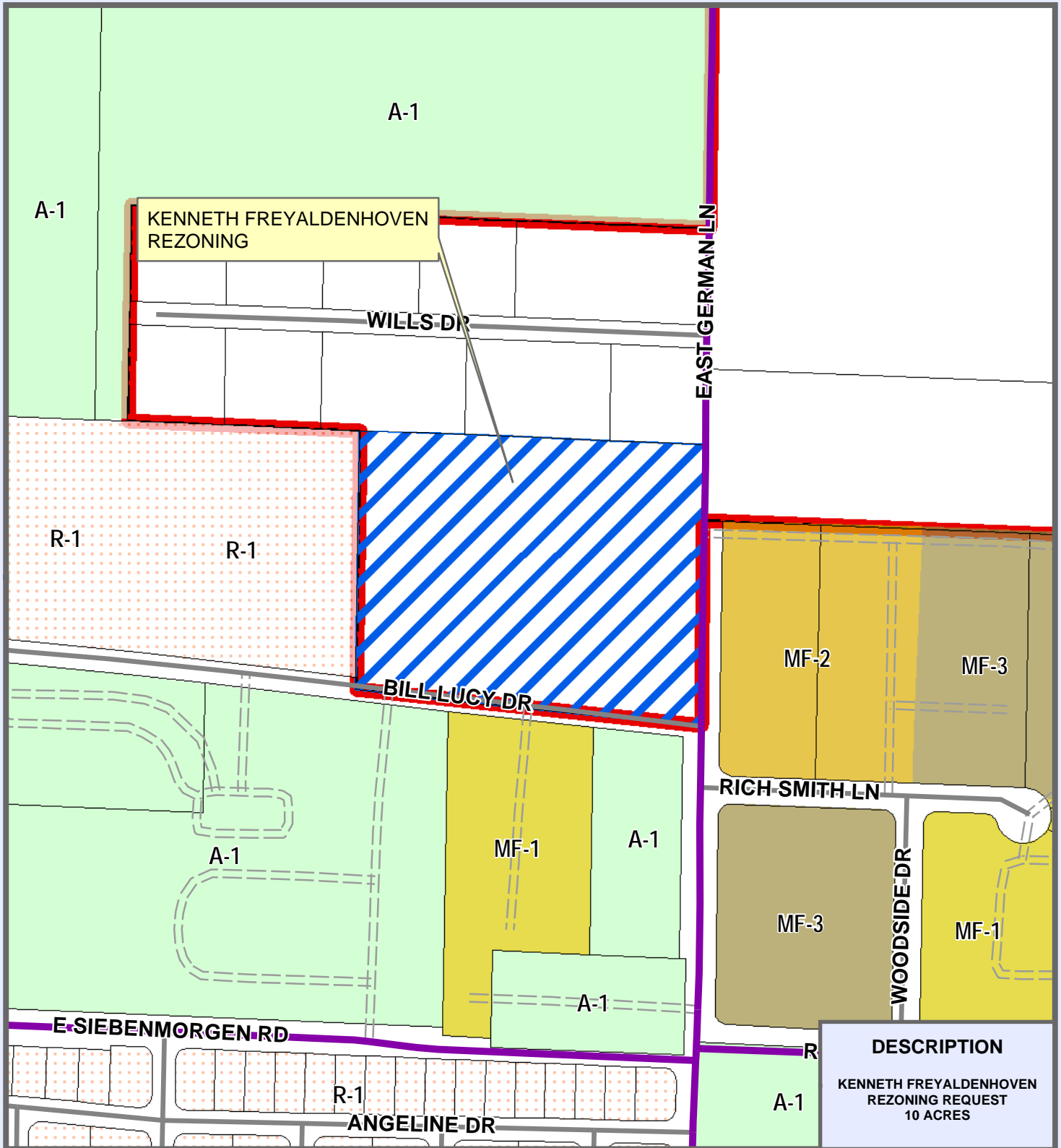
Part of the southeast quarter of the northeast quarter (SE1/4, NE1/4) of Section Five (S-5), Township Five North (T-5-N), Range 13 West (R-13-W), Faulkner County, Arkansas, more particularly described as: Beginning at the northeast corner of said southeast quarter of the northeast quarter (SE1/4, NE1/4), and run thence south 607.00 feet; thence north 84 degrees 50 minutes west along the middle of a county road 754.4 feet; thence north 556.5 feet to the north line of said southeast quarter of the northeast quarter (SE1/4, NE1/4); thence south 88 degrees 40 minutes east 751.3 feet to the point of beginning, containing 10.03 acres, more or less

was reviewed by the Planning Commission at its regular meeting on March 16, 2015. The Planning Commission voted 9-0 that the request be sent to the City Council with a recommendation for approval.

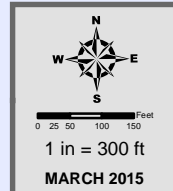
Please advise if you have any questions.

CITY OF CONWAY

KENNETH FREYALDENHOVEN -- REZONE A-1 TO RU-1

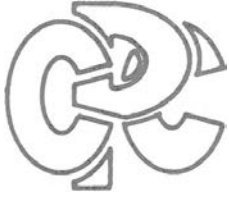


<ul style="list-style-type: none"> INTERSTATE MAJOR ARTERIAL MINOR ARTERIAL COLLECTOR RESIDENTIAL PRIVATE ROAD INTERSTATE RAMP RAILROADS 	<ul style="list-style-type: none"> LOT LINE STREAMS LAKES & PONDS CITY LIMITS 	<p>Residential</p> <ul style="list-style-type: none"> R-1 R-2A R-2 HR SR <p>Commercial Office</p> <ul style="list-style-type: none"> C-1 C-2 C-3 C-4 	<p>Industrial</p> <ul style="list-style-type: none"> I-1 MF-2 MF-3 RMH <p>Special</p> <ul style="list-style-type: none"> SP S-1 A-1 PUD TJ
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CONTACT INFORMATION
 WWW.CONWAYPLANNING.ORG/GIS
 E-MAIL: Jason.Lyon@CityOfConway.org



A-11

CONWAY PLANNING COMMISSION

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

MEMO

To: Mayor Tab Townsell
CC: City Council Members

From: Lee Washington, Planning Commission Chairman
Date: March 17, 2015

Re: Conditional Use Permit request for self-storage facility at property located at the northwest corner of E. German Lane and Bill Lucy Drive

A request for a conditional use permit for a self-storage facility on property located at the northwest corner of E German Lane and Bill Lucy Drive with the legal description:

Part of the southeast quarter of the northeast quarter (SE1/4, NE1/4) of Section Five (S-5), Township Five North (T-5-N), Range 13 West (R-13-W), Faulkner County, Arkansas, more particularly described as: Beginning at the northeast corner of said southeast quarter of the northeast quarter (SE1/4, NE1/4), and run thence south 607.00 feet; thence north 84 degrees 50 minutes west along the middle of a county road 754.4 feet; thence north 556.5 feet to the north line of said southeast quarter of the northeast quarter (SE1/4, NE1/4); thence south 88 degrees 40 minutes east 751.3 feet to the point of beginning, containing 10.03 acres, more or less.

was reviewed by the Planning Commission at its regular meeting on March 16, 2015. The Planning Commission voted 7-2 that this request be forwarded to the City Council with a recommendation for approval subject to the below stated conditions. Commissioners Marilyn Armstrong and Anne Tucker voted against the motion.

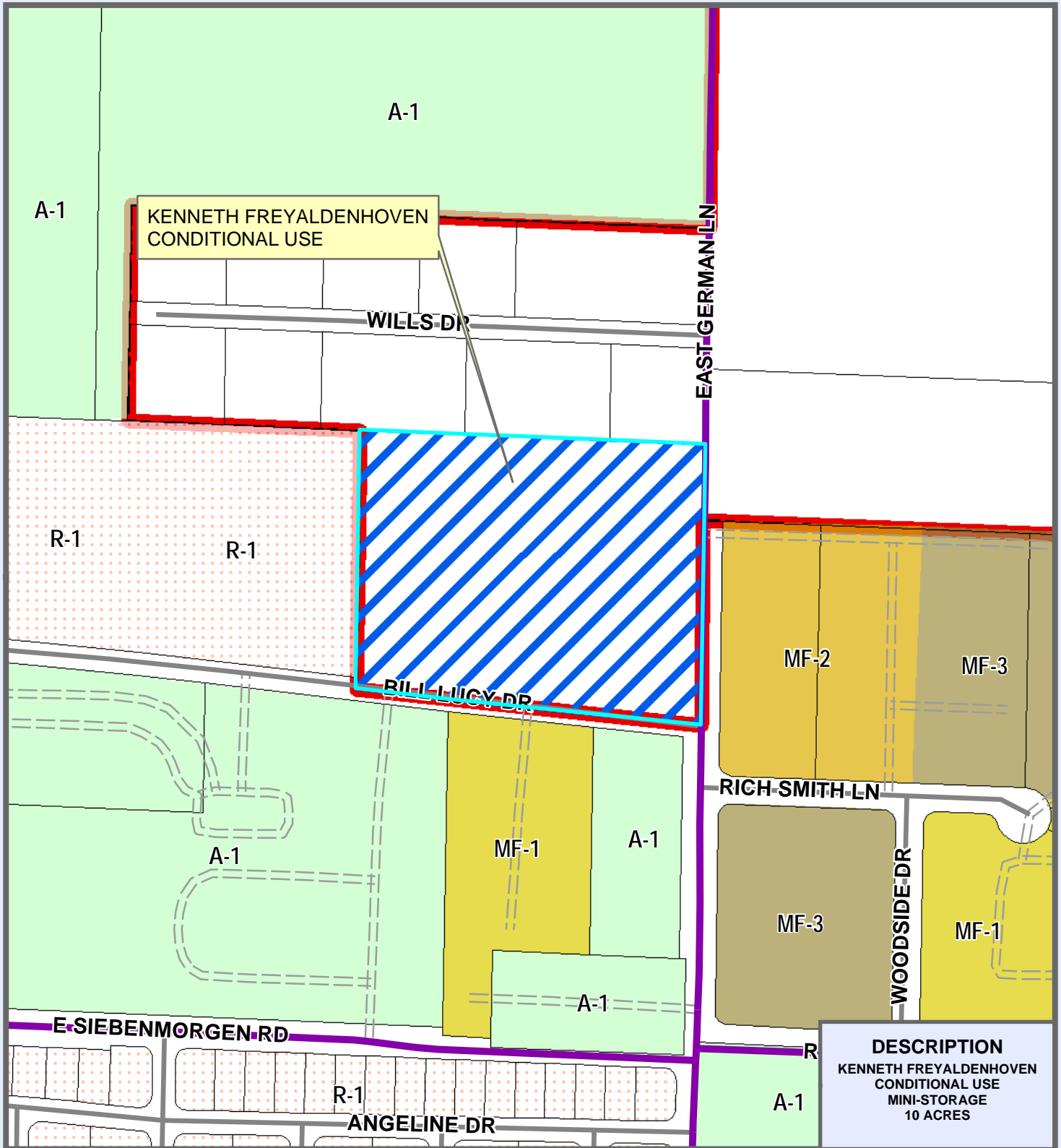
Conditions:

1. Structure shall be constructed as presented with decorative masonry walls and architectural metal roofs. Roof color shall be an earth tone red to match the Jacksonville "Campground Storage" facility.
2. Double the amount of development review required landscaping along north boundary. One half of required trees to be evergreen species to provide additional buffering to residences.
3. Fencing shall have an ornamental wrought iron appearance.
4. Hours of operation to be limited to 6:00 am to 10:00 pm 7 days per week.

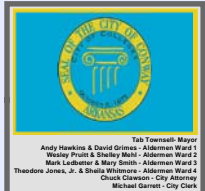
Please advise if you have any questions.

CITY OF CONWAY

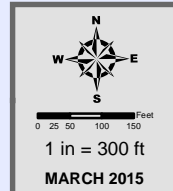
KENNETH FREYALDENHOVEN -- CONDITIONAL USE



DESCRIPTION
KENNETH FREYALDENHOVEN
CONDITIONAL USE
MINI-STORAGE
10 ACRES



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



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CONTACT INFORMATION
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 E-MAIL: Jason.Lyon@CityOfConway.org



CONWAY PLANNING COMMISSION

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

MEMO

To: Mayor Tab Townsell
CC: City Council Members

From: Lee Washington, Planning Commission Chairman
Date: March 17, 2015

Re: Request to amend Wal-Mart Neighborhood Market PUD condition no. 6, hours of operation

A request to amend condition number 6 of the Wal-Mart Neighborhood Market PUD Final Development Plan to extend the business hours to 24 hours a day, 7 days a week was reviewed by the Planning Commission at its regular meeting on March 16, 2015.

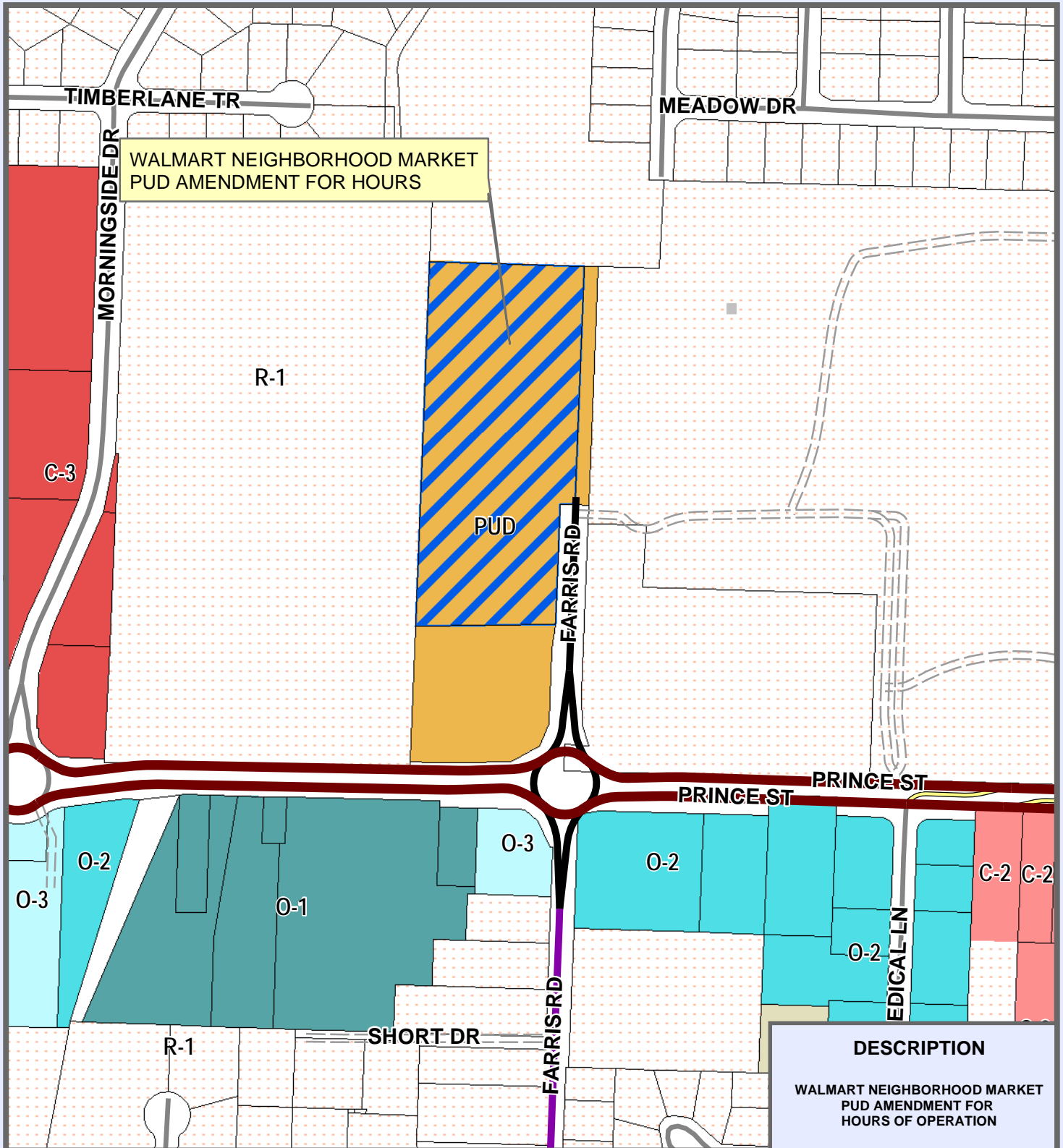
The Planning Commission voted 8-2 a recommendation of approval to amend PUD condition number 6 to allow Wal-Mart Neighborhood Market to extend its business hours by one hour; from 6:00 am to 1:00 am, but not 24 hours per day, 7 days per week. Currently, hours are limited to 6:00 am to midnight. Justin Brown and Marilyn Armstrong voted in opposition.

The forwarded recommendation was preceded by a vote to allow 24/7 business hours. This vote failed with 1 Commissioner in favor, 7 against, and 1 abstention. Mark Lewis voted in favor and Bryan Quinn abstained.

Please advise if you have any questions.

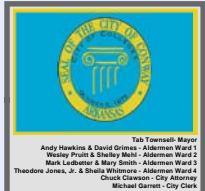
CITY OF CONWAY

WALMART NEIGHBORHOOD MARKET-- PUD AMENDMENT



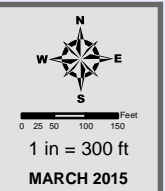
DESCRIPTION

**WALMART NEIGHBORHOOD MARKET
PUD AMENDMENT FOR
HOURS OF OPERATION**



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

0	25	50	100	150
Feet				
1 in = 300 ft				
MARCH 2015				



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CONTACT INFORMATION
WWW.CONWAYPLANNING.ORG/SGIS
E-MAIL: Jason.Lyon@CityOfConway.org



CITY OF CONWAY
Planning and Development

1201 Oak Street
Conway, AR 72032

T 501.450.6105
F 501.450.6144

www.conwayplanning.org

Walmart Neighborhood Market PUD Final Development Plan **Approved by the Conway City Council, June 12, 2012**

PUD Conditions:

1. Land Use:

Walmart Neighborhood Market Lot - Shall be governed by C-2 zoning regulations. A pharmacy with drive through is allowed as part of the Neighborhood Market lot.

Outlot - Chick-fil-A is allowed exclusively. No other business may occupy the outlot without seeking a PUD amendment. Chick-fil-A may operate under C-2 zoning regulations. C-2 regulations allow a sit-down restaurant. Chick-fil-A may seek a conditional use permit for a drive through window. A request for a conditional use permit or PUD amendment for the outlot will not require further conditions or amendments to the larger Walmart Neighborhood Market lot governed by the PUD.

2. All facades of the outlot and Walmart Neighborhood Market lot shall be red brick similar to area structures.
3. Ingress/Egress – Curb cuts are allowed as proposed. Future outlot curb cuts are limited to access from the North/Walmart Parking lot and the West/Walmart Private Drive.
4. Delivery Hours - Walmart semi-truck deliveries are prohibited on Sundays between 9:00 a.m. to 12:00 p.m.
5. External Sound System - There will be no exterior sound system on the store or in the parking lot.
6. Hours of Operation - The Walmart Marketplace business hours are limited to 6:00 am to Midnight, 7 days/week.
7. Construction Hours - Hours of external construction are limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday and 1:00 p.m. to 7:00 p.m. on Sunday.
8. Design/Landscaping - Store design will be generally as depicted in submitted renderings.
9. Lighting - Walmart parking lot illumination will consist of high efficiency LED lighting mounted on metal poles 28 feet in height within a shrouded box type fixture directing light downward onto the parking lot.
10. Signage - All signage will meet current Conway Sign Ordinance regulations.
11. Right of Way - Walmart shall be required to provide funding to the City of Conway to purchase necessary Farris Road Extended right of way or provide necessary right of way.
12. Sidewalks and pedestrian paths shall be constructed as submitted, including special paving surfaces and connectivity to the Tucker Creek pedestrian/bike trail.
13. A pedestrian/bike path public access easement is required to connect the Tucker Creek bike/pedestrian path to Farris Road.
14. Generally, the project shall be developed as submitted.

John J. Smith 9-14-12



Steve Ibbotson
Director

Parks and Recreation

10 Lower Ridge Road • Conway AR 72032
www.conwayparks.com

March 17, 2015

Mayor Tab Townsell and City Council
1201 Oak Street
Conway AR 72032

Re: Access Control Parking System

Mayor:

Bids were received at 10:00am on Monday, March 9th 2015 at Conway City Hall for the above referenced project. The winning bid will furnish and install an Access Control System that includes One (1) Gate Operator System, One (1) Access Control, Seven (7) Multi-Code Radio Transmitters and One (1) Pay Station. Bids include all cost, installation, shipping and handling necessary to complete the project. The three (3) bids received for this project are listed below and detailed on the enclosed bid tabulation.

Caracal Enterprises LLC dba VenTek International	\$ 25,280.00
Arkansas Automatic Gates	\$ 34,400.00
United Fence & Construction Co., Inc.	\$ 36,116.00

I would like to recommend accepting the lowest bid from VenTek International. This project would utilize the Parks and Recreation A&P funds.

Sincerely,

Steve Ibbotson
Parks Director
City of Conway

SDI: rfs

**2015 - 14 - Access Control Parking System Bid
Conway Parks and Recreation**

Bidder	Items # 1-3	Item # 4	Bid Total	Hourly Service Rate	Number of Days to Complete Project
United Fence	\$13,695.00	\$22,421.00	\$36,116.00	\$125.00	14
Arkansas Automated Gates	\$10,900.00	\$23,500.00	\$34,400.00	\$100.00	60
VenTek International	\$12,135.00	\$8,495.00	\$25,280.00	\$100.00	30



City of Conway, Arkansas
Ordinance No. O-15-_____

AN ORDINANCE APPROPRIATING REIMBURSEMENTS FUNDS FROM VARIOUS ENTITIES FOR THE CITY OF CONWAY ANIMAL WELFARE UNIT; AND FOR OTHER PURPOSES

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

Pet Smart	\$ 2,416.70	Rescue Wagon
Farmers Insurance	\$ 1,962.31	Insurance Proceeds

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 Rescue Wagon funds from Pet Smart in the amount of \$2,416.70 from 001.127.4705 to the AWU Spay/Neuter miscellaneous supplies expense account 001.127.5699.

Section 2. The City of Conway shall appropriate funds from Farmers Insurance in the amount of \$1,962.31 from 001.119.4360 to the AWU fleet maintenance expense account 001.127.5450.

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

PASSED this 24th day of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-15-_____**

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

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

Various Companies	\$ 29,703.20	Extra Duty Services
AR State Police	\$ 4,993.13	DUI/Seat Belt Grant
Insurance Companies	\$ 4,148.16	Insurance Proceeds
Faulkner Co. District Court	\$ 27.50	Restitution
Various Companies	\$ 10,152.87	Auction Proceeds

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 \$29,703.20 and \$4,993.13 from Arkansas State Police from 001.121.4185 to the CPD overtime expense account, 001.121.5114.

Section 2. The City of Conway shall appropriate insurance proceed funds in the amount of \$4,148.16 from 001.119.4360 to the CPD fleet maintenance expense account, 001.121.5450.

Section 3. The City of Conway shall appropriate restitution funds from the Faulkner Co. District Court in the amount of \$27.50 from 001.121.4184 to the CPD uniform expense account, 001.121.5670.

Section 4. The City of Conway shall appropriate funds from various companies in the amount of \$10,152.87 from 001.121.4799 to CPD fleet maintenance expense account, 001.121.5450.

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

PASSED this 24th day of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

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



**City of Conway, Arkansas
Ordinance No. O-15-_____**

**AN ORDINANCE WAIVING BIDS FOR PURCHASE OF STORAGE BOXES FOR THE SWAT TAHOES
AT THE CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES;**

Whereas, the City of Conway Police Department has a need to purchase storage boxes for the SWAT Tahoe's to store SWAT equipment; and

Whereas, CAP Fleet Outfitters & Safeware are the only manufacturer of the storage boxes and both provide a quote and Safeware was the lowest.

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

Section 1. The City of Conway shall waive the requirements for obtaining competitive bids for the purchase of storage boxes and shall utilize Safeware as a vendor at an approximate cost of \$27,019.20. Funding for this purchase will be provided by a grant through the Homeland Security/FEMA.

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

PASSED this 24th day of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

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



CAP Fleet Upfitters
4715 S General Bruce Dr
Temple, TX 76502

12/30/14

To Whom It may Concern:

This letter is to inform you that CAP Fleet Upfitters, a DBA of Caldwell Country and SafeWare Inc. are the two Sole Source distributors of Wildfire Boxes. These boxes are designed by and sold by CAP Fleet Upfitters and Safeware Inc. only and carry the CAP Fleet UpFitter trade mark. If there are any questions related to this matter please do not hesitate to call me. Thank you

Wayne Jacobs, Director

A handwritten signature in cursive script that reads 'Wayne Jacobs'. The signature is written in a dark ink and is positioned above the printed name.

CAP Fleet Upfitters

254-541-5651



City of Conway, Arkansas
Monthly Financial Reports
February 28, 2015

City of Conway
 Monthly Financial Report - General Fund
 For the month ended February 28, 2015



Revenues	Budget	Month Activity	Year to Date	Encumbered	(Over)/Under Budget	% Expend/Collect
Ad Valorem Tax	2,835,000	223,425	522,688		2,312,312	18%
Payments in Lieu of Tax	25,000	1,423	1,423		23,577	6%
State Tax Turnback	2,103,250	64,382	188,073		1,915,177	9%
Sales Tax	17,500,000	1,821,580	3,239,004		14,260,996	19%
Beverage Tax	420,000	36,625	36,625		383,375	9%
Franchise Fees	3,597,000	366,750	624,845	-	2,972,155	17%
Permits	404,800	20,738	33,198		371,602	8%
ACIEA Revenues	5,000	1,070	1,650		3,351	-
Dog Tags & Fees	25,000	2,120	3,210		21,790	13%
Municipal Court Fines and Fees	1,015,000	89,080	245,529		769,471	18%
Law Enforcement	686,500	60,906	72,649		613,851	11%
Federal Grant Revenues	30,000	-	-		30,000	0%
State Grant Revenues	-	242,529	242,529		(242,529)	-
Parks	537,500	94,380	116,079		421,421	22%
Interest Income	19,500	1,571	2,982		16,518	15%
Insurance Proceeds	-	5,399	7,972		(7,972)	-
Donations	500	1,136	2,814		(2,314)	-
Act 833 Revenue	80,000	-	1,627		78,373	2%
Miscellaneous Revenues	130,000	19,754	22,598		107,402	17%
Transfers from Other Funds	423,000	-	-		423,000	0%
Loan Proceeds	500,000	-	500,000		-	-
Total Revenues	30,337,050	3,052,867	5,865,494	-	24,471,373	19%
Expenditures						
Admin (Mayor, HR)	604,809	39,938	77,903	257	526,649	13%
Finance	547,261	26,706	61,306	156	485,799	11%
City Clerk/Treasurer	179,197	12,590	24,875	56	154,267	14%
City Council	81,913	8,356	8,885	-	73,028	11%
Planning	372,916	26,440	53,767	8,954	310,195	14%
Physical Plant	551,074	29,034	65,075	3,342	482,657	12%
Fleet Maintenance	114,569	12,129	18,029	1,430	95,109	16%
Information Technology	1,096,862	38,788	91,256	110,316	895,290	8%
Airport	760,442	107,175	311,831	96,202	352,409	41%
Permits and Inspections	477,175	35,299	72,741	586	403,848	15%
Nondepartmental	632,820	69,912	273,885	1,304	357,631	43%
Police	9,981,080	772,997	1,647,122	47,521	8,286,437	17%
CEOC	1,030,794	77,441	144,837	229	885,728	14%
Animal Welfare	425,127	29,923	58,111	954	366,062	14%
Municipal District Court	864,232	74,823	137,804	1,303	725,125	16%
City Attorney	358,583	27,379	55,468	381	302,735	15%
Fire	9,483,486	727,770	1,547,443	83,527	7,852,516	16%
Parks	2,881,179	177,436	327,660	29,524	2,523,995	11%
	30,443,519	2,294,135	4,977,996	386,043	25,079,481	16%
Transfer to Reserve	500,000	-	-	-	500,000	0%
Total Expenditures	30,943,519	2,294,135	4,977,996	386,043	25,579,481	16%
Net Revenue/(Expense)	(606,469)		887,498			

*All figures are unaudited

Notes:

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

City of Conway
 Balance Sheet - General Fund
 For the month ended February 28, 2015



Cash - Operating	4,846,437
Cash - Reserve	511,965
Petty Cash	715
Accounts Receivable	3,246,824
Due from Other Funds	391,815
Due from Street	8,640
Fleet Inventory	15,539
Fuel Inventory	(44,088)
General Inventory	694
Assets	<u>8,978,542</u>
Accounts Payable	208,760
Salaries Payable	201,911
Insurance and Benefits Payable	182,342
Event Deposits	500
Due to Other Funds	21,627
Deferred Revenue	3,002,536
Liabilities	<u>3,617,677</u>
Fund Balance - Committed to cash flow	2,000,000
Fund Balance - Committed to reserve	1,500,000
Fund Balance - Unassigned	1,860,865
Fund Balance	<u>5,360,865</u>
Total Liabilities & Fund Balance	<u>8,978,542</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Street Fund
 For the month ended February 28, 2015



	<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	1,464,520	72,883	164,921		1,299,599	11%
Payments in Lieu of Tax	15,000	-	-		15,000	0%
State Tax Turnback	3,474,911	286,070	572,728		2,902,183	16%
Severance Tax	360,000	27,090	60,834		299,166	17%
Sales Tax	245,000	25,524	45,384		199,616	19%
Sign Permits	500	-	-		500	0%
Engineering Fees	10,000	1,400	1,975		8,025	20%
Interest Income	18,000	1,898	3,969		14,031	22%
Total Revenues	5,587,931	414,864	849,812	-	4,738,119	15%
Expenditures						
Personnel Costs	2,338,129	163,136	306,372	-	2,031,757	13%
Other Operating Costs	2,116,422	250,719	315,201	51,083	1,750,138	15%
Total Operating Costs	4,454,551	413,855	621,572	51,083	3,781,895	14%
Capital Outlay	1,309,000	-	-	3,908	1,305,092	0%
Total Expenditures	5,763,551	413,855	621,572	54,991	5,086,987	11%
Net Revenue/(Expense)	(175,620)		228,240			

*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
2015



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-15-02	1/13/15	Increase pay for CDL drivers	11,620
O-15-06	1/27/15	Transportation funding for agencies	164,000
			<u>\$ 175,620</u>

City of Conway
 Balance Sheet - Street Fund
 For the month ended February 28, 2015



Cash - Operating	3,201,779
Accounts Receivable	1,464,015
Due from Other Funds	6,527
<i>Assets</i>	<u>4,672,351</u>
Accounts Payable	18,371
Salaries Payable	3,206
Sidewalk Bonds	1,710
Due to Other Funds	150
Due to General	8,491
Deferred Revenue	1,294,270
<i>Liabilities</i>	<u>1,326,199</u>
<i>Fund Balance</i>	3,346,154
<i>Total Liabilities & Fund Balance</i>	<u>4,672,351</u>

*All figures are unaudited

City of Conway
 Monthly Financial Report - Sanitation
 For the month ended February 28, 2015



	<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	8,750,000	680,824	1,564,611		7,185,389	18%
Proceeds - Recycled Materials	300,000	19,620	61,788		238,212	21%
Landfill Fees - General	240,000	14,747	30,463		209,537	13%
Insurance Proceeds	21,882	-	-		21,882	0%
Interest Income	54,000	4,341	9,267		44,733	17%
Miscellaneous Revenues	-	11	31		(31)	=
Total Revenues	9,365,882	719,543	1,666,159	-	7,699,722	18%
Expenditures						
Personnel Costs	3,826,250	323,468	606,288	-	3,219,962	16%
Other Operating Costs	3,467,367	63,715	192,092	148,262	3,127,013	6%
Total Operating Costs	7,293,617	387,183	798,379	148,262	6,346,975	11%
Capital Outlay	3,195,330	-	-	727,432	2,467,898	0.0%
Total Expenditures	10,488,947	387,183	798,379	875,694	8,814,873	8%
Net Revenue/(Expense)	(1,123,065)		867,780			

*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
 Balance Sheet - Sanitation
 For the month ended February 28, 2015



Cash - Operating	3,325,467
Petty Cash	200
Post Closure Cash Account	5,476,430
Due from Other Funds	14,488
General Inventory	2,122
Land & Buildings	2,805,839
Infrastructure	1,186,444
Machinery and Equipment	6,126,808
Vehicles	165,551
Computer Equip & Software	2,875
<i>Assets</i>	<u>19,106,224</u>
Accounts Payable	50,599
Salaries Payable	171,230
Net Pension Obligation	1,286,026
Due to Other Funds	101,319
Accrued Interest Payable	24,525
2010 Recycling Note - US Bank	410,587
Landfill Close/Post Close	7,926,380
<i>Liabilities</i>	<u>9,970,665</u>
<i>Net Assets</i>	<u>9,135,559</u>
<i>Total Liabilities and Net Assets</i>	<u>19,106,224</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 February 28, 2015



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
Revenues						
Airport Fuel Sales	945,000	52,354	99,129		845,871	10%
T-Hangar Rent	96,500	3,555	17,775		78,725	18%
Community Hangar Rent	15,000	3,078	3,078		11,922	21%
Ground Leases	20,250	-	13,233		7,018	65%
Miscellaneous Revenues	2,500	33,530	35,005		(32,505)	1400%
Total Revenues	1,079,250	92,516	168,220	-	911,030	16%
Expenditures						
Personnel Costs	192,943	12,943	27,195	-	165,748	14%
Fuel for Resale	753,500	33,514	80,131	-	673,369	11%
Other Operating Costs	97,650	10,130	10,646	1,850	85,154	11%
Total Operating Costs	1,044,093	56,587	117,973	1,850	924,271	11%
Capital Outlay	19,000	-	-	-	19,000	0%
Total Expenditures	1,063,093	56,587	117,973	1,850	943,271	11%
Net Revenue/(Expense)	16,157		<u><u>50,247</u></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
Balance Sheet - Airport
For the month ended February 28, 2015



Cash - Operating	9,786
Accounts Receivable - Fuel Vendor	67,535
<i>Assets</i>	<u>77,321</u>
Accounts Payable	54
<i>Liabilities</i>	<u>54</u>
<i>Fund Balance</i>	77,267
<i>Total Liabilities & Fund Balance</i>	<u>77,321</u>

*All figures are unaudited

City of Conway
Monthly Financial Report - Major Project Funds
For the month ended February 28, 2015



Parks and Rec A&P Tax

Balance, 1/31/15	323,729
Receipts	473,305
Payments	(3,604)
Balance, 2/28/15	\$ 793,430

Pay as you go Sales Tax

Balance, 1/31/15	1,631,865
Receipts	335,836
Payments	(87,649)
Balance, 2/28/15	\$ 1,880,053

Street Impact Fees

Balance, 1/31/15	88,210
Receipts	51
Payments	-
Balance, 2/28/15	\$ 88,261

Parks Impact Fees

Balance, 1/31/15	145,987
Receipts	3,328
Payments	-
Balance, 2/28/15	\$ 149,315