

<u>6:00pm:</u> <u>Call to Order:</u> <u>Roll Call:</u> Minutes Approval: No Committee Meeting City Council Meeting • Conway Municipal Building • 1111 Main Street Bart Castleberry, Mayor Michael O. Garrett, Clerk/Treasurer January 23, 2024

A. Public Hearing

- 1. Public Hearing for a proposed water system rate adjustment for Conway Corporation.
- B. Economic Development Committee (Conway Area Chamber of Commerce, Conway Development Corporation, Conway Downtown Partnership, & Conway Corporation)
 - 1. Consideration to approve waiving all three readings for the ordinances on the February 13, 2024, City Council agenda.
 - 2. Ordinance to approve the proposed water system rate adjustment for Conway Corporation.
- C. Community Development Committee (Airport, Community Development, Code Enforcement, Permits, Inspections, & Transportation, Planning & Development)
 - 1. Ordinance to approve the private club permit for Seven Oaks Steak & Seafood, located at 1117 Oak Street.
 - 2. Ordinance appropriating donation funds for the Conway Tree Board.
 - 3. Resolution to approve a lease agreement with the University of Central Arkansas for the Conway Regional Airport.
 - 4. Ordinance appropriating additional funding for the detention ponds project for the Transportation Department.
- D. Public Service Committee (Physical Plant, Parks & Recreation, & Sanitation)
 - 1. Ordinance appropriating funds for the repair of Tucker Creek Trail north of Pompe Park.
 - 2. Ordinance appropriating funds for a shade structure at Bainbridge Park for the Parks and Recreation Department.
- E. Public Safety Committee (District Court, Department of Information Systems & Technology, Animal Welfare, CEOC (Communication Emergency Operations Center), Police, Fire, & Office of the City Attorney)
 - 1. Ordinance appropriating FY2023 funds for the Conway Police Department.
 - 2. Ordinance appropriating funds for the Conway Police Department.

Adjournment



City of Conway, Arkansas Ordinance No. <u>O-24-02</u>

AN ORDINANCE FIXING THE RATES TO BE CHARGED FOR THE SERVICES OF THE MUNICIPAL WATERWORKS SYSTEM; SUPERSEDING ORDINANCE NO. O-16-46 AND O-17-58; REPEALING ALL ORDINANCES IN CONFLICT; AND FOR OTHER PURPOSES.

Whereas, sthe City of Conway, Arkansas (the "City") owns a water storage treatment and distribution system (the "System") serving residents within and near the City, which System is operated and maintained by Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the "Corporation"), pursuant to an exclusive franchise granted to the Corporation by the City pursuant to Ordinance No. O-86-11, as amended by Ordinance O-14-100, Ordinance O-16-46 and O-17-58; and

Whereas, the Board of Directors of the Corporation has determined the need to provide sufficient revenues and has proposed a rate increase for System services;

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

Section One. All ordinances, resolutions and parts thereof in conflict herewith, including particularly Ordinance No. O-16-46 and O-17-58, are hereby repealed and superceded as of April 1, 2024, and the terms of System water rate schedules listed below are hereby adopted.

Section Two. The minimum monthly fee for System service is the Customer User Charge which is based upon meter size, consumption rate, and watershed protection fee.

a) Residential customers

Effective April 1, 2024, Customer User Charges payable monthly for Residential Customers are:

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5/8-3/4 inch meter	\$7.66
1 inch meter	\$17.30
1 ½ inch meter	\$32.99
2-inch meter	\$50.88
Watershed Protection Fee	
5/8-3/4 inch meter	\$1.00
1 inch meter	\$1.00
1 ½ inch meter	\$1.00
2-inch meter	\$2.00

b) Commercial and Industrial Customers

Effective April 1, 2024, Customer User Charges payable monthly for Commercial and Industrial customers are:

5/8-3/4 inch meter	\$7.66
1 inch meter	\$17.30
1 ½ inch meter	\$32.99
2-inch meter	\$50.88
3-inch meter	\$101.57
4-inch meter	\$164.85
6-inch meter	\$329.48
8-inch meter	\$411.95

Watershed Protection Fee

5/8-3/4 inch meter	\$1.00
1 inch meter	\$1.00
1 ½ inch meter	\$1.00
2-inch meter	\$2.00
3-inch meter	\$5.00
4-inch meter	\$7.00
6-inch meter	\$7.00
8-inch meter	\$7.00

c) Institutional Customers

Effective April 1, 2024, Customer User Charges payable monthly for Institutional customers are:

8-inch meter	\$411.95
Watershed Protection Fee	\$7.00

d) Other Customers

be:

The monthly Customer User Charge for users described in Section Six of this Ordinance shall be based upon meter size and billed in addition to the consumption rate. The monthly charge, effective April 1, 2024 shall be:

5/8-3/4 inch meter 1 inch meter 11/2 inch meter 2-inch meter	\$17.30 \$25.91 \$47.54 \$75.66
Watershed Protection Fee	
5/8-3/4 inch meter	\$1.00
1 inch meter	\$1.00
11/2 inch meter	\$1.00
2-inch meter	\$2.00

Section Three. Effective April 1, 2024, the monthly Residential consumption rate shall

First 1,000 gallons or any part there	eof, minimum	\$4.44
All over 1,000 gallons	\$4.44	per thousand gallons

Section Four. Effective April 1, 2024, the monthly Commercial and Industrial consumption rate shall be:

First 1,000 gallons or any part	thereof,	minimur	n \$4.44
Next 19,000 gallons		\$4.44	per thousand gallons
Next 30,000 gallons		\$4.13	per thousand gallons
Next 50,000 gallons		\$3.56	per thousand gallons
All over 100,000 gallons	\$3.30		per thousand gallons

Section Five. The monthly Institutional consumption rate for service to college campuses, the Conway Human Development Center and any other institutions shall be as follows. The Customer User Charge for Institutional customers shall be one eight-inch meter in Section Two above.

All consumption \$3.30 per thousand gallons with a 1,000-gallon minimum

Section Six. Notwithstanding any other section of this Ordinance, the monthly consumption rate for multi-family (single building) dwellings, mobile home parks (RT zones) and dwellings that are partially used for business, such as beauty shops or auto repair shops shall be as listed below. This rate is not applicable to separate buildings on one meter or separate mobile homes in a mobile home park (RT Zone).

Effective April 1, 2024

All water consumed	\$4.44	per thousand gallons with a 1,000-gallon
minimum		

Section Seven.

A. Effective April 1, 2024, the monthly use fee for automatic fire protection systems shall be as follows. Water used for any other purpose must be metered.

First 1,000 sprinkler heads	\$18.92	monthly minimum
Each additional sprinkler head	\$.01	monthly

B. Residential customers receiving private fire protection through a ¾ or 1 inch meter at a single-family residence shall pay a minimum monthly rate of \$5.00 on that service. Any usage on the meter will be billed at the consumption rates in Section Three. Installation fees for the private fire meter, as established by Conway Corporation, shall be the responsibility of the property owner.

Section Eight. The minimum monthly consumption charge for all classes of customers is 1,000 gallons.

Section Nine. For water taken from fire hydrants, effective April 1, 2024, the monthly consumption rate shall be \$4.44 per thousand gallons with a 1,000-gallon minimum and the monthly Customer User Charge shall be \$108.09. Deposits for fire Hydrant meters will be calculated based on estimates to best mitigate risk to Conway Corporation at the sole discretion of Conway Corporation. Conway Corporation reserves the right to recall meters for calibration at any time during the year; if meters are not returned by customer, Conway Corporation may invoice customer for the full replacement cost of the meter.

Section Ten. Out of City customers shall pay 150% of the applicable Customer User Charge and water consumption fee of in-city customers indicated above.

Section Eleven. The schedule of charges as described above in sections 2,3,4,5,6,7,8 and 10 shall be indexed on February 1 each year by the amount of increase in the Consumer Price Index (or 3% whichever is less) for the preceding year. A copy of the revised rates shall be posted on the Conway Corporation web site. This provision is effective on April 1, 2025.

Section Twelve. The above rates are subject to all local, state and federal taxes which are currently in effect or any taxes or fees which are imposed after the effective date of this Ordinance. Rates in this Ordinance are effective for all water use billed on or after April 1, 2024.

Section Thirteen. The net bill for System services, computed in accordance with the monthly rates set forth above, shall be due and payable upon presentation. If payment is not received within 30 days after presentation of a bill, System service may be discontinued. The amount of the delinquent bill plus a reconnect charge of \$50.00 must be paid before System service will be restored.

PASSED: February 13th, 2024.

Approved:

Mayor Bart Castleberry

Attest:

City of Conway, Arkansas Office of the Mayor

Memo:

То:	Mayor Bart Castleberry
CC:	City Council Members
From:	Felicia Rogers
Date:	February 8, 2024
Re:	February 13, 2024

The following ordinances are included on the February 13th, agenda for consideration of waiving the three readings of each ordinance:

- 1. B-2 Ordinance to approve the proposed water system rate adjustment for Conway Corporation.
- 2. C-1 Ordinance to approve the private club permit for Seven Oaks Steak & Seafood, located at 1117 Oak Street, Conway, AR 72033.
- 3. C-2 Ordinance appropriating donation funds for the Conway Tree Board.
- 4. C-4 Ordinance appropriating additional funding for the detention ponds project for the Transportation Department.
- 5. D-1 Ordinance appropriating funds for the repair of Tucker Creek Trail north of Pompe Park.
- 6. D-2 Ordinance appropriating funds for a shade structure at Bainbridge Park for the Parks and Recreation Department.
- 7. E-1 Ordinance appropriating FY2023 funds for the Conway Police Department.
- 8. E-2 Ordinance appropriating funds for the Conway Police Department.



City of Conway, Arkansas Ordinance No. <u>O-24-02</u>

AN ORDINANCE FIXING THE RATES TO BE CHARGED FOR THE SERVICES OF THE MUNICIPAL WATERWORKS SYSTEM; SUPERSEDING ORDINANCE NO. O-16-46 AND O-17-58; REPEALING ALL ORDINANCES IN CONFLICT; AND FOR OTHER PURPOSES.

Whereas, sthe City of Conway, Arkansas (the "City") owns a water storage treatment and distribution system (the "System") serving residents within and near the City, which System is operated and maintained by Conway Corporation, a nonprofit corporation organized and existing under the laws of the State of Arkansas (the "Corporation"), pursuant to an exclusive franchise granted to the Corporation by the City pursuant to Ordinance No. O-86-11, as amended by Ordinance O-14-100, Ordinance O-16-46 and O-17-58; and

Whereas, the Board of Directors of the Corporation has determined the need to provide sufficient revenues and has proposed a rate increase for System services;

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

Section One. All ordinances, resolutions and parts thereof in conflict herewith, including particularly Ordinance No. O-16-46 and O-17-58, are hereby repealed and superceded as of April 1, 2024, and the terms of System water rate schedules listed below are hereby adopted.

Section Two. The minimum monthly fee for System service is the Customer User Charge which is based upon meter size, consumption rate, and watershed protection fee.

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6-inch meter	\$7.00
8-inch meter	\$7.00

c) Institutional Customers

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8-inch meter	\$411.95
Watershed Protection Fee	\$7.00

d) Other Customers

be:

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Section Six. Notwithstanding any other section of this Ordinance, the monthly consumption rate for multi-family (single building) dwellings, mobile home parks (RT zones) and dwellings that are partially used for business, such as beauty shops or auto repair shops shall be as listed below. This rate is not applicable to separate buildings on one meter or separate mobile homes in a mobile home park (RT Zone).

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A. Effective April 1, 2024, the monthly use fee for automatic fire protection systems shall be as follows. Water used for any other purpose must be metered.

First 1,000 sprinkler heads	\$18.92	monthly minimum
Each additional sprinkler head	\$.01	monthly

B. Residential customers receiving private fire protection through a ¾ or 1 inch meter at a single-family residence shall pay a minimum monthly rate of \$5.00 on that service. Any usage on the meter will be billed at the consumption rates in Section Three. Installation fees for the private fire meter, as established by Conway Corporation, shall be the responsibility of the property owner.

Section Eight. The minimum monthly consumption charge for all classes of customers is 1,000 gallons.

Section Nine. For water taken from fire hydrants, effective April 1, 2024, the monthly consumption rate shall be \$4.44 per thousand gallons with a 1,000-gallon minimum and the monthly Customer User Charge shall be \$108.09. Deposits for fire Hydrant meters will be calculated based on estimates to best mitigate risk to Conway Corporation at the sole discretion of Conway Corporation. Conway Corporation reserves the right to recall meters for calibration at any time during the year; if meters are not returned by customer, Conway Corporation may invoice customer for the full replacement cost of the meter.

Section Ten. Out of City customers shall pay 150% of the applicable Customer User Charge and water consumption fee of in-city customers indicated above.

Section Eleven. The schedule of charges as described above in sections 2,3,4,5,6,7,8 and 10 shall be indexed on February 1 each year by the amount of increase in the Consumer Price Index (or 3% whichever is less) for the preceding year. A copy of the revised rates shall be posted on the Conway Corporation web site. This provision is effective on April 1, 2025.

Section Twelve. The above rates are subject to all local, state and federal taxes which are currently in effect or any taxes or fees which are imposed after the effective date of this Ordinance. Rates in this Ordinance are effective for all water use billed on or after April 1, 2024.

Section Thirteen. The net bill for System services, computed in accordance with the monthly rates set forth above, shall be due and payable upon presentation. If payment is not received within 30 days after presentation of a bill, System service may be discontinued. The amount of the delinquent bill plus a reconnect charge of \$50.00 must be paid before System service will be restored.

PASSED: February 13th, 2024.

Approved:

Mayor Bart Castleberry

Attest:



AN ORDINANCE APPROVING THE PRIVATE CLUB PERMIT FOR SEVEN OAKS STEAK & SEAFOOD, 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, Seven Oaks Steak & Seafood 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 Seven Oaks Steak & Seafood, located at 1117 Oak Street, Conway, AR 72033; 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 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. That the application for private club permit location is hereby approved for Seven Oaks Steak & Seafood located at 1117 Oak Street Conway, AR 72033.

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 13th day of February, 2024.

Approved:

Mayor Bart Castleberry

Attest:



AN ORDINANCE ACCEPTING AND APPROPRIATING DONATION FUNDS FOR THE CONWAY TREE BOARD; AND OTHER PURPOSES

Whereas, donations in the amount of \$5,000 from Conway Corporation have been received in support of the Conway Tree Board.

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

Section 1: The City of Conway, Arkansas, shall accept donation funds in the amount of \$5,000 and appropriate said funds from the Donation Account (260-000-4705) to the Tree Board Expense Account (260-000-5430).

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

PASSED this 13th day of February 2024.

Approved:

Attest:

Mayor Bart Castleberry



City of Conway, Arkansas Resolution No. R-24-____

A RESOLUTION APPROVING A CORPORATE GROUND LEASE AGREEMENT WITH THE UNIVERSITY OF CENTRAL ARKANSAS, WITH THE CONWAY REGIONAL AIRPORT

Whereas, the Conway Regional Airport desires to enter into a corporate ground lease with the University of Central Arkansas to construct an aircraft hangar on city-owned property; and

Whereas, the Conway Regional Airport desires to lease and grant, and each Lessee desires to lease and use, certain premises and facilities on the Airport, together with certain rights, licenses, and privileges thereon; and

Whereas, each corporate ground lease with each Lessee will be for a period of 40 years and will pay the City in advance for the annual rental of the premises at the rate of .30 per square foot per year, as calculated on an annual basis.

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

Section 1. The City Council hereby authorizes the Mayor and City Clerk to enter into a lease agreement with the Lessee (MVW Partnership, LLC) to build a corporate hangar at the Conway Regional Airport.

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

PASSED this 13th day of February, 2024.

Approved:

Mayor Bart Castleberry

Attest:



AN ORDINANCE APPROPRIATING FUNDS FOR THE STORMWATER DETENTION PONDS PROJECT AS PART OF THE CITY OF CONWAY AMERICAN RESCUE PLAN ACT DRAINAGE PROJECT; AND FOR OTHER PURPOSES

Whereas, the City of Conway approved the low bid from Redstone Construction Group in June, 2023 for the modification of the stormwater detention pond in the Catherine Place Subdivision and the expansion of the detention pond at the intersection of Salem Road and Irby Drive; and

Whereas, additional funding in the amount of \$95,000 is needed to complete this project; and

Whereas, Resolution No. R-22-36 approved the American Rescue Plan ACT project listing for the City of Conway, the above project is included R-22-36, as part of the Drainage project.

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

Section 1. The City of Conway shall appropriate \$95,000 from the Grant Fund Balance Appropriation Account (399.000.4900) into the Transportation Department Grant Account (399.201.5990).

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

PASSED this 13th day of February, 2024.

Approved:

Attest:

Mayor Bart Castleberry



AN ORDINANCE APPROPRIATING FUNDS FOR TUCKER CREEK TRAIL REPAIR FOR CONWAY PARKS & RECREATION; AND FOR OTHER PURPOSES

Whereas, the Conway Parks and Recreation Department has an immediate need to repair the Tucker Creek Trail north of Pompe Park; and

Whereas, the City received a quote from J's construction in the amount of \$18,400 plus an estimated quote on asphalt repair for \$15,000; and

Whereas, this project will be funded by the Conway Parks & Recreation A&P Funds.

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

Section 1. The City of Conway shall appropriate an amount of \$33,400 from Parks and Recreation A&P Fund Balance Appropriation (252-000-4900) to the Conway Parks Department Parks Miscellaneous CIP (252-165-5990) for the trail repair for Tucker Creek north of Pompe Park.

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

PASSED this 13th of February, 2024.

Approved:

Attest:

Mayor Bart Castleberry



AN ORDINANCE APPROPRIATING FUNDING FOR A SHADE STRUCTURE LOCATED AT BAINBRIDGE PARK; AND FOR OTHER PURPOSES;

Whereas, the Conway Parks and Recreation Department recently upgrade the playground equipment at Bainbridge Park and to complete the project shade structures are necessary; and

Whereas, three quotes were obtained for this project as follows: GameTime (Cunningham Recreation - \$41,470.50), HAHN - \$51,153.02, and ACS - \$73,595.94; and

Whereas, Conway Parks Department would like to request the use of A&P Funding to o complete this project.

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

Section 1. The City of Conway shall accept the low quote of \$41,470.50 and enter into an agreement with Game Time (Cunningham Recreation) for a shade structure for Bainbridge Park.

Section 2: The City of Conway shall appropriate an amount not to exceed \$41,4170.50 from Parks and Recreation A&P Fund Balance Appropriation account (252-000-4900) to the Parks and Recreation A&P CIP-Miscellaneous Account (252.140.5990).

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

PASSED this 13th day of February, 2024.

Approved:

Attest:

Mayor Bart Castleberry

D-2



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

Whereas, the City of Conway has received reimbursement funds from the following entities in the fiscal year 2023:

Various Companies	\$11,854.87	Extra Duty Services
Various Companies	\$250.00	Donations
Municipal Vehicle Program	\$574.93	Insurance Proceeds
Nationwide Insurance	\$4,270.95	K9 vet check reimbursement

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 \$11,854.87 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 \$250.00 from 001.121.4705 to the CPD grant and donation expense account 001.121.5760.

Section 3. The City of Conway shall appropriate funds from the Municipal Vehicle Program in the amount of \$574.93 from 001.119.4360 to the AWU vehicle maintenance expense account 001.127.5450.

Section 4. The City of Conway shall appropriate funds from Nationwide Insurance in the amount of \$4,270.95 from 001.119.4360 to the Police Department Other Miscellaneous expense account 001.121.5799.

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

PASSED this 13th day of February, 2024.

Approved:

Mayor Bart Castleberry

Attest:



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

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

Various Companies \$56,947.68 Extra Duty Services

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 \$56,947.68 from 001.121.4185 to the CPD overtime expense account, 001.121.5114.

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

PASSED this 13th day of February, 2024.

Approved:

Attest:

Mayor Bart Castleberry