On this date the City Council of the City of Conway, Arkansas met in regular session. The following members being a quorum were present and acting: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Chuck Clawson. Alderman Jones was not in attendance.

Call to Order: Mayor Tab Townsell
Roll Call: Michael O. Garrett

Minutes Approval: January 13th, 2015

Alderwoman Smith motioned to approve the minutes as submitted. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

1. Report of Standing Committees:

   A. Public Hearings:

      1. Public Hearing & Ordinance to discuss the closing of a portion of Donnell Ridge Road in the Sherwood Estate Subdivision

         O-15-04

         Mayor Townsell declared the public hearing open for anyone who would like to speak for or against the closing of this portion of Donnell Ridge Road in the Sherwood Estate Subdivision. There was no public discussion. Mayor Townsell declared the public hearing closed. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. Mayor Townsell stated the portion of Donnell Ridge Road we are closing is the part that in essence was abandoned from street traffic when we took Donnell Ridge Road off the top of Donnell Ridge. Mayor Townsell stated this is for council to decide because there is no public benefit on this roadway. Mayor Townsell stated the purpose of this ordinance is to close it and return it to the private property of the owner. There was no further discussion. The clerk called roll with the following voting “Aye”: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. The motion passed 7-0.

      2. Public Hearing & Ordinance to discuss the closing of a portion of the 10' easements of Lots 20, 21, & 22 of Sherwood Estates Subdivision located at Donnell Ridge Road.

         O-15-05

         Mayor Townsell declared the public hearing open for anyone who would like to speak for or against the closing of these lot easements. There was no public discussion. Mayor Townsell declared the public hearing closed. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the
motion. Mayor Townsell stated this is property owned by Hartland Development. There was no discussion. The clerk called roll with the following voting “Aye”: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. The motion passed 7-0.

3. **Public hearing & Ordinance to discuss the closing of the 13 feet of the 55 foot utility easement along the northern right of way of Bronnie Lane in the Conway Community Services replat.**

Mayor Townsell declared the public hearing open for anyone who would like to speak for or against the closing of the 13 feet of this 55 foot utility easement. Alex Bennett Trophy Club, TX, explained the ordinance is self-explanatory and would like to make himself available if anyone has any questions. Mayor Townsell asked if anyone else would like to speak for or against the closing of this section of utility easement. There was no further public discussion. Mayor Townsell declared the public hearing closed. Alderwoman Smith motioned to waive the readings. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. Mayor Townsell asked if the applicant had all the property owner’s signatures. Mr. Bennett responded I do not believe we have received all of the signatures. Mayor Townsell stated receiving all of the signatures on closing an easement is part of what the council requires as it is state law. Mayor Townsell stated we can hold this ordinance until the next meeting February 10th, 2015. Alderwoman Smith asked could we make a contingent until he receives the signatures. Mayor Townsell stated you cannot make a contingent ordinance but we can hold it in committee and pass this ordinance at a future meeting or we can pass it with the assuredness of signatures with a 5 day period and if the signatures are not received I can veto the ordinance. Mr. Bennett stated that he would like it to be held in committee to give him a week or so to receive the signatures. Mayor Townsell explained we may move it beyond February 10th, 2015 but that is when the next meeting is scheduled. Mr. Bennett stated that would be okay because this is the last item they need and it will not prevent them from construction. Alderwoman Smith motioned to hold this item in committee. Alderwoman Whitmore seconded the motion. The motion passed 7-0.

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

1. **Resolution setting a public hearing to discuss the closing of the southerly 15 feet of the 25 foot utility easement located at the northwest corner of Lot 5, Tucker Creek Professional Park Subdivision.**

R-15-11

Alderman Hawkins stated this is to pass a resolution for a public hearing in regards to this closing. Alderwoman Smith asked what if we are not meeting on February 10th 2015. Mayor Townsell stated that the February 10th meeting agenda appears to be short, I will not be here, but if you want to meet then Alderman Hawkins will initiate the meeting. Alderwoman Smith asked if we could wait until the end of the month. Mayor Townsell stated we can set this for either meeting, but it is a matter of whether you want to meet or not. Alderwoman Smith stated February 24th 2015 would be ideal because we know we will be meeting that night. Alderman Grimes stated we can decide whether we will still meet on February 10th. There was some discussion among the council. The council decided to set the next council meeting for Tuesday February 10th 2015 at 6:30 pm. Alderwoman Smith motioned to adopt the resolution.
Alderman Whitmore seconded the motion. There was no further discussion. The motion passed 7-0. The public hearing will be held Tuesday February 10, 2015 at 6:30 pm.

2. Consideration to approve the nomination of certain Bicycle and Pedestrian Advisory Board members.

Alderman Hawkins stated the nominees that are included are as follows, Jimmy Warren, Scott Lucas, and Emily Walter to fill vacant positions on the board and a recommendation for Greg Reddin for his current position as secretary. Alderman Hawkins explained that each would be 3 year terms, which would expire December 31st 2017, all of this was forwarded to council from Todd Ake. Alderman Hawkins motioned to approve these nominations. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

3. Consideration to accept bids for the hangar building and fuel tanks at the old Cantrell Field Airport.

Alderman Hawkins stated we have bids that were submitted. Mayor Townsell stated we are going to ask you to hold those; the total of the bids received approximately $60,000 and we feel we have potential assets that are worth more if we dismantle them, store them, and rebuild them later for our own purposes so we are going to check out the options of using these buildings ourselves. Mayor Townsell explained $67,000 is not a lot of money for a 100x100 sq. ft. building with a free span over 95 feet and we can use that for our benefit at a less expensive price than we could buy and move. Alderman Hawkins stated buildings 6 and 7 did not receive bids. Jack Bell, Chief of Staff, explained those buildings are the open T-hangars that were built by Mr. Dave Ward himself back in the 1940’s. Alderman Hawkins asked do those buildings have a metal top. Jack Bell replied one does and one does not. Mayor Townsell asked the council to hold this in committee. Alderwoman Smith motioned to hold this item in committee. Alderwoman Whitmore seconded the motion. There was no other discussion. The motion passed 7-0.

4. Consideration to remove fixed asset (airport property) from the inventory listing for the City.

Alderman Hawkins asked since item B-3 was held in committee should this item also be held in committee. Mayor Townsell stated it would be fine to hold this item in committee. Alderman Hawkins motioned to hold this item in committee. Alderwoman Smith seconded the motion. There was no further discussion. The motion passed 7-0.

5. Ordinance appropriating funds for transportation services provided by Independent Living Services, Boys & Girls Club of Faulkner County and Faulkner County Council of Aging for transportation services.

O-15-06

Alderman Hawkins stated he could not find a cost of the transportation services. Mayor Townsell stated the letters have the amounts listed. Alderwoman Mehl stated the amounts in the letter are $65,000 for Boys & Girls Club of Faulkner County, $30,000 for Independent Living Services, and $69,000 for Faulkner County Council on Aging. Mayor Townsell stated the total is $164,000; an increase of $24,000 over 2014. Alderwoman Mehl asked what fund does this come out of. Mayor Townsell replied this comes out of the Street Dept. fund. Mayor Townsell stated the 2014 total was $140,000 and that was on the spread sheet in the committee meeting.
Mayor Townsell explained there are various items to discuss and the one group that is different is the Independent Living Services which has basically stepped into the gap created by the dissolution of the Faulkner County Council on Developmental Disabilities and they are asking to become the place holder for that funding to serve the need. The Mayor stated Robert Wright is here to speak if needed. Mayor Townsell explained this portion of our budget is going to continue to grow as as our population continues to grow. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. Alderwoman Mehl asked should Renee Johnson’s name be taken off the contract. Mayor Townsell replied yes we will correct that. The motion passed 7-0. Alderman Hawkins motioned to adopt the ordinance and the emergency clause. Alderwoman Smith seconded the motion. Mayor Townsell stated the amounts of $30,000 for Independent Living Services, $65,000 for Boys & Girls Club of Faulkner County, and $69,000 for Faulkner County Council on Aging. There was no further discussion. The clerk called roll with the following voting “Aye”: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. The motion passed 7-0. The motion passed 7-0.

6. **Consideration to enter into agreements with Independent Living Services, Boys & Girls Club of Faulkner County and Faulkner County Council of Aging for transportation services.**

Alderman Hawkins motioned to enter into these agreements. Alderwoman Whitmore seconded the motion. Mayor Townsell stated we will enter into these agreements with the amendment to the signature as Alderwoman Mehl indicated before. There was no discussion. The motion passed 7-0.

7. **Consideration to enter into an agreement with Cooperative Extension Service for the horticulture program.**

Alderman Hawkins motioned to enter into this agreement. Alderwoman Smith seconded the motion. Mayor Townsell stated this is the University of Arkansas Cooperative Extension services which will be a service accessible by all citizens of Conway. Mayor Townsell stated it is a valuable resource whenever we deal with planning roundabouts and to the Tree Board. There was no discussion. The motion passed 7-0.

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

1. **Consideration to obtain authorization to file suit for delinquent invoices from the Conway Parks & Recreation Department.**

Steve Ibbotson, Parks & Recreation Director, stated we are seeking the approval from Chuck Clawson, City Attorney, to file suit to retrieve our funds from this unpaid invoice of $3,210.00. Alderwoman Smith motioned to authorize pursuing the suit to recover the delinquent invoices. Alderwoman Whitmore seconded the motion. Alderman Hawkins asked what this was in regards to. Mr. Ibbotson replied it was an outdoor performance with low attendance. There was no other discussion. The motion passed 7-0.

2. **Ordinance authorizing a change in staffing levels for the Parks & Recreation Department.**
Mayor Townsell explained this is to authorize 4 full time positions to be funded out of the part time budget which changes the rules of part time employees having access to health insurance; there is no financial impact on our part. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. Mr. Ibbotson stated this is an option to allow us to save money, otherwise we would have to hire additional personnel, and a lot of our part time employees work over 30 hours a week, and having to offer many employees insurance, would affect our budget. There was no further discussion. The motion passed 7-0.

3. Ordinance authorizing the reclassification of one part time collector position within the Sanitation Department.

O-15-08

Danny Alford, Shop Manager for the Sanitation Dept., stated it is the same idea of the benefit of 1 full time position rather than 2 part time positions and working them only 25 hours per week so we are asking for 1 full time position. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Whitmore motioned to adopt the ordinance. Alderwoman Smith seconded the motion. There was no discussion. The clerk called roll with the following voting “Aye”: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. The motion passed 7-0. Mayor Townsell asked if the emergency clause is needed. Mr. Alford stated no.

4. Ordinance waiving bids for the purchase of an upgrade to the fiber screen on the recycling unit at the Conway Sanitation Department.

O-15-09

Danny Alford, Sanitation Dept., stated our manufacture for fiber screen is now Bulk Handling Systems (BHS) and they supply the disc screens that go on the machine. Alderman Hawkins asked how many discs are there. Mr. Alford replied there are 400 disc screens that need to be replaced. Mr. Alford explained the only company who makes the disc screens is BHS and we have an estimate of $41,000. Mr. Alford explained the discs did last longer than their life expectancy of almost 6 years, we looked into other options such as the bidding process and found 3 recycling manufacturers, including, CP Manufacturing, Machine X, and BHS, the one we are currently using. Mr. Alford explained CP Manufacturing can retro fit another machine for approximately $100,000.00 and their discs are replaceable and do not wear as easily, but the life is not as long; (8 to 12 months) we would have to replace them costing approximately $12,000. Mr. Alford explained Machine X has a new product that we are looking into because they are using steel discs that do not have wear parts, which is ideal, but it is approximately $200,000.00 to retro fit what we have now. Mr. Alford explained we have decided we would like to stay with BHS and replace them and use our regular preventive maintenance in hopes of getting another 5 to 6 years out of the discs. Mayor Townsell explained with these not working well, the various streams of recycle material are not as pure and that is what drives down the cost of what we sell. Mr. Alford stated the extra man power is another cost of this effects; it opens up a wide field of expenses. Mayor Townsell stated we do not like the idea of going to bids, we did look into other competitors, and it is just less cost effective when you consider it all. Mr. Alford stated all the manufacturers are patented so you have to get the discs from them. Alderwoman Smith motioned to waive the readings of the ordinance.
Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance and an emergency clause. Alderwoman Whitmore seconded the motion. Alderman Hawkins asked when they will be able to be here and get this done. Mr. Alford explained what we are tentatively scheduled for February; we are going to try to utilize that week so we can have the least amount of down. There was no further discussion. The clerk called roll with the following voting “Aye”: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. The motion passed 7-0. The Clerk called roll for the emergency clause with the following voting “Aye”: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. The motion passed 7-0.

D. Finance

1. Ordinance appropriating surplus funds for the FY2015 City Budget.

O-15-10

Mayor Townsell asked council to consider some items if you would like to amend the 2015 budget, in regards to our discussions at our work session this past week; this would add approximately $250,000.00 into the expense side of our budget, with the revenue side staying about the same. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Whitmore motioned to adopt the ordinance. Alderwoman Smith seconded the motion. Mayor Townsell explained this is simply adding the approved funds for travel, education, training, computers, and other small equipment. There was no discussion. The clerk called roll with the following voting “Aye”: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. The motion passed 7-0.

2. Consideration to approve the monthly financial report ending December 31st, 2014.

Tyler Winningham, CFO, stated December 2014 will give a portrayal of how our year end budget will end. These numbers will change between now and March as we receive our sales tax collections in January and February. Mr. Winningham stated he does have an estimated figure for the sales tax revenue but hopefully it will be approximately $100,000.00 to $130,000.00 over what we budgeted this year. Mayor Townsell stated from a budgetary standpoint that is cutting it very close at about 1%, and comparing it to the last 3 years we have been flat. Mr. Winningham stated the property tax and others came in strong and we still have one more month that we will record back to 2014, so I am projecting the year end figure will be approximately $2.6 million. Mr. Winningham stated the beverage tax only collected 84% for 2014 and we still have December that will be another $30,000 so it will be approximately $384,000 to $385,000 which again is slightly under budgeted. Mr. Winningham explained the airport fuel sales and the airport revenue are both slightly under budget because the revenue items stopped in September 2014. Mr. Winningham stated we opened the new airport and initiated another draw of 1 million on the airport loan which brings the total to $5 million that we have utilized to date on construction, equipment, and other purposes that were needed at the new airport that were not covered by the grant. Mr. Winningham stated the Planning Dept. went slightly over budget because an employee retired and received the payment for unused vacation and sick time which is not considered in the budget. Mr. Winningham explained the Permits and Inspections Dept. was slightly over budget because 2014 was the first year, in a
while that has been a separate department. Mr. Winningham stated overall expenditures ended well and the transfer to reserve was made by December 29th 2014. Mr. Winningham stated the net revenue for year to date ended at $340,412 but be aware that can be attributed to the difference between the loan proceeds and the airport expenditures when we took a $500,000 draw on December 16th 2014, knowing that we had some expenditures coming up at year end; the bills did not come in as soon as we thought so those bills have been paid as of January 27th 2015. Mr. Winningham explained on the balance sheet there are 2 liabilities that we do not normally have which are salaries payable and insurance and benefits payable which are for the last pay period of the year which were paid January 2nd 2015. Mr. Winningham stated the Street Fund is the same for Ad Val and Sales tax; Ad Val is going to be $1.3 million at the end of the year which we missed slightly on our budget figure at $1.4 million. Mr. Winningham stated the state tax turnback is where we record the half-cent highway sales tax and the $3.5 million is for the half-cent sales tax and $2.5 million for the regular turnback. Mr. Winningham explained the net revenue for the Street Dept. is $891,302 which is the $900,000 we budgeted and was not used, so that will remain in the Street Fund and will be spent at council’s discretion. Mr. Winningham stated the liability for the land fill is quite a bit larger than the figure for last month as this reflects the audit adjustments for 2012 and the liability account is adjusted once a year because that is when we receive numbers from the city engineers. Mr. Winningham stated the post closure cash account stays up to date because we know the liability based on an annual basis. Alderman Hawkins asked the anticipated date the check will be written for the liability. Mayor Townsell explained the more mainstream waste we can keep out of the landfill the longer it will last. Alderman Grimes asked who would the check be for and for what purpose. Mayor Townsell responded it is a mandate from the State that we keep funds appropriate for whatever it takes to close the landfill. Mayor Townsell stated we either turn it over to them or we use it, but it is designed to make sure there are funds to close it. Mr. Winningham stated we make quarterly transfers into that account. Mr. Winningham stated for the Airport, the fuel sale revenue and the fuel for resale expenditure are not what they normally are due to our fuel vend having technical difficulties, so we are waiting on our December statement from them and once that is received we will adjust those figures. Alderwoman Smith motioned to approve the monthly financial report. Alderwoman Whitmore seconded the motion. There was no further discussion. The motion passed 7-0.

E. New Business

1. Consideration to move the February 10th, 2015 City Council Agenda.

Mayor Townsell stated council determined to keep the meeting on this same date.

2. Ordinance waiving the selection process for contracted engineering services in conjunction with the city evaluation of roundabouts on Dave Ward Dr. on East side of I-40

O-15-11

Mayor Townsell stated we possibly need the suspension of the rules and a new ordinance to consider regarding the hiring of a consulting engineer for an evaluation of roundabouts on Dave Ward Dr., east of I-40 in conjunction with the Lewis Crossing project. Mayor Townsell explained we may not find the product acceptable as we are working with the Highway Dept. and we are trying to build our case to request changes. Mayor Townsell stated we would like council to consider action on this tonight because we have a time limit as the projects work through the Highway Dept. Alderwoman Smith motioned to suspend the rules. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Finely Vinson, City Engineer,
explained the president of MTJ Engineering, Mark Johnson, is known as one of the leading roundabout designers in the nation. Mr. Vinson explained Mr. Johnson partners with the Federal Highway Administration (FHWA) to review roundabouts that are on the federal highway system. Mr. Vinson stated he went back to the state and asked if it would be okay if the city paid for MTJ Engineering to do the review. The Highway department agreed as long as it could be brought forth very quickly because they are at 60% plans now and they actually have to have 90% plans done by approximately February 27th which is coming up very soon. Mayor Townsell stated to give more background the Highway Dept. does not feel comfortable with the volumes of traffic that is going to be on Dave Ward Dr. entering the development. Mayor Townsell explained if they are ever going to capture the right of way, they have to do it now, so we agree with them to go on and capture it now while it is not developed. Mayor Townsell explained they told us they would be willing to build a roundabout to 3 lanes which concerns us because they are 16 ft. wide lanes and then another 4 ft. cross over lane so essentially 20 ft. wide lanes vs. the usual 15 ft. and there are 3 of them. Mayor Townsell explained this concerns us because when you look at the outside pinch point of the roundabout and the inside pinch point of the curve, all of the sudden you are getting close to a straighter line which means you can take it at a pretty high speed so we believe it would be potentially more dangerous. Mayor Townsell stated we talked initially to build a 2 lane that can easily be converted into a 3 as needed but we have not received the Highway Dept.’s approval either way. Mayor Townsell stated we think it is worth the money to go on and do it because we may be having these arguments continuously until the Highway Dept. gets comfortable enough to design a smaller scale as this is over design to the point of damaging the outcome and we will make a stronger argument with a nationally recognized expert who is potentially arguing to our benefit. Alderwoman Mehl asked is there a chance he could come back and agree with the Highway Dept. Mayor Townsell replied yes. Alderman Hawkins asked is he being paid at all by the Highway Dept. Mr. Vinson replied he did not believe so. Alderman Hawkins stated I am weary about him arguing for us if he is being paid by the Highway Dept. Mr. Vinson did not believe he was under any kind of contract with the Highway Dept. Mayor Townsell stated to give the Highway Dept. credit as they have put in 2 major roundabouts on Harkrider and they are putting 3 roundabouts on Dave Ward Dr. Mayor Townsell explained we just do not want the Highway Dept. designing it on a scale to where no one ever wants to do it again. Alderman Hawkins asked do you know of any 3 lane roundabouts that work. Mr. Vinson replied the only one that I know of is the one Mr. Johnson designed, there are some up North but not sure of any in Arkansas or the South and they do work, but they do not work as well as a 3 lane roundabout. Mr. Vinson explained the operational advantages of a roundabout start to decrease as you get above the 2 lane point. Mr. Vinson explained 3 lane roundabouts are not as simple as with a signal, whereas with a signal every time you add a lane the math of how many additional cars you can get through it is very straight forward, whereas a roundabout is way more complicated. Mayor Townsell stated we do not believe the initial application of this needs 3 lanes; we feel that 2 lanes is efficient. Mayor Townsell explained we do not want to accept something that could be potentially dangerous to our city. Alderman Grimes stated he hopes the Highway Dept. would be open to listening to some alternative ideas and help all parties. Mr. Vinson explained he thinks the reason the Highway Dept. decided not to pursue it was the time line primarily. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. There was no further other discussion. The clerk called roll with the following voting “Aye”: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. The motion passed 7-0.
Adjournment

PASSED this 27th day of January 2015

APPROVED:

_________________________
Mayor Tab Townsell

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City Clerk Michael O. Garrett