
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
October 24, 2017

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 Jones, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, Alderman Pruitt and Alderwoman Isby. Also, present and acting: City Attorney Chuck Clawson, Mayor Bart Castleberry and City Clerk Michael Garrett. Alderman Grimes was not present.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett

Minutes: October 10, 2017

Alderwoman Isby motioned to approve the **October 10, 2017** minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 6-0.

Approval of Monthly Financial Report ending September 30, 2017:

Tyler Winningham, Chief Financial Officer presented the Monthly Financial Report to the Council. He stated that revenues were up and the General Fund was stable. He pointed out that while sales tax was down this month, year-to-date the figures are still up 5%. He added that with the construction trend happening in town, building permits are increasing. Parks and Recreation's numbers are strong and have already met the budget numbers on the Expo Center Rentals. He also pointed out that in general, City Departments are down in their spending about 5%. The Street Department's Engineering fees are up, as \$5000 was budgeted and they have done over \$17,000 in engineering fees, which is also a reflection of the commercial construction activity in the City. The Sanitation Fund is showing a strong balance as well. Major project funds are showing healthy balances. Alderwoman Isby made a motion to approve the Monthly Financials for September 30, 2017. The motion passed 6-0.

Alderman Jones joined the meeting.

1. Report of Standing Committees:

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

**1. Ordinance authorizing the issuance & sale of wastewater revenue bonds for Conway Corporation.
O-17-115**

Mayor Castleberry presented Item A1 to the Council. Gordon Wilbourn was present to review the Ordinance with the Council, stating that this is a refinancing of a 2015 revolving loan from the Arkansas Natural Resource Commission. George Carroll was also present to address the Council. He explained that this transaction will reduce the interest rate on wastewater debt without increasing the debt. It will also free up cash flow which will enable Conway Corp to do some wastewater system improvements over the next few years. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded it. The motion passed 7-0. Alderwoman Isby made a motion to adopt the Ordinance with the emergency clause. The Clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderwoman Smith, Alderman Hawkins, Alderman Ledbetter, Alderman Pruitt, Alderwoman Isby and Alderman Jones. The Ordinance passed 7-0.

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

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- 1. Ordinance accepting and appropriating grant funds and approving the program year 2017 contracts for the Community Development Block grant program.**

O-17-116

Alderman Hawkins presented Item B1 to the Council. Kiera Oluokun was present to address the Council. She stated that the Community Development Department had received the expected funding for the 2017 CDBG budget and that this Ordinance will allow them to accept the funds and approve the contracts. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion passed 7-0. Alderwoman Smith made a motion to adopt the Ordinance and Alderwoman Isby seconded it. There was no further discussion. The Clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Pruitt, Alderwoman Mehl, Alderman Jones, Alderwoman Isby, Alderman Ledbetter and Alderwoman Smith. The Ordinance passed 7-0.

- 2. Ordinance accepting and appropriating funds for the Spencer Street Brownfield Cleanup project administered by the Planning & Development Department.**

O-17-117

Alderman Hawkins presented Item B2 to the Council. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded it. The motion passed 7-0. Alderwoman Smith made a motion to adopt the Ordinance and Alderwoman Isby seconded it. There was no further discussion. The Clerk called the roll with the following voting "Aye": Alderman Ledbetter, Alderwoman Isby, Alderman Hawkins, Alderman Pruitt, Alderwoman Mehl, Alderman Jones and Alderwoman Smith. The Ordinance passed 7-0.

- 3. Ordinance accepting and appropriating funds for the Conway Tree Board.**

O-17-118

Alderman Hawkins presented Item B3 to the Council. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion passed 7-0. Alderman Jones made a motion to adopt the Ordinance and Alderwoman Smith seconded it. There was no further discussion. The Clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Ledbetter, Alderwoman Mehl, Alderman Pruitt, Alderman Jones, Alderman Hawkins and Alderwoman Isby. The Ordinance passed 7-0.

- 4. Ordinance to rezone property located at 3840 Tyler Street (Proposed Charleston Place Subdivision) from A-1 to R-1.**

O-17-119

Alderman Hawkins presented Item A4 to the Council stating that this item was reviewed by the Planning Commission at their meeting on October 16th and was voted 7-0 to forward this request to City Council with a recommendation for approval. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded it. The motion passed 7-0. Alderwoman Isby made a motion to adopt the Ordinance and Alderman Jones seconded it. There was no further discussion. The Clerk called the roll with the following voting "Aye": Alderman Pruitt, Alderwoman Isby, Alderman Jones, Alderman Ledbetter, Alderwoman Mehl, Alderwoman Smith and Alderman Hawkins. The Ordinance passed 7-0.

- 5. Ordinance to rezone property located at 1300 Favre Lane (proposed Cherry Hill Subdivision) from A-1 to R-1.**

O-17-120

Alderman Hawkins presented Item B5 to the Council, stating that this item was reviewed by the Planning Commission at their meeting on October 16th and was voted 7-0 to forward this request to City Council with a recommendation for approval. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion passed 7-0. Alderman Jones made a motion to adopt the

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Ordinance and Alderwoman Isby seconded it. There was no further discussion. The Clerk called the roll with the following voting "Aye": Alderwoman Isby, Alderman Ledbetter, Alderman Jones, Alderman Pruitt, Alderman Hawkins, Alderwoman Smith and Alderwoman Mehl. The Ordinance passed 7-0.

6. Ordinance to rezone property located at 1555 South Salem Road (proposed Salem Oaks Subdivision) from A1 to R-1.

O-17-121

Alderman Hawkins presented Item B6 to the Council, stating that this item was reviewed by the Planning Commission at their meeting on October 16th and was voted 7-0 to forward this request to City Council with a recommendation for approval. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded it. The motion passed 7-0. Alderwoman Smith made a motion to adopt the Ordinance and Alderwoman Isby seconded it. There was no further discussion. The Clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, Alderman Hawkins, Alderman Pruitt, Alderman Jones and Alderwoman Isby. The Ordinance passed 7-0.

7. Ordinance to rezone property located at 185 Lower Ridge Road from A-1 to RU-1.

O-17-122

Alderman Hawkins presented Item B7 to the Council, stating that this item was reviewed by the Planning Commission at their meeting on October 16th and was voted 7-0 to forward this request to City Council with a recommendation for approval. If approved the property will be identified as 183 Lower Ridge Road. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion passed 7-0. Alderwoman Smith made a motion to adopt the Ordinance and Alderwoman Isby seconded it. There was no further discussion. The Clerk called the roll with the following voting "Aye": Alderman Pruitt, Alderwoman Mehl, Alderman Hawkins, Alderman Ledbetter, Alderwoman Smith, Alderman Jones and Alderwoman Isby. The Ordinance passed 7-0.

8. Consideration to approve a conditional use permit to allow a transmission tower in a C-3 zoning district for property located at 1499 Robins Street, a portion of Conway Station Park (site of existing water tower).

Alderman Hawkins presented Item B8 to the Council, stating that this item was reviewed by the Planning Commission at their meeting on October 16th and was voted 7-0 to forward this request to City Council with a recommendation for approval, with 5 conditions:

1. All prescribed conditions per the Conway Zoning Ordinance shall be met along with the 4 specific conditions below.
2. An 8 foot tall brick and wooden privacy fence shall surround the enclosure. Any security fencing shall be behind this wall out of sight. Brick should be of similar color as the Boys and Girls Club
3. 2" caliper d.b.h. Evergreen trees shall be planted around the perimeter of the privacy fence on the west, north, and east as shown on submitted plans.
4. 170 f. tower height shall be allowed.
5. A graphic "wrap" shall be provided and maintained by the applicant. The specific design and text shall be coordinated through the Mayor's Office.

Dave Reynolds with Smith Communication was present to answer question from the Council. Alderwoman Smith made a motion to approve the conditional use permit and Alderwoman Isby seconded it. There was no further discussion. The consideration was approved 7-0.

9. Consideration to approve a conditional use permit to allow O-3 (Restricted Office) in an R-2A (Large Lot Duplex) zoning district for Property located at 823 Donaghey Avenue.

Alderman Hawkins presented Item B9 to the Council. Council, stating that this item was reviewed by the Planning Commission at their meeting on October 16th and was voted 7-0 to forward this request to City Council with a recommendation for approval with conditions. He moved that Council approve the conditional use permit request and Alderwoman Smith seconded it. The motion passed 7-0.

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

1. Consideration to approve the bid for an electric forklift for the Recycling facility at the Conway Sanitation Department.

Mayor Castleberry presented Item C1 to the Council. Joe Hopper of the Sanitation Department was present to address the Council. He explained that the request for a new forklift was necessary due to the dangerous condition of the present forklift. Alderwoman Smith made a motion to approve the bid and Alderwoman Isby seconded it. The motion was passed 7-0.

2. Consideration to remove assets from inventory for the Conway Sanitation Department.

Mayor Castleberry presented Item C1 to the Council. Joe Hopper stated that the Department had inventory that needed to be disposed of. Alderwoman Smith made a motion to approve the bid and Alderwoman Isby seconded it. The motion was passed 7-0.

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

1. Consideration to approve the bid for 20 temporary holding dog kennels for the Conway Animal Welfare Unit.

Mayor Castleberry presented Item D1 to the Council. Shona Osborne was present to address the Council. She explained that the Department received an ASPCA grant of \$40,000 and it was determined that more efficient holding crates would be beneficial to the operating efficiency of the Unit. She stated that the old concrete had been removed and a new slab with a drain has been poured in preparation for the new temporary holding kennels. She added that the kennels are completely portable and can be moved if necessary. Alderwoman Smith made a motion to approve the bid and Alderwoman Isby seconded it. The motion was passed 7-0.

E. New Business

1. Consideration to approve the renewal of dental benefits from BlueCross BlueShield for the FY2018.

Mayor Castleberry presented Item E1 to the Council. Lisa Mabry-Williams, Human Resources Director, was present to address the Council. She stated that the City has used Blue Cross Blue Shield for dental benefits since 2006 and they submitted a proposal for this year's coverage with no rate increase. She requested approval to renew the contract with BCBS for 2018. Alderman Jones made a motion to approve the renewal and Alderwoman Isby seconded it. The motion was passed 7-0.

2. Consideration to approve the renewal of life insurance benefits from USABLE for the FY2018

Mayor Castleberry presented Item E2 to the Council. Lisa Mabry-Williams stated that in 2014 the city received a 2 year rate guarantee from USABLE Life for 2015 and 2016 and a 2 year rate guarantee renewal for 2017-2018, and requested the Council approve the renewal of life insurance benefits.

Alderwoman Isby made a motion to approve the renewal and Alderman Hawkins seconded it. The motion was passed 7-0.

3. Consideration to approve the renewal of voluntary supplemental benefits from Benefit Partners/FlexCo for the FY2018.

Mayor Castleberry presented Item E3 to the Council. Lisa Mabry-Williams stated that this renewal is free from rate increases for the 2018 year, however the vision service plan (VSP) premiums will increase by 5.3%. VSP has offered a 4 year rate guarantee with the renewal. Alderman Hawkins made a motion to approve the renewal and Alderwoman Smith seconded it. The motion was passed 7-0.

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4. Consideration to approve fitness center proposals for the FY2018.

Mayor Castleberry presented Item E4 to the Council. Lisa Mabry-Williams stated that the City published a request for qualified bids from fitness centers for City memberships in the Log Cabin for the 2018 year. 365 Fitness has provided membership since 2006, with membership free of charge from 2010 through 2013; annual membership for \$16,237.50 in 2014 and annual membership for \$15,768.75 in 2015, 2016 and 2017. The proposal for the 2018 year was \$15,768.75 from 365 Fitness, \$33,000 from 10 Fitness and \$12,000 from Sync Fitness. She explained that an insurance committee made up of City employees was asked to evaluate and rate the fitness centers based on cost, parking, location, facilities and family rates. Thirteen employee responses were received with 365 Fitness coming in with 764 points, 10 Fitness at 877 points and Sync Fitness at 1092 points. Alderwoman Smith made a motion to approve Sync Fitness for the 2018 City Fitness Center Contract and Alderman Ledbetter seconded it. Alderman Jones stated his approval of 365 Fitness and their facility and the programs provided to Police and Fire personnel. Alderwoman Smith stated her approval of Sync Fitness and the equipment and programs they provide. Alderwoman Mehl asked if Police and Fire employees were on the evaluating committee and Ms. Williams stated that they were. The Owner of 365 Fitness was present to address the Council, explaining the programs and equipment the center provides. Warren Martin, owner of Sync Fitness was present to address the Council explaining the programs and equipment, etc. that the center provides. Brooke Walker with 365 Fitness was present to speak in favor of the facility. After some discussion amongst the Council, Mayor Castleberry brought the matter back to the Council for vote. Council members voting "Aye" to approve the low bidder, Sync Fitness: Alderwoman Isby, Alderwoman Smith, Alderman Ledbetter, Alderwoman Mehl. Council members voting "No": Alderman Jones, Alderman Pruitt and Alderman Hawkins. Mayor Castleberry voted "Aye" thereby creating an absolute majority in favor of approval of Sync Fitness for the 2018 City membership contract. The motion to approve Sync fitness passed 5-3.

5. Consideration to approve medical benefit proposals for the FY2018.

Mayor Castleberry presented Item E5 to the Council. Lisa Mabry-Williams stated that the City published notices in the Arkansas Democrat and the Log Cabin Democrat asking for proposals for group health benefits for the 2018 plan year. Only one proposal was received, from the Arkansas Municipal League, to renew our current medical benefits for 2018 with a zero rate increase. Alderwoman Isby made a motion to approve AML for the City's group health benefits, and Alderwoman Smith seconded it.

There was no further discussion. The meeting was adjourned.

Adjournment

PASSED this 24th Day of October 2017

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett