
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
October 28, 2014

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 Ledbetter, Alderwoman Smith, Alderman Jones, and Alderwoman Whitmore. Also, present and acting: Mayor Tab Townsell, City Attorney Chuck Clawson, and City Clerk Michael Garrett. Alderman Pruitt was not in attendance.

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

Minutes Approval: October 14, 2014

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

1. Report of Standing Committees:

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

1. Resolutions requesting the Faulkner County Tax Collector place a certified lien on certain properties as a result of incurred expenses by the City.

Alderman Hawkins stated that lien on #4 Water Oak has been paid; this will not be on the agenda tonight.

R-14-37

Alderman Hawkins stated the property address is 115 S Mitchell; the cost of cleanup was \$203.36 (\$157.60 + Penalty \$15.76 + filing fee \$30.00). There was no one present to speak to this issue. Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

R-14-38

Alderman Hawkins stated the property address is 1724/1726 Robins; the cost of cleanup was \$269.62 (\$217.84 + Penalty \$21.78 + filing fee \$30.00). There was no one present to speak to this issue. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

R-14-39

Alderman Hawkins stated the property address is 2039 Independence; the cost of cleanup was \$621.89 (\$538.08 + Penalty \$53.81 + filing fee \$30.00). There was no one present to

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

speak to this issue. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

2. Ordinance to rezone property located at 710 South Country Club Road from R-1 to O-2.

O-14-94

Alderman Hawkins explained the title of the ordinance shows the requested rezoning is O2, but the body of the ordinance shows C-3, and asked for clarification. Bryan Patrick, Planning & Development Director, stated the correct zoning is O-2. Alderwoman Smith motioned to amend the ordinance to reflect a rezoning to O-2. Alderman Grimes seconded the motion. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Grimes seconded the motion. The motion passed 7-0. Tresvil Pack, property owner, stated he wishes to move his counseling practice from Wingate Plaza to Country Club Road. Alderwoman Smith motioned to adopt the ordinance as amended. Alderman Jones seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, and Alderman Jones, and Alderwoman Whitmore. The motion passed 7-0.

3. Consideration of a conditional use permit for MF-1 density for property located in R-2A at 502 and 504 First Street.

Alderman Hawkins motioned to approve the conditional use request with the five (5) conditions listed below. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

1. Property shall be re-platted for the new development.
2. Additional street right of way shall be dedicated as required.
3. Historic District Commission must approve any new construction.
4. Project is subject to Planning Department Development Review.
5. Three (3) residential units maximum are allowed.

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

1. Ordinance accepting grant proceeds from the Arkansas Department of Emergency Management awarded to the Conway Fire Department Bomb Squad.

O-14-95

Mike Winter, Fire Chief, explained this Homeland Security Grant is issued to the State of Arkansas through a competitive process; the bomb squad has qualified for \$195,000.00, which is 100% reimbursable to the city and will be used to upgrade our equipment. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderman Jones motioned to adopt the ordinance. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, and Alderman Jones, and Alderwoman Whitmore. The motion passed 7-0.

C. Personnel

1. Consideration to approve the 2015 Voluntary Supplemental Benefit Plans.

Lisa Williams, HR Director, explained the Benefit Partners and FlexCo Inc. have been providing voluntary benefits to the city for over 10 years; this year they are adding a Legal Shield benefit; these benefits are paid 100% by the employee. Ms. Williams stated we currently offer vision, supplemental life, heart, cancer, short term disability, cafeteria plan, and flexible spending account. Ms. Williams asked council to approve the recommended voluntary benefit plans for 2015. Alderwoman Smith motioned to approve the voluntary benefit package for 2015. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

2. Consideration to approve the 457 Deferred Compensation Plans.

Lisa Williams, HR Director, explained we currently offer only one (1) 457 Plan through American Funds, which is funded 100% by the employee; this would add another option for our employees. Ms. Williams stated our CFO, Tyler Winningham, has reviewed the RFQ's and feels that AXA offers the best service to our employees; they have a representative in Little Rock and offers a wide range of investment options and recommended AXA to be added to our benefit plan for 2015. Alderman Hawkins motioned to accept AXA. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

3. Consideration to approve the 2015 fitness facility membership from 365 Fitness.

Lisa Williams, HR Director, explained 365 Fitness has provided the facility membership since 2006; this covers current full time and part time employees and and retirees. Ms. Williams stated they have lowered the cost for 2105 to \$14,500.00 (\$15,768.75 total cost with tax) and asked council to approve the renewal of this contract for 2015. Alderwoman Whitmore motioned to renew the contract for 2015. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

D. Finance

1. Consideration to approve the monthly financial report ending September 30, 2014.

Tyler Winningham, CFO, began with the general fund explaining sales tax was up 5.2% over same time last year; sales tax we received for this month was up 3%. Mr. Winningham explained the turn back line item is reporting most of the insurance turn back for the year relating to the LOPFI retirement program for Police & Fire; the total figure this year is approximately \$1.1 million in the form of a credit. Mr. Winningham moved forward to the street fund explaining we have collected all (104%) of what was budgeted for the severance tax, and feels we will likely increase that budget for 2015. Mr. Winningham stated the bottom line is very healthy going into the last quarter of the year. Mr. Winningham stated the sanitation fund has a strong bottom line with approximately \$1.7 million in capital expenses that are pending. Mr. Winningham explained the airport fund reports the first full month for the airport; explaining he mirrored the sanitation enterprise fund with a few modifications since the primary funding source for the airport is fuel sales, which is the first revenue item listed which also has a corresponding expenditure line item for fuel

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

purchased for resale. Mr. Winningham stated we are within \$500.00 of breaking even for September which is a positive outlook for that facility. Mayor Townsell stated we received several full year hangar rental payments up front, which will inflate the revenues against standard expenses, but one thing our Airport Manager, didn't share was the personnel costs; the monthly cost vs. year to date costs. Mayor Townsell reminded council that Mr. Zylks was hired months ago, and this month is bearing extra personnel burden that is not typical of a typical month to year. Josh Zylks, Airport Manager, stated we did not include the fuel one-time start-up costs on the financials and told council we have approximately \$22,000 in fuel inventory in our tanks; this explains the narrow spread between the airport fuel sale line item, and the fuel for resale line item. Mr. Zylks stated moving forward this will obviously fluctuate from month to month depending on when we order fuel; this skews against us, this first month. Mayor Townsell explained the fuel sales is an annual number, and the months activities is a large portion of that, and he feels this is a good sign. Mr. Winningham explained on the airport balance sheet you will notice an accounts receivable fuel vendor, this account will be a "catch all" account based on the agreement we have with the fuel vendor; essentially we order fuel, it is delivered and then sell it, and at the end of the month, even if they have just delivered fuel, they will take that cost, weighed out against fuel that was sold for the month, and they will bill us showing what we owe the vendor, and what the vendor owes us; this will be provided to council via the monthly financials. Alderwoman Smith motioned to approve the September 2014 financials. Alderwoman Whitmore seconded the motion. Alderman Hawkins asked how long both airports would be open. Mr. Zylks stated the "plan" is to close the old airport by or before the end of the year, explaining, we are waiting on the fuel system to be installed at the new airport. Mr. Zylks stated that contractor is due to be onsite tomorrow, and the tanks are due to arrive the second week of November, and we hope to have those up and running by the end of November; this will allow our folks at the old airport a window of time to get moved etc. Mayor Townsell explained we will need time, after closing the old airport, to remove any assets we wish to maintain either for resale or for re-use. Alderman Hawkins asked if there is a date to turn the property over to the Wilson Group and CDC. Mayor Townsell stated the default date is July 1, 2015 via the purchase sale agreement. After some further discussion the motion passed 7-0.

Mayor Townsell asked council to suspend the rules to discuss CDBG contracts. Mayor Townsell stated we previously awarded the 2015 CDBG contracts but explained that Faulkner County Council on Developmental Disabilities (FCCDD) has closed and the duties of providing services has been taken over by Independent Living Services (ILS). Mayor Townsell stated we need to reconsider that issue and approve changing that contract from FCCDD to ILS at the same level. Alderwoman Smith motioned to suspend the rules to discuss the FCCDD/ILS CDBG contracts. Alderman Jones seconded the motion. The motion passed 7-0. Alderwoman Whitmore motioned to move the approved 2015 FCCDD contract over to ILS. Alderwoman Smith seconded the motion. There was no discussion.

Adjournment

PASSED this 28th day of October 2014

APPROVED:

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Mayor Tab Townsell

City Clerk Michael O. Garrett