
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
December 22, 2009

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, Alderwoman Smith, Alderman Grimes, Alderwoman Mehl, Alderwoman Whitmore, Alderman Vaught, Alderman Jones, and Alderman Rhodes. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy.

1. *Call to Order*
2. *Roll Call*
3. *Minutes:* December 8th, 2009

Alderwoman Whitmore motioned to approve the Dec. 8, 2009 minutes as submitted. Alderwoman Smith seconded the motion. The motion passed 8-0.

4. *Recognition of Guests:*

5 Years

Jacob Oden - Fire Dept.
David Vondron - Street Dept.
Chris Harris - Police Dept.

15 Years

Larry Piggee - Sanitation Dept.

5. *Public Hearings:*
6. *Report of Standing Committees:*
 - A. *Economic Development Committee (Airport, Conway Corporation, Conway Development Corporation, Chamber of Commerce)*
 1. **Ordinance to waive bids to construct a concrete apron at the eastern entrance into the Conway Municipal Airport Terminal Building Hangar.**

O-09-149

Mayor Townsell stated even though we waive bids we solicited quotes from concrete contractors and stated the low bid came from JCI Construction. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderwoman

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Whitmore seconded the motion. Alderwoman Whitmore asked if the cost was \$10,840.00 or \$10,830.00 as both amounts are listed in the ordinance. Ronnie Hall, City Engineer, stated that \$10,840.00 is the correct amount. Mayor Townsell noted that "Section 1" should be amended to read \$10,840.00. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Hawkins, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Grimes, and Alderman Jones, and Alderman Vaught. The motion passed 8-0.

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

1. Consideration of nominations for the Planning Commission, Board of Zoning/Adjustment and Conway Tree Board.

Alderman Hawkins gave a review of the nominees, they are as follows:

The Planning Commission selects the following persons to fill vacant positions:

Jon Arms, 2040 Foster Dr. (Ward 3) - 5 year term
John Hairston, 2965 Windamere Dr (Ward 3) - 5 year term

Conway Tree Board selects the following persons to fill vacant positions:

Allie D Harrison
Tonya Musical
Randy Romeo
Junior Storie

Conway Board of Zoning Adjustment selects the following person to fill vacant positions:

Douglas Weaver - term expiring Dec. 31, 2012
LeRoy Hendricks - term expiring Dec. 31, 2012
Justin Eric Brown - term expiring Dec. 31, 2012

Alderman Hawkins motioned to approve the recommended nominations. Alderwoman Smith seconded the motion. Mayor Townsell stated the terms for planning commission are 5 years, the tree board terms are 3 years, and the board of zoning terms are 3 years. There was no discussion. The motion passed 8-0.

2. Resolution approving the 2010 Community Development Block Grant Allocations/Budget.

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Lauralee McCool, CDBG Director, stated the recommendations for the CDBG for 2010 are as follows:

Projects

Pine Street Revitalization Project - \$100,000.00 (Water/Sewer on Spruce St)
CAPCA - \$70,000.00 - Housing Rehab
Bethlehem House - \$50,000.00 - Building
Downtown Drainage Project - \$50,000.00 - Scrap metal yard acquisition

Public Services

Bethlehem House - \$15,000.00 - 3rd shift staffing
Boys & Girls Club - \$9,000.00 - Transportation/supplies upgrade
Senior Citizens - \$10,000.00 - Transportation services for elderly
FCCDD - \$20,000.00 - Transportation services and job training
Women's Shelter - \$6,000.00 - Collaborative Transportation Program

Mayor Townsell explained that Habitat for Humanity is typically funded from this grant but we feel as we redevelop parcels of land in the Pine Street area that we can give them land rather than give them money for land. Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

- 3. Resolution requesting the Faulkner County Tax Collector to place a certified lien on property located at 407 & 411 Donaghey Avenue as a result of incurred expenses by the City.**

R-09-96

Mayor Townsell asked if anyone was present to speak to this issue and stated the cost of cleanup was \$183.88 plus 10% collection penalty. 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 8-0.

- 4. Ordinance correcting Ordinance No. O-07-111, the removal of the utility easement between Lot 17 and Lot 18 Lachowsky Subdivision.**

O-09-150

Alderwoman Smith motioned to waive the readings of the ordinance and the emergency clause. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Alderwoman Whitmore motioned to adopt the ordinance and the emergency clause. Alderwoman Smith seconded the motion. Mayor Townsell explained this ordinance is for correction purposes. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Hawkins,

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Aldерwoman Smith, Alderman Rhodes, Aldерwoman Whitmore, Alderman Grimes, and Alderman Jones, and Alderman Vaught. The motion passed 8-0.

5. Ordinance to waive bids for the installation of a traffic signal at Donaghey Ave and Robins St.

O-09-151

Aldерwoman Smith motioned to waive the readings of the ordinance. Aldерwoman Whitmore seconded the motion. The motion passed 8-0. Alderman Hawkins asked why we are waiving bids. Mayor Townsell stated this building is going to be open the first part of January 2010 and this will expedite the installation of the signal. Ronnie Hall, City Engineer, stated it is important to get this up as soon as possible due to the increase in the pedestrian traffic. Mr. Hall stated quotes were submitted and the low quote was from All Service Electric in the amount of \$47,671.00. Aldерwoman Smith motioned to adopt the ordinance and the emergency clause. Aldерwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Aldерwoman Mehl, Alderman Hawkins, Aldерwoman Smith, Alderman Rhodes, Aldерwoman Whitmore, Alderman Grimes, and Alderman Jones, and Alderman Vaught. The motion passed 8-0.

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

1. Ordinance to approve the disposal of cellular telephone equipment for the City of Conway.

O-09-152

Mayor Townsell stated cellular phones can no longer be disposed of in the city landfill since they require disposal through e-waste collection we wish to donate the equipment to agencies in need of emergency cellular equipment to avoid the costs associated with e-waste. Aldерwoman Whitmore motioned to waive the readings of the ordinance. Aldерwoman Smith seconded the motion. The motion passed 8-0. Aldерwoman Smith motioned to adopt the ordinance and the emergency clause. Aldерwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Aldерwoman Mehl, Alderman Hawkins, Aldерwoman Smith, Alderman Rhodes, Aldерwoman Whitmore, Alderman Grimes, and Alderman Jones, and Alderman Vaught. The motion passed 8-0.

D. Finance

1. Resolution requiring an audit of accounting records for the City of Conway.

R-09-97

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Robin Scott, CFO, stated this is required by state statutes. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

2. Consideration to enter into an engagement letter for the Annual Financial Audit.

Robin Scott, CFO, explained this is standard procedure and the fee this year is expected to be the same as the quoted fee for last year which she believes is \$79,000.00. Alderwoman Mehl asked if there is a requirement to change auditing firms on a regular basis. Ms. Scott stated she is not sure there is a requirement to do this, but we take it out to bid every 5 years. Alderwoman Smith motioned to enter into this agreement. Alderwoman Whitmore seconded the motion. Mayor Townsell stated the firm is JPMS/Cox. There was no further discussion. The motion passed 8-0.

3. Consideration to dispose of certain accounting records for the Finance Department.

Robin Scott, CFO, stated this is a routine and will allow us to destroy records dating 2005 and earlier. Alderwoman Smith motioned to approve the disposal of these records. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

4. Discussion of the 1% COLA for City employees.

Mayor Townsell stated if council wishes to pursue the option of giving a 1% bonus we need to determine how we would want to do this. After discussions with Robin Scott, CFO, we determined if we give the 1% as a bonus we would select a date to payout in a lump sum, or build it into our payroll system and give it out every 26 pay periods, which would eliminate paying individuals for time not worked. Alderwoman Smith stated she feels we should give a 1% raise. Alderman Grimes concurred. Mayor Townsell stated it would permanently be built into the base salaries. Alderman Vaught stated the purpose of offering the bonus option was because we are unsure of what the economy will be this time next year. Alderman Hawkins stated he feels it should be paid as a bonus verses building into the base of the salaries. Alderman Jones motioned to approve a 1% raise in the base pay of the salaries. Alderwoman Smith seconded the motion. Alderman Vaught stated he is voting against this because he feels it should be paid out as a bonus. Alderman Jones stated he is against paying an individual a onetime bonus in which they may not work the full year. Alderman Hawkins stated that building the raise in builds a larger base for next year which continues on year after year. Alderwoman Mehl asked if it included department heads. Mayor Townsell stated no, we determined last week that they would be eligible for up to a 1% raise upon review. There was no further discussion. The motion passed 6-2. Alderman Vaught and Alderman Hawkins voted in opposition.

7. Old Business

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8. *New Business*

Adjournment

PASSED this 22nd day of December 2009

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett