
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
August 10, 2010

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

Call to Order

Roll Call

Minutes: *July 27th, 2010*

Alderman Vaught motioned to amend to minutes to show that he had voted against O-10-83 (repeal of K-2) instead of Alderman Grimes. The motion passed 7-0.

Mayor Townsell stated he needs council to suspend the rules to add four items to the end of the agenda. Alderwoman Smith motioned to suspend the rules to add the additional items to the end of the agenda. Alderwoman Whitmore seconded the motion. The motion passed 7-0.

Alderman Grimes entered the meeting.

Announcements / Proclamations / Recognition:

1. *Public Hearing:*

A. *Public Hearing to discussion the closing an easement located in University Park Subdivision (Lot 1).*

Mayor Townsell opened the public hearing. There was no one present to speak. Mayor Townsell closed the public hearing.

Alderman Rhodes entered the meeting.

1. *Ordinance closing the easement located in University Park Subdivision, Lot 1 off of South Donaghey Avenue.*

O-10-84

Alderman Rhodes motioned to waive the readings of the ordinance. Alderman Grimes seconded the motion. The motion passed 8-0. Alderwoman Whitmore motioned to adopt the ordinance. Alderman Rhodes seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

2. *Report of Standing Committees:*

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

- 1. Resolution setting a public hearing to discuss closing four utility easements located in Woodland Springs Subdivision, Phase III along Lot 122, 123, & 124.**

R-10-42

Mayor Townsell stated the item #1 in the resolution should read August 24, 2010. Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. The motion passed 8-0. The public hearing will be held Tuesday August 24, 2010 at 6:30 pm.

- 2. Resolution setting a public hearing to discuss the closing of Edgewood Drive in the Second Baptist Subdivision.**

R-10-43

Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. The motion passed 8-0. The public hearing will be held Tuesday August 24, 2010 at 6:30 pm.

- 3. Resolutions requesting the Faulkner County Tax Collector to place certified liens on certain properties as a result of incurred expenses by the City.**

R-10-44

Mayor Townsell stated the property address is 1450 Arden Lane; the cost of cleanup was \$117.71 plus 10% collection penalty. 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 8-0.

R-10-45

Mayor Townsell stated the property address is 1510 Arden Lane; the cost of cleanup was \$117.71 plus 10% collection penalty. There was no one present to speak to this issue. Alderwoman Smith motioned to adopt the resolution. Alderman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

R-10-46

Mayor Townsell stated the property address is 1724 & 1726 Robins; the cost of cleanup was \$155.85 plus 10% collection penalty. 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 8-0.

R-10-47

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Mayor Townsell stated the property address is 8 Azalea Loop; the cost of cleanup was \$180.71 plus 10% collection penalty. There was no one present to speak to this issue. Alderwoman Smith motioned to adopt the resolution. Alderman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

- 4. Resolution amending the Conway Master Street Plan to allow a portion of Donaghey Avenue shown as a major arterial on the Conway Master Street Plan to have right of way width of 90 feet.**

R-10-48

Ronnie Hall, City Engineer, was present to answer questions. Bryan Patrick, Planning & Development Director, explained there is very little potential to expand the right of way to the east however there is expansion opportunity to the west. In light of this Mr. Thornton is challenged to get the building envelopes he needs and wants in order to make the project successful; we feel it is appropriate to reduce the right of way and requirements to the east in order to help this projects development move forward. Alderman Hawkins asked if there is enough space to get traffic through this intersection. Mr. Hall stated yes, but another north bound lane will be necessary one day. Alderman Hawkins motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no further discussion. The motion passed 8-0.

- 5. Consideration to enter into an agreement with Kutchins & Groh to provide "value engineering" service for the proposed Conway Airport in the Lollie Bottoms.**

Ronnie Hall, City Engineer, was present to answer questions. Alderman Grimes motioned to enter into this agreement. Alderwoman Smith seconded the motion. There was no discussion. After some discussion the motion passed 8-0.

- 6. Consideration to accept bids for the bottom liner system for Zone 18 & 19 at the Sanitation Department.**

Ronnie Hall, City Engineer, explained that this is the two 150 ft X 1,000 ft zones on the western side of the existing landfill; this bottom liner system will allow us to continue to fill westward and provide us with 2 years worth of landfill volume. Mr. Hall stated the recommendation is to go with the low bidder Grayco Construction Co. of Tennessee in the amount of \$647,672.00. Alderwoman Smith motioned to accept the low bid. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

- 7. Ordinance appropriating funds for the Conway Tree Board to pay for expenses related to Arbor Day 2010.**

Mayor Townsell explained the Tree Board pays for expenses, up to \$4,000.00, for Arbor Day. Mayor Townsell stated that they recognize that this may fall in the same category as transportation that we have had to cut out of our budget this year, but wanted to bring this before council. Alderman Hawkins stated it is a wonderful program but we just do not have the money. Council concurred there is no money for this. Mayor Townsell stated this will fail due to a lack of a motion.

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

1. Consideration to accept bids for additional storage for the IT Department.

Mayor Townsell explained this purchase will not be coming out of the general fund; it was approved and appropriated by ordinance O-10-77 and will come out of the court automation fund and will be used to increase the storage space requirements for District Court. Mayor Townsell stated the recommendation is to accept the low bid from NetGain Technologies in the amount of \$37,455.58. Alderwoman Smith motioned to accept the low bid. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-1. Alderman Rhodes abstained.

Ordinance waiving bids for the purchase of a heating and cooling unit for District Court Courtroom.

O-10-85

Donna Clifton, District Court Clerk, stated the quote from Wilson Heating and Cooling for replacement of the outside unit was \$16,500.00. Mayor Townsell stated the quote from Mathis Heating & Cooling was \$23,733.20 which also replaces the outside unit. Mayor Townsell stated we have a variety of proposals from Freyaldenhoven Heating and Cooling, one being, to install a new 20 ton outdoor condensing unit and field convert existing air handler coil to meet new refrigerant requirements in the amount of \$13,731.00 plus tax, which does not meet current energy codes by their own admission. Mayor Townsell stated option three from Freyaldenhoven was \$24,231.00 plus tax and would install a 20 ton outdoor condensing unit and a 20 ton indoor air handling unit that does meet new refrigerant and energy requirements. Also from Freyaldenhoven, is a quote in the amount of \$5,971.00 to replace only the compressor. Ms. Clifton noted that this may or not work for very long. Mayor Townsell stated that Nichols Heating and Cooling quote was for \$26,371.00. Mayor Townsell explained that Freyaldenhoven currently handles all of the cities needs as far as our heat and air units and it is important that our controllers are compatible with whatever we choose. Mayor Townsell stated the low bid came from Wilson and asked Ms. Clifton if that system is compatible with our controllers. Ms. Clifton stated that Freyaldenhoven said that whomever the city chose for the unit that they would work with the controllers. After much discussion Alderman Jones motioned to accept the bid from Spradlin & Kuykendall (S&K), using Nichols Heating and Cooling in the amount of \$26,371.18. Alderwoman Smith seconded the motion. The motion passed 8-0. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 8-0. Alderman Jones motioned to adopt the ordinance and the emergency clause. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

Ordinance appropriating funds (\$25,000.00) for professional accounting services with Thomas & Thomas.

O-10-86

Lowell McClanahan, CFO, explained the budget for professional services for 2010 was \$80,000.00; the contract price for the audit, with JPMS Cox, was \$79,000.00, but the audit will cost more due to the federal airport grant which requires an A133 audit. Mr. McClanahan explained that the services we are asking you to approve from Thomas & Thomas are necessary. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

Consideration of change orders for Conway Station Park - Phase I.

Mayor Townsell explained this change order would cause the contract price with Salter Construction to increase. Brian Knopp, Parks Director, explained the change orders they are requesting; the details of these change orders are listed below and the total cost is \$14,306.00. Lowell McClanahan explained that we currently have an \$85,000.00 cushion in park bond funds. Alderwoman Whitmore motioned to approve the change orders. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

Additional Conduits - \$13,229.00 - items needed for the electrician onsite. These items will be less expensive to install now than once the pavement and sidewalks are built.

Divide Zone B22 into Two Zones - \$483.00

Add three J Boxes for Underground - 594.00

Consideration of approving additional work orders to the New Conway Fairgrounds.

Brian Knopp, Parks Director, explained since we are currently \$86,189.00 under budget stated we decided we needed to add water at the RV parking location, and also a sanitation dump station for the trailers. Mr. Knopp stated the price for both of these items is \$35,700.00. Alderwoman Whitmore motioned to approve these additional items. Alderwoman Smith seconded the motion. The motion passed 8-0.

Consideration of approving hydro seeding the New Conway Fairgrounds.

Mayor Townsell explained we are looking at hydro seeding the entire fairgrounds site to control soil erosion. Mr. Knopp explained we received a quote today from Conway Hydro seeding in the amount of \$28,455.00. Alderwoman Whitmore motioned to suspend the rules to add this item to the agenda. Alderwoman Grimes seconded the motion. The motion passed 8-0. Alderwoman Whitmore motioned to approve this quote for hydro seeding. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

C. Old Business

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D. New Business

Adjournment

PASSED this 10th day of August 2010

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett