
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
September 27, 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, Alderman Rhodes, Alderwoman Mehl, Alderwoman Whitmore, Alderman Jones, Alderman Vaught, and Alderman Grimes. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy.

Call to Order

Roll Call

Minutes: *September 14th & September 20th, 2010*

Alderwoman Whitmore motioned to adopt the Sept. 14, 2010 and the Sept. 20, 2010 minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

Announcements / Proclamations / Recognition: *Employee Service Awards*

1. Report of Standing Committees:

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

1. Consideration of the nomination of Sydne Manley to the Conway Housing Authority Board.

Alderman Hawkins motioned to accept the nomination of Ms. Manley. Alderwoman Smith seconded the motion. There was no discussion. Mayor Townsell stated Ms. Manley will serve out her mother term that began in January 2010; it is a 5 year term. 8-0.

2. Consideration to accept bids for demolition/ site cleanup of five lots located in the Pine Street Neighborhood.

Alderman Hawkins explained only 2 bids were received for these and the recommendation is accept the low bid from Paladino Construction Inc. in the amount of \$27,500.00. Alderwoman Smith motioned to accept the low bid. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

3. Ordinance accepting grant proceeds and appropriating funds for Conway EcoFest 2010.

O-10-100

Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. 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, Alderwoman

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

4. Ordinance accepting grant proceeds and appropriating funds for the New Conway Municipal Airport.

O-10-101

Alderwoman Smith motioned to waive the readings of the ordinance. 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. 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.

5. Ordinance to rezone property located at 3480 Irby Drive from A-1 to R-1.

O-10-102

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. 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.

6. Consideration to enter into an agreement with Garver Engineers for engineering services for the Western Loop Project.

Mayor Townsell stated this contract covers the engineering services for Phase I of the Western Loop which includes the southern interchange on Interstate 40 in the Gold Creek area and a median divided four lane road extending from the interchange to Sturgis Road. Mayor Townsell state the total cost of the interchange is \$29,437,000.00. Alderwoman Smith motioned to enter into the agreement. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

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

1. Ordinance appropriating grant funds to the Conway Police Department.

O-10-103

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. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman

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

2. Ordinance appropriating asset forfeiture funds to the Conway Police Department.

O-10-104

A.J. Gary Chief of Police was present to answer questions. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. 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, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

3. Ordinance establishing and adopting by reference certain requirements and procedures for public safety radio communication coverage within the City of Conway.

O-10-105

Bart Castleberry, Fire Chief, stated there are some city buildings that were constructed over the past few years that will not allow communications to transmit out, including cell phones and radios. Chief Castleberry stated on several occasions we have been on scene and needed to communicate with dispatch etc. and were unable to do so and had to leave the structure in order to make radio contact. Alderman Grimes asked what type of buildings are involved. David Anthony, Information Management Supervisor, stated buildings that are constructed from concrete and metal studs. Mayor Townsell stated this will add cost but will increase public safety. Alderwoman Smith motioned to waive the readings of the ordinance. 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. After some discussion Alderman Vaught asked if there is a way to encourage the school district to bring the schools up to code. There was no further 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.

4. Ordinance amending Title 4 (Pawnshops) of the Conway Municipal Code for the City of Conway.

O-10-106

Mayor Townsell explained that we have come up with language to add to the ordinance in order to release game from the mandatory 7 day hold. A.J. Gary, Chief of Police, stated yes if council adds the wording it will only pertain to second hand good section of the ordinance. Michael Murphy, City Attorney, stated we can add the language "*Electronics with identifiable numbers or marks*" to section "*Duty to retain goods*". Mr.

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Murphy went onto say in the body of the same section after *“seven (7) days from the time of receiving same,”* we need to insert the language **“if said goods are electronic or other manufactured goods with serial numbers or other identifiable numbers or marks.”**. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Alderman Hawkins 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, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

C. Finance

1. Consideration to remove certain inventory from the fixed assets listing for the Finance Department.

Lowell McClanahan, CFO, stated the items on this list are items that should be scrapped or are of no value to the city. Alderman Rhodes asked that before any items are disposed of that we offer them to the local non-profit organizations such as United Way etc. Alderwoman Smith motioned to remove these items from inventory. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 8-0.

D. New Business

1. Ordinance waiving competitive bids for the Conway Expo Center & Fairgrounds for fencing.

O-10-107

Mayor Townsell stated when we rezoned the fairgrounds property to I-3 we promised area residents that fencing would be installed; this was not included in anyone’s budget. Mayor Townsell stated that we are asking council to waive the competitive bidding process because he asked Jack Bell to get a fence built and he did so. Mayor Townsell stated the total price was approximately \$14,000.00. Alderwoman Whitmore motioned to suspend the rules to add this item to the agenda. Alderwoman Mehl seconded the motion. The motion passed 8-0. 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 and the emergency clause. Alderwoman Whitmore seconded the motion. Alderman Hawkins asked for the specifications of the fence. Mayor Townsell stated the fence is 6 ft high and it is on the west side of the berm; the fence runs about 100 ft on the northern property line all the way to the western property line; down the western property line almost to the creek which makes it approximately 650 ft. There was no further 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.

Adjournment

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PASSED this 27th day of September 2010

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett