

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
September 10, 2019

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

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett, City Clerk

Minutes: August 27, 2019

Councilwoman Smith motioned to approve the **August 27, 2019** minutes as submitted. Councilwoman Isby seconded the motion. There was no discussion. The motion passed 7-0.

Mayor Castleberry asked the Council to suspend the rules to discuss a resolution for Conway Regional, and an ordinance for CDBG funding. Councilwoman Smith moved to suspend the rules and Councilman Pruitt seconded it. The motion carried 7-0.

1. Public Hearing regarding the issuance of hospital revenue bonds for Conway Regional Medical Center.

R-19-38

Mayor Castleberry opened the public hearing. Gordon Wilbourn of Kutak Rock, LLP addressed the Council, stating that this public hearing is to discuss the approval of the issuance of hospital revenue bonds for CRMC by the Health Facilities Board which must be approved by resolution by the City Council. He added that this is a re-financing of a Series 2009 issue of the hospital. Mr. Troy Brooks, CFO of Conway Regional addressed the Council stating that this is a refinance opportunity, taking advantage of lower interest rates. He said there is 10 years left on this bond and that by refinancing there could be a savings of \$380,000 per year. Mayor Castleberry turned the matter over to the Council.

Councilwoman Smith moved to adopt the Resolution and Councilwoman Isby seconded it. The motion carried and the Resolution was passed 7-0.

2. Ordinance accepting federal funding, appropriating grant revenue and appropriating contracts for services for the Conway Community Development Block Grant Program.

O-19-93

Kiera Oluokun addressed the Council calling their attention to a memo showing the numbers that were approved in May for the projects and services that the City will provide for the 2019 fiscal year. She made note of the \$200,000 allocated for an emergency shelter, stating that she was notified after the action plan was submitted that the local non-profit will no longer be able to operate that shelter. However, the monies were kept in allocation in the event the City chooses to still purchase the property as an emergency shelter. Councilwoman Smith made a motion to waive the three readings and Councilwoman Mehl seconded it. The motion carried 7-0. Councilwoman Isby made a motion to adopt the Ordinance with the emergency clause and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Pruitt, Councilman Ledbetter, Councilwoman Isby, Councilman Jones, Councilwoman Smith and Councilwoman Mehl. The Ordinance with the emergency clause passed 7-0.

Report of Standing Committees:

A. Public Hearing

Discussion of an ordinance to discuss the closing of a utility easement of Lots 4 & 7, Block 3 in the Robbinswood Addition.

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1. Ordinance to close the utility easement of Lots 4 & 7, Block 3 in Robbinswood Addition.

O-19-94

Mayor Castleberry opened the public hearing. Brooks Pearson, owner of the property addressed the council. He stated the easement in question was platted by the utility company in 1955 and has never been used. The utilities were put in another location in the subdivision. He is selling the property and the buyers need to close the easement in order to build on the property. He added that there had been no objection from any of the relevant utilities. Richard Garrett, purchaser of the property also addressed the Council and explained that he is trying to purchase the two small ¼ acre lots, with the utility easement lying between them. He asked the Council to approve the closing of the easement to allow him to build a house on the property. Councilwoman Smith moved to waive the three readings and Councilman Ledbetter seconded it. The motion carried 7-0. Councilwoman Smith made a motion to adopt the ordinance and Councilman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Isby, Councilwoman Mehl, Councilman Hawkins, Councilwoman Smith, Councilman Pruitt, Councilman Jones. The Ordinance passed 7-0.

B. Community Development Committee (Airport, Community Development, Planning & Development, Permits & Inspection (Code Enforcement), Historic District, Transportation)

1. Ordinance approving the private club permit location (transfer) for Playa Azul Mexican Grill to be located at 2915 Dave Ward Drive, #1.

O-19-95

Councilman Hawkins presented Item B1 to the Council. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion passed 7-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Smith, Councilman Pruitt, Councilwoman Mehl, Councilwoman Isby, Councilman Hawkins, Councilman Jones, Councilman Ledbetter. The Ordinance passed 7-0.

2. Resolutions requesting Faulkner County Tax Collector place a lien against property located a various properties for expenses incurred by the City.

- 1. R-19-39 602 5th Street in the amount of \$173.31**
- 2. R-19-40 11 Azalea Loop in the amount of \$363.73**
- 3. R-19-41 2016 Cross Street in the amount of \$465.35**

Councilman Hawkins presented the items to the Council. There was no one present to represent the properties. Councilwoman Smith moved adopt the Resolutions and Councilwoman Isby seconded it. The motion to adopt the Resolutions passed 7-0.

3. Resolution accepting the bid for taxi lane t-hangar construction and approving the application for the FAA and ADA for grants for the Conway Airport.

R-19-42

Councilman Hawkins present Item B4 to the Council. Jamie Brice, Procurement Manager addressed the Council stating that the City received one bid from Weaver-Bailey Contractors in the amount of \$1,557,051.72 which was close to the engineer's estimate for the job. She added that approval of the Resolution would also allow the City to apply for the FAA and ADA grants. Councilwoman Smith made a motion to adopt the Resolution and Councilman Ledbetter seconded it. The motion to adopt passed 7-0.

4. Ordinance accepting and appropriating funds received from the Arkansas Historic District Preservation Program for the Conway Historic District Commission.

O-19-96

Councilman Hawkins presented Item B4 to the Council. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. James Walden, Director

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of Planning and Development addressed the Council stating that this Ordinance is accepting reimbursement grant funds. The funds were used to purchase jump drives and print copies of Historic District Guidelines for a realtor training session. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Pruitt, Councilman Ledbetter, Councilwoman Mehl, Councilwoman Smith, Councilman Jones, Councilman Hawkins, Councilwoman Isby. The Ordinance passed 7-0.

5. Consideration to dispose and remove items from inventory for the Transportation Department.

Councilman Hawkins presented Item B5 to the Council. Councilwoman Smith moved to dispose of the items and Councilwoman Isby seconded it. Mayor Castleberry asked Finley Vinson, Transportation Director if any of the vehicles were in a condition that could be donated to non-profits. Mr. Vinson replied that it was possible that several of the vehicles might be in running condition. There was discussion among the Council regarding the donation of vehicles and several expressed their approval of this process. The consideration to approve of the disposal of the vehicles passed 7-0.

6. Resolution to approve the Transportation Department utilize federal aid monies for the traffic signal upgrade at the intersection of Highway 64 and Hogan Lane.

R-19-43

Councilman Hawkins presented Item B6 to the Council. Councilwoman Smith moved to approve the Resolution and Councilwoman Isby seconded it. The motion to adopt the Resolution passed 7-0.

Mayor Castleberry asked the Council to suspend the rules in order to hear items from City Attorney Chuck Clawson.

R-19-44

The City Attorney presented a Resolution providing authority to seek condemnation by eminent domain for a right of way at 2115 Tyler Street for the purpose of constructing sidewalks for the Tyler Street Improvement project. Councilwoman Smith moved to adopt this Resolution and Councilman Ledbetter seconded it. The motion to adopt passed 7-0.

R-19-45

The City Attorney presented a Resolution providing authority to seek condemnation by eminent domain for a right of way at 61 Meadowbrook for the purpose of constructing sidewalks for the Tyler Street Improvement project. Councilwoman Smith moved to adopt this Resolution and Councilman Ledbetter seconded it. The motion to adopt passed 7-0.

7. Resolution to approve the Transportation Department utilize federal aid monies for the Traffic signal upgrade at the intersection of Highway 65B & Robins Street.

R-19-46

Councilman Hawkins presented Item B7 to the Council. Finley Vinson addressed the Council stating that this traffic signal is the last in town on wooden poles. Councilwoman Smith moved to adopt the Resolution and Councilwoman Isby seconded it. The Resolution was passed 7-0.

8. Ordinance to waive the competitive bid process and demolition of two buildings on Van Ronkle Street for the Conway Transportation Department.

O-19-97

Councilman Hawkins presented Item B8 to the Council. Finley Vinson told the Council that this job was bid out along with the earlier box culvert project on Van Ronkle, but no bids were received. He said the contractors were very busy and it was difficult to find someone to do the job. He added that Graylee Construction is able to tear the buildings down now and that the price was fair. The job was quoted at \$60,750 to demolish 1010 and 1012 Van Ronkle. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. Councilwoman Smith made a motion to adopt the Ordinance with the emergency clause and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Pruitt, Councilwoman Isby, Councilman Jones, Councilman Ledbetter, Councilwoman Mehl, Councilwoman Smith and Councilman Hawkins. The Ordinance with the emergency clause passed 7-0.

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9. Consideration to approve entering into an agreement for on-call engineering and support services for public project for the Transportation Department.

Councilman Hawkins presented Item B9 to the Council. Finley Vinson asked the Council to approve the on-call contracts with the designated firms for as-needed services. Mayor Castleberry added that the types of services these firms will be used for, are services which require the types of engineering that the City cannot do in-house, such as geo-technical or structural engineering, and would be on an as-needed basis. Councilman Hawkins asked why we would not bid out these types of contracts and Mr. Vinson replied that there would still be contract proposals, such as when a grant is paying for the engineering, but in cases where the grant does not pay for the engineering, the City would be responsible for getting that job done. He added that the City did an RFQ for services already, and one firm was selected for each expertise. Councilwoman Smith made a motion to enter into this agreement and Councilwoman Isby seconded it. The approval passed 6-1 with Councilman Hawkins voting "no".

C. Public Safety Committee (Police, Fire, District Court, Animal Welfare Unit, CEOC-Communication Emergency Operations Center, Department of Information Systems & Technology, & Office of the City Attorney)

1. Ordinance appropriating funding and approving the purchase of vehicles for the Conway Police Department.

O-19-98

Mayor Castleberry presented Item C1 to the Council. Police Chief Jody Spradlin addressed the Council stating that the department was notified by Bale Chevrolet that there would be no Chevy Tahoes on the 2020 state contract. So they have given the City the option of pre-ordering the 2020 year model at the current 2019 state contract price. He asked the Council to approve the appropriation of \$245,610.48 out of next year's police vehicle funds from the pay-as-you-go sales tax to order and pre-pay for next year's vehicles. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilman Ledbetter, Councilman Jones, Councilman Pruitt, Councilman Hawkins, Councilwoman Smith and Councilwoman Mehl. The Ordinance passed 7-0.

New Business

1. Resolution authorizing the City of Conway to enter into a professional service agreement for fleet maintenance services.

R-19-47

Jamie Brice told the Council that RFQs were sent out for fleet maintenance services and two bids were received and she asked the Council to approve those quotes. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. The Resolution passed 7-0.

Adjournment-----

PASSED this 10th day of September, 2019

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett