
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
November 10, 2015

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, Alderman Pruitt, Alderman, Alderwoman Mehl, Ledbetter, Alderwoman Smith, Alderman Jones, and Alderwoman Whitmore. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Chuck Clawson.

Call to Order: Mayor Tab Townsell

Roll Call: Michael O. Garrett, City Clerk/Treasurer

Minutes: October 27, 2015 City Council Meeting

Alderwoman Whitmore motioned to adopt the minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

1. Report of Standing Committees:

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

1. Resolution setting a public hearing to discuss the closing of an easement located in Lots 1 & Lots 2 of Lewis Crossing Phase I Subdivision.

R-15-59

Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. The motion passed 8-0. There was no discussion. The motion passed 8-0. The public hearing will be held Tuesday November 24, 2015 at 6:30 pm.

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

R-15-60

Alderman Hawkins stated the property address is 66 Briarwood Circle; the cost of cleanup was \$190.51 (\$145.92 + Penalty \$14.59 + 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 8-0.

R-15-61

Alderman Hawkins stated the property address is 1335 Josita; the cost of cleanup was \$269.35 (\$217.59 + Penalty \$21.76 + 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 8-0.

R-15-62

Alderman Hawkins stated the property address is 209 Club Lane; the cost of cleanup was \$511.75 (\$437.96 + Penalty \$43.79 + 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. Alderman Hawkins asked what happened to the items that were removed from this property. Kim Beard, Code Enforcement, stated the boat and motorcycle were left, but other items were removed. Alderman Grimes asked if the house was occupied. Ms. Beard stated yes and explained the occupants would make progress and we would re-check the property and give them more time because it was so extensive, but we finally ran out of time with them. Alderman Grimes stated these are some of the worst pictures he has seen and the neighbors had to put up with this for over 6 months (April - October). Ms. Beard stated we did go back several times and they would have made substantial progress, but then they would bring more items in which made it a long drawn out ordeal, but the property is cleaned up and looks very nice. Alderman Grimes asked if we have enhanced penalties for repeat offenders. Ms. Beard stated re-peat cleanups. City Attorney Chuck Clawson stated we have discussed this with Code Enforcement and they are very good to work with citizens because many of them have issues beyond a trashy yard, and explained a citation can be issued and prosecuted in District Court where the Judge can order the cleanup of the property within a certain timeframe; if this does not happen they can be held in contempt and could face other penalties. Alderman Grimes stated its one thing to see a vacant house with on overgrown yard, but this shows a lack of concern and we need to make sure we stay on top of things like this, and stated he knows our Code Enforcement office does. Mayor Townsell stated when you have repeat offenders to this degree a citation should be issued. There was no further discussion. The motion passed 8-0.

3. Consideration to approve the change order #3 for the Airport paving AIP 2012 contract for Cantrell Field.

Josh Zylks, Airport Manager, explained after reviewing the paperwork on the 2012 FAA Grant it was determined that the quantity of concrete we laid was 8.9 square yards less than the design quantity; this change order will reduce the overall cost of the contract by \$293.17. Alderwoman Whitmore motioned to authorize the change order. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

4. Ordinance accepting the annexation of certain lands comprised of 5.0 acres located at 1720 Sturgis Road.

O-15-127

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. Alderman Ledbetter seconded the motion. Bryan Patrick, Planning & Development Director, stated the title of the ordinance states 10.03 acres but should read 5.0 acres. Mayor Townsell stated the title of the ordinance will need to read 5.0 acres. Alderwoman Smith and Alderman Ledbetter concurred. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman

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Grimes, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, and Alderwoman Whitmore. The motion passed 8-0.

5. Consideration to approve right of way acquisition for Tract 3 (Ruby Halter property) for the Central Landing Blvd. project (Vine to 6th Street)

Finley Vinson, City Engineer, stated you see before you an appraisal and a counter-offer and reminded council that \$2.00 per sq. ft. was the original offer, and \$3.00 per sq. ft. is their counter offer and Mr. Vinson explained we have paid \$3.00 per square foot in this area. Mr. Tyler, representing the Halter family, stated as you can see from the correspondence this has been a 6 month process and explained before progress brought Conway Interstate 40 and the old Cantrell Field Airport, the Halter Farm sat in this area, which encompassed 120 acres, and all that is left of it is this 4 plus acre tract of land. Mr. Tyler stated the Halter family has been generous as they donated land to the City for 5th Ave. Park and Knights of Columbus, and the family would like to get this behind them and urged council to approve their counteroffer. Alderwoman Smith motioned to approve the counteroffer for right of way acquisition. Alderwoman Whitmore seconded the motion. Alderwoman Smith asked how many more parcels of land are left to approve. Mr. Vinson stated the funeral home, Knights of Columbus, and the northwest corner of 6th Street and First Ave. Alderwoman Smith asked are those ready to be wrapped up. Mayor Townsell stated we are working through these. There was no further discussion. The motion passed 8-0. The counteroffer approved is as follows:

• Land Acquisition 18,952 Sq. Ft. @ \$3.00 per S.F.	\$56,856.00
• Temporary construction easement (3,655 S.F)	\$ 2,193.00
• 8' Privacy Fence along length of property	\$ 4,975.00
• Landscaping & Trees (replace loss of large trees)	<u>\$19,085.53</u>
Total	\$83,109.53

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

1. Ordinance approving donation of computer hardware & equipment to different cities from District Court.

O-15-128

Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. Judge Susan Weaver explained the computers in question are old and cannot be updated and recommends donating these computers to smaller courts as they can make use of them. Alderwoman Whitmore motioned to adopt the ordinance. Alderwoman Smith seconded the motion. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, and Alderwoman Whitmore. The motion passed 8-0.

2. Ordinance appropriating reimbursement funds from various entities for the Conway Police Department.

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O-15-129

Jody Spradlin, Chief of Police, explained these are reimbursement funds that you see each month. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones 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, Alderman Grimes, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, and Alderwoman Whitmore. The motion passed 8-0. The reimbursements are as follows:

- | | | |
|-----------------------|-------------|---------------------|
| • Extra Duty Services | \$11,170.17 | Various companies |
| • Insurance Proceeds | \$ 429.45 | Insurance Companies |

3. Ordinance appropriating funds for Operation Shop Secure for the Conway Police Department.

O-15-130

Jody Spradlin, Chief of Police, explained this is something we have done for the past several years in order to provide a safer environment to shoppers during the Christmas season, and stated we are requesting \$50,000.00 to pay for this service. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. Alderwoman Whitmore motioned to adopt the ordinance. Alderman Jones seconded the motion. Chief Spradlin stated we emphasize to our officers to engage in foot patrol and to acquaint themselves with the store managers to determine their issues and concerns. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, and Alderwoman Whitmore. The motion passed 8-0.

C. Personnel

1. Consideration to approve the renewal of the Arkansas Municipal League Health Benefit Fund for medical benefits for the FY2016.

Mayor Townsell asked council to approve this with an asterisk in that we will approve retaining the Arkansas Municipal League (AML) for our health benefit plan with us to determine the appropriate tiers inside the Employee/Family level at our next council meeting. Alderman Jones motioned to approve the renewal of our health benefits with AML with 2 tiers to be adjusted. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

D. New Business

Mayor Townsell explained this is the standard annual passage of our resolutions levying the various existing property taxes; these are not new property taxes and some of these were set by public vote dating back to the 1960's; we are not raising property taxes but re-establishing them, as we are required to do each year.

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1. Resolution of a voluntary levy of two-tenth's (.2) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for an Animal Shelter for the City of Conway.

R-15-63

Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

2. Resolution of a voluntary levy of four-tenth's (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a recreation assessment raising special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining the public recreation and playgrounds of the City of Conway.

R-15-64

Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

3. Resolution of a voluntary levy of four-tenth's (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the exclusive purpose of operating and maintaining the cemeteries for the City of Conway.

R-15-65

Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

4. Resolution of a levy of four-tenth's (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a Policeman's Pension and Relief Fund.

R-15-66

Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

5. Resolution of a levy of four-tenth's (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a Fireman's Pension and Relief Fund.

R-15-67

Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

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6. Resolution of a levy of four-tenth's (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for paid Non-uniformed employees.

R-15-68

Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

7. Resolution of a levy of three (3.0) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising General Fund Revenues.

R-15-69

Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

Adjournment

PASSED this 10th day of November 2015

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett