

---

---

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

Conway, Arkansas  
Tuesday 6:30 p.m.  
December 12, 2006

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 Jones, Alderwoman Smith, Alderman Weeks, Alderman Grimes, Alderwoman Whitmore and Alderman Bell. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy and City Clerk Michael Garrett. Alderman Brewer was not in attendance.

1. *Call to Order*
2. *Roll Call*
3. *Minutes: November 28<sup>th</sup>, 2006*

Alderwoman Whitmore motioned to approve the Nov. 28, 2006 minutes. Alderman Bell seconded the motion. The motion passed 6-0-1. Alderman Weeks abstained.

4. *Recognition of Guests:*
5. *Public Hearings:*

A. *Public Hearing to discuss changing the street name of Quarti Garden Drive located in the Reserve at Centennial Valley Subdivision.*

1. **Ordinance to change the street name of Quarti Garden Drive to Lost Canyon Drive.**

**O-06-163**

Mayor Townsell opened the public hearing. Bobby French, Central Arkansas Professional Surveying, stated the current name is somewhat confusing and they would like to change it. Mayor Townsell closed the public hearing. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Hawkins seconded the motion. The motion passed 7-0. Alderman Grimes 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, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0.

**6. Report of Standing Committees:**

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

**1. Consideration of a sidewalk variance for property located at 4965 College Avenue.**

Kenny Wiedower, 4965 Frisco, was present and requested a sidewalk variance since others in his subdivision have not yet had to build sidewalks. Mayor Townsell stated that everyone in the subdivision should be required to build sidewalks or the city should waive Mr. Wiedower from having to build one at this time. Alderman Grimes stated if this is the fifth and final lot then the council should go ahead and make the residents of the subdivision build sidewalks. Mayor Townsell stated this issue came to light because the developer did not inform the builder that sidewalks were required on the final plat of the subdivision; and the families in the first three lots are not aware of this issue and will need to be notified. Alderman Grimes motioned to require sidewalks to be built at this time on all five lots. Alderman Weeks seconded the motion. Mayor Townsell stated that this will be an expense to the homeowners and suggested offering some type of financing to the homeowners since this will be public improvement on public property. Mayor Townsell suggested this item be held in committee until the legality of the financing can be confirmed by City Attorney Michael Murphy. Alderman Grimes motioned to hold this item in committee. Alderman Hawkins seconded the motion. There was no further discussion. The motion passed 7-0.

**2. Consideration of a parking lot variance for property located at 1355 Dave Ward Dr.**

Danny Cook, Cook Development, was present and stated he is requesting the variance to allow 24 parking spaces due to recently being informed that his lot was smaller than originally thought. Mr. Cook stated he would not allow any restaurants or high impact retail stores to be tenants in the office building which will cut down on the number of cars in the parking area. Alderman Weeks motioned to approve the variance with the condition that there will be no restaurants or high impact retail stores allowed and there be a cross access agreement. Alderman Bell seconded the motion. There was no further discussion. The motion passed 7-0.

**3. Consideration of the annual bids for 2007 for the following items: asphalt, gravel, concrete blocks, concrete pipe, concrete work, gasoline & diesel and ready mix concrete.**

---

---

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

---

Alderman Grimes motioned to accept the recommendations. Alderwoman Smith seconded the motion. Ronnie Hall, City Engineer, recommended approving the low bids. There was no discussion. The motion passed 7-0. The low bids are listed below.

**Summary of annual bids for Street Dept. type work for year 2007**

<b><u>MATERIALS OR SERVICE</u></b>	<b><u>CONTRACTOR</u></b>	<b><u>PRICE</u></b>
Asphalt Pre-Mix	Rogers Group	\$60.00/Ton
Asphalt Hot Mix FOB Plant	Rogers Group	\$49.00/Ton
Asphalt Hot Mix (Type 2) In Place	Rogers Group	\$59.75/Ton
Asphalt Hot Mix (Type 3) In Place	Rogers Group	\$59.75/Ton
Crushed Stone FOB Toad Suck	Rogers Group	\$6.26/Ton
Crushed Stone Delivered	Rogers Group	\$9.72/Ton
Ballast Stone Delivered	Rogers Group	\$10.26/Ton
Stone Backfill delivered	Rogers Group	\$10.58/Ton
Riprap delivered	Rogers Group	\$10.80/Ton
Concrete Class A	Mallard	\$78.48/CY
Concrete Class S	Mallard	\$80.65/CY
Added Cost for 1% Calcium added	Mallard	\$4.00/CY
<u>Reinforced Concrete Pipe:</u>		
12"	Scurlock	\$8.75/Ft.
15"	Scurlock	\$12.00/Ft.
18"	Scurlock	\$15.00/Ft.
24"	Scurlock	\$21.75/Ft.
30"	Scurlock	\$31.50/Ft.
36"	Scurlock	\$43.25/Ft.
42"	Scurlock	\$58.00/Ft.
48"	Scurlock	\$68.00/Ft.
<u>Concrete Blocks:</u>		
	Conway Block Company	
Standard Weight Concrete Blocks		\$1.41/Ea.
Interlocking Retaining Wall Blocks		\$4.69/Ea.
<u>Concrete Work:</u>		
4" Curb & Gutter	Lasker Brothers	\$3.25
6" Curb & Gutter	Lasker Brothers	\$4.25
Sidewalk	Lasker Brothers	\$0.85/SF
Concrete Pavement Repair		No Bid
Removal of Unsuitable Subgrade		No Bid
Place and Shape Stone Backfill		No Bid
<u>Gasoline &amp; Diesel:</u>		
Reg. Unleaded Gasoline	M.M. Satterfield	\$2.0485/Gal.
Diesel	M.M. Satterfield	\$2.0636/Gal.

***B. Public Service Committee (Sanitation, Parks & Recreation, & Physical Plant)***

- 1. Consideration of annual bids for 2007 for the following items: universal refuse roll carts (green monster), universal mobile recycling carts (blue carts) and 6 yard front load containers.**

Mayor Townsell stated the recommendation for the Universal Refuse Roll Carts is from Amerikart for \$19,901.70. Alderwoman Smith motioned to accept the bid from Amerikart. Alderman Bell seconded the motion. There was no discussion. The motion passed 7-0.

Mayor Townsell stated the recommendation for the Universal Mobile Recycling Containers is from Amerikart for \$21,450.00. Alderwoman Smith motioned to accept the bid from Amerikart. Alderman Grimes seconded the motion. There was no discussion. The motion passed 7-0.

Mayor Townsell stated the recommendation for the 6yd Front Load Containers is the low bid from WasteQuip for \$161,176.25. Alderman Hawkins motioned to accept the low bid. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

***C. Public Safety Committee (Police, CEOC, Fire, Dist. Court & City Att., & Animal Control)***

- 1. Consideration of annual bid for 2007 police uniform bid.**

Mayor Townsell stated the recommendation is not to go with the low bid but with Conway Police Supply for \$1,139.54. Conway Police Supply is willing to keep all patches in stock at their expense and the price of shirts and pants includes all alterations and patch work. Alderwoman Smith motioned to accept the bid from Conway Police Supply. Alderman Grimes seconded the motion. There was no discussion. There was no discussion. The motion passed 7-0.

***D. Finance***

- 1. Ordinance to appropriate funds for the horticulture program for the City of Conway.**

**O-06-164**

Mayor Townsell stated that funds are being put into the 2007 budget to allow the city to pay our portion of this position. This \$6,250 will fund this program for the remainder of 2006. Alderman Bell motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderman

Hawkins motioned to adopt the ordinance. Alderman Grimes seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0. Alderman Hawkins motioned to adopt the emergency clause. Alderman Grimes seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0.

**2. Ordinance appropriating funding for civil service expenses.**

**O-06-165**

Mayor Townsell stated this \$6,500.00 should be the last of the legal expenses in regards to the grievance appeal hearing. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderman Hawkins 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, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0.

**3. Consideration to enter into a consulting agreement with Robin Scott for chief financial officer.**

Mayor Townsell stated this is an hourly amount not to exceed \$55,000.00 per year and recommended entering into this agreement for the fourth year. Alderman Bell motioned to enter into the agreement. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0.

**4. Ordinance for funds appropriation and approval of transfer of funds for various departmental requests.**

**O-06-166**

Robin Scott, Chief Financial Officer, was present to answer questions. District Court shall receive \$15,193.00 for court automation expenses previously collected as fines for computer repair costs, the Parks and Recreation Dept. shall receive \$24,040.00 of Parks & Rec. Ad Valorem revenue for parks related expenses, and a transfer of \$140,150.00 coming from various departmental salaries and operating accounts to

---

---

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

cover capital needs submitted as fiscal year 2007 budgetary requests. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0. The following is a list of the various transfers:

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

**R-06-47**

Robin Scott, Chief Financial Officer, was present to answer questions. Alderman Weeks motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

**6. Consideration of an engagement letter from Jeffrey Phillip Mosley & Scott for 2006 audit for the City of Conway.**

Robin Scott, Chief Financial Officer, was present to answer questions. Alderman Bell motioned to approve the engagement letter. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

**7. Consideration of an engagement letter from Thomas & Thomas for arbitrage calculations on the 2006 bond issue.**

Robin Scott, Chief Financial Officer, was present to answer questions. Alderman Bell motioned to enter into this agreement. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

**8. Ordinance for 2007 budget for the City of Conway.**

Mayor Townsell gave a brief synopsis of the proposed 2007 budget. Alderwoman Smith motioned to hold this item in committee until Dec. 28, 2006. Alderman Bell seconded the motion. There was no discussion. The motion passed 7-0.

7. *Old Business*

8. *New Business*

A. *Discussion of roundabout for Conway High West at Prince Street & Western Avenue.*

---

---

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

Ronnie Hall, City Engineer, stated there is a need for Conway High School students to be able to travel east when coming out of the campus without having to turn left onto Prince St. by the CHS Administration office. Students/faculty wanting to go east would have to exit the campus via Western. The roundabout would be offset to the west of the intersection of Prince St. and Western Ave.

Alderman Bell motioned to suspend the rules to allow for the addition of three items to the agenda. Alderwoman Smith seconded the motion. The motion passed 7-0.

**Ordinance changing the way multi-family dwellings are charged for solid waste services.**

**O-06-167**

Mayor Townsell stated apartment complexes are currently charged two different ways, one being each resident is charged the same as a single-family dwelling, while other apartment complexes are charged per dumpster, per pick, per day the solid waste is collected. Mayor Townsell went onto say that multi-family dwellings such as apartment complexes and mobile homes should be charged per pick, per size of the dumpster and for number of days collected. This will be effective Aug. 1, 2007. Alderman Bell motioned to waive the readings of the ordinance. Alderman Hawkins seconded the motion. The motion passed 7-0. Alderman Hawkins motioned to adopt the ordinance. Alderman Bell seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0.

**Ordinance to increase the number of children that may be cared for at an in-home child care.**

**O-06-168**

Mayor Townsell suggested that "in home child care facilities" be removed from the zoning ordinance and should be allowed by right where ever single-family homes are allowed and will not be regulated by the city as long as it is not a business. It will be considered a business if the number of children is over five and would require a conditional use permit and large child care facilities will not be allowed in R-1. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderman Jones motioned to adopt the ordinance and the emergency clause. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0.

**O-06-169**

**Ordinance to allow larger homes on the same size R-1 lots.**

Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. Alderman Hawkins motioned to adopt the ordinance and the emergency clause. Alderman Weeks seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0.

**Adjournment**

There was no further discussion and the meeting was adjourned.

**PASSED this 12<sup>th</sup> day of December 2006**

APPROVED:

\_\_\_\_\_  
Mayor Tab Townsell

\_\_\_\_\_  
City Clerk Michael O. Garrett