
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
August 8, 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 Brewer, Alderman Grimes, Weeks and Alderman Bell. Alderwoman Whitmore was not in attendance. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy and City Clerk Michael Garrett.

1. *Invocation, Pledge, Call to Order*

2. *Roll Call*

3. *Minutes: July 25th, 2006*

Alderman Weeks motioned to approve the July 25th minutes. Alderwoman Smith seconded the motion. The motion passed 7-0.

4. *Recognition of Guests:* None

5. *Public Hearings:* None

6. *Report of Standing Committees:*

A. *Economic Development Committee (Airport, Conway Corporation, CDC)*

1. Resolution of support for the Mid-Arkansas Water Alliance Request.

R-06-26

Richie Arnold, Conway Corporation, was present to answer questions and stated this resolution would secure water from Lake Quachita and Greers Ferry for Conway's future needs. There was no discussion. Alderman Grimes motioned to adopt the resolution. The motion passed 7-0.

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

1. Ordinance to change the name of the "new section" of Siebenmorgen Road that lies north of the newly built Ray & Phyllis Simon Intermediate School to Lucy Lane or alternative choice.

O-06-99

Mayor Townsell stated that the other two alternate names are "Bill Lucy Dr." and "Pauline Dr.". Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 7-0. Alderman Hawkins motioned to name the street "Bill Lucy Dr.". Alderman Jones seconded the motion.

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The effective date of the name change is Sept. 1, 2006. There was no discussion. The motion passed 7-0.

2. Resolution ordering the removal of a dilapidated structure on property located at 501 1st Avenue.

R-06-27

Larry Lute, City Code Enforcement Officer, was present to answer questions. Dave Hoelzeman stated he plans on tearing the structure down. Alderman Grimes asked how long it will take to remove the structure. Mr. Hoelzeman two weeks. Alderman Grimes asked if Sept. 1st would be agreeable. Alderman Brewer stated he feels the resolution should be passed and that would give Mr. Hoelzeman 30 days. Alderman Brewer motioned to adopt the resolution. Alderman Hawkins seconded the motion. There was no discussion. The motioned passed 7-0.

3. Resolution accepting Jenna Drive as a public city street within the City of Conway.

R-06-28

Fran Lemon, Conway Classic Realty, was present to answer questions. Alderman Brewer asked Ronnie Hall, City Engineer, if the street meets the city's standards. Mr. Hall stated it is approximately 20 ft. wide, is failing in a few areas and has open ditches, but is unsure if the pavement meets current standards. Alderman Brewer asked Mr. Hall if he feels the street is appropriate for the city to take over the maintenance on. Mr. Hall stated it will need some immediate maintenance and would prefer that it be upgraded before it is accepted as a city street. Alderman Hawkins stated that the upgrades should fall on the individuals who will make money off this rather than it falling on the city. Alderman Brewer and Alderman Grimes were in agreement with Alderman Hawkins. Mr. Hall asked if standards would require curb and gutter or open ditch. The Mayor stated just a good base and surface. Alderman Grimes stated it should be the proper width as well. The council was in agreement to have the road brought up to standards before accepting it as a city street. There was no action taken.

4. Consideration of a parking lot request by George Harris for property located at 1008 Oak Street.

Tim Dowdy, Andrew Hicks Architects, stated that the property exit is only 25 feet wide and this hinders them from complying with the cities ordinance to be 20 feet away from the property line. Alderman Brewer motioned to grant the parking lot variance. Alderman Hawkins seconded the motion. Alderman Brewer amended his motion to include a six foot privacy fence from the finished surface of the drive way across that property line. Alderman Grimes seconded the motion. There was no further discussion. The motion passed 7-0.

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5. Consideration of a parking lot variance by Schlumberger for property located at 1601 Mayor Lane just north of Lake Conway.

Don Potter, Tyler Surveying, stated that no matter how flat you make the radius or wide you make the egress the trucks will be striking the curb and the owner is requesting the variance for the main drive going into the property. Mr. Potter also stated the owner feels it would be best to let the impurities that wash off of vehicles during rain, to flow out into the grassed area verses funneling it into a storm drain immediately. Alderman Brewer asked if the site has a storm water run off plan. Mr. Potter stated yes. Alderman Brewer asked how the run off plan treats the heavy metals and if there have been studies done on how much run off there will be and how it will be contained. Alderman Brewer went on to say that it may be a value to the owner to have curb and guttering. Mr. Potter stated that you have runoff like this with many things. Alderman Brewer stated that the nature of the business these trucks will be carrying chemicals that deal with natural gas drilling sites. Alderman Brewer asked Ronnie Hall, City Engineer, if the storm run off plan has any bearing on anything as far as the city is concerned. Mr. Hall stated that they would have a storm water pollution prevention plan during construction, and they will likely have one during normal operations as well. Alderman Brewer asked what roll the city will have once we start a storm water treatment plan. Mr. Hall stated that we will adopt an ordinance by 2008 to address this issue. He doesn't believe there is any plan to eliminate curb and guttering in that ordinance. Mr. Hall stated that the only responsibility of the city is the construction process of the treatment facility. Mayor Townsell stated to the south of this facility, a large detention pond has been constructed, and that a large portion of the surface drainage will drain to the pond and if that was the case for the northern most parking lot where the main entrance is. Mr. Potter stated that runoff goes out to Amity Rd. and Mayor Ln. Alderman Grimes stated he sees no reason to grant the variance because he feels they just don't want to do it. There was no motion and no action taken. Schlumberger will need to meet the requirements on the books. Don Havens addressed the council and does not see the city's rational and supports Schlumberger as they are doing good things here and are bringing jobs to Conway. Mr. Havens went on to say that there are no curb and guttering on the new or existing road in the area around this property. Mr. Havens suggested approving this and put a condition on it that if and when the city improves the streets with curb and gutter that they have to comply at that time. Mr. Potter stated that the reason for wanting this variance is not monetary and not because they just don't want to do it. Alderman Brewer motioned to approve the parking lot variance. Alderman Bell seconded the motion. There was no further discussion. The motion failed 0-7.

6. Ordinance correcting the legal description of the property annexed by Ordinance (O-06-79) on the north side of East Siebenmorgen Road approximately 250 east of the East Siebenmorgen Road/Trison Lane intersection.

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O-06-100

Alderman Hawkins motioned to waive the readings of the ordinance. Alderman Grimes seconded the motion. The motion passed 6-0. 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, Alderman Brewer, and Alderwoman Smith. The motion passed 6-0. Alderman Bell was not present at the time of the vote.

7. Ordinance correcting the legal description of the property annexed by Ordinance (O-06-80) on the north side of East Siebenmorgen Road approximately 800 feet west of the East Siebenmorgen Road/East German Lane intersection.

O-06-101

Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. 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, Alderman Brewer, and Alderwoman Smith. The motion passed 6-0. Alderman Bell was not present at the time of the vote.

8. Ordinance appropriating funds for street patching materials for the Street Dept.

O-06-102

Ronnie Hall, City Engineer, was present to answer questions. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. 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, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderman Brewer, Alderwoman Smith and Alderman Bell. The motion passed 7-0.

9. Ordinance appropriating additional funds for Favre Lane construction.

O-06-103

Alderman Bell motioned to waive the readings of the ordinance. Alderman Hawkins seconded the motion. The motion passed 7-0. Alderman Bell motioned to adopt the ordinance and the emergency clause. Alderman Hawkins seconded the motion. Ronnie Hall, City Engineer, stated there will be a 200 ft. section (running between Deerfield and Greenwood Cir) on the south side that will 24 ft. wide, have an open

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ditch and un-curbed. Mayor Townsell stated the 200 foot section will be this way because the right of way was not given to the city and the land would have to be condemned to do anything different. Alderman Grimes asked how much it will cost to condemn it. Mr. Hall stated that if you pay that citizen for their right of way should you pay the others who donated their right of way. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderman Brewer, Alderwoman Smith and Alderman Bell. The motion passed 7-0.

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

1. Ordinance appropriating prepared food tax revenue for the purchase of park lands & appraisal costs on other specific properties.

O-06-104

Alderman Bell motioned to waive the readings of the ordinance. Alderman Brewer seconded the motion. The motion passed 7-0. Alderman Brewer motioned to adopt the ordinance and the emergency clause. Alderman Hawkins 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, Alderman Brewer, Alderwoman Smith and Alderman Bell. The motion passed 7-0.

2. Consideration of mid –year adjustments for additional personnel, RFP for design services for new ball fields, and appraisal costs for park lands for the Parks & Rec Department. (*Information will be provided at later date*)

R-06-28

Alderman Bell motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

Mid Year Budget Adjustments Parks Department

1. Parks Development Manager (New) New salary range \$42,000 - \$49,000	\$18,435.20
2. Full Time Groundskeepers (2)	17,005.33
3. Part Time Groundskeepers (2,000 Hours)	18,080.00
4. Kawasaki 3010 4x4 Mule	8,610.00
5. Zero Turn Mowers (2)	20,168.00
6. Push Mowers (2)	822.00
7. Weedeaters (3)	942.00
8. Blowers (2)	434.00
9. Truck (Full size 4x4 ½ Ton Extended Cab)	<u>18,295.00</u>
	\$102,791.53

O-06-105

Mayor Townsell stated the amount of the mid year adjustment will be \$102,791.53. This will be creating three additional positions, 2 full time groundskeepers and a parks development manager. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderman Brewer asked why this can't be budgeted and begin with the 2007 budget. Mayor Townsell stated that the parks development position we see getting more active and he feels we should do this now. The groundskeepers will not be doing much mowing as there is a lot of clean up that is needed at the YBMA Fairgrounds that we want to get done before the end of the year. Alderman Brewer stated we just discussed re-developing the YBMA facilities and questioned if we should spend very much money on our part of that facility. Mayor Townsell stated that we have taken possession of all the buildings and lease it back to YBMA. They will keep up their office building, a storage building and the southern most business barns and the rest is the city's and there is maintenance we can do that won't be wasting money if we gut the baseball areas. Alderman Hawkins asked if we get started on these projects can the facilities ready for next year. Brian Knopp, Parks Director, stated we will have to build Curtis Walker Field first to get the boys baseball program a place to move to until YBMA can be renovated. Alderman Jones asked if the teams that use Curtis Walker Field now will be able to use the facilities next year. Mayor Townsell stated that if anyone is displaced we will need to find a home for them. Alderman Smith asked how much it is going to cost to update the YBMA facility. Mr. Knopp stated there have been some figures done on updating what already exists and stated that Maumelle built 6 fields for 2.7 million dollars. Alderman Grimes asked if we have decided that we are going to do Curtis Walker first and renovate YBMA. Mayor Townsell stated that decision has not been made and we can not predict what is going to happen with Curtis Walker, but if we can be certain what will happen there we will bring a presentation before the council stating what we want to do. Alderman Grimes stated he is not sure this is the first thing we should tackle. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Jones, Alderman Brewer, Alderwoman Smith and Alderman Bell. The motion passed 7-0.

3. Consideration of accepting bid (Bid No. 2006-37) from the low bidder Downing Sales in the amount of \$113,644 for a 2007 Compaction Rear Load Truck.

Cheryl Harrington, Sanitation Director, was present to answer questions. Alderman Hawkins motioned to accept the recommended bid from Downing Sales for \$113,644.00. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

4. Consideration of a request for an additional Administrative Assistant I position at the Conway Sanitation Department.

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Alderman Bell motioned to approve this authorization. Alderman Hawkins seconded the position. There was no discussion. The motion passed 7-0.

7. Old Business

A. Report from Sign Committee (*No action will be taken*)

Alderman Grimes gave a brief synopsis on what the sign committee has come up with and feels that we will have a better sign ordinance and stated that they feel the public should be allowed to give additional input on the more major topics.

R-06-29

Mayor Townsell submitted to the council a resolution authorizing requests for proposals for a general contractor construction manager for the new central police facility. Alderman Weeks motioned to suspend the rules. Alderman Bell seconded the motion. The motion passed 7-0. Alderman Brewer motioned to adopt the resolution. Alderman Bell seconded the motion. There was no discussion. The motion passed 7-0.

8. New Business

Adjournment

There was no further discussion and the meeting was adjourned.

PASSED this 8th day of August 2006

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett