
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
December 18, 2007

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; Alderwoman Smith, Alderman Vaught, Alderman Hawkins, Alderman Jones, Alderwoman Mehl, Alderman Bell, Alderwoman Whitmore, and Alderman Grimes. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy.

1. *Call to Order*
2. *Roll Call*
3. *Minutes: December 11th, 2007*

Alderwoman Smith motioned to approve the Dec. 11, 2007 minutes as submitted. Alderman Bell seconded the motion. The motion passed 8-0.

4. *Recognition of Guests: Employee Service Awards*

15 Years Service

Brenda Yarbrough – Finance
Sgt Jeff Anderson – Police Dept.
Major Joe Taylor – Police Dept.

5. *Public Hearings:*

6. *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 closing an alley located between North Ash & Davis Street.**

Alderman Bell motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0. The public hearing is set for Tuesday Jan. 8, 2008 at 6:30 pm.

2. Ordinance appropriating funds for the Planning department salary adjustments and capital improvements.

O-07-160

Mayor Townsell explained this will allow us to increase personnel, renovate the department, and adjust the pay grid to compensate employees at a more comparable market rate. Alderman Bell motioned to waive the readings of the ordinance. Alderman Hawkins seconded the motion. The motion passed 8-0. Alderman Bell 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, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 8-0.

3. Ordinance amending section 11.04.02 of the Conway Municipal code in regards to new building permits for the City of Conway.

O-07-161

Ben Wiedower, City Inspector, stated sometime after Jan. 1, 2008 the state of Arkansas will adopt the 2008 National Fire Prevention Assn. code and this will require all receptacles in a home, other than special use receptacles, to be arc fault protected. Mr. Wiedower briefly explained the changes for non-metallic sheathed cable, aluminum wire, and permitting of alternative power sources. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Bell seconded the motion. There was no discussion. The motion passed 8-0. Alderwoman Smith motioned to adopt the ordinance. Alderman Bell seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 8-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

4. Consideration of accepting annual bids for asphalt, gravel, concrete pipes, concrete blocks, concrete work, gasoline, & diesel.

Ronnie Hall, City Engineer, stated bids were opened on Dec. 6, 2007 for the 2008 annual materials and recommended the bids be awarded as follows:

<u>Materials or Service</u>	<u>Contractor</u>	<u>Price</u>
Asphalt Pre-Mix	Rogers Group	\$61.00/Ton
Asphalt Hot Mix FOB Plant	Rogers Group	\$49.00/Ton
Asphalt Hot Mix (Type 2) In Place	Rogers Group	\$62.50/Ton
Asphalt Hot Mix (Type 3) In Place	Rogers Group	\$62.50/Ton
Crushed Stone FOB Toad Suck/GBR	Rogers Group	\$ 7.56/Ton
Crushed Stone Delivered	Rogers Group	\$10.80/Ton
Ballast Stone Delivered	Rogers Group	\$11.45/Ton
Stone Backfill Delivered	Rogers Group	\$11.23/Ton
Riprap Delivered	Rogers Group	\$15.12/Ton
Concrete Class A	Mallard	\$80.11/CY
Concrete Class S	Mallard	\$82.27/CY
Added Cost for 1% Calcium added	Mallard	\$ 4.00/CY
Reinforced Concrete Pipe		
12 Inch	Hanson	\$ 8.82/FT
15 Inch	Hanson	\$12.04/FT
18 Inch	Hanson	\$15.54/FT
24 Inch	Hanson	\$24.61/FT
30 Inch	Hanson	\$35.44/FT
36 Inch	Hanson	\$48.79/FT
42 Inch	Hanson	\$60.93/FT
48 Inch	Hanson	\$77.25/FT
Concrete Blocks:		
Standard Weight Concrete Blocks	Conway Block	\$ 1.39/EA
Interlocking Retaining Wall Blocks	Conway Block	\$ 4.62/EA
Concrete Work:		
4" Curb & Gutter	Lasker Brothers	\$ 3.50/FT
6" Curb & Gutter	Lasker Brothers	\$ 4.50/FT
Sidewalk	Lasker Brothers	\$ 0.85/SF
Concrete Pavement		No Bid
Removal of Unsuitable Subgrade		No Bid
Place and Shape Stone Backfill		No Bid
Gasoline & Diesel:		
Regular Unleaded Gasoline	M.M. Satterfield	\$ 2.44/Gal.
Diesel	M.M. Satterfield	\$ 2.7755/Gal.

Alderwoman Smith motioned to accept the bids. Alderman Bell seconded the motion. There was no discussion. The motion passed 8-0.

Alderwoman Smith motioned to suspend the rules and move item B-8 "**Consideration of an amended agreement for property located on East Siebenmorgan Road**" up on the agenda. Alderman Bell seconded the motion. The motion passed 8-0.

Mayor Townsell explained that there was a lien on this property, owned by Tim Freyaldenhoven, which has taken six months to clear the deed and all the dates in the previous agreement have since passed. Mr. Freyaldenhoven is requesting six months which will allow him time to find land and move the house. Mayor Townsell stated he was concerned because we planned on bidding the new boy's softball complex out in late April 2008; looking to start construction in May 2008. Mayor Townsell feels we should honor the original time frame of six months and suggested we add a bonus of \$5,000 if Mr. Freyaldenhoven can get the house moved by May 1, 2008. Alderman Hawkins motioned to accept the amended "offer and acceptance". Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

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

1. Consideration of accepting annual bids for 6 yard front load containers, 96 gallon (green) refuse roll carts, and 64 gallon (blue) refuse roll carts.

Cheryl Harrington, Sanitation Director, recommended accepting the low bid on the 6 yard front load containers from Roll-Off's of America for 617.00 each.

Ms. Harrington recommended accepting the low bid on the 96 gallon refuse roll carts from Toter Inc., the second lowest bidder, for \$18,291.42; the low bidder did not meet bid specs.

Ms. Harrington recommended accepting the low bid on the 64 gallon refuse roll carts from Toter Inc. for \$21,600.08.

Alderman Bell motioned to accept the 3 bids recommended by Ms. Harrington. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

2. Ordinance appropriating revenue funds to the Conway Sanitation Department for a Household Hazardous Waste Collection Facility.

O-07-162

Cheryl Harrington, Sanitation Director, stated they will be building a new Household Hazardous Waste Collection facility center and these funds have been collected over the past several years from an E-Waste account; in addition to \$10,000 donated by the Faulkner County Quorum Court to help defray a portion of the cost of the facility, and help the citizens of Faulkner Co. This facility will allow residents to dispose of electronics/hazardous waste. We hope to turn around and give these items back to the public who are in need; we do not want to put these items in our landfill. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Bell seconded the motion. The motion passed 8-0. There was no further discussion. Alderman Bell motioned to adopt the ordinance. Alderwoman Smith seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 8-0.

3. Ordinance appropriating funds to purchase a vehicle for the Physical Plant Department.

O-07-163

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 Hawkins seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 8-0.

4. Ordinance appropriating funds for gasoline & diesel for the Conway Parks Department.

O-07-164

Aldерwoman Smith motioned to waive the readings of the ordinance. Alderman Bell seconded the motion. The motion passed 8-0. Alderman Bell motioned to adopt the ordinance and the emergency clause. Aldерwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Aldерwoman Smith, Alderman Bell, Alderman Jones, Aldерwoman Whitmore, and Aldерwoman Mehl. The motion passed 8-0.

5. Ordinance appropriating bond proceeds and authorizing establishment of capital projects funds for parks and trail improvements.

O-07-165

Alderman Bell motioned to waive the readings of the ordinance. Aldерwoman Smith seconded the motion. The motion passed 8-0. Aldерwoman Smith motioned to adopt the ordinance. Alderman Hawkins seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Aldерwoman Smith, Alderman Bell, Alderman Jones, Aldерwoman Whitmore, and Aldерwoman Mehl. The motion passed 8-0.

6. Ordinance appropriating prepared food tax revenue for the purchase of Pompe Park & accepting donations of land.

O-07-166

Aldерwoman Smith motioned to waive the readings of the ordinance. Aldерwoman Whitmore seconded the motion. The motion passed 8-0. Aldерwoman Smith motioned to adopt the ordinance. Aldерwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Aldерwoman Smith, Alderman Bell, Alderman Jones, Aldерwoman Whitmore, and Aldерwoman Mehl. The motion passed 8-0.

7. Ordinance appropriating prepared food tax revenue for the purchase of land on Siebenmorgan Road and Bob Courtway Drive.

O-07-167

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

8. Consideration of an amended agreement for property located on East Siebenmorgan Road.

Item moved up on the agenda.

9. Ordinance appropriating prepared food tax revenue for the purchase of property on East Siebenmorgan Road.

O-07-168

Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Alderwoman Mehl 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, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 8-0.

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

1. Ordinance appropriating funds for renovations of the Guy Murphy Building and to purchase office equipment for the City Attorney's office.

O-07-169

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 Jones seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes,

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

- 2. Ordinance appropriating funds for expenses related to District Court automation to purchase computer equipment.**

O-07-170

Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Alderman Bell 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 Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 8-0.

D. Finance

- 1. Consideration to enter into an agreement with Robin Scott for Chief Financial Officer.**

Alderwoman Smith motioned to enter into this agreement. Alderman Bell seconded the motion. There was no discussion. The motion passed 8-0.

- 2. Discussion/Consideration of an ordinance establishing the FY2008 Budget.**

O-07-71

Mayor Townsell briefly outlined the proposed 2008 budget. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. Alderman Vaught motioned to adopt the ordinance and the emergency clause. Alderman Grimes seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 8-0.

Alderman Grimes motioned to suspend the rules to consider an agreement with AMR Architects for the Downtown Special Events Pavilion. Alderman Bell seconded the motion. The motion passed 8-0. Mayor Townsell explained they will charge a typical architectural fee

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

which can be suspended at anytime if we decide not to build the pavilion. Alderman Hawkins motioned to enter into this agreement. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

7. *Old Business*

8. *New Business*

Adjournment

There was no further discussion and the meeting was adjourned.

PASSED this 18th day of December 2007

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett