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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Thursday 6:30 p.m.  
January 29, 2009

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, Alderwoman Smith, Alderman Jones, Alderman Vaught, Alderman Rhodes, and Alderman Grimes. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy. Alderwoman Whitmore and Alderwoman Mehl were not in attendance.

1. *Call to Order*
2. *Roll Call*
3. *Minutes:* January 13<sup>th</sup>, 2009

Alderwoman Smith motioned to approve the January 13, 2009 minutes as submitted. Alderman Jones seconded the motion. The motion passed 6-0.

4. *Recognition of Guests:* Employee Service Awards

5 Years

Ken McCombs - Sanitation  
Tommy McClurg - Sanitation

10 Years

Mayor Tab Townsell- Administration  
City Clerk Mike Garrett - Administration

15 Years

Ronnie Hall - City Engineer - Street Dept

5. *State of The City:* Mayor Tab Townsell read the State of the City.

6. **Public Hearings:**

- A. Public hearing to discuss annexing territory into Municipal Improvement District #10.**

Mayor Townsell opened the public hearing. Richard Collins was present to answer questions. There was no one present to speak. Mayor Townsell closed the public hearing.

- 1. Ordinance annexing territory into Municipal Improvement District #10.**

**O-09-06**

Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 6-0. Alderman Jones motioned to adopt the ordinance and the emergency clause. Alderwoman Smith seconded the motion. Alderman Hawkins asked the size of the annexation. Mr. Collins stated Cresthaven Subdivision phase III has 25 lots averaging 1 acre each. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Smith, Alderman Jones, Alderman Rhodes, and Alderman Grimes. Alderman Vaught abstained. The motion passed 5-0-1.

**7. Report of Standing Committees:**

**A. Economic Development Committee (Airport, Conway Corporation, Conway Development Corporation, Chamber of Commerce)**

- 1. Ordinance appropriating funds for street-scaping projects for Downtown Conway.**

**O-09-07**

Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 6-0. T.J. Johnston, Conway Development Corp (CDC), representing the Downtown Partnership (DP), explained the DP is looking for a re-commitment of the contract for the management of the street-scaping beautification projects for downtown Conway. Mr. Johnston went onto explain the DP recently voted to move forward with implementing the business improvement district for downtown Conway which will alleviate the burden and the cost associated with what we are doing with the City now, as well as create additional funding revenue on an annual basis for other improvements; Mr. Johnston stated funding should come sometime in 2010. Alderwoman Smith motioned to adopt the ordinance. Alderman Hawkins seconded the motion. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Smith, Alderman Jones, Alderman Vaught, Alderman Rhodes, and Alderman Grimes. The motion passed 6-0.

- 2. Consideration to enter into an agreement with the Downtown Partnership to provide management of streetscape beautification for the downtown area.**

Mayor Townsell explained the fee for the 2009 contract with the Downtown Partnership is \$40,000.00. Alderwoman Smith motioned to enter into this agreement. Alderman Vaught seconded the motion. There was no discussion. The motion passed 5-0. Alderman Hawkins was not present for the vote.

- 3. Resolution supporting Arkansas Senate Bill (SB9) that would establish an income tax credit for rehabilitation of historic structures.**

**R-09-03**

Mayor Townsell stated the resolutions will show Conway's support for Arkansas State Bills SB9 and HB1060; Bill SB9 would establish an income tax credit of 25% of the total qualified rehabilitation of historic structures, and Bill HB1060 (below) would establish an investment tax credit for the rehabilitation and development of central business improvement districts. Mayor Townsell explained these are used in other states and provides an incentive to put money back into historic areas of the community. Alderman Hawkins motioned to adopt resolutions R-09-03 and R-09-04. Alderman Grimes seconded the motion. There was no discussion. The motion passed 6-0.

- 4. Resolution supporting Arkansas House Bill (HB1060) that would establish an investment tax credit for the rehabilitation and development of a Central Business Improvement District.**

**R-09-04**

Passed with item 7A-3 above.

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

- 1. Resolution setting a public hearing to discuss renaming portions of Trey Lane.**

**R-09-05**

Mayor Townsell stated the public hearing will be held Tuesday February 10, 2009 at 6:30 pm. Alderwoman Smith motioned to adopt the resolution. Alderman Jones seconded the motion. The motion passed 6-0.

- 2. Ordinance annexing certain lands south of Prince Street which has been completely surrounded by the incorporated limits of the City.**

**O-09-08**

Jason Lyon, GIS Coordinator, stated this island was created from the Salem Baptist Church annexation and is .2 acres and explained this will close off the last island in the city. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Hawkins seconded the motion. The motion passed 6-0. Alderman Jones 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, Alderwoman Smith, Alderman

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Jones, Alderman Vaught, Alderman Rhodes, and Alderman Grimes. The motion passed 6-0.

- 3. Ordinance authorizing a reclassification of a construction inspector position to a Field Project manager in the Street Department.**

**O-09-09**

Mayor Townsell stated the reclassification is needed due to the duties and responsibilities of this position and explained that the Field Project Manager position was approved for 2008 but the employee was never compensated, so we are asking for monies for 2008 and 2009. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Vaught seconded the motion. The motion passed 6-0. Alderman Hawkins motioned to approve the \$7,435.00 for the reclassification of this position to cover 2008 and 2009 and to adopt the emergency clause. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Smith, Alderman Jones, Alderman Vaught, Alderman Rhodes, and Alderman Grimes. The motion passed 6-0.

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

- 1. Ordinance accepting and appropriating grant proceeds awarded to the Sanitation Department.**

**O-09-10**

Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 6-0. Alderwoman Smith motioned to adopt the ordinance. Alderman Jones seconded the motion. There was no discussion. The amount of the grant proceeds is \$300.00. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Smith, Alderman Jones, Alderman Vaught, Alderman Rhodes, and Alderman Grimes. The motion passed 6-0.

- 2. Ordinance authorizing one full time recycling coordinator position with the Sanitation Department.**

**O-09-11**

Cheryl Harrington, Sanitation Director, was present to answer questions. Mayor Townsell explained this position is currently handled by a part-time person and we want to make this position full-time. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 6-0. Alderwoman Smith motioned to adopt the ordinance. Alderman Vaught seconded the motion. There was no discussion. The clerk

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called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Smith, Alderman Jones, Alderman Vaught, Alderman Rhodes, and Alderman Grimes. The motion passed 6-0.

***D. Public Safety Committee (Police, CEOC, IT Technology, Fire, Dist. Court & City Atty., & Animal Control)***

- 1. Ordinance waiving bids for the purchase of additional mobile-pak licenses from Southern Software for the Conway Police Department.**

**O-09-12**

A.J. Gary, Chief of Police, was present to answer questions. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Vaught seconded the motion. The motion passed 6-0. Mayor Townsell explained purchase 18 software licenses for \$43,991.00 and would also accept Southern Software as a sole source vendor. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderman Jones seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Smith, Alderman Jones, Alderman Vaught, Alderman Rhodes, and Alderman Grimes. The motion passed 6-0.

- 2. Consideration to enter into an agreement with Conway Housing Authority for a community policing officer from the Conway Police Department.**

A.J. Gary, Chief of Police, was present to answer questions. Mayor Townsell explained the City has done this for many years and this would cover 2009; the cost for Conway Housing Authority (CHA) is \$30,000.00. Alderwoman Smith motioned to enter into this agreement. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 6-0.

**8. Old Business**

**9. New Business**

Adjournment

**PASSED this 29<sup>th</sup> day of January 2009**

**APPROVED:**

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**Mayor Tab Townsell**

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**City Clerk Michael O. Garrett**