
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
June 22, 2010

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

Call to Order

Roll Call

Minutes: June 8th, 2010

Alderwoman Whitmore motioned to approve the June 8, 2010 minutes as submitted. Alderwoman Smith seconded the motion. The motion passed 7-0.

Announcements / Proclamations / Recognition:

Employee Service Awards

5 yrs

Michelle Boren - Sanitation
Rebecca McHughes - Sanitation
Officer Matthew Lichty - Police Dept

10 yrs

Richard Atkinson - Fire Dept
Lt. Jonathan Bailey - Fire Dept
Glenn Greg - Fire Dept
Marcus Kennon - Fire Dept
Darren Linn - Fire Dept
Larry Thorn - Fire Dept

15 yrs

Officer Bart Puckett - Police Dept

1. Public Hearings

A. *Discussion of the closing of Old Donaghey Right of Way located near Creekwood/Charles Place Subdivision.*

Mayor Townsell opened the public hearing. Cindy Boyle, 2013 Millwood Dr, spoke in favor of the proposed right of way closing and asked if the property would be surveyed, if the property would be divided into 15 ft sections for property owners on each side, and lastly asked if code enforcement will enforce that the property be maintained, as they have not always done so in the past. Mayor Townsell stated state law requires us to split the property

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in half. Ronnie Hall, City Engineer, stated we would have to the property surveyed in order to reset the boundaries. City Attorney, Michael Murphy, stated establishing that would be up to the adjoining property owners, state law does not have a process for establishing this by means of a survey. Woody Shock, 2015 Millwood, explained on his property there is an old water main that runs through a portion of this property and asked if this would be abandoned and if he would be allowed to put a permanent structure there. Mayor Townsell stated we will be possibly maintaining a drainage easement in a portion of this. Mr. Hall stated that Conway Corporation has stated they will need the utility easement maintained between lots 64, 65, and 74 of Creekwood and between lots 1 & 7 of Charles Place. Mayor Townsell stated that a permanent structure would not be allowed. Ms. Boyle stated there is a swell that runs parallel to the back of her property and wondered if a drainage ditch would be installed. Mayor Townsell stated he feels the swell handles the flow at this time but it cannot be damned up. Mr. Hall concurred and stated that we are not funded for any drainage improvements there at this time. Mr. Shock asked if there would be any other paperwork we will be responsible for. Mr. Murphy stated the property owners could take a copy of the minutes to the assessor's office so they can establish this property on the county records. Greg Allison, 1911 Shell Cir, spoke in favor of the proposed right of way closing and asked where the utility easement is located. Mr. Hall stated it is the entire 25 ft width of the old right of way and he believes it is larger at the radius. Mayor Townsell closed the public hearing.

- 1. Ordinance closing the right of way located between Lots 65-74 of Creekwood Subdivision and Lots 1-7 of Charles Place Subdivision, known as the Old Donaghey Right of Way.**

O-10-54

Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. 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, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

B. Report of Standing Committees:

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

- 1. Resolution renaming the District Court building to Russell L. "Jack" Roberts District Court Building.**

R-10-25

Mayor Townsell stated that Judge Roberts presided on the bench for 27 years in this building he feels it is appropriate to rename the district court building after Judge Roberts. City Attorney Michael Murphy read the resolution aloud. Alderwoman Smith motioned to adopt the resolution. Alderwoman Mehl seconded the motion. The motion passed 7-0.

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2. Resolution setting a public hearing to discuss the renaming Story Drive.

R-10-26

Alderswoman Smith motioned to adopt the resolution. Alderswoman Whitmore seconded the motion. The public hearing will be held on Tuesday July 13, 2010 at 6:30 pm. The motion passed 7-0.

3. Resolutions requesting the Faulkner County Tax Collector to place certified liens on certain properties as a result of incurred expenses by the City.

R-10-27

Alderman Hawkins stated the property address is 602 5th Street; the cost of cleanup was \$148.04 plus 10% collection penalty. There was no one present to speak to this issue. Alderswoman Mehl motioned to adopt the resolution. Alderswoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

R-10-28

Mayor Townsell stated the property address is 335 Natchez Trail; the cost of cleanup was \$151.44 plus 10% collection penalty. There was no one present to speak to this issue. Alderswoman Smith motioned to adopt the resolution. Alderswoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

4. Ordinance accepting additional federal funding and appropriating additional grant revenue to the CDBG Program.

O-10-55

Lauralee McCool, CDBG Director, stated we have received notice that we will receive our funding; the amount received for 2010 is \$459,943.00 which included a \$10,000.00 carry over from last year. Ms. McCool stated the items listed in Section 2 were all approved by council last fall (these items are listed below). Ms. McCool stated the \$48,509.00 in Section 3 was additional money coupled with funds that can only be used on projects and was all applied toward the Pine Street project; a portion of the \$8,992.00 (fair housing) in Section 3, is being spent on a contractor to develop our analysis of impediments which is a requirement by HUD, and lastly the \$11,988.00 in Section 3 will go completely toward the analysis of impediments. Alderswoman Smith motioned to waive the readings of the ordinance. Alderswoman Whitmore seconded the motion. The motion passed 7-0. Alderman Jones 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, Alderswoman Mehl, Alderswoman Smith, Alderman Rhodes, Alderswoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

- \$15,000 25.131.899 Bethlehem House (staffing)

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- \$10,000 25.133.899 Faulkner County Council on Aging (transportation)
- \$20,000 25.134.899 FCCDD (transportation)
- \$6,000 25.137.899 Faulkner County Women’s Shelter (transportation)
- \$70,000 25.149.899 CAPCA (emergency housing rehabilitation)
- \$9,000 25.164.899 Faulkner County Boys and Girls Club (transportation)
- \$90,454 25.166.899 Pine Street Revitalization
- \$50,000 (new line) Bethlehem House building
- \$50,000 (new line) Downtown Drainage project

5. Ordinance providing for the regulation of off-street bicycle parking and loading facilities and to specify requirements for off-street parking and loading facilities.

O-10-56

Wes Craiglow, Planning Dept, explained this came about in one of our recent bicycle advisory board meetings in a brainstorming effort to better facilitate bicycle activity within our community and this was a stated goal of our group vision. Alderwoman Smith asked if these racks would be at the property owner’s expense. Mr. Craiglow stated yes, this would be a requirement by the developer. Mayor Townsell stated this would be on new development. 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, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

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

1. Resolution accepting the modification of the existing Conway Class 1 Landfill for the Conway Sanitation Department.

R-10-28A

Ronnie Hall, City Engineer, explained this resolution is required by state law; if the landfill life exceeds 30 years, with the modification and current usage rate, our landfill life if projected to be 51 years. Mr. Hall went onto say that this actually puts the landfill life back to what it was in 1990 explaining that our usage rate has declined greatly due to recycling efforts of individuals and industry. Mr. Hall stated this resolution is needed in order to get the permit modifications to increase our volume. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

2. Ordinance accepting grant proceeds and appropriating funds for ECO-Fest 2010.

O-10-57

Mayor Townsell stated the city will be the pass through entity for these donations, one from Arkansas Community Foundation for \$1,000.00 and two from Wal-Mart totaling

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\$3,500.00 for Conway EcoFest. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. Debbie Plopper was present to answer questions. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

- 3. Ordinance accepting a donation and appropriating funds for the filming of the City League Championship Baseball Game for the Parks & Recreation Department.**

O-10-58

Mayor Townsell stated the parks dept received a \$5,000.00 donation that will cover expenses to film and broadcast the city league championship baseball games. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderwoman Whitmore 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 Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

- 4. Ordinance waiving bids and appropriating funds to purchase additional furnishings for the New Conway Fairgrounds.**

O-10-59

David Henze, Fair Board, was present to answer questions. Mayor Townsell stated we have been working with the fair board to choose sufficient long lasting storable stalls, pens, and cages for the livestock area of the fairgrounds and we have also been working with Virco in regards to tables and chairs for the Expo Center. Mayor Townsell we have some degree of obligation to replace these items since we tore out the pens at the old fairgrounds facility; granted this is more than we tore out and our obligation was to replace just what was torn out, but we built an expanded fair complex and we feel it is appropriate to provide what is needed to expand the fair. Mayor Townsell explained this figure will not be more than what we have already appropriated in other ways and since we decided to take this project on out to a greater degree we have removed, from the building contract, \$85,000.00 worth of improvements from the front of the site itself. Mayor Townsell went onto say we have also decided to eliminate the asphalt paving at this time but the county has agreed to seal coat these areas for us which will save us \$200,000.00, so we in essence not raising the cost of the project. Mayor Townsell stated our finance dept provided us with a cash flow projection, did not subtract anything from the original contract price, and added in the \$300,000.00 for the additional furnishings and found we will need to borrow money from Conway Corp, short term. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Mr. Henze stated after researching several companies it was determined that WW Livestock Systems has the best quality product and the quote has a 25%-30% discount included; we were able to get this discount due to their willingness to work with the fair and livestock exposition and also two fair board

members have worked with this company for a number of years. Mr. Henze stated WW Livestock Systems has a history of not changing their designs every year so if we need to add on or replace items we have the assurance new items will fit what we purchase. Alderman Hawkins asked how many pens was at the old fair grounds, and how many are we planning to purchase. Mr. Henze stated the livestock exposition had increased to the point that we had to bring in some pens and they had to show their livestock and then take it home so more livestock could be brought in and shown but is unsure of the number of pens. Mr. Baker stated he is unsure of the exact number the number of exhibitors and stock that is shown is not increasing in number at the new facility verses the old facility. Alderman Jones asked how the size compares between the two facilities and asked if there was a need for all these at one time. Mr. Henze stated yes, there is a need for this and more, and stated we are looking to purchase 182 hog pens, 196 sheep pens, and 210 cattle ties and explained there is not an increase in the number pens being replaced. Alderman Hawkins stated he did not see how this can be. Mr. Henze stated the alleyways/walkways make up the difference. Mr. Henze explained the equipment is collapsible and the storage racks are included in the purchase price. Mr. Henze believes that the fees collected for the rental of the facility should pay for the pens in a short amount of time. Mr. Henze explained after researching various companies in regards to the fowl and rabbit coops it was found that Keipper Cooping Company was the only company that offered collapsible equipment and explained that time is of the essence as these will need to be ordered soon to get them delivered and set up in time for the fair. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderwoman Whitmore seconded the motion. Alderwoman Smith asked what the price is for the tables and chairs from Virco. Mayor Townsell stated the table and chairs will cost \$53,560.00. After some discussion the clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

5. Consideration of a request to approve spending for Lights over the Lake for the Conway Parks Department.

Mayor Townsell explained the money for this is already in the parks dept budget and if council agrees we will sign off on it however it has been brought to his attention that in the general fund monetary environment that we are in at the present time if we really need to be spending this money on this event. Mayor Townsell explained if we back out of the contract we will have to pay a 10% penalty on the fireworks portion. Alderwoman Smith stated she does not feel like we can afford to do this at this time. Alderwoman Smith motioned to not to proceed with Lights over the Lake fireworks show this year. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 6-1. Alderman Rhodes voted in opposition.

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

1. Ordinance appropriating insurance proceeds for fire engine repairs for the Conway Fire Department.

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Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. The insurance proceeds amount received was \$1,117.00. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

- 2. Ordinance appropriating insurance proceeds for vehicle repair & veterinarian services for the Conway Police Department.**

O-10-61

Mayor Townsell stated we received insurance proceeds in the amount of \$2,532.77 and \$2,725.92 (accidents) and also \$382.50 (veterinarian services K-9's). Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Whitmore 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 Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

- 3. Ordinance appropriating asset forfeiture funds to the Conway Police Department.**

O-10-62

A.J. Gary, Chief of Police, was present to answer questions. Mayor Townsell stated the funds will cover the replacement of a lap top and configuration. The lap top cost is \$2,250.00 and the configuration cost is \$850.00. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderman Hawkins seconded the motion. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

- 4. Ordinance appropriating grant funds from the State of Arkansas for child safety seats for the Conway Police Department.**

O-10-63

A.J. Gary, Chief of Police, was present to answer questions. Mayor Townsell stated the funds received is \$3,121.00. Mayor Townsell stated the ordinance will need to be amended to include the correct amount. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. 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, Alderwoman Mehl, Alderwoman Smith,

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Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

- 5. Ordinance authorizing the reclassification of positions at the Conway Police Department.**

O-10-64

A.J. Gary, Chief of Police, was present to answer questions. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Mayor Townsell stated Section 1 of the ordinance needs amended to read: *"The city shall reclassify one Major's position down to two police officers positions and elevating two police officers positions up to sergeant positions. This will decrease the number of authorized Major slots by one; from four to three and decrease the police officer position by one and upgrade the number of Sergeant Positions by two. The total number of sworn officers will remain at 112"*. Alderwoman Smith motioned to adopt the ordinance with the Mayor's amendment. Alderman Hawkins seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

- 6. Ordinance regulating the possession, sale and ingestion of certain substances and providing penalties for such regulation within the City of Conway.**

O-10-65

Police Chief A. J. Gary explained this is a continuation of the ordinance that the county just passed explaining that our police officers cannot enforce a county ordinance. Alderman Hawkins asked what this drug is. Officer Clay Smith explained that the substance is a chemical JWH018 and is synthetic marijuana and stated it is 10 times as potent as marijuana. Hal Naylor was present and spoke in opposition of K-2 ban. Larry Rathjen spoke in favor of the proposed ordinance. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 7-0. Alderman Jones motioned to adopt the ordinance and its emergency clause. Alderwoman Whitmore seconded the motion. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

D. Personnel

- 1. Ordinance amending the Employee Handbook in regards to Employment Benefits, Surviving Spouse/Dependent Eligibility to participate in the City's Health Care Plan.**

O-10-66

Lisa Mabry-Williams, HR Director, explained we currently allow retirees and/or their surviving spouses to continue to participate in our medical and dental insurance plan;

the participant pays both the cities portion, and the employee portion of the premium allows them to participant for as long as they wish to participate. Ms. Williams stated any retiree can participate regardless of age but the city had not had the scenario of having an employee, who was retirement age, die in service, whose spouse was also retirement age, but were not on our retiree benefit plan; this ordinance will give them the same benefit that our retirees have. Ms. Williams noted that the amendment to the employee handbook pages 48 and 49 changed to page 50. 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, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

E. Old Business

1. Discussion of transportation funding for the Faulkner County Senior Citizens, FCCDD, & Boys & Girls Club for remainder of FY2010.

Mayor Townsell stated at this point we cannot say that we will have any discretionary money at the end of this budget year in the general fund and recommended not to fund these at this time. Alderman Vaught asked if the county had funded the Senior Citizens. Mayor Townsell stated yes they did receive some funding from the county that will cover them for the remainder of the year. Council members all agreed that they wanted to help fund FCCDD & the Boys & Girls Club for the remainder of the year but are not sure where the money would come from. Lowell McClanahan, CFO, stated we are unable to fund these programs at this time. No motion was taken.

F. New Business

Alderwoman Smith motioned to suspend the rules to add 3 items to the agenda. Alderwoman Whitmore seconded the motion. The motion passed 7-0.

Ordinance waiving bids and appropriating funds for equipment repair on a Mack dump truck for the Street Dept.

O-10-67

Ronnie Hall, City Engineer, stated this truck is completely down and needs to be operational to complete the fairgrounds in a timely manner. Mayor Townsell explained there is one Mack dealer in the area and this is why we need to waive the bidding process. The cost of the repairs is \$13,384.84. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Mehl seconded the motion. The motion passed 6-0. Alderwoman Whitmore seconded the motion and the emergency clause. Alderwoman Mehl seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and

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Alderman Vaught. The motion passed 6-0. Alderwoman Smith momentarily exited the meeting.

Alderwoman Smith rejoined the meeting in progress.

Public Hearing to discuss changing the Hart rezoning from R-1 to I-1.

Mayor Townsell explained this rezoning includes an area which runs 650 ft east of McNutt Rd, stretching from London Rd to Donnell Ridge Rd from R-1 to I-1; the planning commission voted 7-0 on May 17, 2010 to deny this rezoning and Mr. Hart has requested an appeal to the council. Mayor Townsell opened the public hearing. Keith Williams, owner Field House Sports Training Center, believes the neighbors had the impression that Mr. Hart wished to rezone that 50 ft easement in order to construct a road that connects with Donnell Ridge Rd, when in fact he had asked Mr. Hart to rezone this in order to purchase the property behind it which is already zoned I-1. Mr. Williams stated after the planning commission meeting he met with the neighbors to explain what he wants to do with the property and explained they do understand and they are all for the rezoning. Dwight Sutherland asked if it would be possible to request that council do something to prohibit Mr. Hart from ever putting in a road in that 50 ft strip he wants rezoned. Mayor Townsell stated we cannot do that as we cannot attach conditions to a rezoning. Mr. Sutherland asked when an industrial zone abuts a residential zone if a 6 ft tall fence is to be installed. Bryan Patrick, Planning & Development Director, stated it depends on the situation but in some instances that would be required now with the new development guideline standards and would be handles at site development not on the rezoning. Mr. Sutherland quoted language from the zoning ordinance section 4.01.6 that states a fence is required. Mayor Townsell stated it may be that that slipped by us and was not enforced but it would also depend on when that language was inserted into the zoning ordinance and told Mr. Sutherland that we will check on this. Mayor Townsell closed the public hearing.

Ordinance appropriating funds for repair to apparatus for the Fire Dept.

O-10-68

Bart Castleberry, Fire Chief, explained that he has \$25,359.00 remaining in his current vehicle maintenance budget, but he has \$26,000.00 in needed repairs. Chief Castleberry stated the money we have in our current budget is to keep things up and running but stated he needs to apparatus repaired before they become a bigger problem than they already are and explained they are down to one reserve and it gets run every day. Chief Castleberry gave a brief synopsis of apparatus repairs needed and explained he hates to ask for money and he understands our financial situation, but if we only work with one reserve truck we will have to close stations because we cannot put a ladder truck in place of a pumper due to the reduction of water. Chief Castleberry stated he is requesting \$115,200.00. Lowell McClanahan, CFO, explained we spent \$55,000.00 in 2008, \$86,000.00 in 2009 for the same types of repairs. The 2010 budget started out at \$68,300.00 which was a reduction from previous years and then cut 10% in February 2010 to \$63,711.00. Mr. McClanahan stated he supports what Chief Castleberry is doing but the money will have to be borrowed from sanitation in order to fund this request. Alderman Vaught asked if sanitation has the money. Mr. McClanahan stated there is \$3 million

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unrestricted and \$2 million of it is assigned. Alderman Vaught asked about the pay as you go sales tax. Mayor Townsell stated it cannot be used for repairs. Council agreed that these repairs are necessary. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Mehl seconded the motion. The motion passed 7-0. 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, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderwoman Whitmore, Alderman Jones, and Alderman Vaught. The motion passed 7-0.

Adjournment

PASSED this 22ND day of June 2010

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett