
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
October 26, 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, Alderman Rhodes, Alderwoman Mehl, Alderwoman Whitmore, Alderman Jones, Alderman Vaught, and Alderman Grimes. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy.

Call to Order

Roll Call

Minutes: *October 6th, 2010 & October 12th, 2010*

Alderwoman Smith motioned to approve the October 6, 2010 and October 12, 2010 minutes as submitted. There was no discussion. The motion passed 6-0.

Announcements / Proclamations / Recognition: *Employee Service Awards*

1. Public Hearings:

A. Public hearing: Discussion of Hospital Revenue Improvement Bonds

Mayor Townsell opened the public hearing. There was no one present to speak to this issue. Mayor Townsell closed the public hearing.

1. Resolution approving and authorizing the Issuance hospital revenue improvement bonds for Conway Regional Hospital.

R-10-61

Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. Jack Trumper, Stephens Incorporated, stated these bonds will generated generates construction funds for various projects; the bond issuance is will not exceed \$20 million. Mr. Trumper stated we are looking at a 30 year financing and we hope to issue bonds toward the end of November. There was no discussion. The motion passed 7-0. Alderman Hawkins joined the meeting prior to the vote.

2. Report of Standing Committees:

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

1. Resolution authorizing the execution, sale, and delivery of wastewater revenue improvement bonds, Series 2010 for Conway Corporation.

R-10-62

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Gordon Wilbourn, Kutak Rock, was present to answer questions. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0. Alderman Rhodes joined the meeting prior to the vote.

2. **Ordinance regulating the use of public and private sewers and drains, private wastewater disposal and the installation and connection of buildings in the City of Conway.**

O-10-117

Richie Arnold, Conway Corporation, stated this is an update to the original ordinance from 1989. Alderwoman Whitmore 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. Mayor Townsell stated the emergency clause in the title can be removed. 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 Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

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

1. **Resolutions requesting the Faulkner County Tax Collector to place certified liens on properties within the City of Conway as a result of incurred expenses by the City.**

R-10-63

Mayor Townsell stated the property address is 2 Cedar Oaks; the cost of cleanup was \$191.48 plus 10% collection penalty. There was no one present to speak to this issue. Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

R-10-64

Mayor Townsell stated the property address is 1819 & 1821 Robins St; the cost of cleanup was \$291.78 plus 10% collection penalty. There was no one present to speak to this issue. Alderwoman Whitmore motioned to adopt the resolution. Alderman Smith seconded the motion. There was no discussion. The motion passed 8-0.

2. **Discussion/Update of Resolution ordering the demolition of a structure located at 1910 Hillman and declaring the intent of the City to bring the property up to code.**

R-10-65

Grant Tomlin, Code Enforcement Officer, stated during the council meeting of May 11, 2010 we had a resolution to condemn/demolish said property; the motion was tabled after the property owner's attorneys explained that the property owners were in negotiations with the insurance company over the claim. Mr. Tomlin stated since that

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date there has been no progress on this property and we ask council to pass this resolution of intent to demolish the structure. Alderwoman Whitmore motioned to adopt the resolution. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 8-0.

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

1. Resolution approving various purchases through the Pay as you Sales Tax Bond for the Conway Fire Department.

R-10-66

Bart Castleberry, Fire Chief, was present to answer questions. Mayor Townsell explained that when we re-dedicated the 2006 one-half cent sales tax we took one-quarter cent of that to pay off the 1997 debt, and build the new police station. The other one-quarter cent was set aside to provide back up for coverage of the prior; we determined we would dedicate the first 2 years to the fire dept. for capital purchases, and the remaining years to the street department. Mayor Townsell stated the fire dept used the first year tax proceeds to purchase a fire truck as well as making some capital improvements to physical facilities which included starting a new building which used approximately \$500,000.00. Mayor Townsell went onto say last year we approved purchasing a new fire truck, which cost approximately \$550,000.00; the fire dept is requesting approval to purchase another fire truck which will cost approximately \$550,000.00, as well as purchase 2 Silverado quad-cab trucks to replace aging vehicles, and to make some renovations to Station 1 and Station 7. Mayor Townsell stated it would be more accurate if after the words "*Capital Improvement*" we insert "*Pay as you go Sales Tax revenue*". Alderwoman Smith motioned to adopt the resolution. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 8-0.

2. Ordinance waiving bids for the purchase of a new fire engine for the Conway Fire Department.

O-10-118

Bart Castleberry, Fire Chief, was present to answer questions. Mayor Townsell stated we again need to strike the wording "*Bond Series 2006 B*" and insert "*Pay as you go Sales Tax revenue*" after the words "*Capital Improvement*". Alderwoman Whitmore 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 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 Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

3. Ordinance accepting restitution for overtime performed by the Conway Police Personnel & accepting restitution from the Prosecuting Attorney's Office.

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O-10-119

Aldерwoman Whitmore motioned to waive the readings of the ordinance. Aldерwoman Smith seconded the motion. The motion passed 8-0. Aldерwoman Mehl asked if the buy money was \$155.00 or \$115.00; it was determined the amount should be \$155.00. 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": Aldерman Hawkins, Aldерwoman Mehl, Aldерwoman Smith, Aldерman Rhodes, Aldерwoman Whitmore, Aldерman Grimes, Aldерman Vaught, and Aldерman Jones. The motion passed 8-0.

- 4. Ordinance appropriating and accepting grant, reimbursement and insurance funds from various agencies for the Conway Police Department.**

O-10-120

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

D. Old Business

E. New Business

Adjournment

PASSED this 26th day of October 2010

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett