
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
October 11, 2011

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, Alderwoman Mehl, Alderman Rhodes, Alderman Hawkins, Alderman Jones, Alderwoman Whitmore, 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: September 27th, 2011

Alderwoman Whitmore motioned to approve the September 27, 2011 minutes as submitted. Alderwoman Smith seconded the motion. The motion passed 8-0.

Alderwoman Whitmore motioned to suspend the rules to allow for discussion on the September 2011 financials. Alderwoman Smith seconded the motion. The motion passed 8-0. Tyler Winningham, CFO, presented council with a statement of revenues and expenditures for September 2011 and also provided them with a balance sheet for each of the city's major funds and asked council to review them and email him with any questions and recommended discussion at the next council meeting.

Announcements / Proclamations / Recognition:

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

- 1. Consideration to move the next regularly scheduled City Council meeting to an alternative date.**

Mayor Townsell requested council to reschedule the November 25, 2011 council meeting as he will be in Dallas at the annual Metroplan conference. Alderwoman Smith motioned to reschedule the next city council meeting for Tuesday November 1, 2011 at 6:30 pm. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 8-0.

- 2. Resolutions setting a public hearing to discuss closing four separate access/utility easement located at Harps on German Lane.**

R-11-51 & R-11-52 & R-11-53 & R-11-54

Alderwoman Smith motioned to adopt four resolutions (R-11-51 through R-11-54) for Tuesday November 1, 2011 at 6:30 pm. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

3. **Resolution setting a public hearing to discuss closing a 12 foot utility/drainage easement (Private Pedestrian walkway) located between and on existing Lots 70 & 71 in the Village at Hendrix.**

R-11-55

Alderman Smith motioned to adopt the resolution. Alderman Whitmore seconded the motion. There was no discussion. The motion passed 8-0. The public hearing will be held Tuesday November 1, 2011 at 6:30 pm.

4. **Resolution requesting the Faulkner County Tax Collector to place a certified lien on certain properties as a result of incurred expenses by the City.**

R-11-56

Alderman Hawkins stated the property address is 1819/1821 Robins St; the cost of cleanup was \$135.34 plus 10% collection penalty. There was no one present to speak to this issue. Alderman Smith motioned to adopt the resolution. Alderman Whitmore seconded the motion. There no discussion. The motion passed 8-0.

R-11-57

Alderman Hawkins stated the property address is 3985 Rupert Dr; the cost of cleanup was \$135.34 plus 10% collection penalty. There was no one present to speak to this issue. Alderman Smith motioned to adopt the resolution. Alderman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

R-11-58

Alderman Hawkins stated the property address is 324 Willow St; the cost of cleanup was \$681.99 plus 10% collection penalty. Clara Quattlebaum stated she and her husband own the property but her grandson resides at the home and stated they were unaware of the situation for a week. Ms. Quattlebaum stated they attempted to clean the property but soon determined it was more than they could handle. Ms. Quattlebaum explained that her eldest grandson hauled off the large items, leaving only small items which she did throw away but was waiting for the city to pick up the garbage before being able to dispose of all the remaining items. Ms. Quattlebaum explained before they were able to finish the city cleaned up the property. Ms. Quattlebaum stated she has an issue with the itemized bill from the bush hogging to the administrative fees charged by the city. Bill Haynes stated explained when they checked the property there was large pieces of furniture and various items of trash in a pile in the back yard; a warning notice was left on July 21, 2011. Mr. Haynes stated a recheck was performed on August 2, 2011 no progress had been made; the grass was high in the back and debris etc. was still all around the property. Mr. Haynes stated on August 4, 2011 a phone message was left for the Quattlebaum's as noted, again the property was rechecked on August 12, 2011 with no progress being made. Mr. Haynes stated contact was made with the tenant and he stated he made an agreement with the Quattlebaum's that he would move out the abandoned articles from the house if they would haul it away. Mr. Haynes stated they rechecked the property on August 30, 2011 some of the grass had been mowed, but none

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

of the other violations had been addressed; certified and regular letters were sent to the Quattlebaum's on August 16, 2011 and a notice left on August 17, 2011. Mr. Haynes stated on August 25 & August 30, 2011 the property was rechecked again with no progress, the property was ultimately cleaned on September 2, 2011. After some discussion Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. After further discussion the motion passed 8-0.

5. Consideration of approval for CDBG contracts for Boys & Girls Club & Bethlehem House.

Lauralee McCool, CDBG Director, was present to answer questions. Alderwoman Smith motioned to approve the contracts. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0. The contracts amounts are as follows:

- Boys and Girls Club - \$250,000.00
- Bethlehem House - \$50,000.00

6. Ordinance accepting and appropriating grant funds for the Conway Tree Board associated with the 2011 Arbor Day celebration.

O-11-80

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

7. Ordinance to close a portion of College Ave., Front St, Elm St, and Chestnut St right of ways.

O-11-81

Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Mayor Townsell asked if we should be more specific in our wording noting that Elm Street no longer exists. City Attorney Michael Murphy concurred. City Engineer Ronnie Hall suggested removing from *Section 4* the words "*placing in operation*" and replacing them with "*passage and publication*". Alderwoman Smith and Alderwoman Whitmore concurred. Alderwoman Smith motioned to adopt the ordinance with the amendment noted above. Mayor Townsell stated we will reference the older street names in the appropriate part of the ordinance. Alderman Jones seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Rhodes, Alderwoman Smith, Alderman Hawkins, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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

1. Ordinance appropriating insurance proceeds received for the Conway Fire Department.

O-11-82

Alderman Smith motioned to waive the readings of the ordinance. Alderman Whitmore seconded the motion. The motion passed 8-0. Alderman Jones motioned to adopt the ordinance. Alderman Smith seconded the motion. The amount of insurance proceeds is \$6,911.00. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Rhodes, Alderman Smith, Alderman Hawkins, Alderman Mehl, Alderman Whitmore, Alderman Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

2. Notification of a grant application for the 2011 JAG Grant for the Conway Police Department.

A.J. Gary, Chief of Police, stated this is the annual Justice Assistance Grant that is filed in conjunction with the county; the proceeds and will be used for upgrades at the Conway Emergency Operations Center in the way of a security camera system etc. Chief Gary explained the grant has been applied for and is pending this notification and the money will be released in 30 days. The amount of the JAG Grant for 2011 is \$25,916.00

Old Business

New Business

1. Resolution accepting the report of the Conway Citizens Taskforce and outlining an implementation plan for various recommendations.

Mayor Townsell stated the recommendation coming from the Committee Meeting is to hold this item in committee. Alderman Hawkins motioned to hold this resolution in committee. Alderman Smith seconded the motion. There was no discussion. The motion passed 8-0.

2. Ordinance amending Ordinance No. O-10-19 that established the Audit Committee.

O-11-83

Mayor Townsell stated this will allow the audit committee to double as a finance committee and the "title" and the "first whereas" should say "Finance and Audit Committee". Alderman Smith motioned to waive the readings of the ordinance. Alderman Whitmore seconded the motion. The motion passed 8-0. Alderman Jones motioned to adopt the ordinance and the emergency clause. Alderman Smith seconded the motion. Alderman Vaught asked if this ordinance would allow him, if he so chose, to observe financial matters in the Mayor's office etc. City Attorney Michael Murphy recommended changing "Section 1 - 8" to read "To review and advise the City

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Council up to and including, but not limited to, all financial matters". Alderman Grimes stated he would like to see "*Section 1*" read "**That City of Conway Audit Committee is hereby amended and newly renamed the Finance/Audit Committee for the purposes of audit and finance duties and providing independent review and oversight of the City's financial reporting processes and which may perform the various functions**" which will allow the committee to do as they see fit. Council concurred. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Rhodes, Alderwoman Smith, Alderman Hawkins, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

3. Ordinance creating an AD Hoc committee of the City Council.

O-11-84

Mayor Townsell recommended removing the word "*replacement*" from "*Section 3 - 1*" after the discussion in the committee meeting and changing the year to "**2011**" in "*Section 4*". 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. Alderman Hawkins seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Rhodes, Alderwoman Smith, Alderman Hawkins, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Vaught, and Alderman Jones. The motion passed 8-0.

Adjournment

PASSED this 11th day of October 2011

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett