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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday 6:30 pm  
December 11, 2012

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

**Call to Order: Mayor Tab Townsell**

**Roll Call: Michael O. Garrett, City Clerk/Treasurer**

**Minutes: November 27<sup>th</sup>, 2012 City Council Meeting**

Alderwoman Whitmore motioned to approve the November 27, 2012 minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

Alderwoman Smith motioned to move item 1A-10 up on the agenda. Alderwoman Whitmore seconded the motion. The motion passed 8-0.

**Consideration to withdraw the request for a conditional use permit to allow a retail pharmacy drive through for property located at 2521 College Avenue.**

Alderwoman Smith motioned to withdraw this agenda item. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

**Announcements/Proclamations/Recognitions:**

**1. Report of Standing Committees:**

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

- 1. Resolution requesting the Faulkner County Tax Collector place a certified lien on property located at 445 Louise Lane for incurred expenses by the City of Conway.**

**R-12-56**

Alderman Hawkins stated the property address is 445 Louise Lane; the cost of cleanup was \$7,397.42 (\$7,294.48 + Penalty \$72.94 + filing fee \$30.00). There was no one present to speak to this issue. Alderman Hawkins motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

- 2. Resolution approving and authorizing the issuance of refunding revenue bonds for Conway Christian School.**

**R-12-57**

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Alderwoman Smith motioned to adopt this resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

**3. Consideration to accept nominations for the following board: Planning Commission, Board of Appeals, & Oak Grove Cemetery Board.**

Alderman Hawkins motioned to approve the nominees recommended for the various boards. Alderwoman Smith seconded the motion. The nominees and boards are listed below. There was no discussion. The motion passed 8-0.

**Planning Commission Board**

Marilyn Armstrong, 1910 Amelia Dr (Ward 3) - 5 year term  
Stan Hobbs, 4 Thousand Oaks Circle (Ward 2) - 5 year term

**Building Code Board of Appeals**

Kevin Rowell (Alternate Member) Public Citizen at Large - 1 year term  
Terry Clowers (Alternate Member) Industry Citizen at Large - 1 year term  
George Carroll (Regular Member) Electrical Contractor - 4 year term  
Roger Kubli (Regular Member) Residential Contractor - 4 year term

**Oak Grove Cemetery Board**

James Owens - 5 year term

**4. Consideration to enter into an agreement with the Cooperative Extensive Service for horticulture services for the City of Conway.**

Mayor Townsell stated this agreement is an annual agreement of \$25,000.00 that has been in place for approximately 6 years; the city splits the cost with the county. The city receives assistance from Kami Marsh for the Tree Board and Arbor Day; anyone in the county or city can contact her for horticulture advice. Alderwoman Smith motioned to approve entering into this agreement. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

**5. Consideration of Prince Street Improvements Right of Way Acquisition (Western Ave to Shady Lane) for Parcels 4, 5, 6, 8, & 18.**

Ronnie Hall, City Engineer, requested approval of the offers listed below to the various property owners:

**Tract 4 - Mercantile Bank:** \$27,750.00 for 1,385 SF right of way plus sign relocation.

**Tract 5 - Thomas F James (Little Caesars site):** \$23,000.00 for 240 SF right of way plus sign relocation.

**Tract 6 - Williams/Martin Partnership (Sonic):** \$18,000.00 for 1,764 SF right of way plus sign relocation.

**Tract 8 - Mizan Rahman and Elizabeth Barnett (Conway Gardens):** \$16,400 for 1,382 SF right of way and \$8,390.00 for decorative fence for a total of \$24,790.00, plus sign relocation, driveway modification, and to execute a document to allow them to build a new building on the same footprint as the existing building.

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**Tract 18 - Region's Bank:** \$34,853 for 2,467 SF right of way and \$160,000.00 for sign, landscaping, and site modifications for a total of \$194,850.00.

Alderwoman Smith motioned to approve the offers outlined by Mr. Hall. Alderman Hawkins seconded the motion. Alderman Rhodes asked if the amount listed for Conway Gardens includes the concrete drive. Mr. Hall stated no, city forces will build that. There was no further discussion. The motion passed 8-0.

**6. Consideration to accept bids on a track mounted hydraulic excavator and an equipment trailer for the Conway Street Department.**

Ronnie Hall, City Engineer, recommended awarding the bid to Riggs CAT for a CAT 315SL (used with 300 hours) in the amount of \$143,271.00 less \$7,000.00 trade-in for a total bid of \$136,271.00. Mr. Hall explained in his opinion this is a better value to the city due to us having the diagnostic equipment at our disposal for this piece of equipment; we do not have such equipment for the other track-hoe makes.

Mr. Hall recommended awarding the bid for the equipment trailer to JCB of Arkansas for a Holden HLB25 in the amount of \$24,760.00 as the low bidder's specifications did not meet our requirements for our deck dimensions.

Alderwoman Smith motioned to award the bids to Riggs CAT and JCB of Arkansas. Alderman Hawkins seconded the motion. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 8-0.

**7. Consideration to accept bids on traffic signal modification for Oak Street, & Museum Road, Harkrider Street, and Elsinger Blvd for the Street Department.**

Finley Vinson, Traffic Engineer, recommended the low bidder All Service Electric, Inc. in the amount of \$71,805.00. Alderwoman Smith motioned to accept the low bid. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

**8. Ordinance waiving bids for the purchase and repair of traffic signal products for the Street Dept.**

**O-12-109**

Finley Vinson, Traffic Engineer, was present to answer questions. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. Alderwoman Whitmore motioned to adopt the ordinance. Alderwoman Smith seconded the motion. Alderman Hawkins asked if these were the only vendors available. Mr. Vinson stated there are several options for the traffic control items but the city has been using these sole source vendors for years and to change at this point would be cost prohibitive. This will accept Temple Inc., Mid American Signal, and Pinkley Sales as the vendors for the traffic signal and specialized equipment purchase or repair for the fiscal year 2013. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith Alderman Rhodes, Alderwoman Mehl, Alderman Vaught, Alderwoman Whitmore, Alderman Grimes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

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**9. Consideration to approve the 2013 Street Projects.**

Ronnie Hall, City Engineer, stated the council has agreed to approve the following projects for 2013:

- Airport Entrance Road – New Airport access off Lollie Rd (funded by pay as you go sales tax) - \$575,000.00
- Main & Front St (west side) – Adjacent parking lots plus Main – Street rehab and street scape - \$100,000.00
- Middle Road Reconstruction – Amity to Southland - \$300,000.00

**Ward 1 Projects**

- Timberpeg Court – Salem to Hubbard – Sidewalk - \$26,000.00
- Bruce Street – Timberpeg Court to Hubbard – Sidewalk - \$27,000.00
- Shasta – Bruce to Timberpeg – Sidewalk - \$7,500.00
- Phippenpost Streets – Asphalt Overlay - \$85,000.00
- Farris Rd – Bruce to College – Asphalt overlay - \$37,120.00

**Ward 2 Projects**

- Washington – Fleming to Tyler – Reconstruction - \$150,000.00
- Marlsgate – Falcon Crest – Overlay - \$39,000.00
- Siebenmorgen – Courtway to Museum – Sidewalk (south side) - \$25,000.00

**Ward 3 Projects**

- Sherman Oaks – Overlay - \$33,000.00
- Lexington – Jefferson Place – Reconstruct Concrete - \$165,000.00
- Padget Rd – Sanson to Woodrow Cummins – Sidewalk (if easement can be obtained) - \$40,000.00.

**Ward 4 Projects**

- Griffin Street – Reconstruct Concrete - \$55,000.00
- South German Ln – Robins to Hartje – Sidewalk (west side) - \$90,000.00
- Robins – South German to Park Entrance – Sidewalk - \$16,000.00

Alderwoman Smith motioned to approve the 2013 street projects outline by Mr. Hall. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

**10. Consideration to withdraw the request for a conditional use permit to allow a retail pharmacy drive through for property located at 2521 College Avenue.**

**Item moved up on the agenda.**

**11. Ordinance to rezone property located at the southeast corner of College Avenue and Prince Street from O-2 to PUD.**

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Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. Frank Shaw, Attorney at Law, representing the applicant Keller Johnson, stated substantial changes have been made to this project since the August Planning Commission meeting. Mr. Shaw explained that the first segment of this street is zoned O-2; the back segment is zoned R-1, this is what Mr. Johnson is proposing to keep. Mr. Shaw stated this property has been zoned O-2 for several years and has not sold; the property joins the school to the east, Westin park property to the south, and to the west it joins parcels of land owned by Brian Adams and Donald Bryant; Mr. Bryant is most affected by this as most of the houses back up to his property. Mr. Shaw assured council that he, Mr. Bryant, Mr. Johnson and others have met on this project many times and explained this is an extensively refurbished plan being brought before council tonight. Mr. Shaw stated they are asking for the front to remain O-2 with restricted retail and the remaining parcel to remain R-1. Mr. Shaw referred to the plat of the subdivision explaining that between the office area and the residential area there will be a brick fence with an esthetically pleasing entranceway, there are 27 lots with the house plans ranging from 1901 SF to 5086 SF ranging in price from \$200,000.00 to \$250,000.00. Mr. Shaw stated the east side of the creek there is a walking trail that is connected to the neighborhood in two locations which will be built by the developers and could be joined to the school so desires. Mr. Shaw explained that Mr. Johnson has worked out conditions with Mr. Bryant and hopefully others, conditions that we are asking the city to attach to Mr. Johnson's development, they are outlined below:

- Move dirt, fill in swell, build fence prior to home construction
- Height of fence must be 8 ft above finished floor of houses, and built on berm that will follow the natural grade
- Fence will be solid brick from each corner to the first pier, then completed with a non-wood material
- Back row of houses will have "dual fronts"

Mr. Shaw requested council rezone this property to R-1 in the back segment, leaving O-2 in the front segment. Mayor Townsell asked if the back fence height going to be 8 ft above every fence floor, or will it slope with the finished floor of the houses. Mr. Shaw stated yes, the houses will slope some so he believes the fence will slope some as well. Mayor Townsell stated so essentially the fence adjacent to the house will be 8 ft above that point and will be slightly different for each house. Mr. Shaw stated it may change and drop some as you go toward the creek, but there is a lot of dirt there to build this up as necessary. Donald Bryant, adjacent property owner, asked if this was a PUD. Mr. Shaw stated yes, it is a PUD, he misspoke earlier. Mr. Bryant stated he is in approval of the project as submitted to council. Ronnie Hall, City Engineer, asked if a sidewalk is going to be required along College from Prince to the school (south side). Mayor Townsell asked Mr. Johnson if he agreed to build the remaining portion of sidewalk into the school. Mr. Johnson stated yes. Alderwoman Smith motioned to amend the PUD to include the 5 conditions, including the sidewalk. Alderman Hawkins seconded the motion. The motion passed 8-0. Alderman Hawkins motioned to adopt the ordinance. Alderwoman Smith seconded the motion. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith Alderman Rhodes, Alderwoman Mehl, Alderman Vaught, Alderwoman Whitmore, Alderman Grimes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

**12. Ordinance to rezone property located at the southeast corner of Meadowlake Road at Donaghey Avenue (2007 & 2011 Meadowlake) from R-1 to C-2.**

**O-12-111**

Frank Shaw, Attorney at Law, representing Kum & Go, explained the location complies with the comprehensive plan and requested council rezone this property from R-1 to C-2 with conditional use with gas pumps, which is the same as the Kum & Go that was approved for Donaghey and Dave Ward. Mr. Shaw explained the only difference is this property is 660 feet deep, which is more property than needed for the footprint which is approximately 400 feet; the reason being the roundabout proposed at this intersection has caused us to move our footprint further south; 660 ft, and 400 ft from the center line leaving approximately 260 ft between the development and the Hutto Street neighborhood. Mr. Shaw stated a neighborhood meeting has been held and we hear the neighbors concerns, one being drainage; we understand that there can be no more water put on their property than is on it now and it is his opinion it will be less as there will be retention areas that will take the water off the area. Mr. Shaw stated the other conditions are listed in the conditional use request and asked to change condition 2 to read "conditional use permit is limited to the north 400 feet of the property as measured from the centerline of Meadowlake Road". Mayor Townsell stated the change from 365 to 400 is at the request of the city to accommodate a roundabout at the Donaghey and Meadowlake intersection. Mr. Shaw stated that is fair. Alderwoman Mehl asked if there will be landscaping on the south side of the footprint of the project. Mr. Shaw stated yes. Dave Lemmons, representing Kum & Go, stated currently it would be landscaped to city code but we would certainly consider doing a different kind of buffer. Bryan Patrick, Planning & Development Director, stated he looked at a preliminary plan earlier showing the detention area that shows an area that could be landscaped. Mr. Lemmons stated its currently zoned R-1 and we are requesting to rezone a portion to C-2 and leave the balance of it R-1 as a buffer, we have no use for it and whatever and felt it could be handled later on if this area comes back before the planning commission. Mayor Townsell asked would they consider selling that southern section. Mr. Lemmons stated yes, we would consider selling it and explained as a part of this process we will be cleaning up the existing mobile homes. Alderwoman Mehl asked about delivery hours. Mr. Lemmons stated delivery becomes a question as some communities want over night deliveries, while others want daytime deliveries; they can control fuel deliveries while most of the others will be during the day. Mayor Townsell stated you will be required to make sidewalk improvements on streets adjacent to the project. Mr. Lemmons stated yes, he believes that is a part of the conditional use permit and making this connection is not an issue with them. Jerry Glover, 1915 Torreyson, believes this project is a mistake and spoke in opposition of the proposed rezoning. Jeff Fletcher, corner of Hutto and Donaghey, spoke in opposition of the proposed rezoning as he feels it would be a better fit elsewhere and is concerned about an increase in traffic, the decline of his property value, and the hours of operation. Aaron Knight, 2250 Raintree, requested that the applicant voluntarily make improvements in drainage on the southern unimproved portion that will remain residential. Alderwoman Smith asked how drainage can be improved in this area. Ronnie Hall, City Engineer, explained we are requiring that put in a drainage easement along the southern boundary and it likely they will have to make drainage improvements to accommodate drainage from their site, but also sites to the east. Alderman Grimes stated he would prefer to see the 1.9 acres not being rezoned as a permanent buffer between the C-2 and the neighborhood or possibly conveying it to the city so we can build proper detention for this

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area. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Mehl seconded the motion. Mr. Patrick wanted clarification that the applicant wanted 400 ft. Mr. Shaw stated yes. The motion passed 8-0. Mayor Townsell stated the ordinance need to be amended will add in 35 more feet changing it from 365 ft to 400 ft; the last phrase in the both legal descriptions in Section 1 would now read "**less and except the south 260**". Alderman Hawkins motioned to adopt the ordinance as amended. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith Alderman Rhodes, Alderwoman Mehl, Alderman Vaught, Alderwoman Whitmore, Alderman Grimes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

**13. Consideration of a request for a conditional use permit to allow gas pumps in a C-2 zone for property located at Meadowlake at Donaghey (2007 & 2011 Meadowlake).**

Alderman Hawkins motioned to grant the conditional use permit. Alderwoman Mehl seconded the motion. Alderwoman Mehl stated she would like to add a condition for enhanced landscaping for the south end. Bryan Patrick, Planning & Development Director gave a brief overview of current guidelines set by development review. Alderwoman Mehl asked to add a condition regarding more landscaping per Mr. Patrick's recommendations. Dave Lemmons, representing Kum & Go, added he wishes to add a condition regarding the removal of the remaining mobile homes. There was no further discussion. The motion passed 8-0. The conditions are outlined below:

1. Hours of operation shall be 24 hours a day, 7 days a week.
2. Conditional use permit is limited to the north 400 feet of the property as measured from the centerline of Meadowlake Road.
3. Outdoor sound system is prohibited.
4. Fuel center canopy columns shall be wrapped in brick.
5. Canopy colors shall be muted - similar to those approved at the Donaghey/Dave Ward Drive location.
6. Hours of external construction shall be limited to between 7:00 am and 7:00 pm.
7. Additional right-of-way to allow a roundabout shall be dedicated to the City per City Engineers requirements.
8. Meadowlake frontage shall be improved as required per City Engineer's requirements.
9. At the time of store construction, Kum & Go shall construct a sidewalk the length of its property along Donaghey Avenue.
10. The number of required trees on the south side of the property shall be doubled. Forty percent (40%) of the trees shall be Evergreen Species.
11. Remove trailer and clean up the property.

**14. Ordinance to rezone property located at 2005 Meadowlake Road from R-1 to C-2.**

O-12-113

Rhett Thompson, Thompson Realty, was present to answer questions. Bryan Patrick, Planning & Development Director, stated the 365 number was a number used for Kum & Go and feels it is best to keep the property lines even. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion

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

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

**1. Ordinance accepting and appropriating donation funds for the Conway Parks Department.**

**O-12-113**

Steve Ibbotson, Parks Director, stated Lowes has given his department a \$5,000.00 donation which will be used toward the purchase of a new scoreboard at Curtis Walker Park. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Smith 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": Alderwoman Smith Alderman Rhodes, Alderwoman Mehl, Alderman Vaught, Alderwoman Whitmore, Alderman Grimes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

**2. Ordinance authorizing personnel changes within the Conway Parks Department.**

**O-12-114**

Steve Ibbotson, Parks Director, stated approximately 1 year ago we restructured the parks department; hopefully this will complete this process. Mr. Ibbotson stated this ordinance will take a portion of the salary of a vacant Complex Manager position and place it into a Grounds Maintenance person position, bringing that position up to a supervisor position; we would then like to take the remainder of that money to create a Recreation Supervisor to assist with the programs. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. 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": Alderwoman Smith Alderman Rhodes, Alderwoman Mehl, Alderman Vaught, Alderwoman Whitmore, Alderman Grimes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

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

**1. Ordinance appropriating funds for the purchase of a bucket truck and server system upgrade for the IT Department.**

**O-12-115**

Mayor Townsell stated these are one time purchases that did not require a placeholder in each year's budget; due to a budget surplus in 2012 we are freeing up funds for the 2013



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budget to make sure we can move our employees to market with salary enhancements and we are taking advantage our surplus to pay for a number of items, these are the first we are doing in this fashion; by paying for it from the 2012 budget it will free up money in the 2013 budget. Lloyd Hartzell, IT Director, stated the bucket truck will be used to maintain sirens and security cameras etc. city wide. Mr. Hartzell stated the server is approximately 6 years old and runs 24 daily. This will move \$120,000.00 (bucket truck) and 329,000.00 (server) respectively from the General Fund, Fund Balance Appropriation account to expenditure accounts in the IT Dept. 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 and the emergency clause. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith Alderman Rhodes, Alderwoman Mehl, Alderman Vaught, Alderwoman Whitmore, Alderman Grimes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

**2. Ordinance accepting donated items (handheld radio) to the Conway Police Department.**

**O-12-116**

A.J. Gary, Chief of Police, stated these are hand held radios being donated to us by the Log Cabin Democrat and requested to accept these and add them to the Police Dept. inventory. 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. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith Alderman Rhodes, Alderwoman Mehl, Alderman Vaught, Alderwoman Whitmore, Alderman Grimes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

**3. Ordinance accepting and appropriating reimbursement and restitution funds from various entities for the Conway Police Department.**

**O-12-117**

Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. A.J. Gary, Chief of Police, stated these are reimbursements and revenues received for the items listed below; explaining that the funds from AR ETS/911 Board will cover all but approximately \$32,000.00 for the updates for the 911 radio systems etc. and we are working on a way to cover this extra expense. 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": Alderwoman Smith Alderman Rhodes, Alderwoman Mehl, Alderman Vaught, Alderwoman Whitmore, Alderman Grimes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

- \$ 20,778.12 – For extra duty security services via various vendors
- \$ 8,445.00 – For cars sold at auction via Public Processing, Inc.  
(To help purchase two replacement motorcycles)
- \$113,882.09 – For State Funds for equipment upgrades via AR ETS/911 Board
- \$ 18,770.00 – Rebate for CNG Kits for Tahoe's via AEDC

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(To help purchase two replacement motorcycles)

**4. Consideration to accept bids for two Honda motorcycles for the Conway Police Department.**

A.J. Gary, Chief of Police, recommended accepting the low bid from Sunrise Honda in the amount of \$33,740.00; this is to purchase 2 replacement motorcycles. Alderwoman Smith motioned to accept the low bidder. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

**D. Personnel**

**1. Consideration to accept bids for the 2013 Medical Benefits for the City of Conway.**

Lisa Mabry-Williams, HR Director, explained we received a bid from the Municipal League but it is not apples to apples furthermore all of Conway's doctors are not members. Ms. Williams explained the bid from Health Advantage shows if we keep the current dual option plan the premiums would increase by 16.8%; if we migrate all employees to what is now our current Low Option plan the premium would increase approximately 6.2% overall. Ms. Williams stated our proposal is for the city to absorb the 2013 premium cost increase, which is approximately \$100,000.00, not to pass it onto the employees. Ms. Williams explained if council chooses to incorporate this single option plan, we have a voluntary employee paid GAP plan we can offer which would pay \$500.00 toward hospitalization and \$250.00 for outpatient services; we also want to promote our Flexible Spending Account. After some discussion among council Alderwoman Whitmore motioned to approve the non-dual medical option plan for 2013 and incorporate the additional GAP plan. Alderwoman Smith seconded the motion. After some discussion the motion passed 8-0.

Ms. Williams stated that 365 Fitness has offered the use of their facilities to our employees for the past 8 years free of charge; this year they are no longer able to extend this offer but have offered us the use of their facilities for a one-time fee of \$15,000.00 for all employees. After some discussion among council Alderwoman Smith motioned to approve the one-time fee of \$15,000.00 to 365 Fitness for 2013. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-1. Alderman Rhodes voted in opposition.

**Old Business**

**New Business**

**1. Consideration to move the next regularly scheduled City Council meeting from December 25<sup>th</sup>, 2012 to an alternative date.**

Alderman Jones motioned to move the December 25, 2012 meeting to Thursday December 20, 2012 at 6:30; and hold the committee meeting on the same day at 5:30 pm. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

**Adjournment**

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**PASSED this 11<sup>th</sup> day of December 2012**

**APPROVED:**

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**Mayor Tab Townsell**

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**City Clerk Michael O. Garrett**