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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday 6:30 pm  
January 8, 2013

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, Alderman Pruitt, Alderwoman Mehl, Alderwoman Smith, Alderman Ledbetter, Alderman Jones, and Alderwoman Whitmore. Also, present and acting: Mayor Tab Townsell, City Clerk/Treasurer Michael Garrett, and City Attorney Michael Murphy.

**Call to Order: Mayor Tab Townsell**

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

**Minutes: December 20<sup>th</sup>, 2012 City Council Meeting**

Alderwoman Whitmore motioned to approve the December 20<sup>th</sup> minutes as submitted. Alderwoman Smith seconded the motion. The motion passed 8-0.

**Announcements/Proclamations/Recognitions:**

Mayor Townsell welcomed new Alderman Wes Pruitt and Mark Ledbetter to the council.

**1. Report of Standing Committees:**

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

- 1. Resolutions requesting the Faulkner County Tax Collector place a certified lien on certain properties for incurred expenses by the City of Conway.**

**R-13-01**

Alderman Hawkins stated the property address is 817 Teal Drive; the cost of cleanup was \$140.68 (\$100.62 + Penalty \$10.06 + filing fee \$30.00). 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-13-02**

Alderman Hawkins stated the property address is 26 Brierwood Circle; the cost of cleanup was \$174.77 (\$131.61 + Penalty \$13.16 + filing fee \$30.00). 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-13-03**

Alderman Hawkins stated the property address is 1618 Sarah Circle; the cost of cleanup was \$193.40 (\$148.55 + Penalty \$14.85 + filing fee \$30.00). 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.

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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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**R-13-04**

Alderman Hawkins stated the property address is 2106 Independence; the cost of cleanup was \$193.40 (\$148.55 + Penalty \$14.85 + filing fee \$30.00). 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-13-05**

Alderman Hawkins stated the property address is 9 Bridgestone Drive; the cost of cleanup was \$193.99 (\$149.09 + Penalty \$14.90 + filing fee \$30.00). 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-13-06**

Alderman Hawkins stated the property address is 912 Front St; the cost of cleanup was \$2,403.50 (\$2,350.00 + Penalty \$23.50 + filing fee \$30.00). 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.

- 2. Resolution setting a public hearing to discuss the closing of a 10 foot utility easement and 15 foot right of way easement located at 2050 Dave Ward Drive.**

**R-13-07**

Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0. The public hearing will be held on January 22, 2013 at 6:30 pm.

- 3. Consideration to enter into an agreement with the Boys & Girls Club of Faulkner County, FCC/DD, & Faulkner County Senior Citizens Program for transportation needs within the City of Conway.**

Mayor Townsell stated this is standard funding requests that comes before council each year and goes beyond our CDBG funding; these funds will be paid from the Street Fund. Alderwoman Smith motioned to approve enter into these agreements. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 8-0. The funding approved is as follows:

- Boys & Girls Club of Faulkner County \$20,000.00
- FCC/DD \$30,000.00
- Faulkner County Senior Citizens \$55,000.00

- 4. Ordinance accepting grant proceeds and appropriating funds for the Historic District Commission to be administered by the Planning and Development Department.**

**O-13-01**

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## MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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

**5. Consideration of a request by Ben Watson for an amendment to the Scherman Heights PUD to allow an indoor commercial recreational facility for property located at 575 Club Lane.**

Mayor Townsell stated this is a location decision only, nothing more. David Tapp, 630 Cherub Dr, explained The Clubhouse is an indoor interactive play area for children where parents can interact with their children; it is not an arcade style setting. Mr. Tapp explained the layout of The Clubhouse is a miniature city, which has a pretend veterinary clinic, café, fire station, marketplace, castle, etc. Mr. Tapp explained in the middle is a pirate ship that is approximately one and one-half stories tall that joins a tree house that is approximately 22 feet tall which will be the focal point; there will also be birthday party rooms available. Mr. Tapp explained the target age is 2 - 7 years but will be accessible to children without disabilities as well. Mr. Tapp explained they have chosen this location because Pediatrics Plus already leases half of this building (9,000 sq ft) and would like to stay in this location, the demographics for this type of business are perfect for Conway and our overall goal is to lease this space for 2-3 years, once we feel like the business can be sustained we want to build a permanent location on College next to Pediatrics Plus. Mr. Tapp explained this location is surrounded by a lot of good businesses and there are no other lease spaces available in Conway with 28 ft ceilings. Mr. Tapp stated Pediatrics Plus will also use this facility for treatments; we currently have 43 in our current location, this would provide us a place to take the children when the weather is bad and they unable to go out to the playground. Mr. Tapp stated we met with Scherman Heights to gain their support but ultimately they were unable to support this project due to the following reasons: building currently being zoned for quiet office, home depreciation, fearing that by allowing a change in the PUD would set a precedent for future business to change zoning or amendments to the PUD, PUD's were set up to stop these types of businesses, traffic and noise. Mr. Tapp explained many things can go in an O-2, currently our pre-school is there now with children aged 3-6. Mr. Tapp stated a school, daycare, college, playground, dance studio, or a community recreational facility can go in this location now with the current zoning. Alderman Grimes asked Bryan Patrick, Planning & Development Director, why this recreational facility cannot go in without the amendment, since so many businesses/schools etc. could go in under the current zoning. Mr. Patrick stated the zoning ordinance is not perfect, but it clearly states a community recreational facility is allowed, but a private commercial amusement facility is not. Mr. Tapp addressed the issue of setting precedence, stating this is not a request to rezone or a conditional use, this is strictly an amendment to the PUD and stated if the city denied every request for a change the city would not grow. Alderman Hawkins asked what the hours of operation would be. Mr. Tapp stated since this is a new business we have tried to do comparisons with similar businesses but they do not want to limit themselves because we just don't know. Alderwoman Mehl asked what the current hours of operation for the pre-school. Mr. Tapp stated 7 am to 6 pm Monday - Friday, and closed on Saturday and Sunday. Amy Denton, Pediatrics Plus proprietor;

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## MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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16801 Valley Falls Dr, Little Rock, AR, stated we respect the desire of Scherman Heights residents to live in a quiet neighborhood and we do not intend to operate a business that would jeopardize this. Ms Denton stated the noise and traffic concerns seem logical but is unsure why anyone would think this type of business would result in a massive intrusion to their neighborhood, beyond what could currently operate under the current zoning. Brent Salter, 5320 Bay Town Dr, Conway; representing the building owner, stated the applicant could open this business in any other section of the development except the one they are seeking approval for, Lot 7D. Mr. Salter stated over the course of 10 years there have been amendments to this PUD, one being governing the hours of Walgreens; these types of amendments to allow for opportunities to be capitalized upon. Larry Taylor, 2940 Robert Ott Circle; Board of Directors member of Scherman Heights Property Assn, read from a letter/statement written by Dewayne Collins, also a board member. The letter states the Scherman Heights Property Assn. is not in favor of the City of Conway making any change to the existing zoning or structure of the Scherman Heights PUD, specifically the proposed change on Lot 7D; the original/existing O-2 restriction of this lot has been, and continues to be a significant amenity in the decision to purchase a home in the addition. Mr. Taylor stated even though the proposed amendment does not permanently rezone Lot 7D to one that allows a commercial recreation business, it does set a precedent beyond the scope of the existing zoning restriction. Mr. Taylor stated in his own opinion, this is a complex issue and could be simplified, but our residents only wish to retain and preserve the quality of our lives. Jim Brewer, 3150 Robert Ott Circle, stated this PUD is a well planned development and chose to live here due the decline of previous subdivision we had lived in for 50 years. Mr. Brewer stated we chose to purchase here because we had confidence that our city council would retain the zoning that was so well crafted and maintained with an overriding emphasis being placed on the preservation of desirable residential qualities. Mr. Brewer stated we have no objection to the current Pediatrics Plus operation that exist today, nor do we object to a playroom there which can be done without a zoning change, but we do object to a commercial recreational facility being placed there and therefore he is not in favor of this PUD amendment. Bobbie Brewer, 3150 Robert Ott Circle, stated her and her family know from experience the hopelessness that comes along with disabilities and believes this is a wonderful plan for helping meet the needs of very special people and my hope is they will be able to follow through with this business, however, we believe they have chosen the wrong location for this business and cannot support it. Ms. Brewer stated she has concerns about parking reiterating the fact that her bedroom window is 17 feet from their parking lot and stated had they known this type of business could be placed here, they would have never bought in this location. Jean Voss, 3220 Robert Ott Circle, spoke in opposition due to the increased traffic and noise. Dr. Kirsch, 3110 Robert Ott Circle, spoke in opposition due to increased traffic and cut through traffic; we should remember that this is a commercial venue with fees attached and asked council to honor the obligations that were made when the initial covenants and zoning were first put in place. Sandy Brewer, 1 Park Place, spoke to the history of this first PUD and encouraged council to think about the spirit and intent of the PUD. Lisa Felts, 3085 Windcrest Drive, Ms. Stewart, Kent Holder, and John Thompson spoke in opposition to the PUD amendment with concerns ranging from decline in property values, traffic and noise. Mr. Patrick stated there are approximately 60 parking spaces in this parking area and as a rule of thumb for an office there should be 3 parking spaces for 1,000 square feet for; this is a 15,000 sq ft building which would be approximately 22 spaces. Mr. Patrick stated for a retail space there should be 5 parking spaces per 1,000 square feet so this would be 60 parking spaces if you combine the two uses together, so it appears that 60 is what is required. Todd Denton, explained this request is not a change in zoning, it is an

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## MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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amendment to the PUD; we are trying to provide a great service for a population of people that need it. Mr. Denton explained that if you were to go to the location on College Ave you would not notice very much noise at all, it is strictly patron going from their cars to the building and believes that there has been a build of fear that just is not going to occur. Mr. Denton stated you have our word that we will everything possible to do right by our neighbors. Courtney Leach, 2700 Stonewood Dr., stated her son does have special needs and attends the school that is located in this PUD, she explained her son and others, would benefit greatly from being close in proximity to this facility as it would allow the therapists to take the students to the Club House without having to leave the building. Ms. Leach stated she drops off and picks up her son at the front door now, and does not believe that noise or the traffic will be detrimental to the area. Janet Ragland, stated her daughter was born with birth defects and they were told she would never walk or talk; she receives therapy from Pediatrics Plus and they have been a blessing to them; she does now walk, but is unable to talk very much but has improved much more than they ever expected. Ms. Ragland stated she is here tonight to speak for her daughter; she cannot go anywhere to play, she cannot go to Play World for a birthday party when other children are present and neither can her friends. Ms. Ragland stated she is sympathetic to the neighbors but believes these children will not be a nuisance; they just want to play like other children get to play. Krista Tapp, co-owner Pediatrics Plus, stated they are very blessed to be able to serve children and families in our community and explained that integrity and respect are two core values in our business. Ms. Tapp stated the opening of the Club House as an indoor functional play area has been envisioned to provide the community with an exceptional place to promote the overall development of children, along with promoting parental interaction play with their children, however, the Club House is also intended to further our current vision of Pediatrics Plus by providing our children and families above and beyond what is expected. Ms. Tapp stated between the Pediatric Plus Therapy Services and the developmental pre-school on Club lane we currently provide services for hundreds of children on an out-patient basis as well as 168 children within the pre-school. Ms. Tapp went onto say that the idea behind the Club House was a collaboration of therapists in an attempt to build a functional indoor play space that will promote overall disciplined children. Ms. Tapp stated the goal from the beginning has been that children currently involved with Pediatrics Plus would also be able to benefit from this resource, as therapists or teachers could work with children on meeting uniquely designed objectives, and plan of care through this uniquely designed facility; the Club House would provide opportunities for therapists and teachers to work with children on social skills, play skills, gross/ fine motor skills and so on; from a therapeutic perspective the Club House would provide an optimal way for our children to generalize these skills and eventually be productive members of the community. Ms. Tapp stated that location is a vital piece for success, without the Club House being in close proximity to our current business, it would not be possible to do these things; due to the needs of many of our children housed at the Club Lane location, transitioning to a completely different location would be extremely difficult for them. Walter Tower, 3615 Noblitt, stated his daughter has special needs and is wheelchair bound, she attends the school on Club Lane and spoke in favor of this business being allowed in this location; she could easily transition from the school to the Club House during the day. Mr. Tower believes that the concerns expressed can be controlled by restrictions and limitations weather it is on business hours, number of people and asked council to allow this amendment. Gene Salter, 2915 St Charles, stated he has lived at this location for a very long time and has seen all the changes that have taken place in the area; the comments made tonight were basically all true and some were half truths. Mr. Salter

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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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stated this PUD took 18 months to develop and in doing so we worked with the neighbors and put up brick walls to isolate the residential area from the commercial areas. Mr. Salter stated the street was built with a 36 foot street that could potentially be a 4-lane street, it was built this way to handle the amount of traffic that was anticipated to be within this development. Mr. Salter stated the patio homes were also designed for somewhat seclusion and privacy; the streets there are private and this development has done a fantastic job in taking care of what was built there and what the conception was when it was built. Mr. Salter stated Pediatrics Plus came as a very highly referenced company and services the community as needed; as far as parties, they tend to last 2 hours, so he is unaware of how many people will patron the business, but believes Pediatrics Plus has presented a great idea and had they kept it in house just for their clientele we would not be here tonight, but they have gone the extra step in notifying everyone what their plans were. Mr. Salter stated as the landlord he would like to rent the space, because if they are not allowed to occupy the other half, he will have to rent it to someone, so the traffic will exist either way. Ben Watson, 1115 Andy Dr, stated he was hired by the owners to help open the Club House; the vision has always targeted children between the ages of 2 and 7; it was Ms. Denton who felt the facility needed to be available to all children. Mr. Watson explained we have shared with you tonight the need for this unique facility for our community and our state, he believes this is the right location due to the close proximity of the pre-school and other nearby businesses. Mr. Watson explained he feels this business would be much less intrusive than other business that would be allowed by the current zoning and asked council to approve the amendment. Stephanie Bingham spoke in favor of the proposed PUD amendment as it is in close proximity to 3 elementary schools that specialize in special education. Alderman Hawkins asked Mr. Patrick if a PUD is a changing development. Mr. Patrick stated yes, amendments are allowed. Alderwoman Mehl asked if there has been discussion with the neighbors and owners about the hours of operation. Mr. Tapp stated we are contemplating closing at 8 pm or 9 pm but we don't want to limit ourselves but we are unclear what the market could demand, it possible to stay open later in the summer months and close earlier in the winter months. After some discussion Alderwoman Whitmore motioned to deny the amendment request. Alderwoman Smith seconded the motion. The motion to deny passed 6-2. Alderman Pruitt and Alderman Hawkins voted against the denial.

Alderman Jones exited the meeting.

- B. Public Safety Committee (Police, Fire, CEOC, Information Technology, City Attorney, & Animal Welfare)**
  - 1. Ordinance authorizing personnel changes within the Conway Fire Department.**

**O-13-02**

Bart Castleberry, Fire Chief, stated 10 years ago we created the assistant fire chief position and at the time it was a lateral move and it is a very busy and hard job. Michael Murphy, City Attorney, stated when this position began it was a change in title with no change in pay and over the years there has been a change in duties and after speaking with Mark Hayes of the Arkansas Municipal League, it has been determined this position would need to go through the civil service testing promotion testing process. Mayor Townsell stated you cannot justify higher pay without making it a promoted position, and is no more salary than what is currently authorized by the salary council agreed to set at the last meeting.

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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Alderman Smith asked what will happen if Asst. Chief Winter is not one of the top candidates for that position. Chief Castleberry stated then one of the top 3 candidates will be selected. Alderman Smith motioned to waive the readings of the ordinance. Alderman Whitmore seconded the motion. The motion passed 7-0. Alderman Smith motioned to adopt the ordinance. Alderman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Smith, Alderman Pruitt, Alderman Mehl, Alderman Ledbetter, Alderman Whitmore, Alderman Grimes, and Alderman Hawkins. The motion passed 7-0.

**2. Ordinance waiving competitive bids for the purchase of a bucket truck for the Information Technology Department.**

O-13-03

Mayor Townsell stated the next series of ordinances are waiving competitive bids, being mostly items we use in a proprietary fashion. Lloyd Hartzell, IT Director, stated there are only a select few manufacturers that produce bucket trucks; specifications were submitted to 3 different manufacturers, Stamm Manufacturing, Altec Industries, Terex Corp. (NLR). Mr. Hartzell stated Stamm and Altec gave us a quote, Terex stated they could not meet specifications as they only build single buckets. Alderman Mehl asked how this is being paid for. Mayor Townsell stated it was approved last month and is to be taken from the 2012 budget. Alderman Smith motioned to waive the readings of the ordinance. Alderman Whitmore seconded the motion. The motion passed 6-1. Alderman Ledbetter voted in opposition and asked why we are not bidding this out. Mr. Hartzell stated there are a limited number of manufacturers who build bucket trucks and these 3 have been used by Conway Corp and the Street Dept in the past. Alderman Ledbetter asked if these are all in close proximity. Mr. Hartzell stated yes, which was written in the specifications, both vendors have repair available in Little Rock; Altec is located in Memphis and Stamm is located in Florida. Alderman Smith motioned to adopt the ordinance and the emergency clause. Alderman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Smith, Alderman Pruitt, Alderman Mehl, Alderman Whitmore, Alderman Grimes, and Alderman Hawkins. The motion passed 6-1. Alderman Ledbetter voted in opposition. Bids were waived and the city shall accept Stamm-Manufacturing as sole source vendor with a purchase amount of \$120,000.00.

**3. Ordinance waiving competitive bids for the replacement and/or upgrade of multifunction copiers and accepting Capital Business as sole source vendor.**

O-13-04

Lloyd Hartzell, IT Director, explained this is the same vendor council voted on last year and to avoid paying many different vendors for maintenance; this will put all copiers under one umbrella, a monthly fee is not paid it is based on number of copies. Alderman Smith motioned to waive the readings of the ordinance. Alderman Whitmore seconded the motion. The motion passed 6-0. Alderman Whitmore motioned to adopt the ordinance. Alderman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Smith, Alderman Pruitt, Alderman Mehl,

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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Alderman Ledbetter, Alderwoman Whitmore, and Alderman Grimes, and Alderman Hawkins. The motion passed 7-0.

- 4. Ordinance waiving competitive bids for the purchase, maintenance, and support of the Access Control System and accepting Alarmtec Systems as sole source vendor.**

O-13-05

Lloyd Hartzell, IT Director, explained this is the company that installed the security access doors at the Police Dept, CEOC, and District Court. Alderwoman Smith motioned to waive the readings. 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": Alderwoman Smith, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Whitmore, and Alderman Grimes, and Alderman Hawkins. The motion passed 7-0.

- 5. Ordinance waiving competitive bids for the purchase, replacement and/or upgrade of outdoor warning sirens and accepting American Signal as sole source vendor.**

O-13-06

Lloyd Hartzell, IT Director, explained we currently have 22 sirens and the majority of them are American Signal, if we move away from American Signal and we were to purchase a Federal Siren we would still have to purchase the radio module from American Signal in order for the Federal Siren to work. 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": Alderwoman Smith, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Whitmore, and Alderman Grimes, and Alderman Hawkins. The motion passed 7-0.

- 6. Ordinance waiving competitive bids for the installation, maintenance & support of the outdoor warning system sirens and accepting COMSERV Wireless as the sole source vendor.**

O-13-07

Lloyd Hartzell, IT Director, explained COMSERV is located in Memphis, TN and is the closest vendor to us; the personnel we were previously using does not meet specifications as far as the city and the contractor license. COMSERVE will be here this week to install the siren we purchased last week and the one more at a later date, after these are installed we will be able to install our own sirens which will be a savings of approximately \$7,000.00. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderman Hawkins 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 Pruitt,



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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Alderwoman Mehl, Alderman Ledbetter, Alderwoman Whitmore, and Alderman Grimes, and Alderman Hawkins. The motion passed 7-0.

- 7. Ordinance waiving competitive bids for the purchase, replacement and/or upgrade of mobile vehicle routers, mobile switches and peripherals and accept Utility as sole source vendor.**

**O-13-08**

Lloyd Hartzell, IT Director, was present to answer questions. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Mehl motioned to adopt the ordinance. Alderman Grimes seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Whitmore, and Alderman Grimes, and Alderman Hawkins. The motion passed 7-0.

- 8. Ordinance waiving competitive bids for the purchase/repair of telephone systems and accepting Kirby Telephone Service.**

**O-13-09**

Lloyd Hartzell, IT Director, was present to answer questions. 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. Alderman Ledbetter seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Whitmore, and Alderman Grimes, and Alderman Hawkins. The motion passed 7-0.

- 9. Ordinance waiving competitive bids for the maintenance of radio equipment and accepting Motorola Inc. & Grace Communications as sole source vendor.**

**O-13-10**

Lloyd Hartzell, IT Director, was present to answer questions. 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": Alderwoman Smith, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Whitmore, and Alderman Grimes, and Alderman Hawkins. The motion passed 7-0.

**Old Business**

- 1. Consideration to name the south interchange (formerly Western Loop) to Baker Wills Parkway.**

Mayor Townsell explained with the assistance of Gilbert Baker and Robbie Wills we were able to obtain approximately \$10 million of state legislative money to supplement money

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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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from the Arkansas Highway Dept which moved this project forward. Mayor Townsell recommended naming the south interchange to Baker Wills Parkway. Alderman Grimes asked what segment of the road is to be renamed. Mayor Townsell stated we at least want to acknowledge the first section; at least to Sturgis. Alderman Hawkins motioned to approve renaming the south interchange. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 7-0.

Alderman Hawkins motioned to suspend the rules to add an item to the agenda. Alderman Grimes seconded the motion. The motion passed 7-0.

**Ordinance to authorize the reclassification of District Court Clerk and an Administrative Assistant II position in District Court to an District Court Clerk Division II and Chief Deputy Court Clerk Division I position**

**O-13-11**

Susan Weaver, District Judge, explained state statues allows for judges to appoint a head District Court Clerk for each judge, currently we have one and are requesting another Court Clerk with the title "Chief Deputy Court Clerk" for Division I. Ms. Weaver stated we wish to appoint Donna Rappold to this position, but Ms. Rappold was hesitant to accept for fear it would jeopardize her retirement, as she has been employed with the city for 19 years and will be eligible for her pension in August 2013. Ms. Weaver stated if she moves to a head District Court Clerk position it would move her retirement from the non-uniform pension to APERS. Ms. Weaver stated effectively we are creating 2 District Court Clerks, however it will be 1 head District Court Clerk and 1 Chief Deputy Clerk until a later date. Alderwoman Smith asked about the salaries. Mayor Townsell stated we had a discussion on salary and Alderman Grimes and are in agreement; stating since we just set new salary scales, District Court Clerk was to be at one scale/mid-point, since we are now a two county/judge system we feel it is appropriate to honor that mid-point with this second district court clerk job. 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. Alderman Grimes seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Whitmore, and Alderman Grimes, and Alderman Hawkins. The motion passed 7-0.

**New Business**

**Adjournment**

**PASSED this 8<sup>th</sup> day of January 2013**

**APPROVED:**

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**Mayor Tab Townsell**

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**City Clerk Michael O. Garrett**