
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
April 9, 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, Alderwoman Whitmore, and Alderman Jones. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy, and Karen Francis. City Clerk Michael Garrett was not in attendance.

Call to Order: Mayor Tab Townsell

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

Minutes: March 26th, 2013 City Council Meeting & April 2nd, 2013 Special City Council Meeting

Alderwoman Smith motioned to approve the March 26th and April 2nd minutes as submitted. 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 ordering the condemnation and cleanup located at 554 South Museum Road.

R-13-16

Grant Tomlin, Code Enforcement, was present to answer questions. Mayor Townsell stated this is old antique barn at the south end of Museum Rd. There was no one present to speak to the issue. Alderman Hawkins motioned to adopt the resolution. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

2. Resolution ordering the condemnation and cleanup located at 2002 Prince Street.

R-13-17

Mayor Townsell stated this property is in foreclosure. There was no one present to speak to the issue. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

3. Consideration to accept the nomination of Wendy Shirar for the Conway Planning Commission.

Alderman Hawkins stated Ms. Shirar will serve out the term of Chris Steplock who is moving beyond the Conway city limits; this term will end on December 31, 2013. Alderman Hawkins motioned to approve this nomination. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

- 4. Ordinance appropriating funds for the Conway Bicycle and Pedestrian Advisory Board to pay for bicycle month events and other operating expenses.**

O-13-36

Alderswoman Smith motioned to waive the readings of the ordinance. Alderswoman Whitmore seconded the motion. The motion passed 8-0. Alderswoman Smith motioned to adopt the ordinance and the emergency clause. There was no discussion. The clerk called the roll with the following voting "Aye": Alderswoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderswoman Whitmore, Alderman Grimes, Alderswoman Mehl, and Alderman Hawkins. The motion passed 8-0.

- 5. Ordinance appropriating funds to match a grant from Mid America Arts Alliance Artistic Innovations Grant & enter into an agreement for a Conway Community Mural Project.**

O-13-37

Gail Seymour, Public Art Committee, stated this is an opportunity to create another community mural in our community and is excited that they received a grant in the amount of \$8,000.00. Ms. Seymour stated the location will be on the east side of the old Grand Theatre on the corner of Chestnut and Oak and we hope to have the mural completed by the end of June. Mayor Townsell stated we will need to enter into an agreement with the artist, Jordan Karpe, and the property owner and explained the \$8,000.00 will come from general fund unallocated monies. Alderswoman Whitmore motioned to waive the readings of the ordinance. Alderswoman Smith seconded the motion. The motion passed 8-0. Alderswoman Whitmore motioned to adopt the ordinance. Alderswoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderswoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderswoman Whitmore, Alderman Grimes, Alderswoman Mehl, and Alderman Hawkins. The motion passed 8-0.

- 6. Consideration to accept annual bids on gasoline and diesel for the City of Conway.**

Ronnie Hall, City Engineer, stated Satterfield was the low bidder and explained the top price is the price at the Little Rock terminal, the middle number is the amount that will be added to the cost of the terminal fuel; this does not include taxes so the tax will be added. Mr. Hall recommended the low bidder, Satterfield, at a cost of \$0.0300 cents per gallon for gasoline and ethanol, and \$0.0550 per gallon for diesel. Alderswoman Whitmore motioned to accept the low bid. Alderswoman Smith seconded the motion. Alderswoman Mehl asked what occurs if the cost changes at the terminal. Mr. Hall stated each time they deliver fuel to the city Satterfield will add \$0.300 and taxes to the posted published price, as published at Fastracks, and submit that with a bill to the city. There no other discussion. The motion passed 8-0.

- 7. Consideration to accept asphalt quotes for paving projects for the City of Conway.**

Ronnie Hall, City Engineer, recommended awarding the asphalt paving to the low bidder, Redstone Construction. Alderswoman Smith motioned to accept the low bid. Alderman

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Hawkins seconded the motion. There was no discussion. The motion passed 8-0. The paving prices are outlined as follows:

- In Place Asphalt Surface (PG 70-22) \$76.00/Ton
- In Place Asphalt Surface (PG 64-22) \$74.00/Ton
- In Place Asphalt Binder (PG 64-22) \$69.00/Ton

8. Consideration to acquire right of way for the Conway Western Arterial Loop (Baker Wills Parkway).

Ronnie Hall, City Engineer, asked council's approval to submit the following offers in order to obtain required right of way; the property owners and amounts are outlined below. Mr. Hall explained also included is an option on certain tracts to purchase uneconomical remnants of property and relocation assistance; the uneconomical remnants and relocation assistance is at the option of the property owners. Alderwoman Smith motioned to approve the offers. Alderwoman Whitmore seconded the motion. Alderman Hawkins asked Mr. Hall for more details on the relocation assistance. Mr. Hall stated if someone lives or owns a house we are purchasing the cost listed is what it will cost them to purchase another house of equal square footage and condition. Alderman Hawkins asked if this completes the acquisitions. Mr. Hall stated there are approximately 5 more tracts. There was no further discussion. The motion passed 8-0.

- James Brownlee (75X revised) 21,693 Sq Ft \$32,350.00
(un-economical remnant option \$1,700.00)
- Carroll & Beverly Strickland (43) 6,249 Sq Ft \$ 4,200.00
- Martin & Kimberly Rappold (51) 5,266 Sq Ft \$ 1,450.00
- Jerry & Sandra Meyer (56) \$ 200.00
- Valvia Smith (71X) 18,366 Sq Ft \$64,650.00
(un-economical remnant option \$2,400.00 / relocation assistance \$13,400.00)
- Ellis Maltbia (72) 21,363 Sq Ft \$27,000.00
- Charles & Frankie Collins (73X) 53,713 Sq Ft \$32,500.00
(un-economical remnant option \$3,600.00 / relocation assistance \$27,500.00)
- Ada Radliff (74) 5,398 Sq Ft \$ 2,175.00

9. Consideration to enter into a ground option and lease agreement for a cell tower with Gridiron Towers.

Alderman Hawkins motioned to enter into this agreement. Alderwoman Smith seconded the motion. Mr. Bell explained this agreement must be approved prior to the rezoning process. Michael Murphy, City Attorney, stated the language is consistent to other leases of this type in the city and assumes that the intent is to enter into this agreement with the condition that the proper zoning will be obtained. Jack Bell, Chief of Staff, stated yes, that is correct. Mr. Murphy recommended adding language to the beginning of the sentence in Section 1-A that would read "*subject to rezoning and conditional use*". Alderman Pruitt asked if we were still concerned about Section 17 - Subleasing. Mr. Murphy stated this is driven by location and how much the tenant wants the location. Mr. Murphy went onto explain that co-location is not common and it is not uncommon for the tenant to have the sole authority over co-location and subleasing. Jim Curley, Gridiron Towers, stated that city ordinance encourages co-locations; the tower is stealth design and is being built for three other carriers. Alderman Grimes wanted to ensure that approving this document does not

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

lock us into the rezoning of the property. Mr. Curly stated no. Mr. Murphy stated he would be more comfortable inserting the following language at the beginning of the sentence in Section 1-A (Option to Lease) *“Subject to rezoning and conditional use”*. Alderman Hawkins and Alderwoman Smith approved of adding Mr. Murphy’s language to the agreement. There was no further discussion. The motion passed 8-0.

10. Ordinance to rezone property located at 3725 College Avenue (Back Achters Ranch) from A-1 to O-1.

O-13-38

Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Letitia McMaster, 3799 Shock Loop, was present to answer questions. Alderwoman Smith stated her main concern are the complaints received in regards to activities held at this location, i.e. loud noise and music playing late at night, and she would like to address these. Mayor Townsell stated we can address these with the conditional use request. Alderman Grimes stated he thought the main issue was it being in the flood plain. Ronnie Hall, City Engineer, stated they have given us what we needed on the original flood plain permit; stating Ms. McMaster will need another permit if she plans to place anything else in the floodplain or across the creek. Mayor Townsell stated that Mr. Hall has recommended language to add conditions (8 & 9) to the conditional use permit to addresses the floodplain/floodway. Mayor Townsell stated this ordinance is for the general use of the land for the proposed rezoning to O-1. Alderman Grimes stated these are 2 separate issues that go hand in hand, and if we approve the rezoning, and not the conditional use, Ms. McMaster could be worse off than she is now as she could not run her stable. Mr. Grimes recommended discussing both issues concurrently. Council concurred. Alderman Hawkins if the restaurant needs to stay open until 11 pm. Ms. McMaster stated yes, barrel racing concludes late and contestants will want to eat afterwards. Alderman Ledbetter asked if the sound system was needed late as well. Ms. McMaster stated the sound system is indoors and the arena area is open on the west and east sides; the north side has a curtain that goes across and we are adding fencing that will help eliminate some of the sound. Ms. McMaster stated one event in particular had the sound system set up towards College Ave so we have remedied this by not allowing any sound systems to be set up towards any housing. Ms. McMaster stated the event center is completely enclosed. Alderman Hawkins asked how many people can fit in the event center. Ms. McMaster stated 150. Alderman Hawkins stated the lighting is not inward, downward and shrouded. Ms. McMaster stated Conway Corp installed that lighting for the parking area. Bryan Patrick, Planning Director, stated they are night watchers and feels there are possibly shields available for these; if not they could possibly change those out to another fixture that has shielding available. Mayor Townsell stated this is lighting owned and rented from Conway Corp, not Back Achters Ranch and the city may need to discuss this with Conway Corp. Alderwoman Mehl asked how many times the police have been called out to this business. Mayor Townsell stated no, we do not. Alderwoman Whitmore asked if an individual/business is allowed “the use, of a conditional use permit” prior to approval by the city council. Mr. Patrick stated no. Alderwoman Whitmore stated that is her issue with these requests. Mr. Patrick stated we have found individuals who have not sought approval prior to operating and have allowed them to continue business and or activities if they moved toward compliance in a timely manner. Alderman Hawkins stated in

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

discussions with Mr. Patrick he suggested putting a time limit on conditions. Alderwoman Smith asked how this would be "policed". Mayor Townsell stated as we do now; if we receive notice of non-compliance we send out code enforcement. Alderman Grimes stated this is not the only business in Conway that has caused noise disturbances and we need to try to make it the best we can for all parties. Mayor Townsell stated this is a unique setting as the event area is completely enclosed and another area that is relatively open so we can tailor the conditions as needed. Ms. McMaster stated that significant parking has been added. Alderman Pruitt asked if there was any parking for RV's or RV hookups. Ms. McMaster stated no. Alderwoman Mehl asked for clarification. Mr. Patrick stated Mr. Hall has recommended 2 additional conditions, one to disallow RV's. Ms. McMaster stated when participants come in from other states for equestrian events, they do stay overnight in their trailers. Alderman Hawkins read through the 9 conditions, including the 2 recommended by Mr. Hall. Alderman Grimes asked Ms. McMasters if the restaurant hours of 11 am to 11 pm fit her business model. Ms. McMasters stated yes. Ms. McMaster stated she is receiving requests statewide to hold events at her facility, and RV hookups is one thing being requested; if the restrictions are too tight it would be detrimental to her business. Mayor Townsell stated the restrictions on overnight camping etc are being suggested to keep campers out of harm's way if there is a flood. Mr. Patrick concurred: RV parks are only allowed in C-3 zoning and thought it needed to be discussed. Alderwoman Mehl suggested allowing overnight camping for participants only. Mr. Hall stated is not a good idea to camp in a floodway or floodplain due to lack of warning apparatus. Mayor Townsell concurred. Alderman Grimes asked Ms. McMaster if allowed, how many RV hookups would be needed. Ms. McMaster stated 20. Alderman Grimes stated he has no problem with RV's if there was room outside of the floodway/floodplain to put them. Alderman Grimes asked if parking is permitted in a floodplain. Mr. Hall stated if that were stated in a permit it would be allowed.

Alderman Grimes motioned to amend suggested condition #9 to read "Up to 20 RV hookups would be allowed in an area that is not floodway or floodplain if possible". Alderwoman Mehl seconded the motion. Mr. Hall stated that most of the area to the east of the creek is close to floodway, a small area on the west of the creek is in the floodway (approx. 125 ft) and the remainder is floodplain. Mayor Townsell reiterated Alderman Grimes' motion: "maximum of 20 hookups, overnight, outside of floodway or floodplain". There was no further discussion. The motion passed 5-3. Alderwoman Smith, Alderwoman Whitmore, and Alderman Jones voted in opposition.

Alderwoman Smith motioned to amend condition #7 to grant the conditional use for a 6 month period; applicant must return in 6 months from the effective dated for a review by city council. Mayor Townsell asked if the motion was for 6 months from today. Mr. Patrick stated unless you use the emergency clause it will not be effective for 30 days. Mayor Townsell reiterated Alderwoman Smith's motion: "6 months from the day it takes effect and comes back to city council for review". There was no further discussion. The motion passed 8-0.

Alderman Ledbetter motioned to amend condition #3 to limit the outdoor sound system to 8 pm. Alderwoman Smith seconded the motion. Mayor Townsell asked if the amendment included outside the event center. Alderman Ledbetter stated yes. Mayor Townsell asked if included everything or just the PA system and music, etc. Alderman Ledbetter stated everything. Alderman Ledbetter stated the condition reads as if it is an outdoor sound

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

system and asked if speakers were on the outside of the building. Ms. McMaster stated no, the speakers are inside the building in the arena. Mayor Townsell suggested to compromise here and break these down by area and level of sound; 1) nothing outside the covered area of the building, 2) focus on what sound is inside that building, and 3) sound inside the event center. Mayor Townsell reiterated Alderman Ledbetter's motion: "No outdoor sound system which is out beyond the roof of the building". Alderman Ledbetter stated yes. Mayor Townsell stated the motion would be "no outdoor - meaning beyond the roof of the building". Alderman Grimes asked if Ms. McMaster has an outdoor sound system. Ms. McMaster stated we have a speaker that announces the barrel racers on the west end. Alderman Ledbetter questioned whether she had speakers outside. Ms. McMaster stated we have a speaker on the entrance gate that is directed to where barrel racers warm up their horses. Alderman Ledbetter stated his motion includes "any outside building sound system use is limited to 8 pm". Mayor Townsell reiterated: "outdoor, beyond the roof is limited to 8 pm". Mayor Townsell asked if the sound system is acceptable "indoor under roof, but not in the event center" until 10 pm. Alderman Ledbetter stated he is fine with that as this is not addressed here. Ms. McMaster asked about inside. Mayor Townsell stated "just on the inside, under roof, but open air. Alderwoman Mehl stated it is all open air. There was no further discussion. The motion passed 7-1. Alderman Grimes voted in opposition. Mayor Townsell asked how council wishes to handle under roof, but outside of walls in reference to condition #3. Alderman Grimes suggested letting our noise ordinance take care of some of these issues. Alderwoman Whitmore motioned amend condition #3 to limit any open air, under roof sound system to 10 pm. Alderman Grimes motioned to amend Alderwoman Whitmore's motion to exclude the PA system for under roof, open air for rodeo and equestrian events. Mayor Townsell reiterated Alderwoman Whitmore's motion and Alderman Grimes amendment: "to exclude the PA systems from the under roof, open air, no sound system requirement". There was no further discussion on the amendment excluding the PA system. The motion failed 3-5. Alderwoman Whitmore, Alderwoman Smith, and Alderman Jones voted in opposition. Alderman Jones motioned to exclude the PA system limited to 9 pm Sunday through Thursday and Friday and Saturday until 12:30 am. Mayor Townsell asked about music. Alderman Jones stated no music, PA only. Mayor Townsell stated Alderman Grimes' motion was for everything involving sound, is your motion only for PA. Alderman Jones stated yes, just PA. Mayor Townsell stated your motion is silent to bands and music. Alderman Jones stated "outside". Mayor Townsell asked outside open air. Alderman Jones stated yes. Mayor Townsell reiterated Alderman Jones motion: "only PA system under roof, open air, no music, band, or recording music limited to 9 pm Monday through Thursday until 12:30 am Friday and Saturday" Alderwoman Whitmore seconded the motion. Alderwoman Smith asked if this would take care of the rodeo events. Ms. McMaster stated she also has rodeos during the week. Alderman Jones asked how late they run. Ms. McMaster stated until 11 pm. Alderman Grimes stated we are trying to resolve a problem that does not exist. There was no further discussion. The motion failed 4-5 with the Mayor voting with the majority. Alderman Grimes, Alderwoman Mehl, Alderman Hawkins, and Alderman Pruitt voted in opposition.

Alderman Grimes asked Ms. McMaster to explain to council her business model and needs to operate the facility. Ms. McMaster stated barrel racing occurs typically Monday through Saturday and runs from approximately 6:30 pm to 12:00 am and they also have full rodeos. Alderman Grimes asked if the sound from the announcers stand is directed at the audience, in the arena, during rodeos. Ms. McMaster stated yes. Alderman Grimes believes the applicant needs some leeway on the hours for the rodeos and recommended council look at

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

the issues with loud music etc. Alderman Grimes asked Ms. McMaster if music events can be held in the event center. Ms. McMaster stated no, they would need to be in the arena as the event room is not large enough for the crowd once equipment is set up. Ms. McMaster stated complaints from one band event stemmed from the band being near the street; it was not back by the announcers stand. Alderwoman Smith asked if that would put them closer to Shock Loop. Ms. McMaster stated the residents on Shock Loop have told her that they do not know when an event is taking place because that entire side is enclosed with stables. Ms. McMaster went onto say she also hosts weddings/receptions, and birthday parties; she is not wanting to limit the types of events. Alderman Grimes motioned to amend condition #3 to also include "no sound system limitations on events related to equestrian or rodeo activities which will be reviewed in 6 months, and amplified music shall not be allowed after 11:00 pm on Friday and Saturday, or after 9:00 pm Sunday through Thursday. Alderwoman Mehl seconded the motion. Mayor Townsell reiterated: "no restrictions/restraints on equestrian rodeo and horseback events". Alderman Grimes asked if this will cover the events being held in the arena. Ms. McMaster stated yes. Mayor Townsell reiterated Alderman Grimes' motion: "music or entertainment style events limited to 11:00 pm on Friday and Saturday, and 9:00 pm Sunday through Thursday". Alderwoman Mehl seconded the motion. There was no further discussion. The motion passed 5-2. Alderwoman Smith and Alderwoman Whitmore voted in opposition. Alderman Jones was not present for the vote.

Council moved back to the vote on the proposed rezoning with Alderman Hawkins motioning to adopt the ordinance. Alderwoman Mehl seconded the motion. Alderman Grimes asked if we rezone from A-1 to O-1 but failed to pass the conditional use request what would happen to the stable. Mr. Patrick stated it would in essence be grandfathered in and explained the current A-1 zoning does not allow a restaurant or non-equestrian events. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Pruitt, Alderman Ledbetter, Alderman Grimes, Alderwoman Mehl, and Alderman Hawkins. The motion passed 5-3. Alderwoman Whitmore, Alderwoman Smith, and Alderman Jones voted in opposition.

11. Consideration of a request by Letitia McMasters for a conditional use permit to allow a public stable, restaurant, and arena/events center for property located at 3725 College Avenue.

The majority of the discussion is outlined in item 1A-10 above.

Mayor Townsell stated condition #3 has been amended in 2 ways; limiting outdoor speakers which is beyond the limits of the roof to 8:00 pm, no sound restrictions on equestrian, rodeo, or horse events of any kind with the exception of the cities noise ordinance. Mayor Townsell went onto say limitations on music or entertainment style events is 11:00 pm on Friday and Saturday, and 9:00 pm Sunday through Thursday. Mayor Townsell stated condition #7 has been amended to have the conditional use valid for 6 months from the effective date of the conditional use and will come back before city council for review. Mayor Townsell stated recommended condition #9 has been amended to allow a maximum of 20 overnight hookups that are outside the floodway/floodplain for event participants only. Alderman Hawkins motioned to add a condition to have this conditional use permit apply to the applicant Ms. McMaster only. Alderman Jones seconded the motion. There was no discussion. The motion passed 7-1. Alderman Grimes voted in opposition.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Alderwoman Smith motioned to add amended conditions 8 and 9. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 8-0. Alderman Ledbetter asked if this will take effect in 30 days. Mayor Townsell stated it will be 30 days once the ordinance is published. Alderman Ledbetter asked what happens with the cease and desist order. Michael Murphy, City Attorney, stated it will be in effect until the ordinance/conditional use permit goes into effect; if council wants operations to begin for these conditions under these conditions, an emergency clause would need to be added. After some discussion Mayor Townsell stated if council wishes he can pull the cease and desist order. Alderman Jones motioned to amend condition #7 to come back for city council review and re-approval 6 months from the end of the cease and desist order. There was no discussion. The motion passed 8-0. Alderman Grimes motioned to approve the conditional use permit as amended. Alderwoman Mehl seconded the motion. There was no further discussion. The motion passed 6-2. Alderwoman Smith and Alderwoman Whitmore voted in opposition. The conditions are outlined below:

1. Restaurant hours of operation are limited to 11:00 a.m. to 11:00 p.m.
2. Restaurant shall not have drive through service.
3. Outdoor sound system use beyond the roof but open air is limited to 8:00 p.m., excluding the PA system which is unlimited use.
No restrictions, no restraints on equestrian, rodeo and horseback events. It cannot violate the City's sound ordinance. Music or entertainment style events are limited to 11:00 p.m. on Friday and Saturday only, and 9:00 p.m. Sunday through Thursday.
4. Additional parking spaces are required for restaurant. Design and number of spaces must meet development review standards. Gravel overflow parking areas are allowed for the event center. Additional parking details shall be developed with the Planning staff.
5. Landscaping required per development review standards.
6. All lighting must be inward, downward, and shrouded.
7. The conditional use is valid for six (6) months from end of cease and desist order. Applicant must return for City Council review and re-approval in October 2013.
8. As required by City Ordinance O-06-128 and referenced "Flood Damage Prevention Code for the City of Conway, Arkansas", no fill or structures shall be placed in the floodway or floodplain without securing a "Floodplain Development Permit" followed by full compliance with the permit conditions and receipt of a "Certificate of Compliance" with the Permit. The "Certificate of Compliance" shall be received within six months of any fill or structures placed in the floodplain or floodway. Failure to comply with this condition will result in immediate revocation of the conditional use.
9. Up to 20 recreational vehicle hookups maximum are allowed for overnight equestrian event participants. RV parking/hookup area is not allowed in the floodplain/floodway area if at all possible. Any RV parking/hookups in the floodway/floodplain area require approval of the City Engineer as outlined in condition 8.
10. This conditional use permit is tied to this applicant, Ms. Letitia McMaster only. The permit does not run with the land.

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

1. Consideration to enter into an agreement with PO Boy Concession with the Conway Parks Department.

Rhonda Sutton, Parks Dept., explained that Po Boys Concessions, the Don Owens softball concessionaire has decided they longer wish to operate the concession; they currently owe the city approximately \$3,400.00 in commission from 2011 and 2012. Ms. Sutton explained the proposed agreement would convey an icemaker, deep fry, microwave, and an ice cream

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

freezer with an estimated value of \$2,826.00 to the city in-lieu of their outstanding debt and asked council to accept the equipment in lieu of payment with the remaining balance to be paid by Po Boys Concessions. After some discussion Alderwoman Mehl motioned to approve the agreement. Alderwoman Whitmore seconded the motion. There was no further discussion. The motion passed 8-0.

Old Business

1. **Ordinance appropriating funds to replace the sound system for City Council meetings.**

O-13-39

Bryan Patrick, Planning Director, stated the system quoted by DeBoard's is a good simplistic system; it is however harder to set up as it has more connectors. Mr. Patrick stated the system from Interactive Solutions is a complex state of the art system and is controlled more like a computer. Mr. Patrick feels after talking with Interactive Solutions, and studying the system, he feels like this is more of what we need as it offers more solutions to problems such as feedback, feeding the signal to Conway Corp's system, and offers us more control of the audio. Jack Bell, Chief of Staff, stated it does address many of the complaints we have received in regards to the sound system such as background noise/voices; when someone speaks into the microphone their voice will be heard, not others in the background. After some discussion Mr. Patrick stated the microphones are fine and can be replaced individually; the connectors will be replaced as some are in poor condition and the quotes have reduced with the elimination of the microphones. Alderwoman Mehl stated she spoke to one of the judges and they are not happy with the District Court system. Mayor Townsell stated this ordinance only appropriates general fund monies, if court automation monies were to be added that would be a separate issue; for the sake of giving us flexibility he suggested selecting in the higher quote from Interactive Solutions for approximately \$21,000.00. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 8-0. Mr. Patrick stated the only difference between the 2 quotes from Interactive Solutions is how the speakers are mounted. Alderwoman Smith motioned to adopt the ordinance and the emergency clause, waiving bids and selecting Interactive Solutions in the amount of \$21,657.70. Alderman Jones seconded the motion. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, Alderman Grimes, Alderwoman Mehl, and Alderman Hawkins. The motion passed 8-0.

New Business

Adjournment

PASSED this 9th day of April 2013

APPROVED:

Mayor Tab Townsell

