
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
May 14, 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, Alderwoman Mehl, Alderwoman Smith, Alderman Ledbetter, Alderwoman Whitmore, and Alderman Jones. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy. Alderman Grimes and Alderman Pruitt were not in attendance.

Call to Order: Mayor Tab Townsell

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

Minutes: April 23rd, 2013 City Council Meeting

Alderwoman Whitmore to approve the April 23, 2013 minutes as submitted. Alderwoman Smith seconded the motion. The motion passed 6-0.

Recognition:

1. Report of Standing Committees:

A. Public Hearing

- 1. Public Hearing/Ordinance to discuss the closing of a 40 foot dedicated street right of way located between 3rd Avenue & 4th Avenue at Vine Street.**

O-13-47

Mayor Townsell opened the public hearing. Allen Shaver, 1261 Harkrider, stated his request will allow him to gain more property to build on. There was no one else present to speak to the issue. The Mayor closed the public hearing. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 6-0. 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, Alderwoman Mehl, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, and Alderman Hawkins. The motion passed 6-0.

B. Economic Development Committee (Airport, Conway Corporation, Conway Development, Historic District, Chamber of Commerce)

- 1. Resolution accepting the City of Conway Municipal Airport Business Plan.**

R-13-24

Bill Adkisson, Airport Advisory Committee, was present to answer questions. Alderman Hawkins motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 6-0.

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

- 1. Ordinance establishing the intent of the City of Conway to annex 120.94 acres located North of Blaney Hill Road and as always known as the Old City of Conway Landfill.**

O-13-48

Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 6-0. 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": The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderwoman Mehl, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, and Alderman Hawkins. The motion passed 6-0.

- 2. Consideration to enter into a lease agreement with the State of Arkansas (Conway Human Development Center).**

Mayor Townsell explained this pertains to two parcels of land, Curtis Walker Park (13.63 acres) which was originally Mt. View Park and leased from the State for a period of 5 years in 1964; since 1969 it has continued on month to month. The other parcel is Don Owens Sports Complex (46.14 acres which includes ball fields and rodeo arena); the Mayor explained the leases termed at different times, and we needed the lease term date extend to match the useful life of the sports center. The Mayor explained approximately 5 years ago it was determined the city could not provide free sanitation services to the school district, but in order to make this arrangement work, the State wishes to once again receive free sanitation services in return. The lease term begins March 1, 2013 and ends February 28, 2063. Alderwoman Smith motioned to approve entering into this agreement. Alderwoman Mehl seconded the motion. There was no further discussion. The motion passed 6-0.

- 3. Consideration for approval of amounts for property acquisition and relocations for the South Interchange of Western Loop (Wills Baker Parkway).**

Ronnie Hall, City Engineer, explained these offers were previously approved the listed property owners have counter offered (as outlined below). Alderman Hawkins stated Ms. Gertrude Rappold (Tract 52) has been a resident of the area for many years and she wishes to stay as long as possible; her tract is very close to where the road is to be built and she has requested an privacy fence as well. Ms. Rappold was present and stated she received one estimate in the amount of \$6,595.00 for 318 ft of fencing. The Mayor stated he is sure we can agree on this issue, but we should make an offer based on the same formula used on previous fencing costs. Alderwoman Smith motioned to approve the requested counteroffers to include approving a privacy fence for Ms. Rappold (Tract 52) with a cost to be determined at a later date. Alderwoman Whitmore seconded the motion.

- Patrick Rappold (Tract 49X) - \$1,900.00 additional compensation - New Total = \$20,900.00.
- Ronald J. Lauritzson (Tract 50) - \$2,400.00 additional compensation and privacy fence at a cost of \$3027.00 - New Total = \$29,527.00.

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- Gertrude J. Rappold (Tract 52) - \$270.00 additional compensation and privacy fence with a cost to be determined at a later date.
- Tim J. Rappold (Tract 53X & 53E-1) - \$1,075.00 additional compensation, to move mobile home off ROW, and add driveway access - New Total = \$13,025.00.
- Heriberto Loya (Tract 57) - \$3,616.00 to purchase land instead of easement - New Total = \$14,241.00.
- Thomas Rappold (Tract 58) - \$235.00 additional compensation - New Total = \$1,485.00.
- Charles & Frankie Collins (Tract 73X) - \$1,646.00 for eligible relocation assistance for closing costs - New Total = \$37,496.00.

4. Consideration for approval for right of way acquisition parcels 21, 22, 23, 24 & 25 Prince Street Improvement (Western Avenue to Shady Lane).

Ronnie Hall, City Engineer, explained 5 parcels remain on the south side of Prince St. and recommended approving the amounts outlined below, not to include parcel 21 as we are awaiting the cost on fencing. Alderwoman Smith motioned to approve amounts for the 4 parcels. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 6-0.

- William & Sue Higgs/Higgs Family Dentistry - (Parcel 22) - \$1,150.00 for 128 SF ROW and \$2,580.00 for sign relocation totaling \$3,730.00.
- Tony & Reda Salter/Salter Realty - (Parcel 23) - \$6,240.00 for 128 SF ROW, sign relocations plus loss of parking.
- Trent Family 1, LLC/Taco Bell - (Parcel 24) - \$4,550.00 for 398 SF ROW.
- Morningside Church of Christ (Parcel 25) - \$500.00 for 87 SF ROW.

5. Ordinance entering into a lease agreement & waiving competitive bids to purchase a motor grader for the Street Department.

O-13-49

Ronnie Hall, City Engineer, explained the motor grader has failed and the minimum cost of repair is \$20,000.00; explaining we spent as much on repairs approximately 5 years ago and it is likely not worth repairing. Mr. Hall recommended leasing the equipment from J.A. Riggs for a period of 3 years at \$1,954.00 per month with an option to purchase the equipment for \$160,000.00 at the end of the 36 month lease period. This piece of equipment is a 140M Caterpillar used less than 500 hours. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderman Hawkins seconded the motion. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion passed 6-0. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderwoman Mehl, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, and Alderman Hawkins. The motion passed 6-0.

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

1. Ordinance appropriating funds received from the AR Municipal League Vehicle Program for the Conway Parks & Recreation Department.

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O-13-50

Insurance proceeds are in the amount of \$19,750.00 on a 2008 Ford F-250 truck. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. The clerk called the roll with the following voting "Aye": The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderwoman Mehl, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, and Alderman Hawkins. The motion passed 6-0.

2. Ordinance establishing responsibility for tarping and securing materials/debris during transportation within the Conway Sanitation Department.

Mayor Townsell asked council to hold this item in committee until such time Cheryl Harrington, Sanitation Director is present. Alderwoman Smith motioned to hold this item in committee. Alderwoman Whitmore seconded the motion. The motion passed 6-0.

3. Ordinance waiving bids for the purchase of commercial waste and recycle containers products for the Conway Sanitation Department.

O-13-51

Rebecca McHughes, Sanitation Dept., explained there are businesses that are not using our services; city code requires businesses to use city provided services unless they manufacture products. Ms. McHughes stated in order for us to accommodate these businesses we need to purchase these containers as soon as possible. The lowest quote was from Cram-a-lot. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 6-0. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderwoman Whitmore seconded the motion. The clerk called the roll with the following voting "Aye": The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderwoman Mehl, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, and Alderman Hawkins. The motion passed 6-0.

4. Ordinance waiving bids for the purchase of the EPI Liner for the Sanitation Department.

O-13-52

Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. Alderwoman Whitmore motioned to adopt the ordinance and the emergency clause. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderwoman Mehl, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, and Alderman Hawkins. The motion passed 6-0.

5. Ordinance authorizing city officials and city employees to be employed by or otherwise serve in a dual capacity with the Faulkner County Solid Waste Management District.

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Mayor Townsell asked council to hold this item in committee until such time Cheryl Harrington, Sanitation Director is present. Alderwoman Smith motioned to hold this item in committee. Alderwoman Mehl seconded the motion. The motion passed 6-0.

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

1. Consideration to dispose of & remove certain fixed assets (IT items) from inventory from various departments.

Mayor Townsell stated there is a substantial list of fixed assets that the IT department is requesting these items be removed from inventory; the items will be disposed of via online auction, used for training purposes, or simply disposed of. Alderwoman Smith motioned to approve removing and disposing/selling of the items submitted from IT. Alderman Hawkins seconded the motion. Alderwoman Smith asked if the items are sold does the money go back into the department. Mayor Townsell stated any revenues collected become general revenues of the city. There was further discussion. The motion passed 6-0.

2. Consideration to accept the bid from Springhill Specialty Trailer to replace the Smokehouse for the Conway Fire Department.

Bart Castleberry, Fire Chief, explained this is one of the most popular educational tools we have; the current smokehouse is 15 years old. Chief Castleberry recommended approving the bid from Springhill Specialty Trailers in the amount of \$37,900.00. Alderwoman Whitmore motioned to accept the bid from Springhill Specialty Trailers. Alderman Jones seconded the motion. There was no discussion. The motion passed 6-0.

3. Ordinance appropriating funds from various donors for the Conway Fire Department.

O-13-53

Bart Castleberry, Fire Chief, explained we received donations in the amount of \$1,201.00 and we wish to use these funds toward the purchase of dive team weights and 27 carbon knight hoods. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. 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, Alderwoman Mehl, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, and Alderman Hawkins. The motion passed 6-0.

Mayor Townsell asked council to hold items D-2 and D-5 in committee until the next council meeting. Alderman Jones motioned to hold these items in committee until next council meeting to be held May 28, 2013. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 6-0.

Old Business

New Business

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Adjournment

PASSED this 14th day of May 2013

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett