
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
August 6, 2013

On this date the City Council of the City of Conway, Arkansas met in special session. The following members being a quorum were present and acting: Alderman Hawkins, Alderman Grimes, Alderman Pruitt, Alderwoman Mehl, Alderwoman Smith, and Alderman Ledbetter Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy, and Karen Francis. Alderwoman Whitmore and City Clerk Michael Garret were not in attendance.

Call to Order: Mayor Tab Townsell
Roll Call: Karen Francis

1. Report of Standing Committees:

A. New Business

1. Consideration to approve a proposed settlement for approval in case of Gault, et al v. Conway Police Department.

Michael Murphy, City Attorney, explained this case involves allegations of false arrest and unlawful arrest against the police department and officers. John Wilkerson, Arkansas Municipal League Attorney, stated this case warrants merit as the allegations are of false arrest of Mr. & Mrs. Gault. Mr. Wilkerson stated upon arrival at the Gault's home officers were told the suspect was not there, the officers felt he was and proceeded to search the home while detaining the suspect's father. Mr. Wilkerson stated the suspect's mother then arrived and officers suspected she was also involved. Mr. Wilkerson stated legally speaking, this was not the proper course of action; Chief Gary conducted an internal investigation and found there were policy violations and the officers were disciplined. Mr. Wilkerson stated Mr. & Mrs. Gault sued and explained he immediately engaged in settlement negotiations because this is not a case you want to litigate for any length of time. Mr. Wilkerson recommended a tentative settlement offer of \$20,000.00; 90% to be paid by the Municipal League and 10% (\$2,000.00) to be paid by the city. Alderwoman Smith motioned to approve the settlement of \$2,000.00. Alderwoman Mehl seconded the motion. Alderwoman Smith asked which fund will pay this settlement. Mayor Townsell stated the general fund. There was no further discussion. The motion passed 6-0.

Alderwoman Smith motioned to suspend the rules to add a change order request for Curtis Walker Park to the agenda. Alderwoman Mehl seconded the motion. The motion passed 6-0.

2. Consideration of a change order request for Curtis Walker Restroom/Concession Stand Project for the Parks & Recreation Department.

Alderman Jones entered the meeting.

Steve Ibbotson, Parks Director, explained while looking at the future electrical needs of the site it was determined the power needed could not be handled by 240 volts and explained

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we would like to change specs to 480 volt, 3-phase to handle the expansion for the football field lighting, press box, Miracle Field lighting, and a pavilion. Mr. Ibbotson recommended approving the change order in the amount of \$37,630.00. Alderwoman Smith motioned to approve the change order. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

Adjournment

PASSED this 6th day of August 2013

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett