
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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

Call to Order: Mayor Tab Townsell

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

Minutes: September 24th, 2013 City Council Meeting

Mayor Townsell explained with three absent council members we cannot pass an ordinance or suspend the rules. The Mayor explained when the printed agenda packet was sent out last Friday, it did not contain the purchase and sale agreement of the old airport, which was obtained late that afternoon. The Mayor stated the press was notified by his office (contact documentation to the press is available) and this item would be on the agenda for consideration tonight, and if council agrees with this interpretation there is no need to suspend the rules to place it on the agenda. City Attorney Michael Murphy and council concurred.

Consideration of approving the purchase and sales agreement for the old airport site between the City of Conway and Cantrell Field Joint Venture, LLC.

Bill Adkisson, Chairman Conway Development Corp (CDC) and partner of Cantrell Field Joint Venture, LLC, explained the CDC is pleased to be a party to this venture along with Jim Wilson & Associates LLC, out of Montgomery Alabama. Mr. Adkisson feels this will bring a great development to Conway and as well as generating more sales tax revenues. Mr. Adkisson gave a brief synopsis of the terms of the agreement and stated the sales price is \$6.1 million and closing is expected by July 1, 2015 with the hopes of opening the development by 2017. Alderwoman Smith asked what additional work will be required on the streets. Mayor Townsell stated once we have agreed, the city will construct and fund certain streets to make this property more attractive for retail opportunity; one being an overpass connecting to Elsinger Blvd. and tying into Bruce Street. The Mayor stated the developer is looking for some type of performance measure to ensure we meet our requirements and time lines; we may approve tonight a real estate contract/purchase agreement that will be contingent upon the conditions of the work schedules to be worked out at a later date. The Mayor stated some approvals needed for these roadways are out of our hands. Alderman Pruitt asked if the developer would be responsible for water and sewer infrastructure. The Mayor stated the developer will be handling the mainline improvements for utilities; the interior of the main streets will be completed by the development itself. Alderman Jones asked what the cost of the roads would be. Ronnie Hall, City Engineer, stated the city would commit approximately \$124 million plus to this project, which would include the south inter-change. Alderman Jones asked if we will receive state or federal funding for this project. The Mayor stated we will receive some additional federal funding for the south inter-change, but the overpass, Bruce St, and the Oak Street connection will be funded fully by the city. The Mayor stated we have always known this would be our commitment to this project. Mr. Hall stated the overpass will cost \$6 million, Bruce Street will cost \$4 million, and the Oak Street connection will cost \$6.6 million. Alderman Jones asked what happens if we cannot get the Oak Street entrance ramp relocated. The Mayor stated the developer can back out; explaining our

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roadwork is what makes the site attractive, if you cannot get to the site, retail will not work. Mr. Hall explained the ramp re-location was a highway department conceptual plan. Alderman Ledbetter asked the status of the Oak Grove Cemetery. The Mayor stated Oak Grove is referenced in this agreement, and it is possible for us to exchange land in the same area; we own 50 acres of land not included in this sale. The Mayor believes we can invest and fund this kind of project because the next new retail development to Conway could mean millions of dollars over decades, and would transform the metro area in and around Conway. Mr. Adkisson stated Jim Wilson & Associates has projected \$34 million of sales tax revenue could be generated over a 10 year period of time. The Mayor stated we are asking for approval of a purchase and sell agreement with a condition of a supplemental agreement to the schedules. Alderwoman Whitmore motioned to approve this contract. Alderwoman Smith seconded the motion. There was no further discussion. The motion passed 5-0.

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 to place a certified lien on certain properties as a result of incurred expenses by the City.

R-13-55

Mayor Townsell stated the property address is 1410 Joyner; the cost of cleanup was \$167.85 (\$125.32 + Penalty \$12.53 + 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 5-0.

R-13-56

Mayor Townsell stated the property address is 29 Timothy Lane; the cost of cleanup was \$193.63 (\$148.76 + Penalty \$14.87 + 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 5-0.

R-13-57

Mayor Townsell stated the property address is 135 Eve Lane; the cost of cleanup was \$217.24 (\$170.22 + Penalty \$17.02 + filing fee \$30.00). There was no one present to speak to this issue. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-0.

R-13-58

Mayor Townsell stated the property address is 2522 Robinson; the cost of cleanup was \$230.81 (\$182.56 + Penalty \$18.25 + filing fee \$30.00). There was no one present to speak to this issue. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-0.

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R-13-59

Mayor Townsell stated the property address is 29 Brierwood Circle; the cost of cleanup was \$230.82 (\$182.57 + Penalty \$18.25 + filing fee \$30.00). There was no one present to speak to this issue. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-0.

Alderwoman Mehl entered the meeting.

R-13-60

Mayor Townsell stated the property address is 2902 Pheasant Drive; the cost of cleanup was \$233.48 (\$184.99 + Penalty \$18.49 + 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 6-0.

R-13-61

Mayor Townsell stated the property address is 602 5th Street; the cost of cleanup was \$541.78 (\$465.26 + Penalty \$46.52 + 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 6-0.

- 2. Resolution in support of the Conway Bicycle and Pedestrian Advisory Board being consulted during the design and engineering phase of all new street construction projects with the designation of collector and above.**

R-13-62

Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 6-0.

- 3. Ordinance amending Article 1101 of the Conway Zoning Ordinance (O-09-54) to add landscaping requirements specific to automobile vehicle dealerships.**

O-13-109

Wes Craiglow, Assistant Planning Director, explained this will result in a 50% reduction of canopy trees along the street perimeter which will help with visibility and also a 50% reduction internally within the parking lot which will help lessen the maintenance costs at the dealerships. 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 Mehl seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 6-0.

- 4. Ordinance authorizing the reclassification of certain positions within the Conway Permits & Code Enforcement Department.**

O-13-110

Bart Castleberry, Permits & Code Enforcement Director, requested to reclassify an open Code Enforcement position to a Building Inspector position in order to hire an HVAC inspector as he feels the work load can justify the request. Mr. Castleberry stated this will leave us with one Code Enforcement officer, but stated this will be sufficient for the winter months. 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 Mehl seconded the motion. Alderman Jones stated the city needs more than 1 Code Enforcement Officer, as he gets complaints on a regular basis of individuals whom are unable to get an officer out to check their complaints. The Mayor stated everyone in that department feels we can manage with 1 officer during the winter months and we can look at creating a new position next year. After some discussion the clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 5-1. Alderman Jones voted in opposition.

5. Consideration of bids for the utility construction - sanitary sewer system project at the newly relocated Conway Municipal Airport.

Ronnie Hall, City Engineer, stated this will include the sanitary sewer mains that will serve the corporate hangars and terminal building; Mr. Hall recommended the low bidder Tyler Group in the amount of \$243,107.00. Mr. Hall explained funding will be funded 90% from the FAA and 10% from state and local matches. Alderwoman Smith motioned to accept the low bid. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 6-0.

B. Personnel

1. Consideration of 2014 renewal for Health Advantage medical insurance.

Lisa Mabry-Williams, HR Director, explained the renewal from Health Advantage came back with a 28% increase for 2014 health care premiums and recommended taking this to bid. Alderwoman Whitmore motioned to bid the medical insurance. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 6-0.

2. Consideration of the 2014 renewal for BlueCross BlueShield dental insurance.

Lisa Mabry-Williams, HR Director, explained the renewal of dental insurance for 2014 came back with a 3% increase, which includes fees that are being added due to Health Care Reform; with keeping the increase as a cost to the city, this will increase the premium by \$429.00 per month. Ms. Williams is unsure if we could get a better rate if we took it out to bid. Ms. Williams stated BlueCross dental currently allows participants to roll a portion of their unused benefit over to the next year; if benefit would be lost if we moved to another plan and recommended staying with the current provider for 2014. Alderwoman Smith motioned to accept the renewal rate for dental insurance for 2014. Alderwoman Whitmore seconded the motion. Alderwoman Mehl asked that in the future information be provided

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prior to the meeting so she can have time to prepare. There was no further discussion. The motion passed 6-0.

3. Consideration of the 2014 renewal for USABLE life insurance.

Lisa Mabry-Williams, HR Director, explained last year USABLE offered us a two year rate guarantee which will continue on through 2014 and recommended staying with USABLE for our life insurance provider. Alderwoman Smith motioned to renew with USABLE for life insurance coverage for 2014. Alderwoman Whitmore seconded the motion. The motion passed 6-0.

C. Old Business

D. New Business

Adjournment

PASSED this 8th day of October 2013

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett