
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
October 22, 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, Alderman Pruitt, Alderman Ledbetter, Alderwoman Smith, Alderman Jones, Alderwoman Whitmore, and Alderman Grimes. Also, present and acting: Mayor Tab Townsell, and City Attorney Michael Murphy. City Clerk Michael Garrett 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 & October 8th, 2013 City Council Meeting

Alderwoman Whitmore motioned to approve the September 24 and October 18, 2013 minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

Recognition: Employee Service Awards

5 Years

Cathy Brown - District Court

Linzy Purifoy - Police Dept.

10 Years

James Gauvey - Sanitation

Felicia Rogers - Administration

15 Years

Antonio Harper - Street Dept

Bryan Patrick - Planning & Development

Amanda Stanton - City Attorney's Office

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-13-63

Alderman Hawkins stated the property address is 1 Wingate Drive; the cost of cleanup was \$205.71 (\$159.74 + Penalty \$15.97 + 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 7-0.

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R-13-64

Alderman Hawkins stated the property address is 516 1st Avenue; the cost of cleanup was \$221.46 (\$174.06 + Penalty \$17.40 + 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 7-0.

2. Ordinance appropriating match funds for the Markham Street Project Jump Start Grant.

O-13-111

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 and the emergency clause. Alderwoman Mehl seconded the motion. There was no discussion. The Mayor called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderman Hawkins, Alderwoman Whitmore, and Alderwoman Mehl, The motion passed 7-0.

3. Ordinance appropriating funds to reflect a new market rate for the City Engineer/Street Director.

O-13-112

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 and the emergency clause. Alderwoman Whitmore seconded the motion. There was no discussion. The Mayor called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderman Hawkins, Alderwoman Whitmore, and Alderwoman Mehl, The motion passed 7-0. The salary for the City Engineer/Street Director will be \$86,201.00 and is to be prorated back to January 1, 2013

4. Consideration of payment for moving expenses associated with Tract 71 (Smith) for the Conway Western Arterial Loop Project.

Ronnie Hall, City Engineer, was present to answer questions and stated the moving expenses for Ms. Smith total \$1,950.00. Alderman Hawkins motioned to approve the moving expenses in the amount of \$1,950.00. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

5. Consideration of payment for eligible replacement housing associated with Tract 73 (Collins) for the Conway Western Arterial Loop Project.

Ronnie Hall, City Engineer, recommended payment to Charles and Frankie Collins in the amount of \$24,782.50, which cost difference between the values of the old home verses the cost of their replacement home as listed on by the AHTD, and \$544.00 for incidental expenses incurred in the closing of their new home. Alderwoman Smith motioned to approve the payment for home replacement. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

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- 6. Consideration to enter into an agreement with Enable Gas Transmission Co. for temporary and permanent easements for gas transmission lines on city property (Landfill) Tract 1 and water storage (Tract 5) locations.**

Alderman Jones motioned to hold this item in committee. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

- 7. Review of the conditional use permit issued for property located at 3725 College Avenue (Back Achers Ranch).**

Bryan Patrick, Planning Director, explained Ms. McMasters is in compliance with everything except some landscaping and explained what she proposes is somewhat different than what the ordinance requires. Latishia McMasters, BackAchers Ranch, explained the changes she is requesting which includes a hedge along the front and the elimination of the requirement of certain trees in the front area. After some discussion Alderwoman Whitmore motioned to not allow the recommendation by Ms. McMaster but to look at a variance for the fire hydrant and the water location. Mr. Patrick offered to look at the area and make recommendations back to city council. Alderwoman Whitmore withdrew her motion. Alderman Hawkins motioned to allow Mr. Patrick 3 weeks to come up with a landscape proposal. Alderman Pruitt seconded the motion. There was no discussion. The motion passed 7-0.

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

- 1. Consideration to accept bids for (9) General mechanic tool boxes & set for the Sanitation Department.**

Cheryl Harrington, Sanitation Director, recommended the low bid from Cross Auto Supply Inc. in the amount of \$46,253.47; this is for 9 sets. Alderwoman Smith motioned to accept the low bid. Alderwoman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

- 2. Consideration to accept bids for a 2013 Automated Side Loading Refuse Truck (CNG) for the Sanitation Department.**

Cheryl Harrington, Sanitation Director, recommended bid # 2 from River City Hydraulics in the amount of \$257,800.00 as it met all bid specifications and is available in 2 weeks. Alderwoman Smith motioned to accept bid #2 from River City Hydraulics Inc. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

- 3. Ordinance authorizing the reclassification of a part time collector to a full time collector for the Sanitation Department.**

O-13-113

Cheryl Harrington, Sanitation Director, was present to answer questions. 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

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and the emergency clause. Alderwoman Whitmore seconded the motion. There was no discussion. The Mayor called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderman Hawkins, Alderwoman Whitmore, and Alderwoman Mehl, The motion passed 7-0.

4. Ordinance authorizing a change in staffing levels for the Parks & Recreation Department.

O-13-114

Steve Ibbotson, Parks Director, stated the position is funded we are seeking approval from council. 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 Mayor called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderman Hawkins, Alderwoman Whitmore, and Alderwoman Mehl, The motion passed 7-0.

5. Consideration to accept bids for the comfort stations for the Parks & Recreation Department.

Steve Ibbotson, Parks Director, recommended accepting the low bid from Dayco Construction in the amount of \$473,400.00; the project consists of 3 separate buildings located in 3 separate parks, Gatlin Park, Laurel Park, and Beaverfork Park. Alderwoman Smith motioned to accept the low bid from Dayco Construction in the amount of \$473,400.00. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0. The comfort stations will be constructed at Laurel Park, Beaverfork Park, and Gatlin Park.

C. Finance

1. Resolution requiring an audit of the accounting records for the City of Conway FY2012.

R-13-65

Tyler Winningham, CFO, was present to answer questions. Alderwoman Smith motioned to adopt the resolution. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 6-1. Alderman Ledbetter voted in opposition. Mr. Winningham stated he has received the first draft of the 2011 audit financials, as well as their proposed adjusting entries, of which he has several questions; Mr. Winningham stated he will meet with a representative from their office tomorrow and hopes to have this finalized soon.

2. Consideration to approve monthly financials report ending September 30, 2013.

Tyler Winningham, CFO, was present to answer questions. Alderwoman Smith motioned to approve the September 2013 financials. Alderwoman Hawkins seconded the motion. Mayor Townsell stated in general, our financial situation is strong even though our budgeted revenue projections and sales tax are flat, but we are maintaining our expenses accordingly. There was no further discussion. The motion passed 7-0.

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D. Old Business

E. New Business

Annual Resolutions for Quorum Court

1. Resolution of a voluntary levy of two-tenths (.2) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a Animal Shelter for the City of Conway.

R-13-66

City Attorney Michael Murphy read brief descriptions of the resolution. Alderwoman Smith motioned to adopt the resolutions (R-13-66 through R-13-72). Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

2. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a Policeman's Pension and Relief Fund.

R-13-67

City Attorney Michael Murphy read a brief description of the resolution. This resolution was passed with item New Business – 1 above.

3. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a Fireman's Pension and Relief Fund.

R-13-68

City Attorney Michael Murphy read a brief description of the resolution. This resolution was passed with item New Business – 1 above.

4. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for paid Non-uniformed employees.

R-13-69

City Attorney Michael Murphy read a brief description of the resolution. This resolution was passed with item New Business – 1 above.

5. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue the exclusive purpose of operating and maintaining the cemeteries for the City of Conway.

R-13-70

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City Attorney Michael Murphy read a brief description of the resolution. This resolution was passed with item New Business - 1 above.

6. **Resolution of a voluntary levy of four-tenth's (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a recreation assessment raising special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining the public recreation and playgrounds of City of Conway.**

R-13-71

City Attorney Michael Murphy read a brief description of the resolution. This resolution was passed with item New Business - 1 above.

7. **Resolution of a levy of one and nine-tenth's (1.9) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising General Fund Revenues.**

R-13-72

City Attorney Michael Murphy read a brief description of the resolution. This resolution was passed with item New Business - 1 above.

Adjournment

PASSED this 22nd day of October 2013

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett