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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday 6:30 pm  
February 25, 2014

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 Grimes, Alderman Ledbetter, Alderwoman Smith, Alderwoman Whitmore, and Alderman Jones. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy.

**Call to Order: Mayor Tab Townsell**  
**Roll Call: City Clerk/Michael O. Garrett**

**Minutes Approval: February 11, 2014**

Alderwoman Whitmore motioned to approve the February 11, 2014 minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

**Employee Service Awards:**

**5 Years**

Leah Darling - District Court  
Angela Howard - Sanitation

**25 Years**

Brian Moix - Fire Dept.  
Rodney Sanders - Fire Dept.

**1. Report of Standing Committees:**

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

- 1. Resolution to request the Faulkner County Tax Collector to place a lien on property located 415 South Ash Street for incurred expenses by the City.**

**R-14-08**

Alderman Hawkins stated the property address is 415 South Ash St; the cost of cleanup was \$191.60 (\$146.91 + Penalty \$14.69 + 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 8-0.

- 2. Consideration to accept the bid for the Hwy 365-Sturgis Road Project for the Street Department.**

Mayor Townsell stated the recommendation is to accept the low bid from Thomco, Inc. in the amount of \$2,203,679.82. Alderwoman Smith motioned to accept the low bid.

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Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

**3. Consideration to approve the roundabout landscaping design standards for the City of Conway.**

Barry Williams, Crafton Tull, explained the task of the landscaping committee was to come up with design standards for future roundabouts. Mr. Williams stated he has developed a concept plan as to where trees, shrubs, grasses, and ground covers can be placed so each round about would be somewhat uniform; the tree varieties, and edging options, can be altered based on location. Alderman Pruitt voiced concerns regarding the upkeep that would be required of our Physical Plant work force. Alderman Grimes stated we consulted with our Physical Plant workforce and they have signed off on these designs, as they felt it would be an easy mow that involves no weed eating. Alderman Jones asked if the design would obstruct vision, and how the landscaping would be funded. Mr. Williams stated, no view obstruction will not occur. Mayor Townsell stated this is only a plan, to have in place, when and if we decide to use it. City Attorney Michael Murphy clarified that street funds can be used for landscaping along the streets. Mr. Williams stated the landscaping estimates range from \$25,000.00 to \$55,000.00. After some discussion Mayor Townsell stated tonight, we need to decide how to move forward on interior design standards of any roundabout program. Alderwoman Mehl motioned to approve the roundabout design standards presented. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

**4. Consideration of a request from Allen Shaver for a conditional use permit to allow MF-1 density for property located at 1422 Robins Street.**

Allen Shaver, applicant, was present to answer questions. Alderman Hawkins motioned to approve the conditional use permit. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0. The conditions are as follows:

- Property shall be re-platted for new development.
- Additional street right-of-way shall be dedicated as required.
- Structures shall be one story.
- Property must be developed generally as shown on the Planning Department sketch.
- Historic District Commission must approve any new construction.
- Project is subject to Planning Department Development Review.
- Six (6) foot privacy fence to be constructed after survey determines best location to not affect the pine trees.
- The Planning Commission recommends that the Historic District Commission look at the east driveway width because of blockage concerns.

**5. Consideration of a request from Allen Shaver for a conditional use permit to allow MF-1 density for property that is located at 1829 Robins Street.**

Allen Shaver, applicant, was present to answer questions. Alderman Hawkins motioned to approve the conditional use permit. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0. The conditions are as follows:

- Structures shall be one story.

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- Property shall be re-platted for new development.
- Additional street right-of-way shall be dedicated as required.
- Project is subject to Planning Department Development Review.
- Existing shop must remain a storage shed.
- New construction is limited to one (1) duplex.
- Six (6) foot privacy fence is to be constructed along the east property line.

**6. Ordinance to rezone property located on the west side of Exchange Avenue (1555 Exchange Avenue) immediately south of United Drive from C-4 to O-1.**

**O-14-20**

Alderman Smith motioned to waive the readings of the ordinance. Alderwoman Mehl seconded the motion. The motion passed 8-0. Alderwoman Whitmore motioned to adopt the ordinance. Alderwoman Smith seconded the motion. Alderman Grimes asked if there is a zoning that fits institutional settings such as this. Bryan Patrick, Planning Director, stated the current zoning allows an interior shopping mall; the request is needed due to deep setback requirements in C-4 zoning, but Mr. Patrick does not recall why the S-1 zoning was not requested. Alex Fent explained they are currently going through site plan review and will apply for a building permit and begin construction this summer. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderman Ledbetter, Alderwoman Smith, Alderwoman Whitmore, and Alderman Jones. The motion passed 8-0.

**7. Ordinance to rezone property located at the southwest corner of 2105 Morning Glory and 1685 South Donaghey Avenue from A-1 to R-1.**

**O-14-21**

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

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

**1. Consideration to accept the request for qualifications for construction management for Braves Field located at Curtis Walker Park.**

Steve Ibbotson, Parks Director, recommended council accept the RFQ from Salter Construction as they have worked on many of our athletic complexes and has worked on this site as well. Alderwoman Whitmore motioned to accept the RFQ from Salter Construction. There was no discussion. The motion passed 8-0.

**C. Public Safety Committee (Police, Fire, District Court, CEOC, Information Technology, City Attorney, & Animal Welfare)**

**1. Consideration to accept the bid on a Dodge Sprinter for the Conway Fire Department.**

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Mike Winter, Fire Chief, explained this is a continuation of a 2013 grant from Homeland Security; it is 100% reimbursable. Chief Winter stated we wish to purchase a second response vehicle for our bomb squad and recommended the revised bid from Breeden Dodge Chrysler Jeep in the amount of \$40,280.00. Alderwoman Smith motioned to accept the revised bid. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

**2. Ordinance waiving the competitive bid process for the purchase of seven Chevrolet Tahoe's for the Conway Police Department.**

**O-14-22**

A.J. Gary, Chief of Police, explained we have the opportunity to purchase 2014 Tahoe police pursuit vehicles at the 2013 state bid price; these will include many of the necessary added equipment and CNG. Chief Gary stated if we wait until year end, the 2015 models will likely cost more money. Mayor Townsell explained even though the dealership is honoring the 2013 price, it is necessary to waive bids because that particular state bid is no longer in effect. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderman Ledbetter, Alderwoman Smith, Alderwoman Whitmore, and Alderman Jones. The motion passed 8-0. The total cost for the fully equipped Tahoe's is \$287,145.74; these will be funded through the quarter cent pay-as-you-go sales tax.

**3. Ordinance appropriating funds to purchase computers for various departments.**

**O-14-23**

Mayor Townsell explained the IT Dept was tasked with reducing the number of computers to be replaced due to the XP operating system becoming obsolete early this year. Mayor Townsell stated he believes Police Dept. computers can be purchased with asset forfeiture monies. Lloyd Hartzell, IT Director, stated Police Chief Gary has informed him that asset forfeiture funds may not become available until next year. Mayor Townsell stated this will likely have to be revisited in the near future. Alderman Pruitt asked what the cost would be to purchase the needed computers for the Police Dept. Mr. Hartzell stated \$107,359.00. This will be a general fund balance appropriation in the amount of \$25,548.00. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, Alderwoman Whitmore, and Alderman Jones. The motion passed 7-0-1. Alderman Pruitt abstained. The clerk called the roll for the emergency clause with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Pruitt, Alderman Ledbetter, Alderwoman Smith, Alderwoman Whitmore, and Alderman Jones. The motion passed 8-0.

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**Old Business**

**New Business**

1. **Consideration to change the regularly scheduled City Council meeting on March 11, 2014 to an alternative date.**

Mayor Townsell stated in order to work around our special city council meeting, pre-retreat, and retreat meetings it has been suggested to move the March 11, 2014 meeting to Tuesday March 18, 2014. Mayor Townsell stated a pre-retreat public input meeting will be held March 4, 2014 with two pre-retreat special committee meetings being held April 1, 2014 and April 15, 2014. Mayor Townsell stated April 29, 2014 will be an open date to use if necessary. Alderwoman Smith motioned to move the next regularly scheduled council meeting to March 11, 2014 to Tuesday March 18, 2014 at 6:30 pm. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 8-0.

**Special Announcements:**

**Monthly Financial ending January 31<sup>st</sup>, 2014 are included in packet but will be discuss at the next council meeting.**

Mayor Townsell stated the General fund is running close to budget. Alderwoman Smith asked if we had received December sales tax numbers. Mayor Townsell stated it was up slightly; explaining he tracks sales tax the same way since 1981 and the 1 cent sales tax was down \$13,000.00 in 2013 over 2012. Mayor Townsell pointed out along with the fund balance appropriation approved tonight; we have had 3 others this year totaling \$89,125.00. They are outlined below. Mayor Townsell reiterated it may be necessary to add another \$107,000.00 for police dept. computers; we were already over budget by \$113,000.00. Mayor Townsell stated we are on budget with the Street fund and the Sanitation Fund. Alderwoman Smith motioned to approve the January 2014 financial reports. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

1. \$16,238.00 - O-14-02 - 1/14/14 - Employee fitness center membership.
2. \$19,839.00 - O-14-13 - 1/28/14 - Fire Dept. purchase of air compressor for breathing apparatuses.
3. \$27,500.00 - O-14-14 - 1/28/14 - Additional MEMS subsidy.
4. \$25,548.00 - O-14-23 - 2/26/14 - Purchase of computers.

**City Council Pre-Retreat Meeting has been set for March 4<sup>th</sup>, 2014 at 5:30pm at District Court.**

**Adjournment**

**PASSED this 25<sup>th</sup> day of February 2014**

**APPROVED:**

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**Mayor Tab Townsell**

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**City Clerk Michael O. Garrett**