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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday 6:30 pm  
July 22 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, and Alderwoman Whitmore. Also, present and acting: Mayor Tab Townsell, Deputy City Attorney Chuck Clawson, and City Clerk Michael Garrett. Alderman Jones was not in attendance.

**Call to Order: Mayor Tab Townsell**

**Roll Call: City Clerk/Michael O. Garrett**

**Minutes Approval: July 8, 2014**

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

**Employee Service Awards:**

5 Years

Missy Schrag - Permits & Inspections/Code Enforcement Dept.

10 Years

Osvaldo Alvarez - Sanitation Dept.

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

**R-14-19**

Alderman Hawkins stated the property address is 2008 Millwood; the cost of cleanup was \$197.56 (\$152.33 + Penalty \$15.23 + 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.

**R-14-20**

Alderman Hawkins stated the property address is 1628 Duncan: the cost of cleanup was \$198.65 (\$153.32 + Penalty \$15.33 + 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 8-0.

2. **Consideration to approve the street tree planting and tree wells along Oak Street and Harkrider Street.**  
Finely Vinson, City Engineer, explained this became a vision with the CVS Pharmacy/Med

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Express Pharmacy developments to have Oak and Harkrider Streets become an urban boulevard. Wes Craiglow, Asst. Planning & Development Director, stated the vision to create a gateway to downtown goes back many years and took on steam in 2008-2009 with the 2025 planning concept. Mr. Craiglow stated at this time we adjusted the Old Conway Design Overlay District to include Harkrider, from St. Joseph to Hendrix, and Oak from downtown to Ingram. Mr. Craiglow explained the Historic District Commission was charged with the design and review board for projects, which they have done, but they were not given specific detail regarding what the sidewalks, tree plantings, and light poles should look like. Mr. Craiglow stated this spring when CVS/Med Express Pharmacies permitted for building permits he and Mr. Vinson worked on designs which were handed to the Tree Board and with their guidance we have come up with what we believe is a reasonable and simple solutions to pedestrian sidewalks and tree selections as well as irrigation. Mr. Vinson explained he notified the Arkansas Highway & Transportation Dept. (AHTD) and asked if they allowed trees in their right of way, and he was told yes depending on their location, their biggest concern was that they do not impede sidelines. Mr. Vinson explained he sent AHTD a copy of our design detail, but he has not heard back from them yet and after discussions with Mr. Craiglow they determined to present it to council first and then possibly get sign off from AHTD. Mr. Vinson stated Conway Corp does have some concerns about utilities and explained that in the past AHTD has not liked private utilities in public right of way and in the past they have required Conway Corp to place their utilities outside of public right of way. CVS/Med Express Pharmacies have found they can be serviced from the back of the property, but requested if AHTD will not allow them to place their utilities in public right of way, that we broaden the sidewalk an extra 10 feet to create a 10 foot sidewalk and utility easement behind the right of way so their utilities can be placed there if needed. Mr. Craiglow stated the planning department is comfortable with 15 feet. After some discussion Mr. Vinson stated the street lights are still being discussed. Greg Dell, Conway Corp, the new developments have asked for more lighting on that side of the street and Conway Corp is designing for the same type of lights near Hendrix and would like to see the developer have the conduit placed on the front end in order to avoid tearing up the sidewalks later if and when those lights go in. Mayor Townsell stated we need a motion approving this concept design with the allowance of a 15 foot utility easement on the back side of the right of way. Mr. Craiglow stated parallel to and immediately adjacent. Alderwoman Smith motioned to approve the design concept and Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

**3. Resolution expressing the willingness of the City of Conway to partner with the AHTD for the project on Dave Ward Drive I-40 to East German Lane.**

**R-14-21**

Finley Vinson, City Engineer, explained this resolution shows the cities intent to partner with the AHTD on the named project; the state will contribute \$3.6 million to Dave Ward Drive and will contribute \$2 million (\$5.6 million total) which is contingent upon the successful rededication of the city's sales tax and outstanding bond issue on September 9, 2014. Mayor Townsell stated that after discussions with AHTD Director all parties are on board with splitting the benefit of the \$5.6 million, primarily first going to Dave Ward - Thomas G. Wilson and secondly going to Oak Street. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

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4. **Resolution expressing the willingness of the City to partner with the AHTD for the project I-40/Hwy 64 traffic operations improvements.**

**R-14-22**

Mayor Townsell stated this is the Oak Street portion of this plan. Alderwoman Whitmore motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

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

1. **Consideration to approve the bid for a 20, 30, & 40 yard Hook Lift Roll-off containers for the Conway Sanitation Department.**

Danny Alford, Sanitation Dept., recommended the low bidder N.E.O. FAB in the amount of \$41,900.00. Alderwoman Smith motioned to approve the low bidder. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

**C. Finance**

1. **Consideration to approve the monthly financial report ending June 30, 2014.**

Tyler Winningham, CFO, explained the general fund has received its large Ad Valorem tax revenues, and we will also receive another payment in July; it appears property taxes, on average, increase annually by 9%-13%. Mr. Winningham reminded council that June sales tax revenues (April sales) were down 9.3%; overall for the year we are down 1.5% compared to first 6 months of 2013 and our bottom line is about what it was last month. Mayor Townsell stated we received revenue numbers for this month's sales tax (May collections) which were up, but still leaves us at .5% below the first 6 months of last year. Tyler Winningham stated both the street and sanitation funds are not spending as quickly as their revenue is coming in which puts them in a good position. Alderwoman Smith motioned to approve the June 2014 financial reports. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

*Adjournment*

**PASSED this 22<sup>nd</sup> day of July 2014**

**APPROVED:**

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**Mayor Tab Townsell**

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**City Clerk Michael O. Garrett**