
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
September 13, 2016

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, Alderman Grimes, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, Alderman Jones, and Alderwoman Isby. Also, present and acting: Mayor Townsell, City Clerk Michael Garrett, and City Attorney Chuck Clawson.

Call to Order: Mayor Tab Townsell

Roll Call: Michael O. Garrett

Minutes: August 23, 2016 City Council Meeting

Alderwoman Smith motioned to approve the August 23, 2016 minutes as submitted. Alderwoman Isby seconded the motion. There was no discussion. The motion passed 8-0.

1. Report of Standing Committees:

A. Community Development Committee (Airport, Planning & Development, Street & Engineering, Permits & Inspections, Code Enforcement, & Community Development)

- 1. Resolution requesting the Faulkner County Tax Collector place a certified lien on property located at 2904 Celia Drive as a result of incurred expenses.**

R-16-37

Alderman Hawkins stated the cost of cleanup was \$181.92 (\$138.11 + Penalty \$13.81 + filing fee \$30.00). There was no one present to speak to this issue. Alderwoman Isby motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

- 2. Ordinance appropriating funds for levee maintenance for the City of Conway.**

O-16-103

Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 8-0. Alderwoman Smith motioned to adopt the ordinance. Alderman Jones seconded the motion. Josh Zylks, Airport Manager, stated the City has a vested interest in the maintenance and upkeep of the Faulkner County Levy District #1 and this ordinance will appropriate approximately \$7,500.00 to help cover the costs of maintenance and de-vegetation etc. to the levee; Conway Corporation will also be contributing to this need. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, Alderman Jones, and Alderwoman Isby. The motion passed 8-0.

3. Consideration to approve a contract for professional services from Garver Engineers related to the Dave Ward Drive Pedestrian Overpass.

Finely Vinson, City Engineer, stated we requested qualifications from engineering firms for 2016 and he selected Garver Engineers and recommended approving this contract with Garver Engineers to provide design documents and engineering services for this project; compensation will be billed on an hourly basis with a contract total of \$386,296.00; if the cost exceeds this amount, council would need to approve more funding. Mr. Vinson stated the estimated cost of the project is approximately \$1.7 million, not including the design or construction inspection and explained we hope to have the overpass construction started by the end of 2017. Alderman Hawkins asked how wide the overpass will be. Mr. Vinson stated 14 feet. Mayor Townsell stated UCA is contributing \$300,000.00, we have received \$500,000.00 in grant funds, and we have applied for another grant from the state this year that is approximately \$500,000.00. Alderwoman Smith motioned to approve this contract. Alderwoman Isby seconded the motion. There was no discussion. The motion passed 8-0.

4. Consideration to approve the Bicycle Master Plan for the City of Conway.

Mayor Townsell stated this plan includes goals and objectives and explained funding has been a hold up and we are asking council to restore the original funding source, which was the severance tax money that we set aside; Bicycle & Pedestrian Advisory Board (BPAB) are still operating under Resolution R-08-23, even though these funds have been funneled into our street fund the past few years. Mayor Townsell explained Resolution R-08-23 dedicated all the severance tax money toward alternative transportation like we once did; historically this funding has been as low as \$114,000.00 in 2009 and up to \$378,000.00 in 2014 and it is on track to come in under \$100,000.00, due to production and prices being down. Mayor Townsell stated this is money is above and beyond what is mandated to us by our complete streets ordinance which says is we touch a new road, we have to allow for bicycle/pedestrian facilities as well as transit facilities, down the line and this is for those projects that are away from the major street projects and give us extra funding to promote bicycle/pedestrian infrastructure for smaller projects. Mayor Townsell stated the plan also show various bicycle routes, lanes, and trails identified along with funding goals etc. Todd Ake spoke of the bicycle infrastructure in the Fayetteville area and other states and how explained not all trails have to be paved or well-lit to enjoy them. Mr. Ake stated these types of infrastructures are needed to combat obesity and to be enjoyed recreationally as well. Amanda Porter-Cole, BPAB, stated in addition to the benefit of physical activity this funding would give us the opportunity to make the connections between new infrastructure and what currently exists because of complete streets; there are many gaps in the trails where individuals do not feel safe on their bicycles or on foot to go to the grocery store etc. Mayor Townsell stated these types of amenities are also being looked at by businesses looking to open facilities in new locations, which impacts our economic development. Alderman Hawkins asked if there is interest for participation from BPAB participants to pay a fee to assist in the funding of bicycle trails. Ms. Cole stated she would personally be happy to do that but she thinks that starts to put taxes on those who are riding bicycles due to financial burdens. Alderman Hawkins stated he is thinking in terms of the avid cyclists. An unnamed individual stated the city would be better off to subsidize individuals to ride bicycles in terms of all the benefits including health, air quality etc. that come from riding bicycles. Alderman Pruitt stated there is really no way to compare the two, in regards to the

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wear and tear on a road. Mayor Townsell stated every residential property pays 1.5 mils on their property taxes which goes towards city streets, and does not feel that this is a good idea. Alderwoman Smith motioned to approve the Bicycle Master Plan. Alderwoman Isby seconded the motion. There was no further discussion. The motion passed 8-0.

- 5. Resolution to endorse Strava Metro as GPS tracking system of choice of us by local bicycling and pedestrians for the City of Conway.**

R-16-38

Mayor Townsell stated Strava is a phone based application that allows you to track your activity and provides feedback for your individual fitness program. Mayor Townsell stated what Strava Metro offers for a small fee, is a compilation of data from individual users and shares with other users, maps, preferred routes, etc. which is based on the number of users in a community. Mayor Townsell stated it will also provide information as a metropolitan area based on individual usage and feels it is a great tool for the city to identify infrastructure gaps in our trail/pedestrian pathways. Mayor Townsell stated the initial cost is \$1,800.00 for the current level of users and thinks the price is locked in for a few years; the feedback data would be beneficial and we would want to push the use of the application so we would get more users tracking through our system. Alderwoman Smith motioned to adopt the resolution. Alderwoman Isby seconded the motion. There was no further discussion. The motion passed 8-0.

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

- 1. Ordinance appropriating funds for general maintenance repairs and upkeep for city buildings.**

O-16-104

Mayor Townsell stated we have had several issues in city hall this year including several HVAC units going out, a number of leaks, and bringing the elevator up to state code and stated these costs were approximately \$8,000.00. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. Alderman Jones motioned to adopt the ordinance. Alderwoman Isby seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, Alderman Jones, and Alderwoman Isby. The motion passed 8-0.

C. Personnel

- 1. Ordinance adopting a revised employee handbook and personnel policy.**

O-16-105

Mayor Townsell stated a situation arose where we had to discuss teleworking as we had no clear guidance in our handbook, so this provision was added so it can be allowed under certain conditions. Mayor Townsell stated the other sections of the handbook that were

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amended were: Form of Government, Family Medical Leave, Leave of Absence without Pay, and Attendance. Lisa Williams, HR Director, stated the Teleworking Policy is relatively new and not many cities have this policy but after researching, we felt like this would cover our needs. Ms. Williams the other changes are very minor and are highlighted in yellow. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Isby seconded the motion. The motion passed 8-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Isby seconded the motion. Mayor Townsell stated Teleworking will be very limited under extenuating circumstances and for a specific temporary period of time. Alderman Hawkins stated the word excessive is used in the attendance section without any numbers being given, and wondered what constitutes excessive. Ms. Williams stated it depends on the time period the attendance problem occurs. Alderman Hawkins stated he thinks this should be more defined. Mayor Townsell stated that would be beyond the scope of this particular change and we could come back to council with recommendations, based on practices around the state. Alderman Hawkins stated he would like to have something more concrete than the word "excessive". Chuck Clawson, City Attorney, stated there will be changes coming to the handbook and we can add that to our list. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Pruitt, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, Alderman Jones, and Alderwoman Isby. The motion passed 8-0.

Ms. Williams provided council with a health insurance update and explained our loss ratio with the Arkansas Municipal League Benefit Fund as of June 30, 2016 was 145% and 143% as of August 31, 2016. Ms. Williams stated this means we are looking at an additional increase for 2017, which could go up as much as 10% - 20%. Ms. Williams stated the only way we could offset this would be to raise our deductible and as many of you are aware our employees already have to meet a \$500.00 deductible before the Municipal League will pay for many procedures performed in a doctor's office; it would be a hardship on our employees to raise the deductible at this point. Mayor Townsell stated we did get low rates from the Municipal League when we changed over from Blue Cross Blue Shield, when we were looking at a substantial rate increase and we actually went down from their former rate by taking the Municipal League, but this plan is a less rich insurance package. Mayor Townsell stated we were sitting on approximately \$1 million cushion of premiums paid previously that were still working to our benefit and with the loss ratios the past few years, that has been chipped away and our protection against higher premiums and stated we have no wiggle room in our system. Mayor Townsell stated we could go out to bid on this if you would like because we are going to get a substantial rate increase, but if we go with a private sector insurance provider we will not have a cushion in place, and they will look at our last 2 years history and we could likely expect something more staggering than 20%. Ms. Williams stated we put it out to bid last year and no one submitted a bid because of our loss ratio. Mayor Townsell stated without any other direction we will proceed and see what comes the pipe. Ms. Williams stated we will not have a final number until the end of October, but wanted to let council know what was coming.

Adjournment

PASSED this 13th day of September 2016

APPROVED:

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Mayor Tab Townsell

City Clerk Michael O. Garrett