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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday 6:30 p.m.  
August 31, 2006

On this date the City Council of the City of Conway, Arkansas met in special session. The following members being a quorum were present and acting; Alderman Hawkins, Alderman Jones, Alderwoman Smith, Alderman Brewer, Alderman Grimes, Alderman Bell, and Alderwoman Whitmore. Alderman Weeks was not in attendance. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy and City Clerk Michael Garrett.

1. *Invocation, Pledge, Call to Order*
2. *Roll Call*
3. *Public Service Committee (Sanitation, Parks & Recreation, & Physical Plant)*

**A. Discussion to enter into an agreement with the newly formed regional solid waste district.**

Mayor Townsell stated the decision to form a new regional solid waste district was pursued with approval from the city council and County Judge, John Wayne Carter. The previous district we were a part of did not like the fact we withdrew because Faulkner County was over half of their population and accounted for the majority of their budget, in this instance tires. The tire program is paid for through the state, but it's paid for based on the tires your area generated and turned in last year, so funding for next year would be based on the total number collected this year. Since we were removed from the tire district contract and cannot apply for funds until October we don't have the money as a district to handle this situation. In the meantime our vendors who sell and take in tires will soon start over flowing with tires. Mayor Townsell went on to say the expense averages \$10,000.00 a month to pick up the contract and bridge the gap until funding will be received. The solid waste board, upon our suggestion, is asking the city to contract with them, we provide the services and when they get revenue they will pay the city back. Mayor Townsell stated he needs the council's approval to sign a contract with the solid waste board that we will provide this service possibly until the end of the year. Alderman Brewer asked what other obligations they have once they start receiving funding. Mayor Townsell stated we will have to run the tire program ourselves probably through an inter-tire district, but other monies will be coming in through ADEQ, landfill fees and tipping fees to name a few. Alderman Brewer asked when does that revenue generation begin. Mayor Townsell stated as soon as we file a solid waste plan. Cheryl Harrington, Sanitation Director, stated that if that plan is approved funding will start in January 1, 2007. Mayor Townsell stated the expense could be recovered within the next year. Alderman Brewer asked what we were going to do in the interim from May or June when our district was approved. Mayor Townsell stated we did not have to be cut off; they cut us off out of spite. Ms. Harrington stated the previous district got the

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money for last years tires and then cut us off. Alderman Brewer asked if they were under any obligation to refund this money. Mayor Townsell stated we will probably try to go back and do what ever we can to recover that money, however, it may take a law suit. Alderman Brewer stated we will be providing this service for Conway, and the entire district and asked what that consists of? Ms. Harrington stated Conway Sanitation and Good Year Tires are the only ones within the inter-tire district program. This is a drop off program and Ms. Harrington stated in order for others to get rid of their tires they have to pay the inter-tire district themselves. The only obligation our district has is to Conway Landfill and Good Year Tire. Alderman Hawkins asked how much money will we be out once we start paying this and will we recoup all that money in November or is that just the starting point for the payback. Mayor Townsell stated \$20,000 - \$50,000, and that money won't be paid back all at once unless we get supplemental funding. Ms. Harrington stated if were out \$10,000 for both September and October we hope to recoup half of that in the first quarter of 2007 and the other half in the second quarter of 2007. Ms. Harrington went on to say she does have enough money to pay this out of sanitation rather than general fund. Alderwoman Smith motioned to enter into the agreement and have Michael Murphy, City Attorney, sign off on the agreement first before anyone else signs it. Alderwoman Whitmore seconded the motion. Alderman Brewer asked Mr. Murphy if there is a chance of us recouping some of this money from the previous solid waste district. Mr. Murphy stated yes. Information would have to be gathered first to determine if money was already taken from this county and was ear marked for certain services that have not yet been delivered. Alderman Brewer motioned to amend the motion to "vigorously" pursue reimbursement from our previous solid waste district. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0. The main motion on the floor was voted on. There was no discussion. The motion passed 7-0.

Adjournment

There was no further discussion and the meeting was adjourned.

PASSED this 31<sup>st</sup> day of August 2006

APPROVED:

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Mayor Tab Townsell

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City Clerk Michael O. Garrett