
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
March 25, 2008

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; Alderwoman Smith, Alderman Vaught, Alderman Jones, Alderman Bell, and Alderwoman Whitmore. Alderwoman Mehl, Alderman Hawkins, and Alderman Grimes were not present. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy.

1. *Call to Order*
2. *Roll Call*
3. *Minutes:* March 6th, 2008

Alderwoman Smith motioned to approve the March 6, 2008 minutes as submitted. Alderwoman Whitmore seconded the motion. The motion passed 5-0.

4. *Recognition of Guests: Employee Service Awards*

10 Years:

Ronald Teas - Sanitation Dept.

15 Years:

Cindy Nutter - District Court

25 Years:

Lt. Danny Moody - Police Dept.

5. *Public Hearings:* None

6. *Report of Standing Committees:*

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

1. **Consideration of the approval of the reappointment of Ruth Glover to the Board of Housing Authority for an additional five year term.**

Alderman Bell motioned to approve the nomination of Ruth Glover. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-0.

2. Consideration of the approval of the appointment of William Adkisson to the Conway Corporation Board of Directors.

Alderwoman Smith motioned to approve the nomination of William Adkisson. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 5-0.

3. Consideration of entering into an agreement and an ordinance appropriating funding for the Faulkner County Senior Citizens Program & Faulkner County Council of Developmental Disabilities for transportation services.

Nancy Rowell, Faulkner County Senior Citizens Program, and Robert Wright, Faulkner County Council on Developmental Disabilities (FCC/DD), were present to answer questions. Mayor Townsell stated the city has been supplementing these organizations as CDBG and federal funding has dropped over recent years. The Faulkner County Senior Citizens Program is requesting \$31,538.00 and FCC/DD is requesting \$30,000.00. Alderman Bell motioned to enter into both agreements. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-0.

O-08-29

Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 6-0. Alderman Bell motioned to adopt the ordinance. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0.

O-08-30

Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. 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 Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0.

4. Consideration of a conditional use permit to allow MF-1 density in R-2A for property located at the northwest corner of Monroe Street and Ingram Street with the address of 504 Monroe Street.

Kim Tyler, Tyler Surveying & Mapping, was present to answer questions. Alderwoman Smith motioned to grant the conditional use request. Alderman Bell seconded the motion. There was no discussion. The motion passed 5-0. The conditions are listed below:

1. All residences must be single-family dwellings.
2. No more than three single-family dwellings are allowed.
3. Exterior building materials must be at least 50% brick.
4. Parking shall be a maximum of 6 spaces – two per residence.
5. One 12-foot maximum width driveway for new structure off Monroe St. allowed.

5. Ordinance to rezone property located at 1404 Hartje Lane from R-2 to MF-3.

O-08-31

Alderman Bell motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. Alderwoman Smith motioned to adopt the ordinance. Alderman Jones seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0. Alderwoman Whitmore motioned to adopt the emergency clause. Alderman Bell seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0.

6. Consideration of accepting equipment bids for the Street Department that included a heavy duty skid steer loader, a small skid steer, and a one ton truck (4 door crew cab rear wheel chassis).

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Ronnie Hall, City Engineer, recommended accepting the low bid on the following items:

Heavy Duty Skid Steer (John Deere 332) from AgPro in the amount of \$33,504.95

Small Skid Steer Loader (Bobcat S-100) from Hugg & Hall Equipment in the amount of \$15,019.00

Chevrolet Silverado (1 ton pickup) from Bale Chevrolet in the amount of \$22,223.00.

Alderwoman Smith motioned to accept the low bids. Alderwoman Whitmore seconded the motion. Mayor Townsell stated there has been a question raised in regards to the Heavy Duty Skid Steer Loader (John Deere 332) meeting bid specs. Scott Smith, Hugg & Hall Equipment Co., stated the bid specs stated that the minimum operating capacity should be 3,300 pounds and the information he has found on the John Deere shows its capacity at 3,175. Secondly, the bid specs on the drive chain specified that the final drive chain should be no less than 120; the John Deere's is 100, and lastly Mr. Smith explained that he is unsure if the John Deere would operate the street departments 40" planer with the joystick control which was a stipulation. Mr. Smith explained that the John Deere equipment was tested at the street department to see if the joystick would work and it would not. Mr. Hall explained the bid specs for the Heavy Duty Skid Steer Loader matched so closely to the Bobcat is because the bid specs were written from a Bobcat. Mr. Hall went onto say the Skid Steer Loader would not hook up to the grinder because of the electrical connection and AgPro is ordering the mechanism to make this connection operate, and before we pay for this item, it must meet the specs and operate the pavement grinder. Alderwoman Smith motioned to accept the bid for the Heavy Duty Skid Steer Loader in the amount of \$34,766.00 from Hugg & Hall for \$34,766.00 and to accept the low bids on the Small Skid Steer Loader and the Chevrolet pickup. There was no discussion. The motion passed 5-0.

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

1. Consideration of approving the bid for repairs to the D6R Cat Dozer for the Sanitation Department.

Cheryl Harrington, Sanitation Director, stated they received one bid from Scott Construction Equipment in the amount of \$62,654.00. Alderwoman

Smith motioned to accept the bid from Scott Construction. Alderman Jones seconded the motion. There was no discussion. The motion passed 5-0.

2. Ordinance waving bids for the purchase of biodiesel fuel for the Sanitation Department.

O-08-32

Cheryl Harrington, Sanitation Director, stated the sanitation department is going changing over to biodiesel and this will allow us to be set up for a 10,000 gallon capacity tank. John Clement, Fleet Supervisor, explained that biodiesel is environmentally friendly and will help to maintain the maintenance on our diesel vehicles and will cut oil changes in half. Alderman Bell motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. 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 Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0.

3. Ordinance waiving bids for the purchase of an overhead tube system for the Conway Sanitation scale house.

O-08-33

Cheryl Harrington, Sanitation Director, briefly explained the purpose of the system and also explained that Diebold, Inc. is a sole source vendor of this product and Nabholz has been recommended for the construction; the total cost will not exceed \$35,000.00. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Bell seconded the motion. The motion passed 6-0. Alderwoman Smith motioned to adopt the ordinance. Alderman Bell seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0.

4. Ordinance amending the fee structure for specific waste items accepted by the Sanitation Department.

O-08-34

Cheryl Harrington, Sanitation Director, stated since eliminating e-waste is so costly they re-evaluated their e-waste fee structure and reduced the cost down to what it costs the city to recycle these items. Ms. Harrington explained this ordinance will also increase the cost to obtain an additional green cart from \$40.00 to \$50.00 which is a non-refundable surcharge; the fee for pickup is doubled (currently \$27.93). Ms. Harrington went onto say that we would rather give you two blue carts and encourage recycling than to issue a second green cart. Ms. Harrington explained that the third part of this ordinance will require loose waste to be properly bagged to avoid being blown out or spilled; this applies to both green and blue carts. Alderman Bell motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 6-0. Alderwoman Whitmore motioned to adopt the ordinance. Alderman Bell seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0.

5. Consideration of entering into an agreement with UCA and Youth Softball Association of Conway for the rental use of softball fields at UCA.

Alderman Bell motioned to enter into both agreements. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 5-0.

6. Consideration to enter into an agreement with Carter & Burgess to perform professional design services for the City of Conway for park improvements at the YBMA Baseball Park (the "Park").

Alderman Bell motioned to enter into this agreement. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 5-0.

C. Public Safety Committee (Police, CEOC, IT Technology, Fire, Dist. Court & City Att., & Animal Control)

1. Ordinance appropriating donated funds to the Conway Police Department.

Alderman Hawkins entered the meeting.

O-08-35

A.J. Gary, Chief of Police, was present to answer questions. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 6-0. Alderman Jones 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 Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0.

- 2. Ordinance appropriating funds for software support for the AS400 for the Finance & Human Resource Office.**

O-08-36

Lloyd Hartzell, IT Director, was present to answer questions. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. Mayor Townsell stated this amount is not to exceed \$17,000 and was not included in the budget. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. There was no discussion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0.

D. Personnel

- 1. Consideration of the reclassification of Street Department positions to the appropriate title and compensation level based on job duties and responsibilities.**

Ronnie Hall, City Engineer, stated we would like to reclassify one Part-time Construction Aide/Mower to a Maintenance Specialist I, one Construction Specialist to a Crew Leader, and one Construction Aide to a Sign Specialist. The total of these increases for this year is \$7,164.00. Alderman Bell motioned to approve these reclassifications. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins,

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Alderman Vaught, Alderwoman Smith, Alderman Bell, Alderman Jones, and Alderwoman Whitmore. The motion passed 6-0.

7. Old Business

A. Consideration of rejecting the low bidder Poor Boy's Handyman and accepting the next low bidder for cleanup at 1470 Wildflower Road.

Mayor Townsell explained that the bid from Poor Boy's Handyman Service in the amount of \$4,300.00 was made on the wrong house therefore he requests the city reject his bid. Mayor Townsell recommended going with the next lowest bidder Paladino Construction Inc. in the amount of \$4,700.00. Alderwoman Smith motioned to reject the low bid and go with the next lowest bidder. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 6-0.

8. New Business

A. Consideration of nominations to various City Boards and Commissions.

Mayor Townsell recommended the following nominations to various city boards and commissions:

- Jeremy Hardin - Board of Zoning Adjustment
- Al Hale - Board of Zoning Adjustment

- Felicia Taylor - Health Facilities Board

- Ray Kordsmeier - A&P Commission (Member at Large)

- T.J. Johnston - Historic District Commission (re-appointment)
- Michael Caldwell - Historic District Commission (re-appointment)
- Suzanne Brazil - Historic District Commission (re-appointment)
- Lisa Ray - Historic District (re-appointment - One year term)

- Betty Pickett - Old Conway Design Review Board (re-appointment)
- David Carolina Jr. - Old Conway Design Review Board (re-appointment)
- Mary Etta Qualls - Planning Commission Member

Alderman Bell motioned to approve the recommended nominations. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 6-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Adjournment

PASSED this 25th day of March 2008

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett