
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
November 18, 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; Alderman Hawkins, Alderwoman Smith, Alderman Jones, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, and Alderman Grimes. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy. Alderman Thompson was not in attendance.

1. *Call to Order*
2. *Roll Call*
3. *Minutes: October 28th, 2008*

Alderwoman Whitmore motioned to approve the Oct. 28, 2008 minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

4. *Recognition of Guests:*
5. *Public Hearings:*

A. *Public hearing to discuss closing the alley located at Block 73 of Boulevard Addition.*

Mayor Townsell opened the public hearing. Kim Tyler, Tyler Surveying & Mapping, explained that UCA desires to build an Alumni Foundation Building and would like the alley closed. Mayor Townsell closed the public hearing.

1. **Ordinance closing the twenty foot alley located at Block 73 of Boulevard Addition.**

O-08-136

Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. 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, Alderman Vaught, Alderwoman Smith, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 7-0.

B. *Public hearing to the discuss following annexation of lands:*

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Mayor Townsell opened the public hearing and read the property descriptions of the 5 properties named below. There was no one present to speak to these issues. Mayor Townsell closed the public hearing.

1. Lands west of east German Lane and north of East Siebenmorgen Road.

R-08-28

Alderman Hawkins motioned to adopt resolutions R-08-28 through R-08-32. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

2. Lands south of Bill Lucy Road. 225 feet of Trison Road and 330 feet of east Siebenmorgen Road.

R-08-29

3. Lands east of Makenna Cove Subdivision, south of Lower Ridge Road, west of East German Lane, and north of Bill Lucy Road.

R-08-30

Passed with item 5B-1 above.

4. Lands west of Mill Pond Road and east and south of Crethaven Subdivision.

R-08-31

Passed with item 5B-1 above.

5. Lands west and north of South Donaghey Avenue, South of Spring Valley and Justin Place subdivisions and East of South Salem Road.

R-08-32

Passed with item 5B-1 above.

6. Report of Standing Committees:

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

1. Resolution ordering the cleanup of property located on 1806 Washington Avenue & declaring the intent of the City to bring property up to code.

R-08-42

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Bill Haynes, Code Enforcement Officer, was present to answer questions. Alderman Hawkins motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

- 2. Resolution ordering the demolition and clean up of property located on 450 East Robins St. (Trailer #4) & declaring the intent of the City to bring property up to code.**

R-08-43

Grant Tomlin, Code Enforcement Officer, explained the property owners were contacted in regards to the condition of the property and did eventually take care of some of the trash but did not address the issue of the condition of the trailer itself. Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. Mayor Townsell stated the language in the latter part of section 1 should read *"and it is hereby ordered to demolish and cleanup said structure and to bring the property up to city code."* There was no discussion. The motion passed 7-0.

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

- 1. Ordinance accepting and appropriating grant proceeds received from Faulkner County Solid Waste Management District for the Sanitation Department.**

O-08-137

Cheryl Harrington, Sanitation Director, explained the sanitation dept. wishes to create a recycling center and purchase small recycling trailers with a \$52,000.00 grant they received from the Faulkner Co. Solid Waste Management District via ADEQ. \$42,000.00 will go towards the recycling center and \$10,000.00 will go towards the trailers. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderman Jones 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 Grimes, Alderman Vaught, Alderwoman Smith, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 7-0.

- 2. Consideration to reclassify three positions at the Sanitation Department.**

Cheryl Harrington, Sanitation Director, explained she would like to make the following reclassifications which will cost \$3,722.41 for the remainder of the year.

- Admin I to a Roll-Off Supervisor
- Mechanic to a Senior Mechanic
- Mechanic to a Shop Foreman

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Alderman Smith motioned to approve these reclassifications. Alderman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

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

1. Resolution adopting the Hazard Mitigation Plan for the City of Conway.

R-08-44

Mayor Townsell explained this is a requirement from FEMA. Mike Winters, Asst. Fire Chief, in order for the city to continue to receive federal funding and disaster management it is necessary to pass this resolution. Alderman Smith motioned to adopt the resolution. Alderman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

2. Ordinance appropriating additional funds for overtime in the Conway Fire Department.

O-08-138

Mayor Townsell explained that when someone is absent from work we have to call someone in to cover that position; the amount needed to cover the overtime is \$124,800.00. Alderman Smith motioned to waive the readings of the ordinance. Alderman Hawkins seconded the motion. The motion passed 7-0. Alderman Smith motioned to adopt the ordinance and the emergency clause. Alderman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Alderman Smith, Alderman Jones, Alderman Whitmore, and Alderman Mehl. The motion passed 7-0.

3. Ordinance waiving bids to obtain competitive bids to purchase a 2009 Ford Escape Hybrid for the Information Technology Dept.

O-08-139

Lloyd Hartzell, IT Director, was present to answer questions. Mayor Townsell explained the money is there for this purchase but we can get the vehicle locally from Smith Ford approximately \$800.00 more than the state contract price. Mr. Hartzell explained that if they purchased the vehicle through state contract he would have to send two employees to pick it up or pay \$270.00 to ship it. Alderman Smith motioned to waive the readings of the ordinance. Alderman Whitmore seconded the motion. The motion passed 7-0. Alderman Whitmore motioned to adopt the ordinance and the emergency clause. Alderman Smith seconded the motion. Mayor Townsell noted that

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the price should be changed to \$27,131.52 in "*section 1*" to match the price in the second "*whereas*". There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Smith, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 6-1. Alderman Vaught voted in opposition. The clerk called the roll for the emergency clause with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Smith, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl, and Alderman Vaught. The motion passed 7-0.

4. **Ordinance accepting a variety of previously court ordered weapons for the CPD.**

O-08-140

A.J. Gary, Chief of Police, stated some of these were purchased by the police department back in the 1990's and this is a continuation of a cleanup of disposals that has accumulated over the years; the list attached is an inventory that needs to be added to the cities inventory. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. 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, Alderman Vaught, Alderwoman Smith, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 7-0.

5. **Ordinance accepting court ordered forfeiture assets from the Circuit Court of Faulkner County.**

O-08-141

A.J. Gary, Chief of Police, was present to answer questions. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. 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, Alderman Vaught, Alderwoman Smith, Alderman Jones, Alderwoman Whitmore, and Alderwoman Mehl. The motion passed 7-0.

D. Finance

1. **Ordinance appropriating funds for gas and diesel for various departments for the City of Conway.**

O-08-142

Alderman Smith motioned to waive the readings of the ordinance. Alderman Whitmore seconded the motion. The motion passed 7-0. Mayor Townsell explained this is budgeting additional monies from various reserves in the amount of \$450,000.00 for gas and diesel for the remainder of 2008. Alderman Smith motioned to adopt the ordinance and the emergency clause. Alderman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Alderman Smith, Alderman Jones, Alderman Whitmore, and Alderman Mehl. The motion passed 7-0.

2. Consideration to destroy certain accounting records in the Finance Department.

Robin Scott, Chief Financial Officer, was present to answer questions. The records that will be destroyed are 2004 cancelled checks, invoices, and bank statements and permanent records i.e. journals, ledgers, subsidiary ledgers and fixed asset records for years prior to 2001. Alderman Grimes motioned to allow for the destruction or recycling of the accounting records mentioned. Alderman Vaught seconded the motion. There was no discussion. The motion passed 7-0.

6. Old Business

8. New Business

A. Ordinance appropriating funds for the Employee Appreciation Bonus.

O-08-143

Robin Scott, Chief Financial Officer, was present to answer questions. Alderman Smith motioned to waive the readings of the ordinance. Alderman Whitmore seconded the motion. The motion passed 7-0. Alderman Smith motioned to adopt the ordinance and the emergency clause. Alderman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Vaught, Alderman Smith, Alderman Jones, Alderman Whitmore, and Alderman Mehl. The motion passed 7-0.

Adjournment

PASSED this 18th day of November 2008

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APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett