
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
March 13, 2012

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 Grimes, Alderman Hawkins, Alderman Vaught, Alderwoman Mehl, Alderwoman Smith, Alderman Rhodes, Alderman Jones, and Alderwoman Whitmore. Also, present and acting: City Clerk Michael Garrett, and City Attorney Michael Murphy. Mayor Tab Townsell was not in attendance.

Call to Order: Alderman Andy Hawkins
Roll Call: Michael O. Garrett, City Clerk/Treasurer
Minutes: February 28, 2012

Alderwoman Smith motioned to approve the February 28, 2012 minutes as submitted. Alderwoman Whitmore seconded the motion. The motion passed 8-0.

Announcements/Proclamations/Recognitions:

1. Report of Standing Committees:

A. Public Hearing

- 1. Public Hearing / Closing a portion of Ellis Avenue right of way and a portion of the alley connecting Sanders Street and Lot 105 located in the Village at Hendrix.**

Alderman Hawkins opened the public hearing. Lawrence Finn, The Village at Hendrix Representative, stated this will allow us to close some of our easements making way for future developments. There were no others present to speak to this issue. Alderman Hawkins closed the public hearing.

- 2. Ordinance closing a portion of Ellis Avenue right of way and a portion of the alley closing Sanders Street and Lot 105 located in the Village at Hendrix.**

Alderman Hawkins stated, Planning & Development Director Bryan Patrick, has requested this ordinance be held until our next council meeting scheduled for March 27, 2012. There was no opposition. Alderman Jones motioned to hold this item in committee. Alderwoman Smith seconded the motion. There was no further discussion. The motion passed 8-0.

B. Economic Development Committee (Airport, Conway Corporation, Conway Development, Historic District, Chamber of Commerce)

- 1. Ordinance fixing rates for services rendered by the sewer system of the City of Conway.**

O-12-14

Rich Arnold, CFO, Conway Corp, explained in March 2007 our wastewater master plan identified an immediate need for additional treatment capacity; since then we have examined all of our available options, including expansion of our existing facilities, that

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

analysis projected our best cost benefits were derived from constructing a new facility in the Lollie Bottoms, coupled with de-commissioning the Stone Dam Wastewater Treatment Plant. Mr. Arnold stated in November 2009 council authorized Mayor Townsell to execute a memorandum agreement with Arkansas Natural Resources Commission for \$70 million to construct the new facility. Mr. Arnold stated bids were received and opened for the treatment facility, conveyance and lift stations; some bids were \$95 million and the bids are valid for 70 days. Mr. Arnold stated the balance of \$5 million needed to finance the project will be obtained through a revenue bond issue; in order to market those bonds and ensure debt coverage on outstanding or future debt issues rates must be increased if we are to proceed. Mr. Arnold asked that we have the first reading of the rate ordinance tonight and pass a resolution setting a public hearing for March 27, 2012 on the proposed rates. City Attorney Michael Murphy read the title of the ordinance for the first time.

- 2. Resolution setting a public hearing for the purpose of receiving comments and questions regarding the proposed Wastewater rate increase.**

R-12-06

Alderwoman Smith motioned to adopt the resolution setting a public hearing for Tuesday March 27, 2012 at 6:30 pm. Alderwoman Whitmore seconded the motion. The motion passed 8-0.

- 3. Ordinance repealing Ordinance O-11-39 due to incorrect legal description for land annexed in the Lollie Bottoms area.**

O-12-15

Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. 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": Alderwoman Smith, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

- 4. Ordinance accepting the annexation of the land in the Lollie Bottoms, corrected description from Ordinance O-11-39.**

O-12-16

Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 8-0. 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": Alderwoman Smith, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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

1. Ordinance dissolving Water Improvement District No. 10.

City Attorney Michael Murphy explained he has been in contact with council for the District and the city does not yet have the final resolution and a date that was passed by the District. Alderwoman Smith motioned to hold this item in committee. Alderwoman Whitmore seconded the motion. After some discussion the motion passed 8-0.

2. Ordinance amending Ordinance No. O-95-52 regarding the bidding requirements for certain purchase for the City of Conway.

O-12-17

Ronnie Hall, City Engineer, explained motor fuel and asphalt are exempt under State purchasing/bidding process due to a fluctuation in price which makes it difficult to hold a bid price for an extended period of time. Mr. Hall stated this would adopt this exemption into the purchasing code. Alderwoman Whitmore motioned to waive the readings. Alderwoman Smith seconded the motion. The motion passed 8-0. Alderwoman Whitmore motioned to adopt the ordinance and the emergency clause. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

3. Consideration to award asphalt paving work for the City of Conway.

Mr. Hall, City Engineer, recommended Redstone Construction who submitted the low quote for asphalt paving work at the prices listed below. Alderwoman Smith motioned to accept the low quote. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

- In Place Asphalt Surface (PG 70-22) - \$79.00/Ton
- In Place Asphalt Surface (PG 64-22) - \$77.00/Ton
- In Place Asphalt Binder (PG 64-22) - \$73.50/Ton

The initial street paving projects for 2012 are as follows:

<u>LOCATION</u>	<u>Est. Date Available</u>	<u>Approximate Quantity</u>
Donaghey - Prince to Tyler (Binder)	March 23	500 Tons (64-22PG)
Donaghey - Prince to Tyler (Surface Course)	March 23	1,600 Tons (70-22 PG)
Main Street - Front to Harkrider	March 19	700 Tons (64-22 PG)
Reedy Road - Noblett to College	March 19	800 Tons (64-22PG)
College Ave - Country Club to Hannah Dr.	March 19	500 Tons (64-22PG)
Western - College to Bruce	March 19	300 Tons (64-22PG)
Quail Run - Loop off west Dave Ward Drive	March 27	800 Tons (64-22PG)
Sanders - Outback Drive to Findley	March 27	100 Tons (64-22PG)
Findley - East Wal-Mart Entrance to Sanders	March 27	200 Tons (64-22PG)

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

D. Public Safety Committee (Police, Fire, CEOC, Information Technology, City Attorney, & Animal Welfare)

- 1. Ordinance accepting and appropriating grant proceeds from the Department of Homeland Security for the purchase of mobile/portable radios for the Conway Fire Department.**

O-12-18

Bart Castleberry, Fire Chief, was present to answer questions. Alderwoman Whitmore motioned to waive the readings. Alderwoman Smith seconded the motion. The motion passed 8-0. 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": Alderwoman Smith, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

- 2. Ordinance waiving the competitive bid process for the purchase of access control system for various City buildings. (CEOC and District Court)**

O-12-19

Lloyd Hartzell, IT Director, explained this is for security access systems for the Communications Center (CEOC) and District Court; this system will be purchased from the sole source vendor, Alarmtec Systems, who provides systems for this region. This system will integrate with the existing system at the Police Dept. Alderwoman Smith motioned to waive the readings for the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. 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": Alderwoman Smith, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

- 3. Ordinance appropriating funds to replace an outdoor warning siren for the City of Conway.**

O-12-20

Lloyd Hartzell, IT Director, explained the city has 21 sirens that need reprogrammed and upgraded/converted to narrow-banding by January 1, 2013 in order to meet FCC regulations. Mr. Hartzell explained normally we replace 2 aging sirens yearly, but are only requesting 1 this year in order to upgrade the radio systems. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Alderman Jones motioned to adopt the ordinance and the emergency clause. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Vaught,

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

- 4. Ordinance waiving the competitive bid process for the replace and/or repair of outdoor warning sirens for the City.**

O-12-21

Lloyd Hartzell, IT Director, explained we have used 3 companies in the past in the bidding process; 2 of those 3 no longer meet the cities bonding requirements and requested the city approve Comserv Wireless as a sole source vendor to purchase, upgrade, and maintenance of the siren. The cost of \$20,000.00 was approved above with Ordinance No. O-12-20. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. 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": Alderwoman Smith, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

- 5. Ordinance accepting donated items to the Conway Police Department for the Communications Center.**

O-12-22

A.J. Gary, Chief of Police, explained Mayline Furniture has donated various pieces of furniture to the Cities Communication Center (CEOC); the stated value is \$7,488.00 and requested council approve this donation. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. 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": Alderwoman Smith, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

- 6. Consideration/Ordinance accepting assets obtained through court order for the Conway Police Department.**

O-12-23

A.J. Gary, Chief of Police, explained these items were seized during investigations; the rightful owner could not be identified, the court has ordered the items be turned over and used by the Police Dept via court order (CIV-2011-266). Chief Gary explained we have a "soft interview room" that is used for interviewing children or when children are at the Police Dept. with their parent; these items will be used in this interview area. The items being turned over are listed below. After a brief discussion if the agenda item was "consideration of" or an "ordinance", City Attorney Michael Murphy, suggested placing the ordinance on the agenda. Alderwoman Smith motioned to suspend the rules and add the ordinance to the agenda. Alderman Jones seconded the motion. There was no discussion.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

The motion passed 8-0. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Jones seconded the motion. The motion passed 8-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Mehl seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

- Sony Playstation/3 Games - Incident # 2010-12942
- 37" Vizio Television, Serial # LTKPIAAL35801376 - Incident # 2010-13376
- Wii Game System, Serial # LU19242115 - Incident # 2010-13376
- Black Pelican 1550 Case - Incident # 2011-06961

7. Consideration to accept bids for the sale of confiscated weapons for the Conway Police Department.

A.J. Gary, Chief of Police, explained these weapons were confiscated and turned over to the Police Dept. via court order; stating we wish to sale these 14 weapons to a dealer who could apply the value towards the purchase of new Glock 22 service weapons. Chief Gary recommended the bid from the local vendor, Cruse Uniforms & Equipment in the amount of \$1,500.00 as they have previously supplied weapons for us and the other bidder is located out of state. Chief Gary stated we feel that Cruse will dispose of the weapons properly. Alderwoman Smith motioned to accept the bid from Cruse Uniforms & Equipment. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

8. Ordinance authorizing funds through pays as you go sales tax bond for the Conway Police Department for vehicles.

O-12-24

A.J. Gary, Chief of Police, explained this will authorize us to purchase 10 new police vehicles this year; these are fully equipped and will cost approximately \$25,000.00 each; after purchase, all of our equipment will then be installed. Chief Gary stated these will be the same vehicles we purchased last year with one exception; this fleet will be equipped with compressed natural gas (CNG), by doing this, we can purchase 10 vehicles which will cost approximately \$492,382.00 which is below budget. Chief Gary stated the full price of the CNG conversion we will be recouped within 21 months based on mileage comparison; after the initial 21 months our fuel expenses on these particular vehicles, with current fuel prices, will be cut in half. Alderwoman Mehl asked how soon will there be a CNG station in Conway. Ronnie Hall, City Engineer, stated he thought that Satterfield was waiting on additional grant money. Chief Gary stated it was his understanding that they had gotten the grant and were ready to move forward; explaining it will be a few months out before this fleet will be ready and hopefully the CNG station will be ready. Chief Gary explained these vehicles do operate on gas or CNG. Alderman Vaught asked if the conversion of these 10 vehicles is \$250,000.00, and thought the cost of the CNG conversion was approximately \$11,000.00 each there is a cost for the conversion. Ralph Screeton, Fleet Maintenance, stated the conversion for each vehicle is \$11,250.00 each. Alderman Vaught stated if you deduct the cost of the equipment and each vehicle that leaves \$176,452.00, which when divided by 10 is \$17,645.00 for each conversion. Mr. Screeton stated that each CNG

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

converted vehicle will cost \$50,175.95, which leaves us coming in below the \$500,000.00 due to using existing equipment from 3 existing vehicles; these will then be converted to CIV vehicles. Alderman Vaught stated the 10 converted and equipped Chevrolet Tahoes cost is \$425,917.00, when divided by 10 is \$42,592.00 per vehicle. Mr. Screeton stated when we equip the vehicles we look at the entire vehicle as a package because this is the way they are purchased; when we do this we do not have to pay sales tax on that equipment because it is already equipped in the vehicle. Alderman Grimes stated if you take the cost of the 10 vehicles alone (\$425,917.00), less decals, computer/power supply, and digital recorders, that adds up to \$42,500.00 per vehicle, deduct \$10,000.00 for the CNG, which is then \$32,500.00 per vehicle, deduct \$25,000.00 base price, you save \$500.00 which he assumes is the rest of the equipment in the vehicle i.e., the grill etc. Mr. Screeton stated yes, that is accurate. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 8-0. Alderwoman Whitmore motioned to adopt the ordinance and the emergency clause. Alderwoman Smith seconded the motion. Alderman Vaught asked if this money is available now. Tyler Winningham, CFO, stated yes, it is; the \$2.4 million is available in the account today. Mr. Winningham explained it is the cumulative balance that has built up since the pay as you go sales tax has been there since 2006; these funds are also used for street projects. Alderman Vaught asked if this is money that we traditionally used for fire capital purchases and street projects, and there is \$2.4 million left. Mr. Winningham stated yes, but he is sure that Ronnie Hall, City Engineer, has plans for that money. Mr. Hall, City Engineer, stated that money is already obligated because we have awarded contracts that exceed that amount of money. Mr. Winningham explained timing will determine when a loan will need to be secured to finish approved street projects; this loan could be up to \$1.5 million; we will need to be mindful of this and cross that bridge when necessary. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Vaught, Alderwoman Mehl, Alderwoman Whitmore, Alderman Grimes, Alderman Rhodes, Alderman Hawkins, and Alderman Jones. The motion passed 8-0.

Old Business

New Business

Adjournment

PASSED this 13th day of March 2012

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett