
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
December 17, 2013

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 Mehl, Alderman Pruitt, Alderman Ledbetter, Alderwoman Smith, Alderman Jones, Alderwoman Whitmore, and Alderman Grimes. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy, and Karen Francis.

Call to Order: Mayor Tab Townsell

Roll Call: Michael O. Garrett, City Clerk/Treasurer

Minutes: December 2nd, 2013 (Special) & December 10th, 2013 City Council Meeting

Alderwoman Smith motioned to approve the December 2, 2013 and December 10, 2013 minutes as submitted. Alderman Pruitt seconded the motion. There was no discussion. The motion passed 8-0.

Recognition: Employee Service Awards

15 Years

Larry Lute – Police Dept.

Clay Smith – Police Dept.

1. Report of Standing Committees:

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

1. Consideration to approve the 2014 annual materials and services bids for the City of Conway.

Ronnie Hall, City Engineer, recommended the following materials/services be awarded to the listed companies. Mr. Hall explained that even though Rogers Group was slightly less on the stone backfill, we feel it is necessary to select the next lowest bidder due to the failure of Rogers Group to properly address the street materials failure on West Tyler; this was also our course of action for 2013. Alderwoman Smith motioned to approve the recommended bids. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

<u>MATERIALS OR SERVICE</u>	<u>CONTRACTOR</u>	<u>PRICE</u>
Crushed Stone FOB El Paso	Webco	\$ 8.05/Ton
Crushed Stone Delivered	Webco	\$13.20/Ton
Ballast Stone Delivered	Webco	\$13.75/Ton
Stone Backfill delivered	Webco	\$12.99/Ton
Riprap delivered	Webco	\$18.62/Ton
Concrete Class A	Southern Star	\$81.50/CY
Concrete Class S	Mallard	\$84.83/CY

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Added Cost for 1% Calcium added Southern Star \$ 3.00/CY

Reinforced Concrete Pipe:

12"	Scurlock	\$ 8.15/Ft.
15"	Scurlock	\$ 11.35/Ft.
18"	Hanson	\$ 13.16/Ft.
24"	Scurlock	\$ 19.25/Ft.
30"	Hanson	\$ 27.82/Ft.
36"	Hanson	\$ 42.55/Ft.
42"	Hanson	\$ 53.89/Ft.
48"	Hanson	\$ 64.96/Ft.

Concrete Blocks:

Standard Weight Concrete Blocks	Conway Block Co	\$ 1.57/Ea.
Interlocking Retaining Wall Blocks	Conway Block Co	\$ 5.72/Ea.

Concrete Work:

4" Curb & Gutter	Lasker Brothers	\$ 4.50/L.F.
6" Curb & Gutter	Lasker Brothers	\$ 5.00/L.F.
Sidewalk	Lasker Brothers	\$ 1.00/S.F.

Gasoline & Diesel: COST OF DELIVERY (NO TAX INCLUDED IN THIS AMOUNT)

Reg Unleaded (No Ethanol)	Satterfield	\$0.05 Per Gal
Reg Unleaded - (with 10% max Ethanol)	Satterfield	\$0.05 Per Gal
Diesel	Satterfield	\$0.055 Per Gal

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

1. Consideration to enter into an agreement with White-Dates & Associates for engineering design for Braves Field at Curtis Walker Park.

Steve Ibbotson, Parks Director, recommended approving this agreement in the amount of \$48,500.00. Mayor Townsell stated this will be funded from our A&P program, private funds will construct the ball field with the handicap emphasis. Alderwoman Smith motioned to approve this agreement. Alderman Hawkins seconded the motion. Alderwoman Mehl asked if this was put out to bid. Mr. Ibbotson stated no, it is a continuation of a current RFP. The Mayor stated an RFP can be continued into other projects. There was no further discussion. The motion passed 8-0.

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

1. Ordinance appropriating and accepting reimbursements and restitution funds from various entities for the Conway Police Department.

O-13-135

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

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

motion passed 8-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. There was no discussion. Ms. Francis called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, Alderman Grimes, Alderwoman Mehl, and Alderman Hawkins. The motion passed 8-0.

2. Ordinance accepting donated items to the Conway Animal Welfare Department.

O-13-136

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. Alderwoman Whitmore seconded the motion. A.J. Gary, Chief of Police, explained this piece of equipment allows oxygen monitoring on the animals while undergoing spay or neutering surgery; it is being donated by the Friends of Conway Animal Welfare. There was no further discussion. Ms. Francis called the roll with the following voting "Aye": Alderwoman Smith, Alderman Pruitt, Alderman Ledbetter, Alderman Jones, Alderwoman Whitmore, Alderman Grimes, Alderwoman Mehl, and Alderman Hawkins. The motion passed 8-0.

3. Ordinance accepting and appropriating rebate funds for the Conway Animal Welfare Department.

O-13-137

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

D. Personnel

1. Consideration to accept a Request for Statement of Qualification regarding legal services for representation of Management in civil service commission appeal hearings.

Lisa Williams, HR Director, recommended the proposal from Gary Jiles of Millar Jiles Cullipher LLP, as they were the only firm that submitted and RFQ; Mr. Jiles has represented the city in this capacity since 2008. Ms. Williams explained there will be a slight increase in the fee schedule; Partner and Counsel is increasing from \$180.00/hr to \$200.00/hr, Associate is increasing from \$140.00/hr to \$175.00/hr, law clerk is decreasing from \$75.00/hr to \$60.00/hr., and paralegal is decreasing from \$75.00/hr to \$60.00/hr. Alderwoman Smith motioned to accept the proposal. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

2. Consideration to accept the FY2014 fitness facility membership for City of Conway employees.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Lisa Williams, HR Director, recommended approving the RFQ from 365 Fitness in the amount of \$15,000.00, without tax; this was the same cost as 2013. Ms. Williams stated 10 Fitness also bid, but the bid was slightly higher, and explained 10 Fitness is not open to members 24X7 as is 365 Fitness. Alderwoman Whitmore motioned to accept the RFQ from 365 Fitness. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

E. Finance

1. Consideration to approve monthly financial ending November 30th, 2013.

Tyler Winningham, CFO, explained the general fund has improved since receiving the Ad Valorem tax payment, sales tax continues to be somewhat flat, as it is down less than 1/10% for the year. Mayor Townsell stated in looking back, this is the third consecutive month sales tax has been down, which has not happened since 2002; our short term revenue growth is not looking positive for 2014. Mr. Winningham went onto say that the expenditures in the general fund are in line. Mr. Winningham explained in looking at the balance sheet, as the Mayor pointed out, our fund balance is extremely healthy as compared to previous years; the issue moving forward with our 2014 budget is not having enough revenue to cover expenditures. Mr. Winningham stated the street fund also received an Ad Valorem tax payment which helped the bottom line for the year, severance tax has been stronger this year than anticipated, and expenditures are under control. Mr. Winningham stated the sanitation fund is healthy, and believes this is the first month the fund reflects the increase in the sanitation rates, all else in the sanitation fund are as they should be. Alderwoman Smith motioned to approve the November 2013 financial report. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 8-0.

A discussion ensued to determine when council wishes to meet in order to finalize the FY2014 budget as numbers are needed to enter into our financial software. Alderman Hawkins motioned to adopt the presented budget and make changes as needed. Alderwoman Smith seconded the motion. Alderman Hawkins then pointed out that this budget has not been published as required. Mayor Townsell stated we need something to enter into the software and stated we can schedule a special meeting, but we will need to suspend the rules to act on anything tonight. Alderman Hawkins stated is leery of adopting a budget that has not been published. Alderman Grimes stated we also need to discuss the computer needs, in order for the city to be compliant. Alderman Grimes stated once we meet our goal in the reserve fund, these types of purchases could be funded from the reserve fund, but for now, we will need to cover computer costs from fund balance, as we have done for other one time purchases. After some further discussion Alderwoman Whitmore motioned to have a special meeting on Monday December 23, 2013 at 4:30 pm to be held in the City Hall conference room. Alderwoman Smith seconded the motion. Tyler Winningham, CFO, informed council that funds have been moved to the reserve account for 2013 and the balance is now \$1 million and also stated that copies of the 2011 audit are now available and he will make a presentation if council so desires. Alderman Grimes stated he does not feel that is necessary. There was no further discussion. The motion passed 8-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

F. Old Business

G. New Business

Adjournment

PASSED this 17th day of December 2013

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett