
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
June 11, 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, Alderman Grimes, Alderman Pruitt, Alderwoman Mehl, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Whitmore. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy. Alderman Jones was not in attendance.

Call to Order: Mayor Tab Townsell

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

Minutes: May 28th, 2013 City Council Meeting

Alderwoman Whitmore motioned to approve the May 28, 2013 minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

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 nomination of Jeremy Gardner to the Advertising and Promotion Commission.

Alderman Hawkins motioned to approve the nominations of Jeremy Gardner to the A&P Commission. Alderwoman Whitmore seconded the motion. Mr. Gardner's term will end in 2017. There was no discussion. The motion passed 7-0.

2. Consideration to approve two vacancies on the Conway Civil Service Commission.

Alderwoman Smith motioned to approve the appointment of Jamie Gates and Susan Wilson to the Civil Service Commission. Alderman Ledbetter seconded the motion. Mr. Gates and Ms. Wilson's terms will end April 2020. After some discussion the motion passed 7-0.

3. Consideration to accept bids for a demolition of structure located at 2002 Prince Street for the Permits & Code Enforcement Department.

Alderman Hawkins motioned to approve the low bidder Resurgence Demolition & Environmental in the amount of \$1,500.00. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

4. Consideration to accept bids for a Tractor & Boom Mower & 2013 Sidewalk Improvements for the Street Department.

Ronnie Hall, City Engineer, recommended the bid from Little Rock Equipment Sales in the amount of \$82,347.00 for a John Deere 6330 Tractor with Tiger TRB-50C Boom Mower; the

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low bidder did not meet specs. Alderwoman Whitmore motioned to accept the bid from Little Rock Equipment contingent upon them being the second lowest bidder. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

Mr. Hall recommended the 2013 Sidewalk Improvements bid be awarded to the low bidder Paladino-Nash, Inc. in the amount of \$183,105.04. Alderman Hawkins motioned to award the bid the low bidder Paladino Nash, Inc. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0. The sidewalks to be built are at the following locations:

- Timberpeg Addition
- South German Lane - Robins to Dave Ward
- Padgett Road - Sanson Dr. to Cummins School
- Siebenmorgen Road - Bob Courtway Dr. to Museum Rd.

5. Consideration for approval for counteroffers on parcels 57, 62, & 71 for right of acquisitions for the Conway Western Loop Project/South Interchange (Wills Baker Parkway).

Ronnie Hall, City Engineer, outlined the counteroffers (*they are listed below*) explaining our consultant, OR Colan, has issues with Maynard - Tract 62 and also Smith - Tract 71. Mr. Hall stated our offer for Tract 71 was based on replacement value on a double wide manufactured mobile home; Ms. Smith's counteroffer uses a new stick built home for replacement. Ms. Smith addressed council and explained her reasoning behind her request. Alderman Hawkins recommended delaying the decision from Ms. Smith until council can get more details. Mr. Hall recommended approving Tract 57. Alderman Grimes motioned to approve the counteroffer of Tract 57. Alderwoman Smith seconded the motion. The motion passed 7-0. Mr. Hall explained that Mr. Maynard wanted the money it would cost to move and transplant his trees. Alderman Grimes motioned to deny the counteroffer for Tract 62. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0. Alderwoman Smith motioned to hold Tract 71 (Ms. Smith) in committee. Alderman Grimes seconded the motion. There was no discussion. The motion passed 7-0.

Loya - Tract 57

Original offer market value (11,616 Sq Ft) -	\$ 10,625.00
Additional compensation change temp easement to property	\$ 3,616.00
Additional damages requested -	<u>\$ 4,181.00</u>
Total counter offer	\$ 17,697.00

Maynard - Tract 62

Original offer market value (3,198 Sq Ft) -	\$ 1,600.00
Additional compensation requested to replant trees	<u>\$ 9,240.00</u>
Total counter offer	\$ 10,840.00

Valvia Smith - Tract 71

Original offer market value (18,366 Sq Ft) -	\$ 58,550.00
Damages	\$ 6,100.00
Uneconomical remnant (24,196)	\$ 2,400.00
Eligible relocation assistance	\$ 13,400.00

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<i>Total original offer</i>	<u>\$ 80,450.00</u>
Total counter offer	\$ 110,000.00

6. Consideration of a request from Sigma Investments to approve building an ADA compliance handicap entrances for the buildings located at 1009 & 1011 Oak Street.

Brad Lacy requested permission to build ADA compliant ramps as the city owns the alleyway where they wish to build. The Mayor stated if council wishes we can approve this tonight and get the necessary franchise paperwork ready. Alderman Hawkins motioned to approve the request. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

B. Finance

1. Resolution requiring an audit of the accounting records for the fiscal year 2012 for the City.

Alderman Grimes stated the Finance/Audit Committee met this afternoon and stated there are pros and cons to continuing with Legislative Audit VS a private firm. Alderman Grimes stated the committee decided they would like to solicit RFQ's for professional services; once received we can then negotiate a price, then we can compare a private audit VS Legislative Audit. Alderman Grimes motioned to hold this item in committee. Alderwoman Smith seconded the motion. Alderman Ledbetter stated he feels we should stay with Legislative Audit; it is no cost to the city and 464 out of 501 municipalities in the state use them. There was no further discussion. The motion passed 6-1. Alderman Ledbetter voted in opposition.

C. Old Business

1. Consideration of designating funds usage from the Federal Transit Administration Section 5307 funding for providing public transit in Conway.

The Mayor stated this is basically approving an acknowledgment letter stating the city is not in a position to spend allocated Federal Transit Association funds for public transit service at this time. The Mayor went onto explain since this is an annual allocation the city would like to reserve the right to use these funds at some point in the future. Alderman Grimes motioned to approve the use of these funds. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 6-1. Alderman Hawkins voted in opposition.

D. New Business

1. Consideration to enter into an agreement to accept credit card payments throughout all City Departments.

Cody Burnell, FSI, was present to answer questions. Michael Garrett, City Clerk, explained this would initiate the process to accept credit cards in person and online. Mr. Garrett stated most cities our size accept credit cards and this will move us closer to accepting payments online. Mr. Garrett explained it will cost approximately \$900.00 in setup fees and stated there are also charges per transaction, but a nominal convenience fee can be charged to

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offset this expense; these types of charges are used at the county and the revenue office. Alderman Pruitt asked what we would charge for the convenience fee. Mr. Burnell stated convenience fees vary; we gear customers to a percentage; you take your fees over a 3-6 month period and figure the fees verses volume to calculate the percentage. Mr. Burnell stated typically 3% will offset all of your expenses. Alderman Grimes motioned to approve the agreement. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

Adjournment

PASSED this 11th day of June 2013

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett