
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
June 26, 2018

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 Pruitt, Alderman Grimes, Alderwoman Mehl, Alderman Jones, Alderman Ledbetter, and Alderwoman Isby. Also, present and acting: Mayor Bart Castleberry, and City Clerk Michael Garrett and City Attorney Chuck Clawson. Alderwoman Smith was not present.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett

Minutes: June 12, 2018

Alderwoman Isby motioned to approve the **June 12, 2018** minutes as submitted. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 7-0.

Approval of the monthly financial report ending May 31, 2018

Tyler Winningham, CFO, addressed the Council stating that sales tax was flat again this month, up only 1% although we are still up 5% for the year. He said that Ad Valorem tax had come in, keeping the General Fund stable and that all the other funds were in good shape with no significant changes. Alderwoman Isby moved to approve the monthly financial report and Alderwoman Mehl seconded it. The motion passed 7-0.

1. Report of Standing Committees:

A. Public Hearing

1. Public Hearing/Ordinance to close a portion of the utility easement of Lot 95RR, in the Village at Hendrix.

O-18-64

Mayor Castleberry opened the Public Hearing. Bryan Patrick, Director of Planning & Development addressed the Council stating that the owner of the property wishes to build a home and that this type of easement closing is not unusual since the alleyways were originally designed to be wider than normal. He clarified that all of the utility issues are in order and would not hinder the closing of the easement. Alderman Ledbetter moved to waive the three readings and Alderwoman Mehl seconded it. The motion passed 7-0. Alderman Hawkins moved to adopt the Ordinance and Alderman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Alderman Pruitt, Alderman Ledbetter, Alderman Hawkins, Alderwoman Isby, Alderwoman Mehl, Alderman Grimes, and Alderman Jones. The Ordinance passed 7-0.

B. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, Airport & Engineering)

R-18-19

1. Resolution requesting the Faulkner County Tax Collector to place a certified lien on property located at 66 Briarwood Circle as a result of incurred expenses by the City.

Alderman Hawkins presented Item A1 to the Council stating that the lien is in the amount of \$165.60. There was no one present to represent this property. Alderwoman Isby move to adopt the Resolution and Alderwoman Mehl seconded it. The Resolution was passed 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

2. Ordinance to appropriate funds for the purchase of roundabout art for the Conway Public Art Board.

O-18-65

Alderman Hawkins presented Item A2 to the Council. Alderwoman Isby made a motion to waive the three readings and Alderwoman Mehl seconded it. The motion carried 7-0. A member of the Public Art Board addressed the Council with information about the art installment by Erik Maakestad. The artwork will be placed in the roundabout at Tyler Street and Washington Ave. Alderwoman Isby made a motion to adopt the Ordinance and Alderwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Alderman Pruitt, Alderwoman Mehl, Alderman Grimes, Alderman Ledbetter, Alderman Jones, Alderwoman Isby and Alderman Hawkins. The Ordinance passed 7-0.

3. Ordinance approving support staff for the Community Development Block grant program.

O-18-66

Alderman Hawkins presented Item A3 to the Council. Kiera Oluokun addressed the Council stating that the addition of support staff would satisfy recommendations by HUD. Alderwoman Isby made a motion to waive the three readings and Alderwoman Mehl seconded it. The motion carried 7-0. Alderwoman Isby made a motion to adopt the Ordinance with the emergency clause and Alderwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Alderwoman Isby, Alderwoman Mehl, Alderman Jones, Alderman Ledbetter, Alderman Hawkins, Alderman Grimes and Alderman Pruitt. The Ordinance passed 7-0.

4. Resolution to approve the policies & procedures manual for the Community Development Block grant program.

R-18-20

Alderman Hawkins presented Item A4 to the Council. Keira Oluokun explained to the Council that the policies and procedures are combined from the City and HUD policies and procedures. Alderwoman Isby move to adopt the Resolution and Alderwoman Mehl seconded it. The Resolution was passed 7-0.

5. Resolution to approve the action plan and budget of CDBG Program Year 2018.

R-18-21

Alderman Hawkins presented Item A5 to the Council. Kiera Oluokun reported to the Council on various projects that the CDBG have been working on this year. She also stated that the department received funding this year in the amount of \$464,954 which was an increase over the 2017 funding, stating that \$302,000 would be spent on projects, with the 5th Avenue Park be scheduled for improvements, and approximately \$10,000 to be utilized in Hope Village. Alderwoman Isby move to adopt the Resolution and Alderwoman Mehl seconded it. The Resolution was passed 7-0.

6. Ordinance to rezone property located at east of Friendship Road, north of Northwood Estates from A-1 to PUD.

O-18-67

Alderman Hawkins presented Item A6 to the Council stating that this item was reviewed by the Planning Commission at their meeting of March 12, 2018 and at that time voted 6-1 to forward this request to the City Council with the recommendation for approval. Alderwoman Isby made a motion to waive the three readings and Alderwoman Mehl seconded it. The motion carried 7-0. Bryan Patrick of the Planning & Development Department added that there were three conditions stated by the Planning Commission:

1. PUD shall be generally developed as shown on the submitted site plan. Minor modifications of the submitted plan shall be allowed for technical reasons. However, the density and intent of the site plan shall be followed.
2. No driveways of private streets shall be allowed access to Southshore Lane.
3. The construction of sidewalks will be waived. An in-lieu fee of \$15 per linear foot must be paid for the required length of sidewalk along Friendship Road (former Highway 25). This fee must be paid prior to filing of the

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

subdivision. The private street sidewalk in-lieu fee shall be \$1875 per lot and must be paid prior to home final inspection.

Alderwoman Isby made a motion to adopt the Ordinance with the conditions as listed and Alderwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Alderman Pruitt, Alderman Hawkins, Alderwoman Isby, Alderwoman Mehl, Alderman Ledbetter, Alderman Jones and Alderman Grimes. The Ordinance passed 7-0.

7. Resolution adopting the Master Street and Trail Plan for the City of Conway.

R-18-22

Alderman Hawkins presented Item A7 to the Council. Finley Vinson of the Street & Engineering Department addressed the Council stating that the last Plan was in 2004, and he was pleased to present the new updated Plan. He drew their attention to the listing on the document of all the changes made to the Plan. There was some discussion regarding new trails added to the plan map. Bryan Patrick added that the Planning Department agrees that the new trail network is more concise than in the previous plan. Alderwoman Isby move to adopt the Resolution and Alderwoman Mehl seconded it. The Resolution was passed 7-0.

C. Public Safety Committee (Police, Fire, District Court, Animal Welfare Unit, Communication Emergency Operations Center, Information Technology & City Attorney)

1. Ordinance to waive the competitive bid process and appropriate funding for a case management system for District Court.

O-18-68

Mayor Castleberry presented Item C1 to the Council. Judge Susan Weaver addressed the Council stating that the system needed to serve the Court is unique and there is only one supplier, Five Point Solutions that can provide the case management system required. Funds used for the system will be appropriated from the Court Automation Fund in the amount of \$40,500 for the computer system. Alderwoman Isby made a motion to waive the three readings and Alderman Jones seconded it. The motion carried 7-0. Alderman Jones moved to adopt the Ordinance with the emergency clause and Alderwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Jones, Alderman Grimes, Alderman Pruitt, Alderman Ledbetter, Alderman Hawkins and Alderwoman Isby. The Ordinance passed 7-0.

2. Ordinance appropriating funds received from Centennial Bank for the Conway Fire Department.

O-18-69

Mayor Castleberry presented Item C2 to the Council. Chief Mike Winter of the Conway Fire Department addressed the Council stating that the department has received a \$5000 donation from Centennial Bank for the Fire Prevention Program. Alderwoman Isby made a motion to waive the three readings and Alderman Ledbetter seconded it. The motion carried 7-0. Alderwoman Isby made a motion to adopt the Ordinance and Alderman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Hawkins, Alderman Ledbetter, Alderwoman Isby, Alderman Pruitt, Alderman Jones, and Alderman Grimes. The Ordinance passed 7-0.

3. Ordinance appropriating funds received from assistance with the Hurricane Harvey Deployment for the Conway Fire Department.

O-18-70

Mayor Castleberry presented Item C3 to the Council. Chief Winter stated that the department has received a check in the amount of \$17, 481.55 for overtime reimbursement during the Hurricane Harvey Deployment. Alderwoman Isby made a motion to waive the three readings and Alderman

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Jones seconded it. The motion carried 7-0. Alderwoman Isby made a motion to adopt the Ordinance and Alderman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Jones, Alderman Pruitt, Alderwoman Isby, Alderwoman Mehl, Alderman Ledbetter and Alderman Grimes. The Ordinance passed 7-0.

4. Ordinance appropriating reimbursement funds received from various entities for the Conway Police Department.

O-18-71

Mayor Castleberry presented Item C4 to the Council. Chief Jody Spradlin addressed the Council stating that this is a general accounting ordinance and the funds requested were reimbursements to the department for extra duty, auction and insurance proceeds and donations. Alderwoman Isby made a motion to waive the three readings and Alderwoman Mehl seconded it. The motion carried 7-0. Alderwoman Isby made a motion to adopt the Ordinance and Alderwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Alderman Ledbetter, Alderwoman Isby, Alderman Jones, Alderwoman Mehl, Alderman Hawkins, Alderman Grimes and Alderman Pruitt. The Ordinance passed 7-0.

5. Consideration to accept the bid for a Libert CRV precision cooling system for the Conway Emergency Operations Center.

Mayor Castleberry presented Item C5 to the Council. Chief Spradlin explained that this equipment is an air conditioning unit for the CEOC IT department. The original unit is in need of replacement, however it will be kept in service as a back-up unit. Jamie Brice, Purchasing Manager stated that two bids were received, and the Council was asked to approve the lowest bid, from Freyaldenhoven Mechanical for \$57,331. Alderwoman Mehl made a motion to approve the lowest bid and Alderwoman Isby seconded it. The motion carried 7-0.

D. Personnel

1. Ordinance appropriating funding for the mid-year health insurance premium increase for the City of Conway.

O-18-72

Mayor Castleberry presented item D1 to the Council. Tyler Wunningham, CFO, stated that Council had voted on what measures to take to fund the 10.5% mid-year premium increase effective July 1, 2018. He reminded the Council that it was agreed that the City would absorb all of the premium increase for the fiscal year 2018 and that this Ordinance would amend the budget to cover the increase. Alderwoman Isby made a motion to waive the three readings and Alderwoman Mehl seconded it. The motion carried 7-0. Alderman Jones made a motion to adopt the Ordinance with the emergency clause and Alderwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Ledbetter, Alderman Jones, Alderwoman Mehl, Alderwoman Isby, Alderman Pruitt and Alderman Grimes. The Ordinance passed 7-0.

2. Ordinance amending the budget to include a refund of workers compensation premium received.

O-18-73

Mayor Castleberry presented Item D2 to the Council. Tyler Wunningham explained that this ordinance amends the budget to include the refund received from the Worker's Compensation program in the amount of \$145,857. Lisa Williams, Human Resources Director, explained that the City's worker's compensation premiums are estimated based on payroll, and our actual payroll for the year was lower than estimated resulting in the overpayment. Alderwoman Isby made a motion to waive the three readings and Alderwoman Mehl seconded it. The motion carried 7-0. Alderwoman Isby made a motion to adopt the Ordinance with the emergency clause and Alderwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Jones, Alderwoman Isby, Alderwoman Mehl, Alderman Hawkins, Alderman Pruitt and Alderman Ledbetter. The Ordinance passed 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

3. Consideration to approve the Non-Uniform Pension Plan for the City of Conway.

Mayor Castleberry presented Item D3 to the Council. City Attorney Chuck Clawson addressed the Council directing their attention to the Plan they had received for review, and outlining the existing and the new Plan going forward. The Plan covers "Grandfathered" and "Non-Grandfathered" employees, as well as the Plan for new employees hired after May 1, 2018. He stated that all of the changes made were done in an effort to fund the plan effectively. The new Plan will be mandatory for all employees hired after May 1, 2018 at 10% contribution and 10% matched by the City, which will create a self-funding Plan for the future. The existing Pension Board will dis-band and that authority as it relates to current employees will be delegated to an Administrative Committee. Tyler Winningham, CFO addressed the Council stating that even with the new Plan's structure and its funding, the City will probably still have to re-visit the situation in 3-5 years, as it does not permanently fix the funding issues. He said that at the present time the current Plan is approximately 30% funded, and if it is left as it is, the funding will decrease. In 3-5 years there will be enough information to re-evaluate, and take further steps to improve funding. He stressed that this measure supports the Plan temporarily but does not fix the funding issues long-term. Alderwoman Isby moved to approve the Plan as presented and Alderman Hawkins seconded it. The motion carried 7-0. Alderman Grimes stated his concern that the re-structured Plan does not go far enough in correcting the funding issues with the current Pension Plan, saying that he would like to see further steps taken to increase funding of the current Plan. Mayor Castleberry called for a vote. The Non-Uniform Pension Plan as presented passed 6-0-P with Alderman Grimes voting "Present".

4. Ordinance appropriating funds for the new Non-Uniform Pension Plan for the City of Conway.

O-18-74

Mayor Castleberry presented Item D4 to the Council. Tyler Winningham, CFO stated that this amount of \$307,932 is the projected amount required to move the City's contribution to 10% toward the Non-Uniform Pension Plan. Alderwoman Isby made a motion to waive the three readings and Alderwoman Mehl seconded it. The motion carried 7-0. Alderwoman Isby made a motion to adopt the Ordinance with the emergency clause and Alderwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Alderman Ledbetter, Alderman Jones, Alderman Grimes, Alderman Pruitt, Alderwoman Mehl, Alderwoman Isby and Alderman Hawkins. The Ordinance with the emergency clause passed 7-0.

There was no further discussion. The meeting was adjourned.

Adjournment-----

PASSED this 26th day of June, 2018

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett