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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday, 6:30 pm  
March 27, 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, Alderwoman Smith, Alderman Ledbetter, and Alderwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Attorney Chuck Clawson and City Clerk Michael Garrett. Alderman Jones was not present.

**Call to Order: Mayor Bart Castleberry**

**Roll Call: Michael O. Garrett**

**Minutes: March 13, 2018**

Alderwoman Isby motioned to approve the **March 13, 2018** minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

**Approval of Monthly Financial Report ending February 28, 2018:**

Tyler Winningham, Chief Financial Officer presented the Monthly Financial Report to the Council. He reported that sales tax is up 16.4%, or more than \$400,000 over last year's revenues. He stated that the General Fund is strong going into the New Year. He said that all other funds were in good standing. Alderwoman Smith made a motion to approve the monthly financials and Alderwoman Isby seconded it. The motion passed 7-0.

**1. Report of Standing Committees:**

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

- 1. Resolution to express the willingness of the City to utilize TAP funds for the Stone Dam Creek Trail improvement project.**

**R-18-10**

Alderman Hawkins presented Item A1 to the Council. Candy Jones was present to address the Council turning their attention to a map of the trail and pointing out that the funds requested were for Phase 1 of the project only. She added that the Stone Dam Creek Trail would eventually be connected to the new pedestrian bridge to be built on Dave Ward Drive. Alderwoman Smith made a motion to adopt the Resolution and Alderwoman Isby seconded it. There was no further discussion. The motion to adopt the Resolution passed 7-0.

- 2. Consideration to approve the bid from Arkansas Fence and Guardrail, LLC to provide the pavement markings (FY2018) for the Street & Engineering Department.**

Alderman Hawkins presented Item A2 to the Council. Jamie Brice, Purchasing Manager presented the matter to the Council. Alderwoman Smith made a motion to approve the bid from Arkansas Fence and Guardrail, LLC and Alderwoman Isby seconded it. There was no further discussion. The motion to approve passed 7-0.

- 3. Ordinance closing the unbuilt right of way running through all properties along the north side of Pheasant Road.**

**O-18-39**

Alderman Hawkins presented Item A3 to the Council reminding them that this item was addressed at the last City Council meeting, and stating that since then approvals were obtained by the major utilities and the City Street & Engineering Department. Alderwoman Isby made a motion to waive the three

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readings and Alderwoman Smith seconded it. There was no further discussion. Alderwoman Smith made a motion to adopt the Ordinance and Alderwoman Isby seconded it. Alderman Grimes confirmed that any issues that were present had been resolved to everyone's satisfaction. The Clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Pruitt, Alderman Hawkins, Alderwoman Isby, Alderman Grimes, Alderwoman Smith, and Alderman Ledbetter. The Ordinance passed 7-0.

**4. Ordinance amending the Conway subdivision ordinance as it pertains to sidewalk for the Planning & Development Department.**

**O-18-40**

Alderman Hawkins presented Item A4 to the Council stating that this Ordinance would amend the Conway Subdivision Ordinance No. O-00-03, Article V, Section 9, Part 10 regarding sidewalks in the City. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion passed 7-0. There was no further discussion. Alderwoman Smith made a motion to adopt the Ordinance and Alderwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Pruitt, Alderwoman Smith, Alderman Grimes, Alderwoman Isby, Alderman Ledbetter and Alderwoman Mehl. The Ordinance passed 7-0.

**5. Consideration to approve a conditional use permit to allow religious activities for property located at 1272 Sutton Street.**

Alderman Hawkins presented Item A5 to the Council stating that this item was considered by the Planning Commission on March 12, 2018 and at that time the Commission voted 6-1 that this request be forwarded to City Council with the recommendation for approval, with the following conditions:

1. No external sound systems are permitted due to the site's proximity to residences.
2. Any exterior lighting must be directed inward and downward and installed in such a way that it prevents light trespass onto adjacent properties.
3. Hours of external construction are limited to 7:00 am to 7:00 pm due to the site's proximity to residences.
4. The Conway Historic District Commission must review and approve architecture/design and landscaping through a Certificate of Appropriateness.
5. All signage must comply with current Conway Sign Ordinance regulations.

Alderman Hawkins moved to grant the conditional use permit with the above conditions and Alderwoman Isby seconded it. The motion to approve passed 7-0.

**6. Ordinance to rezone property (+/-3.82 acres) located east of the termination of Allyson Lane from O-2 to PUD.**

**O-18-41**

Alderman Hawkins presented Item A6 to the Council stating that this item was considered by the Planning Commission on March 12, 2018 and at that time the Commission voted 7-0 that this request be forwarded to City Council with the recommendation for approval, with the following conditions:

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. The PUD may be developed in phases; the office structure may be developed as suite lots are sold, the duplex portion may be developed later following construction of the office structure.
3. O-2 (Quiet Office) zoning as detailed in the Conway Zoning Ordinance shall be allowed throughout the PUD.
4. Up to 18 residential units shall be allowed within the PUD on that portion south of the Allyson Lane extension.
5. A reduction in the Development Review required 20 foot green space on the north shall be allowed. The final dimension shall be determined during the development review process.

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6. Reduced setbacks, as proposed, for the residential structures shall be allowed.
7. PUD shall meet the minimum required 20% green space.
8. A minimum of 2 commercial units, 2,000 square feet, is the smallest that may be sold.

Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion passed 7-0. There was no further discussion. Alderwoman Smith made a motion to adopt the Ordinance and Alderwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Isby, Alderman Ledbetter, Alderwoman Mehl, Alderwoman Smith and Alderman Pruitt. The Ordinance passed 7-0.

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

#### **1. Ordinance waving bid requirements for the purchase of a metal storage building for the Conway Fire Department.**

##### **O-18-42**

Mayor Castleberry presented Item B1 to the Council. Purchasing Manager Jamie Brice was present to address the Council. She stated that after obtaining quotes from three other vendors, it was found to be more cost effective for the City to waive the bid process for this project and accept SBI Metal Buildings & Components' quote in the amount of \$35,525. The funds for this project were previously budgeted for in the 2018 Fire Department Building account. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion passed 7-0. There was no further discussion. Alderwoman Isby made a motion to adopt the Ordinance and Alderwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Alderman Ledbetter, Alderwoman Isby, Alderman Pruitt, Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith and Alderman Grimes. The Ordinance passed 7-0.

Mayor Castleberry asked the Council to suspend the rules in order to discuss the purchase of a new fire truck for the Conway Fire Department. He stated that the necessity was urgent in order to take advantage of a \$25,000 savings on the truck if it is order before April 1, 2018. Alderwoman Isby made a motion to suspend the rules and Alderwoman Smith seconded it. The motion to suspend the rules passed 7-0.

##### **R-18-11**

Mayor Castleberry explained the plan for funding the purchase of the fire truck, saying that CPD would contribute \$100,000 of the Pay-As-You-Go sales tax revenue assigned to the CPD beginning in January of 2019. CPD Chief Mike Winter addressed the Council asking them to pass a Resolution to reallocate proceeds in the amount of \$400,000 for CPD vehicles and \$100,000 for the CFD fire engine from the Pay-As-You-Go sales tax effective January 1, 2019. The remainder of the annual revenue would go toward major street projects. He explained that the truck was a 'pumper-rescue" and is designed for Station 7 to run the Interstate which requires additional equipment. Alderwoman Isby made a motion to adopt the Resolution and Alderwoman Smith seconded it. The motion passed 7-0.

##### **O-18-43**

Chief Winter addressed the Council again asking for the approval of an Ordinance to appropriate funds for a down payment on the above mentioned fire truck. He stated that last year the Department was able to save approximately \$260,000 from their budget, and through this Ordinance, that amount would be appropriated for the down payment on the new fire truck. The remainder of the cost would be financed over the next 5 years at \$96,000 per year. Alderwoman Smith moved to waive the three readings and Alderwoman Smith seconded it. The motion passed 7-0. There was no further discussion. Alderwoman Isby made a motion to adopt the Ordinance with the emergency clause and Alderwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, Alderwoman Isby and Alderwoman Mehl. The Ordinance passed 7-0.

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There was no further discussion. The meeting was adjourned.

**Adjournment-----**

*PASSED this 27<sup>th</sup> day of March, 2018*

**APPROVED:**

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*Mayor Bart Castleberry*

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*City Clerk Michael O. Garrett*