
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
September 25, 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 Grimes, Alderwoman Mehl, Alderman Pruitt, Alderman Ledbetter and Alderwoman Smith and Alderwoman Isby. Also, present and acting: Mayor Bart Castleberry, and City Clerk Michael Garrett and City Attorney Chuck Clawson. Alderman Jones was absent.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett

Minutes: September 11, 2018

Alderwoman Smith motioned to approve the **September 11, 2018** minutes as submitted. Alderwoman Isby seconded the motion. There was no discussion. The motion passed 7-0.

Approval of the monthly financial report ending August 31, 2018

Tyler Winningham, CFO, addressed the Council stating that sales tax is back to a positive gain, up 6% over last year at this time and about 4 1/2% year to date. The Pay-As-You-Go sales tax is being used to fund the street paving as reflected in large sums being taken out of the project funds. Alderwoman Smith made a motion to approve the monthly financial report and Alderwoman Isby seconded it. The motion to approve passed 7-0.

1. Report of Standing Committees:

A. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Street & Engineering and Airport)

- 1. Resolution setting a public hearing to discuss vacating a portion of a utility easement on Lot 2, The Grove at Conway.**

R-18-35

Alderman Hawkins presented Item A1 to the Council. Alderwoman Smith made a motion for adoption of the Resolution to set the public hearing for October 9th at 6:30 pm, and Alderwoman Isby seconded it. The Resolution passed 7-0.

- 2. Resolution requesting the Faulkner County Tax Collector to place a certified lien on property located at 108 Fairway Lane as a result of incurred expenses by the City.**

R-18-36

Alderman Hawkins presented Item A2 to the Council. Alderwoman Isby made a motion for the adoption of the Resolution and Alderwoman Smith seconded it. The Resolution passed 7-0.

- 3. Resolution adopting the Pedestrian Master Plan for the City of Conway.**

R-18-37

Alderman Hawkins presented Item A3 to the Council. Bethany Stobaugh of the Bicycle and Pedestrian Advisory Board was present to address the Council stating that this Resolution would allow for more development of the program and application for Pedestrian Friendly City Status. Alderwoman Smith made a motion to adopt the Resolution and Alderwoman Isby seconded it. The Resolution was passed 7-0.

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4. Ordinance appropriating funds for professional services and approval for grant application for the Street and Engineering Department.

O-18-89

Alderman Hawkins presented Item A4 to the Council. Jamie Brice was present and stated that these funds were for the Salem Road Bridge over Tucker Creek, and that the Council was being asked to approve a grant application as well as the selected engineers for the project. Mayor Castleberry added that in order for further Salem Road improvements to be made, the bridge must be widened over Tucker Creek. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion was carried 7-0. 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, Alderman Grimes, Alderman Hawkins, Alderwoman Smith, Alderwoman Isby, Alderman Pruitt and Alderwoman Mehl. The Ordinance passed 7-0.

5. Ordinance appropriating funds and approving professional services for the Donaghey Avenue Improvement Project.

O-18-90

Alderman Hawkins presented Item A5 to the Council. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion was carried 7-0. 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, Alderman Grimes, Alderman Ledbetter, Alderwoman Smith, Alderwoman Isby, and Alderwoman Mehl. The Ordinance passed 7-0.

6. Ordinance amending Ordinance O-09-13; for the addition of requirements for storm water discharge design.

O-18-91

Alderman Hawkins presented Item A6 to the Council. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion was carried 7-0. Finley Vincent, Director of the Street and Engineering Department addressed the Council stating that as a result of concerns over a previous re-zoning request, some inadequacies with the present Ordinance regarding drainage were brought to light. This amendment would address these inadequacies. Alderwoman Smith 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": Alderwoman Mehl, Alderman Pruitt, Alderman Grimes, Alderwoman Isby, Alderman Hawkins, and Alderwoman Smith. The Ordinance with the emergency clause passed 7-0.

7. Ordinance to rezone property located at 819 & 853 Mitchell Street from R-2A to R-1

O-18-92

Alderman Hawkins presented Item A7 to the Council stating that this item was reviewed by the Planning Commission at their meeting of September 17 at which time it was voted 6-0 to forward to City Council with the recommendation for approval. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion was carried 7-0. Bryan Patrick, Director of Planning and Development addressed the Council explaining that Jay and Molly Bernard were requesting rezoning of their property from residential duplex to single family residence. Alderwoman Isby made a motion to adopt the Ordinance and Alderwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Alderwoman Isby, Alderman Pruitt, Alderwoman Mehl, Alderwoman Smith, Alderman Grimes, Alderman Ledbetter and Alderman Hawkins. The Ordinance passed 7-0.

8. Consideration to approve a request for a conditional use permit for property located at 1904 Washington Avenue to allow restricted office in R-2A zone.

Alderman Hawkins presented Item A8 to the Council stating that this item was reviewed by the Planning Commission at their meeting of September 17 at which time it was voted 6-1 to forward to City Council with the recommendation for approval with conditions:

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1. Hours of operation: Hours of operation are limited to Monday through Friday, 7:00 am to 6:00 pm.
2. Signage: Wall signage shall be limited to a non-illuminated faceplate attached to the structure no greater than 2 square feet in area. Freestanding signage shall be a non-illuminated monument or two pole sign no greater than 4 feet in height and 4 feet wide. A non-illuminated post and arm sign as defined by Conway sign regulations, may be substituted for a monument or two pole sign. No banners shall be permitted.
3. Architectural Compatibility: As part of the Old Conway Design Overlay District, any exterior remodeling or new construction requiring a building permit must be reviewed and approved by the Historic District Commission.
4. Lighting, parking, screening/buffering shall minimally match Conway Development Review Standards. Parking shall be limited to the south (Gist Street) or east (rear) sides of the structure.
5. Office use is limited to the existing structure or additions to the existing structure. Demolition of the existing structure must be approved by the Historic District Commission.

Alderman Hawkins made a motion to approve the conditional use permit and Alderwoman Smith seconded it. The consideration to approve passed 7-0.

8. Ordinance to rezone property located at 364 & 365 Denison Street from R-2 to MF-3.

O-18-93

Alderman Hawkins presented Item A9 to the Council stating that that this item was reviewed by the Planning Commission at their meeting of August 20th at which time it was voted 9-0 to forward to City Council with the recommendation for approval. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion was carried 7-0. Mayor Castleberry opened the floor for public comments. Tim Tyler addressed the Council representing the property owner and stating that the calculations for this property reflect more than adequate drainage based on the 100 year storm calculations. He also stated that the property owner is willing to clean out the drainage ditch to the south of the property. Rod Pearson was present to address the Council, citing concerns that a high-density complex would cause storm water to affect neighboring properties, and his concerns that the new standards that City Council passed this same night with the amendment to the storm water ordinance, would be enforced regarding this particular project. Alderwoman Smith made a motion to adopt the ordinance and Alderman Grimes seconded it. The Clerk called the roll with the following voting "Aye": Alderman Ledbetter, Alderman Grimes, Alderwoman Smith, Alderwoman Isby, Alderman Pruitt and Alderwoman Mehl and with Alderman Hawkins voting "Present". The Ordinance passed 6-0-1.

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

1. Ordinance appropriating funds from the Municipal League Insurance Program for the replacement of a rescue inflatable boat and motor for the Conway Fire Department.

O-18-94

Mayor Castleberry presented Item B1 to the Council. Chief Mike Winter addressed the Council stating that the Department has received an insurance check in the amount of \$12345 and was asking Council to approve the amount for the rescue inflatable boat and motor to replace one that was damaged in the flooding of last year. Alderman Hawkins moved to waive the three readings and Alderwoman Isby seconded it. The motion carried 7-0. Alderman Hawkins moved 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 Pruitt, Alderman Grimes, Alderman Ledbetter,

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Alderwoman Smith, Alderwoman Isby and Alderwoman Mehl. The Ordinance with the emergency clause passed 7-0.

2. Consideration to enter into an agreement with HPE Financial Services for technology purchases for the Information Technology Department.

Aaron Knight, Director of the Information Technology Department addressed the Council explained that the Financial Services Agreement with Hewlett Packard Company will help centralize the purchase of user systems within the IT Department. He added that the program would ease the burden on the individual departments within the City and build a respective life-cycle management program. Alderwoman Isby moved to approve the consideration and Alderwoman Smith seconded it. The motion passed 7-0.

New Business

1. Consideration to approve a limited access agreement with MR Capitol Partners.

Mayor Castleberry explained to the Council that a property off of Dave Ward Drive needs access to emergency vehicles in order to develop the property. The access will be used solely for emergency access with locked gates. Alderwoman Isby made a motion to enter into the agreement with MR Capitol Partners and Alderman Ledbetter seconded it. The motion to approve carried 7-0.

2. Ordinance appropriating funds for the purchase of property located at 1111 Main Street.

O-18-95

Mayor Castleberry presented this item to the Council stating that the City is set to close on the property October 1, 2018 and that RFQ from architects are due the end of October. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion carried 7-0. Alderman Hawkins moved to adopt the Ordinance with the emergency clause and Alderman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Pruitt, Alderman Grimes, Alderman Ledbetter, Alderman Hawkins, Alderwoman Smith, and with Alderwoman Isby voting "Here". The Ordinance passed 6-0-1.

There was no further discussion. The meeting was adjourned.

Adjournment-----

PASSED this 25th day of September, 2018

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett