
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
November 28, 2006

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 Jones, Alderwoman Smith, Alderman Brewer, Alderman Grimes, Alderwoman Whitmore and Alderman Bell. Also, present and acting: Mayor Tab Townsell and City Clerk Michael Garrett. City Attorney Michael Murphy and Alderman Adam Weeks were not present.

1. *Call to Order*

2. *Roll Call*

3. *Minutes: November 14th, 2006*

Alderwoman Whitmore motioned to approve the Nov. 14, 2006 minutes. Alderman Bell seconded the motion. There was no discussion. The motion passed 7-0.

4. *Recognition of Guests: Employee Service Award*

10 Years: Michael Webb – Conway Police Dept.

5. *Public Hearings: None*

6. *Report of Standing Committees:*

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

1. *Resolution recommending approving and authorizing the issuance of bonds for Conway Christian School.*

R-06-44

Alderman Grimes motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

2. *Resolution setting a public hearing to discuss changing the street name of Quarti Garden Drive located in the Reserve at Centennial Valley Subdivision.*

R-06-45

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Alderman Bell motioned to adopt the resolution. Alderman Grimes seconded the motion. Mayor Townsell stated the public hearing will be Tuesday December 12, 2006 at 6:30 p.m. There was no discussion. The motion passed 7-0.

- 3. Ordinance increasing the Oak Grove Cemetery Board to from five members to seven members.**

O-06-161

Mayor Townsell stated this was a request from Oak Grove Cemetery Board. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Bell seconded the motion. The motion passed 7-0. Alderman Hawkins motioned to adopt the ordinance. Alderwoman Smith seconded the motion. Alderman Hawkins motioned to adopt the emergency clause. Alderwoman Smith seconded the motion. The clerk called the roll for the adoption of the ordinance with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Jones, Alderman Brewer, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0. The clerk called the roll for the emergency clause with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Jones, Alderman Brewer, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell. The motion passed 7-0.

- 4. Consideration of bid by low bidder Dayco in the amount of \$54,086 on a metal building shell addition for the Street Department.**

Ronnie Hall, City Engineer, stated the building is needed to house the Traffic Services Division that transferred from Conway Corporation to the Street Dept. The building will be a shell and the city will perform most of the interior work. Mr. Hall recommended accepting the low bid from Dayco for \$54,086.00. Alderwoman Smith motioned to accept the low bid from Dayco. Alderman Bell seconded the motion. There was no discussion. The motion passed 7-0.

- 5. Discussion of a request to discuss the Comprehensive Plans Right of Way requirement for North Donaghey Avenue between Washington and Meadowlake Road.**

R-06-46

Kevin Watson, Watson Homes, was present to answer questions. David Hall, Tim Tyler Surveying & Mapping, stated they are proposing to dedicate 90 ft of right of way instead of the required 100 ft.; and a 15 ft utility easement. This will allow for the full roadway section, sidewalks and also allow setbacks to remain closer to Donaghey Ave. Alderman Bell motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no further discussion. The motion passed 7-0.

6. Consideration of planning commission nominations of Aliza Jones & Sandra Mabry to the board.

Terry Sossong was present to answer questions. Alderwoman Smith motioned to approve the nominations. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

7. Consideration of a conditional use permit to allow a child care for property located at 560 Milam Drive.

Beatrice Webb, speaking on behalf of the applicant, stated Ms. Lee would be an asset to the neighborhood as a childcare provider and named several other childcare providers in the area. Alderman Bell asked if the request was for 16 children. Ms. Lee stated she requested 16 but she would come down to 8. Cerrel Hood spoke in favor of the childcare and stated that Ms. Lee would be helping to care and educate children while their parents have to work outside the home. Alderwoman Smith asked if Ms. Lee owns the property in question. Ms. Lee stated she owns the property. Mayor Townsell asked how many of the children being kept belong to Ms. Lee. Ms. Lee stated 3. Alderwoman Whitmore asked how many children Ms. Lee is currently caring for. Ms. Lee stated 13. Alderwoman Whitmore asked Ms. Lee how many of the 13 children live within the surrounding area. Ms. Lee stated all of them. Alderwoman Whitmore asked if any children being cared for live in the subdivision. Ms. Lee stated 4. Robert Stone, 1805 Mockingbird Ln., stated that several residents of the subdivision are older and retired and feel this subdivision is not the place for a day care. Fred McCoy, resident, stated that the subdivision covenants states that "no lot shall be used except for residential purposes, no building shall be erected, altered, placed or permitted to remain". Mr. McCoy is against the day care and does not want to see any type of business open in the subdivision. David Corliss, President Stone Bridge Neighborhood Assoc., stated he is concerned about the increased traffic that a day care would bring to Conway East Subdivision, Stone Bridge Subdivision and the surrounding area. James Brownlee, Conway resident, stated that the city has allowed an in home day care in any neighborhood with a conditional use permit and he proposed that no signs be allowed to advertise the day care and allow Ms. Lee to have as many children as the State allows in an in home day care environment. Ms. Lee stated that there is a landscape business 3 houses down from her home. Jesse Clark, 53 Sandpiper Circle, asked the council to keep the subdivision residential. Darrell Hutchins, 22 Hummingbird Ln., spoke against the day care. Mary DeAngelo spoke in favor of the day care and stated that her children are cared for by Ms. Lee and feels comfortable leaving them there and feels they are well cared for. Roseanne Hinson spoke in favor of the day care and stated she works at CHDC and wanted a day care close to her place of employment to leave her daughter at. Ralph and Marilyn Worm, 40 Mockingbird, spoke against the day care. Alderman Brewer asked Ms. Lee how long her business has been open. Ms. Lee stated 2 months. Ms. Lee went on to say that she did not buy the home intending to open a business and was not aware a permit was required to do so or she would not have opened the day care. Fred Tate, 31 Hummingbird Ln., stated that there are no businesses that he is aware of within the

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

subdivision. Alderman Jones stated that he feels the issues the neighbors have is not with Ms. Lee but with the day care itself. Alderman Hawkins stated that Conway allows fewer children in an in home care setting than the State and feels that Conway should adjust their numbers to be more in line with what the State allows. Alderman Grimes motioned to deny the conditional use permit. Alderman Brewer seconded the motion. There was no further discussion. The motion to deny passed 7-0.

B. Public Safety Committee (Police, CEOC, Fire, Dist. Court & City Att., & Animal Control)

1. Consideration of architectural services for Station #2 & Station 4 for the CFD.

Mayor Townsell stated one proposal was received from Hurd Long Architects & Design for a total price of \$18,200.00, Mayor Townsell suggested accepting this proposal. Alderman Bell motioned to accept the proposal. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

O-06-162

Mayor Townsell asked the council to suspend the rules to consider an ordinance appropriating funds for civil service expenses. The civil service commission has requested the city purchase two separate sets of books for police testing (study books) at a cost of \$1,470.00. Alderman Bell motioned to suspend the rules to consider this ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderman Hawkins seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderman Bell, Alderman Grimes, Alderman Jones, Alderman Brewer, Alderwoman Whitmore, Alderman Hawkins, and Alderwoman Smith. The motion passed 7-0.

7. *Old Business*

8. *New Business*

Adjournment

There was no further discussion and the meeting was adjourned.

PASSED this 28th day of November 2006

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett