
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Thursday 6:30 PM
March 16, 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 Bell, Alderman Jones, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore and Alderman Weeks. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy and City Clerk Michael Garrett. Alderwoman Whitmore motioned to approve the March 17th minutes. Alderman Jones seconded the motion. There was no discussion. The motion passed unanimously 7-0. Alderman Brewer was not in attendance.

Report of Standing Committees:

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

Alderman Bell motioned to move item 8C (Consideration to reinstate the Civil Service Commission) up in the agenda. Alderman Grimes seconded the motion. The motion passed 7-0.

O-06-24

City Attorney Michael Murphy read the ordinance. Section 11 was amended to read as follows: *“That any ordinances, rules regulations, policies or procedures in conflict herewith are hereby repealed to the extent of that conflict. Specifically uniformed employees code and any amendments rules, policies and regulations related thereto are hereby repealed upon the third (3rd) reading and adoption of this ordinance”*. Alderwoman Whitmore motioned to adopt the ordinance. Alderwoman Smith seconded the motion. It was suggested by Mayor Townsell, with Michael Murphy, in agreement to take out the following from the title of this ordinance so it can be passed tonight. *“repealing the uniformed employee’ code and any amendments thereto”*. Alderman Grimes motioned to suspend the rules to place it on the second (2nd) and third (3rd) reading. Alderwoman Smith seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance. Alderman Jones seconded the motion. Alderman Hawkins stated that he would like to see very specific language in place as to exactly when the uniformed employee code would cease and the Civil Service Commission would be in place. Mayor Townsell asked Alderman Hawkins if he would like to write a new section 11 to read as follows *“that the uniformed employee code, which this ordinance is intended to supersede, shall still be in effect until such time that it is specifically repealed upon the completion of all necessary preliminary steps to activate a Civil Service*

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Commission". There was no further discussion. The clerk called the role with the following voting "Aye". Alderwoman Smith, Alderman Hawkins, Alderman Weeks, Alderman Grimes, Alderwoman Whitmore, Alderman Bell and Alderman Jones. The motion passed 7-0.

1. Consideration to accept bids from Hydra-Quip for a Street Sweeper Box & Equipment in the amount of \$78,200 and consideration to purchase a Compact SUV w/ 4 wheel drive from the state bids of \$14,940.00 for the Street Department.

Ronnie Hall, City Engineer, was present to answer questions. Mr. Hall suggested that the city accept the bid from Hydra-Quip for the street sweeper for \$78,200 and reject the bid from Crain Pontiac Buick GMC for the compact SUV and allow the city to purchase the state bid vehicle matching the bid specifications for \$14,940. Alderwoman Smith motioned to accept the bids. Alderman Hawkins seconded the motion. There was no further discussion. The motion passed 7-0.

Alderman Weeks moved to suspend the rules for consideration of an ordinance to rezone property located at 103 Amity Road from A-1 to I-3. Alderman Bell seconded the motion. The motion passed 6-1. Alderwoman Smith voted in opposition. Alderwoman Whitmore motioned to suspend the rules and waive the readings of the ordinance. Alderman Bell seconded the motion. The motion passed 7-0. Bill Adkisson was present to answer questions. Alderman Weeks motioned to adopt the ordinance. Alderman Bell seconded the motion. There was no further discussion. The clerk called the roll with the following voting "Aye". Alderman Hawkins, Alderman Weeks, Alderman Grimes, Alderwoman Whitmore, Alderman Bell, and Alderman Jones. The motion passed 6-1. Alderwoman Smith voted in opposition.

2. Consideration of a conditional use permit for hazardous materials storage and chemical compounding or packaging for property that is located at 103 Amity Road.

Bill Adkisson was present and asked that this item be put on hold until the Conway Fire Dept. and the proposed tenants can work out specifics to the use permit. Alderman Grimes motioned to hold this item in committee. Alderman Bell seconded the motion. It was decided to discuss this conditional use permit at the next committee meeting which will be March 28, 2006 at 5:30 PM. There was no further discussion. The motion passed 7-0.

3. Consideration of a conditional use permit for a beauty shop (hair salon) for property that is located at the westernmost parcel of two parcels on the north side of North Donaghey Ave.

Jim Rankin was present to answer questions. Mr. Rankin stated that he is not asking to restrict the turn coming out onto Donaghey Ave. to a right turn only. It was suggested that an island be constructed at the Donaghey Ave. exit that will divide left turn traffic and right turn traffic to one lane each along with signs saying "do not

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enter, one way". Alderwoman Smith motioned to grant the conditional use permit with the change suggested by Mr. Rankin. Alderman Grimes seconded the motion. There was no further discussion. The motion passed 7-0.

4. Consideration of a conditional use permit for MF-2 density in a C-3 zone for the property located at 1261 Harkrider Street.

Allen Shaver was present to answer questions. Alderwoman Smith motioned to grant the conditional use permit with the stipulation that only one apartment is allowed. Alderman Bell seconded the motion. The Mayor suggested that this be put on hold until issues of the request can be worked out. Alderwoman Smith motioned to hold this item in committee. Alderman Bell seconded the motion. There was no further discussion. The motion passed 7-0.

5. Consideration of a conditional use permit for religious activities for property located at 1695 S. German Lane.

Bill Yates was in attendance to answer questions. Alderwoman Smith motioned to grant the conditional use permit with the conditions and extend the hours of operation from 7 AM to 10 PM instead of 7 AM to 9 PM. Alderman Bell seconded the motion. Alderman Grimes motioned to amend the use permit by taking out the hours of operation limitation. Alderwoman Whitmore seconded the motion. There was no further discussion. The motion passed 5-2. Alderwoman Smith and Alderman Bell voted in opposition. The original motion on the floor passed 6-0-1. Alderman Hawkins abstained.

6. Consideration of a parking lot variance request by Agape Community Temple of Servants (ACTS) Church at property located at 1423 Ingram Street.

Chris Riggins was in attendance to answer questions. Alderman Bell motioned to approve the parking lot variance. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

7. Consideration of an amendment to remove and/or relocate a pedestrian easement as shown on the Conway Comprehensive Plan.

James Ross, representing Tom Watson/Generation Builders, was in attendance to answer questions. Alderman Hawkins motioned to approve the relocation of the pedestrian trail and to draft a resolution to the comprehensive plan. Alderwoman Smith seconded the motion. There was no further discussion. The motion passed 7-0.

8. Ordinance to create the Tree Board for the City of Conway – Tree City USA attainment and set objectives for the maintenance of Conway Public Trees.

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Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. Alderman Hawkins motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye". Alderman Hawkins, Alderman Weeks, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore, Alderman Bell and Alderman Jones. The motion passed 7-0.

9. Ordinance to rezone property located at 1912 Washington Avenue at the southeast corner of the intersection of Washington Ave & Harton Street from R2A to O-3.

O-06-27

Alderwoman Smith 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. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye", Alderman Hawkins, Alderman Weeks, Alderwoman Whitmore, Alderman Bell, and Alderman Jones. The motion passed 6-1. Alderman Grimes voted in opposition. Alderman Bell motioned to adopt the emergency clause. Alderwoman Smith seconded the motion. The clerk called the roll with the following voting "Aye". Alderman Hawkins, Alderwoman Smith, Alderman Weeks, Alderwoman Whitmore, Alderman Bell and Alderman Jones. The motion passed 6-1. Alderman Grimes voted in opposition.

10. Ordinance to rezone property located at 616 Oliver Street from R2-A to O-3.

O-06-28

Alderwoman Smith 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. Alderman Jones seconded the motion. There was no discussion. The motion passed 7-0.

Public Service Committee (Sanitation, Parks & Recreation, & Physical Plant)

1. Consideration to accept bids for (2) Residential Truck from Barloworld Truck Center in the amount of \$332,740.00 for the Conway Sanitation Department.

Alderman Hawkins motioned to accept the bids. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

2. Ordinance appropriating funds for the purchase of a receipt printer for Parks & Recreation.

O-06-29

Mike Garrett, City Clerk, stated that the amount should be \$1,650. Alderwoman Smith motioned waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 7-0. Alderman Bell motioned to adopt the ordinance. Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting “Aye”. Alderman Hawkins, Alderman Weeks, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore, Alderman Bell and Alderman Jones. The motion passed 7-0.

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

1. Consideration of waiving bid requirements for the Conway Animal Welfare Unit to utilize a sole source vendor to replace trucks.

O-06-30

Benny Battles with the Animal Welfare Unit was present to answer questions. He stated that they are not asking for the city to waive bids, the vehicles would be at purchased at the state bid price. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 7-0. Mayor Townsell stated that the wording “*waiver of bid*” should be taken out of this ordinance. Alderwoman Smith motioned to adopt the ordinance with the changes. Alderman Weeks seconded the motion. There was no discussion. The clerk called the roll with the following voting “Aye”. Alderman Hawkins, Alderman Weeks, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore, Alderman Bell and Alderman Jones. The motion passed 7-0.

2. Ordinance to waive bids for network and applications and system support for the City of Conway.

O-06-31

Lloyd Hartzell, IT Director, was present to answer questions. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Bell seconded the motion. The motion passed 7-0. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting “Aye”. Alderman Hawkins, Alderman Weeks, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore, Alderman Bell and Alderman Jones. The motion passed 7-0. Alderman Bell motioned to adopt the emergency clause. Alderwoman Smith seconded the motion. The clerk called the roll with the following voting “Aye”. Alderman Hawkins, Alderman Weeks, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore, Alderman Bell and Alderman Jones. The motion passed 7-0.

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3. Ordinance to appropriate grant funds to the CPD from the Wal-Mart Foundation in the amount of \$3,000.

O-06-32

Officer Bob Berry was present to answer questions. Alderman Hawkins motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. Alderman Hawkins motioned to adopt the ordinance. Alderwoman Smith seconded the motion. Alderman Weeks motioned to adopt the emergency clause. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll for the adoption of the ordinance with the following voting "Aye". Alderman Hawkins, Alderman Weeks, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore, Alderman Bell and Alderman Jones. The motion passed 7-0. The clerk called the roll for the adoption of the emergency clause with the following voting "Aye". Alderman Hawkins, Alderman Weeks, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore, Alderman Bell and Alderman Jones. The motion passed 7-0.

1. Old Business

2. New Business

- A. Consideration to lease the Blaney Hill landfill for a proposed gun club.

Cheryl Harrington, Sanitation Director, was present to answer questions. Gary Duncan, a Conway resident, spoke in favor of the gun club. No action was taken on this item.

- B. Discussion of ordinance governing gas wells and drilling.

Item withdrawn.

- C. Consideration to reinstate the Civil Service Commission.

This item was move up in the agenda.

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Adjournment

There was no further discussion and the meeting was adjourned.

PASSED this 16th day of March 2006

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett