
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
February 27, 2007

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, Alderwoman Smith, Alderwoman Mehl, Alderman Vaught, Alderman Grimes, Alderwoman Whitmore and Alderman Bell. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy and City Clerk Michael Garrett. Alderman Jones was not in attendance.

1. Call to Order

2. Roll Call

3. Minutes: *February 13, 2007*

Alderwoman Whitmore motioned to approve the February 13, 2007 minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

4. Recognition of Guests:

5 Year Service Awards

Dean Corbitt – Roll-Off Driver – Sanitation Dept.

Val Seay – Human Resources

Teresa Sullivan – Animal Welfare Officer

5. Public Hearings:

A. Public hearing to discuss closing the utility easement for Daniel Subdivision

- 1. Ordinance to close the utility easement located across Lot 2 and extending on to Lot 3 in Daniel Subdivision.**

O-07-15

Mayor Townsell opened the public hearing. Doug Hall, Tyler Surveying, stated the closure is needed so the property owners can place a building on the lot. Mayor Townsell closed the public hearing. Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Bell seconded the motion. The motion passed 7-0. Alderman Grimes motioned to adopt the ordinance. Alderman Hawkins seconded the motion. There was no discussion. The clerk

called the roll with the following voting “Aye”: Alderman Grimes, Alderwoman Mehl, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell, Alderman Vaught, and Alderman Hawkins. 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 Grimes, Alderwoman Mehl, Alderwoman Smith, Alderwoman Whitmore, and Alderman Bell, Alderman Vaught, and Alderman Hawkins. The motion passed 7-0.

B. Public hearing to discuss the proposed agreement between the City of Conway and the Conway Gun Club.

1. Consideration of entering into an agreement to lease Blaney Hill landfill to the Conway Gun Club.

Mayor Townsell opened the public hearing. Randell Byrd, Stone Rd. resident, stated he moved to the area in 1989 because the area was natural, serene, and peaceful. Since that time some negative changes have taken place and feels that a gun club would continue that trend. Butch Thacker, resident of the area, stated he has lived in the area since 1992 and since that time there has been a steady erosion of the character of the neighborhood and is opposed to the proposed agreement and feels a neighborhood should be a quiet area. Mr. Thacker stated that a decibel table he researched rates a shotgun blast between 130 – 140 decibels per round and the only thing rated louder than 140 is a jet engine on take off. Mr. Thacker is also concerned about lead, which he stated is classified by the EPA as hazardous waste. Gary Duncan, Conway Gun Club, stated this idea did not start out as something that would be detrimental to the proposed area but would lift the area up and reiterated that the club is not private, it a club of citizens. Mr. Duncan stated it is a bad thing to have the landfill open as it is because the fences are falling down and there is evidence of individuals riding 4-wheelers and hunting and added that lead is already prevalent because it is a landfill site. Mr. Duncan stated while on a recent visit to the site to take sound readings he heard a discharge of a pistol in the North Heights Subdivision and that had the highest sound decibel of the day. Kenneth Price, Danny Carter, Theodore “Cut” Massery, Gerald Thurman, Annette Gartman, Mary Kay Sullivan, Jean Zopolos, David Moore, Chris Payne, Shelley Smith, Marvin Strickland, and Ramona Speights all spoke against the proposed site of the gun club. Tommy Browning and Mike Scallion spoke in favor of the proposed site of the gun club. Leon McMoran addressed the council and stated he owned a gun club for six years in Perryville, AR and he had

no complaints from his neighbors nor were there any accidents, and he is in favor of the proposed site. Mayor Townsell closed the public hearing. Alderman Hawkins stated he does not disagree with any statement made pro or con, but feels this is the wrong place to put a gun club at this time. Alderman Hawkins motioned to not approve the lease agreement. Alderwoman Smith seconded the motion. Alderman Grimes stated he hopes the gun club can go somewhere but feels that the landfill is not a good location. Mayor Townsell stated the city will keep looking for a viable use for the old landfill site that will not create other problems in the area. There was no further discussion. The motion failed 7-0.

6. Report of Standing Committees:

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

- 1. Resolution to set a date to discuss closing a partial easement along the west property line of Lot # 11 of the Green Gables Subdivision (325 Hannah Drive).**

R-07-05

Alderman Bell motioned to adopt the resolution. Alderman Hawkins seconded the motion. The public hearing is set for Tuesday March 6, 2007. There was no discussion. The motion passed 7-0.

- 2. Consideration to amend the previously approved PUD for Crossings on the Green submitted by Raush Coleman.**

Mayor Townsell stated the planning commission approved the amendment and attached 7 additional conditions to the final PUD plan. Bryan Patrick, Planning Director, stated the developer has resolved the fire access issue with the decision to install sprinklers. Kim Hessey, Rausch Coleman, was present to answer questions. Alderman Bell motioned to accept the amendment of the PUD with the 7 additional conditions and accepting the alleyway as a public street. Alderwoman Smith seconded the motion. There was no further discussion. The motion passed 7-0. The 7 added conditions are as follows:

1. Fire Access – The PUD must have proper fire apparatus access or use residential sprinkler systems. If the PUD is accessed from private property, either from the south or north, an access agreement must be reached with the adjacent property owner.
2. Public alleyway must meet the requirements of the City Engineer and Fire Dept.
3. Covenants and restrictions must be filed along with the PUD plat.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

4. Alleyway sanitation cart pickup location will be on the north side of the alley.
5. Trail will be 5 feet wide and constructed with an asphalt surface.
6. Subdivision signage must meet City of Conway Sign Ordinance standards of no more than 48 sq. ft. in area and no more than 6 ft. in height and no banners allowed.
7. Landscaping – including street trees – will be subject to approval and specifications of the City of Conway Tree Board.

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

1. **Consideration to accept bids for a rubber tire backhoe, roll up curtains for the McGee Center, & refinishing wood floors on the basketball courts & racquetball courts for the Conway Parks Department.**

Mayor Townsell stated the recommendation is to accept the low bid from Roger Richey Inc. for \$19,850.00 for refinishing of wood floors. Alderwoman Smith motioned to accept the low bid. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

Mayor Townsell stated one bid was received from R.J. Love Enterprises, Inc. for \$18,450.00 for roll up curtains. Alderman Bell motioned to accept the bid from R.J. Love Enterprises. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 7-0.

Mayor Townsell stated one bid was received from Duncan Outdoors for \$36,944.25 for rubber tire backhoe. Alderman Hawkins motioned to accept the bid from Duncan Outdoors. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

2. **Ordinance appropriating impact fee revenue funds for the installation of electric roll-up curtains at the McGee Center.**

O-07-16

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

7. Old Business

8. New Business

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

- A. *Consideration to move the March 13th, 2007 City Council meeting to an alternative date.*

Alderman Hawkins motioned to move the March 13, 2007 council meeting to Tuesday March 6, 2007. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 7-0.

Adjournment

There was no further discussion and the meeting was adjourned.

PASSED this 27th day of February 2007

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett