
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
May 26, 2009

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, Alderman Jones, Alderwoman Whitmore, Alderwoman Mehl, Alderman Vaught, Alderman Rhodes. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and Deputy City Attorney Kurt Meredith. City Attorney Michael Murphy and Alderman Grimes were not present.

1. *Call to Order*
2. *Roll Call*
3. *Minutes:* May 6th & May 12th, 2009

Alderwoman Whitmore motioned to approve the May 6, 2009 and May 12, 2009 minutes as submitted. Alderwoman Smith seconded the motion. The motion passed 7-0.

4. *Recognition of Guests:* Employee Service Awards

5 yr

Officer James Bemies - Police Dept.
Steven Griffin - Sanitation Dept.
Jennifer Hill - Police Dept.

10 years

Officer Shawn Schichtl - Police Dept.
Corliss Adams - District Court

15 years

Officer Chris Kalz - Police Dept.
Lt. Kyle Keller - Police Dept.

20 years

Lynn Johnson - Street Dept.

25 years

Major Kerry Pool - Police Dept.

5. *Public Hearings:*

A. Public hearing to discuss renaming Trey Lane to Artis Lane.

Mayor Townsell opened the public hearing. Alene Cleveland was present and spoke in favor of renaming Trey Lane to Artis Lane. Jason Lyon, Mapping & Address Coordinator, stated that the 8 residences/landowners located on the south side of Dave Ward that abut Trey Lane, were notified by letter of the public hearing and explained no one has made contact in regards to this matter. Mayor Townsell closed the public hearing.

1. Ordinance changing a portion of Trey Lane to Artis Lane.

O-09-63

Alderwoman Smith motioned to waive the readings of the ordinance. Alderman Jones seconded the motion. The motion passed 7-0. Alderman Jones motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Hawkins, Alderwoman Smith, Alderman Jones, Alderman Vaught, Alderman Rhodes, and Alderwoman Whitmore. The motion passed 7-0. Mayor Townsell noted that this is the entire north/south portion of Trey Lane.

6. Report of Standing Committees:

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

- 1. Resolution setting a public hearing to discuss the closing of a 15' utility easement running North and South along the east lot line of Lot 33 and the west lot line of 34 in Deerbrook Subdivision.**

R-09-24

Mayor Townsell stated the public hearing will be held Tuesday June, 9 2009 at 6:30 pm. Alderwoman Smith motioned to adopt the resolution. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

- 2. Resolution authorizing the City of Conway to apply to be designated as a Preserve America Community.**

R-09-25

Mayor Townsell explained this is a good program that is not affiliated with any ongoing preservation plight within the city and is a program we could get support from. Bryan Patrick, Planning & Development Director, explained the

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Planning Dept is the point of contact for the city historic boards and approximately 6 months ago the Arkansas Historic Preservation Program began lobbying for the city to become a member of Preserve America Community which is a national program administered by the National Park Service which promotes historical tourism and becoming a member would allow us to apply for grants and receive funding in the form of matching grants. Alderman Hawkins motioned to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

3. Consideration to allow Lamar Outdoor Advertising to perform vegetation control along the right of way, abutting the property of Mr. Jim Burton.

Alderman Hawkins motioned to grant the request. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

4. Consideration to amend the Conway Towne Center PUD (C-4) to allow a larger theater for property located at 201 Skyline Drive.

Mayor Townsell stated the Planning Commission recommended approval of this request and read the conditions which are listed below. Alderwoman Smith motioned to approve the amendment request. Alderwoman Whitmore seconded the motion. David Hall, Tyler Surveying & Mapping representing Conway Towne Center LLC, was present to answer questions. There was no discussion. The motion passed 7-0.

- Parking lot upgrades within redevelopment area to be as shown on Planning Department sketch.
- Development Review guidelines will apply to redevelopment.
- Building setback to four (4) feet shall be allowed on west property line.
- A new freestanding two (2) pole or monument sign may be constructed no larger than existing signage. This new sign or existing sign may have static LED text to be used for movie titles, times, and ratings. No blinking, flashing, or electronic animation allowed. Cinema limited to one freestanding sign only (if a new sign is installed, the old sign must come down).

5. Consideration to amend the Scherman Heights PUD (C-2) to allow an eating place with drive through located at 605 Salem Road.

Mayor Townsell stated the Planning Commission recommended approval of this request and read the condition which is listed below. Alderwoman Whitmore motioned to approve the amendment request. Alderwoman Mehl seconded the motion. Alderwoman Smith explained some residents are worried about drive through traffic in regards to lights from vehicles at nighttime. Todd Hart, Purple Bear Investments, stated we are as far away from the residential areas as possible and explained most of the traffic will be drive thru traffic and added there would

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

be no new curb cuts needed. There was no further discussion. The motion passed 7-0.

- Applicant is to work with Planning staff to create a more desirable parking lot layout, possibly relocating all non-handicap spaces to east side of proposed building and leaving handicap accessible spaces near the entrance as currently shown.

6. Consideration of a conditional use permit for an insurance office in R-2A for property located at 919 Donaghey Ave.

Mayor Townsell stated the Planning Commission recommended approval of this request and read the condition listed below. Alderwoman Smith motioned to grant the conditional use permit request. Alderman Hawkins seconded the motion. It was decided that the condition should be amended to add the words "*Standard and posted*" to the beginning of the sentence. There was no further discussion. The motion passed 7-0.

- *Standard and posted* hours of operation shall be 8:30 a.m. to 5:30 p.m., Monday through Friday.

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

1. Resolution for the Conway Parks Department to utilize federal aid recreational funds from the AR Highway Department.

R-09-26

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

2. Consideration to approve General Contractor Construction Manager for the new fairground facility.

Gene Salter, Salter Construction, was present to answer questions. Mayor Townsell explained tonight we would like to get verbal approval to use Salter Construction, and then when a price is negotiated we can pass the needed resolution. Alderwoman Smith motioned to approve Salter Construction as our perspective general contractor for the new fairground facility. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

3. Consideration of accepting bids for Universal Refuse & Recycling Roll Carts for the Sanitation Department.

Mayor Townsell stated the recommendation is to accept the next to the lowest bid (bid #2) from Toter Inc. for the following containers:

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

- Refuse Cart - \$61,410.00/\$40.94 ea
- Recycling Cart - \$87,350.00/\$34.94 ea

Alderman Smith motioned to accept the bid from Toter Inc. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 7-0.

4. Consideration of accepting bids for a Skid Steer Loader for the Sanitation Department.

Mayor Townsell stated the recommendation is to accept bid #3 from Hugg & Hall (LR) in the amount of \$33,429.00. Alderman Smith motioned to accept bid #3 from Hugg & Hall (LR). Alderman Whitmore seconded the motion. There was no discussion. The motion passed 7-0.

C. Public Safety Committee (Police, CEOC, IT Technology, Fire, Dist. Court & City Atty., & Animal Control)

1. Ordinance appropriating funds for participation in a collision avoidance training program for the Conway Police Department.

O-09-64

A.J. Gary, Chief of Police, explained there is an interest for us to start a program like this which would offer training to reduce accidents among teenage drivers. Lt. Anderson, CPD, explained he looked at some different programs and this particular program, Collision Avoidance Training (C.A.T.), will train our department and once the program is established it is our program and we can then offer the program as often per year as we want to. Lt. Anderson went onto say there is a onetime licensing fee of \$7600.00 and there are some reoccurring costs after that for student workbooks and completion certificates; the licensing fee includes 20 student workbooks and certificates but most importantly we get the training for 2 classroom instructors and training for 4 driving range instructors. Alderman Smith motioned to waive the readings of the ordinance. Alderman Whitmore seconded the motion. The motion passed 7-0. Alderman Jones motioned to adopt the ordinance and the emergency clause. Alderman Smith seconded the motion. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Mehl, Alderman Hawkins, Alderman Smith, Alderman Jones, Alderman Vaught, Alderman Rhodes, and Alderman Whitmore. The motion passed 7-0.

D. Finance

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

1. **Ordinance waiving bids & appropriating funds in conjunction with financial software and software maintenance.**

Alderman Mehl motioned to hold this item in committee. Alderman Vaught seconded the motion. The motion passed 7-0.

7. *Old Business*

8. *New Business*

Adjournment

PASSED this 26th day of May 2009

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett