

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
April 21, 2020

On this date the City Council of the City of Conway, Arkansas met in a special session. ***Due to restrictions imposed because of the COVID-19 pandemic, the City Council meeting was held via Facebook Live on the City of Conway, Arkansas Facebook page.*** The following members being a quorum were present online and acting: Councilman Hawkins, Councilman Grimes, Councilwoman Mehl, Councilman Jones, Councilwoman Isby, Councilman Pruitt, Councilwoman Smith, and Councilman Ledbetter. Also, present and acting: Mayor Bart Castleberry, City Clerk Michael Garrett and City Attorney Chuck Clawson.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett, City Clerk

Minutes: March 10, 2020 and April 14, 2020

Councilwoman Smith motioned to approve the **March 10, 2020 and April 14, 2020** minutes as submitted. Councilwoman Isby seconded the motion. There was no discussion. The motion passed 7-0.

Councilman Grimes joined the meeting.

Financial Report for February 2020 and March 2020

Tyler Winningham, Chief Financial Officer reported that March was a good month for sales tax revenue at 9.1% over March 2019. He said that the City is up almost 7% for the first three months of the year. He also reported that Conway Corp has notified the City that franchise fees are expected to be down this year due to factory closings, at approximately \$245,000 of the 3.5 million dollar budget revenue. He said he was also projecting that sales tax could take up to a half-million dollar hit due to pandemic restrictions. All of these make up a large gap in revenue for the City to fill. He added that expenditures are down due to the spending freeze instituted by Mayor Castleberry, which has already had an impact and is helping reduce the gap in lost revenues. Councilwoman Smith made a motion to approve the monthly financial report and Councilwoman Isby seconded it. The motion carried 8-0.

Report of Standing Committees:

A. Public Hearing

1. Public hearing to discuss the closing of a portion of a drainage easement on Lot 27 in Mathews Meadows Subdivision, Phase II.

Mayor Castleberry opened the public hearing. James Walden, Planning & Development Director, stated that the closure of the easement relates to relocation of a detention pond for the subdivision. He said that a detention pond was located on a portion of Lots 27 and 28 and that Mr. Frank Shaw, applicant, secured approval to create a new detention pond to the south of the location. He added that the intent is to convert the area from drainage to developable lots. Mr. Frank Shaw, applicant, added that the movement of this detention pond would beautify the subdivision and remove the area of standing water and a drainage issue. There was no further discussion. Mayor Castleberry closed the public hearing.

a. Ordinance to close a portion of a drainage easement on Lot 27 in Matthews Meadows Subdivision, Phase II.

O-20-17

Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. Councilman Jones made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Pruitt, Councilwoman Smith, Councilwoman Mehl, Councilwoman Isby, Councilman Jones, Councilman Grimes and Councilman Ledbetter. The Ordinance passed 8-0.

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B. Community Development Committee (Airport, Community Development, Planning & Development, Permits & Inspection (Code Enforcement), Historic District Commission, Transportation)

1. Resolution requesting the Faulkner County Tax Collector place a lien against various properties for expenses incurred by the City.

Councilman Hawkins presented and read Item B1 to the Council.

R-20-17 335 Davis Street in the amount of \$272.25

Councilwoman Isby made a motion to adopt the Resolution and Councilman Jones seconded the motion. No one presented to speak for or against the Resolution. The motion to approve passed 8-0.

R-20-18 1830 Mill St in the amount of \$336.33

Councilwoman Isby made a motion to adopt the Resolution and Councilman Jones seconded the motion. No one presented to speak for or against the Resolution. The motion to approve passed 8-0.

R-20-19 11 Azalea Loop in the amount of \$1,006.81

Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Smith seconded the motion. No one presented to speak for or against the Resolution. The motion to approve passed 8-0.

2. Consideration to approve the nomination of Reggie Rose to the Conway Corporation Board of Directors.

Councilman Hawkins presented Item B2 to the Council and moved to approve the nomination of Mr. Rose for a term of seven years. Councilwoman Smith seconded the motion. The motion to approve passed 8-0.

3. Ordinance appropriating funds for landscape improvement for the Conway Public Art Board.

O-20-18

Councilman Hawkins presented Item B3 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion passed 8-0. Mayor Castleberry added that the Board will use these funds to landscape the area around the art installation "Rabbit Revolution". Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilman Grimes, Councilwoman Mehl, Councilman Jones, Councilman Hawkins, Councilman Ledbetter, Councilwoman Smith and Councilman Pruitt. The Ordinance passed 8-0.

4. Consideration to approve the removal of inventory from fixed assets (vehicles) for the Planning & Development Department.

Councilman Hawkins presented Item B4 to the Council, stating that this vehicle was the first hybrid vehicle purchased by the City. Councilwoman Smith made a motion to approve the consideration and Councilwoman Isby seconded it. Mayor Castleberry added that if Council had a recommendation, the vehicle could be donated, as in the past, to a non-profit. The motion to approve the consideration passed 8-0.

5. Ordinance accepting and appropriating donation funds for the Conway Tree Board.

O-20-19

Councilman Hawkins presented Item B5 to the Council. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. James Walden added that the amount of \$5000 was a donation from Conway Corporation. Councilwoman Smith made a motion to adopt the ordinance for appropriation and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Smith, Councilman Hawkins, Councilman Grimes, Councilman Pruitt, Councilwoman Mehl, Councilwoman Isby, Councilman Ledbetter and Councilman Jones. The Ordinance passed 8-0.

6. Ordinance to rezone 6.83 +/- acres located at 260/310 South Harkrider Street from C-3 to RU-1.

O-20-20

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Councilman Hawkins presented Item B6 to the Council stating that this item was reviewed by the Planning Commission at their meeting on April 20 and was voted to be sent to City Council with a recommendation for approval. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. James Walden explained that the rezoning would change the property from commercial to industrial zoning. Councilman Ledbetter made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Pruitt, Councilman Ledbetter, Councilman Grimes, Councilwoman Mehl, Councilwoman Smith, Councilman Jones, Councilman Hawkins and Councilwoman Isby. The Ordinance passed 8-0.

7. Consideration to approve the conditional use permit to allow a in RU-1 zoning for property located at 260/310 South Harkrider Street.

Councilman Hawkins presented Item B7 to the Council stating that this was reviewed by the Planning Commission at their meeting of April 20 and was voted to be sent to City Council with recommendation for approval with conditions:

1. Outside uses shall be limited to storage of materials, goods, and equipment. Such outside uses shall be screened and shielded from view from adjacent property and public right-of-way.
2. Landscape screening is required along the street frontage at 1 canopy tree per 15 ft.
3. Any new lighting installed shall conform to standards set forth in Article 1101 of the Zoning Code.
4. Applicant is required to improve access drive and parking area to conform to standards set forth in Articles 501 and 1101 of the Zoning Code.
5. Applicant shall provide plans in accordance with Article 1101 of the Zoning Code (Development Review).
6. Staff shall be authorized to impose reasonable conditions upon approval of the required development review application to mitigate impacts on adjacent property.
7. Any expansions or additions to the structures on site as well as any changes to the use shall require an amended or new conditional use permit.
8. Failure to comply with the conditions imposed could result in the conditional use permit being revoked.

Councilman Hawkins made a motion to approve the conditional use permit and Councilwoman Isby seconded it. The motion to approve passed 8-0.

8. Ordinance to rezone property located at 645 Exchange Avenue from I-3 to I-1.

O-20-21

Councilman Hawkins presented Item B8 to the Council stating this was reviewed by the Planning Commission at their meeting of April 20 and was voted to be sent to City Council with recommendation for approval. Councilwoman Smith made a motion to waive the three readings. Councilwoman Isby seconded the motion. The motion carried 8-0. James Walden explained that the City is seeing more need for commercial development in the southern area of the industrial park, adding that the I-1 zoning would allow more development and activity in this area. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Jones, Councilwoman Smith, Councilman Hawkins, Councilman Grimes, Councilman Ledbetter, Councilman Pruitt and Councilwoman Isby. The Ordinance passed 8-0.

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

1. Resolution to approve the bid for the purchase of a forklift for the Parks & Recreation Department.

R-20-20

Mayor Castleberry presented Item C1 to the Council adding that this purchase would not be made from General Funds monies. Steve Ibbotson, Parks & Recreation Director explained that this item was budgeted for 2020 from A&P funds. He asked the Council to approve the bid from Wiese in the amount

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of \$24,122.09. Councilwoman Smith moved to approve the Resolution and Councilwoman Isby seconded it. The motion to adopt the Resolution passed 8-0.

D. Public Safety Committee (Police, Fire, District Court, Animal Welfare Unit, CEOC-Communication Emergency Operations Center, Department of Information Systems & Technology and Office of the City Attorney)

1. Ordinance authorizing the reclassification of a position within the Conway Fire Department.

O-20-22

Mayor Castleberry presented Item D1 to the Council. Chief Mike Winter of the Conway Fire Department told the Council that due to the retirement of Captain David Groves, and the fact that there are no firefighters in line to take over the position, he asked Council to approve the reclassification of the uniformed position to a non-uniformed civilian position. He added that this reclassification would also save the department approximately \$20,000 this year. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion passed 8-0. Councilwoman Isby made a motion to adopt the Ordinance with the emergency clause and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Pruitt, Councilman Grimes, Councilwoman Mehl, Councilwoman Smith, Councilman Ledbetter, Councilman Jones, Councilwoman Isby and Councilman Hawkins. The Ordinance with the emergency clause passed 8-0.

E. New Business

1. This item was removed from the Agenda.

There was no further discussion. The meeting was adjourned.

Adjournment-----

PASSED this 21st day of March 2020

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett