

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
June 23, 2020

On this date the City Council of the City of Conway, Arkansas met in regular 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, and the City of Conway YouTube channel.*** The following members being a quorum were present online and acting: Councilman Hawkins, Councilman Grimes, Councilwoman Mehl, Councilwoman Smith, Councilwoman Isby, Councilman Pruitt and Councilman Ledbetter. Also, present and acting: Mayor Bart Castleberry, City Clerk Michael Garrett and City Attorney Chuck Clawson. Councilman Jones was not present.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett, City Clerk

Minutes: June 9, 2020

Councilwoman Isby motioned to approve the **June 9, 2020** minutes as submitted. Councilwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

Monthly Financial Report ending on May 31, 2020

Tyler Winningham, Chief Financial Officer addressed the Council stating that sales tax revenue is still good, even with the potential downturn for the month of April due to restaurants being closed. He added that current sales tax is up a little over 3% for the month and just under 7% for the year. He added that Covid-19 is affecting our Parks and Recreation revenues and Permits revenue somewhat. He said that even with the current events, our bottom line looks better this year than last year. He added that the City is still under spending freeze and overall spending is down roughly 8% which translates to around one million dollars less having been spent this year. He reported that fuel sales at the airport are down, and spending at the airport is down 20%. Mr. Winningham stated that our A&P taxes were down about 23% this month which doesn't appear to be too bad considering the Covid-19 effects on the businesses in the City. Councilwoman Isby made a motion to approve the monthly financials and Councilwoman Smith seconded it. The motion carried 7-0.

Report of Standing Committees:

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

1. Consideration to approve the nomination of Brent Salter & Raymond Kelley to the Central Business Improvement District #1 for a six year term.

Councilman Hawkins presented Item A1 to the Council and motioned to approve the nominations. Councilwoman Mehl seconded the motion. The nominations were approved 7-0.

2. Resolution to amend the 2016-2020 Consolidated Plan and authorize the submission of the plan for the Community Development Block Grant Program.

R-20-47

Councilman Hawkins presented Item A2 to the Council. Keira Oluokun addressed the Council stating that this Resolution is to approve the amendment to the 2020 Consolidated Plan. She added that it is required that the Plan be amended to accommodate the Cares Act funding. Councilwoman Smith made a motion to approve the Resolution and Councilwoman Isby seconded it. The motion to adopt the Resolution carried 7-0.

3. Resolution to enter into an agreement with Conway Corporation for the Markham Street JumpStart Phase 2 Project.

R-20-48

Councilman Hawkins presented Item A3 to the Council. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. Finley Vinson addressed the Council reminding them

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

of the grant from Metroplan that the City was awarded, and that the bids for Phase 1 had come back far less than anticipated enabling the project to be extended by a block, and that there was still about one half million dollars left over. He added that ARDOT had agreed to allow the City to extend that money to Conway Corp for utility relocation, under an agreement, to be approved by Council. There was no further discussion. The Resolution passed 7-0.

4. Resolution to approve the lowest bid for the Donaghey Avenue Improvement Project Phase 1 (Dave Ward Drive to Ada Avenue) for the Transportation Department.

R-20-49

Councilman Hawkins presented Item A4 to the Council. Mr. Vinson advised the Council that the City received the lowest bid from Weaver Bailey. Councilman Hawkins made a motion to adopt the Resolution to approve the bid and Councilwoman Mehl seconded it. The Resolution passed 7-0.

5. Resolution to enter into a contract to acquire property located at 2111 Tyler Street.

R-20-50

Councilman Hawkins presented Item A5 to the Council. Charles Finkenbinder, Deputy City Attorney addressed the Council stating that this is the last piece of property needed for the Tyler Street Improvement Project. He added that this is a 279 square foot plot and the City has reached an agreement with the owners for purchase of this property. Councilwoman Mehl made a motion to approve the Resolution and Councilwoman Isby seconded it. The Resolution passed 7-0,

6. Resolution to enter into a contract to acquire located at 405 S. Donaghey Avenue for the Donaghey Avenue Improvement Project.

R-20-51

Councilman Hawkins presented Item A6 to the Council. Mr. Finkenbinder stated that this property is located adjacent from UCA along Donaghey Avenue and is approximately 8120 Square foot, plus a permanent easement of 398 feet. He reminded the Council that the contracts for these property acquisitions includes a right of immediate access to avoid any delay in the project due to closing processes, etc. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. The Resolution passed 7-0.

7. Resolution to enter into a contract to acquire property located at 518 Donaghey Avenue for the Donaghey Avenue Improvement Project.

R-20-52

Councilman Hawkins presented Item A7 to the Council. Mr. Finkenbinder stated that this piece of property is part of the future roundabout at College and Donaghey and this acquisition is property for sidewalks as well as land needed for the roundabout. Councilwoman Smith made a motion to approve the Resolution and Councilwoman Isby seconded it. The Resolution passed 7-0.

8. Ordinance accepting the annexation of certain lands comprised of +/- 5.99 acres located south of Bronnie Lane.

O-20-32

Councilman Hawkins presented Item A8 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. Councilwoman Isby made a motion for the adoption of the Ordinance and Councilman Ledbetter seconded it. James Walden, Director of Planning and Development explained that this annexation is just south of the Baptist Hospital and north of Lake Conway. The property is parceled together with an additional property owned by Mr. Thornton and they are seeking to annex it in as A-1, which is agricultural. He added that the property has not yet been platted so it will be brought in as an agricultural zoning, but to develop the property, Mr. Thornton will plat the property and go through the development review process and will likely rezone the property in the future in order to make it developable. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Grimes, Councilman Pruitt, Councilman Ledbetter, Councilwoman Isby, Councilwoman Smith and Councilwoman Mehl. The Ordinance passed 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

9. Ordinance to rezone property located at 1606 South Blvd from R-2A to R-2.

O-20-33

Councilman Hawkins presented Item A9 to the Council stating that the Planning Commission reviewed this item at their meeting of June 15, and voted unanimously to forward the item to the City Council with a recommendation for approval. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. James Walden explained that the property is at the northwest corner of South Boulevard and Center Street and the lot is approximately 7500 square feet. He said that a duplex is currently permitted but the lot is not large enough to accommodate a duplex, so by going to an R-2 zoning it would allow the lot size to meet the requirement for a duplex on that property. He added that the proposed use is not consistent with the Comprehensive Plan but there are surrounding properties zoned R-2. Councilman Grimes expressed his concern with this rezoning stating that his understanding was that the R2-A zoning in that area was established to keep duplexes from being built on small lots creating an undesirable density. He expressed his concern with the re-zoning of this property starting a trend in that area. Julie Kaylor, property owner addressed the Council stating that they have support for the rezoning from surrounding neighbors and Central Baptist College. She added that the duplex in question would be built to all of Conway's historic design standards and would not greatly exceed the current building footprint. There was no further discussion. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Smith and Councilwoman Isby. Councilwoman Mehl, Councilman Pruitt, Councilman Grimes and Councilman Hawkins voting "No". The motion to adopt failed 3-4.

10. Ordinance to re-zone property at 645 Diane Lane from O-1 to R-1.

O-20-34

Councilman Hawkins presented Item A10 to the Council stating that the item was reviewed by the Planning Commission on June 15 and was voted unanimously to forward the item to City Council with a recommendation for approval. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. James Walden explained that this property was part of a much larger parcel that was annexed in as O-1, which prohibits single family residential. When the property was annexed it was likely intended for office use, however the actual development in the area is more residential in context. He added that the R-1 zoning is the most restrictive to allow the property owners to develop the property. There was no further discussion. The Clerk called the roll with the following voting "Aye": Councilwoman Smith, Councilman Pruitt, Councilwoman Mehl, Councilwoman Isby, Councilman Hawkins, Councilman Ledbetter and Councilman Grimes. The Ordinance passed 7-0.

11. An Ordinance to amend the sign ordinance regarding automobile service stations signs for the Planning & Development Department.

Councilwoman Smith made a motion to table this item for further investigation and Councilwoman Isby seconded it. This item was tabled until the July 14, 2020 City Council Meeting.

As there was no further business, the meeting was adjourned.

Adjournment-----

PASSED this 23rd day of June, 2020

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett