
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:00 pm
June 25, 2024

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: Councilman Hawkins, Councilman Grimes, Councilman Cummins, Councilwoman Mehl, Councilman Ledbetter, Councilwoman Webb, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Clerk Michael Garrett, and Chief Deputy City Attorney Evan Pence.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael Garrett, City Clerk

Minutes: May 28th, 2024, City Council Meeting

Councilwoman Isby made a motion to approve the minutes as submitted and Councilwoman Webb seconded it. The motion carried 8-0.

Monthly Financial Report ending May 31st, 2024.

Tyler Winningham addressed the Council stating that sales tax was up 4.5% for the month, and 7.5% year-to-date. He said that there are four months of Beverage taxes reflected and those would be added as we receive the information. Councilwoman Isby made a motion to approve the monthly financial report and Councilwoman Mehl seconded it. A vote was called, and the motion carried 8-0.

Report of Standing Committees:

A. Community Development Committee (Airport, Community Development, Code Enforcement, Permits, Inspections, Transportation, & Planning & Development)

1. Consideration to approve waiving all three readings for the ordinances on the June 25, 2024, City Council agenda.

Councilman Hawkins made a motion to approve the consideration to waive all three readings for all ordinances on the June 25, 2024, agenda and Councilman Ledbetter seconded it. A vote was called, and the motion carried 8-0.

2. Consideration to approve the nomination of Wesley Pruitt for the A&P Commission.

Councilman Hawkins presented Item A2 to the Council. Councilwoman Isby made a motion to approve the consideration and Councilwoman Mehl seconded it. A vote was called, and the motion carried 8-0.

3. This item was removed from the agenda.

4. Resolution requesting the Faulkner County Tax Collector place a lien on property located at 602 5th Street in the amount of \$177.14 for expenses incurred by the City.

R-24-32

Councilman Hawkins presented Item A4 to the Council. There was no one present to represent the property. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 8-0.

5. Ordinance to approve the annexation of +/- 17.22 acres located at 367 Old Military Rd, southwest of Orchard Hills Subdivision Phase 3.

O-24-43

Councilman Hawkins presented Item A5 to the Council. Anne Tucker told the Council that the applicant was asking for annexation as a continuation of the Orchard Hills subdivision. She added that the owners are Daniel and Laura Slay as well as the estate of Frank Shaw. She said that Mr. Shaw's heirs intend to sell

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

the remaining lots post annexation. She added that the property consists of six large lots, and that traffic would be minimally impacted. She told the Council that the applicants are requesting fire and police protection as well as street maintenance, sanitation and the ability to connect to Conway Corp utilities. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Jones, Councilwoman Webb, Councilman Grimes, Councilman Cummins, Councilman Ledbetter, Councilman Hawkins and Councilwoman Isby. The Ordinance passed 8-0.

6. Ordinance to approve the rezoning of property located at 2510 Tyler Street from R-1 to PUD.

Councilman Hawkins presented Item A6 to the Council. Anne Tucker told the Council that the applicant, Massey Development, is proposing 11 townhomes on the 1-acre site, which would be accessed by a private drive from Tyler Street. She said that a PUD is requested due to there being 110 feet of frontage along Tyler which would only allow for 1 single family home if it remains R-1 zoning. She added that if the rezoning was allowed, the site and structure design would then go through the development review process. She said there were 13 conditions placed on the request by staff as a condition to approve. She said there was a public hearing held in accordance with PUD requirements, and there were no comments from the public. She said that there were questions since the hearing that have been addressed to the public's satisfaction. Rodney Cowart representing Lemons Engineering spoke in favor of the PUD and answered questions regarding drainage, and sanitation. There was some discussion about amending zoning codes to allow more variety in density in R-1 zoning. Councilwoman Mehl pointed out that there are other townhomes all around the property in question. Councilman Hawkins asked about ownership of the individual units upon completion, and it was said that the units would be owned by the developer. Ms. Tucker called their attention to the conditions placed on the PUD. There was discussion among the Council regarding density requirements. Ms. Tucker confirmed for Councilman Grimes that the PUD requirement for greenspace was 22%. Councilman Hawkins asked the applicant if there was some other type of development the owner might consider with less density. There was discussion about how the actual development was in line with MF-3 zoning but Ms. Tucker reiterated that the frontage on Tyler does not allow for MF-3 zoning. There was additional discussion among the Council regarding the density of the development. Councilwoman Isby made a motion to table the item until a later date and Councilman Hawkins seconded it. A vote was called and the motion to table carried 8-0.

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

1. Consideration to approve the disposal of inventory for the Information Technology Department.

Mayor Castleberry presented Item C1 to the Council. Sean Canady told the Council that the department had some older equipment it needed to remove from inventory. Councilman Hawkins made a motion to adopt the Ordinance and Councilwoman Isby seconded it. A vote was called, and the motion carried 8-0.

2. Ordinance accepting and appropriating donation funds for the Conway Fire Department.

O-24-44

Mayor Castleberry presented Item C2 to the Council. Chief Winter told the Council that they had received a donation of \$5,000 to be used for fire prevention materials, and a donation of \$250 to be used to purchase water. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Ledbetter, Councilman Jones, Councilwoman Isby, Councilwoman Webb, Councilwoman Mehl, Councilman Cummins, and Councilman Grimes. The Ordinance passed 8-0.

3. Consideration to approve the removal of inventory (vehicles) for the Conway Police Department.

Mayor Castleberry presented Item C3 to the Council. Chief Harris requested removal of several department vehicles and one seized vehicle to be sold at public auction. He added that they are high mileage vehicles and not fit for donation. Councilman Hawkins made a motion to approve the consideration and Councilwoman Mehl seconded it. A vote was called, and the motion carried 8-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

4. **Consideration to approve the removal of inventory (IT equipment) for the Conway Police Department.**
Mayor Castleberry presented Item C4 to the Council 0. Councilwoman Isby made a motion to approve the consideration and Councilwoman Mehl seconded it. A vote was called, and the motion carried 8-0.

5. **Ordinance to approve the removal of inventory and donation of bicycles from the Conway Police Department.**

O-24-45

Mayor Castleberry presented Item C5 to the Council 0. Chief Harris told the Council that the bicycles would be donated to Haven House. He added that the accessories were outdated and in poor condition so those would be removed and disposed of. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilman Cummins, Councilman Grimes, Councilman Jones, Councilman Hawkins, Councilwoman Webb, Councilwoman Isby, Councilman Ledbetter, and Councilwoman Mehl. The Ordinance passed 8-0.

6. **Ordinance appropriating funds for various reimbursements for the Conway Police Department.**

O-24-46

Mayor Castleberry presented Item C6 to the Council 0. Chief Harris asked that the funds be reallocated to their respective accounts. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilman Jones, Councilman Hawkins, Councilwoman Mehl, Councilman Cummins, Councilwoman Webb, Councilwoman Isby, Councilman Ledbetter, and Councilman Grimes. The Ordinance passed 8-0.

7. **This item was removed from the Agenda.**

Adjournment-----

PASSED this 25th day of June 2024

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett