
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
July 25, 2017

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 Mehl, Alderwoman Isby, Alderwoman Smith, Alderman Jones, Alderman Pruitt and Alderman Ledbetter. Also, present and acting: Mayor Bart Castleberry and City Clerk Michael Garrett. City Attorney Chuck Clawson and Alderman Grimes were not present.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett

Minutes: July 11, 2017

Alderwoman Smith motioned to approve the **July 11, 2017** minutes as submitted. Alderwoman Isby seconded the motion. There was no discussion. The motion passed 7-0.

Approval of Monthly Financial Report ending June 30, 2017:

Mr. Tyler Winningham presented to the Council the Financial Report ending June 30, 2017. He reported that while revenues for the first six months of the year are down, it is to be expected due to expenses incurred in the early part of each year. Several large revenues in the form of taxes will not come in until later in the year including LOPFI Turn back taxes of 1.3 million dollars. He stated that the financials are relatively the same as this time last year and that he expected revenues to increase as the year progressed. All other major funds are healthy and showing good balances. Alderwoman Smith motioned to approve the Monthly Financial Report ending June 30, 2017 and Alderwoman Isby seconded it. The motion to approve passed 7-0.

1. Report of Standing Committees:

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

B.

Alderman Hawkins presented Item A1 to the Council.

- 1. Resolution requesting the Faulkner County Tax Collector to place certified lien on property located at 1335 South Donaghey Avenue as a result of incurred expenses in the amount of \$169.42 by the City.**

R-17-28

There was no one present to speak to the matter. Alderwoman Isby motioned to approve the Resolution and Alderwoman Smith seconded. The Resolution passed 7-0.

Resolution requesting the Faulkner County Tax Collector to place certified lien on property located at 408 South Davis as a result of incurred expenses in the amount of \$182.57 by the City.

R-17-29

There was no one present to speak to the matter. Alderwoman Isby motioned to approve the Resolution and Alderwoman Smith seconded. The Resolution passed 7-0.

Resolution requesting the Faulkner County Tax Collector to place certified lien on property located at 66 Briarwood Circle as a result of incurred expenses in the amount of \$193.49 by the City.

R-17-30

There was no one present to speak to the matter. Alderwoman Smith motioned to approve the Resolution and Alderwoman Mehl seconded. The Resolution passed 7-0.

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Resolution requesting the Faulkner County Tax Collector to place certified lien on property located at 26 Briarwood Circle as a result of incurred expenses in the amount of \$213.63 by the City.

R-17-31

There was no one present to speak to the matter. Alderwoman Smith motioned to approve the Resolution and Alderwoman Isby seconded. The Resolution passed 7-0.

Resolution requesting the Faulkner County Tax Collector to place certified lien on property located at 817 Teal Drive as a result of incurred expenses in the amount of \$226.23 by the City.

R-17-32

There was no one present to speak to the matter. Alderwoman Isby motioned to approve the Resolution and Alderwoman Smith seconded. The Resolution passed 7-0.

Resolution requesting the Faulkner County Tax Collector to place certified lien on property located at 1525/1527 Hardy St. as a result of incurred expenses in the amount of \$244.20 by the City.

R-17-33

There was no one present to speak to the matter. Alderwoman Smith motioned to approve the Resolution and Alderwoman Isby seconded. The Resolution passed 7-0.

Resolution requesting the Faulkner County Tax Collector to place certified lien on property located at 1832 South Boulevard as a result of incurred expenses in the amount of \$544.72 by the City.

R-17-34

There was no one present to speak to the matter. Alderwoman Isby motioned to approve the Resolution and Alderwoman Smith seconded. The Resolution passed 7-0.

Resolution requesting the Faulkner County Tax Collector to place certified lien on property located at 818 Drake Drive as a result of incurred expenses in the amount of \$605.89 by the City.

R-17-35

There was no one present to speak to the matter. Alderwoman Smith motioned to approve the Resolution and Alderwoman Isby seconded. The Resolution passed 7-0.

- 2. Ordinance accepting and appropriating grant funds in the amount of \$18,000 received from Central Arkansas Planning and Development District to administer a Code Enforcement Redevelopment Program.**

O-17-78

Alderman Hawkins presented Item A2 to the Council. Alderwoman Isby made a motion to waive the three readings and Alderman Jones seconded. Alderman Jones moved to adopt the Ordinance and Alderwoman Smith seconded. Candy Jones was present to address the Council. She explained the grant program and stated that in addition to assisting low income citizens, the City would be refunded money spent. The Clerk called the roll with the following voting "Aye": Alderwoman Isby, Alderman Hawkins, Alderwoman Smith, Alderman Ledbetter, Alderman Jones, Alderman Pruitt, and Alderwoman Mehl. The Ordinance passed 7-0.

- 3. Resolution approving the 2017 action plan and budget for the Community Development Department.**

R-17-36

Alderman Hawkins presented Item A3 to the Council. Kiera Oluokun addressed the Council stating that the Community Development Department had received for the year, \$395,100 in funding, which is a slight increase over last year's funding. Per HUD regulations, 65% of the amount must be allotted to projects. It has been decided to continue with the Pine Street Revitalization Project for 2017. As a result, \$256,800 has been allotted for the Project. According to the plan, the money will be used for sidewalk and drainage improvements. She stated that there is also a Public Service allocation, so the concentration will be on transportation with the various non-profit organizations in the City. Per

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HUD regulations, 15% of the CDBG funding must go towards public services. All of the services currently funded under the CDBG budget will receive the same amount of funding as last year. An addition agency was added this year as well, The Young Empowered Sisters (YES), an agency focusing on young, at-risk girls, who will receive funding for transportation to meetings and outings, etc. Per HUS regulations, 20% of CDBG funding is allotted for administration. Alderwoman Smith moved to accept this action plan for the Community Development Department and Alderwoman Mehl seconded it. The motion passed 7-0.

4. Consideration to accept the bid for the Donaghey-Robinson Traffic Signal project for the Street & Engineering Department.

Alderman Hawkins presented Item A4 to the Council. Finley Vinson outlined the bid for the Council. Alderwoman Smith moved to approve the Consideration and Alderman Hawkins seconded the motion. The motion for approval was passed 7-0.

5. Resolution to repeal Resolution R-17-25 and condemn the property located at the corner of the intersection of College Avenue and Salem Road and the roundabout project for the Street & Engineering Department.

R-17-37

Alderman Hawkins presented Item A5 to the Council. Finley Vinson stated to the Council that the repeal was being requested due to an error in the description of the property. This Resolution is a correction of the Ordinance to condemn the property in question. Alderwoman Smith made a motion to adopt the Resolution and Alderwoman Isby seconded it. The Resolution was passed 7-0.

6. Ordinance appropriating funds for the Spencer Street Brownfield Cleanup Project.

O-17-79

Alderman Hawkins presented Item A6 to the Council. Bryan Patrick, Planning and Development Director was present to address the Council, stating that this ordinance is for the purpose of appropriating grant funds for the project. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded the motion. The motion passed 7-0. Alderwoman Isby made a motion to adopt the Ordinance and Alderwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Alderman Jones, Alderman Ledbetter, Alderman Pruitt, Alderman Hawkins, Alderwoman Isby, Alderwoman Mehl, and Alderwoman Smith. The Ordinance passed 7-0.

7. Ordinance amending the zoning ordinance to reduce the minimum lot square footage in R-1 in single family residential zoning district.

O-17-80

Alderman Hawkins presented Item A7 to the Council. Bryan Patrick stated that there have many requests to reduce the infrastructure costs associated with building affordable housing in Conway. By reducing lot size to 100' minimum lot depth/6000 square feet, more lots can be fit into a typical subdivision, and the costs savings for the developer can be passed on to home buyers, creating more affordable homes. Also, due to the reduction in lot size, raising the lot coverage requirement from 35% to 40% would enable houses with more square footage. Mr. Patrick also added that he would like to see an addition to the Ordinance stating that in the case of corner lots, the lot depth remain 100' even though the width requirement is 75' in accordance with the Subdivision Ordinance. Mayor Castleberry stated to the Council that Conway Corp had been consulted and it was determined that the change in lot size would not affect utility easements or present any type of problem for them. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded it. The motion passed 7-0. Alderwoman Isby moved to adopt the Ordinance with the stated addition and Alderwoman Mehl seconded. The Clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderwoman Smith, Alderwoman Isby, Alderman Pruitt, Alderman Hawkins, Alderman Ledbetter, and Alderman Jones. The Ordinance as amended was passed 7-0.

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8. Ordinance to rezone property located at 841 Donaghey Avenue from R2A to O-2.

O-17-81

Alderman Hawkins presented Item A8 to the Council. Alderwoman Smith made a motion to waive the three readings and Alderwoman Mehl seconded. The motion passed. Alderwoman Isby made a motion to adopt the Ordinance. Alderwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Alderwoman Isby, Alderwoman Mehl, Alderman Hawkins, Alderman Pruitt, Alderman Jones, Alderwoman Smith and Alderman Ledbetter. The Ordinance passed 7-0.

9. Ordinance to rezone property located at 364 and 375 Denison Street from R-2 to MF-3.

O-17-82

Alderman Hawkins presented Item A9 to the Council. He stated that this item was discussed by the Planning Commission at the July 17th meeting and at that time the Commission voted 10-0 to forward the matter to the City Council with a recommendation for approval. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded. The motion passed 7-0. Alderwoman Smith made a motion to adopt the ordinance and Alderman Ledbetter seconded it. Alderwoman Isby stated that she had received phone calls from residents who expressed concern about flooding and drainage on their property as a result of the re-zoning. Rod Pearson was present to address the council speaking in opposition to the re-zoning. Barry Massey was also present to speak in opposition to the re-zoning. Bryan Patrick addressed the Council assuring them that there was oversight by City Engineers, during the development review process, to ensure that development does not cause water to drain off of a parcel that is not already draining from that parcel. Finley Vinson was present to address the Council, stating that the issue is inadequacy of the current storm drainage ordinance requiring research completed to a 10 year event only. He advised the Council that if the rezoning is approved that they require all the scrutiny that the present drainage ordinance allows. Bryan Patrick confirmed that the proposed development would place 30 units on the property in question. Finley Vinson added that the current drainage ordinance does not require any water detention by developers and that much of the flooding in Conway is a result of that lack of requirement. Marcus Maltbia was present to speak in opposition to the re-zoning, stating that his property adjacent to the proposed development floods frequently and that he believes further development will increase the flooding. Mr. Massey spoke again, assuring the Council that his company strives to keep drainage ditches open and flowing. He stated that most of the development in that area has been done by his company and that it is in their best interest to provide sufficient drainage. There was no further discussion. The Clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Pruitt, and the following voting "No": Alderman Ledbetter, Alderman Hawkins, Alderman Jones, Alderwoman Smith and Alderwoman Isby. The Ordinance failed 2-5.

10. Consideration to approve a conditional use permit to allow MF-2 density in a C-2 zoning district for property located at 1600 S Donaghey Avenue.

Alderman Hawkins presented Item A10 to the Council. Developer Kevin Watson was present to address the Council and answer questions. He stated that his company has addressed issues with the property such as traffic concerns, stating that all of the parking for the development will be internal, with the nearby school and the roundabout shielded from the parking area. Also with a lot of greenspace to address runoff potential. Alderman Jones added that he had spent time with Mr. Watson and with neighbors in the area of proposed development, and he felt that the needs of the neighborhood were taken into consideration. There was no further discussion. Alderwoman Smith moved to grant the conditional use permit and Alderman Pruitt seconded it. The motion passed 7-0.

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C. Public Safety Committee (Police, AWU, CEOC, Fire, District Court, Information Technology, & City Attorney)

1. Consideration to dispose of inventory for the CEOC

Chief Jody Spradlin was present to represent the CEOC in this request. Alderwoman Smith moved to approve the Consideration and Alderwoman Isby seconded it. There was no further discussion. The motion to approve passed 7-0.

2. Consideration to approve the SRO contract for the school year 2017 with Conway Public School for the Conway Police Department.

Chief Spradlin explained that this is an annual contract to place 8 school resource officers. The amount paid to the City is \$280,000. Alderwoman Smith moved to approve the contract and Alderwoman Isby seconded. The motion passed 7-0.

3. Ordinance appropriating asset forfeiture funds to the Conway Police Department.

O-17-83

Chief Spradlin presented Item B3 to the Council, stating that a drug-seized Jeep Rubicon 4 wheel drive was to be converted to a School Resource Officer vehicle. It is being requested that \$12,100 of drug seized money be used for this project. Alderwoman Isby made a motion to waive the three readings and Alderwoman Mehl seconded. The motion passed 7-0. Alderwoman Isby moved to adopt the Ordinance and Alderwoman Smith seconded. There was no further discussion. The Clerk called the roll with the following voting "Aye": Alderwoman Isby, Alderwoman Mehl, Alderman Hawkins, Alderman Grimes, Alderman Jones, Alderman Pruitt, Alderwoman Smith and Alderman Ledbetter. The Ordinance passed 7-0.

4. Ordinance appropriating reimbursement funds from various entities for the Conway Police Department.

O-17-84

Chief Spradlin presented Item B4 to the Council. There was no discussion. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded. The motion passed 7-0. There was no further discussion. Alderwoman Isby made a motion to adopt the Ordinance and Alderwoman Smith seconded. The Clerk called the roll with the following voting "Aye": Alderman Ledbetter, Alderwoman Mehl, Alderman Pruitt, Alderman Hawkins, Alderwoman Smith, Alderwoman Isby, and Alderman Jones. The Ordinance passed 7-0.

There was no further discussion. The meeting was adjourned.

Adjournment

PASSED this 25th day of July 2017

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett