
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
September 27, 2022

On this date the City Council of the City of Conway, Arkansas met in regular session. The following members were present and acting: Councilman Hawkins, Councilman Ledbetter, Councilwoman Mehl, Councilwoman Tucker, Councilman Grimes, Councilwoman Smith, Councilman Jones, and Councilwoman Isby. Also, present and acting: City Attorney Charles Finkenbinder, City Clerk Michael Garrett. Mayor Castleberry was not present.

Call to Order: Councilman Andy Hawkins

Roll Call: Michael O. Garrett, City Clerk

Minutes: September 13th, 2022

Councilwoman Isby motioned to approve the **September 13, 2022** meeting minutes as submitted. Councilwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

Monthly Financials: Financial Report for month ending August 31, 2022

Tyler Winningham, Chief Financial Officer addressed the Council stating that sales tax revenues were good again this month, up about 13.6% which is similar to the year-to-date figure at 13.8%. He pointed out the state grant revenues in the general fund and a receipt of around \$600,000. He told them that this was our funding from the State of Arkansas for our police officer stipends, which have been distributed. He explained that the street fund bottom line was due to the purchase and closing of the Conway Corp property on Harkrider, which was expected. He went through the other fund balances reporting that all were in good shape. Councilwoman Smith made a motion to approve the monthly financials and Councilwoman Isby seconded it. The motion to approve passed 8-0.

Report of Standing Committees:

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

1. Ordinance to rezone 1.28 acres of property located at 82 Lower Ridge Rd from A-1 to R-2A.

O-22-109

Councilman Hawkins presented Item A1 to the Council. James Walden told the Council the property is located on the west side of the entrance of Matthews Meadows. He said that property on the east side is already an approved PUD for duplex development. The applicant is seeking R2-A zoning to place two duplexes on the property. He added that they will subsequently be seeking a conditional use permit to place them both on one lot. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Jones, Councilman Hawkins, Councilwoman Mehl, Councilwoman Tucker, Councilwoman Smith, Councilwoman Isby, Councilman Ledbetter, and Councilman Grimes. The Ordinance passed 8-0.

2. Ordinance to rezone 2.02 acres of property located at 4701 Westin Park Drive from O-2 to R-1.

O-22-110

Councilman Hawkins presented Item A2 to the Council. James Walden told the Council that the applicant is planning to divide the property into two lots for single family dwellings. He added that it is consistent with the development of the area. There was no discussion. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Grimes, Councilman Jones, Councilwoman Mehl, Councilman Ledbetter, Councilwoman Tucker, Councilwoman Smith, Councilwoman Isby, and Councilman Hawkins. The Ordinance passed 8-0.

3. Ordinance to amend zoning code Article 901 to clarify the review procedures for rezoning and conditional use permit applications.

O-22-111

Councilman Hawkins presented Item A3 to the Council. James Walden told the Council one of the changes is to clarify our public notices and signage requirements. He said that it aligns some of the requirements with recent State changes. He explained some of the changes that were made to clarify and line up with changes made to the Planning Commission's by-laws in terms of changes made to a rezoning application. He added that it places limitations on the length of time a conditional use permit can be inactive. Councilwoman Smith asked how the permits will be tracked to know their status. Mr. Walden said that the conditional use permit would have an expiration date so that if the applicant applies for building permits or other permits after that date it would trigger a review. He told them that another part of the amendment is providing a revocation process for permits whose holder does not abide by the conditions as set forth. There was some discussion of various situations and how they would be affected by the amendments to the code. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Grimes, Councilman Ledbetter, Councilman Jones, Councilwoman Mehl, Councilwoman Isby, and Councilwoman Smith, and Councilwoman Tucker. The Ordinance passed 8-0.

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

1. Resolution approving the purchase of a crawler dozer for the Sanitation Department.

R-22-46

Councilman Hawkins presented Item B1 to the Council. Joe Hopper told the Council that their largest dozer needed to be replaced, and that the purchase price from Sourcewell was about \$100,000 under budget. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called, and the Resolution passed 8-0.

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

1. Ordinance appropriating funds for fuel replenishment for the Conway Fire Department.

O-22-112

Councilman Hawkins presented Item C1 to the Council. Chief Winter told the Council that this Ordinance requesting \$40,000 to replenish the fuel budget for the Police Department and to get them through the end of the year. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. 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, Councilwoman Tucker, Councilman Ledbetter, and Councilwoman Isby. The Ordinance passed 8-0.

2. Consideration to approve the removal of inventory for the Conway Police Department.

Councilman Hawkins presented Item C2 to the Council. Chief Tapley said that the listed items would be sold on the public surplus website. Councilwoman Smith made a motion to approve, and Councilwoman Isby seconded it. A vote was called, and the motion carried 8-0.

3. Ordinance appropriating reimbursement funds for the Conway Police Department.

O-22-113

Councilman Hawkins presented Item C3 to the Council. Tapley told the Council they had received monies for reimbursements, insurance proceeds and extra duty. Councilwoman Isby made a motion

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

4. Ordinance appropriating asset forfeiture funds for the Conway Police Department.

O-22-114

Councilman Hawkins presented Item C4 to the Council. Chief Tapley told the Council that the State no longer accepts the cards for fingerprinting, but it requires the livescan process. He said that the City has been using the Faulkner County machine for fingerprinting but would like to purchase one for the Department with asset forfeiture funds. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. 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 Tucker, Councilman Grimes, Councilwoman Smith, Councilwoman Isby, Councilman Ledbetter, Councilman Jones, Councilwoman Mehl, and Councilman Hawkins. The Ordinance passed 8-0.

Adjournment-----

PASSED this 27th day of September, 2022

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett