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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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**Conway, Arkansas  
Tuesday 6:30 p.m.  
January 10, 2006**

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, Alderman Brewer, Alderman Bell, Alderman Jones, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore and Alderman Weeks. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy and City Clerk Michael Garrett. Alderman Bell made a motion to approve the December 27<sup>th</sup> minutes. Alderwoman Smith seconded the motion. There was no discussion. The motion passed unanimously 8-0.

**Public Hearings:**

- A. Public hearing to discuss reducing the utility easement of Lot 205 Southwind Subdivision Phase II.

The Mayor opened the public hearing. Tom Watson spoke in favor of reducing the easement. There was no further discussion. The Mayor closed the public hearing.

1. Ordinance reducing the utility / access easement of property located on Lot 205 in Southwind II subdivision.

O-06-01

Alderwoman Smith made a motion to waive the readings of the ordinance. Alderman Bell seconded the motion. The motion passed 8-0. Alderwoman Smith made a motion to adopt the ordinance and its emergency clause. Alderman Bell seconded the motion. Motion passed 8-0. There was no further discussion. The clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderman Bell, Alderwoman Smith, Alderman Jones and Alderwoman Whitmore. The motion passed 8-0. The clerk called the roll to adopt the emergency clause with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderman Bell, Alderwoman Smith, Alderman Jones and Alderwoman Whitmore. The motion passed 8-0.

**Report of Standing Committees:**

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

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1. Consideration for the City to enter into a contract with Seayco Group, Inc. for the Halter Building in downtown Conway. (*Final draft of contract will be provided by Lynn Keith prior to meeting*)

Lynn Keith was present to answer questions. Alderman Hawkins made a motion to enter into said contract. Alderman Grimes seconded the motion. Alderman Hawkins asked when the construction would begin and how long the construction would last. Ms. Keith stated she did not know. Mr. Hawkins stated that the council does not wish to interfere with any of the downtown merchants during the Christmas shopping season. Ms. Keith stated that she does not feel this will be a problem. The Mayor stated if any issues arise with deliveries etc., which could possibly close sidewalks, that the City will need to put controls into place to regulate the work area and to allow public access. There was no further discussion. Motion passed 8-0.

2. Consideration of a conditional use permit for Krystal Moore to allow a wildlife animal rehabilitation facility for the property located at 1730 Cox Cove.

Ms. Moore was present to answer questions. Alderman Grimes asked if the permit was specific to raccoons only. Ms. Moore stated that her license is for mammals only. The Mayor asked that Ms. Moore provide a restricted list of animals she could possibly rehabilitate. Ms. Moore named the following mammals: ***raccoon, squirrel, deer, skunk, rabbit, opossum and red fox.*** The Mayor stated that a provision could be added to the use permit so Ms. Moore could come before the council should the need arise to amend the permit. Alderman Bell motioned to approve the conditional use permit as amended. Alderwoman Smith seconded the motion. There was no further discussion. The motion passed 8-0.

The Mayor noted a change in the animals listed above at the end of the council meeting to add: ***bats, song birds, armadillos, owls, hawks, and change red fox to all foxes.*** Alderman Grimes made a motion to approve. Alderman Bell seconded the motion. Alderman Brewer asked if Ms. Moore would need to be licensed for the birds of prey. Ms. Moore stated that she is not going to rehab the any birds, that the birds would only be housed for 24 - 48 hour emergency care until she could transport them to someone who is licensed to rehab birds. The condition is to house only the ***non-mammal birds*** which include ***song birds, owls, and hawks*** for emergency care only and can only be kept at Ms. Moore's facility for 24 to 48 hours. There was no further discussion. Motion passed 8-0.

3. Consideration of allowing Dayer Jewelry to put two reserve parking signs in front of his business in the two hour parking zones.

There was no representative present from Dayer Jewelry. The Mayor stated that if the council allows Dayer Jewelry to keep the reserve parking signs in place that the City will probably have to charge them for the spaces. The Mayor suggested that this item be held in committee until the council could get input from other merchants

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along Front Street. Alderwoman Smith motioned to hold this in committee. Alderman Grimes seconded the motion. The Mayor asked the council if Dayer Jewelry should be asked to remove the signs. The council members were in agreement. There was no further discussion. Motion passed 8-0.

4. Consideration to amend the Comprehensive Plan regarding an adjustment of public trail system at Spencer Lake. (*Resolution will be provided at meeting by Bryan Patrick*)

R-06-01

Jack Castin and Stewart McConnell were present to answer questions. Alderman Brewer motioned to allow the adjustment of the trail. Alderwoman Smith seconded the motion. There was no further discussion. Motion passed 8-0.

### **Finance:**

1. Consideration to accept proposals/sign agreement from JPMS for audit services for the FY 2005-2009.

Robin Scott was present to answer questions. Ms. Scott stated that there was only one proposal submitted for review. Alderman Hawkins moved to accept the proposal. Alderman Bell seconded the motion. There was no further discussion. Motion passed 8-0.

### **Old Business**

1. Reconsideration of ordinance to rezone property located at the 975 Farris Road at the southwest corner of Prince Street from R-1 to O-2. (*Note: They will be asking for a more restrictive zoning of O-3 – spoke w/ Bryan P. & Mike M. prior to meeting*)  
01/9/06

Alderman Bell motioned to reconsider the ordinance. Alderwoman Smith seconded the motion. The Mayor stated that this issue can be brought back to the council for reconsideration for up to one year. Alderman Brewer stated he does not feel that the council should reconsider the ordinance. There was no further discussion. Motion passed 6-1-1. Alderman Brewer voted in opposition. Alderman Hawkins abstained.

### **New Business**

### **Adjournment**

There was no further discussion and the meeting was adjourned.

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**PASSED this 10<sup>th</sup> day of January 2006**

APPROVED:

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Mayor Tab Townsell

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City Clerk Michael O. Garrett