
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:00 pm
January 23, 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, Councilwoman Mehl, Councilman Cummins, Councilman Grimes, Councilman Ledbetter, Councilwoman Webb, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Clerk Michael Garrett, and City Attorney Charles Finkenbinder. Councilman Jones was absent.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael Garrett, City Clerk

Minutes: January 9th, 2024, City Council Meeting

Councilwoman Isby made a motion to approve the minutes as submitted and Councilwoman Mehl seconded it. The motion carried 7-0.

Monthly Financial Report ending December 31, 2023

Mayor Castleberry reminded the Council that Mr. Winningham had forwarded copies of the monthly financial report and asked if there were any questions or comments. Councilwoman Isby made a motion to approve the monthly financial report and Councilman Hawkins seconded it. The motion carried 7-0.

Report of Standing Committees:

A. Economic Development Committee (Conway Area Chamber of Commerce, Conway Development Corporation, Conway Downtown Partnership, & Conway Corporation)

1. Resolution to set a public hearing for a proposed water system rate adjustment for Conway Corporation.

R-24-09

Mayor Castleberry presented Item A1 to the Council stating that the Resolution would set a public hearing on February 13th, 6:00 pm at City Hall. Brett Carroll of Conway Corporation addressed the Council stating that the Conway Corporation Board approved the rate adjustment on January 16th, 2024, adding that it was 2016 when the last water rate proposal was presented. He said there have been some inflationary cost increases, increased Capital expenditures for replacing aging infrastructure, watershed protection efforts and conservation needs. He said that these issues were the primary drivers for making the request. There were no questions from the Council. Councilwoman Isby made a motion to approve the Resolution setting the public hearing and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

2. Ordinance to approve the proposed water system rate adjustment for Conway Corporation. (1st reading only)

O-24-02

Mayor Castleberry presented Item A2 to the Council stating that there would be no vote on this Ordinance tonight, that this was the first reading. City Attorney Charles Finkenbinder read the Ordinance.

B. 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 January 23rd, 2024 City Council agenda.

Councilman Grimes made a motion to waive the three readings and Councilwoman Mehl seconded it. The motion carried 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

2. Ordinance to rezone property located at 1811 & 1813 Harkrider Street and 1152 Hunter Street, from R-2A and O-2 to PUD.

O-24-03

Councilman Hawkins presented Item B2 to the Council. Anne Tucker, Director of Planning & Development addressed the Council taking them through a timeline of events regarding the rezoning proposal. She said that Mr. Lasker met with Planning staff to discuss a development at these three addresses. She emphasized that while there are three addresses, when they are replatted it will show four lots. He was advised at that time to rezone the properties as a PUD. She said that Mr. Lasker had a pre-application meeting with Planning, but all of the details of the development were not hammered out at that point. She told them that Staff made an oversight by not requiring an architect's stamp on the drawings, but that has been remedied and a stamp has been placed on the drawings which were supplied to the Council. She said that Mr. Lasker held public meetings with the neighbors as required, and after a second meeting with the neighbors came back with a second proposal removing all retail and making the development strictly residential. The Planning Commission approved it unanimously with nine conditions as suggested by the Planning Staff. She told the Council that Mr. Lasker's plans for the development is very cohesive to the neighborhood, but still has to go through site review and before the Historic District Commission. She added that by right, with the R-2A zoning and a setback variance he could put in a two-story duplex. There was some discussion regarding the number of lots and their configuration on the property. Ms. Tucker confirmed that the size of the property was sufficient for four lots and added that reducing it to three would be cost prohibitive for Mr. Lasker. Megan Weckworth, with the Tyler Group and representing the applicant addressed the issue of the lot access and how it affects the rezoning request. She said that the PUD would allow a single private drive for all four of the duplexes which would alleviate traffic in that area. She stated that the applicant agrees with all of the conditions that Planning staff put forward. Councilwoman Mehl reiterated some of the conditions set forth to accommodate some of the concerns from the neighbors such as trash can placements, fencing, etc. David DeRosa spoke in favor of the rezoning, stating that he felt that this development would be good for the neighborhood and would not adversely affect traffic in the area. Logan Wilmington addressed the Council in favor of the rezoning stating that he felt it would raise the value of homes in the neighborhood. Mike Forest spoke in opposition to the rezoning, stating concerns that the project was not fully known when it was approved. Councilman Grimes confirmed the process of approval of a PUD, pointing out that it is not unusual for changes and adjustments to be made during the process. There was discussion among the Council as to the requirements of the PUD and the concerns of the neighbors as to density. Councilwoman Isby pointed out that the development is appropriate for the current zoning, with variances, which are commonly granted. Councilman Hawkins stated that he would rather see a rezoning to PUD because it allows conditions to be placed upon the project. Councilman Hawkins made a motion to adopt the Ordinance with the conditions as stated and adding the requirement of a fence along the western boundary separating the neighborhood and the new development. Councilwoman Isby seconded the motion. Councilwoman Mehl made a motion to amend the motion, adding an additional condition that trash pickup would be at the rear of each unit individually. Councilwoman Isby seconded the motion. A vote was called, and the motion to amend the motion adding an additional condition carried 7-0. The Clerk called the roll for the vote on the Ordinance to rezone the property to PUD. The following voted "Aye": Councilman Ledbetter, Councilwoman Mehl, councilman Cummins, Councilwoman Isby, Councilman Hawkins. The Ordinance passed 5-1-1 with Councilwoman Webb voting "No"; and Councilman Grimes voting "Present".

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

1. Resolution to approve Terracon for environmental engineering services for the Sanitation Department.

R-24-10

Councilman Hawkins presented Item C1 to the Council. Joe Hopper addressed the Council stating that there were 5 responses to the RFQ, and the selection committee recommended Terracon Consultants for the services. Councilwoman Isby made a motion to adopt the Resolution and Councilman Ledbetter seconded it. A vote was called, and the Resolution passed 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

2. Ordinance approving the reclassification of positions within the Sanitation Department.

O-24-04

Councilman Hawkins presented Item C2 to the Council. Councilwoman Isby made a motion to adopt the Ordinance with the emergency clause and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilwoman Mehl, Councilwoman Webb, Councilman Cummins, Councilman Hawkins, Councilman Grimes, and Councilman Ledbetter. The Ordinance with the emergency clause passed 7-0.

D. 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. Ordinance approving a vehicle donation for the City Attorney's Department.

O-24-05

Councilman Hawkins presented Item D1 to the Council. Charles Finkenbinder told the Council that a vehicle has been donated to the City Attorney's office to help increase the staff's contact with victims of crime and allow more outreach that requires transportation. Councilwoman Webb made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Webb, Councilman Ledbetter, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilman Cummins and Councilman Grimes. The Ordinance passed 7-0.

E. New Business

1. State of the City presented by Mayor Castleberry.

Mayor Castleberry gave a presentation highlighting the activity and accomplishments of each department within the City. He also gave a report on current and future projects to be undertaken by the City. He concluded by reminding citizens that the city government is committed to transparency and listed a variety of ways for information to be received, such as public channel 22, Livestreaming of City meetings, social media accounts, and Just FOIA.

Adjournment-----

PASSED this 23rd day of January, 2024

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett