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## MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday, 6:00 pm  
October 26, 2021

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, Councilwoman Mehl, Councilman Pruitt, Councilman Ledbetter, Councilwoman Smith, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Attorney Charles Finkenbinder, City Clerk Michael Garrett.

**Call to Order: Mayor Bart Castleberry**

**Roll Call: Michael O. Garrett, City Clerk**

**Minutes: October 12, 2021**

Councilwoman Isby motioned to approve the **October 12, 2021** minutes as submitted. Councilwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

**Monthly Financial Report:** Month ending September 30, 2021

Tyler Winningham addressed the Council stating that the October sales tax was up 18% making it the third highest month this year. He added that all of the funds are showing net revenues and sales tax is up around 14% for the year and about 2.4 million dollars for the year. Councilwoman Smith made a motion to approve the monthly financials and Councilwoman Isby seconded it. The motion carried 7-0.

**Report of Standing Committees:**

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

**1. Ordinance accepting and deeding a donation for highway purposes to the Arkansas State Highway Commission for the Transportation Department.**

**O-21-109**

Councilman Hawkins presented Item A1 to the Council. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. Finley Vinson addressed the Council stating that this dedication is for the Oak Street signalization project, and there is a signal cabinet that is not in a right of way. He said that this is probably an oversight from many years ago. He explained that the highway department wanted to remedy the situation before beginning the project. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilwoman Smith, Councilwoman Mehl, Councilwoman Isby, Councilman Jones, Councilman Grimes, and Councilman Ledbetter. The Ordinance passed 8-0.

**2. This item was removed from the agenda.**

**3. Ordinance to approve the rezoning of property located at 1320 E German Lane from R-1 to MF-1.**

**O-21-110**

Councilman Hawkins presented Item A3 to the Council stating that this item was reviewed by the Planning Commission on October 18 and was voted 9-0 to forward to City Council with the recommendation for approval. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. James Walden addressed the Council stating that MF-1 is our lowest density multi-family zoning, and the applicant is planning to build an apartment complex on the property. He added that this is a continuation of land use pattern due to the surrounding high-density and MF-1

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zonings in the area. There was no further discussion. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilman Grimes, Councilwoman Mehl, Councilman Jones, Councilman Hawkins, Councilman Ledbetter, and Councilwoman Smith. The Ordinance passed 7-0.

**4. Ordinance to approve the rezoning +/- 48.525 acres located at 5690 & 5700 Tyler Street from A-1 to R-1. O-21-111**

Councilman Hawkins presented Item A4 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. Mr. Walden addressed the Council stating that this area is at the end of Tyler Street and the applicant is requesting rezoning to accommodate a development for single family subdivisions. 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 Smith, Councilman Hawkins, Councilman Grimes, Councilwoman Mehl, Councilwoman Isby, Councilman Ledbetter and Councilman Jones. The Ordinance passed 7-0.

**5. Consideration to approve a conditional use permit to allow auto-related sales or service establishment in the C-MU zoning district of the Markham Street Neighborhood Specific Plan for property located at 1601 Markham Street and 1056 Spencer Street.**

Councilman Hawkins presented Item A5 to the Council stating that this item was reviewed by the Planning Commission on October 18 and was voted 8-0-1 to forward to City Council with the recommendation for approval. James Walden explained that the C-MU district is commercial mixed use. He said in 2015 the City received a grant for the "Jump Start Program" from Metroplan and there were two things associated with that grant, the first is the street improvements and the second is a plan for code updates in the area. He added that this area is intended to be very similar to downtown with regards to use. He said that the auto-related sales and service establishment use is not necessarily what is intended for the area, but in the review by the Planning Commission it was determined that the negative aspects of that use could be mitigated through the conditions listed. He added that the applicant intends to locate Motorsports Authority at that location and there will be formal HDC review as well as a planning review. There was some discussion about the types of uses of properties in the Markham Street Neighborhood area as it develops. Councilwoman Smith made a motion to grant the conditional use permit and Councilwoman Isby seconded it. A vote was called, and the permit passed 7-0.

**6. Consideration to approve the impact fee credit agreement and improvements made to Rivendale Subdivision for the Planning Department.**

Councilman Hawkins presented Item A6 to the Council. James Walden reminded the Council that this agreement was first reviewed at the October 12 Council meeting, and this is the final approval to the agreement. He added that any time developers make improvements to major roadway systems they are eligible for road impact fee credits, and this is a portion of the costs they would have been required to pay for a total of \$83, 182.00. Councilwoman Isby made a motion to approve the agreement and Councilwoman Smith seconded it. A vote was called, and the motion carried 7-0.

Mayor Castleberry gave the Council an update on the matter of the sign making machine purchased by the Transportation Department and it's use creating "wayfinding signage" in the City.

The Council withdrew to meet in executive session to discuss the vacancy in Ward 2. The Council reconvened to announce Anne Tucker's nomination to fill the vacant Ward 2 position. Councilman Jones made a motion to appoint Ms. Tucker to the position and Councilwoman Smith seconded it. The motion carried 7-0.

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**Adjournment-----**

*PASSED this 26<sup>th</sup> day of October 2021*

**APPROVED:**

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*Mayor Bart Castleberry*

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*City Clerk Michael O. Garrett*