
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
January 24, 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 Weeks, Alderman Brewer, Alderman Bell, Alderwoman Smith, Alderman Grimes, Alderwoman Whitmore and Alderman Jones. Alderman Hawkins was not in attendance. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy and City Clerk Michael Garrett. Alderwoman Smith made a motion to approve the January 10th minutes. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed unanimously 7-0.

Report of Standing Committees:

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

1. Ordinance appropriating funds to reimburse Habitat for Humanity for impact fees.

O-06-02

Alderman Bell motioned to adopt the ordinance. Alderwoman Smith seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderman Bell, Alderwoman Smith, Alderman Jones and Alderwoman Whitmore. The motion passed 7-0.

2. Consideration of bids for corrugated steel pipes/ Street Department.

The low bid was submitted by Hanson Pipe. Alderwoman Smith made a motion to accept the bid from Hanson Pipe. Alderman Bell seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderman Bell, Alderwoman Smith, Alderman Jones and Alderwoman Whitmore. Motion passed 7-0.

3. Ordinance to rezone property located at 103 Amity Road from A-1 to I-3.

O-06-03

Alderman Bell motioned to adopt this ordinance. Alderman Grimes seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Brewer, and Alderman Bell. Alderman Weeks, Alderwoman Whitmore, Alderman Jones, and Alderwoman Smith voted in opposition. Motion failed 3-4. The Mayor suggested the rezoning issue be allowed to be re-heard along

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

with the conditional use permit. The council was in agreement. There was no further discussion.

4. Ordinance to rezone property located north of Donaghey Ave extended, between Washington Park Shopping Center and June Beene Apartments, at 1815 Old Morrilton Highway from MF-2 to C-2.

O-06-04

Alderman Smith motioned to adopt the ordinance. Alderman Bell seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderman Bell, Alderman Smith, Alderman Jones and Alderman Whitmore. Motion passed 7-0.

5. Ordinance to rezone property at 306 Salem Road from R-2 to O-3.

O-06-05

John Pennington was present to speak in favor of the rezoning. Alderman Bell motioned to adopt the ordinance. Alderman Whitmore seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderman Bell, Alderman Smith, Alderman Jones and Alderman Whitmore. Motion passed 7-0.

6. Consideration for a conditional use permit for religious activities for property located at 306 Salem Road.

John Pennington was present to address the council. The following conditions were attached to the conditional use permit:

- Hours of operation are 8 am – 6 pm Monday through Saturday for the offices within the complex and 7 am – 9 pm for the church and its religious activities.
- Lighting is to be inward, downward, and shrouded with no more than one foot candle at the lot line.
- No external sound system is allowed.
- Parking areas within the floodway must be approved by the City Engineer.
- Signage must conform to overlay district requirements (64 sq ft, 8 ft tall monument).
- Parking lot hours are 6 am to 9 pm for vehicles using office parking

The council removed the condition requiring a public 20 foot pedestrian and bike trail easement along Tucker Creek. The council also changed the parking lot hours to include only the office parking, no restrictions were placed on those who want to use the pedestrian/bike trail. Alderman Bell motioned to approve the conditional use

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

request with the amended changes and conditions. Alderwoman Smith seconded the motion. Motion passed 7-0.

7. Consideration of a park land proposal concerning rezoning request at 306 Salem Road.

John Pennington was present to address the council. The council agreed to issue an impact fee credit to Mr. Pennington for \$8,493 to be applied to the project located at 720 East German Lane. In return Mr. Pennington would deed the 20 ft easement of the pedestrian/bike trail and the parking lot to be used to access the bike trail, to the City of Conway. Alderman Bell motioned to approve the park land proposal. Alderwoman Smith seconded the motion. Motion passed 7-0.

8. Consideration for a conditional use permit for First United Methodist Church for property located at the northwest corner on the intersection of Prince Street and Clifton Street.

The conditions for this use permit are as follows:

- Lighting is to be inward, downward, and shrouded with no more than one foot candle at the lot line.
- No outdoor sound system is allowed.
- Fencing and/or screening of parking areas from residences to the west and northeast will be designed so as to provide a noise buffer for nearby property owners and allow them continued access from their private driveways that open onto the church's property.
- Deliveries by commercial vehicles shall be limited to the hours between 8 am and 5 pm, Monday through Friday.

Alderman Bell motioned to approve the use permit. Alderwoman Smith seconded the motion. Motion passed 7-0.

9. Consideration of a conditional use permit for an HVAC business and an auto wash service (private car detailing) for the property located north of Donaghey Ave extended between Washington Strip Center and June Beene Apartments at 1815 Old Morrilton Hwy.

The conditions for the use permit are as follows:

- Hours of operation are 7 am to 6 pm Monday through Saturday.
- Lighting is to be inward, downward, and shrouded with no more than one foot candle at the lot line.
- No external sound system is allowed.
- Signage must conform to overlay district requirements (64 sq ft, 8 ft tall, monument).

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

- Any outdoor storage of autos and/or heating and air equipment must be behind (north of) the proposed building.

Alderman Smith asked that condition # 5 be changed to read “*any outdoor storage must be behind (north of) the proposed building*”. Alderman Bell motioned to approve the use permit as amended. Alderman Weeks seconded the motion. Motion passed 7-0.

10. Consideration of a conditional use permit for warehousing and mini-storage for the property located north of Donaghey Avenue, behind Old Town and Townsend Centers 1 & 2.

The conditions for this use permit are as follows:

- Hours of operation are 7 am – 7 pm Sunday through Saturday.
- Lighting is to be inward, downward, and shrouded with no more than one foot candle at the lot line.
- No external sound system is allowed.
- No exterior storage is allowed.
- Any signage must conform to overlay district requirements (64 sq ft, 8 ft tall, monument).

Alderman Smith motioned to approve the use permit. Alderman Whitmore seconded the motion. Motion passed 7-0.

11. Consideration of a sign variance for Lamar Outdoor Advertising Sign Variance/America’s Best Value Suites – Comfort Suites for property located at 705 Museum Road.

Greg Criner was present to address the council. Mr. Criner explained he would like to relocate the sign in order to remove the sign pole from his parking lot. Alderman Brewer proposed a compromise to allow the pole to be moved as long as the sign height was not changed. Alderman Grimes seconded the motion. There was no discussion. The motion passed 7-0. After some discussion with City Attorney, Michael Murphy, it was determined if the actual sign was not moved but the pole was relocated and the sign height was not increased there was no need for a variance.

12. Consideration of a sign variance for Chandler Signs/N3 Capital (Starbucks Coffee)

The council agreed that Chandler Signs/N3 Capital were within their legal rights to place the sign on the property in question and the sign variance condition placed on this site at a previous meeting was not applicable. There was no action taken.

13. Reconsideration of ordinance to rezone property located at the 975 Farris Road at the southwest corner of Prince Street from R-1 to O-3.

O-06-06

Chris Pegg was present to address the council. Alderman Bell motioned to adopt the ordinance. Alderman Brewer seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderman Bell, Alderwoman Smith, Alderman Jones and Alderwoman Whitmore. Motion passed 7-0.

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

1. Ordinance appropriating funds for the Physical Plants to buy hanging flower baskets for the downtown area.

O-06-07

Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderwoman Smith, Alderman Jones and Alderwoman Whitmore. Motioned passed 6-0. Alderman Bell was not present at the time of voting.

2. Ordinance waiving bids for contracted services in conjunction with the City landfill's Title IV air permitting process.

O-06-08

Ms. Watterson was present to answer any questions of the City Council. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderman Bell, Alderwoman Smith, Alderman Jones and Alderwoman Whitmore. Motion passed 7-0.

3. Ordinance appropriating revenue funds (insurance proceeds) to the Sanitation Department.

O-06-09

Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. The clerk called the roll with the following voting "Aye": Alderman Grimes, Alderman Weeks, Alderman Brewer, Alderman Bell, Alderwoman Smith, Alderman Jones and Alderwoman Whitmore. Motion passed 7-0.

4. Ordinance waiving bids for the repair of dumpsters work done by JMI for the City Sanitation Department.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Mayor Townsell explained this purchase was made prior to approval and with out formally taking bids. No action was taken by the council.

Public Safety Committee (Police, Fire, Dist. Court & City Att., & Animal Control)

1. Consideration of entering into an agreement to accept credit cards payments for fines and fees at District Court.

Donna Clifton explained the process to the council. Ms. Clifton suggested District courts agree to accept credit card payments on a six month trial basis and she would report back to the council at that time. Alderman Bell motioned to enter into the agreement. Alderwoman Whitmore seconded the motion. Motion passed 7-0.

Finance

1. Discussion of authorization for assignment of city vehicles.

CFO Robin Scott addressed the City Council and suggested personal use of vehicles be added to W-2's as a form of compensation. Alderman Brewer motioned to follow the recommendations of Ms. Scott. Alderman Bell seconded the motion.

Alderman Brewer stated he thought this was a good opportunity to get a standard new logo on all city vehicles, like the new city logo, and that all city vehicles should have numbers. The council agreed unanimously. The motion passed 7-0.

Old Business

New Business

- A. Discussion of Lollie Bottoms Street Name Changes

Alderman Weeks motioned to authorize the city to proceed with the name changes. Alderwoman Smith seconded the motion. Motion passed 7-0.

Executive Session

- A. Discussion of Department Head performance evaluations

Adjournment

There was no further discussion and the meeting was adjourned.

PASSED this 24th day of January 2006

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett