
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 p.m.
May 9, 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 Jones, Alderwoman Smith, Alderman Brewer, and Alderman Grimes. Alderman Weeks, Alderwoman Whitmore, and Alderman Bell were absent. Also, present and acting: Mayor Tab Townsell, City Attorney Michael Murphy and City Clerk Michael Garrett. Alderwoman Smith motioned to approve the April 25th minutes and the corrected January 24, 2006 minutes. Alderman Hawkins seconded the motion. The motion passed unanimously 5-0.

6. Report of Standing Committees:

A. Economic Development Committee (Airport, Conway Corporation, CDC)

- 1. Resolution authorizing the Mayor to execute amendment one to the agreement between the City of Conway & Conway County Regional Water District for allocating the expenses and water yield in an expansion of Brewer Lake.**

R-06-11

Richie Arnold, CEO Conway Corporation, was present to answer questions. Alderman Grimes motioned to allow the Mayor to execute amendment one to the agreement. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-0.

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

- 1. Resolution to set a public hearing to discuss closing Bowie Street (between West & Stout St) as requested by Longing Brothers Inverness Apartments LLC.**

R-06-12

Alderman Grimes motioned to set the public hearing. Alderwoman Smith seconded the motion. The public hearing will be Tuesday May 23, 2006. There was no discussion. The motion passed 5-0.

- 2. Resolution to set a public hearing to discuss closing Fleming Street (between Stout & West St) as requested by Roden Berry.**

R-06-13

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Alderman Smith motioned to set the public hearing for Tuesday May 23, 2006. Alderman Grimes seconded the motion. There was no discussion. The motion passed 5-0.

3. Consideration of relocating the railway crossing at College Avenue.

Alderman Brewer motioned to close Deer St. crossing. Alderman Smith seconded the motion. The Mayor stated he feels this item should be held in committee and Alderman Smith was in agreement. Alderman Grimes asked if we did or did not have a choice on the Deer St. crossing. The Mayor stated no, if we move the College Ave. crossing and leave a pedestrian crossing that has to be signalized with the current College Ave. crossing then Bruce St., Deer St. or Main St. one has to be closed. Alderman Brewer asked if there is a way to put a pedestrian overpass at College St. since it is going to be a pedestrian only crossing. Alderman Grimes stated this should be discussed when the whole council is in attendance. Alderman Brewer asked if we could close Independence and Davis and get a new crossing at College Ave. and keep the Deer St. crossing open. The Mayor stated no, Union Pacific has stated this will not work. Ronnie Hall, City Engineer, stated that Union Pacific's signal man said it would not work. Alderman Brewer asked if we have made an effort to speak to someone higher up at the railroad like an engineer. The Mayor stated yes, we have met with the highway dept., and the railroad dept. about this issue. Alderman Hawkins asked if we could vote to put it in committee. The Mayor stated yes. Alderman Hawkins motioned to table this item until May 23, 2006. Alderman Grimes seconded the motion. There was no discussion. The motion failed 3-2. Alderman Brewer and Alderman Jones voted in opposition. There was no further discussion on the main motion. The motion failed 4-1. Alderman Smith voted in opposition. Alderman Smith motioned to hold the discussion until the next meeting. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 5-0.

4. Consideration of improvements to Country Club Road (Prince Street to College Ave).

Ronnie Hall, City Engineer, was present to answer questions. The Mayor stated that our city workforce is already committed to other projects at the present time so these improvements would need to be done by a contractor. The Mayor suggested that since the street dept. will be getting additional revenue due to the final census count that the City go ahead and build the 30 ft. asphalt street. Alderman Brewer asked how many travel this street per day. Mr. Hall stated 2,300. Alderman Hawkins asked that since the road itself is in good shape could we add 4 ft on as a shoulder. Mr. Hall stated that we could add a shoulder and add 6 ft of asphalt to one side and 4 ft of asphalt to the other side. Alderman Smith asked if the street is widened by 4 ft on each side what would be the cost comparison. Mr. Hall stated approximately \$125,000 contracted. Alderman Smith motioned to add 4 ft of asphalt on each side of the street. Mr. Hall stated the price is going to be closer to \$150,000 - \$175,000.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

The Mayor suggested the council authorize the cost at \$175,000 contractor price. Alderman Bell motion to authorize \$175,000. Alderman Grimes seconded the motion. Alderman Brewer stated that if the improvement is to insure public safety then the bikeway should not be added and that additional money could be spent elsewhere. Alderman Jones was in agreement due to the type of traffic that travels that stretch of road since alcohol has been a contributing factor to some of the accidents that have occurred. The Mayor stated that the main motion on the floor is to make the street 30 feet (wide) asphalt, without putting asphalt over the existing street. There was no further discussion. The motion passed 5-1 with the Mayor voting with the majority. Alderman Brewer voted in opposition.

5. Consideration of a request by Robert Evans and the Shasta Street residents that the suffix of Shasta Road be changed back to “Drive”.

Ronnie Hall, City Engineer, stated that the City’s planning map and the plat say Shasta Street. The Mayor asked if this needs to be done by an ordinance. Alderman Grimes stated in the past this has been done by ordinance. Alderman Brewer motioned to hold this item in committee. Alderwoman Smith seconded the motion. There was no further discussion. The motion passed 5-0.

Alderman Brewer motioned to hold items 6 & 7 (below) in committee until an appropriate time. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-0.

6. Ordinance accepting the annexation of certain lands located on the south side of Siebenmorgan Road and East German Lane (known as 1775 Siebenmorgen Road) to the City of Conway.

7. Ordinance to rezone property located on the south side of Siebenmorgen Road and East German Lane (known as 1775 Siebenmorgen Road) from R-1 upon annexation to MF-1.

8. Discussion of speed humps for the Timberpeg Road.

Alderman Grimes stated that one (1) speed hump was approved and the residents were under the assumption that they were getting two (2). They said one works great but when cars slow down for the first hump they speed up to make up for lost time so they feel a second one would make a big difference. Alderwoman Smith motioned to give them the additional hump. Alderman Grimes seconded the motion. There was no further discussion. The motion passed 5-1 with the Mayor voting with the majority. Alderman Brewer voted in opposition.

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

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

1. Consideration of accepting bids for turnout gear from Leeco for the Conway Fire Department.

Bart Castleberry, Fire Chief, was present to answer questions. The Mayor stated that only one bid was received. Alderman Jones motioned to accept the bid. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-0.

Alderman Grimes motioned to hold the following items in committee:

- Item C-2 (waiving bids for medical supplies)
- Item C-3 (ordinance authorizing levy of additional charge in cases classified as county or city)
- Item 7A (O-06-42 repealing Uniformed Employee's Code)

Alderwoman Smith seconded the motion. There was no further discussion. The motion passed 5-0.

2. Ordinance waiving bids and appropriating funds for medical supplies for first responders and other emergency personnel for the CFD.

This item held in committee.

The Mayor asked that this item be discussed for future reference. Bart Castleberry, Fire Chief, stated that ordinance is a way to allow the fire department to be proactive and prepared for the upcoming flu season and it would ensure the safety of our people and help to avoid absenteeism within the fire department.

3. Ordinance authorizing a levy of an additional charge in all cases classified as county or city cases pursuant to *Act 1188 of 2006* and *Act 1373 of 2005*.

This item held in committee.

The Mayor asked that this item be discussed for future reference. Michael Murphy, City Attorney, stated that the legislature has clarified the law on what we call the jail fee. Currently there is one (1) levy in place, the \$5.00 charge on court costs that goes only to the county to offset items such as jail construction. The legislature has clarified that in addition, cities that have a jail in their city can also have a separate levy by the court that can offset for the municipality any payments they make to an entity such as the county for what is deemed under state law as city prisoners.

7. Old Business

A. Ordinance (O-06-42) repealing the City of Conway Uniformed Employee's Code (Ordinance O-01-13) and all related codes, ordinances, resolutions, rules and regulations.

This item held in committee.

8. *New Business*

A. Discussion of a moratorium on signs that do not conform to the overlay district standards.

The Mayor stated we have come to some general ideas about what we would like signage to be in the city. The Mayor went on to ask if we want to put a moratorium on signs that do not conform, or wait until the planning package is in place. Alderman Grimes state that he would like to go ahead and do a moratorium. The Mayor stated that an ordinance will be put together for this.

The Mayor stated that he would like the council members to look at the agreement with YBMA he feels that this is a historic opportunity presented to the city that they are gifting us with very few conditions a piece of land that was appraised six (6) years ago at \$1.8 million. This would give us a park in a great location and the Mayor suggested that we move forward in some fashion with this.

Adjournment

There was no further discussion and the meeting was adjourned.

PASSED this 9th day of May 2006

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett