



City of Conway, Arkansas  
CITY COUNCIL  
Agenda • March 14<sup>th</sup>, 2023

[www.conwayarkansas.gov](http://www.conwayarkansas.gov)

Elected Officials

Mayor Bart Castleberry  
City Clerk Michael O. Garrett  
City Attorney Charles Finkenbinder

Ward 1 Position 1 – Andy Hawkins  
Ward 1 Position 2 – David Grimes  
Ward 2 Position 1 – Anne Tucker  
Ward 2 Position 2 – Shelley Mehl  
Ward 3 Position 1 – Mark Ledbetter  
Ward 3 Position 2 – Cindy Webb  
Ward 4 Position 1 – Theodore Jones Jr.  
Ward 4 Position 2 – Shelia Isby

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5:30pm:

No Committee Meeting

6:00pm:

City Council Meeting • City Council Chambers • 1111 Main Street

Call to Order:

Bart Castleberry, Mayor

Roll Call:

Michael O. Garrett, Clerk/Treasurer

Minutes Approval:

February 28<sup>th</sup>, 2023

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

1. Resolution to approve the 2023 Action Plan and Budget submission for the Community Development Block Grant program.
2. Resolution requesting the Faulkner County Tax Collector to place a lien on 1612 Hardy Street for expenses incurred by the City.

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

1. Ordinance to appropriate funding for the Pompe Park Phase II Project.

**C. Public Safety Committee (Animal Welfare, Communication Emergency Operations Center, Department of Information Systems & Technology, District Court, Fire, Office of the City Attorney, & Police)**

1. Ordinance appropriating insurance proceeds funds for the Conway Fire Department.

*Adjournment*



**City of Conway, Arkansas  
Resolution No. R-23-\_\_**

**A RESOLUTION APPROVING THE YEAR 2023 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING AND BUDGET,  
AUTHORIZING THE SUBMISSION OF THE PROGRAM YEAR 2023 ACTION PLAN, AND FOR OTHER PURPOSES**

**Whereas,** It is the intention of the City Council of the City of Conway to allocate Community Development Block Grant (CDBG) funds in such a manner that the maximum feasible priority is given to activities which will benefit low to moderate income families and eliminate slum and blight.

**Whereas,** there is an approximate total of \$476,652.00 for Program Year 2023 (July 1, 2023 – June 30, 2024) funds allocated to the CDBG Program for budgetary purposes, subject to change by HUD.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:**

**Section 1:** The Program Year 2023 CDBG approximate budget totaling four hundred seventy-six thousand six hundred and fifty-two dollars (\$476,652) for budgeting purposes is hereby adopted by reference to the attached budget sheet.

**Section 2:** The in-house Affirmative Action Policy which prescribes equal opportunity policies for the recruitment, hiring, training, promoting, demotions, and termination of employees, with personnel goals revised annually.

**Section 3:** The Program Year 2023 CDBG Affirmative Action Plan is adopted to provide contractual procedures with regard to equal opportunity personnel policies on the part of CDBG project contractors.

**Section 4:** The Fair Housing Program/Policy of the City of Conway to affirmatively further Fair Housing practices in the sale, lease, or rental of housing and to prevent discrimination on the basis of race, color, religion, national origin, sex, disability, or familial status and to provide a procedure and Fair Housing Officer to assist and educate the public on their rights and procedures available to have complaints reviewed, investigated and resolved.

**Section 5:** The Director of Community Development is authorized to prepare and submit the 2023 Action Plan to carry out the activities/projects identified in the 5-Year Consolidated Plan to the U. S. Department of Housing and Urban Development (HUD) for review and approval. Once the approval by HUD has occurred, the City Council approval, Mayor is authorized to execute contracts, his signature being attested by the City Clerk, with the agencies identified in the Community Development Department Budget as application numbers to undertake the activities/projects in the Action Plan.

**Section 6:** All approved agencies of CDBG funds will use the city’s procurement procedures for any services or contract.

**Passed this 14<sup>th</sup> day of March, 2023.**

**Approved:**

**Attest:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

\_\_\_\_\_  
**Michael O. Garrett  
City Clerk/Treasurer**



CITY OF CONWAY, ARKANSAS

*Community Development*

To: City Council Members  
Mayor Castleberry

From: Shawanna Rodgers, Director

Date: March 9<sup>th</sup>, 2023

Re: Action Plan Approval and Program Year 2023 Budget

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The Program Year 2023 Annual Action Plan is underway for submission to HUD. The Action Plan (Draft) will be located on our website for 30 days for public comment. All award amounts listed are tentative until City Council and HUD approval.

In support of the above items, the CDBG office submits the following attachments in summary for your approval:

**Program Year 2023 (July 1, 2023 – June 30, 2024)**

- 1) Budget for the Annual Action Plan
- 2) 2021-2025 Objectives with strategies



CITY OF CONWAY, ARKANSAS  
*Community Development*

**Program Year 2023 Annual Action Plan Budget**  
**(July 1, 2023 – June 30, 2024)**

CDBG PY 2023 Grant		\$476,652
Administration (20%)	\$95,330.40	
Project (65%)	\$309,823.80	
Services (15%)	\$71,497.80	
▪ Administration:		\$95,330.40
• Administration covers all costs associated with the overall CDBG program, including but not limited to salary, benefits, training, office supplies, travel, equipment, and software.		
▪ Services:		\$71,497.80
• FC Council on Aging	\$15,000	
• Independent Living Services	\$15,000	
• Boys and Girls Club	\$15,000	
• CAPCA	\$15,000	
• Bethlehem House	\$6,497.80	
• Milestones	\$5,000	
▪ Project:		\$309,823.80
• Overnight Emergency Shelter		
○ Completion of the Overnight Emergency Shelter		



CITY OF CONWAY, ARKANSAS  
*Community Development*

**CDBG 2021-2025 Consolidated Plan**

**Five Year objectives:**

Objectives with strategies in brief:

1. Repair and maintain streets and sidewalks.

Assess the city's streets and sidewalks and fund according to need.

2. Enhance the capacity of the City's drainage and stormwater runoff systems.

Assess drainage, storm, water, and sewer systems and allow funding for public improvements and a combination of loans and grants for private improvements.

3. Increase the supply of affordable, suitable housing.

- a. Work with area non-profit partners to create, rehab, and replace affordable housing
- b. Create a housing strategy that focuses on the homeless
- c. Create incentives for infill housing.
- d. Create a program for clearing vacant and boarded housing.
- e. Continue partnerships with affordable housing agencies that work with homeless persons or at-risk homeless persons that are considered presumed low-to-moderate income.
- a. Continue to leverage relationships with developers focused on low-to-moderate-income housing.

4. Provision of additional community facilities and public services

- a. Emphasis on transportation for public services.
- b. Focus on fair housing activities such as credit counseling when transportation allows extra funds.
- c. Emphasis on homeless facilities for community facilities.
- d. Emphasis on neighborhood community facilities.

5. Economic Development

- a. Establish a microenterprise development program.
- b. Grants/Loans to for profit-businesses, particularly businesses that focus on broadband/internet access and technology (see 24 CFR 570.203 (b)).



**City of Conway, Arkansas  
Resolution No. R-22-\_\_\_**

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY, AND FOR OTHER PURPOSES.**

**Whereas**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on **1612 Hardy St.**, within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

**Whereas**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount **\$115.85** (\$91.68 + Penalty \$9.17 + filing fee \$15.00) to be thereafter certified to the Faulkner County Tax Collector; and

**Whereas**, a hearing for the purpose of determine such lien has been set for **March 14, 2022** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**Section 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

**Section 2:** That this Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** this 14<sup>th</sup> day of March 2022.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

\_\_\_\_\_  
**Michael O. Garrett**  
**City Clerk/Treasurer**

**City of Conway**  
**Code Enforcement &**  
**Public Works**  
1111 Main St.  
Conway, Arkansas 72032  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



Phone 501-450-6191  
Fax 501-450-6144

K S R Properties, LLC  
2885 Wineberry  
Conway, Ar 72032

Parcel # 710-06713-000

**RE: Nuisance Abatement at 1612 Hardy St., Conway AR**  
**Cost of Clean-Up, Amount Due: \$91.68**

To whom it may concern:

Because you failed or refused to remove, abate, or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **March 14<sup>th</sup>, 2023 Meeting**, 6:30 p.m. located at 1111 Main Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1111 Main Street Conway Arkansas 72032** with the **attention to Lily Couch**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

City of Conway  
Code Enforcement

# INVOICE

**City of Conway**  
**Code Enforcement &**  
**Public Works Dept.**

DATE: FEBRUARY 14<sup>TH</sup>, 2022

822 Locust St.  
Conway, AR 72034  
Phone: 501-450-6191  
Fax 501-450-6144  
Lily.couch@conwayarkansas.gov

TO K S R Properties, LLC  
2885 Wineberry  
Conway AR 72032

Description: Clean-up/Admin Fees  
associated with the nuisance abatement at  
1612 Hardy St. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Michael Davis	710-06713-000		March 14, 2023

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	MOWING & DEBRIS REMOVAL BY C.E.P.P.  Maintenance Fee (Mower/bush hog/weed eat)	31.50	31.50
	Sanitation Ticket #829206	10.00	10.00
1	Administrative Fee (Code Enforcement)	20.00	20.00
1	Administrative Fee (Code Officer)	17.88	17.88
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20
	(10% penalty + \$15.00 filing fees)		

TOTAL \$91.68

- **Total amount due after March 14, 2023 includes collection penalty & filing fees**

TOTAL  
WITH PENALTY &  
FILING FEES \$115.85

Make all checks payable to City of Conway Code Enforcement @ 1111 Main Street Conway Arkansas 72032





## CODE CASE HISTORY REPORT RESPROP-0123-0064 FOR CITY OF CONWAY

Changed On	User	Description	Before	After	Additional Info
01/24/2023	Michael Davis	Code Case added			Code Case (RESPROP-0123-0064)
01/24/2023	Michael Davis	Due Date	[none]	1/24/2023	Code Case Workflow Step (Violations)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Violations)
	Michael Davis	Code Case Workflow Step Action added			Code Case Workflow Step Action (3.5.3 Appliance/Furniture)
02/03/2023	Michael Davis	Due Date	[none]	1/24/2023	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Code Case Workflow Step Start Date	[none]	2/3/2023	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Step Workflow Status	Not Started	Started	Code Case Workflow Step (Notice of Violation)
	Michael Davis	Inspection added			Inspection ([Auto])
	Michael Davis	Action Workflow Status	Not Started	Failed	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
	Michael Davis	Violation Compliance Date	1/31/2023	2/10/2023	Violation (3.5.3 Appliance/Furniture)
02/15/2023	Michael Davis	Code Case Status	Open	Schedule City Clean up	Code Case (RESPROP-0123-0064)
02/15/2023	Michael Davis	Inspection Actual Arrival Date	2/3/2023	[none]	Inspection (ICODE-0452-2023)
	Michael Davis	Inspection Status	In Violation	City Cleanup Performed	Inspection (ICODE-0452-2023)
	Michael Davis	Action Workflow Status	Failed	Started	Code Case Workflow Step Action (Property Maintenance Follow-up Investigation)
	Michael Davis	Due Date	1/24/2023	2/3/2023	Code Case Workflow Step (Violations)
	Michael Davis	Step Workflow Status	Started	Passed	Code Case Workflow Step (Violations)
	Michael Davis	Violation Resolved Date	[none]	2/15/2023	Violation (3.5.3 Appliance/Furniture)
	Michael Davis	Violation Status	In Violation	Resolved	Violation (3.5.3 Appliance/Furniture)
	Michael Davis	Action Workflow Status	Started	Passed	Code Case Workflow Step Action (3.5.3 Appliance/Furniture)
02/15/2023	Michael Davis	Date Closed	[none]	2/15/2023	Code Case (RESPROP-0123-0064)
	Michael Davis	Code Case Status	Schedule City Clean up	Closed - Resolved	Code Case (RESPROP-0123-0064)
	Michael Davis	Complete	No	Yes	Code Case (RESPROP-0123-0064)



**City of Conway, Arkansas  
Ordinance No. O-23-\_\_\_\_\_**

**AN ORDINANCE APPROPRIATING FUNDS AND APPROVING CHANGE ORDER #1 AND AMENDMENT #1 FOR POMPE PARK PHASE II FOR CONWAY PARKS & RECREATION; AND FOR OTHER PURPOSES**

**Whereas**, City Council approved Crafton Tull & Associates for the Pompe Park project on November 9<sup>th</sup>, 2021;

**Whereas**, the City solicited bids for the construction of Pompe Park (Phase I) to include the Veteran’s Plaza on July 13<sup>th</sup>, 2022, with JCI selected as the lower bidder on this project; and

**Whereas**, Phase II of Pompe Park will include the completion of the project; and

**Whereas**, the City of Conway has funds available in the A&P Fund and would like to appropriate funds for this project.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:**

**Section 1.** The City of Conway shall approve change order #1 for Pompe Park Phase II in the amount of \$817,392 for JCI Construction and amendment #2 for Crafton Tull in the amount of \$15,000 and allow the Mayor to enter into an agreement and execute all documents associated with the Pompe Park/Veteran’s Plaza Project Phase II.

**Section 2.** The City of Conway shall appropriate \$832,392 from the A&P Fund Balance Appropriation account 252-000-4900 into the A&P CIP - Misc account 252-165-5990.

**Section 3.** All ordinances in conflict herewith are repealed to the extent of the conflict.

**PASSED** this 14<sup>th</sup> day of March, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

\_\_\_\_\_  
**Michael O. Garrett  
City Clerk/Treasurer**



10825 Financial Centre Pkwy, Suite 300  
Little Rock, AR 72211  
501.664.3245 / 501.664.6704  
www.craftontull.com

### Change Order

Owner  Engineer  Contractor  Consultant  Field  Other

Project: Pompe Park

Change Order #: 1

To (Contractor): JCI Construction, Inc.  
P.O. Box 485  
Mayflower, AR 72106

Date: 2/28/2023

Engineer's Project #: 20806001

Contract Date: 2/8/2023

Contract for: Pompe Park Phase II

The Contract is changed as follows:

Increase contract sum and contract time for the addition of Phase II at Pompe Park.

#### NOT VALID UNTIL SIGNED BY THE OWNER, ENGINEER, AND CONTRACTOR

The original Contract Sum was.....	\$ 1,562,729.00
Net Change by previously authorized Change Orders.....	\$ 0.00
The Contract Sum will be increased by this Change Order.....	\$ 817,392.00
The new Contract Sum including this Change Order will be.....	\$ 2,380,121.00
The Contract Time will be increased by 365 calendar days.	
The Date of Substantial Completion as of the date of this Change Order therefore is 2/28/2024.	

**NOTE:** This summary does not reflect changes in the Contract Sum or Contract Time which have been authorized by Construction Change Directive.

#### Authorized:

**Crafton Tull**

ENGINEER  
10825 Financial Centre Pkwy, Ste 300  
Little Rock, AR 72211  
ADDRESS

**JCI Construction, Inc.**

CONTRACTOR  
P.O. Box 485  
Mayflower, AR 72106  
ADDRESS

**City of Conway**

OWNER  
1111 Main Street  
Conway, AR 72032  
ADDRESS

BY   
Bradley A. Peterson, PE

DATE  
2/28/23

BY 

DATE  
3/2/23

BY

DATE

**AMENDMENT NO. 2 TO OWNER-ENGINEER AGREEMENT**

**Subject of Amendment: Modification of Services & Additional Services**

**1. Background Data:**

- a. Effective Date of OWNER-ENGINEER Agreement: 02/28/2023
- b. OWNER: City of Conway, Arkansas
- c. ENGINEER: Crafton, Tull & Associates, Inc.
- d. Project: Pompe Park

**2. Nature of Amendment**

- Modification of Services to be performed by ENGINEER
- Modifications to Payment to ENGINEER

**3. Description of Modifications**

See Attachment 1, "Modifications"

OWNER and ENGINEER hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is 02/28/2023.

OWNER:

ENGINEER:

CITY OF CONWAY

CRAFTON, TULL & ASSOCIATES, INC.

By: \_\_\_\_\_  
Printed Name and Signature

By:   
Bradley A. Peterson, PE

Title: \_\_\_\_\_

Title: VP - Infrastructure

Date Signed: \_\_\_\_\_

Date Signed: 2/28/23

ATTACHMENT 1

MODIFICATIONS

Modification of Services to be performed by ENGINEER:

1. Modify Basic Scope of Civil Engineering Service as follows:
  - a. Description of Construction Project –Provide civil engineering construction administration and all Corps permitting necessary for the work of Phase II at Pompe Park in Conway, Arkansas.
  - b. Scope of Work – Add following tasks:
    - o Construction Administration and Observation
    - o Corps Permitting (Section 404)

Modifications to Payment to ENGINEER:

The OWNER shall pay ENGINEER for the Additional Services set forth above an amount equal to the quoted lump sum fee, plus Reimbursable Expenses charged at cost times a 1.15 multiplier and ENGINEER’s consultants charged at cost times a 1.05 multiplier, if any consultants are included. Standard Hourly Rates shall be those shown in the attached Exhibit “B”. The compensation for the Additional Services described herein is \$ 15,000.00 . Following is the total estimated distribution of compensation:

Basic Services	\$ <u>63,400.00</u>
Additional Services, Item 1	\$ <u>41,765.00</u>
Additional Services, Item 2	\$ <u>15,000.00</u>
Total Estimated Compensation	\$ <u>120,165.00</u>



**City of Conway, Arkansas  
Ordinance No. O-23-\_\_\_\_\_**

**AN ORDINANCE APPROPRIATING FUNDS FOR THE CONWAY FIRE DEPARTMENT; AND FOR  
OTHER PURPOSES**

**Whereas**, the Conway Fire Department requests \$207,357 for the use of repairing Engine 7 from damages incurred during a wreck; and

**Whereas**, funds in the amount of \$207,357 were received from the Municipal Insurance Program for such reasons.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY,  
ARKANSAS THAT:**

**Section 1.** The City of Conway shall appropriate \$207,357 from the Insurance Proceeds Account (001.119.4360) to the Fire Department Vehicle Maintenance Operating Account (001.131.5450);

**Section 2.** All ordinances in conflict herewith are repealed to that extent of the conflict.

**PASSED** this 14<sup>th</sup> day of March, 2023.

**Approved:**

\_\_\_\_\_  
**Mayor Bart Castleberry**

**Attest:**

\_\_\_\_\_  
**Michael O. Garrett  
City Clerk/Treasurer**