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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Monday, 12:00 pm  
February 28, 2022

On this date the City Council of the City of Conway, Arkansas met in a *special session*. The following members being a quorum were present and acting: Councilman Hawkins, Councilman Ledbetter, Councilwoman Mehl, Councilwoman Tucker, Councilwoman Smith, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Attorney Charles Finkenbinder, City Clerk Michael Garrett. Councilman Grimes was not present.

**Call to Order: Mayor Bart Castleberry**

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

**Minutes: February 22<sup>nd</sup>, 2022**

Councilwoman Mehl motioned to approve the **February 22<sup>nd</sup>, 2022** meeting minutes as submitted. Councilwoman Isby seconded the motion. There was no discussion. The motion passed 7-0.

**Report of Standing Committees:**

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

**1. Ordinance to authorize the issuance and sale of electric revenue improvement bonds for Conway Corporation.**

**O-22-20**

Mayor Castleberry presented Item A1 to the Council. Gordon Wilbourn was present to address the Council. He told them this was two series of bonds, one for new construction and refunding of the 2015 bonds. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. Councilwoman Isby made a motion to adopt the Ordinance with the emergency clause and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Tucker, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilwoman Smith, and Councilman Jones. The Ordinance with the emergency clause passed 7-0.

**2. Ordinance amending Ordinance No. O-05-162 and extending the lease of the City's electric plant and facilities to Conway Corporation.**

**O-22-21**

Mayor Castleberry presented Item A2 to the Council. Greg Dell with Conway Corporation addressed the Council stating that this Ordinance is required by the underwriters and bond counselors so that the lease goes as long as the bond issues and will go through 2050. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. Councilwoman Isby made a motion to adopt the Ordinance with the emergency clause and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Mehl, Councilwoman Tucker, Councilman Jones, Councilwoman Isby, Councilwoman Smith, and Councilman Hawkins. The Ordinance with the emergency clause passed 7-0.

**3. Ordinance amending Ordinance No. O-05-163 and extending the franchise of Conway Corporation to operate and maintain the electric plant and facilities for the City of Conway.**

**O-22-22**

Councilman Hawkins presented Item A3 to the Council. There was no discussion. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. Councilwoman Smith made a motion to adopt the Ordinance with the emergency clause and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby,

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Councilwoman Mehl, Councilman Jones, Councilwoman Smith, Councilwoman Tucker, Councilman Hawkins, Councilman Ledbetter. The Ordinance with the emergency clause passed 7-0.

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

- 1. Ordinance to approve the location of a private club permit for Bear Town Rockin' Sushi to be located at 975 S. Amity Drive.**

**O-22-23**

Councilman Hawkins presented Item B1 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. 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, Councilwoman Mehl, Councilman Jones, Councilwoman Smith, Councilwoman Tucker, Councilman Hawkins, Councilman Ledbetter. The Ordinance passed 7-0.

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

- 1. Ordinance appropriating funds for park improvements for the Parks & Recreation Department.**

**O-22-24**

Mayor Castleberry presented Item C1 to the Council. Steve Ibbotson addressed the Council stating that they were requesting \$161,000 for a playground to be placed at Bainbridge Park. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. 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 Mehl, Councilman Jones, Councilwoman Smith, Councilman Ledbetter, Councilwoman Tucker, Councilman Hawkins, and Councilwoman Isby. The Ordinance passed 7-0.

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

- 1. Ordinance creating an exclusive franchise to Pafford Medical Services to provide ambulance services for the City of Conway.**

**O-22-25**

Mayor Castleberry presented Item D1 to the Council. He called their attention to copies of the franchise agreement that were provided to them. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. Councilwoman Smith made a motion to adopt the ordinance with the emergency clause and Councilwoman Isby seconded it. Councilman Hawkins asked Mr. Finkenbinder about a clause in the ordinance for cancellation of the franchise within 90 days. Mr. Finkenbinder said that that provision would be in the contract, but that the time period was 180 days because it would give the City more time to find a different provider should the need arise. There was no further discussion. The Clerk called the roll with the following voting "Aye": Councilwoman Smith, Councilwoman Mehl, Councilman Hawkins, Councilwoman Tucker, Councilwoman Isby, Councilman Ledbetter, and Councilman Jones. The Ordinance with the emergency clause passed 7-0.

Mayor Castleberry welcomed Pafford to Conway and thanked them for their work in bringing the matter to a conclusion. A representative of Pafford thanked the Mayor and told the Council that they would begin working tomorrow morning, and that they expected there to be a seamless transition. Charles Finkenbinder clarified his answer to Mr. Hawkins stating that there are two termination time periods in the contract. He said there is a termination for cause which is 30 days, and a termination for any reason clause which is 180 days.

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**Adjournment-----**

*PASSED this 28<sup>th</sup> day of February 2022*

**APPROVED:**

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*Mayor Bart Castleberry*

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*City Clerk Michael O. Garrett*