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

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Conway, Arkansas  
Tuesday, 6:30 pm  
March 23, 2021

On this date the City Council of the City of Conway, Arkansas met in regular session. ***Due to restrictions imposed because of the COVID-19 pandemic, the City Council meeting was held via Facebook Live on the City of Conway, Arkansas Facebook page, and the City of Conway YouTube channel.*** The following members being a quorum were present and acting: Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilman Ledbetter, Councilman Pruitt and Councilwoman Smith. Also, present and acting: Mayor Bart Castleberry, City Clerk Michael Garrett, and City Attorney Charles Finkenbinder. Councilman Grimes and Councilman Jones were not present.

**Call to Order: Mayor Bart Castleberry**

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

**Minutes: March 9, 2021**

Councilwoman Isby motioned to approve the **March 9, 2021** minutes as submitted. Councilwoman Smith seconded the motion. There was no discussion. The motion passed 6-0.

**Monthly Financial Report ending February 28, 2021**

Tyler Winningham, Chief Financial Officer addressed the Council stating that sales tax revenue is up just under 5% for December which gives us a total for 2020, which was 4.8% for the year, which translates to 1.5 million dollars for the General Fund. He added that expenditures are below average. There was no further discussion. Councilwoman Smith made a motion to approve the monthly financial report and Councilwoman Isby seconded it. The motion to approve carried 6-0.

**Report of Standing Committees:**

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

**1. Ordinance to approve the private club permit for Los Gallitos Mexican Restaurant of Conway, Inc. to be located at 1250 Old Morrilton Hwy, Conway, AR 72032.**

**O-21-32**

Mayor Castleberry presented Item A1 to the Council. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 6-0. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Pruitt, Councilwoman Isby, Councilman Ledbetter, Councilwoman Mehl, Councilwoman Smith and Councilman Hawkins. The Ordinance passed 6-0.

**2. Consideration to approve the Board of Directors nomination of Kelly Erstine for Conway Corporation.** Mayor Castleberry presented Item A2 to the Council. Councilwoman Smith made a motion to approve the nomination and Councilwoman Mehl seconded it. The motion to approve the nomination carried 6-0.

**3. Ordinance to enter into an agreement with Rock Region Metro to provide micro transit services for the City.**

**O-21-33**

Mayor Castleberry presented Item A3 to the Council, reminding them that the City receives Federal funds for these services. He told the Council that since a bus system would likely not work in Conway, the City is considering a micro-transit system. He said that Rock Region would handle the financial aspect and personnel for the system. Councilman Hawkins asked how many vehicles were being considered and Mayor Castleberry said that the City was going to request four vehicles- one in each quadrant of the City. Mr. Charles Frazier with Rock Region Metro added that they were very excited to offer a mobility solution for the City. He added that CARES funding is 100% Federal matched and covers the vehicles,

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drives, fuel maintenance, software application, and onsite supervisor. Councilman Hawkins asked if the City would receive an accounting of the costs associated with the operation of the vehicles and Mr. Frazier said that it would be provided. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 6-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilman Ledbetter, Councilman Pruitt, Councilman Hawkins, Councilwoman Smith and Councilwoman Mehl. The Ordinance passed 6-0.

Charles Finkenbinder, City Attorney added that some points of the contract between the two entities are still in negotiation and would be presented to the Council at a later date for approval.

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

#### **1. Ordinance to establish penalties for various building code violations for the Permits & Inspections Department.**

##### **O-21-34**

Councilman Hawkins presented Item A1 to the Council. James Walden, Director of Planning and Development addressed the Council stating that this ordinance will create a uniform system for enforcing penalties to all of the building code violations. Charles Finkenbinder added that he was appreciative to Zach Castleberry and Kenny McCullum for initiating this much needed change, establishing uniform penalty system for all building code violations. Councilwoman Mehl asked if repeat offending contractors could also be reported to their respective licensing boards, and Mayor Castleberry confirmed that they could. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 6-0. 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 Mehl, Councilman Ledbetter, Councilwoman Smith, Councilman Hawkins, Councilman Pruitt, Councilwoman Isby. The Ordinance with the emergency clause passed 6-0.

#### **2. Resolution authorizing the purchase of real property from Conway Corporation for the Transportation Department.**

##### **R-21-21**

Councilman Hawkins presented Item A2 to the Council. Mayor Castleberry reminded the Council that this is the property on South Harkrider where their engineering department locations are. He added that the property was appraised at 4.5 million dollars, and that the Transportation Department has that money to purchase the property. He said that it would allow the City to move the Transportation Department from the Robins Street location, which needs renovation work. Finley Vinson added that the Harkrider property would provide much needed covered storage for Transportation Department vehicles and equipment that are currently unprotected. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. The Resolution passed 6-0.

#### **3. Resolution to adopt a City-wide Historic Preservation Plan for the Planning Department.**

##### **R-21-22**

Councilman Hawkins presented Item A3 to the Council. James Walden addressed the Council stating that a grant was received for \$25,000 and Walker Collaborative out of Nashville was hired to help prepare the Historic Preservation Plan. He said the Plan has been adopted by the Historic District Commission and the Planning Commission. He added that the intent is to make the Historic District Preservation Plan a part of the City's Comprehensive Plan. He said that some of the provisions of the plan are increased educational awareness, increased focus on preserving our African American history, and giving the Hendrix Addition the same level of historic protection as in the Robinson Historic District currently. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. The Resolution passed 6-0.

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**4. Ordinance requesting to rezone property located at 2310 E Oak Street from C-3 and R-1 to S-1 for the Planning Department.**

**O-21-35**

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 6-0. James Walden explained that this is a rezoning that is a combination of a commercial zone and a residential zone. He added that the property is currently split-zoned. He said they are seeking to go to an S-1 Institutional, which is a zoning intended for public buildings, churches, college campuses and the like. He said the applicant is Wesley United Methodist Church and that they do not have any immediate intentions for the property other than some out buildings, but that they were seeking to make the zoning more appropriate for their use in the future. 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 Pruitt, Councilwoman Mehl, Councilman Hawkins, Councilman Ledbetter, Councilwoman Smith, and Councilwoman Isby. The Ordinance passed 6-0.

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

**1. Consideration to remove items from inventory for the Information Technology Department.**

Mayor Castleberry presented Item C1 to the Council. Aaron Knight explained to Council that the removed items would be disposed of properly by selling or disposal as e-waste. Councilwoman Smith made a motion to approve the Consideration and Councilwoman Isby seconded it. The motion to approve carried 6-0.

**D. Finance**

**1. Ordinance authorizing personnel changes within the Administration Department.**

**O-21-36**

Mayor Castleberry presented Item D1 to the Council. He said that if this position is approved by Council, it will be a Risk Management/Worker's Compensation position and would report to Lisa Mabry Williams in the Human Resources Department. He said they were seeking for someone to go out into the field and train the Departments, study how injuries are occurring and teach prevention. He said he would also like to see a Wellness Program City-wide. He added that by adding this position it will cut costs for Worker's Compensation claims. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 6-0. 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 Hawkins, Councilman Pruitt, Councilman Ledbetter, Councilwoman Isby, Councilwoman Smith, and Councilwoman Mehl. The Ordinance passed 6-0.

**2. Ordinance appropriating funds for the purchase of certain capital items for various departments.**

**O-21-37**

Mayor Castleberry presented Item D2 to the Council. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 6-0. Councilwoman Smith made a motion to adopt the Ordinance with the emergency clause and Councilman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Isby, Councilwoman Mehl, Councilman Hawkins, Councilwoman Smith, and Councilman Pruitt. The Ordinance passed 6-0.

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**E. New Business**

- 1. Ordinance approving a partnership with Conway Public Schools and appropriating funds for a school bus camera system.**

**O-21-38**

Mayor Castleberry presented Item E1 to the Council stating that Charles Finkenbinder and the Conway Police Department have been working hard to increase school buses safety in the City. He said they had recommended that the arm cameras be installed to better monitor traffic around the buses. He said he contacted Mr. Murray the Superintendent of Conway Public Schools about partnering with the City on the project which was agreed to. He added that it would be a 50/50 split with the City's portion be \$23,000. Councilwoman Smith asked if the cameras would capture license plate numbers so the violators could be prosecuted. Charles Finkenbinder said that the Stop Arm Cameras have two purposes; it helps enforcement; and allows bus drivers to concentrate on loading and unloading children instead of attempting to gather license plate numbers from vehicles that violate the law. He said that he felt sure that the cameras would not only capture license numbers but also the face of the driver. There was no further discussion. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 6-0. Councilwoman Smith made a motion to adopt the Ordinance with the emergency clause and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Smith, Councilman Pruitt, Councilwoman Mehl, Councilwoman Isby, Councilman Hawkins and Councilman Ledbetter. The Ordinance passed 6-0.

**Adjournment-----**

*PASSED this 23<sup>rd</sup> day of March 2021*

**APPROVED:**

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*Mayor Bart Castleberry*

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*City Clerk Michael O. Garrett*