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

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Conway, Arkansas  
Tuesday, 6:00 pm  
November 8, 2022

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: Councilman Hawkins, Councilman Grimes, Councilwoman Mehl, Councilwoman Tucker, Councilman Ledbetter, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry and City Attorney Charles Finkenbinder. Councilwoman Smith, Councilman Jones, and City Clerk Michael Garrett was not present.

**Call to Order: Mayor Bart Castleberry**

**Roll Call: Felicia Rogers**

**Minutes: October 25, 2022**

Councilwoman Isby motioned to approve the **October 25, 2022** minutes as submitted. Councilwoman Mehl seconded the motion. There was no discussion. The motion passed 6-0.

**Report of Standing Committees:**

Mayor Castleberry asked the Council to suspend the rules to set a public hearing on the matter of vacating a portion of EW Martin Street. Councilman Jones moved to suspend the rules and Councilwoman Isby seconded it. The motion carried 6-0.

### **R-22-61**

Mayor Castleberry presented the Resolution to the Council, stating that this section of property is what was originally discussed as to where the new Tractor Supply would go, and there is another large industrial group that is looking at the property now, on the condition that the City close part of EW Martin Drive. He added that everything is in place for the closure upon approval by Council. Councilman Grimes made a motion to set a public hearing for December 13<sup>th</sup>, 2022 and Councilwoman Isby seconded it. The motion carried 6-0.

### **A. Public Hearing**

#### **1. Public hearing to discuss the closing of Court Z Street on Round Mountain Subdivision.**

Mayor Castleberry declared the public hearing open. James Walden explained to the Council that this is a portion of a street in Round Mountain development that never got closed and it's impeding the ability to re-plat a piece of property. He added that it's a street that the City does not need and has never been developed. Mayor Castleberry asked if there was anyone present to speak for or against this matter. Bobby French with Central Arkansas Development spoke in representation of the applicant. He said that the applicant is developing the property and the right-of-way must be vacated in order to re-plat. Mayor Castleberry declared the public hearing closed.

#### **2. Ordinance closing Court Z Street on Round Mountain Subdivision.**

### **O-22-118**

Councilwoman Isby made a motion to waive the three readings and Councilwoman Mehl seconded. The motion carried 6-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilman Ledbetter seconded it. The vote was called and the following voted "Aye": Councilman Ledbetter, Councilwoman Tucker, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, and Councilman Grimes. The Ordinance passed 6-0.

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

#### **1. Resolution to approve the submission of an amendment to the Action Plan for the Community Development Block Grant Program.**

**R-22-62**

Councilman Hawkins presented Item B1 to the Council. Shawanna Rodgers called the Council's attention to a revised Resolution and memo. She said that there are unspent funds that they would like to transfer to the emergency shelter project and asked the Council to approve the amendment to HUD. There was no discussion. Councilwoman Isby made a motion to adopt the Resolution and Councilman Ledbetter seconded it. A vote was called, and the Resolution passed 6-0.

#### **2. Ordinance to approve an amendment to the existing use of the public right-of-way and franchise agreement for services by Unite Private.**

**O-22-119**

Councilman Hawkins presented Item B2 to the Council. Charles Finkenbinder, City Attorney, explained that there was a previously approved limited franchise to United to run a line to Blue Cross Blue Shield Service Center as phase I of their project and this franchise agreement is part of phase II. He added that they are asking to run an above ground and underground line from Blue Cross to the county line. He said that it has been reviewed by the Planning Department and the Transportation Department. Kurt Jones of the Transportation Department added that this is a typical arrangement with utility companies and that the City has similar agreements with other utilities. Councilman Ledbetter asked if the City charges any fees for such a franchise and Mr. Jones stated that there are fees involved. Councilwoman Isby made a motion to suspend the rules and waive the three readings and Councilwoman Mehl seconded it. The motion carried 6-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. A vote was called with the following voting "Aye": Councilman Ledbetter, Councilwoman Mehl, Councilman Grimes, Councilwomen Tucker, Councilwoman Isby, and Councilman Hawkins. The Ordinance passed 6-0.

#### **3. Resolution approving the City Attorney to seek condemnation for the Lower Ridge Road Realignment Project.**

**R-22-63**

Councilman Hawkins presented Item B3 to the Council. Kurt Jones told the Council that this is a project that has been designed to reconnect Lower Ridge Road to Highway 65 which involved re-routing the road through the shopping center property and exit using the existing traffic light at the entrance/exit to the shopping center. He said that the City has been unsuccessful in negotiating a price for the needed right-of-way, so the City Attorney's office has been asked to seek condemnation of the property for the right-of-way. Charles Finkenbinder added that negotiations are still underway but this Resolution will allow the proceedings should an agreement not be reached. He said that the property owners were notified that this matter would be on the City Council meeting agenda. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 6-0.

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

#### **1. Ordinance appropriating funds for the Shop Secure program for the Conway Police Department.**

**O-22-120**

Mayor Castleberry presented Item C1 to the Council. Chief Tapley told the Council that this program allows the Department to place officers in high density shopping areas during the holiday shopping season. He added that overtime funds are used to fund the project. Councilwoman Isby made a motion to waive the three readings and Councilman Ledbetter seconded it. The motion carried 6-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. A vote was called with the following

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voting "Aye": Councilwoman Isby, Councilwoman Mehl, Councilwoman Tucker, Councilman Hawkins, Councilman Grimes, and Councilman Ledbetter. The Ordinance passed 6-0.

**2. Ordinance appropriating reimbursement funds for the Conway Police Department.**

**O-22-121**

Mayor Castleberry presented Item C2 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilman Ledbetter seconded it. The motion carried 6-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. A vote was called with the following voting "Aye": Councilman Ledbetter, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilwoman Tucker, and Councilman Grimes. The Ordinance passed 6-0.

**Adjournment-----**

*PASSED this 8th day of November 2022*

**APPROVED:**

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*Mayor Bart Castleberry*

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*City Clerk Michael O. Garrett*