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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday, 6:30 pm  
December 14, 2021

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, Councilwoman Smith, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Attorney Charles Finkenbinder, City Clerk Michael Garrett.

**Call to Order: Mayor Bart Castleberry**

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

**Minutes: November 23, 2021**

Councilwoman Isby motioned to approve the **November 23, 2021** minutes as submitted. Councilwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

**Report of Standing Committees:**

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

**1. Consideration to approve the nominations for the annual boards and commissions for the City of Conway.**

Councilman Hawkins presented Item A1 to the Council, and read the list of names for each commission:

Planning Commission: Alexander Baney, Ethan Reed, and Greg West

Airport Advisory Committee: Don Greenland and Jeff Standridge

Diversity Advisory Council: Jaqueline Gault, Meg Hawkins, and Corey Parks

Bicycle and Pedestrian Advisory Board: John Ross Henderson, David Barber, and Jeremy Chrysler

Historic District Commission: Emily Walters

Employee Defined Benefit Pension Plan Admin Committee: Neil Reed

Councilman Hawkins made a motion to approve the nominations and Councilwoman Smith seconded it.

Councilwoman Isby asked, regarding the Planning Commission, if the Ordinance defines who makes those recommendations. Mayor Castleberry said that the Planning Commission makes the recommendations except in the case where someone steps down, and in that case he would make the recommendation. The motion to approve carried 8-0.

**2. Ordinance appropriating grant funds from the Federal Aviation Administration (FAA) for the Conway Regional Airport.**

**O-21-125A**

Councilman Hawkins presented Item A2 to the Council. Jack Bell addressed the Council stating that this is a CARES Act grant for \$59,000. He added that with this Ordinance they are spending about \$35,000 of the grant money. He said that the requirements for use were broad, such as operations, sanitizing and cleaning, and fuel costs. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. 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 Ledbetter, Councilman Grimes, Councilwoman Mehl, Councilwoman Smith, Councilwoman Tucker, Councilman Jones, Councilwoman Isby, and Councilman Hawkins. The Ordinance passed 8-0.

**3. Ordinance appropriating insurance proceeds received from Farm Bureau for the Conway Regional Airport.**

**O-21-126**

Councilman Hawkins presented Item A3 to the Council. Jack Bell told the Council that this is to repair damage at the airport facility. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. Councilwoman Smith made a motion to adopt

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the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Tucker, Councilman Grimes, Councilwoman Smith, Councilwoman Isby, Councilman Ledbetter, Councilman Jones, Councilwoman Mehl, Councilman Ledbetter, and Councilman Hawkins. The Ordinance passed 8-0.

**4. Resolution to approve submittal of an application to Metroplan to apply for TAP funding for the College Avenue Side path Project.**

**R-21-93A**

Councilman Hawkins presented Item A4 to the Council. A representative from the Transportation Department addressed the Council, stating that this is a grant opportunity from Metroplan to be used for the College Avenue Side Path Project. He said that funds from ARDOT would be used as well. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. The Resolution passed 8-0.

**5. Ordinance appropriating funds for the Tiny Toads Project for the Public Art Board. (Revised)**

**O-21-127**

Councilman Hawkins presented Item A5 to the Council. James Walden addressed the Council stating that the reason the Ordinance is revised is because Council had not reviewed acceptance of the RFPs that were received. The Board selected Calvin Stinger for this project. He added that the project is designed to be an historic walking, art tour with small sculptural toads illustrating an example of how the historic property in the tour was used historically. He added that this is allocating \$10,000 of the Public Art Board funding and is a matching grant. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. 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 Mehl, Councilwoman Isby, Councilman Jones, Councilman Ledbetter, Councilman Grimes, Councilwoman Tucker, Councilwoman Smith, Councilman Hawkins. The Ordinance passed 8-0.

**6. Ordinance appropriating funds for mural & graffiti protection for the Public Art Board.**

**O-21-128**

Councilman Hawkins presented Item A6 to the Council. James Walden told the Council that the underground ArtWalk murals were defaced shortly after their installation, so the Board looked into ways to protect these art installations. He explained that there are coatings available to protect and preserve the artwork. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. 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 Hawkins, Councilman Grimes, Councilman Ledbetter, Councilwoman Tucker, Councilwoman Isby, Councilman Jones, Councilwoman Smith, Councilwoman Mehl. The Ordinance passed 8-0.

**7. Resolution of support for the Public Art Board to partner with Blackbird Arts Collective for a Conway Poetry Project.**

**R-21-94A**

Councilman Hawkins presented Item A7 to the Council. James Walden explained to the Council that this project will collect poetry from local poets, through a contest format, and create installations in areas near schools, etc. He said there will be more details as a formal arrangement is made. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called, and the Resolution passed 8-0.

**8. Ordinance amending existing restrictions on the use of motorized vehicles on city bicycle lanes and pedestrian pathways for the Bicycle & Pedestrian Advisory Board.**

**O-21-129**

Councilman Hawkins presented Item A8 to the Council. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. Finley Vinson addressed the Council stating that the situation on Davis Street was what brought the matter to the attention of the Bicycle and Pedestrian Advisory Board. He explained that there have been complaints about residents parking in the designated bike lanes. There was discussion about other areas in the City with a similar marked bike

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lanes. There was discussion about the necessity of the bike lanes in the residential neighborhoods and the enforcement of the parking violation. There was discussion about the possibility of removing the bike symbols in the bike lanes which would render them a shoulder. There was discussion about how the bike lanes affect residential parking. Councilwoman Mehl made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Jones, Councilwoman Smith, Councilman Grimes, Councilman Ledbetter, Councilwoman Tucker, Councilman Hawkins, Councilwoman Isby. The Ordinance passed 8-0.

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

- 1. Resolution requesting the Faulkner County Tax Collector place a lien against property located at 1259 Harrison Street in the amount of \$209.54 for expenses incurred by the City.**

#### **R-21-95A**

Councilman Hawkins presented Item B1 to the Council. There was no one present to represent the property. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called, and the Resolution passed 8-0.

- 2. Resolution to condemn the structure located at 1845 Teresa Drive for the Physical Plant and Code Enforcement.**

#### **R-21-96**

Councilman Hawkins presented Item B2 to the Council. Spencer Clawson explained that the property was the victim of a structure fire in November of 2020. He said that it became clear that the owner has not taken care of the property and it has become a danger to the neighborhood. Councilwoman Smith made a motion to approve the Resolution and Councilman Jones seconded it. A vote was called, and the Resolution passed 8-0.

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

- 1. Ordinance appropriating reimbursement funds from various entities for the Conway Police Department.**

#### **O-21-130**

Mayor Castleberry presented Item C1 to the Council. Chief Tapley was present to address the Council and asked to approve the appropriation of the funds. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. 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 Smith, Councilwoman Mehl, Councilman Hawkins, Councilwoman Tucker, Councilwoman Isby, Councilman Ledbetter, Councilman Jones, and Councilman Grimes. The Ordinance passed 8-0.

- 2. Consideration to approve of the disposal of unused assets for the Conway Police Department.**

Mayor Castleberry presented Item C2 to the Council. Chief Tapley told the Council that the department had a seized vehicle to dispose of at public auction. Councilwoman Smith made a motion to approve the consideration and Councilwoman Isby seconded it. The motion carried 8-0.

### **D. Personnel**

- 1. Ordinance adopting an amended Employee Handbook**

#### **O-21-131**

Mayor Castleberry presented Item D1 to the Council. Lisa Mabry-Williams addressed the Council stating that she and Charles Finkenbinder have been working on the update to the Employee Handbook for many months. She listed various topics in the handbook that have been updated for clearer language, etc. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. Councilwoman Isby made a motion to adopt the Ordinance with the emergency clause and Councilwoman

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Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Ledbetter, Councilman Jones, Councilwoman Isby, Councilwoman Smith, Councilwoman Mehl, Councilwoman Tucker and Councilman Grimes. The Ordinance with the emergency clause passed 8-0.

**E. Finance**

**1. Ordinance adopting a budget for the City of Conway for the fiscal year 2022.**

**O-21-132**

Mayor Castleberry presented Item E1 to the Council. He told them that as per State law the 2022 budget was sent out December 1<sup>st</sup>. He said that as usual we budgeted flat based on sales tax receipts. He added that as in the past he will hold back on expenditures for the first quarter. He said the City has 10.7 million dollars in reserve, with 1.7 million being Cares Act money which will pay for the new fire station, leaving 9 million in reserves. He added that \$250,000 was put into a separate reserve account to pay back the 1-million-dollar settlement with two years remaining. He said there was no increase in insurance for 2022 and the budget included a 4% cost of living raise for all personnel including elected officials. Tyler Winningham was present to answer any questions. There was discussion about projected sales tax revenues for 2022. Mr. Winningham said that the sales tax trend has been seen across the state not just in Conway. Councilman Hawkins expressed his concern with the continuation of the sales tax increases and budgeting based on those increases. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. 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 Tucker, Councilman Grimes, Councilman Jones, Councilwoman Smith, Councilwoman Isby, Councilman Ledbetter, Councilwoman Mehl, and Councilman Hawkins voting "here". The Ordinance passed 7-0, with one vote of "here".

**F. New Business**

**1. Consideration to cancel the December 28<sup>th</sup>, 2021 City Council Meeting.**

Mayor Castleberry presented Item F1 to the Council. Councilwoman Smith made a motion to approve the consideration and Councilwoman Isby seconded it. The motion to approve passed 8-0.

Mayor Castleberry asked the Council to suspend the rules to add an item to the agenda. Councilwoman Smith moved to suspend the rules and Councilwoman Isby seconded it. The motion carried 8-0.

**A Resolution authorizing the sale of real property to Steve Conley**

**R-21-97**

James Walden explained that last year the City sold a strip of land to Mr. Connelly near Blaney Hill, and he is constructing his house there. He added that Mr. Connelly has asked to purchase an additional 1200-1400 square feet for a retaining wall, stating that he would pay for all closing costs and other costs to the City. Mr. Walden said that the sale prices would more than cover the appraisal value of the property. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. The Motion carried 8-0.

**Adjournment-----**

*PASSED this 14<sup>th</sup> day of December 2021*

**APPROVED:**

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*Mayor Bart Castleberry*

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*City Clerk Michael O. Garrett*