
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:00 pm
February 22, 2022

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

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett, City Clerk

Minutes: February 8th, 2022

Councilman Jones motioned to approve the **February 8th, 2022** meeting minutes as submitted. Councilwoman Mehl seconded the motion. There was no discussion. The motion passed 5-0.

Monthly Financial Report: Month ending January 31, 2022

Tyler Winningham addressed the Council giving financial report of City departments. He said that sales tax was excellent for the month of January, up 26%, or \$427,000 over last year. He called their attention to the Expenditures column noting that Permits & Inspections had been added as a line item, having been separated from Planning & Development. He noted that the other departments were showing sound numbers. Councilwoman Mehl made a motion to approve the monthly financials and Councilman Ledbetter seconded it. The motion carried 5-0.

Report of Standing Committees:

A. Public Hearing

1. Public Hearing to discuss the ordinance to authorize the issuance and sale of electric revenue improvement bonds for Conway Corporation.

Mayor Castleberry opened the public hearing. Greg Dale of Conway Corporation addressed the Council explaining the need for sale of bonds to finance the acquisition of spaces in accordance with their master plan and in order to meet the building needs of Conway Corporation in the future. Gordon Wilbourn of Kutak Rock was present to answer questions from the Council. Leigh Ann Biernac with Stephens, Inc. addressed the Council and explained the financing aspects of the bond sale. There was no one else present to speak for or against the matter. Mayor Castleberry declared the public hearing closed stating that due to a lack of a quorum, the ordinance related to this issue would be read at noon on Monday, February 28, at a special City Council meeting.

B. Economic Development Committee (Conway Area Chamber of Commerce, Conway Development Corporation, Conway Downtown Partnership, and Conway Corporation)

Mayor Castleberry stated that due to a lack of a quorum, the following items in Section B will be read at noon on Monday, February 28, at a special City Council meeting.

- 1. Ordinance to authorize the issuance and sale of electric revenue improvement bonds for Conway Corporation.**
- 2. Ordinance amending Ordinance No. O-05-162 and extending the lease of the City's electric plant and facilities to Conway Corporation.**
- 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.**

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C. Community Development Committee (Airport, Community Development, Code Enforcement, Permits and Inspections, Transportation and Planning & Development)

- 1. Resolution requesting Faulkner County place a certified lien on property located at 2307 Independence Avenue for incurred costs by the City.**

R-22-07

Councilman Hawkins presented item C1 to the Council. There was no one present to represent the property. Councilman Jones made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 5-0.

Mayor Castleberry stated that due to a lack of a quorum, Items 2-4 will be read at noon on Monday, February 28, at a special City Council meeting.

- 2. Ordinance to approve the location of a private club permit for Bear Town Rockin Sushi to be located at 975 S. Amity Drive.**
- 3. Ordinance accepting and appropriating donation funds for the Conway Tree Board.**
- 4. Ordinance authorizing personnel changes within the Planning & Development Department.**
- 5. Resolution authorizing the Mayor to enter into a real estate contract for acquire a portion of the property located at 2424 College Avenue.**

R-22-08

Councilman Hawkins presented Item C5 to the Council. Charles Finkenbinder, City Attorney explained that this is a property acquisition for the College and Farris Roundabout Project. Councilwoman Mehl made a motion to adopt the resolution and Councilman Jones seconded it. A vote was called, and the Resolution passed 5-0.

- 6. Resolution authorizing the Mayor to enter into a real estate contract for acquire a portion of the property located at 2500 College Avenue.**

R-22-09

Councilman Hawkins presented Item C6 to the Council. Charles Finkenbinder explained that this is another property acquisition for the College and Farris Roundabout Project adding that the purchase price was determined by the City appraiser. Councilwoman Mehl made a motion to adopt the resolution and Councilman Jones seconded it. A vote was called, and the Resolution passed 5-0.

- 7. Resolution authorizing the Mayor to enter into a real estate contract for acquire a portion of the property located at 2504 College Avenue.**

R-22-10

Councilman Hawkins presented Item C7 to the Council. Charles Finkenbinder explained that this is another property acquisition for the College and Farris Roundabout Project. He added that the purchase price was determined by the City appraiser. Councilman Jones made a motion to adopt the resolution and Councilman Ledbetter seconded it. A vote was called, and the Resolution passed 5-0.

- 8. Resolution authorizing the Mayor to enter into a real estate contract for acquire a portion of the property located at 2512 College Avenue.**

R-22-11

Councilman Hawkins presented Item C8 to the Council. Charles Finkenbinder explained that this is another property acquisition for the College and Farris Roundabout Project. He added that the purchase price was determined by the City appraiser. Councilwoman Mehl made a motion to adopt the resolution and Councilman Ledbetter seconded it. A vote was called, and the Resolution passed 5-0.

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9. **Resolution authorizing the Office of the City Attorney to seek condemnation to acquire a portion of property located at 2036 Prince Street.**

R-22-12

Councilman Hawkins presented Item C8 to the Council. Charles Finkenbinder, City Attorney explained that this is last property acquisition for the Donaghey Phase II project adding that an agreement had been reached with the property owner, however it was not possible to close due to issues with the lien holders on the property owner's property. He said a number of them were out of state banks who refused to sign necessary paperwork. He explained that it was determined that the best course of action was to go forward with a condemnation application to the Circuit Court that would name all lien holders of the property as defendants. He said this action would benefit the property owner and allow the City to close on the property. Councilwoman Mehl made a motion to adopt the Resolution and Councilman Jones seconded it. A vote was called, and the Resolution passed 5-0.

D. Public Service Committee (Physical Plant, Parks & Recreation, and Sanitation)

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

Mayor Castleberry stated that due to a lack of a quorum, this item will be read at noon on Monday, February 28, at a special City Council meeting.

Adjournment-----

PASSED this 22nd day of February 2022

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett