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

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Conway, Arkansas  
Tuesday, 6:00 pm  
March 12, 2024

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, Councilwoman Mehl, Councilman Cummins, Councilman Grimes, Councilman Ledbetter, Councilman Jones, and Councilwoman Webb. Also, present and acting: Mayor Bart Castleberry, City Clerk Michael Garrett, and City Attorney Charles Finkenbinder. Councilwoman Isby was absent.

**Call to Order: Mayor Bart Castleberry**

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

**Minutes: February 27<sup>th</sup>, 2024, City Council Meeting**

Councilwoman Mehl made a motion to approve the minutes as submitted and Councilman Cummins seconded it. The motion carried 7-0.

**Report of Standing Committees:**

**A. Public Hearing to approve the abandonment of the fifteen-foot utility easement running along the west line of Lot 1 Rock-Tenn Subdivision.**

- 1. Public Hearing** -Mayor Castleberry opened the public hearing. Bobby French addressed the Council on behalf of the applicant, stating that letters of approval have been received from all utilities. Anne Tucker added that there is a 15' easement on the adjoining property leaving 24' available as easement. There was no one else present to speak for or against the matter. Mayor Castleberry declared the public hearing closed.

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

**1. Consideration to approve waiving all three readings for the ordinances on the March 12, 2024, City Council agenda.**

Councilwoman Mehl made a motion to approve the consideration to waive all three readings for all ordinances on the March 12, 2024, agenda and Councilman Ledbetter seconded it. A vote was called, and the motion carried 7-0.

**2. Ordinance amending the electrical and plumbing sections of the Conway Municipal Code for the Permits Department.**

**O-24-18**

Councilman Hawkins presented Item B2 to the Council. Cecil Corning of the Permits and Inspections Department addressed the Council explaining that the amendment would increase the amount of plumber and electrician bonds and would be an advantage to protect the homeowner. He added that there would be no additional cost to them to increase the bond amount. Councilwoman Mehl 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": Councilwoman Mehl, Councilman Jones, Councilwoman Webb, Councilman Grimes, Councilman Ledbetter, Councilman Cummins, and Councilman Hawkins. The Ordinance with the emergency clause passed 7-0.

**3. Ordinance to update the building permit fee schedules of the Conway Municipal Code for the Permits Department.**

Councilman Hawkins presented Item B3 to the Council. Cecil Corning explained to the Council that the current fee schedules that were put in place a couple of years ago required a complicated calculating system that makes it difficult for contractors to know what a permit fee will be up front. He said that they were

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asking to return to the system that was in place previously, which was a percentage times square footage calculation. He explained the differences in costs to contractors and gave examples of how the change would be less complicated for general contractors to know the costs of the permits based on the square footage of the construction. Mayor Castleberry expressed concern that the cost of building in Conway would increase due to the requested changes, and Mr. Corning stated that the costs would be minimal and, in most cases, just a matter of a few dollars. Councilman Hawkins expressed concern that the figures being discussed were not clear and asked if the matter could be tabled until something could be reviewed that showed the exact figures in play for the changes in fees. Councilman Hawkins made a motion to table the item until the next City Council meeting and Councilman Grimes seconded it. A vote was called, and the motion to table passed 7-0.

**4. Ordinance to approve the abandonment of fifteen-foot utility easement running along the west line of Lot 1 of the Rock-Tenn Subdivision.**

**O-24-19**

Councilman Hawkins presented Item B4 to the Council. Councilwoman Mehl made a motion to adopt the Ordinance and Councilwoman Webb seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Webb, Councilwoman Mehl, Councilman Hawkins, Councilman Cummins, Councilwoman Isby, Councilman Ledbetter, Councilman Jones, Councilman Grimes. The Ordinance passed 7-0.

**5. Resolution to approve on-call professional engineering services for the City of Conway.**

**R-24-13**

Councilman Hawkins presented Item B5 to the Council. Kurt Jones of the Transportation Department told the Council that these are services that the City uses for smaller jobs or to provide services we cannot do for ourselves in house. He added that the firms do submit statements of qualification, and they are vetted with an internal scoring system. Councilman Hawkins asked for an average dollar amount that would be considered average for such services and Mr. Jones replied that \$50,000 would be the number. Councilman Hawkins stated that he felt that was high and Mayor Castleberry suggested the City could go by what the State considers a maximum and anything above that would have to be approved by Council. It was determined that the amount the State allows is \$30,000. Councilman Hawkins made a motion to adopt the Resolution setting the maximum at \$30,000 which follows State guidelines and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

**6. Resolution accepting the low bid for the realignment of Lower Ridge Road for the Transportation Department.**

**R-24-14**

Councilman Hawkins presented Item B6 to the Council. Kurt Jones told the Council that there were several bidders for the project and that the lowest bid was from Paladino Construction at \$1,217,725.15. Councilman Hawkins made a motion to adopt the Resolution accepting the bid from Paladino Construction and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

**7. Consideration to approve the request from Elaine & Grant Goode to waive the twelve-month waiting period before a rezoning request may be submitted after City Council denial.**

Councilman Hawkins presented Item B7 to the Council. Anne Tucker addressed the Council stating that Mr. Goode has requested to bring back a proposal for rezoning of the 80 acres his family owns on Eagle Wing Dr. before the 12-month moratorium expires. She reminded them that an R-1 request was denied at the October 10, 2023, Council meeting. She added that since that request was denied the applicant is considering asking for a PUD on the property. She said that transferring to a PUD would provide an opportunity to address concerns raised during the previous proposal. Councilwoman Mehl asked if there were other instances in which the City Council voted to allow an applicant to waive the 12-month moratorium. Ms. Tucker stated that in her tenure on the Planning Commission and as Planning Director there has only been one case, which to her recollection was an internal issue and not the fault of the applicant so in that one case it was allowed. Councilman Grimes stated that he was aware that this piece of property was the subject of a current lawsuit. Councilman Hawkins made a motion to approve the request. There was no second to the motion. The motion failed for lack of a second.

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

**1. Ordinance to approve a contract amendment for Pompe Park.**

**O-24-20**

Mayor Castleberry presented Item C1 to the Council. Andrew Thames presented a design contract amendment from Crafton Tull for Pompe Park, appropriating \$200,000 for additional parking, trail connection and sidewalk. Councilwoman Mehl made a motion to adopt the Ordinance and Councilman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Ledbetter, Councilman Jones, Councilwoman Webb, Councilwoman Mehl, Councilman Cummins and Councilman Grimes. The Ordinance passed 7-0.

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

**1. Ordinance appropriating funds for the purchase of conversion software for the Conway Emergency Operations Center.**

**O-24-21**

Mayor Castleberry presented Item D1 to the Council. Chief Harris reminded the Council that by January 1<sup>st</sup>, the operations center is required to consolidate with Faulkner County, and this requires integrating county roads and any new city roads into the system. He said that currently entering those changes is a manual process, and this software would allow them to take county and city mapping and integrate them into their system automatically. He added that the purchase is 100% refundable and the money would be returned once the center is consolidated by the state. Councilwoman Mehl made a motion to adopt the Ordinance and Councilman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Councilman Cummins, Councilman Grimes, Councilman Jones, Councilwoman Webb, Councilman Ledbetter, and Councilwoman Mehl. The Ordinance passed 7-0.

**Adjournment-----**

*PASSED this 12<sup>th</sup> day of March 2024*

**APPROVED:**

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**Mayor Bart Castleberry**

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**City Clerk Michael O. Garrett**