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

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Conway, Arkansas  
Tuesday, 6:00 pm  
July 23, 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 Grimes, Councilwoman Mehl, Councilman Ledbetter, Councilwoman Webb, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Clerk Michael Garrett, and City Attorney Charles Finkenbinder. Councilman Cummins, and Councilman Hawkins were absent.

**Call to Order: Mayor Bart Castleberry**

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

**Minutes: June 25<sup>th</sup>, 2024, City Council Meeting**

Councilwoman Isby made a motion to approve the minutes as submitted and Councilwoman Mehl seconded it. The motion carried 6-0.

**Monthly Financial Report ending June 30<sup>th</sup>, 2024.**

Tyler Winningham addressed the Council stating that this is midpoint of the year and that the April sales tax numbers were flat despite the Eclipse event. He added that he researched sales tax numbers provided by the state, in categories related to tourism- restaurants, gas stations, general merchandise, hotels, etc., finding that most categories were down. He said that franchise fees appeared to be down some, but some of the June payments were slightly late coming in, so they would be reflected in next month's numbers. He said that 81% of the Parks & Recreation revenue has been collected, but that was normal, and numbers will be lower near the end of the year when programs slow down. He added that overall, we are right on track with revenues, with 51% of the budget having been collected. He said that expenditures are on track as well. He gave reports on revenue and expenditures for the operating funds. Councilwoman Isby made a motion to approve the monthly financial report and Councilwoman Webb seconded it. A vote was called, and the motion carried 6-0.

**Update from the Arkansas Municipal League**

Jenna Adams gave an update to the Council regarding a case that was filed in April of 2024. She explained the allegations and complaints, and explained ways that expenses could be limited if the case did go to trial. She explained the option of an offer of judgement, and what would happen if the offer was accepted or rejected. She recommended the City make an offer of judgement in order to limit attorney's fees. There was discussion among the Council regarding the offer and amount of the offer. Councilwoman Isby made a motion to approve an offer of \$5,500 without admitting liability, and Councilwoman Webb seconded it. The motion carried 5-1, with Councilman Grimes voting "No".

**Report of Standing Committees:**

Mayor Castleberry asked the Council to move Item B1 to the top of the agenda. Councilman Grimes motioned to move B1 to the top of the agenda and Councilwoman Mehl seconded it. The motion carried 6-0.

**B. 1. Consideration to approve waiving all three readings for the ordinances on the July 23<sup>rd</sup>, 2024, City Council Agenda.**

Councilwoman Mehl made a motion to approve the consideration to waive all three readings for all ordinances on the July 23, 2024, agenda and Councilwoman Isby seconded it. A vote was called, and the motion carried 6-0.

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

**1. Ordinance to authorize the reconveyance of certain industrial property and consent to assign the City's industrial development revenue bond for DBG Arkansas Project.**

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Mayor Castleberry presented Item A1 to the Council. Gordon Wilbourn told the Council that City has no liability on these bonds. He said the purpose of the bond issuance was to get property tax on the property at about 65% and will now go back on at 100%. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Isby, Councilwoman Mehl, Councilman Grimes, Councilwoman Webb, and Councilman Jones. The Ordinance passed 6-0.

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

#### **2. Resolution to approve a corporate lease agreement with J3Aero LLC for the Conway Airport.**

##### **R-24-33**

Mayor Castleberry presented Item B2 to the Council. Jake Briley told the Council that this would allow the business to build three 60' x 100' hangars at the Airport, which would bring more aircraft to the airport. He added that the area has no water, sewer or electricity but that J3Aero planned to pay to have these services added, and the airport for waive yearly lease agreement payments for seven years. He said that just like the other hangars, after 40 years those hangars would revert back to the City. Councilman Jones made a motion to adopt the Resolution and Councilwoman Webb seconded it. A vote was called, and the Resolution passed 6-0.

#### **3. Resolution to appropriate funds and approve the submission of a substantial amendment to the PY2024 Action Plan for the Community Development Block Grant Program.**

##### **R-24-34**

Mayor Castleberry presented Item B3 to the Council. Shawanna Rogers addressed the Council stating that the request was to reallocate some funding that was left from some previous program year funding to the Conway Housing Rehabilitation Program. Councilwoman Mehl made a motion to adopt the Resolution and Councilman Jones seconded it. A vote was called, and the Resolution passed 6-0.

#### **4. Resolution requesting the Faulkner County Tax Collector place a lien on property located at 1924 College Avenue in the amount of \$148.95 for expenses incurred by the City.**

##### **R-24-35**

Mayor Castleberry presented Item B4 to the Council. There was no one present to represent the property. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 6-0.

#### **5. Ordinance to appropriate funds and approve the purchase of property for the Transportation Department.**

Mayor Castleberry presented Item B5 to the Council. Mayor Castleberry told the Council that the City would like to purchase the house at the intersection of Caldwell and Donaghey. Kurt Jones told the Council that initially the right of way was purchased previously, but since then the property had been placed on the market. No motion was made to adopt the Ordinance.

#### **6. Ordinance to approve the rezoning of property located at 2510 Tyler Street from R-1 to PUD.**

##### **O-24-48**

Mayor Castleberry presented Item B6 to the Council. Ryan Robeson addressed the Council, reminding them that this matter was discussed at a prior council meeting. He recalled to them that since the amount of frontage was limited, the developer was requesting a PUD. He added that there was some confusion at the last meeting regarding the number of units proposed. He said the number of units was 11 and not 22 units. Tim Lemmons, Engineer on the project apologized for the confusion last time regarding the number of units proposed. Councilwoman Isby said that she felt that 11 units was more in line with the existing neighborhood and made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Mehl, Councilman Grimes, Councilman Jones, Councilwoman Isby, and Councilwoman Webb. The Ordinance passed 6-0.

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

#### **1. Ordinance appropriating additional funding for the completion of Pompe Park.**

**O-24-49**

Mayor Castleberry presented Item C1 to the Council. Andrew Thames, Director of Parks and Recreation addressed the Council stating that \$50,000 was needed to complete Phase II, which would add a parking lot, trail extension, and a restroom facility. Councilwoman Isby made a motion to adopt the Ordinance and Councilman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilwoman Mehl, Councilman Jones, Councilwoman Webb, Councilman Grimes, Councilman Ledbetter. The Ordinance passed 6-0.

### **D. 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. Consideration to approve the disposal of inventory for the Information Technology Department.**

Mayor Castleberry presented Item D1 to the Council. Sean Canady told the Council these items would be disposed of as E-waste or sold at auction through Gov Deals. Councilwoman Isby made a motion to approve the consideration and councilwoman Mehl seconded it. A vote was called, and the motion carried 6-0.

#### **2. Ordinance accepting and appropriating various reimbursements for the Conway Police Department.**

**O-24-50**

Mayor Castleberry presented Item D2 to the Council. Chief Harris told the Council that his department has received several reimbursements from extra duty services. Councilman Jones made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Webb, Councilman Ledbetter, Councilwoman Isby, Councilwoman Mehl, Councilman Jones, and Councilman Grimes. The Ordinance passed 6-0.

#### **3. Ordinance appropriating funds for the purchase of three drones for the Conway Police Department.**

**O-24-51**

Mayor Castleberry presented Item D3 to the Council. Chief Harris said that asset forfeiture funds would be used to purchase the drones which would enhance their capability for search and rescue. Councilwoman Webb asked Chief Harris about training that would be available for officers who would be operating the drones. There was discussion about training and what the drones would be used for. Councilwoman Isby 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 Mehl, Councilman Jones, Councilwoman Webb, Councilman Grimes, Councilman Ledbetter, and Councilwoman Isby. The Ordinance with the emergency clause passed 6-0.

#### **4. Consideration to approve entering into an agreement for School Resource Officers with Conway Public Schools.**

Mayor Castleberry presented Item D4 to the Council. Chief Harris told the Council that the SRO Program has 10 officers presently, and in the future the school district would like to have 16 officers. He added that he and Eric King, Head of Security for Conway Public Schools, were working together on a plan for the future. He asked the Council to approve the agreement. Councilwoman Isby made a motion to approve the agreement and Councilwoman Mehl seconded it. A vote was called, and the motion carried 6-0.

Mayor Castleberry asked the Council to suspend the rules to consider an Ordinance regarding the construction of the Highway 64 and Hogan Lane Roundabout. Councilwoman Isby moved to suspend the rules and Councilwoman Mehl seconded it. The motion carried 6-0.

#### **Ordinance appropriating funds for construction of the Highway 64 (Old Morrilton Highway) Hogan Lane Roundabout.**

**O-24-52**

Mayor Castleberry told the Council that the City has been working on this project since 2019, with several options being considered. He said that the Transportation Department recommended a roundabout be

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constructed. He said the City has worked with ARDOT to move the high pressure sewer main, and Entergy has relocated their lines. He added that a bidder has been approved by ARDOT and are just waiting on funds from the City. Kurt Jones reiterated the information given by the Mayor and added that initially it had been requested that the highway department do an intersection upgrade at Hogan and Hwy 64, with a traffic signal. He said that during the process, it was decided that a roundabout was preferred. He said that the amount that the City is responsible for is \$2,784,856.52, which is within the amount that has been budgeted for the project. He asked the Council to approve the Ordinance so that the project could move forward. Councilwoman Isby 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": Councilman Ledbetter, Councilman Jones, Councilwoman Isby, Councilwoman Webb, Councilwoman Mehl, Councilman Grimes. The Ordinance with the emergency clause passed 6-0.

**Adjournment**-----

*PASSED this 23<sup>rd</sup> day of July 2024*

**APPROVED:**

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***Mayor Bart Castleberry***

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***City Clerk Michael O. Garrett***