
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
October 10, 2017

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: Alderman Hawkins, Alderman Grimes, Alderwoman Mehl, Alderman Ledbetter, Alderwoman Smith, Alderman Pruitt and Alderwoman Isby. Also, present and acting: City Attorney Chuck Clawson, Mayor Bart Castleberry and City Clerk Michael Garrett. Alderman Jones was not present.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett

Minutes: September 26, 2017

Alderwoman Isby motioned to approve the **September 26, 2017** minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

Mayor Castleberry stated that there was an A&P Commission Meeting on this day and that the Commission has allowed the City to appropriate \$300,000 toward the General Fund to be set aside for operation of the Expo Center. He thanked The A&P Commission, City Attorney Chuck Clawson and Parks & Recreation Director Steve Ibbotson for their efforts in bringing this about.

1. Report of Standing Committees:

A. Public Hearing:

- 1. Public Hearing to discuss the issuance of development revenue bonds for International Paper Company.** Mayor Castleberry opened the Public Hearing. Ron Dunham, with International Paper was present to address the Council, stating that they are in the process of purchasing two pieces of equipment that would allow them to double the volume of shipment (corrugated containers) they are currently operating at. It was explained that as in other similar cases, the issuance of these development revenue bonds is a development inducement for the community. There was no one else present to speak for or against this matter. Mayor Castleberry declared the Public Hearing closed.

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

- 1. Ordinance authorizing the issuance of industrial development revenue bonds for International Paper Company.**

O-17-110

Mayor Castleberry presented Item B1 to the Council. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded. The motion passed 7-0. Alderwoman Smith made a motion to adopt the ordinance with the emergency clause and Alderman Hawkins seconded. The Clerk called the roll with the following voting "Aye": Alderwoman Mehl, Alderman Pruitt, Alderman Hawkins, Alderwoman Isby, Alderman Grimes Alderwoman Smith and Alderman Ledbetter. The Ordinance passed 7-0.

- 2. Ordinance repealing Ordinance O-16-123 and authorizing the issuance of taxable industrial development revenue bonds under Act No. 9 for Douglas Companies.**

O-17-111

Mayor Castleberry presented Item B2 to the Council. Mr. Wilkins was present to address the Council stating that the original ordinance was approved in April of this year, but it was later discovered that the bonds needed to be divided into a \$6 million and a \$500,000 portion due to taxes and

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

depreciation. He stated that it become necessary to repeal the previous Ordinance in order to divide the issuance of the bonds. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded it. The motion passed 7-0. Alderwoman Isby made a motion to adopt the Ordinance and Alderwoman Smith seconded. The Clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Pruitt, Alderwoman Smith, Alderman Grimes, Alderwoman Isby, Alderman Ledbetter and Alderwoman Mehl. The Ordinance passed 7-0.

3. Ordinance authorizing the issuance and sale of the restaurant gross receipt tax refunding bonds for the City of Conway.

O-17-112

Mayor Castleberry presented Item B3 to the Council. It was stated that this is a refunding of a 2007 issue secured by the City's restaurant tax, and that the approval has been endorsed by Resolution by the A&P Commission. Leanne Bennett with Crews & Associates was present to address the Council. She stated that they had been monitoring this situation as a refunding opportunity for the City for some time, and have found that the refund potential based on the last market analysis is 11.5%. On a cash flow basis equals 1.1 million dollars. The refund would be structured so that the savings would be taken in the early years in order to provide the City with cash flow for other projects. Alderwoman Smith made a motion to waive the three readings and Alderwoman Isby seconded it. The motion passed 7-0. Alderman Hawkins clarified that the final maturity would not change with this Ordinance. There was no further discussion. Alderwoman Isby made a motion to adopt the Ordinance with the emergency clause and Alderwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderwoman Isby, Alderman Ledbetter, Alderwoman Mehl, Alderwoman Smith and Alderman Pruitt. The Ordinance passed 7-0.

C. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets , Airport & Conway Housing Authority)

1. Resolutions requesting the Faulkner County Tax Collector to place certified liens on certain properties as a result of incurred expenses by the City.

Alderman Hawkins presented Item C1 to the Council.

R-17-44

Resolution requesting the Faulkner County Tax Collector to place a certified lien on property located at 26 Briarwood in the amount of \$142.94 as a result of incurred expenses by the City. There was no one present to represent the property. There was no discussion. Alderwoman Smith made a motion to adopt the Resolution and Alderwoman Isby seconded it. The Resolution passed 7-0.

R-17-45

Resolution requesting the Faulkner County Tax Collector place certified lien on property located at 66 Briarwood in the amount of \$151.60 as a result of incurred expenses by the City. There was no one present to represent the property. There was no discussion. Alderwoman Isby made a motion to adopt the Resolution and Alderwoman Smith seconded it. The Resolution passed 7-0.

R-17-46

Resolution request the Faulkner County Tax Collector to place a certified line on property located at 1826 Simms Street in the amount \$209.44 as a result of incurred expenses by the City. There was no one present to represent the property. There was no discussion. Alderwoman Smith made a motion to adopt the Resolution and Alderwoman Isby seconded it. The Resolution passed 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

R-17-47

Resolution request the Faulkner County Tax Collector place a certified lien on property located at 1335 South Donaghey Avenue in the amount of \$231.07 as a result of incurred expenses by the City. There was no one present to represent the property. There was no discussion. Alderwoman Isby made a motion to adopt the Resolution and Alderwoman Smith seconded it. The Resolution was passed 7-0.

R-17-48

Resolution requesting the Faulkner County Tax Collector place a certified lien on property located at 1254 Markham Street in the amount of \$326.92 as a result of incurred expenses by the City. There was no one present to represent the property. There was no discussion. Alderwoman Smith made a motion to adopt the Resolution and Alderwoman Isby seconded it. The Resolution passed 7-0.

2. Consideration to accept the bid for electrical work and lighting replacement at Conway Commons for work associated with the 6th Street Overpass.

Alderman Hawkins presented Item C2 to the Council. Finley Vinson was present to address the Council. He stated that there were four options presented to the Council. He recommended Option #2, to which Alderman Hawkins made a motion to accept and Alderwoman Smith seconded the motion. Option #2 was accepted 7-0.

3. Consideration to provide the final approval for sign replacement for SEAYCO (Conway Commons Developer) for work associated with the 6th Street Overpass.

Alderman Hawkins presented Item C3 to the Council. Finley Vinson explained that before final purchase was made of the property that the Elsinger round-about sits on, a sideline agreement, or contract between the former Mayor and the owner of the property was made that required the City to reimburse SEAYCO for actual costs of new signs that were replaced due to the construction of the round-about. This is not an additional funding request because the cost for the signs was in the original budget. \$200,000 was budgeted but the actual costs will come in under that amount. Alderwoman Smith made a motion to approve the sign replacement costs and Alderwoman Isby seconded it. There was no further discussion. The approval passed 7-0.

4. Ordinance to enter into an agreement with Little Rock Landscaping, Inc. for work related to the Conway Commons Landscape project for the Street & Engineering Department.

O-17-113

Alderman Hawkins presented Item C4 to the Council. Finley Vinson stated that the City has had trouble receiving bids for the work due to number of variables involved the project. The Street & Engineering Department is asking to waive the bid process in order to enter into an agreement with Little Rock Landscaping for the work. Alderwoman Isby made a motion to waive the three readings and Alderwoman Smith seconded it. The motion passed 7-0. There was no further discussion. Alderwoman Isby made a motion to adopt the Ordinance with the emergency clause and Alderwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Alderman Ledbetter, Alderwoman Isby, Alderman Pruitt, Alderman Hawkins, Alderwoman Mehl, Alderwoman Smith and Alderman Grimes. The Ordinance passed 7-0.

D. New Business

Mayor Castleberry read the titles of all the resolutions (Agenda Items D1 – D-7) aloud. Alderman Grimes motioned to adopt resolutions R-17-49 through R-17-55. Alderman Ledbetter seconded the motion. There was no discussion. The Resolutions were passed 7-0. Mayor Castleberry stated again these are not new, they are a reiteration for 2018.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

R-17-49

1. Resolution of a voluntary levy of two-tenths (.2) mill on the dollar be made upon the assessed valuation of a taxable real estate and personal property tax for an Animal Shelter for the City of Conway.

This resolution was passed with Item D1.

R-17-50

2. Resolution of a voluntary levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of taxable real estate and personal property tax for a recreation assessment raising special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining the public recreational playgrounds of the City of Conway.

This resolution was passed with Item D1.

R-17-51

3. Resolution of a voluntary levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue the exclusive purpose of operating and maintaining the cemeteries for the City of Conway.

This resolution was passed with Item D1.

R-17-52

4. Resolution of a levy of fourth-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a Policeman's Pension and Relief Fund.

This resolution was passed with Item D1.

R-17-53

5. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a Fireman's Pension and Relief Fund.

This resolution was passed with Item D1.

R-17-54

6. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for paid Non-Uniformed employees.

This resolution was passed with Item D1.

R-17-55

7. Resolution of a levy of three (3.0) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising General Fund Revenues.

This resolution was passed with Item D1

8. Ordinance to repeal Ordinance O-14-118 related to the tow rotation for the City of Conway.

O-17-114

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Mayor Castleberry presented Item D8 to the Council stating that City Attorney, Chuck Clawson and Chief of Police, Jody Spradlin had requested the Ordinance be amended to remove the emergency clause. Chief Spradlin was present to address the Council. He stated that they were asking that the existing Ordinance be repealed so that the issue could become Conway Police Department Policy in order to become more in line with State Law. Alderman Grimes asked if the Ordinance would remain in place until the Police Department finalizes the Draft Policy. Chief Spradlin answered that the current Ordinance would remain in effect until December 31st by which time the Police Department's Policy would be finalized. He also clarified that the City Council would not be involved in the process of tow rotation in the future and after the matter falls under police policy. There was no further discussion. Alderwoman Smith made a motion to waive the three readings. Alderwoman Isby seconded it. The motion passed 7-0. Alderwoman Smith made a motion to adopt the Ordinance to be amended without the emergency clause, and Alderman Grimes seconded it. The Clerk called the roll with the following voting "Aye": Alderman Hawkins, Alderman Grimes, Alderman Pruitt, Alderwoman Smith, Alderman Ledbetter, Alderwoman Isby and Alderwoman Mehl. The Ordinance passed 7-0.

There was no further discussion. The meeting was adjourned.

Adjournment

PASSED this 10th Day of October 2017

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett