
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:00 pm
October 24, 2023

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

Call to Order: Mayor Bart Castleberry

Roll Call: Michael Garrett, City Clerk

Minutes: October 10th, 2023, City Council Meeting

Councilwoman Isby made a motion to approve the minutes as submitted and Councilwoman Mehl seconded it. The motion carried 8-0.

Financial Report for month ending September 30, 2023

Tyler Winningham addressed the Council saying that the sales tax revenue has turned around this month- up 5%, and we are still up 3% for the year. He pointed out that in the Permits & Inspections line item the budget for the year has been met already. He added that September was a three pay period month, so the bottom line took a bit of a hit from last month, but our cash balance is still very healthy. He said that the same applied to all of the fund balances for the month. Councilwoman Isby made a motion to approve the monthly financial report and Councilwoman Mehl seconded it. The motion to approve carried 7-0.

Report of Standing Committees:

A. Public Hearings

1. Consideration to approve waiving all three readings for the ordinances on the October 24, 2023 City Council agenda.

Councilwoman Isby made a motion to waive the three readings for all of the ordinances on the agenda and Councilman Jones seconded it. The motion carried. 7-0.

2. Public hearing to discuss the Ordinance to approve the issuance of industrial development revenue bonds to finance the acquisition, construction, and equipment of land, buildings, or facilities for International Paper Company.

Mayor Castleberry opened the public hearing. Gordon Wilbourn of Kutak Rock, Inc addressed the Council. He told the Council that this is a 14 million dollar expansion to their existing facility and that this ordinance was for property tax abatement purposes. Corey Parks, with the Conway Chamber of Commerce spoke in support of the matter. Mayor Castleberry declared the public hearing closed.

a. Ordinance to approve the issuance of industrial development revenue bonds to finance the acquisition, construction, and equipment of land, buildings, or facilities for International Paper Company.

O-23-85

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

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

3. **Public hearing to discuss the Ordinance to approve the issuance of taxable industrial development revenue bonds to own, acquire, construct, reconstruct, improve, equip, and lease facilities for Tempus Conway DC LLC.**

Mayor Castleberry opened the public hearing. Gordon Wilbourn of Kutak Rock, Inc addressed the Council. He told the Council that this is the distribution facilities for Westrock that they are financing through a third party and then they will sub-lease. There was no one else to speak for or against the matter. Mayor Castleberry declared the public hearing closed.

- a. **Ordinance to approve the issuance of taxable industrial development revenue bonds to own, acquire, construct, reconstruct, improve, equip, and lease facilities for Tempus Conway DC LLC.**

O-23-86

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 Grimes, Councilman Jones, Councilwoman Mehl, Councilman Ledbetter, Councilwoman Webb, Councilwoman Isby, and Councilman Hawkins. The Ordinance passed 7-0.

4. **Public hearing to discuss the Ordinance to approve the issuance of taxable industrial development revenue bonds to own, acquire, construct, reconstruct, improve, equip, and lease facilities to secure and develop industry for Westrock Beverage Company LLC.**

Mayor Castleberry opened the public hearing. Gordon Wilbourn told the Council this is the production facility for Westrock and that there were a number of lines that would come off of this facility over time. He said that they did a previous issue for this, but it turned out much bigger than they thought. He said that it was going to be up to 160 million and now it is up to 300 million. He reminded them that again, this was for property tax abatement purposes. There was no one to speak for or against the matter. Mayor Castleberry declared the public hearing closed.

- a. **Ordinance to approve the issuance of taxable industrial development revenue bonds to own, acquire, construct, reconstruct, improve, equip, and lease facilities to secure and develop industry for Westrock Beverage Company LLC.**

O-23-87

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 Hawkins, Councilman Grimes, Councilman Ledbetter, Councilman Jones, Councilwoman Mehl, Councilwoman Isby, and Councilwoman Webb. The Ordinance passed 7-0.

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

1. **Resolution certifying local government endorsement of Westrock Beverage Company to participate in the Tax Back Program.**

R-23-57

Councilman Hawkins presented Item B1 to the Council. Corey Parks told the Council that this would allow Conway to continue to increase the number of jobs for the region and asked them to vote favorable for this resolution. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

2. **Resolution certifying local government endorsement of FarmaKeio to participate in the Tax Back Program.**

R-23-58

Councilman Hawkins presented Item B2 to the Council. Corey Parks told the Council that this was the fourth company that they have had an announcement for in recent weeks and asked them to vote positively in support for this company's participation in the program. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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

- 1. Resolution requesting the Faulkner County Tax Collector place a lien in the amount of \$187.08 against property at 1310 Hamilton Street for expenses incurred by the City.**

R-23-59

Councilman Hawkins presented Item C1 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 7-0.

- 2. Ordinance to approve waiving the competitive bid process for demolishing a structure located at 811 Court Street for the Conway Transportation Department.**

O-23-88

Councilman Hawkins presented Item C2 to the Council. Kurt Jones told the Council that this is related to the structure that the City recently purchased on Court Street and is the first step in developing the alleyway, drainage, and so forth in order to create a pocket park. He said the amount includes the demolition of the building, the asbestos abatement, and also structural modifications so the adjacent building. Councilwoman Mehl made a motion to adopt the Ordinance with the emergency clause and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Jones, Councilwoman Webb, Councilman Hawkins, Councilman Grimes, Councilman Ledbetter, and Councilwoman Isby. The Ordinance with the emergency clause passed 7-0.

- 3. Ordinance to rezone property located at Lewis Ranch Road from A-1 to MF-2.**

O-23-89

Councilman Hawkins presented Item C3 to the Council. Troy Rice addressed the Council and explained that the applicant was seeking rezoning for the purpose of developing a second phase of the adjacent multi-family development Encore at Lewis Ranch. He added that Planning staff had recommended the rezoning and was reviewed by the Planning Commission and was voted 9-0 to forward to the City Council with the recommendation for approval. 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, Councilman Grimes, Councilwoman Mehl, Councilwoman Webb, Councilman Jones, Councilwoman Isby, and Councilman Hawkins. The Ordinance passed 7-0.

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. Resolution to approve the bid for a roof replacement at Station #4 for the Conway Fire Department.**

R-23-60

Mayor Castleberry presented Item D1 to the Council. Chief Winter told the Council they received two bids for the replacement of the roof and asked them to accept the low bid and enter into an agreement with Eric Moix Construction. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

- 2. Ordinance appropriating funding to replenish the fuel budget for the Conway Police Department.**

O-23-90

Mayor Castleberry presented Item D2 to the Council. Chief Tapley told the Council they found themselves running low on fuel budget and asked them to approve the \$80,000 appropriation to get them through the end of the year. 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 Hawkins, Councilman Grimes, Councilwoman Webb, Councilwoman Isby, Councilman Ledbetter, Councilman Jones, and Councilwoman Mehl. The Ordinance passed 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

3. Ordinance waiving the bid process and approving the purchase of vehicles for the Conway Police Department.

O-23-91

Mayor Castleberry presented Item D3 to the Council. Chief Tapley told the Council about a vehicle his department has located for their fleet. 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 Hawkins, Councilman Grimes, Councilman Ledbetter, Councilwoman Isby, Councilman Jones, Councilwoman Webb, and Councilwoman Mehl. The Ordinance with the emergency clause passed 7-0.

New Business:

Resolutions regarding the levy of millage rates on personal property taxes.

Mayor Castleberry presented and read the Resolutions to the Council, noting that there is no increase in the rates from the previous year, and that this is not a new tax.

1. R-23-61

Resolution of a voluntary levy of two-tenths (.2) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for an Animal Shelter for the City of Conway. Councilwoman Isby made a motion to adopt the Resolution for the levy of millage rates on personal property taxes for the Animal Shelter. Councilwoman Mehl seconded the motion. The Resolution passed 7-0.

2. R-23-62

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 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 recreation and playgrounds of City of Conway. Councilwoman Isby made a motion to adopt the Resolution for the levy of millage rates on personal property taxes for the public recreation and playgrounds. Councilwoman Mehl seconded the motion. The Resolution passed 7-0.

3. R-23-63

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. Councilwoman Isby made a motion to adopt the Resolution for the levy of millage rates on personal property taxes for the cemeteries. Councilman Jones seconded the motion. The Resolution passed 7-0.

4. R-23-64

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 Policeman's Pension and Relief Fund. Councilwoman Isby made a motion to adopt the Resolution for the levy of millage rates on personal property taxes for the Policeman's Pension and Relief Fund. Councilwoman Mehl seconded the motion. The Resolution passed 7-0.

5. R-23-65

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. Councilwoman Isby made a motion to adopt the Resolution for the levy of millage rates on personal property taxes for the Fireman's Pension and Relief Fund. Councilwoman Mehl seconded the motion. The Resolution passed 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

6. R-23-66

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. Councilwoman Isby made a motion to adopt the Resolution for the levy of millage rates on personal property taxes for the Pension and Relief Fund for paid Non-Uniformed employees. Councilwoman Mehl seconded the motion. The Resolution passed 7-0.

7. R-23-67

Resolution of a levy of three (3.0) mill on the dollar be made upon the assessed valuation of all taxable rates and personal property tax for raising General Fund Revenues. Councilwoman Isby made a motion to adopt the Resolution for the levy of millage rates on personal property taxes for the General Fund Revenues. Councilwoman Mehl seconded the motion. The Resolution passed 7-0.

Mayor Castleberry announced to the Council that Councilwoman Anne Tucker had submitted her resignation to the City Council and asked the Council to go into Executive Session to discuss how to proceed with her replacement. When the Council returned, Councilwoman Webb nominated Woodrow Cummins to replace and fulfill the term of Councilwoman Tucker. Councilwoman Mehl seconded the motion to extend the invitation to Mr. Cummins. A vote was called, and the motion carried 7-0.

Adjournment-----

PASSED this 24th day of October 2023

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett