
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:30 pm
October 27, 2020

On this date the City Council of the City of Conway, Arkansas met in regular session. ***Due to restrictions imposed because of the COVID-19 pandemic, the City Council meeting was held via Facebook Live on the City of Conway, Arkansas Facebook page, and the City of Conway YouTube channel.*** The following members being a quorum were present and acting: Councilman Hawkins, Councilwoman Isby, Councilman Jones, Councilman Ledbetter, Councilman Pruitt, Councilwoman Mehl, Councilman Grimes and Councilwoman Smith. Also, present and acting: Mayor Bart Castleberry, City Clerk Michael Garrett and City Attorney Chuck Clawson.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett, City Clerk

Minutes: October 13, 2020

Councilwoman Isby motioned to approve the **October 13, 2020** minutes as submitted. Councilwoman Smith seconded the motion. There was no discussion. The motion passed 8-0.

Approval of the monthly financial report ending September 30, 2020

Tyler Winningham, Chief Financial Officer addressed the Council stating that our overall financial position in the General Fund continues to improve as we head toward the end of the year. He said that the spending freeze is still in effect and departments are being held to that. He added that in September the expenditures are at 66% of budget in contrast to the 75% that would be expected at this time. He said that ad valorem taxes would be increasing in October, November and December from property taxes. He added that sales tax was up 4.2% this month and up 8% for the year. He stated that the A&P tax revenue is up this month but down 8% over last year. He said that it has been a difficult year but the City has come through in a good position. He reported that the street fund has shown expenditures all year due to improvements on Tyler Street, but overall expenses are down 24%. He added that expenditures in the Sanitation fund are slightly up but the bottom line is still at 2.2 million roughly. He reminded the Council that the Airport fuel sales are down which is not surprising due to the circumstances. Councilwoman Smith made a motion to approve the monthly financials and Councilwoman Isby seconded it. The motion carried 8-0.

Report of Standing Committees:

A. Community Development Committee (Airport, Community Development, Planning & Development, Permits & Inspection (Code Enforcement), Historic District, Transportation)

1. Resolution amending the action plan for the program year 2019 for the Community Block Grant Program.

R-20-74

Councilman Hawkins presented Item A1 to the Council. Kiera Oluokun addressed the Council stating that additional funding for CDBG had been received in the amount of \$334,809 and this Resolution is the second amendment to the 2019 Action Plan with its purpose to reflect this funding. She added that this money will go toward the emergency shelter. Mayor Castleberry reminded the Council that the emergency shelter is the property on Gum Street that was purchased for that purpose. There was no further discussion. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. The motion to adopt the Resolution carried 8-0.

2. Resolutions requesting the Faulkner County Tax Collector place a lien against various properties for expenses incurred by the City.

Councilman Hawkins presented Item A2 to the Council.

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R-20-75

Resolution requesting the Faulkner County Tax Collector place a lien on property located at 1817 Washington Ave in the amount of \$178.76 as a result of expenses incurred by the City.

There was no one present to represent the property. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. There was no further discussion. The Clerk called for the vote. The Resolution passed 8-0.

R-20-76

Resolution requesting the Faulkner County Tax Collector place a lien on property located at 105 Eve Lane in the amount of \$415.28 as a result of expenses incurred by the City.

There was no one present to represent the property. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Smith seconded it. There was no further discussion. The Clerk called for the vote. The Resolution passed 8-0.

R-20-77

Resolution requesting the Faulkner County Tax Collector place a lien on property located at 233 Mill Pond in the amount of \$5,670.95 as a result of expenses incurred by the City.

There was no one present to represent the property. Spencer Clawson, Code Enforcement Director was present to answer questions from the Council. He stated that this clean up took 20 hours and five 40-foot roll off dumpsters to get the property into compliance. He presented the Council with photos of the property before and after the cleanup. He added that there was a mobile home on the property that is vacant and that the property has been used as a dumping ground for a number of years. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. There was no further discussion. The Clerk called for the vote. The Resolution passed 8-0.

3. Resolution approving professional services for the Transportation Department.

R-20-78

Councilman Hawkins presented Item A3 to the Council. Finley Vinson addressed the Council stating that this Resolution would give approval by the Council for McClellan Consulting Engineers to complete a variety of work for the City. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. There was no further discussion. The Clerk call for the vote. The Resolution passed 8-0.

4. Ordinance accepting the annexation of property comprised of +/- 26.98 acres located south of Empy Trail.

O-20-62

Councilman Hawkins presented Item A4 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilman Jones seconded it. The motion carried 8-0. James Walden and James Shaw were online to address the Council. Mr. Walden stated that Mr. Shaw is developing the property and all departments have reviewed and recommended annexation. He added that there was some concern about water utilities but that should be an issue resolved during the time of development. Mr. Shaw added that the property development had been through platting and had been approved for a 21 lot subdivision. He addressed the issue regarding adequate fireflow stating that it has been engineered with Conway Corp and is a 12" main extension that will be offsite from the development and will get water to the property. He added that this is Phase 11, and there is still III, IV and V to be developed. Councilwoman Isby made a motion to adopt the Ordinance and Councilman Jones seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Grimes, Councilman Pruitt, Councilman Ledbetter, Councilwoman Isby, Councilman Jones, Councilwoman Smith and Councilwoman Mehl. The Ordinance passed 8-0.

5. Consideration to approve a conditional use permit to allow firearm sales in TJ zones at 286 US Hwy 65N.

Councilman Hawkins presented Item A5 to the Council stating that the request was reviewed by the Planning Commission at their meeting of October 19, 2020 and was voted 9-0 to recommend forwarding to City Council for approval with conditions:

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1. The conditional use permit will run with the land.
2. No alterations/additions to existing fencing are allowed; maintenance is permitted.
3. Any new lighting installed shall conform to standards set forth in Article 1101 of the Zoning Code.
4. No expansions or additions to the structure or site are allowed.
5. Any change in use shall require a new or amended conditional use permit.

Councilman Hawkins moved to grant the conditional use permit with the stated conditions and Councilwoman Smith seconded the motion. The Clerk called for the vote. The motion to approve passed 8-0.

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

1. Ordinance accepting grant proceeds from ADEM to the Conway Fire Department.

O-20-63

Mayor Castleberry presented Item B1 to the Council. Chief Mike Winter addressed the Council stating that the Department has been awarded a Homeland Security grant for the Bombsquad in the amount of \$457,696 and is 100% reimbursable. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. Councilwoman Smith made a motion to adopt the Ordinance and Councilman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Isby, Councilwoman Mehl, Councilman Grimes, Councilman Hawkins, Councilwoman Smith, Councilman Pruitt and Councilman Jones. The Ordinance passed 8-0.

C. New Business

1. Resolution authorizing the Mayor to enter into a real estate contract to sell and convey property located adjacent to the Oak Grove Cemetery.

Mayor Castleberry told the Council that City Attorney Chuck Clawson and Deputy City Attorney Charles Finkenbinder have asked that this item be tabled until a future meeting.

Adjournment-----

PASSED this 27th day of October 2020

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett