
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:00 pm
November 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, Councilman Grimes, Councilwoman Mehl, Councilman Cummins, Councilman Hawks, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Clerk/Treasurer Michael O. Garrett, and City Attorney Charles Finkenbinder. Councilman Ledbetter was absent.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett, City Clerk/Treasurer

Minutes: October 22nd, 2024, City Council Meeting

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

Report of Standing Committees:

A. Public Hearing

1. Public Hearing: Issuance of bonds for Clayton Homes Building Group Project for financing the renovation, refurbishment, expansion, and equipping of existing industrial facilities at 901 McNutt Road.

Mayor Castleberry opened the public hearing. Gordon Wilbourn addressed the Council reminding them that an inducement resolution was passed earlier this year. Councilman Grimes clarified that this is not money that the City is borrowing. Mr. Wilbourn confirmed and stated that it is state law that these steps be taken in order to do the property tax abatement. Corey Parks addressed the Council stating that the Chamber of Commerce appreciated the support of the Council in promoting a pro-business climate. There was no one else to speak for or against the matter. Mayor Castleberry closed the public hearing.

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

1. Consideration to approve waiving all three readings for the ordinances on the October 8, 2024, City Council agenda.

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

2. Ordinance to approve the issuance of bonds for Clayton Home Building Group for property located at 901 McNutt Road.

O-24-74

Mayor Castleberry presented Item B2 to the Council. Gordon Wilbourn stated that this is ordinance that approves the bonds and the accompanying documents. 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 Jones, Councilman Hawkins, Councilwoman Mehl, Councilman Cummins, Councilman Hawks, Councilwoman Isby, and Councilman Grimes. The Ordinance passed 7-0.

3. Ordinance to approve the issuance of bonds for AMP, LLC, for property located at 1300 Mayor Lane.

O-24-75

Mayor Castleberry presented Item B3 to the Council. Gordon Wilbourn stated that this is ordinance that approves the bonds and the accompanying documents. Councilman Hawkins made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The clerk called the roll with the following voting "Aye":

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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

4. Resolution of intent regarding reimbursement cost and expenses incurred in connection with the construction and equipping of the Conway Corporation Operations Center Campus.

R-24-59

Mayor Castleberry presented Item B4 to the Council. Brett Carroll of Conway Corp addressed the Council, referring to the Conway Corp construction project on South German Lane. He stated that construction costs have increased since the project began. He said that they did some short-term borrowing to finance the 39-million-dollar project, and this Resolution will allow them to reimburse themselves if it is decided to issue bonds. He added that this measure does not obligate the City in any way. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

5. Ordinance amending Ordinance No. O-24-02 to revise the effective date for the water rates for Conway Corporation.

O-24-76

Mayor Castleberry presented Item B5 to the Council. Brett Carroll stated that section 10 that refers to out-of-city rates should have been section 9 which is fire hydrant meters. He added that there was a sentence that was inadvertently included that said that the revision is effective April 2025, and it should be February of 2025, which corresponds to the language in the earlier part of the section. Councilman Hawkins 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 Jones, Councilwoman Mehl, Councilwoman Isby, Councilman Hawks, and Councilman Cummins. The Ordinance passed 7-0.

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

1. Ordinance appropriating funding for the purchase of property located at 1015 Oak Street.

O-24-77

Councilman Hawkins presented Item C1 to the Council. Kurt Jones told the Council that this ties into the alley improvement project. He said that this purchase would allow the addition of parking in the area and trash dumpster management. There was discussion among the Council about the development of the pedestrian throughway and park, and additional parking in the area. Councilman Hawkins made a motion to adopt the Ordinance with the emergency clause and Councilman Jones seconded it. The clerk called the roll with the following voting "Aye": Councilwoman Mehl, councilman Jones, Councilman Hawks, Councilman Hawkins, Councilman Grimes, Councilman Cummins and Councilwoman Isby. The Ordinance with the emergency clause passed 7-0.

2. Consideration to approve a settlement proposal for Linn vs. Conway.

Councilman Hawkins presented Item C2 to the Council. City Attorney Charles Finkenbinder told the Council that this involves the 6th Street overpass project and gave and update as to the 2015 imminent domain lawsuit that was filed by the City and explained why there has been a delay in the lawsuit being tried. He reminded them that because a price could not be agreed upon by both parties, the law requires that a circuit judge and a panel of 12 jurors decide on a fair price. He added that one issue is that interest is continuing to run on the case, which is significant. He explained the basic question of the lawsuit which was fair compensation under the law, and the discrepancy between the two appraisals. He also explained to the Council the various aspects of the lawsuit; the amount of property involved in the acquisition and various valuations. He told them that Mary Catherine Linn had made an offer to resolve the case, but he advised that if the settlement was accepted by the Council, that it should resolve all claims present and future. Councilman Cummins stated that he felt unprepared to decide and asked what options were available. Mr. Finkenbinder stated that all options were available to the Council as in any matter of business, including voting on the matter or tabling it, adding that there has been no time limit put on the offer. Councilman Jones asked if the offer was fixed or if it could change based on future interest accumulation. Mr. Finkenbinder could not guarantee it would not change but added that a short delay would likely not

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

affect it. Councilman Jones made a motion to table the decision until the next Council meeting, and that Mr. Finkenbinder would communicate clearly to Ms. Linn's attorneys that if the settlement was accepted it would resolve all future claims in the matter. Councilman Hawkins seconded the motion to table. A vote was called, and the motion carried 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. Consideration to approve vehicle disposal for the Conway Police Department.

Mayor Castleberry presented Item D1 to the Council. Chief Harris asked the Council for approval to remove a Nissan X-terra to be sold at auction. Councilwoman Isby made a motion to approve the consideration and Councilman Hawkins seconded the motion. A vote was called and the motion carried 7-0.

2. Ordinance appropriating various reimbursement funds for the Conway Police Department.

O-24-78

Mayor Castleberry presented Item D2 to the Council. Councilman Hawkins made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilwoman Mehl, Councilman Hawks, Councilman Cummins, Councilman Jones, Councilwoman Isby and Councilman Grimes. The Ordinance passed 7-0.

3. Ordinance appropriating funds from the Justice Assistance Connect and Protect Grant for the Conway Police Department.

O-24-79

Mayor Castleberry presented Item D3 to the Council. Chief Harris told the Council that this is a previously approved Grant and asked to appropriate the funds for use by the Department. Councilman Hawkins made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The clerk called the roll with the following voting "Aye": Councilman Cummins, Councilman Grimes, Councilman Hawkins, Councilwoman Isby, Councilman Jones, Councilwoman Mehl, and Councilman Hawks. The ordinance passed 7-0.

4. Ordinance appropriating funds for the replenishment of overtime and operation Shop Secure for the Conway Police Department.

O-24-80

Mayor Castleberry presented Item D4 to the Council. Chief Harris told the Council that they are requested \$60,000 in additional overtime funds due to several events during the year that cost the department in overtime funding. He added that the Shop Secure program this time of year was very important to citizens of Conway. 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, Councilwoman Isby, Councilman Jones, Councilman Grimes, Councilman Hawks, Councilman Hawkins, and Councilman Cummins. The Ordinance and the emergency clause passed 7-0.

5. Ordinance authorizing the personnel changes for additional police officers and appropriating funds for the Conway Police Department.

O-24-81

Mayor Castleberry presented Item D5 to the Council. Chief Harris told the Council in January when the Emergency Center separates from the County, they each will have to have a Terminal Agency Coordinator position. He added that two more school resources officers were needed in the district to be hired at the end of December to get the new officers into the academy early in 2025. 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 Cummins, Councilwoman Isby, Councilman Jones, Councilman Hawks and Councilwoman Mehl. The Ordinance passed 7-0.

E. Personnel

1. Ordinance to appropriate funding for Employee Appreciation Bonus.

Mayor Castleberry presented Item E1 to the Council stating that our employees are the greatest assets of the City. He asked the Council to approve \$1,000 for full time employees and \$500 for part time employees.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Councilman Grimes 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 Cummins, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilman Grimes, Councilman Hawks, and Councilman Jones. The Ordinance and the emergency clause passed 7-0.

Adjournment-----

PASSED this 12th day of November 2024

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett