
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:00 pm
November 14, 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 Cummins, Councilwoman Webb, Councilman Grimes, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, and City Attorney Charles Finkenbinder. Councilman Ledbetter and City Clerk Michael Garrett was absent.

Call to Order: Mayor Bart Castleberry

Roll Call: Denise Hurd, Deputy City Clerk

Minutes: October 24th, 2023, 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. Community Development Committee (Airport, Community Development, Code Enforcement, Permits, Inspections, Transportation, & Planning and Development)

1. Consideration to approve waiving all three readings for the ordinances on the November 14th, 2023 City Council agenda.

Councilwoman Isby made a motion to approve the Ordinances on the November 14th, 2023 agenda and Councilwoman Mehl seconded it. A vote was called, and the motion carried 7-0.

**2. Ordinance accepting and appropriating donation funds for the Code Enforcement Department.
O-23-92**

Councilman Hawkins presented Item A2 to the Council. Spencer Clawson addressed the Council saying that the donation was for car covers for inoperable vehicles. 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 Cummins, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilman Grimes, Councilwoman Webb, Councilman Jones. The Ordinance passed 7-0.

**3. Ordinance waiving the competitive bid process and approving the purchase of a new vehicle for the Conway Transportation Department.
O-23-93**

Councilman Hawkins presented Item A3 to the Council. Kurt Jones addressed the Council saying that his Department had budgeted for a new truck this year, and while they normally get vehicles from Sourcewell, their wait time is currently one year. He told them they had found a vehicle locally at Smith Ford that was identical to the one from Sourcewell and was actually cheaper. He asked the Council to waive the bid process so that they could purchase this truck. Councilwoman Isby made 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 Grimes, Councilman Cummins, Councilman Jones, Councilwoman Isby, Councilwoman Webb, and Councilman Hawkins. The Ordinance with the emergency clause passed 7-0.

**4. Resolution to approve the Salem Road Bridge Project bid for the Transportation Department.
R-23-68**

Councilman Hawkins presented Item B4 to the Council. Kurt Jones told the Council this project was originally bid in March of this year, with no bidders, and the second time it was bid, there was one bidder in the amount of almost 11 million dollars. He said they bid the project out again and reduced

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the scope of the project, narrowing the bridge and closing Salem road during the construction. He said that two bids were received this time, with the lowest bid being \$8,302,000.00 and he asked the Council to approve the project bid. He added that this is a Metroplan funded project, with a grant through Metroplan for 3 million dollars making the City's cost 5.3 million dollars. Councilman Jones asked if lowering the scope of the project would affect the integrity of the bridge. Mr. Jones replied that it would not, but what was done to lower costs was to design the bridge to be narrower, but it would still have the bike lane and sidewalk. He said the original project was designed with some extra width. Councilman Hawkins asked if there was an estimated start date and Mr. Jones replied that the goal was to start by the first of the year. He added that it was a 210 calendar day project. Councilman Hawkins asked if the 11 million dollars bid back in April was for the full width of the bridge, and Mr. Jones replied that the biggest cost in that bid was for the staging of the construction in keeping Salem Road open during the construction of the bridge. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Webb seconded it. A vote was called, and the motion carried 7-0.

5. Ordinance to approve the permit regulations for the Right of Way/Street and Curb Cut ordinance for the Transportation Department.

O-23-94

Councilman Hawkins presented Item B5 to the Council. Mayor Castleberry reminded the Council of the 0.375 cent sales tax in 2017 that had a five-year sunset clause, which had been spent on our streets. He said that while curb cuts are necessary, they degrade the quality of the roads, so the proceeds from this permit would allow the City to hire a private contractor once a year to re-pave those roads with the curb cuts in order to make them smooth and to boost the integrity of the roadway. Kurt Jones told the Council that the current street ordinance that they are working under is from 1968, and much has changed since then. He confirmed that there is an issue with street cuts in the City. He added that one component of this ordinance is a fee, which has not been increased since 1968 and also it serves as a damage fee because of the fact that anytime a street is cut it affects the integrity of the pavement, which can shorten its lifespan. He said there is also the provision to waive fees for property owners if the cuts are necessary to obtain a utility service, etc. Mayor Castleberry added that the long-term goal is to discourage utilities from being placed under the streets. Councilwoman Isby made motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilwoman Mehl, Councilman Jones, Councilwoman Webb, Councilman Cummins, Councilman Hawkins, and Councilman Grimes. The Ordinance passed 7-0.

B. 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. Ordinance waiving the competitive bid process and approving the purchase of new data equipment for the Information Technology Department.

O-23-95

Mayor Castleberry presented Item B1 to the Council. Sean Canady addressed the Council saying that new data infrastructure was already budgeted but the problem they are having is lead time on the products needed being up to a year. He said they had found an alternative product with just a few weeks' lead time and a cost saving. He asked the Council to waive the bid process in order to purchase the products needed. Councilman Jones made a motion to adopt the Ordinance with the emergency clause and Councilwoman Webb seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Webb, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilman Cummins, Councilman Jones, and Councilman Grimes. The Ordinance with the emergency clause passed 7-0.

2. Ordinance appropriating reimbursement funding for the Conway Police Department.

O-23-96

Mayor Castleberry presented Item B2 to the Council. O. Chief Tapley addressed the Council saying that the Department had received reimbursements for things such as extra duty, task force, restitution, etc. and asked for the funds to be appropriated to the proper accounts. Councilwoman Isby made motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the

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following voting "Aye": Councilwoman Mehl, Councilman Jones, Councilwoman Webb, Councilman Grimes, Councilman Cummins, Councilman Hawkins, and Councilwoman Isby. The Ordinance passed 7-0.

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

O-23-97

Mayor Castleberry presented Item B3 to the Council. Chief Tapley told the Council that this was the grant they talked about last year that started the Crisis Intervention Unit. He said they accepted a \$542,000 grant from the Federal Government that was a partial matching grant, so this is appropriating the City funds for the matching part and drawing the Federal funds from the grant. He added that the program has been a huge success and well worth the investment by the City. Councilwoman Isby made motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Webb, Councilwoman Mehl, Councilman Hawkins, Councilman Cummins, Councilwoman Isby, Councilman Jones, Councilman Grimes. The Ordinance passed 7-0.

4. Ordinance approving the reclassification of positions within the Conway Police Department.

O-23-98

Mayor Castleberry presented Item B4 to the Council. Chief Tapley told the Council that their Public Information Officer left about a week ago, and he decided to make that position a sworn position because it takes a significant amount of time to train a civilian on how a police department works and things that we will release and things that we won't release, etc. He added that in the midst of an emergency it's important to have someone there that can operate that on their own so that others can address the emergency. He asked to take the PIO salary plus an administrative assistant position and create new positions that will help in the criminal investigations division. He said it would be one Assistant Sex Offender Coordinator and a Victim Services position. He said that the other position would be an Investigations Assistant and a Crime Scene Specialist I and II, which would require specialized training. Councilman Hawkins moved for the adoption of the Ordinance with the emergency clause and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Jones, Councilwoman Isby, Councilwoman Webb, Councilwoman Mehl, Councilman Cummins, and Councilman Grimes. The Ordinance with the emergency clause passed 7-0.

5. Ordinance appropriating funds for the operation Shop Secure for the Conway Police Department.

O-23-99

Mayor Castleberry presented Item B5 to the Council. Chief Tapley told the Council that this is the annual operation to put officers in the shopping centers during the Christmas shopping season, or from the day after Thanksgiving until Christmas. He added that the \$60,000 was to pay the overtime expenses for officers. Councilwoman Isby made 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 Jones, Councilman Hawkins, Councilwoman Webb, Councilwoman Isby, and Councilwoman Mehl. The Ordinance passed 7-0.

Adjournment-----

PASSED this 14th day of November 2023

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett