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MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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Conway, Arkansas  
Tuesday, 6:30 pm  
November 24, 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: Councilwoman Isby, Councilman Jones, Councilman Ledbetter, Councilman Pruitt, Councilwoman Mehl, and Councilman Grimes. Due to technical issues, Councilman Hawkins was late in joining the meeting. Also, present and acting: Mayor Bart Castleberry, City Attorney Chuck Clawson and Denise Hurd, Assistant to the City Clerk. City Clerk Michael Garrett and Councilwoman Smith were not present.

**Call to Order: Mayor Bart Castleberry**

**Roll Call: Denise Hurd, Assistant to the City Clerk**

**Minutes: November 10, 2020**

Councilwoman Isby motioned to approve the **November 10, 2020** minutes as submitted. Councilwoman Smith seconded the motion. There was no discussion. The motion passed 6-0.

**Approval of the monthly financial report ending September 30, 2020**

Tyler Winningham, Chief Financial Officer addressed the Council stating that the City had received the first influx of ad valorem property taxes. He said that the payment in lieu tax figure was overstated at this time and that before the end of the year much of that will be remitted back to the County. He added that the insurance turnback from LOPFI is complete with the amount coming in at \$70,000 over what was budgeted. He said that sales tax was up 5% for the month and 4.8% year to date. General Fund expenditures are down 7% and departments are continuing to do a good job managing expenditures. He reported that Street Department expenditures are down this month year to date quite a bit due to there being a number of large project expenditures last year compared to this year. He added that net revenues are good as well. He reported that Airport fund expenditures are down about 25% over last year due to lower fuel sales. He said that ground leases are set to renew closer to the end of the year which will improve the Airport reserve funds. He concluded by saying that the project funds have healthy balances coming into the end of the year. Councilman Grimes made a motion to approve the monthly financials and Councilwoman Mehl seconded it. The motion carried 6-0.

**Report of Standing Committees:**

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

**1. Resolution certifying local government endorsement of Structurlam Mass Timber Corporation to participate in the Arkansas Tax Back Program.**

**R-20-81**

Mayor Castleberry presented Item A1 to the Council. Brad Lacy of the Conway Chamber of Commerce addressed the Council stating that this program allows companies to get a refund on the city portion of sales tax that they might pay on material associated with their new location or expansion. He said it was customary for the City to refund that back to the companies and Structurlam is in the home stretch of their facility. He asked the Council to approve the tax back incentive for them. Councilman Ledbetter made a motion to adopt the Resolution and Councilman Pruitt seconded it. The Resolution passed 6-0.

**2. Resolution of intent for issuing bonds for an industrial facility to be located within the City of Conway.**

**R-20-82**

Mayor Castleberry presented Item A2 to the Council. Brad Lacy stated that this was a project not to exceed 95 million dollars. He added that the company is not ready to go public with a name yet and that they were still working on final details. He said that these would be standard industrial revenue bonds that the City has typically done which affords the property tax abatement of 65% on those improvements- land building and

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equipment. He added that he expected to close early next year and there to be a formal announcement. Gordon Wilbourn added that this is Resolution expressing interest and that there would be a bond ordinance in the future. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. The Resolution passed 6-0.

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

- 1. Resolution requesting Faulkner County Tax Collector place a lien against property located at 215 Griffith Street in the amount of \$664.93 for expenses incurred by the City.**

**R-20-83**

Mayor Castleberry presented Item B1 to the Council. There was no one present to represent the property. Spencer Clawson was present to address the Council. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. There was no further discussion. The Clerk called for the vote. The Resolution passed 6-0.

- 2. Resolutions requesting the Faulkner County Tax Collector place a lien against property located at 335 Davis Street in the amount of \$2,089.76 for expenses incurred by the City.**

**R-20-84**

Mayor Castleberry presented Item B2 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. There was no further discussion. The Clerk called for the vote. The Resolution passed 6-0.

- 3. Ordinance appropriating funds from Arkansas Department of Transportation for the Oak Street Adaptive Project for the Transportation Department.**

**O-20-67**

Mayor Castleberry presented Item B3 to the Council. Finley Vinson addressed the Council stating that this project is a signalization project that uses additional technology to provide better progression and timing on the corridor. Councilwoman Isby made a motion to waive the three readings and Councilman Jones seconded it. The motion carried 6-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Jones, Councilman Grimes, Councilman Ledbetter, Councilman Pruitt and Councilwoman Isby. The Ordinance passed 6-0.

**Councilman Hawkins was able to join the meeting.**

- 4. Ordinance accepting and appropriating grant funds in the amount of \$748,199 for the Markham Street Jump Start Project for the Transportation Department.**

**O-20-68**

Councilman Hawkins presented Item B4 to the Council. Finley Vinson stated that the project was going well. Councilwoman Isby made a motion to waive the three readings and Councilman Jones seconded it. The motion carried 6-0. 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 Pruitt, Councilman Grimes, Councilwoman Mehl, Councilman Ledbetter, Councilman Jones, Councilwoman Isby and Councilman Hawkins. The Ordinance passed 7-0.

- 5. Resolution to approve professional engineering and support services for Downtown Drainage and assistance with the submission of the 2020 FEMA Hazard Mitigation grant for the Transportation Department.**

**R-20-85**

Councilman Hawkins presented Item A5 to the Council. Finley Vinson addressed the Council stating that this is a FEMA Hazard Mitigation grant for the professional services which, if awarded, will pay for a detailed study and preliminary plan for the downtown drainage basin. He added that they are proposing to secure a contract with the engineer due to advantages on the front end, but will not move forward unless the grant is awarded. Mayor Castleberry added that the total amount of the grant is \$194,000 and if awarded would be \$145,000

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with the City being responsible for \$48,500. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. The Resolution passed 7-0.

**6. Ordinance to rezone property located at 1160 Mattison Rd & 3175 Donnell Ridge Road from R-1 to A-1  
O-20-69**

Councilman Hawkins presented Item A6 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilman Ledbetter seconded it. The motion carried 7-0. 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 Isby, Councilman Pruitt, Councilman Jones, Councilwoman Mehl and Councilman Hawkins. The Ordinance passed 7-0.

**7. Consideration to modify an existing conditional use permit allowing religious assembly in SP/T4 zone at 1109 Gum Street.**

Councilman Hawkins presented Item B6 to the Council. James Walden, Planning Department addressed the Council stating that nothing is changing on the site except the name on the sign. It is being re-approved based on a change of occupancy. Councilwoman Isby made a motion to approve the request for modification and Councilwoman Mehl seconded it. The request was approved 7-0.

**C. Public Service Committee (Physical Plant, Parks & Recreation, & Sanitation)**

**1. Resolution to accept a donation from the Faulkner County Solid Waste District to the Department of Sanitation.**

**R-20-86**

Mayor Castleberry presented Item C1 to the Council. Joe Hopper of the Sanitation Department told the Council that this was a donation of a 20' x 30' storage building built in 2016 in exchange for a 2012 JCB Skidsteer and a 2008 loading ramp to help them with their e-waste drive. Councilwoman Isby made a motion to adopt the Resolution and Councilman Ledbetter seconded it. The Resolution was passed 7-0.

**D. 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 authorizing the restructuring/reclassification of certain titles for the Office of the City Attorney.**

**O-20-70**

Mayor Castleberry presented Item D1 to the Council. Chuck Clawson said that due to the pending transition of Charles Finkenbinder who was approved by Council to fill the position of City Attorney, he was requesting approval of a budget-neutral reorganization of the Office of City Attorney for more efficient use of resources and personnel. Mr. Finkenbinder told the Council that this proposal was a continuation of practices that Mr. Clawson has implemented in the department to further the efficiency of operations by adjusting the three administrative positions to Administrative Assistant II positions in name. He added that this achieves a fairness and efficiency when dealing with the circuit and district court divisions. Councilwoman Isby made a motion to waive the three readings and Councilwoman Mehl seconded it. The motion carried 7-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Grimes, Councilwoman Isby, Councilman Pruitt, Councilman Jones, Councilwoman Mehl and Councilman Hawkins. The Ordinance passed 7-0.

**2. Ordinance appropriating insurance proceeds for building maintenance for the Conway Fire Department.**

**O-20-71**

Mayor Castleberry presented Item D2 to the Council. Chief Winter addressed the Council stating that earlier this year when a hurricane moved through it damaged the roof on Central Station and Insurance has reimbursed the funds for the repairs. Councilwoman Isby made a motion to waive the three readings and Councilwoman Mehl seconded it. The motion carried 7-0. 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 Pruitt, Councilwoman Mehl, Councilwoman Isby,

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Councilman Jones, Councilman Grimes and Councilman Ledbetter. The Ordinance with the emergency clause passed 7-0.

**3. Ordinance approving bid for a mobile ammunition combustion system for the Fire Department Bomb Squad.**

**O-20-72**

Mayor Castleberry presented Item D3 to the Council. Chief Winter told the Council that a previous Homeland Security grant was approved and in that grant was budgeting for an ammunition disposal unit. One bid was received in the amount of \$350,725.15. Councilman Hawkins made a motion to waive the three readings and Councilman Pruitt seconded it. The motion carried 7-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilman Grimes, Councilwoman Mehl, Councilman Jones, Councilman Hawkins, Councilman Ledbetter and Councilman Pruitt. The Ordinance passed 7-0.

**E. Finance**

**1. Ordinance appropriating funds for the employee appreciation bonuses.**

**O-20-73**

Mayor Castleberry presented Item E1 to the Council stating that he was asking for \$500 for full time employees and \$250 for part time employees. He said that City employees have done a good job under trying circumstances this year. Councilwoman Isby made a motion to waive the three readings and Councilwoman Mehl seconded it. The motion carried 7-0. Councilman Hawkins asked Mr. Winningham if the money was in the budget for these bonuses and Mr. Winningham said that the funds were on hand to cover it. Councilman Grimes asked if full time and part time elected officials were included and Mayor Castleberry clarified that both were included. Councilman Ledbetter 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": Councilman Hawkins, Councilman Grimes, Councilman Pruitt, Councilwoman Mehl, Councilwoman Isby, Councilman Ledbetter and Councilman Jones. The Ordinance with the emergency clause passed 7-0.

**2. Ordinance accepting and appropriating coronavirus relief funding for the City of Conway.**

**O-20-74**

Mayor Castleberry presented Item E2 to the Council. Jamie Brice addressed the Council stating that the State allocated 2.3 million dollars to the City for Covid relief funding. She added that this is a strict reimbursement ordinance for expenditures that the City has already incurred in 2020. Councilwoman Isby made a motion to waive the three readings and Councilwoman Mehl seconded it. The motion carried 7-0. 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 Pruitt, Councilman Ledbetter, Councilman Grimes, Councilwoman Mehl, Councilman Jones, Councilman Hawkins and Councilwoman Isby. The Ordinance passed 7-0.

**F. New Business**

**Resolutions regarding 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 last year. Councilman Jones moved to adopt the Resolutions for the levy of millage rates on personal property taxes. Councilwoman Isby seconded the motion. The Resolutions were passed 7-0.

**R-20-87**

1. Resolution of a voluntary levy of two-tenth's (.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.

**R-20-88**

2. Resolution of a voluntary levy of four-tenth's (.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.

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**R-20-89**

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.

**R-20-90**

4. 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.

**R-20-91**

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.

**R-20-92**

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.

**R-20-93**

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.

**8. Discussion regarding the purchase of property located at 1820 Old Morrilton Highway.**

Mayor Castleberry told the Council that Bob Bell had offered the City the opportunity to purchase the property located at 1820 Old Morrilton Highway, immediately north of Fire Station 7. He said the property had appraised for \$145,000 and asked the Council to approve the purchase of this property. He added that Mr. Clawson said that the City could purchase the property and lease it to another business. Council members were in agreement that the purchase would be beneficial to the City. Councilman Ledbetter moved to approve the purchase of the property and Councilman Hawkins seconded it. The purchase was approved 7-0.

Mayor Castleberry discussed with the Council the use of MEMS Units in the City and the Don Owens Center being used as a warming center from December 14 through February 28, 2021.

Mayor Castleberry announced that the Office of Diversity, Conway Police Department, Office of the Mayor and Office of the City Attorney will host a round table meeting on December 9, at 5:00 via Zoom.

Mayor Castleberry asked the Council their wishes regarding the December City Council meetings. The Council members agreed unanimously to meet only once in December.

**Adjournment**-----

*PASSED this 24<sup>th</sup> day of November 2020*

**APPROVED:**

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*Mayor Bart Castleberry*

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*City Clerk Michael O. Garrett*