
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:00 pm
January 25, 2022

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, Councilwoman Tucker, Councilman Ledbetter, Councilwoman Smith, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Attorney Charles Finkenbinder, and City Clerk Michael Garrett. Councilman Grimes was not present.

Call to Order: Mayor Bart Castleberry

Roll Call: Michael O. Garrett, City Clerk

Minutes: January 11, 2022

Councilwoman Isby motioned to approve the **January 11, 2022** minutes as submitted. Councilwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

Monthly Financial Report: Month ending December 31, 2021

Tyler Winningham addressed the Council giving financial report of City departments. Councilwoman Smith made a motion to approve the monthly financials and Councilwoman Isby seconded it. The motion carried 7-0.

Report of Standing Committees:

A. Public Hearing

1. Public Hearing- Closure of the entire alley running west to east through Block 16, Srygley Addition.

Mayor Castleberry declared the public hearing open and asked for anyone who wished to speak for or against the matter to come forward. Todd Butler with Ozark Civil Engineering addressed the Council stating that the alley presenting runs through some buildings and closing the alley is necessary to develop the property. There was no one else present to speak for or against the matter. Mayor Castleberry declared the public hearing closed.

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

1. Ordinance closing the entire alley running west to east through Block 16, Srygley Addition.

O-22-12

Councilman Hawkins presented Item B1 to the Council. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. 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 Tucker, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilwoman Smith, and Councilman Jones. The Ordinance passed 7-0.

2. Resolution to request the Faulkner County Tax Collector place a lien against property located on 1269 Harrison Street for expenses incurred by the City for Code Enforcement.

R-22-04

Councilman Hawkins presented Item A2 to the Council stating that \$248.18 was the cost to bring the property up to Code. There was no one present to represent the property. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. The Resolution passed 7-0.

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

3. Ordinance accepting and appropriating grant funds received from the UAMS Institute for Digital Health & Innovation to cover the cost associated with broadband studies.

O-22-13

Councilman Hawkins presented Item A3 to the Council. Mayor Castleberry explained that Conway Corp would do the Study along Friendship Road, Southshore Lane, Old Military Road from the City Limits to Rocky Gap and Highway 319 South of Highway 64 to the Arkansas River. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Mehl, Councilwoman Tucker, Councilman Jones, Councilwoman Isby, Councilwoman Smith, and Councilman Hawkins. The Ordinance passed 7-0.

4. Ordinance to rezone property located at 4693 Dave Ward Drive from A-1 to MF-2 and C-3.

O-22-14

Councilman Hawkins presented Item A4 to the Council stating that this was reviewed by the Planning Commission at their meeting on January 18 and was voted 9-0 that the request be sent to City Council with the recommendation for approval. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. James Walden addressed the Council explaining that the property is located west of Walmart on Dave Ward Drive near another area that is zoned C-3. He added that it is located on the west side of Tucker Creek and the applicant intends to develop office/retail space along the front and low intensity multi family dwellings along the back. Tanya Ward addressed the Council stating that her home is located next to the property in question, and she requested that a privacy fence be placed along the side of the property that adjoins hers. Mr. Walden said that this request would be included in the site-development review and would not have to be a condition of the re-zoning. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilwoman Smith, Councilman Jones, Councilwoman Tucker, Councilwoman Mehl, Councilman Hawkins, Councilman Ledbetter. The Ordinance passed 7-0.

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

1. Ordinance authorizing the reclassification of a position within the Conway Police Department.

O-22-15

Mayor Castleberry presented Item C1 to the Council. Chief Tapley told the Council that the Police Department currently has command staff that consists of 4 Majors and the department is such a size that there needs to be a second in command. He asked the Council to approve the reclassification of one of the Majors positions to an Assistant Chief position. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 7-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Smith, Councilman Ledbetter, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilwoman Tucker, and Councilman Jones. The Ordinance passed 7-0.

2. Ordinance amending Ordinance O-12-52 and the event permit application for special events to be held on city property and utilize city personnel/resources.

O-22-16

Mayor Castleberry presented Item C2 to the Council stating that this amendment will not affect events that the City co-sponsors, such as Toad Suck Days. Chief Tapley said that his department was tasked with reviewing event permits. It was discovered that the current permit does not collect enough information, creating the need to reach out to the applicant for answers to questions that should be covered in the

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

application process. The new permit is more in depth and allows the department to prepare for needed resources and setting up for security needs, etc. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. Councilwoman Mehl asked if the people who host regular annual events could be notified of the new process and Chief Tapley said that they would reach out to as many as possible. Councilwoman Smith 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 Smith, Councilman Ledbetter, Councilwoman Tucker, Councilman Hawkins, and Councilwoman Isby. The Ordinance with the emergency clause passed 7-0.

3. Ordinance appropriating funds for Fire Station #3 for the Conway Fire Department.

O-22-17

Mayor Castleberry presented Item C3 to the Council. Chief Winter reminded the Council and Crafton Tull came in and reviewed Station #3 due to water damage. He showed them an architectural rendition of the proposed construction. He added that the station was designed for future growth. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. Councilwoman Smith made a motion to adopt the revised Ordinance with the correct description of the building and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Smith, Councilwoman Mehl, Councilman Hawkins, Councilwoman Tucker, Councilwoman Isby, Councilman Ledbetter, and Councilman Jones. The Ordinance passed 7-0.

D. New Business

1. Consideration to approve a new taxicab permit for Shaun's Cab Service.

Mayor Castleberry presented Item D1 to the Council stating that the item would be tabled because the applicant could not attend due to sickness.

2. Resolution authorizing the Mayor enter into a contract to sell and convey property located at 811 North Creek Drive.

R-22-05

Mayor Castleberry presented C2 the Council stating that this is the Faulkner County Health Unit. He said that the property is in the City's name and the Faulkner County Judge Jim Baker wants to improve the parking lot and asked that the land be deeded to the County. He added that if the property were to ever be sold or not be used as a Health facility, the deed would revert back to the City. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. The Resolution passed 7-0.

Mayor Castleberry reminded the Council of the special Council meeting in one week to discuss the upcoming EMS contract. City Attorney Charles Finkenbinder stated that current Franchise law for ambulance services in Arkansas encourages cities that grant franchises to occasionally allow competitive bidding to see if there are any other companies that could provide better services. Mayor Castleberry stated that the present contract expires February 1st so now is the time to entertain that competitive bidding. Mr. Finkenbinder added that once the contract expires, it continues month to month to allow the City to either renew the contract or select another provider. He said that two companies will present to the Council at the special meeting next week.

Adjournment-----

PASSED this 25th day of January 2022

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett