
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:00 pm
August 23, 2022

On this date the City Council of the City of Conway, Arkansas met in regular session. The following members were present and acting: Councilman Hawkins, Councilman Ledbetter, Councilwoman Mehl, Councilwoman Tucker, Councilman Grimes, Councilwoman Smith, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Attorney Charles Finkenbinder, City Clerk Michael Garrett.

Call to Order: Mayor Castleberry

Roll Call: Michael O. Garrett, City Clerk

Minutes: July 26th, 2022

Councilwoman Smith motioned to approve the **July 26, 2022** meeting minutes as submitted. Councilwoman Isby seconded the motion. There was no discussion. The motion passed 8-0.

Monthly Financial Report Ending July 31st, 2022

Tyler Wunningham addressed the Council stating that numbers continue to be good, with sales tax up about 10% this month and 13% year-to-date. He told them that the first month of revenue from LOPFI had been received. He added that revenues are where they would be expected to be this time of the year and expenditures continue to be low. He called their attention to the Fund Balance Appropriation and reminded them that this year has seen a great deal of appropriations on large ticket items. He added that at this point it looked like the year would still end strong. 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, Code Enforcement, Permits & Inspections, Transportation, Planning & Development)

1. Resolution requesting the Faulkner County Tax Collector place a lien on property at 1612/1614 Hardy Street for expenses incurred by the City for Code Enforcement.

R-22-37

Councilman Hawkins presented Item A1 to the Council. There was no one present to represent the property. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called, and the Resolution passed 8-0.

2. Resolution requestion the Faulkner County Tax Collector place a lien on property at 26 Brierwood Circle for expenses incurred by the City for Code Enforcement.

R-22-38

Councilman Hawkins presented Item A2 to the Council. There was no one present to represent the property. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Smith seconded it. A vote was called, and the Resolution passed 8-0.

3. Ordinance accepting the bid for Oak Street adaptive signal control for the Transportation Department.

O-22-91

Councilman Hawkins presented Item A3 to the Council. Kurt Jones of the Transportation Department told the Council that bids were opened on the Oak Street Adaptive Project, and the low bid amount was just under 1.2 million dollars. He added that the project included at \$600,000 grant from Metroplan as well. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting

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“Aye”: Councilman Hawkins, Councilman Ledbetter, Councilman Grimes, Councilwoman Tucker, Councilwoman Smith, Councilwoman Isby and Councilwoman Mehl. The Ordinance passed 8-0.

4. Resolution to approve the support of a grant application submittal by Metroplan for the “Safe Streets and Road For All” Grant for the Transportation Department.

R-22-39

Councilman Hawkins presented Item A4 to the Council. James Walden addressed the Council stating that this grant application is a result of the bi-partisan infrastructure law. He said that the program has made available new funding at the Federal level, and the first step to access is to apply for a planning grant for safety improvement projects. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called, and the Resolution passed 8-0.

5. Ordinance approving the annexation of +/- 6.70 acres located at lots 106 Grand View Heights Subdivision.

This item was pulled from the agenda until a later date.

6. Consideration to approve a conditional use permit to allow a childcare facility in the O-2 zoning district for property located in the 300-350 block east of Hogan Lane.

Councilman Hawkins presented Item A6 to the Council, stating that this was reviewed by the Planning Commission and was voted 8-0-1 to forward to City Council with a recommendation for approval. James Walden told the Council that the applicant is the Goddard School, a national brand of early childhood education facilities. He said there was no opposition to the request and the applicant was in favor of the recommendations by the Commission. Councilwoman Smith made a motion to grant the conditional use permit and Councilwoman Isby seconded it. A vote was called, and the motion carried 8-0.

7. Ordinance to rezone a portion of property located at 1310 E Dave Ward Dr from C-2 to C-3.

O-22-92

Councilman Hawkins presented Item A7 to the Council, stating that this was reviewed by the Planning Commission and was voted 8-0-1 to send to City Council with a recommendation for approval. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. Councilwoman Isby made a motion for the adoption of the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting “Aye”: Councilwoman Mehl, Councilman Ledbetter, Councilman Grimes, Councilwoman Isby, Councilwoman Tucker, Councilman Hawkins, Councilman Jones, and Councilwoman Smith. The Ordinance passed 8-0.

8. Ordinance to rezone property located at 1445 Old Military Road and 3612 Dena Lane from A-1 to MF-1.

O-22-93

Councilman Hawkins presented Item A8 to the Council, stating that this was reviewed by the Planning Commission and was voted 8-0-1 to forward to City Council with a recommendation for approval. James Walden told the Council that the property is an existing wooded parcel, and the applicant is proposing to build a duplex development. He added that there is a large amount of MF-2 zoning within that area, so it was agreed to go with a MF-1 zoning. He said that some of the concerns from the public hearing related to driveways and traffic issues, but the applicant had agreed to measures such as reducing the number of driveways, etc. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. Councilwoman Isby made a motion for the adoption of the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting “Aye”: Councilwoman Isby, Councilman Ledbetter, Councilman Jones, Councilwoman Mehl, Councilwoman Smith, Councilman Grimes, Councilwoman Tucker, and Councilman Hawkins. The Ordinance passed 8-0.

9. Ordinance to rezone property located at 1500 and 1520 E Dave Ward Dr from I-1 to C-2 and C-3 and a portion of 1310 E Dave Ward Dr. from C-2 to C-3.

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O-22-94

Councilman Hawkins presented Item A9 to the Council, stating that this was reviewed by the Planning Commission and was voted 8-0 to forward to City Council with a recommendation for approval. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. James Walden told the Council that this is related to the previous item, with property owners working together in coordination. He explained how the various accesses would be coordinated to accommodate all the planned uses. Councilwoman Isby made a motion for the adoption of the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilwoman Mehl, Councilwoman Smith, Councilman Grimes, Councilwoman Tucker, Councilwoman Isby, Councilman Ledbetter, and Councilman Jones. The Ordinance passed 8-0.

10. Ordinance to rezone property located north of Lacroix Lane, west of Bill Bell Lane from R-1 to PUD.

O-22-95

Councilman Hawkins presented Item A10 to the Council, stating that this was reviewed by the Planning Commission and was voted 8-0 to forward to City Council with a recommendation for approval. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 8-0. James Walden told the Council that this is remainder piece of the Bell Valley Subdivision and is coming in as a PUB because of the odd configuration of land. He said the PUD largely meets all of the requirements of R-1 zoning and there was no opposition at the public hearing. Councilwoman Smith made a motion for the adoption of the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Jones, Councilman Hawkins, Councilwoman Mehl, Councilwoman Tucker, Councilwoman Smith, Councilwoman Isby, Councilman Ledbetter, and Councilman Grimes. The Ordinance passed 8-0.

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

1. Ordinance appropriating funds for Rogers Plaza for the Parks and Recreation Department.

O-22-96

Mayor Castleberry presented Item B1 to the Council. Steve Ibbotson told the Council his department had accepted an insurance check for some damages done to Rogers Plaza in the amount of \$3,892.95. 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 for the adoption of the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Grimes, Councilman Jones, Councilwoman Mehl, Councilman Ledbetter, Councilwoman Tucker, Councilwoman Smith, Councilwoman Isby and Councilman Hawkins. The Ordinance passed 8-0.

2. Ordinance appropriating funds for the installation of artificial turf at Conway Station Park.

O-22-97

Mayor Castleberry presented Item B2 to the Council. 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 for the adoption of 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 Ledbetter, Councilman Jones, Councilwoman Mehl, Councilwoman Isby, Councilwoman Smith, and Councilwoman Tucker. The Ordinance with the emergency clause passed 8-0.

3. Ordinance authorizing additional personnel for the Parks & Recreation Department.

O-22-98

Mayor Castleberry presented Item B3 to the Council, explaining that this position would be the Director of the new Community Center and would assist in the planning phase of the project. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. Councilwoman Smith made a motion for the adoption of the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Jones, Councilwoman Smith, Councilman Hawkins, Councilman Hawkins, Councilman

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Grimes, Councilwoman Tucker, Councilman Ledbetter, and Councilwoman Isby. The Ordinance passed 8-0.

4. Resolution expressing the intent to enter into a lease agreement for Centennial Soccer Park.

R-22-40

Mayor Castleberry presented Item B4 to the Council. Steve Ibbotson told the Council that it was CBC's intent to develop the middle tract, breaking the park up into thirds. He said the City would retain the western third where the proposed trail would go through. He added that CBC is planning to create a baseball field, softball field, a track, soccer, and tennis courts. CBC President Kimbrow told the Council that the baseball field is the first priority and they had already started raising money for it. He said that the softball fields would likely be next. There was some discussion regarding the use of the Park and City Attorney Finkenbinder reminded the Council that any final agreements or contracts regarding this matter would be presented to the Council at a later date for their approval. Councilwoman Smith made a motion to approve the Resolution and Councilwoman Isby seconded it. A vote was called, and the Resolution passed 8-0.

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

1. Ordinance approving personnel changes for the City Attorney's Office.

O-22-99

Mayor Castleberry presented Item C1 to the Council. City Attorney Charles Finkenbinder told the Council that this new position is budget-neutral and is a volunteer Victim Services Coordinator position. He told them that the services provided by this volunteer position are invaluable in serving victims of domestic violence, providing critical support, and helping them navigate court processes. He added that this Ordinance would open the door to more volunteer services through his office. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. Councilwoman Smith made a motion for the adoption of the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilman Grimes, Councilwoman Mehl, Councilwoman Smith, Councilwoman Tucker, Councilman Jones, Councilwoman Isby, and Councilman Hawkins. The Ordinance passed 8-0.

2. Resolution approving the grant application submittal for the "Public Safety Equipment Grant Program" for the Conway Police Department.

R-22-41

Mayor Castleberry presented Item C2 to the Council. Chief Tapley told the Council that there is no match to this grant and that the department identified areas that they could apply for such as electrical controlled weapons and virtual reality training. He said the amount of the grant was \$616,000 and asked for approval to apply for the grant. Councilwoman Smith made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called, and the Resolution passed 8-0.

3. Ordinance appropriating reimbursement funds for the Conway Police Department.

O-22-100

Mayor Castleberry presented Item C3 to the Council. Chief Tapley told the Council that these funds were from insurance proceeds, extra duty services, and task force funds. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. Councilwoman Isby made a motion for the adoption of the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Tucker, Councilman Grimes, Councilwoman Smith, Councilwoman Isby, Councilman Ledbetter, Councilman Jones, Councilwoman Mehl, and Councilman Hawkins. The Ordinance passed 8-0.

4. Resolution approving architectural design services for the shooting range for the Police Department.

R-22-42

Mayor Castleberry presented Item C4 to the Council. Chief Tapley told the Council that six bids were received for the project and recommended that Garver be approved for the work. Councilwoman Smith

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made a motion to approve, and Councilwoman Isby seconded the motion. A vote was called, and the Resolution passed 8-0.

5. Ordinance appropriating donation funds for purchasing safety vests for the Fire Department.

O-22-101

Mayor Castleberry presented Item C5 to the Council. Chief Winter told the Council that the department had received a check for \$1000 from Walmart for the safety vests and asked that the funds be appropriated for this purpose. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. Councilwoman Isby made a motion for the adoption of the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilwoman Isby, Councilman Jones, Councilman Grimes, Councilwoman Smith, Councilwoman Tucker, and Councilman Hawkins. The Ordinance passed 8-0.

6. Ordinance appropriating reimbursement funds received for the Conway Fire Department.

O-22-102

Mayor Castleberry presented Item C6 to the Council. Chief Winter said that the department received reimbursement for a deployment last year to help with Hurricane Ida and asked to appropriate the funds. Councilwoman Smith made a motion to waive the three readings and Councilwoman Isby seconded it. The motion carried 8-0. Councilwoman Isby made a motion for the adoption of the Ordinance and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Grimes, Councilman Ledbetter, Councilwoman Tucker, Councilwoman Isby, Councilman Jones, Councilwoman Smith, and Councilwoman Mehl. The Ordinance passed 8-0.

Adjournment-----

PASSED this 23rd day of August 2022

APPROVED:

Mayor Bart Castleberry

City Clerk Michael O. Garrett