

---

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

Conway, Arkansas  
Tuesday, 6:30 pm  
January 12, 2021

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

**Call to Order: Mayor Bart Castleberry**

**Roll Call: Michael O. Garrett, City Clerk**

**Minutes: December 8, 2020**

Councilwoman Isby motioned to approve the **December 8, 2020** minutes as submitted. Councilwoman Smith seconded the motion. There was no discussion. The motion passed 7-0.

**Report of Standing Committees:**

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

**1. Resolution to approve the City Council rules and organizational procedures for the calendar year 2021.**

**R-21-01**

Councilman Hawkins presented Item A1 to the Council. Mayor Castleberry told the Council that the procedures this year included language regarding accommodations for virtual meetings during the Covid-19 pandemic. The Council also discussed changing the time of City Council meetings to 6:00 pm going forward. Councilman Ledbetter made a motion to adopt the Resolution and Councilman Jones seconded it. The Resolution passed 7-0.

**2. Ordinance to establish the Conway Municipal property owner's multipurpose improvement District No. 14 (Wills Drive Water Extension Project).**

**O-21-01**

Councilman Hawkins presented Item A2 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. Councilwoman Smith made a motion to adopt the Ordinance with the emergency clause and Councilman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Grimes, Councilman Ledbetter, Councilwoman Isby, Councilman Jones, Councilwoman Smith, and Councilwoman Mehl. The Ordinance with the emergency clause passed 7-0.

**3. Consideration to approve transportation services provided by Independent Living Services, the Boys & Girls Club of Faulkner County, and Faulkner County Agency on Aging.**

Councilman Hawkins presented Item A3 to the Council. Councilwoman Isby made a motion to approve the transportation services for these agencies and Councilwoman Smith seconded it. The motion carried 7-0.

**4. Resolution accepting the annual bids for materials and services utilized by City of Conway departments.**

**R-21-02**

Councilman Hawkins presented Item A4 to the Council. Mayor Castleberry read a list of the lowest bidders for each category: Gravel- Rogers Group, Concrete Pipe- Scurlock Industries, Concrete work- JCI Ready Mix and Mallard. Councilwoman Smith made a motion to approve the annual bids and Councilwoman Isby seconded it. The Resolution passed 7-0.

---

## MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

**5. Consideration to enter into an agreement with McDoux preservation, LLC for the preparation of the Conway Arkansas African American Historic Context Study.**

Councilman Hawkins presented Item A5 to the Council. James Walden addressed the Council stating that the City had received the grant agreement from the State in the amount of \$7500, but through negotiations it has been increased to just over \$28,000 with no match. He added that this project would involve oral histories in partnership with UCA, provide interpretive opportunities in the Pine Street area, and much more. Councilwoman Smith made a motion to enter into this agreement and Councilwoman Mehl seconded it. The motion carried 7-0.

**6. Resolution approving the qualifications for professional services for the Middle Road Bridge Project (over Gold Creek) for the Transportation Department.**

**R-21-03**

Councilman Hawkins presented Item A6 to the Council. Finley Vinson addressed the Council stating that in anticipation of funding for transportation projects being available this summer, he felt that the Middle Road Bridge was an important project due to its structural deficiencies. He added that this agreement is for Garver to provide environmental and structural services to prepare the design for the project. Councilwoman Isby made a motion to approve the Resolution and Councilwoman Smith seconded it. The Resolution passed 7-0.

**7. Ordinance appropriating funds from the Arkansas Department of Transportation for the Markham Street Jumpstart project for the Transportation Department.**

**O-21-02**

Councilman Hawkins presented Item A7 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. Finley Vinson told the Council that this is a reimbursement ordinance. Councilwoman Isby made a motion to adopt the Ordinance and Councilman Jones seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilwoman Isby, Councilwoman Mehl, Councilman Grimes, Councilman Hawkins, Councilwoman Smith, and Councilman Jones. The Ordinance passed 7-0.

**8. Consideration to approve the nomination for the Tree Board for the City of Conway.**

Councilman Hawkins presented Item A8 to the Council stating that there was a vacancy as of January 1<sup>st</sup> and the position was advertised in October. He added that two nominations were received, and the Board has submitted the name of Trey Geier to serve a three-year term on the Board. Councilman Hawkins made a motion to approve the nomination and Councilwoman Isby seconded it. The nomination was approved 7-0.

**9. Consideration to approve the nominations for Public Art Board for the City of Conway.**

Councilman Hawkins presented Item A9 to the Council stating that there was a vacancy as of January 1<sup>st</sup> and the position was advertised in October. He added that three nomination were received, and the Board has submitted the names of Ricky Gulley, Joann Nabholtz and Rod Miller to serve four-year terms on the Board. Councilman Hawkins made a motion to approve the nominations and Councilwoman Isby seconded it. The nomination was approved 7-0.

**10. Ordinance to approve & appropriate funding for the Underground Art Walk Project for the Public Art Board.**

**O-21-03**

Councilman Hawkins presented Item A10 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. James Walden explained that the Public Art Board was approached by Jessica Jones, an artist who has created several murals in downtown Conway, regarding the graffiti problem along Kinley Trail and the underpass. He said that she has talked with some street artists about creating art in these areas to possible deter and prevent the graffiti from occurring. He said that she asked for \$5,000 to be shared between 10 artists and that she would administrate the project. Councilwoman Smith made a motion to adopt the Ordinance and

---

## MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Smith, Councilwoman Mehl, Councilwoman Isby, Councilman Hawkins, Councilman Jones, Councilman Ledbetter, and Councilman Grimes. The Ordinance passed 7-0.

**11. Ordinance to approve the match grant funds for the Whimsical Toad Project for the Public Art Board.**

**O-21-04**

Councilman Hawkins presented Item A11 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. Mayor Castleberry added that the sculpture would be installed at the corner of Front and Oak Streets and called the Council's attention to a photo in their packets. He also stated as a reminder to the public that funding for art projects in the City does not come from the General Fund, but from volunteer taxes. James Walden added that Downtown Partnership had applied for the matching grant for \$10,000 earlier last year, and Council was being asked to approve the matching funds. He said that the grant ties into another grant to be implemented later called "Tiny Toads" in which tiny toads would be placed at historic sites around town as part of a walking tour. 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, Councilman Grimes, Councilwoman Mehl, Councilwoman Smith, Councilman Jones, Councilman Hawkins, and Councilwoman Isby. The Ordinance passed 7-0.

**12. Ordinance accepting the annexation of certain lands comprised of +/- 10.00 acres located at 1850 East German Lane.**

**O-21-05**

Councilman Hawkins presented Item A12 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. James Walden and Chris Siler were present to address the Council. Mr. Walden explained that residents in this area were petitioning for annexation as R-1, single family development. He added that this request was approved unanimously by staff and Planning Commission. 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 Grimes, Councilwoman Isby, Councilman Jones, Councilman Ledbetter, Councilwoman Mehl, Councilwoman Smith and Councilman Hawkins. The Ordinance passed 7-0.

**13. Ordinance to rezone property located at 1400-1440 E. Siebenmorgen Road and 1510-1520 Trison Lane from O-2 to R-1.**

**O-21-06**

Councilman Hawkins presented Item A 13 to the Council. Councilwoman Isby made a motion to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. James Walden explained that the property has been reviewed for a re-plat with the intent to allow use for seven single family homes. He said the property is currently zoned O-1 which does not allow for single family use. He added that this has been a trend in this area. 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, Councilman Ledbetter, Councilman Grimes, Councilman Jones, Councilman Hawkins, Councilwoman Smith and Councilwoman Mehl. The Ordinance passed 7-0.

**14. Ordinance to rezone property located at 605-675 Dave Ward Drive from I-3 to C-3.**

**O-21-07**

Councilman Hawkins presented Item A14 to the Council adding that this was reviewed by the Planning Commission at their meeting in December and at that time voted 7-0 to forward to City Council with the recommendation for approval. Councilwoman Isby moved to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. James Walden and Jason Covington were present to address the Council. Mr. Walden explained that the property is currently zoned Industrial near the old bus plant. He added that the Covington's are asking to rezone their property in that area to Commercial zoning and he felt that this type of zoning would be good for the types of development the City would like to see in that area. 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

---

## MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

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

**15. Ordinance to rezone property located at 1872 Dave Ward Drive from R-1 to O-3.**

**O-21-08**

Councilman Hawkins presented Item A15 to the Council. adding that this was reviewed by the Planning Commission at their meeting in December and at that time voted 7-0 to forward to City Council with the recommendation for approval. Councilwoman Isby moved to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. James Walden and David Davies were present to address the Council. Mr. Walden explained that the property is currently zoned for single family residential and is East of the Kum N' Go on Donaghey. He said that Mr. Davies approached the City regarding opening a law office in the building on the property. He added that the property is well-suited for the purpose and has five parking spaces and is near a similar home that was converted to an accountant's office. It was recommended that the zoning be O-3 which is the least intensive type of office zoning in the City. He said that Planning feels that allowing office use in this type of situation is good for the area because it utilizes the existing structure which does not change the overall character of the area but allows a transition to commercial without being detrimental to the neighborhood. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The motion carried 7-0. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Grimes, Councilman Hawkins, Councilman Ledbetter, Councilwoman Smith, Councilman Jones, and Councilwoman Isby. The Ordinance passed 7-0.

**16. Ordinance to rezone property located at 1630 & 1640 South Donaghey Avenue from R-1 to PUD.**

**O-21-09**

Councilman Hawkins presented Item A16 to the Council adding that this was reviewed by the Planning Commission at their meeting in December and at that time voted 7-0 to forward to City Council with the recommendation for approval. Councilwoman Isby moved to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. James Walden and Phillip Lewis were present to address the Council. Mr. Walden explained that this property is located near the corner of Farve and Donaghey and is part of a series of development in the area because of the project that brought sewer availability to the area. The requested zoning PUD is to allow for 19, 4000 square foot lots at the location. He added that with this high density zoning the City would have enhanced design standards within the neighborhood. Councilman Jones asked if any neighbors in the area had expressed concerns. Mr. Walden said that there had been a public information meeting and there was no opposition. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The motion carried 7-0. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilwoman Smith, Councilwoman Mehl, Councilwoman Isby, Councilman Jones, Councilman Grimes, and Councilman Ledbetter. The Ordinance passed 7-0.

**17. Ordinance to rezone property located at the NE corner of Meadowlake Road and Salem Road from A-1 to PUD.**

**O-21-10**

Councilman Hawkins presented Item A17 to the Council stating that this was reviewed by the Planning Commission at their meeting in December and at that time voted 6-1 to forward to City Council with the recommendation for approval. Councilwoman Isby moved to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. James Walden explained that the City was approached about 12 duplexes on this property. He said the configuration of the property causes difficulty in development and there is going to be a roundabout built at the intersection in the future. He said the fronts of the duplexes will face Salem and Meadowlake with a pedestrian entrance and a porch facing the roads which will give a nice appearance to the neighborhood. Councilwoman Mehl asked if there were any concerns about having only one way in and one way out. Mr. Walden replied that this development is at the level where one entrance is acceptable and meets fire code. There was no further discussion. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Smith seconded it. The motion carried 7-0. The Clerk called the roll with the following voting "Aye":

---

## MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

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

**18. Consideration to modify an existing conditional use permit at 2425 Tyler Street allowing childcare facility in R-2 zone at 2425 Tyler Street.**

Councilman Hawkins presented Item A18 to the Council stating that this was reviewed by the Planning Commission at their meeting in December and at that time voted 7-0 to forward to City Council with the recommendation for approval with some updated conditions:

1. Hours of operation are limited to 6:00 am -6:00 pm Monday through Friday and 8:00 am -3:00 pm Saturday.
2. Sufficient parking must be supplied for employees and parents.
3. All new signage shall be permitted by the Planning Department prior to installation.
4. Any expansion or changes to existing structures or change in use shall require a new or amended conditional use permit.

Councilman Hawkins moved to grant the conditional use permit with the conditions as stated and Councilwoman Smith seconded it. The motion to approve the modification to the conditional use permit was approved 7-0.

**19. Consideration to approve a conditional use permit for temporary parking at Conway Regional Medical Center.**

Councilman Hawkins presented Item A19 to the Council stating that this was reviewed by the Planning Commission at their meeting in December and at that time voted 6-0-1 to forward to City Council with the recommendation for approval with the condition that it is a temporary permit running through December 31, 2022. With the additional conditions listed on the permit, Councilman Hawkins made a motion to approve this conditional use permit for temporary parking and Councilwoman Smith seconded it. The motion carried 7-0.

**20. Ordinance to rezone property located at 225 E. Robins Street from I-3 to C-2.**

**O-21-11**

Councilman Hawkins presented Item A20 to the Council stating that this was reviewed by the Planning Commission at their meeting in December and at that time voted 7-0 to forward to City Council with the recommendation for approval. Councilwoman Isby moved to waive the three readings and Councilwoman Smith seconded it. The motion carried 7-0. James Walden and Spring Hunter were present to address the Council. Mr. Walden explained that this rezoning is sought as procedure for application for conditional use application. He added that the property is being down zoned to C-2 which would allow for use as a homeless shelter. He said that Planning felt that the down zoning to C-2 is a good thing for this property and could prevent adverse effects of the current zoning in that area. Councilwoman Smith made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The motion carried 7-0. The Clerk called the roll with the following voting "Aye": Councilwoman Smith, Councilman Hawkins, Councilman Grimes, Councilwoman Mehl, Councilwoman Isby, Councilman Ledbetter and Councilman Jones. The Ordinance passed 7-0.

**21. Consideration to approve a conditional use permit to allow a shelter for the homeless located at 225 Robins Street.**

Councilman Hawkins presented Item A21 to the Council stating that this was reviewed by the Planning Commission at their meeting in December and at that time voted 7-0 to forward to City Council with the recommendation for approval with conditions:

1. Shelter will provide housing for individuals 4:00 pm – 9:00 am
2. Housing for families shall not be limited
3. No registered sex offenders
4. Staff supervision of overnight housing is required.
5. The use shall be operated in a manner to prevent the congregation of individuals outside the building.

---

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

---

6. A 5-foot undisturbed vegetative buffer shall be maintained along the western and southern property lines of the site.
7. Operation of the drive-through food pantry shall be conducted in a manner that limits the stacking of vehicles on Robins St.
8. An operational plan for the site shall be provided to the city. This, in part, shall address how users of the site access the location. Operation of the use shall abide by this operational plan. This condition shall not preclude modifications to the operational plan that do not conflict with the conditions imposed for the use.

Councilman Hawkins moved to approve the conditional use permit and Councilwoman Mehl seconded it. There was not further discussion. The motion carried 7-0.

**B. Public Safety Committee (Police, Fire, District Court, Animal Welfare Unit, CEOC-Communications Emergency Operations Center, Department of Information Systems & Technology, & Office of the City Attorney)**

**1. Ordinance appropriating funds and authorizing purchase of property located at 1820 Old Morrilton Highway.**

**O-21-12**

Mayor Castleberry presented Item B1 to the Council reminding them that this is the old Bell property located next to the fire station No. 7., and that approval was given by Council for the property to be purchased. Jamie Brice addressed the Council stating that the owner, Robert Bell agreed to sell the property to the City at the appraised value of \$145,000. She said that \$5,000 was added to the Ordinance to cover any closing costs or fees associated with the purchase. 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 Councilman Ledbetter seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilman Grimes, Councilwoman Mehl, Councilwoman Smith, Councilman Jones, Councilman Hawkins, Councilwoman Isby. The Ordinance passed 7-0.

**C. Finance**

**1. Ordinance appropriating funds for the employee bonus for the City of Conway.**

**O-21-13**

Mayor Castleberry presented Item C1 to the Council reminding them that in 2017 a 3% cost of living increase was given, in 2018 a 2% increase and in 2019 a 1.5% increase with each percentage costing the City approximately \$200,000. He said that because of economic uncertainty this year a salary increase was not included in the budget, but he felt strongly that a one-time bonus should be given in the amount of 3% of regular salary for all full-time employees. 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 as presented with the emergency clause and Councilwoman Smith seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Jones, Councilwoman Smith, Councilman Hawkins, Councilman Grimes, Councilman Ledbetter, Councilwoman Isby. The Ordinance passed 7-0.

**Adjournment-----**

*PASSED this 12<sup>th</sup> day of January 2021*

**APPROVED:**

\_\_\_\_\_  
*Mayor Bart Castleberry*

\_\_\_\_\_  
*City Clerk Michael O. Garrett*