

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 7:00 pm
September 22, 2026

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, Councilman Grimes, Councilwoman Mehl, Councilman Ledbetter, Councilman Hawks, Councilman Jones and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Clerk Denise Hurd, and City Attorney Charles Finkenbinder. Councilman Spurgers was absent.

Call to Order: Mayor Bart Castleberry

Roll Call: Denise Hurd, City Clerk

Minutes: August 19th, 2026 / September 8th, 2026

Councilwoman Isby made a motion to approve the minutes of the City Council meetings on August 19th, 2026 and September 8th, 2026 as submitted. Councilwoman Mehl seconded the motion. The motion to approve carried 7-0.

Monthly Financial Report for the month ending August 31, 2026:

Tyler Winningham addressed the Council stating that last month he discussed in more detail sales tax revenue and acknowledged that there was an overall slowing down of the economy. He said that sales tax in August was down 2.9% and for the year that puts us up 1.2%. He called their attention to a handout he had distributed about the general fund. He pointed out that the general fund as of the end of August was showing a net expense of \$4.9 million dollars. He added that the two departments that have been discussed the most this year are the Community Center and the Emergency Operations Center. He said the Community Center deficit of \$857,000 is the operating deficit. He called their attention to the detailed line item activity for the Community Center and the same for the CEOC. He pointed out the figure showing the expenses for the Community Center building saying that he did not count the figure in the operations of the Center, because he wanted to show what was happening as far as membership fees and then what it costs to actually run the Center. He compared that figure to the one in the financials saying that if the Community Center revenues were subtracted from the Center expenditures there would be a deficit of \$1.5 million, which includes that building expense of \$703,000. He said that City Council approved \$2 million in Sanitation funds to help cover the building expenses and that \$703,000 was part of that. He called their attention to the CEOC \$1.9 million deficit. He said that \$936,000 of that number is for finishing out the radio upgrade that we took out the loan for last year. He added that the figure is in that \$1.9 million because there is not a revenue this year to offset it. The revenue was the loan proceeds that we recorded last year. He noted that those two departments together represent 57% of the net expense for the general fund. He continued by saying that sales tax being behind forecast is causing about a \$500,000 effect. He said that property tax revenue comes in later in the year, and other revenues will be reflected in the September revenues as well. He continued to explain why other revenues were incomplete at this time but would correct themselves before the end of the year, with revenues that are forthcoming, including revenues from the new sales taxes which will allow us to reimburse ourselves for purchases that fall under qualified categories. There was some discussion about the State 911 Board revenues and Brian Edwards of the COEC helped to clarify how those revenues are collected and distributed. Councilman Jones made a motion to approve the monthly financial report, and Councilman Grimes seconded it. A vote was called and the motion carried 7-0.

Report of Standing Committees:

- A. Community Development Committee (Airport, Community Development, Code Enforcement, Permits & Inspections, Transportation, & Planning & Development.**

1. Consideration to approve waiving all three readings for the ordinances on the September 22nd, 2026 City Council agenda.

Councilman Hawkins presented Item A1 to the Council. Mr. Finkenbinder advised that the two Ordinances that would be considered of a general and permanent nature subject to the three reading requirement would be #2 under Section A and #1 under Old Business. Councilman Grimes made a motion to waive the three readings, and Councilman Ledbetter seconded it. A vote was called and the motion carried 7-0.

2. Ordinance to clarify the terms of the Public Art Advisory Committee

O-26-61

Councilman Hawkins presented Item A2 to the Council. Felicia Rogers explained that in the Public Art Advisory Committee Master Plan it stated that the member terms were for two years. The purpose of the Ordinance is to adjust to a four-year term so that the terms can be staggered, which is how most other City boards are organized. She added that they would like to add two more members for a total of seven, as it was when the Committee was established. She clarified that in the beginning it was more difficult to recruit members, and now there is more interest from the public, and a desire to be more active in the community. Councilwoman Mehl asked if there was anyone present who would like to have input. There was no one present to speak for or against the matter. 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 Hawkins, Councilman Ledbetter, Councilwoman Mehl, Councilman Hawks, Councilman Jones, Councilwoman Isby, and Councilman Grimes. The Ordinance passed 7-0.

3. Resolution to approve the grant application for the Financial Empowerment Center (FEC) Academy Planning Grant program for the City

R-26-31

Councilman Hawkins presented Item A3 to the Council. Robbie Alberson told the Council that this is a planning grant that will explore the potential for the establishment of a Financial Empowerment Center, a community based program that provides free financial counseling to residents. He added that if the City is awarded the grant, there would be a 15 month training process with the Cities for Financial Empowerment Fund, which would help determine the suitability for an FEC program in the City. He said the award would include \$20,000 in funding assistance for the planning process and requires no matching funds. Jessica Clawson, with the United Way spoke to the Council in favor of the program. Councilwoman Mehl made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called and the Resolution was passed 7-0.

4. Resolution to approve the 2026-2030 – 5 year Consolidated Plan for the Community Development Department

R-26-32

Councilman Hawkins presented Item A4 to the Council. Shawanna Rodgers told the Council that HUD has approved the five areas considered in the 5 year Strategic Plan, which are streets and sidewalks, drainage and stormwater, affordable and suitable housing, economic development, public services and community facilities. She added that the 5-year Strategic Plan was completed in-house this year. Ms. Rodgers also noted that the 2026 program year funding in the amount of \$530,479 was also approved in the 5-year Consolidated plan. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called and the Resolution was passed 7-0.

5. Ordinance appropriating funds received from the Department of Housing and Urban Development for the Community Development Department.

O-26-62

Councilman Hawkins presented Item A5 to the Council. Shawanna Rodgers told the Council that this is the funding approved for the 2026 program year in the amount of \$530,479. She said the project for that funding along with public services will be Airport Park, which should be happening by December. She said that in addition, they are doing public services, such as transportation for our non-profit organizations, and a food bank in partnership with one of the non-profits, and Theodore Jones Elementary. Councilman Jones made a motion for the adoption of the Ordinance and Councilwoman Isby seconded the motion. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Grimes, Councilman Hawkins, Councilwoman Isby, Councilman Ledbetter, Councilman Jones, and Councilman Hawks. The Ordinance passed 7-0.

B. Public Safety Committee (Police, Fire, CEOC, District Court, & Information Technology)

1. Ordinance appropriating additional funding for the network upgrade at the Conway Emergency Operations Center.

O-26-63

Mayor Castleberry presented Item B1 to the Council. Brian Edwards, Director of the CEOC addressed the Council stating that in 2025 Council approved an upgrade in the network system for CEOC, which is the hardware upgrade for the entire radio system for the City, including every department such as police, fire, transportation, etc. He said the project was expected to be around \$1.2 million, and this Ordinance is the appropriation of the remaining \$148,260 to complete the project. Councilman Hawkins made a motion for the adoption of the Ordinance and Councilman Ledbetter seconded the motion. The Clerk called the roll with the following voting "Aye": Councilwoman Isby, Councilwoman Mehl, Councilman Jones, Councilman Ledbetter, Councilman Grimes, Councilman Hawks, and Councilman Hawkins. The Ordinance passed 7-0.

C. Old Business

1. Ordinance to rezone property located at 800 S. Donaghey Avenue from S-1 to C-2

O-26-64

Mayor Castleberry presented Item C1 to the Council. Anne Tucker reminded the Council that a year ago there was a request to rezone this property to C-3 which failed. She said the applicant is now requesting C-2 and if passed they will present a conditional use request that is running concurrent with this application. It was heard at the Planning Commission in July and passed by unanimous vote. She added that the property is at a significant intersection with high visibility. She said the C-2 allows for many uses that are appropriate for the area. Kurt Daniels, a representative of the applicant, and Club Car Wash was present to answer questions from the Council. Councilman Grimes made a motion to adopt the Ordinance to rezone the property and Councilman Hawks seconded the motion. There was discussion among the Council and the attendees as to what was allowed in the C-2 zoning. The Clerk called the roll with the following voting "Aye": Councilman Jones, Councilman Grimes, Councilman Ledbetter, Councilwoman Isby, Councilman Hawks, Councilman Hawkins, and Councilwoman Mehl. The Ordinance to rezone passed 7-0.

2. Consideration to approve a conditional use permit to allow an Automobile Wash Service for the property located at 800 S. Donaghey Avenue

Mayor Castleberry presented Item C2 to the Council pointing out that this is a high traffic and highly visible intersection. Anne Tucker told the Council that the applicant was seeking a CUP for not quite half of the total parcel that was rezoned, to allow a drive-through car wash service, which is not allowed in C-2 zone. She explained the submitted plan with accesses, hours of operation and the basic design, etc. She said the Planning Commission approved the plan with 19 conditions which the applicant has agreed to. There was discussion among the Council as to access of the parcels from Silver Springs and Donaghey and Dave Ward Drive. There was further discussion as to the appropriateness of a carwash which is not allowed in C-2 zoning by right. Kurt Daniels, representing the applicant and Club Car Wash addressed the Council and explained what was present now on the property and what the plan would look like for the car wash and why that location was chosen. Josh Draper, resident, addressed the Council speaking against the proposed conditional use permit. Phillip Griffin, President of the Woodland Springs Property Owners Association addressed the Council speaking against the proposed conditional use permit. The Property Manager of Peace Lutheran Church addressed the Council in support of the applicant and the conditional use permit. Richard Seibenmorgan addressed the Council in opposition to the conditional use permit. There was no further discussion. Councilman Grimes made a motion to approve the conditional use permit, and Councilman Hawkins seconded the motion. A vote was called and the motion failed 0-7.

D. New Business

1. Consideration to approve the appeal from the Historic District Commission denial of a metal carport for the property located at 1419 College Avenue.

Mayor Castleberry presented Item D1 to the Council. Anne Tucker explained that the owners of the property, Beau and Alexandra Turner, contacted the City to obtain a permit to erect a metal carport as his home at 1419 College. She said he was told that a permit could not be obtained until a certificate of appropriateness was obtained from the Historic District Commission. She said that sometime between December 2025 and May of 2026 the carport was erected without a permit. She said at that time Planning staff sent them a courtesy violation letter and asked that they take the proper steps to bring the carport into compliance. At the June 22 HDC meeting the Commission heard the request and failed it with a 3-2 vote. An appeal was presented at the August HDC meeting where the discussion fell mainly on the size of a legally non-conforming outbuilding that was grandfathered in at the time he purchased the home. She explained the lot coverage requirements in relation to the house and the outbuildings. The addition of the carport, although erected on an existing concrete pad, created an issue with lot coverage. The vote at the August HDC meeting was 3-3 with one Commissioner absent. She added that five of the applicant's neighbors spoke in favor of the request, and Mr. Turner was advised of his right to appeal to Council. Mr. Finkenbinder advised that even though with the 3-3 vote the matter did not have enough to pass, and he submitted to the Council that in this particular case, he felt that the exception was required under the Americans with Disabilities Act as a reasonable accommodation due to a health condition of the applicant. Vivian Hogue spoke in favor of the appeal. The applicants, Beau and Alexandra Turner addressed the Council explaining their process and the steps they had taken in the matter. There was some discussion as to why the Turners did not go through the proper channel of applying to the Historic District Commission when they were advised to do so. After that, there was no further

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discussion. Councilman Grimes made a motion to approve the appeal, and Councilman Hawkins seconded the motion. A vote was called and the motion carried 7-0.

Adjournment-----

PASSED this 22nd day of September, 2026

APPROVED:

Mayor, Bart Castleberry

City Clerk, Denise Hurd