



City of Conway, Arkansas
CITY COUNCIL
Agenda • April 9, 2024

www.conwayarkansas.gov

Elected Officials

Mayor Bart Castleberry
City Clerk Michael O. Garrett
City Attorney Charles Finkenbinder

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Woodrow Cummins
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Cindy Webb
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

5:30pm:

No Committee Meeting

6:00pm:

City Council Meeting • Conway Municipal Building • 1111 Main Street

Call to Order:

Bart Castleberry, Mayor

Roll Call:

Michael O. Garrett, Clerk/Treasurer

Minutes Approval:

March 26th, 2024

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

1. Update from Pafford Ambulance Services.
2. Consideration to approve waiving all three readings for the ordinances on the April 9, 2024, City Council agenda.
3. Consideration to approve the nomination of Jacqueline Wright for the Conway Housing Authority Board.
4. Consideration to approve the nomination of John Ben Scherrey for the Conway Corporation Board of Directors.
5. Ordinance to approve the private club permit location for Fatburger of Conway, Inc. D.B.A. Volstead Proper located at 2205 Dave Ward Dr, Conway AR 72034.
6. Resolution to approve fleet maintenance services for the City of Conway.
7. Ordinance appropriating funding and approving the lowest bid for the East German Road Improvements for the Transportation Department.
8. Resolution to approve professional services for the Connect Conway project for the Transportation Department.
9. Ordinance to rezone property located at 2014 Washington Avenue from R-2A to R-2.

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

1. Ordinance appropriating asset forfeiture funds to purchase equipment for the Conway Police Department.
2. Ordinance waiving the bid process and appropriating funds for new vehicles for the Conway Police Department.
3. Ordinance appropriating reimbursement funds for the Conway Police Department
4. Resolution to approve the application submission for the Fires Prevention Grant for the Conway Fire Department.
5. Ordinance appropriating funds for a new Fire Truck for the Conway Fire Department.

Adjournment

City of Conway, Arkansas
Office of the Mayor

Memo:

To: Mayor Bart Castleberry
CC: City Council Members
From: Felicia Rogers
Date: April 5, 2024
Re: April 9, 2024 City Council Agenda

The following ordinances are included on the April 9, 2024, for consideration of waiving the three readings of each ordinance:

1. A-5 - Ordinance to approve the private club permit location for Fatburger of Conway, Inc. D.B.A. Volstead Proper located at 2205 Dave Ward Dr, Conway AR 72034.
2. A-7 - Ordinance appropriating funding and approving the lowest bid for the East German Road Improvements for the Transportation Department.
3. A-9 - Ordinance to rezone property located at 2014 Washington Avenue from R-2A to R-2.
4. B-1 - Ordinance appropriating asset forfeiture funds to purchase equipment for the Conway Police Department.
5. B-2 - Ordinance waiving the bid process and appropriating funds for new vehicles for the Conway Police Department.
6. B-3 - Ordinance appropriating reimbursement funds for the Conway Police Department
7. B-5 - Ordinance appropriating funds for a new Fire Truck for the Conway Fire Department.



CITY OF CONWAY, ARKANSAS

Office of the Mayor

Mayor Bart Castleberry

www.conwayarkansas.gov

1111 Main Street

Conway, AR 72032

T 501.450.6110

F 501.450.6145

MEMO

To: Mayor Bart Castleberry
City Council Members

From: Felicia T. Rogers

Date: April 5, 2024

Re: Conway Housing Authority

The Conway Housing Authority approved the selection of Jacqueline Wright to serve on the board at its March 12, 2024, meeting.

Mrs. Wright was selected to fill a third 5-year term, and her term expires on April 12, 2028.

Please advise if you have any questions.



Housing Authority of the City of Conway

LORNA SIMMONS
Interim Director

March 12, 2024

Honorable Mayor Bart Castleberry & City Council
City of Conway
1201 Oak Street
Conway, AR 72032

Dear Mayor & City Council Members:

The Board of Commissioners met on March 12th, 2024, and recommended Attorney Jacqueline Wright, to complete a third 5-year term.

Enclosed is a copy of the By-Laws, Article V, Section III: Number and Tenure: The Board of commissioners shall serve terms of five (5) years. One additional five (5) year term may be served provided the Mayor and Executive Director recommend such consideration.

The Conway Housing Authority Board requests approval of the City Council as to this appointment.

Sincerely,

A handwritten signature in blue ink that reads "Lorna J. Simmons".

Interim Director

CC: Jacqueline Wright



March 26, 2024

The Honorable Bart Castleberry, Mayor
and Members of the City Council
City of Conway, Arkansas
1201 Oak Street
Conway, AR 72032

Dear Ladies and Gentlemen:

The Board of Directors of the Conway Corporation, in conformance with Resolution 88-11, published a legal notice in the Log Cabin Democrat on February 6, 2024, advertising for nominees to the Conway Corporation Board of Directors. (A copy of that legal notice is enclosed.)

As of March 8, 2024, the expiration of the nominating period, two nominations had been received.

The Conway Corporation Board of Directors met on March 26, 2024, and John Ben Scherrey was elected to succeed Tom Courtway, whose term expires May 8, 2024.

As mandated by the Articles of Incorporation of the Conway Corporation, it is my pleasure to submit to the Conway City Council for its ratification and approval the election of John Ben Scherrey.

We respectfully request your favorable consideration.

Sincerely,

A handwritten signature in blue ink that reads "Bret A. Carroll".

Bret Carroll
Chief Executive Officer
Conway Corporation

BC:aj

Enclosure (legal notice)

AFFP
Public Notice

Affidavit of Publication

STATE OF AR } SS
COUNTY OF FAULKNER }

Matthew Smith, being duly sworn, says:

That he is Classified Director of the Log Cabin Democrat, a daily newspaper of general circulation, printed and published in Conway, Faulkner County, AR; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

February 06, 2024

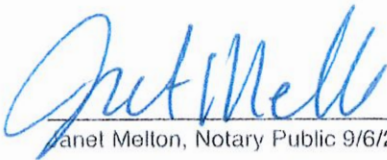
Publisher's Fee: \$ 110.60

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 6th day of February 2024.



Janet Melton, Notary Public 9/6/2032

Public Notice:
Conway Corp accepting board of director nominations

Conway Corp is accepting nominations for board membership. The Conway Corp Board of Directors elects one director annually to serve a seven-year term. Nominees are being accepted for the term to begin May 8, 2024.

Nominations will be accepted at the office of the Chief Executive Officer, 650 Locust St., Conway, Arkansas 72034, on or before March 8, 2024. Nominations should be submitted in writing and include the following information: (1) name and address of person making nomination; (2) name and address of nominee; (3) personal background information, qualifications, and the reason(s) the nominee wishes to be considered; and (4) signatures of nominator and nominee, if different.

Nominees must be a Conway citizen willing to serve the community without compensation, philosophically in tune with municipal ownership of utility systems, free of conflicts of interest, and firmly established in Conway.

Information included in all applications will become public information. This legal published in The Log Cabin Democrat on February 6, 2024.

70068732 70882768

Diane Snyder
Conway Corp (legals)
800 S. Harkrider St.
Conway, AR 72032

JANET MELTON
NOTARY PUBLIC - STATE OF ARKANSAS
CRAIGHEAG COUNTY
My Commission Expires 09-06-2032
Commission No. 12389619



City of Conway, Arkansas
Ordinance No. O-24-_____

AN ORDINANCE APPROVING THE PRIVATE CLUB PERMIT FOR FATBURGER OF CONWAY DOING BUSINESS AS VOLSTEAD PROPER AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMITS FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED

Whereas, Fatburger of Conway, Inc. D.B.A. Volstead Proper has applied for a private club permit as required under Chapter 4.12.04 of the Conway City Code per Ordinance No. O-17-100 and A.C.A §3-9-222; and

Whereas, the application is limited and specific to Fatburger of Conway, Inc. D.B.A. Volstead Proper located at 2205 Dave Ward Dr, Conway AR 72034; and

Whereas, the applicant has provided all the information required in the permit application process and met all the standards set forth by the Conway City Council; and

Whereas, the City Council for the City of Conway hereby approves the application for a permit for the proposed location to operate a private club within the City limits of Conway; and

Whereas, this approval does not authorize the operation of a private club within the City of Conway but does function as an authorization to apply for a private club permit through the Arkansas Alcoholic Beverage Control Division per A.C.A §3-9-222.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. That the application for private club permit location is hereby approved for Fatburger of Conway, Inc. D.B.A. Volstead located at 2205 Dave Ward Dr, Conway AR 72034.

Section 2. That no private club operations will begin unless and until a permit to operate a private club is issued by the Arkansas Alcoholic Beverage Division.

Section 3. That the approval and permit are subject to suspension or revocation by the City in the event the applicant violates Conway City Code or State law.

Passed this 9th day of April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-24-___**

A RESOLUTION AUTHORIZING THE CITY OF CONWAY TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT(S) FOR FLEET MAINTENANCE SERVICES: AND FOR OTHER PURPOSES

Whereas, the City of Conway, Arkansas determined Fleet Maintenance Services should be designated a professional service on July 23rd, 2019 per Arkansas Code Annotated §19-11-801(c); and

Whereas, the City solicited Request for Proposals for this service and received two responses from qualified vendors – Superior Chevrolet and R&D Tire Service, Inc.; and

Whereas, the City would like to enter into two agreements for vehicle maintenance services to be provided by both vendors–Superior Chevrolet and R&D Tire Service, Inc.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. The City of Conway shall enter into an annual agreement(s) for fleet maintenance services with Superior Chevrolet and R&D Tire Service, Inc.

Section 2. That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 9th day of April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

**Michael O. Garrett
City Clerk/Treasurer**



**City of Conway, Arkansas
Resolution No. R-24-_____**

AN ORDINANCE APPROPRIATING FUNDS, ACCEPTING THE LOWEST BID, AND ENTERING INTO AN AGREEMENT FOR EAST GERMAN LANE IMPROVEMENTS FOR THE CONWAY TRANSPORTATION DEPARTMENT; AND OTHER PURPOSES

Whereas, Conway City solicited bids to widen and improve approximately .38 miles of East German Lane in Conway, AR; and

Whereas, The City of Conway received two bids as follows: JCI Construction, Inc. \$2,037,762.20, and Redstone Construction Group \$3,131,232.14; and

Whereas, The City of Conway recommends that Council approve the lowest bid from JCI Construction, Inc. and allow the City to enter into contract for the amounts stated above; and

Whereas, Resolution No. R-22-36 approved the American Rescue Plan ACT project listing for the City of Conway, the above project is included R-22-36, as part of the Drainage project.

NOW, THEREFORE, BE IT RESOLVED BY CONWAY CITY COUNCIL THAT:

Section 1: The City of Conway accepts the lowest bid and enter into an agreement with JCI Construction Inc. for East German Lane Road Improvements from JCI Construction, Inc. in the amount of \$2,037,762.20.

Section 2: The City of Conway shall appropriate \$2,037,762.20 from the Grant Fund Balance Appropriation Account (399.000.4900) into the Transportation Department Grant Misc. Account (399.201.5990).

Section 3. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 9th of April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

**Michael O. Garrett
City Clerk/Treasurer**



**City of Conway, Arkansas
Resolution No. R-24-__**

A RESOLUTION APPROVING PROFESSIONAL SERVICES FOR THE DESIGN OF THE CONNECT CONWAY SHARED-USE TRAIL SYSTEM ; AND FOR OTHER PURPOSES

Whereas, the City of Conway was awarded \$24,647,664 to develop 15 miles of infrastructure that consists of multi-use paths, side paths, bridges, cycle tracks and trailheads; and

Whereas, the City of Conway solicited Request for Qualifications for qualified design professionals to complete the design for this project; and

Whereas, the City of Conway received responses from seven firms for this project; Anderson Engineering Consultants Inc., Crafton Tull, Ecological Design Group, Garver, Halff, McClelland, and Pinnacle Consulting Management Group Inc; and

Whereas, The City request Council approve Crafton Tull for Component 1 and 4 of the project (Little Creek Plaza and East of I-40 and approve Garver for Component 2 and 3 of the project (West of I-40).

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. The City of Conway shall enter into agreement with Crafton Tull for Component 1 and 4 of the projects (Little Creek Plaza and East of I-40 and approve Garver for Component 2 and 3 of the project (West of I-40).

Section 2. All resolutions in conflict herewith are repealed to the extent of the conflict.

PASSED this 9th day of April 2024.

Approved:

Mayor Bart Castleberry

Attest:

**Michael O. Garrett
City Clerk/Treasurer**



City of Conway, Arkansas
Ordinance No. O-24- _____

AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED AT 2014 WASHINGTON AVENUE, FROM R-2A TO R-2:

Whereas, in accordance Arkansas Code Annotated § 14-56-416 has adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

Whereas, Proper public notice was given, and the Conway Planning Commission held a duly authorized public hearing on **March 25th, 2024**, and adopted the amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1: The Zoning District Boundary Map of the Conway Land Development Code be amended by changing all the **R-2A** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

THE SOUTH HALF OF LOT 10, ALL OF LOT 11, AND ALL EXCEPT THE EAST 10 FEET OF LOT 12, ALL IN BLOCK 15 OF HENDRIX COLLEGE ADDITION, BEING A REPLAT OF SCULL'S SUBDIVISION, IN THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS

to those of **R-2**, and a corresponding use district is hereby established in the area above described and said property is hereby rezoned.

Section 2: All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 9th day April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



1111 Main Street • Conway, AR 72032
(501) 450-6105 • planning@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Rebekah Fincher, 2024 Planning Commission Chairwoman
Date: April 9, 2024

Re: Request to rezone property located at 2014 Washington Avenue from R-2A to R-2

Central Arkansas Professional Surveying, has requested to rezone property located at 2014 Washington Avenue from R-2A to R-2, with the legal description:

THE SOUTH HALF OF LOT 10, ALL OF LOT 11, AND ALL EXCEPT THE EAST 10 FEET OF LOT 12, ALL IN BLOCK 15 OF HENDRIX COLLEGE ADDITION, BEING A REPLAT OF SCULL'S SUBDIVISION, IN THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS

Staff recommendation: The applicant intends to remove the existing structure and construct two duplexes on two separate lots. Minimum lot width for a duplex in R-2A is 100'; in R-2 it is 50'. The newly created lots will conform to R-2 standards, which requires 7,000 sf per duplex (3,500 sf/family). The property is adjacent to R-2A property to the east, west, and south with the north transitioning to an office use. Given the surrounding structures and zonings, this use is appropriate for this area.

The Planning Commission reviewed the request at its regular meeting on March 25, 2024, and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

O-2

R-2A

R-2A

O-3

Clifton St

Washington Ave

Zoning

 City Limits

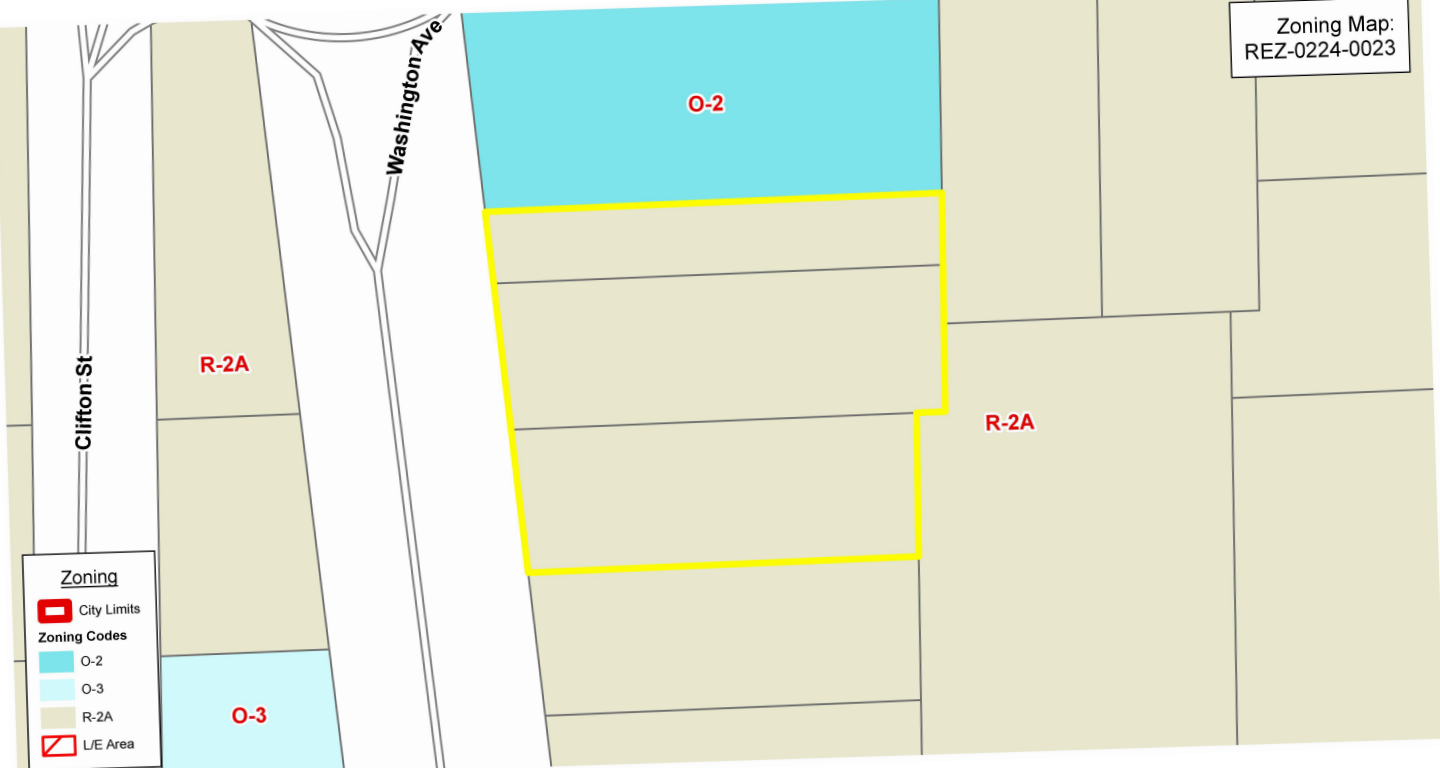
Zoning Codes

 O-2

 O-3

 R-2A

 L/E Area





City of Conway, Arkansas
Ordinance No. O-24- _____

AN ORDINANCE APPROPRIATING ASSET FORFEITURE FUNDS TO THE CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES.

Whereas, the Conway Police Department needs approximately \$22,698.30 to purchase five E-Bikes, five equipment packages, and the annual service contract for the Crime Suppression Unit division; and

Whereas, the Conway Police Department needs approximately \$9,594.75 to purchase updated uniform Police badges for all SWORN positions; and

Whereas, money in the Conway Police Department Asset Forfeiture account is allowed, by law, to be used for such purposes as these.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. The City of Conway shall appropriate funds in the amount of \$32,293.05 from the Fund Balance Account (250.000.4900) into the following Asset Forfeiture expense accounts:

250-121-5650 \$22,698.30
250-121-5670 \$9,594.75

Section 2. All ordinances in conflict herewith are repealed to that extent of the conflict.

PASSED this 9th day of April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-24- _____

AN ORDINANCE TO WAIVE THE COMPETITIVE BID PROCESS FOR THE PURCHASE OF (2) TWO NEW VEHICLES FOR THE CONWAY POLICE DEPARTMENT; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES

Whereas, the Conway Police Department needs to purchase two (2) 2024 Chevrolet Tahoe Police Pursuit vehicles; and

Whereas, Superior Automotive Group is currently the only manufacturer who can supply these Police Pursuit vehicles within the state; therefore, we are requesting City Council waive the bid process and approve the purchase of two (2) vehicles in the amount of \$104,334.00; and

Whereas, funding for these vehicles was included in the FY2024 budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. The City of Conway shall waive competitive bid requirements for two (2) Chevrolet Tahoe’s and enter into an agreement to purchase two Chevrolet Tahoe’s from Superior Automotive Group in the amount of \$104,334.

Section 2. All ordinances in conflict herewith are repealed to the extent of the conflict.

Section 3. This ordinance is necessary for the protection of the public peace, health, and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 9th day of April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-24-____

AN ORDINANCE APPROPRIATING REIMBURSEMENT FUNDS FROM VARIOUS ENTITIES FOR THE CITY OF CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

Whereas, the City of Conway has received reimbursement funds from the following entities:

Various Companies	\$43,894.51	Extra Duty Services
Municipal Vehicle Program	\$19,198.01	Insurance Proceeds

Whereas, the Conway Police Department needs these funds to replenish their expenditure accounts.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. The City of Conway shall appropriate funds from various companies in the amount of \$43,894.51 from 001.121.4185 to the CPD overtime expense account, 001.121.5114.

Section 2. The City of Conway shall appropriate funds from the Municipal Vehicle Program in the amount of \$19,198.01 from 001.119.4360 to the CPD vehicle maintenance expense account 001.121.5450.

Section 3. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 9th day of April, 2024.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Resolution No. R-24-_____**

A RESOLUTION AUTHORIZING THE MAYOR TO OBTAIN A MATCHING GRANT FROM FEMA FIRE PREVENTION AND SAFETY (FP&S) GRANT PROGRAM: AND FOR OTHER PURPOSES

Whereas, the City of Conway has the opportunity to seek additional funding through Fire Prevention and Safety (FP&S) Grant Program which is intended to support projects that enhance the safety of the public and firefighters from fire and related hazards; and

Whereas, in order to obtain the funds necessary to complete this project, it is necessary to obtain a matching grant from the FEMA “Fire Prevention and Safety” Grant Program; and

Whereas, the total project cost is estimated to be \$25,000 with the local cost share of 5% to a maximum amount of \$1,250.

Whereas, if awarded, the FP&S Grant would upgrade and improve arson investigation equipment for the Fire Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CONWAY CITY COUNCIL THAT:

Section 1: The Mayor is hereby authorized to submit an application to FEMA for Fire Prevention and Safety grant for the city; therefore, such application will be submitted as expediently as possible.

Section 2: All Ordinances in conflict herewith are repealed to the extent of the conflict.

THIS RESOLUTION adopted this 9th day of April 2024.

Approved:

Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-24-_____**

**AN ORDINANCE REQUESTING FUNDS AND APPROVAL TO PURCHASE A NEW FIRE TRUCK;
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, the Conway Fire Department requests funds in the amount of \$900,000, not to exceed \$1.2 million for the use of purchasing a new fire truck; and

WHEREAS, the Conway Fire Department requests approval to purchase this truck as we are in dire need of this unit to continue serving the citizens of Conway.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. The City of Conway shall appropriate \$1,200,000 from the General Fund Balance Appropriation Account (001.119.4900) to the Fire Department Machinery and Equipment Account (001.131.5910).

Section 2. This ordinance is necessary for the protection of the public peace, health and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effort from and after its passage and approval.

Section 3. All ordinances in conflict herewith are repealed to that extent of the conflict.

PASSED this 9th day of April, 2024

Approved:

Mayor Bart Castleberry

Attest:

**Michael O. Garrett
City Clerk/Treasurer**