

Mayor Bart Castleberry  
Clerk/Treasurer Michael O. Garrett  
City Attorney Chuck Clawson



**City Council Members**

Ward 1 Position 1 – Andy Hawkins  
Ward 1 Position 2 – David Grimes  
Ward 2 Position 1 – Wesley Pruitt  
Ward 2 Position 2 – Shelley Mehl  
Ward 3 Position 1 – Mark Ledbetter  
Ward 3 Position 2 – Mary Smith  
Ward 4 Position 1 – Theodore Jones Jr.  
Ward 4 Position 2 – Shelia Isby

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**Tuesday, January 14<sup>th</sup>, 2020 City Council Agenda**

Judge Russell L. “Jack” Roberts District Court Building – 810 Parkway St., Conway, AR 72032

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<b><u>5:30pm:</u></b>	<b>No Committee Meeting</b>
<b><u>6:30pm:</u></b>	City Council Meeting
<b><u>Call to Order:</u></b>	Bart Castleberry, Mayor
<b><u>Roll Call:</u></b>	Michael O. Garrett, Clerk/Treasurer
<b><u>Minutes Approval:</u></b>	December 10 <sup>th</sup> , 2019

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**Report of Standing Committees:**

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

1. Resolution adopting the organizational rules and procedures for the Conway City Council for the calendar year 2020.
2. Consideration to approve the nominations for the Public Facilities Board.
3. Consideration to approve the transportation services agreement with Boys & Girls Club of Faulkner County, Faulkner County Council on Aging & Independent Living Services.
4. Consideration to approve the offer and acceptance for property located at 1114/1116 Gum Street for the Community Development Block Grant program.
5. Ordinance to approve the private club permit for O'Malley's Irish Grill to be located at 803 Harkrider Street – Suites 11-12.
6. Resolutions requesting Faulkner County Tax Collector to place a lien against various locations for expenses incurred by the City.
7. Ordinance amending the fees for the construction and alterations of buildings for residential and commercial fee for the Permits/Inspections Department.
8. Ordinance authorizing entering into an agreement for the Markham Square Water Quality Demonstration Project.
9. Ordinance accepting and appropriating donation funds for the Conway Tree Board and Arbor Day.
10. Ordinance accepting and appropriating funds from Faulkner County for GIS per the Interlocal agreement.
11. Consideration to approve a conditional use permit to allow a self-storage facility in a C-2 zoning district for +/-7.0 acres comprised of portions of 2890 Meadowlake Road and 2505 Salem Road.

12. Ordinance to rezone +/- 3.29 acres located in the 100 Block of Hogan Lane from A-1 to O-2.
13. Consideration to approve a conditional use permit to allow retail restricted, church, restaurant/eating place and drugstore/pharmacy in the O-2 zoning district located at the 100 Block of Hogan Lane.

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

1. Resolution accepting the bid for building improvements at the recycling center for the Department of Sanitation.
2. Resolution accepting the lowest bid for demolition of structures along Sugar Creek.
3. Consideration to approve entering into a contract extension with the Arkansas Department of Human Services for the Parks & Recreation Department.

**C. New Business**

1. Ordinance authorizing the levy and collection of a fine for jail cost at the Faulkner County jail.
2. Consideration to approve an interlocal agreement with Faulkner County for jail cost at the Faulkner County Jail.

**Adjournment**



**City of Conway, Arkansas  
Resolution No. R-20-\_\_\_\_\_**

**A RESOLUTION ADOPTING THE ORGANIZATIONAL RULES AND PROCEDURES FOR THE CONWAY CITY COUNCIL FOR THE CALENDAR YEAR 2020.**

**Whereas**, by state law city councils are charged with organizing their proceedings and setting their rules; and

**Whereas**, City councils are task to set their organizational rules and procedures at the first business meeting every year.

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

**Section 1.** The Conway City Council shall formally adopt the rules and procedures of its long standing traditions and its general adherence to Robert's Rules of Order as written in the Rules & Procedures for Conway City Council, January 2019 document presented at the January 14<sup>th</sup>, 2020 City Council meeting.

**PASSED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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

**Rules & Procedures**  
**Conway City Council**  
January 2020

## **THE CONWAY CITY COUNCIL RULES AND PROCEDURES:**

### **City Council Jurisdiction:**

The City Council shall possess all legislative powers granted by state law to cities of the first class and other corporate powers of the city not prohibited in state law or by some ordinance of the city council made in pursuance of the provisions therein and conferred on some officer of the city. [A.C.A. 14-43-502(a)]

The City Council shall have the management and control of finances, and of all real and personal property belonging to the corporation. [A.C.A. 14-43-502(b)(1)]

### **City Council Meetings:**

City Council meetings are always open to the public. [A.C.A. 14-43-502 (b)(2)(A)]

The City Council shall conduct regular business meetings at 6:30pm in the Judge Russell L. "Jack" Roberts District Court building located at 810 Parkway on the second and fourth Tuesdays of each month. The City Council by majority vote may reschedule or cancel such meeting as it deems necessary on a meeting by meeting basis. [A.C.A. 14-43-502 (b)(2)(A)]

Special or emergency meetings of the City Council may be called by the Mayor or any three (3) alderman by signed submittal of time and place of the scheduled meeting and its agenda to the Mayor or Mayor's Office, City Clerk or City Clerk's office, or the City Attorney, or the City Attorney's office in a timely manner to fully comply with the two hour notification requirement [A.C.A. 25-19-106(6)(2)] for all media and for the same notification of all elected city officials. Notification shall be deemed given when those to be notified have been contacted or when an attempt to contact them has been made by the proper time, by every means of instant communications they have been submitted for notification purposes. All means of communication for notification purposes within a timely reason should be attempted regardless.

### **Agenda for City Council Meetings:**

Agenda items shall consist of all items of city business needing city council approval, judgment or review arising out of the city budget; city departments; City Council committees; city committees, boards, and commissions; and all city systems and processes submitted for the purpose of city council action according to the procedures herein described. Agenda items may also be submitted by the Mayor or any Alderman following the procedures herein described for consideration at any city council meeting. Planning Commission items are automatically forward to the Mayor's Office for inclusion on the Agenda.

The Agenda is prepared by the Office of the Mayor. All Agenda items for consideration at regular City Council meetings must be submitted to the Office of the Mayor by 12:00pm no later than 7 days prior to the City Council meeting. Items may be included later with the Mayor's approval; however, the published Agenda shall not include items submitted after 12:00pm the Friday before the Tuesday City Council meeting. All items should be submitted electronically (if applicable) with all necessary documentation including ordinances and/or resolutions.

The City Council may by a non-debatable two-thirds majority vote add an item of business to any regular, special, or emergency City Council meeting

Preparation of the Agenda packet for each regular City Council meeting should be completed and the Agenda published before close of business on Friday before the Tuesday City Council meeting. An electronic copy shall be sent to the each Alderman, Department Head, and made available on the city's website. An electronic copy is also sent to any person's requesting the agenda on the "E-Agenda Email listing". This schedule may change for rescheduled meetings and does not apply to special meetings.

**Conduct of the City Council Meeting:**

The Mayor shall be the ex officio President of the City Council and shall preside at its meetings regular and special. [A.C.A. 14-43-501 (b) (1) (A)]

A quorum is defined as a majority of all Aldermen on the City Council.

The City Council may from as necessary compel the attendance of absent members in such a manner and under such penalties as they think fit to prescribe [A.C.A. 14-43-501 (a)(2)(C)(ii)]

The Mayor shall have a vote to establish a quorum at any regular meeting of the City council and when his or her vote is needed to pass any ordinance, by-law, resolution order, or motion. [A.C.A. 14-43-501 (b) (1) (B)]

In the absence of the Mayor, Alderman Andy Hawkins is elected president pro tempore to preside in his absent. If Alderman Hawkins is unavailable to preside in the Mayor's absence, the alderman present at the meeting shall elect a temporary president pro tempore to preside for that one meeting. [A.C.A. 14-403-501 (b) (2)]

Business shall be conducted by Roberts Rules of Order. However, it is to be understood that parliamentary procedure is not the goal. The goal is respectful conduct of business in equitable order. It is also understood that formal parliamentary procedure is not well known. Therefore, an informal form of procedure can be used provided that equity and order is maintained. If a question of order arises or if so requested by an alderman, the Mayor shall implement formal parliamentary procedure.

A positive motion is encouraged to start consideration of each business item.

Ordinances by state law are required to be read at three separate council meetings before being considered for action unless the various readings are waived by Council. The Council can choose to waive any or all readings of an ordinance when it comes up on the agenda by a non-debatable two third majority voice vote. [A.C.A. 14-55-202]

Ordinances shall require a roll call vote. Emergency clauses associated with ordinances shall require an undebatable separate roll call vote and with a two-third majority approval. The City Clerk shall maintain a random roll call list of aldermen for each separate business item requiring a roll call vote (Ord. No. O-02-200).

Resolutions and all other motions of the Council may be approved by voice vote. A show of hands will be required on all non-unanimous votes to properly record the votes in the record.

**Discussion and Citizen Commentary:**

Debate on Agenda items appearing before the City Council is reserved for the City Council. Citizen commentary at council meetings is allowed in specific situations and under conditions allowed by the City Council herein described.

While the City Council generally wishes for public input and public participation and publishes their individual contact information through the City, this willingness does not constitute an unrestricted right to speak at meetings of the Council.

**Petitioners and City Officials:** Petitioners and city officials appearing before the City Council regarding items of business arising from the agenda or placed on the agenda are recognized by the Council as having a right to speak to their petition or report subject to restriction thereof.

City Council members and the Mayor may ask questions from time to time from petitioners, city officials, or the public. Those questioned will be allowed to answer subject restriction thereof.

**General Citizenry:** The City Council restricts citizen input at any regular or special meeting to germane commentary regarding items of business before the Council arising from the meeting agenda or from the Council's placement of an item on the agenda. Citizen commentary may only occur at such time as the item of business is before the Council and under consideration for action. It is the City Council's intention to allow public input in an informal format with due regard to the equity of allowing the various sides of issues to speak and, within reason, with due regard to the number of people wishing to address the Council.

The Mayor as ex-officio president of the Council shall allow citizen input on a per business item basis provided that individual speakers are recognized in turn, identify themselves for the record and address the Council from a podium and/or position established for such. Unrecognized comments from the audience are prohibited. The City Council may at any time restrict such citizen input in any fashion including, but not limited to, the length of individual comments, the total number of speakers, and/or the total time allotted for public input.

At all times, an open conversation with or within the audience is strongly discouraged. Redundancy of commentary is strongly discouraged. More than one speaker at a time prohibited.

**Non Agenda Commentary:** The City Council may suspend the rules of order and allow citizen input/commentary on matters not included on the Agenda of the City Council meeting. Suspending the rules of order requires a non-debatable two-third majority vote.



**City of Conway, Arkansas  
Resolution No. R-20-\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS APPOINTING NEW MEMBERS TO THE PUBLIC FACILITIES BOARD;**

**Whereas**, Ordinance No. O-82-01 created the Public Facilities Board; and

**Whereas**, the board consist of five persons who shall be residents of the City of Conway and after their appointments shall file with the City Clerk/Treasurer the oath of office, and

**Whereas**, the previous board members terms have all expired.

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

**Section 1.** The Public Facilities Board will consist of five (5) members, all citizens and residents of Conway, who shall be appointed by the Mayor and approved by City Council. All terms will be staggered.

**Section 2.** All members will file an oath of office with the City Clerk/Treasurer's Office and follow all procedures set forth by Ordinance No. O-82-01.

**Section 3.** The Mayor has appointed the following to serve on the Public Facilities Board:

- 1.
- 2.
- 3.
- 4.
- 5.

Passed this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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





**CONTRACT FOR**  
**TRANSPORTATION SERVICES**  
**BOYS & GIRLS CLUB OF FAULKNER COUNTY**

For the fee of \$110,000 Boys & Girls Club of Faulkner County shall provide transportation services.

Length of contract shall be January 1<sup>st</sup>, 2020 through December 31<sup>st</sup>, 2020.

Transportation services shall include but not limited to:

- After school transportation
- Summer transportation
- Transportation expenses
- Transportation needs as permitted by program

All services shall be provided on request and as vehicle scheduling permits

The Boys & Girls Club of Faulkner County shall maintain accurate records of all transportation services. Any further documentation necessary or required by City, State, or Federal requirements will be maintained and available upon request for review or audit by City officials.

The Boys & Girls Club of Faulkner County will provide services to all mentioned above classes without regard to race, color, religion, sex, national origin, disability, veteran status, or marital status.

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Mayor Bart Castleberry  
City of Conway

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Clint Brock, Chief Professional Officer  
Boys & Girls Club/Faulkner County

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Michael O. Garrett  
City Clerk/Treasurer  
City of Conway

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Board President  
Boys & Girls Club/Faulkner County



**CONTRACT FOR**  
**TRANSPORTATION SERVICES WITH**  
**FAULKNER COUNTY COUNCIL ON AGING**

For the fee of \$92,000 Faulkner County Council on Aging shall provide transportation services to the senior citizens of Conway, Arkansas.

Length of contract shall be January 1<sup>st</sup>, 2020 through December 31<sup>st</sup>, 2020.

Transportation services shall include but not limited to:

- Employment transportation
- Medical transportation
- Educational transportation
- Recreational transportation
- Transportation for personal needs (shopping, bill paying, prescriptions, etc.)

All services shall be provided on request and as vehicle scheduling permits

Faulkner County Council on Aging shall maintain daily trip sheets of all transportation services. Any further documentation necessary or required by City, State, or Federal requirements will be maintained and available upon request for review or audit by City officials.

Faulkner County Council on Aging will provide services to all mentioned above classes without regard to race, color, religion, sex, national origin, disability, veteran status, or marital status.

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Mayor Bart Castleberry  
City of Conway

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Debra Robinson  
Faulkner County Council on Aging

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Michael O. Garrett  
City Clerk/Treasurer  
City of Conway

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Faulkner County Senior Citizens Program  
Board President



**CONTRACT FOR**  
**TRANSPORTATION SERVICES**  
**INDEPENDENT LIVING SERVICES**

For the fee of \$30,000 Independent Living Services shall provide transportation services to persons with developmental and intellectual disabilities.

Length of contract shall be January 1<sup>st</sup>, 2020 through December 31<sup>st</sup>, 2020.

Transportation services shall include but not limited to:

- Employment transportation
- Transportation needs as permitted by program

All services shall be provided on request and as vehicle scheduling permits

Independent Living Services shall maintain accurate records of all transportation services. Any further documentation necessary or required by City, State, or Federal requirements will be maintained and available upon request for review or audit by City officials.

Independent Living Services will provide services to all mentioned above classes without regard to race, color, religion, sex, national origin, disability, veteran status, or marital status.

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Mayor Bart Castleberry  
City of Conway

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Elissa Douglas/Executive Director  
Independent Living Services

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Michael O. Garrett  
City Clerk/Treasurer  
City of Conway

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Board President  
Independent Living Services



**City of Conway, Arkansas  
Ordinance No. O-20-\_\_\_**

**AN ORDINANCE APPROVING THE PRIVATE CLUB PERMIT FOR O'MALLEY'S IRISH GRILL 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**, O'Malley's Irish Grill 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 O'Malley's Irish Grill located at 803 Harkrider Street – Suites 11-12, Conway, AR 72032, and

**Whereas**, the applicant has provided all the information required in 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 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:**

**Section 1.** That the application for private club permit is hereby approved for and specific to O'Malley's Irish Grill to be located at 803 Harkrider Street, Suites 11-12, Conway, AR 72032.

**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 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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

**OFFER AND ACCEPTANCE TO PURCHASE REAL ESTATE**  
**1114 AND 1116 GUM STREET, CONWAY, ARKANSAS 72032**

1. **BUYERS AND SELLERS:** The City of Conway, a municipal corporation chartered under the laws of the State of Arkansas (“Buyer”) agrees to buy National Property Holdings, LLC, an Arkansas limited liability company (“Seller”), agrees to sell, subject to the terms and conditions set forth herein, the following properties located at 1114 Gum Street Conway AR 72032 in Faulkner County, Arkansas and 1116 Gum Street, Conway, AR 72032 further described herein.

2. **LEGAL DESCRIPTION:**

1116 Gum Street, Conway, AR  
 1114 Gum Street, Conway, AR

Attached hereto as Exhibit “A” and incorporated herein is an aerial view generally depicting a conceptual version of the building located at 1114 Gum Street, Conway Arkansas 72032 and 1116 Gum Street, Conway, Arkansas 72032 being the subject of this agreement.

3. **PURCHASE PRICE:** The Buyers shall pay for the Property the sum of ONE HUNDRED AND SIXTY-FIVE THOUSAND (\$165,000.00) DOLLARS. Purchase price will be paid in full within 45 days of City Council approval of this agreement.

4. **ADDITIONAL CONTINGENCIES AND CONDITIONS:**

The Buyer’s agreement to purchase the property is conditioned on the following:

1. Buyer shall have right to reasonable access to the property for surveys, investigations and inspections subject to non-interference with normal and usual use of the property.

5. **REMAINING PROPERTY:** All personal property not removed by the closing date or before April 1<sup>st</sup>, 2020 shall be considered abandoned thus become the property of and responsibility of the Buyer. The Buyer reserves the right to bill the Seller for any cost associated with the removal of any property that remains after the final date.

6. **CONVEYANCE:** Unless otherwise specified, conveyance shall be made to Buyer, or as directed by Buyer, by general warranty deed, except it shall be subject to recorded instruments and easements, if any, which do not materially affect the value of the property. It is specifically agreed that subsequent to the conveyance, no correction deeds related to this property shall be filed for record unless acknowledged by the Buyer in writing and recorded therewith.

7. **MINERAL RIGHTS:** The conveyance shall include any and all mineral rights owned by Seller. Seller shall not retain any and all mineral rights.

8. **APPROPRIATION:** Parties agree that said offer is contingent upon City Council of the City of Conway approving the appropriation of funds towards the purchase price.

9. **TITLE REQUIREMENTS:** Seller shall, within thirty (30) days from the acceptance by both parties of

this Agreement, an owner's title insurance commitment (the "Commitment") for an ALTA title insurance policy insuring Buyer's fee simple title to the Property to the extent of the Purchase Price (the "Title Policy"). Buyer shall be allowed fifteen (15) days after receipt of the last of the Commitment and all exception documents to examine the title to the Property and to report in writing any objections to any exceptions to the title (the "Title Objections"). Thereafter Seller, at Seller's option, shall have ten (10) days after receiving notice of such Title Objections to (i) advise Buyer it will remove the Title Objections prior to Closing at Seller's own expense, or (ii) advise Buyer that Seller will not remove some or all of the Title Objections. Seller's failure to timely notify Buyer of its intent to not cure or remove the Title Objections shall be deemed an election to remove them. If Seller is unable or unwilling to cure or resolve such Title Objection to the satisfaction of Buyer, Buyer shall have the following rights: (a) to terminate this Agreement between the parties; or (b) to grant Seller additional time to cure the Title Objections; or (c) to waive the uncured Title Objections and proceed with this Agreement and the transaction. If Buyer does not (I) object to particular exceptions set forth on the Commitment, or (II) after notifying Seller of a Title Objection, thereafter waives or is deemed to have waived such objection, then such exceptions shall be deemed "Permitted Exceptions" and title to the Property shall be conveyed by Seller subject to such items. Notwithstanding the foregoing, Buyer shall not be required to object to any exceptions that relate to (x) mortgages and other security instruments made by Seller and recorded against the Property and (y) liens recorded against the Property with Seller's knowledge or consent following the effective date of this Agreement.

Notwithstanding the foregoing, Seller shall use Seller's reasonable efforts to cure or resolve the exceptions. If the Seller has not furnished the Commitment within the thirty (30) days as set forth above, the Closing shall be extended by each day the Commitment is late.

10. **PRORATIONS:** Taxes and special assessments due on or before closing shall be paid by Seller.
11. **ENCUMBRANCES:** Seller warrants and agrees there are no liens or encumbrances on the Property, nor has the Property been used as collateral in any other transaction of the Seller that would in any way affect the full transfer of title to the Property from the Seller to the Buyer.
12. **CLOSING AND CLOSING COSTS:** The closing date shall be within 30 days of the date of execution of this Agreement. The parties agree that the time for closing may be extended by written agreement of the parties. The parties agree that they shall equally divide the following costs: revenue stamps and the title insurance policy. Buyer shall pay any other closing costs or fees.
13. **POSSESSION.** Possession shall be delivered to the Buyer upon the later of (i) Seller's delivery of the Warranty Deed or (ii) Buyer's deliver of the purchase price.
14. **TIME IS OF THE ESSENCE.** The parties agree that time is of the essence with regard to this Agreement.
15. **GOVERNING LAW:** This Agreement shall be governed by the laws of the State of Arkansas.
16. **MERGER CLAUSE:** This Agreement when executed by both Buyers and Seller, shall contain the entire understanding and agreement between the Buyers and Seller with respect to the matters referred to herein and shall supersede all prior or contemporaneous agreements, representations and understanding with respect to such matters and no oral representation or statement shall be considered a part hereof.

CITY OF CONWAY, BUYER

BY: \_\_\_\_\_  
Bart Castleberry, Mayor

BY: \_\_\_\_\_  
Michael O. Garrett, City Clerk/Treasurer

STATE OF ARKANSAS        }  
COUNTY OF FAULKNER    }

SUBSCRIBED AND SWORN to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

My commission expires:   /   /

**ACCEPTANCE**

The above offer is accepted on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

National Property Holdings, LLC, SELLER

BY: \_\_\_\_\_  
Michael Love

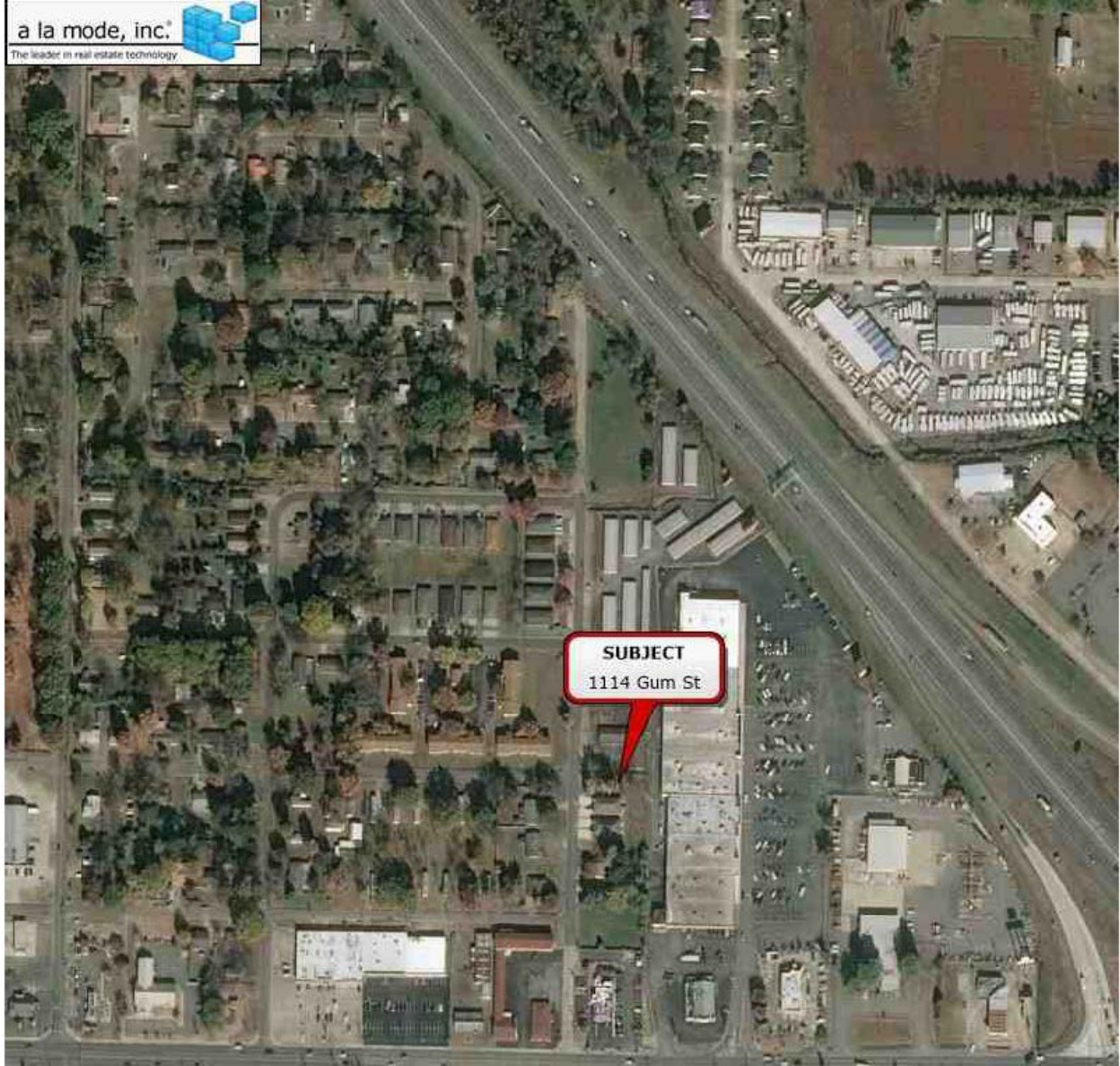
STATE OF ARKANSAS        }  
COUNTY OF FAULKNER    }

SUBSCRIBED AND SWORN to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

My commission expires:   /   /

EXHIBIT A









# MEMO

**TO:** Mayor Bart Castleberry  
**CC:** City Council Members  
**FROM:** Missy Schrag  
**DATE:** January 8, 2020  
**SUBJECT:** Certified Liens – Code Enforcement

The following resolutions are included for a request to the Faulkner County Tax collector to place a certified lien against real property as a result of incurred expenses by the City.

The properties & amount (plus a ten percent collection penalty) are as follows:

- |                     |          |
|---------------------|----------|
| 1. 36 Brier Springs | \$178.76 |
| 2. 1612 Hardy St.   | \$178.76 |
| 3. 1613 Hardy St.   | \$178.76 |
| 4. 2025 Prince St.  | \$373.77 |
| 5. 1208 Davis St.   | \$414.07 |
| 6. 3900 Tyler St.   | \$789.15 |

Please advise if you have any questions.

Thank you for your consideration.



City of Conway, Arkansas  
Resolution No. R-20-\_\_\_

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**Whereas**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 1612 Hardy St. within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904; and

**Whereas**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$178.76 (\$135.24 + Penalty \$13.52 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

**Whereas**, a hearing for the purpose of determine such lien has been set for **January 14, 2020** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**Section 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

**ADOPTED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Code Enforcement  
1201 Oak Street  
Conway, Arkansas 72032



*Missy Schrag*  
Phone: 501-450-6191  
Fax: 501-450-6144

## CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry  
CC: City Council Members

Re: Violation # CE19-0733  
Address of Violation: 36 Brier Springs

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- June 26, 2019 – a Violation was written for rubbish; trash; appliance; furniture; grass and left on the premises by Spencer Clawson.
- Property Owner is listed as Alan & K L Parker.
- Property was re-inspected on 8/2/2019 with no progress made.
- Property was rechecked on 9/4/2019 with no progress made and City cleanup was requested.
- Final Cleanup completed on 11/18/2019.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Spencer Clawson

Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**City of Conway**  
**Code Enforcement**

1201 Oak Street  
Conway, Arkansas 72032  
[www.cityofconway.org](http://www.cityofconway.org)



*Missy Schrag*  
Conway Permits & Code Enforcement  
Phone 501-450-6191  
Fax 501-450-6144

November 19, 2019

Parcel # 710-01199-000

PARKER, ALAN B & K L  
36 BRIER SPRINGS DR  
CONWAY AR 72034

**RE: Nuisance Abatement at 36 Brier Springs, Conway AR**  
**Cost of Clean-Up, Amount Due: \$135.24**

To whom it may concern:

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **January 14, 2020 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention** to **Missy Schrag**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

Missy Schrag

# INVOICE

## City of Conway Code Enforcement

DATE: JANUARY 10, 2020

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
missy.schrag@cityofconway.org

TO PARKER, ALAN B & K L  
36 BRIER SPRINGS DR  
CONWAY AR 72034

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
36 Brier Springs, Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Spencer Clawson	710-01199-000		January 14, 2020

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
	Debris Removal by Matt Skelton Construction, Inc.	52.25	52.25
	Sanitation Ticket #695881	32.74	32.74
1	Administrative Fee (Code Enforcement)	20.49	20.49
1	Administrative Fee (Code Officer)	17.46	17.46
2	Certified Letter	5.60	11.20
2	Regular letter	.55	1.10

TOTAL \$135.24

- Total amount due after January 14, 2019 includes collection penalty & filing fees

TOTAL  
WITH PENALTY &  
FILING FEES \$178.76

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032



City of Conway, Arkansas  
Resolution No. R-20-\_\_\_

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 1612 Hardy St. within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904; and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$178.76 (\$135.24 + Penalty \$13.52 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **January 14, 2020** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

**ADOPTED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Code Enforcement  
1201 Oak Street  
Conway, Arkansas 72032



*Missy Schrag*  
Phone: 501-450-6191  
Fax: 501-450-6144

## CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry  
CC: City Council Members

Re: Violation # CE19-0873  
Address of Violation: 1612 Hardy

---

- November 15, 2019 – a Violation was written for rubbish; trash; and left on the premises by Kim Beard.
- Property Owner is listed as KSR Properties LLC.
- Property was re-inspected on 11/22/2019 with no progress made.
- Certified and regular letters were mailed 11/25/2019 to address on file and a notice was left by post office
- Property was rechecked on 12/3/2019 with no progress made and City cleanup was requested.
- Final Cleanup completed on 12/5/2019.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Kim Beard

Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**City of Conway**  
**Code Enforcement**

1201 Oak Street  
Conway, Arkansas 72032  
[www.cityofconway.org](http://www.cityofconway.org)



*Missy Schrag*  
Conway Permits & Code Enforcement  
Phone 501-450-6191  
Fax 501-450-6144

December 6, 2019

Parcel # 710-06713-000

KST PROPERTIES LLC  
2885 WINEBERRY  
CONWAY AR 72034

**RE: Nuisance Abatement at 1612 HARDY ST. Conway AR**  
**Cost of Clean-Up, Amount Due: \$135.24**

To whom it may concern:

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **January 14, 2020 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention** to **Missy Schrag**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

Missy Schrag

# INVOICE

## City of Conway Code Enforcement

DATE: JANUARY 10, 2020

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
missy.schrag@cityofconway.org

TO KSR PROPERTIES LLC  
2885 WINEBERRY  
CONWAY AR 72034

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
1612 HARDY ST. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Kim Beard	710-06713-000		January 14, 2020

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
	DEBRIS REMOVAL by Matt Skelton Construction, Inc.	52.25	52.25
	Sanitation Ticket #697787	32.74	32.74
1	Administrative Fee (Code Enforcement)	20.49	20.49
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20

TOTAL \$135.24

- Total amount due after January 14, 2020 includes collection penalty & filing fees

TOTAL  
WITH PENALTY &  
FILING FEES \$178.76

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032



City of Conway, Arkansas  
Resolution No. R-20-\_\_\_

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 1613 Hardy St. within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904; and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$178.76 (\$135.24 + Penalty \$13.52 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **January 14, 2020** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

**ADOPTED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Code Enforcement  
1201 Oak Street  
Conway, Arkansas 72032



*Missy Schrag*  
Phone: 501-450-6191  
Fax: 501-450-6144

## CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry  
CC: City Council Members

Re: Violation # CE19-836  
Address of Violation: 1613 Hardy St.

- 
- October 28, 2019 – a Warning Notice was written for mattress; furniture; trash can; junk/debris and left on the premises by Spencer Clawson.
  - Property was rechecked on 11/4/2019 with some progress made.
  - November 12, 2019 – a Violation was written for appliance/furniture; and left on the premises by Spencer Clawson.
  - Property Owner is listed as Sharla Owens.
  - Property was re-inspected on 11/19/2019 with no progress made.
  - Certified and regular letters were mailed 11/20/2019 to address on file and a notice was left by post office.
  - Property was rechecked on 11/27/2019 with no progress made and City cleanup was requested.
  - Final Cleanup completed on 12/5/2019.
  - Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Spencer Clawson

Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**City of Conway**  
**Code Enforcement**

1201 Oak Street  
Conway, Arkansas 72032  
[www.cityofconway.org](http://www.cityofconway.org)



*Missy Schrag*  
Conway Permits & Code Enforcement  
Phone 501-450-6191  
Fax 501-450-6144

December 6, 2019

Parcel # 710-06747-000

SHARLA OWENS  
1611&1613 HARDY ST  
CONWAY AR 72034

**RE: Nuisance Abatement at 1613 HARDY ST. Conway AR**  
**Cost of Clean-Up, Amount Due: \$135.24**

To whom it may concern:

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **January 14, 2020 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention** to **Missy Schrag**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

Missy Schrag

# INVOICE

## City of Conway Code Enforcement

DATE: JANUARY 10, 2020

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
missy.schrag@cityofconway.org

TO SHARLA OWENS  
1611&1613 HARDY ST  
CONWAY AR 72034

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
1613 HARDY ST. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Spencer Clawson	710-06747-000		January 14, 2020

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
	DEBRIS REMOVAL by Matt Skelton Construction, Inc.	52.25	52.25
	Sanitation Ticket #697788	32.74	32.74
1	Administrative Fee (Code Enforcement)	20.49	20.49
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20

TOTAL \$135.24

- Total amount due after January 14, 2020 includes collection penalty & filing fees

TOTAL  
WITH PENALTY &  
FILING FEES \$178.76

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032



City of Conway, Arkansas  
Resolution No. R-20-\_\_\_

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 2025 Prince St. within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$373.77 (\$312.52 + Penalty \$31.25 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **January 14, 2020** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

**ADOPTED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Code Enforcement  
1201 Oak Street  
Conway, Arkansas 72032



*Missy Schrag*  
Phone: 501-450-6191  
Fax: 501-450-6144

## CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry  
CC: City Council Members

Re: Violation # CE19-0787  
Address of Violation: 2025 Prince St.

---

- September 9, 2019 – a Violation was written for grass; rubbish/trash; appliance/furniture; inoperable/abandon and dilapidated structure vehicle and left on the premises by Spencer Clawson.
- Property Owner is listed as Scott Fitzgerald.
- Property was re-inspected on 9/18/2019 with no progress made.
- Certified and regular letters were mailed 9/19/2019 to address on file and a notice was left by post office.
- Property was rechecked on 9/27/2019 & 10/1/2019 with no progress made and City cleanup was requested.
- Final Cleanup completed on 11/26/2019.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Spencer Clawson

Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**City of Conway**  
**Code Enforcement**

1201 Oak Street  
Conway, Arkansas 72032  
[www.cityofconway.org](http://www.cityofconway.org)



*Missy Schrag*  
Conway Permits & Code Enforcement  
Phone 501-450-6191  
Fax 501-450-6144

December 6, 2019

Parcel # 710-06107-000

FITZGERALD, SCOTT  
2025 PRINCE ST  
CONWAY AR 72034-3864

**RE: Nuisance Abatement at 2025 Prince St. Conway AR**  
**Cost of Clean-Up, Amount Due: \$312.52**

To whom it may concern:

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **January 14, 2020 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention** to **Missy Schrag**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

Missy Schrag

# INVOICE

## City of Conway Code Enforcement

DATE: JANUARY 10, 2020

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
missy.schrag@cityofconway.org

TO FITZGERALD, SCOTT  
2025 PRINCE ST  
CONWAY AR 72034-3864

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
2025 Prince St. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Spencer Clawson	710-06107-000		January 14, 2020

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
	DEBRIS REMOVAL by Matt Skelton Construction, Inc. (2.34)	52.25	122.27
	Grass cut 14600 sqft	90.00	90.00
	Misc. cut and remove fallen tree	50.00	50.00
	Sanitation Ticket #695997; 695928; 696058	194.98	194.98
1	Administrative Fee (Code Enforcement)	20.49	20.49
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20

TOTAL \$312.52

- Total amount due after January 14, 2020 includes collection penalty & filing fees

TOTAL  
WITH PENALTY &  
FILING FEES \$373.77

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032



City of Conway, Arkansas  
Resolution No. R-20-\_\_\_

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**Whereas**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 1208 Davis St. within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904; and

**Whereas**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$414.07 (\$349.15 + Penalty \$34.92 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

**Whereas**, a hearing for the purpose of determine such lien has been set for **January 14<sup>th</sup>, 2020** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

**ADOPTED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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



City of Conway, Arkansas  
Resolution No. R-20-\_\_\_

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**Whereas**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 1208 Davis St. within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904; and

**Whereas**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$414.07 (\$349.15 + Penalty \$34.92 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

**Whereas**, a hearing for the purpose of determine such lien has been set for **January 14<sup>th</sup>, 2020** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

**ADOPTED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Code Enforcement  
1201 Oak Street  
Conway, Arkansas 72032



*Missy Schrag*  
Phone: 501-450-6191  
Fax: 501-450-6144

## CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry  
CC: City Council Members

Re: Violation # CE19-0604  
Address of Violation: 1208 Davis St.

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- June 3, 2019 – a Warning Notice was written for junk; grass; debris.
- June 10, 2019 – Upon re-inspect with no progress made, a Violation was written for grass; rubbish; trash; appliance; furniture; and left on the premises by Kim Beard.
- Property Owner is listed as Jerry Case.
- Property was re-inspected on 6/17/2019 with no progress made.
- Certified and regular letters were mailed 6/17/2019 to address on file and a notice was left by post office.
- Property was re-inspected on 6/25/2019 with no progress noted. Due to circumstances, an extension was granted.
- Property was rechecked 7/29/19 with little progress and extension was granted.
- Property was rechecked on 8/5/2019; 8/12/2019; 8/30/2019; 9/18/2019; 9/30/2019; 10/7/2019 & 10/22/2019 with no progress made and City cleanup was requested.
- Final Cleanup completed on 10/29/2019.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Kim Beard

Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**City of Conway**  
**Code Enforcement**

1201 Oak Street  
Conway, Arkansas 72032  
[www.cityofconway.org](http://www.cityofconway.org)



*Missy Schrag*  
Conway Permits & Code Enforcement  
Phone 501-450-6191  
Fax 501-450-6144

November 5, 2019

Parcel # 710-03295-000

CASE, JERRY W  
325 JR DR  
CONWAY AR 72032-6647

**RE: Nuisance Abatement at 1208 Davis St. Conway AR**  
**Cost of Clean-Up, Amount Due: \$349.15**

To whom it may concern:

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **December 10, 2019 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention** to **Missy Schrag**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

Missy Schrag

# INVOICE

## City of Conway Code Enforcement

DATE: JANUARY 10, 2020

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
missy.schrag@cityofconway.org

TO CASE, JERRY W  
325 JR DR  
CONWAY AR 72032-6647

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
1208 Davis St. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
KIM BEARD	710-03295-000		December 10, 2019

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
4	1 Employee -Mowing/Cleanup	21.15	84.60
8	2 Employee -Mowing/Cleanup	18.18	145.44
4	1 Employee - Mowing/Cleanup	10.73	42.92
1	Maintenance Fee	15.00	15.00
1	Administrative Fee (Code Enforcement)	20.49	20.49
1	Administrative Fee (Code Officer)	17.46	17.46
1	Administrative Fee (Physical Plant)	10.94	10.94
2	Certified Letter	5.60	11.20
2	Regular letter	.55	1.10

- Total amount due after December 10, 2019 includes collection penalty & filing fees

TOTAL	\$349.15
TOTAL WITH PENALTY & FILING FEES	\$414.07

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032



City of Conway, Arkansas  
Resolution No. R-20-

**A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 3900 Tyler St. within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904; and

**WHEREAS**, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$789.15 (\$690.14 + Penalty \$69.01 + filing fee \$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

**WHEREAS**, a hearing for the purpose of determine such lien has been set for **January 14, 2020** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Conway, Arkansas that:

**SECTION 1:** That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

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

**ADOPTED** this 14th day of January, 2020.

**Approved:**

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

**Attest:**

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



**City of Conway**  
Code Enforcement  
1201 Oak Street  
Conway, Arkansas 72032



*Missy Schrag*  
Phone: 501-450-6191  
Fax: 501-450-6144

## CODE ENFORCEMENT REPORT

To: Mayor Bart Castleberry  
CC: City Council Members

Re: Violation # CE19-0639  
Address of Violation: 3900 Tyler St.

---

- July 9, 2019 – a Violation was written for grass; rubbish/trash; appliance/furniture; inoperable/abandon and dilapidated structure vehicle and left on the premises by Spencer Clawson.
- Property Owner is listed as Betty M Irby.
- Property was re-inspected on 7/16/2019 with no progress made.
- Certified and regular letters were mailed 7/23/2019 to address on file and a notice was left by post office.
- Property was rechecked on 7/30/2019 with no progress made and City cleanup was requested.
- Final Cleanup completed on 11/19/2019.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Spencer Clawson

Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**City of Conway**  
**Code Enforcement**

1201 Oak Street  
Conway, Arkansas 72032  
[www.cityofconway.org](http://www.cityofconway.org)



*Missy Schrag*  
Conway Permits & Code Enforcement  
Phone 501-450-6191  
Fax 501-450-6144

November 22, 2019

Parcel # 712-11896-001

IRBY, TINA L & IRBY, LOUISE  
3900 TYLER ST  
CONWAY AR 72034-7414

**RE: Nuisance Abatement at 3900 Tyler St., Conway AR**  
**Cost of Clean-Up, Amount Due: \$690.14**

To whom it may concern:

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **January 14, 2020 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention** to **Missy Schrag**. If you have any questions, please feel free to call me at 501-450-6191.

Respectfully,

Missy Schrag

# INVOICE

## City of Conway Code Enforcement

DATE: JANUARY 10, 2020

1201 Oak Street  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
missy.schrag@cityofconway.org

TO IRBY, TINA L & IRBY, LOUISE  
3900 TYLER ST  
CONWAY AR 72034-7414

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
3900 Tyler St. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Spencer Clawson	712-11896-001		January 14, 2020

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
	DEBRIS REMOVAL by Matt Skelton Construction, Inc.	52.25	264.91
	Tractor/Bush hog	90.00	90.00
	10001-20000sqft Grass cut	90.00	90.00
	Sanitation Ticket #695997; 695928; 696058	194.98	194.98
1	Administrative Fee (Code Enforcement)	20.49	20.49
1	Administrative Fee (Code Officer)	17.46	17.46
2	Regular Letter	.55	1.10
2	Certified Letter	5.60	11.20

TOTAL \$690.14

- Total amount due after January 14, 2020 includes collection penalty & filing fees

TOTAL  
WITH PENALTY &  
FILING FEES \$789.15

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032



**City of Conway, Arkansas**  
**Ordinance No. O-20-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FEES FOR THE CONSTRUCTION AND ALTERATIONS OF BUILDINGS IN THE CITY OF CONWAY FOR RESIDENTIAL AND COMMERCIAL FEE. AMENDING SECTION 11.16.06A.1.01 OF THE CONWAY MUNICIPAL CODE: DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.**

**Whereas,** The City of Conway would like to update the permit fees for the construction and alterations to buildings and building system; and

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

**Section 1.** Section 11.16.06A.1.01.of the Conway Municipal Code be hereby amended to read as follows:

“11.16.06A.1. Building Permit fees.

11.16.06.A.1.01 of the Schedule of building permit fees. A fee for each building permit shall be paid in accordance with the following schedule:

**Schedule of Building Permit Fees**

- |    |   |   |
|----|---|---|
| 5. | Re-Inspections and Additional Inspections (*See note below) | \$25.00 Additional Inspection(s)<br>\$50.00 Re-Inspection |
| 6. | Work commencing before permit issuance                      | Permit fee shall be doubled<br>With a minimum of \$100.00 |

\*Note – Re-inspections will not be rescheduled until each re-inspection fee for each trade that failed inspection has been paid and scheduled.

**Schedule of Plumbing Permit Fees (11.08.05)**

- |    |   |   |
|----|---|---|
| 3. | Re-Inspections and Additional Inspections (*See note below) | \$25.00 Additional Inspection(s)<br>\$50.00 Re-Inspection |
| 4. | Work commencing before permit issuance                      | Permit fee shall be doubled<br>With a minimum of \$100.00 |

**Schedule of Fuel Gas Permit Fees (11.08.05)**

- |   |   |
|---|---|
| Re-Inspection or Additional Inspections | \$25.00 Additional Inspection(s)<br>\$50.00 Re-Inspection |
| Work commencing before permit issuance  | Permit fee shall be doubled<br>With a minimum of \$100.00 |

\*Note – Re-inspections will not be rescheduled until each re-inspection fee for each trade that failed inspection has been paid and scheduled.

**Schedule of Mechanical Permit Fees (11.56.06)**

- |    |   |   |
|----|---|---|
| 4. | Re-Inspections and Additional Inspections (*See note below) | \$25.00 Additional inspection(s)<br>\$50.00 Re-Inspection |
| 5. | Work commencing before permit issuance                      | Permit fee shall be doubled<br>With a minimum of \$100.00 |

\*Note – Re-inspections will not be rescheduled until each re-inspection fee for each trade That failed inspection have been paid and scheduled.

**Schedule of Electrical Permit Fees (11.04.26)**

- |    |   |   |
|----|---|---|
| 7. | Re-Inspections and Additional Inspections (*See note below) | \$25.00 Additional Inspection(s)<br>\$50.00 Re-Inspection |
| 9. | Work commencing before permit issuance                      | Permit fee shall be doubled<br>With a minimum of \$100.00 |

\* Note - Re-inspections will not be rescheduled until each re-inspection fee for each trade that failed inspection has been paid and scheduled.

(As amended by O-07-130, Sec. 2; O-10-43, Sec. 1; O-12-03, Sec. 12)

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

**Section 3.** That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

**PASSED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas**  
**Ordinance No. O-20-\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE CITY OF CONWAY, ARKANSAS TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT FOR THE MARKHAM SQUARE WATER QUALITY DEMONSTRATION PROJECT.**

**Whereas**, the City of Conway requested qualifications and performance data from prospective consulting firms to provide low impact development/green infrastructure design and engineering services for the Markham Square Water Quality Demonstration Project, and

**Whereas**, the City of Conway received qualifications and performance data from five firms and recommends that Council approve SWA for this project.

**Whereas**, the City of Conway Council previously committed funds for this through R-19-32 and request an appropriation of \$169,621 to cover stated professional service fees.

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

**Section I:** The City of Conway shall enter into an agreement with SWA for low impact development/green infrastructure design and engineering services for the Markham Square Water Quality Demonstration Project.

**Section II:** The City of Conway will appropriate \$169,621 from the Pay as You Go fund balance appropriation account 613-201-4900 into the CIP – Drainage Projects account 613-201-5906.

**Section III:** Mayor Bart Castleberry is hereby authorized and directed to execute all appropriate agreements and contracts necessary.

**THIS Ordinance** adopted this 14<sup>th</sup> day of January 2020.

**Approved**

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

**Attest:**

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



**City of Conway, Arkansas**  
**Ordinance No. O-20- \_\_\_\_\_**

**AN ORDINANCE ACCEPTING AND APPROPRIATING DONATION FUNDS FOR THE CONWAY TREE BOARD FOR ARBOR DAY; AND FOR OTHER PURPOSES;**

**Whereas,** donations in the amount of \$200.00 have been received in support of the Arbor Day Celebration, and for other expenses;

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

**Section 1:** The City of Conway, Arkansas, shall accept donation funds in the amount of \$200.00 and appropriate said funds from Donation Account (260-000-4705) to the Tree Board Expense Account (260-000-5430).

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

**PASSED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas**  
**Ordinance No. O-20 - \_\_\_\_\_**

**AN ORDINANCE ACCEPTING AND APPROPRIATING PROCEEDS FROM FAULKNER COUNTY GIS (GEOGRAPHIC INFORMATION SYSTEM) WORK IN UPDATING FAULKNER COUNTY GIS DATA, PER INTERLOCAL AGREEMENT (R-11-71) FOR USE BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND FOR OTHER PURPOSES;**

**Whereas**, Faulkner County has agreed that it is in the best interest of Faulkner County to contract with the City of Conway to extend the operation of GIS, under arrangement R-11-71, to Faulkner County. These proceeds will provide funding for updates to the Conway GIS including, but not limited to, GIS software, maintenance, and asset upgrades. No city match is required as part of this agreement; and

**Whereas**, Faulkner County has provided an agreement in the amount of \$14,000.00 for the cost of the work performed by the Conway Planning & Development Department for GIS and map updates, distributed quarterly, on the 15th day of the first month of each quarter, in calendar year 2020;

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

**Section 1:** The City of Conway, Arkansas, shall accept proceeds in the amount of \$14,000.00 (\$3,500.00/quarter) and appropriate said funds from Miscellaneous Grant Revenue Account (399-000-4200) to the 399-105-5799 [Project E].

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

**PASSED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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





1201 OAK STREET • CONWAY, AR 72032  
 (501) 450-6105 • [planningcommission@cityofconway.org](mailto:planningcommission@cityofconway.org)

## MEMO

To: Mayor Bart Castleberry  
 cc: City Council Members

From: Brandon Ruhl, 2019 Planning Commission Vice-Chairman  
 Date: December 17, 2019

Re: Request for conditional use permit to allow self-storage facility in C-2 zoning district for property located at 2505 Salem Rd & 2890 Meadowlake Rd

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Tom Watson has requested a conditional use permit to allow a self-storage facility in a C-2 zoning district for property located at 2505 Salem Rd and 2890 Meadowlake Rd, with the legal description:

A PART OF THE NW1/4 SW1/4, SECTION 35, T-6-N, R-14-W, FAULKNER COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID NW1/4 SW1/4; THENCE ALONG THE WEST LINE OF SAID NW1/4 SW1/4 N01°35'45"E A DISTANCE OF 188.50' TO A FOUND 1/2" REBAR FOR THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE N01°35'45"E A DISTANCE OF 209.96' TO A SET 1/2" REBAR W/CAP (1363); THENCE LEAVING SAID WEST LINE S88°21'11"E A DISTANCE OF 1117.06' TO A SET 1/2" REBAR W/CAP (1363) BEING ON THE WEST RIGHT OF WAY OF SALEM ROAD; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING CALLS: WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 352.08', WITH A RADIUS OF 914.00', WITH A CHORD BEARING OF S52°28'34"W, WITH A CHORD LENGTH OF 349.91', TO A FOUND 1/2" REBAR; THENCE S63°28'46"W A DISTANCE OF 242.35' TO A SET 1/2" REBAR W/CAP (1363); THENCE S70°12'41"W A DISTANCE OF 171.70' TO A FOUND 1/2" REBAR; THENCE LEAVING SAID RIGHT OF WAY N80°47'08"W A DISTANCE OF 154.84' TO A FOUND 1/2" REBAR; THENCE N60°34'42"W A DISTANCE OF 360.13' TO THE POINT OF BEGINNING, CONTAINING 7.01 ACRES MORE OR LESS.

The applicant is seeking the conditional use permit for the purpose of developing a self-storage facility on the +/- 7.0 acres. Given the proximity to major arterials and utility access in the area, the proposed use is appropriate. Proposed conditions require additional/enhanced screening for the benefit of nearby residential uses.

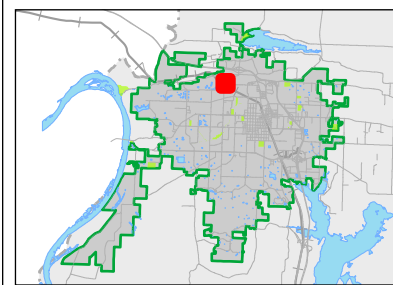
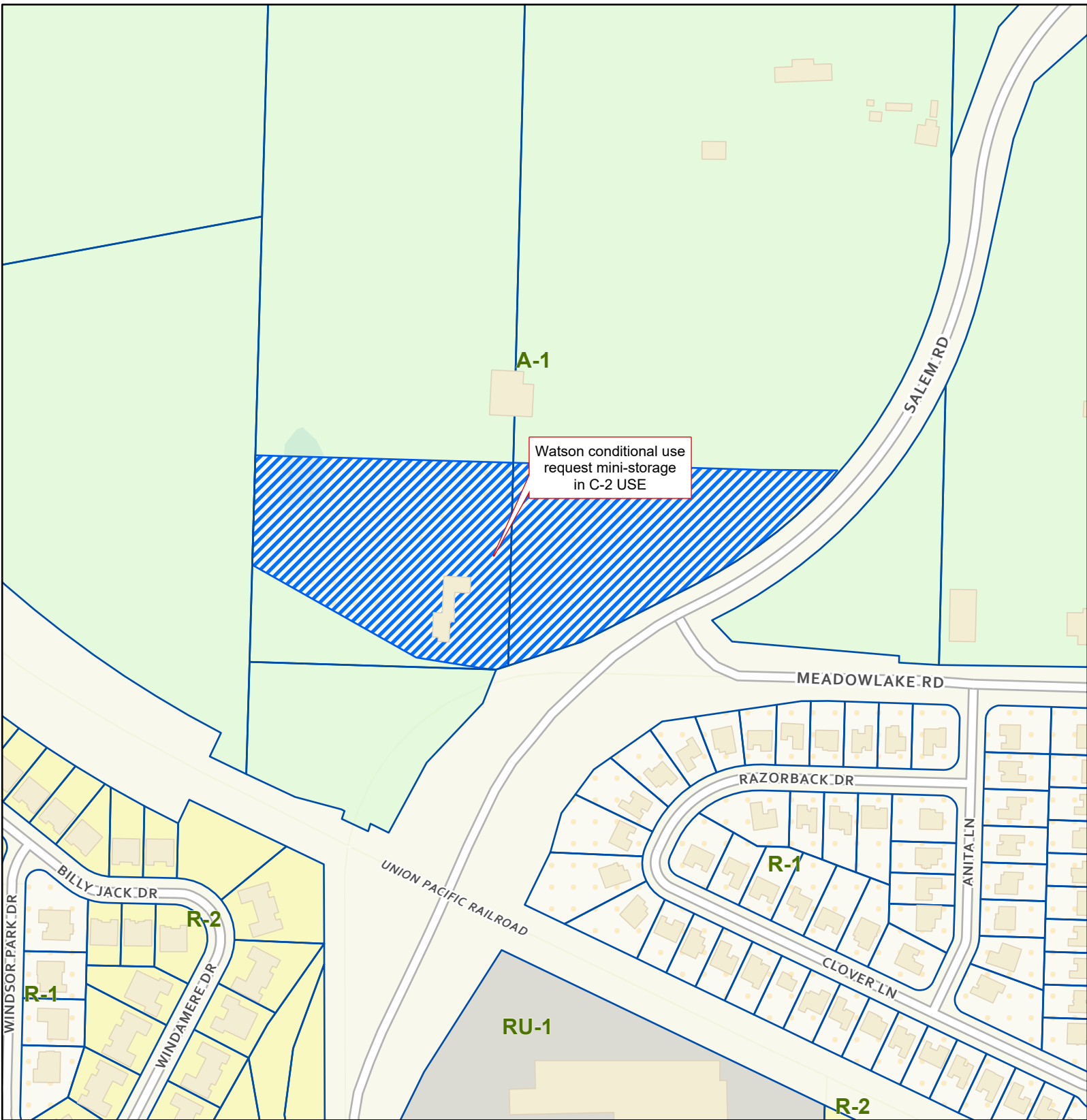
The Planning Commission reviewed the request at its regular meeting on December 16, 2019 and voted 8-0 that the request be forwarded to the City Council with a recommendation for approval with the following 11 conditions:

### CONDITIONS ATTACHED TO THE PERMIT:

1. The Planning Director may impose reasonable conditions on approval of the Development Review plans. Such conditions may be appealed to the Planning Commission if not agreed to by the applicant.
2. Platting of the property, in accordance with the Subdivision Regulations, shall be required.
3. Any proposed fencing shall use masonry or ornamental metal materials. The Planning Director may approve alternative materials.
4. Landscaping shall be provided in excess of that required by Section 1101 of the Zoning Code. This shall include a minimum of one canopy tree planted every 15 feet along Salem Rd. The Planning Director may approve alternative spacing.

5. Any expansions or additions to the structure as well as any changes to the use shall require an amended or new conditional use permit.
6. The storage of hazardous chemicals or explosives is prohibited.
7. The storage of petroleum products is prohibited.
8. The operation of spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, and other similar equipment in a storage unit is prohibited.
9. No storage unit may be used for the purposes of operating a business except for the purpose of providing storage for a business that is located off site.
10. Any outside storage, including vehicles and/or vehicles/equipment for rental use, shall be screened and shielded from view of adjacent property or a public right-of-way.
11. All lighting shall not exceed twenty (20) feet in height and be full cut-off, shielded lighting as defined by the IESNA. Such lighting shall be directed to prevent the trespass of light onto the adjacent residential district or use.

Please advise if you have any questions.



**DESCRIPTION**

Planning Commission Review

**USE2019DEC01**

7.0387 ac.

Residential		Industrial	
R-1	MF-1	I-1	
R-2A	MF-2	RU-1	
R-2	MF-3	I-3	
HR	RMH		
SR			
Commercial		Office	
C-1	O-1		
C-2	O-2		
C-3	O-3		
C-4			
Special			
	SP		
	S-1		
	A-1		
	PUD		
	TJ		

**City of Conway**  
Planning & Development

THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER.

THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. THIS DOCUMENT IS TO BE USED FOR REFERENCE PURPOSES ONLY.

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www.conwayarkansas.google

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**DEC 2019**



**City of Conway, Arkansas**  
**Ordinance No. O-20- \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING ORDINANCE TO REZONE +/-3.29 ACRES LOCATED IN THE 100 BLOCK OF HOGAN LANE FROM A-1 TO O-2:**

**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 **A-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

PART OF THE SW1/4 SE1/4 SECTION 9, T-5-N, R-14-W, FAULKNER COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SAID SW1/4 SE1/4; THENCE S00°00'00"E A DISTANCE OF 786.68' TO A POINT; THENCE N90°00'00"W A DISTANCE OF 300.03' TO A SET ½" REBAR W/ CAP (1363) FOR THE POINT OF BEGINNING; THENCE N89°12'19"W A DISTANCE OF 212.41' TO A SET ½" REBAR W/ CAP (1363) BEING ON THE NORTH RIGHT OF WAY OF HOGAN LANE; THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING CALLS: WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 185.83', WITH A RADIUS OF 620.00', WITH A CHORD BEARING OF N51°04'44"W, WITH A CHORD LENGTH OF 185.13', TO A SET 1/2" REBAR W/ CAP (1363); THENCE N59°40'53"W A DISTANCE OF 352.01' TO A SET ½" REBAR W/ CAP (1363); THENCE N57°31'04"W A DISTANCE OF 62.67' TO A SET ½" REBAR W/ CAP (1363); THENCE LEAVING SAID RIGHT OF WAY N00°34'44"W A DISTANCE OF 47.50' TO A SET ½" REBAR W/ CAP (1363); THENCE N45°33'58"E A DISTANCE OF 233.95' TO A SET ½" REBAR W/ CAP (1363); THENCE S41°53'41"E A DISTANCE OF 282.71' TO A SET ½" REBAR W/ CAP (1363); THENCE N33°32'12"E A DISTANCE OF 15.00' TO A SET 1/2" REBAR W/ CAP (1363); THENCE S52°24'50"E A DISTANCE OF 381.50' TO A SET ½" REBAR W/ CAP (1363); THENCE S22°59'22"E A DISTANCE OF 120.85' TO THE POINT OF BEGINNING, CONTAINING 3.29 ACRES MORE OR LESS.

to those of **O-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.

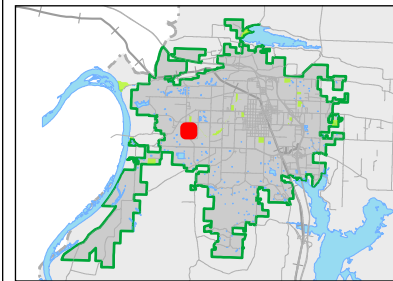
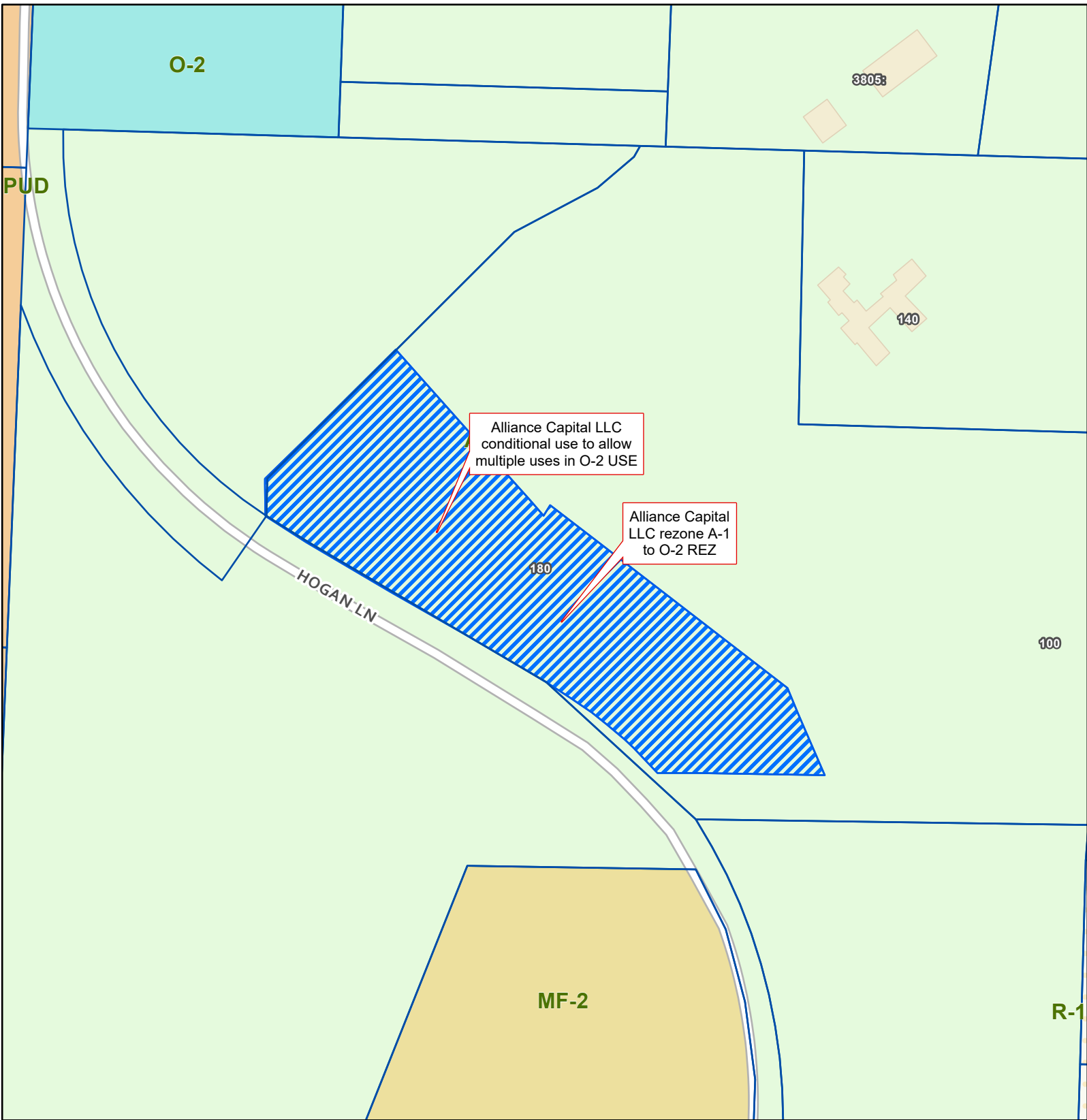
**PASSED** this 14<sup>th</sup> day of January, 2020.

**Approved:**

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

**Attest:**

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



**DESCRIPTION**

Planning Commission Review

**REZ2019DEC01**

3.29198 ac.

Residential		Industrial	
R-1	MF-1	I-1	
R-2A	MF-2	RU-1	
R-2	MF-3	I-3	
HR	RMH		
SR			
Commercial		Office	
C-1	O-1		
C-2	O-2		
C-3	O-3		
C-4			
Special			
	SP		
	S-1		
	A-1		
	PUD		
	TJ		

**City of Conway  
Planning & Development**

THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER.  
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www.conwayarkansas.gov/gis

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DEC 2019



1201 OAK STREET • CONWAY, AR 72032  
(501) 450-6105 • [planningcommission@cityofconway.org](mailto:planningcommission@cityofconway.org)

## MEMO

To: Mayor Bart Castleberry  
cc: City Council Members

From: Brandon Ruhl, 2019 Planning Commission Vice-Chairman  
Date: December 17, 2019

Re: Request to rezone from A-1 to O-2 +/-3.29 acres located near 180 Hogan Ln

---

Alliance Capital, LLC has requested to rezone from A-1 to O-2 +/-3.29 acres located in the 100 block of Hogan Ln, with the legal description:

PART OF THE SW1/4 SE1/4 SECTION 9, T-5-N, R-14-W, FAULKNER COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SAID SW1/4 SE1/4; THENCE S00°00'00"E A DISTANCE OF 786.68' TO A POINT; THENCE N90°00'00"W A DISTANCE OF 300.03' TO A SET ½" REBAR W/ CAP (1363) FOR THE POINT OF BEGINNING; THENCE N89°12'19"W A DISTANCE OF 212.41' TO A SET ½" REBAR W/ CAP (1363) BEING ON THE NORTH RIGHT OF WAY OF HOGAN LANE; THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING CALLS: WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 185.83', WITH A RADIUS OF 620.00', WITH A CHORD BEARING OF N51°04'44"W, WITH A CHORD LENGTH OF 185.13', TO A SET 1/2" REBAR W/ CAP (1363); THENCE N59°40'53"W A DISTANCE OF 352.01' TO A SET ½" REBAR W/ CAP (1363); THENCE N57°31'04"W A DISTANCE OF 62.67' TO A SET ½" REBAR W/ CAP (1363); THENCE LEAVING SAID RIGHT OF WAY N00°34'44"W A DISTANCE OF 47.50' TO A SET ½" REBAR W/ CAP (1363); THENCE N45°33'58"E A DISTANCE OF 233.95' TO A SET ½" REBAR W/ CAP (1363); THENCE S41°53'41"E A DISTANCE OF 282.71' TO A SET ½" REBAR W/ CAP (1363); THENCE N33°32'12"E A DISTANCE OF 15.00' TO A SET 1/2" REBAR W/ CAP (1363); THENCE S52°24'50"E A DISTANCE OF 381.50' TO A SET ½" REBAR W/ CAP (1363); THENCE S22°59'22"E A DISTANCE OF 120.85' TO THE POINT OF BEGINNING, CONTAINING 3.29 ACRES MORE OR LESS.

The applicant is seeking to rezone from A-1 to O-2 for the purpose of developing as a church, restricted retail, restaurant, drugstore, etc. These uses are not permitted by right; the applicant has a concurrent request for a conditional use permit for the uses.

The Planning Commission reviewed the request at its regular meeting on December 16, 2019 and voted 8-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



1201 OAK STREET • CONWAY, AR 72032  
 (501) 450-6105 • [planningcommission@cityofconway.org](mailto:planningcommission@cityofconway.org)

## MEMO

To: Mayor Bart Castleberry  
 cc: City Council Members

From: Brandon Ruhl, 2019 Planning Commission Vice-Chairman  
 Date: December 17, 2019

Re: Request for conditional use permit to allow Retail-Restricted, Church, Restaurant/Eating Place, and Drugstore/Pharmacy in O-2 near 180 Hogan Ln

Alliance Capital, LLC has requested a conditional use permit to allow Retail Restricted, Church, Restaurant/Eating Place, and Drugstore/Pharmacy in the O-2 zoning district for +/-3.29 acres located in the 100 block of Hogan Ln, with the legal description:

PART OF THE SW1/4 SE1/4 SECTION 9, T-5-N, R-14-W, FAULKNER COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SAID SW1/4 SE1/4; THENCE S00°00'00"E A DISTANCE OF 786.68' TO A POINT; THENCE N90°00'00"W A DISTANCE OF 300.03' TO A SET ½" REBAR W/ CAP (1363) FOR THE POINT OF BEGINNING; THENCE N89°12'19"W A DISTANCE OF 212.41' TO A SET ½" REBAR W/ CAP (1363) BEING ON THE NORTH RIGHT OF WAY OF HOGAN LANE; THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING CALLS: WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 185.83', WITH A RADIUS OF 620.00', WITH A CHORD BEARING OF N51°04'44"W, WITH A CHORD LENGTH OF 185.13', TO A SET 1/2" REBAR W/ CAP (1363); THENCE N59°40'53"W A DISTANCE OF 352.01' TO A SET ½" REBAR W/ CAP (1363); THENCE N57°31'04"W A DISTANCE OF 62.67' TO A SET ½" REBAR W/ CAP (1363); THENCE LEAVING SAID RIGHT OF WAY N00°34'44"W A DISTANCE OF 47.50' TO A SET ½" REBAR W/ CAP (1363); THENCE N45°33'58"E A DISTANCE OF 233.95' TO A SET ½" REBAR W/ CAP (1363); THENCE S41°53'41"E A DISTANCE OF 282.71' TO A SET ½" REBAR W/ CAP (1363); THENCE N33°32'12"E A DISTANCE OF 15.00' TO A SET 1/2" REBAR W/ CAP (1363); THENCE S52°24'50"E A DISTANCE OF 381.50' TO A SET ½" REBAR W/ CAP (1363); THENCE S22°59'22"E A DISTANCE OF 120.85' TO THE POINT OF BEGINNING, CONTAINING 3.29 ACRES MORE OR LESS.

The applicant is seeking the conditional use permit on a speculative basis, but given the site's location along a major arterial and that O-2 uses are allowed in numerous places along Hogan Ln, the proposed uses would likely have limited impact. Planning Staff and Planning Commission can retain authority to impose future conditions as the development progresses.

The Planning Commission reviewed the request at its regular meeting on December 16, 2019 and voted 8-0 that the request be forwarded to the City Council with a recommendation for approval with the following 6 conditions:

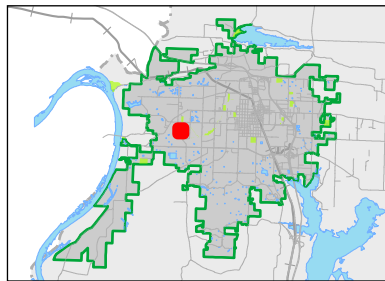
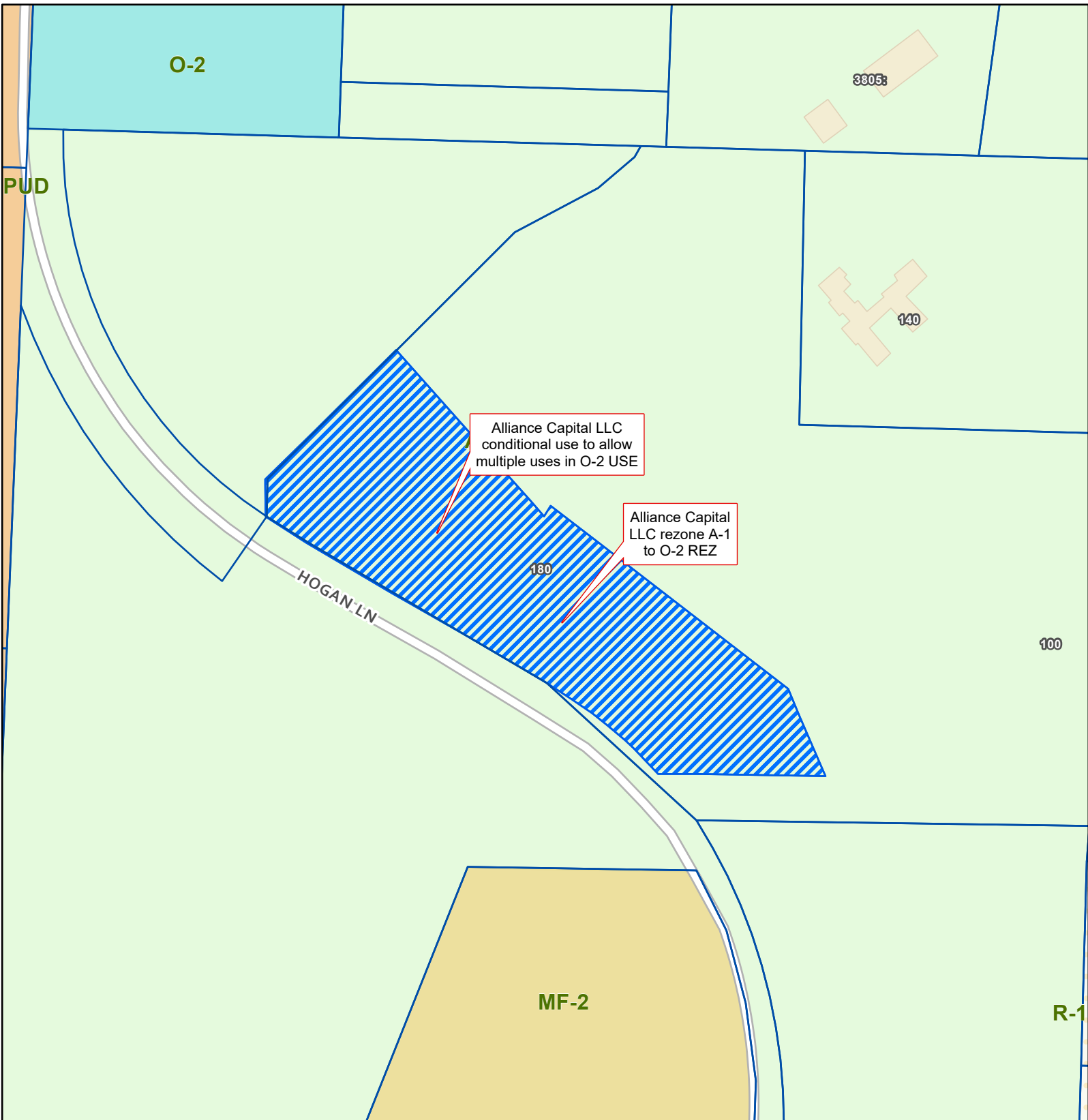
### CONDITIONS ATTACHED TO THE PERMIT:

1. Eating places with drive-through service, novelty stores, and video stores shall not be permitted.
2. A principal building for a single use retail use may not exceed 12,000 square feet in size.
3. Any uses which require outside display of goods unscreened from public view shall not be permitted.
4. Any outside storage of materials, goods, or equipment shall be prohibited.

5. Any expansions or additions to the structure(s) shall require an amended or new conditional use permit.
6. Use of the site shall be subject to Development Review prior to issuance of building permits. Development Review approval shall require Planning Commission review. The Planning Commission shall have the authority to impose additional conditions on approval of the Development Review application as may be necessary to ensure the compatibility of the use.

Please advise if you have any questions.





**DESCRIPTION**

Planning Commission Review

**USE2019DEC02**

3.291921 ac.

Residential		Industrial	
R-1	MF-1	I-1	
R-2A	MF-2	RU-1	
R-2	MF-3	I-3	
HR	RMH		
SR			
Commercial		Office	
C-1	O-1		
C-2	O-2		
C-3	O-3		
C-4			
		Special	
		SP	
		S-1	
		A-1	
		PUD	
		TJ	

**City of Conway  
Planning & Development**

THIS MAP WAS PREPARED BY THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT FOR ITS USE AND MAY BE REVISED AT ANY TIME WITHOUT NOTIFICATION TO ANY USER.  
THE CITY OF CONWAY PLANNING AND DEVELOPMENT DEPARTMENT DOES NOT GUARANTEE THE CORRECTNESS OR ACCURACY OF ANY FEATURES ON THIS MAP. THIS DOCUMENT IS TO BE USED FOR REFERENCE PURPOSES ONLY.  
www.conwayarkansas.gov/planning  
www.conwayarkansas.gov/gis

N  
140

Feet  
**DEC 2019**



**City of Conway, Arkansas  
Resolution No. R-20-\_\_\_\_\_**

**A RESOLUTION ACCEPTING THE A BID FOR BUILDING IMPROVEMENTS AT THE RECYCLING CENTER FOR THE DEPARTMENT OF SANITATION; AND FOR OTHER PURPOSES:**

**Whereas**, the City of Conway solicited bids for the addition of a new Pre-manufactured metal building addition, new air compressor and relocation of existing air compressor; and

**Whereas**, the City of Conway Department of Sanitation included budgeted funds in capital account 510-510-5904 for this building improvement project.

**Whereas**, the City of Conway received a total of five bids and would like to recommend Council approve the bid from Shields and Associates in the amount of \$215,000.

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

**Section 1.** The City of Conway shall accept the bid from Shields and Associates in the amount of \$215,000.

**Section 2.** Mayor Bart Castleberry is hereby authorized and directed to execute all appropriate applications, agreements and contracts necessary to expedite the construction of the above stated project.

**PASSED** this 14<sup>th</sup> day of January 2020.

**Approved:**

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

**Attest:**

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



City of Conway, Arkansas  
 Purchasing Department  
 1201 Oak Street  
 Conway, AR 72032  
 501.358.6810

**City of Conway**  
**Purchasing Department**  
**Bid Tabulations**  
[www.cityofconway.org](http://www.cityofconway.org)

Number of Bids Received: 5

Bids Opened by: Jamie Brice, Adam Robinson, Joanna Nabholz

2019-27 Department of Sanitation Recycling Center  
 Bid Opening Date: December 19, 2019, 2:00 p.m. Local Time, City Hall Downstairs Conference Room

Bidder's Name	Bid	A. Unit Price No. 1	B. Unit Price No. 2	C. Unit Price No. 3
CWR Construction	\$243,947.00	\$13.00	\$12.00	\$50.00
D and L Contractors	\$211,000.00	\$20.00	\$20.00	\$46.00
BMD Builders	\$227,695.00	\$21.00	\$21.00	\$200.00
Shields and Associates	\$215,000.00	\$22.00	\$15.00	\$50.00
Wagner General Contractors Inc.	\$270,993.00	\$23.00	\$26.00	\$200.00

**Bid Winner:** Shields and Associates

**Bid Approval Date Council approval:** pending Council approval 1/14/20

**Contact Person:** [jamie.brice@cityofconway.org](mailto:jamie.brice@cityofconway.org)



**City of Conway, Arkansas  
Resolution No. R-20-\_\_\_**

**A RESOLUTION ACCEPTING THE LOWEST BID FOR DEMOLITION OF STRUCTURES ALONG SUGAR CREEK:  
AND FOR OTHER PURPOSES**

**Whereas**, the City of Conway, Arkansas was previously awarded a matching grant from FEMA and the Arkansas Department of Emergency Management Hazard Mitigation Assistance Grant Program to purchase and demolish flood prone structures along Sugar Creek; and

**Whereas**, the City of Conway solicited bids for demolition of stated structures and recommends that Council approve the lowest of eight bids from Soward Contracting Services, Inc. in the amount of \$40,000.

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

**Section 1.** The City of Conway shall accept the lowest bid from Soward Contracting Services Inc. in the amount of \$40,000.

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

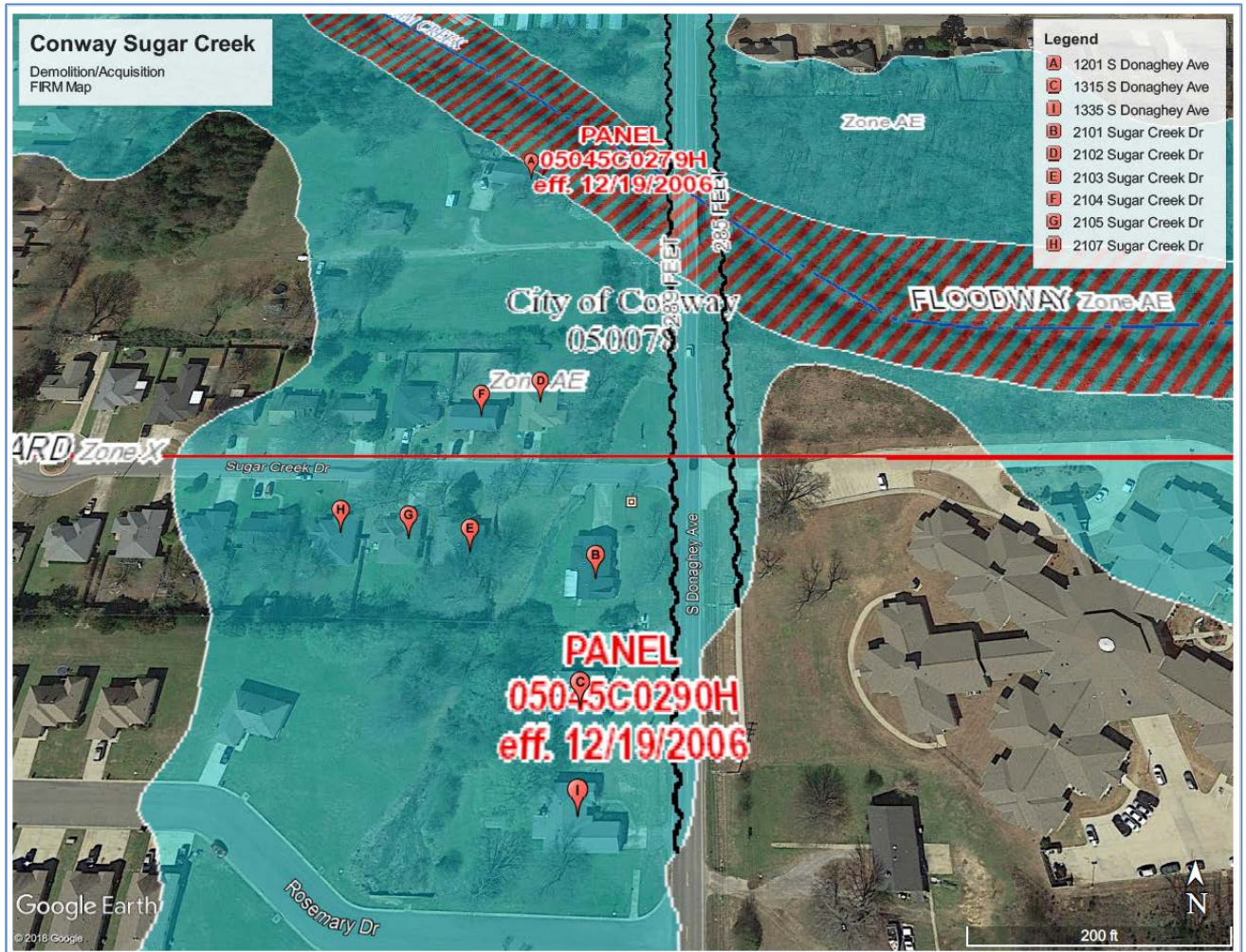
**ADOPTED** this 14<sup>th</sup> day of January 2020.

**Approved:**

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

**Attest:**

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



The subject properties are located within the City limits of Conway, AR

- 1201 S. Donaghey Ave- 35.06360, -92.45540
- 1315 S. Donaghey Ave- 35.06184, -92.45513
- 1335 S. Donaghey Ave- 35.06155, -92.45512
- 2101 Sugar Creek- 35.06218, -92.45508
- 2102 Sugar Creek- 35.06266, -92.45527
- 2103 Sugar Creek- 35.06226, -92.45549
- 2104 Sugar Creek- 35.06264, -92.45548
- 2105 Sugar Creek- 35.06229, -92.45569
- 2107 Sugar Creek- 35.06227, -92.45588



City of Conway, Arkansas  
 Purchasing Department  
 1201 Oak Street  
 Conway, AR 72032  
 501.358.6810

City of Conway  
 Purchasing Department  
 Bid Tabulations  
[www.cityofconway.org](http://www.cityofconway.org)

Number of Bids Received: 1

Bids Opened by: Jamie Brice, Phillip  
 Vick and Jack Bell

2019-24 Sugar Creek House Demolitions  
 Bid Opening Date: January 8, 2020, 10:00 a.m. Local Time, City Hall Downstairs Conference Room

Bidder's Name	Total Bid Amount
A & B Dirt Movers Inc.	\$75,500.00
First N Fiber LLC	\$85,450.00
Fureigh Heavy Construction	\$78,300.00
Graylee	\$68,000
Johnson & Son Construction	\$47,870.00
KMR Properties LLC	\$167,079
Paladino Construction	\$94,000.00
<b>Sowards Contracting Services Inc.</b>	<b>\$40,000.00</b>

**Bid Winner:** Sowards Contracting Services, Inc.  
**Bid Approval Date:** Pending Council approval: 01/14/20  
**Contact Person:** [jamie.brice@cityofconway.org](mailto:jamie.brice@cityofconway.org)

Division of Building Authority  
 STATE OF ARKANSAS  
 COUNTY OF PULASKI

Lease Term: 03/01/20 to 02/28/63  
 Annual Rent: \$1.00 Public Advantage  
 Acres: 116.87 Rate: n/a  
 Type: Amendment  
 Worked By: Jasmin Tuzon  
 County: 23 Agency: 000  
 Lease #: N9302 JWL

**STATE OF ARKANSAS  
 FIRST LEASE AMENDMENT**

This Agreement is made and entered into as of the 17<sup>th</sup> day of December, 2019, by and between ARKANSAS DEPARTMENT OF HUMAN SERVICES – DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES, hereinafter referred to as "Lessor", and CITY OF CONWAY, ARKANSAS, hereinafter referred to as "Lessee".

WITNESSETH

Whereas, by Lease Agreement dated March 14, 2013, Lessor leased to Lessee approximately 59.87 acres, consisting of approximately 46.14 acres, consisting of a sports complex comprised of tee ball fields, softball fields, and a rodeo arena, also known as the Don Owens Sports Complex, and approximately 13.63 acres of a sports complex consisting of a sports center comprised of baseball and football facilities, also known as Curtis Walker Park ; all situated in the City of Conway, Arkansas, County of Faulkner, (the "Lease"); and

Whereas, the parties hereto have hereby agreed to extend the term of the Lease and to amend and modify the Lease as hereinafter set out.

Now, therefore, for and in consideration of the Premises and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto hereby agree that the term of the Lease is hereby amended for a period commencing on March 1, 2020 and continuing through February 28, 2063, upon the same terms and conditions as the original Lease Agreement and subsequent Amendments, except the Lease shall be amended and modified as follows:

1. Definitions. Definitions of the Lease are hereby amended and modified to replace "Department of Finance and Administration" with "Department of Transformation and Shared Services". "DBA" means the Real Estate Services Section of Department of Transformation and Shared Services, Division of Building Authority. By law DBA is the leasing agency for LESSEE. Arkansas Code Annotated §22-2-114. DBA is not an additional LESSEE and therefore, shall not owe any rent; and
2. Description of Premises. Description of Premises is hereby amended and modified *from* 59.87 acres *to* 116.87 acres, further described in Exhibit "C" ("Additional Acreage"), attached hereto and incorporated herein, by reference; and
3. Special Provisions. Special Provisions 10(e) of the Lease is hereby amended and modified as follows:
  - (e) The LESSOR, LESSEE and DBA agree that should the Lease and any applicable amendments expire prior to the execution of this amendment agreement, the parties agree that the Lease and any applicable

previous amendments are hereby reinstated and ratified upon this Amendment Agreement being fully executed by the parties. The provisions, terms, and conditions of this Amendment Agreement shall govern in the event of conflict or inconsistencies, or both.

The Lease Agreement as hereby amended, modified and extended is hereby ratified and confirmed by the parties hereto as being in full force and effect.

This Agreement shall be binding on the parties hereto and their respective heirs, successors and assigns.

Executed as of the date first hereinabove set out.

LESSOR:

LESSEE:

ARKANSAS DEPARTMENT OF HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES

CITY OF CONWAY, ARKANSAS

By: \_\_\_\_\_  
Darrell Pickney, DDS Board Chair

By: \_\_\_\_\_  
Bart Castleberry, Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

DIVISION OF BUILDING AUTHORITY  
As Agent for DHS – Division of Developmental Disabilities Services

By: \_\_\_\_\_  
Wes Lacewell, Administrator of Real Estate Services

By: \_\_\_\_\_  
Anne W. Laidlaw, Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**Exhibit "C"**  
**(Additional Acreage)**



Being a tract of land lying in the SW1/4 SW1/4 of Section 32, T-6-N, R-13-W and also a part of the NW1/4 NW1/4 of Section 5, T-5-N, R-13-W, Faulkner County, Arkansas more particularly described as follows:

Beginning at the NE corner of said SW1/4 SW1/4 of Section 32 at a found concrete monument; thence along the East line of said SW1/4 SW1/4 S01°42'52"W 1317.31 feet to a found 3/4" rebar at the SE corner of said SW1/4 SW1/4; thence S00°41'05"W 326.64 feet; thence S01°11'36"W 366.45 feet; thence N87°37'52"W 1200.01 feet to a point on the East right of way of Museum Road; thence along said East right of way the following courses: N09°00'08"E 66.67 feet; thence along a curve to the left having a radius of 989.73 feet with a chord bearing of N03°11'19"W 418.11 feet; thence N15°23'05"W 71.47 feet; thence along a curve to the right having a radius of 919.93 feet with a chord bearing of N06°52'18"W 272.24 feet; thence N01°38'15"E 1163.76 feet to a point 35 feet East of the NW corner of said SW1/4 SW1/4; thence leaving said East right of way and along the North line of said SW1/4 SW1/4 S88°51'04"E 1281.29 feet to the point of beginning; containing 57.56 acres more or less.

Subject to all roadways, easements and reservations that are of record or physically in place.



**City of Conway, Arkansas**  
**Ordinance No. O-20-\_\_\_**

**AN ORDINANCE AUTHORIZING THE LEVY AND COLLECTION OF A FINE NOT TO EXCEED TWENTY DOLLARS (\$20.00) TO HELP DEFRAY COST OF INCARCERATING CITY DETAINEES; repealing O-08-39; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**Whereas**, Act 1336 of 1999, as amended by Act 209 of 2009, codified at Arkansas Code Annotated §16-17-129, authorizes governing bodies of cities of the first class to levy and collect an additional fine not to exceed twenty dollars (\$20.00) from each defendant who pleads guilty or nolo contendere, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in the district court of the city; and

**Whereas**, the funds generated by the additional fine shall be used exclusively to help defray the cost if incarcerating city prisoners, including payments to other entities for incarcerating city prisoners;

**Whereas**, the City of Conway had previously passed O-08-39 assessing a \$5.00 city jail fee, however this amount is now insufficient to properly defray the costs for the Faulkner County Detention Center which is the facility is used to house city prisoners;

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

**Section 1.** There is hereby levied an additional twenty (\$20.00) fine to be collected from all defendants who plead guilty or nolo contendere to, is found guilty of, or forfeits bond for any misdemeanor or traffic violation in the district court of the city.

**Section 2.** That all funds generated by the additional fine shall be used exclusively to help defray the cost if incarcerating city prisoners, including payments to other entities for incarcerating city prisoners.

**Section 3.** That O-08-39 is hereby repealed in its entirety.

**Section 4.** That any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

**Section 5.** If any part or parts of this ordinance are declared void or unconstitutional for any reason, it shall not affect the remaining parts of this ordinance.

**Section 6.** That this ordinance is necessary for the protection of the peace and safety of the citizens of Conway and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

**Passed** this 14<sup>th</sup> day of January, 2020.

**Approved:**

**Attest:**

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

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

**INTERLOCAL AGREEMENT FOR FAULKNER COUNTY JAIL**

STATE OF ARKANSAS

COUNTY OF FAULKNER

This Agreement made and entered into by and between Faulkner County (the County”), a body corporate and politic under the laws of the State of Arkansas, and the City of Conway (“the City”).

**WHEREAS**, the County operates a jail facility used for incarcerating prisoners (“the Jail”); and

**WHEREAS**, the City collects fines (hereafter referred to as “City Jail Fine”), intended to defray the costs of incarcerating city prisoners in the Faulkner County Jail; and

**WHEREAS**, the City and the County are allowed to enter into an agreement on jail costs pursuant to A.C.A. §12-41-506.

**NOW THEREFORE, IT IS MUTUALLY AGREED BETWEEN PARTIES:**

1. It is the purpose of this Agreement that the County, through the Faulkner County Sheriff’s Office, and the City, through its Police Department, shall cooperate for the care and custody of male and female jail prisoners.
2. A “City inmate” means those offenders who are arrested by the City law enforcement officers and delivered to the Jail for incarceration, from the point of intake until (a) the inmate is charged with a felony by the prosecutor; (b) the sentenced on a misdemeanor offense; or (c) the release of inmate on a municipal-ordinance violation. A “City inmate” does not refer to those inmates arrested by City law enforcement officers solely based on an outstanding warrant from another jurisdiction. The financial responsibility of an inmate arrested by a City law enforcement officer solely based on an outstanding warrant from another jurisdiction shall be the responsibility of the municipality or municipalities which issued the warrant(s).
3. The City acknowledges the County’s statutory responsibility for, ownership of, and operational control over the Jail. The County shall administer, manage, maintain, and operate its facilities consistent with all applicable federal, state, and local laws, policies procedures, rules, and regulations. The City hereby consents and agrees that inmates committed to the Jail by the City are subject to all rules and regulations applicable to County inmates incarcerated therein, including but not limited to all terms and conditions of this Agreement. It is further understood by the parties that the County shall be solely responsible for operation decisions regarding the appropriate level of security, inmate management, and housing of all inmates. The Sheriff will reasonably consult with the City’s Police Chief regarding issues concerning City inmates.
4. At the request of the City and subject to the capacity provisions below, the County will accept and keep inmates and provide inmate services for misdemeanor cases initiated by the City and felony cases referred to the County for those offenses alleged to have been committed by defendants within the City. The County does not guarantee a particular number of inmate beds, but will do its best to accommodate City’s requests to provide beds for City’s inmates. The County will not accept City inmates in the event the Jail’s inmate population is at capacity or so near capacity limits that the Jail capacity might be reached or exceeded if the County does not begin to refuse or request removal of inmates. Wherever possible, the County will provide a minimum of thirty (30) days’ notice of possible reductions in capacity unless specific circumstances require immediate action.
5. The County shall house City inmates at the Jail, except as otherwise expressly provided in this Agreement. The County is permitted to relocate City inmates to another jurisdiction’s jail facility only if (a) the Jail does not have capacity as described above; (b) in the event of catastrophe, or (c) with the City’s written permission.

6. The County shall provide inmate services to City inmates in the same manner and to the same extent as the County furnishes for the confinement of its own inmates. Inmates shall receive medical, mental health, and dental treatment when medically necessary to safeguard their health while in custody as required by law.
7. The County will accept all prisoners from municipalities provided the following conditions are met:
  - a. Necessary records. In an effort to ensure that no person is unlawfully detained within the county detention facility, the arresting or transporting officer will provide, at a minimum, the following documentation:
    - i. an Arrest Disposition Report (“ADR”) that contains identifying information of the arrestee including:
      1. Name, date of birth, place of birth, next of kin, and current home address; and
      2. Criminal charge information, including charging offense, presiding court, bond information, and court date(s) if the inmate has provided a bond; and
    - ii. If an acute medical condition exists and the arrestee received medical attention prior to their arrival to the jail facility, or if the arrestee was refused acceptance to the jail initially and was subsequently treated, continuity of care paperwork (including prescriptions, treatment instructions, or discharge information) from a physician shall be required. Clearance from an EMT or first responder, or an arrestee’s refusal to authorize care or treatment, is not sufficient for admission to the detention facility.
  - b. Critical medical needs. The city agrees to ensure that all critical medical needs of the arrestee are taken care of prior to their arrival at the county detention facility. If a critical medical need is presented in the intake area, before the county fully accepts the arrestee, the county will contact the on-staff medical professional to determine the need for acute medical, mental health, or dental treatment prior to admission. This consultation with the county medical staff can occur in person or through video conference call.
8. The cost of any medical, psychiatric, or dental or other treatment of City inmates while in the custody of the county detention center shall be the primary responsibility of the City inmate.
9. This agreement will stand in lieu of Faulkner County charging the City daily per diem costs for housing their city prisoners per Faulkner County Ordinance 19-40. Upon the conviction, guilty plea, or plea of nolo contendere, the City agrees it will charge each defendant a City Jail Fine of twenty dollars (\$20) for each charge against the defendant for their misdemeanors and/or traffic offenses. The City Jail Fine, in addition to a county fine of twenty dollars (\$20), shall be collected by the City as expeditiously and appropriately as possible. Each month, the City will transfer the collected City Jail Fines and County Jail Fines to the County. This monthly remittance will be used to defray the costs of incarcerating city prisoners. If the City does not remit prompt payment of the collected fines by the 15<sup>th</sup> day of the month for the preceding calendar month’s services provided by the County, the County reserves the right to charge the City the per diem rate established in County Ordinance 19-40.
10. This Agreement shall be effective for a one-year period beginning January 1, 2020 and ending on December 31, 2020. This Agreement shall automatically renew for successive one-year periods unless the Agreement is terminated by either party. Termination of this Agreement by either party may be accomplished by giving ninety (90) days’ written notice to the other party stating the grounds for said termination and specifying plans for accommodating the affected prisoners.
11. In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid by a court of competent jurisdiction, such invalidity shall not affect other terms, conditions, or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this extent and purpose of the terms and conditions of this Agreement are declared severable.
12. To the extent that any claims, damages, losses, and expenses are caused by the concurrent negligence or intentional acts of either of the parties, its officers, agents, or employees, the party’s shall be responsible for their proportionate share of liability.

13. The parties hereto agree that, except where expressly provided otherwise, the laws and administrative rules and regulations of the State of Arkansas shall govern in matters relating to this Agreement and an inmate's confinement under this Agreement. If a dispute arises, either party shall notify the other in writing of a dispute involving the interpretation or execution of this Agreement. Within thirty (30) days of this notice, the parties shall meet to resolve the dispute. If the dispute is not resolved, then either party may seek further remedies as allowed by law. The parties agree that any action to this Agreement shall be instituted in Faulkner County.
14. This Agreement is not intended to benefit any person, entity, or municipality not a party to this Agreement, and no other person, entity, or municipality shall be entitled to be treated as a beneficiary of this Agreement. This Agreement is not intended to nor does it create any third-party beneficiary or other rights in any third person or party.

The undersigned Parties have read and agree to the terms and conditions of this Agreement.

APPROVED BY:

\_\_\_\_\_  
Bart Castleberry, Conway Mayor

\_\_\_\_\_  
Jim Baker, Faulkner County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Tim Ryals, Faulkner County Sheriff

\_\_\_\_\_  
Phil Murphy, Faulkner County Attorney

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE