

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



**City Council Members**

Ward 1 Position 1 – Andy Hawkins  
Ward 1 Position 2 – David Grimes  
Ward 2 Position 1 – Anne Tucker  
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

---

**Tuesday, November 23<sup>rd</sup>, 2021, City Council Agenda**

Conway Municipal Building - City Council Chambers - 1111 Main Street, Conway, AR 72032

---

<b><u>5:30pm:</u></b>	Discussion of the Conway Community Center
<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>	November 9 <sup>th</sup> , 2021
<b><u>Monthly Financial Report Approval:</u></b>	Month ending October 31 <sup>st</sup> , 2021

---

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

1. Ordinance calling and setting a date for a special election for the purpose of building a community center and soccer fields for the City of Conway.
2. Ordinance appropriating insurance proceeds for the Code Enforcement and Physical Plant Department.
3. Ordinance requesting to annex +/- 30.27 acres located south of Lower Ridge Road, east of East German Lane to be zoned R-1.
4. Ordinance requesting to rezone +/- 0.14 acres west of 449 Reedy Road from R-1 to O-2.
5. Consideration for a conditional use permit to allow a kennel in an I-3 zoning district for property located at 1890 South Amity Road.
6. Ordinance to rezone property located at the northwest corner of Dave Ward Drive and South Country Club Road from O-1 to MF-3. (*Appeal of Planning Commission denial*)
7. Consideration to modify conditional use permit no. 1398 to allow a religious facility located at 1301 Sunset Drive.

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

1. Ordinance appropriating donation funds for personal protective equipment at the Fire Department.
2. Ordinance to authorize the addition of one new position for an Investigator for the City Attorney's Office.
3. Resolution supporting the creation of an income tax credit for law enforcement officers in the state for the Police Department.

**C. Finance**

1. Ordinance appropriating funds for the employee appreciation Christmas bonus.

**D. New Business**

1. Resolution of a **voluntary** levy of **two-tenths (.2) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for an ***Animal Shelter*** for the City of Conway.
2. Resolution of a **voluntary** levy of **four-tenths (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a recreation assessment raising special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining the ***public recreation and playgrounds*** of City of Conway.
3. Resolution of a **voluntary** levy of **four-tenths (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue the exclusive purpose of operating and maintaining the ***cemeteries*** for the City of Conway.
4. Resolution of a levy of **four-tenths (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a ***Policeman's Pension and Relief Fund***.
5. Resolution of a levy of **four-tenths (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a ***Fireman's Pension and Relief Fund***.
6. Resolution of a levy of **four-tenths (.4) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for paid ***Non-uniformed employees***.
7. Resolution of a levy of **three (3.0) mill** on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising ***General Fund Revenues***.

***Adjournment***



City of Conway, Arkansas  
Monthly Financial Reports  
October 31, 2021

City of Conway  
 Monthly Financial Report - General Fund  
 For the month ended October 31, 2021



Revenues	Budget	Month		Encumbered	(Over)/Under	
		Activity	Year to Date		Budget	%
						Expend/Collect
Ad Valorem Tax	4,000,000	1,566,144	3,670,372		329,628	92%
Payments in Lieu of Tax	15,000	78,884	240,373		(225,373)	1602%
State Tax Turnback	930,000	61,884	849,705		80,295	91%
Insurance Tax Turnback - LOPFI	1,300,000	356,653	1,164,017		135,983	90%
Sales Tax	20,500,000	2,112,207	20,527,396		(27,396)	100%
Beverage Tax	325,000	-	324,525		475	100%
Franchise Fees	3,427,200	650,857	3,070,408		356,792	90%
Office Space Leases	59,400	5,617	56,167		3,233	95%
Permits	458,500	81,337	614,683		(156,183)	134%
Public Safety	2,341,274	240,759	1,659,331		681,943	71%
Parks	633,250	60,860	615,486		17,764	97%
Insurance Proceeds	171,113	-	206,057		(34,944)	120%
Interest Income	123,000	19,878	146,047		(23,047)	119%
Proceeds from Sale of Assets	8,218	72	26,025		(17,807)	317%
Donations	19,500	1,885	12,276		7,224	63%
Miscellaneous Revenues	101,000	(55,909)	44,952		56,048	45%
Transfers from Other Funds	770,000	-	381,250		388,750	50%
<b>Total Revenues</b>	<b>35,182,454</b>	<b>5,181,126</b>	<b>33,609,068</b>	<b>-</b>	<b>1,573,386</b>	<b>96%</b>
<b>Expenditures</b>						
Admin (Mayor, HR)	1,271,795	102,925	766,450	80,335	425,011	60%
Finance	448,445	32,990	395,299	750	52,396	88%
City Clerk/Treasurer	149,813	15,721	120,860	868	28,085	81%
City Council	82,148	5,563	57,354	-	24,794	70%
Planning	1,085,961	94,323	830,493	1,454	254,014	76%
Physical Plant	761,534	77,500	595,570	10,159	155,805	78%
Information Technology	1,279,978	112,096	998,908	35,492	245,578	78%
Nondepartmental	1,179,013	62,375	977,478	6,769	194,765	83%
Police	13,435,702	1,350,829	10,269,771	207,415	2,958,516	76%
CEOC	1,423,661	128,584	1,048,337	4,925	370,399	74%
Animal Welfare	489,698	47,834	366,296	12,838	110,564	75%
Municipal District Court	915,987	100,734	773,266	1,176	141,545	84%
City Attorney	508,995	50,635	370,247	457	138,291	73%
Fire	11,304,657	1,182,673	9,328,261	38,983	1,937,412	83%
Parks	2,968,522	354,225	2,452,274	8,651	507,598	83%
<b>Total Expenditures</b>	<b>37,305,908</b>	<b>3,719,005</b>	<b>29,350,866</b>	<b>410,270</b>	<b>7,544,773</b>	<b>79%</b>
<b>Net Revenue/(Expense)</b>	<b>(2,123,454)</b>		<b>4,258,202</b>			

\*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway  
General Fund  
2021



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-21-12	1/12/21	Purchase property adjacent to Fire Station 7	150,000
O-21-13	1/21/21	Employee bonuses	583,000
O-21-31	3/9/21	Restructure job titles and salaries at CEOC	125,000
O-21-36	3/23/21	Add Safety and Training Manager to Admin dept	54,000
O-21-37	3/23/21	Purchase various capital items not included in original budget	81,000
O-21-38	3/23/21	Partnership with Conway Public School - Bus cameras	23,250
O-21-76	6/22/21	Employee pay adjustments from Salary Study Committee	57,000
O-21-78	6/22/21	Police department pay adjustments	195,000
O-21-95	9/14/21	Fire department overtime	105,000
O-21-96	9/14/21	Police department overtime, fuel, Operation Shop Secure	200,000
			<u>\$ 1,573,250</u>

City of Conway  
 Balance Sheet - General Fund  
 As of October 31, 2021



Cash - Operating	11,733,139
Cash - Reserve	1,252,612
Petty Cash	715
Taxes Receivable	4,046,802
Accounts Receivable	4,632,696
Due from Street	37,956
Due from Component Unit	219,902
Due from Municipal Court	58,583
Fuel Inventory	(2,077)
General Inventory	585
<b><i>Assets</i></b>	<b><u>21,980,916</u></b>
Accounts Payable	(47,764)
Insurance and Benefits Payable	(130,051)
Event Deposits	3,250
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Deferred Revenue	4,122,797
Unearned Revenue - City Hall Lease	1,000,000
<b><i>Liabilities</i></b>	<b><u>4,958,427</u></b>
<b><i>Fund Balance</i></b>	<b>17,022,488</b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>21,980,916</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Street Fund  
 For the month ended October 31, 2021



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
<b>Revenues</b>						
Ad Valorem Tax	1,400,000	571,567	1,346,319		53,681	96%
Payments in Lieu of Tax	6,000	-	-		6,000	0%
State Tax Turnback	2,700,000	251,299	2,329,472		370,528	86%
State Tax Turnback - Other	1,440,000	139,715	1,358,680		81,320	94%
Severance Tax	-	18,968	106,743		(106,743)	-
State Tax Turnback - Wholesale	360,000	34,261	322,302		37,698	90%
Sales Tax	280,000	29,596	287,626		(7,626)	103%
Sign Permits	-	-	900		(900)	-
Engineering Fees	15,000	1,175	17,475		(2,475)	117%
Interest Income	72,000	7,122	62,332		9,668	87%
Proceeds from Sale of Assets	48,055	7,701	63,256		(15,201)	132%
Miscellaneous Revenues	-	-	2,592		(2,592)	-
<b>Total Revenues</b>	<b>6,321,055</b>	<b>1,061,403</b>	<b>5,897,696</b>	<b>-</b>	<b>423,359</b>	<b>93%</b>
<b>Expenditures</b>						
Personnel Costs	3,161,073	267,922	2,076,921	-	1,084,152	66%
Other Operating Costs	<u>3,704,913</u>	<u>104,635</u>	<u>2,199,620</u>	<u>201,380</u>	<u>1,303,913</u>	<u>59%</u>
Total Operating Costs	6,865,986	372,556	4,276,541	201,380	2,388,065	62%
Capital Outlay	<u>852,486</u>	<u>201,383</u>	<u>443,378</u>	<u>203,739</u>	<u>205,369</u>	<u>52%</u>
<b>Total Expenditures</b>	<b>7,718,472</b>	<b>573,939</b>	<b>4,719,920</b>	<b>405,119</b>	<b>2,593,434</b>	<b>61%</b>
<b>Net Revenue/(Expense)</b>	<b>(1,397,417)</b>		<b><u>1,177,777</u></b>			

\*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.

City of Conway  
Street Fund  
2021



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-21-13	1/21/21	Employee bonuses	51,000



City of Conway  
Balance Sheet - Street Fund  
As of October 31, 2021



Cash - Operating	6,975,480
Taxes Receivable	56,703
Accounts Receivable	2,004,762
<b><i>Assets</i></b>	<b><u>9,036,945</u></b>
Accounts Payable	(1,972)
Insurance and Benefits Payable	(2,081)
Due to General	37,956
Deferred Revenue	1,517,818
<b><i>Liabilities</i></b>	<b><u>1,551,721</u></b>
<b><i>Fund Balance</i></b>	<b>7,485,224</b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>9,036,945</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Sanitation  
 For the month ended October 31, 2021



	<u>Budget</u>	<u>Month Activity</u>	<u>Year to Date</u>	<u>Encumbered</u>	<u>(Over)/Under Budget</u>	<u>% Expend/Collect</u>
<b>Revenues</b>						
Sanitation Fees	9,000,000	1,681,024	7,908,827		1,091,173	88%
Proceeds - Recycled Materials	350,000	123,532	669,173		(319,173)	191%
Landfill Fees - General	200,000	21,032	214,019		(14,019)	107%
Insurance Proceeds	-	-	13,802		(13,802)	-
Interest Income	200,000	18,533	164,199		35,801	82%
Proceeds from Sale of Assets	33,858	-	47,013		(13,155)	139%
Miscellaneous Revenues	-	-	525		(525)	-
<b>Total Revenues</b>	<b>9,783,858</b>	<b>1,844,121</b>	<b>9,017,557</b>	<b>-</b>	<b>766,300</b>	<b>92%</b>
<b>Expenditures</b>						
Personnel Costs	5,487,301	536,024	4,241,075	1,038	1,245,188	77%
Other Operating Costs	<u>3,253,927</u>	<u>264,667</u>	<u>2,249,707</u>	<u>130,960</u>	<u>873,260</u>	<u>69%</u>
Total Operating Costs	8,741,228	800,691	6,490,782	131,998	2,118,447	74%
Capital Outlay	<u>1,242,562</u>	<u>5,425</u>	<u>14,929</u>	<u>860,216</u>	<u>367,417</u>	<u>1%</u>
<b>Total Expenditures</b>	<b>9,983,789</b>	<b>806,116</b>	<b>6,505,711</b>	<b>992,214</b>	<b>2,485,864</b>	<b>65%</b>
<b>Net Revenue/(Expense)</b>	(199,932)		<u><u>2,511,846</u></u>			

\*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway  
Sanitation Fund  
2021



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-21-13	1/21/21	Employee bonuses	104,000

City of Conway  
 Balance Sheet - Sanitation  
 As of October 31, 2021



Cash - Operating	12,865,551
Petty Cash	200
Post Closure Cash Account	6,112,525
Accounts Receivable	13,968
Due from Component Unit	878,787
General Inventory	2,122
Land & Buildings	2,194,464
Infrastructure	828,939
Machinery, Equipment & Vehicles	3,440,747
Deferred Outflows of Resources	2,194,273
Deferred Outflows of Resources-OPEB	285,019
<b>Assets</b>	<b><u>28,816,594</u></b>
Accounts Payable	5,276
Insurance and Benefits Payable	(1,937)
Compensated Absences	248,057
Net Pension Obligation	13,981,351
Deferred Inflows of Resources	1,198,395
Deferred Inflows of Resources-OPEB	126,025
Net OPEB Liability	1,006,173
Landfill Close/Post Close	8,362,165
<b>Liabilities</b>	<b><u>24,925,504</u></b>
<b>Net Position</b>	<b>3,891,090</b>
<b>Total Liabilities and Net Position</b>	<b><u>28,816,594</u></b>

\*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway  
 Monthly Financial Report - Airport  
 For the month ended October 31, 2021



	<u>Budget</u>	<u>Month</u> <u>Activity</u>	<u>Year to</u> <u>Date</u>	<u>Encumbered</u>	<u>(Over)/Under</u> <u>Budget</u>	<u>%</u> <u>Expend/Collect</u>
<b>Revenues</b>						
Sales Tax	15,000	2,023	15,867		(867)	106%
Airport Fuel Sales	700,000	85,239	723,918		(23,918)	103%
T-Hangar Rent	162,000	4,725	84,152		77,848	52%
Community Hangar Rent	33,600	2,926	26,726		6,874	80%
Ground Leases	125,000	8,712	107,378		17,623	86%
Misc Revenue - Non air	3,700	-	3,043		657	82%
Federal Grant Revenues	23,000	-	21,191		1,809	92%
Loan Proceeds	600,000	-	-		600,000	0%
Miscellaneous Revenues	15,000	1,487	17,800		(2,800)	119%
<b>Total Revenues</b>	<b>1,677,300</b>	<b>105,112</b>	<b>1,000,074</b>	<b>-</b>	<b>677,226</b>	<b>60%</b>
<b>Expenditures</b>						
Personnel Costs	327,116	33,855	266,048	-	61,068	81%
Fuel for Resale	600,000	64,315	497,965	-	102,035	83%
Other Operating Costs	156,440	14,371	121,960	8,525	25,955	78%
Total Operating Costs	1,083,556	112,540	885,974	8,525	189,058	82%
Capital Outlay	750,000	266,065	266,065	-	483,935	0%
<b>Total Expenditures</b>	<b>1,833,556</b>	<b>378,605</b>	<b>1,152,039</b>	<b>8,525</b>	<b>672,992</b>	<b>63%</b>
<b>Net Revenue/(Expense)</b>	<b>(156,256)</b>		<b>(151,965)</b>			

\*All figures are unaudited

Notes:

- 1) Budget column is current budget which includes all year-to-date adjustments, if any.
- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway  
Airport Fund  
2021



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-21-13	1/21/21	Employee bonuses	7,000
O-21-58	5/25/21	Funds to supplement grant for new T-hangar	150,000
			<u>\$ 157,000</u>

City of Conway  
 Balance Sheet - Airport  
 As of October 31, 2021



Cash - Operating	220,778
Taxes Receivable	2,389
Accounts Receivable - Fuel Vendor	9,715
Fuel Inventory	83,570
Land	1,254,473
Buildings	3,688,493
Machinery & Equipment	399,379
Vehicles	1,828
Infrastructure	23,912,309
Deferred Outflows of Resources-OPEB	11,666
<b>Assets</b>	<b><u>29,584,601</u></b>
Compensated Absences	5,127
Deferred Inflows of Resources	41,185
Deferred Inflows of Resources-OPEB	5,159
<b>Liabilities</b>	<b><u>51,471</u></b>
<b>Net Position</b>	<b>29,533,130</b>
<b>Total Liabilities &amp; Net Position</b>	<b><u>29,584,601</u></b>

\*All figures are unaudited

Note: Capital assets shown at book value (cost less accumulated depreciation).

City of Conway  
Monthly Financial Report - Major Project Funds  
As of October 31, 2021



Parks and Rec A&P Tax

Balance, 9/30/21	2,180,989
Receipts	358,296
Payments	(114,853)
Balance, 10/31/21	\$ 2,424,431

Pay as you go Sales Tax

Balance, 9/30/21	6,201,991
Receipts	395,939
Payments	(260,017)
Balance, 10/31/21	\$ 6,337,913

Street Impact Fees

Balance, 9/30/21	1,552,047
Receipts	54,938
Payments	-
Balance, 10/31/21	\$ 1,606,985

Parks Impact Fees

Balance, 9/30/21	945,102
Receipts	26,363
Payments	-
Balance, 10/31/21	\$ 971,465

Street Sales Tax

Balance, 9/30/21	11,554,611
Receipts	597,416
Payments	(305,701)
Balance, 10/31/21	\$ 11,846,325



KUTAK ROCK LLP  
DRAFT 11/17/2021

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE CALLING AND SETTING A DATE FOR A SPECIAL ELECTION ON THE QUESTIONS OF (1) THE ISSUANCE OF NOT TO EXCEED \$6,900,000 OF THE CITY'S RESTAURANT GROSS RECEIPTS TAX REFUNDING BONDS FOR THE PURPOSE OF REFUNDING THE CITY'S OUTSTANDING RESTAURANT GROSS RECEIPTS TAX REFUNDING BONDS, SERIES 2017, (2) THE ISSUANCE OF NOT TO EXCEED \$27,300,000 OF THE CITY'S RESTAURANT GROSS RECEIPTS TAX CAPITAL IMPROVEMENT BONDS FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF A COMMUNITY CENTER, AND (3) THE ISSUANCE OF NOT TO EXCEED \$5,500,000 OF THE CITY'S RESTAURANT GROSS RECEIPTS TAX CAPITAL IMPROVEMENT BONDS FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF SOCCER FIELDS; PLEDGING ALL OF THE PROCEEDS FROM THE ONE PERCENT (1.00%) TAX UPON GROSS RECEIPTS FROM THE SALE OF PREPARED FOOD AND BEVERAGES ORIGINALLY LEVIED BY ORDINANCE NO. O-05-98 AND PLEDGING SEVENTY-FIVE PERCENT (75%) OF THE PROCEEDS FROM THE ONE PERCENT (1.00%) TAX UPON GROSS RECEIPTS FROM THE SALE OF PREPARED FOOD AND BEVERAGES ORIGINALLY LEVIED BY ORDINANCE NO. O-05-97 TO THE PAYMENT OF THE BONDS; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.

**WHEREAS**, the City Council of the City of Conway, Arkansas (the "City") has determined that there is a critical need for a source of revenue to finance the acquisition, construction and equipping of a community center and additional soccer fields within the City; and

**WHEREAS**, Title 26, Chapter 75, Subchapter 6 of the Arkansas Code of 1987 Annotated (the "Advertising and Promotion Commission Act") authorizes the City to levy taxes upon the gross receipts from the sale of prepared food and beverages within the City; and

**WHEREAS**, pursuant to the provisions of Ordinance No. O-05-97 adopted on August 16, 2005, the City has previously levied a one percent (1.00%) tax ("A&P Tax No. 1") upon the gross receipts from the sale of prepared food and beverages within the City; and

**WHEREAS**, pursuant to the provisions of Ordinance No. O-05-97, 25% of the proceeds of A&P Tax No. 1 are to be utilized at the discretion of the City's Advertising and Promotion Commission (the "Commission") for any purpose authorized by the Advertising and Promotion Commission Act, and 75% of the proceeds of A&P Tax No. 1 are to be utilized by the Commission, at the direction of the Mayor and upon approval by the City Council, for the development, purchase and construction of parks and recreation facilities; and

**WHEREAS**, pursuant to the provisions of Ordinance No. O-05-98 adopted on August 16, 2005, the City has previously levied a second one percent (1.00%) tax (“A&P Tax No. 2”) upon the gross receipts from the sale of prepared food and beverages within the City; and

**WHEREAS**, pursuant to the provisions of Ordinance No. O-05-98, the proceeds of A&P Tax No. 2 are to be utilized by the Commission, at the direction of the Mayor and upon approval by the City Council, for the development, purchase and construction of City parks; and

**WHEREAS**, the Advertising and Promotion Commission Act and Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the “Local Government Bond Act”) authorize the issuance of capital improvement bonds by municipalities for the purpose of financing parks and recreation facilities, which bonds may be secured by the pledge of all or a portion of the receipts of taxes imposed under the Advertising and Promotion Commission Act, with the consent of the advertising and promotion commissions of such municipalities; and

**WHEREAS**, pursuant to Ordinance No. O-17-112 adopted on October 10, 2017, the City has previously issued its \$9,115,000 Restaurant Gross Receipts Tax Refunding Bonds, Series 2017 (the “Series 2017 Bonds”), of which \$7,615,000 in principal amount currently remains outstanding, for the purpose of refunding prior bonds originally issued to finance various park facilities and trail improvements within the City; and

**WHEREAS**, if approved by the electors of the City, the City has determined to issue (1) its refunding bonds in principal amount not to exceed \$6,900,000 (the “Refunding Bonds”) for the purpose of redeeming the outstanding Series 2017 Bonds, (2) its capital improvement bonds in principal amount not to exceed \$27,300,000 (the “Community Center Bonds”) for the purpose of financing the acquisition, construction and equipping of a community center within the City, including the acquisition of all or a portion of an existing building located on land owned by the City, the renovation, rehabilitation and equipping thereof, and the acquisition, construction and equipping of structures and related facilities adjacent thereto (the “Community Center Project”), and (3) its capital improvement bonds in principal amount not to exceed \$5,500,000 (the “Soccer Fields Bonds”) for the purpose of financing the acquisition, construction and equipping of additional soccer fields and related structures and amenities on land leased by the City (the “Soccer Fields Project”), which Refunding Bonds, Community Center Bonds and Soccer Fields Bonds are to be equally and ratably secured by a pledge of and lien upon (i) 75% of the receipts of A&P Tax No. 1 and (ii) all of the receipts of A&P Tax No. 2, all as authorized by the Advertising and Promotion Commission Act and the Local Government Bond Act; and

**WHEREAS**, the purpose of this Ordinance is to call a special election on the issuance by the City of the Refunding Bonds, the Community Center Bonds and the Soccer Fields Bonds;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Conway, Arkansas:

**Section 1.** That under the authority of the Advertising and Promotion Commission Act and the Local Government Bond Act, and subject to approval by the Commission and the electors of the City as provided in Section 2 below, there is hereby authorized (1) the issuance of the City’s refunding bonds in the aggregate principal amount of not to exceed \$6,900,000 (the

“Refunding Bonds”) for the purpose of redeeming the City’s outstanding Restaurant Gross Receipts Tax Refunding Bonds, Series 2017 (the “Series 2017 Bonds”), (2) the issuance of the City’s capital improvement bonds in the aggregate principal amount of not to exceed \$27,300,000 (the “Community Center Bonds”) for the purpose of financing the Community Center Project, and (3) the issuance of the City’s capital improvement bonds in the aggregate principal amount of not to exceed \$5,500,000 (the “Soccer Fields Bonds”) for the purpose of financing the Soccer Fields Project. Such bonds as are approved by the electors of the City may thereafter be issued in one or more series from time to time in an aggregate principal amount not to exceed the respective principal amount(s) approved. Such bonds as are issued by the City shall be secured on a parity basis by a pledge of and a lien upon (i) 75% of the receipts of A&P Tax No. 1 and (ii) all of the receipts of A&P Tax No. 2. Notwithstanding the aforementioned pledge and lien, the receipts of A&P Tax No. 2 will be utilized first, to the extent needed, for the purpose of paying scheduled debt service on the Refunding Bonds, the Community Center Bonds and the Soccer Fields Bonds (collectively, the “Bonds”), and the pledged receipts of A&P Tax No. 1 will be utilized for the payment of scheduled debt service on the Bonds only after application of the pledged receipts of A&P Tax No. 2. The use of surplus collections of A&P Tax No. 1 and A&P Tax No. 2 will be controlled by the provisions of the Advertising and Promotion Commission Act, Ordinance No. O-05-97, Ordinance No. O-05-98 and the trust indenture governing the issuance of and security for the Bonds.

**Section 2.** That there be, and there is hereby called, a special election to be held on Tuesday, February 8, 2022, at which election there shall be submitted to the electors of the City the questions of the issuance of the Refunding Bonds, the Community Center Bonds and the Soccer Fields Bonds.

**Section 3.** That the questions shall be placed on the ballot for the special election in substantially the following forms:

**SPECIAL ELECTION ON  
BOND ISSUANCE**

*Unless Question One described below is approved, the Series 2017 Bonds described below will remain outstanding.*

Question One:

There is submitted to the qualified electors of the City of Conway, Arkansas, the question of the issuance of refunding bonds in principal amount not to exceed \$6,900,000 (the “Refunding Bonds”), pursuant to Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the “Local Government Bond Act”) and Title 26, Chapter 75, Subchapter 6 of the Arkansas Code of 1987 Annotated (the “Advertising and Promotion Commission Act”), for the purpose of refunding the City’s outstanding Restaurant Gross Receipts Tax Refunding Bonds, Series 2017 (the “Series 2017 Bonds”). If the issuance of the Refunding Bonds is approved, the Refunding Bonds shall be secured by a pledge of and lien upon (i) 75% of the receipts of an existing one percent (1.00%) tax (“A&P Tax No. 1”) levied pursuant to Ordinance No. O-05-97 upon the gross receipts from

the sale of prepared food and beverages within the City and (ii) all of the receipts of an existing one percent (1.00%) tax (“A&P Tax No. 2”) levied pursuant to Ordinance No. O-05-98 upon the gross receipts from the sale of prepared food and beverages within the City.

Vote on the question by placing an “X” in one of the squares following the question, either for or against:

FOR the issuance of Refunding Bonds in principal amount not to exceed \$6,900,000 .....□

AGAINST the issuance of Refunding Bonds in principal amount not to exceed \$6,900,000 .....□

Question Two:

There is submitted to the qualified electors of the City of Conway, Arkansas, the question of the issuance of capital improvement bonds in principal amount not to exceed \$27,300,000 (the “Community Center Bonds”), pursuant to Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the “Local Government Bond Act”) and Title 26, Chapter 75, Subchapter 6 of the Arkansas Code of 1987 Annotated (the “Advertising and Promotion Commission Act”), for the purpose of financing the acquisition of all or a portion of an existing building at 450 Corporate Drive within the City located on land owned by the City, the renovation, rehabilitation and equipping thereof, and the acquisition, construction and equipping of structures and related facilities adjacent thereto (the “Community Center Project”), which project may include aquatic features such as indoor and/or outdoor pools, lazy river, tot pool, zero-entry area, play features, vortex, climbing wall, bubble bench, waterslides, tanning edge and concession area, as well as volleyball and pickleball courts, an indoor track, party rooms, multi-purpose rooms and the City’s Parks and Recreation offices, and any necessary utility, landscaping, road and parking improvements related thereto. If the issuance of the Community Center Bonds is approved, the Community Center Bonds shall be secured by a pledge of and lien upon (i) 75% of the receipts of an existing one percent (1.00%) tax (“A&P Tax No. 1”) levied pursuant to Ordinance No. O-05-97 upon the gross receipts from the sale of prepared food and beverages within the City and (ii) all of the receipts of an existing one percent (1.00%) tax (“A&P Tax No. 2”) levied pursuant to Ordinance No. O-05-98 upon the gross receipts from the sale of prepared food and beverages within the City.

Vote on the question by placing an “X” in one of the squares following the question, either for or against:

FOR the issuance of Community Center Bonds in principal amount not to exceed \$27,300,000 .....□

AGAINST the issuance of Community Center Bonds in principal amount not to exceed \$27,300,000 .....□

Question Three:

There is submitted to the qualified electors of the City of Conway, Arkansas, the question of the issuance of capital improvement bonds in principal amount not to exceed \$5,500,000 (the "Soccer Fields Bonds"), pursuant to Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Local Government Bond Act") and Title 26, Chapter 75, Subchapter 6 of the Arkansas Code of 1987 Annotated (the "Advertising and Promotion Commission Act"), for the purpose of financing the acquisition, construction and equipping of additional soccer fields on land leased by the City off Museum Road within the City (the "Soccer Fields Project"), which project may include related structures and amenities and any necessary utility, landscaping, road and parking improvements related thereto. If the issuance of the Soccer Fields Bonds is approved, the Soccer Fields Bonds shall be secured by a pledge of and lien upon (i) 75% of the receipts of an existing one percent (1.00%) tax ("A&P Tax No. 1") levied pursuant to Ordinance No. O-05-97 upon the gross receipts from the sale of prepared food and beverages within the City and (ii) all of the receipts of an existing one percent (1.00%) tax ("A&P Tax No. 2") levied pursuant to Ordinance No. O-05-98 upon the gross receipts from the sale of prepared food and beverages within the City.

Vote on the question by placing an "X" in one of the squares following the question, either for or against:

FOR the issuance of Soccer Fields Bonds in principal amount not to exceed \$5,500,000 .....

AGAINST the issuance of Soccer Fields Bonds in principal amount not to exceed \$5,500,000 .....

**Section 4.** That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for Arkansas municipal elections unless otherwise provided in the Local Government Bond Act, and only qualified voters of the City shall have the right to vote at the election. The City Clerk is hereby directed to give notice of the special election by one advertisement in *The Log Cabin Democrat*, the publication to be not less than ten (10) days prior to the date of the election.

**Section 5.** That a copy of this Ordinance shall be given to the Faulkner County Board of Election Commissioners not later than November 29, 2021, so that the necessary election officials and supplies may be provided.

**Section 6.** That the results of the special election shall be proclaimed by the Mayor, and his proclamation shall be published one time in *The Log Cabin Democrat*. The proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the Circuit Court of Faulkner County within thirty (30) days after the date of publication of the proclamation.

**Section 7.** That the Mayor and the City Clerk, for and on behalf of the City, be, and they hereby are authorized and directed to do any and all things necessary to call and hold the

special election as herein provided and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

**Section 8.** That the City considers this Ordinance to be its declaration of official intent to issue the Community Center Bonds and the Soccer Fields Bonds and to make reimbursement with a portion of the proceeds thereof for all original expenditures incurred in the acquisition, design, construction, equipping and furnishing of the Community Center Project and the Soccer Fields Project between the date that is sixty (60) days prior to the date of this Ordinance and the date a series of Bonds is issued for such purposes, plus a *de minimis* amount and preliminary expenditures, as such terms are defined in Section 1.150-2(f) of the Federal Income Tax Regulations.

**Section 9.** That Kutak Rock LLP is hereby engaged as Bond Counsel and Crews & Associates, Inc. and Stephens Inc. are hereby engaged as Underwriters with respect to the issuance of the Bonds. The fees and expenses of Bond Counsel and the Underwriters shall be a cost of issuance of the Bonds to be paid with Bond proceeds.

**Section 10.** That the provisions of this Ordinance are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this Ordinance.

**Section 11.** That all ordinances and parts thereof in conflict herewith, including particularly, certain provisions of Ordinance No. O-05-97 and Ordinance No. O-05-98, are hereby repealed to the extent of such conflict.

**Section 12.** That it is hereby ascertained and declared that there is a critical need to obtain an additional source of revenue to finance the needed capital improvements constituting the Community Center Project and the Soccer Fields Project, in order to promote and protect the health, safety and welfare of the inhabitants of the City. It is, therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of public peace, health and safety shall be in force and effect immediately from and after its passage.

PASSED AND APPROVED this \_\_\_\_\_ day of November, 2021.

APPROVED:

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Clerk

(S E A L)

**CERTIFICATE**

The undersigned, City Clerk of the City of Conway, Arkansas, hereby certifies that the foregoing is a true and perfect copy of an Ordinance adopted at a regular meeting of the City Council of the City of Conway, Arkansas, held at 6:00 p.m. on November 23, 2021.

DATED: \_\_\_\_\_, 2021

---

City Clerk



**City of Conway, Arkansas**  
**Ordinance No. O-21-**

**AN ORDINANCE APPROPRIATING INSURANCE PROCEEDS RECEIVED FROM THE MUNICIPAL VEHICLE PROGRAM FOR THE CODE ENFORCEMENT & PHYSICAL PLANT DEPARTMENT, AND FOR OTHER PURPOSES:**

**WHEREAS**, the Code Enforcement & Physical Plant department requests an appropriation in the amount of \$1,732.06 to replenish the vehicle maintenance account; and

**WHEREAS**, funds in the amount of \$1,732.06 by Municipal Vehicle Program were received to recover cost associated with a damaged vehicle.

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

**Section 1.** The City of Conway shall appropriate \$1,732.06 from Insurance Proceeds account (001.119.4360) to Vehicle Maintenance account (001.106.5450)

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

Passed this 23<sup>rd</sup> day of November 2021.

**Approved:**

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

**Attest:**

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





**City of Conway, Arkansas**  
**Ordinance No. O-21-**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF ± 30.27 ACRES LOCATED SOUTH OF LOWER RIDGE ROAD, EAST OF E GERMAN LANE, TO THE CITY OF CONWAY:**

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

**Section 1.** That the City of Conway, Arkansas, hereby accepts the hereinafter described territory, including all adjacent and abutting rights-of-way, annexed to said City by order of the County Court of Faulkner County, Arkansas heretofore entered on **November 23, 2021**, and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned **R-1**. Legal description as follows:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER, THENCE, ALONG THE SOUTH LINE OF SECTION 33, NORTH 88 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 653.27 FEET, THENCE, LEAVING SAID SOUTH LINE, NORTH 01 DEGREES 35 MINUTES 22 SECONDS EAST A DISTANCE OF 2071.34 FEET TO THE CENTER LINE OF LOWER RIDGE ROAD, THENCE, ALONG SAID CENTER LINE, SOUTH 86 DEGREES 43 MINUTES 30 SECONDS EAST A DISTANCE OF 657.83 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER, THENCE, ALONG SAID EAST LINE, SOUTH 01 DEGREES 42 MINUTES 32 SECONDS WEST A DISTANCE OF 2052.72 FEET TO THE POINT OF BEGINNING, CONTAINING 31.03 ACRES, MORE OR LESS.

LESS AND EXCEPT THE FOLLOWING PARCEL:

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 13 WEST, FAULKNER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER, THENCE NORTH 01 DEGREES 42 MINUTES 32 SECONDS EAST A DISTANCE OF 2002.70 FEET TO THE POINT OF BEGINNING, THENCE NORTH 86 DEGREES 43 MINUTES 30 SECONDS WEST A DISTANCE OF 657.73 FEET, THENCE NORTH 01 DEGREES 35 MINUTES 22 SECONDS EAST A DISTANCE OF 50.02 FEET, THENCE SOUTH 86 DEGREES 43 MINUTES 30 SECONDS EAST A DISTANCE OF 657.83 FEET, THENCE SOUTH 01 DEGREES 42 MINUTES 32 SECONDS WEST A DISTANCE OF 50.02 FEET TO THE POINT OF BEGINNING, CONTAINING 0.76 ACRES, MORE OR LESS.

And that the above described lands and territory be, and the same hereby are, declared to be a part of the City of Conway, Faulkner County, Arkansas.

**Section 2.** From and after this date, all inhabitants residing within and upon the hereinabove described lands and territory shall have and enjoy all the rights and privileges of, and be subject to all the laws, rules, ordinances, limitations, and regulations imposed upon the inhabitants within the original limits of said City of Conway, Arkansas, and for voting purposes, said lands are hereby assigned to and designated as part of **Ward 2** of the City of Conway, Arkansas.

**Section 3.** It is hereby declared the annexed land shall be provided the following services immediately upon the effective date of this annexation: police protection; fire protection; maintenance of any publicly dedicated streets within the property; and opportunity to connect to potable water, electric, and telecommunications services provided by Conway Corporation at the expense of the property owner.

**PASSED** this 23<sup>rd</sup> day of November 2021.

**Approved:**

---

**Mayor Bart Castleberry**

**Attest:**

---

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

FILED

OCT 05 2021

MARGARET DARTER  
FAULKNER COUNTY CLERK

BY C. Walters DC

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS

Jacob Longing, Petitioner

CC-21-009

ORDER

Comes now before the Court is the above-styled case and after having been presented all the facts and circumstances and having considered the relevant laws, this Court finds and orders the following:

1. A petition for annexation was filed September 22, 2021.
2. All appropriate signatures were affixed to the Petition, as required by A.C.A. 14-40-609.
3. The proposed site to be annexed was adequately described and further displayed a map of the proposed site.
4. The appropriate documentation was provided under A.C.A. 14-40-609.
5. Based on the above premises, the Petitioner's prayer is right and proper.

WHEREFORE, this Court finds that the area described in Exhibit A should be, and hereby is, released for annexation into the City of Conway:


IT IS SO ORDERED.



HON. JIM B. BAKER  
Faulkner County Judge

Dated 10-4-2021

We verify that the above referenced Petition complies with A.C.A. 14-40-609.

  
Margaret Darter, Clerk

  
Krissy Lewis, Assessor

# WACO TITLE

THE LAND TITLE PROFESSIONALS SINCE 1885

2450 Donaghey Avenue, Suite 1  
Conway, AR 72032  
Phone: 501-327-5803  
Fax: 501-548-3254

## Proposed Annexation Legal Description

Part of the West Half of the Southwest Quarter of Section 33, Township 6 North, Range 13 West, Faulkner County, Arkansas, being more particularly described as follows:

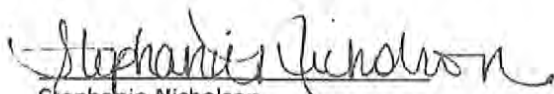
Beginning at the Southeast corner of the West Half of the Southwest Quarter, thence, along the South line of Section 33, North 88 degrees 20 minutes 49 seconds West a distance of 653.27 feet, thence, leaving said South line, North 01 degrees 35 minutes 22 seconds East a distance of 2071.34 feet to the center line of Lower Ridge Road, thence, along said center line, South 86 degrees 43 minutes 30 seconds East a distance of 657.83 feet to the East line of the West Half of the Southwest Quarter, thence, along said East line, South 01 degrees 42 minutes 32 seconds West a distance of 2052.72 feet to the Point of Beginning, containing 31.03 acres, more or less.

LESS AND EXCEPT THE FOLLOWING PARCEL:

Part of the West Half of the Southwest Quarter of Section 33, Township 6 North, Range 13 West, Faulkner County, Arkansas, being more particularly described as follows:

Commencing at the Southeast corner of the West Half of the Southwest Quarter, thence North 01 degrees 42 minutes 32 seconds East a distance of 2002.70 feet to the Point of Beginning, thence North 86 degrees 43 minutes 30 seconds West a distance of 657.73 feet, thence North 01 degrees 35 minutes 22 seconds East a distance of 50.02 feet, thence South 86 degrees 43 minutes 30 seconds East a distance of 657.83 feet, thence South 01 degrees 42 minutes 32 seconds West a distance of 50.02 feet to the Point of Beginning, containing 0.76 acres, more or less.















Owner of record for the following legal description is Jacob Longing Construction, LLC.

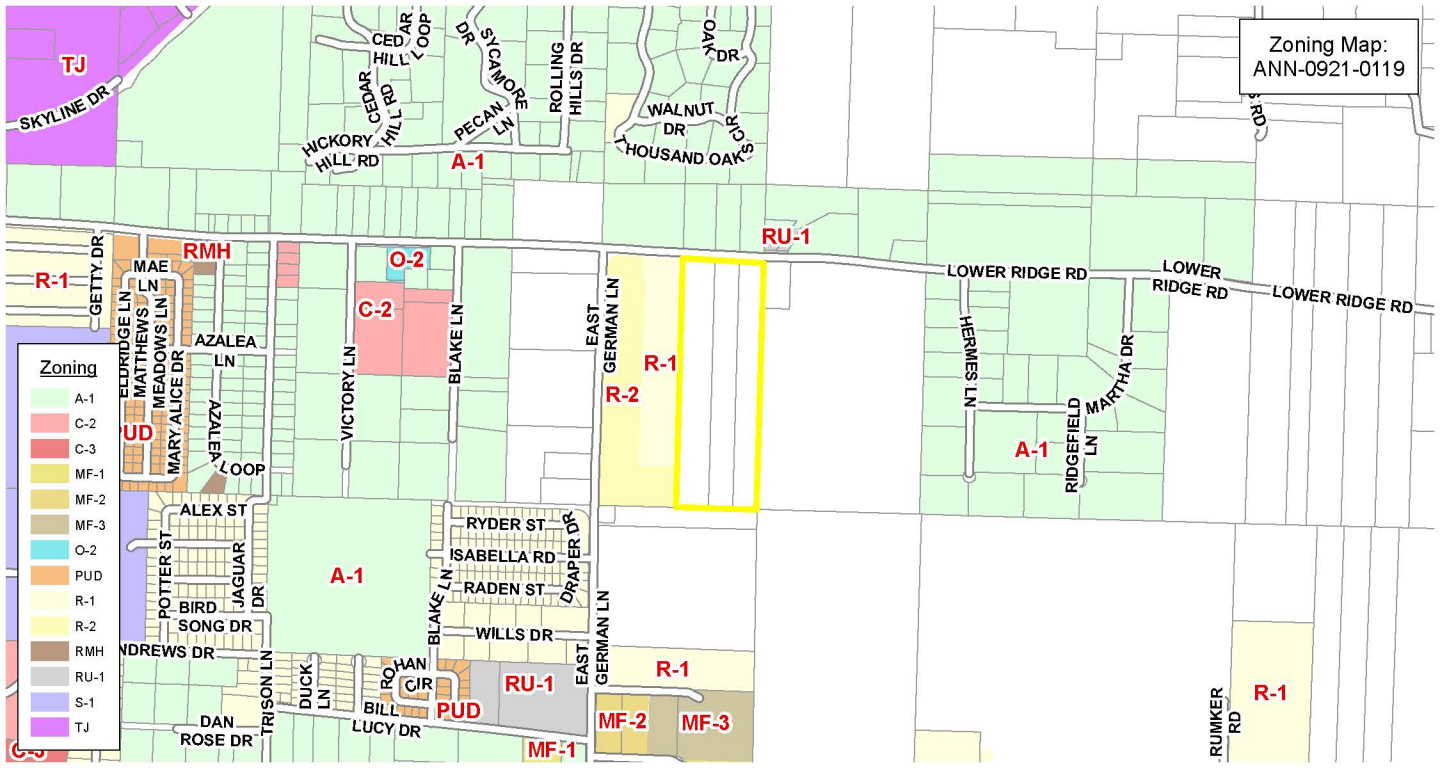


Stephanie Nicholson  
Closing Dept Manager | WACO Title  
2450 Donaghey Ave, Conway, AR, 72034  
(501) 548-3206 | Direct: (501) 548-3245



**Zoning**

	A-1
	C-2
	C-3
	MF-1
	MF-2
	MF-3
	O-2
	PUD
	R-1
	R-2
	RMH
	RU-1
	S-1
	TJ





**City of Conway, Arkansas**  
**Ordinance No. O-21-**

**AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED WEST OF 449 REEDY ROAD FROM R-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 **R-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

BEING A PART OF THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER (N½, SE¼) OF SECTION NINE (9), TOWNSHIP FIVE NORTH (T-5-N), RANGE FOURTEEN WEST (R-14-W), FAULKNER COUNTY ARKANSAS MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF THE SAID N½, SE¼; THENCE S00°28'26"W 530.00 FEET ALONG THE EAST LINE OF THE SAID N½, SE¼; THENCE S89°56'10"W 230 FEET TO THE TRUE POINT OF BEGINNING; THENCE N89°56'33"E 67.00 FEET; THENCE S00°28'26"W 90.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.14 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 23<sup>rd</sup> day November 2021.

**Approved:**

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

**Attest:**

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

## MEMO

To: Mayor Bart Castleberry  
cc: City Council Members

From: Brandon Ruhl, 2021 Planning Commission Chairman  
Date: November 23, 2021

Re: Request to rezone from R-1 to O-2 ± 0.14 acres located west of 449 Reedy Road

Joey Fulgham, has requested to rezone from R-1 to O-2 ± 0.14 acres located west of 449 Reedy Road, with the legal description:

BEING A PART OF THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER (N½, SE¼) OF SECTION NINE (9), TOWNSHIP FIVE NORTH (T-5-N), RANGE FOURTEEN WEST (R-14-W), FAULKNER COUNTY ARKANSAS MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF THE SAID N½, SE¼; THENCE S00°28'26"W 530.00 FEET ALONG THE EAST LINE OF THE SAID N½, SE¼; THENCE S89°56'10"W 230 FEET TO THE TRUE POINT OF BEGINNING; THENCE N89°56'33"E 67.00 FEET; THENCE S00°28'26"W 90.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.14 ACRES, MORE OR LESS.

The applicant is seeking to rezone the property from R-1 to O-2 after notification of zoning violations on-site including the unpermitted establishment of a parking lot among other items. The applicant was notified that establishment of the parking lot in R-1 is not allowed, which led to the submittal of this application to bring the site into compliance. The balance of the property is already used for an O-2 use. The rezoning would not likely result in harm to adjacent property.

Staff recommendation: Staff recommends approval of the rezoning request as it would not likely negatively impact adjacent property and would work to begin bringing the site into compliance with applicable land use regulations.

The Planning Commission reviewed the request at its regular meeting on November 15, 2021 and voted 7-0 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.

A-1

O-2

RYAN RD

A-1

O-2

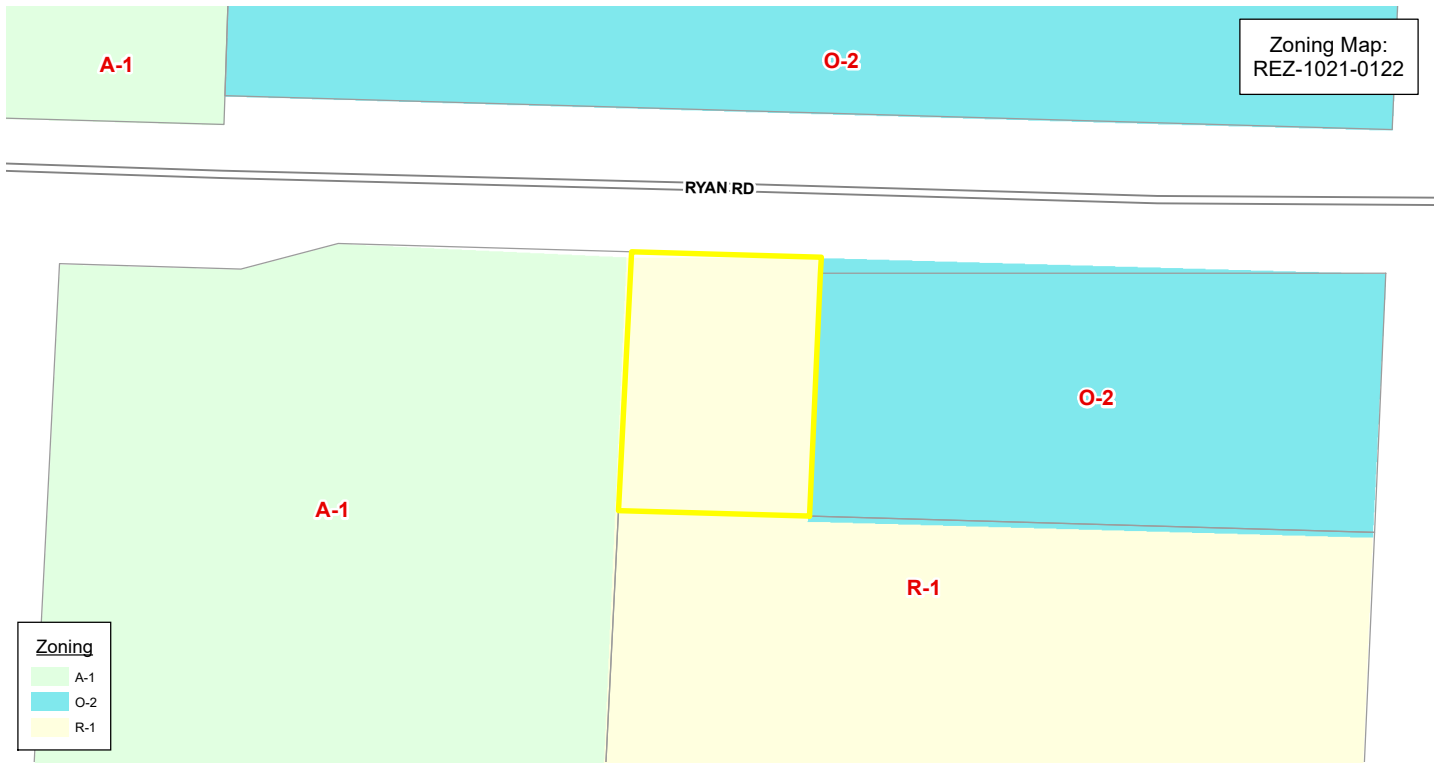
R-1

Zoning

A-1

O-2

R-1







1111 MAIN STREET • CONWAY, AR 72032  
 (501) 450-6105 • [planningcommission@conwayarkansas.gov](mailto:planningcommission@conwayarkansas.gov)

## MEMO

To: Mayor Bart Castleberry  
 cc: City Council Members

From: Brandon Ruhl, 2021 Planning Commission Chairman  
 Date: November 23, 2021

Re: Conditional Use request to allow kennel in I-3 zone for property located at 1890 S Amity Road  
 Kevin Miller, has requested a conditional use permit to a kennel in the I-3 zone for property located at 1890 S Amity Road, with the legal description:

### LOT 1 DOUD SUBDIVISION

The applicant desires to operate a pet lodging and grooming business in the I-3 zoning district, a use which most closely aligns with a commercial kennel. The site is predominantly surrounded by commercial and industrial uses, with some single-family residences abutting the property to the east, across Mayor Ln. Location appears suitable for the requested use, but appropriate conditions to mitigate noise and odor trespass should be considered. As conditioned, the use would not likely negatively impact adjacent property.

Staff recommends approval of the conditional use permit with the following 14 conditions:

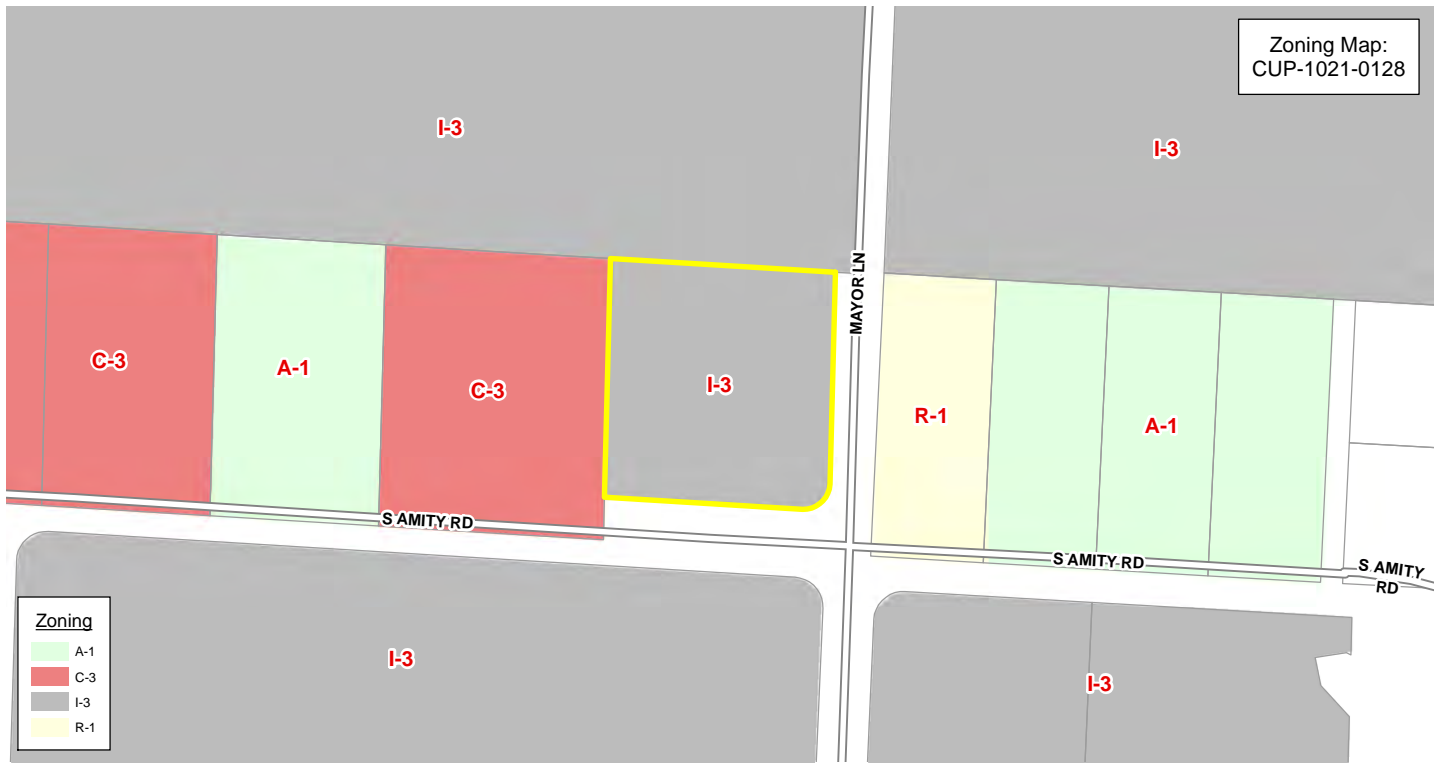
1. Approved uses are limited to: boarding, grooming, training, breeding, and buying/selling of dogs or cats. Incineration of animal refuse on the premises is prohibited.
2. The use shall be operated in a manner to not impede the continued quiet enjoyment of adjacent properties such that the use shall not constitute a nuisance with excess noise, odor, or similar negative impacts.
3. Hours of operation [when open to the public] are limited to 6:00am – 6:30pm, Monday - Friday; 8:00am – 5:00pm, Saturday –Sunday.
4. Staff shall be present whenever animals are on site.
5. Staff shall supervise all animals in all outside play areas at all times.
6. No animals shall be outside before 6:00am or after 10:00pm.
7. Animals shall be restricted to the boundaries of the property at all times.
8. Noise abatement curtains shall be installed on all exterior play area fencing.
9. The use of an outside public address or speaker system is prohibited.
10. The use shall be subject to Development Review, in accordance with Article 1101 of the Conway Zoning Code, prior to issuance of building permits.
11. Perimeter landscaping along street frontages in excess of that required per §1101.7.1.5.a, equivalent to that required by Section 1101.7.1.6.f.iii of the Conway Zoning Code shall be required outside any installed fencing to enhance the buffer between adjacent uses and soften the appearance of the fencing from the ROW. Additional landscaping shall include evergreen shrubs,

*“...at least inches tall at the time of planting, spaced closely enough together so as to create a seamless row of hedging.”*





12. All signage shall be permitted and installed in accordance with §1301 of the Conway Zoning Code (Sign Ordinance).
13. Any expansions or additions to the structure(s) as well as any changes to the use shall require an amended or new conditional use permit.
14. Conditional Use Permit expires 2 years from the date of issue if required site development review approval and/or building permit have not been issued.

The Planning Commission reviewed the request at its regular meeting on November 15, 2021 and voted 6-1 that the request be forwarded to the City Council with a recommendation for approval.

Please advise if you have any questions.



**Zoning**

	A-1
	C-3
	I-3
	R-1



**City of Conway, Arkansas**  
**Ordinance No. O-21-**

**AN ORDINANCE AMENDING SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE PROPERTY LOCATED AT THE NORTHWEST CORNER OF DAVE WARD DRIVE AND S COUNTRY CLUB ROAD FROM O-1 TO MF-3:**

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

Being a part of the S1/2 NW1/4 of Section 15, T-5- N, R-14-W, Faulkner County, Arkansas more particularly described as follows:

Commencing at the NE corner of said S1/2 NW1/4; thence N88°07'07"W 1260.00 feet; thence S01°49'46"W 839.42 feet to a found 3/8" rebar, said point being the point of beginning; thence S88°07'11"E 1230.37 feet to a found Cagis Monument #1029-06 on the West Right of Way of Country Club Lane; thence along said Right of Way, S01°50'24"W 310.88 feet to a found 2" Alum. Monument; thence N88°40'33"W 9.85 feet to a found 2" Alum. Monument; thence S01°25'07"W 80.00 feet to a found 2" Alum. Monument, said point lying on the North Right of Way of Dave Ward Drive; thence leaving said West Right of Way of Country Club Lane, along said North Right of Way of Dave Ward Drive, S54°16'42"W 49.67 feet to a found 2" Alum. Monument; thence continuing along said Right of Way, S88°09'19"W 225.37 feet to a found 2" Alum. Monument; thence N88°22'14"W 454.86 feet; thence N82°43'10"W 101.55 feet; thence N88°22'34"W 94.11 feet; thence N61°00'11"W 56.39 feet; thence N88°32'26"W 50.00 feet to a found 2" Alum. Monument; thence S57°19'10"W 52.46 feet to a found 2" Alum. Monument; thence S85°54'25"W 62.21 feet to a set 1/2" rebar (APLS #1243); thence N88°22'18"W 444.47 feet to a found 2" Alum. Monument; thence N81°55'27"W 96.34 feet to a found 1/2" rebar; thence N02°06'35"E 409.29 feet to a found 3/4" pipe; thence N88°21'06"W 285.00 feet to a point on the Centerline of Diane Lane; thence along said Centerline, N02°08'40"E 23.10 feet; thence leaving said Centerline, S88°07'11"E 721.69 feet to the point of beginning, 16.71 acres more or less.

to those of **MF-3**, 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 23<sup>rd</sup> day November 2021.

**Approved:**

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

**Attest:**

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



240 Skyline Drive, Suite 3000 · Conway, Arkansas 72032  
(501) 329-1400 office · (501) 327-3972 Fax

---

James Walden, Director  
Conway Planning Department  
Planning and Development  
1111 Main Street  
Conway, AR 72032

November 9, 2021

Re: Rezone Appeal to Conway City Council on 16.71 Acres located at the northwest corner of Dave Ward Drive and S Country Club Road from O-1 to MF-3

Mayor and Council Members,

We, the Tyler Group, wish to appeal the rezoning voted upon by the Conway Planning Commission at its October 18<sup>th</sup> meeting.

The grounds for this appeal are as follows:

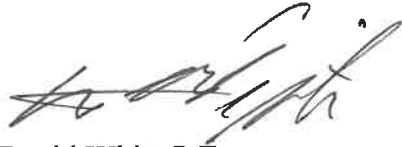
1. It was a narrow 5-4 decision by the Planning Commission to deny this rezone.
2. The Planning Department would recommend approval of a rezone to multi-family at 18 units per acre (MF-2) though not at 24 units per acre (MF-3).
3. MF-3 zoning does exist approximately 850 feet north of this property and just to the northwest of the New Life Church property. There is also a cluster of MF-3 development at the Dave Ward Drive and Salem Road intersection within 1,600 feet to the east.
4. This property is located at the corner of a Major Arterial and a Minor Arterial, Dave Ward Drive and Country Club Road. From a traffic standpoint there is not a better, more equipped site in all the City of Conway to handle the traffic from a multi-family complex.
5. This property has a small sliver of land approximately 22 feet wide that connects its northwest corner to Diane Lane. This strip of land would only be used as an emergency vehicle access and not open to the general public and regular traffic. Therefore, there will be no additional traffic, except for emergencies, on Diane Lane.

A copy of the building elevations and the boundary survey is attached.

---

If you have any questions or comments, I can be reached at (501) 329-1400 or [david@tylergroup.net](mailto:david@tylergroup.net).

Respectfully,

A handwritten signature in black ink, appearing to read "David White". The signature is fluid and cursive, with a large initial "D" and "W".

David White P.E.

N 88°07'07" W 1260.00'

NE Corner S1/2 NW1/4  
Section 15, T-5-N, R-14-W  
Faulkner County, Arkansas  
Set 1/2" Rebar (APLS #1243)  
References:  
S64°W 32.1' - Tele. Ped.  
S53°W 35.9' - Power Pole  
S43°W 40.8' - CL Drain Inlet

Survey for: Mark Paladino  
Date: July 28th, 2021  
Scale: 1 inch equals 200 feet

I hereby certify that I have surveyed the following 3 tracts of land lying in a part of the S1/2 NW1/4 of Section 15, T-5-N, R-14-W, Faulkner County, Arkansas more particularly described as follows:

**Tract-1:**

Commencing at the NE corner of said S1/2 NW1/4; thence N88°07'07"W 1260.00 feet; thence S01°49'46"W 839.42 feet to a found 3/8" rebar, said point being the point of beginning; thence S88°07'11"E 102.89 feet to a set 1/2" rebar (APLS #1243); thence S02°06'36"W 439.68 feet to a set 1/2" rebar (APLS #1243) on the North Right of Way of Dave Ward Drive; thence along said Right of Way, N88°22'18"W 444.47 feet to a found 2" Aluminum Right of Way Monument; thence continuing along said Right of Way, N81°55'27"W 96.34 feet to a found 1/2" rebar; thence leaving said Right of Way, N02°06'35"E 409.29 feet to a found 3/4" pipe; thence N88°21'06"W 285.00 feet to a point on the Centerline of Diane Lane; thence along said Centerline, N02°08'40"E 23.10 feet; thence leaving said Centerline, S88°07'11"E 722.36 feet to the point of beginning, containing 5.60 acres more or less.

**Tract-2:**

Commencing at the NE corner of said S1/2 NW1/4; thence N88°07'07"W 1260.00 feet; thence S01°49'46"W 839.42 feet to a found 3/8" rebar; thence S88°07'11"E 102.89 feet to a set 1/2" rebar (APLS #1243), said point being the point of beginning; thence S88°07'11"E 563.07 feet to a set 1/2" rebar (APLS #1243); thence S02°06'35"W 437.20 feet to a set 1/2" rebar (APLS #1243), said point lying on the North Right of Way of Dave Ward Drive; thence along said Right of Way, N88°22'14"W 162.61 feet; thence N82°43'10"W 101.55 feet; thence N88°22'34"W 94.11 feet to a found 2" Aluminum Right of Way Monument; thence N61°00'11"W 56.39 feet; thence N88°32'26"W 50.00 feet to a found 2" Aluminum Right of Way Monument; thence S57°19'10"W 52.46 feet to a found 2" Aluminum Right of Way Monument; thence S85°54'25"W 62.21 feet to a set 1/2" rebar (APLS #1243); thence leaving said Right of Way, N02°06'36"E 439.68 feet to the point of beginning, containing 5.55 acres more or less.

**Tract-3:**

Commencing at the NE corner of said S1/2 NW1/4; thence N88°07'07"W 1260.00 feet; thence S01°49'46"W 839.42 feet to a found 3/8" rebar; thence S88°07'11"E 665.96 feet to a set 1/2" rebar (APLS #1243), said point being the point of beginning; thence S88°07'11"E 563.74 feet to a found CAGIS Monument #1029-06 on the West Right of Way of Country Club Lane; thence along said Right of Way, S01°50'24"W 310.88 feet to a found 2" Aluminum Right of Way Monument; thence continuing along said Right of Way, N88°40'33"W 9.85 feet to a found 2" Aluminum Right of Way Monument; thence S01°25'07"W 80.00 feet to a found 2" Aluminum Right of Way Monument, said point lying on the North Right of Way of Dave Ward Drive; thence leaving the West Right of Way of Country Club Lane, along the North Right of Way of Dave Ward Drive, S54°16'42"W 49.67 feet to a found 2" Aluminum Right of Way Monument; thence continuing along said Right of Way, S88°09'19"W 225.37 feet to a 2" Aluminum Right of Way; thence N88°22'14"W 292.25 feet to a set 1/2" rebar (APLS #1243); thence leaving said Right of Way, N02°06'35"E 437.20 feet to the point of beginning, containing 5.56 acres more or less.

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

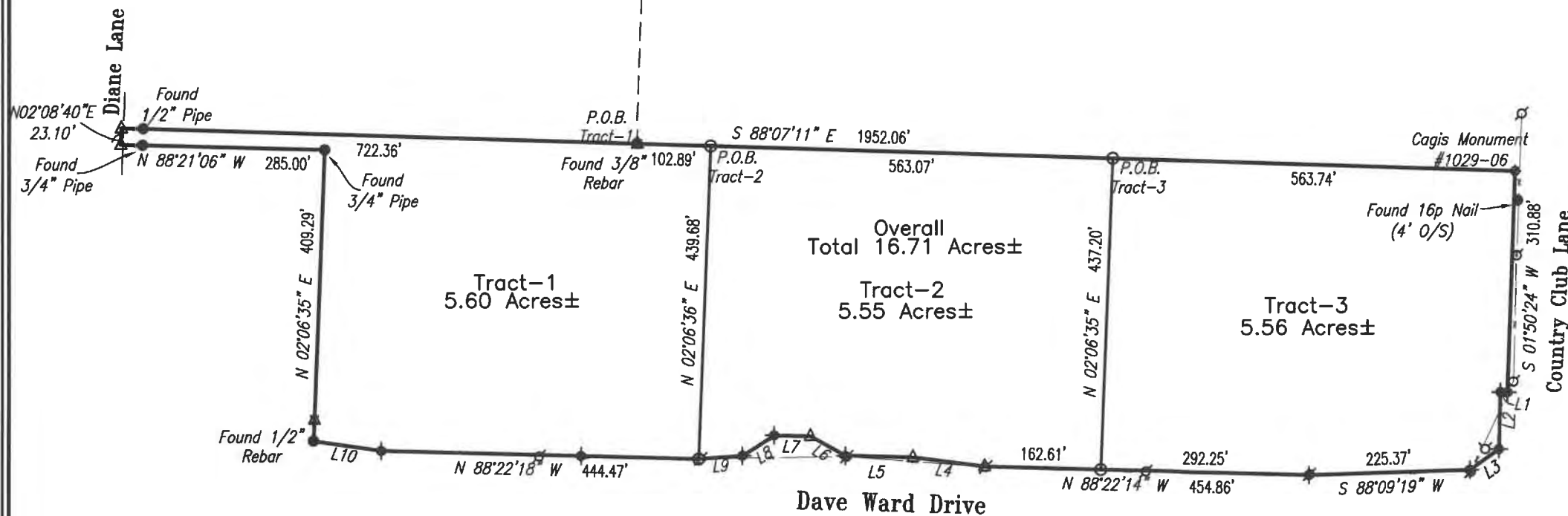
Property corners are located in accordance with existing monuments in the area.

*Tim P. Tyler*

Tim P. Tyler, Arkansas Professional Land Surveyor #1243



BEARINGS BASED ON ARKANSAS GRID NORTH NAD 83 AS DETERMINED BY GPS. RELATIVE POSITIONAL ACCURACY MEETS ARKANSAS MINIMUM STANDARDS.



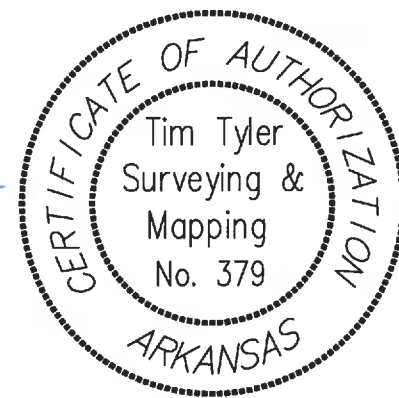
Overall Total 16.71 Acres±

Tract-1 5.60 Acres±

Tract-2 5.55 Acres±

Tract-3 5.56 Acres±

LINE	BEARING	DISTANCE
L1	N 88°40'33" W	9.85'
L2	S 01°25'07" W	80.00'
L3	S 54°16'42" W	49.67'
L4	N 82°43'10" W	101.55'
L5	N 88°22'34" W	94.11'
L6	N 61°00'11" W	56.39'
L7	N 88°32'26" W	50.00'
L8	S 57°19'10" W	52.46'
L9	S 85°54'25" W	62.21'
L10	N 81°55'27" W	96.34'



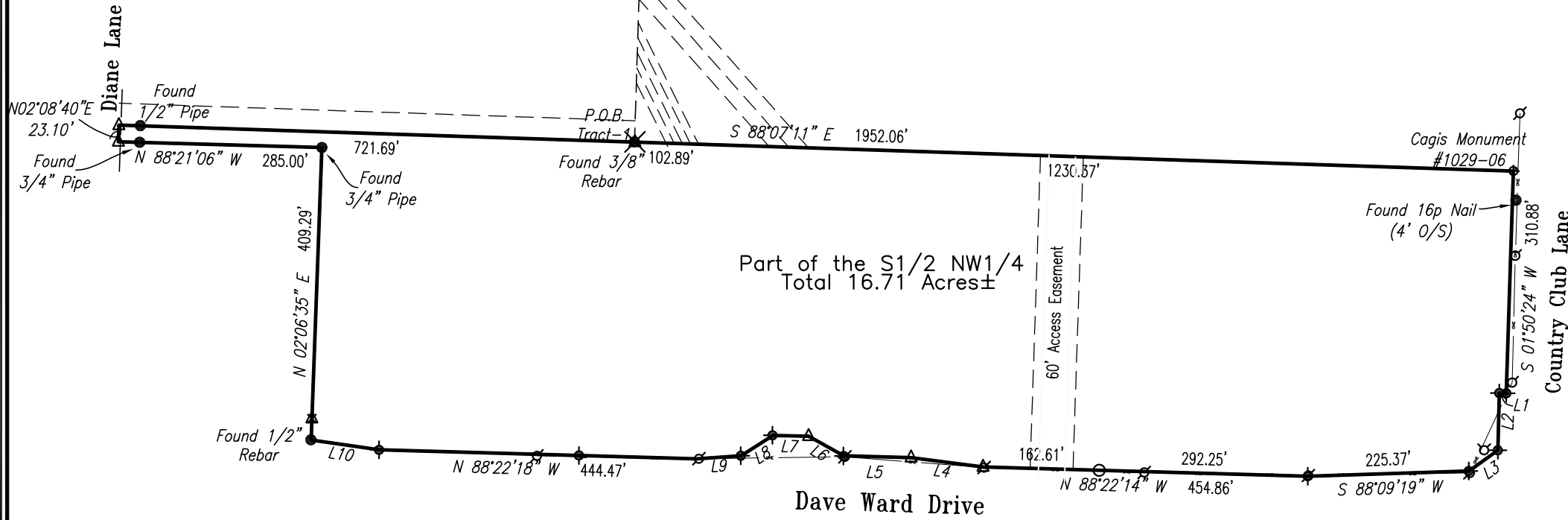
LEGEND	
○	SET 1/2" REBAR & CAP #1243
●	FOUND IRON PIN
△	COMPUTED POINT
⊙	2" ALUM. RIGHT OF WAY MON.
—O—	OVERHEAD ELECTRIC
⊕	POWER POLE
⊗	FIRE HYDRANT
⊙	CAGIS MONUMENT

DATE: 07-28-2021	<p>240 SKYLINE DR. STE 3000/CONWAY, AR. 72032 phone: 501.329.1400   www.tylergroup.net fax: 501.327.3972   email: info@tylergroup.net</p>	SCALE: 1"=200'
FIELD WORK BY: DP/CM		JOB NO: 121-0445
DRAWN BY: PBH		JOB NAME: Paladino 3 tracts
CHECKED BY: RPG		SHEET NO: 1 OF 1
STATE CODE: 500-05N-14W-0-15-400-23-1243		





BEARINGS BASED ON ARKANSAS GRID NORTH NAD 83 AS DETERMINED BY GPS. RELATIVE POSITIONAL ACCURACY MEETS ARKANSAS MINIMUM STANDARDS.



NE Corner S1/2 NW1/4  
Section 15, T-5-N, R-14-W  
Faulkner County, Arkansas  
Set 1/2" Rebar (APLS #1243)  
References:  
S64°W 32.1' - Tele. Ped.  
S53°W 35.9' - Power Pole  
S43°W 40.8' - CL Drain Inlet

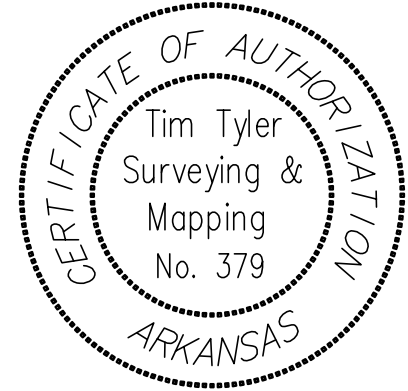
Survey for: Mark Paladino  
Date: September 8th, 2021  
Scale: 1 inch equals 200 feet

I hereby certify that I have surveyed a part of the S1/2 NW1/4 of Section 15, T-5-N, R-14-W, Faulkner County, Arkansas more particularly described as follows:

Commencing at the NE corner of said S1/2 NW1/4; thence N88°07'07"W 1260.00 feet; thence S01°49'46"W 839.42 feet to a found 3/8" rebar, said point being the point of beginning; thence S88°07'11"E 1230.37 feet to a found Cagis Monument #1029-06 on the West Right of Way of Country Club Lane; thence along said Right of Way, S01°50'24"W 310.88 feet to a found 2" Alum. Monument; thence N88°40'33"W 9.85 feet to a found 2" Alum. Monument; thence S01°25'07"W 80.00 feet to a found 2" Alum. Monument, said point lying on the North Right of Way of Dave Ward Drive; thence leaving said West Right of Way of Country Club Lane, along said North Right of Way of Dave Ward Drive, S54°16'42"W 49.67 feet to a found 2" Alum. Monument; thence continuing along said Right of Way, S88°09'19"W 225.37 feet to a found 2" Alum. Monument; thence N88°22'14"W 454.86 feet; thence N82°43'10"W 101.55 feet; thence N88°22'34"W 94.11 feet; thence N61°00'11"W 56.39 feet; thence N88°32'26"W 50.00 feet to a found 2" Alum. Monument; thence S57°19'10"W 52.46 feet to a found 2" Alum. Monument; thence S85°54'25"W 62.21 feet to a set 1/2" rebar (APLS #1243); thence N88°22'18"W 444.47 feet to a found 2" Alum. Monument; thence N81°55'27"W 96.34 feet to a found 1/2" rebar; thence NO2°06'35"E 409.29 feet to a found 3/4" pipe; thence N88°21'06"W 285.00 feet to a point on the Centerline of Diane Lane; thence along said Centerline, NO2°08'40"E 23.10 feet; thence leaving said Centerline, S88°07'11"E 721.69 feet to the point of beginning, 16.71 acres more or less.

Subject to all roadways, easements and reservations that are of record or physically in place.  
Property corners are located in accordance with existing monuments in the area.

Tim P. Tyler, Arkansas Professional Land Surveyor #1243



LINE	BEARING	DISTANCE
L1	N 88°40'33" W	9.85'
L2	S 01°25'07" W	80.00'
L3	S 54°16'42" W	49.67'
L4	N 82°43'10" W	101.55'
L5	N 88°22'34" W	94.11'
L6	N 61°00'11" W	56.39'
L7	N 88°32'26" W	50.00'
L8	S 57°19'10" W	52.46'
L9	S 85°54'25" W	62.21'
L10	N 81°55'27" W	96.34'

LEGEND	
○	SET 1/2" REBAR & CAP #1243
●	FOUND IRON PIN
△	COMPUTED POINT
●	2" ALUM. RIGHT OF WAY MON.
—DHE—	OVERHEAD ELECTRIC
⊙	POWER POLE
⊙	FIRE HYDRANT
⊙	CAGIS MONUMENT

DATE: 09-08-2021	 <b>Tyler Group</b> surveying.mapping.engineering 240 SKYLINE DR. STE 3000/CONWAY, AR. 72032 phone: 501.329.1400   www.tylergroup.net fax: 501.327.3972   email: info@tylergroup.net	SCALE: 1"=200'
FIELD WORK BY: DP/CM		JOB NO: 121-0445
DRAWN BY: PBH	JOB NAME: Paladino S1/2	SHEET NO: 1 OF 1
CHECKED BY: RPG	STATE CODE: 500-05N-14W-0-15-400-23-1243	









① NE 2





① SW view 2



① SW view 3





1111 MAIN STREET • CONWAY, AR 72032  
 (501) 450-6105 • [planningcommission@conwayarkansas.gov](mailto:planningcommission@conwayarkansas.gov)

## MEMO

To: Mayor Bart Castleberry  
 cc: City Council Members

From: Brandon Ruhl, 2021 Planning Commission Chairman  
 Date: November 23, 2021

Re: Request to modify conditional use permit #1398 to allow a religious facility for property located at 1301 Sunset Drive

Kent Baker, has requested to modify conditional use permit #1398 to allow a religious facility for property located at 1301 Sunset Drive, with the legal description:

### LOT 2 BLOCK 1 OF THE WALMART BAKER SUBDIVISION

The applicant was previously approved for a conditional use permit in May of 2020. That permit was predicated on access being obtained from the south via the Walmart Neighborhood Market. Walmart declined to provide access based on concerns of interference with truck loading at their site and the applicant was advised to reapply for a conditional use permit given the significance of the proposed change of access. The applicant intends to construct a 21,000 square foot religious facility with access to the site proposed via Sunset Dr. The proposed institutional use would provide an appropriate transition from the intense commercial to the south to the single-family residential to the north and east. All traffic will be placed entering and leaving the site onto Sunset Dr or Meadow Dr which has raised considerable concern regarding the potential traffic impact of the use.

Staff recommendation: Staff recommends denial of the conditional use permit on the following basis: While the use itself appears highly compatible with the surrounding area, the use's access via Sunset Dr given the scale of development will negatively impact the adjacent neighborhood. As such, these impacts make the proposed use incompatible to the surrounding area in a manner that would harm the general welfare of the area. The use is not consistent with standards of items 1 and 2 of the paragraph J of Section 901.2 of the Conway Zoning Code.

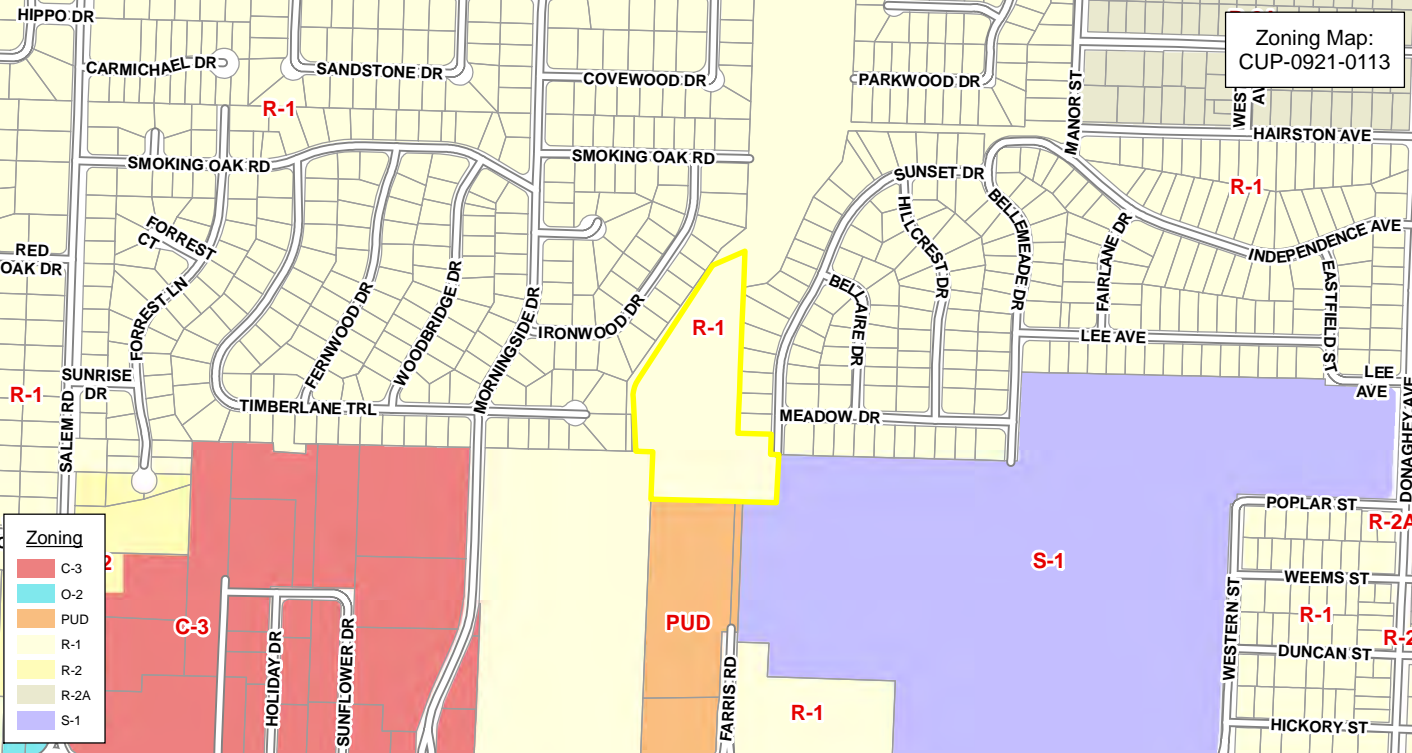
The Planning Commission reviewed the request at its regular meeting on November 15, 2021 and voted 4-3 that the request be forwarded to the City Council with a recommendation for approval of the conditional use permit with the modified 10 conditions:

1. Any significant modifications, as determined by the Planning Director, to the approved site plan or use shall require an amended or new conditional use permit.
2. Parking area and dumpster enclosure shall be relocated to the interior of the site and screened from the existing trail.
3. Efforts shall be made to retain as much existing vegetation as possible.
4. The portions of the Tucker Creek Trail that exist on the property shall be placed in a public access easement. Applicant shall have the option of dedicating right of way in lieu of an easement.

5. A public access easement shall be provided for the new trail extension across the property to the adjacent high school property. This trail extension shall be constructed at the same time as the church and is required prior to issuance of final certificate of occupancy. Applicant shall have the option of dedicating right of way in lieu of an easement.
6. A minimum 20-foot evergreen screen shall be provided along the northern property line abutting the residential property.
7. Trees planted 30 feet on center shall be provided in the landscape buffer on southern property line.
8. Lighting shall be shielded and directed away from the residential properties.
9. Development shall be subject to the Development Review process in accordance with Section 1101 of the Zoning Code.
10. All signage shall be permitted by the Planning Department prior to installation.
11. ~~Access to Sunset Drive shall be gated and restricted to be open only during times of assembly at the site.~~

Please advise if you have any questions.

Zoning Map:  
CUP-0921-0113



Zoning	
	C-3
	O-2
	PUD
	R-1
	R-2
	R-2A
	S-1



**City of Conway, Arkansas  
Ordinance No. O-21-\_\_**

**AN ORDINANCE APPROPRIATING FUNDS FOR PERSONAL PROTECTIVE EQUIPMENT FOR THE CONWAY FIRE DEPARTMENT; AND FOR OTHER PURPOSES**

**WHEREAS**, the Conway Fire Department requests \$1,000 for the use of purchasing personal protective equipment; and

**WHEREAS**, funds in the amount of \$1,000 were received from Wal-Mart to be used for such purpose.

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

**Section 1.** The City of Conway shall appropriate \$1,000 from the General Fund Revenue Donation Account (001.131.4705) to the Fire Department Protective Equipment Operating Account (001.131.5650).

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

**PASSED** this the 23<sup>rd</sup> day of November 2021.

**Approved:**

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

**Attest:**

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





City of Conway, Arkansas  
Ordinance No. O-21-

**AN ORDINANCE AUTHORIZING THE ADDITION, REVISION, OR RECLASSIFICATION OF CERTAIN TITLES AND SALARIES; AND UPDATING THE AUTHORIZED POSITION LIST FOR THE OFFICE OF THE CITY ATTORNEY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:**

**WHEREAS**, the Office of the City Attorney requests the addition, revision, or reclassification of certain titles and salaries to support recruitment and retention of key personnel; and

**WHEREAS**, an addition of a position of investigator will provide greater support for the attorneys in the office, as well as support for the Conway Police Department and the Conway District Court by taking on some of the duties normally covered by these agencies; and

**WHEREAS**, the Office of the City Attorney requests an updated Authorized Position List as a result of the addition.

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

**Section 1.** The City of Conway shall make the following changes to the Office of the City Attorney:

New Position/Salary  
Investigator for the City Attorney’s Office      \$50,000

**Section 2.** The City of Conway updates the Authorized Positions List for the Office of the City Attorney as follows:

<u>Title</u>	<u>FY 2022</u>
City Attorney	1
Chief Deputy City Attorney	1
Deputy City Attorney I	1
Administrative Assistant II	3
Investigator	1

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

**Section 4.** This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

**PASSED** this 23<sup>rd</sup> day of November 2021.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas**  
**Resolution No. R-21-**

**A RESOLUTION SUPPORTING THE CREATION OF AN INCOME TAX CREDIT FOR LAW ENFORCEMENT OFFICERS IN THE STATE OF ARKANSAS**

**WHEREAS**, the Governor’s Task Force to Advance the State of Law Enforcement in Arkansas recommended legislation that eases the state income tax burden on active full-time law enforcement officers and recommended ensuring that entry level salaries for law enforcement officers be equivalent to or above the average annual wage in Arkansas; and

**WHEREAS**, the average annual wage for law enforcement officers in Arkansas ranks 49<sup>th</sup> in the nation and averages \$40,750 annually, below the average statewide wage in Arkansas of \$42,690; and the average entry level wage for law enforcement officers in Arkansas is \$28,610, barely above the yearly earnings of a minimum wage worker; and

**WHEREAS**, law enforcement officers in the State of Arkansas risk their lives every day, working long hours for subpar wages, while Arkansas has one of the highest violent crime rates in the nation and ranks as the 4<sup>th</sup> most dangerous state in the nation; and

**WHEREAS**, the Governor’s Task Force to Advance the State of Law Enforcement in Arkansas identified low salaries and agency funding to be the biggest barriers to law enforcement retention, recruitment, and hiring; and

**WHEREAS**, a state income tax credit for full-time law enforcement officers promoting retention, recruitment, hiring, a boost in morale, and greater economic security for law enforcement officers and their families, would help promote and enhance public safety; and

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

**Section 1.** The City of Conway shall support full-time law enforcement officers in Arkansas and to “Back the Blue.”

**Section 2.** The City of Conway resolves to support and advocate for the passage by the General Assembly and signing by the Governor of Arkansas, of legislation creating: a state income tax credit for full-time law enforcement officer; that the full-time law enforcement income tax credit legislation include signed verification requirements before full-time law enforcement officer may qualify for the state income tax credit; and respectfully encourage the full-time law enforcement state income tax credit legislation to be a legislative priority of the General Assembly and the Governor of the State of Arkansas.

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

**PASSED** this 23<sup>rd</sup> day of November 2021.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas  
Ordinance No. O-21-**

**AN ORDINANCE APPROPRIATING FUNDS FOR EMPLOYEE APPRECIATION BONUSES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:**

**WHEREAS**, The City Council of the City of Conway would like to recognize the efforts of full time and part time city employees through the award of an employee appreciation bonus, for which funding must be provided.

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

**Section 1.** The City of Conway shall appropriate \$369,000 from Fund Balance Appropriation Accounts to the salary accounts for each department in order to provide an expression of appreciation to all full time employees in the net amount of \$600 and all part time employees in the net amount of \$300. Each fund will bear the cost of bonuses for employees, as follows:

General Fund - \$280,000  
Street Fund - \$24,000  
Sanitation Enterprise Fund - \$60,000  
Airport Fund - \$5,000

To receive a bonus, employees must be hired prior to the last full pay period in November and must be actively employed on the date of distribution. Employees pending termination will not receive any appreciation bonus.

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

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

**PASSED** this 23<sup>rd</sup> day of November 2021.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas**  
**Resolution No. R-21-**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF A VOLUNTARY PROPERTY TAX FOR THE PURPOSE OF OPERATING THE CITY OF CONWAY ANIMAL WELFARE SHELTER, FOR THE YEAR 2021 TO BE COLLECTED IN 2022.**

**WHEREAS**, Ark. Code Ann. § 26-25-102 provides that a city may levy a voluntary property tax on the real and personal property located within the city for the **City of Conway Animal Welfare Shelter**, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**WHEREAS**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**WHEREAS**, by vote of the electors of the City of Conway, Arkansas, at Special Election held on November 5<sup>th</sup>, 1968, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2021 to be collected in 2022.

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

**Section 1.** The voluntary property tax rate for the City of Conway Animal Welfare Shelter on the real and personal property situated within the city and to be collected in the year 2022 shall be fixed and levied at the rate of **Two Tenths (.2)** mill on each dollar of assessed value of real and personal property.

**Section 2.** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3.** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2021, to be collected in 2022, at its regular meeting in November according to law.

**PASSED** this 23<sup>rd</sup> day of November, 2021.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-21-**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF A VOLUNTARY PROPERTY TAX FOR THE PURPOSE OF OPERATING THE CITY OF CONWAY PUBLIC RECREATION AND PLAYGROUNDS, FOR THE YEAR 2021 TO BE COLLECTED IN 2022.**

**WHEREAS**, Ark. Code Ann. § 26-25-102 provides that a city may levy a voluntary property tax on the real and personal property located within the city for the City of Conway Public Recreation and Playgrounds, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**WHEREAS**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**WHEREAS**, by vote of the electors of the City of Conway, Arkansas, at Special Election held on October 27<sup>th</sup>, 1964 under the provisions of Ordinance No. A-418, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2021 to be collected in 2022.

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

**Section 1.** The voluntary property tax rate for the City of Conway public recreation and playgrounds on the real and personal property situated within the city and to be collected in the year 2022 shall be fixed and levied at the rate of **Four-Tenth's (.4) mill** on each dollar of assessed value of real and personal property.

**Section 2.** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3.** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2021, to be collected in 2022, at its regular meeting in November according to law.

**PASSED** this 23<sup>rd</sup> day of November, 2021.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-21-**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF A VOLUNTARY PROPERTY TAX FOR THE PURPOSE OF OPERATING AND MAINTAINING THE CITY OF CONWAY CEMETERIES, FOR THE YEAR 2021 TO BE COLLECTED IN 2022.**

**WHEREAS**, Ark. Code Ann. §26-25-102 provides that a city may levy a voluntary property tax on the real and personal property located within the city for the City of Conway Cemeteries, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**WHEREAS**, Ark. Code Ann. §26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**WHEREAS**, the City Council has determined that it is in the best interests of the City of Conway and its citizens to levy the rate of voluntary taxation on the real and personal property located within the said city as set forth herein, and to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2021 to be collected in 2022.

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

**Section 1.** The voluntary property tax rate for the City of Conway Cemeteries on the real and personal property situated within the city and to be collected in the year 2022 shall be fixed and levied at the rate of Four-Tenth's (.4) mill on each dollar of assessed value of real and personal property.

**Section 2.** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3.** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2021, to be collected in 2022, at its regular meeting in November according to law.

**PASSED** this 23<sup>rd</sup> day of November, 2021.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-21-**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF PROPERTY TAX FOR THE CITY OF  
CONWAY POLICE OFFICER PENSION, FOR THE YEAR 2021 TO BE COLLECTED IN 2022**

**WHEREAS**, Ark. Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for the City of **Conway Police Officer Pension and Relief Fund**, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**WHEREAS**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**WHEREAS**, by vote of the electors of the City of Conway, Arkansas, at General Election held on November 4<sup>th</sup>, 1958, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2021 to be collected in 2022.

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

**Section 1.** The property tax rate for the City of Conway Policeman's Pension and Relief Fund on the real and personal property situated within the city and to be collected in the year 2022 shall be fixed and levied at the rate of **Four-Tenth's (.4) mill** on each dollar of assessed value of real and personal property.

**Section 2.** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3.** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2021, to be collected in 2022, at its regular meeting in November according to law.

**PASSED** this 23<sup>rd</sup> day of November, 2021.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas  
Resolution No. R-21-**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF PROPERTY TAX FOR THE CITY OF CONWAY FIRE FIGHTER'S PENSION AND RELIEF FUND, FOR THE YEAR 2021 TO BE COLLECTED IN 2022**

**WHEREAS**, Ark. Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for the City of Conway Fire Fighter's Pension and Relief Fund, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**WHEREAS**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**WHEREAS**, by vote of the electors of the City of Conway, Arkansas, at Special Election held on May 3<sup>rd</sup>, 1966, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2021 to be collected in 2022.

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

**Section 1.** The property tax rate for the City of Conway Fire Fighters Pension and Relief Fund on the real and personal property situated within the city and to be collected in the year 2022 shall be fixed and levied at the rate of Four-Tenth's (.4) mill on each dollar of assessed value of real and personal property.

**Section 2.** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3.** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2021, to be collected in 2022, at its regular meeting in November according to law.

**PASSED** this 23<sup>rd</sup> day of November, 2021.

**Approved:**

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

**Attest:**

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





**City of Conway, Arkansas**  
**Resolution No. R-21-**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF PROPERTY TAX FOR THE CITY OF CONWAY NON-UNIFORM PENSION AND RELIEF FUND, FOR THE YEAR 2021 TO BE COLLECTED IN 2022**

**WHEREAS**, Ark. Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for the **Conway Paid Non-Uniformed Pension and Relief Fund**, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**WHEREAS**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**WHEREAS**, by vote of the electors of the City of Conway, Arkansas, at Special Election held on May 3<sup>rd</sup>, 1966, and that the Mayor is hereby ordered and directed to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2021 to be collected in 2022.

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

**Section 1.** The property tax rate for the City of Conway Paid Non-Uniformed Pension and Relief Fund on the real and personal property situated within the city and to be collected in the year 2022 shall be fixed and levied at the rate of **Four Tenth's (.4) mill** on each dollar of assessed value of real and personal property.

**Section 2.** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3.** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2021, to be collected in 2022, at its regular meeting in November according to law.

**PASSED** this 23<sup>rd</sup> day of November, 2021.

**Approved:**

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

**Attest:**

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



**City of Conway, Arkansas**  
**Resolution No. R-21-**

**A RESOLUTION AUTHORIZING THE MILLAGE RATE OF PROPERTY TAX FOR THE CITY OF CONWAY, ARKANSAS FOR THE YEAR 2021 TO BE COLLECTED IN 2022**

**WHEREAS**, Ark. Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for the purpose of raising **General Fund revenues** in any one year, pursuant to the provisions of the Arkansas Constitution; and

**WHEREAS**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**WHEREAS**, the City Council has determined that it is in the best interests of the City of Conway and its citizens to levy the rate of taxation on the real and personal property located within the said city as set forth herein, and to certify the same to the County Clerk, and authorize the Quorum Court of Faulkner County to levy said tax for the year 2021 to be collected in 2022.

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

**Section 1.** The property tax rate for the City of Conway **General Fund Revenue** on the real and personal property situated within the city and to be collected in the year 2022 shall be fixed and levied at the rate of **Three (3.0) mill** on each dollar of assessed value of real and personal property.

**Section 2.** The rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3.** The Quorum Court of Faulkner County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Conway, for the year 2021, to be collected in 2022, at its regular meeting in November according to law.

**PASSED** this 23<sup>rd</sup> day of November, 2021.

**Approved:**

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

**Attest:**

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