

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, October 27<sup>th</sup>, 2020 City Council Agenda**

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

*\*Due to restrictions imposed because of the COVID-19 pandemic, the City Council meeting will broadcast on Conway Corporation Channel 5, the City of Conway Facebook page & YouTube Channel. If you would like to ask a question/comment regarding the committee meeting topic or any listed agenda item, please use the following link: <https://conwayarkansas.gov/council/comments/> to submit the request prior to 5pm the day of the Council meeting.*

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**5:30pm Committee:**

**6:30pm:**

**Call to Order:**

**Roll Call:**

**Minutes Approval:**

**Monthly Financial Report Approval:**

**Update from Transportation and Planning & Development**

City Council Meeting

Bart Castleberry, Mayor

Michael O. Garrett, Clerk/Treasurer

October 13<sup>th</sup>, 2020

Month ending September 30<sup>th</sup>, 2020

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

1. Resolution amending the action plan for the program year 2019 for the Community Block Grant Program.
2. Resolutions requesting Faulkner County Tax Collector place a lien against various property for expenses incurred by the City.
3. Resolution approving professional services for the Transportation Department.
4. Ordinance accepting the annexation of property comprised of +/- 26.98 located South of Empy Trail.
5. Consideration to approve a conditional use permit to allow firearm sales in TJ zones at 286 US Hwy 65N.

**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 accepting grant proceeds from ADEM to the Conway Fire Department.

**C. New Business**

1. Resolution authorizing the Mayor to enter into a real estate contract to sell and convey property located adjacent to the Oak Grove Cemetery.

***Adjournment***



City of Conway, Arkansas  
Monthly Financial Reports  
September 30, 2020

City of Conway  
 Monthly Financial Report - General Fund  
 For the month ended September 30, 2020



Revenues	Budget	Month	Year to	Encumbered	(Over)/Under	%
		Activity	Date		Budget	Expend/Collect
Ad Valorem Tax	4,000,000	125,446	2,067,587		1,932,413	52%
Payments in Lieu of Tax	15,000	15,000	82,049		(67,049)	547%
State Tax Turnback	930,000	42,890	480,587		449,413	52%
Insurance Tax Turnback - LOPFI	1,300,000	319,850	961,818		338,182	74%
Sales Tax	20,500,000	1,840,994	16,058,011		4,441,989	78%
Beverage Tax	480,000	-	201,292		278,708	42%
Franchise Fees	3,540,000	302,120	2,562,012		977,988	72%
Office Space Leases	59,400	4,455	44,055		15,345	74%
Permits	506,000	43,910	363,151		142,849	72%
Public Safety	1,876,189	138,729	1,452,463		423,726	77%
Parks	689,500	46,270	308,600		380,900	45%
Interest Income	185,000	9,082	101,226		83,774	55%
Proceeds from Sale of Assets	-	-	3,233		(3,233)	-
Insurance Proceeds	13,465	7,585	45,932		(32,467)	341%
Donations	18,018	100	6,549		11,470	36%
Miscellaneous Revenues	113,000	17,736	165,523		(52,523)	146%
Transfers from Other Funds	723,000	-	246,750		476,250	34%
<b>Total Revenues</b>	<b>34,948,572</b>	<b>2,914,167</b>	<b>25,150,839</b>	<b>-</b>	<b>9,797,733</b>	<b>72%</b>
<b>Expenditures</b>						
Admin (Mayor, HR)	2,536,631	67,765	1,608,194	30,385	898,051	63%
Finance	450,441	24,257	346,149	11,500	92,792	77%
City Clerk/Treasurer	146,257	11,347	104,107	87	42,063	71%
City Council	103,031	6,370	52,057	-	50,974	51%
Planning	678,477	42,513	387,267	1,942	289,267	57%
Physical Plant	546,176	34,351	339,271	4,055	202,850	62%
Information Technology	1,088,577	73,156	790,412	28,447	269,718	73%
Permits and Inspections	633,713	46,555	406,807	1,064	225,842	64%
Nondepartmental	1,004,841	34,131	776,463	8,046	220,333	77%
Police	12,563,377	754,048	8,228,249	110,898	4,224,231	65%
CEOC	1,392,364	83,333	754,068	7,738	630,558	54%
Animal Welfare	500,244	36,960	319,022	3,906	177,316	64%
Municipal District Court	918,970	65,748	659,519	777	258,674	72%
City Attorney	490,688	35,535	325,810	-	164,878	66%
Fire	10,478,206	754,772	7,217,883	93,906	3,166,418	69%
Parks	3,218,524	191,974	1,862,660	9,879	1,345,985	58%
<b>Total Expenditures</b>	<b>36,750,516</b>	<b>2,262,816</b>	<b>24,177,936</b>	<b>312,629</b>	<b>12,259,950</b>	<b>66%</b>
<b>Net Revenue/(Expense)</b>	<b>(1,801,943)</b>		<b>972,903</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  
2020



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-20-07	1/28/20	Software purchase for Planning and Permitting depts	146,863
O-20-09	1/28/20	Replace battery backup system at Emergency Operations Center	115,597
O-20-28	6/9/20	Replace HVAC at District Court	17,458
O-20-29	6/9/20	Purchase firefighter turnout uniforms	29,364
O-20-43	8/11/20	Change orders and final cost of City Hall remodel	550,000
			<u>\$ 859,282</u>

City of Conway  
 Balance Sheet - General Fund  
 As of September 30, 2020



Cash - Operating	5,284,184
Cash - Reserve	1,163,620
Petty Cash	715
Taxes Receivable	3,838,290
Accounts Receivable	4,607,370
Due from Other Funds	60,851
Due from Street	27,010
Due from Component Unit	203,667
Due from Municipal Court	81,294
Fuel Inventory	25,560
General Inventory	585
<b><i>Assets</i></b>	<b><u>15,293,146</u></b>
Accounts Payable	(47,802)
Insurance and Benefits Payable	(255,179)
Event Deposits	2,150
Held for Others - Crimestopper Reward	5,000
Held for Others - Performance Bonds	5,195
Due to Other Funds	14,252
Deferred Revenue	4,360,629
Unearned Revenue - City Hall Lease	1,020,000
<b><i>Liabilities</i></b>	<b><u>5,104,246</u></b>
<b><i>Fund Balance</i></b>	<b><u>10,188,901</u></b>
<b><i>Total Liabilities &amp; Fund Balance</i></b>	<b><u>15,293,146</u></b>

\*All figures are unaudited

City of Conway  
 Monthly Financial Report - Street Fund  
 For the month ended September 30, 2020



	<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>						
Ad Valorem Tax	1,400,000	45,920	753,173		646,827	54%
Payments in Lieu of Tax	6,000	-	-		6,000	0%
State Tax Turnback	2,700,000	220,177	1,712,661		987,339	63%
AHTD 1/2 Cent Sales Tax Turnback	1,400,000	126,320	946,435		453,565	68%
Severance Tax	140,000	824	22,560		117,440	16%
State Tax Turnback - Wholesale	-	31,908	238,206		(238,206)	-
Sales Tax	280,000	25,796	225,002		54,998	80%
Engineering Fees	17,000	1,425	12,425		4,575	73%
Insurance Proceeds	1,440	-	1,440		-	100%
Interest Income	120,000	6,238	59,142		60,858	49%
Miscellaneous Revenues	-	-	8,541		(8,541)	=
<b>Total Revenues</b>	<b>6,064,440</b>	<b>458,609</b>	<b>3,979,584</b>	<b>-</b>	<b>2,084,856</b>	<b>66%</b>
<b>Expenditures</b>						
Personnel Costs	2,975,692	180,040	1,752,849	-	1,222,843	59%
Other Operating Costs	3,245,234	78,119	1,343,922	128,751	1,772,561	41%
Total Operating Costs	6,220,926	258,159	3,096,770	128,751	2,995,404	50%
Capital Outlay	759,635	-	354,352	119,800	285,483	47%
<b>Total Expenditures</b>	<b>6,980,560</b>	<b>258,159</b>	<b>3,451,123</b>	<b>248,551</b>	<b>3,280,886</b>	<b>49%</b>
<b>Net Revenue/(Expense)</b>	<b>(916,120)</b>		<b>528,461</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  
2020

Fund Balance Appropriations



<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
			\$ -

City of Conway  
 Balance Sheet - Street Fund  
 As of September 30, 2020



Cash - Operating	5,663,137
Taxes Receivable	53,782
Accounts Receivable	1,570,158
Due from Other Funds	(9,153)
<b>Assets</b>	<b><u>7,277,924</u></b>
Accounts Payable	313
Insurance and Benefits Payable	3,376
Due to Other Funds	2,189
Due to General	26,509
Deferred Revenue	1,474,929
<b>Liabilities</b>	<b><u>1,507,315</u></b>
Fund Balance/Net Assets	5,242,148
Retained Earnings (YTD Net Income)	528,461
<b>Fund Balance</b>	<b><u>5,770,609</u></b>
<b>Total Liabilities &amp; Fund Balance</b>	<b><u>7,277,924</u></b>

\*All figures are unaudited



City of Conway  
 Monthly Financial Report - Sanitation  
 For the month ended September 30, 2020



	<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	9,150,000	822,280	7,442,477		1,707,523	81%
Proceeds - Recycled Materials	375,000	28,907	195,666		179,334	52%
Landfill Fees - General	200,000	19,496	183,227		16,773	92%
Interest Income	200,000	16,219	167,711		32,289	84%
Miscellaneous Revenues	-	-	47,185		(47,185)	-
<b>Total Revenues</b>	<b>9,925,000</b>	<b>886,902</b>	<b>8,036,265</b>	<b>-</b>	<b>1,888,735</b>	<b>81%</b>
<b>Expenditures</b>						
Personnel Costs	4,722,995	360,362	3,477,083	476	1,245,437	74%
Other Operating Costs	<u>2,974,653</u>	<u>116,617</u>	<u>1,386,175</u>	<u>85,765</u>	<u>1,502,713</u>	<u>47%</u>
Total Operating Costs	7,697,648	476,979	4,863,258	86,241	2,748,149	63%
Capital Outlay	<u>2,580,413</u>	<u>895</u>	<u>916,849</u>	<u>201,042</u>	<u>1,462,522</u>	<u>36%</u>
<b>Total Expenditures</b>	<b>10,278,061</b>	<b>477,874</b>	<b>5,780,107</b>	<b>287,283</b>	<b>4,210,671</b>	<b>56%</b>
<b>Net Revenue/(Expense)</b>	<b>(353,061)</b>		<b><u>2,256,159</u></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  
Sanitation Fund  
2020

Fund Balance Appropriations



<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
			\$ -

City of Conway  
 Balance Sheet - Sanitation  
 As of September 30, 2020



Cash - Operating	10,787,157
Petty Cash	200
Post Closure Cash Account	6,036,686
Accounts Receivable	14,474
Due from Other Funds	5,345
Due from Component Unit	931,603
General Inventory	2,122
Land & Buildings	2,261,966
Infrastructure	878,524
Machinery and Equipment	4,095,518
Vehicles	(146,213)
Deferred Outflows of Resources	1,903,527
Deferred Outflows of Resources-OPEB	18,248
<b><i>Assets</i></b>	<b><u>26,789,157</u></b>
Accounts Payable	5,623
Insurance and Benefits Payable	(57,411)
Compensated Absences	189,878
Net Pension Obligation	12,544,384
Deferred Inflows of Resources	1,612,058
Deferred Inflows of Resources-OPEB	126,149
Net OPEB Liability	606,008
Due to Other Funds	62,565
Landfill Close/Post Close	8,819,006
<b><i>Liabilities</i></b>	<b><u>23,908,260</u></b>
<b><i>Net Position</i></b>	<b><u>2,880,896</u></b>
<b><i>Total Liabilities and Net Position</i></b>	<b><u>26,789,157</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 September 30, 2020



	<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	805	11,850		3,150	79%
Airport Fuel Sales	780,000	39,450	439,968		340,032	56%
T-Hangar Rent	137,160	17,716	100,141		37,019	73%
Community Hangar Rent	33,600	2,800	25,200		8,400	75%
Ground Leases	125,000	-	55,106		69,895	44%
Federal Grant Revenues	69,000	28,650	28,650			
Miscellaneous Revenues	10,000	1,244	11,042		(1,042)	110%
<b>Total Revenues</b>	<b>1,169,760</b>	<b>90,665</b>	<b>671,958</b>	<b>-</b>	<b>497,802</b>	<b>57%</b>
<b>Expenditures</b>						
Personnel Costs	293,449	23,686	181,300	-	112,149	62%
Fuel for Resale	650,000	44,118	309,369	-	340,631	48%
Other Operating Costs	203,105	10,989	80,758	8,382	113,965	40%
Total Operating Costs	1,146,554	78,793	571,426	8,382	566,746	50%
Capital Outlay	10,394	-	10,393	-	1	0%
<b>Total Expenditures</b>	<b>1,156,948</b>	<b>78,793</b>	<b>581,819</b>	<b>8,382</b>	<b>566,746</b>	<b>50%</b>
<b>Net Revenue/(Expense)</b>	12,812		<b>90,139</b>			

\*All figures are unaudited

Notes:

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- 2) Capital outlay is shown here for budgeting purposes, but only depreciation expense will be recorded at year end.

City of Conway  
Airport Fund  
2020



Fund Balance Appropriations

<u>Ordinance</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
O-20-55	9/22/20	Utility improvements for future T-hangars	95,150

City of Conway  
 Balance Sheet - Airport  
 As of September 30, 2020



Cash - Operating	423,534
Taxes Receivable	3,638
Accounts Receivable - Fuel Vendor	(46,161)
Land	1,254,473
Buildings	3,946,264
Machinery & Equipment	560,613
Vehicles	5,484
Infrastructure	23,059,528
Deferred Outflows of Resources-OPEB	1,029
<b><i>Assets</i></b>	<b><u>29,208,401</u></b>
Insurance and Benefits Payable	(57)
Compensated Absences	5,127
Due to General	9,126
Deferred Inflows of Resources	34,168
Deferred Inflows of Resources-OPEB	7,112
<b><i>Liabilities</i></b>	<b><u>55,476</u></b>
<b><i>Net Position</i></b>	<b><u>29,152,926</u></b>
<b><i>Total Liabilities &amp; Net Position</i></b>	<b><u>29,208,401</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 September 30, 2020



Parks and Rec A&P Tax

Balance, 8/31/20	2,379,747
Receipts	334,352
Payments	(336,756)
Balance, 9/30/20	\$ 2,377,343

Pay as you go Sales Tax

Balance, 8/31/20	2,512,392
Receipts	816,170
Payments	(132,417)
Balance, 9/30/20	\$ 3,196,145

Street Impact Fees

Balance, 8/31/20	1,768,476
Receipts	30,754
Payments	(289,473)
Balance, 9/30/20	\$ 1,509,756

Parks Impact Fees

Balance, 8/31/20	699,882
Receipts	15,440
Payments	-
Balance, 9/30/20	\$ 715,322

Street Sales Tax

Balance, 8/31/20	9,700,736
Receipts	518,998
Payments	(250,258)
Balance, 9/30/20	\$ 9,969,476



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

**A RESOLUTION AMENDING YEAR 2019 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET, THE AUTHORIZING THE RESUBMISSION OF THE 2019 ACTION PLAN AND FOR OTHER PURPOSES**

- Whereas,** It is the intention of the City Council of the City of Conway to allocate Community Development Block Grant (CDBG) funds in such a manner that the maximum feasible priority is given to activities which will benefit low to moderate income families and eliminate slum and blight.
- Whereas,** The City anticipates receiving an additional \$334,809 in CDBG funds originating from the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act) to support and combat the effects of the global pandemic; and
- Whereas,** The City has been granted waivers from the U.S. Department of Housing and Urban Development (HUD) to submit a substantial amendment for the 2019 Action Plan following expedited guidelines.

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

- Section 1:** That the City Council approves the proposed amendment to the 2019 CDBG Annual Action plan allowing for the use of CARES Act funding to support and combat the effects of the Covid-19 global pandemic.
- Section 2:** The CDBG Administrator is hereby authorized to make all conforming modifications and edits and to execute all implementing documents required by HUD to receive and reallocate funding identified under the amended Annual Action Plan.
- Section 3:** The CDBG Administrator is authorized to prepare and submit the 2019 Action Plan substantial amendment to carry out the activities and projects identified to assist in combating the impact of the Covid-19 global pandemic. The amended plan will be submitted to the U. S. Department of Housing and Urban Development (HUD) for review and approval. Once the approval by HUD has occurred, the City Council approval, Mayor is authorized to execute contracts, his signature being attested by the City Clerk, and City Attorney.
- Section 4:** All approved agencies of CDBG funds will use the city’s procurement procedures for any services or contracts.

**Passed this 27<sup>th</sup> day of October, 2020.**

**Approved:**

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

**Attest:**

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





# MEMO

**TO:** Mayor Bart Castleberry  
**CC:** City Council Members  
**FROM:** Missy Schrag  
**DATE:** October 20, 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. 1817 Washington Ave | \$178.76   |
| 2. 105 Eve Lane        | \$415.28   |
| 3. 233 Mill Pond       | \$5,670.95 |

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 1817 Washington Ave 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 **October 27, 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 27th day of October, 2020.

**Approved:**

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

**Attest:**

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

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

1111 Main St.  
Conway, Arkansas 72032  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



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

September 28, 2020

ACASA PROPERTIES, LLC  
PO BOX 552  
ROSE BUD AR 72137

Parcel # 710-06935-000

**RE: Nuisance Abatement at 1817 Washington Ave. 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 **October 27, 2020 Meeting**, 6:30 p.m. located at 1111 Main 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 **1111 Main 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

**City of Conway**  
Code Enforcement  
1111 Main St.  
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 # 20-1153  
Address of Violation: 1817 Washington Ave

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- August 11, 2020 – a Violation was written for rubbish/trash and left on the premises by Austin Sullivan.
- Property Owner is listed as ACASA PROPERTIES LLC
- Property was re-inspected on 8/19/2020 with no progress made.
- Certified and regular letters were mailed 8/19/2020 to address on file and a notice was left by post office.
- Property was rechecked on 8/26/2020 with no progress made and City cleanup was requested.
- Final Cleanup completed on 9/10/2020.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Austin Sullivan

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

# INVOICE

## City of Conway Code Enforcement

DATE: OCTOBER 23, 2020

1111 Main St.  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
missy.schrag@conwayarkansas.gov

TO

ACASA PROPERTIES, LLC  
PO BOX 552  
ROSE BUD AR 72137

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
1817 Washington Ave. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Austin Sullivan	710-06935-000		October 20, 2020

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
	DEBRIS REMOVAL by Matt Skelton Construction, Inc.	52.25	52.25
	Sanitation Ticket #730777	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 October 20, 2020 includes collection penalty & filing fees

TOTAL  
WITH PENALTY &  
FILING FEES \$178.76

Make all checks payable to City of Conway Code Enforcement @ 1111 Main 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 105 Eve Lane 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 \$415.28 (\$350.25 + Penalty \$35.03 + 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 **October 27, 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 27th day of October, 2020.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Code Enforcement  
1111 Main St.  
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 # 20-1133  
Address of Violation: 105 Eve Lane

---

- August 14, 2020 – a Violation was written for grass and left on the premises by Kim Beard.
- Property Owner is listed as M&L Properties LLC.
- Property was re-inspected on 8/21/2020 with no progress made.
- Certified and regular letters were mailed 8/24/2020 to address on file and a notice was left by post office.
- Property was rechecked on 8/31/2020 with no progress made and City cleanup was requested.
- Final Cleanup completed on 9/16/2020.
- 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**

1111 Main St.  
Conway, Arkansas 72032  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



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

September 28, 2020

M & L PROPERTIES OF CONWAY LLC  
105 EVE LN  
CONWAY, AR 72034

Parcel # 712-00218-000

**RE: Nuisance Abatement at 105 Eve Ln. Conway AR**  
**Cost of Clean-Up, Amount Due: \$350.25**

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 **October 27, 2020 Meeting**, 6:30 p.m. located at 1111 Main 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 **1111 Main 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: OCTOBER 23, 2020

1111 Main St.  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
missy.schrag@conwayarkansas.gov

TO

M & L PROPERTIES OF CONWAY LLC  
105 EVE LN  
CONWAY, AR 72034

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
105 Eve Lane, Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Kim Beard	712-00218-000		October 20, 2020

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
	DEBRIS REMOVAL by Matt Skelton Construction, Inc. GRASS CUT	300.00	300.00
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 \$350.25

- Total amount due after October 20, 2020 includes collection penalty & filing fees

TOTAL  
WITH PENALTY &  
FILING FEES \$415.28

Make all checks payable to City of Conway Code Enforcement @ 1111 Main 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 233 Mill Pond Rd. 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 \$5,670.95 (\$5,128.14 + Penalty \$512.81 + 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 **October 27, 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 27th day of October, 2020.

**Approved:**

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

**Attest:**

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

**City of Conway**  
Code Enforcement  
1111 Main St.  
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 # 20-1111  
Address of Violation: 233 Mill Pond Rd

---

- July 6, 2020 – a Violation was written for rubbish/trash and left on the premises by Mike Cullum.
- Property Owner is listed as Sandra Ruple.
- Property was re-inspected on 7/14/2020 with no progress made.
- Certified and regular letters were mailed 7/14/2020 to address on file and a notice was left by post office.
- Property was rechecked on 7/22/2020 with no progress made and City cleanup was requested.
- A citation was issued 8/12/20 with a 8/31/2020 court date.
- Additional recheck 8/28/2020 with no progress.
- Final Cleanup completed on 9/8/2020.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

Code Enforcement Officer: Mike Cullum

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

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

1111 Main St.  
Conway, Arkansas 72032  
[www.conwayarkansas.gov](http://www.conwayarkansas.gov)



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

September 28, 2020

RUPLE, SANDY  
233 MILL POND RD  
CONWAY AR 72034-8327

Parcel # 711-00237-002

**RE: Nuisance Abatement at 233 Mill Pond Rd. Conway AR**  
**Cost of Clean-Up, Amount Due: \$5,128.14**

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 **October 27, 2020 Meeting**, 6:30 p.m. located at 1111 Main 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 **1111 Main 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: OCTOBER 23, 2020

1111 Main St.  
Conway, AR 72032  
Phone: 501-450-6191  
Fax 501-450-6144  
missy.schrag@conwayarkansas.gov

TO

RUPLE, SANDY  
233 MILL POND RD  
CONWAY AR 72034-8327

Description: Mowing/Clean-up/Admin Fees  
associated with the nuisance abatement at  
233 Mill Pond Rd. Conway Arkansas

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Mike Cullum	711-00237-002		October 20, 2020

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
	DEBRIS REMOVAL by Matt Skelton Construction, Inc.	20 @\$50	1000.00
	Equipment Rental(Skid Steer)	890.21	890.21
	Tractor Time	20@\$45	900.00
	Sanitation Roll-Off Ticket #729010; 729004; 729159; 729998	2,287.68	2,287.68
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 \$5,128.14

- Total amount due after October 20, 2020 includes collection penalty & filing fees

TOTAL  
WITH PENALTY &  
FILING FEES \$5,670.95

Make all checks payable to City of Conway Code Enforcement @ 1111 Main Street Conway Arkansas 72032















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

**A RESOLUTION APPROVING PROFESSIONAL GEOTECHNICAL AND CIVIL ENGINEERING SERVICES FOR TWO WOONERFS FOR THE CONWAY TRANSPORTATION DEPARTMENT; AND FOR OTHER PURPOSES**

**Whereas**, the City of Conway Transportation Department solicited annual qualifications for professional engineering services; and

**Whereas**, McClelland Consulting Engineers, Inc. submitted qualifications and the Transportation Department recommends this firm for Conway Woonerf designs; and

**Whereas**, the City would like to enter into an agreement with McClelland Consulting Engineers, Inc. to design two woonerfs within the existing Right of Way of Garland Street and Willow Street between Markham and Spencer; and

**Whereas**, the agreement is for \$101,500 and has been budgeted for in the 2020 budget.

**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 proposal from McClelland Consulting Engineers, Inc. enter into an agreement for the amount of \$101,500.

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

**PASSED** this 27<sup>th</sup> day of October 2020.

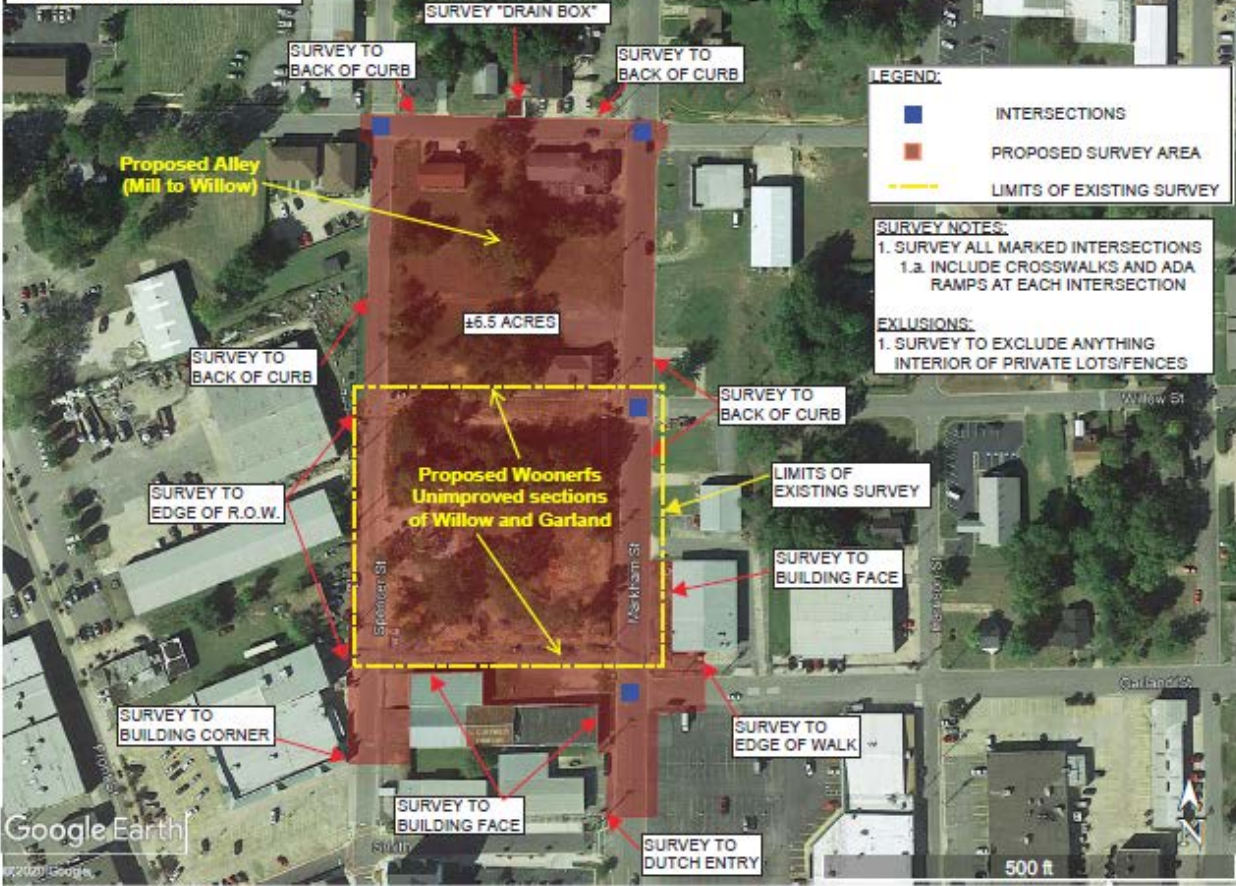
**Approved:**

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

**Attest:**

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

**CONWAY WOONERF**  
STREET IMPROVEMENTS



**LEGEND:**

- INTERSECTIONS
- PROPOSED SURVEY AREA
- - - LIMITS OF EXISTING SURVEY

**SURVEY NOTES:**

1. SURVEY ALL MARKED INTERSECTIONS
- 1.a. INCLUDE CROSSWALKS AND ADA RAMPES AT EACH INTERSECTION

**EXCLUSIONS:**

1. SURVEY TO EXCLUDE ANYTHING INTERIOR OF PRIVATE LOTS/FENCES

Google Earth  
©2020 Google

500 ft



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

**A ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF ± 26.98 ACRES LOCATED SOUTH OF EMPY TRAIL, 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 **October 27, 2020** 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:

Being a part of the NE ¼ of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said NE ¼; thence along the West line of said NE ¼, N01°45'16"E 727.36 feet to the point of beginning; thence continue along said West line N01°45'16"E 592.52 feet to the NW corner of the SW ¼ NE ¼ of Section 3; thence continue along the West line of said NE ¼, N01°45'16"E 282.34 feet to the South right of Emphy Trail; thence along said Right of way S63°49'13"E 154.69 feet; thence continue along said right of way, S53°16'13"E 87.15 feet; thence S49°52'51"E 88.95 feet; thence S58°26'26"E 92.66 feet; thence S63°47'19"E 601.97 feet; thence S70°39'55"E 100.04 feet; thence S81°14'14"E 107.66 feet; thence S86°37'55"E 265.61 feet; thence S76°25'54"E 370.00 feet; thence S29°51'20"E 339.00 feet; thence S06°13'45"W 147.60 feet; thence S14°56'22"E 143.92 feet; thence S49°48'01"E 104.84 feet; thence leaving said right of way S37°48'37"W 200.00 feet; thence N49°06'58"W 258.03 feet; thence N70°29'44"W 369.55 feet; thence N12°45'35"E 132.09 feet; thence N89°22'22"W 507.23 feet; thence N82°27'33"W 149.73 feet; thence N64°10'33"W 458.83 feet; thence S01°50'55"W 81.21 feet; thence N88°09'05"W 310.10 feet to the point of beginning, containing 26.98 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 4** 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 27<sup>th</sup> day of October, 2020.

**APPROVED:**

---

**Mayor Bart Castleberry**

**ATTEST:**

---

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

FILED

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS AUG 21 2020

Frank Shaw Properties, LLC,  
Frank E. Shaw, and  
East Side Boys, LLC, Petitioners

MARGARET DARTER  
FAULKNER COUNTY CLERK  
BY S. Haile DC

CC-20-04


ORDER

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

1. A petition of annexation was filed June 4, 2020. An amended petition of annexation was filed June 18, 2020. A second amended petition was filed August 13, 2020.
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:

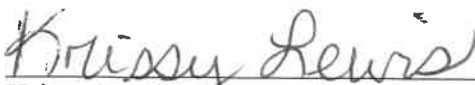
IT IS SO ORDERED.

  
HON. JIM B. BAKER  
Faulkner County Judge

Dated August 20, 2020

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

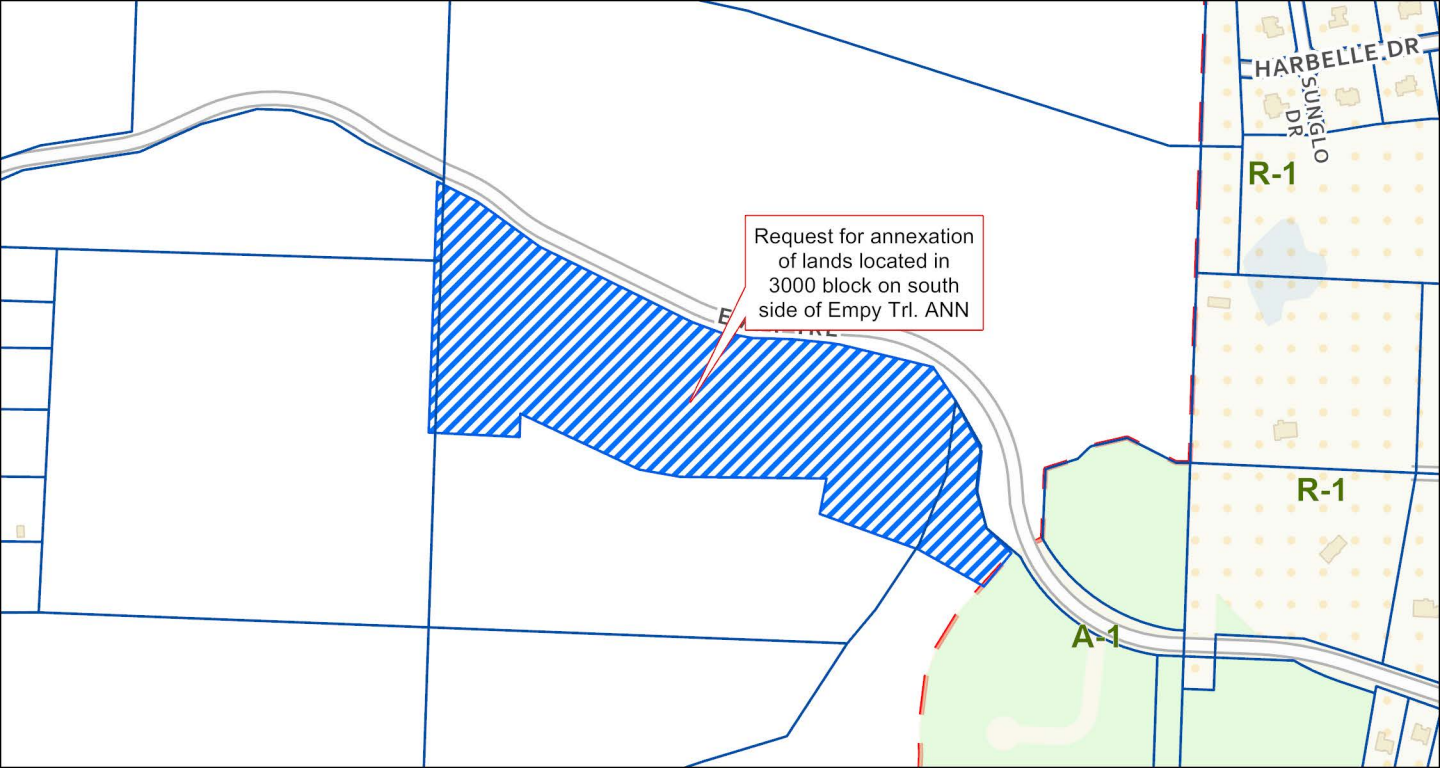
  
Margaret Darter, Clerk

  
Krissy Lewis, Assessor

Legal Description:

Being a part of the NE 1/4 of Section 3, T-4-N, R- 14-W, Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said NE1/4; thence along the West line of said NE 1/4, N01°45'16"E 727.36 feet to the point of beginning; thence continue along said West line N01°45'16"E 592.52 feet to the NW corner of the SW 1/4 NE 1/4 of Section 3; thence continue along the West line of said NE 1/4, N01°45'16"E 282.34 feet to the South right of Emphy Trail; thence along said Right of way S63°49'13"E 154.69 feet; thence continue along said right of way, S53°16'13"E 87.15 feet; thence S49°52'51"E 88.95 feet; thence S58°26'26"E 92.66 feet; thence S63°47'19"E 601.97 feet; thence S70°39'55"E 100.04 feet; thence S81°14'14"E 107.66 feet; thence S86°37'55"E 265.61 feet; thence S76°25'54"E 370.00 feet; thence S29°51'20"E 339.00 feet; thence S06°13'45"W 147.60 feet; thence S14°56'22"E 143.92 feet; thence S49°48'01"E 104.84 feet; thence leaving said right of way S37°48'37"W 200.00 feet; thence N49°06'58"W 258.03 feet; thence N70°29'44"W 369.55 feet; thence N12°45'35"E 132.09 feet; thence N89°22'22"W 507.23 feet; thence N82°27'33"W 149.73 feet; thence N64°10'33"W 458. 83 feet; thence S01°50'55"W 81.21 feet; thence N88°09'05"W 310.10 feet to the point of beginning, containing 26.98 acres more or less.





Request for annexation  
of lands located in  
3000 block on south  
side of Empy Trl. ANN

HARBELLE DR

SUNGLO DR

R-1

R-1

A-1



1111 MAIN 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, 2020 Planning Commission Chairman  
 Date: October 27, 2020

Re: Request for conditional use permit to allow firearm sales in TJ zone at 286 US-HWY 65 N

---

Greg Long, has requested a conditional use permit to allow firearms sales in the TJ zoning district for property located at, 286 US-HWY 54 N, with the legal description:

Part of the SW ¼ SE ¼, Section 29, T6N, R13W, Faulkner County Arkansas, described as beginning at a point of 244.0 feet North of the Southeast corner of said SW ¼ SE ¼; thence continue North, 364.70 feet to the East right of way of U.S. Highway #65; thence South 45° 32 minutes 25 seconds West along said right of way, 70.18 feet; thence South 39° 49 minutes 42 seconds West along said right of way, 50.25 feet; thence South 45° 32 minutes 25 seconds along said right of way, 108.93 feet; thence South 38° 34 minutes 20 seconds East, 256.65 feet to the point of beginning.

This tract contains and has the use of a common area described as: Commencing at the Southeast corner of said SW ¼ SE ¼ and run North along the East line of said SW ¼ SE ¼, 57.98 feet; thence North 38° 34 minutes 20 seconds West, 365.55 feet to the point of beginning of said common usage area; thence South 48° 05 minutes West, 50.0 feet; thence North 41° degrees 17 minutes 55 seconds West, 26.74 feet to the East right of way of U.S. Highway #65; thence North 45° 32 minutes 25 seconds East along said right of way, 11.49 feet; thence North 77° 32 minutes 07 seconds East along said right of way, 47.17 feet; thence North 30° 36 minutes 34 seconds East along said right of way, 77.62 feet; thence North 45° 32 minutes 25 seconds East along said right of way, 68.07 feet; thence South 38° 34 minutes 20 seconds East, 32.49 feet; thence South 48° 42 minutes 05 seconds West, 143.0 feet to the point of beginning.

LESS AND EXCEPT: Part of the SW ¼ SE ¼, Section 29, T6N, R13W, Faulkner County Arkansas, described as beginning at a point 190.71 feet North and 151.88 feet North 25° 56 minutes 07 seconds West of the Southeast corner of said SW ¼ SE ¼; thence North 38° 34 minutes 20 seconds West, 150.12 feet to the East right of way U.S. Highway #65; thence along said right of way to a point North 45° 32 minutes 25 seconds East, 28.46 feet; thence leaving said right of way South 41° 42 minutes 19 seconds East, 21.54 feet; thence South 25° 56 minutes 07 seconds East, 134.79 feet to the point of beginning.

This tract contains and has a common usage area described as: Commencing at the Southeast corner of said SW ¼ SE ¼, thence North 244 feet; thence North 38° 34 minutes 20 seconds West, 256.65 feet to the point of beginning, said point being on the East right of way U.S. Highway #65; thence along said right of way to a point North 45° 32 minutes 25 seconds East,

27.0 feet; thence South 38° 34 minutes 20 seconds East, 32.49 feet; thence South 48° 42 minutes 05 seconds West, 26.89 feet; thence North 38° 34 minutes 20 seconds West, 31.0 feet to the point of beginning.

The applicant is seeking to add firearms sales to an existing motorcycle/ATV sales and repair business. The proposed use is not permitted by right in the TJ zone, but is allowed by conditional use permit. The conditional use would not likely result in harm to adjacent property.

The Planning Commission reviewed the request at its regular meeting on October 19, 2020 and voted 9-0 that the request be forwarded to the City Council with a recommendation for approval with the following 5 conditions:

CONDITIONS ATTACHED TO THE PERMIT:

1. The conditional use permit will run with the land.
2. No alterations/additions to existing fencing are allowed; maintenance is permitted.
3. Any new lighting installed shall conform to standards set forth in Article 1101 of the Zoning Code.
4. No expansions or additions to the structure or site are allowed.
5. Any change in use shall require a new or amended conditional use permit.

Please advise if you have any questions.



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

**AN ORDINANCE ACCEPTING GRANT PROCEEDS AWARDED TO THE CONWAY FIRE DEPARTMENT BOMB SQUAD, AND FOR OTHER PURPOSES:**

**Whereas**, Conway Fire Department has been awarded a grant in the amount of \$451,696 by the Arkansas Department of Emergency Management (ADEM) as the State Administrative Agency (SAA) for the Homeland Security Grant Program (HSGP) from the Department of Homeland Security Federal Emergency Management Agency (DHS FEMA) as a recipient for the FY19 Homeland Security Grant Program under the Law Enforcement Terrorism Prevention Activities (LETPA) category; and

**Whereas**, the Conway Fire Department Bomb Squad requests acceptance of this grant in order to purchase equipment and training; and

**Whereas**, the Conway Fire Department Bomb Squad entered the competitive application process in February; and this grant is 100% reimbursable to the City of Conway.

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

**Section 1.** The City of Conway shall budget grant funds of \$451,696 in the Federal Grant Fund Revenue Account (399.000.4750) and transfer \$443,696 into the Grant Machinery and Equipment expense account (399.131.5910); and \$8,000 into the Travel Expense Line Item (399.131.5910).

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

**PASSED** this 27<sup>th</sup> day of October, 2020.

**Approved:**

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

**Attest:**

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



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

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE CONTRACT TO SELL AND CONVEY PROPERTY LOCATED ADJACENT TO OAK GROVE CEMETERY, AS BEING NECESSARY FOR AND BENEFICIAL TO THE WELFARE OF THE RESIDENTS OF CONWAY.**

**Whereas**, the City of Conway owns a strip of property, 1.84 acres in size and adjacent to the Oak Grove Cemetery further described as follows:

A tract of land situated in the NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  and the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  of Section 7 Township 5 North, Range 13 West, City of Conway, Faulkner County, Arkansas more particularly described as follows:

Commencing at the Southeast Corner said SE  $\frac{1}{4}$  Section 7 thence along the South Line of said SE  $\frac{1}{4}$  Section 7 N88°46'39"W, 1390.96 feet; to a point on the South Line of Said Section 7; thence continuing along said South Line N88°31'06"W, 511.45 feet; thence N03°00'44"E, 585.41feet; thence N41°19'49"W, 708.48 feet to a point on the eastern boundary of Oak Grove Cemetery; thence along said east boundary N01°20'02"E, 113.12 feet; thence N57°27'51"W, 184.26 feet; thence N01°07'25"E, 60.00 feet to a point on the North Right of Way of Bruce Street (60' ROW) and the POINT OF BEGINNING; thence N01°08'39"E, 100.00 feet; thence N88°51'21"W, 800.00 feet; thence S01°08'39"W, 100.00 feet to a Point on the North Right of Way of Bruce Street (60' ROW); thence S88°51'21"E, 800.00 feet along said North Right of Way line to the POINT OF BEGINNING and containing 1.84 acres more or less.

A survey showing the property is attached hereto; and

**Whereas**, the property is currently unused and unoccupied, and there are no plans for its use by the City; and

**Whereas**, the Oak Grove Cemetery provides a useful and important service to the residents of Conway by furnishing space for burial, and maintaining said premises; and

**Whereas**, the Oak Grove Cemetery has expressed a need for additional space to continue its services to persons who desire to have loved ones buried there; and

**Whereas**, selling and conveying the property to Oak Grove Cemetery would be proper and beneficial to the City.

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

**Section 1:** The City Council for the City of Conway shall hereby authorize the Mayor to convey the tract of property described herein to the Oak Grove Cemetery Association, LLC, for the sum of \$1, and the Mayor and City Clerk are authorized to execute the necessary documents, including but not limited to a contract and all closing documents, in order to sell the property to Oak Grove Cemetery Association, LLC subject to the following conditions: (1) Oak Grove Cemetery shall pay any and all costs of the sale, including title examination and insurance costs, any survey the purchaser wishes to obtain, closing documents and

costs, documentary stamps, inspections, fees, and all normal buyer and seller costs of whatever nature or type; and (2) provision made that should the tract conveyed no longer be used for a cemetery, said tract of property shall revert to the City of Conway.

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

Passed this 27<sup>th</sup> day of October, 2020.

**Approved:**

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**Mayor Bart Castleberry**

**Attest:**

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

# WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the City of Conway hereinafter called GRANTOR, for an in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration in hand paid by Oak Grove Cemetery Association, LLC (hereinafter "Oak Grove Cemetery"), the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Oak Grove Cemetery, hereinafter called GRANTEE, and unto its successors and assigns forever, the following lands lying in Faulkner County, Arkansas to wit:

## BOUNDARY LEGAL DESCRIPTION

800' x 100' Strip from City of Conway

To Oak Grove Cemetery

A tract of land situated in the NE ¼, SW ¼ and the NW ¼, SE ¼ of Section 7 Township 5 North, Range 13 West, City of Conway, Faulkner County, Arkansas more particularly described as follows:

Commencing at the Southeast Corner said SE ¼ Section 7 thence along the South Line of said SE ¼ Section 7 N88<sup>0</sup>46'39"W, 1390.96 feet; to a point on the South Line of Said Section 7; thence continuing along said South Line N88<sup>0</sup>31'06"W, 511.45 feet; thence N03<sup>0</sup>00'44"E, 585.41 feet; thence N41<sup>0</sup>19'49"W, 708.48 feet to a point on the eastern boundary of Oak Grove Cemetery; thence along said east boundary N01<sup>0</sup>20'02"E, 113.12 feet; thence N57<sup>0</sup>27'51"W, 184.26 feet; thence N01<sup>0</sup>07'25"E, 60.00 feet to a point on the North Right of Way of Bruce Street (60' ROW) and the POINT OF BEGINNING; thence N01<sup>0</sup>08'39"E, 100.00 feet; thence N88<sup>0</sup>51'21"W, 800.00 feet; thence S01<sup>0</sup>08'39"W, 100.00 feet to a Point on the North Right of Way of Bruce Street (60' ROW); thence S88<sup>0</sup>51'21"E, 800.00 feet along said North Right of Way line to the POINT OF BEGINNING and containing 1.84 acres more or less.

Subject to easements, rights of way, and protective covenants of record, if any.

Subject to all prior mineral reservations and oil and gas leases.

TO HAVE AND TO HOLD the same unto the said Grantee, and unto its successors and assigns forever, with all appurtenances thereunto belonging.

This transfer or deed is made with the full understanding that should the property fail to be used as a cemetery, it is to be null and void and property to revert to GRANTOR.

And we hereby covenant with said Grantee that we will forever warrant and defend the title to the said lands against all claims whatsoever.

WITNESS our hands and seals on this \_\_\_\_ day of \_\_\_\_\_, 2020.

I certify under penalty of false swearing that documentary Stamps or a document symbol in the legally correct Amount has been placed on this instrument.

GRANTEE OR AGENT: \_\_\_\_\_  
GRANTEE'S ADDRESS: \_\_\_\_\_ GRANTOR  
\_\_\_\_\_

ACKNOWLEDGMENT

State of Arkansas ]  
]ss.  
County of Faulkner ]

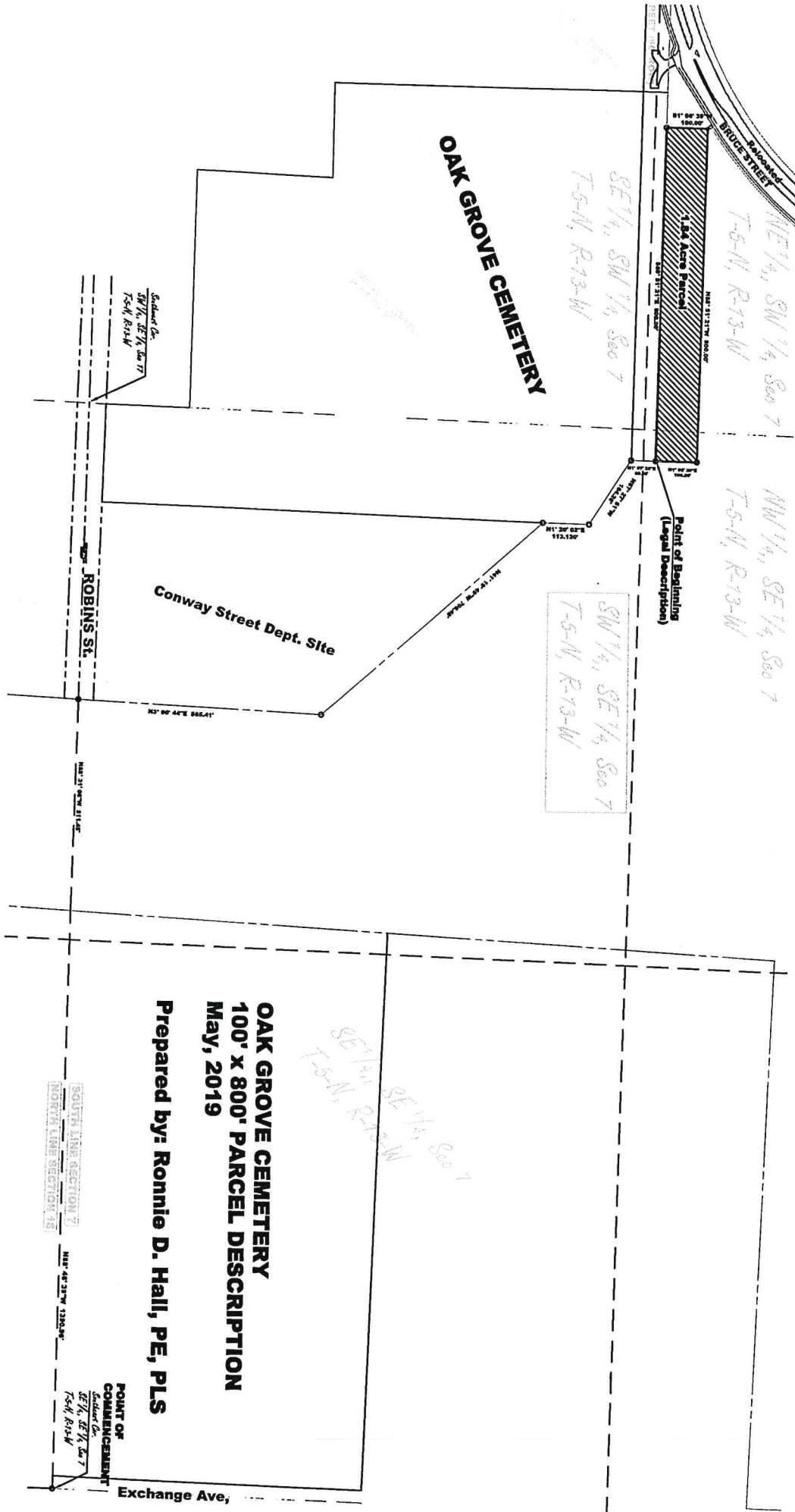
On this day, before the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose names are subscribed to the foregoing instrument and acknowledged that they had executed the same for the consideration, uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 2020.

My commission expires:

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





OAK GROVE CEMETERY

SE 1/4, SW 1/4, Sec 7  
T-5-N, R-13-W

NE 1/4, SW 1/4, Sec 7  
T-5-N, R-13-W

NW 1/4, SE 1/4, Sec 7  
T-5-N, R-13-W

SW 1/4, SE 1/4, Sec 7  
T-5-N, R-13-W

SE 1/4, SW 1/4, Sec 7  
T-5-N, R-13-W

**OAK GROVE CEMETERY**  
**100' x 800' PARCEL DESCRIPTION**  
 May, 2019  
 Prepared by: Ronnie D. Hall, PE, PLS

SOUTH LINE SECTION 7  
 NORTH LINE SECTION 15

POINT OF COMMENCEMENT  
 Section 7  
 SE 1/4, SW 1/4, Sec 7  
 T-5-N, R-13-W

Exchange Ave,

ROBBINS ST

Conway Street Dept. Site

Point of Beginning  
 (Legal Description)

1.000 ACRES PARCEL

BRIDGE STREET

Section 7  
 SE 1/4, SW 1/4, Sec 7  
 T-5-N, R-13-W

N 4° 42' 31" W 138.6'

N 4° 42' 31" W 138.6'

N 89° 44' 28" E 154.1'

N 89° 44' 28" E 154.1'

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