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# MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

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**Conway, Arkansas  
Tuesday, 6:00 pm  
January 9, 2024**

On this date the City Council of the City of Conway, Arkansas met in regular session. The following members being a quorum were present and acting: Councilman Hawkins, Councilwoman Mehl, Councilman Cummins, Councilman Grimes, Councilman Ledbetter, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Clerk Michael Garrett, and City Attorney Charles Finkenbinder. Councilwoman Webb was absent.

**Call to Order: Mayor Bart Castleberry**

**Roll Call: Michael Garrett, City Clerk**

**Minutes: December 12<sup>th</sup>, 2023, City Council Meeting**

Councilwoman Isby made a motion to approve the minutes as submitted and Councilwoman Mehl seconded it. The motion carried 7-0.

**Report of Standing Committees:**

**A. Economic Development Committee (Conway Area Chamber of Commerce, Conway Development Corporation, Conway Downtown Partnership, & Conway Corporation)**

**1. Resolution approving the grant submission for the City of Conway on behalf of Conway Corporation, to apply for a Grid Resilience and Innovation Partnership Program (GRIP) grant.**

**R-24-01**

Mayor Castleberry presented Item A1 to the Council stating that the City was acting as a pass-through for this grant, for Conway Corporation. Councilwoman Isby made a motion to adopt the Resolution approving the grant submission and Councilman Jones seconded it. A vote was called, and the Resolution passed 7-0.

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

**1. Consideration to approve waiving all three readings for the ordinances on the January 9, 2024 City Council agenda.**

Councilman Ledbetter made a motion to waive the three readings and Councilwoman Mehl seconded it. The motion carried 7-0.

**2. Resolution approving the organizational rules and procedures for the City in FY2024.**

**R-24-02**

Councilman Hawkins presented Item B2 to the Council. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

**3. Consideration to approve the annual nominations for the Central Business Improvement District Commission.**

Councilman Hawkins presented Item B3 to the Council, stating that the nominations were Chris Crain for a 6-year term, and Joanna Nabholtz for a 6-year term. Councilman Hawkins made a motion to approve the nominations and Councilwoman Isby seconded it. A vote was called, and the motion carried 7-0.

**4. Resolution authorizing the City to enter into an agreement and proceed with City Hall mitigation and repairs.**

**R-24-03**

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Councilman Hawkins presented Item B4 to the Council. Jamie Brice addressed the Council and reminded them of the water leak at City Hall on October 29<sup>th</sup>. She added that she was waiting on final numbers from Arkansas Municipal League but had two good numbers from contractors for the remainder of the mitigation and repair work. She asked them to approve the lowest quote in the amount of \$314,574 for these repairs. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

**5. Resolution to approve the annual transportation services contract for 2024.**

**R-24-04**

Councilman Hawkins presented Item B5 to the Council and read the amounts of the contracts:

\$30,000 Independent Living Services

\$80,000 Boys & Girls Club of Faulkner County

\$92,000 Faulkner County Council on Aging

Felicia Rogers added that these amounts are the same as the previous year and were included in the annual budget. Councilman Jones made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called, and the Resolution passed 7-0.

**6. Ordinance appropriating funds for a mural project for the Public Art Advisory Committee.**

**O-24-01**

Councilman Hawkins presented Item B6 to the Council. Felicia Rogers told the Council that this is a project by the Public Art Advisory Committee which is a fire-themed mural on the Central Fire Station building. Councilwoman Isby made a motion to adopt Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilman Jones, Councilman Hawkins, Councilwoman Mehl, Councilman Cummins, Councilwoman Isby, Councilman Ledbetter and Councilman Grimes. The Ordinance passed 7-0.

**7. Resolutions requesting the Faulkner County Tax Collector place liens against various properties for expenses incurred by the City.**

Councilman Hawkins presented Item B7 to the Council.

**R-24-05**

**108 Fairway Dr in the amount of \$99.52**

There was no one present to represent the property. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

**R-24-06**

**1040 & 1060 Jeanette Dr. in the amount of \$146.89**

There was no one present to represent the property. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

**R-23-07**

**3955 College Ave in the amount of \$146.89**

There was no one present to represent the property. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

**8. Resolution authorizing the acquisition of property for the Lower Ridge Realignment Project for the Department of Transportation.**

**R-24-08**

Councilman Hawkins presented Item B8 to the Council. Kurt Jones addressed the Council stating that this is an intersection that has been a concern for some time. He said that in the last 4 years there have been 59 crashes at that intersection. He said the design has been completed and they have been working with the City Attorney's office to negotiate an agreement with the property owners. He added that the \$300,000 they are requested is higher than our appraised value, but significantly lower than the number they first requested. He asked the Council to approve the acquisition of the property. Councilman Grimes asked if once this is completed, if it would be right turn only for traffic coming off of Lower Ridge Road. Mr. Jones

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answered that it was the desired outcome, but the City would be working with the Highway Department, and it is on their right-of-way as well. Councilwoman Mehl asked if the City would have to make any improvements once the street enters the Towne Center. Mr. Jones answered that yes, the City would be making improvements along the area south of Julie's Sweet Shoppe, for a short distance. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called, and the Resolution passed 7-0.

**9. Consideration to approve a conditional use permit to allow eat-in and drive-through services in the O-2 zoning district for property located at 2885 Prince Street.**

Councilman Hawkins presented Item B9 to the Council, stating that this item was reviewed by the Planning Commission at their regular meeting in December and at that time was voted 9-0 to forward to City Council with a recommendation for approval. Ryan Robeson of the Planning Department told the Council that the property was located at the corner of Prince and Salem, and that the applicant was requesting a fast-casual restaurant with a pickup window for online pre-orders. He said that there are restrictions in place and the Planning Department as well as the Planning Commission recommended approval. He clarified that the hours of operation would be 10:00 am until 11:00 pm. There was no one present to speak for or against the conditional use. Councilwoman Isby made a motion to approve the consideration and Councilwoman Mehl seconded it. A vote was called, and the motion carried 7-0.

**10. Ordinance to rezone property located at 1811 & 1813 Harkrider Street and 1152 Hunter Street, from R-2A and O-2 to PUD.**

**O-24-02**

Councilman Hawkins presented Item B10 to the Council. Ryan Robeson told the Council that the Planning Department originally reviewed three 3-story buildings, with commercial space on the bottom floor and residential above. He said that after a couple of public hearings, they revised the application to reflect four duplexes on the four lots. He said the reason the PUD is being used is because of access and there is not enough frontage that would be in a traditional R2-A zoning. He added that the density is appropriate for the area, and there shouldn't be a significant impact from traffic. He called their attention to the recommendations and said that the Planning Commission approved the request unanimously. Jason Barnett, one of the developers of the property addressed the Council. Councilman Hawkins asked about the one-way access. Mr. Barnett said that was to limit exposure to the neighborhood behind the property. David DeRosa, a neighborhood resident, spoke in favor of the PUD. Mike Forrest, a neighborhood resident spoke in opposition to the PUD. Ouida Wright spoke in opposition to the PUD. Scott Stevens spoke in opposition to the PUD. John Courtway spoke in opposition to the PUD. Slayton Fry spoke in opposition to the PUD. Councilman Jones asked if all of these issue and opinions were presented at the Planning Commission meetings and was told that they were, but the citizens were not happy with the decision. Councilwoman Mehl asked if time could be given so that the developer and all involved could be more specific about details of the project before the Council ruled on it. There was discussion among the Council regarding the details of the project in reference to protecting the neighborhood. Greg Lasker, Developer of the project addressed the Council stating that he believed there would not have been a vote to move forward with the project by the Planning Commission if they had seen a problem. He said they voted unanimously to approve the PUD and the conditions that were set forth were agreed to. He described the meetings with the residents and stated that he altered the project to accommodate their concerns. Councilman Grimes asked if the Council could make the PUD specific to this applicant and was told that they could. He asked what could be put on the property at the present time, within the present zoning. Anne Tucker, Director of Planning & Development stated that right now duplexes could be built on the R-2A lots- 1 per lot, but they would have to have a variance for setbacks. There was some discussion as to what could be built on the property as it stands. Councilman Cummins agreed that there were some unanswered questions that needed to be considered. Councilman Jones made a motion to table the item until a later date and Councilwoman Mehl seconded it. Councilman Hawkins confirmed with Mr. Lasker that the units he intended to build would be sold as condominiums to permanent residents as opposed to transient residents. A vote was called, and the motion carried 6-1 with Councilman Hawkins voting "No".

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Mayor Castleberry asked the Council to suspend the rules to hear public comments on the altercation that occurred at Maly's Entertainment Center the previous weekend. Councilman Jones made a motion to suspend the rules and Councilwoman Mehl seconded it. A vote was called, and the motion carried 7-0. The Mayor acknowledged a meeting that was held by the Faulkner County NAACP prior to this City Council meeting. Conway Police Chief Harris addressed the Council and citizens and gave them an update on the current state of the investigation. NAACP President, LaTonya Chante Duncan addressed the Council stating her thoughts and concerns regarding the incident. Ken Ashley Pauley encouraged more community involvement moving forward. Michael Cooper spoke in support of better communication between the citizens and city government in the future. Quintessa Hathaway, from Pulaski County addressed the Council along with Dawn Jeffries and Franklin Holbrook. The Mayor thanked all who spoke for their input.

**Adjournment-----**

*PASSED this 9<sup>th</sup> day of January, 2024*

**APPROVED:**

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***Mayor Bart Castleberry***

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***City Clerk Michael O. Garrett***