

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

Conway, Arkansas  
Tuesday, 6:00 pm  
January 13, 2026

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, Councilman Grimes, Councilman Spurgers, Councilwoman Mehl, Councilman Ledbetter, Councilman Hawks, Councilman Jones, and Councilwoman Isby. Also, present and acting: Mayor Bart Castleberry, City Clerk Denise Hurd, and City Attorney Charles Finkenbinder.

**Call to Order: Mayor Bart Castleberry**

**Roll Call: Denise Hurd, City Clerk**

**Minutes: December 9, 2025**

Councilwoman Isby made a motion to approve the minutes of the City Council meeting on December 9<sup>th</sup> as submitted. Councilwoman Mehl seconded the motion. The motion carried 8-0.

**Report of Standing Committees:**

**A. 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 13<sup>th</sup>, 2026 City Council Agenda.**

Councilman Jones made a motion to approve waiving the three readings for the ordinances on the January 13<sup>th</sup>, 2026 agenda and Councilwoman Isby seconded it. The motion carried 8-0.

**2. Resolution to approve the organizational rules and procedures for the City of Conway FY2026.**

**R-26-01**

Councilman Hawkins presented Item A2 to the Council. Mayor Castleberry called the Council's attention to the only change in the rules and procedures this year, which reads that if any City Council agenda item is held in committee, it will automatically be heard at the next Council Meeting, unless a specific date is agreed on by vote from the Council. If the date agreed upon is more than 45 days and if a notification procedure is attached to the item (e.g., Planning Commission, Historic District items), then the applicant may be required to use that same notification process to ensure the public is aware of the change of date for such items. Councilwoman Isby made a motion to adopt the Resolution and Councilwoman Mehl seconded it. A vote was called and the motion to adopt the Resolution passed 8-0.

**3. Consideration to approve a nomination for the Oak Grove Cemetery Board.**

Councilman Hawkins read the name of Courtney Grady and told the Council that this is a partial term on the Oak Grove Cemetery Board to expire December 31, 2026. Councilman Hawkins made a motion to approve the consideration and Councilwoman Isby seconded it. A vote was called, and the motion carried 8-0.

**4. Resolution to approve the 2026 transportation contracts for the City of Conway.**

**R-26-02**

Councilman Hawkins presented Item A4 to the Council. Mayor Castleberry told the Council that there was no increase in the amounts of the contracts this year, for the Independent

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Living Services in the amount of \$30,000, Boys and Girls Club in the amount of \$80,000, and the Faulkner Co Agency on Aging for \$92,000. Councilman Hawkins made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called and the Resolution passed 7-0-1 with Councilwoman Isby abstaining.

**5. Resolution in support of reviving the Federal Surplus Property Program, administered by the State of Arkansas.**

**R-26-03**

Councilman Hawkins presented Item A5 to the Council. Mayor Castleberry explained that the program has come to an end, but the Arkansas Municipal League has asked cities to support the revival of this program. He said that as Conway has benefitted from the program in the past, and this Resolution states the City's support for the revival of the program. Councilman Hawkins made a motion to adopt the Resolution and Councilwoman Isby seconded it. A vote was called and the Resolution passed 8-0.

**6. Ordinance to approve a private club permit location for Quality Foods, LLC, dba: The Purple Cow Restaurant, located at 1055 Steel Avenue.**

**O-26-01**

Councilman Hawkins presented Item A6 to the Council. Councilman Hawkins made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting "Aye": Councilman Ledbetter, Councilman Spurgers, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilman Grimes, Councilman Hawks, and Councilman Jones. The Ordinance passed 8-0.

**7. Ordinance to accept and adopt Chapter 8.82 of the Municipal Code regarding the use and operation of motorized E-scooters and Scooters Share programs within the City of Conway.** Councilman Hawkins presented Item A7 to the Council. Mayor Castleberry told the Council that there would not be a vote on an ordinance at this time, but would open the matter for discussion and public input in the near future. He said that when the ordinance is approved it would go into effect March 1, 2026. Anne Tucker told the Council that the State has passed legislation that prohibits cities from excluding E-Scooter companies. She added that this ordinance would allow the City to regulate those businesses and lay out rules to keep the public safe and also establish a permitting process. There was discussion among the Council as to how the E-Scooter businesses would be regulated. Mayor Castleberry asked the Council to compile their questions and comments and asked the public to send in their input as well. Councilwoman Isby made a motion to hold the item in committee until the next City Council meeting and Councilman Spurgers seconded it. The motion carried 8-0.

**8. Ordinance to rezone property located at 3910 and 3920 Tyler Street from A-1 to R-2.**

Councilman Hawkins presented Item A8 to the Council. Anne Tucker told the Council that the applicant's intention with the rezoning is for residential development with some development constraints due to the narrowness of the property, and the construction of a bridge at the end of the street. She added that there was some public input and that the president of the St. John's HOA met with the developer and she felt that the property owners' concerns were met. She told the Council that the matter passed unanimously at the last Planning Commission meeting, but the applicant was not present for the City Council meeting. There was no one else present to speak toward the matter. Councilman Jones made a motion to table the item until the next City Council meeting and Councilwoman Isby seconded the motion. A vote was called and the motion carried 8-0.

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### B. Finance

1. **Ordinance authorizing the approval of various positions within the City, approved in the FY2026 Budget.**

**O-26-02**

Mayor Castleberry presented Item B1 and read the list of new positions authorized by the 2026 Budget.

Fire Department - (6) Firefighter positions

Parks & Recreation Department - (1) Groundskeeper and (1) Administrative Assistant I

Public Works Department - (1) Animal Welfare Kennel Technician and (1) Groundskeeper

Community Center - (1) Full-Time Lifeguard

Councilman Spurgers made a motion to adopt the Ordinance and Councilwoman Isby seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawks, Councilman Grimes, Councilman Hawkins, Councilwoman Isby, Councilwoman Mehl, Councilman Spurgers, Councilman Jones, and Councilman Ledbetter. The Ordinance passed 8-0.

### C. New Business

1. **Consideration to approve a settlement agreement for the Tom Watson Construction LLC vs. Jones, et al. case.**

Mayor Castleberry presented Item C1 to the Council. City Attorney Charles Finkenbinder gave a brief overview of the case stating that this is a dispute over a retaining wall that was built in a development in Conway and subsequently suffered some damage. He said that the dispute is what caused the damage. He added that case has been moved to Federal Court due to further allegations, and the Municipal League was representing the City. He told them that the plaintiff had made a settlement offer in the amount of \$71,000, with the City retaining the property on which the wall is constructed. An attorney from the Arkansas Municipal League addressed the Council and recommended they accept the settlement offer because the complaints were not just about property damage, but the plaintiff is alleging due process violations, and inverse condemnation because he cannot do anything with the property while it has been in dispute. She added that they do not believe the City did anything improper, but the settlement would mean that the City would get the property in exchange, it cuts off any potential damages, and avoids a jury verdict that if even one claim was awarded, under the statute, the plaintiff could be awarded attorney's fees and other costs which would be a considerable cost to the City. She told the Council that with the potential risks to the City, this is a decent proposal. She added that the property was assessed at \$70,000 and the plaintiff was asking for \$71,000, and in turn the City would receive the property and a signed settlement release meaning no further action could be taken on the matter.

\*Councilman Jones left the meeting.

There was discussion among the Council as to the pros and cons of accepting the settlement offer. There were concerns about recouping the price of the property if sold, after dealing with the damaged retaining wall and the costs involved with that. Councilman Hawkins confirmed that the property was a lot in the Robynmar subdivision. Kurt Jones, Director of the Transportation Department confirmed that the retaining is still in place on the property. There was discussion among the Council as to the actual value of the property and the possibility of resale value to the City. Some Councilmembers expressed their concern with settling these types of lawsuits when the City is not at fault. Councilwoman Isby made a motion to approve the consideration, and Councilman Hawkins seconded it. A vote was called and the motion passed 5-2 with Councilman Ledbetter and Councilman Grimes voting "no".

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2. **Ordinance appropriating funds for the settlement agreement in the Tom Watson Construction LLC vs. Jones, et al. case.**

O-26-03

Mayor Castleberry presented Item C2 stating that the funding for the settlement will come from the Transportation Department in the amount of \$71,000. Councilwoman Isby made a motion to adopt the Ordinance and Councilman Spurgers seconded it. The Clerk called the roll with the following voting "Aye": Councilwoman Mehl, Councilman Hawks, Councilman Spurgers, Councilman Hawkins, and Councilwoman Isby. The Ordinance passed 5-2 with Councilman Grimes and Councilman Ledbetter voting "No".

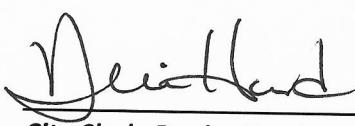
Adjournment-----

*PASSED this 13<sup>th</sup> day of January, 2026*

APPROVED:



*Bart Castleberry*



*Denise Hurd*

*City Clerk, Denise Hurd*