

Mayor Bart Castleberry
Clerk/Treasurer Denise Hurd
City Attorney Charles Finkenbinder



City Council Members

Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Drew Spurgers
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Mark Ledbetter
Ward 3 Position 2 – Spencer Hawks
Ward 4 Position 1 – Theodore Jones Jr.
Ward 4 Position 2 – Shelia Isby

Tuesday, January 13th, 2026 City Council Agenda

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

5:30 pm Committee: **No Committee Meeting**

6:00 pm Council Meeting: City Council Meeting

Call to Order: Bart Castleberry, Mayor

Roll Call: Denise Hurd, Clerk/Treasurer

Minutes Approval: December 9th, 2025

Mayor's Special Recognition: **2025 State Champions Conway High School
Lady Wampus Cat Volleyball Team**

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 13th, 2026, City Council agenda.
2. Resolution to approve the organizational rules and procedures for the City of Conway in FY2026.
3. Consideration to approve a nomination for the Oak Grove Cemetery Board.
4. Resolution to approve the 2026 transportation contracts for the City of Conway.
5. Resolution in support of reviving the Federal Surplus Property Program, administered by the State of Arkansas.
6. Ordinance to approve a private club permit location for Quality Foods, LLC DBA – The Purple Cow Restaurant, located at 1055 Steel Avenue.
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.
8. Ordinance to rezone property located at 3910 and 3920 Tyler Street from A-1 to R-2.

B. Finance

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

C. New Business

1. Consideration to approve a settlement agreement for the Tom Watson Construction LLC vs. Jones, et al. case.
2. Ordinance appropriating funds for the settlement agreement in the Tom Watson Construction LLC vs. Jones, et al. case.

Adjournment

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday, 6:00 pm
December 9, 2025

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: November 25, 2025

Councilwoman Isby made a motion to approve the minutes of the City Council meeting on November 25th 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 December 9th, 2025 City Council Agenda.

Councilwoman Isby made a motion to approve waiving the three readings for the ordinances on the December 9th, 2025 agenda and Councilwoman Mehl seconded it. The motion carried 8-0.

Councilman Grimes joined the meeting.

2. Ordinance accepting and appropriating grant funds related to the Community Forestry Plan.

O-25-110

Councilman Hawkins presented Item A2 to the Council. Anne Tucker told the Council that the City was awarded \$250,000 by the Forestry Commission to do some arbor studies. She said the first installment had been received but just today had received the second installment in the amount of \$19,472.50 which would bring the total amount to \$52,127.50 and asked that amount to be added to the total. She added that this is a full reimbursement grant with no matching funds. Councilman Hawkins made a motion to amend the Ordinance to reflect the total amount, and Councilwoman Mehl seconded it. The motion carried 8-0. Councilwoman Isby made a motion to adopt the Ordinance and Councilman Spurgers seconded it. The Clerk called the roll with the following voting "Aye": Councilman Hawkins, Councilman Ledbetter, Councilman Jones, Councilman Grimes, Councilman Spurgers, Councilman Hawks, Councilwoman Isby, and Councilwoman Mehl. The Ordinance passed 8-0.

3. Consideration to approve the annual boards and commissions for the City of Conway.

Councilman Hawkins presented Item A3 to the Council and read the names of the nominees.

Airport Advisory Committee – 4-year term

o John Ed Webb (Pilot Position) Term expires December 31, 2029

o Joanna Ramlom (Member at Large) Term expires December 31, 2029

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Bicycle & Pedestrian Advisory Board – 3-year term

- o Thomas Cain Term expires December 31, 2028
- o Kevin Lentz Term expires December 31, 2028
- o Ryan Webb Term expires December 31, 2028

Conway Tree Board – 3-year term

- o Clayton Cooper Term expires December 31, 2028
- o Jonathan Marshall Term expires December 31, 2028

Diversity Advisory Council – 4-year term

- o JaColby Easter Term expires December 31, 2029
- o Sonja Brassell (Partial Term) Term expires December 31, 2026

Historic District Commission – 3-year term

- o Ali Dyer (Conway Commercial Historic District) Term expires December 31, 2028
- o Junior Dixon (Architect or Design Professional) Term expires December 31, 2028

Oak Grove Cemetery – 5-year term

- o Andrea Andrews Term expires December 31, 2030
- o Shelia Myers (Partial) Term expires December 31, 2026

Planning Commission – 5-year term

- o Lori Quinn Term expires December 31, 2030
- o Grace Rains Term expires December 31, 2030
- o Keena Haygood (Partial Term) Term expires December 31, 2028

Councilman Hawkins made a motion to approve the annual boards and commissions, and Councilwoman Mehl seconded it. A vote was called and the motion carried 8-0.

B. Public Service Committee (Physical Plant, Parks & Recreation, Conway Community Center & Sanitation)

1. Ordinance appropriating funds for the lighting installation at Pompe Park for the Parks & Recreation Department.

O-25-111

Mayor Castleberry presented Item B1 to the Council. Andrew Thames told the Council that this is an appropriation of A&P funds in the amount of \$27,765.00 for lighting that Conway Corp did along Morningside Drive and the parking lot. Councilwoman Isby made a motion to adopt the Ordinance and Councilwoman Mehl seconded it. The Clerk called the roll with the following voting “Aye”: Councilwoman Mehl, Councilman Ledbetter, Councilman Grimes, Councilman Hawks, Councilman Spurgers, Councilman Hawkins, Councilman Jones, and Councilwoman Isby. The Ordinance passed 8-0.

C. Finance

1. Ordinance approving the FY2026 Budget for the City of Conway

O-25-112

Mayor Castleberry presented Item C1. He told the Council that in 2025 the City has given employees a \$1,000 Christmas bonus, longevity pay to all City employees, incentive raises to the Fire Department as well as a 2% raise. He added that insurance premiums for employees will not

MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

increase in 2026, and a 1% COLA raise has been budgeted. He said that Fire Department staff have been increased by 6, as well as 5 additional staff in other departments. He told there that a 3% growth in revenues has been projected in order to balance the budget. Tyler Winningham addressed the Council with an overview stating that the budget this year was challenging due to a number of reasons. He said that earlier in the year the City took out a loan to purchase a fire truck and upgrades to the 911 radio system. He added that the debt was divided between CFD and CEOC accordingly. He said that this is the first year for the 911 center to be the lone PSAP in Faulkner County which is a burden on the budget. He told them that the Community Center is still an unknown as it is not known what an entire year of operations looks like. He explained how these budget items were figured into the budget. He reminded them that another challenge this year has been slow sales tax growth. There was discussion among the Council about the new sales tax for public safety and streets and drainage which will begin adding revenue in April of 2026. There was discussion among the Council as to how the loan for the fire truck and 911 radio system could be paid off more quickly. It was confirmed that debt service on five year financing has to be paid for from the general fund. There was further discussion regarding budgeted numbers for City departments as well as future projects, sales tax and debt repayment. Councilwoman Isby made a motion to adopt the Ordinance with the emergency clause and Councilman Ledbetter seconded the motion. The motion carried 8-0. The Clerk called the roll with the following voting "Aye": Councilman Spurges, Councilman Hawkins, Councilwoman Isby, Councilman Ledbetter, Councilman Jones, Councilwoman Mehl, Councilman Hawks, and Councilman Grimes. The Ordinance with the emergency clause passed 8-0.

Mayor Castleberry confirmed that this meeting would be the final for 2025. The December 23 meeting is cancelled.

Adjournment-----

PASSED this 9th day of December, 2025

APPROVED:

Mayor, Bart Castleberry

City Clerk, Denise Hurd

City of Conway, Arkansas
Office of the Mayor
Mayor Bart Castleberry
1111 Main Street
Conway, AR 72032
www.conwayarkansas.gov

MEMO

To: Mayor Castleberry
CC: City Council Members

From: Felicia T. Rogers
Date: January 7th, 2026
Re: January 13th, 2026 City Council Agenda

The following ordinances are included on the January 13th, 2026, City Council Agenda for consideration of waiving the three readings of each ordinance listed below:

1. A-6 Ordinance to approve a private club permit location for Quality Foods, LLC DBA – The Purple Cow Restaurant, located at 1055 Steel Avenue.
2. A-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.
3. A-8 Ordinance to rezone property located at 3910 and 3920 Tyler Street from A-1 to R-2.
4. B-1 Ordinance authorizing the approval of various positions within the City, approved in the FY2026 Budget.
5. C-2 Ordinance appropriating funds for the settlement agreement in the Tom Watson Construction LLC vs. Jones, et. al.

Please advise if you have any questions.



City of Conway, Arkansas
Resolution No. R-26-_____

**A RESOLUTION ADOPTING THE ORGANIZATIONAL RULES AND PROCEDURES FOR THE CONWAY,
 ARKANSAS CITY COUNCIL FOR THE CALENDAR YEAR 2026**

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

Whereas, City councils are tasked to set their organizational rules and procedures at the first business meeting every year; and

Whereas, the City is required by law to have a majority of the elected members of the City Council vote on a particular issue in order to adopt or approve a measure presented for consideration; and

Whereas, if a state of emergency due to a public health concern is granted, the City of Conway maintains the the ability to provide electronic means which would permit a City Council Member to view a particular meeting as it is being held and also enable that Member to actively participate in the meeting despite the fact that they are not physically present in City Council Chambers, or such other location where a City Council meeting is being held; and

Whereas, the City would have the ability to broadcast/livestream City Council meetings so that the meetings may be viewed electronically without physical presence at the meeting, and have a method for the public to present comments on the agenda items without physically attending the meeting during this period.

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

Section 1. The Conway City Council shall formally adopt the rules and procedures of its long standing traditions and its general adherence to Robert's Rules of Order as written in the Rules & Procedures for Conway City Council, January 13th, 2026.

Section 2. Special rules set forth in said Rules & Procedures for Conway City Council and regarding the conduct of City Council meetings during a pandemic emergency shall be included.

PASSED this 13th day of January, 2026.

Approved:

Mayor Bart Castleberry

Attest:

Denise Hurd
City Clerk/Treasurer

Elected Officials

Mayor Bart Castleberry

City Clerk/Treasurer Denise Hurd

City Attorney Charles Finkenbinder

City Council Members:

Ward 1 Position 1 – Andy Hawkins

Ward 1 Position 2 – David Grimes

Ward 2 Position 1 – Drew Spurgers

Ward 2 Position 2 – Shelley Mehl

Ward 3 Position 1 – Mark Ledbetter

Ward 3 Position 2 – Spencer Hawks

Ward 4 Position 1 – Theodore Jones Jr.

Ward 4 Position 2 – Shelia Isby

CITY OF CONWAY, ARKANSAS

Rules and Procedures

Conway City Council

THE CONWAY CITY COUNCIL RULES AND PROCEDURES:

City Council Jurisdiction:

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

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

City Council Meetings:

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

The City Council shall conduct regular business meetings at 6:00 pm in the City of Conway Council Chambers building located at 1111 Main Street on the second and fourth Tuesdays of each month. If the City Council meets in committee, it will start at 5:30 pm. The City Council, by majority vote may reschedule or cancel such meeting as it deems necessary on a meeting by meeting basis. [A.C.A. 14-43-502 (b)(2)(A)]

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

Agenda for City Council Meetings:

Agenda items shall consist of all items of city business needing city council approval, judgment, or review arising out of the city budget; city departments; City Council committees; city committees, boards, and commissions; and all city systems and processes submitted for the purpose of city council action according to the procedures herein described.

Agenda items may also be submitted by the Mayor or any Alderman following the procedures herein described for consideration at any city council meeting. Planning Commission items are automatically forwarded to the Office of the Mayor for inclusion on the agenda. Any City Council agenda item that is held in committee will automatically be heard at the next regularly scheduled meeting, unless a specific date is agreed upon by the City 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.

The Office of the Mayor prepares the agenda. All Agenda items for consideration at regular City Council meetings must be submitted to the Office of the Mayor by 12:00 pm, no later than seven days prior to the City Council meeting. Items may be submitted later with the Mayor's approval.

All items should be submitted electronically (if applicable) with all necessary documentation, including ordinances and/or resolutions.

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

Preparation of the Agenda packet for each regular City Council meeting should be completed and the agenda published on the City's official website **at least three (3) days before a regular public meeting .** Ark. Code Ann. § 25-19-106(b)(3)(B) (as amended by Act 505).

Conduct of the City Council Meeting:

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

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

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

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

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

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

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

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

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

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

Discussion and Citizen Commentary:

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

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

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

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

General Citizenry: The City Council restricts citizen input at any regular or special meeting to germane commentary regarding items of business before the Council arising from the meeting agenda or the Council's placement of an item on the agenda.

Citizen commentary may only occur at such time as the item of business is before the Council and under consideration for action. It is the City Council's intention to allow public input in an informal format with due regard to the equity of allowing the various sides of issues to speak and, within reason, with due regard to the number of people wishing to address the Council.

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

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

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

Special Procedures During Pandemic Emergency:

If a public health emergency is declared by the State of Arkansas or the Federal Government, below are the procedures that the City of Conway City Council will maintain:

- (a) During the Pandemic Emergency, City Council Members are authorized to attend, speak, and vote using Zoom or other virtual electronic means of communication during City Council Meetings and Committee Meetings.
- (b) That a Council Member may appear by electronic means for the purpose of providing the requisite membership attendance for matters coming before the Council; provided that

the Mayor, the City Clerk, and the City Attorney, or their designees, are physically present and located at the place where the Council Meeting is being held and conducted, and who confirm such electronic appearance by such Council Member upon roll call. Council Members appearing at meetings pursuant to this subsection shall be entitled to participate by electronic means in matters coming before the Council, including discussion, debate, and voting, as if they were physically present at such meeting.

- (c) During a public health emergency, the public is encouraged to watch the video broadcast or live-streaming Internet broadcast of the City Council meetings rather than physically attending.
- (d) Members of the public may attend as set forth herein or as permitted by a plan approved by the Arkansas Department of Health for indoor gatherings.
- (e) Any member of the public may comment on any item of business on the published agenda of the meeting by delivering a written comment (no longer than 200 words) to the City Clerk/Treasurer no later than 4:30 pm the day of the City Council meeting. These comments can be dropped off at the front desk of City Hall, 1111 Main Street, Suite 102. Electronic delivery to councilagenda@conwayarkansas.gov is encouraged. Written comments so delivered will be read at the meeting.

**City of Conway, Arkansas
Office of the Mayor
Mayor Bart Castleberry
1111 Main Street
Conway, AR 72032
www.conwayarkansas.gov**

MEMO

To: Mayor Castleberry
CC: City Council Members

From: Felicia Rogers
Date: January 5th, 2026
Re: Oak Grove Cemetery Board

Annual Boards and Commissions were advertised from October 1st – 31st, 2025; the Oak Grove Cemetery Board was included. The following has been recommended for a partial term, due to an open position.

- Courtney Grady (Partial) Term expires December 31, 2026

Please advise if you have any questions



City of Conway, Arkansas
Resolution No. R-26-_____

A RESOLUTION APPROVING THE FY2026 TRANSPORTATION SERVICE CONTRACTS FOR INDEPENDENT LIVING SERVICES, BOYS & GIRLS CLUB OF FAULKNER COUNTY, & FAULKNER COUNTY COUNCIL OF AGING TO PROVIDE TRANSPORTATION SERVICES WITHIN THE CITY OF CONWAY; AND FOR OTHER PURPOSES

Whereas, there is a need to support with funding different agencies that provide specific transportation throughout the City of Conway; and

Whereas, Independent Living Services, Boys & Girls Club of Faulkner County, & Faulkner County Council on Aging all provide a valuable service for the City that is beneficial for a wide variety of citizens throughout Conway.

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

Section 1. The City Council for the City of Conway shall hereby authorize the Mayor to enter into transportation services with the following agencies:

\$30,000	Independent Living Services
\$80,000	Boys & Girls Club of Faulkner County
\$92,000	Faulkner County Council on Aging

Section 2. Transportation funding was approved in the Transportation Services Account in the FY2026 budget.

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

PASSED this 13th day of January, 2026.

Approved:

**_____
Mayor Bart Castleberry**

Attest:

**_____
Denise Hurd
City Clerk/Treasurer**



City of Conway, Arkansas
Resolution No. R-26-_____

**A RESOLUTION IN SUPPORT OF REVIVING THE STATE RUN FEDERAL SURPLUS PROPERTY PROGRAM,
ADMINISTERED BY THE STATE OF ARKANSAS, AND FOR OTHER PURPOSES**

Whereas, the City of Conway has directly benefited from this program in the past and recognizes its critical role in supporting local government operations; and

Whereas, the Arkansas Federal Surplus Property Program has historically provided cities, towns, counties, state agencies, fire departments, and non-profits across the state with access to high-quality, government-grade equipment and supplies at a fraction of retail cost; and

Whereas, the program enabled local governments to acquire essential items—such as vehicles, tools, office furniture, emergency response gear, and generators—at discounts of up to 90%, often paying only 5–10% of the original value; and

Whereas, the program was recently shut down due to a reported \$300,000 operating deficit, largely caused by changes in federal policy that shifted surplus property sales to online platforms, reducing the volume of high-value items available to the state; and

Whereas, despite this shortfall, local governments collectively paid approximately \$900,000 for surplus items through the program—receiving goods worth many times that amount—demonstrating the program’s high return on investment and value to Arkansas communities; and

Whereas, the closure of the program disproportionately affects small and rural municipalities that rely on affordable access to durable equipment to maintain public safety, infrastructure, and essential services; and

Whereas, the Arkansas Legislative Council’s Joint Performance Review Committee has heard testimony from local officials and emergency responders urging a fiscal impact study and reconsideration of the program’s closure.

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

Section 1. The City of Conway strongly supports the revival or replacement of the Arkansas Federal Surplus Property Program.

Section 2. That we urge the Governor, the Arkansas General Assembly, and relevant state agencies to explore sustainable funding models or partnerships to restore this vital service.

Section 3. That a copy of this resolution be forwarded to the Arkansas Department of Public Safety, the Arkansas Legislative Council, and our local legislative delegation.

PASSED this 13th day of January, 2026.

Approved:

Attest:

Mayor Bart Castleberry



City of Conway, Arkansas
Ordinance No. O-26-_____

AN ORDINANCE APPROVING THE PRIVATE CLUB PERMIT FOR QUALITY FOODS, LLC DBA: THE PURPLE COW RESTAURANT, AND ALLOWING FOR THE APPLICATION OF THE REQUIRED PERMITS FROM THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION PER ARKANSAS CODE ANNOTATED §3-9-222 AS AMENDED

Whereas, Quality Foods, LLC, dba: The Purple Cow Restaurant, has applied for a private club permit as required under Chapter 4.12.04 of the Conway City Code per Ordinance No. O-17-100 and A.C.A §3-9-222, and

Whereas, the application is limited and specific to Quality Foods, LLC, dba: The Purple Cow Restaurant, 1055 Steel Avenue, Conway, Arkansas 72032, and

Whereas, the applicant has provided all the information required in the permit application process and met all the standards set forth by the Conway City Council, and

Whereas, the City Council for the City of Conway hereby approves the application for a permit for the proposed location to operate a private club within the City limits of Conway, and

Whereas, this approval does not authorize the operation of a private club within the City of Conway, but does function as an authorization to apply for a private club permit through the Arkansas Alcoholic Beverage Control Division per A.C.A §3-9-222.

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

Section 1. That the application for private club permit is hereby approved for and specific to Quality Foods, LLC, dba: The Purple Cow Restaurant, 1055 Steel Avenue, Conway, Arkansas 72032.

Section 2. That no private club operations will begin unless and until a permit to operate a private club is issued by the Arkansas Alcoholic Beverage Division.

Section 3. That the approval and permit are subject to suspension or revocation by the City in the event (applicant) violates the Conway City Code or State law.

Passed this 13th day of January, 2026.

Approved

**_____
Mayor Bart Castleberry**

Attest:

**_____
Denise Hurd
City Clerk/Treasurer**



City of Conway, Arkansas

Ordinance No. O-26-_____

AN ORDINANCE TO ACCEPT AND ADOPT CHAPTER 8.82 OF THE MUNICIPAL CODE REGARDING THE USE AND OPERATION OF MOTORIZED E-SCOOTERS AND SCOOTER-SHARE PROGRAMS WITHIN THE CITY OF CONWAY, ARKANSAS

Whereas, the Arkansas General Assembly enacted Act 1015 of 2019, the Electric Motorized Scooter Act, which authorizes the deployment of electric scooters and scooter-share programs throughout the State of Arkansas; and

Whereas, the Electric Motorized Scooter Act does not allow cities to prohibit the operation of scooter-share programs but authorizes them to enact reasonable regulations; and

Whereas the Electric Motorized Scooter Act went into effect on July 24, 2019, and the City's regulations and permitting processes are expected to become effective on March 1, 2026.

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

Section 1: That these amendments to the Conway Municipal Code are hereby adopted by reference, and included as Exhibit "A" to this ordinance, as amended additions for Chapter 8.82, as amended and also known as the Conway Municipal Code.

Section 2: That any ordinances in conflict herewith are hereby repealed to the extent of the conflict. The Mayor and Council shall be empowered to codify the Conway Municipal Code as necessary to update the Code as specified.

PASSED this 13th day of January, 2026.

Approved:

Mayor Bart Castleberry

Attest:

Denise Hurd
City Clerk/Treasurer

City of Conway, Arkansas

Chapter 8.82

ELECTRIC SCOOTERS AND SCOOTER-SHARE SYSTEMS

8.82.1 Purpose.

The purpose of this chapter is to promote safe, orderly, and accessible use of electric scooters; to preserve pedestrian movement in the public right-of-way; and to establish permitting and operational regulations for scooter-share systems operating within the City.

8.82.2 Definitions.

For the purposes of this chapter, the following terms shall apply:

- A. **"Electric Scooter"** means a device weighing no more than one hundred (100) pounds, having two or three wheels, with handlebars and a standing deck, powered in whole or in part by an electric motor, and intended for use by a single rider.
- B. **"Scooter-Share System"** means a transportation service through which electric scooters are made available for short-term public use, whether through a dockless, station-based, or hybrid deployment model.
- C. **"Operator"** means any person, partnership, corporation, or entity owning, deploying, maintaining, or otherwise facilitating use of a scooter-share system.
- D. **"Public right-of-way"** means land or easements owned, dedicated, or controlled by the City for public travel, including sidewalks, streets, bike lanes, multi-use paths, parkways, and public easements.

8.82.3 Operation of Electric Scooters.

- A. **Permitted areas of operation.** Electric scooters may be operated:
 1. Within designated bicycle lanes.
 2. On streets with posted speed limits of thirty-five (35) miles per hour or less. While traveling slower than the normal flow of traffic, travel should be in the right-hand lane, with the exception of passing another vehicle, preparing for a left turn, avoiding hazards, narrow lanes, or approaching an intersection with a right-turn lane when not turning right.
 3. The rider is not required to ride over hazards or maintain a dangerously narrow right-side position; riding lawfully under this section does not constitute impeding traffic.
 4. Riders shall not attach the scooter or rider to any vehicle.
 5. Riders shall not carry any package, bundle, or article preventing them from keeping at least one hand on the handlebars.

- B. **Sidewalk restriction.** Operation on sidewalks is prohibited except:
1. Where signage expressly authorizes sidewalk riding; or
 2. On multi-use pedestrian-bicycle facilities.
 3. When operating on a sidewalk, the rider must yield the right-of-way to pedestrians and must give an audible signal before passing a pedestrian.
 4. For operation within a pedestrian crosswalk, the rider must yield to vehicular traffic and pedestrians. To gain pedestrian protections, the rider must dismount and walk the scooter, obeying all traffic control devices.
 5. Riding on any sidewalk that abuts a building is prohibited.
- C. **Speed limitations.**
1. Maximum speed on streets or multi-use paths shall not exceed fifteen (15) miles per hour.
 2. The maximum speed where sidewalk riding is authorized shall not exceed ten (10) miles per hour.
- D. **Traffic compliance.** Riders must comply with all traffic laws applicable to bicycle users.
- E. **Safety:**
1. Scooters must be equipped with a brake.
 2. For night operation, scooters must have a front white light, a rear red light, and a reflector. Lights must be visible from at least 500 feet under normal conditions.
 3. Lights must be visible from at least 500 feet under normal conditions. Lights must remain on for at least 90 seconds after the scooter stops.

8.82.4 Parking and Storage.

- A. Electric scooters shall be parked upright and in a manner that does not:
1. Obstruct pedestrians.
 2. Block ADA-required clearances or curb ramps.
 3. Interfere with building entrances or driveways.
 4. Restrict access to transit stops or emergency facilities.
- B. Scooters shall be parked within designated scooter parking areas where provided.
- C. Scooters shall not be parked on city streets without express permission.
- D. Scooters shall not be parked on private property unless the owner's permission has been obtained.
- E. Scooters must not be parked within five feet of a crosswalk or curb ramp.
- F. On multi-use trails, scooters may only be parked at trailheads or other areas designated by the City.
- G. Scooters must stand upright while parked.
- H. The Mayor, or designee, may designate restricted parking areas and associated signage.

- I. Operators must be 16 or older.

8.82.5 Scooter-Share Permit Required.

- A. No operator shall deploy or maintain a scooter-share system without first obtaining a permit issued pursuant to this chapter.
- B. Permits shall be valid for twelve (12) months unless suspended or revoked.
- C. The City of Conway may limit:
 - 1. Total number of permitted operators.
 - 2. Maximum fleet size.
 - 3. Deployment locations or operating zones.
 - 4. Permit will not authorize operation on any private property, College or University unless prior approval is obtained by the owner of said property.

8.82.6 Operator Requirements.

Each permitted operator shall:

- A. Maintain commercial liability insurance of not less than:
 - 1. One million dollars (\$1,000,000) per occurrence.
 - 2. Two million dollars (\$2,000,000) aggregate.
and name the City of Conway as an additional insured.
- B. Ensure scooters are safe, functional, and compliant with manufacturer specifications.
- C. Remove damaged or improperly parked scooters within two (2) hours of notification.
- D. Provide monthly data reports, including:
 - 1. Trip counts
 - 2. Fleet deployment totals
 - 3. Response times to complaints
 - 4. Number and nature of reported safety incidents.

Data must be aggregated and non-personally-identifying.

- E. Provide safety and parking instructions on each scooter and through any associated mobile application.
- F. Each shared scooter must clearly display the operator's emblem, customer support info (phone and website information), and a unique alphanumeric ID visible from 5 feet away and not covered by branding or other markings.
- G. Provide methods for users to rent without requiring a smartphone.
- H. Clearly and understandably communicate rates to customers before use.
- I. Educate users via the website or app about compliance with all general operation, parking, and safety rules.
- J. Each unit must have an on-board GPS or equivalent system for location tracking, recovery, data collection, and incident investigation.

- K. Scooters must be robust enough for outdoor storage and frequent use and must have tamper resistant security hardware.
- L. Motors for licensed shared scooters must be under 750 watts or one horsepower.
- M. Operators must have the ability to implement “no-ride zones,” slow-ride zones, and to enforce city-designated no-parking zones.
- N. Shared scooters must meet safety standards equivalent to those for bicycles under applicable federal and international standards.
- O. Operators must have processes in place for maintenance/safety: inspection on removal from service, a mechanism for users to report safety &/or maintenance concerns, and a mechanism for disabling units remotely.
- P. Unsafe scooters must be removed from service within four hours of notice and not redeployed until repaired.
- Q. Operators must respond to certain categories of public complaints/obstructions within defined time-frames, like sidewalk obstructions or other prohibited locations, within a one-hour time frame.
- R. Operators must have a battery recycling/disposal program that is compliant with federal hazardous waste regulations.

8.82.7 Fees.

- A. The annual permit fee for scooter-share operation shall be established by the City Council at a rate of a non-refundable fee of \$150 + \$20 per shared scooter. This permit will require an annual renewal.
- B. The City of Conway may impose a per-device right-of-way usage fee.
- C. Fees collected may be used for:
 - 1. Administration of this chapter.
 - 2. Maintenance and enforcement.
 - 3. Public safety and transportation infrastructure improvements.

8.82.8 Enforcement and Penalties.

- A. The Mayor, or designee, may impose any of the following enforcement actions:
 - 1. Issuance of written notice or administrative citation.
 - 2. Reduction of permitted fleet size.
 - 3. Temporary suspension of operations.
 - 4. Revocation of permit.
- B. Administrative penalties may include:
 - 1. Fifty dollars (\$50) per improperly parked scooter.
 - 2. One hundred dollars (\$100) per unsafe operation or verified service failure.
 - 3. Up to five hundred dollars (\$500) per day for unpermitted deployment.
- C. The City of Conway may impound any unpermitted or hazardous scooters.

8.82.9 Pilot Program Authorization.

- A. The City of Conway may issue temporary permits valid for up to twelve (12) months for evaluation purposes.
- B. During a pilot period, the City may modify:
 - 1. Fleet sizes
 - 2. Deployment boundaries
 - 3. Reporting requirements

8.82.10 Severability.

If any provision of this chapter is determined invalid, the remaining sections shall remain in full force and effect.

DRAFT



City of Conway, Arkansas
Ordinance No. O-26-_____

AN ORDINANCE AMENDING THE CONWAY ZONING DISTRICT BOUNDARY MAP REFERENCED IN SECTIONS 201.1 AND 201.3 OF THE CONWAY ZONING CODE TO REZONE 3910 AND 3920 TYLER STREET FROM A-1 TO R-2:

Whereas, in accordance with Arkansas Code Annotated § 14-56-416, has adopted a Zoning Code and Arkansas Code Annotated § 14-56-423 provides for the amendment of such regulations; and

Whereas, proper public notice was given, and the Conway Planning Commission held a duly authorized public hearing on **December 15, 2025**, and adopted the amendments.

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 shall be amended by changing all the **A-1** symbols and indications as shown on the Zoning District Boundary Map in an area described as follows:

TRACT 1:

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 14 WEST, FAULKNER COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT, SAID POINT BEING AT THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE N88°14'27"W A DISTANCE OF 443.92 FEET TO A POINT; THENCE N1°45'27"E A DISTANCE OF 627.42 FEET TO A SET REBAR, SAID POINT BEING AT THE POINT OF BEGINNING; THENCE N88°12'13"W A DISTANCE OF 209.89 FEET TO A SET REBAR; THENCE N1°44'51"E A DISTANCE OF 212.58 FEET TO A FOUND REBAR; THENCE S88°12'13"E A DISTANCE OF 209.93 FEET TO A FOUND REBAR; THENCE S1°45'27"W A DISTANCE OF 212.58 FEET TO THE POINT OF BEGINNING. THIS TRACT CONTAINS 1.02 ACRES, MORE OR LESS.

TRACT 2:

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 14 WEST, FAULKNER COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT, SAID POINT BEING AT THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE N88°14'27"W A DISTANCE OF 443.92 FEET TO A POINT; THENCE N1°45'27"E A DISTANCE OF 414.84 FEET TO A SET REBAR, SAID POINT BEING AT THE POINT OF BEGINNING; THENCE N88°12'13"W A DISTANCE OF 209.86 FEET TO A FOUND REBAR; THENCE N1°44'51"E A DISTANCE OF 212.58 FEET TO A SET REBAR; THENCE S88°12'13"E A DISTANCE OF 209.89 FEET TO SET REBAR; THENCE S1°45'27"W A

DISTANCE OF 212.58 FEET TO THE POINT OF BEGINNING. THIS TRACT CONTAINS 1.02 ACRES, MORE OR LESS.

to those of **R-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 13th date of January, 2026.

Approved:

Mayor Bart Castleberry

Attest:

Denise Hurd
City Clerk/Treasurer



1111 Main Street • Conway, AR 72032
(501) 450-6105 • planning@conwayarkansas.gov

MEMO

To: Mayor Bart Castleberry
cc: City Council Members

From: Ethan Reed, 2026 Planning Commission Chairman
Date: January 13, 2026

Re: Request to rezone the property located at 3910 and 3920 Tyler Street from A-1 to R-2

Jermaine Orr, of Orr Real Estate Holdings, LLC, has requested to rezone property located at 3910 and 3920 Tyler St from A-1 to R-2, with the following legal description:

TRACT 1:

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 14 WEST, FAULKNER COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT, SAID POINT BEING AT THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE N88°14'27"W A DISTANCE OF 443.92 FEET TO A POINT; THENCE N1°45'27"E A DISTANCE OF 627.42 FEET TO A SET REBAR, SAID POINT BEING AT THE POINT OF BEGINNING; THENCE N88°12'13"W A DISTANCE OF 209.89 FEET TO A SET REBAR; THENCE N1°44'51"E A DISTANCE OF 212.58 FEET TO A FOUND REBAR; THENCE S88°12'13"E A DISTANCE OF 209.93 FEET TO A FOUND REBAR; THENCE S1°45'27"W A DISTANCE OF 212.58 FEET TO THE POINT OF BEGINNING. THIS TRACT CONTAINS 1.02 ACRES, MORE OR LESS.

TRACT 2:

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 14 WEST, FAULKNER COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT, SAID POINT BEING AT THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE N88°14'27"W A DISTANCE OF 443.92 FEET TO A POINT; THENCE N1°45'27"E A DISTANCE OF 414.84 FEET TO A SET REBAR, SAID POINT BEING AT THE POINT OF BEGINNING; THENCE N88°12'13"W A DISTANCE OF 209.86 FEET TO A FOUND REBAR; THENCE N1°44'51"E A DISTANCE OF 212.58 FEET TO A SET REBAR; THENCE S88°12'13"E A DISTANCE OF 209.89 FEET TO SET REBAR; THENCE S1°45'27"W A DISTANCE OF 212.58 FEET TO THE POINT OF BEGINNING. THIS TRACT CONTAINS 1.02 ACRES, MORE OR LESS.

It is the intent of the applicant to rezone this parcel of land from A-1 to R-2 for residential development. There will be some development constraints due to the narrowness of the property, the new termination of Penny St, and the construction of a bridge at the existing Penny St termination into the property from the north.

These parcels, and all surrounding properties, were annexed into the City of Conway in October of 1987 as A-1. St John's Addition Ph V was rezoned to R-1 in September of 2005. Charleston Place Sub was rezoned to R-1 in October of 2017. The Westlake Apartments property was rezoned to MF-2 in March of 1996. This is the only property, along with the 2 abutting southern properties, in this area which have never been rezoned or redeveloped since annexation.

Abutting land uses are single family subdivisions to the north and east, single family A-1 zoned lots to the south, and the Westlake Apartment development to the west. A childcare facility is located southwest. The Comprehensive Plan indicates the parcels as Single-Family. The requested zoning conforms.

The Planning Commission reviewed the request at its regular meeting on December 15, 2025, 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.

Zoning Map:
REZ-1125-0130

Hogan-Ln

MF-2

Penny St

R-1

Poteete-Dr

Amelia Dr

Hayden-Cv-

R-1

Carolina Dr

A-1

Westlake Dr

C-2

0-2

Zoning

 City Limits

Zoning Codes

A-1

C-2

MF-2

Q-2

P 2



City of Conway, Arkansas
Ordinance No. O-26-_____

**AN ORDINANCE AUTHORIZING THE APPROVAL OF VARIOUS POSITIONS FOR THE CITY OF CONWAY;
 APPROVED WITHIN THE FY2026 BUDGET; AND FOR OTHER PURPOSES:**

Whereas, the Mayor's FY2026 Budget was duly reviewed and approved by the City Council on December 9, 2025; and

Whereas, the FY2026 Budget included authorization for the submission and creation of additional municipal positions deemed necessary for the efficient operation of City departments.

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

Section 1. The following positions are hereby authorized and established for the FY2026 Budget within the respective departments:

- Fire Department
 - Six (6) Firefighter positions
- Parks & Recreation Department
 - One (1) Groundskeeper
 - One (1) Administrative Assistant I
- Public Works Department
 - One (1) Animal Welfare Kennel Technician
 - One (1) Groundskeeper
- Community Center
 - One (1) Full-Time Lifeguard

Section 2: The positions authorized by this Ordinance shall be funded as adopted in the FY2026 budget.

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

PASSED this 13th day of January, 2026.

Approved:

Mayor Bart Castleberry

Attest:

Denise Hurd
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-26-_____

AN ORDINANCE APPROPRIATING FUNDS FOR SETTLEMENT OF A LAWSUIT; AND FOR OTHER PURPOSES:

Whereas, a legal proceeding styled *Tom Watson Construction LLC v. Jones, et al.* was filed on May 7, 2025, in the United States District Court for the Eastern District of Arkansas; and

Whereas, after careful consideration and upon advice of counsel, the City has determined that it is in the best interest of the City to resolve said litigation through settlement; and

Whereas, the City has agreed to settle the lawsuit for a total payment of \$71,000.00, subject to the execution of settlement documents and related conditions; and

Whereas, as part of the settlement agreement, the following conditions shall be completed no later than January 30, 2026:

- Execution of a full and final Settlement and Release Agreement by all parties.
- Issuance of the settlement payment by the City.
- Delivery of a Quitclaim Deed by Plaintiff conveying all right, title, and interest in the subject property to the City; and

Whereas, it is therefore necessary to amend the budget and appropriate the funds necessary for the settlement payment.

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

Section 1. The City of Conway hereby appropriates \$71,000.00 from the Street Department Balance Appropriation Account (201.201.4900) and transfers said funds to the Legal Services Account (201.201.5220).

Section 2. The Mayor and City Clerk are hereby authorized to execute all settlement agreements, releases, deeds, and related documents necessary to carry out the intent of this Ordinance.

Section 3. The settlement authorized by this Ordinance is not and shall not be construed as an admission of liability or wrongdoing by the City.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this 13th day of January, 2026.

Approved:

Attest:

Mayor Bart Castleberry

Denise Hurd
City Clerk/Treasurer