

Searcy City Council – Regular Session
Tuesday, October 11, 2022 6:00 p.m.
Minutes

A public hearing had been advertised to be held at 6:00 p.m. on October 11, 2022. The purpose for this public hearing was for the consideration of any public input in determining the amounts of liens to be certified to the White County Tax Collector against certain properties as a result of grass cutting expenses and the abatement of other nuisances that have been incurred by the City of Searcy. Mayor Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne closed the public hearing.

Following the prior public hearing, a public hearing had been advertised for the consideration of any public input regarding the declaration of a nuisance property located at 600 Eastwood Drive. Mayor Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne closed the public hearing.

Following the prior public hearing, a public hearing had been advertised for the consideration of any public input regarding the declaration of a nuisance property located at 910 West Pleasure Avenue. Mayor Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne noted that due to the need to determine more information regarding title to the property, he asked the Council to table this public hearing.

Following the prior public hearing, a public hearing had been advertised for the consideration of any public input regarding the declaration of a nuisance property located at 1111 West Pleasure Avenue. Mayor Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne closed the public hearing.

Following the prior public hearing, a public hearing had been advertised for the consideration of any public input regarding the declaration of a nuisance property located at 401 West Woodruff Avenue. Mayor Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne noted that due to the need to determine more information regarding title to the property, he asked the Council to table this public hearing.

Mayor Kyle Osborne called to order the Regular Session of the Searcy City Council. Mark Ferren gave the Invocation, with the Pledge of Allegiance following, led by Rodger Cargile. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: Logan Cothorn, David Morris, Chris Howell, Rodger Cargile, Tonia Hale, Don Raney, and Dale Brewer. Also present was City Attorney Buck Gibson. Council member Mike Chalenburg was not present.

Item (3) on the agenda was to suspend the rules and amend the agenda to add items: (26-1-f) budget adjustment ordinance appropriation for the refurbishment of Ladder 1 fire

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truck, (26-1-g) budget adjustment ordinance appropriation for the refurbishment of Ladder 1 fire truck, (26-2-a) budget adjustment ordinance authorization to expend funds for fuel for all departments, and (26-2-e) budget adjustment ordinance authorization to expend funds for the refurbishment of Ladder 1 fire truck. A motion was made by Mr. Brewer, seconded by Mr. Morris to suspend the rules and add the items. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Cothorn.

The minutes of the regular September 13, 2022 meeting of the Council were presented for approval. A motion was made by Mr. Morris and seconded by Mr. Cothorn to approve the minutes. The following voted to approve: Howell, Cargile, Hale, Raney, Brewer, Cothorn, and Morris.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of September 30, 2022: General Fund: \$6,286,409.95; Street Fund \$3,594,166.00; Capital Equipment Fund \$17,881.38; LOPFI Fund \$168,721.74; Act 833 Fund \$90,467.80; Airport Fund \$190,891.48. The total of all of the preceding funds is \$10,348,538.35. He also reported the following balances as of September 30, 2022: 2014 Eight Year Plan Fund \$15,244,003.67; 0.25% Fire Protection Services County Sales Tax Fund \$360,400.30; Court Automation Fund \$78,015.37; American Rescue Plan Act Fund \$2,592,480.92. He also reported a total of \$6,461,622.34 year-to-date in City and County Sales Tax revenues received, which is up \$417,455.41 from the same time in 2021.

Item (6) on the agenda was for the reappointment of Phillip Hays and Tia Stone to five-year terms on the Searcy Parks & Recreation Advisory Board, with both terms set to expire on November 3, 2027. A motion was made by Mr. Raney and seconded by Mr. Brewer to approve the reappointment of Phillip Hays and Tia Stone to five-year terms on the Searcy Parks & Recreation Advisory Board. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Cothorn, Morris, and Howell.

Item (7) was for the reappointment of David Wood to a three-year term on the Searcy Board of Zoning Adjustment, with the term set to expire on October 31, 2025. A motion was made by Mr. Morris, seconded by Mr. Cothorn to approve the reappointment of David Wood to a three-year term on the Searcy Board of Zoning Adjustment. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Cothorn, Morris, Howell, and Cargile.

Item (8) on the agenda was a presentation of streets to be included in the 2022 street paving program. The estimated cost of the listed streets was \$1,319,290.41. The list provided did not include work on Skyline Drive or the cost of striping. Appropriations were made in the budget ordinance for up to \$1,500,000.00 to include Skyline Drive and the cost of striping.

Item (9) was for the selection of appraisal services for the Sawmill Road and Fuller Lane improvement projects. Three Statements of Qualification for appraisal services had been

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received from the solicitation for Request for Qualifications. The Statements of Qualifications were from:

- Mitchell Appraisal
- Ferstl Valuation Services
- Reed & Associates, Inc.

These statements were evaluated by City Engineer Mark Lane, Mayor Kyle Osborne, and City Attorney Buck Gibson. Mayor Osborne stated that it would be their recommendation to select Mitchell Appraisal for their services. A motion was made by Mr. Morris and seconded by Mr. Cothorn to select Mitchell Appraisal for appraisal services on the Sawmill Road and Fuller Lane improvement projects. Motion carried with the following voting “yes”: Raney, Brewer, Cothorn, Morris, Howell, Cargile, and Hale.

Item (10) on the agenda was for the review and approval of a construction manager for the new library building renovation project. Two Request for Qualifications (RFQ) were received. They were from Hart Construction of Searcy, Arkansas and CDI Construction of Little Rock, Arkansas. The selection committee that was approved by the Searcy City Council at the September 13, 2022 Council meeting had evaluated the RFQ’s and recommends the selection of Hart Construction for construction manager. A motion was made by Mr. Cothorn, seconded by Mrs. Hale, to select and approve Hart Construction for construction manager for the new library building renovation project. Motion carried with the following voting “yes”: Brewer, Cothorn, Morris, Howell, Cargile, Hale, and Raney.

Item (11) was for the discussion regarding the Capital Equipment Fund held at First Community Bank. The account has been dormant by First Community Bank with no activity other than drawing interest. City Clerk Jerry Morris had been contacted by the bank and was told that they needed it shown in the Council meeting minutes that they are aware of the account and its inactivity. The treasurer’s report shows a balance of \$17,881.38 as of September 30, 2022. A motion was made by Mr. Raney and seconded by Mr. Brewer to proceed with closing the account and transfer the funds back to the General Fund. Motion carried with the following voting “yes”: Cothorn, Morris, Howell, Cargile, Hale, Raney, and Brewer.

Item (12) on the agenda was for the review and discussion of the City of Searcy calendar year 2021 Arkansas Legislative Audit Report. Council members had each received a copy of the audit report. A motion was made by Mr. Morris, seconded by Mr. Cothorn, to approve the audit report for calendar year 2021. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Cothorn.

Item (13) on the agenda was for the review and discussion of the City of Searcy calendar year 2021 Federal Funds Single Audit Report that was performed by Przybysz & Associates. City Clerk/Treasurer Jerry Morris explained that the audit had been completed and uploaded to the Federal Audit Clearinghouse by Przybysz & Associates. He noted also that he had gone to the website and acknowledged the report and that it was then accepted and approved by the Clearinghouse. A motion was made by Mr.

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Raney and seconded by Mr. Brewer to approve the audit report for Federal Funds for calendar year 2021. Motion carried with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Cothorn, and Morris.

Item (14) was for a request to set a date/time for a public hearing regarding the declaration of a nuisance property for the following two properties:

- 600 North Spruce Street
- 103 South Greer Street

A motion was made by Mr. Morris and seconded by Mrs. Hale to set a date/time of 6:00 p.m. on November 8, 2022 at Searcy City Hall, prior to the regular November Searcy City Council meeting. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Cothorn, Morris, and Howell.

Item (15) was a resolution to authorize the abandonment of a fully utilized asset, specifically the Code Enforcement Department Community Service 1999 Dodge van with VIN# 2B5WB35YXXK580122. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mr. Howell to approve the resolution to authorize the abandonment of a fully utilized asset, specifically the Code Enforcement Department Community Service 1999 Dodge van with VIN# 2B5WB35YXXK580122. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Cothorn, Morris, Howell, and Cargile. **Resolution 2022-33**

Item (16) was a resolution authorizing and declaring the intent to use certain real property for the Miracle League field. Mr. Gibson read the resolution in full. Motion was made by Mr. Raney and seconded by Mr. Cothorn to pass the resolution. Motion carried with the following voting “yes”: Raney, Brewer, Cothorn, Morris, Howell, Cargile, and Hale.

Resolution 2022-34

Item (17) was a resolution approving the amounts of liens to be certified to the White County Tax Collector against certain properties as a result of grass cutting expenses and abatement of other nuisances. Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mr. Cothorn to approve the amounts of liens to be certified to the White County Tax Collector against certain properties as a result of grass cutting expenses and abatement of other nuisances. Motion carried with the following voting “yes”: Brewer, Cothorn, Morris, Howell, Cargile, Hale, and Raney.

Resolution 2022-35

Item (18) was a resolution declaring certain real property located at 600 Eastwood Drive a nuisance, directing the removal of the improvements constituting the nuisance. Mr. Gibson read the resolution in full. Motion was made by Mr. Morris and seconded by Mr. Brewer to pass the resolution. Motion carried with the following voting “yes”: Cothorn, Morris, Howell, Cargile, Hale, Raney, and Brewer. **Resolution 2022-36**

Item (19) was a resolution declaring certain real property located at 910 West Pleasure Avenue a nuisance, directing the removal of the improvements constituting the nuisance and item (21) was a resolution declaring certain real property located at 401 West

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Woodruff Avenue a nuisance, directing the removal of the improvements constituting the nuisance. A motion was made by Mr. Morris and seconded by Mr. Cargile to table both of the resolutions. Motion carried with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Cothorn, and Morris.

Item (20) was a resolution declaring certain real property located at 1111 West Pleasure Avenue a nuisance, directing the removal of the improvements constituting the nuisance. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mr. Raney to pass the resolution. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Cothorn. **Resolution 2022-37**

Item (22) was a resolution regarding budget measures for calendar year 2023, addressing pay increases for city employees. Mr. Gibson read the resolution in full. Motion was made by Mr. Morris and seconded by Mr. Cothorn to pass the resolution. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Cothorn, Morris and Howell. **Resolution 2022-38**

Item (23) on the agenda was an ordinance amending the Searcy Zoning Code. A motion was made by Mr. Morris, seconded by Mr. Raney, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Cothorn, Morris, Howell, and Cargile. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mrs. Hale, to adopt the ordinance. The ordinance passed with the following voting “yes”: Raney, Brewer, Cothorn, Morris, Howell, Cargile, and Hale. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mr. Raney, to adopt the emergency clause, with the following voting “yes”: Brewer, Cothorn, Morris, Howell, Cargile, Hale, and Raney. **Ordinance 2022-31**

Item (24) on the agenda was an ordinance amending portions of the Searcy Subdivision and Development Code (Ordinance 92-04). A motion was made by Mr. Raney, seconded by Mr. Brewer, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Cothorn, Morris, Howell, Cargile, Hale, Raney, and Brewer. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Morris, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Cothorn. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Morris, seconded by Mrs. Hale, to adopt the emergency clause, with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Cothorn, and Morris. **Ordinance 2022-32**

Item (25) on the agenda was a budget ordinance to appropriate funds for a one-time bonus for city employees:

Section 1. The budget for the City of Searcy, Arkansas, is amended in the following manner:

- a. Appropriate from General Fund unappropriated reserves the following

amounts:

A total of \$494,937.00 is to be appropriated from the General Fund unappropriated reserves and attributed between accounts within the relevant department of the City of Searcy to afford Eligible Full Time Employees a one-time bonus in the amount of \$2,000.00 and Eligible Part Time Employees in the amount of \$600.00, with said funds to be attributed to the relevant expense accounts for salary, social security withholding, Medicare and APERS within each department as follows:

Mayor's Department

- Salary (5-010-01-01) – \$10,800.00
- SS/Medicare (5-010-01-02) – \$826.20
- APERS Retirement (5-010-01-05) – \$919.20

Library

- Salary (5-020-01-01) – \$8,400.00
- SS/Medicare (5-020-01-02) – \$642.60
- APERS Retirement (5-020-01-05) – \$1,286.88

District Court

- Salary (5-050-01-01) – \$22,600.00
- SS/Medicare (5-050-01-02) – \$1,728.90
- APERS Retirement (5-050-01-05) – \$3,462.32

Police

- Salary (5-060-01-01) – \$127,200.00
- SS/Medicare (5-060-01-02) – \$9,730.80
- APERS Retirement (5-060-01-05) – \$4,167.04

STOP Grant

- Salary (5-062-01-01) – \$4,000.00
- SS/Medicare (5-062-01-02) – \$306.00

COAP 19 Grant

- Salary (5-064-01-01) – \$4,000.00
- SS/Medicare (5-064-01-02) – \$306.00
- APERS Retirement (5-064-01-05) – \$306.40

Animal Control

- Salary (5-066-01-01) – \$4,000.00
- SS/Medicare (5-066-01-02) – \$306.00
- APERS Retirement (5-066-01-05) – \$612.80

DCE&PF

- Salary (5-067-01-01) – \$2,000.00
- SS/Medicare (5-067-01-02) – \$153.00
- APERS Retirement (5-067-01-05) – \$306.40

Fire

- Salary (5-070-01-01) – \$105,200.00
- SS/Medicare (5-070-01-02) – \$1,773.40
- APERS Retirement (5-070-01-05) – \$612.80

Parks and Recreation

- Salary (5-080-01-01) – \$20,000.00
- SS/Medicare (5-080-01-02) – \$1,530.00
- APERS Retirement (5-080-01-05) – \$3,064.00

Carmichael Center

- Salary (5-081-01-01) – \$8,600.00
- SS/Medicare (5-081-01-02) – \$657.90
- APERS Retirement (5-081-01-05) – \$1,317.52

Swim Center

- Salary (5-082-01-01) – \$10,600.00
- SS/Medicare (5-082-01-02) – \$810.90
- APERS Retirement (5-082-01-05) – \$1,623.92

Rialto

- Salary (5-086-01-01) – \$600.00
- SS/Medicare (5-086-01-02) – \$45.90
- APERS Retirement (5-086-01-05) – \$91.92

Sanitation

- Salary (5-090-01-01) – \$66,000.00
- SS/Medicare (5-090-01-02) – \$5,049.00

- APERS Retirement (5-090-01-05) – \$10,111.20

Clerk

- Salary (5-100-01-01) – \$8,000.00
- SS/Medicare (5-100-01-02) – \$612.00
- APERS Retirement (5-100-01-05) – \$1,225.60

City Attorney

- Salary (5-110-01-01) – \$2,000.00
- SS/Medicare (5-110-01-02) – \$153.00
- APERS Retirement (5-110-01-05) – \$306.40

Code Enforcement

- Salary (5-120-01-01) – \$20,000.00
- SS/Medicare (5-120-01-02) – \$1,530.00
- APERS Retirement (5-120-01-05) – \$3,064.00

Engineering

- Salary (5-130-01-01) – \$4,000.00
- SS/Medicare (5-130-01-02) – \$306.00
- APERS Retirement (5-130-01-05) – \$612.80

Information Technology

- Salary (5-160-01-01) – \$6,000.00
- SS/Medicare (5-160-01-02) – \$459.00
- APERS Retirement (5-160-01-05) – \$919.20

- b. Appropriate \$14,756.40 from 2014 Eight Year Tax Fund unappropriated reserves to ‘TRANSFER TO STREET – STAFFING’ expenditure account (#14 5-190-05-12) to transfer funds to the Street Fund for a one-time bonus;
- c. Appropriate \$14,756.40 to the Street Fund ‘TRANSFER FROM 8 YEAR PLAN FUND – STAFFING’ revenue account (#02 4-000-80-07) to receive the transfer of funds for a one-time bonus;
- d. Appropriate from the Street Fund unappropriated reserves the following amounts:

A total \$14,756.40 is to be appropriated from Street Fund unappropriated reserves to afford Eligible Full Time Employees employed by the Street

Department a one-time bonus in the amount of \$2,000.00, and Eligible Part Time Employees employed by the Street Department a one-time bonus in the amount of \$600.00 with said funds to be attributed to the relevant expense accounts for salary, social security withholding, Medicare and APERS within the Street Department as follows:

- Salary (5-900-01-01) – \$12,000.00
- SS/Medicare (5-900-01-02) – \$918.00
- APERS Retirement (5-900-01-05) – \$1,838.40

e. Appropriate \$9,837.60 from 2014 Eight Year Tax Fund unappropriated reserves to ‘TRANSFER TO AIRPORT – STAFFING’ expenditure account (#14 5-190-05-13) to transfer funds to the Airport Fund for a one-time bonus;

f. Appropriate \$9,837.60 to the Airport Fund ‘TRANSFER FROM 8 YEAR PLAN FUND – STAFFING’ revenue account (#12 4-000-01-06) to receive the transfer of funds for a one-time bonus;

g. Appropriate from the Airport Fund unappropriated reserves the following amounts:

A total \$9,837.60 is to be appropriated from Airport Fund unappropriated reserves to afford Eligible Full Time Employees employed by the Airport Department a one-time bonus in the amount of \$2,000.00, and Eligible Part Time Employees employed by the Street Department a one-time bonus in the amount of \$600.00 with said funds to be attributed to the relevant expense accounts for salary, social security withholding, Medicare and APERS within the Airport Department as follows:

- Salary (5-040-01-01) – \$8,000.00
- SS/Medicare (5-040-01-02) – \$612.00
- APERS Retirement (5-040-01-05) – \$1,225.60

Section 2. The Mayor and City Clerk are authorized to expend the following sums:

a. Transfer \$494,937.00 in funds from the 2014 Eight Year Tax Fund (#14 5-190-05-05) to the General Fund for a one-time bonus;

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- b. Transfer \$14,756.40 in funds from the 2014 Eight Year Tax Fund (#14 5-190-05-12) to the Street Fund for a one-time bonus;
- c. Transfer \$9,837.00 in funds from the 2014 Eight Year Tax Fund (#14 5-190-05-13) to the Airport Fund for a one-time bonus;

A motion was made by Mr. Raney, seconded by Mr. Cothorn, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Cothorn, Morris, and Howell. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Morris, seconded by Mr. Cothorn, to adopt the ordinance. The ordinance passed with the following voting “yes”: Hale, Raney, Brewer, Cothorn, Morris, Howell, and Cargile. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mrs. Hale, to adopt the emergency clause, with the following voting “yes”: Raney, Brewer, Cothorn, Morris, Howell, Cargile, and Hale. **Ordinance 2022-33**

Item (26) on the agenda was a budget ordinance to:

Section 1. The budget for the City of Searcy, Arkansas, is amended in the following manner:

- h. Appropriate \$394.25 from General Fund unappropriated reserves to the Black House ‘RESTORATION/REPAIRS’ expenditure account (#01 5-083-05-02) for architectural services on the Black House restoration/repair project;
- i. Appropriate \$1,492.34 to the 2014 Eight Year Plan Fund ‘LIBRARY RENOVATION REIMBURSEMENT’ revenue account (#14 4-000-70-03) and appropriate \$1,492.34 to the ‘LIBRARY RENOVATION’ expenditure account (#14 5-020-54-02) for architectural services on the new Library Building renovation project;
- j. Appropriate \$298,176.44 from Street Department Fund unappropriated reserves to ‘ISSUE #1 MUNICIPAL TURNBACK PAVING’ expenditure account (#02 5-900-05-15) for the 2022 street paving program;
- k. Appropriate \$651,823.56 from Street Department Fund unappropriated reserves to the ‘PAVING’ expenditure account (#02 5-900-05-07) for the 2022 street paving program;
- l. Appropriate \$6,839.00 from General Fund unappropriated reserves to the Police Department ‘BUILDING MAINTENANCE/REPAIRS’ expenditure account (#01 5-060-02-01) for the repair/replacement of the

Police Department northeast downstairs HVAC unit;

- m. Appropriate \$203,500.00 from 0.25% Fire Protection Services Tax Fund unappropriated reserves to the Fire Department 'LADDER 1 REFURBISHMENT' expenditure account (#18 5-070-53-07) for the refurbishment of Ladder 1 fire truck;
- n. Appropriate \$50,000.00 from Act 833 Fund unappropriated reserves to the Fire Department 'LADDER 1 REFURBISHMENT' expenditure account (#11 5-070-53-01) for the refurbishment of Ladder 1 fire truck;

Section 2. The Mayor and City Clerk are authorized to expend the following sums:

- d. \$14,405.21 to Stephenson Oil Company for fuel for all departments;
- e. \$394.25 to Hoffmann Architectural for architectural services on the Black House restoration/repairs project (#01 5-083-05-02);
- f. \$1,492.34 to Hoffmann Architectural for architectural services on the new Library building renovation project (#01 5-020-54-02);
- g. \$6,839.00 to Bruce's Heat & Air, Inc. for the repair/replacement of the Police Department northeast downstairs HVAC unit (#01 5-060-02-01);
- h. \$253,500.00 to Banner Fire Equipment, Inc. (\$203,500.00 from #18 5-070-53-07, and \$50,000.00 from #11 5-070-53-01) for the 75% down payment on the refurbishment of Ladder 1 fire truck;

A motion was made by Mr. Brewer, seconded by Mr. Raney, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting "yes": Brewer, Cothorn, Morris, Howell, Cargile, Hale, and Raney. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Morris, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting "yes": Cothorn, Morris, Howell, Cargile, Hale, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. Brewer, to adopt the emergency clause, with the following voting "yes": Morris, Howell, Cargile, Hale, Raney, Brewer, and Cothorn. **Ordinance 2022-34**

A motion was made and seconded to adjourn.

Minutes Approved:

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/s/ KYLE OSBORNE
MAYOR OF SEARCY

ATTEST:

/s/ JERRY MORRIS
CITY CLERK

Seal