

Searcy City Council – Regular Session
Tuesday, February 14, 2023 6:00 p.m.
Minutes

A public hearing was held for any input regarding the issuance of taxable industrial development revenue bonds (Bryce Company Project) for the purpose of providing financing for industrial facilities. Mayor Faulkner opened the public hearing. No person requested to speak. Mayor Faulkner closed the public hearing.

Mayor Mat Faulkner called to order the Regular Session of the Searcy City Council. Kyle Thompson gave the Invocation, with the Pledge of Allegiance following, led by Roger LeDuc. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: Brett Kirkman, David Morris, Chris Howell, Rodger Cargile, Tonia Hale, Don Raney, Dale Brewer and Mike Chalenburg. Also present was City Attorney Will Moore.

Item (3) on the agenda was to suspend the rules and amend the agenda to add items: (13) setting a time and date for a public hearing regarding the declaration of a nuisance property located at 2103 West Beebe-Capps Expressway, (16) approval of a change order for the Black House restoration project, (22) resolution authorizing the City Attorney to take necessary action for appraisal/acquisition of property on the Fuller Lane and Sawmill Road improvement projects, (26-1-g) budget ordinance appropriation for the Searcy Master Planning/Study, (26-1-h) budget ordinance appropriation for appraisal/title search services/property acquisition for the Fuller Lane improvement project, (26-1-i) budget ordinance appropriation for the acquisition of a dump truck for the Street Department, (26-1-j) budget ordinance appropriation for the acquisition of a track loader for the Street Department, (26-1-k) budget ordinance appropriation for the acquisition of a track loader mulching attachment for the Street Department, (26-2-g) budget ordinance authorization to expend funds for planning services for the Searcy Master Planning/Study, (26-2-h) budget ordinance authorization to expend funds for the acquisition of a dump truck for the Street Department, (26-2-i) budget ordinance authorization to expend funds for the acquisition of a track loader for the Street Department, and (26-2-j) budget ordinance authorization to expend funds for the acquisition of a track loader mulching attachment for the Street Department. A motion was made by Mr. Morris, seconded by Mr. Brewer to suspend the rules and add the items. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Kirkman

The minutes of the regular January 10, 2023 meeting of the Council, the special January 1, 2023 meeting of the Council, and the special January 26, 2023 meeting of the Council were presented for approval. A motion was made by Mr. Raney and seconded by Mr. Morris to approve all three sets of the minutes. The following voted to approve: Howell, Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, and Morris.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of January 31, 2023: General Fund: \$8,581,795.34; Street Fund

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\$3,480,227.64; LOPFI Fund \$204,822.15; Act 833 Fund \$34,520.68; Airport Fund \$252,124.01. The total of all of the preceding funds is \$12,553,489.82. He also reported the following balances as of January 31, 2023: 2014 Eight Year Plan Fund \$13,223,926.86; 0.25% Fire Protection Services County Sales Tax Fund \$271,774.06; Court Automation Fund \$97,551.00; American Rescue Plan Act Fund \$2,602,919.33. He also reported a total of \$728,367.84 year-to-date in City 0.5% and County Sales Tax revenues received, which is down \$22,958.54 from the same time in 2022. Also reported was a total of \$721,300.70 year-to-date City 1% Sales Tax revenue received.

Item (6) on the agenda was an ordinance authorizing the issuance of taxable industrial development revenue bonds (Bryce Company Project) for the purpose of providing financing for industrial facilities; authorizing a lease agreement between the City of Searcy as lessor and the Bryce Company, LLC as lessee; authorizing a bond purchase agreement between the City of Searcy and the Bryce Company, LLC as purchaser of the bonds; authorizing a payment in lieu of tax agreement relating to such bonds; authorizing a home office payment agreement relating to such bonds; authorizing and prescribing other matters pertaining thereto; and declaring an emergency. A motion was made by Mr. Morris, seconded by Mrs. Hale, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, and Howell. Mr. Moore read the ordinance by title only. A motion was then made by Mr. Brewer, seconded by Mr. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting “yes”: Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, and Cargile. Mr. Moore then read the emergency clause of the ordinance. Motion was made by Mr. Morris, seconded by Mr. Kirkman, to adopt the emergency clause, with the following voting “yes”: Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile and Hale.

Ordinance 2023-06

Item (7) on the agenda was for the discussion regarding the repair/replacement of the roof on the Carmichael Community Center. The Council was presented with information regarding the condition of the roof as well as different options that are available. Tyler Newton of the Garland Company explained to the Council the difference between the ten-year warranted and the thirty-year warranted replacement. He noted to the Council that he had hoped to already have received the bids for the project but due to weather factors he had not received them yet. He also noted that these bids will be through the TIPS/TAPS purchasing program and that he is expecting them soon. Mayor Faulkner stated that whenever the bids are received he would be calling a special Council meeting.

Item (8) was the presentation of the annual audit report for the years ended June 30, 2022 and 2021 from the Searcy Water Utilities. A motion was made by Mr. Morris, seconded by Mrs. Hale to accept the audit report. Motion carried with the following voting “yes”: Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, and Raney.

Item (9) on the agenda was for the review and approval of additions and deletions to the City of Searcy Capital Asset Schedule for the calendar year 2022. A motion was made by Mr. Morris and seconded by Mrs. Hale to approve the additions and deletions to the

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schedule. Motion carried with the following voting “yes”: Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, Raney, and Brewer.

Item (10) was for the appointment of Larry Killough Sr. to a vacant position on the Searcy Library Board, with the term set to expire on December 31, 2023. A motion was made by Mr. Raney and seconded by Mr. Brewer to approve the appointment of Larry Killough Sr. to the Searcy Library Board. Motion carried with the following voting “yes”: Kirkman, Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg.

Item (11) on the agenda was for discussion regarding a consultant on the Sanitation Department operations. Mayor Faulkner asked for this to be tabled at this time.

Item (12) was for a request to set a time and date for a public hearing for the abandoning of a drainage easement north of the detention basin of the Searcy City Center. A motion was made by Mr. Raney and seconded by Mr. Morris to set a date of March 14, 2023 at 6:00 p.m. at City Hall for the public hearing. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Kirkman.

Item (13) was for a request to set a time and date for a public hearing regarding the declaration of nuisance property for property located at 2103 West Beebe-Capps Expressway (Building 4, apartments 25-32). A motion was made by Mr. Morris and seconded by Mr. Brewer to set a date of March 14, 2023 at 6:00 p.m. at City Hall for the public hearing. Motion carried with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, and Morris.

Item (14) was for a request to set a time and date for a public hearing for determining the amounts of liens to be certified to the White County Tax Collector as a result of grass cutting expenses and abatement of other nuisances for property located at 2721 West Beebe-Capps Expressway. A motion was made by Mr. Brewer and seconded by Mr. Raney to set a date of March 14, 2023 at 6:00 p.m. at City Hall for the public hearing. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, and Howell.

Item (15) was for a request to set a time and date for public hearings regarding the declaration of a nuisance property for properties located at:

- 102 South Lucy Street
- 1007 West Pleasure Avenue
- 408 North Fir Street

A motion was made by Mr. Raney and seconded by Mrs. Hale to set a date of March 14, 2023 at 6:00 p.m. at City Hall for the public hearing. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, and Cargile.

Item (16) on the agenda was for the approval of a change order for an increase of \$25,025.00 on the Black House restoration project. A motion was made by Mr. Morris and seconded by Mr. Cargile to approve the change order. Motion carried with the

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following voting “yes”: Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, and Hale.

Item (17) was a resolution for the authorization to execute and perform under certain documentation related to the sale of city-owned real property located at 608 North Main Street. Mr. Moore read the resolution by title only. A motion was made by Mr. Raney and seconded by Mr. Morris to approve the resolution for the authorization to execute and perform under certain documentation related to the sale of city-owned real property located at 608 North Main Street. Motion carried with the following voting “yes”: Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, and Raney.

Resolution 2023-05

Item (18) was a resolution authorizing the execution and performance of certain agreements with Humane Society of Searcy, Main Street Searcy, Metro Little Rock Alliance, Searcy Arts Council – Black House, Searcy Regional Chamber of Commerce, and White County Aging Program – Lightle Center. Mr. Moore read the resolution by title only. Motion was made by Mr. Raney and seconded by Mr. Brewer to pass the resolution. Motion carried with the following voting “yes”: Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, Raney, and Brewer. **Resolution 2023-06**

Item (19) was a resolution for the authorization to apply for a grant from the Arkansas Department of Aeronautics (ADA) on behalf of the Searcy Airport Commission for construction of additional hangar space apron. Mr. Moore read the resolution by title only. A motion was made by Mr. Chalenburg and seconded by Mr. Cargile to approve the resolution for the authorization to apply for a grant from the Arkansas Department of Aeronautics (ADA) on behalf of the Searcy Airport Commission for construction of additional hangar space apron. Motion carried with the following voting “yes”: Kirkman, Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg. **Resolution 2023-07**

Item (20) was a resolution for the authorization to apply for a grant from the Arkansas Department of Aeronautics (ADA) on behalf of the Searcy Airport Commission for hangar construction. Mr. Moore read the resolution by title only. Motion was made by Mr. Morris and seconded by Mr. Brewer to pass the resolution. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Kirkman. **Resolution 2023-08**

Item (21) was a resolution to authorize application for a grant from the Arkansas Historical Preservation Program for the restoration and repairs of the American Legion Hut building and to commit to the \$20,000 city match for the grant. Mr. Moore read the resolution by title only. A motion was made by Mr. Morris and seconded by Mr. Raney to approve the resolution to authorize application for a grant from the Arkansas Historical Preservation Program for the restoration and repairs of the American Legion Hut building and to commit to the \$20,000 city match for the grant. Motion carried with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, and Morris.

Resolution 2023-09

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Item (22) was a resolution authorizing the City Attorney to take necessary action for the appraisals and acquisition of property to complete street improvement projects on Fuller Lane and Sawmill Road. Mr. Moore read the resolution by title only. Motion was made by Mr. Raney and seconded by Mr. Brewer to pass the resolution. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, and Howell. **Resolution 2023-10**

Item (23) on the agenda was an ordinance amending the Searcy Zoning Code, providing amended application procedures for the Searcy Board of Zoning Adjustment. A motion was made by Mr. Raney, seconded by Mr. Chalenburg, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, and Cargile. Mr. Moore read the ordinance by title only. A motion was then made by Mr. Morris, seconded by Mr. Cargile, to adopt the ordinance. The ordinance passed with the following voting “yes”: Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, and Hale. Mr. Moore then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting “yes”: Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, and Raney. **Ordinance 2023-07**

Item (24) on the agenda was an ordinance amending the Searcy Zoning Code, providing and exemption to the landscape requirements at the Searcy Municipal Airport. 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”: Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, Raney, and Brewer. Mr. Moore read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Kirkman, Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg. Mr. Moore then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mrs. Hale, to adopt the emergency clause, with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Kirkman. **Ordinance 2023-08**

Item (25) on the agenda was a budget ordinance for the acquisition of advanced simulation training system using Federal grant funding.

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

- a. Appropriate \$200,000.00 to the General Fund ‘OJP COPS DE-ESCALATION GRANT’ revenue account (#01 4-000-99-61), and appropriate \$200,000.00 to the Police Department ‘OJP COPS DE-ESCALATION GRANT’ expenditure account (#01 5-060-56-33) for the receipt and use of Federal grant funding for the acquisition of advanced simulation training system;

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

- a. \$145,508.75 to MILO/FAAC Incorporated for the acquisition of advanced simulation training system;

Section 3. To the extent not otherwise required by law, the requirement of competitive bidding with respect to the expenditures described in Section 2 hereof is hereby waived.

A motion was made by Mrs. Hale, seconded by Mr. Raney, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, and Morris. Mr. Moore read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, and Howell. Mr. Moore then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting “yes”: Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, and Cargile. **Ordinance 2023-09**

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:

- b. Appropriate \$26,100.00 from General Fund unappropriated reserves to ‘JUNE DRIVE IMPROVEMENT’ expenditure account (#01 5-010-54-09) for engineering services for the June Drive improvement project;
- c. Appropriate \$28,397.50 from Eight Year Plan Fund unappropriated reserves to the ‘FULLER LANE IMPROVEMENT’ expenditure account (#14 5-900-54-08) for engineering services on the Fuller Lane improvement project;
- d. Appropriate \$542,220.10 from Eight Year Plan Fund unappropriated reserves to the ‘BERRYHILL TENNIS/PICKLEBALL COURTS’ expenditure account (#14 5-080-05-01) for construction services on the Berryhill Park tennis/pickleball courts project;
- e. Appropriate \$7,591.56 to the General Fund ‘FEDERAL FORFEITURES’ revenue account (#01 4-000-20-04) and appropriate \$7,591.56 to the Police Department ‘FEDERAL DRUG FORFEITURE EXPENDITURES’ expenditure account (#01 5-060-05-10) for the receipt and use of forfeited

funds;

- f. Appropriate \$394.77 to the General Fund 'EVIDENCE ASSET FORFEITURE' revenue account (#01 4-000-20-04) and appropriate \$394.77 to the Police Department 'EVIDENCE ASSET FORFEITURE' expenditure account (#01 5-060-05-09) for the receipt and use of forfeited assets;
- g. Transfer \$26,600.00 from the Information Technology Department 'SUBSCRIPTIONS/DUES' expenditure account (#01 5-160-04-08) to the Mayor Department 'SUBSCRIPTION/DUES' expenditure account (#01 5-010-04-08) to properly classify the volunteer management software (VOMO) as a city general expenditure;
- h. Appropriate \$288,121.71 from Eight Year Plan Fund unappropriated reserves to the 'SEARCY MASTER PLANNING AND STUDY' expenditure account (#14 5-010-05-03) for the City of Searcy master planning and studies project;
- i. Appropriate \$40,000.00 from Eight Year Plan Fund unappropriated reserves to the 'FULLER LANE IMPROVEMENTS' expenditure account (#14 5-900-54-08) for appraisal and title search services for the Fuller Lane improvement project;
- j. Appropriate \$65,000.00 from Street Fund unappropriated reserves to 'USED DUMP TRUCK' expenditure account (#02 5-900-05-09) for the acquisition of a used International 8600 dump truck;
- k. Appropriate \$96,731.80 from Street Fund unappropriated reserves to 'BOBCAT TRACK LOADER' expenditure account (#02 5-900-53-23) for the acquisition of a Bobcat Track Loader;
- l. Appropriate \$27,986.25 from Street Fund unappropriated reserves to 'BOBCAT MULCHING ATTACHMENT' expenditure account (#01 5-900-53-24) for the acquisition of a mulching attachment for a Bobcat Track Loader;

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

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- b. \$50,781.55 to Stephenson Oil Company for fuel for all departments;
- c. Transfer \$125,000.00 from the City of Searcy General Fund to the City of Searcy LOPFI Fund for payment of LOPFI Retirement obligation (#01 5-010-05-38);
- d. \$529,397.68 to CK Asphalt, LLC for the 2022 street paving project (#02 5-900-05-15 and #02 5-900-05-07);
- e. \$26,100.00 to Davidson Engineering for engineering services for the June Drive improvement project (#01 5-010-54-09);
- f. \$28,397.50 to Pickering Firm, Inc. for engineering services on the Fuller Lane improvement project (#14 5-900-54-08);
- g. \$542,220.10 to Delk Construction Company for the Berryhill Park Courts project (#14 5-080-05-01);
- h. \$19,514.04 to Crafton Tull for planning services on the City of Searcy master planning and studies project (#14 5-010-05-03);
- i. \$65,000.00 to England Truck Sales for the acquisition of a used International 8600 dump truck (#02 5-900-05-09);
- j. \$96,731.80 to Hugg and Hall Equipment Company for the acquisition of a Bobcat Track Loader (#02 5-900-53-23);
- k. \$27,986.25 to Hugg and Hall Equipment Company for the acquisition of a mulching attachment for a Bobcat Track Loader (#02 5-900-53-24);

A motion was made by Mr. Raney, seconded by Mr. Morris, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, and Hale. Mr. Moore read the ordinance by title only. A motion was then made by Mr. Chalenburg, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, and Raney. Mr. Moore 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”: Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, Raney, and Brewer. **Ordinance 2023-10**

A motion was made and seconded to adjourn.

Minutes Approved: March 14, 2023

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/s/ Mat Faulkner
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

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