

Searcy City Council – Regular Session
Tuesday, February 12, 2013 7:00 p.m.
Minutes

Mayor David Morris called to order the Regular Session of the Searcy City Council. Pastor James Hays gave the Invocation, with the pledge following, led by Alderman Steve Sterling. Prior to the start of the regular meeting Mayor Morris asked District Judge Mark Pate to administer the Oath of Office to new Chief of Police for the City of Searcy Jeremy Clark. City Clerk Jerry Morris called the roll with the following Aldermen answering “present”: Logan Cothorn, Mary Ann Arnett, Jim Dixon, Steve Sterling, Dale English, Don Raney, Dale Brewer and Mike Chalenburg. Also present was City Attorney Buck Gibson.

Due to the addition of item #12 on the agenda, which was an update on the Airport Terminal project and a request to approve certain change orders to the project, a motion to suspend the rules and amend the agenda was made by Mr. Raney and seconded by Mr. Cothorn. The motion carried with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, Chalenburg and Cothorn.

The minutes of the regular January 8, 2013 regular meeting of the Council and the special January 28, 2013 meeting were presented for approval. A motion was made by Mr. Chalenburg and seconded by Mrs. Arnett to approve the minutes. The following voted to approve: Dixon, Sterling, English, Raney, Brewer, Chalenburg, Cothorn and Arnett.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of 01-31-13: General Fund: \$1,222,477.80; Street Fund \$818,664.57; Capital Equipment Fund \$65,123.00; LOPFI Fund \$374,059.36; Parks & Recreation Capital Fund \$195.92; Act 833 Fund \$10,306.19; Airport Projects Fund \$12,561.65; Special Highway Tax Fund \$4,248,173.31. He also reported a total of \$533,888.67 year-to-date in City and County Sales Tax revenues received, which is up \$35,037.01 from the same time in 2012. The total of all funds (excluding special highway tax fund) is \$2,503,388.49.

Item (5) on the agenda was for a correction to the expiration date of the 3-year terms for reappointment of Mr. Charles Green, Mr. Jim Wilbourn, and Mr. Ronnie McFarland to the Searcy Planning Commission that was presented in the January 8, 2013 regular meeting of the Searcy City Council. The expiration date for the terms was presented in the January meeting as being February 8, 2015 when in fact it should have been February 8, 2016. A motion was made by Mr. Dixon and seconded by Mr. Sterling for the reappointment of Mr. Charles Green, Mr. Jim Wilbourn, and Mr. Ronnie McFarland to the Searcy Planning Commission for 3-year terms set to expire on February 8, 2016. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett and Dixon.

Item (6) on the agenda was for the appointment of Ms. Nancy Showalter to the Searcy Airport Commission to fill a vacancy created by the passing of Airport Commission member Mr. Dwayne Treat. Ms. Showalter was unanimously recommended by the members of the Searcy Airport Commission to fill this position. A motion was made by Mr. Brewer and seconded by Mr. English to appoint Ms. Nancy Showalter to the Searcy Airport Commission to fill the vacant position with the term set to expire on December 31, 2016. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon and Sterling.

Item (7) on the agenda was for approval to close the Oran Vaughan Cemetery Trust held at Regions Bank per the recommendation of Mr. Kenny Burns, Vice President of Regions Bank Trust, with the reason stated as being the low market value of the trust and that the cost of maintaining the trust outweighed the benefits derived (interest received) from the trust. The trust assets are to be distributed to the four (4) cemetery associations named as beneficiaries of the trust [1. Oak Grove Cemetery – Searcy, 2. City of Atkins Cemetery – Atkins, 3. Pine Grove Cemetery – Concord, 4. Henderson Cemetery – Pangburn] in accordance with the respective fractional shares as directed by Mr. Vaughan in his Last Will and Testament. Termination of the trust must be approved by all four of the cemetery associations in order for the trust to be closed. A motion was made by Mrs. Arnett and seconded by Mr. Dixon to approve the closing of the Oran Vaughan Cemetery Trust. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling and English.

Item (8) on the agenda was a resolution regarding the issuance of capital improvement revenue bonds by the Searcy, Arkansas Public Educational and Residential Housing Facilities Board. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mr. Dixon to pass the resolution. Motion carried by a vote of seven (7) aldermen voting “yes” and one alderman abstaining from voting. Motion carried with the following voting “yes”: Brewer, Cothorn, Arnett, Dixon, Sterling, English and Raney with alderman Chalenburg abstaining from voting.

Resolution 2013-03

Item (9) on the agenda was an ordinance pertaining to the vacation of parts of Vine Street and Turner Street per the petition that was submitted by the College Church of Christ. A motion was made by Mr. Sterling, seconded by Mr. Dixon, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Dixon, Sterling, English, Raney and Brewer. Mr. Gibson 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”: Cothorn, Arnett, Dixon, Sterling, English, Raney, Brewer and Chalenburg. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. English, to adopt the emergency clause, with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, Chalenburg and Cothorn.

Ordinance 2013-05

Item (10) on the agenda was an ordinance regarding changes to the Sanitation rates for residential and commercial users. 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 a vote of seven (7) aldermen voting “yes”. The seven (7) aldermen voting “yes” were: Dixon, Sterling, English, Raney, Brewer, Chalenburg and Cothorn. Alderman Arnett was temporarily absent during this vote. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Sterling, seconded by Mr. Cothorn, to adopt the ordinance. The ordinance passed with a vote of seven (7) aldermen voting “yes” and one (1) alderman voting “no”. The ordinance passed with the following voting “yes”: Sterling, English, Raney, Chalenburg, Cothorn, Arnett and Dixon. Alderman Brewer voted “no” on the passing of the ordinance. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mr. English, to adopt the emergency clause. Motion carried with a vote of seven (7) aldermen voting “yes” and one (1) alderman voting “no”. Motion to adopt the emergency clause carried with the following voting “yes”: English, Raney, Chalenburg, Cothorn, Arnett, Dixon and Sterling. Alderman Brewer voted “no” on the adoption of the emergency clause. **Ordinance 2013-06**

Item (11) on the agenda was a budget ordinance to: (i); (ii); (iii); (iv); (v) ...
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”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling and English. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling, English and Raney. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Chalenburg, seconded by Mr. Sterling, to adopt the emergency clause, with the following voting “yes”: Chalenburg, Cothorn, Arnett, Dixon, Sterling, English, Raney and Brewer. **Ordinance 2013-07**

Item (12) on the agenda was an update on the Airport Terminal project and a request to approve certain change orders to the project. City Engineer Mr. Mark Lane presented information regarding change orders that have been made and also change orders that have been requested regarding the Airport Terminal project. He presented a list of nine (9) change orders either already completed or requested. The council approved change orders one (1) through eight (8) and decided to hold off on item nine (9) at this time. A motion was made by Mr. Cothorn, seconded by Mr. Brewer, to approve changes #1 through #8, with the following voting “yes”: Cothorn, Arnett, Dixon, Sterling, English, Raney, Brewer and Chalenburg.

The Mayor announced:

- The information requested by the TEA Party of White County under the Freedom of Information Act (FOIA) has been provided to and picked up by a representative of the TEA Party of White County. This information consisted of

- 524 pages of documentation and an estimated 21 hours and 10 minutes of time invested by city employees in compiling this information.
- The City of Searcy has received a 2012 City of Distinction award.
 - The White County Intergovernmental Cooperation Council will meet on Thursday, February 21, 2013 at the White County Courthouse for further action regarding the distribution of Act 833 funds.

A motion was made and seconded to adjourn.

Minutes Approved: March 12, 2013

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

Seal