

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

Mayor David Morris called to order the Regular Session of the Searcy City Council. Searcy Fire Department Chief Bill Baldrige gave the Invocation, with the Pledge of Allegiance following, led by Alderman Logan Cothorn. 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.

The minutes of the regular February 12, 2013 meeting of the Council and the special February 21, 2013 meeting of the Council were presented for approval. A motion was made by Mr. Dixon and seconded by Mr. Cothorn to approve the minutes. The following voted to approve: Arnett, Dixon, Sterling, English, Raney, Brewer, Chalenburg and Cothorn.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of 2-28-13: General Fund: \$1,267,119.79; Street Fund \$842,650.36; Capital Equipment Fund \$65,987.42; LOPFI Fund \$306,921.21; Parks & Recreation Capital Fund \$167.91; Act 833 Fund \$21,505.08; Airport Projects Fund \$161,107.81; Special Highway Tax Fund \$4,853,793.38. He also reported a total of \$1,127,802.40 year-to-date in City and County Sales Tax revenues received, which is down \$2,831.76 from the same time in 2012. The total of all funds (excluding special highway tax fund) is \$2,665,459.58.

Item (5) on the agenda was a presentation of a ‘City of Distinction Award’ by Mr. Nathan Rutledge and Mr. Marshall Hughes of Crews and Associates, which is the sponsor of the award.

Item (6) on the agenda was the quarterly Economic Development Report, presented by Mr. Buck Layne of the Searcy Regional Chamber of Commerce.

Item (7) on the agenda was for the acknowledgement and acceptance of a request that was submitted by the City of Rose Bud Mayor Tammy Bomar regarding a collection of lights and poles that had been donated by the City of Searcy in 2012 to the Rose Bud School District. The Rose Bud School District had decided that they would be unable to use said lights and poles and were willing to donate them to the City of Rose Bud for use in the community ball parks. The request letter was to inform the City of Searcy of the willingness of the Rose Bud School District to donate these items to the City of Rose Bud and for approval from the City of Searcy of the donation. A motion was made by Mr. Raney, seconded by Mr. Brewer, for the acceptance of the request. Motion carried with the following voting “yes”: Dixon, Sterling, English, Raney, Brewer, Chalenburg, Cothorn and Arnett.

Item (8) on the agenda was an update on the change orders pertaining to the Airport Terminal project that had been discussed at the February 12, 2013 regular meeting of the Council. City of Searcy Engineer Mr. Mark Lane informed the Council that the cost of change order RFP #07 (the addition of a window in the Line Manager's Area) was determined to be \$325.35. He also informed the Council that the cost of change order item #9, which had not been approved at the February 12 meeting, would be, including tax, \$2,716.03. This item #9 was for lettering on the outside front of the new Terminal Building, to read "SEARCY MUNICIPAL AIRPORT". Mr. Lane also informed the Council of the need to approve certain appliances for the kitchen area of the terminal in order for the cabinetry to be finished. A motion was made by Mr. Cothorn, seconded by Mr. English, for the approval of the change orders and the appliances specified. Motion carried with the following voting "yes": Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett and Dixon.

Item (9) was a resolution supporting the distribution of Act 833 Fire Protection Funds on the basis of population. Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mr. English to approve the support for the distribution of Act 833 Fire Protection Funds on the basis of population. Motion carried with the following voting "yes": English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon and Sterling. **Resolution 2013-04**

Item (10) on the agenda was a resolution for the adoption of a Sanitation Fee Schedule for residential and commercial users for the City of Searcy. This resolution was necessary because of a scrivener's error that was discovered in the fee schedule that had been adopted at the February 12, 2013 regular Council meeting as part of Ordinance 2013-06, which was for changes in the Sanitation rates for residential and commercial users. The error to be corrected was on page 2, the third bold-face header (the section delineating the charge of \$100.00 for unscheduled pick-ups), of the fee schedule (Exhibit A), which did read 'FEE FOR UNSCHEDULED PICK-UPS INSIDE THE CITY LIMITS'. The header should read 'FEE FOR UNSCHEDULED PICK-UPS OUTSIDE THE CITY LIMITS'. Mr. Gibson read the resolution in full. A motion was made by Mr. Sterling and seconded by Mr. Chalenburg to approve the adoption of the corrected Sanitation Fee Schedule. Motion carried with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling and English.

**Resolution 2013-05**

Item (11) was a resolution endorsing the business RE-CY, LLC to participate in the Tax Back Program (as authorized by Arkansas Code Annotated § 15-4-2706(D), the Consolidated Incentive Act of 2003). Mr. Gibson read the resolution in full. A motion was made by Mr. Chalenburg and seconded by Mr. Sterling to approve the endorsement for participation in the Tax Back Program for RE-CY, LLC. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling, English and Raney. **Resolution 2013-06**

Item (12) was a resolution authorizing the Mayor and City Clerk/Treasurer to execute and perform an agreement between the City of Searcy and Main Street Searcy for the betterment of the downtown merchants and the City of Searcy as a whole. Mr. Gibson read the resolution in full. A motion was made by Mr. Raney and seconded by Mr. Sterling to approve the authorization for the execution and performance of an agreement between the City of Searcy and Main Street Searcy for the betterment of the downtown merchants and the City as a whole. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Dixon, Sterling, English, Raney and Brewer. **Resolution 2013-07**

Item (13) was a resolution authorizing the Mayor and City Clerk/Treasurer to execute and perform an agreement with the United States Federal Aviation Administration (FAA) for the necessary relocation of the Automated Weather Sensors System (AWSS) Acquisition Control Unit (ACU) to the Searcy Municipal Airport’s new terminal building. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mr. Dixon to pass the resolution authorizing the execution and performance of an agreement with the FAA concerning the AWSS system. Motion carried with the following voting “yes”: Cothorn, Arnett, Dixon, Sterling, English, Raney, Brewer and Chalenburg. **Resolution 2013-08**

Item (14) on the agenda was an ordinance amending Ordinance 2013-03 (the budget for the City of Searcy for the calendar year 2013) pertaining to the Capital Equipment Fund expenditure requests. Recommended Capital Equipment expenditure requests (as cash-flow allows) are as follows:

- a. \$8,000.00 for improvements at the Spruce and Center Streets Parking Lot;
  - b. \$2,000.00 for Library shelving;
  - c. \$23,987.00 for Bullet-Proof Vests;
  - d. \$7,000.00 for SCBA Airpacks;
  - e. \$2,000.00 for Opticom Equipment;
  - f. \$45,000.00 for supplemental Act 833 funding;
  - g. \$10,800.00 for Solar Shade Pavilion System;
  - h. \$10,000.00 for Signs;
  - i. \$4,500.00 for Radios;
  - j. \$30,000.00 for 4, 6, & 8 yard Dumpsters;
  - k. \$11,070.10 for 2013 1-ton Recycle Truck;
  - l. \$30,000.00 for Core Router.
- TOTAL - \$184,357.10

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”: Arnett, Dixon, Sterling, English, Raney, Brewer, Chalenburg and Cothorn. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. English, seconded by Mr. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting “yes”: Dixon, Sterling, English, Raney, Brewer, Chalenburg, Cothorn and Arnett. Mr. Gibson then read the emergency clause of the ordinance. Motion was

made by Mr. Sterling, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett and Dixon. **Ordinance 2013-08**

Item (15) on the agenda was an ordinance amending Ordinance 2011-41 (the budget for the operation of the City of Searcy, Arkansas for calendar year 2012). A motion was made by Mr. Chalenburg, seconded by Mr. Raney, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon and Sterling. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Dixon, to adopt the ordinance. The ordinance passed with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling and English. 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”: Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling, English and Raney. **Ordinance 2013-09**

Item (16) on the agenda was an ordinance amending the Searcy Code of Ordinances authorizing the sale of certain goods within the downtown area of Searcy, Arkansas. A motion was made by Mr. English, 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. Raney, seconded by Mr. Cothorn, 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. Sterling, to adopt the emergency clause, with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, Chalenburg and Cothorn. **Ordinance 2013-10**

Item (17) on the agenda was an ordinance amending the Searcy Code of Ordinances by adding a section identified as 19-28 prohibiting the use of tobacco products on real property owned by the City of Searcy, Arkansas. A motion was made by Mr. Cothorn, seconded by Mr. Dixon, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Dixon, Sterling, English, Raney, Brewer, Chalenburg, Cothorn and Arnett. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Sterling, seconded by Mr. Dixon, to adopt the ordinance. The ordinance passed with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett and Dixon. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon and Sterling. **Ordinance 2013-11**

Item (18) on the agenda was a budget ordinance to:

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

- a. Appropriate \$1,992.09 to Airport Donations revenue account (#12 4-000-01-01), and appropriate \$1,593.67 (80%) to Airport Terminal grant expenditure account (#12 5-040-56-01), and \$398.42 (20%) to Sitework/Pavement grant expenditure account (#12 5-040-56-02): [SCM Architects services January 31, 2013 invoice];
- b. Appropriate \$117,540.00 to Airport Donations revenue account (#12 4-000-01-01), and appropriate \$111,600.00 to Airport Terminal grant expenditure account (#12 5-040-56-01), and \$5,940.00 to Sitework/Pavement grant expenditure account (#12 5-040-56-02): [James H. Cone, Inc. contractor's services February 28, 2013 invoice];
- c. Appropriate \$16,850.99 from unappropriated reserves to Signal Arkansas Hwy 16 at Elm Street expenditure account (02 5-900-54-13);
- d. Appropriate \$20,068.00 from unappropriated reserves to AWSS ACU Equipment Relocation expenditure account (01 5-040-05-16) for the relocation of the Automated Weather Sensors System (AWSS) Acquisition Control Unit (ACU) to the Searcy Airport's new terminal building per agreement between the Federal Aviation Administration (FAA) and the City of Searcy;

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

- a. \$1,992.09 to SCM Architects PLLC, for January 31, 2012 invoice;
- b. \$117,540.00 to James H. Cone, Inc., for February 28, 2013 invoice regarding contractor's services for the month on February 2013;
- c. \$57,211.76 to Stephenson Oil Company for fuel for all departments and other miscellaneous expenditures;

- d. \$16,850.99 to Arkansas Highway & Transportation Department for additional costs associated with the City's 10% obligation on the Highway 16/Elm Street traffic signal;
- e. \$20,068.00 to Federal Aviation Administration (FAA) for relocation of the Automated Weather Sensors System (AWSS) Acquisition Control Unit (ACU) to the new airport terminal building;

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": Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling and English. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Chalenburg, seconded by Mrs. Arnett, 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. Raney, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting "yes": Chalenburg, Cothorn, Arnett, Dixon, Sterling, English, Raney and Brewer. **Ordinance 2013-12**

The Mayor announced:

- The scheduling of a Town Hall Meeting to be held on Monday, April 1, 2013 at 7:00 p.m. at the Searcy First Assembly of God Family Life Center
- The State of the City address will be given by Mayor David Morris following the conclusion of this regular Searcy City Council meeting

A motion was made and seconded to adjourn.

Minutes Approved: **April 9, 2013**

/s/ David Morris  
MAYOR

ATTEST:

/s/ Jerry Morris  
CITY CLERK

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