

Searcy City Council – Regular Session
Tuesday, January 12, 2016 7:00 p.m.
Minutes

Mayor David Morris called to order the Regular Session of the Searcy City Council. Mark Ferren, of First Assembly of God Church, gave the Invocation, with the Pledge of Allegiance following, led by Dan Dawson, Manager of Searcy Water Utilities. City Clerk Jerry Morris called the roll with the following Aldermen answering “present”: Logan Cothorn, Mary Ann Arnett, J. R. Howard, Steve Sterling, Don Raney, Dale Brewer and Mike Chalenburg. Also present was City Attorney Buck Gibson. Alderman Dale English was not present.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (7) continuation of discussion of Chapter 14 of Code of Ordinances (Sanitation), (9) consideration for approval of bids for the construction of the football concessions/restroom facility at the Searcy Sports Complex, (14-1-h) budget ordinance appropriation for professional services on Main Street replacement bridge, (14-1-i) budget ordinance appropriation for construction services on Main Street replacement bridge (14-1-j) budget ordinance appropriation for purchase of Police vehicles in 2014 Eight Year Plan Fund, (14-1-k) budget ordinance appropriation for second and final payment on purchase of Rodgers land at the Searcy Sports Complex, (14-1-l) budget ordinance appropriation for repairs to motor in Fire Department Engine #1, (14-2-i) budget ordinance authorization to expend funds for professional services on Main Street replacement bridge, (14-2-j) budget ordinance authorization to expend funds for construction services on Main Street replacement bridge, (14-2-k) budget ordinance authorization to expend funds for purchase of Police vehicles authorized in the 2014 Eight Year Plan Fund, (14-2-l) budget ordinance authorization to expend funds for the second and final payment on the purchase of land at the Searcy Sports Complex, and (14-2-m) budget ordinance authorization to expend funds for repairs to the motor on Fire Department Engine #1. A motion was made by Mr. Howard and seconded by Mr. Sterling to suspend the rules and amend the agenda to add the items. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular December 8, 2015 meeting of the Council, the special November 30, 2015 meeting of the Council, and the special December 30, 2015 meeting of the Council 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: Howard, Sterling, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of 12-31-15: General Fund: \$1,323,332.09; Street Fund \$672,082.55; Capital Equipment Fund \$22,379.44; LOPFI Fund \$4,363.18; Act 833 Fund \$92,862.04; Airport Projects Fund \$1,185.50; Special Highway Connector Route Tax Fund \$8,027,606.73; 2014 Eight Year Plan Fund \$3,885,746.69; Information

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Technology Projects Fund \$113,328.08; Special Projects Fund \$3,739.01. He also reported a total of \$6,212,830.95 year-to-date in City and County Sales Tax revenues received, which is down \$96,738.02 from the same time in 2014. The total of all funds (excluding the Special Highway Connector Route Tax Fund, the 2014 Eight Year Plan Fund, the Information Technology Projects Fund, and the Special Projects Fund) is \$2,116,204.80.

Item (6) on the agenda was for the approval of the City of Searcy Governing Body Procedures as required by Act 235 amended ACA 14-43-501 for the calendar year 2016. A motion was made by Mr. Brewer, seconded by Mr. Cothorn, to continue the City of Searcy Governing Body Procedures that are in place for the calendar year 2016. Motion carried with the following voting “yes”: Sterling, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard.

Item (7) was a continuation of the discussion of Chapter 14 of the Searcy Code of Ordinances regarding the Sanitation Department. A motion was made by Mr. Raney and seconded by Mr. Howard to, for a time period of six (6) weeks, to place a rider (another Sanitation employee) in the side-arm Sanitation trucks to collect excess trash not contained in the provided container(s) and to compile a list of households that are repeatedly in non-compliance of City ordinance regarding Sanitation services. This list is to be provided to the Searcy Code Enforcement Department who will in turn contact these households with information concerning City Sanitation services. A further review and discussion of Chapter 14 of the Searcy Code of Ordinances will be held at the end of this six (6) week time period. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Item (8) on the agenda was for the acknowledgement and acceptance of the receipt of utility easements regarding the construction of the North Main Street replacement bridge. Searcy City Attorney advised that there is no action necessary to be taken on the receipt of the utility easements. This is just presented to the Council for informative purposes.

Item (9) was for the consideration for the approval of bids that have been received for the construction of the football concession/restroom/press box facility at the Searcy Sports Complex. City Engineer Mark Lane noted that five (5) bids had been received in this rebidding (as directed at the December 8, 2015 regular meeting of the Council) of the project. The five bids received were as follows:

- Delk Construction Co. – Base bid \$267,552.00, Deductive alternate #1 \$255,052.00, Deductive alternate #2 \$245,552.00
- Shields & Associates, Inc. - Base bid \$339,000.00, Deductive alternate #1 \$331,800.00, Deductive alternate #2 \$327,800.00
- Dayco Construction, Inc. - Base bid \$347,000.00, Deductive alternate #1 \$337,000.00, Deductive alternate #2 \$333,400.00
- Olympus Construction - Base bid \$376,000.00, Deductive alternate #1 \$375,000.00, Deductive alternate #2 \$369,000.00
- OCJ/dba Connell Construction - Base bid \$266,000, Deductive alternate #1 \$255,200.00, Deductive alternate #2 \$252,000.00

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Mr. Lane explained that the deductive alternates for this project were as follows:

- Deductive alternate #1: Delete block construction and replace with wood frame construction and siding
- Deductive alternate #2: Delete awnings

Mr. Lane further noted that all of the bids received exceeded the allocated amount of \$242,800.00 which would also include the engineering fees for this project. Mr. Lane stated that it would not be his or the Parks and Recreation Department recommendation to go with wood frame construction and siding for durability reasons. City Attorney Buck Gibson explained that by state law, negotiations could be entered into with the low bidder if the low bid is within 25% of the allocated amount for the project. To be able to enter these negotiations, all deductive alternates must be taken. A motion was made by Mr. Raney, seconded by Mr. Cothorn, to table this consideration for a further review of the construction plans for the football concession/restroom/press box facility at the Searcy Sports Complex. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and Raney.

Item (10) was a resolution for establishing a policy defining fixed assets and procedures for completing a Capital Asset Schedule. Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mr. Cothorn to approve the resolution for establishing a policy defining fixed assets and procedures for completing a Capital Asset Schedule. Motion carried with the following voting "yes": Chalenburg, Cothorn, Arnett, Howard, Sterling, Raney, and Brewer. **Resolution 2016-01**

Item (11) on the agenda was an ordinance authorizing an agreement with an employee of the City of Searcy for the provision of storage facilities during flooding and other emergencies. A motion was made by Mr. Brewer, seconded by Mr. Cothorn, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting "yes": Cothorn, Arnett, Howard, Sterling, Raney, Brewer, and Chalenburg. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Sterling, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting "yes": Arnett, Howard, Sterling, Raney, Brewer, Chalenburg, and Cothorn. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting "yes": Howard, Sterling, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Ordinance 2016-01**

Item (12) on the agenda was an ordinance amending portions of the zoning code (Ordinance 683) relating to signs. A motion was made by Mr. Brewer, seconded by Mr. Chalenburg, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting "yes": Sterling, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Howard, seconded by Mr. Brewer, to adopt the

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emergency clause, with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and Raney. **Ordinance 2016-02**

Item (13) on the agenda was an ordinance amending Ordinance Number 683 with respect to the zoning classification of a specific land area within the City (2409 Taylor Road from Urban Transitional [UT] to Industrial [I-1]). 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”: Chalenburg, Cothorn, Arnett, Howard, Sterling, 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, Howard, Sterling, Raney, Brewer, and Chalenburg. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Chalenburg, seconded by Mrs. Arnett, to adopt the emergency clause, with the following voting “yes”: Arnett, Howard, Sterling, Raney, Brewer, Chalenburg, and Cothorn. **Ordinance 2016-03**

Item (14) on the agenda was a budget ordinance appropriating certain funds in the absence of a budget for calendar year 2016 to:

Section 1. The following sums are appropriated in the absence of a budget for the City of Searcy, Arkansas:

- a. Appropriate \$75,000.00 to ‘TRANSFER TO LOPFI FUND’ expenditure account (14 5-190-05-04) in the 2014 Eight Year Plan Fund and appropriate \$75,000.00 to ‘TRANSFER FROM 2014 EIGHT YEAR PLAN FUND’ revenue account (05 4-000-80-12) in the LOPFI Fund;
- b. Appropriate \$110,000.00 to ‘TRANSFER TO LOPFI FUND’ expenditure account (14 5-190-05-04) in the 2014 Eight Year Plan Fund and appropriate \$110,000.00 to ‘TRANSFER FROM 2014 EIGHT YEAR PLAN FUND’ revenue account (05 4-000-80-12) in the LOPFI Fund;
- c. Appropriate \$138,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to ‘TRANSFER TO INFORMATION TECHNOLOGY PROJECTS FUND’ expenditure account (14 5-190-05-06) and appropriate \$138,000.00 to Information Technology Projects Fund ‘TRANSFER FROM 2014 EIGHT YEAR PLAN FUND’ revenue account (15 4-000-10-01) for funds to be used in the construction of the fiber optic network;

- d. Appropriate \$228,808.16 to 'FIBER OPTIC NETWORK CONSTRUCTION' expenditure account (15 5-160-05-01) for construction costs on the fiber optic network;
- e. Appropriate \$10,741.00 to 'FIBER OPTIC NETWORK CONSTRUCTION' expenditure account (15 5-160-05-01) for the installation of the fiber network;
- f. Appropriate \$10,437.22 to 'FIBER OPTIC CONST LOAN PAYMENT' expenditure account (15 5-160-05-02) for bank note;
- g. Appropriate \$10,000.00 from the General Fund unappropriated reserves to the Mayor's Department 'DISCRETIONARY FUNDS' expenditure account (01 5-010-05-04) for necessary expenditures or purchases for emergency response in the Northfield Subdivision area;
- h. Appropriate \$4,484.68 from Special 1% Connector Route Fund unappropriated reserves to 'MAIN STREET DEENER CREEK BRIDGE' expenditure account (13 5-900-54-01) for professional services on Main Street replacement bridge;
- i. Appropriate \$29,782.50 from Special 1% Connector Route Fund unappropriated reserves to 'MAIN STREET DEENER CREEK BRIDGE' expenditure account (13 5-900-54-01) for construction services on Main Street replacement bridge;
- j. Appropriate \$154,050.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'POLICE VEHICLES' expenditure account (14 5-060-53-01) for purchase of Police vehicles authorized in the 2014 Eight Plan Fund;
- k. Appropriate \$340,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'LAND ACQUISITION-SPORTS COMPLEX' expenditure account (14 5-085-02-01) for second and final payment for purchase of land at the Sports Complex from PortAnne Inc.;
- l. Appropriate \$13,687.50 from General Fund unappropriated reserves to Fire Department vehicle 'SERVICE/REPAIRS' expenditure account for motor repairs to Fire Department Engine #1;

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

sums:

- a. \$25,249.34 to Stephenson Oil Company for fuel for all departments;
- b. \$45,539.25 to Admit Computer Services, Inc. for Police Software Annual Maintenance for 2016;
- c. \$49,332.34 to U.S. Bank for the first installment of three toward 2016 APERMA Program invoice (total due - \$147,996.00);
- d. \$50,426.00 to the Municipal League Workers' Compensation Trust for the first installment of four for the year 2016 (total due - \$201,744.00);
- e. \$228,808.16 to Crittco Cable & Fiber, Inc. for construction services on the fiber network (15 5-160-05-01);
- f. \$10,741.00 to CT&T for the installation of the fiber network;
- g. \$10,437.22 to Regions Bank for bank loan payment for the Fiber Optic Construction;
- h. \$10,000.00 for expenditures or purchases for emergency response in the Northfield Subdivision area if necessary:
- i. \$4,484.68 to Morrison-Shipley Engineers for professional services on Main Street replacement bridge;
- j. \$29,782.50 to Seagraves Construction for construction services on Main Street replacement bridge;
- k. Up to \$154,050.00 for the purchase of Police vehicles authorized in the 2014 Eight Year Plan Fund;
- l. \$340,000.00 for purchase of Rodger's property (PortAnne Inc.) at the Searcy Sports Complex (second and final payment per Ordinance 2015-02);
- m. Up to \$13,687.50 to Robbie's Truck repair for motor repairs on Fire Department Engine #1;

A motion was made by Mr. Raney, seconded by Mr. Howard, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting "yes": Howard, Sterling, Raney, Brewer, Chalenburg, Cothorn, and Arnett. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting "yes": Sterling, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. Mr. Gibson

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then read the emergency clause of the ordinance. Motion was made by Mr. Chalenburg, seconded by Mrs. Arnett, to adopt the emergency clause, with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. **Ordinance 2016-04**

The Mayor announced:

- City of Searcy offices will be closed on Monday, January 18, 2016 for the Martin Luther King, Jr. holiday
- A schedule for the Committee of the Whole meetings for the Council to work on the calendar year operating budget has been provided
- The Statement of Financial Interest should be filed with the City Clerk by January 31, 2016

A motion was made and seconded to adjourn.

Minutes Approved: February 9, 2016

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

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