

Searcy City Council – Regular Session
Tuesday, May 9, 2017 6:00 p.m.
Minutes

Mayor David Morris called to order the Regular Session of the Searcy City Council. Karl McLarty, Pastor of the Cloverdale Church of Christ, gave the Invocation, with the Pledge of Allegiance following, led by Searcy Chief of Police Eric Webb. City Clerk Jerry Morris called the roll with the following Aldermen answering “present”: Logan Cothorn, Mary Ann Arnett, J. R. Howard, Steve Sterling, Dale English, Don Raney, and Mike Chalenburg. Also present was City Attorney Buck Gibson. Alderman Dale Brewer was not present.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (6) presentation by NorthStar EMS regarding the implementation of an emergency medical dispatch program, (7) presentation by City Attorney Buck Gibson regarding the process for the application for a private club permit, (15-1-j) budget ordinance appropriation for the addition of a fertilizer/nutrient injector system for the Phase I Downtown Beautification improvements, (15-2-o) budget ordinance authorization to expend funds for the addition of a fertilizer/nutrient injector system for the Phase I Downtown Beautification improvements, (15-1-k) budget ordinance appropriation for the transfer of funds for the assistant manager position at the new swimming pool facility, (15-2-p) budget ordinance authorization to transfer funds for the assistant manager position at the new swimming pool facility, (15-1-l) budget ordinance appropriation for the salary and associated costs for the assistant manager position at the new swimming pool facility, (15-1-m) budget ordinance appropriation for the Downtown Beautification Phase II improvements construction (schedule 1), (15-1-n) budget ordinance appropriation for the Downtown Beautification Phase II improvements for foliage (schedule 2), and (15-1-o) budget ordinance appropriation for items/equipment needed for the opening of the new swimming pool facility. A motion was made by Mr. Raney 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, English, Raney, Chalenburg, and Cothorn.

The minutes of the regular April 11, 2017 meeting of the Council were presented for approval. A motion was made by Mr. Cothorn and seconded by Mr. Howard to approve the minutes. The following voted to approve: Howard, Sterling, English, Raney, Chalenburg, Cothorn, and Arnett.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of 4-30-17: General Fund: \$1,614,891.97; Street Fund \$1,377,967.82; Capital Equipment Fund \$156,643.17; LOPFI Fund \$143,931.88; Act 833 Fund \$42,400.85; Airport Fund \$112,549.89; Special Highway Connector Route Tax Fund \$4,268,568.07; 2014 Eight Year Plan Fund \$6,521,661.61; Information Technology Projects Fund \$16,652.01; Special Projects Fund \$2,513.84. He also reported a total of

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\$2,081,885.75 year-to-date in City and County Sales Tax revenues received, which is up \$75,112.85 from the same time in 2016. 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 \$3,448,385.58.

Item (6) on the agenda was a presentation by NorthStar EMS regarding the implementation of an emergency medical dispatch program. Tonia Hale of NorthStar EMS explained that their emergency medical dispatch program will be implemented in June of 2017 with all of their dispatchers having received certified training in emergency medical dispatching which will allow the dispatchers to give instructions to the caller as needed for the situation. She stated that they will have two dispatchers on duty 24 hours a day, 7 days a week. She further stated that this will be a very valuable service and a great asset to the community that they serve.

Item (7) was a presentation by City Attorney Buck Gibson regarding the process for the application for a private club permit. Mr. Gibson explained that at present there are no private clubs serving alcoholic beverages within the city limits of Searcy. There are some facilities that do that are in White County. Current ordinances adopted by the City of Searcy in 1938 define intoxicating liquors, prohibit their sale, and prohibit the delivery of alcoholic beverages within the City of Searcy. He further explained that the State of Arkansas regulates the sale of alcoholic beverages and under what is called the 'home rule statute', and things that are regulated by the State take precedence over the laws of counties or municipalities. Therefore, if the State has authorized the sale of alcoholic beverages within a community, then the State's regulatory framework comes into play. The current application of the process invites comments of certain elected officials, the Prosecuting Attorney, the Mayor, the County Sheriff, and the municipality Chief of Police. There is no requirement for any comment to be made. The decision to issue a permit or deny a permit will initially be made by the Alcoholic Beverage Control (ABC) Commissioner. If the permit is denied then a hearing will be held before the entire ABC Board.

Item (8) was a resolution approving certain contracts and authorization to execute and perform certain agreements, namely an agreement for the design of the pressbox/concession/ restroom facility at the Softball Complex with Hoffmann Architectural Inc. Mr. Gibson read the resolution in full. A motion was made by Mr. Sterling and seconded by Mr. Chalenburg to approve the resolution approving certain contracts; authorization to execute and perform certain agreements, namely an agreement for the design of the pressbox/concession/ restroom facility at the Softball Complex with Hoffmann Architectural Inc. Motion carried with the following voting "yes": Sterling, English, Raney, Chalenburg, Cothorn, Arnett, and Howard. **Resolution 2017-20**

Item (9) was a resolution approving certain contracts and authorization to execute and perform certain agreements, namely an extension and revision to an agreement with Waste Corporation of Arkansas, Inc. for sanitation services. Mr. Gibson read the resolution in full. Motion was made by Mr. Howard and seconded by Mr. Cothorn to

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pass the resolution. Motion carried with the following voting “yes”: English, Raney, Chalenburg, Cothorn, Arnett, Howard, and Sterling. **Resolution 2017-21**

Item (10) was a resolution authorizing the execution of a warranty deed and parking lot easement transferring real property and granting said easement to the Searcy Board of Public Utilities for the development and use of said property as a public parking facility. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mr. Raney to approve the resolution authorizing the execution of a warranty deed and parking lot easement transferring real property and granting said easement to the Searcy Board of Public Utilities for the development and use of said property as a public parking facility. Motion carried with the following voting “yes”: Raney, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English. **Resolution 2017-22**

Item (11) was a resolution approving certain contracts and authorization to execute and perform certain agreements, namely an agreement with Township Builders, Inc. for the construction of the Downtown Beautification Project Phase 2. Mr. Gibson read the resolution in full. Motion was made by Mr. Sterling and seconded by Mr. English to pass the resolution. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. **Resolution 2017-23**

Item (12) was a resolution approving certain contracts and authorization to execute and perform certain agreements, namely an agreement with L&S Landscape Solutions for the landscaping of the Downtown Beautification Project Phase 2. Mr. Gibson read the resolution in full. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to approve the resolution approving certain contracts and authorization to execute and perform certain agreements, namely an agreement with L&S Landscape Solutions for the landscaping of the Downtown Beautification Project Phase 2. Motion carried with the following voting “yes”: Cothorn, Arnett, Howard, Sterling, English, Raney, and Chalenburg. **Resolution 2017-24**

Item (13) on the agenda was an ordinance amending Ordinance 683 with respect to the zoning classification of a specific land area, changing the classification of real property located on South Main Street from U-T (Urban Transitional) to C-4 (Community Commercial). 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”: Arnett, Howard, Sterling, English, Raney, Chalenburg, and Cothorn. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mrs. Arnett, to adopt the ordinance. The ordinance passed with the following voting “yes”: Howard, Sterling, English, Raney, 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, Chalenburg, Cothorn, Arnett, and Howard. **Ordinance 2017-11**

Item (14) on the agenda was an ordinance amending Ordinance 683 with respect to the zoning classification of a specific land area, changing the classification of real property

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located at 510 North Spring Street from C-2 (General Commercial) to R-1 (Residential). 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": English, Raney, Chalenburg, Cothorn, Arnett, Howard, and Sterling. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Howard, to adopt the ordinance. The ordinance passed with the following voting "yes": Raney, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mr. Sterling, to adopt the emergency clause, with the following voting "yes": Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. **Ordinance 2017-12**

Item (15) 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 \$12,965.75 from 2014 Eight Year Plan Fund unappropriated reserves to 'PROPOSED LIBRARY DESIGN' expenditure account (#14 5-190-05-09) for architectural design services for the proposed new library facility [This is to be reimbursed to the City of Searcy by the White County Regional Library System];
- b. Appropriate \$478.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'PROPOSED LIBRARY DESIGN' expenditure account (#14 5-190-05-09) for the publishing of the notice of the special election for the proposed new library facility [This is to be reimbursed to the City of Searcy by the White County Regional Library System];
- c. Appropriate \$6,051.50 from 2014 Eight Year Plan Fund unappropriated reserves to 'WILLIAMS ADDITION DRAINAGE' expenditure account (#14 5-130-05-01) for Williams Addition (Chrisp Avenue) drainage engineering services;
- d. Appropriate \$3,909.42 to 2014 Eight Year Plan Fund 'SWIM POOL COMPLEX LOAN PAYMENT' expenditure account (#14 5-085-05-01) for payment of interest expense on the Swimming Pool Complex construction loan;
- e. Appropriate \$307,032.00 to 2016 Swimming Facility Improvement Fund 'CONSTRUCTION LOAN PROCEEDS' revenue account (#17 4-000-91-

- 01) and appropriate \$307,032.00 to 2016 Swimming Facility Improvement Fund 'POOL FACILITY CONSTRUCTION' expenditure account (#17 5-085-54-01) for the draw on the construction financing loan and payment of the invoice on the construction services;
- f. Appropriate \$42,995.38 from 2014 Eight Year Plan Fund unappropriated reserves to 'ROLLING MEADOWS/CLOVERDALE DRAINAGE' expenditure account (#14 5-130-05-02) for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services;
 - g. Appropriate \$305,752.48 from 2014 Eight Year Plan Fund unappropriated reserves to 'OVERHEAD SANITATION TRUCK' expenditure account (#14 5-090-53-03) for the purchase of a new overhead sanitation truck;
 - h. Appropriate \$1,161.31 from 2014 Eight Year Plan Fund unappropriated reserves to 'FIRE STATION 2 RELOCATION' expenditure account (#14 5-070-54-01) for architectural services on Fire Station 2 relocation;
 - i. Appropriate \$26,280.00 from 1% Special Tax Connector Route Fund unappropriated reserves to 'NORTH MAIN STREET IMPROVEMENTS' expenditure account (#13 5-900-54-03) for engineering services on North Main Street improvement project;
 - j. Appropriate \$3,635.40 from 2014 Eight Year Plan Fund unappropriated reserves to 'ROF-DOWNTOWN LANDSCAPE UPGRADE' expenditure account (#14 5-500-05-15) for the addition of a fertilizer/nutrient injector system, fertilizer, and monitoring of the system for the Phase I Downtown Beautification improvements;
 - k. Appropriate \$21,010.01 from 2014 Eight Year Plan Fund unappropriated reserves to 'TRANSFER TO GENERAL-STAFFING NEEDS' expenditure account (#14 5-190-05-05) and appropriate \$21,010.01 to General Fund 'TRANSFER FROM 8-YEAR FUND-STAFFING' revenue account (#01 4-000-10-16) for the staffing position of assistant manager at the new swimming pool facility;
 - l. Appropriate the following sums for the staffing position of assistant manager at the new swimming pool facility:

- #01 5-082-01-01 SALARIES - \$15,076.92
- #01 5-082-01-02 SOCIAL SECURITY/MEDICARE MATCH - \$1,153.38
- #01 5-082-01-03 HEALTH BENEFIT - \$2,583.00
- #01 5-082-01-05 APERS RETIREMENT - \$2,196.71

m. Appropriate \$151,911.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'DOWNTOWN BEAUTIFICATION PHASE 2 SCHEDULE 1' expenditure account (#14 5-500-05-25) for Downtown Beautification Phase II improvements construction (schedule 1);

n. Appropriate \$30,471.06 from 2014 Eight Year Plan Fund unappropriated reserves to 'DOWNTOWN BEAUTIFICATION PHASE 2 SCHEDULE 2' expenditure account (#14 5-500-05-26) for Downtown Beautification Phase II improvements for foliage (schedule 2);

o. Appropriate \$80,325.30 from 2014 Eight Year Plan Fund unappropriated reserves to 'ROF-SWIM FACILITY EQUIPMENT' expenditure account (#14 5-500-05-24) for items/equipment (see attached list) needed for the opening of the new swimming pool facility;

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

- a. \$15,513.08 to Stephenson Oil Company for fuel for all departments;
- b. Transfer \$80,000.00 from the City of Searcy 2014 Eight Year Plan Fund to the City of Searcy LOPFI Fund for payment of LOPFI Retirement obligation (#14 5-190-05-04);
- c. \$56,875.55 to Redstone Construction Group for construction services on the Williams Addition/Chrisp Avenue drainage improvements project (#14 5-130-05-01);
- d. \$256,123.80 to Cline Construction Group for construction services on the Fire Station 2 relocation (#14 5-070-54-01);
- e. \$226,251.76 to Johnny Brock Excavating & Landscaping Inc. for construction services on the street to connect Main Street and Higginson Street at the Sports Complex (#14 5-900-54-02);

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- f. \$12,965.75 to Sapp Design Associates Architects for architectural design services for the proposed new library facility (#14 5-190-05-09);
- g. \$478.00 to the Daily Citizen for the publishing of the notice of the special election for the proposed new library facility (#14 5-190-05-09);
- h. \$6,051.50 to Morrison – Shipley Engineers Inc. for Williams Addition (Chrisp Avenue) drainage engineering services (#14 5-130-05-01);
- i. \$3,909.42 to Regions Bank for payment of interest expense on the Swimming Pool Complex construction loan (#14 5-085-05-01);
- j. \$307,302.00 to Hydco, Inc. for construction on swimming pool complex (#17 5-085-54-01);
- k. \$42,995.38 to Morrison – Shipley Engineers Inc. for the Rolling Meadows/Cloverdale Additions drainage improvement project engineering services (#14 5-130-05-02);
- l. \$305,752.48 to Rush Truck Center, Phoenix for the purchase of a new overhead sanitation truck (#14 5-090-53-03);
- m. \$1,161.31 to Hoffmann Architectural Inc. for architectural services on Fire Station 2 relocation (#14 5-070-54-01);
- n. \$26,280.00 to Pickering Firm for engineering services for the North Main Street improvement project (#13 5-900-54-03);
- o. \$3,635.40 to Vest Exteriors Inc. for the addition of a fertilizer/nutrient injector system, fertilizer, and monitoring of the system for the Phase I Downtown Beautification improvements;
- p. Transfer \$21,010.01 from 2014 Eight Year Plan Fund (#14 5-190-05-05) to the General Fund for the assistant manager position at the new swimming pool facility;

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

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“yes”: Sterling, English, Raney, Chalenburg, Cothorn, Arnett, and Howard.

Ordinance 2017-13

A motion was made and seconded to adjourn.

Minutes Approved: June 13, 2017

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

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