

Searcy City Council – Regular Session
Tuesday, July 11, 2023 5:00 p.m.
Minutes

A public hearing had been advertised to be held at 5:00 p.m. on July 11, 2023 for the consideration of any public input regarding the declaration of a nuisance property located at 906 West Pleasure Avenue. Mayor Mat Faulkner opened the public hearing. No person requested to speak. Mayor Faulkner closed the public hearing.

Following the prior public hearing, a public hearing had been advertised for the consideration of any public input regarding the declaration of a nuisance property located at 446 Highway 367 North. Mayor Mat Faulkner opened the public hearing. Don Johnson, the owner of the property in question and his attorney Monte Baugh requested and were allowed to speak. They noted that they were in the process of cleaning up the property and they needed some amount of time to accomplish the cleanup. Mayor Faulkner closed the public hearing.

A public hearing had been advertised to be held at 5:00 p.m. on July 11, 2023. The purpose for this public hearing was for the consideration of any public input in determining the amounts of liens to be certified to the White County Tax Collector against certain properties as a result of grass cutting expenses and the abatement of other nuisances that have been incurred by the City of Searcy. Mayor Mat 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. Robert Nichols gave the Invocation, with the Pledge of Allegiance following, led by John Mercer, Jr. 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 item: (18) approval to open Certificate of Deposits as reserve funds. A motion was made by Mr. Chalenburg, seconded by Mr. Brewer to suspend the rules and add the item. Motion carried with the following voting “yes”: Morris, Cargile, Hale, Raney, Brewer, Chalenburg, and Kirkman.

The minutes of the regular June 13, 2023 meeting of the Council were presented for approval. A motion was made by Mr. Morris and seconded by Mr. Brewer to approve 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 June 30, 2023: General Fund: \$11,100,435.22; Street Fund \$2,842,293.65; LOPFI Fund \$204,292.98; Act 833 Fund \$84,739.66; Airport Fund \$229,787.94. The total of all of the preceding funds is \$14,461,549.45. He also reported

July 11, 2023

Regular Session

the following balances as of June 30, 2023: 2014 Eight Year Plan Fund \$12,322,258.79; 0.25% Fire Protection Services County Sales Tax Fund \$367,168.44; Court Automation Fund \$106,882.22; American Rescue Plan Act Fund \$618,775.96. He also reported a total of \$4,789,593.28 year-to-date in City 0.50% and County Sales Tax revenues received, which is up \$529,341.12 from the same time in 2022. Also reported was \$4,796,950.93 year-to-date in City 1.00% Sales Tax revenue received.

Item (6) on the agenda was for the approval of a bid for the renovation of the new library and the authorization for the city to commit an additional \$500,000 to the renovation project with \$250,000 to be used in 2023 and \$250,000 to be used in 2024. A bid in the amount of \$5,757,848.88 was presented to the Council for the renovation project. A motion was made by Mr. Morris and seconded by Mr. Raney to approve the bid for renovation and approve the commitment of an additional \$500,000 to the renovation project. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, and Howell.

Item (7) was for the discussion regarding the solicitation for bids for concrete work at the girls softball complex and item (8) was discussion regarding the solicitation for bids for work on the parking lot at the baseball complex. The Council said to solicit for the bids on both projects and when the bids are received they would consider the approval and acceptance of the bids.

Item (9) was for the discussion regarding the request from the Searcy Regional Economic Develop Corporation to market the city-owned property at the Sports Complex for economic development. It was noted that there is still some uncertainty as to whether state and/or federal grant money is associated with this property, which may require certain stipulations as to the usage of the property. The Council instructed the city administration to do the due diligence to find out the conditions that are required of this property before marketing it for economic development.

Item (10) on the agenda was for the authorization to allow Rodger Cargile to negotiate for the purchase of property located at 1800 Veterans Boulevard. This property is being looked at as a possible spot to relocate the Parks and Recreation maintenance facilities. A motion was made by Mr. Raney, seconded by Mrs. Hale, to approve the purchase of the property located at 1800 Veterans Boulevard and to allow Rodger Cargile to negotiate for the purchase of property. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, and Cargile.

The following items were for discussion regarding requests from the Parks and Recreation Department for funding appropriations:

- (11) – playground equipment repairs
- (12) – disc golf course improvements

Item (11) was a request to acquire parts for various playground equipment that, due to supply issues, were not available previously but are available now. Item (12) was a request to make upgrades to the disc golf course. Mayor Faulkner noted that the

July 11, 2023

Regular Session

requested appropriations are included on the budget adjustment ordinance to be considered later in the meeting.

The following items were for discussion regarding requests from the Fire Department for funding appropriations:

- (13) – Engine 1 engine rebuild
- (14) – change order on the Ladder 1 firetruck refurbish

Item (13) was a request to have the engine on Engine 1 firetruck rebuilt. Item (14) was a request to authorize a change order on the Ladder 1 firetruck refurbish. Mayor Faulkner noted that the requested appropriations are included on the budget adjustment ordinance to be considered later in the meeting.

Item (15) on the agenda was for the discussion regarding starting the Request for Qualifications (RFQ) process, including the creation of a committee for the RFQ process, pertaining to development of portions of the existing Sports Complex and the recently purchased property on South Main Street. City Planner Richard Stafford explained what the RFQ process would look like. He further stated that the RFQ Committee would consist of the following members: Mayor Mat Faulkner, City Planner Richard Stafford, City Engineer Mark Lane, City Attorney Will Moore, and Parks and Recreation Department Director. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to create the committee for the RFQ process and start the process. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, and Hale.

Item (16) was for the discussion regarding the grinder at the Compost Center. A grinder was thought to have been located for purchase to replace the current grinder, but that grinder was purchased this very day by someone else before we could lock in the purchase. The Council instructed the Administration to continue looking for a replacement.

Item (17) on the agenda was for setting a time and date for a public hearing regarding the declaration of a nuisance property for property located at 917 Holmes Road. A motion was made by Mr. Chalenburg and seconded by Mrs. Hale to set a time and date of August 8, 2023 at 5:00 p.m., prior to the regular August Council meeting, for holding a public hearing regarding the declaration of a nuisance property for property located at 917 Holmes Road. Motion carried with the following voting “yes”: Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, and Raney.

Item (18) was for the approval to open Certificate of Deposits (CD’s) as reserve funds using both \$1,000,000 in General Funds and \$2,000,000 2014 Eight Year Plan Funds. These CD’s will be six CD’s each in the amount of \$500,000 and will remain in their respective funds as assets. The six CD’s will also be laddered in three month maturity increments. (3-month, 6-month, 9-month, 12-month, 15-month, 18-month). A motion was made by Mr. Brewer and seconded by Mr. Raney to approve the opening of CD’s as stated. Motion carried with the following voting “yes”: Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, Raney, and Brewer.

Item (19) was a resolution declaring certain real property located at 906 West Pleasure Avenue a nuisance, directing the removal of the improvements constituting the nuisance. Mr. Moore read the resolution by title only. A motion was made by Mr. Raney and seconded by Mr. Brewer to approve the resolution declaring certain real property located at 906 West Pleasure Avenue a nuisance, directing the removal of the improvements constituting the nuisance. Motion carried with the following voting “yes”: Kirkman, Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg.

Resolution 2023-37

Item (20) was a resolution declaring certain real property located at 446 Highway 367 North a nuisance, directing the removal of the improvements constituting the nuisance. 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”: Morris, Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Kirkman.

Resolution 2023-38

Item (21) was a resolution approving the amounts of liens to be certified to the White County Tax Collector as a result of grass cutting expenses and the abatement of other nuisances. Mr. Moore read the resolution by title only. A motion was made by Mr. Morris and seconded by Mrs. Hale to approve the resolution approving the amounts of liens to be certified to the White County Tax Collector as a result of grass cutting expenses and the abatement of other nuisances. Motion carried with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, and Morris.

Resolution 2023-39

Item (22) was a resolution authorizing the execution and performance of a certain agreement with the Searcy Special School District for the provision of School Resource Officers. 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”: Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, and Howell.

Resolution 2023-40

Item (23) was a resolution to authorize the abandonment of fully utilized assets, specifically Police Department vehicles. Mr. Moore read the resolution by title only. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to approve the resolution to authorize the abandonment of fully utilized assets, specifically Police Department vehicles. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, and Cargile. **Resolution 2023-41**

Item (24) was a resolution for the authorization to apply for an Arkansas Department of Aeronautics 90/10 grant for airport hangar construction. Mr. Moore read the resolution by title only. Motion was made by Mr. Brewer and seconded by Mrs. Hale to pass the resolution. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, and Hale. **Resolution 2023-42**

July 11, 2023

Regular Session

Item (25) was a resolution for the authorization to apply for an Arkansas Department of Aeronautics 80/20 grant for airport hangar apron construction and drainage improvement. Mr. Moore read the resolution by title only. A motion was made by Mr. Morris and seconded by Mr. Kirkman to approve the resolution for the authorization to apply for an Arkansas Department of Aeronautics 80/20 grant for hangar apron construction and drainage improvement. Motion carried with the following voting “yes”: Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, and Raney. **Resolution 2023-43**

Item (26) was a resolution for the authorization to executed and perform under the terms of a certain grant agreement with Firehouse Subs Public Safety Foundation. 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 2023-44

Item (27) on the agenda was an ordinance amending the zoning classification of certain real property located at 510 North Spring Street from R-1 (Multi-unit Residential) to C-2 (General Commercial). A motion was made by Mr. Raney, seconded by Mr. Brewer, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Kirkman, Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg. Mr. Moore read the ordinance by title only. A motion was then made by Mr. Morris, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Kirkman. Mr. Moore then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mr. Raney, to adopt the emergency clause, with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, and Morris. **Ordinance 2023-29**

Item (28) on the agenda was an ordinance amending portions of the Searcy maintenance of property regulations, specifically related to open fire burning. A motion was made by Mr. Raney, seconded by Mr. Brewer, 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 Mrs. Hale, seconded by Mr. Brewer, 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. Brewer, to adopt the emergency clause, with the following voting “yes”: Raney, Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, and Hale. **Ordinance 2023-30**

Item (29) 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 \$2,278.30 to the General Fund ‘OTHER MISCELLANEOUS’ revenue account (#01 4-000-80-04), and appropriate

\$2,278.30 to the Parks and Recreation Department 'TENNIS COURT MAINTENANCE' expenditure account (#01 5-080-05-02) for the receipt and use of grant funds from the United States Tennis Association (Arkansas USTA) for tennis court equipment/maintenance;

- b. Appropriate \$950.00 to 'POLICE DONATIONS' revenue account (#01 4-000-90-03) and appropriate \$950.00 to the Police Department 'DONATIONS EXPENSED' expenditure account (#01 5-060-05-06) for the receipt and use of a donation;
- c. Appropriate \$44,781.99 from General Fund unappropriated reserves to the Police Department 'COMPUTER SOFTWARE/SUPPORT' expenditure account (#01 5-060-04-04) for Police Department Zuercher Suite software annual agreement/maintenance;
- d. Appropriate \$140,494.38 to the 2014 Eight Year Plan Fund 'LIBRARY RENOVATION REIMBURSEMENT' revenue account (#14 4-000-70-03) and appropriate \$140,494.38 to the 'LIBRARY RENOVATION' expenditure account (#14 5-020-54-02) for architectural services on the new Library Building renovation project;
- e. Appropriate \$196,407.70 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;
- f. Appropriate \$9,885.00 from Eight Year Plan Tax Fund unappropriated reserves to the 'BERRYHILL TENNIS/PICKLEBALL COURTS' expenditure account (#14 5-080-05-01) for engineering services for the Berryhill Park Tennis/Pickleball Courts project;
- g. Appropriate \$16,850.00 from Eight Year Plan Tax Fund unappropriated reserves to the 'DAVIS DRIVE IMPROVEMENT' expenditure account (#14 5-900-54-10) for engineering services for the Davis Drive improvement project;
- h. Appropriate \$250,000.00 from Eight Year Plan Tax Fund unappropriated reserves to the 'LIBRARY RENOVATION' expenditure account (#14 5-

020-54-02) for the library renovation project;

- i. Appropriate \$19,708.36 from General Fund unappropriated reserves to the Parks and Recreation Department 'PLAYGROUND EQUIPMENT REPAIR' expenditure account (#01 5-080-02-16) for playground equipment repair/maintenance;
- j. Appropriate \$8,000.00 from General Fund unappropriated reserves to the Parks and Recreation Department 'GROUNDS MAINTENANCE' expenditure account (#01 5-080-02-06) for repairs/maintenance to the disc golf course;
- k. Appropriate \$20,000.00 from 0.25% Fire Protection Services Tax Fund unappropriated reserves to the Fire Department 'ENGINE 1 ENGINE REBUILD' expenditure account (#18 5-070-53-08) for an engine rebuild for Engine 1;
- l. Appropriate \$73,950.00 from the 0.25% Fire Protection Services Tax Fund unappropriated reserves to the Fire Department 'LADDER 1 REFURBISHMENT' expenditure account (#18 5-070-53-07) for change order for the Ladder 1 refurbishment;
- m. Appropriate \$765,000.00 from General Fund unappropriated reserves to the Sanitation Department 'HORIZONTAL GRINDER' expenditure account (#01 5-090-53-21) for purchase of a horizontal grinder for the Compost Center;

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

- a. \$45,048.35 to Stephenson Oil Company for fuel for all departments;
- b. Transfer \$150,000.00 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);
- c. \$44,781.99 to Trittech Software Systems for Police Department Zuercher Suite software annual agreement/maintenance;
- d. \$140,494.38 to Hoffmann Architectural for architectural services on the new Library building renovation project (#14 5-020-54-02);

July 11, 2023

Regular Session

- e. \$196,407.70 to Delk Construction Company for the Berryhill Park Courts project (#14 5-080-05-01);
- f. \$9,885.00 to Davidson Engineering for engineering services for the Berryhill Park Tennis/Pickleball Courts project (#14 5-080-05-01);
- g. \$16,850.00 to Davidson Engineering for engineering services for the Davis Drive improvement project (#14 5-900-54-10);

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”: Brewer, Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, and Raney. 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”: Chalenburg, Kirkman, Morris, Howell, Cargile, Hale, Raney, and Brewer. 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”: Kirkman, Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg.
Ordinance 2023-31

A motion was made and seconded to adjourn.

Minutes Approved: August 8, 2023

/s/ Mat Faulkner
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

Seal