

Searcy City Council – Regular Session
Tuesday, August 8, 2023 5:00 p.m.
Minutes

A public hearing had been advertised to be held at 5:00 p.m. on August 8, 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.

A public hearing had been advertised to be held at 5:00 p.m. on August 8, 2023 following the previous public hearing for the consideration of any public input regarding the declaration of a nuisance property located at 917 Holmes Road. Mayor Mat Faulkner opened the public hearing. No person requested to speak. Mayor Faulkner closed the public hearing.

A public hearing had been advertised to be held immediately following the previous public hearing regarding the private club permit application from Rosemont Dining Club, Inc. for North AR restaurant. Mayor Faulkner opened the public hearing. The attorney representing North AR spoke and then answered any questions from the Council. Mayor Faulkner thanked those who chose to speak. Mayor Faulkner closed the public hearing.

A public hearing had been advertised to be held immediately following the previous public hearing regarding the private club permit application from Texas Roadhouse of Searcy, Inc. Mayor Faulkner opened the public hearing. The attorney representing Texas Roadhouse of Searcy spoke and then answered any questions from the Council. Mayor Faulkner thanked those who chose to speak. Mayor Faulkner closed the public hearing.

Mayor Mat Faulkner called to order the Regular Session of the Searcy City Council. Cleifton Vaughan gave the Invocation, with the Pledge of Allegiance following, led by Ray Gouin. 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. City Attorney Will Moore was not present.

The minutes of the regular July 6, 2023 meeting of the Council, the July 11, 2023 special meeting of the Council, and the July 24, 2023 special meeting of the Council were presented for approval. A motion was made by Mr. Morris and seconded by Mr. Chalenburg to approve the three sets of minutes. The following voted to approve: Morris, Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Kirkman.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of July 31, 2023: General Fund: \$11,324,980.95; Street Fund \$2,909,500.55; LOPFI Fund \$206,570.44; Act 833 Fund \$114,437.46; Airport Fund

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\$201,360.27. The total of all of the preceding funds is \$14,756,849.67. He also reported the following balances as of July 31, 2023: 2014 Eight Year Plan Fund \$12,335,179.96; 0.25% Fire Protection Services County Sales Tax Fund \$405,531.18; Court Automation Fund \$108,807.92; American Rescue Plan Act Fund \$618,775.96. He also reported a total of \$5,601,321.70 year-to-date in City 0.50% and County Sales Tax revenues received, which is up \$668,899.57 from the same time in 2022. Also reported was \$5,617,925.19 year-to-date in City 1.00% Sales Tax revenue received.

Item (5) on the agenda was an ordinance authorizing Rosemont Dining Club, Inc. (dba North AR) to file for a private club permit with the Alcohol Beverage Control Division under the provisions of the City of Searcy private club permit ordinance. A motion was made by Mr. Raney, seconded by Mrs. Hale, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Howell, Cargile, Hale, Raney, Kirkman, and Morris. Brewer and Chalenburg voted “no”. Mr. Jerry Morris read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Cargile, to adopt the ordinance. The ordinance passed with the following voting “yes”: Cargile, Hale, Raney, Kirkman, Morris, and Howell. Brewer and Chalenburg voted “no”. Mr. Jerry Morris then read the emergency clause of the ordinance. Mr. Cargile, seconded by Mr. Raney, made motion to adopt the emergency clause, with the following voting “yes”: Hale, Raney, Kirkman, Morris, Howell, and Cargile. Brewer and Chalenburg voted “no”. **Ordinance 2023-33**

Item (6) was an ordinance authorizing Texas Roadhouse of Searcy, Inc. (dba Texas Roadhouse) to file for a private club permit with the Alcohol Beverage Control Division under the provisions of the City of Searcy private club permit ordinance. A motion was made by Mr. Morris, seconded by Mrs. Hale, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Raney, Kirkman, Morris, Howell, Cargile, and Hale. Brewer and Chalenburg voted “no”. Mr. Jerry Morris read the ordinance by title only. Mr. Raney, seconded by Mr. Cargile, then made a motion to adopt the ordinance. The ordinance passed with the following voting “yes”: Kirkman, Morris, Howell, Cargile, Hale, and Raney. Brewer and Chalenburg voted “no”. Mr. Jerry Morris then read the emergency clause of the ordinance. Mr. Raney, seconded by Mr. Cargile, made motion to adopt the emergency clause, with the following voting “yes”: Kirkman, Morris, Howell, Cargile, Hale, and Raney. Brewer and Chalenburg voted “no”. **Ordinance 2023-34**

Mr. Chalenburg excused himself from the Council meeting at this time due to prior commitments.

Item (7) on the agenda was for the reappointment of Charles Green to a five-year term on the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board with the term set to expire on August 17, 2028. A motion was made for the approval of the reappointment of Charles Green to the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board. Motion carried with the following voting “yes”: Kirkman, Morris, Howell, Cargile, Hale, Raney, and Brewer.

Item (8) was for the appointment of Ann Dixon to fill an unexpired six-year term on the Searcy Library Board. Marian Colburn previously filled this term. This unexpired term is set to expire on December 31, 2027. Mr. Brewer, seconded by Mrs. Hale, made a motion to approve the appointment of Ann Dixon to the Searcy Library Board. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Kirkman.

Item (9) on the agenda was for discussion regarding the 2023 street paving program. Mayor Faulkner noted that item (9) and (10) are related, therefore this discussion will encompass both. City Engineer Mark Lane presented the Council with a listing of streets in need of paving with an estimated cost of \$750,000. Mr. Lane noted that information gathered by the Crafton Tull master plan and study indicated that sidewalks were of a high priority to the public. Mayor Faulkner stated that it would be the administration’s recommendation to have a total project cost of about \$1,500,000 with \$750,000 in street paving and \$750,000 in sidewalk improvements. The sidewalk improvements would be in and around the downtown area and west along Pleasure Avenue. Mr. Raney stated that he thought the Council should follow the administration recommendation. Mayor Faulkner stated that until bids are solicited a definite cost would be unknown for the combination project.

Item (10) was for discussion regarding a downtown sidewalk improvement program.

Item (11) on the agenda was for discussion regarding a request from the Searcy Municipal Airport to purchase a new tractor, bush hog, front-end loader, pallet forks, and sweeper. The cost of this equipment is \$67,360.05 after a trade-in allowance of \$33,000.00 for the currently owned tractor and bush hog. Mayor Faulkner noted that the appropriation is in the budget adjustment ordinance. He also noted that this purchase is under the Sourcewell Purchasing Program.

Item (12) was a request from the Fire Department for funds for vehicle maintenance/repairs and for radio equipment. The Fire Department requests \$10,000.00 for vehicle maintenance/repairs and \$20,000.00 for radio equipment and service in order to move from Searcy Police Department to White County dispatch. These requested funds will come out of the 0.25% Fire Protection Services Tax Fund. Mayor Faulkner noted that the appropriation is in the budget adjustment ordinance.

Item (13) was a request from the Police Department for funds for radio equipment. The Police Department request is for \$33,330.00 for radio equipment and service in order to move from Searcy Police Department to White County dispatch. Mayor Faulkner noted that the appropriation is in the budget adjustment ordinance.

The Council decided that since all of these funding requests [items (11), (12), and (13)] were definite needs and were included in the budget ordinance to be considered later in the meeting, that with the adoption of the budget ordinance, approval of the requests would be indicated.

Item (14) was a resolution authorizing the abandonment of fully utilized assets, Code Enforcement Department vehicles. Mr. Jerry Morris read the resolution by title only. A motion was made by Mr. Raney and seconded by Mr. Brewer to approve the resolution authorizing the abandonment of fully utilized assets, Code Enforcement Department vehicles. Motion carried with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Kirkman, and Morris.

Resolution 2023-45

Item (15) was a resolution authorizing the abandonment of a fully utilized asset, Fire Department printer. Mr. Jerry Morris read the resolution by title only. Motion was made by Mr. Brewer and seconded by Mr. Raney to pass the resolution. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Kirkman, Morris, and Howell.

Resolution 2023-46

Item (16) was a resolution authorizing the abandonment of a fully utilized asset, Fire Department Porta Counter Pro Tester. Mr. Jerry Morris read the resolution by title only. A motion was made by Mr. Morris and seconded by Mrs. Hale to approve the resolution authorizing the abandonment of a fully utilized asset, Fire Department Porta Counter Pro Tester. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Kirkman, Morris, Howell, and Cargile. **Resolution 2023-47**

Item (17) was a resolution authorizing the abandonment of fully utilized assets, Airport tractor and bush hog. Mr. Jerry Morris read the resolution by title only. Motion was made by Mr. Morris and seconded by Mr. Raney to pass the resolution. Motion carried with the following voting “yes”: Raney, Brewer, Kirkman, Morris, Howell, Cargile, and Hale. **Resolution 2023-48**

Item (18) 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 abatement of other nuisances. Mr. Jerry Morris read the resolution by title only. A motion was made by Mr. Morris and seconded by Mr. Brewer 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 abatement of other nuisances. Motion carried with the following voting “yes”: Brewer, Kirkman, Morris, Howell, Cargile, Hale, and Raney. **Resolution 2023-49**

Item (19) was a resolution declaring certain real property located at 917 Holmes Road a nuisance, directing the removal of the improvements constituting the nuisance. Mr. Jerry Morris read the resolution by title only. Motion was made by Mr. Raney and seconded by Mrs. Hale to pass the resolution. Motion carried with the following voting “yes”: Kirkman, Morris, Howell, Cargile, Hale, Raney, and Brewer. **Resolution 2023-50**

Item (20) on the agenda was an ordinance for the authorization to conduct business with an individual who serves as a member of a commission, board, or committee. Adam Hart is a member of the Searcy Airport Commission. A motion was made by Mr. Morris, seconded by Mr. Raney, to suspend the rules and allow reading of the ordinance by title

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only. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Kirkman. Mr. Jerry Morris read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Kirkman, and Morris. Mr. Jerry Morris 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”: Cargile, Hale, Raney, Brewer, Chalenburg, Kirkman, Morris, and Howell. **Ordinance 2023-35**

Item (21) on the agenda was an ordinance amending the Zoning Code with respect to the zoning classification of a specific land area within the city, property located at 3007 Quality Drive from U-T (Urban Transitional) to C-4 (Open Display Commercial). A motion was made by Mr. Morris, seconded by Mr. Raney, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Kirkman, Morris, Howell, and Cargile. Mr. Jerry Morris read the ordinance by title only. A motion was then made by Mr. Brewer, seconded by Mr. Raney, to adopt the ordinance. The ordinance passed with the following voting “yes”: Raney, Brewer, Kirkman, Morris, Howell, Cargile, and Hale. Mr. Jerry Morris 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”: Brewer, Kirkman, Morris, Howell, Cargile, Hale, and Raney. **Ordinance 2023-36**

Item (22) 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 \$10,000.00 to the General Fund ‘A&P RIVERSIDE BIKE TRAIL’ revenue account (#01 4-000-31-43), and appropriate \$10,000.00 to Parks and Recreation Department ‘A&P RIVERSIDE BIKE TRAIL’ expenditure account (#01 5-080-54-08) for the receipt and use of funds to develop a bike trail at Riverside Park;
- b. Appropriate \$1,500.00 to the General Fund ‘FIRE DONATIONS’ revenue account (#01 4-000-90-07) and appropriate \$1,500.00 to the Fire Department ‘DONATIONS EXPENSED’ expenditure account (#01 5-070-05-17) for the receipt and use of a donation from Walmart;
- c. Appropriate \$260,588.00 to 2014 Eight Year Plan Fund ‘ADA 4050-22 BOX HANGAR 80/20’ revenue account (#14 4-000-98-17) for the receipt of grant reimbursement from the Arkansas Department of Aeronautics;
- d. Appropriate \$150,000.00 to 2014 Eight Year Plan Fund ‘ADA 4051-22 HANGAR APRON/DRAINAGE 90/10’ revenue account (#14 4-000-98-

- 18) for the receipt of grant reimbursement from the Arkansas Department of Aeronautics;
- e. Appropriate \$1,350.00 from General Fund unappropriated reserves to the Cemetery Department 'GROUNDS MAINTENANCE' expenditure account (#01 5-030-02-06) for repair of a damaged fence;
 - f. Appropriate \$2,855.28 to the General Fund 'FEDERAL FORFEITURES' revenue account (#01 4-000-20-04) and appropriate \$2,855.28 to the Police Department 'FEDERAL DRUG FORFEITURE EXPENSES' expenditure account (#01 5-060-05-10);
 - g. Appropriate \$2,030.71 to the General Fund 'EVIDENCE ASSET FORFEITURE' revenue account (#01 4-000-20-10) and appropriate \$2,030.71 to the Police Department 'EVIDENCE ASSET FORFEITURE' expenditure account (#01 5-060-05-09);
 - h. Appropriate \$4,998.20 to the Drug Enforcement and Covert Fund 'CONFISCATED FUNDS AND FORFEITURE' revenue account (#07 4-000-20-01) and appropriate \$4,998.20 to the 'MISCELLANEOUS NARCOTICS EXPENSES' expenditure account (#07 5-500-05-04);
 - i. Appropriate \$35,680.53 from 2014 Eight Year Plan Fund unappropriated reserves to the 'TRAFFIC CONTROL CAMERA' expenditure account (#14 5-900-53-02) for traffic camera and controller equipment;
 - j. Appropriate \$4,559.40 from 2014 Eight Year Plan Fund unappropriated reserves to the 'STREET SIGNAL LIGHT CONTROLLER' expenditure account (#14 5-900-53-03) for traffic camera and controller equipment;
 - k. Appropriate \$10,000.00 from .025% Fire Protection Services Tax Fund unappropriated reserves to the 'VEHICLE MAINTENANCE/REPAIR' expenditure account (#18 5-070-03-02);
 - l. Appropriate \$20,000.00 from .025% Fire Protection Services Tax Fund unappropriated reserves to the 'RADIOS' expenditure account (#18 5-070-03-02) for moving from Searcy dispatch to the White County dispatch;
 - m. Appropriate \$33,330.00 from General Fund unappropriated reserves to the

Police Department 'RADIOS' expenditure account (#01 5-060-03-06) for moving from Searcy dispatch to the White County dispatch;

- n. Appropriate \$67,360.05 from General Fund unappropriated reserves to the 'TRANSFER/SUPPLEMENT TO AIRPORT' expenditure account (#01 5-010-05-29) and appropriate \$67,360.05 to the Airport Fund 'TRANSFER FROM GENERAL FUND' revenue account (#12 4-000-01-03) for the acquisition of a tractor and implements for the Searcy Municipal Airport (this purchase is under the Sourcewell Purchasing Program);
- o. Appropriate \$67,360.05 from Airport Fund unappropriated reserves to the 'TRACTOR AND IMPLEMENTS' expenditure account (#12 5-040-53-02) for the acquisition of a tractor and implements for the Searcy Municipal Airport (this purchase is under the Sourcewell Purchasing Program);
- p. Appropriate \$5,859.90 to the 2014 Eight Year Plan Fund 'LIBRARY RENOVATION REIMBURSEMENT' revenue account (#14 4-000-70-03) and appropriate \$5,859.90 to the 'LIBRARY RENOVATION' expenditure account (#14 5-020-54-02) for architectural services on the new Library Building renovation project;
- q. Appropriate \$789.30 from General Fund unappropriated reserves to the Black House 'RESTORATION/REPAIRS' expenditure account (#01 5-083-05-02) for architectural services on the Black House restoration/repair project;

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

- a. \$20,251.78 to Stephenson Oil Company for fuel for all departments;
- b. \$16,665.00 to MJ Communications for Fire Department radios for moving from Searcy dispatch to the White County dispatch (#18 5-070-03-02);
- c. \$33,330.00 to MJ Communications for Police Department radios for moving from Searcy dispatch to the White County dispatch (#01 5-060-03-06);

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- d. Transfer \$67,360.05 from the General Fund (#01 5-010-05-29) to the Airport Fund (#12 4-000-01-03);
- e. \$67,360.05 to Henard Utility Products for the acquisition of a tractor and implements for the Searcy Municipal Airport (#12 5-040-53-02), (this purchase is under the Sourcewell Purchasing Program);
- f. \$5,859.90 to Hoffmann Architectural for architectural services on the new Library building renovation project (#14 5-020-54-02);
- g. \$789.30 to Hoffmann Architectural for architectural services on the Black House restoration/repairs project (#01 5-083-05-02);

A motion was made by Mr. Morris, seconded by Mrs. Hale, 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, and Brewer. Mr. Jerry Morris read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Kirkman. Mr. Jerry Morris then read the emergency clause of the ordinance. Motion was made by Mr. Morris, seconded by Mr. Kirkman, to adopt the emergency clause, with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Kirkman, and Morris. **Ordinance 2023-37**

A motion was made and seconded to adjourn.

Minutes Approved: September 12, 2023

/s/ Mat Faulkner
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

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