

**Searcy City Council – Regular Session
Tuesday, September 13, 2022 6:00 p.m.
Minutes**

A public hearing had been advertised to be held at 6:00 p.m. on September 13, 2022. 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 Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne closed the public hearing.

Mayor Kyle Osborne called to order the Regular Session of the Searcy City Council. Karl McLarty gave the Invocation, with the Pledge of Allegiance following, led by Rodger Cargile. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: David Morris, Chris Howell, Rodger Cargile, Tonia Hale, Don Raney, Dale Brewer and Mike Chalenburg. Also present was City Attorney Buck Gibson. Council member Logan Cothorn was not present.

Item (3) on the agenda was to suspend the rules and amend the agenda to add items: (8) discussion regarding the 2022 street paving program, (9) authorization to solicit Request for Qualifications for engineering services for extending the city-owned fiber network, (19-1-j) budget adjustment ordinance appropriation for preparations for moving the Sanitation Department to the new facilities on Eastline Road, (19-1-k) budget adjustment ordinance appropriation for preparations for moving the Street Department to the new facilities on Eastline Road, (19-1-l) budget adjustment ordinance appropriation for the acquisition of a scissor lift, (19-1-m) budget adjustment ordinance appropriation for the replacement of the HVAC system at the Rialto Theater, and (19-2-d) budget adjustment ordinance authorization to expend funds for the acquisition of a scissor lift. A motion was made by Mr. Brewer, seconded by Mr. Chalenburg to suspend the rules and add the items. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg.

The minutes of the regular August 9, 2022 meeting of the Council were presented for approval. A motion was made by Mr. Raney and seconded by Mr. Brewer to approve the minutes. The following voted to approve: Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Morris.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of August 31, 2022: General Fund: \$5,293,644.31; Street Fund \$3,502,761.47; Capital Equipment Fund \$17,881.08; LOPFI Fund \$163,607.43; Act 833 Fund \$100,253.35; Airport Fund \$181,573.05. The total of all of the preceding funds is \$9,259,720.69. He also reported the following balances as of August 31, 2022; 2014 Eight Year Plan Fund \$15,551,713.45; 0.25% Fire Protection Services County Sales Tax Fund \$347,444.33; Court Automation Fund \$73,271.06; American Rescue Plan Fund

September 13, 2022

Regular Session

\$2,590,635.59. He also reported a total of \$5,677,028.48 year-to-date in City and County Sales Tax revenues received, which is up \$313,109.26 from the same time in 2021.

Item (6) on the agenda was the quarterly report from the Searcy Regional Chamber of Commerce, presented by Buck Layne.

Item (7) was an update on the new library facility project, the authorization to solicit Request for Qualifications (RFQ) for a construction manager to oversee the new library facility project, and to approve a committee comprised of Jean Ann Bell, Mark Lane, Darla Ino, and Jan Smith to evaluate and select the construction manager. A motion was made by Mr. Raney and seconded by Mr. Morris to authorize the solicitation of RFQ's and approve the recommended committee of Jean Ann Bell, Mark Lane, Darla Ino, and Jan Smith to evaluate and select the construction manager for the new library facility project. Motion carried with the following voting "yes": Cargile, Hale, Raney, Brewer, Chalenburg, Morris, and Howell.

Item (8) on the agenda was for discussion regarding the 2022 street paving program. City Engineer Mark Lane informed the Council that he has a preliminary list of streets needing paving but would like to hear from the Council on any input that they can provide. Mayor Osborne stated that the cost for the 2022 program should be around \$1,000,000.

Item (9) was the authorization to solicit Request for Qualifications (RFQ) for engineering services for extending the city-owned fiber network. Mayor Osborne noted that the current fiber network does not extend to the newly acquired Street and Sanitation Department facilities. A motion was made by Mr. Raney and seconded by Mrs. Hale to authorize the solicitation of RFQ's for engineering services for extending the city-owned fiber network. Motion carried with the following voting "yes": Hale, Raney, Brewer, Chalenburg, Morris, Howell, and Cargile.

Item (10) on the agenda was a request to set a date and time for public hearings regarding the declaration of a nuisance property for the following properties:

- 600 Eastwood Drive
- 910 West Pleasure Avenue
- 1111 West Pleasure Avenue
- 401 West Woodruff Avenue

A motion was made by Mr. Morris, seconded by Mr. Brewer, to set a date/time for the public hearing of 6:00 p.m. on October 11, 2022, prior to the regular October monthly City Council meeting. Motion carried with the following voting "yes": Raney, Brewer, Chalenburg, Morris, Howell, Cargile, and Hale.

Item (11) was for the approval and selection of a bid for construction services for the Berryhill Park improvement project. A total of seven (7) bids had been received for the project originally. One bidder (PCC Sports of Lee's Summit, Missouri) withdrew their bid, leaving six (6) bids to be considered as follows (base bid shown):

1. AMR Construction, LLC of Little Rock, AR - \$2,874,000.00
2. Delk Construction Co. of Searcy, AR - \$2,664,345.00

Regular Session

3. Frank A. Rogers & Co., Inc. of Newport, AR – 2,698,320.00
4. Mobley Contractors, Inc. of Morrilton, AR - \$3,487,000.00
5. Shields and Associates of Little Rock, AR - \$2,837,000.00
6. Wagner General Contractors of Searcy, AR - \$2,674,000.00

A motion was made by Mr. Raney, seconded by Mr. Morris, to approve and select the bid from Delk Construction of Searcy, AR in the amount of \$2,664,345.00 for construction services for the Berryhill Park improvement project. Motion carried with the following voting “yes”: Brewer, Chalenburg, Morris, Howell, Cargile, Hale, and Raney.

Item (12) was a resolution for the authorization to enter a contract for construction services for the Berryhill Park improvement project. Mr. Gibson read the resolution in full. A motion was made by Mrs. Hale and seconded by Mr. Chalenburg to approve the resolution for the authorization to enter a contract for construction services for the Berryhill Park improvement project. Motion carried with the following voting “yes”: Chalenburg, Morris, Howell, Cargile, Hale, Raney, and Brewer.

Resolution 2022-30

Item (13) was a resolution authorizing the abandonment of a fully utilizes asset, specifically a Parks and Recreation Department 1996 Ford backhoe. Mr. Gibson read the resolution in full. Motion was made by Mr. Morris and seconded by Mr. Brewer to pass the resolution. Motion carried with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg. **Resolution 2022-31**

Item (14) was a resolution approving the amounts of liens to be certified to the White County Tax Collector against certain properties in the City of Searcy as a result of grass cutting expenses and abatement of other nuisances. Mr. Gibson read the resolution in full. A motion was made by Mr. Chalenburg and seconded by Mr. Brewer to approve the resolution. Motion carried with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Morris.

Resolution 2022-32

Item (15) was for the discussion regarding a resolution for the authorization to enter into an agreement with GFL (formerly WCA) for sanitation services. A motion was made by Mr. Morris and seconded by Mr. Raney to table this item pending the receipt of further information regarding the requested services rate hike requested by GFL. Motion carried with the following voting “yes”: Cargile, Hale, Raney, Brewer, Chalenburg, Morris, and Howell.

Item (16) on the agenda was an ordinance expanding member requirements for the Searcy Tree Board, amending the Searcy Code of Ordinances. A motion was made by Mr. Raney, seconded by Mr. Morris, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Chalenburg, Morris, Howell, and Cargile. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Chalenburg, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Raney, Brewer, Chalenburg, Morris, Howell, Cargile, and Hale. Mr. Gibson then read the emergency

September 13, 2022

Regular Session

clause of the ordinance. Motion was made by Mr. Morris, seconded by Mrs. Hale, to adopt the emergency clause, with the following voting “yes”: Brewer, Chalenburg, Morris, Howell, Cargile, Hale, and Raney. **Ordinance 2022-27**

Item (17) on the agenda was an ordinance fixing and establishing the property tax millage for the City of Searcy for 2022, to be collected in 2023. A motion was made by Mr. Brewer, seconded by Mr. Raney, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Chalenburg, Morris, Howell, Cargile, Hale, Raney, and Brewer. Mr. Gibson read the ordinance by title only. A motion was then made by Mrs. Hale, seconded by Mr. Morris, to adopt the ordinance. The ordinance passed with the following voting “yes”: Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Chalenburg, seconded by Mr. Brewer, to adopt the emergency clause, with the following voting “yes”: Howell, Cargile, Hale, Raney, Brewer, Chalenburg, and Morris. **Ordinance 2022-28**

Item (18) on the agenda was a budget ordinance for receiving and expending the law enforcement stipend as authorized by the Arkansas General Assembly Act 224. 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, Morris, and Howell. Mr. Gibson read the ordinance by title only. A motion was then made by Mrs. Hale, seconded by Mr. Raney, to adopt the ordinance. The ordinance passed with the following voting “yes”: Hale, Raney, Brewer, Chalenburg, Morris, Howell, and Cargile. Mr. Gibson 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”: Raney, Brewer, Chalenburg, Morris, Howell, Cargile, and Hale. **Ordinance 2022-29**

Item (19) 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 \$100.00 to General Fund ‘POLICE DONATIONS’ revenue account (#01 4-000-90-03) and appropriate \$100.00 to Police Department ‘DONATIONS EXPENSED’ expenditure account (#01 5-060-05-06) for the receipt and use of a donation;
- b. Appropriate \$100.00 to the ‘FIRE DONATIONS’ revenue account (#01 4-000-90-07) and appropriate \$100.00 to the Fire Department ‘DONATIONS EXPENSED’ expenditure account (#01 5-070-05-17) for the receipt and use of a donation;
- c. Appropriate \$55,000.00 to the General Fund ‘PARKS/TOURISM GRANT’ revenue account (#01 4-000-98-31) and appropriate \$110,000.00 to the Parks

- and Recreation Department 'A1083222WH PARKS GRANT' expense account (#01 5-080-56-15) for the 2022 Arkansas Department of Parks, Heritage, and Tourism grant;
- d. Appropriate \$489.50 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;
 - e. Appropriate \$4,800.00 from Eight Year Plan Tax Fund unappropriated reserves to the 'BERRYHILL TENNIS/PICKLEBALL COURTS' expenditure account (#14 5-080-05-01) for the Berryhill Park Tennis/Pickleball Courts project;
 - f. Appropriate \$2,000.00 from the 0.25% Fire Services Tax Fund unappropriated reserves to the 'VEHICLE MAINTENANCE/REPAIR' expenditure account (#18 5-070-03-02) for tires for vehicle E-1;
 - g. Appropriate \$5,200.00 from the 0.25% Fire Services Tax Fund unappropriated reserves to the 'SCBA & AIR SUPPLY' expenditure account (#18 5-070-05-16) for air pack repairs;
 - h. Appropriate \$6,000.00 from the 0.25% Fire Services Tax Fund unappropriated reserves to the 'UNIFORMS' expenditure account (#18 5-070-05-16) for cold weather jackets;
 - i. Appropriate \$389.09 to General Fund 'EVIDENCE ASSET FORFEITURE' revenue account (#01 4-000-20-10) and appropriate \$1,020.85 to Police Department 'EVIDENCE ASSET FORFEITURE' expenditure account (#01 5-060-05-09);
 - j. Appropriate \$50,000.00 from General Fund unappropriated reserves to the Sanitation Department 'EASTLINE FACILITIES MOVE PREP' expenditure account (#01 5-090-02-18) for preparations for moving the Sanitation Department to the Eastline Road facilities;
 - k. Appropriate \$50,000.00 from Street Fund unappropriated reserves to the Street Department 'EASTLINE FACILITIES MOVE PREP' expenditure account (#02 5-900-02-11) for preparations for moving the Street Department to the Eastline Road facilities;
 - l. Appropriate \$10,975.00 from General Fund unappropriated reserves to the

Engineering Department 'SCISSOR LIFT' expenditure account (#01 5-130-53-05) for the acquisition of a scissor lift;

- m. Appropriate \$33,034.00 from Eight Year Plan Tax Fund unappropriated reserves to the 'RIALTO THEATER HVAC SYSTEM' expenditure account (#14 5-086-53-01) for the replacement of the HVAC system at the Rialto Theater;

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

- a. \$60,183.71 to Stephenson Oil Company for fuel for all departments;
- b. \$489.50 to Hoffmann Architectural for architectural services on the Black House restoration/repairs project (#01 5-083-05-02);
- c. \$4,800.00 to Davidson Engineering for engineering services for the Berryhill Park Tennis/Pickleball Courts project (#14 5-080-05-01);
- d. \$10,975.00 to I Do Rentals and Sales for the acquisition of a scissor lift (#01 5-130-53-05);

A motion was made by Mr. Morris, 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, Morris, Howell, Cargile, Hale, and Raney. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Brewer, seconded by Mrs. Hale, to adopt the ordinance. The ordinance passed with the following voting "yes": Chalenburg, Morris, Howell, Cargile, Hale, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. Morris, to adopt the emergency clause, with the following voting "yes": Morris, Howell, Cargile, Hale, Raney, Brewer, and Chalenburg.
Ordinance 2022-30

A motion was made and seconded to adjourn.

Minutes Approved: October 11, 2022

/s/ KYLE OSBORNE
MAYOR OF SEARCY

ATTEST:

/s/ JERRY MORRIS
CITY CLERK

Seal