

**Searcy City Council – Regular Session**  
**Tuesday, June 11, 2013 7:00 p.m.**  
**Minutes**

Mayor David Morris called to order the Regular Session of the Searcy City Council. City of Searcy Chief of Police Jeremy Clark gave the Invocation, with the Pledge of Allegiance following, led by Buck Layne of the Searcy Regional Chamber of Commerce. City Clerk Jerry Morris called the roll with the following Aldermen answering “present”: Logan Cothorn, Mary Ann Arnett, Jim Dixon, Steve Sterling, Dale English, Don Raney, Dale Brewer, and Mike Chalenburg. Also present was City Attorney Buck Gibson.

Prior to the conducting of agenda business, a public hearing regarding the closing, abandoning, and vacating of a portion of an alley in the original town of Searcy, Arkansas was held. After hearing comments regarding this issue, the meeting’s attention was turned to the items on the agenda.

Mayor David Morris asked the City Council to entertain a motion to suspend the rules and amend the agenda due to the addition of item 8 on the agenda and new items (section 1-h and 1-i) in the budget adjusting ordinance [item (15)]. Item 8 was a presentation on the acquisition of a Solar Shade Pavilion System for Berryhill Park. The additions to the budget adjusting ordinance (Item 15 section 1-h and 1-i) were an appropriation and a transfer of funds to the LOPFI account in the amount of \$35,000.00. A motion was made by Mr. Raney and seconded by Mr. Brewer to suspend the rules and to amend the agenda to include the new items. The motion carried with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular May 14, 2013 meeting of the Council and the minutes of the special May 28, 2013 meeting of the Council were presented for approval. A motion was made by Mr. Cothorn and seconded by Mr. Dixon to approve the minutes. The following voted to approve: Dixon, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of 05-31-13: General Fund: \$1,171,495.94; Street Fund \$927,844.42; Capital Equipment Fund \$82,490.77; LOPFI Fund \$129,576.54; Parks & Recreation Capital Fund \$9,692.61; Act 833 Fund \$20,131.38; Airport Projects Fund \$2,805.31; Special Highway Tax Fund \$6,409,670.11. He also reported a total of \$2,701,898.38 year-to-date in City and County Sales Tax revenues received, which is down \$49,355.98 from the same time in 2012. The total of all funds (excluding special highway tax fund) is \$2,344,036.97.

Item (6) on the agenda was the presentation of the quarterly Economic Development Report by Mr. Buck Layne, President of the Searcy Regional Chamber of Commerce.

Item (7) was an update on the possible acquisition of a fuel management system for the City of Searcy, Arkansas that had been presented to the City Council at the pre-council meeting of June 6, 2013. City officials had hoped to be able to present to the council three (3) cost quotes for a fuel management system. Three quotes had not been able to be obtained, therefore Mayor Morris asked the council to expect, once the quotes have been obtained, for this item of business to be brought forward either in a special called session or at the regular July 2013 session of the Council. No action necessary at this time.

Item (8) on the agenda was a presentation regarding the acquisition of a Solar Shade Pavilion System for Berryhill Park. This Solar Shade Pavilion System has been included and approved in the City of Searcy Capital Equipment budget in the amount of \$10,800.00. The cost of this item of equipment has increased to approximately \$13,300.00, since the appropriation in the Capital Equipment Fund was made. City of Searcy Parks and Recreation Director Brian Smith proposes to use the remaining funds in the Parks and Recreation Capital Fund (\$9,692.61 as of 05-31-13, fund 10) toward the purchase of said Pavilion System with the balance of the cost coming from the appropriation of \$10,800.00 previously authorized in the Capital Equipment Fund (fund 04). At this point in time, three (3) cost quotes have not been obtained as required, therefore Mayor Morris asked the council to expect this to be brought before them once the quotes have been obtained. No action necessary at this time.

Item (9) was for the approval of the reallocation of salary/positions in the Searcy Police Department. The reallocation proposal for salary and positions are as follows:

1. Place patrol on 12 hour shifts. This was done in July 2012 and stopped in December 2012.
2. To accomplish this will require four (4) work shifts instead of three (3).
3. Problem: there are only three (3) sergeant positions and three (3) corporal positions authorized in the 2013 Budget for Operations. All of these positions are currently filled.
4. Approve and authorize the creation of additional positions at the sergeant and corporal level as follows: a) two (2) promotions to sergeant and b) two (2) promotions to corporal.
5. These promotions would cost an additional \$9,973.60 in salary for the remainder of 2013 (promotions effective 06-16-13). These promotions will impact an annual salary budget by \$19,947.02.

Motion was made by Mr. Chalenburg, seconded by Mr. English, to approve the reallocation of salary/positions in the Searcy Police Department. Motion carried with the following voting "yes": Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Dixon.

Item (10) on the agenda was for the approval of a memorandum to draw upon the short-term financing agreement regarding the Airport Terminal Project in the amount of \$46,000.00 in order to satisfy the payment of invoices received for construction and architect services for the month of May 2013. A motion was made by Mr. Sterling and

seconded by Mr. Cothorn to approve the memorandum to draw upon the short-term financing agreement for the Airport Terminal Project in the amount of \$46,000.00. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon, and Sterling.

Item (11) on the agenda was a resolution for authorization for Mayor David Morris, as Signatory Agent of the City of Searcy, Arkansas, to enter into and to sign the Contract of Obligation with the Arkansas Department of Environmental Quality concerning financial assurance for corrective actions, closure, or post-closure care of the Searcy, Arkansas Compost Center, in the amount of an additional \$26,000.00 as approved by the Department of Environmental Quality. Mr. Gibson read the resolution in full. Motion was made by Mr. Dixon, seconded by Mr. Raney, for the authorization for Mayor David Morris, as Signatory Agent of the City of Searcy, Arkansas, to enter into and to sign the Contract of Obligation with the Arkansas Department of Environmental Quality. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling, and English. **Resolution 2013-13**

Item (12) was a resolution for the declaration of a nuisance property located at 1106 West Arch Avenue in the City of Searcy, Arkansas. Mr. Gibson read the resolution in full. Motion was made by Mrs. Arnett and seconded by Mr. English to approve the resolution declaring property located at 1106 West Arch Avenue in Searcy, Arkansas a nuisance property. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling, English, and Raney. **Resolution 2013-14**

Item (13) on the agenda was an ordinance prohibiting the keeping of goats within the City of Searcy, Arkansas. A motion was made by Mr. Sterling, 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, Dixon, Sterling, English, Raney, and Brewer. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Chalenburg, seconded by Mrs. Arnett, to adopt the ordinance. The ordinance passed with the following voting “yes”: Cothorn, Arnett, Dixon, Sterling, English, Raney, Brewer, and Chalenburg. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. Sterling, to adopt the emergency clause, with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. **Ordinance 2013-18**

Item (14) on the agenda was an ordinance closing, abandoning, and vacating a portion of an alley in the original town of Searcy, Arkansas. A motion was made by Mr. Brewer, seconded by Mrs. Arnett, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Dixon, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Dixon, seconded by Mr. Cothorn, to adopt the ordinance. The ordinance passed with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Dixon. **Ordinance 2013-19**

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 \$737.81 to ‘Airport Donations’ revenue account (#12 4-000-01-01), and appropriate \$590.25 (80%) to ‘Airport Terminal’ grant expenditure account (#12 5-040-56-01), and \$147.56 (20%) to ‘Sitework/Pavement’ grant expenditure account (#12 5-040-56-02): [SCM Architects services April 30, 2013 invoice];
- b. Appropriate \$53.41 to ‘Airport Donations’ revenue account (#12 4-000-01-01), and appropriate \$53.41 to ‘Airport Terminal’ grant expenditure account (#12 5-040-56-01) for reimbursable expense for a smoke/carbon monoxide detector installed in the new terminal building: [SCM Architects services April 30, 2013 invoice];
- c. Appropriate \$2,741.51 to ‘Airport Donations’ revenue account (#12 4-000-01-01), and appropriate \$2,193.21 (80%) to ‘Airport Terminal’ grant expenditure account (#12 5-040-56-01), and \$548.30 (20%) to ‘Sitework/Pavement’ grant expenditure account (#12 5-040-56-02): [SCM Architects services May 31, 2013 invoice for project close-out];
- d. Appropriate \$43,864.26 to ‘Airport Donations’ revenue account (#12 4-000-01-01), and appropriate \$30,969.00 to ‘Airport Terminal’ grant expenditure account (#12 5-040-56-01), and \$12,895.26 to ‘Sitework/Pavement’ grant expenditure account (#12 5-040-56-02): [James H. Cone, Inc. contractor’s services May 31, 2013 invoice];
- e. Appropriate \$699.32 to ‘Cemetery Donations’ revenue account (01 4-000-90-11) and appropriate \$699.32 to ‘Cemetery Equipment’ expenditure account (01 5-030-03-03) for receipt of funds upon closing of Oran Vaughan Cemetery Trust;
- f. Appropriate the following sums for the implementation of the State Drug Crime and Prosecution Fund Grant:

Revenue account

\$39,360.21 – 01 4-000-98-95 ‘AR Drug Crime Enforcement’

Expenditure accounts

\$20,800.00 – 01 5-067-01-01 ‘Salaries’

\$1,591.20 – 01 5-067-01-02 ‘Social Security/Medicare Taxes’

\$3,690.00 – 01 5-067-01-03 ‘Health Benefits’

\$1,040.00 – 01 5-067-01-04 ‘Worker Comp’

\$3,022.23 – 01 5-067-01-05 ‘APERS Retirement’

\$3,500.00 – 01 5-067-01-10 ‘Audit Services’

\$5,716.78 – 01 5-067-56-01 ‘Equipment’

- g. Appropriate \$300.00 to ‘Airport Donations’ revenue account (01 4-000-90-13) for receipt of donations made for airport terminal furniture purchases and appropriate \$300.00 to ‘Airport Furniture’ expenditure account (01 5-040-05-09);
- h. Appropriate \$35,000.00 to General Fund expenditure account (01 5-190-05-14 ‘Transfer to LOPFI’) and \$35,000.00 to the LOPFI Fund revenue account (05 4-000-80-02 ‘Transfer from General’);
- i. Transfer \$35,000.00 from the General Fund (01 5-190-05-‘Transfer to LOPFI’) to the LOPFI Fund revenue account (05 4-000-80-02 ‘Transfer from General’) for payment of June 2013 LOPFI obligation;

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

- a. \$3,532.73 to SCM Architects PLLC, for April 30, 2013 and May 31, 2013 invoices;
- b. \$43,864.26 to James H. Cone, Inc., for May 31, 2013 invoice regarding contractor’s services for the month on May 2013;
- c. \$27,373.25 to Tyler Technologies, Inc. for maintenance agreement for Incode software system;

A motion was made by Mr. Raney, seconded by Mr. Sterling, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon, and Sterling. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Chalenburg, seconded by Mr. English, to adopt the ordinance. The ordinance passed with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Dixon, 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”: Brewer, Chalenburg, Cothorn, Arnett, Dixon, Sterling, English, and Raney. **Ordinance 2013-20**

The Mayor announced:

- The Division of Legislative Audit is in City Hall to conduct the annual audit for the year 2012
- The city-wide sweep for limb/brush pick-up is continuing with approximately half of the sweep being completed
- A public input/comments session regarding a proposed home solicitation ordinance will be heard during the July 1, 2013 pre-council agenda meeting
- A public comments session regarding the Highway 36 / Highway 67 Connector Route will be held by the Arkansas Highway and Transportation Department announcing the final route designation (center-line alignment) in the late Summer or early Fall of 2013
- The pre-council agenda meeting for the month of July 2013, originally scheduled for July 4, 2013 will be held on July 1, 2013 at 5:00 p.m. due to the July 4 holiday
- The meeting of the Searcy Airport Commission will be held on July 2, 2013 at 5:30 p.m. at the Searcy Municipal Airport Terminal

A motion was made and seconded to adjourn.

Minutes Approved: July 09, 2013

/s/ David Morris  
MAYOR

ATTEST:

/s/ Jerry Morris  
CITY CLERK

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