

Searcy City Council – Regular Session
Tuesday, May 12, 2015 7:00 p.m.
Minutes

Mayor David Morris called to order the Regular Session of the Searcy City Council. Searcy Police Department Chaplain Randal Beaty gave the Invocation, with the Pledge of Allegiance following, led by Alderman Steve Sterling. 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, Dale Brewer and Mike Chalenburg. Also present was City Attorney Buck Gibson.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (9) authorization to solicit for bids for the construction of the city-owned fiber optic network and (17) personnel matter involving compensation of various city employees. A motion was made by Mr. Raney, seconded by Mr. Brewer, to suspend the rules and amend the agenda to add items (9) and (17). Motion carried with the following voting “yes”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular April 14, 2015 meeting of the Council and the minutes of the special April 17, 2015 meeting of the Council were presented for approval. A motion was made by Mr. Chalenburg and seconded by Mr. Howard to approve the minutes. The following voted to approve: Howard, 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 4-30-15: General Fund: \$1,610,472.44; Street Fund \$887,411.18; Capital Equipment Fund \$22,304.77; LOPFI Fund \$45,603.93; Act 833 Fund \$121,072.56; Airport Projects Fund \$1,177.61; Special Highway Connector Route Tax Fund \$8,084,765.25; 2014 Eight Year Plan Fund \$3,079,025.75; Information Technology Projects Fund \$589,562.78. He also reported a total of \$2,057,733.06 year-to-date in City and County Sales Tax revenues received, which is down \$38,011.00 from the same time in 2014. The total of all funds (excluding the Special Highway Connector Route Tax Fund, the 2014 Eight Year Plan Fund, and the Information Technology Projects Fund) is \$2,688,042.49.

Item (6) on the agenda was a proclamation in honor and recognition of Law Enforcement Appreciation Week for the week of May 10-16, 2015 and also May 15, 2015 as Peace Officers Memorial Day. Mayor Morris read the proclamation.

At this time Mayor Morris asked the Council to deviate from the agenda and proceed to item (11). Item (11) was a resolution for the declaration of a nuisance property located at 607 West Beebe-Capps Expressway. An owner of record of the property was present and had requested the opportunity to speak to the Council. Mayor Morris asked if there was any objection to proceeding to item (11) at this point. No objection was voiced.

Item (11) on the agenda was a resolution for the declaration of a nuisance property located at 607 West Beebe-Capps Expressway. Mr. Dwayne Hunt, an owner of record of the property, was present and requested the opportunity to speak to the Council regarding this matter. The Council agreed to allow Mr. Hunt the opportunity to speak regarding this issue. Mr. Hunt stated that he had just found out this very day about the possibility of the property being declared a nuisance property. He asked the Council to allow him the chance to take care of the demolition and removal of any improvements and any other conditions constituting a nuisance upon the said Nuisance Property. Mr. Hunt also asked for assistance as far as to the process that would be required in order to take care of this issue and was informed by Searcy Code Enforcement director Mike Cleveland that he should come by his office and he would answer any questions that he might have. A motion was made by Mr. Brewer and seconded by Mr. Sterling to table the resolution for the declaration of a nuisance property located at 607 West Beebe-Capps Expressway for ninety (90) days in order to give the owner(s) a chance to rectify the conditions that constitute a nuisance on said property. Motion carried with the following voting "yes": Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard.

Item (7) was a request for the authorization to fill a vacant position for a Police Department vehicle mechanic. Searcy Police Captain Eric Webb explained that this position had previously been staffed by a support position employee. He also said it was a very important position in providing mechanic/maintenance work on the Police Department vehicles in a cost effective manner by not having to take the vehicles to an outside entity for many repairs. He further explained that since the position has been vacant all of the vehicle repair work had to be taken to an outside entity and that this was resulting in large repair costs thereby quickly depleting the Police Department vehicle service/repairs budget. The reason for coming to the Council with this request was that a qualified mechanic cannot be hired for the amount of pay that was previously paid to the employee in this position. Captain Webb further explained that there are two (2) budgeted support positions in the Police Department that are currently not filled. He requested that the second support position not be filled and that a portion of the budgeted salary for this position be added to increase the pay level of the mechanic position to a level that would attract a qualified vehicle mechanic. He requested that the pay level for this mechanic position be \$18.50 per hour and with the elimination of the second support position would actually result in a savings for the personnel category of the Police Department. A motion was made by Mr. Cothorn, seconded by Mr. English, to eliminate the second support position in the Police Department and increase the pay level for the support vehicle mechanic position to \$18.50 per hour. Motion carried with the following voting "yes": English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Item (8) on the agenda was a request for the authorization to purchase the side-arm sanitation truck compatible trash carts/containers through an Arkansas state approved cooperative purchasing program. City Engineer Mark Lane explained that the Council had authorized the solicitation for bids for the compatible trash carts/containers at the April 14, 2015 regular City Council meeting. The city had received bids from two (2)

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companies; one for the Cascade brand cart at a cost for the 96 gallon cart of \$45.25 each and one for the Schaefer brand cart at a cost for the 96 gallon cart of \$47.00 each. Since receiving the bids, Mr. Lane explained that he had gained information that the Toter brand cart was available to municipalities through the state approved National IPA cooperative purchasing program at a cost for the 96 gallon cart of \$42.50 each. He further explained that from side-by-side comparison of the three (3) sample carts (Cascade, Schaefer, Toter) by Mayor Morris, Sanitation Department manager Terry Rutherford, himself and others, they had all agreed that the Toter brand appeared to be the best product. Mr. Lane noted that the quantities that would be needed for the implementation of the city-wide conversion to the side-arm sanitation pick-up services would be:

- 96 gallon cart – 7,000 (\$42.50 each)
- 64 gallon cart – 100 (\$38.50 each)
- 48 gallon cart – 100 (\$37.05 each)

The total cost for 7,200 Toter brand carts, attached individual cart RFID tags, assembly/distribution to residences, and the recording of serial numbers/residence assignment would be \$354,735.00 plus applicable sales tax through the National IPA cooperative purchasing program. A motion was made by Mr. Brewer and seconded by Mr. Raney to authorize the purchasing of the Toter brand side-arm sanitation truck compatible trash cart/containers through the state approved National IPA cooperative purchasing program. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English.

Item (9) was a request for the authorization to solicit for bids for the construction of the city-owned fiber optic network. The engineering and design plans from CT&T, Inc. (authorized by Resolution 2015-01, January 13, 2015) had been received after the May 7, 2015 pre-council agenda meeting on Friday, May 8, 2015, necessitating the amendment to the agenda to add this item. A motion was made by Mr. Raney, seconded by Mr. Chalenburg, to authorize the advertisement for the solicitation of bids for the construction of the city-owned fiber optic network. Motion carried with following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney.

Item (10) on the agenda was a resolution for the waiver of bidding as a sole source supplier for the purchase of in-car video camera equipment from Watchguard Video and the purchase of specific equipment from Safety Materials for Law Enforcement Services for use in the new Police Department patrol vehicles. Mr. Gibson read the resolution in full. A motion was made by Mr. Howard and seconded by Mr. Cothorn to approve the resolution for the waiver of bidding as a sole source supplier for the purchase of in-car video camera equipment from Watchguard Video and the purchase of specific equipment from Safety Materials for Law Enforcement Services for use in the new Police Department patrol vehicles. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer. **Resolution 2015-18**

Item (12) was a resolution for the declaration of a nuisance property located at 1102 West Park Avenue. City of Searcy Code Enforcement Director Mike Cleveland explained that he had been in contact with the owners of record of the said property and that they had

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expressed intent in correcting/abating the bases for finding that the said property is a nuisance, but that no actions have yet been taken by these owners. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mr. Sterling to approve the resolution for the declaration of a nuisance property located at 1102 West Park Avenue, with the stipulation that the owners of record of the property would be given 90 days to show intent in resolving the conditions for finding that the said property is a nuisance. Motion carried with the following voting "yes": Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg. **Resolution 2015-19**

Item (13) was a resolution for the approval to enter into a contract for the purchase of real property located adjacent to the Searcy Municipal Airport at 705 Frontier Road. Mr. Gibson read the resolution in full. A motion was made by Mr. Howard and seconded by Mrs. Arnett to approve the resolution for the approval to enter into a contract for the purchase of real property located adjacent to the Searcy Municipal Airport at 705 Frontier Road. Motion carried with the following voting "yes": Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2015-20**

Item (14) was a resolution for the authorization to enter into an agreement for engineering services with Miller-Newell Engineers, Inc. for the Arkansas Department of Aeronautics special grant for the repair/sealing of runway cracks and for the paving/overlay of Taxiway C, the north and south entrances and drives, and the parking area immediately south of the airport terminal building at the Searcy Municipal Airport. Mr. Gibson read the resolution in full. Motion was made by Mr. Sterling and seconded by Mrs. Arnett to pass the resolution for the authorization to enter into an agreement for engineering services with Miller-Newell Engineers, Inc. for the Arkansas Department of Aeronautics special grant for the repair/sealing of runway cracks and for the paving/overlay of Taxiway C, the north and south entrances and drives, and the parking area immediately south of the airport terminal building at the Searcy Municipal Airport. Motion carried with the following voting "yes": Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Resolution 2015-21**

Item (15) on the agenda was an ordinance amending the Searcy Code of Ordinances, establishing the procedures for the adoption of planning area boundaries for the City of Searcy. 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": Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mr. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting "yes": English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Sterling, seconded by Mrs. Arnett, to adopt the emergency clause, with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English. **Ordinance 2015-17**

Mr. Gibson noted that this Ordinance 2015-17 establishes the procedures for the adoption of planning area boundaries for the City of Searcy. He also noted that the actual planning

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area boundaries map is adopted by resolution of the City Council and that this resolution will be presented at the next Council meeting for adoption.

Item (16) 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 \$90,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'TRANSFER TO LOPFI FUND' expenditure account (14 5-190-05-04) and appropriate \$90,000.00 to 'TRANSFER FROM 2014 EIGHT YEAR PLAN FUND' revenue account (05 4-000-80-12) in the LOPFI Fund;
- b. Appropriate \$250.00 to General Fund 'OTHER DONATIONS' revenue account (01 4-000-90-12) and appropriate \$250.00 to 'TREE BOARD' expenditure account for donation received for the Searcy Tree Board's Donate A Tree Today program;
- c. Appropriate \$600,000.00 to the Information Technology Projects Fund 'LOAN PROCEEDS' revenue account (15 4-000-91-01) for receipt of short-term financing loan for construction of city-owned fiber optic network;
- d. Appropriate \$52,560.00 from Information Technology Projects Fund unappropriated reserves to 'FIBER LEASE' expenditure account (15 5-160-02-01) for monthly lease payments of \$6,570.00 to White County Video, Inc. through the end of the year;
- e. Appropriate \$83,497.76 from Information Technology Projects Fund unappropriated reserves to 'FIBER OPTIC CONSTRUCTION LOAN PAYMENT' expenditure account (15 5-160-05-02) for monthly note payments through the end of the year in the amount of \$10,437.22 to Regions Bank on the Fiber Optic Network Construction loan;
- f. Appropriate \$59,685.32 from 2014 Eight Year Plan Fund unappropriated reserves to 'STREET SWEEPER' expenditure account (14 5-900-53-01) for the refurbishing of the city-owned street sweeper;
- g. Appropriate \$6,075.00 from 2014 Eight Year Plan Fund unappropriated

reserves to 'ROF-POLICE DEPARTMENT BUILDING ROOF' expenditure account (14 5-500-05-01) for change orders for deck replacement (\$1,575.00) and conduit support stands (\$4,500.00) required for the roof replacement on the Police building;

- h. Appropriate \$33,555.91 to the Information Technology Projects Fund 'WEHCO FRANCHISE TAX' revenue account (15 4-000-10-02) for the receipt of the 1st quarter 2015 franchise tax from White County Video;

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

- a. \$34,182.76 to Stephenson Oil Company for fuel for all departments;
- b. \$90,000.00 to City of Searcy LOPFI Fund from 2014 Eight Year Plan Fund for LOPFI obligation for the month of May 2015;
- c. \$22,127.40 to Scruggs Equipment for blower assembly and sweeper deck equipment for the refurbishing of the city-owned street sweeper;

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": Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. Mr. Gibson 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, Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Sterling, seconded by Mr. Cothorn, to adopt the emergency clause, with the following voting "yes": Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg. **Ordinance 2015-18**

Item (17) on the agenda was a personnel matter involving compensation of various city employees. A motion was made by Mr. Howard, seconded by Mr. Cothorn, to go into executive session. Motion carried with the following voting "yes": Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. The Council went into executive session for discussions on a personnel matter. A motion was made by Mr. Brewer, seconded by Mr. Cothorn, to come out of executive session. Motion carried with the following voting "yes": Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. The Mayor announced that no action was necessary.

The Mayor announced:

- The Arkansas Municipal League 81st Annual Convention will be held on June 24-26, 2015 at the Statehouse Convention Center in Little Rock, Arkansas

A motion was made and seconded to adjourn.

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Minutes Approved: JUNE 9, 2015

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

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