

Searcy City Council – Regular Session
Tuesday, October 9, 2018 6:00 p.m.
Minutes

A public hearing had been advertised to be held at 6:00 p.m. on October 9, 2018. 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 David Morris opened the public hearing. No person requested to speak. Mayor Morris closed the public hearing.

Mayor David Morris called to order the Regular Session of the Searcy City Council. David Orr, representing the White County Ministerial Alliance, gave the Invocation, with the Pledge of Allegiance following, led by Council member Steve Sterling. City Clerk/Treasurer Jerry Morris called the roll with the following Council members 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: (8) update on the Rolling Meadows/Cloverdale drainage projects, (11) setting the time and date for a public hearing regarding the vacating of a portion of Horton Street as requested by Harding University, (20-1-i) budget ordinance appropriation for the transfer of funds from the General Fund to the Airport Fund, (20-1-j) budget ordinance appropriation for the transfer of funds from the General Fund to the Information Technology Projects Fund, (20-1-k) budget ordinance appropriation for engineering services for the Rolling Meadows/Cloverdale drainage projects, and (20-2-g) budget ordinance authorization to expend funds for the Rolling Meadows/Cloverdale drainage projects. A motion was made by Mr. Brewer and seconded by Mr. English to suspend the rules and amend the agenda to add the items. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular September 11, 2018 meeting of the Council were presented for approval. A motion was made by Mr. Cothorn and seconded by Mrs. Arnett 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 9-30-2018: General Fund: \$1,640,030.00; Street Fund \$2,073,472.12; Capital Equipment Fund \$17,701.50; LOPFI Fund \$151,370.60; Act 833 Fund \$46,544.03; Airport Fund \$25,365.86. The total of all of the preceding funds is \$3,954,484.11. He also reported the following balances as of 9-30-2018: Special Highway Connector Route Tax Fund \$4,081,845.04; 2014 Eight Year Plan Fund \$6,800,067.92; Information Technology Projects Fund \$7,967.82; Special Projects Fund \$2,549.75; 0.25% Fire Protection Services County Sales Tax Fund \$132,378.90. He also

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reported a total of \$4,992,312.23 year-to-date in City and County Sales Tax revenues received, which is up \$261,632.25 from the same time in 2017.

Item (6) on the agenda was for the reappointment of Ann Nieto to a five (5) year term on the Searcy Housing Authority Board of Commissioners with the term set to expire on March 30, 2023. A motion was made by Mrs. Arnett and seconded by Mr. Cothorn to reappoint Ann Nieto to a five (5) year term on the Searcy Housing Authority Board of Commissioners with the term set to expire on March 30, 2023. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard.

Item (7) was for the reappointment of Mickey Gentry and Jay James to three (3) year terms on the Searcy Board of Zoning Adjustment with the terms set to expire on October 31, 2021. A motion was made by Mr. Howard, seconded by Mr. Raney, to reappoint Mickey Gentry and Jay James to three (3) year terms on the Searcy Board of Zoning Adjustment with the terms set to expire on October 31, 2021. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Item (8) on the agenda was for an update on the Rolling Meadows/Cloverdale drainage projects. City Attorney Buck Gibson noted that Morrison-Shipley Engineers, the engineers in charge of the project, have identified the tracts that are to be involved in these projects. Based upon this information, preliminary title reports were obtained on those tracts. It was determined that there are conflicting ownership identification on some of the tracts. He noted that he along with City Engineer Mark Lane would be continuing to work with Morrison-Shipley Engineers to rectify the discrepancies in ownership description.

Item (9) was for the approval of a request for a personnel reorganization in the Searcy Fire Department. Searcy Fire Chief Andy Woody explained that this reorganization involve the elimination of the Assistant Fire Chief position and using a portion of the budgeted salary and associated expenditures to create an additional Battalion Chief position. A motion was made by Mr. Raney, seconded by Mr. Chalenburg, to approve the request for a personnel reorganization in the Searcy Fire Department. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English.

Item (10) on the agenda was for the authorization for bids to be taken through the Tips/Taps Cooperative Purchasing Program for the replacement of the roof on the city-owned Searcy Public Library building. A motion was made Mr. Raney and seconded by Mr. Brewer to authorize the taking of bids through the Tips/Taps Cooperative Purchasing Program for the replacement of the roof on the city-owned Searcy Public Library building. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney.

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Item (11) on the agenda was for the setting of a date and time for a public hearing regarding the vacating of a portion of Horton Street as requested by Harding University. Mr. Gibson explained that a portion of Horton Street has been requested to be vacated by the City of Searcy to become a part of one of the phases of Harding University's Legacy Park. The street ends in a cul-de-sac at property owned by Cal-Maine Foods. A motion was made by Mr. Raney and seconded by Mr. Howard to set a date and time of November 13, 2018 at 6:00 p.m. at Searcy City Hall for a public hearing regarding the vacating of a portion of Horton Street as requested by Harding University. Motion carried with the following voting "yes": Chalenburg, Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer.

Item (12) was a resolution certifying local government endorsement of a business Unified Health Services, to participate in the Tax Back Program (as authorized by Arkansas Code Annotated § 15-4-2706(D), the Consolidated Incentive Act of 2003). Mr. Gibson read the resolution in full. A motion was made by Mr. and seconded by Mr. to pass the resolution. Motion carried with the following voting "yes": Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg. **Resolution 2018-36**

Item (13) was a resolution acknowledging the Strategic Plan for the Searcy Fire Department. Mr. Gibson read the resolution in full. Motion was made by Mrs. Arnett and seconded by Mr. Howard to pass the resolution. Motion carried with the following voting "yes": Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2018-37**

Item (14) was a resolution to authorize the abandonment of fully utilized assets, specifically two (2) thermal imaging cameras in the Searcy Fire Department. They are as follows:

- 2011 Bullard Thermal Imager, Serial Number 160-53268
- 2011 Bullard Thermal Imager, Serial Number 160-53269

Mr. Gibson read the resolution in full. A motion was made by Mr. Chalenburg and seconded by Mr. Sterling to pass the resolution. Motion carried with the following voting "yes": Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

Resolution 2018-38

Item (15) was a resolution to authorize the abandonment of a fully utilized asset, specifically a Cisco 1760-V3PN Bundle Router, Serial Number FTX0919W2XC in the Information Technology Department. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mrs. Arnett to pass the resolution. Motion carried with the following voting "yes": Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. **Resolution 2018-39**

Item (16) was a resolution to authorize the abandonment of fully utilized assets, specifically two (2) vehicles in the Searcy Police Department. The vehicles are as follows:

- 2001 Ford Crown Victoria, VIN #2FAFP71W01X155576
- 2009 Ford Crown Victoria, VIN #2FAHP71V69X111206

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Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mr. Chalenburg to pass the resolution. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Resolution 2018-40

Item (17) was a resolution approving 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 Mrs. Arnett and seconded by Mr. Raney to approve the resolution approving 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. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English.

Resolution 2018-41

Item (18) on the agenda was an ordinance for the authorization to conduct business with certain businesses that are owned by employees of the City of Searcy or persons who are related to or affiliated with an employee of the City of Searcy, specifically the business known as ‘Mr. Postman’. 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, Cothorn, Arnett, Howard, Sterling, English, and Raney. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mrs. Arnett, 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. Chalenburg, seconded by Mr. Howard, to adopt the emergency clause, with the following voting “yes”: Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg. **Ordinance 2018-28**

Item (19) on the agenda was for the third reading of an ordinance authorizing Bold Partners Social Club of Searcy, Inc. 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 and Arkansas law. Mr. Gibson read the ordinance in its entirety. A motion was made by Mr. Raney, seconded by Mr. English, to adopt the ordinance. The ordinance passed, six (6) “yes” and two (2) “no”, with the following Council members voting “yes”: Arnett, Howard, Sterling, English, Raney, and Cothorn. Council members Brewer and Chalenburg voting “no”. Motion was made by Mr. Sterling, seconded by Mr. Raney, to adopt the emergency clause. Motion failed, three (3) voting “yes” and five (5) voting “no”, with Council members Howard, Sterling, and English voting “yes” and Council members Raney, Brewer, Chalenburg, Cothorn, and Arnett voting “no”.

Ordinance 2018-29

Item (20) 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 \$100,000.00 from General Fund unappropriated reserves to 'REPAIRS TO COMPOST CENTER GRINDER' expenditure account (#01 5-090-05-08) for repairs to the Beast grinder at the Searcy Compost Center;
- b. Appropriate \$4,000.00 from 0.25% Fire Protection Services Tax Fund unappropriated reserves to 'VEHICLE REPAIR/MAINTENANCE' expenditure account (#18 5-070-03-02) for repairs/maintenance to Tower1truck of the Searcy Fire Department;
- c. Appropriate \$2,500.00 to the General Fund 'FIRE DONATIONS' revenue account (#01 4-000-90-07) and appropriate \$2,500.00 to the Fire Department 'DONATIONS EXPENDED' expenditure account (#01 5-070-05-17) for a donation received from Walmart;
- d. Appropriate \$950.00 to the General Fund 'FIRE DONATIONS' revenue account (#01 4-000-90-07) and appropriate \$950.00 to the Fire Department 'DONATIONS EXPENDED' expenditure account (#01 5-070-05-17) for a donation received from Enterprise TE Products Pipeline Company LLC;
- e. Appropriate \$100.00 to the General Fund 'POLICE DONATIONS' revenue account (#01 4-000-90-03) and appropriate \$100.00 to the Police Department 'DONATIONS EXPENSED' expenditure account (#01 5-060-05-06) for a donation received from Enterprise TE Products Pipeline Company LLC;
- f. Transfer \$3,000.00 from Parks and Recreation Department 'TENNIS COURT MAINTENANCE' expenditure account (#01 5-080-05-02) to Parks and Recreation Department 'PARKS PROJECTS' expenditure account (#01 5-080-05-01) for Holiday of Lights and Skating Rink set-up expenditures;
- g. Appropriate \$25,657.60 from 2014 Eight Year Plan Fund unappropriated reserves to 'SOFTBALL PRESSBOX/CONCESSION/RESTROOM' expenditure account (#14 5-085-54-03) for construction services on the new softball pressbox/concession/restroom facility;
- h. Appropriate \$28,762.50 from 1% Special Tax Connector Route Fund unappropriated reserves to 'NORTH MAIN STREET IMPROVEMENTS' expenditure account (#13 5-900-54-03) for engineering services on North Main Street improvement project;

- i. Appropriate \$20,000.00 from General Fund unappropriated reserves to 'TRANSFER/SUPPLEMENT AIRPORT FUND' expenditure account (#01 5-190-05-13) and appropriate \$20,000.00 to the Airport Fund 'TRANSFER FROM GENERAL FUND' revenue account (#12 4-000-01-03) for supplementation to the Airport Fund;
- j. Appropriate \$5,000.00 from General Fund unappropriated reserves to 'TRANSFER TO INFORMATION TECHNOLOGY FUND' expenditure account (#01 5-190-05-16) and appropriate \$5,000.00 to the Information Technology Projects Fund 'TRANSFER FROM GENERAL FUND' revenue account (#15 4-000-10-03) for supplementation to the Information Technology Projects Fund;
- k. Appropriate \$11,775.60 from 2014 Eight Year Plan Fund unappropriated reserves to 'ROLLING MEADOWS/CLOVERDALE DRAINAGE' expenditure account (#14 5-130-05-02) for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services;

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

- a. \$17,344.24 to Stephenson Oil Company for fuel for all departments;
- b. \$108,217.06 to Regions Bank for payment on the loan for the construction of the Searcy Swim Center (#14 5-085-05-01);
- c. \$248,434.48 to CK Asphalt, LLC for billing on the 2018 Street Paving Program (#02 5-900-05-15);
- d. \$20,000.00 to the Searcy Regional Chamber of Commerce for invoice #2 of 2 for the annual agreement for economic development services (#14 5-500-05-18);
- e. \$25,657.60 to Odom Construction Services, LLC for construction services on the new softball pressbox/concession/restroom facility (#14 5-085-54-03);
- f. \$28,762.50 to Pickering Firm, Inc. for engineering services on the North Main Street improvement project (#13 5-900-54-03);
- g. \$11,775.60 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);

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

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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. Howard, 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. Raney, seconded by Mr. Brewer, to adopt the emergency clause, with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English. **Ordinance 2018-30**

The Mayor announced:

- Airport Day at the Searcy Municipal Airport will be on Tuesday, October 16, 2018 beginning at 9:00 a.m.
- A Committee of the Whole meeting will be held on Thursday, October 18, 2018 at 5:00 p.m. at City Hall for discussion regarding the City of Searcy employee salary analysis, the City of Searcy employee handbook, and the searcy.com website
- The Fall County-wide cleanup will be on Thursday, Friday, and Saturday, October 25-27, 2018 at the White County Fairgrounds – Thursday and Friday 7:30 a.m. until 5:00 p.m. and Saturday 8:00 a.m. until 2:00 p.m.
- Trick or Treat on the Square will be on Wednesday, October 31, 2018, from 5:00 p.m. until 7:00 p.m. in Downtown Searcy

A motion was made and seconded to adjourn.

Minutes Approved: November 13, 2018

/s/ David Morris
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

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