

**Searcy City Council – Regular Session**  
**Tuesday, October 8, 2019 6:00 p.m.**  
**Minutes**

A public hearing had been advertised to be held at 6:00 p.m. on October 8, 2019. 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. Judy Rudd gave the Invocation, with the Pledge of Allegiance following, led by Dale English. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: Logan Cothorn, Mary Ann Arnett, Chris Howell, Rodger Cargile, 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 item: (16-1-h) budget ordinance appropriation for a transfer of funds for staffing needs necessitated by the decrease in sales tax distribution. A motion was made by Mr. Raney and seconded by Mr. Brewer to suspend the rules and amend the agenda to add the item. Motion carried with the following voting “yes”: Arnett, Howell, Cargile, English, Raney, Chalenburg, and Cothorn.

The minutes of the regular September 10, 2019 meeting of the Council were presented for approval. Mr. Cothorn pointed out that in item (19) [Ordinance 2019-25], Mr. Brewer was noted as voting on both the motion to suspend the rules and allow reading of the ordinance by title only and the adoption of the emergency clause, when in fact he was not present at the meeting. A motion was made by Mr. Cothorn to approve the minutes after correction was made to omit Mr. Brewer as voting. Mr. Raney seconded the motion to approve the minutes after correction. The following voted to approve the corrected minutes: Howell, Cargile, 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 9-30-2019: General Fund: \$1,332,589.62; Street Fund \$1,802,326.63; Capital Equipment Fund \$17,790.21; LOPFI Fund \$76,205.91; Act 833 Fund \$28,329.35; Airport Fund \$29,888.85. The total of all of the preceding funds is \$3,287,130.57. He also reported the following balances as of 9-30-2019: Special Highway Connector Route Tax Fund \$3,819,940.36; 2014 Eight Year Plan Fund \$7,488,473.71; Information Technology Projects Fund \$4,866.62; Special Projects Fund \$2,575.37; 0.25% Fire Protection Services County Sales Tax Fund \$290,516.14; Court Automation Fund \$22,639.33; Advertising and Tourism Promotion Fund \$236,033.06. He also reported a total of \$4,788,242.88 year-to-date in City and County Sales Tax revenues received, which is down \$204,069.35 from the same time in 2018.

Item (6) on the agenda was for the appointment of Deral Casteel to the Searcy Parks and Recreation Advisory Board to fill the unexpired term vacated by Grant Pryor, with the term set to expire on November 3, 2022. A motion was made by Mr. Raney and seconded by Mr. Brewer to appoint Deral Casteel to the Searcy Parks and Recreation Advisory Board to fill the unexpired term vacated by Grant Pryor, with the term set to expire on November 3, 2022. Motion carried with the following voting “yes”: Cargile, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell.

Item (7) was for the reappointment of J. D. Yingling to a five-year term on the Searcy Parks and Recreation Advisory Board, with the term set to expire on November 3, 2024. A motion was made by Mrs. Arnett, seconded by Mr. Chalenburg to reappoint J. D. Yingling to a five-year term on the Searcy Parks and Recreation Advisory Board, with the term set to expire on November 3, 2024. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, and Cargile.

Item (8) on the agenda was for the reappointment of David Wood to a three-year term on the City of Searcy Board of Zoning Adjustment, with the term set to expire on October 31, 2022. A motion was made by Mr. Cothorn and seconded by Mrs. Arnett to reappoint David Wood to a three-year term on the City of Searcy Board of Zoning Adjustment, with the term set to expire on October 31, 2022. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, and English.

Item (9) was for continued discussion regarding the decrease in sales and use tax distributions as notified by the Arkansas Department of Finance and Administration on July 18, 2019. Clerk/Treasurer explained that two months of city sales and use tax distributions have been received that reflect the withholding/decrease of sales tax (in an estimated amount of \$504,000 over a five month period) that the City of Searcy was notified of in July of 2019 by the Arkansas Department of Finance and Administration. He further noted that with the upcoming month of November having three payroll periods, there will probably be cash flow issues that arise due to the decrease in sales tax distributions. He also noted that the decrease in the city’s portion of the White County 1% sales tax has also affected the city. He asked that the Council approve an appropriation of \$500,000.00 from unappropriated reserves in the 2014 Eight Year Plan Fund to mitigate any cash flow issues. He also noted that if the funds appropriated are not needed, they would not be used. This appropriation is included in the budget adjustment ordinance for consideration.

Item (10) was for continued discussion regarding the drainage issue at Golf View Drive. A motion was made by Mr. Brewer and seconded by Mr. Cothorn to table this issue indefinitely. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, English, and Raney.

Item (11) was for continued discussion regarding the drainage issue at Storage West on Beebe Capps Expressway. A motion was made by Mr. Raney and seconded by Mr.

October 8, 2019

Regular Session

Cothorn to table this issue indefinitely. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howell, Cargile, English, Raney and Brewer.

Item (12) on the agenda was for continued discussion regarding a possible amendment to Sanitation rates. Two different proposals were presented to the Council. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to adopt proposal #2 and to have an ordinance amending Sanitation rates for the City of Searcy for the November 2019 regular Council meeting. Motion carried with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, English, Raney, Brewer, and Chalenburg.

Item (13) was a resolution for the authorization to execute and perform a certain agreement, specifically an agreement with the Searcy Special School District for School Resource Officers (SRO). Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mr. English to approve the resolution for the authorization to execute and perform a certain agreement, specifically an agreement with the Searcy Special School District for School Resource Officers (SRO). Motion carried with the following voting “yes”: Arnett, Howell, Cargile, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2019-28**

Item (14) was a resolution authorizing the abandonment of fully utilized assets, specifically Street Department vehicles. Mr. Gibson read the resolution in full. Motion was made by Mr. Chalenburg and seconded by Mr. Brewer to pass the resolution. Motion carried with the following voting “yes”: Howell, Cargile, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Resolution 2019-29**

Item (15) was a resolution approving amounts of liens to be certified to the White County Tax Collector against certain properties in the City of Searcy, Arkansas, as a result of grass cutting expenses and abatement of other nuisances. Mr. Gibson read the resolution in full. Motion was made by Mr. Raney and seconded by Mr. English to pass the resolution. Motion carried with the following voting “yes”: Cargile, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell. **Resolution 2019-30**

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 \$1,000.00 to ‘FIRE DONATIONS’ revenue account (#01 4-000-90-07) and appropriate \$1,000.00 to the Fire Department ‘DONATIONS EXPENDED’ expenditure account (#01 5-070-05-17) for the receipt and use of a donation from USA Softball of Arkansas;
- b. Appropriate \$8,870.43 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;

- c. Appropriate \$54,152.85 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 construction services;
- d. Appropriate \$3,300.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'COMPREHENSIVE DRAINAGE STUDY' expenditure account (#14 5-130-06-01) for engineering services regarding City of Searcy comprehensive drainage study;
- e. Appropriate \$2,500.00 from General Fund unappropriated reserves to the Code Enforcement Department 'URBAN RENEWAL/MOWING' expenditure account (#01 5-120-05-04) for property clean-up and abatement of other nuisances;
- f. Appropriate \$26,355.00 from the Drug Enforcement and Covert Fund unappropriated reserves to 'DODGE TRUCK PURCHASE' expenditure account (#07 5-500-53-01) for the purchase of truck for use by the Drug Task Force;
- g. Appropriate \$7,251.31 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 changes to the existing electric facilities;
- h. Appropriate \$500,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'TRANSFER TO GENERAL – STAFFING NEEDS' expenditure account (#14 5-190-05-05) and appropriate \$500,000.00 to General Fund 'TRANSFER FROM EIGHT YEAR PLAN – STAFFING NEEDS' revenue account (#01 4-000-10-16);

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

- a. \$108,217.06 to Regions Bank for payment on the loan for the construction of the Searcy Swim Center (#14 5-085-05-01);

- b. \$8,870.43 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);
- c. \$54,152.85 to Burkhalter Technologies, Inc. for construction services on the Rolling Meadows/Cloverdale drainage improvement project (#14 5-130-05-02);
- d. \$3,300.00 to Thomas F. Black, P.E. for engineering services regarding City of Searcy comprehensive drainage study (#14 5-130-06-01);
- e. \$26,355.00 to Landers Dodge for the purchase of truck for use by the Drug Task Force (#07 5-500-53-01);
- f. \$7,251.31 to Entergy Arkansas, LLC for changes to the existing electric facilities on the Rolling Meadows/Cloverdale drainage improvement project (#14 5-130-05-02);

A motion was made by Mr. Raney, seconded by Mr. Cothorn, 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, Howell, and Cargile. 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”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, and English. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, English, and Raney. **Ordinance 2019-31**

A motion was made and seconded to adjourn.

Minutes Approved: November 12, 2019

/s/ Kyle Osborne  
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris  
CITY CLERK

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