

Searcy City Council – Public Hearings and Regular Session
Tuesday, January 10, 2012 7:00 p.m.
Minutes

Mayor David Morris called on Pastor Frank Warden to give the Invocation, with the pledge following, led by Alderman Arnett. Mayor Morris then called to order a Public Hearing before the Searcy City Council. He noted that the purpose of the hearing was to consider a petition to vacate and abandon that portion of First State Court lying North of Northern boundary line of Lot 9 and portion of Financial Drive lying North of the Northern Boundary line of Lot 1 in First State Plaza Subdivision, Searcy, Arkansas. He called on Attorney Stephen Giles on behalf of Petitioner Wal-Mart, who explained that to proceed with development of the area for a proposed neighborhood market, it is necessary to close streets and easements that were originally platted on the site. The Mayor called for other comments or statements. There being none, the public hearing adjourned.

Mayor Morris then called to order a second Public Hearing before the Searcy City Council. He noted that the purpose of the hearing was to consider a petition to abandon all of the public easements located within Lots 2, 3, 4, 5, 6, 7 and 8 of First State Plaza Subdivision, Searcy, Arkansas. He called for comments or statements from any member of the public either for or against the petition. Mr. Giles stated that the comments he made in the first hearing continued to apply. The Mayor called for other comments or statements. There being none, the public hearing adjourned.

Mayor Morris then called to order a third Public Hearing before the Searcy City Council. He noted that the purpose of the hearing was to consider a petition to vacate alleys lying in the original Block 4 and Block 5 of the South Heights Addition to the City of Searcy, Arkansas, and the right-of-way of Greenwood Street (unimproved) lying between Blocks 4 and 5 of South Heights Addition to the City of Searcy, Arkansas. The Mayor called on Attorney Susannah Streit on behalf of the petitioners. Ms. Streit noted that she had provided a survey of the area to be closed, and further noted that the ordinance being considered at tonight's meeting was solely to close the unimproved Greenwood Street; other areas for closing will be considered after necessary consents have been obtained. Mr. Gibson noted that he represents Q Properties, LLC, an adjoining landowner, and that his client has no objection to the closing. The Mayor called for comments or statements from other members of the public either for or against the petition. There being none, the public hearing adjourned.

Mayor Morris then called to order the regular January meeting of the Searcy City Council. City Clerk Peggy Meads 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 Mark Derrick. Also present was City Attorney Buck Gibson.

The minutes of the regular meeting of December 13, and special meetings of December 17 and December 27 were presented for approval. A motion was made by Mr. Raney and seconded by Mr. Sterling to approve all of these minutes. The following voted to approve: Arnett, Dixon, Sterling, English, Raney, Brewer, Derrick and Cothorn.

Clerk/Treasurer Peggy Meads presented the Treasurer's Report which lists the following balances as of 12-31-12: General Fund: \$649,461.21; Street Fund \$468,413.14; Capital Equipment Fund \$211,960.79; LOPFI Fund \$749,258.23; Parks & Recreation Capital Fund \$87,019.32. She also reported a total of \$3,094,167.83 year-to-date in County Sales Tax revenues received, and \$3,154,036.93 in year-to-date City Sales Taxes received. Total annual sales tax revenues are up \$225,243.76 over 2010. The total of all funds is \$2,166,112.69. Mr. Cothorn made a motion, seconded by Mr. English, to approve the report. The following voted to approve: Dixon, Sterling, English, Raney, Brewer, Derrick, Cothorn and Arnett.

The next item was a resolution to authorize the Mayor to enter into a Contract of Obligation with the Arkansas Department of Environmental Quality. Mr. Gibson read the resolution in full. A motion was made by Mr. Sterling and seconded by Mr. Raney to approve the resolution. Motion carried with the following voting "yes": Sterling, English, Raney, Brewer, Derrick, Cothorn, Arnett and Dixon. **Resolution 2012-01**

The next agenda item was consideration of the taxicab application submitted by Kenneth Leininger pursuant to the recently revised taxicab ordinance. Motion was made by Mr. Raney and seconded by Mr. Cothorn to approve the application. Motion carried with the following voting "yes": English, Raney, Brewer, Derrick, Cothorn, Arnett, Dixon and Sterling.

The next item on the agenda was an ordinance to abandon and vacate that portion of First State Court lying North of the northern boundary line of Lot 9 and that portion of Financial Drive lying North of the northern boundary line of Lot 1 in First State Plaza Subdivision, Searcy, Arkansas. 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": Raney, Brewer, Derrick, Cothorn, Arnett, Dixon, Sterling and English. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Brewer, seconded by Mr. Derrick, to adopt the ordinance. The ordinance passed with the following voting "yes": Brewer, Derrick, Cothorn, Arnett, Dixon, Sterling, English and Raney. The ordinance contains no emergency clause. **Ordinance 2012-01**

The next agenda item was an ordinance to abandon all of the public easements located in Lots 2, 3, 4, 5, 6, 7 and 8 of First State Plaza Subdivision, Searcy, Arkansas. A motion was made by Mr. Cothorn, seconded by Mr. Brewer, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting "yes": Derrick, Cothorn, Arnett, Dixon, Sterling, English, Raney and Brewer. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Brewer, seconded by Mr.

Sterling, to adopt the ordinance. The ordinance passed with the following voting “yes”: Cothern, Arnett, Dixon, Sterling, English, Raney, Brewer and Derrick. The ordinance contains no emergency clause. **Ordinance 2012-02**

The next agenda item was an ordinance to abandon and vacate all of the right-of-way of Greenwood Street (unimproved) lying between Blocks 4 and 5 of South Heights Addition, Searcy, Arkansas. Mr. Dixon made a motion, seconded by Mr. Sterling, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Arnett, Dixon, Sterling, English, Brewer, Derrick and Cothern. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Dixon, seconded by Mr. Cothern, to adopt the ordinance. The ordinance passed with the following voting “yes”: Dixon, Sterling, English, Brewer, Derrick, Cothern and Arnett. Mr. Gibson read the emergency clause, Section 3 of the ordinance. Mr. Dixon made a motion, seconded by Mr. Sterling, to adopt the emergency clause. Motion carried with the following voting “yes”: Sterling, English, Brewer, Derrick, Cothern, Arnett and Dixon. Mr. Raney abstained from any votes on this ordinance. **Ordinance 2012-03**

The next item on the agenda was an ordinance to rezone portions of South Heights Addition to City of Searcy from R-3 to PD. Mr. Raney made a motion, seconded by Mr. Dixon, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Derrick, Cothern, Arnett and Dixon. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Dixon, seconded by Mr. Cothern, to adopt the ordinance. The ordinance passed with the following voting “yes”: English, Brewer, Derrick, Cothern, Arnett, Dixon and Sterling. Mr. Gibson then read the emergency clause. Mr. Dixon made a motion, seconded by Mr. Sterling, to adopt the emergency clause. Motion carried with the following voting “yes”: Raney, Brewer, Derrick, Cothern, Arnett, Dixon, Sterling and English. **Ordinance 2012-04**

The next item was an ordinance to amend the 2011 budget to appropriate \$32,788.00 to the Phase III Parking Apron revenue account (01 4-000-99-39), which represents the final distribution on a 2008 grant, and to appropriate \$33,230.00 to the West W-1 Apron Taxilane Grant expenditure account (5-040-56-45). 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, Derrick, Cothern, Arnett, Dixon, Sterling, English and Raney. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothern, seconded by Mr. Dixon, to adopt the ordinance. The ordinance passed with the following voting “yes”: Derrick, Cothern, Arnett, Dixon, Sterling, English, Raney and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Dixon, seconded by Mr. Raney, to adopt the emergency clause, with the following voting “yes”: Cothern, Arnett, Dixon, Sterling, English, Raney, Brewer and Derrick. **Ordinance 2012-05**

The next item was an ordinance to amend the 2012 budget to appropriate \$50,000.00 to police department 2011 JAG Recovery Project grant revenue account (4-000-98-90);

\$19,702.00 to police department 2011 JAG Recovery Project grant expenditure account (5-060-56-23); and \$30,298.00 to IT department police software expenditure account (5-160-56-01); to appropriate \$4,150.00 to Airport Terminal revenue account and to Airport Terminal expenditure account; and to authorize payment of \$30,298.00 to Admit Computer Services, Inc. for IMPACT software (CAD, Records, Mobile, Mapping, AVL). 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”: Arnett, Dixon, Sterling, English, Raney, Brewer, Derrick and Cothorn. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Dixon, to adopt the ordinance. The ordinance passed with the following voting “yes”: Dixon, Sterling, English, Raney, Brewer, Derrick, Cothorn and Arnett. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Dixon, seconded by Mr. Cothorn, to adopt the emergency clause, with the following voting “yes”: Sterling, English, Raney, Brewer, Derrick, Cothorn, Arnett and Dixon. **Ordinance 2012-06**

The next item was council ratification of an interim inclement weather policy, which authorizes the Mayor to take action with regard to closing city offices during inclement weather. The policy will hereafter be submitted in the form of an ordinance to amend the City’s personnel and employment handbook, but this measure allows the Mayor to take action pending the adoption of such ordinance. The Mayor called on Mr. Gibson to read the proclamation. Mr. Raney made a motion, seconded by Mr. Brewer to approve the proclamation. Motion carried with the following voting “yes”: English, Raney, Brewer, Derrick, Cothorn, Arnett, Dixon and Sterling.

A motion was made and seconded to adjourn.

Minutes Approved:

/s/ David Morris
MAYOR

ATTEST:

/s/ Margaret Meads
CITY CLERK

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