

Searcy City Council – Regular Session
Tuesday, August 14, 2012 7:00 p.m.
Minutes

Mayor David Morris called to order the Regular Session of the Searcy City Council. Chris Gant gave the Invocation, with the pledge following, led by Peggy Meads. 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, and Dale Brewer. Alderman Mark Derrick was not present. Also present was City Attorney Buck Gibson.

Mayor Morris announced that since the agenda meeting, some items had come to his attention that should be included on the agenda for this city council meeting of August 14, 2012, those being: (1) the appropriation of \$21,000.00 for right-of-way acquisition related to the Highway 16 @ Elm Street traffic signal per the request of Arkansas Highway and Transportation Department; (2) the appropriation of \$25,000.00 as ‘security for the mulch center clean-up’ and \$48,600.00 as ‘security for the transfer station clean-up’; (3) to authorize payment of \$22,914.65 to AC Oil Company, Inc. for diesel fuel (dyed) for all city departments; (4) to authorize payment of \$21,000.00 to the Arkansas Highway and Transportation Department for right-of-way acquisition related to the Highway 16 @ Elm Street traffic signal; (5) to authorize payment of \$25,000.00 to First Community Bank for a Certificate of Deposit [CD - 15 month term] related to the contract of obligation required by the Arkansas Department of Environmental Quality as ‘security for the mulch center clean-up’; and (6) to authorize payment of \$48,600.00 to First Community Bank for a Certificate of Deposit [CD – 15 month term] related to the contract of obligation required by the Arkansas Department of Environmental Quality as ‘security for the transfer station clean-up.’ A motion was made by Mr. Raney and seconded by Mr. Brewer to suspend the rules and amend the agenda to include these items. Motion carried with the following voting “yes”: Dixon, Sterling, English, Raney, Brewer, Cothorn and Arnett.

The minutes of the regular July 10, 2012 meeting of the Council and also the minutes of the three special meetings of the Council on the dates of July 16, 2012, July 17, 2012, and July 20, 2012 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: English, Raney, Brewer, Cothorn, Arnett, Dixon and Sterling.

Clerk/Treasurer Peggy Meads presented the Treasurer’s Report which lists the following balances as of 7-31-12: General Fund: \$980,127.10; Street Fund \$693,965.87; Capital Equipment Fund \$202,147.16; LOPFI Fund \$874,240.59; Parks & Recreation Capital Fund \$79,212.84; Act 833 Fund \$12,736.54; Airport Projects Fund \$145,431.54; Special Highway Tax Fund \$1,052,571.63. She also reported a total of \$3,754,152.40 year-to-date in City and County Sales Tax revenues received, which is up \$306,168.82 from the same time in 2011. The total of all funds (excluding special highway tax fund) is \$2,987,861.64. Mr. Sterling made a motion, seconded by Mrs. Arnett, to approve the report. Motion carried with the following voting “yes”: Brewer, Cothorn, Arnett, Dixon, Sterling, English and Raney.

Item E on the agenda was for consideration for the appointment of Ms. Sonja Parsons to the Searcy Housing Authority Board of Commissioners to fill the unexpired term of Janet Overstreet (term to expire 3-29-2013). A motion was made by Mr. Brewer and seconded by Mr. Cothorn for the appointment of Ms. Sonja Parsons to the Board. Motion carried with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, and Cothorn.

Item F on the agenda was a resolution for the authorization for the City of Searcy to proceed with the demolition of property located at 107 North Elm Street in the City of Searcy. City attorney Mr. Gibson read the resolution in full. Motion was made by Mr. Raney and seconded by Mr. Dixon to adopt the resolution. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Cothorn, Arnett and Dixon. **Resolution 2012-22**

Item G on the agenda was a resolution regarding a new 2012 FAA grant: *Taxiway E Overlay and Ramp Drainage* for the Searcy municipal airport in the amount of \$149,688.00 with the City of Searcy’s match of \$16,632.00 for a project total cost of \$166,320.00. City attorney Mr. Gibson read the resolution in full. Motion was made by Mr. Sterling and seconded by Mr. Cothorn to adopt the resolution. Motion carried with the following voting “yes”: Raney, Brewer, Cothorn, Arnett, Dixon, Sterling and English. **Resolution 2012-23**

Item H on the agenda was a resolution regarding a memorandum of agreement between the Arkansas Game and Fish Commission and the City of Searcy related to the hours of accessibility for the boat launch ramp/landing located at Riverside Park. After discussion, the hours of accessibility were modified (with the possibility of further modification as necessary) to be: Summer hours – 6:00 am until 9:30 pm; Winter hours – 6:00 am until 6:00 pm. City attorney Mr. Gibson read the resolution in full. Motion was made by Mr. Sterling and seconded by Mr. Dixon to adopt the resolution. Motion carried with the following voting “yes”: Cothorn, Arnett, Dixon, Sterling, English, Raney, and Brewer. **Resolution 2012-24**

Item I on the agenda was related to the request by the Arkansas Highway and Transportation Department regarding the payment of \$21,000.00 for acquisition of right-of-way for the traffic signal to be located on Highway 16 @ Elm Street in the City of Searcy. No action was taken as it was noted by City attorney Mr. Gibson that this issue will be dealt with in the subsequent budget ordinance in this same City Council meeting.

Item J was the ordinance and resolution regarding a referral to the vote of the citizens of Searcy, Arkansas of a proposed A&P tax. A motion was made by Mr. Brewer and seconded by Mrs. Arnett to table the consideration of this resolution. The motion failed by a vote of 4 voting “No” and 3 voting “Yes”: Those voting “no” included: Dixon, Sterling, Raney, and Cothorn. Those voting “yes” included: English, Brewer, and Arnett.

Item J-1 was an ordinance levying a tax on the gross receipts of hotels, motels, and other short-term rental accommodations and on the gross receipts of restaurants, and other businesses for the sale of prepared food and beverages within the City of Searcy to be used for the development, construction, and maintenance of city parks (A&P tax). A motion was made by Mr. Raney and seconded by Mr. English to suspend the rules and to read the proposed ordinance by title only. Motion carried with the following voting “yes”: English, Raney, Brewer, Cothorn, Arnett, Dixon

and Sterling. City attorney Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney and seconded by Mr. Sterling to adopt the ordinance. The ordinance passed with the following voting “yes”: Raney, Brewer, Cothorn, Arnett, Dixon, Sterling and English. There was no emergency clause. **Ordinance 2012-27**

Item J-2 was the resolution regarding a referral to the vote of the citizens of Searcy, Arkansas of the previously adopted **Ordinance 2012-27**. The resolution was read in full by city attorney Mr. Gibson. A motion was made by Mr. Raney and seconded by Mr. Cothorn to adopt the resolution. The resolution passed with the following voting “yes”: Brewer, Cothorn, Arnett, Dixon, Sterling, English and Raney. **Resolution 2012-25**

Item K on the agenda was for the consideration of a budget ordinance to:

- a) Appropriate \$5,000.00 to Arkansas Fire Prevention Grant revenue account (#01 4-000-98-84) from grant award; and appropriate \$5,000.00 to Fire Prevention Carbon Monoxide Detectors expenditure account (#01 5-070-56-08);
- b) Appropriate \$166,320.00 to Taxiway E Overlay and Ramp Drainage Grant revenue account (#01 4-000-99-48), with \$149,688.00 from FAA grant award and \$16,632.00 from unappropriated reserves; and appropriate \$166,320.00 to Taxiway E Overlay and Ramp Drainage Grant expenditure account (#01 5-040-56-46);
- c) Appropriate \$21,000.00 to Signal Arkansas Hwy 16 at Elm Street expenditure account (02 5-900-54-13), with \$6,000.00 transferred from Street Signal Maintenance Expenditure account (02 5-900-05-04) and \$15,000.00 transferred from Street Signs/Markings Expenditure account (02 5-900-05-05);
- d) Appropriate \$18,585.94 to Airport Donations revenue account (#12 4-000-01-01); and same amount to Airport Terminal architect fees expenditure account (#12 5-040-05-01) [February billing statement from architect];
- e) Appropriate \$2,997.50 to Airport Donations revenue account (#12 4-000-01-01) and same amount to Sitework/Pavement Grant expenditure account (#12 5-040-56-02); and transfer expenditure of \$2,997.50 from Soil Testing expenditure account (#12 5-040-05-03) to Sitework/Pavement Grant expenditure account (#12 5-040-56-02) [billing statement from soils engineer];
- f) Appropriate \$6,977.27 to Airport Donations revenue account (#12 4-000-01-01); and same amount to Airport Terminal Grant expenditure account (#12 5-040-56-01) [airport terminal grant expenditures through 6-30-12];
- g) Appropriate \$28,357.20 to Airport Donations revenue account (#12 4-000-01-01); and same amount to Airport Sitework/Pavement Grant expenditure account (#12 5-040-56-02) [sitework/pavement grant expenditures through 6-30-12];
- h) Transfer appropriation of \$42,651.73 from Airport Terminal architect fees expenditure account (#12 5-040-05-01), and assign \$34,121.38 (80%) to Airport Terminal grant expenditure account (#12 5-040-56-01), and \$8,530.35 (20%) to Sitework/Pavement grant expenditure account (#12 5-

- 040-56-02) [to properly allocate architect fees expended to date to the two airport grant expenditure accounts, per architect's recommendation];
- i) Appropriate \$295.12 to Airport Donations revenue account (#12 4-000-01-01), and appropriate \$236.10 (80%) to Airport Terminal grant expenditure account (#12 5-040-56-01), and \$59.02 (20%) to Sitework/Pavement grant expenditure account (#12 5-040-56-02);
 - j) Appropriate \$29,295.00 to Airport Donations revenue account (#12 4-000-01-01), and appropriate \$7,470.00 to Sitework/Pavement grant expenditure account (#12 5-040-56-02), and \$21,825.00 to Airport Terminal grant expenditure account (#12 5-040-56-01) [contractor's July 31, 2012 invoice].

[NOTE: The source of all appropriations to Airport Donations revenue account (Items d through j) is the initial \$125,000.00 contribution from White County and \$100,000.00 contribution from SREDC.]

- k) Appropriate \$25,000.00 from unappropriated reserves to Mayor's expenditure account "Security for Mulch Center Cleanup" (01 5-010-05-17); and \$48,600.00 from unappropriated reserves to Mayor's expenditure account "Security for Transfer Station Cleanup" (01 5-010-05-18).

and to authorize expenditure of the following sums:

- a. \$9,800.00 to E & T Brokerage for 2008 Chevrolet Silverado truck for Parks & Recreation Department from Parks & Recreation capital expenditure account (#04 5-880-53-09) (per Council authorization April 10, 2012, supporting change from purchase of one new pickup truck to purchase of two used pickup trucks);
- b. \$295.12 to SCM Architects for June 30, 2012 invoice;
- c. \$29,295.00 to James H. Cone, Inc., for July 31, 2012 invoice;
- d. \$5,514.93 to Stephenson Oil Co., Inc. for fuel for all city departments;
- e. \$22,914.65 to AC Oil Co. Inc. for diesel fuel for all city departments;
- f. \$21,000.00 to Arkansas Highway & Transportation Department for right-of-way acquisition, Highway 16 @ Elm Street;
- g. \$25,000.00 to First Community Bank for CD;
- h. \$48,600.00 to First Community Bank for CD.

City Clerk/Treasurer Peggy Meads spoke to the Council asking for guidance from them regarding section 1, item c regarding the appropriation of the \$21,000.00 to the Signal Arkansas Hwy 16 at Elm Street expenditure account (02 5-900-54-13). It was decided to transfer \$6,000.00 from Street Signal Maintenance expenditure account (02 5-900-05-04) and \$15,000.00 from Street Signs/Markings expenditure account (02 5-900-05-05) for this cost. A motion was made by Mr. Raney and seconded by Mr. Sterling to amend the budget ordinance as noted. Motion was passed with the following voting "yes": Cothorn, Arnett, Dixon, Sterling, English, Raney, and Brewer.

A motion was then made by Mrs. Arnett and seconded by Mr. English to suspend the rules and read the amended ordinance by title only. Motion was passed with the following voting "yes": Arnett, Dixon, Sterling, English, Raney, Brewer, and Cothorn. City attorney Mr. Gibson read the ordinance title only. Motion was made to adopt the ordinance as amended by Mr. Cothorn and seconded by Mr. Raney. The motion passed with the following voting "yes": Dixon, Sterling,

English, Raney, Brewer, Cothorn and Arnett. City attorney Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Sterling, seconded by Mr. Brewer, to adopt the emergency clause, with the following voting "yes": Sterling, English, Raney, Brewer, Cothorn, Arnett and Dixon. **Ordinance 2012-28**

The Mayor announced the completion of the audit reports for the 2 grants to the City of Searcy from the Arkansas Community and Economic Development Commission and that the reports are on file at City Hall for inspection. Notice will be published in a newspaper of local distribution.

The mayor also passed out information gathered by Jay Shock regarding sanitation rates and information regarding revenues and expenditures for the Sanitation Department and asked that the Council consider calling a meeting of the whole at a future time to discuss these issues.

The mayor also reminded those present that a burn ban is still in place for the City of Searcy and will remain so until further notice.

The mayor presented outgoing City Clerk/Treasurer Peggy Meads with a plaque recognizing her service to the City of Searcy and the City's appreciation for this service.

A motion was made and seconded to adjourn.

Minutes Approved: September 11, 2012

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK