

Searcy City Council – Regular Session
Tuesday, December 11, 2012 7:00 p.m.
Minutes

Mayor David Morris called to order the Regular Session of the Searcy City Council. Reverend Kade Curry of First Presbyterian Church 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, Jim Dixon, Steve Sterling, Dale English, Don Raney, Dale Brewer, and Mark Derrick. Also present was Searcy City Attorney Buck Gibson.

Mayor David Morris asked the City Council to entertain a motion to suspend the rules and amend the agenda due to a new item in the budget adjusting ordinance [item (16)]. This new item was for an adjustment needed due to a miscalculation in the cost of the employee bonus that was approved at the December 6, 2012 Special Session of the City Council (Ordinance 2012-34). This adjustment was for the total amount of \$69.60 (General Fund: \$57.44; Street Fund: \$12.16). A motion was made by Mrs. Arnett and seconded by Mr. Sterling to suspend the rules and to amend the agenda to include the new item. The motion carried with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, Derrick, and Cothorn.

The minutes of the November 13, 2012 regular session meeting of the City Council were presented for approval. A necessary correction was pointed out by Alderman Cothorn and noted for correction. A motion was made by Mr. Cothorn and seconded by Mr. English to approve the minutes after correction. The following voted “yes” to approve the minutes upon correction: Dixon, Sterling, English, Raney, Brewer, Derrick, Cothorn, and Arnett.

Searcy City Clerk/Treasurer Jerry Morris presented the Treasurer’s Report which lists the following balances as of November 30, 2012: General Fund: \$1,112,251.00; Street Fund \$776,353.44; Capital Equipment Fund \$107,397.77; LOPFI Fund \$511,994.63; Parks & Recreation Capital Fund \$996.29; Act 833 Fund \$27,114.07; Airport Projects Fund \$79,992.41; Special Highway Tax Fund \$3,192,776.75. He also reported a total of \$5,911,033.19 year-to-date in City and County Sales Tax revenues received, which is up \$200,914.12 from the same date in time in the year 2011. The total of all funds (excluding the Special Highway Tax Fund) is \$2,616,099.61. Mr. Sterling made a motion, seconded by Mrs. Arnett, to approve the report. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Derrick, Cothorn, Arnett, and Dixon.

Item (5) on the agenda was the presentation of the Economic Development Report by Mr. Buck Layne of the Searcy Regional Chamber of Commerce.

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Item (6) on the agenda was a recommendation for the reappointment of Mr. Blake Holzhauser and the appointment of Mr. Mickey Gentry to the Board of Zoning Adjustment. A motion was made by Mr. Raney and seconded by Mr. Dixon for the reappointment of Mr. Holzhauser and the appointment of Mr. Gentry for terms expiring on October 31, 2015 to the Board of Zoning Adjustment. Motion carried with the following voting “yes”: English, Raney, Brewer, Derrick, Cothorn, Arnett, Dixon, and Sterling.

Item (7) on the agenda was a recommendation for the reappointment of Mr. Reynie Rutledge to the Searcy Board of Public Utilities (Water System) for a 5-year term expiring on December 31, 2017. A motion was made by Mr. Cothorn and seconded by Mr. Sterling for the reappointment of Mr. Rutledge to the Searcy Board of Public Utilities. Motion carried with the following voting “yes”: Raney, Brewer, Derrick, Cothorn, Arnett, Dixon, Sterling, and English.

Item (8) on the agenda was for an appointment to the Searcy Airport Commission for a 5-year term expiring on December 31, 2017. Item (9) on the agenda was for the acceptance of the resignation of Mr. Bob Smith, M.D., effective December 31, 2012, and for an appointment to fill the unexpired term of Mr. Smith which will expire on December 31, 2015. A motion was made at this time by Mr. Raney and seconded by Mr. Cothorn for the Council to go into executive session for discussion regarding items (8) and (9) on the agenda. Motion carried with the following voting “yes”: Brewer, Derrick, Cothorn, Arnett, Dixon, Sterling, English, and Raney.

Upon return out of executive session, a motion was made by Mr. Derrick and seconded by Mr. Brewer to return to regular session and resume business with item (8) on the agenda. Motion carried unanimously.

Item (8) on the agenda was a recommendation for the appointment of Mr. Adam Hart to a 5-year term expiring on December 31, 2017 to the Searcy Airport Commission. A motion was made by Mr. Raney and seconded by Mr. Cothorn to appoint Mr. Hart to the Searcy Airport Commission. Motion carried with the following voting “yes”: Derrick, Cothorn, Arnett, Dixon, Sterling, English, Raney, and Brewer.

Item (9) on the agenda was for the acceptance of the resignation of Mr. Bob Smith, M.D. effective December 31, 2012 from the Searcy Airport Commission and the appointment of a person to fill the unexpired term of Mr. Smith to the Searcy Airport Commission. A motion was made by Mr. Dixon and seconded by Mr. Brewer to accept the resignation of Mr. Smith effective December 31, 2012. Motion carried with the following voting “yes”: Cothorn, Arnett, Dixon, Sterling, English, Raney, Brewer, and Derrick. A motion was then made by Mr. Brewer and seconded by Mr. Sterling to appoint Mr. J. R. Howard to fill the unexpired term of Mr. Smith, subject to expiration on December 31, 2015. Motion carried with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, Derrick, and Cothorn.

Item (10) on the agenda was recommendation for the appointment of Mr. Patrick Stegall to the City of Searcy Public Educational Facilities Board for a 5-year term expiring on August 17, 2017. This appointment, under Arkansas state law, requires a resolution to be adopted by the City Council. City Attorney Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mr. Raney to adopt the resolution appointing Mr. Stegall to the Searcy Public Educational Facilities Board for a 5-year term expiring on August 17, 2017. Motion carried with the following voting “yes”: Dixon, Sterling, English, Raney, Brewer, Derrick, Cothorn, and Arnett. **Resolution 2012-28**

Item (11) on the agenda was a resolution for the amendment of the City of Searcy future land use plan. City Attorney Mr. Gibson read the resolution in full. A motion was made by Mr. Sterling and seconded by Mr. Dixon to amend the future land use plan for the City of Searcy with regard to the following item number (12) on the agenda. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Derrick, Cothorn, Arnett, and Dixon. **Resolution 2012-29**

Item (12) on the agenda was an ordinance for the re-zoning of real property located at 908 Holmes Road from R-3 (Residential) to C-3 (Commercial) as recommended by the Searcy Planning Commission and provided for by the adoption of Resolution 2012-29. A motion was made to suspend the rules and read the ordinance by title only by Mr. Raney, and was seconded by Mr. Sterling. Motion carried with the following voting “yes”: English, Raney, Brewer, Derrick, Cothorn, Arnett, Dixon, and Sterling. Mr. Gibson read the ordinance by title only. A motion was made by Mr. Cothorn, seconded by Mr. Sterling, to adopt the ordinance to re-zone real property located at 908 Holmes Road from R-3 to C-3. Motion carried with the following voting “yes”: English, Raney, Brewer, Derrick, Cothorn, Arnett, Dixon, and Sterling. Mr. Gibson then read the emergency clause of the ordinance. A motion was made by Mr. Raney, seconded by Mr. Dixon, to adopt the emergency clause. Motion carried with the following voting “yes”: Raney, Brewer, Derrick, Cothorn, Arnett, Dixon, Sterling, and English. **Ordinance 2012-35**

Item (13) on the agenda was for consideration of an appeal regarding the rejection by the Searcy Planning Commission of a re-zone request for real property located at 1811 South Highway 267 (the intersection of Booth Road and Highway 267) from UT to C-3. A motion was made by Mr. Raney, seconded by Mr. English, to refer this request for re-zoning back to the Planning Commission. Motion carried with the following voting “yes”: Brewer, Derrick, Cothorn, Arnett, Dixon, Sterling, English, and Raney.

Item (14) on the agenda was a resolution declaring property located at 120 Choctaw a nuisance property. Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mr. Raney to adopt the resolution declaring property located at 120 Choctaw a nuisance property. Motion carried with the following voting “yes”:

Derrick, Cothorn, Arnett, Dixon, Sterling, English, Raney, and Brewer. **Resolution 2012-30**

Item (15) on the agenda was a resolution granting an electrical easement for Entergy Corporation at the City of Searcy Airport. Mr. Gibson read the resolution in full. A motion was made by Mr. Sterling, seconded by Mr. Brewer, to adopt the resolution granting the easement to Entergy Corporation at the Searcy Airport. Motion carried with the following voting “yes”: Cothorn, Arnett, Dixon, Sterling, English, Raney, Brewer, and Derrick. **Resolution 2012-31**

Item (16) on the agenda was a budget adjusting ordinance, as amended, to:

Section 1. The budget for the City of Searcy, Arkansas, is amended in the following manner:

- a. Appropriate \$31,500.00 to Airport Donations revenue account (#12 4-000-01-01), and appropriate \$2,250.00 to Sitework/Pavement grant expenditure account (#12 5-040-56-02), and \$29,250.00 to Airport Terminal grant expenditure account (#12 5-040-56-01): [James H. Cone, contractor’s November 30, 2012 invoice for work completed];
- b. Appropriate \$664.03 to Airport Donations revenue account (#12 4-000-01-01), and appropriate \$531.22 (80%) to Airport Terminal grant expenditure account (#12 5-040-56-01), and \$132.81 (20%) to Sitework/Pavement grant expenditure account (#12 5-040-56-02): [SCM Architects services October 31, 2012 invoice];
- c. Transfer \$499.00 from Capital Equipment Fund Parks Equipment Pick-Up Truck expenditure account (04 5-880-53-09) to Capital Equipment Fund Parks Equipment Mule Utility Vehicle expenditure account (04 5-880-53-11);
- d. Transfer \$1,703.12 from Capital Equipment Fund Parks Equipment Pick-Up Truck expenditure account (04 5-880-53-09) to Capital Equipment Fund Parks Equipment Ballpark Lighting expenditure account (04 5-880-53-14);
- e. Transfer \$2,179.70 from Capital Equipment Fund Parks Equipment Grasshopper Mower/Attachments expenditure account (04 5-880-53-13)

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to Capital Equipment Fund Parks Equipment Ballpark Lighting expenditure account (04 5-880-53-14);

- f. Transfer \$4,778.79 from Capital Equipment Fund Police Equipment 2009 New Vehicle Loan expenditure account (04 5-860-53-03) to Capital Equipment Fund Parks Equipment Ballpark Lighting expenditure account (04 5-880-53-14); and
- g. The sum of \$57.44 is appropriated from unappropriated reserves to be attributed between accounts within the relevant department of the City of Searcy to afford Eligible Full Time Employees a one-time bonus in the amount of \$400.00 and Eligible Part Time Employees in the amount of \$200.00, with said funds to be attributed to the relevant expense accounts for salary, social security withholding, medicare and APERS within each department.
- h. \$12.16 is appropriated from unappropriated street fund reserves to be attributed between accounts within the Street Department of the City of Searcy to afford Eligible Full Time Employees employed by the Street Department a one-time bonus in the amount of \$400.00, and Eligible Part Time Employees employed by the Street Department a one-time bonus in the amount of \$200.00 with said funds to be attributed to the relevant expense accounts for salary, social security withholding, medicare and APERS within the Street Department.

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

- a. \$31,500.00 to James H. Cone, Inc., for November 30, 2012 invoice;
- b. \$664.03 to SCM Architects PLLC, for October 31, 2012 invoice;
- c. \$20,000.00 to Searcy Regional Economic Development Corporation (SREDC) for the second one-half of 2012 appropriation from general fund;
- d. \$23,892.69 to AC Stores Oil Company for fuel for all departments;

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- e. \$31,693.01 to Stephenson Oil Company for fuel for all departments and other miscellaneous expenditures (oil for the Sanitation department, fuel for equipment at the Compost (Mulch) Center, gas pump repair at the Sanitation department, engine additive for the Fire department);
- f. \$8,861.61 to McKenney Supply for costs associated with the ballpark lighting project.
- g. \$69.60 to certain city employees for year-end bonuses in the amount of \$400.00 for full time employees and \$200.00 for part time employees, with such sums to be attributed, as may be determined to be necessary for salary, social security withholding, medicare and APERS within the relevant departments of the City of Searcy and including, without limitation, the Street Department

A motion was made by Mr. Raney, seconded by Mr. English, to suspend the rules and read the ordinance by title only. Motion carried with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, Derrick, and Cothorn. Mr. Gibson then read the ordinance by title only. A motion was made by Mr. Brewer and seconded by Mrs. Arnett to approve 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. Brewer, seconded by Mr. Sterling, to adopt the emergency clause. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Derrick, Cothorn, Arnett, and Dixon.

Ordinance 2012-36

Mayor Morris then made the following announcements:

- The State of Arkansas Division of Legislative Audit will have a review of the City of Searcy 2011 audit on December 13, 2012 at 1:30 p.m. in Room 151 of the State Capitol building.
- The swearing-in ceremony for new Searcy City Council members will be held on January 1, 2013 at 9:00 a.m. at Searcy City Hall.
- The Searcy Fire Department Christmas dinner will be held on December 13, 2012 at 6:00 p.m. at the Central Fire Station.
- This will be the final Regular Session Searcy City Council meeting for the retiring Searcy Chief of Police, Kyle Osborne. Mayor Morris offered the thanks of the City of Searcy for his years of service.

A motion was made and seconded to adjourn.

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Minutes Approved: January 8, 2013

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

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