

**Searcy City Council – Public Hearings and Regular Session**  
**Tuesday, March 13, 2012 7:00 p.m.**  
**Minutes**

Mayor David Morris called on Gail Morris to give the Invocation, with the pledge following, led by Alderman Raney. 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 the issuance of refunding and capital improvement revenue bonds in an amount not to exceed \$7,600,000. The Mayor called for comments or statements. He then called on Attorney J. Shepherd Russell, III, representing Harding University, who explained the purpose of the bonds is to finance a portion of the costs of certain capital improvements on the Harding University campus and to refund Refunding Revenue Bonds, Series 2005, previously issued by the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board. The Mayor called for further 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 the petition of the Searcy Special School District to abandon and vacate a portion of Gum Street lying between Blocks 47 and 52 in the Original Town of Searcy, Arkansas. He called for comments or statements from any member of the public either for or against the petition. There being none, the public hearing adjourned.

Mayor Morris then called to order the regular March 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 February meeting of the Council were presented for approval. A motion was made by Mr. Sterling and seconded by Mr. Cothorn to approve the 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 2-29-12: General Fund: \$1,142,484.34; Street Fund \$525,818.05; Capital Equipment Fund \$233,524.59; LOPFI Fund \$774,468.57; Parks & Recreation Capital Fund \$81,862.50. She also reported a total of \$555,210.01 year-to-date in County Sales Tax revenues received, and \$575,424.15 in year-to-date City Sales Taxes received. Sales tax collections are up \$55,100.00 over the same period in 2011. The total of all funds is \$2,999,820.07. A motion was made by Mr. Sterling and seconded by Mr. Cothorn to approve the report. The following voted to approve: Dixon, Sterling, English, Raney, Brewer, Derrick, Cothorn and Arnett.

The Mayor called on Buck Layne to give the quarterly report of the Searcy Regional Chamber of Commerce and Searcy Regional Economic Development Corporation.

Item (f) on the agenda was the appointment of Dennis Organ and Matt LaForce, and the reappointment of Charlie Goff, to the Searcy Tree Board, each term to expire 12/31/2014. A motion was made by Mrs. Arnett and seconded by Mr. Dixon to approve these appointments. Motion carried with the following voting to approve: Sterling, English, Raney, Brewer, Derrick, Cothorn, Arnett and Dixon.

Item (g) on the agenda was the reappointment of Jim Baugh Jones, Gerald Joyner and Mike Hutsell to the Searcy Planning Commission, each term to expire 2/8/2015. A motion was made by Mr. Raney and seconded by Mrs. Arnett to approve these appointments. Motion carried with the following voting to approve: English, Raney, Brewer, Derrick, Cothorn, Arnett, Dixon and Sterling.

The next agenda item was authorization for the Mayor and City Clerk to renew agreements between the City and MainStreet Searcy. A motion was made by Mr. Cothorn, seconded by Mr. English to authorize the agreements. Motion carried with the following voting “yes”: Raney, Brewer, Derrick, Cothorn, Arnett, Dixon, Sterling and English.

Item (i) was a personnel matter concerning the Clerk/Treasurer. The Mayor announced that Ms. Meads will be getting married and leaving the state, and she has tendered a letter of resignation effective August 31, 2012. He then called on Mr. Gibson to inform the Council of the process the Council should follow to fill the vacancy in the Clerk’s position. Mr. Gibson stated that he has not completed his research on the matter, but has determined that the Council should fill the remaining term of the Clerk-Treasurer by appointment, and that the next election for the office would be in November 2014.

Item (j) on the agenda was a resolution to authorize the initiation of eminent domain proceedings regarding property on Sowell Street near Beebe-Capps Expressway. The Mayor stated that this would allow a north-south corridor from Beebe-Capps to West Pleasure Street, and would aid the school district as additional access to the Southwest Middle School campus. Mr. Gibson mentioned that City Engineer Mark Lane has visually inspected the area and noted that a portion of the affected area was paved in the 1960s. He further noted that a survey of the area is attached to the resolution. Mr. Gibson then read the resolution in full. Motion was made by Mr. Raney and seconded by Mr. Brewer to adopt the resolution. Motion carried with the following voting “yes”: Brewer, Derrick, Cothorn, Arnett, Dixon, Sterling, English and Raney. **Resolution 2012-05**

Item (k) on the agenda was a resolution approving the issuance of refunding and capital improvement revenue bonds by the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board. Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mr. Sterling to pass the resolution. Motion carried with the following voting “yes”: Derrick, Cothorn, Arnett, Dixon, Sterling, English, Raney and Brewer. **Resolution 2012-06**

Item (l) on the agenda was consideration of the sale of surplus (obsolete) city property, that being an ASOS weather station previously used at the airport. The City received two bids on the property, the high bid of \$501.00 being made by Bob Chatman of Newport, Arkansas. The Mayor disclosed that Mr. Chatman is an employee of Miller-Newell Engineering Company, which does engineering work at the airport. A motion was made by Mr. Raney, seconded by Mr. Dixon, to accept Mr. Chatman's bid, with the following voting "yes": Cothorn, Arnett, Dixon, Sterling, English, Raney, Brewer and Derrick.

Item (m) was consideration of the sale of other non-functioning or obsolete city equipment and vehicles that have no value to the City. The Mayor requested authority to proceed with plans to advertise the equipment and vehicles and accept sealed bids. Mr. Dixon made a motion, seconded by Mr. Raney, to proceed with preparations for sale. Motion carried with the following voting "yes": Arnett, Dixon, Sterling, English, Raney, Brewer, Derrick and Cothorn.

The next agenda item was consideration of an application for taxicab license submitted for Diamond Cab, LLC. The Mayor introduced Gary Davis, the applicant, and called for a motion concerning the licensing of two taxicabs that Mr. Davis uses in the City primarily for transportation to medical appointments. Mr. Brewer made a motion, seconded by Mr. English, to approve the license. Motion carried with the following voting "yes": Dixon, Sterling, English, Raney, Brewer, Derrick and Cothorn. Mrs. Arnett abstained.

Item (o) on the agenda was an ordinance regarding the closing of a portion of Gum Street lying between Blocks 47 and 52 in the original town of Searcy. The request was made by Susannah Streit, representing Searcy Public Schools. A motion was made by Mr. Cothorn, seconded by Mr. Sterling, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting "yes": Sterling, English, Brewer, Derrick, Cothorn, Arnett and Dixon. Mr. Raney abstained. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Dixon, seconded by Mr. Sterling, to adopt the ordinance. The ordinance passed with the following voting "yes": English, Brewer, Derrick, Cothorn, Arnett, Dixon and Sterling. Mr. Raney abstained. The ordinance contains no emergency clause. **Ordinance 2012-13**

Item (p) on the agenda was an ordinance to readopt a Flood Damage Prevention Code for the City. The Mayor called on Mr. Gibson, who explained that the ordinance would adopt Chapter 36 to the Code of Ordinances, entitled Flood Damage Prevention, and noted that FEMA had requested the inclusion of penalty provisions. A motion was made by Mr. Raney, seconded by Mr. Derrick, 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. He also noted that the ordinance will contain no emergency clause, as it must be approved by FEMA and should not go into effect until May 2, 2012. A motion was then made by Mr. Raney, seconded by Mr. Sterling, to adopt the ordinance. The

ordinance was adopted with the following voting “yes”: Brewer, Derrick, Cothorn, Arnett, Dixon, Sterling, English and Raney. **Ordinance 2012-14**

Item (q) on the agenda was a budget ordinance to appropriate \$3,501.92 to 2011 JAG Special Purpose Mini-Grant revenue account (4-000-98-78) and expenditure account (5-060-56-20) (for forensic fuming hood and supplies); appropriate \$7,790.94 to Airport Terminal revenue account (12 4-000-01-01) and to Airport Terminal architect fees expenditure account (12 5-040-05-01) re January billing statement from architect; and to authorize expenditure of the following sums: \$28,244.00 to SHI for annual Microsoft licensing agreement from IT software support expenditure account (5-160-05-01); \$27,125.00 to Relativity, Inc. for 2012 annual service agreement from IT software support expenditure account (5-160-05-01); \$30,183.78 to Stephenson Oil Co., Inc. for fuel for all city departments; and \$29,085.35 to AC Oil Co., Inc. for fuel for all city departments.

A motion was made by Mr. Derrick, seconded by Mr. English, 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. Raney, seconded by Mr. Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Cothorn, Arnett, Dixon, Sterling, English, Raney, Brewer and Derrick. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mr. Raney, to adopt the emergency clause, with the following voting “yes”: Arnett, Dixon, Sterling, English, Raney, Brewer, Derrick and Cothorn. **Ordinance 2012-15**

The Mayor announced a meeting of the business licensing committee of the Council at 4:30 p.m. Thursday, March 15, and a meeting of the Intergovernmental Cooperation Council at 7 p.m. the same date. The first Town Hall meeting will be held Tuesday, March 27, at 7 p.m. at the Auditorium of the Carmichael Community Center.

A motion was made and seconded to adjourn.

Minutes Approved: April 10, 2012

/s/ David Morris  
MAYOR

ATTEST:

/s/ Margaret Meads  
CITY CLERK

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