

**Searcy City Council – Regular Session**  
**Tuesday, May 8, 2018 6:00 p.m.**  
**Minutes**

Mayor David Morris called to order the Regular Session of the Searcy City Council. Tom Martin, representing the White County Ministerial Alliance, gave the Invocation, with the Pledge of Allegiance following, led by Emma and William Killough. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: Logan Cothorn, Mary Ann Arnett, J. R. Howard, Steve Sterling, 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 items: (8) resolution – The Johanson Group, (9) resolution EAP, (10) resolution – declaring certain real property a nuisance, 313 Lakewood Drive, (11) resolution – declaring certain real property a nuisance, 3900 East Race Avenue, (15-1-k) budget ordinance appropriation for city-wide employee job valuation, market pay, and compensation study services, (15-1-l) budget ordinance appropriation for sidewalk improvements on the north side of the Code Enforcement building, (15-1-m) budget ordinance appropriation for additional part-time employee at the Rialto Theater for summer matinee showings, (15-2-i) budget ordinance authorization to expend funds for city-wide employee job valuation, market pay, and compensation study services, (15-2-j) budget ordinance authorization to expend funds for sidewalk improvements on the north side of the Code Enforcement building, (15-2-k) budget ordinance authorization to expend funds for fuel for all departments, and (15-2-l) budget ordinance authorization to expend funds for payment on the loan for the construction of the Searcy Swim Center. A motion was made by Mr. Brewer and seconded by Mr. Cothorn to suspend the rules and amend the agenda to add the items. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular April 10, 2018 meeting of the Council 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: Howard, Sterling, 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 4-30-2018: General Fund: \$1,929,926.69; Street Fund \$1,720,628.56; Capital Equipment Fund \$66,483.69; LOPFI Fund \$150,597.55; Act 833 Fund \$76,519.43; Airport Fund \$52,132.88. The total of all of the preceding funds is \$3,996,288.80. He also reported the following balances as of 4-30-2018: Special Highway Connector Route Tax Fund \$4,079,519.67; 2014 Eight Year Plan Fund \$6,340,521.36; Information Technology Projects Fund \$18,931.70; Special Projects Fund \$2,539.02; 0.25% Fire Protection Services County Sales Tax Fund \$138,845.87. He also reported a total of \$2,184,753.91 year-to-date in City and County Sales Tax revenues received, which is up \$102,868.16 from the same time in 2017.

Item (6) was a resolution approving the Consent Administrative Order from the Arkansas Department of Environmental Quality for compliance activities required by the order as related to the Searcy Transfer Station. Mr. Gibson read the resolution in full. A motion was made by Mr. Raney and seconded by Mr. English to adopt the resolution approving the Consent Administrative Order from the Arkansas Department of Environmental Quality for compliance activities required by the order as related to the Searcy Transfer Station. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. **Resolution 2018-17**

Item (7) was a resolution for the authorization to execute and perform a certain agreement, specifically an agreement with the Arkansas Department of Environmental Quality for a Contract of Obligation for the Searcy Transfer Station. Mr. Gibson read the resolution in full. Motion was made by Mr. Sterling and seconded by Mr. Howard to pass the resolution. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. **Resolution 2018-18**

Item (8) was a resolution approving a certain contract, authorizing the execution and performance of a certain agreement with The Johanson Group for a job valuation, market pay, and compensation study. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mrs. Arnett to approve the resolution for a certain contract, authorizing the execution and performance of a certain agreement with The Johanson Group for a job valuation, market pay, and compensation study. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English.

**Resolution 2018-19**

Item (9) was a resolution approving a certain contract, authorizing the execution and performance of a certain agreement with Southwest EAP for an Employee Assistance Program. 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”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. **Resolution 2018-20**

Item (10) was a resolution declaring certain real property a nuisance, approving the right of entry to abate conditions, directing the removal of certain conditions pursuant to Article 9-3 of the Searcy Code of Ordinances, 313 Lakewood Drive. Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mrs. Arnett to approve the resolution declaring certain real property a nuisance, approving the right of entry to abate conditions, directing the removal of certain conditions pursuant to Article 9-3 of the Searcy Code of Ordinances, 313 Lakewood Drive. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer. **Resolution 2018-21**

Item (11) was a resolution declaring certain real property a nuisance, approving the right of entry to abate conditions, directing the removal of certain conditions pursuant to

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Article 9-3 of the Searcy Code of Ordinances, 3900 East Race Avenue (former Roseann motel). Mr. Gibson read the resolution in full. Motion was made by Mr. Sterling and seconded by Mrs. Arnett to pass the resolution. Motion carried with the following voting “yes”: Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg.

**Resolution 2018-22**

Item (12) on the agenda was an ordinance amending the Searcy Code of Ordinances, amending Chapter 17 of the Code of Ordinances providing for business licensing for certain outdoor and mobile vendors. 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”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mr. Howard, to adopt the ordinance. The ordinance passed with the following voting “yes”: Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. Brewer, to adopt the emergency clause, with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. **Ordinance 2018-15**

Item (13) on the agenda was an ordinance amending Chapter 4 of the Searcy Code of Ordinances, establishing procedures related to applications for private club permits under Arkansas law. 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, Howard, and Sterling. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Brewer and to amend the ordinance to include placing a buffer zone of 500 feet “between establishments that sells liquor and churches, schools, pre-schools, kindergartens.” The motion was seconded by Mr. Chalenburg. The motion failed with the following voting “yes”: Brewer, Howard and the following voting “no”: Raney, Chalenburg, Cothorn, Arnett, Sterling, and English. A motion was then made Mr. Howard to remove the section of the proposed ordinance (4-4-3-B-6) that provide for criminal background checks. Mr. Howard explained that through consultation with the Arkansas State Police, that the background checks, which are performed upon application to the Alcoholic Beverage Control for a private club permit, are very thorough and much more efficient at both the state and national levels. The motion was seconded by Mr. Raney. The motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. A motion was then made by Mr. Raney, seconded by Mr. Cothorn, to adopt the ordinance as amended. The ordinance passed with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. Mr. Brewer voted “no”. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Sterling, seconded by Mr. English, to adopt the emergency clause, with the following voting “yes”: Cothorn, Arnett, Howard, Sterling, English, and Raney. Mr. Brewer and Mr. Chalenburg voted “no”.

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Item (14) on the agenda was an ordinance amending Chapter 17 of the Searcy Code of Ordinances, levying a tax upon the sale of certain beverages in the City of Searcy. 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, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. English, seconded by Mr. Raney, to adopt the ordinance. The ordinance passed with the following voting “yes”: Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mr. Sterling, to adopt the emergency clause, with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. **Ordinance 2018-17**

Item (15) 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 \$200.00 to General Fund ‘RECREATION DONATIONS’ revenue account (#01 4-000-90-08) and appropriate \$200.00 to Parks and Recreation Department ‘DONATIONS EXPENSED’ expenditure account (#01 5-080-05-10) for donation from Dick’s Sporting Goods;
- b. Appropriate \$1,325.00 to General Fund ‘FIRE DONATIONS’ revenue account (#01 4-000-90-07) and appropriate \$1,325.00 to the Fire Department ‘DONATIONS EXPENDED’ expenditure account (#01 5-070-05-17) for donation from White County Community Foundation to be used for the child safety seat program;
- c. Appropriate \$100.00 to General Fund ‘POLICE DONATIONS’ revenue account (#01 4-000-90-03) and appropriate \$100.00 to the Police Department ‘DONATIONS EXPENDED’ expenditure account (#01 5-060-05-06) for donation to the Police Department;
- d. Appropriate \$312,712.00 from 2014 Eight Year Plan Fund unappropriated reserves to ‘JANET DRIVE/ANCILLARY IMPROVEMENTS’ expenditure account (#14 5-900-54-03) for construction services for Janet Drive, ancillary streets, public infrastructure improvements project;
- e. Appropriate \$10,944.92 from 2014 Eight Year Plan Fund unappropriated reserves to ‘JANET DRIVE/ANCILLARY IMPROVEMENTS’ expenditure account (#14 5-900-54-03) for engineering services for Janet

Drive, ancillary streets, public infrastructure improvements project;

- f. Appropriate \$13,507.47 from 2014 Eight Year Plan Fund unappropriated reserves to 'JANET DRIVE/ANCILLARY IMPROVEMENTS' expenditure account (#14 5-900-54-03) for power pole and power line relocation for the Janet Drive, ancillary streets, public infrastructure improvements project;
- g. Appropriate \$6,568.13 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;
- h. Appropriate \$500.00 from 1% Special Tax Connector Route Fund unappropriated reserves to 'NORTH MAIN STREET IMPROVEMENTS' expenditure account (#13 5-900-54-03) for lien search services for the North Main Street improvement project;
- i. Appropriate \$900.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'CECIL TEDDER DRIVE DRAINAGE' expenditure account (#14 5-130-05-04) for Cecil Tedder Drive drainage improvement project survey services;
- j. Appropriate \$3,000.00 from General Fund unappropriated reserves to the Sanitation Department 'ADEQ COMPLIANCE FEES & LICENSES' expenditure account (#01 5-090-05-07) for consent order/compliance activities related to the Searcy Transfer Station;
- k. Appropriate \$29,745.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'JOB CLASSIFICATION/COMPENSATION STUDY' expenditure account (#14 5-190-05-11) for city-wide employee job valuation, market pay, and compensation study services;
- l. Appropriate \$26,448.00 from General Fund unappropriated reserves to the Code Enforcement Department 'NORTH SIDEWALK IMPROVEMENT' expenditure account (#01 5-120-54-01) for sidewalk improvements on the North side of the Code Enforcement building;
- m. Appropriate the following amounts from General Fund unappropriated

reserves to the Rialto Theater expenditure accounts for an additional part-time employee at the Rialto Theater for daily matinee showings during the summer:

\$3,150.00 – SALARIES (#01 5-086-01-01)

\$240.98 – SS/MEDICARE MATCH (#01 5-086-01-02)

\$496.13 – APERS RETIREMENT (#01 5-086-01-05)

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

- a. Transfer \$90,000.00 from the City of Searcy 2014 Eight Year Plan Fund to the City of Searcy LOPFI Fund for payment of LOPFI Retirement obligation (#14 5-190-05-04);
- b. \$312,712.00 to Johnny Brock Excavating & Landscaping, Inc. for construction services for Janet Drive, ancillary streets, public infrastructure improvements project (#14 5-900-54-03);
- c. \$10,944.92 to Whitlow Engineering Services for engineering services for Janet Drive, ancillary streets, public infrastructure improvements project (#14 5-900-54-03);
- d. \$13,507.47 to Entergy Arkansas, Inc. for power pole and power line relocation for the Janet Drive, ancillary streets, public infrastructure improvements project (#14 5-900-54-03);
- e. \$6,568.13 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);
- f. \$500.00 to Citizens Title & Closing Co. Inc. for lien search services on the North Main Street improvement project (#13 5-900-54-03);
- g. \$900.00 to Quattlebaum Surveying for survey services for the Cecil Tedder Drive drainage project (#14 5-130-05-04);
- h. \$3,000.00 to the Arkansas Department of Environmental Quality (ADEQ) for consent order/compliance activities related to the Searcy Transfer Station (#01 5-090-05-07);

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- i. \$29,745.00 to Johanson Group for city-wide employee job valuation, market pay, and compensation study services (#14 5-190-05-11);
- j. \$26,448.00 to Whitlow Engineering Services, Inc. for sidewalk improvements on the north side of the Code Enforcement building (#01 5-120-54-01), to the extent not otherwise required by law, the requirement of competitive bidding has been hereby waived;
- k. \$36,492.15 to Stephenson Oil Company for fuel for all departments;
- l. \$108,217.06 to Regions Bank for payment on the loan for the construction of the Searcy Swim Center (#14 5-085-05-01);

A motion was made by Mr. Brewer, seconded by Mr. Howard, 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, Howard, and Sterling. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Brewer, seconded by Mr. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mr. Sterling, to adopt the emergency clause, with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. **Ordinance 2018-18**

The Mayor announced:

- Groundbreaking ceremony for the Softball concession/press box/restroom facility at 10:00 a.m., Friday, May 11, 2018
- Special Olympics, May 23 – 26, 2018 at Harding University First Security Stadium
- City offices will be closed in observance of Memorial Day, Monday, May 28, 2018
- Ribbon Cutting Ceremony for the newly constructed Highway 13 Connector Route has been set for Tuesday, May 29, 2018 at 11:00 at the west end of the Little Red River Bridge

A motion was made and seconded to adjourn.

Minutes Approved: June 12, 2018

/s/ David Morris  
MAYOR

ATTEST:

/s/ Jerry Morris  
CITY CLERK  
Seal