

**Searcy City Council – Regular Session**  
**Tuesday, April 10, 2018 6:00 p.m.**  
**Minutes**

A public hearing had been advertised to be held at 6:00 p.m. on April 10, 2018. The purpose for this public hearing was for the consideration of any public input in determining the amounts of liens to be certified to the White County Tax Collector against certain properties as a result of grass cutting expenses and the abatement of other nuisances that have been incurred by the City of Searcy. Mayor David Morris opened the public hearing. No person requested to speak. Mayor Morris closed the public hearing.

Mayor David Morris called to order the Regular Session of the Searcy City Council. Karl McLarty, representing the White County Ministerial Alliance, gave the Invocation, with the Pledge of Allegiance following, led by Searcy Assistant Chief of Police Steve Taylor. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: Logan Cothorn, Mary Ann Arnett, J. R. Howard, Dale English, Don Raney, Dale Brewer, and Mike Chalenburg. Also present was City Attorney Buck Gibson. Council member Steve Sterling was not present.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (15) resolution to enter an agreement with White River Planning and Development District, Inc. for administrative services regarding grant funding from the Department of Parks and Tourism for playground equipment at the Searcy Event Center, (17-1-l) budget ordinance appropriation for the acquisition of a brush truck for the Sanitation Department, (17-1-m) budget ordinance appropriation for the relocation of a donated reader sign, (17-1-n) budget ordinance appropriation for the acquisition of 6-yard and 8-yard commercial dumpsters, (17-1-o) budget ordinance appropriation for the acquisition of 96-gallon residential garbage containers, (17-1-p) budget ordinance appropriation for upgrades and repairs to the old Fire Station 2 building in preparation for use by the Community Service program, (17-1-q) budget ordinance appropriation for the purchase of turnouts for the Fire Department, (17-1-r) budget ordinance appropriation for uniform services for the Fire Department, (17-2-m) budget ordinance authorization to expend funds for the acquisition of a brush truck for the Sanitation Department, (17-2-n) budget ordinance authorization to expend funds for the relocation of a donated reader sign, (17-2-o) budget ordinance authorization to expend funds for the acquisition of 6-yard and 8-yard commercial dumpsters, (17-2-p) budget ordinance authorization to expend funds for the acquisition of 96-gallon residential garbage containers, and (17-2-q) budget ordinance authorization to expend funds for the purchase of turnouts for the Fire Department. A motion was made by Mr. Raney and seconded by Mr. Howard to suspend the rules and amend the agenda to add the items. Motion carried with the following voting “yes”: Arnett, Howard, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular March 13, 2018 meeting of the Council were presented for approval. A motion was made by Mr. Cothorn and seconded by Mr. Chalenburg to

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approve the minutes. The following voted to approve: Howard, 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 3-31-2018: General Fund: \$2,084,328.37; Street Fund \$1,650,906.90; Capital Equipment Fund \$66,483.69; LOPFI Fund \$151,197.36; Act 833 Fund \$69,893.03; Airport Fund \$61,170.56. The total of all of the preceding funds is \$4,083,979.91. He also reported the following balances as of 3-31-2018: Special Highway Connector Route Tax Fund \$4,079,519.67; 2014 Eight Year Plan Fund \$6,357,425.37; Information Technology Projects Fund \$4,368.92; Special Projects Fund \$2,536.93; 0.25% Fire Protection Services County Sales Tax Fund \$136,628.43. He also reported a total of \$1,678,036.99 year-to-date in City and County Sales Tax revenues received, which is up \$108,633.13 from the same time in 2017.

Item (6) on the agenda was for the approval of the reappointment of David Goff to a five-year term on the Searcy Housing Authority Board of Commissioner with the term set to expire on March 30, 2021 and the reappointment of Sonja Parson to a five-year term on the Searcy Housing Authority Board of Commissioners with the term set to expire on March 30, 2022. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to approve the reappointment of David Goff to a five-year term on the Searcy Housing Authority Board of Commissioner with the term set to expire on March 30, 2021 and the reappointment of Sonja Parson to a five-year term on the Searcy Housing Authority Board of Commissioners with the term set to expire on March 30, 2022. Motion carried with the following voting "yes": English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard.

Item (7) was for the confirmation of the intent to use the recovered funds from the David Sawyers misuse of City of Searcy funds incident for the replacement of the roof on the Searcy Public Library building. A total of \$201,966.00 was recovered. The estimated cost for the replacement of the roof of the Searcy Public Library building is \$300,000.00 to \$325,000.00. A motion was made by Mr. Cothorn, seconded by Mrs. Arnett, to confirm the intent to use the recovered funds from the David Sawyers misuse of City of Searcy funds incident for the replacement of the roof on the Searcy Public Library building. Motion carried with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and English.

Item (8) on the agenda was for the authorization for the City Attorney to seek a declaratory judgement regarding the issue of the former Mayor's retirement as noted by Arkansas Legislative Audit in the annual audit for the City of Searcy for the calendar year 2016. A motion was made by Mr. Brewer and seconded by Mrs. Arnett to authorize the City Attorney to seek a declaratory judgement regarding the issue of the former Mayor's retirement as noted by Arkansas Legislative Audit in the annual audit for the City of Searcy for the calendar year 2016. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Arnett, Howard, English, and Raney.

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Item (9) was for the confirmation of the intent to set aside funds in the amount of \$160,000.00 annually of the 0.25% County Fire Protection Services Sales Tax revenue for the intended use toward the purchase of a future Fire Department Pumper Truck and to also offset the expected shortfall in Act 833 funding used to pay for the 2018 E-One Pumper Truck acquisition. A motion was made by Mr. Brewer and seconded by Mr. Chalenburg to confirm this intent. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howard, English, Raney, and Brewer.

Item (10) was a resolution approving the right of entry to abate specific properties that have been determined to be a nuisance at a specific location within the city limits of the City of Searcy per Ordinance 2016-14, property located at 1009 West Academy Avenue. Mr. Gibson read the resolution in full. A motion was made by Mr. Howard and seconded by Mr. Raney to approve the resolution approving the right of entry to abate specific properties that have been determined to be a nuisance at a specific location within the city limits of the City of Searcy per Ordinance 2016-14, property located at 1009 West Academy Avenue. Motion carried with the following voting “yes”: Cothorn, Arnett, Howard, English, Raney, Brewer, and Chalenburg. **Resolution 2018-11**

Item (11) was a resolution for the authorization to execute and perform an agreement with Vest Exteriors for downtown landscaping and parking lot maintenance. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mr. Raney to pass the resolution. Motion carried with the following voting “yes”: Arnett, Howard, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2018-12**

Item (12) was a resolution authorizing the abandonment of fully utilized assets, specifically: 1) 2001 Dodge Ram Pickup truck, white, VIN# 1B7HC16Y11S655805 and 2)1998 Dodge Ram 1500 Pickup truck, white, VIN# 1B7HC16X2WS654337. Both vehicles are in the Parks and Recreation Department. Mr. Gibson read the resolution in full. A motion was made by Mr. Chalenburg and seconded by Mr. Howard to approve the abandonment of fully utilized assets, specifically: 1) 2001 Dodge Ram Pickup truck, white, VIN# 1B7HC16Y11S655805 and 2)1998 Dodge Ram 1500 Pickup truck, white, VIN# 1B7HC16X2WS654337. Motion carried with the following voting “yes”: Howard, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Resolution 2018-13**

Item (13) was a resolution authorizing the abandonment of fully utilized assets, specifically: 1) Ford F700 Fuel truck, VIN# 1FDNK74P8LVA28400 and 2)1984 Chevrolet Blazer VIN# 1G8ED18J3EF194471. Both vehicles are in the Street Department. Mr. Gibson read the resolution in full. Motion was made by Mrs. Arnett and seconded by Mr. Cothorn to pass the resolution. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. **Resolution 2018-14**

Item (14) was a resolution to approve the amounts of liens to be certified to the White County Tax Collector against certain properties as a result of grass cutting expenses and abatement of other nuisances. Mr. Gibson read the resolution in full. A motion was made by Mr. Howard and seconded by Mr. Cothorn to approve the amounts of liens to be

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certified to the White County Tax Collector against certain properties as a result of grass cutting expenses and abatement of other nuisances. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and English.

**Resolution 2018-15**

Item (15) was a resolution for the authorization to enter into an administrative agreement with the White River Planning and Development District, Inc. for providing administrative services for grant funding from the Department of Parks and Tourism for playground equipment at the Searcy Event Center. Mr. Gibson read the resolution in full. Motion was made by Mr. Raney and seconded by Mr. Howard to pass the resolution. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howard, English, and Raney. **Resolution 2018-16**

Item (16) on the agenda was an ordinance amending the Searcy Zoning Code with respect to the zoning classification of a specific land area within the City of Searcy, specifically real property located at 804 East Moore Avenue from C-3 (Neighborhood Commercial) to C-4 (Community Commercial). A motion was made by Mr. Raney, seconded by Mr. Chalenburg, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howard, English, Raney, and Brewer. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mr. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting “yes”: Cothorn, Arnett, Howard, English, Raney, Brewer, and Chalenburg. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. Cothorn, to adopt the emergency clause, with the following voting “yes”: Arnett, Howard, English, Raney, Brewer, Chalenburg, and Cothorn. **Ordinance 2018-13**

Item (17) 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 \$500.00 to General Fund ‘FIRE DONATIONS’ revenue account (#01 4-000-90-07) and appropriate \$500.00 to the Fire Department ‘DONATIONS EXPENSED’ expenditure account (#01 5-070-05-17) for the receipt and use of a donation from Walmart for smoke detectors;
- b. Appropriate \$6,196.67 from General Fund unappropriated reserves to the Police Department vehicle ‘EQUIPMENT’ expenditure account (#01 5-060-03-03) for the use of insurance reimbursement received for the 2009 Ford Crown Victoria involved/totaled in February 7, 2018 accident;
- c. Appropriate \$24,962.64 from General Fund unappropriated reserves to

‘DOWNTOWN BEAUTIFICATION AND PARKING LOT MAINTENANCE’ expenditure account (#01 5-080-02-15) for maintenance/upkeep of the Downtown Beautification areas and the Main Street and Center Street parking lots;

- d. Appropriate \$25,000.00 from General Fund unappropriated reserves to ‘TRANSFER TO INFORMATION TECHNOLOGY PROJECTS FUND’ expenditure account (#01 5-190-05-16) and appropriate \$25,000.00 to Information Technology Projects Fund ‘TRANSFER FROM GENERAL FUND’ revenue account (#15 4-000-10-03) for payment on the loan for the construction of the city-owned fiber optic network;
- e. Appropriate \$15,775.90 from General Fund unappropriated reserves to the Sanitation Department ‘SUPPLIES SANITATION RECYCLING’ expenditure account (#01 5-090-02-15) for abatement of unsafe and unsanitary conditions caused by bird feces in the building, as recommended by the Arkansas State Health Department;
- f. Appropriate \$20,832.63 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;
- g. Appropriate \$3,621.66 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;
- h. Appropriate \$95,187.27 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;
- i. Appropriate \$88,553.07 from Act 833 Fund unappropriated reserves to the ‘2018 PUMPER LOAN PAYMENT’ expenditure account (#11 5-070-05-05) for loan payments for the remainder of the year on the 2018 E-One Pumper Fire Truck;

- j. Appropriate \$519.45 from 2014 Eight Year Plan Fund unappropriated reserves to 'SOFTBALL PRESSBOX/CONCESSION/RESTROOM' expenditure account (#14 5-085-54-03) for architectural/design services on the construction of the new softball pressbox/concession/restroom facility;
- k. Appropriate \$1,800.00 from 2014 Eight Year Plan Fund unappropriated reserves to the 'COUNTRY CLUB ROAD IMPROVEMENT' expenditure account (#14 5-900-54-01) for boundary work/easement surveying services for the Country Club Road improvement project;
- l. Appropriate \$127,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to the '2018 HINO 338 BRUSH TRUCK ' expenditure account (#14 5-090-53-06) for the acquisition of a brush truck with grapple boom for the Sanitation Department;
- m. Appropriate \$19,978.89 from General Fund unappropriated reserves to 'READER SIGN RELOCATION' expenditure account (#01 5-080-05-12) for the relocation of donated reader board sign currently located at the intersection of Beebe Capps Expressway and Skyline Drive;
- n. Appropriate \$18,920.12 from General Fund unappropriated reserves to '6-YARD, 8-YARD DUMPSTER' expenditure account (#01 5-090-05-03) for acquisition of 6-yard and 8-yard commercial dumpsters for the Sanitation Department;
- o. Appropriate \$6,703.88 from General Fund unappropriated reserves to the Sanitation Department 'RESIDENTIAL TRASH CONTAINERS' expenditure account (#01 5-090-02-15) for the acquisition of 96-gallon residential trash containers for the Sanitation Department;
- p. Appropriate \$5,000.00 to the Code Enforcement Department 'BUILDING MAINTENANCES/REPAIRS' expenditure account (#01 5-120-02-01) for upgrades and repairs to the old Fire Station 2 building for the use by the Community Service program for equipment storage and operations;
- q. Appropriate \$45,000.00 from 0.25% County Fire Sales Tax Fund unappropriated reserves to 'TURNOUT COATS, PANTS, HOODS'

expenditure account (#18 5-500-05-01) for the purchase of turnouts for the Fire Department;

- r. Appropriate \$25,000.00 from 0.25% County Fire Sales Tax Fund unappropriated reserves to 'UNIFORMS' expenditure account (#18 5-500-05-14) for uniform services for the Fire Department;

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

- a. \$19,066.42 to Stephenson Oil Company for fuel for all departments;
- b. 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);
- c. \$108,217.06 to Regions Bank for payment on the loan for the construction of the Searcy Swim Center (#14 5-085-05-01);
- d. \$20,000.00 to the Searcy Regional Chamber of Commerce for the first of two invoices for agreement for economic development services (#14 5-500-05-18);
- e. Transfer \$25,000.00 from the City of Searcy General Fund to the City of Searcy Information Technology Projects Fund for fiber optic network loan payments (#01 5-190-05-16);
- f. \$15,775.90 to TAS Environmental Services, L.P. for abatement of bird feces problem at the Sanitation Department building (#01 5-090-02-15);
- g. \$20,832.63 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);
- h. \$3,621.66 to Whitlow Engineering Services for engineering services for Janet Drive, ancillary streets, public infrastructure improvements (#14 5-900-54-03);
- i. \$95,187.27 to Johnny Brock Excavating & Landscaping, Inc. for construction services for Janet Drive, ancillary streets, public infrastructure improvements (#14 5-900-54-03);

- j. \$9,839.23 to Regions Bank for loan payment on the 2018 E-One Pumper Fire Truck (#11 5-070-05-05);
- k. \$519.45 to Hoffmann Architectural Inc. for architectural/design services for the new softball pressbox/concession/restroom facility (#14 5-085-54-03);
- l. \$1,800.00 to Quattlebaum Surveying, LLC for boundary work/easement surveying services for the Country Club Road improvement project (#14 5-900-54-01);
- m. \$127,000.00 to Henard Utility Products, Inc. for the acquisition of a brush truck with grapple boom (2018 Hino 338 chassis) for the Sanitation Department an emergency has been declared to exist and the process of formal bidding is hereby waived for this purchase (#14 5-090-53-06);
- n. \$19,978.89 to NEA SIGNS for the relocation of donated reader board sign currently located at the intersection of Beebe Capps Expressway and Skyline Drive (#01 5-080-05-12);
- o. \$18,920.12 to Bearicuda, Inc. for the acquisition of 6-yard and 8-yard commercial dumpsters for the Sanitation Department (#01 5-090-05-03);
- p. \$6,703.88 to Wastequip, Inc. for the acquisition of 96-gallon residential trash containers (#01 5-090-05-07);
- q. \$45,000.00 for the purchase of turnouts for the Fire Department: an emergency has been declared to exist and the process of formal bidding is hereby waived for this purchase (#18 5-070-05-01);

A motion was made by Mr. Brewer, seconded by Mr. Cothorn, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Howard, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. 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”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. 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”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and English. **Ordinance 2018-14**

The Mayor announced:

- A Committee of the Whole meeting is tentatively scheduled for Tuesday, April 24, 2018 at 5:00 p.m.

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- The Spring County-wide cleanup will be April 26 – 28, 2018; Thursday/Friday 7:30 a.m. until 5:00 p.m. and Saturday 8:00 a.m. until 2:00 p.m. at the White County Fairgrounds

A motion was made and seconded to adjourn.

Minutes Approved: May 8, 2018

/s/ David Morris  
Mayor of Searcy

ATTEST:

/s/ Jerry Morris  
City Clerk

Seal