

Searcy City Council – Regular Session
Tuesday, June 11, 2019 6:00 p.m.
Minutes

A public hearing had been advertised to be held 6:00 p.m. regarding the private club permit application from Chili's-Searcy Club, Inc. for Chili's/Searcy restaurant. This public hearing was a continuation of the public hearing regarding the private club permit application from Chili's-Searcy Club, Inc. for Chili's/Searcy restaurant that had been continued/tabled in the May 14, 2019 regular Council meeting. The public hearing was convened and it was explained by City Attorney Buck Gibson that due to a change in management, this public hearing had been requested to be continued until the regular June, 11 2019 City Council meeting. He further explained that this would be in line with the rules of order for the conduct of meetings, similar to tabling an agenda item. Mayor Osborne opened the public hearing. The manager of the Chili's/Searcy restaurant spoke to the Council first, followed by one person that had requested to speak. Mayor Osborne asked if there were any other persons that would like to speak and there were none. He also asked the Council if any of them had any questions or comments. There were none. Mayor Osborne thanked the persons that did speak and closed the public hearing.

Mayor Kyle Osborne called to order the Regular Session of the Searcy City Council. Karl McLarty gave the Invocation, with the Pledge of Allegiance following, led by Rodger Cargile. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering "present": Logan Cothorn, Mary Ann Arnett, Chris Howell, Rodger Cargile, Dale English, Don Raney, and Dale Brewer. Also present was City Attorney Buck Gibson. Council member Mike Chalenburg was not present.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (14-1-j) budget ordinance appropriation for relocation of cable and fiber lines for the North Main Street Improvement project, (14-1-k) budget ordinance appropriation for the acquisition of a tractor for the Sanitation Department Compost Center, (14-2-g) budget ordinance authorization to expend funds for relocation of cable and fiber lines for the North Main Street Improvement project, and (14-2-h) budget ordinance authorization to expend funds for the acquisition of a tractor for the Sanitation Department Compost 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. Mayor Osborne asked if there was any discussion regarding the motion. Motion carried with the following voting "yes": Arnett, Howell, Cargile, English, Raney, Brewer, and Cothorn.

The minutes of the regular May 14, 2019 meeting of the Council and the special May 17, 2019 meeting of the Council were presented for approval. A motion was made by Mr. Raney and seconded by Mr. Cargile to approve both sets of the minutes. The following voted to approve: Howell, Cargile, English, Raney, Brewer, Cothorn, and Arnett.

Clerk/Treasurer Jerry Morris presented and read the Treasurer's Report which lists the following balances as of 5-31-2019: General Fund: \$1,267,673.83; Street Fund

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\$1,583,391.60; Capital Equipment Fund \$17,760.27; LOPFI Fund \$261,237.35; Act 833 Fund \$7,948.52; Airport Fund \$37,219.63. The total of all of the preceding funds is \$3,175,231.20. He also reported the following balances as of 5-31-2019: Special Highway Connector Route Tax Fund \$3,813,085.40; 2014 Eight Year Plan Fund \$7,032,038.60; Information Technology Projects Fund \$27,836.85; Special Projects Fund \$2,566.71; 0.25% Fire Protection Services County Sales Tax Fund \$217,851.73; Court Automation Fund \$14,279.15. He also reported a total of \$2,674,695.47 year-to-date in City and County Sales Tax revenues received, which is down \$97,898.01 from the same time in 2018.

Item (6) on the agenda was the quarterly report from the Searcy Regional Chamber of Commerce, presented by Buck Layne.

Item (7) was for the reappointment of Arthur Churchill to a five-year term on the Searcy Housing Authority Board of Commissioners, with the term set to expire on March 30, 2024. A motion was made by Mr. Cothorn and seconded by Mrs. Arnett to reappoint Arthur Churchill to a five-year term on the Searcy Housing Authority Board of Commissioners, with the term set to expire on March 30, 2024. Motion carried with the following voting “yes”: Cargile, English, Raney, Brewer, Cothorn, Arnett, and Howell.

Item (8) on the agenda was for the rescheduling of the date and time for the regular July 2019 pre-council agenda meeting. The regular monthly schedule for the July 2019 meeting would have fallen on July 4, 2019. A motion was made by Mr. Raney, seconded by Mr. Brewer, to reschedule the meeting for Tuesday, July 2, 2019 at 6:00 p.m. Motion carried with the following voting “yes”: English, Raney, Brewer, Cothorn, Arnett, Howell, and Cargile.

Item (9) was for the appointment to fill a vacated position on the Advertising and Tourism Promotion Commission (A&P Commission). The open position is available due to the resignation of Brandon Fox. Mayor Osborne asked the Council to table this item in order to give him time to find a replacement. A motion was made by Mr. Raney and seconded by Mr. Cothorn to table the appointment to fill a vacated position on the Advertising and Tourism Promotion Commission (A&P Commission). Motion carried with the following voting “yes”: Raney, Brewer, Cothorn, Arnett, Howell, Cargile, and English.

Item (10) was a resolution for the authorization to submit application to the Department of Parks and Tourism for obtaining a 50/50 matching grant for recreation facilities for the City of Searcy. Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mrs. Arnett to approve the resolution for the authorization to submit application to the Department of Parks and Tourism for obtaining a 50/50 matching grant for recreation facilities for the City of Searcy. Motion carried with the following voting “yes”: Brewer, Cothorn, Arnett, Howell, Cargile, English, and Raney.

Resolution 2019-16

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Item (11) was a resolution for the authorization to execute and perform under the terms of a certain agreement with Creekwood Motor Company, Inc. for the provision of two leased motor vehicles, for the use by the Searcy Police Department. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mr. English to pass the resolution. Motion carried with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, English, Raney, and Brewer.

Resolution 2019-17

Item (12) 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, regarding real property located at 604 South Oak Street, from I-2 (Industrial) to C-4 (Community Commercial). A motion was made by Mr. Raney, seconded by Mr. English, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Arnett, Howell, Cargile, English, Raney, Brewer, and Cothorn. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Howell, seconded by Mr. Cargile, to adopt the ordinance. The ordinance passed with the following voting “yes”: Howell, Cargile, English, Raney, Brewer, Cothorn, and Arnett. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. Howell, to adopt the emergency clause, with the following voting “yes”: Cargile, English, Raney, Brewer, Cothorn, Arnett, and Howell. **Ordinance 2019-19**

Item (13) on the agenda was an ordinance authorizing Chili’s-Searcy Club, Inc. d/b/a Chili’s to file for a private club permit with the Alcohol Beverage Control Division under the provisions of the City of Searcy private club permit ordinance and 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 a vote of six “yes” and one “no” and one absent. Voting “yes” were: English, Raney, Cothorn, Arnett, Howell, and Cargile. Voting “no” was Brewer. Absent was Chalenburg. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mr. English, to adopt the ordinance. The ordinance passed with a vote of six “yes” and one “no” and one absent. Voting “yes” were: Raney, Cothorn, Arnett, Howell, Cargile, and English. Voting “no” was Brewer. Absent was Chalenburg. Mr. Gibson then read the emergency clause of the ordinance. No motion was brought forth. The emergency clause fails due to the lack of a motion. **Ordinance 2019-20**

Item (14) 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 \$50,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to ‘TRANSFER TO LOPFI FUND’ expenditure account (#14 5-190-05-04) for payment of LOPFI retirement obligation;
 - b. Appropriate \$10,000.00 from the 0.25% Fire Protection Services Tax Fund to ‘TURNOUTS’ expenditure account (#18 5-070-05-01);
 - c. Appropriate \$1,392.13 to the General Fund ‘SALE OF EQUIPMENT’ revenue

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- account (#01 4-000-60-04) and appropriate \$1,392.13 to the Police Department 'VEHICLE EQUIPMENT' expenditure account (#01 5-060-03-03) for use of proceeds from the sale of fully utilized asset (2009 Ford Crown Victoria, Resolution 2019-09);
- d. Appropriate \$3,000.00 to 'FIRE DONATIONS' revenue account (#01 4-000-90-07) and appropriate \$3,000.00 to the Fire Department 'DONATIONS EXPENDED' expenditure account (#01 5-070-05-07) for the receipt and use of a donation from Walmart for an automated external defibrillator and for carbon monoxide alarms;
 - e. Appropriate \$5,000.00 to 'POLICE DONATIONS' revenue account (#01 4-000-90-03) and appropriate \$5,000.00 to the Police Department 'DONATIONS EXPENDED' expenditure account (#01 5-060-05-06) for the receipt and use of a donation from Walmart;
 - f. Appropriate \$6,554.00 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 \$218,283.30 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 construction services;
 - h. Appropriate \$18,126.00 from 2014 Eight Year Plan Fund unappropriated reserves to the 'COUNTRY CLUB ROAD IMPROVEMENT' expenditure account (#14 5-900-54-01) for construction services on the Country Club Road improvement project;
 - i. Appropriate \$1,280.25 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 concrete testing services;
 - j. Appropriate \$37,303.74 from Special 1% Connector Route Tax Fund unappropriated reserves to 'NORTH MAIN STREET IMPROVEMENT'

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- expenditure account (#13 5-900-54-03) for relocation of White County Cable TV cable and fiber lines for the North Main Street improvement project;
- k. Appropriate \$14,385.48 to the 2014 Eight Year Plan Fund ‘WRI-13-15D MAINTENANCE BAY GRANT’ expenditure account (#14 5-500-05-21) and appropriate \$10,789.11 to the 2014 Eight Year Plan Fund ‘WRI-13-15D MAINTENANCE BAY GRANT’ revenue account (#14 4-000-98-05) for the purchase of a tractor for the Sanitation Department Compost Center using remaining 75/25 grant funding;

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

- a. \$108,217.06 to Regions Bank for payment on the loan for the construction of the Searcy Swim Center (#14 5-085-05-01);
- b. Transfer \$50,000.00 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. \$6,554.00 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);
- d. \$218,283.30 to Burkhalter Technologies, Inc. for construction services on the Rolling Meadows/Cloverdale drainage improvement project (#14 5-130-05-02);
- e. \$18,126.00 to RL Persons Construction, Inc., for construction services on the Country Club Road improvement project (#14 5-900-54-01);
- f. \$1,280.25 to Arkansas Testing Labs, Inc. for concrete testing services on the Rolling Meadows/Cloverdale drainage improvement project (#14 5-130-05-02);
- g. \$37,303.74 to White County Cable TV for relocation of cable and fiber lines on the North Main Street improvement project (#13 5-900-54-01);
- h. \$32,704.00 to Venture Equipment, LLC for the acquisition of a tractor for the Sanitation Department Compost Center (#14 5-500-05-21 [\$14,385.48] and #14 5-190-03-01 [18,318.52]);

A motion was made by Mr. Brewer, seconded by Mr. Raney, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Brewer, Cothorn, Arnett, Howell, Cargile, English, and Raney. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr.

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Brewer, to adopt the ordinance. The ordinance passed with the following voting “yes”: Cothern, Arnett, Howell, Cargile, English, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothern, seconded by Mrs. Arnett, to adopt the emergency clause, with the following voting “yes”: Arnett, Howell, Cargile, English, Raney, Brewer, and Cothern. **Ordinance 2019-21**

The Mayor announced:

- City offices will be closed in observance of Independence Day on Thursday, July 4, 2019

A motion was made and seconded to adjourn.

Minutes Approved: July 9, 2019

/s/ Kyle Osborne
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

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