

**Searcy City Council – Special Session**  
**May 17, 2019 1:00 p.m.**  
**Minutes**

Mayor Kyle Osborne called to order a Special Session of the Searcy City Council. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: Chris Howell, Rodger Cargile, Dale English, Don Raney, and Dale Brewer. Also present was City Attorney Buck Gibson. Mr. Gibson explained to Mayor Osborne that a majority of the members of the Council are present and that the Mayor may declare a quorum if he so chooses.

Mayor Osborne stated that the item on the agenda for this meeting is for the discussion regarding the Park Avenue/Cloverdale drainage project. Mayor Osborne explained that during the March 12, 2019 regular City Council meeting a change order for the Park Avenue/Cloverdale drainage project in the amount of an increase of \$112,035.00 was approved. The change order approved was mistakenly understood to include 42 inch pipe for the entire project length along Park Avenue. The actual change order did not include using the 42 inch pipe for the entire length, calling for a step down to smaller pipe at certain points along Park Avenue. Mayor Osborne further noted that if it is desired to use the larger 42 inch pipe, it would cost an estimated additional \$289,945.00. With that, Mayor Osborne opened the floor for discussion.

Mr. Brewer and Mr. Raney both stated that what they thought they had voted for in the March meeting was for the use of 42 inch pipe for the entire length. Mr. Raney further stated that regardless of the cost of the change order at that time he would have voted for it for the use of 42 inch pipe. He further explained that the concern he has now is the added expense of removing the smaller pipe that has already been placed. He added that he regrets that this has happened, but that he can accept the additional cost in order to have the larger pipe placed. Mr. Brewer stated that his understanding was that by using the smaller pipe, this could handle what is referred to as a 25-year flood. City Engineer Mark Lane agreed with this statement. Mr. Brewer further noted that he had thought he was voting for the use of the larger pipe in order to have the capability to handle what would be referred to as a 50-year flood or larger. He also noted that he has lived in the Cloverdale area for over 40 years and has seen the water deep enough for the use of a boat. He also stated that he has had to use sandbags at his residence on several occasions. Mr. Howell asked if this drainage along Park Avenue is the cause of the problems or is there other issues involved that add to the problem. Mr. Lane stated that he could not definitively state that this is the only cause of all of the problems, but that in his opinion, the usage of the larger 42 inch pipe is a superior answer and that his recommendation would be to remove the already installed smaller pipe and use the larger pipe for the project. Mr. Cargile asked the question of if it was decided to not use this larger pipe at this time and in the future it was shown to have been a mistake to not do this, what would be the cost to re-do the pipe. Mr. Lane stated that that could not be figured exactly at this time but he would say that it would probably be at least twice the cost. Mr. Raney noted that it was thought that at the March meeting that the Council was voting for the use of 42 inch pipe for the entire length and that he thought that this is what should be done at this

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time. Mr. Gibson noted that at this time there is no actual change order that has been presented, only a summarization of cost. Mr. Lane stated that a change order could be acquired quickly. Mr. Raney stated that he would like to act on this today by voting to enter into a change order for the use of 42 inch pipe for the entire length and authorize the Mayor to sign off on it. Mr. Gibson noted that he would recommend authorizing adding an additional amount to the estimated cost of \$289,945.00 in order to cover any additional costs not reflected in the estimate. Mr. Gibson asked Mr. Lane if he thought adding up to an additional 10% to the estimate would be sufficient. Mr. Lane agreed that he thought this would be more than sufficient. Mr. Gibson stated he would suggest the Chair entertain a motion to approve a change order based upon the estimated costs provided to the Council for the use of 42 inch pipe for the entire length in the amount of \$289,945.00 plus up to an additional 10% for any costs not reflected in the summarization. An additional 10% would be \$28,994.50, which would be an approval of up to a total of \$318,939.50 for the change order.

Mr. Brewer made a motion to increase the pipe size to 42 inches for the entire length along Park Avenue and approve a change order in the amount of \$289,945.00 plus up to an additional 10% for costs not reflected in the summarization that was provided to the Council. The motion was seconded by Mr. Raney. Motion carried with the following voting "yes": Howell, Cargile, English, Raney, and Brewer.

A motion was made and seconded to adjourn.

Minutes Approved: June 11, 2019

/s/ Kyle Osborne  
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris  
CITY CLERK

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