

Searcy City Council – Regular Session
Tuesday, February 12, 2019 6:00 p.m.
Minutes

A public hearing had been advertised to be held at 6:00 p.m. on February 12, 2019. 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 Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne closed the public hearing.

A public hearing had also been advertised to be held prior to the regular meeting of the Searcy City Council on February 12, 2019 for the purpose of any public input regarding the private club permit application by Great White Holdings, dba Guacamole Grill of Searcy. Six persons requested and were given the opportunity to speak before the Council. The attorney representing the Guacamole Grill of Searcy was given the opportunity to speak to the Council first, followed by the owner. Mayor Osborne then reminded that the Searcy City Council is tasked with assuring that the applicant has met the qualifications required by the State in order to make application to the State for a private club permit. Four persons spoke to the Council in opposition. Following these, the representing attorney for the Guacamole Grill of Searcy was allowed to speak again to address any concerns that were raised. Mayor Osborne thanked each that had spoken and asked if any other person wished to speak. None expressed the desire to speak and Mayor Osborne closed the public hearing.

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

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (13) resolution for the authorization to make application for and perform under the terms of the Edward Byrne Justice Assistance Grant program, (15-1-e) budget ordinance appropriation for an additional amount for right of way acquisitions on the North Main Street improvement project, (15-1-j) budget ordinance appropriation for construction services for the Rolling Meadows/Cloverdale drainage project, (15-1-k) transfer of funds within the Swim Center department for personnel changes, and (15 -2-k) budget ordinance authorization to expend funds for construction services for the Rolling Meadows/Cloverdale drainage project; 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”: Howell, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular January 8, 2019 meeting of the Council and special January 25, 2019 meeting of the Council were presented for approval. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to approve the minutes. The following voted to approve: English, Raney, Brewer, Chalenburg, Cothorn, and Howell.

Clerk/Treasurer Jerry Morris presented and read the Treasurer's Report which lists the following balances as of January 31, 2019: General Fund: \$1,799,386.34; Street Fund \$1,762,025.39; Capital Equipment Fund \$17,731.10; LOPFI Fund \$170,597.54; Act 833 Fund \$45,946.28; Airport Fund \$43,105.58. The total of all of the preceding funds is \$3,838,792.23. He also reported the following balances as of January 31, 2019: Special Highway Connector Route Tax Fund \$4,050,496.81; 2014 Eight Year Plan Fund \$7,394,556.05; Information Technology Projects Fund \$31,212.24; Special Projects Fund \$2,558.29; 0.25% Fire Protection Services County Sales Tax Fund \$187,785.65. He also reported a total of \$529,518.21 year-to-date in City and County Sales Tax revenues received, which is up \$10,939.99 from the same time in 2018.

Item (6) on the agenda was for the reappointment of Lillie Cook, Sue Ekdahl, and Freda Morgan to three (3) year terms on the Searcy Tree Board with the terms set to expire on December 31, 2021. A motion was made by Mr. Raney, seconded by Mr. Brewer, to approve the reappointment of Lillie Cook, Sue Ekdahl, and Freda Morgan to three year terms on the Searcy Tree Board, with the terms set to expire on December 31, 2021. Motion carried with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Howell, and English.

Item (7) was for the approval of additions and deletions to the City of Searcy Fixed Asset Schedule occurring during the past year. A listing of the additions and deletions had been provided to the Council prior to the meeting in order to examine the items. Mayor Osborne asked if there were any questions regarding the listing. A motion was made by Mr. Raney and seconded by Mr. English to approve the additions and deletions to the City of Searcy Fixed Asset Schedule. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Howell, English, and Raney.

Item (8) on the agenda was for the authorization to remove former Mayor David Morris as an authorized signer on all City of Searcy accounts and add Mayor Kyle Osborne as an authorized signer on all City of Searcy accounts. A motion was made by Mr. Brewer, seconded by Mr. Cothorn, to authorize the removal of David Morris and addition of Mayor Kyle Osborne as an authorized signer on all City of Searcy accounts. Motion carried with the following voting "yes": Chalenburg, Cothorn, Howell, English, Raney, and Brewer.

Item (9) is for the authorization to establish and open a new fund and bank account for the collection and expensing District Court Automation Funds. A motion was made by Mr. Brewer and seconded by Mr. Chalenburg for the authorization to establish and open a new fund and bank account for the collection and expensing District Court Automation Funds. Motion carried with the following voting "yes": Cothorn, Howell, English, Raney, Brewer, and Chalenburg.

Item (10) on the agenda was for the continued discussion regarding the Park Avenue/Cloverdale drainage project. The discussion centered on the option to continue with the concrete lined open drainage ditch plan or to incorporate underground pipe in its place. It was noted that underground pipe would be more aesthetic and possibly safer than an open ditch, but the main concern was the overall capacity to carry enough water to alleviate flooding conditions. City Engineer Mark Lane was asked to gather information to bring back to the Council regarding a comparison on the carrying capacity of the open ditch and the underground pipe alternatives. He was also asked to include the additional costs that would be incurred for the underground pipe alternative.

Item (11) was a resolution to authorize the execution and performance of a certain agreement with the Searcy Special School District to provide School Resource Officers (SRO) to certain schools within the school district. Mr. Gibson read the resolution in full. A motion was made by Mr. English and seconded by Mr. Raney to approve the resolution to authorize the execution and performance of a certain agreement with the Searcy Special School District to provide School Resource Officers (SRO) to certain schools within the school district. Motion carried with the following voting “yes”: Howell, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2019-05**

Item (12) was a resolution approving the amounts of liens to be certified to the White County Tax Collector as a result of grass cutting expenses and abatement of other nuisances. 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”: English, Raney, Brewer, Chalenburg, Cothorn, and Howell.

Resolution 2019-06

Item (13) was a resolution to authorize the application for the Edward Byrne Memorial Justice Assistance Grant and performance under the terms of any grant conditions. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mr. Raney to approve the resolution to authorize the application for the Edward Byrne Memorial Justice Assistance Grant and perform under the terms of any grant conditions. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Howell, and English. **Resolution 2019-07**

Item (14) on the agenda was an ordinance authorizing Great White Holdings, dba Guacamole Grill of Searcy 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. Mayor Osborne asked if there were any motions and none were expressed. Mr. Gibson read the ordinance in full. Mr. Gibson noted that this is the first reading of the ordinance and that it will be placed on the agenda for the March 2019 Council agenda for the second reading.

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 \$100,000.00 from the 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 \$94,448.05 from 2014 Eight Year Plan Fund unappropriated reserves to 'SOFTBALL PRESSBOX/CONCESSION/RESTROOM' expenditure account (#14 5-085-54-03) for construction services on the construction of the new softball pressbox/concession/restroom facility;
- c. Appropriate \$699.50 from 2014 Eight Year Plan Fund unappropriated reserves to 'SOFTBALL PRESSBOX/CONCESSION/RESTROOM' expenditure account (#14 5-085-54-03) for architectural services on the construction of the new softball pressbox/concession/restroom facility;
- d. Appropriate \$7,320.73 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;
- e. Appropriate \$10,246.00 from Special 1% Connector Route Tax Fund unappropriated reserves to 'NORTH MAIN STREET IMPROVEMENT' expenditure account (#13 5-900-54-03) for right of way acquisition costs;
- f. Appropriate \$200.00 from Special 1% Connector Route Tax Fund unappropriated reserves to 'NORTH MAIN STREET IMPROVEMENT' expenditure account (#13 5-900-54-03) for stormwater construction permit extension from the Arkansas Department of Environmental Quality;
- g. Appropriate \$5,933.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'S CHARLES STREET/E PLEASURE AVENUE IMPROVEMENT' expenditure account (#14 5-900-54-04) for the reworking of the intersection of South Charles Street and East Pleasure Avenue;
- h. Appropriate \$3,875.00 from 0.25% County Fire Sales Tax Fund unappropriated reserves to 'POWER WASHER' expenditure account (#18 5-070-05-11) for the acquisition of a power washer for the Fire Department;

- i. Appropriate \$10,000.00 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;
- j. Appropriate \$75,009.91 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;
- k. Transfer \$8,905.92 from the Parks and Recreation Swim Center 'SALARIES' expenditure account (#01 5-082-01-01) to the Parks and Recreation Swim Center 'HEALTH BENEFIT' expenditure account (#01 5-082-01-03) for personnel changes at the Searcy Swim Center;

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

- a. \$27,895.48 to Stephenson Oil Company for fuel for all departments;
- b. \$108,217.06 to Regions Bank for payment on the loan for the construction of the Searcy Swim Center (#14 5-085-05-01);
- c. Transfer \$100,000.00 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);
- d. \$58,256.10 to All Spec Roof Corp. for replacement of the city-owned Library building roof replacement project (#01 5-020-02-12);
- e. \$312,315.25 to CK Asphalt, LLC for the 2018 street paving program (#02 5-900-05-07);
- f. \$94,448.05 to Odom Construction Services, LLC for construction services on the construction of the new softball pressbox/concession/restroom facility (#14 5-085-54-03);
- g. \$699.50 to Hoffmann Architectural for architectural services on the construction of the new softball pressbox/concession/restroom facility (#14 5-085-54-03);

- h. \$7,320.73 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);
- i. \$200.00 to the Arkansas Department of Environmental Quality for stormwater construction permit extension (#13 5-900-54-03);
- j. \$5,933.00 to Johnny Brock Excavating & Landscaping, Inc. for the reworking of the intersection of South Charles Street and East Pleasure Avenue (#14 5-900-54-04);
- k. \$75,009.91 to Burkhalter Technologies, Inc. for construction services on the Rolling Meadows/Cloverdale drainage improvement project (#14 5-130-05-02);

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”: Brewer, Chalenburg, Cothorn, Howell, English, and Raney. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Cothorn, to adopt the ordinance. The ordinance passed with the following voting “yes”: Chalenburg, Cothorn, Howell, English, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Chalenburg, seconded by Mr. English, to adopt the emergency clause, with the following voting “yes”: Cothorn, Howell, English, Raney, Brewer, and Chalenburg. **Ordinance 2019-04**

The Mayor announced:

- A ribbon cutting ceremony for the Softball Pressbox/Concession/Restroom facility will be held on Wednesday, February 13, 2019 at 11:30 a.m.
- A proposal has been presented by AT&T to locate a cellular tower on city-owned property next to Fire Station #3 on Beebe Capps Expressway. Mayor Osborne stated that he would gather more information for the Council as this has just been received on this date.

A motion was made and seconded to adjourn.

Minutes Approved: March 12, 2019

/s/ Kyle Osborne
MAYOR OF SEARCY

ATTEST:
/s/ Jerry Morris
CITY CLERK
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