

Searcy City Council – Regular Session
Tuesday, December 10, 2019 6:00 p.m.
Minutes

A public hearing had been advertised to be held at 6:00 p.m. on December 10, 2019. The purpose for this public hearing was for the consideration of any public input regarding the approval for the issuance of refunding revenue bonds by the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board. Mayor Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne closed the public hearing.

A public hearing had been advertised to be held at 6:00 p.m. on December 10, 2019. The purpose for this public hearing was for the consideration of any public input regarding the declaring of certain real property located at 812 West Park Avenue a nuisance and directing the removal of the improvements constituting the nuisance. Mayor Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne closed the public hearing.

A public hearing had been advertised to be held at 6:00 p.m. on December 10, 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.

Mayor Kyle Osborne called to order the Regular Session of the Searcy City Council. Mark Harris 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, Dale Brewer and Mike Chalenburg. Also present was City Attorney Buck Gibson.

The minutes of the regular November 12, 2019 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: Arnett, Howell, Cargile, English, Raney, Brewer, Chalenburg, and Cothorn.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of 11-30-2019: General Fund \$1,412,845.90; Street Fund \$1,977,029.86; Capital Equipment Fund \$17,797.52; LOPFI Fund \$223,383.69; Act 833 Fund \$56,681.18; Airport Fund \$20,601.17. The total of all of the preceding funds is \$3,708,339.32. He also reported the following balances as of 11-30-2019: Special Highway Connector Route Tax Fund \$3,821,775.76; 2014 Eight Year Plan Fund \$7,693,612.67; Information Technology Projects Fund \$24,885.67; Special Projects Fund \$2,577.49; 0.25% Fire Protection Services County Sales Tax Fund \$266,233.18; Court

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Automation Fund \$28,811.32; Advertising and Tourism Promotion Fund \$368,645.69. He also reported a total of \$5,834,710.66 year-to-date in City and County Sales Tax revenues received, which is down \$250,226.28 from the same time in 2018.

Mayor Osborne informed the Council that an item was inadvertently left off of the agenda. This item was for the presentation and discussion of the annual audit report for the Searcy Water Utilities for the year ended June 30, 2019 and 2018. A motion was made by Mr. Raney and seconded by Mr. Brewer to amend the agenda to add the Searcy Water Utilities audit report for the year ended June 30, 2019 and 2018. Motion carried with the following voting “yes”: Howell, Cargile, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

Item (5) was the presentation and discussion of the annual audit report for the Searcy Water Utilities for the year ended June 30, 2019 and 2018. Dan Dawson presented the audit report to the Council, noting that the Council members had been furnished copies of the report. He also noted that it was a clean report and asked if there were any questions or comments from the Council. No questions or comments were presented.

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 Susannah Streit to a five-year term on the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board, with the term set to expire on August 17, 2024. A motion was made by Mr. Cothorn, seconded by Mrs. Arnett, to reappoint Susannah Streit to a five-year term on the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board, with the term set to expire on August 17, 2024. Motion carried with the following voting “yes”: Cargile, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell.

Item (8) was for the reappointment of Richard Stafford, Tom Webb, and Andra Hatchell to three-year terms on the Searcy Tree Board, with the terms set to expire on December 31, 2022. A motion was made by Mr. Chalenburg, seconded by Mrs. Arnett, to reappoint Richard Stafford, Tom Webb, and Andra Hatchell to three-year terms on the Searcy Tree Board, with the terms set to expire on December 31, 2022. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, and Cargile.

Item (9) was for the reappointment of Matt House to a five-year term on the Searcy Airport Commission, with the term set to expire on December 31, 2024. A motion was made by Mrs. Arnett, seconded by Mr. Raney, to reappoint Matt House to a five-year term on the Searcy Airport Commission, with the term set to expire on December 31, 2024. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, and English.

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Item (10) was for the approval of a change order for an additional cost of \$12,800.00 to the Rolling Meadows/Cloverdale drainage project. The change order was for water line anchor collars. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to approve the change order for an additional cost of \$12,800.00 to the Rolling Meadows/Cloverdale drainage project. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, English, and Raney.

Item (11) on the agenda was for the discussion regarding the dedication of privately owned Colonial Heights (street) to the City of Searcy. City Engineer Mark Lane explained that the street had been improved to conform to city standards that is required before the city can accept the dedication. City Attorney Buck Gibson explained that in order for the city to accept the dedication, the street must be improved to conform to city standards, which had been done. The landowners must present a dedication deed to the city and then the city can accept the dedication by ordinance adoption. He explained that at this time a dedication deed had not been prepared. Mr. Gibson was instructed to prepare a dedication deed for the street for the landowners to execute, as well as an ordinance to accept the dedication, and the Council could consider action in the January 2020 regular Council meeting.

Item (12) was setting a time and date for a Committee of the Whole meeting to work on the calendar year 2020 budget for operations for the City of Searcy. Mayor Osborne informed the Council that he would be sending proper notification and calling a Committee of the Whole budget workshop for December 17, 2019 at 5:00 p.m. at Searcy City Hall.

Item (13) was a resolution approving the issuance of refunding revenue bonds by the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mrs. Arnett to approve the issuance of refunding revenue bonds by the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board. Motion carried with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, English, Raney, and Brewer. Mr. Chalenburg abstained from voting. **Resolution 2019-34**

Item (14) was a resolution regarding a change of the vendor for the tower truck for the Searcy Fire Department that is on order. Mayor Osborne explained that at this time the proper documents had not been gathered and that this would be brought back to the Council in the January 2020 regular Council meeting.

Item (15) was a resolution declaring certain real property located at 812 West Park Avenue a nuisance and directing the removal of the improvements constituting the nuisance. Mr. Gibson read the resolution in full. A motion was made by Mr. Chalenburg and seconded by Mr. English to approve the resolution declaring certain real property located at 812 West Park Avenue a nuisance and directing the removal of the improvements constituting the nuisance. Motion carried with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, English, Raney, Brewer, and Chalenburg.

Item (16) was a resolution approving amounts of liens to be certified to the White County Tax Collector against certain properties in the City of Searcy, Arkansas, as a result of grass cutting expenses and abatement of other nuisances. Mr. Gibson read the resolution in full. Motion was made by Mr. Raney and seconded by Mr. Chalenburg to pass the resolution. Motion carried with the following voting “yes”: Arnett, Howell, Cargile, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2019-36**

Item (17) was a resolution for the authorization to enter a certain agreement with Virtual Academy for dispatch personnel training. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mr. Brewer to approve the resolution for the authorization to enter a certain agreement with Virtual Academy for dispatch personnel training. Motion carried with the following voting “yes”: Howell, Cargile, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Resolution 2019-37**

Item (18) on the agenda was an ordinance amending the Code of Ordinances of the City of Searcy, Arkansas to include Section 7-14 relating to HVAC requirements and the Searcy Mechanical Code. 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”: Brewer, Chalenburg, 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. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howell, Cargile, English, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mr. English, to adopt the emergency clause, with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, English, Raney, Brewer, and Chalenburg. **Ordinance 2019-34**

Item (19) 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 \$75,000.00 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 \$150.00 to ‘POLICE DONATIONS’ revenue account (#01 4-000-90-03) and appropriate \$150.00 to the Police Department ‘DONATIONS EXPENDED’ expenditure account (#01 5-060-05-06) for the receipt and use of a donation from Walmart Distribution Center 6018;
- c. Appropriate \$10,000.00 from 0.25% Fire Sales Tax Fund unappropriated reserves to ‘EQUIPMENT’ expenditure account (#18 5-070-05-18);

- d. Appropriate \$11,174.00 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;
- e. Appropriate \$116,490.99 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;

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

- a. \$17,452.70 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 \$75,000.00 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. \$4,650.00 to Johnny Brock Excavating & Landscaping, Inc. for work on the soccer field parking lot in preparation for paving included in the 2019 street paving program;
- e. \$11,174.00 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);
- f. \$116,490.99 to Burkhalter Technologies, Inc. for construction services on the Rolling Meadows/Cloverdale drainage improvement project (#14 5-130-05-02);
- g. \$354,608.33 to CK Asphalt, LLC for paving services for the 2019 street paving program (#02 5-900-05-15);

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": Cargile, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell. 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

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following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, and Cargile. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mr. Raney, to adopt the emergency clause, with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, and English. **Ordinance 2019-35**

The Mayor announced:

- City offices will be closed for the Christmas Holiday on December 24-25, 2019 and for the New Year Holiday on January 1, 2020

A motion was made and seconded to adjourn.

Minutes Approved: January 14, 2020

/s/ Kyle Osborne
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

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