

Searcy City Council – Regular Session
Tuesday, October 12, 2021 6:00 p.m.
Minutes

A public hearing had been advertised to be held at 6:00 p.m. on October 12, 2021. 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 been advertised to be held at 6:00 p.m. on October 12, 2021. The purpose for this public hearing was for the consideration of any public regarding the declaration of a nuisance property located at 120 North Spruce Street. 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. Dale Brewer gave the Invocation, with the Pledge of Allegiance following, led by Tonia Hale. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: Logan Cothorn, David Morris, Chris Howell, Tonia Hale, Don Raney, and Dale Brewer. Also present was City Attorney Buck Gibson. Council members Rodger Cargile and Mike Chalenburg were not present.

Item (3) on the agenda was for suspending the rules and amending the agenda to add items: (10) city website updates/social media management proposal from Pugh Communication, (15-1-h) budget ordinance appropriation for engineering services on the Fuller Lane improvement project, and (15-2-g) budget ordinance authorization to expend funds for engineering services on the Fuller Lane improvement project. A motion was made by Mr. Brewer and seconded by Mr. Raney to suspend the rules and amend the agenda to add the items. Motion carried with the following voting “yes”: Morris, Howell, Hale, Raney, Brewer, and Cothorn.

The minutes of the regular September 14, 2021 meeting of the Council were presented for approval. A motion was made by Mr. Cothorn and seconded by Mr. Morris to approve the minutes. The following voted to approve: Howell, Hale, Raney, Brewer, Cothorn, and Morris.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of September 30, 2021: General Fund: \$3,447,051.12; Street Fund \$2,527,861.07; Capital Equipment Fund \$17,877.85; LOPFI Fund \$181,302.25; Act 833 Fund \$54,992.12; Airport Fund \$114,928.40. The total of all of the preceding funds is \$6,344,012.81. He also reported the following balances as of September 30, 2021: Special Highway Connector Route Tax Fund \$1,458,870.26; 2014 Eight Year Plan Fund

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\$10,975,189.02; 0.25% Fire Protection Services County Sales Tax Fund \$511,086.00; Court Automation Fund \$55,474.14; American Rescue Plan Act Fund \$2,445,008.89. He also reported a total of \$6,044,166.93 year-to-date in City and County Sales Tax revenues received, which is up \$726,342.36 from the same time in 2020.

Item (6) on the agenda was for the reappointment of Mickey Gentry and Jay James to three-year terms on the Searcy Board of Zoning Adjustment, with both terms set to expire on October 31, 2024. A motion was made by Mr. Morris and seconded by Mr. Raney to approve the reappointment of Mickey Gentry and Jay James to three-year terms on the Searcy Board of Zoning Adjustment, with both terms set to expire on October 31, 2024. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Cothorn, Morris, and Howell.

Item (7) on the agenda was for the review and discussion of the 2020 calendar year Arkansas Legislature Audit report. Mr. Morris stated that he has reviewed the 2020 audit report and he would like to commend the city and the administrative staff for what is a good audit report. A motion was made by Mr. Morris and seconded by Mr. Cothorn to acknowledge and accept the Arkansas Legislative Audit Report for the City of Searcy 2020 calendar year. Motion carried with the following voting “yes”: Raney, Brewer, Cothorn, Morris, Howell, and Hale.

Item (8) was for setting a time and date for a public hearing regarding the declaration of a nuisance property located at 1302 East Race Avenue. A motion was made by Mr. Raney to set the time and date for the public hearing to be November 9, 2021 at 6:00 p.m., prior to the regular November 2021 Council meeting. Motion was seconded by Mrs. Hale. Motion carried with the following voting “yes”: Brewer, Cothorn, Morris, Howell, Hale, and Raney.

Item (9) on the agenda was for setting a time and date for a public hearing regarding an application for a private club permit submitted by Mi Ranchito on Race, Inc. A motion was made by Mr. Raney to set the time and date for the public hearing to be December 14, 2021 at 6:00 p.m., prior to the regular December 2021 Council meeting. Motion was seconded by Mr. Howell. Motion carried with the following voting “yes”: Cothorn, Morris, Howell, Hale, Raney, and Brewer.

Item (10) was for the consideration of a proposal from Pugh Communications for the city website updates and social media management. A motion was made by Mr. Raney and seconded by Mrs. Hale to accept the proposal, in the amount of \$2,500.00 for the time period of October 15, 2021 through December 31, 2021. Motion carried with the following voting “yes”: Morris, Howell, Hale, Raney, Brewer, and Cothorn.

Item (11) was a resolution certifying local government endorsement of a business to participate in the tax back program, as authorized by the Consolidated Incentive Act of 2003, Arkansas Code Annotated §15-4-2706d. Mr. Gibson read the resolution in full. A motion was made by Mr. Morris and seconded by Mr. Cothorn to approve the resolution certifying local government endorsement of a business to participate in the tax back

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program, as authorized by the Consolidated Incentive Act of 2003, Arkansas Code Annotated §15-4-2706d. Motion carried with the following voting “yes”: Howell, Hale, Raney, Brewer, Cothorn, and Morris. **Resolution 2021-28**

Item (12) was a resolution approving the destruction of certain outdated documents of the Searcy City Clerk-Treasurer’s office. Mr. Gibson read the resolution in full. Motion was made by Mr. Raney and seconded by Mr. Cothorn to pass the resolution. Motion carried with the following voting “yes”: Hale, Raney, Brewer, Cothorn, Morris, and Howell.

Resolution 2021-29

Item (13) was a resolution to approve 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. A motion was made by Mr. Morris and seconded by Mr. Raney to approve 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. Motion carried with the following voting “yes”: Raney, Brewer, Cothorn, Morris, Howell, and Hale. **Resolution 2021-30**

Item (14) was a resolution declaring certain real property located at 120 North Spruce Street a nuisance and directing the removal of the improvements constituting the nuisance. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mr. Morris to pass the resolution. Motion carried with the following voting “yes”: Brewer, Cothorn, Morris, Howell, Hale, and Raney. **Resolution 2021-31**

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 \$156,244.02 from Special 1% Connector Route Tax Fund unappropriated reserves to the ‘NORTH MAIN STREET IMPROVEMENTS’ expenditure account (#13 5-900-54-03) for construction services on the North Main Street improvement project;
- b. Appropriate \$8,728.04 from General Fund unappropriated reserves to the Parks and Recreation Department ‘PLAYGROUND MULCH’ expenditure account (#01 5-080-02-16) for mulch for the city parks playground equipment;
- c. Appropriate \$13,263.50 to the 2014 Eight Year Plan Fund ‘LIBRARY RENOVATION REIMBURSEMENT’ revenue account (#14 4-000-70-03) and appropriate \$13,263.50 to the ‘LIBRARY RENOVATION’ expenditure account (#14 5-020-54-02) for architectural services on the new Library Building renovation project;

- d. Appropriate \$3,000.00 from General Fund unappropriated reserves to the Police Animal Control Department 'VETERINARY SUPPLIES' expenditure account (#01 5-066-02-09) for veterinary supplies for the Searcy Humane Society;
- e. Appropriate \$6,500.00 to the General Fund 'FIRE DONATIONS' revenue account (#01 4-000-90-07) and appropriate \$6,500.00 to the Fire Department 'DONATIONS EXPENSED' expenditure account (#01 5-070-05-17) for a donation from Walmart;
- f. Appropriate \$1,200.00 to the General Fund 'FIRE DONATIONS' revenue account (#01 4-000-90-07) and appropriate \$1,200.00 to the Fire Department 'DONATIONS EXPENSED' expenditure account (#01 5-070-05-17) for a donation from Arkansas Community Foundation;
- g. Transfer the following amounts from the Parks and Recreation Rialto Theater Department accounts to the Parks and Recreation Rialto Theater Department Building Maintenance/Repair account, for continuing replacement of seating and other repairs at the Rialto Theater:

Transfer from Rialto Theater

- #01 5-086-01-01 SALARIES - \$16,000.00
- #01 5-086-01-02 SS/MEDICARE MATCH - \$1,800.00
- #01 5-086-01-05 APERS RETIREMENT - \$3,600.00
- #01 5-086-04-06 CONCESSIONS - \$17,300.00
- #01 5-086-04-08 SUBSCRIPTIONS - \$13,300.00
- #01 5-086-05-02 SALES TAX - \$8,000.00

TOTAL – \$60,000.00

Transfer to Rialto Theater

- #01 5-086-02-01 BUILDING MAINTENANCE/REPAIRS - \$60,000.00

TOTAL – \$60,000.00

- h. Appropriate \$19,743.75 from 2014 Eight Year Tax Fund unappropriated reserves to the 'FULLER LANE IMPROVEMENTS' expenditure account (#14 5-900-54-08) for engineering services on the Fuller Lane improvement project;

- i. Appropriate \$2,500.00 from General Fund unappropriated reserves to the Mayor's Department 'WEBSITE DEVELOPMENT/HOSTING' expenditure account (#01 5-010-05-33) for city website updates and social media management;

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

- a. \$38,803.69 to Stephenson Oil Company for fuel for all departments;
- b. Transfer \$35,000.00 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. \$156,244.02 to Township Builders, Inc., for construction services on the North Main Street improvement project (#13 5-900-54-03);
- d. \$8,728.04 to Zeager Brothers Inc. for city parks playground equipment mulch (#01 5-080-02-16);
- e. \$13,263.50 to Hoffmann Architectural for architectural services on the new Library building renovation project (#01 5-020-54-02);
- f. \$2,960.50 to Hoffmann Architectural for architectural services on the American Legion building renovation project (#01 5-010-05-21);
- g. \$19,743.75 to Pickering Firm, Inc. for engineering services on the Fuller Lane improvement project (#14 5-900-54-08);
- h. \$2,500.00 to Pugh Communications for city website updates and social media management (#01 5-010-05-33);

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": Cothorn, Morris, Howell, Hale, Raney, and Brewer. Mr. Gibson read the ordinance by title only. A motion was made by Mr. Raney and seconded by Mr. Cothorn to amend the ordinance to include the appropriation of \$2,500.00 to #01 5-010-05-33 'WEBSITE DEVELOPMENT/HOSTING' expenditure account and the payment of \$2,500.00 to Pugh Communications for city website updates and social media management, as approved in item (10) on this agenda. Motion carried with the following voting "yes": Morris, Howell, Hale, Raney, Brewer, and Cothorn. A motion was then made by Mr. Morris, seconded by Mr. Raney, to adopt the ordinance. The ordinance passed with the following voting "yes": Howell, Hale, Raney, Brewer, Cothorn, and Morris. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Morris, seconded by Mr. Raney, to adopt the emergency clause, with the

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following voting “yes”: Hale, Raney, Brewer, Cothorn, Morris, and Howell.

Ordinance 2021-30

A motion was made and seconded to adjourn.

Minutes Approved: November 9, 2021

/s/ Kyle Osborne
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

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