

Searcy City Council – Special Session
April 15, 2014 5:00 p.m.
Minutes

Mayor David Morris called to order a Special Session of the Searcy City Council. Searcy Airport Commission member Ms. Nancy Showalter gave the Invocation, with the Pledge of Allegiance following, led by Searcy Airport Commission member Mr. Matt House. City Clerk Jerry Morris called the roll with the following Aldermen answering “present”: Logan Cothorn, Mary Ann Arnett, J R Howard, Steve Sterling, Dale English, Don Raney, Dale Brewer and Mike Chalenburg. Also present (arriving while the meeting was in progress, due to prior obligations) was City Attorney Buck Gibson.

Item (3) on the agenda was for the authorization for the Mayor to sign the revised Contracts of Obligation (COB), as requested by the Arkansas Department of Environmental Quality (ADEQ), regarding the financial assurance to provide for corrective actions, closure, or post-closure care of the Searcy Compost Center. The contracts were revised by the ADEQ to remove references to a ‘County’ entity, which in the original contracts, had been marked through [i.e. ~~County~~/Municipality]. The two (2) COB’s were the ones for the \$26,000.00 assurance signed on June 11, 2013 and the \$54,000.00 assurance signed on January 16, 2014. Mayor Morris stated that the revised contracts had been compared with the original contracts by City Attorney Buck Gibson, City Clerk Jerry Morris, and himself and that they were in substance identical. A motion was made by Mr. Raney, seconded by Mr. Chalenburg, to authorize the Mayor to sign the revised Contracts of Obligation regarding the financial assurance to provide for corrective actions, closure, or post-closure care of the Searcy Compost Center, as requested by the Arkansas Department of Environmental Quality. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

Item (4) on the agenda was for any further discussion regarding the 2014 Capital Equipment budget. Mayor Morris said this item was placed on the agenda in the event that there needed to be further discussion beyond what had already taken place at the April 3, 2014 pre-council agenda meeting and the April 8, 2014 regular City Council meeting. With no further discussion brought forward, Mayor Morris proceeded on to the next item on the agenda.

Item (5) was a resolution for the authorization to enter into a lease agreement for certain mowing equipment. Mayor Morris explained that City Attorney Gibson had been having discussions with the leasing entity regarding language contained in the lease agreement. Since Mr. Gibson had not yet arrived for the meeting, it was suggested by Mayor Morris (provided there were no objections from the Council) to proceed on to item (7) on the agenda. Items (5) and (6) each had elements pertaining to the lease agreement, so it would be appropriate to await Mr. Gibson’s arrival in order to be made aware of his discussions with the leasing entity. No objections were voiced about proceeding on to item (7) while awaiting the arrival of Mr. Gibson.

Item (7) on the agenda was a presentation by Mr. Robert Chatman, P.E. [Miller-Newell Engineers, Inc.] regarding state and federal grant opportunities for certain projects at the Searcy Municipal Airport. He explained that the Searcy Municipal Airport Commission has three (3) projects that they are interested in completing and that has grant funding available. Two (2) of the projects can be funded with State grant funding and the other is available with Federal (FAA) grant funding. Mr. Chatman explained that the project that has Federal (FAA) grant funding available includes the construction of a hangar area access road, runway apron drainage improvements, and repair to a crack in the north end of the runway. The first of the state grant funded projects includes measures for erosion control at the airport and the installation of utilities for the south hangar development area. The second of the state grant funded projects includes the filling in of a low area and drainage work in the south hangar development area.

The FAA project would be a 90% - 10% federal-local grant where the city would incur 10% (\$33,332.00) of the estimated total project cost of \$333,315.00 and then would be able to receive reimbursement from the State for this 10%. The first state grant project for erosion control and utilities has 90% - 10% state-local grant funding available, where the city would incur 10% (\$16,283.00) of the estimated total project cost of \$162,826.00. The second state grant project for the south hangar development area fill and drainage work has 80% - 20% state-local grant funding available, where the city would incur 20% (\$49,894.00) of the estimated total project cost of \$249,470.00. Mayor Morris stated that there is nothing on the agenda regarding any action that needed to be taken at this point in time. He also stated that this information was needed in order to evaluate the possibility of entering into these projects and being able to cash flow them until all reimbursements are received. Mr. Chatman did advise that in order to be included in the current (2014) state grant cycle, application for the state grants would need to be done in May 2014 in order to be approved in June 2014 before the end of the state's fiscal year.

Following item (7), Mayor Morris returned to Item (5) on the agenda, as City Attorney Gibson had arrived. Mr. Gibson explained that he was in contact with the leasing company regarding the wording in the lease agreement pertaining to the non-appropriation clause and termination of the lease. Item (5) was a resolution authorizing and directing the Mayor and City Clerk to negotiate, execute, and perform under the terms of a lease or rental agreement for the rental of certain mowing equipment. Mr. Gibson read the resolution in full. A motion was then made by Mr. Cothorn, seconded by Mr. Chalenburg, to adopt the resolution authorizing the Mayor and City Clerk to enter into a lease agreement for certain mowing equipment as long as that agreement contains wording that City Attorney Gibson approves and is in the best interest of the city. The resolution passed with the following voting "yes": Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Resolution 2014-04**

Item (6) on the agenda was an ordinance to:

Section 1. The budget for the City of Searcy, Arkansas, is amended in the following manner:

- a. Appropriate \$19,424.43 from unappropriated General Fund reserves to Parks and Recreation expenditure for 'MOWER LEASE' (01 5-080-05-09). This allows for 9 monthly lease payments of \$2,158.27 for 2014 on the lease of 8 front deck mowers;
- b. Appropriate \$50,000.00 from unappropriated General Fund reserves to District Court department Capital Equipment Fund 'CONTEXTE CONVERSION' expenditure account (04 5-850-53-01);
- c. Appropriate \$40,000.00 from unappropriated General Fund reserves to Information Technology department Capital Equipment Fund 'FIBER OPTIC CORE SWITCHES' expenditure account (04 5-960-53-02);
- d. Appropriate \$11,500.00 from unappropriated General Fund reserves to Sanitation department Capital Equipment Fund '4, 6, 8 YARD DUMPSTERS' expenditure account (04 5-890-53-13);

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": Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Sterling, seconded by Mr. Howard, to adopt the ordinance. The ordinance passed with the following voting "yes": English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mrs. Arnett, to adopt the emergency clause, with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English. **Ordinance 2014-09**

Mayor Morris announced:

- The brush/limb grinder (the Beast) located at the Compost Center is down for repairs.
- The Arkansas Division of Legislative Audit is on site for the annual audit for calendar year 2013.

A motion was made and seconded to adjourn.

Minutes Approved: May 13, 2014

/s/ David Morris
MAYOR

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April 15, 2014
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ATTEST:

/s/ Jerry Morris
CITY CLERK

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