

Searcy City Council – Regular Session
Tuesday, October 14, 2014 7:00 p.m.
Minutes

A public hearing on the issuance of Capital Improvement Revenue Bonds by the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board was scheduled and held prior to the beginning of the regular City Council meeting.

At the conclusion of the public hearing Mayor David Morris called to order the Regular Session of the Searcy City Council. Mr. Jeffery Sheets of the Searcy Ministerial Alliance gave the Invocation, with the Pledge of Allegiance following, led by Alderman Logan Cothorn. City Clerk Jerry Morris then called the roll with the following Aldermen answering “present”: Logan Cothorn, Mary Ann Arnett, JR Howard, Steve Sterling, Dale English, Don Raney, Dale Brewer and Mike Chalenburg. Also present was City Attorney Buck Gibson.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (15) reschedule of the regular November 2014 council meeting; (20) resolution regarding the levy of a County-wide sales and use tax proposal for fire prevention needs that will be on the ballot for the November 4, 2014 general election; (22-1-1) and (22-1-m) budget adjustment ordinance appropriations for Relativity, Inc. invoice and Asset Forfeiture grant, respectively. A motion was made by Mr. Raney and seconded by Mr. Brewer to suspend the rules and amend the agenda to add the new items. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular September 9, 2014 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: Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of 9-30-14: General Fund: \$1,299,875.70; Street Fund \$1,950,732.29; Capital Equipment Fund \$19,488.73; LOPFI Fund \$90,840.77; Act 833 Fund \$149,447.48; Airport Projects Fund \$1,170.72; Special Connector Route Tax Fund \$8,062,845.81. He also reported a total of \$4,717,044.21 year-to-date in City and County Sales Tax revenues received, which is down \$225,008.53 from the same time in 2013. The total of all funds (excluding special connector route tax fund) is \$3,511,555.69.

Item (6) on the agenda was for the reappointment of Mr. J. D. Yingling to the City of Searcy Parks and Recreation Advisory Board for a five (5) year term that will expire on November 3, 2019. Motion was made by Mr. Brewer, seconded by Mr. English, to reappoint Mr. J. D. Yingling to the City of Searcy Parks and Recreation Advisory Board for a five year term set to expire on November 3, 2019. Motion carried with the

October 14, 2014

Regular Session

following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard.

Item (7) on the agenda was for the appointment of Ms. Tracie Thompson to the City of Searcy Board of Zoning Adjustment for a three (3) year term that will expire on October 31, 2017. Motion was made by Mr. Raney and seconded by Mrs. Arnett to appoint Ms. Tracie Thompson to the City of Searcy Board of Zoning Adjustment for a three year term set to expire on October 31, 2017. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Item (8) was an update on the establishment of the new ‘2014 Eight Year Plan’ fund (Fund 14) and, also, the corresponding checking account. City Clerk/Treasurer Jerry Morris explained that a meeting was held on September 17, 2014 to gain some insight and guidelines on the proper handling of the revenues and expenditures associated with the ‘2014 Eight Year Plan.’ In attendance at the meeting were Mayor David Morris, Alderman Mike Chalenburg, Legislative Audit Supervisor Jerry McCarty, Executive assistant to the Mayor/Human Resources Manager Jay Shock, Information Technology Manager David Sawyers, Accounts Payable Clerk Holly Money, and Clerk/Treasurer Jerry Morris. Referring to the City Resolution 2013-23 and the attached Exhibit A, Mr. McCarty explained that from a legal standpoint, these are not restricted funds in that it is up to the discretion of the City Council as to the usage of the revenue generated by the 8-year 1.0% sales and use tax. According to Mr. McCarty this can be handled in various ways, but his suggestion would be to segregate the revenue received and the expenditures made in a separate fund/bank account to allow for easier tracking of the revenues and expenditures. This was also the thoughts of how to handle this ‘plan’ by the others in attendance garnered from previous meetings. On October 1, 2014 notice was sent to the financial institutions in Searcy of the intent to open a new checking account to handle the transactions associated with the 2014 Eight Year Plan. The financial institutions were asked to provide a proposal for the terms (such as, but not limited to, interest rate, service charges if any, minimum balance, number of transactions allowed per statement cycle...) which could be provided regarding this account. They were informed that a monthly distribution of an estimated \$500,000.00 to \$600,000.00 would be deposited into this account. The financial institutions notified were: Bank of Augusta, Centennial Bank, First Community Bank, First Security Bank, Regions Bank, Simmons First Bank, Southern Bank, and White County Federal Credit Union. They were asked to provide their proposals by the close of business (4:30 p.m.) on October 10, 2014. Five (5) responses were received and after careful consideration it was decided to establish the account at First Security Bank. This account has been established and deposit ticket books and checks that are compatible with the City of Searcy accounting software and printers have been ordered. They are expected to be received in approximately two weeks, on or about October 28, 2014.

Item (9) on the agenda was a recognition of the City of Searcy and Harding University for the hosting of the Special Olympics for the past twenty-two (22) years. Ms. Terry Weir presented a plaque in appreciation of the continued support from the City of Searcy for the Law Enforcement Torch Run and the Special Olympics of Arkansas 2014. Mayor

October 14, 2014

Regular Session

Morris and Searcy Police Chief Jeremy Clark accepted the plaque on behalf of the City of Searcy.

Item (10) was an announcement by Searcy Fire Chief Bill Baldrige of the re-accreditation of the Searcy Fire Department by the Commission on Fire Accreditation International (CFAI). Mayor Morris noted, and was verified by Chief Baldrige, that the Searcy Fire Department is one of only nine Fire departments in the world that has both accreditation from CFAI and an ISO rating of one.

Item (11) was for the recognition of the Environmental and Spatial Technology (EAST) Program for the work that has been done by the students in this program for projects related to the Searcy Fire Department. Fire Chief Bill Baldrige and Battalion Chief Eddie Hollis recognized and thanked the students in the EAST program and Ms. Rhinda Hall, the Director of the EAST program, for their work, particularly the work done in the design of a new Fire Station.

Item (12) was for the recognition and the presentation of an appreciation plaque to Detective Terri Lee of the Searcy Police Department by Mr. Charles Brisco of the Arkansas Attorney General's office and Mr. Terry Brown of the Social Security Administration office of the Inspector General for her work performed on a case involving each of the agencies.

Item (13) was a reminder that October 2014 is recognized as Domestic Violence Awareness month. Mayor Morris noted that a proclamation was read and presented to Ms. Kaye Candlish of White County Domestic Violence, Inc. at the pre-council agenda that was held on October 9, 2014.

Item (14) was a review and approval of the City of Searcy 2013 Legislative Audit report pursuant to State law. After discussion and review a motion was made by Mr. Raney and seconded by Mr. Cothorn to approve the 2013 audit report as presented. Motion carried with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English.

Item (15) on the agenda was for the approval to reschedule the regular November meeting of the City Council. The regular November meeting, which is scheduled as the second Tuesday of each month, will fall on November 11, 2014, which is also the Veteran's Day holiday. A suggestion was made by Mayor Morris to reschedule the meeting for Monday, November 10, 2014 at 7:00 p.m. A motion was made by Mr. Brewer and seconded by Mr. Chalenburg to reschedule the November regular Council meeting to Monday, November 10, 2014 at 7:00 p.m. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney.

Item (16) was for the discussion to amend the 80/20 Arkansas Department of Aeronautics grant for the Searcy Municipal Airport that had been approved for application at the May 13, 2014 regular City Council meeting. The amendment was for the inclusion of

October 14, 2014

Regular Session

security/surveillance equipment to be installed for airport accessibility. This grant was originally for the filling in of a low area and drainage work in the south hangar development area (80% - 20% state/local). This item had been tabled at the regular September 9, 2014 Council meeting and was also requested to be tabled at this time by the Searcy Airport Commission in order to allow for more time to gather information regarding the request for amending the grant. Motion was made by Mr. Cothorn and seconded by Mr. Sterling to table the request for an amendment to the 80/20 Arkansas Department of Aeronautics grant for the Searcy Municipal Airport. Motion carried with the following voting "yes": Chalenburg, Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer.

Item (17) was a resolution to approve the issuance of Capital Improvement Revenue Bonds by the 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. Howard and seconded by Mr. Sterling to approve the issuance of Capital Improvement Revenue Bonds by the Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board. Motion carried with a vote of seven Aldermen voting "yes" and one abstention from voting. Those voting "yes" included the following: Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer. Abstaining from voting was Mr. Chalenburg.

Resolution 2014-16

Item (18) was a resolution to endorse the participation of Pontiac Coil, Inc. in the Tax Back Program of the Arkansas Economic Development Commission. Mr. Gibson read the resolution in full. A motion was made by Mr. Sterling and seconded by Mr. Cothorn to endorse the participation of Pontiac Coil, Inc. in the Tax Back Program of the Arkansas Economic Development Commission. Motion carried with the following voting "yes": Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2014-17**

Item (19) was a resolution for the declaration of a nuisance property located at 105 Brookhaven Drive. Mr. Gibson read the resolution in full. A motion was made by Mr. Howard and seconded by Mr. Sterling to approve the declaration of a nuisance property located at 105 Brookhaven Drive. Motion carried with the following voting "yes": Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

Resolution 2014-18

Item (20) was a resolution encouraging the citizens of Searcy and White County to vote against the County-wide sales and use tax for fire prevention needs in order to prevent the inequitable distribution of such proceeds. Mr. Gibson read the resolution in full. Motion was made by Mr. Sterling and seconded by Mr. Chalenburg to pass the resolution encouraging the citizens of Searcy and White County to vote against the County-wide sales and use tax for fire prevention needs in order to prevent the inequitable distribution of such proceeds. Motion carried with the following voting "yes": Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. **Resolution 2014-19**

Item (21) on the agenda was an ordinance for the re-zoning of real property located at East Pleasure Avenue and Dr. Jimmy Carr Drive from R-1 (Residential) to PD (Planned Development) as recommended by the Searcy Planning Commission. A motion was made by Mr. Brewer, seconded by Mr. Sterling, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Brewer, seconded by Mrs. Arnett, to adopt the ordinance for the re-zoning of real property located at East Pleasure Avenue and Dr. Jimmy Carr Drive from R-1 (Residential) to PD (Planned Development) as recommended by the Searcy Planning Commission. The ordinance passed with the following voting “yes”: Raney, Brewer, Cothorn, Arnett, Howard, Sterling, and English. Mr. Chalenburg abstained from voting. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mr. Sterling, to adopt the emergency clause, with the following voting “yes”: Brewer, Cothorn, Arnett, Howard, Sterling, English, and Raney. Mr. Chalenburg abstained from voting.

Ordinance 2014-19

Item (22) 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 \$35,000.00 to ‘GIF GRANT – FIRE’ revenue account (01-4-000-98-68) and appropriate \$31,000.00 to Fire Department ‘SCBA & AIR SUPPLIES’ expenditure account (01 5-070-05-18) and appropriate \$4,000.00 to Fire Department ‘FIRE PREVENTION EDUCATION’ expenditure account (01 5-070-01-13) for receipt and use of General Improvement Fund Act 742 – Equipment Purchase grant (air bottles and smoke machine);
- b. Appropriate \$25,000.00 to ‘GIF GRANT – POLICE’ revenue account (01-4-000-98-99) and appropriate \$25,000.00 to Police Department ‘IN-CAR VIDEO SYSTEMS’ expenditure account (01 5-060-56-25) for receipt and use of General Improvement Fund Act 742 – Equipment Purchase grant;
- c. Appropriate \$501,941.00 to ‘8-YEAR PLAN 1% TAX REVENUE’ revenue account (14 4-000-10-01) for the receipt of the first distribution of the 2014 8-Year Plan revenue;
- d. Appropriate \$162,826.00 to 8-Year Plan ‘2014 ADA EROSION CONTROL/UTILITIES GRANT’ expenditure account (14 5-040-56-01)

for expenditures pertaining to the Arkansas Department of Aeronautics 90/10 Airport grant;

- e. Appropriate \$59,499.20 in the 2014 8-Year Plan Fund 'TRANSFER TO GENERAL - COLA' expenditure account (14 5-190-05-02) and appropriate \$59,499.20 to General Fund 'TRANSFER FROM 8-YEAR PLAN - COLA' revenue account (01 4-000-10-15) for the funding of 3% cost of living adjustment for 2014;
- f. Appropriate \$2,154.39 in the 2014 8-Year Plan Fund 'TRANSFER TO STREET – COLA' expenditure account (14 5-190-05-03) and appropriate \$2,154.39 to the Street Fund 'TRANSFER FROM 8-YEAR PLAN – COLA' revenue account (02 4-000-80-06) for the funding of 3% cost of living adjustment for 2014;
- g. Appropriations for the various city departments to adjust the line items of 'SALARIES', 'SOCIAL SECURITY/MEDICARE', and 'APERS RETIREMENT' for the 2014 3% COLA are itemized on the attached document;
- h. Appropriate \$2,000.00 to 2014 8-Year Plan 'LIBRARY IMPROVEMENT PROJECT' expenditure account (14 5-020-02-01) for reimbursement to Mayor's department 'DISCRETIONARY FUNDS' (01 5-010-05-04) that was used for the payment of retainer fees to Barry Hoffman Architectural, Inc. for the Library HVAC project. The new Fund 14 bank account has yet to be established and it is necessary to begin with the project as soon as possible;
- i. Appropriate \$8,500.00 to Street department 'KEY BRANCH DRAINAGE BASIN IMPROVEMENTS' revenue account (02 4-000-40-02) and appropriate \$8,500.00 to Street department 'DRAINAGE' expenditure account (02 5-900-05-06) for receipt of drainage fees received for the Ridgewood Subdivision;
- j. Appropriate \$500.00 to 'RECREATION DONATIONS' revenue account (01 4-000-90-08) and appropriate \$500.00 to Parks and Recreation department 'CONCESSION SUPPLIES' expenditure account (01 5-081-

04-06) for the receipt of a donation from Henard Utility Products to be used on expenditures for the Employee Appreciation Lunch;

- k. Appropriate \$75.00 to 'RECREATION DONATIONS' revenue account (01 4-000-90-08) and appropriate \$75.00 to Parks and Recreation department 'CONCESSION SUPPLIES' expenditure account (01 5-081-04-06) for the receipt of a donation from Crossroads Express II to be used on expenditures for the Employee Appreciation Lunch;
- l. Appropriate \$13,562.50 from General Fund unappropriated reserves to Information Technology department 'SOFTWARE SUPPORT' expenditure account (01 5-160-05-01) for the payment of invoice from Relativity, Inc.;
- m. Appropriate \$5,000.00 to '2014 SPECIAL ASSET FORFEITURE GRANT' revenue account (01 4-000-98-82) and appropriate \$5,000.00 to Police department '2014 SPECIAL ASSET FORFEITURE GRANT' expenditure account (01 5-060-56-26) for receipt of State Special Asset Forfeiture Grant and expenditure on In-Car Video System for the Central Arkansas Drug Task Force;

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

- a. \$28,130.71 to Stephenson Oil Company for fuel for all departments;

A motion was made by Mr. Raney, seconded by Mr. Chalenburg, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting "yes": Chalenburg, Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Sterling, seconded by Mr. Cothorn, to adopt the ordinance. The ordinance passed with the following voting "yes": Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting "yes": Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. **Ordinance 2014-20**

The Mayor announced:

- The City/County Clean-up will be held on Thursday through Saturday, October 16 through 18, 2014
- A candlelight vigil for domestic violence victims will be held on Tuesday, October 28, 2014 at 6:30 p.m. on the Courthouse Square

October 14, 2014

Regular Session

- Barkin' in the Park will be held at Spring Park on Saturday, October 25, 2014 with registration at 10:00 a.m. and events beginning at 11:00 a.m.
- Trick-R-Treat on the Square will be held on Friday, October 31, 2014 from 5:00 until 7:00 p.m.
- Pioneer Village Fall Fest will be held on Saturday, November 1, 2014 from 10:00 a.m. until 4:00 p.m. and Sunday, November 2, 2014 from 1:00 p.m. until 4:00 p.m.
- A public input meeting concerning the new swimming pool facility to be constructed as part of the City of Searcy Eight Year Plan will be held on Thursday, November 6, 2014 at 6:00 p.m. at the Carmichael Community Center
- The Searcy Tree Board 'Tree City Event' will be held on Friday, November 7, 2014 at 11:00 a.m. at the 'Island Green' located adjacent to the intersection of Mulberry and Spring Streets

A motion was made and seconded to adjourn.

Minutes Approved: November 10, 2014

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

Seal

**ORDINANCE 2014-20
 ATTACHMENT FOR ITEM 1-g**

APPROPRIATIONS TO GENERAL FUND AND STREET FUND SALARIES, SOCIAL SECURITY/MEDICARE MATCH, AND APERS RETIREMENT FOR 2014 3% COLA (budget ordinance item 1-g)			
DEPARTMENT	SALARY	FICA	APERS
	5-xxx-01-01	5-xxx-01-02	5-xxx-01-05
MAYOR	\$ 1,448.16	\$ 110.78	\$ 213.75
LIBRARY	\$ 470.70	\$ 36.01	\$ 69.48
AIRPORT	\$ 623.64	\$ 47.71	\$ 92.05
COURT	\$ 2,158.02	\$ 165.09	\$ 318.52
POLICE	\$ 16,082.81	\$ 1,230.33	\$ 450.55
CAW	\$ 472.56	\$ 36.15	
ANIMAL CONTROL	\$ 318.96	\$ 24.40	\$ 47.07
STATE DCE&PF	\$ 172.80	\$ 13.21	\$ 25.50
FIRE	\$ 14,057.76	\$ 231.98	\$ 67.02
FIRE SAFER	\$ 1,762.98	\$ 25.56	
PARKS & REC	\$ 1,527.24	\$ 116.83	\$ 225.42
CARMICHAEL CENTER	\$ 1,381.62	\$ 105.69	\$ 203.93
SANITATION	\$ 7,214.64	\$ 551.92	\$ 1,064.88
CLERK/TREASURER	\$ 1,311.78	\$ 100.35	\$ 193.62
ATTORNEY	\$ 336.96	\$ 25.78	\$ 49.74
CODE	\$ 1,948.02	\$ 149.02	\$ 287.53
ENGINEERING	\$ 773.04	\$ 59.14	\$ 114.10
IT	\$ 804.18	\$ 61.52	\$ 118.70
GENERAL FUND TOTAL	\$ 52,865.87	\$ 3,091.47	\$ 3,541.86
STREET	\$ 1,759.98	\$ 134.64	\$ 259.77
STREET TOTAL	\$ 1,759.98	\$ 134.64	\$ 259.77