

Searcy City Council – Regular Session
Tuesday, August 11, 2015 7:00 p.m.
Minutes

Mayor David Morris called to order the Regular Session of the Searcy City Council. Minister Karl McClarty of the Cloverdale Church of Christ gave the Invocation, with the Pledge of Allegiance following, led by Alderman Steve Sterling. 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 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: (14) resolution for the abandonment of an unnecessary alley, (15-1-f) budget ordinance appropriation for the purchase of a traffic control camera, (15-1-g) budget ordinance appropriation of Issue 1 Municipal Turnback for 2015 street paving project, (15-1-h) budget ordinance appropriation of Street Fund unappropriated reserves for 2015 street paving project, (15-1-i) budget ordinance appropriation of 2014 Eight Year Plan Fund unappropriated reserves for 2015 street paving project, (15-1-j) budget ordinance appropriation of General Fund unappropriated reserves for electrical needs for Holiday of Lights displays, (15-1-k) budget ordinance appropriation of Special 1% Connector Route Fund unappropriated reserves for Main Street Deener Creek bridge design services, and (15-2-c) budget ordinance authorization for payment for Main Street Deener Creek bridge design services. A motion was made by Mr. Brewer and seconded by Mr. Chalenburg to suspend the rules and amend the agenda to add the items. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular July 14, 2015 meeting of the Council were presented for approval. A motion was made by Mr. Sterling and seconded by Mr. Cothorn 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 7-31-15: General Fund: \$1,415,850.49; Street Fund \$1,123,591.58; Capital Equipment Fund \$22,332.59; LOPFI Fund \$39,706.67; Act 833 Fund \$108,237.29; Airport Projects Fund \$1,180.55; Special Highway Connector Route Tax Fund \$8,069,318.68; 2014 Eight Year Plan Fund \$4,118,020.26; Information Technology Projects Fund \$553,174.27. He also reported a total of \$3,559,398.95 year-to-date in City and County Sales Tax revenues received, which is down \$110,939.96 from the same time in 2014. The total of all funds (excluding the Special Highway Connector Route Tax Fund, the 2014 Eight Year Plan Fund, and the Information Technology Projects Fund) is \$2,710,899.17.

Item (6) on the agenda was for the reappointment of Mr. Justin Lawson to a five (5) year term on the Searcy (Harding University and Harding Place) Public Educational and

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Residential Housing Facilities Board with the term expiring on August 17, 2020. A motion was made by Mr. Cothorn and seconded by Mrs. Arnett to reappoint Mr. Justin Lawson to a five (5) year term on the Searcy (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board with the term expiring on August 17, 2020. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Cothorn, Arnett, and Howard. Mr. Chalenburg abstained from voting.

Item (7) was for the authorization to transfer funds from the 2014 Eight Year Plan Fund to the Information Technology Projects Fund in the amount of \$210,470.00 for use in the fiber network construction project. This amount is the remaining balance (original allocation was for \$240,000.00 as shown in Exhibit A of Resolution 2013-23) that was allocated for the fiber network project in the 2014 Eight Year Plan. A total of \$29,530.00 had been expended out of the 2014 Eight Year Plan before the Information Technology Projects Fund was established, leaving the balance of \$210,470.00. A motion was made by Mr. Howard, seconded by Mrs. Arnett, to authorize the transfer of \$210,470.00 from the 2014 Eight Year Plan Fund to the Information Technology Projects Fund for use in the fiber network construction project. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Item (8) was for the approval of the building design for the new Information Technology building and authorization to proceed with the solicitation of bids for the construction of the new Information Technology building. Motion was made by Mr. Raney and seconded by Mr. Chalenburg to approve the building design for the Information Technology building and authorize the solicitation of bids for the construction of the Information Technology building. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English.

Item (9) on the agenda was for the authorization to proceed with the solicitation of bids for the construction of the replacement bridge on Main Street over Deener Creek, which is funded from the Special 1% Connector Route Fund. Motion was made by Mr. Sterling, seconded by Mr. Brewer, for the authorization to proceed with the solicitation of bids for the construction of the replacement bridge on Main Street over Deener Creek. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney.

Item (10) was for the discussion of the need for electrical wiring installation at Berryhill Park for the Holiday of Lights displays and for the determination of the funding source for the installation. It was noted that the cost of the installation of the electrical needs would be approximately \$15,000.00. The Searcy Regional Economic Development Corporation has agreed to fund 50% of the cost (\$7,500.00). Mayor David Morris and Clerk/Treasurer Jerry Morris were asked what their recommendation for funding the remaining \$7,500.00 would be. It was recommended that this amount be appropriated from General Fund unappropriated reserves and that this recommendation has been included on the budget ordinance for funding. A motion was made by Mr. Raney and seconded by Mr. Cothorn to fund the electrical wiring needs out of the General Fund unappropriated reserves in the amount of \$7,500.00. Motion carried with the following

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

Item (11) on the agenda was for the authorization to expend the funds allocated for the traffic signal control camera in the 2014 Eight Year Plan (Resolution 2013-23). This traffic signal control camera will be for use at the intersection of Beebe-Capps Expressway and Country Club Road and the amount allocated is \$20,600.00. It was noted by City Engineer Mark Lane that the control camera could probably be acquired for less than \$20,000.00 which would preclude the need for competitive bidding. He also noted that if this is not possible, this would be brought back to the Council for the authorization to solicit bids. A motion was made by Mr. Brewer, seconded by Mr. Cothorn, to authorize the expenditure of \$20,600.00 for the acquisition of a traffic signal control camera for use at the intersection of Beebe-Capps Expressway and Country Club Road. Motion carried with the following voting “yes”: Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg.

Item (12) was for the selection and approval of a bid for the 2015 street paving project that was authorized for solicitation at the July 14, 2015 regular meeting of the Searcy City Council. Only one (1) bid was received in a timely manner. This bid was from Delta Asphalt of Arkansas (Paragould, AR) in the amount of \$1,035,215.84. An amount of \$1,200,000.00 had been approved by the Council for the 2015 street paving project at the July 14, 2015 Council meeting. City Engineer Mark Lane noted that even though the bid was for less than the approved amount of \$1,200,000.00 there would be extra costs involved for sidewalk improvements/repairs as required by state law. Mr. Lane also noted that due to the planned streets to be paved having extended lengths, a better cost was received than was received in the previous year’s paving project. He stated that he was comfortable with the bid received and recommended the approval and selection of the bid from Delta Asphalt of Arkansas. A motion was made by Mr. Brewer and seconded by Mrs. Arnett to accept and approve the bid from Delta Asphalt of Arkansas in the amount of \$1,035,215.84 for the 2015 street paving project. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

Item (13) was a resolution for the authorization to enter into a contract with Delta Asphalt of Arkansas for the 2015 street paving project. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mr. Sterling to approve the resolution for the authorization to enter into a contract with Delta Asphalt of Arkansas for the 2015 street paving project. Motion carried with the following voting “yes”: Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Resolution 2015-28**

Item (14) was a resolution for the abandonment of an unnecessary alley, located in Brummett’s subdivision of Block 2 of Turner’s addition. Mr. Gibson explained that, due to a request from the property owners of the former USA Drug Store (now WalGreens), this has been placed on the agenda. He further explained that the Searcy City Council had passed a resolution in 1979 to abandon an alleyway from Moss Street to Cypress Street. Subsequently, it has been discovered that there is not an agreement associated

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with the abandonment of this alleyway that can be located. Therefore, this resolution has been requested in order to have a recordable instrument (an agreement) that abandons the public interest in this alleyway. Mr. Gibson read the resolution in full. Motion was made by Mr. Sterling and seconded by Mr. Brewer to pass the resolution for the abandonment of an unnecessary alley, located in Brummett's subdivision of Block 2 of Turner's addition. Motion carried with the following voting "yes": Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. **Resolution 2015-29**

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 \$2,166.66 to General Fund 'DOWNTOWN BEAUTIFICATION DONATIONS' revenue account (#01 4-000-90-25), and appropriate \$2,166.66 to Mayor's department 'DOWNTOWN BEAUTIFICATION PROJECT' expenditure account (#01 5-010-54-08) for receipt and expenditure of donations received for the Downtown Beautification Project;
- b. Appropriate \$666.67 to General Fund 'RIALTO THEATRE DONATIONS' revenue account (#01 4-000-90-26), and appropriate \$666.67 to Mayor's department 'RIALTO THEATRE' expenditure account (#01 5-010-54-07) for receipt and expenditure of donations received for the Rialto Theatre Project;
- c. Appropriate \$666.67 to General Fund 'HOLIDAY OF LIGHTS DONATIONS' revenue account (#01 4-000-90-10), and appropriate \$666.67 to Mayor's department 'HOLIDAY OF LIGHTS' expenditure account (#01 5-010-05-09) for receipt and expenditure of donations received for the Holiday of Lights Project;
- d. Appropriate \$250.00 to General Fund 'OTHER DONATIONS' revenue account (01 4-000-90-12) and appropriate \$250.00 to 'TREE BOARD' expenditure account (01 5-010-05-25) for donations received for the Searcy Tree Board's Donate A Tree Today program;
- e. Appropriate \$210,470.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'TRANSFER TO INFORMATION TECHNOLOGY PROJECTS FUND' expenditure account (14 5-190-05-06) and

appropriate \$210,470.00 to Information Technology Projects Fund 'TRANSFER FROM 2014 EIGHT YEAR PLAN FUND' revenue account (15 4-000-10-01) for funds to be used in the construction of the fiber optic network;

- f. Appropriate \$20,600.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'TRAFFIC CONTROL CAMERAS' expenditure account (14 5-900-53-02) for the purchase of traffic control camera for use at intersection of Beebe-Capps Expressway and Country Club Road;
- g. Appropriate \$436,263.75 to Street 'ISSUE #1 MUNICIPAL TURNBACK PAVING' expenditure account (#02 5-900-05-15) for expenditures made for the 2015 street paving project using the Issue #1 10-year Municipal Turnback revenue that has been received;
- h. Appropriate \$238,736.25 from unappropriated Street Fund reserves to Street 'PAVING' expenditure account (#02 5-900-05-07) for 2015 street paving project;
- i. Appropriate \$375,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'STREET RESURFACING/IMPROVEMENT' expenditure account (14 5-900-05-01) for 2015 street paving project;
- j. Appropriate \$7,500.00 from General Fund unappropriated reserves to 'HOLIDAY OF LIGHTS – ELECTRICAL' expenditure account (01 5-010-05-26) for electrical needs for the Holiday of Lights displays;
- k. Appropriate \$8,827.98 from Special 1% Connector Route Tax Fund unappropriated reserves to 'MAIN STREET DEENER CREEK BRIDGE' expenditure account (13 5-900-54-01) for professional services regarding design work for the Main Street Deener Creek bridge;

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

- a. \$34,239.02 to Stephenson Oil Company for fuel for all departments;
- b. \$40,589.46 to Playpower LT Farmington, Inc, for playground equipment at Carmichael Community Center related to the 2015 state Parks grant;

- c. \$8,827.98 to Morrison-Shipley Engineers for professional services regarding design work for the Main Street Deener Creek bridge;

A motion was made by Mr. Brewer, seconded by Mr. Raney, 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 Mr. Howard, to adopt the ordinance. The ordinance passed with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. **Ordinance 2015-24**

The Mayor announced:

- The refurbishment of the street sweeper is almost complete and it is parked outside City Hall for inspection.
- Mr. Raney noted that the structure at the intersection of Beebe-Capps Expressway and Pecan Street (607 West Beebe-Capps Expressway) is almost completely removed. The property owners were notified of this property being a nuisance property and they approached the Council to ask for some time to remedy the situation. The Council agreed to allow 90 days (May 12, 2015 regular meeting) for the owners to take the necessary actions required. He commended the Council and the property owners for working together to resolve the situation.

A motion was made and seconded to adjourn.

Minutes Approved: September 8, 2015

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

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