

**Searcy City Council – Regular Session**  
**Tuesday, October 13, 2015 7:00 p.m.**  
**Minutes**

An announced public hearing was held prior to the start of the regular October 13, 2015 City Council meeting. This public hearing was held for the purpose of 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. No person came forward to speak regarding the determination of 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 David Morris closed the public hearing.

Mayor David Morris called to order the Regular Session of the Searcy City Council. Al Fowler gave the Invocation, with the Pledge of Allegiance following, led by Searcy Chief of Police Eric Webb. City Clerk Jerry Morris called the roll with the following Aldermen answering “present”: Logan Cothorn, Mary Ann Arnett, J. R. Howard, Steve Sterling, Don Raney, Dale Brewer, and Mike Chalenburg. Alderman Dale English was not present. 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: (20-1-h) budget ordinance appropriation for the purchase of side-arm sanitation trucks, (20-1-i) budget ordinance appropriation for the purchase of E-cycle center forklift, (20-1-j) budget ordinance appropriation for the receipt of a portion of a zero-interest loan revenue and the associated expenditure for engineering services on the Downtown Beautification project, (20-1-k) budget ordinance appropriation for donations that were received to be used for the acquisition of Police department body cameras, (20-1-l) budget ordinance appropriation for donations that were received to be used for the Holiday of Lights project, (20-1-m) budget ordinance appropriation for the transfer of funds for staffing needs for an additional police patrolman position, (20-1-n) budget ordinance appropriation for the costs of an additional police patrolman position, (20-2-k) budget ordinance authorization to expend \$845,960.40 for the acquisition of three side-arm sanitation trucks, (20-2-l) budget ordinance authorization to expend \$25,266.00 for the acquisition of an E-cycle center forklift, and (20-2-m) budget ordinance authorization to expend \$18,260.99 for engineering services for the Downtown Beautification project. A motion was made by Mr. Raney and seconded by Mr. Brewer to suspend the rules and amend the agenda to add the items. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular September 8, 2015 meeting of the Council and the special September 24, 2015 meeting of the Council were presented for approval. A motion was made by Mr. Cothorn and seconded by Mr. Sterling to approve the minutes. The following voted to approve: Howard, Sterling, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

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Clerk/Treasurer Jerry Morris presented and read the Treasurer's Report which lists the following balances as of 9-30-15: General Fund: \$1,552,520.17; Street Fund \$1,248,674.56; Capital Equipment Fund \$22,351.56; LOPFI Fund \$71,551.83; Act 833 Fund \$113,467.94; Airport Projects Fund \$1,182.55; Special Highway Connector Route Tax Fund \$8,067,059.05; 2014 Eight Year Plan Fund \$4,242,550.29; Information Technology Projects Fund \$751,427.10. He also reported a total of \$4,619,603.94 year-to-date in City and County Sales Tax revenues received, which is down \$97,440.27 from the same time in 2014. The total of all funds (excluding the Special Highway Connector Route Tax Fund and the 2014 Eight Year Plan Fund and the Information Technology Projects Fund) is \$3,009,748.61.

Item (6) on the agenda was for the approval and confirmation of the following persons and their respective terms as members of the Searcy Housing Authority Board as recommended by the Board of Commissioners of the Searcy Housing Authority:

- Karen Millar 3/30/2015 – 3/30/2020
- Arthur Churchill 3/30/2014 – 3/30/2019 (Chairman 2016)
- Ann Nieto 3/1/2013 – 3/30/2018
- Sonja Parsons 8/16/2012 – 3/30/2017
- David Goff 3/30/2011 – 3/30/2016 (Vice Chairman 2016)

A motion was made by Mrs. Arnett and seconded by Mr. Chalenburg to approve and confirm the listed persons and terms as members of the Searcy Housing Authority Board. Motion carried with the following voting "yes": Sterling, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard.

Item (7) on the agenda was for the appointment of Dianne Hutsell to fill a vacant unexpired term on the Searcy Library Board, with the term set to expire on December 31, 2016, as recommended by the Searcy Library Board. A motion was made by Mr. Brewer and seconded by Mr. Cothorn for the appointment of Dianne Hutsell to fill a vacant unexpired term on the Searcy Library Board, with the term set to expire on December 31, 2016. Motion carried with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Item (8) on the agenda was for the appointment of Alice Jewell to fill a vacant unexpired term on the Searcy Tree Board, with the term set to expire on December 31, 2017, as recommended by the Searcy Tree Board. A motion was made by Mr. Raney and seconded by Mrs. Arnett for the appointment of Alice Jewell to fill a vacant unexpired term on the Searcy Tree Board, with the term set to expire on December 31, 2017. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and Raney.

Item (9) on the agenda was for the reappointment of Rhinda Hall, Deral Casteel, and Danny Bennett to the Searcy Parks and Recreation Advisory Board for five-year terms, expiring November 3, 2020. A motion was made by Mr. Sterling, seconded by Mr. Howard, to reappoint Rhinda Hall, Deral Casteel, and Danny Bennett to the Searcy Parks and Recreation Advisory Board for five-year terms, expiring November 3, 2020. Motion

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

Item (10) was for the discussion and authorization for adjustment and the remittance of a delinquent contribution payment to the Arkansas Public Employee Retirement System (APERS) that the City of Searcy was notified of that took place for the calendar years 2000 and 2001. The City of Searcy was made aware of this needed adjustment by APERS when a former employee of the City of Searcy began an inquiry into their retirement process. This adjustment is in the amount of \$3,379.79. A motion was made by Mr. Brewer and seconded by Mr. Chalenburg to approve the adjustment and the remittance of a delinquent contribution payment to the Arkansas Public Employee Retirement System (APERS) in the amount of \$3,379.79. Motion carried with the following voting “yes”: Cothorn, Arnett, Howard, Sterling, Raney, Brewer, and Chalenburg.

Item (11) on the agenda was for the discussion of the need for and cost of providing security for the Holiday of Lights displays at Berryhill Park as well as a recommendation for the source of funding for this security. Mayor Morris explained that there is still work to be done on cost estimates for the number of hours that would be needed in order to provide security for the Holiday of Lights. The cost of this security is predicated on overtime rates for the various officers (that is officers that are paid at varying rates) that would be involved. The cost would include the salaries and the associated costs (Social Security/Medicare and retirement, all of which are based on additional salary cost). Mayor Morris further stated that the cost estimate and funding source for providing security for the Holiday of Lights displays at Berryhill Park would be brought forward at the November regular Council meeting.

Item (12) was for the approval of a request to fill an additional patrolman position in the Searcy Police Department. Mayor Morris explained that there were two patrolman positions approved at the beginning of the year to be filled in 2015. The Council at that time requested that the filling of these positions be delayed until later in the year. The additional patrolman positions were requested to be funded in the staffing needs in the 2014 Eight Year Plan. These positions were requested, and agreed to by the Council and the administration, to be delayed in filling until the middle of the calendar year 2015 in order to save a portion of the full year of funding that is needed for these positions. One of these patrolman positions was filled in July of 2015 and this request is for the second position. The costs associated with this additional position for the remainder of the year was provided to the Council and included in the budget ordinance (section 1-m & n). A motion was made by Mr. Raney and seconded by Mr. Howard to approve the request to fill an additional patrolman position in the Searcy Police Department. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, Raney, Brewer, Chalenburg, and Cothorn.

Item (13) on the agenda was for the approval and selection of a bid for the purchase of a forklift to be used at the Sanitation Department E-cycle center. This forklift will be funded by an approved 100% grant through the Arkansas Department of Environmental

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Quality (ADEQ) and White River Planning and Development District (WRPDD) in the amount of \$30,000.00. A total of three bids were received per specifications advertised:

- Lift Truck Service Center, Little Rock, AR – Nissan PF60LP; \$25,266.00
- Gammon Inc., North Little Rock, AR – Yale GP060VX; \$25,680.00
- Hugg & Hall Equipment, Little Rock, AR – Toyota 8FGU30; \$28,856.00

A motion was made by Mr. Raney and seconded by Mr. Brewer to approve and select the low bid of \$25,266.00 received from Lift Truck Service Center for the purchase of a forklift to be used at the Sanitation Department E-cycle center. Motion carried with the following voting “yes”: Howard, Sterling, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

Item (14) was for the authorization to solicit bids for improvements to the city-owned Rialto Theater. These improvements to the Rialto Theater will be funded by a General Improvement Fund (GIF) grant in the amount of \$40,000.00. A motion was made by Mr. Cothorn, seconded by Mr. Howard, to authorize the solicitation of bids for improvements to the city-owned Rialto Theater. Motion carried with the following voting “yes”: Sterling, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard.

Item (15) was a resolution approving the amounts of liens to be certified to the White County Tax Collector against certain properties in the City of Searcy as a result of grass cutting expenses and abatement of other nuisances. Mr. Gibson read the resolution in full. Searcy Code Enforcement Inspector Ken Shoemaker noted that after the publication of the notice of public hearing, one of the listed property owners (Exhibit A) had come forward with a request to reimburse the City of Searcy for the costs for grass cutting and/or nuisance abatement that were incurred by the City of Searcy for their property. The property in question was located at 1307 East Market Avenue with incurred costs to the city of \$341.75. A motion was made by Mr. Sterling to amend Exhibit A of the resolution to remove the lien amount of \$341.75 on the property located at 1307 East Market Avenue due to the reimbursement. Mr. Raney seconded the motion. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. A motion was then made by Mr. Brewer and seconded by Mr. Chalenburg to adopt the resolution approving the amounts of liens to be certified to the White County Tax Collector against certain properties in the City of Searcy as a result of grass cutting expenses and abatement of other nuisances as amended (Exhibit A). Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and Raney. **Resolution 2015-37**

Item (16) was a resolution for the authorization to enter into an agreement with the White County Children’s Safety Center, Inc. for providing police support services. Mr. Gibson read the resolution in full. Motion was made by Mr. Howard and seconded by Mr. Cothorn to adopt the resolution for the authorization to enter into an agreement with the White County Children’s Safety Center, Inc. for providing police support services. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howard, Sterling, Raney, and Brewer. **Resolution 2015-38**

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Item (17) was a resolution for the authorization to enter into an agreement concerning the disposition of Compost Center waste. Mr. Gibson read the resolution in full. A motion was made by Mr. Raney and seconded by Mr. Brewer to approve the resolution for the authorization to enter into an agreement concerning the disposition of Compost Center waste. Motion carried with the following voting “yes”: Cothorn, Arnett, Howard, Sterling, Raney, Brewer, and Chalenburg. **Resolution 2015-39**

Item (18) was a resolution authorizing the abandonment of fully utilized assets as described in the schedule for deletion from the City of Searcy’s capital asset listing. Mr. Gibson read the resolution in full. Motion was made by Mr. Chalenburg and seconded by Mr. Sterling to pass the resolution authorizing the abandonment of fully utilized assets as described in the schedule for deletion from the City of Searcy’s capital asset listing. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2015-40**

Item (19) was a resolution for the declaration of a nuisance property located at 603 North College Street. Mr. Gibson read the resolution in full. A motion was made by Mr. Sterling and seconded by Mr. Howard to approve the resolution for the declaration of a nuisance property located at 603 North College Street. Motion carried with the following voting “yes”: Howard, Sterling, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Resolution 2015-41**

Item (20) 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 \$3,379.79 from General Fund unappropriated reserves to ‘RETIREMENT ADJUSTMENT’ expenditure account (#01 5-190-05-06) for delinquent contributions payment to Arkansas Public Employees Retirement System (APERS);
- b. Appropriate \$5,800.00 to ‘RECREATION DONATIONS’ revenue account (#01 4-000-90-08) and appropriate \$5,800.00 to Parks & Recreation department ‘DONATIONS EXPENSED’ expenditure account (#01 5-080-05-10) for receipt of donations from Wal-Mart;
- c. Appropriate \$3,524.40 to ‘SALE OF EQUIPMENT’ revenue account (#01 4-000-60-04), and appropriate \$3,524.40 to Sanitation Department ‘BIN REPAIR’ expenditure account (#01 5-090-05-02) for the receipt from the sale of scrap dumpsters and compactors authorized for abandonment in Resolution 2015-35;
- d. Appropriate \$102,059.20 from Information Technology Projects Fund

- unappropriated reserves to 'FIBER OPTIC NETWORK CONSTRUCTION' expenditure account (#15 5-160-05-01) for construction services on fiber network;
- e. Appropriate \$7,166.00 from 2014 Eight Year Plan Fund unappropriated reserves to the 'INFORMATION TECHNOLOGY BUILDING CONSTRUCTION' expenditure account (#14 5-160-54-01) for design services provided by Hoffmann Architectural, Inc.;
  - f. Appropriate \$4,513.81 from General Fund unappropriated reserves to Fire department 'BUILDING MAINTENANCE/REPAIRS' expenditure account (#01 5-070-02-01) for the acquisition of replacement emergency generator for Fire Station 3;
  - g. Appropriate \$1,000.00 to 'FIRE DONATIONS' revenue account (#01 4-000-90-07) and appropriate \$1,000.00 to Fire department 'VEHICLE EQUIPMENT' expenditure for receipt and use of donation from XTO Energy;
  - h. Appropriate \$845,960.40 from 2014 Eight Year Plan Fund unappropriated reserves to the 'SIDE-ARM SANITATION TRUCKS' expenditure account (#14 5-090-53-01) for the side-arm sanitation trucks;
  - i. Appropriate \$25,266.00 from General Fund unappropriated reserves to Sanitation department 'E-CYCLE CENTER FORKLIFT' expenditure account (#01 5-090-56-22) for acquisition of Sanitation department e-cycle center forklift;
  - j. Appropriate \$22,000.00 to Special Projects Fund (new fund established for tracking of Downtown Beautification project or other projects) 'LOAN PROCEEDS' revenue account (#16 4-000-91-01) and appropriate \$18,260.99 to Special Projects Fund 'DOWNTOWN BEAUTIFICATION PROJECT' expenditure account (#16 5-190-05-01) for receipt and use of a portion of zero-interest loan for use on Downtown Beautification project;
  - k. Appropriate \$1,993.17 to 'POLICE DONATIONS' revenue account (#01 4-000-90-03) and appropriate \$1,993.17 to Police department 'BODY CAMERAS' expenditure account (#01 5-060-53-18) for the receipt and

use of a donation that was received for the purchase of body cameras for the Police department;

- l. Appropriate \$1,000.00 to General Fund 'HOLIDAY OF LIGHTS DONATIONS' revenue account (#01 4-000-90-10), and appropriate \$1,000.00 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;
- m. Appropriate \$8,545.91 from 2014 Eight Year Plan Fund unappropriated reserves to 'TRANSFER TO GENERAL-STAFFING NEEDS' expenditure account (14 5-190-05-05) and appropriate \$8,545.91 to General Fund 'TRANSFER FROM 8-YEAR FUND-STAFFING NEEDS' revenue account (01 4-000-10-16) for salaries and associated costs for one additional Patrolman position in the Police Department;
- n. Appropriate from General Fund unappropriated reserves for salaries and associated costs for one additional Police Patrolman in the Police Department:
  - \$6,910.27 to Police Department 'SALARIES' expenditure account (01 5-060-01-01);
  - \$528.64 to Police Department 'SS/MEDICARE MATCH' expenditure account (01 5-060-01-02);
  - \$1,107.00 to Police Department 'HEALTH BENEFIT' expenditure account (01 5-060-01-03);

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

- a. \$12,133.89 to Stephenson Oil Company for fuel for all departments;
- b. \$3,379.79 to Arkansas Public Employees Retirement System (APERS) for delinquent contributions payment (#01 5-190-05-06);
- c. \$102,059.20 to Crittco Cable & Fiber, Inc. for construction services on the fiber network (#15 5-160-05-01);

- d. \$7,166.00 to Hoffmann Architectural, Inc. for architectural services on the Information Technology building (#14 5-160-54-01);
- e. \$4,167.90 to Electric Generators Direct and \$345.91 to Arkansas Department of Finance and Administration for sales tax for the purchase of replacement emergency generator for Fire Station 3 (#01 5-070-02-01);
- f. \$3,632.08 to Miller-Newell Engineers, Inc. for engineering services on the Arkansas Department of Aeronautics fill and drainage 80/20 grant at the Searcy Municipal Airport (#14 5-040-56-03);
- g. \$71,169.18 to Paladino-Nash, Inc. for construction services on the Arkansas Department of Aeronautics fill and drainage 80/20 grant at the Searcy Municipal Airport (#14 5-040-56-03);
- h. \$6,004.46 to Miller-Newell Engineers, Inc. for engineering services on the Arkansas Department of Aeronautics erosion control and utilities grant at the Searcy Municipal Airport (#14 5-040-56-01);
- i. \$84,909.58 to Wyatt Contracting, Inc. for construction services on the Arkansas Department of Aeronautics erosion control and utilities grant at the Searcy Municipal Airport (#14 5-040-56-01);
- j. \$30,134.40 to PlayPower LT Farmington, Inc. for the poured-in-place safety surface (on state approved National Joint Powers Alliance (NJPA) purchasing program) for the Carmichael Community Center playground grant (#01 5-080-56-10);
- k. \$845,960.40 to Henard Utility Products for purchase of side-arm sanitation trucks (#14 5-090-53-01);
- l. \$25,266.00 to Lift Truck Service Center for purchase of e-cycle center forklift (#01 5-090-56-22);
- m. \$18,260.99 to Whitlow Engineering Services, Inc. for engineering services for the Downtown Beautification project;

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”: Sterling, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Howard, seconded by Mr. Cothorn, to adopt the ordinance. The ordinance passed with the following voting

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

**Ordinance 2015-32**

The Mayor announced:

- Airport Day (October 13, 2015) was a great success. A total of 294 fifth grade students were reported in attendance with ten pilots volunteering their time and equipment to provide plane rides for these students.
- The annual City/County fall clean-up will be held on October 15-17, 2015
- The 2015 street paving program is expected to begin in approximately one week
- Trick-R-Treat on the Square will be held on Saturday evening, October 31, 2015

A motion was made and seconded to adjourn.

Minutes Approved: November 10, 2015

/s/ David Morris  
MAYOR

ATTEST:

/s/ Jerry Morris  
CITY CLERK

Seal