

Searcy City Council – Regular Session
Tuesday, November 10, 2015 7:00 p.m.
Minutes

Mayor David Morris called to order the Regular Session of the Searcy City Council. Alderman Dale Brewer gave the Invocation, with the Pledge of Allegiance following, led by Alderman Mike Chalenburg. Assistant to the Mayor Lillie Cook 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. City Clerk Jerry Morris was not present.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (12) authorization to waive bidding for pavement marking (striping) for the 2015 street paving program, (13) authorization to waive bidding for paving the walking trail at Berryhill Park, (15-1-h) budget ordinance appropriation change from \$25,000.00 to \$27,500.00 for paving the walking trail at Berryhill Park, (15-1-k) budget ordinance appropriation for design services on Main Street replacement bridge over Deener Creek, (15-2-e) budget ordinance authorization to expend up to \$27,500.00 for paving the walking trail at Berryhill Park, (15-2-l) budget ordinance authorization to expend \$3,469.71 for design services on the Main Street replacement bridge, (15-2-m) budget ordinance authorization to expend \$1,035,215.84 for the 2015 street paving program, and (15-2-n) budget ordinance authorization to expend up to \$35,000.00 for pavement marking (striping) for the 2015 street paving program. A motion was made by Mr. Raney and seconded by Mr. Cothorn 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 October 13, 2015 meeting of the Council and the minutes of the special October 22, 2015 meeting 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.

Assistant to the Mayor Lillie Cook presented and read the Treasurer’s Report which lists the following balances as of 10-31-15: General Fund: \$1,610,380.05; Street Fund \$1,326,147.21; Capital Equipment Fund \$22,360.75; LOPFI Fund \$112,164.24; Act 833 Fund \$104,666.83; Airport Projects Fund \$1,183.52; Special Highway Connector Route Tax Fund \$8,071,104.05; 2014 Eight Year Plan Fund \$3,457,082.12; Information Technology Projects Fund \$663,422.59. She also reported a total of \$5,146,672.22 year-to-date in City and County Sales Tax revenues received, which is down \$117,914.82 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 \$3,176,902.60.

Item (6) on the agenda was for the reappointment of Jamie Mobley and Mickey Gentry to 3-year terms on the Searcy Board of Zoning Adjustment with the terms set to expire on October 31, 2018. A motion was made by Mr. Raney and seconded by Mr. Sterling for the reappointment of Jamie Mobley and Mickey Gentry to 3-year terms on the Searcy Board of Zoning Adjustment with the terms set to expire on October 31, 2018. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard.

Item (7) was for the appointment of Tia Stone to fill a vacant unexpired term on the Searcy Parks and Recreation Advisory Board, with the term set to expire on November 3, 2016. A motion was made by Mr. Chalenburg, seconded by Mr. Howard, for the appointment of Tia Stone to fill a vacant unexpired term on the Searcy Parks and Recreation Advisory Board, with the term set to expire on November 3, 2016. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Item (8) on the agenda was for the presentation and discussion of the City of Searcy calendar year 2014 Legislative Audit report. Mayor Morris noted that there was one audit comment contained in the report and that it was regarding the District Court department Clerk’s office. District Court Clerk Linda Maddox explained that this exception has been an ongoing issue and is due to the software (Relativity) that is used in the Clerk’s office. She noted that the finding is due to money received at the District Court that does not have receipt numbers associated with this money. She further explained that the software was not designed to handle the large caseload that is incurred in District Court (approximately 17,000 to 20,000 cases annually) and has been an issue since the software has been in use for the past seven (7) years. She further noted that, with the implementation this year of the new state Contexte Courts software, this issue should be resolved. Ms. Maddox recommended that, with the complete implementation of the new Contexte software, these issues will be resolved and result in no related audit findings in the future. A motion was made by Mr. Howard and seconded by Mr. Cothorn to note that the 2014 calendar year Legislative Audit report had been discussed and that the recommendation of the District Court Clerk be accepted for the resolution of the finding noted. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English.

Item (9) was the presentation and discussion of the 2014 Audit report for the Searcy Water Utilities. A copy of the 2014 Audit report for the Searcy Water Utilities was presented by Searcy Water Utilities Manager Dan Dawson and by David Spradlin representing the firm of Hamilton, Cherry, Spradlin and Company, Certified Public Accountants. Mayor Morris noted that audit report was a clean report and asked if the Council had any questions or comments regarding the report. He noted that Mr. Dawson and Mr. Spradlin were here to address any questions or comments that the Council may have. No questions were asked and City Attorney Buck Gibson stated that no action was required of the Council. Mayor Morris stated to let it be shown in the Council meeting

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minutes that the audit report for the Searcy Water Utilities had been presented to the Council on this date.

Item (10) on the agenda was for the presentation of a preliminary 2016 budget proposal. Mayor Morris asked the Council to use the 2015 City of Searcy budget, as shown in the current (October 31, 2015) financial statement, as a starting point for establishing the budget for the calendar year 2016. He further explained that meetings are being set up with all of the department managers to prepare a preliminary 2016 budget proposal to bring before the Council. Upon establishing this preliminary proposal, meetings with the Council (Committee of the Whole meetings) will be set up for the department managers to come before the Council for discussions regarding the various needs for their department. Mayor Morris noted that from discussions regarding the 2016 budget process, this is the preferable process for the establishment of the 2016 calendar year budget for the City of Searcy.

Item (11) on the agenda was a request to reschedule the regular Thursday, December 3, 2015 pre-council agenda meeting to Monday, November 30, 2015 at 5:00 p.m. This was requested by Mayor Morris due to a prior commitment that conflicted with his scheduling. A motion was made by Mr. Howard and seconded by Mr. English to reschedule the regular Thursday, December 3, 2015 pre-council agenda meeting to Monday, November 30, 2015 at 5:00 p.m. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney.

Item (12) was for the authorization to waive bidding and accept the proposed cost of pavement marking (striping) of the streets included in the 2015 street paving program and other streets that are in need of marking because of safety concerns (including for example, but not limited to, Moore Avenue and Skyline Drive). The proposed cost requested for the waiving of bidding, as received from Time Striping, Inc., was for \$0.15 per linear foot that includes mobilization, up to a total expense of \$35,000.00. City Engineer Mark Lane explained that the expense for the marking (striping) of the roads was not included in the bid process for the 2015 street paving program. He further explained that he contacted the contractor (Delta Asphalt) that was doing the paving for the 2015 street paving program to find out what they would do the marking for. They returned a cost of \$0.35 per linear foot with an additional \$3,000.00 mobilization charge. This would have meant the total cost of the marking would be approximately \$62,000.00. Mr. Lane also noted the White County had recently had some road marking done at a cost of \$0.27 per linear foot, so he felt that the cost of \$0.15 per linear foot was a very good price. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to waive bidding and accept the cost of \$0.15 per linear foot, up to a total expense of \$35,000.00, for the pavement marking (striping) of the streets included in the 2015 street paving program and other streets that are in need of striping, as received from Time Striping, Inc. Motion carried with the following voting "yes": Chalenburg, Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer.

Item (13) on the agenda was for the authorization to waive the bidding process for the paving of the walking trail at Berryhill Park for a cost of up to \$27,500.00. Mayor Morris

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and Mr. Lane explained that the Berryhill Park walking trail was in very poor shape and that it is desirable to have it re-paved in anticipation of the number of people that will be utilizing the trail during the Holiday of Lights displays as well as for the number of people that use it on a daily basis. Mr. Lane further explained that portions of the trail are upheaved and/or broken due to the root system of the pine trees adjacent to the trail and that this could present a safety hazard. A motion was made by Mr. Cothorn, seconded by Mrs. Arnett, to waive the bidding process for the paving of the walking trail at Berryhill Park at a cost of up to \$27,500.00. Motion carried with the following voting "yes": Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg.

Item (14) was for discussion for the action needed for changing the listed name of property ownership of real property known as the BJ Services property. The property currently has the owner listed as the City of Searcy. Mr. Gibson explained that he is currently working with representatives of the entity that has acquired BJ Services (successor in interest by merger) in determining to whom the property should be conveyed. Mayor Morris then stated that this would continue to be worked on and would be brought back to the Council in the December Council meeting.

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 \$500.00 to General Fund 'OTHER DONATIONS' revenue account (#01 4-000-90-12) and appropriate \$500.00 to 'TREE BOARD' expenditure account (#01 5-010-05-25) for donations received for the Searcy Tree Board's Donate A Tree Today program;
- b. Appropriate \$500.00 to General Fund 'HOLIDAY OF LIGHTS DONATIONS' revenue account (#01 4-000-90-10), and appropriate \$500.00 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;
- c. Appropriate \$900.00 to General Fund 'DOWNTOWN BEAUTIFICATION DONATIONS' revenue account (#01 4-000-90-25), and appropriate \$900.00 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;
- d. Appropriate \$100.00 to General Fund 'RIALTO THEATRE

DONATIONS' revenue account (#01 4-000-90-26), and appropriate \$100.00 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;

- e. Appropriate \$2,670.07 to 'POLICE DONATIONS' revenue account (#01 4-000-90-03), and appropriate \$2,670.07 to 'BODY CAMERAS' expenditure account (#01 5-060-53-18) for receipt and use of donations to acquire Police body cameras;
- f. Appropriate \$177,788.40 from Information Technology Projects Fund unappropriated reserves to 'FIBER OPTIC NETWORK CONSTRUCTION' expenditure account (#15 5-160-05-01) for construction costs on the fiber optic network;
- g. Appropriate \$6,391.27 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.;
- h. Appropriate \$27,500.00 from General Fund unappropriated reserves to 'BERRYHILL PARK PAVING' expenditure account (#01 5-080-54-05) for paving of the walking trail at Berryhill Park;
- i. Appropriate \$11,121.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'FAA 30500570222015 CRACK REPAIR' grant expenditure account (#14 5-040-56-05) for engineering services on the 90/10 Federal Aviation Administration 2015 crack repair grant;
- j. Transfer \$1,500.00 from Police Department 'FUEL' expenditure account (#01 5-060-03-04) to Police Department 'MOTORCYCLE HAULER TRAILER' expenditure account (#01 5-060-53-19);
- k. Appropriate \$3,469.71 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. \$31,722.51 to Stephenson Oil Company for fuel for all departments;
- b. \$50,000.00 to the Administrative Office of the Courts for the Contexte Conversion/Implementation Project (#01 5-050-05-02)
- c. \$177,788.40 to Crittco Cable & Fiber, Inc. for construction services on the fiber network (#15 5-160-05-01);
- d. \$6,391.27 to Hoffmann Architectural, Inc. for professional services regarding design of the new Information Technology building (#14 5-160-54-01);
- e. Up to \$27,500.00 to Cox Paving for the paving of the walking trail at Berryhill Park (#01 5-080-54-05);
- f. \$11,121.00 to Miller-Newell Engineers, Inc. for engineering services on the 90/10 Federal Aviation Administration 2015 crack repair grant (#14 5-040-56-05);
- g. \$10,603.67 to Miller-Newell Engineers, Inc. for engineering services on Federal Aviation Administration 'FAA ACCESS ROAD, CRACK REPAIR'; AIP#3-05-0057-021-2014 grant at the Searcy Municipal Airport (#14 5-040-56-02);
- h. \$1,600.00 to Grubbs, Hoskyn, Barton, & Wyatt, Inc., Consulting Engineers for construction materials testing services on Federal Aviation Administration 'FAA ACCESS ROAD, CRACK REPAIR'; AIP#3-05-0057-021-2014 grant at the Searcy Municipal Airport (#14 5-040-56-02);
- i. \$81,581.62 to Redstone Construction Group, Inc. for construction services on Federal Aviation Administration 'FAA ACCESS ROAD, CRACK REPAIR'; AIP#3-05-0057-021-2014 grant at the Searcy Municipal Airport (#14 5-040-56-02);
- j. \$2,687.01 to Miller-Newell Engineers, Inc. for engineering services on the 2014 Arkansas Department of Aeronautics Erosion Control and Utilities Grant at the Searcy Municipal Airport (#14 5-040-56-01);

- k. \$16,826.92 to Wyatt Contracting, Inc. for construction services on the 2014 Arkansas Department of Aeronautics Erosion Control and Utilities Grant at the Searcy Municipal Airport (#14 5-040-56-01);
- l. \$3,469.71 to Morrison-Shipleigh Engineers for professional services regarding design work for the Main Street Deener Creek bridge (#13 5-900-54-01);
- m. \$1,035,215.84 to Delta Asphalt of Arkansas for the 2015 street paving program;
- n. Up to \$35,000.00 to Time Striping, Inc. for pavement marking (striping) of streets included in the 2015 street paving program;

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”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. 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”: Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. 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”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. **Ordinance 2015-33**

At this time a motion was made by Mr. Raney and seconded by Mr. English for the Council to enter into executive session for discussion of a personnel issue. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. The Council entered into executive session.

A motion was made by Mr. Brewer, seconded by Mr. Sterling, to come out of executive session. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. Mayor Morris stated that there is no action to be taken regarding the executive session.

The Mayor announced:

- A Veterans Day ceremony will be held on November 11, 2015 at 11:00 a.m. on the White County Courthouse grounds
- Searcy city offices will be closed for Veterans Day on November 11, 2015
- The North Main Street bridge over Deener Creek will be closed to traffic beginning November 16, 2015 for the replacement construction of the new bridge
- The new side-arm Sanitation trucks are to begin regular operation on November 16, 2015

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- The annual Searcy Regional Chamber of Commerce Banquet will be held on Monday, November 23, 2015 at 6:30 p.m. at the Searcy High School Cafeteria
- The 2015 Searcy Holiday of Lights lighting ceremony will be held on Tuesday, November 24, 2015 at 5:00 p.m. at Berryhill Park
- Searcy city offices will be closed for Thanksgiving on November 26-27, 2015
- Searcy Chief of Police Eric Webb announced that, in cooperation with the Federal Bureau of Investigation (FBI), a \$20,000.00 reward had been established toward the investigation in the disappearance of Malik Drummond

A motion was made and seconded to adjourn.

Minutes Approved: December 8, 2015

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

Seal