

**Searcy City Council – Regular Session**  
**Tuesday, June 14, 2016 6:00 p.m.**  
**Minutes**

A public hearing had been advertised to be held at 7:00 p.m. on June 14, 2016 which in previous months would have been prior to the start of the regular City Council meeting. With the change in the starting time of the regular monthly City Council meeting to 6:00 p.m. (Ordinance 2016-13), Mayor Morris announced that the Council meeting would be recessed at 7:00 p.m. in order to hold the announced public hearing. This public hearing was 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.

Mayor David Morris called to order the Regular Session of the Searcy City Council. Alderman Mike Chalenburg gave the Invocation, with the Pledge of Allegiance following, led by City Engineer Mark Lane. 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, and Mike Chalenburg. Also present was City Attorney Buck Gibson. Alderman Dale Brewer was not present.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (14-1-h) budget ordinance appropriation for repairs to the roof at the Carmichael Community Center, (14-1-i) budget ordinance appropriation for purchase of mower for Cemetery Department, (14-1-j) budget ordinance appropriation for purchase of trailer for Cemetery Department, (14-2-k) budget ordinance authorization to expend funds for purchase of mower for Cemetery Department, and (14-2-l) budget ordinance authorization to expend funds for purchase of trailer for Cemetery Department.

The minutes of the regular May 10, 2016 meeting of the Council and the May 31, 2016 special meeting were presented for approval. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to approve the minutes. The following voted to approve: Howard, Sterling, English, Raney, Chalenburg, Cothorn, and Arnett.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of 5-31-16: General Fund: \$1,577,085.55; Street Fund \$975,046.57; Capital Equipment Fund \$22,425.97; LOPFI Fund \$104,914.53; Act 833 Fund \$63,283.31; Airport Projects Fund \$3,468.03; Special Highway Connector Route Tax Fund \$4,448,804.79; 2014 Eight Year Plan Fund \$4,917,207.79; Information Technology Projects Fund \$18,198.98; Special Projects Fund \$86,487.99. He also reported a total of \$2,512,103.61 year-to-date in City and County Sales Tax revenues received, which is down \$74,360.15 from the same time in 2015. The total of all funds (excluding the Special Highway Connector Route Tax Fund, the 2014 Eight Year Plan Fund, the Information Technology Projects Fund, and the Special Projects Fund) is \$2,746,223.96.

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Item (6) on the agenda was for the review and approval of the bids that were received for the interest rate on the short-term financing that will be required for the construction of the swimming pool complex and for the approval/acceptance of a selected bid. A total of eight (8) bids were received by the 4:30 p.m., June 1, 2016 solicited deadline. The bids that were received were as follows:

1. Arkansas Federal Credit Union – 3.95%
2. Centennial Bank – 2.65%
3. Simmons First Bank – 2.75%
4. Riverwind Bank – 2.50%
5. Southern Bank – 2.00%
6. First Community Bank – 2.475%
7. First Security Bank – 2.42%
8. Regions Bank – 1.88%

A motion was made by Mr. Raney and seconded by Mr. Cothorn to approve and accept the bid of 1.88% for the interest rate on the short-term financing that will be required for the construction of the swimming pool complex. Motion carried with the following voting “yes”: Sterling, English, Raney, Chalenburg, Cothorn, Arnett, and Howard.

Item (7) was for the consideration of an offer to purchase the city-owned building and property where the Searcy Fire Department Station 2 is located at 1901 East Market Avenue that had been received from the Searcy First Assembly Church. Fire Department Station 2 is in the process of being relocated to a new location on Golf Course Drive, as contained in the 2014 Eight Year 1% Tax Plan, in order to provide better service to the eastern side of the City. The City of Searcy has made it known that this possible sale of the property would not be effective until the relocation of Fire Station 2 is completed. An appraisal for the property and building where the current Fire Station 2 is located on Market Avenue had been obtained with an effective appraisal date of October 9, 2015 which shows the value of the property to be \$75,000.00 to \$100,000.00. The offer received from the Searcy First Assembly Church to purchase the property was in the amount of \$75,000.00, contingent upon the approval of the voting membership of the Church’s congregation. Searcy Fire Department Chief Bill Baldrige stated that he felt that the property is worth more and would be more beneficial to the City of Searcy if the City of Searcy retained ownership of the property. He stated that this property and building would provide a much needed benefit in that it could be used as a storage and maintenance facility for the Searcy Fire Department and that his recommendation would be to choose not to accept this offer for its purchase. Mayor Morris concurred with this assessment and recommendation. A motion was made by Mr. Cothorn and seconded by Mr. Chalenburg that the City of Searcy chooses not to accept the offer made by the Searcy First Assembly Church for the purchase of the Fire Station 2 property and building in the amount of \$75,000.00. Motion carried with the following voting “yes”: English, Raney, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Item (8) on the agenda was for the discussion of options regarding the repair or replacement of an inoperable Sanitation Department overhead truck. The overhead truck in discussion is approximately 22 years old and has had to be taken out of operation due to excessive rusting problems and stress fractures in the truck’s frame. Mayor Morris

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noted that estimates to make just the necessary repairs in order to be operational would be in excess of \$10,000.00. He also noted that, even with these repairs, it is still a 22 year old truck susceptible to excessive maintenance costs. He further noted that the replacement of aging Sanitation trucks is planned for in the 2014 Eight Year 1% Tax Plan [Resolution 2013-23] with projected total expenditures for 2016 through 2021 of \$1,439,000.00 (\$1,367,050.00 with a Council recommended 5% reduction due to the revenue not coming in as projected). Projected revenue to be expended for the replacement of aging Sanitation trucks for 2016 is \$200,000.00 (\$190,000.00 with a Council recommended 5% reduction due to the revenue not coming in as projected). Therefore, another option would be to go ahead and replace this truck at this time. Mr. Raney asked if the City of Searcy chose to participate in the H-GAC cooperative purchasing program (item 9 on the agenda), would there be a need to declare an emergency in order to waive the bidding process for the purchase of a new overhead Sanitation truck. Mr. Raney further stated that he believes there exists an emergency situation in that, without an operational truck, proper services cannot be provided to the City. Mayor Morris explained that, upon discussion with the State Legislative Audit, it would not be necessary to declare an emergency to waive the bidding process if the City of Searcy chooses to participate in the interlocal cooperation purchasing program. Mayor Morris also noted that if it is the decision to purchase a new overhead Sanitation truck at this time, it would be his recommendation to go with a Compressed Natural Gas (CNG) fueled model as was done with the side-arm residential Sanitation trucks purchased in 2015. Mr. Raney concurred with this recommendation stating that although the initial cost is more for the CNG fueled truck, the anticipated savings on maintenance costs over the life of the truck would more than make up for the difference between the purchase cost of the CNG fueled truck and a diesel fueled truck. A motion was made by Mr. Raney, seconded by Mr. Howard, to purchase a Compressed Natural Gas fueled Peterbuilt 320 overhead Sanitation truck (quoted price of \$283,461.50) through the H-GAC cooperative purchasing program, dependent on the passage of the resolution as presented in item (9) on the agenda. Motion carried with the following voting "yes": Raney, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English.

Item (9) was a resolution for the authorization to enter an Interlocal Cooperation Agreement to participate in the H-GAC cooperative purchasing program for the purchase of an overhead Sanitation truck as discussed in item (8) on the agenda. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mrs. Arnett to pass the resolution. Motion carried with the following voting "yes": Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. **Resolution 2016-11**

Item (10) was a resolution for the authorization to submit an application to the Department of Parks and Tourism for an Outdoor Recreation 50/50 grant for improvements to the Spring Park Complex (new playground equipment) in Searcy. Mr. Gibson read the resolution in full. A motion was made by Mr. Sterling and seconded by Mrs. Arnett to approve the resolution for the authorization to submit an application to the Department of Parks and Tourism for an Outdoor Recreation 50/50 grant for improvements to the Spring Park Complex in Searcy. Motion carried with the following

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voting "yes": Cothern, Arnett, Howard, Sterling, English, Raney, and Chalenburg.

**Resolution 2016-12**

Item (11) was a resolution for 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 the abatement of other nuisances. Mayor Morris noted that since this resolution was related to the announced 7:00 p.m. public hearing to be held, it would be appropriate to proceed to the other items on the agenda at this time and then to return to this item following the public hearing.

Item (12) on the agenda was an ordinance amending Ordinance 683 with respect to the zoning classification of a specific land area within the City of Searcy, Arkansas, specifically real property located on East Pleasure Avenue (Harding University Legacy Park) to be rezoned from R-1 (Residential) to PD (Planned Development) as recommended by the Searcy Planning Commission. A motion was made by Mr. Raney, seconded by Mr. Sterling, 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, Chalenburg, and Cothern. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothern, seconded by Mrs. Arnett, to adopt the ordinance. The ordinance passed with the following voting "yes": Howard, Sterling, English, Raney, Chalenburg, Cothern, and Arnett. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Sterling, seconded by Mrs. Arnett, to adopt the emergency clause, with the following voting "yes": Sterling, English, Raney, Chalenburg, Cothern, Arnett, and Howard. **Ordinance 2016-18**

Item (13) on the agenda was an ordinance amending Ordinance 683 with respect to the zoning classification of a specific land area within the City of Searcy, Arkansas, specifically real property located on the Lightle Estate on Beebe Capps Expressway (New Life Church) to be rezoned from U-T (Urban Transitional) to C-4 (Community Commercial) as recommended by the Searcy Planning Commission. 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": English, Raney, Chalenburg, Cothern, Arnett, Howard, and Sterling. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothern, seconded by Mr. Howard, to adopt the ordinance. The ordinance passed with the following voting "yes": Raney, Chalenburg, Cothern, Arnett, Howard, Sterling, and English. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Chalenburg, seconded by Mr. Sterling, to adopt the emergency clause, with the following voting "yes": Chalenburg, Cothern, Arnett, Howard, Sterling, English, and Raney. **Ordinance 2016-19**

Item (14) 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 \$100,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'TRANSFER TO LOPFI FUND' expenditure account (#14 5-

190-05-04);

- b. Appropriate \$1,540.66 from Special 1% Connector Route Fund unappropriated reserves to 'MAIN STREET DEENER CREEK BRIDGE' expenditure account (#13 5-900-54-01) for professional services and concrete testing for the Main Street Deener Creek replacement bridge construction;
- c. Appropriate \$1,487.35 from 2014 Eight Year Plan Fund unappropriated reserves to 'INFORMATION TECHNOLOGY BUILDING CONSTRUCTION' expenditure account (#14 5-160-54-01) for architectural services for the Information Technology building construction project;
- d. Appropriate \$11,275.25 from 2014 Eight Year Plan Fund unappropriated reserves to 'FIRE STATION 2 RELOCATION' expenditure account (#14 5-070-54-01) for architectural services for the Fire Station 2 building construction project;
- e. Appropriate \$10,011.21 from 2014 Eight Year Plan Fund unappropriated reserves to 'WILLIAMS ADDITION DRAINAGE' expenditure account (#14 5-130-05-01) for professional services for the Williams Addition Drainage improvement project;
- f. Appropriate \$186,077.97 from Special 1% Connector Route Fund unappropriated reserves to 'MAIN STREET DEENER CREEK BRIDGE' expenditure account (#13 5-900-54-01) for construction services for the North Main Street Deener Creek replacement bridge construction;
- g. Appropriate \$10,200.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'ROF-DOWNTOWN ELECTRICAL WIRING' (#14 5-500-05-08) for installation of Downtown project area electrical wiring;
- h. Appropriate \$5,907.00 from General Fund unappropriated reserves to the Carmichael Community Center Department 'BUILDING MAINTENANCE/REPAIRS' expenditure account (#01 5-081-02-01) for repairs to the Community Center roof;
- i. Appropriate \$8,500.00 from General Fund unappropriated reserves to the

Cemetery Department 'TOOLS/EQUIPMENT' expenditure account (#01 5-030-02-07) for purchase of zero-turn mower to replace stolen unit;

- j. Appropriate \$950.00 from General Fund unappropriated reserves to the Cemetery Department 'TOOLS/EQUIPMENT' expenditure account (#01 5-030-02-07) for purchase of utility trailer to replace stolen unit;

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

- a. \$17,533.89 to Stephenson Oil Company for fuel for all departments;
- b. \$100,000.00 transfer of funds from 2014 Eight Year Plan Fund to LOPFI Fund for the June 2016 LOPFI obligation (#14 5-190-05-04);
- c. \$1,152.66 to Morrison-ShIPLEY Engineers, Inc. for engineering services for the North Main Street bridge over Deener Creek construction project (#13 5-900-54-01);
- d. \$1,487.35 to Hoffmann Architectural Inc. for architectural services for the Information Technology building construction project (#14 5-160-54-01);
- e. \$11,275.25 to Hoffmann Architectural Inc. for architectural services for the Fire Station 2 Relocation project (#14 5-070-54-01);
- f. \$10,011.21 to Morrison-ShIPLEY Engineers, Inc. for professional services for the Williams Addition Drainage improvement projects (#14 5-130-05-01);
- g. \$186,077.97 to Seagraves Construction, Inc. for the construction on the North Main Street Deener Creek replacement bridge (#13 5-900-54-01);
- h. \$32,598.27 to Tyler Technologies for annual Incode software maintenance (this is a budgeted item in the Information Technology Department (#01 5-160-05-01));
- i. \$33,660.00 to Delk Construction Co., Inc. for Information Technology building construction (#14 5-160-54-01);
- j. \$36,982.73 to Johnny Brock Excavating and Landscaping, Inc. for payment request for the Downtown Beautification project (#16 5-190-05-01);

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- k. \$8,500.00 to Henard Utility Products for purchase of Kubota zero-turn mower to replace mower that was stolen (#01 5-030-02-07);
- l. \$950.00 to Creekwood Motors and Trailers for purchase of utility trailer to replace trailer that was stolen (#01 5-030-02-07);

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

**Ordinance 2016-20**

The Mayor announced:

- A public hearing will be held prior to the July 12, 2016 regular Council meeting at 6:00 p.m. regarding the closing, abandoning, and vacating of an alleyway within Block 36, Original Town, Searcy, White County, Arkansas

Mayor Morris recessed the meeting at this time until 7:00 p.m., at which time the announced public hearing will be held. He noted that at the conclusion of the public hearing, the meeting would come out of recess to continue with item (11) on the agenda.

An announced public hearing was held at 7:00 p.m. 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 and stated that at this time it would be appropriate to return to item (11) on the agenda. Mayor Morris called for coming out of recess and returning to item (11) on the agenda.

Item (11) was a resolution for 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 the abatement of other nuisances. Mr. Gibson read the resolution in full. Motion was made by Mr. Raney and seconded by Mr. Chalenburg to pass the resolution. Motion carried with the following voting “yes”: Sterling, English, Raney, Chalenburg, Cothorn, Arnett, and Howard. **Resolution 2016-13**

A motion was made and seconded to adjourn.

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Minutes Approved: July 12, 2016

/s/ David Morris  
MAYOR

ATTEST:

/s/ Jerry Morris  
CITY CLERK

Seal