

Searcy City Council – Regular Session
Tuesday, November 8, 2016 6:00 p.m.
Minutes

A public hearing 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 was held prior to the start of the regular Council meeting. Mayor Morris opened the public hearing and asked if anyone wanted to speak regarding this matter. No person requested to speak. Mayor Morris closed the public hearing.

Mayor David Morris called to order the Regular Session of the Searcy City Council. Reverend David Orr gave the Invocation, with the Pledge of Allegiance following, led by Searcy Fire Department Battalion Chief Eddie Hollis. City Clerk Jerry Morris called the roll with the following Aldermen answering “present”: Logan Cothorn, Mary Ann Arnett, Steve Sterling, Dale English, Don Raney, Dale Brewer and Mike Chalenburg. Alderman J. R. Howard 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: (9) approval of change orders on the swimming pool complex construction, (12) resolution approving certain contracts, authorization to execute and perform certain contracts, namely with Sunbelt Fire, Inc., (22-1-g) budget ordinance appropriation for the replacement of 2 HVAC units at the Carmichael Community Center, (22-1-h) budget ordinance appropriation for engineering services for the Williams Addition Chrisp Avenue drainage project, (22-1-i) budget ordinance appropriation for the purchase of refurbished hand-held radar units, (22-1-j) budget ordinance appropriation for various costs for compliance with the Fair Labor Standards Act Final Rule 2016, (22-1-k) budget ordinance appropriation for various costs for compliance with the Fair Labor Standards Act Final Rule 2016, (22-2-f) budget ordinance authorization to expend funds for the replacement of HVAC units at the Carmichael Community Center, and (22-2-g) budget ordinance authorization to expend funds for engineering services for the Williams Addition Chrisp Avenue drainage 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, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the special October 6, 2016 meeting of the Council and the regular October 11, 2016 meeting of the Council were presented for approval. A motion was made by Mr. Cothorn and seconded by Mr. English to approve the minutes. The following voted to approve: 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 10-31-16: General Fund: \$1,464,281.61; Street Fund \$1,257,891.42; Capital Equipment Fund \$22,472.89; LOPFI Fund \$102,346.85; Act 833

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Fund \$10,183.41; Airport Fund \$79,396.62; Special Highway Connector Route Tax Fund \$4,255,623.07; 2014 Eight Year Plan Fund \$5,782,948.04; Information Technology Projects Fund \$28,434.67; Special Projects Fund \$2,500.82. He also reported a total of \$5,055,248.86 year-to-date in City and County Sales Tax revenues received, which is down \$91,423.36 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 \$2,936,572.80.

Item (6) on the agenda was for the reappointment of Phillip Hays and Tia Stone to the Searcy Parks and Recreation Advisory Board to 5-year terms, with the terms set to expire on November 3, 2021. A motion was made by Mr. Chalenburg, seconded by Mr. Sterling, to reappoint Phillip Hays and Tia Stone to the Searcy Parks and Recreation Advisory Board to 5-year terms, with the terms set to expire on November 3, 2021. Motion carried with the following voting "yes": English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Sterling.

Item (7) on the agenda was for the reappointment of David Wood to the Searcy Board of Zoning Adjustment to a 3-year term, with the term set to expire on October 31, 2019. A motion was made by Mr. Cothorn, seconded by Mrs. Arnett, to reappoint David Wood to the Searcy Board of Zoning Adjustment to a 3-year term, with the term set to expire on October 31, 2019. Motion carried with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Sterling, and English.

Item (8) was for the review and discussion of the audit report for the Searcy Water Utilities for the fiscal year ended June 30, 2016. Mayor Morris noted that Searcy Water Utilities Manager Dan Dawson and David Spradlin, CPA, were present to answer any questions the Council may have regarding the audit. He also noted that the audit report was a very good and clean report and asked the Council if there were any questions regarding this report. No questions were presented and Mayor Morris stated to let it be shown in the minutes that the report had been presented to the Council.

Item (9) on the agenda was for the approval of 2 change orders on the swimming pool complex construction project. The change orders were for a change in the size of the dehumidification unit at the complex to smaller unit resulting in a reduced cost of \$26,760.00 and the addition of omitted conduit/boxes for data, voice, security, and fire alarm as well as conduit and wire for pool lighting for an added cost of \$28,993.00. A motion was made by Mr. Raney, seconded by Mr. Chalenburg to approve the 2 change orders for the swimming pool complex construction project. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Arnett, Sterling, English, and Raney.

Item (10) was the presentation of a preliminary budget proposal for calendar year 2017. Mayor Morris stated that the 2017 budget is in the preparation process and that as a starting point the budget numbers shown in the latest set (as of October 31, 2016) of financial documents be used. He further stated that, with the agreement of the Council, the same process as used last year of meeting with department heads to create a working

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set of budget numbers would first be held and then Committee of the Whole meetings would be set up with the department heads and the Council to finalize the budget for calendar year 2017. No suggested changes to the process were voiced.

Item (11) on the agenda was for the approval of a change order for the 2016 street paving program. The change order will result in a reduced cost of \$37,780.38. This reduced cost was due to a smaller amount of asphalt that was needed and the need for less milling than was anticipated. A motion was made by Mr. Cothorn, seconded by Mr. Chalenburg to approve the change order for the 2016 street paving program. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Sterling, English, Raney, and Brewer.

Item (12) was a resolution for approving certain contract and the authorization to execute and perform certain agreements, namely with Sunbelt Fire, Inc. for the purchase of a new fire truck. Mr. Gibson read the resolution in full. The purchase of the truck will be through the HGAC cooperative purchasing program. A motion was made by Mr. English and seconded by Mr. Sterling to approve the resolution for approving certain contracts and the authorization to execute and perform certain agreements, namely with Sunbelt Fire, Inc. for the purchase of a new fire truck. Motion carried with the following voting “yes”: Cothorn, Arnett, Sterling, English, Raney, Brewer, and Chalenburg.

Resolution 2016-27

Item (13) was a resolution authorizing the execution of a warranty deed transferring real property to the Searcy Board of Public Utilities for the development and use as a public parking facility. Mr. Gibson read the resolution in full. Motion was made by Mr. Sterling and seconded by Mr. Chalenburg to pass the resolution. Motion carried with the following voting “yes”: Arnett, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2016-28**

Item (14) was a resolution for the authorization to enter into and perform under the terms of a professional services agreement for Janet Drive and ancillary streets improvements with Whitlow Engineering Services. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mrs. Arnett to approve the resolution for the authorization to enter into and perform under the term of a professional services agreement for Janet Drive and ancillary streets improvements with Whitlow Engineering Services. Motion carried with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Resolution 2016-29**

Item (15) was a resolution for the authorization to enter into and perform under the terms of a professional services agreement for the construction of a connector road from Main Street to Higginson Street with the Pickering Firm. 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”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Sterling. **Resolution 2016-30**

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Item (16) was a resolution for the authorization to enter into and perform under the terms of a professional services agreement for the Downtown Beautification project for Spring Street from Market Avenue south to Pleasure Avenue with Whitlow Engineering Services. Mr. Gibson read the resolution in full. A motion was made by Mr. Cothorn and seconded by Mr. English to approve the resolution for the authorization to enter into and perform under the term of a professional services agreement for the Downtown Beautification project for Spring Street from Market Avenue south to Pleasure Avenue with Whitlow Engineering Services. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Sterling, and English. **Resolution 2016-31**

Item (17) was for the authorization to solicit bids for the Downtown Beautification project for Spring Street from Market Avenue south to Pleasure Avenue. A motion was made by Mr. Cothorn and seconded by Mrs. Arnett to authorize the solicitation of bids for the Downtown Beautification project for Spring Street from Market Avenue south to Pleasure Avenue. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Sterling, English, and Raney.

Item (18) was a resolution for the authorization to enter into and perform under the terms of a professional services agreement for the design of a new library facility with Cromwell Architects. Mayor Morris stated that due to the need for further negotiations, his recommendation would be to table this resolution at this time to allow for the negotiations. Motion was made by Mr. Sterling and seconded by Mr. Brewer to table the resolution for further negotiations to take place. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Sterling, English, Raney, and Brewer.

Item (19) was a resolution authorizing the abandonment of fully utilized assets. Mr. Gibson read the resolution in full. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to approve the resolution authorizing the abandonment of fully utilized assets. Motion carried with the following voting “yes”: Cothorn, Arnett, Sterling, English, Raney, Brewer, and Chalenburg. **Resolution 2016-32**

Item (20) was a resolution approving amounts of liens to be certified to the White County Tax Collector against certain properties in the City of Searcy, Arkansas, as a result of grass cutting expenses and 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”: Arnett, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2016-33**

Item (21) on the agenda was an ordinance authorizing the issuance of a promissory note to finance a new swimming pool facility. 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, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. 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”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Sterling. **Ordinance 2016-33**

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

A motion was made by Mr. Brewer and seconded by Mr. Chalenburg to return out of executive session to regular session. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Sterling, English, and Raney. Mayor Morris asked the Council if there was any action to be taken as a result of the executive session. A motion was made by Mr. Raney, seconded by Mr. Sterling, to amend the following budget adjusting ordinance by removing the Personnel appropriations (section 1-j) for compliance with the Fair Labor Standards Act Final Rule 2016 regarding adjustments to the Salaries (#01 5-010-01-01 \$1,575.86), Social Security/Medicare (#01 5-010-01-02 \$120.55), and APERS Retirement (#01 5-010-01-05 \$229.60) line items in the Mayor’s Department. Motion carried to amend the budget adjusting ordinance with the following voting “yes”: Chalenburg, Cothorn, Arnett, Sterling, English, Raney, and Brewer.

Item (22) on the agenda was an amended budget ordinance to:

Section 1. The budget for the City of Searcy, Arkansas, is amended in the following manner:

- a. Appropriate \$2,368.55 from 2014 Eight Year Plan Fund unappropriated reserves to the “ADA SPECIAL GRANT/CRACK REPAIR/PAVING” expenditure account (#14 5-040-56-04) for engineering services regarding the Arkansas Department of Aeronautics grant for runway crack repair/paving/sealing work at the Searcy Municipal Airport;
- b. Appropriate \$59,716.31 from 2014 Eight Year Plan Fund unappropriated reserves to the “ADA SPEC GRANT/CRACK REPAIR/PAVING” expenditure account (#14 5-040-56-04) regarding the Arkansas Department of Aeronautics grant for runway crack repair/paving/sealing work at the Searcy Municipal Airport;
- c. Appropriate \$522,300.00 from 2014 Eight Year Plan unappropriated reserves to ‘SWIMMING POOL FACILITY’ expenditure account (#14 5-085-54-02) for construction invoice on the swimming pool complex;
- d. Appropriate \$5,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to ‘ROF-SKATE RINK FENCE’ expenditure account (#14 5-500-05-10) for fencing and related expenses for the skating rink;

- e. Appropriate \$7,076.56 from 2014 Eight Year Plan Fund unappropriated reserves to 'FIRE STATION 2 RELOCATION' expenditure account (#14 5-070-54-01) for architectural services on Fire Station 2 relocation;
- f. Transfer \$7,500.00 from Information Technology Department 'SERVICE AGREEMENT' expenditure account (#01 5-160-05-05) to Information Technology Department 'OFFICE EQUIPMENT' expenditure account (#01 5-160-04-02) for the purpose of acquiring equipment for the new Information Technology building;
- g. Appropriate \$18,113.49 from 2014 Eight Year Plan Fund unappropriated reserves to 'ROF-CARMICHAEL CTR HVAC' expenditure account (#14 5-500-05-11) for replacement of 2 HVAC units at the Carmichael Community Center;
- h. Appropriate \$5,460.00 from 2014 Eight Year Plan unappropriated reserves to 'WILLIAMS ADDITION DRAINAGE' expenditure account (#14 5-130-05-01) for Williams Addition (Chrisp Avenue) drainage engineering services;
- i. Appropriate \$1,829.65 from General Fund unappropriated reserves to the Police Department 'EQUIPMENT' expenditure account (#01 5-060-03-03) for the purchase of refurbished hand held radar units, these funds came from the sale of a retired 1995 Chevrolet Caprice Police vehicle;
- j. Appropriate from General Fund unappropriated reserves for salaries and associated costs the following amounts, for compliance with the new Fair Labor Standards Act Final Rule to update the regulations defining and delimiting the exemption for executive, administrative, and professional employees guidelines:
 - \$5,205.98 to District Court Department 'SALARIES' expenditure account (#01 5-050-01-01);
 - \$398.26 to District Court Department 'SS/MEDICARE MATCH' expenditure account (#01 5-050-01-02);
 - \$758.51 to District Court Department 'APERS RETIREMENT' expenditure account (#01 5-050-01-05);

- k. Appropriate from Airport Fund unappropriated reserves for salaries and associated costs the following amounts, for compliance with the new Fair Labor Standards Act Final Rule to update the regulations defining and delimiting the exemption for executive, administrative, and professional employees guidelines:
- \$1,576.12 to Airport Department ‘SALARIES’ expenditure account (#12 5-040-01-01);
 - \$120.57 to Airport Department ‘SS/MEDICARE MATCH’ expenditure account (#12 5-040-01-02);
 - \$229.64 to Airport Department ‘APERS RETIREMENT’ expenditure account (#12 5-040-01-05);

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

- a. \$2,368.55 to Miller-Newell Engineers, Inc. for engineering services regarding the Arkansas Department of Aeronautics Special grant for crack repair, paving, and sealing project at the Searcy Municipal Airport (#14 5-040-56-04);
- b. \$59,716.31 to Cox Paving for work on the Arkansas Department of Aeronautics Special grant for crack repair, paving, and sealing project at the Searcy Municipal Airport (#14 5-040-56-04);
- c. \$522,300.00 to Hydco, Inc. for construction on swimming pool complex (#14 5-085-54-02);
- d. \$7,076.56 to Hoffmann Architectural Inc. for architectural services on Fire Station 2 relocation (#14 5-070-54-01);
- e. \$137,936.00 to Delk Construction Co., Inc. for construction invoice on the Information Technology building (#14 5-160-54-01);
- f. \$18,113.49 to AirCare for replacement of 2 HVAC units at the Carmichael Community Center (#14 5-500-05-11);
- g. \$5,460.00 to Morrison – Shipley Engineers Inc. for Williams Addition (Chrisp Avenue) drainage engineering services (#14 5-130-05-01);

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A motion was then made by Mr. Brewer, seconded by Mrs. Arnett, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Cothern, Arnett, Sterling, English, Raney, Brewer, and Chalenburg. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mr. Chalenburg, to adopt the ordinance as amended. The ordinance passed with the following voting “yes”: Arnett, Sterling, English, Raney, Brewer, Chalenburg, and Cothern. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothern, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothern, and Arnett. **Ordinance 2016-34**

The Mayor announced:

- Arkansas Highway and Transportation Department public meeting regarding the widening of Highway 36 to Joy will be on November 10, 2016 at Valley Baptist Church from 4:00 p.m. until 7:00 p.m.
- City offices will be closed for Veterans Day on November 11, 2016; a Veterans Day Ceremony will be held at the White County Courthouse at 11:00 a.m. on November 11, 2016
- Holiday of Lights lighting ceremony will be on November 22, 2016: Berryhill Park at 5:00 p.m., Downtown and Rialto Theater at 6:00 p.m.
- City offices will be closed for Thanksgiving Holiday on November 24-25, 2016

A motion was made and seconded to adjourn.

Minutes Approved: December 13, 2016

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

Seal