

Searcy City Council – Regular Session
Tuesday, July 10, 2018 6:00 p.m.
Minutes

A public hearing had been advertised to be held at 6:00 p.m. on July 10, 2018. The purpose for this public hearing was for 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 opened the public hearing. 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. Al Fowler, representing the White County Ministerial Alliance gave the Invocation, with the Pledge of Allegiance following, led by Searcy Sanitation Department Director Terry Rutherford. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: Logan Cothorn, Mary Ann Arnett, Steve Sterling, Dale English, Don Raney, Dale Brewer and Mike Chalenburg. Also present was City Attorney Buck Gibson. Council member J R Howard was not present.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: 7) update on the Country Club Road and the North Main Street improvement projects, 11) resolution to enter agreement for the acquisition of a new tower truck for the Fire Department, 15-1-i) budget ordinance appropriation for equipment (pool vacuum and lounge chairs) for the Searcy Swim Center, 15-1-j) budget ordinance appropriation for an additional membership entry system at the Searcy Swim Center, 15-1-k) budget ordinance transfer of funds in the 0.25% Fire Protection Services County Tax Fund, 15-1-l) budget ordinance appropriation for Fire Department air packs and air cylinders, 15-1-m) budget ordinance appropriation for lock box replacement in Fire Department vehicles, 15-1-n) budget ordinance appropriation for Fire Department premises safety and security equipment (door locks and security cameras), 15-2-k) budget ordinance authorization to expend funds for pool vacuum system, 15-2-l) budget ordinance authorization to expend funds for lounge chairs at the Searcy Swim Center, and 15-2-m) budget ordinance authorization to expend funds for air packs and air cylinders for the Fire Department. 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, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular June 12, 2018 meeting of the Council 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: 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 6-30-2018: General Fund: \$1,503,149.57; Street Fund \$1,903,579.34; Capital Equipment Fund \$49,650.51; LOPFI Fund \$193,278.03; Act 833 Fund \$75,940.12; Airport Fund \$39,894.91. The total of all of the preceding funds is

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\$3,765,492.48. He also reported the following balances as of 6-30-2018: Special Highway Connector Route Tax Fund \$4,085,321.24; 2014 Eight Year Plan Fund \$6,688,940.46; Information Technology Projects Fund \$29,197.19; Special Projects Fund \$2,543.34; 0.25% Fire Protection Services County Sales Tax Fund \$167,037.29. He also reported a total of \$3,318,341.44 year-to-date in City and County Sales Tax revenues received, which is up \$177,733.92 from the same time in 2017.

Item (6) on the agenda was for the reappointment of Charles Green to a five (5) year term on the Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board, with the term set to expire on August 17, 2023. A motion was made by Mr. Brewer and seconded by Mr. Cothorn to reappoint Charles Green to a five (5) year term on the Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board, with the term set to expire on August 17, 2023. Motion carried with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Sterling.

Item (7) on the agenda was an update on the Country Club Road and North Main Street improvement projects. City Attorney Buck Gibson explained that currently work is being done on gathering the appraisals for the North Main Street improvement project. For the Country Club Road improvement project, either dedication deeds or contracts for approximately half of the landowners of the affected properties have been received. For the remainder of the landowners, final notice will be sent out to them and if dedication deeds or contracts are not received after that, proceedings will begin for eminent domain actions which should be filed by the end of the month. Mr. Raney asked the question of when the actual beginning of these projects might be. He noted that the timeline of the Country Club Road project has been discussed so as to not interfere with school traffic. City Engineer Mark Lane said that it could be possible to begin the Country Club Road project later this year but that it would not be advisable to begin much later than September due to weather considerations. Mr. Gibson noted that the North Main Street improvement project would not realistically begin until after the end of the year.

Item (8) was an update on the former Mayors retirement issue as noted in the Legislative Audit report for the calendar year 2016. Mr. Gibson noted that the Council has been supplied with the complaint that was filed on July 10, 2018 in White County Circuit Court by the City of Searcy asking for a judicial declaration as to the rights to retirement pay for former Searcy Mayors Jack Wiseman, David Evans, and Belinda LaForce. He further noted that we are currently awaiting any action regarding the filing.

Item (9) on the agenda was for the approval of change order #1 in the amount of \$664.75 to reconcile quantities for the Janet Drive and ancillary streets public infrastructure improvement project. A motion was made by Mr. Raney and seconded by Mr. Sterling to approve the change order #1 in the amount of \$664.75 to reconcile quantities for the Janet Drive and ancillary streets public infrastructure improvement project. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Sterling, and English.

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Item (10) was for the discussion of the private club permit application process and the setting of a time and date for a public hearing for an application that has been submitted to the City of Searcy. A motion was made by Mr. Raney, seconded by Mr. Cothorn to set the time and date of August 14, 2018 at 6:00 p.m. at City Hall for a public hearing regarding the submission of a private club permit application from the Rib Crib restaurant. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Sterling, English, and Raney.

Item (11) was a resolution approving a certain contract and authorizing the execution and performance of an agreement for the acquisition of a new firefighting apparatus for the Searcy Fire Department. The acquisition of the new firefighting apparatus is a usage of the 2014 Eight Year Plan Fund revenue slated for the end of 2019. Searcy Fire Department Chief Andy Woody noted that an agreement had been received from Sunbelt Fire, Inc. for the acquisition of the new firefighting apparatus to be delivered in December of 2019 at a cost of \$1,082,234.00 Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mrs. Arnett to approve a certain contract and authorizing the execution and performance of an agreement for the acquisition of a new tower truck for the Searcy Fire Department. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Sterling, English, Raney, and Brewer. **Resolution 2018-27**

Item (12) 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. Sterling and seconded by Mr. Cothorn to pass the resolution. Motion carried with the following voting “yes”: Cothorn, Arnett, Sterling, English, Raney, Brewer, and Chalenburg. **Resolution 2018-28**

Item (13) was a resolution authorizing the execution of a lease agreement with the Community Action Program for Central Arkansas (CAPCA). Mr. Gibson read the resolution in full. Motion was made by Mr. Raney and seconded by Mrs. Arnett to pass the resolution. Motion carried with the following voting “yes”: Arnett, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2018-29**

Item (14) on the agenda was an ordinance amending the Code of Ordinances of the City of Searcy, amending and restating Section 2-2 of the Code of Ordinances relating to purchases, contracts, and procedures associated with purchasing. 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”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. Mr. Gibson read the ordinance by title only. A motion was then made by Mrs. Arnett, seconded by Mr. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Sterling. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Sterling, seconded by Mr. Chalenburg, to adopt the emergency clause, with the following voting

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

Ordinance 2018-20

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 \$1,000.00 to General Fund ‘FIRE DONATIONS’ revenue account (#01 4-000-90-07) and appropriate \$1,000.00 to the Fire Department ‘DONATIONS EXPENSED’ expenditure account (#01 5-070-05-17) for the receipt and use of a donation from XTO Energy Inc.;
- b. Appropriate \$536.04 from 2014 Eight Year Plan Fund unappropriated reserves to ‘SOFTBALL PRESSBOX/CONCESSION/RESTROOM’ expenditure account (#14 5-085-54-03) for architectural/design services on the construction of the new softball pressbox/concession/restroom facility;
- c. Appropriate \$66,262.50 from 2014 Eight Year Plan Fund unappropriated reserves to ‘SOFTBALL PRESSBOX/CONCESSION/RESTROOM’ expenditure account (#14 5-085-54-03) for construction services on the new softball pressbox/concession/restroom facility;
- d. Appropriate \$9,681.00 from 2014 Eight Year Plan Fund unappropriated reserves to ‘ROLLING MEADOWS/CLOVERDALE DRAINAGE’ expenditure account (#14 5-130-05-02) for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services;
- e. Appropriate \$13,433.13 from 2014 Eight Year Plan Fund unappropriated reserves to ‘JANET DRIVE/ANCILLARY IMPROVEMENTS’ expenditure account (#14 5-900-54-03) for engineering services for Janet Drive, ancillary streets, public infrastructure improvements;
- f. Appropriate \$241,484.76 from 2014 Eight Year Plan Fund unappropriated reserves to ‘JANET DRIVE/ANCILLARY IMPROVEMENTS’ expenditure account (#14 5-900-54-03) for construction services for Janet Drive, ancillary streets, public infrastructure improvements;
- g. Appropriate \$3,430.46 from General Fund unappropriated reserves to the Mayor’s Department ‘EMPLOYEE ASSISTANCE PROGRAM’

expenditure account (#01 5-010-01-12) for the employee assistance program contract services (Resolution 2018-20);

- h. Appropriate \$25,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to 'ADA 3704-18 FUEL POD/RUNWAY LIGHT RADIO ACTIVATION' expenditure account (#14 5-040-56-09) for the Arkansas Department of Aeronautics grant expenditures for improvements to the self-serve aviation fuel pod and the runway lighting activation radio system at the Searcy Municipal Airport;
- i. Appropriate \$10,832.19 from General Fund unappropriated reserves to the Swim Pool Department 'TOOLS/EQUIPMENT' expenditure account (#01 5-082-02-13) for an automatic pool vacuum system (\$8,121.50) and lounge chairs for the pool grounds (\$2,710.69) at the Searcy Swim Center;
- j. Appropriate \$1,681.91 from General Fund unappropriated reserves to the Swim Pool Department 'MEMBER SERVICES SOFTWARE' expenditure account (#01 5-082-05-01) for an additional ABC membership entry system at the Searcy Swim Center;
- k. Transfer \$2,000.00 from the 0.25% Fire Protection Services County Tax Fund 'AWIN RADIO BATTERIES' expenditure account (#18 5-070-05-13) to the 0.25% Fire Protection Services County Tax Fund 'TECHNOLOGY USE' expenditure account (#18 5-070-05-15);
- l. Appropriate \$74,794.63 from 0.25% Fire Protection Service County Tax Fund unappropriated reserves to the Fire Department 'SCBA & AIR SUPPLIES' expenditure account (#18 5-070-05-16) for Scott air packs and air cylinders;
- m. Appropriate \$2,957.00 from 0.25% Fire Protection Service County Tax Fund unappropriated reserves to the Fire Department 'VEHICLE LOCK BOXES' expenditure account (#18 5-070-03-01) for lock box replacement in Fire Department vehicles;
- n. Appropriate \$5,000.00 from 0.25% Fire Protection Service County Tax Fund unappropriated reserves to the Fire Department 'SAFETY/SECURITY EQUIPMENT' expenditure account (#18 5-070-

02-01) for door locks and security cameras;

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

- a. \$20,163.66 to Stephenson Oil Company for fuel for all departments;
- b. \$108,217.06 to Regions Bank for payment on the loan for the construction of the Searcy Swim Center (#14 5-085-05-01);
- c. Transfer \$80,000.00 from the City of Searcy 2014 Eight Year Plan Fund to the City of Searcy LOPFI Fund for payment of LOPFI Retirement obligation (#14 5-190-05-04);
- d. \$536.04 to Hoffmann Architectural Inc. for architectural/design services for the new softball pressbox/concession/restroom facility (#14 5-085-54-03);
- e. \$66,262.50 to Odom Construction Services, LLC for construction services on the new softball pressbox/concession/restroom facility (#14 5-085-54-03);
- f. \$9,681.00 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);
- g. \$13,433.13 to Whitlow Engineering Services for engineering services for Janet Drive, ancillary streets, public infrastructure improvements (#14 5-900-54-03);
- h. \$241,484.76 to Johnny Brock Excavating & Landscaping, Inc. for construction services for Janet Drive, ancillary streets, public infrastructure improvements (#14 5-900-54-03);
- i. \$3,430.46 to Southwest EAP for the Employee Assistance Program contract services (#01 5-010-01-12);
- j. \$32,765.39 to Henard Utility Products, Inc. (#04 5-890-53-16) for repairs to the Compost Center grinder conveyor system: an emergency has been declared to exist and the process of formal bidding is hereby waived for this purchase (#04 5-890-53-16 - \$32,000.00 and #01 5-090-03-02 - \$765.39);

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- k. \$8,121.50 to Clarity Pools for an automatic pool vacuum system (#01 5-082-02-13);
- l. \$2,710.69 to In the Swim Pool Supplies & Equipment for lounge chairs for the pool grounds (#01 5-082-02-13);
- m. \$74,794.63 to Metropolitan Fire Extinguisher Company, Inc. for Scott air packs and air cylinders, formal bidding is hereby waived for this purchase because Scott brand air packs are currently used by the Fire Department Metropolitan Fire Extinguisher Company is the only Scott dealer in this area (#18 5-070-05-16);

A motion was made by Mr. Brewer, seconded by Mr. Chalenburg, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Arnett, Sterling, English, and Raney. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mrs. Arnett, to adopt the ordinance. The ordinance passed with the following voting "yes": Chalenburg, Cothorn, Arnett, Sterling, English, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mr. Sterling, to adopt the emergency clause, with the following voting "yes": Cothorn, Arnett, Sterling, English, Raney, Brewer, and Chalenburg. **Ordinance 2018-21**

The Mayor announced:

- The White County Intergovernmental Cooperation Council (County Judge, County Clerk, and Mayors comprise the Council) meeting will be on Monday, July 23, 2018 at 7:00 p.m. at the White County Courthouse
- The White County Business Expo will be on July 24, 2018 at the Ganus Center on the Harding University campus from 12:00 p.m. until 4:00 p.m.

A motion was made and seconded to adjourn.

Minutes Approved: August 14, 2018

/s/ David Morris
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

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