

Searcy City Council – Regular Session
Tuesday, September 11, 2018 6:00 p.m.
Minutes

A public hearing had been advertised to be held at 6:00 p.m. on September 11, 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. Tom Martin, Searcy Fire Department Chaplain, gave the Invocation, with the Pledge of Allegiance following, led by Teresa Mercer. City Clerk/Treasurer Jerry Morris called the roll with the following Council members 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.

Item (3) on the agenda was for a motion to suspend the rules and amend the agenda to add items: (19-1-h) budget ordinance appropriation for the 2018 Street Overlay/Milling/Paving program, (19-1-i) budget ordinance appropriation for the 2018 Street Overlay/Milling/Paving program, and (19-2-g) budget ordinance authorization to expend funds for the 2018 Street Overlay/Milling/Paving program. A motion was made by Mr. Brewer and seconded by Mr. Howard to suspend the rules and amend the agenda to add the items. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular August 14, 2018 meeting of the Council and the special August 27, 2018 meeting of the Council were presented for approval. A motion was made by Mr. Cothorn and seconded by Mrs. Arnett to approve both sets of the minutes. The following voted to approve: Howard, 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 8-31-2018: General Fund: \$1,606,100.88; Street Fund \$2,011,105.90; Capital Equipment Fund \$17,677.87; LOPFI Fund \$142,858.62; Act 833 Fund \$56,329.76; Airport Fund \$24,676.26. The total of all of the preceding funds is \$3,858,749.29. He also reported the following balances as of 8-31-2018: Special Highway Connector Route Tax Fund \$4,081,719.50; 2014 Eight Year Plan Fund \$6,728,929.55; Information Technology Projects Fund \$18,366.64; Special Projects Fund \$2,545.36; 0.25% Fire Protection Services County Sales Tax Fund \$113,548.12. He also reported a total of \$4,464,515.26 year-to-date in City and County Sales Tax revenues received, which is up \$247,737.17 from the same time in 2017.

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Item (6) on the agenda was the quarterly report from the Searcy Regional Chamber of Commerce and the Searcy Regional Economic Development Corporation presented by Buck Layne of the Searcy Regional Chamber of Commerce.

Item (7) on the agenda was for the approval and selection of a bid for the 2018 street overlay/milling/paving program. The City Engineer's preliminary estimate for the designated streets to be included in the project was in the amount of \$1,200,000.00. A total of three (3) bids were received for this project. The bids were as follows:

- Cox Paving, Bald Knob, AR - \$1,079,500.60
- Delta Asphalt, Paragould, AR - \$1,186,045.00
- CK Asphalt, Quitman, AR - \$963,520.00

City Engineer Mark Lane had been asked to gather information concerning the CK Asphalt Company, since they had never performed any work for the City of Searcy, in order to make a recommendation to the Council. He reported that according to information that he had gathered that he would recommend that the Council approve and select the bid that has been received from CK Asphalt. A motion was made by Mr. Cothorn, seconded by Mr. Raney, to approve and select the bid from CK Asphalt in the amount of \$963,520.00 for the 2018 street overlay/milling/paving program. Motion carried with the following voting "yes": Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard.

Item (8) on the agenda was for the approval and selection of a bid for the Rolling Meadows/Cloverdale drainage projects. Morrison Shipley Engineers, the engineers for the project, had submitted a preliminary estimate for the projects in the amount of \$1,783,680.00. A total of three (3) bids were received for the projects. The bids were as follows:

- Weaver-Bailey Construction - \$2,751,531.28
- Township Builders - \$2,539,764.00
- Burkhalter Technologies - \$2,156,304.00

City Engineer Mark Lane explained that these bids were opened on this day, September 11, 2018. Because of the fact that these bids differed so much from the project engineer's estimation of cost, his recommendation would be to table the selection of a bid at this time in order to review and investigate the reason(s) for the discrepancies. A motion was made by Mr. Brewer and seconded by Mr. Howard to table the approval and selection of a bid for the Rolling Meadows/Cloverdale drainage projects. Motion carried with the following voting "yes": English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling.

Item (9) was for discussion regarding repairs that are needed for the Beast grinder at the Searcy Compost Center. Sanitation Department Director Terry Rutherford explained that a large shaft on the grinder was bent, resulting in excessive vibration, and needed to be repaired. This vibration causes stress on the bearings in the machine. He had explained different options to the Council, with those options being to repair the existing city-owned machine at an approximate cost of \$100,000.00 or that a pre-owned 2013 model had been located and could be purchased for approximately \$390,000.00. Mayor Morris noted that the Council had asked the city administration to come up with a

recommendation as to the direction to be taken. He noted that discussions with Clerk/Treasurer Jerry Morris and Director Rutherford determined that at this point the cost of the pre-owned machine would be too much for the city's finances to handle and that it would be his recommendation to undertake repairs to the city-owned machine. Mayor Morris also noted that the motor of the city-owned machine had been rebuilt last year and should be in good shape. A motion was made by Mr. Raney, seconded by Mr. Cothorn, to repair the city-owned Beast grinder. Motion carried with the following voting "yes": Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English.

Item (10) on the agenda was for discussion regarding the replacement of the roof at the Searcy Public Library. Mayor Morris noted that it had been approximately 3 to 4 years since an estimation as to the cost of the roof for the Library building had been done. His recommendation would be to get an updated cost estimate of replacing it. He and City Engineer Mark Lane also recommended using the Tips/Taps cooperative purchasing program as was used to replace the roofs on the Searcy Police building and the Carmichael Community Center. Motion was made by Mr. Cothorn and seconded by Mrs. Arnett to proceed with getting estimates for the replacement of the roof at the Searcy Public Library. Motion carried with the following voting "yes": Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney.

Item (11) was for further discussion regarding the City of Searcy employee salary analysis. It was pointed out by Human Resources Manager Kim Gordon that there were some inaccuracies in the report that had been presented by the Johanson Group to the Council. A motion was made by Mrs. Arnett, seconded by Mr. Chalenburg, to table this item in order to gather further information regarding the City of Searcy employee salary analysis. Motion carried with the following voting "yes": Chalenburg, Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer.

Item (12) was a resolution to approve a certain contract and the authorization to execute and perform a certain contract, specifically a contract with CK Asphalt for the 2018 street overlay/milling/paving project. Mr. Gibson read the resolution in full. A motion was made by Mr. Sterling and seconded by Mr. Chalenburg to adopt the resolution approving a certain contract and the authorization to execute and perform a certain contract, specifically a contract with CK Asphalt for the 2018 street overlay/milling/paving project. Motion carried with the following voting "yes": Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg. **Resolution 2018-33**

Item (13) was a resolution to approve a certain contract and the authorization to execute and perform a certain contract, specifically a contract for the Rolling Meadows/Cloverdale drainage projects. Due to the tabling for the approval and selection of a bid for the projects in item (8), there was no resolution to be considered.

Item (14) was a resolution approving 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. A

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motion was made by Mr. Sterling and seconded by Mrs. Arnett to approve the resolution approving 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. Motion carried with the following voting “yes”: Arnett, Howard, Sterling, English, Raney, Brewer, Chalenburg, and Cothorn.

Resolution 2018-34

Item (15) was a resolution certifying local government endorsement of a business, Yarnell Operation, LLC, to participate in the Tax Back Program (as authorized by Arkansas Code Annotated § 15-4-2706(D), the Consolidated Incentive Act of 2003). Mr. Gibson read the resolution in full. Motion was made by Mr. Chalenburg and seconded by Mr. Cothorn to pass the resolution. Motion carried with the following voting “yes”: Howard, Sterling, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

Resolution 2018-35

Item (16) on the agenda was an ordinance fixing and establishing the property tax millage to be collected for the City of Searcy for 2018 to be collected in 2019. 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”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Sterling, seconded by Mr. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting “yes”: English, Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, and Sterling. 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”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, and English. **Ordinance 2018-25**

Item (17) on the agenda was an ordinance amending the Searcy Zoning Code with respect to the zoning classification of a specific land area within the City of Searcy, real property located at Legacy Park Phase IV – Lot 17, from PUD (Planned Unit Development) to PUD (Amended). 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”: Brewer, Chalenburg, Cothorn, Arnett, Howard, Sterling, English, and Raney. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Cothorn, seconded by Mr. Chalenburg, to adopt the ordinance. The ordinance passed with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howard, Sterling, English, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mrs. Arnett, seconded by Mr. Howard, to adopt the emergency clause, with the following voting “yes”: Cothorn, Arnett, Howard, Sterling, English, Raney, Brewer, and Chalenburg. **Ordinance 2018-26**

Item (18) was for the second reading of an ordinance authorizing Bold Partners Social Club of Searcy, Inc. to file for a private club permit with the Alcohol Beverage Control Division under the provisions of the City of Searcy private club permit ordinance and Arkansas law. Mr. Gibson read the ordinance in its entirety. Mayor Morris noted that

this ordinance will be on the agenda for its third reading at the regular October 9, 2018 meeting of the Searcy City Council.

Item (19) 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 \$3,250.00 from 0.25% Fire Protection Services Tax Fund unappropriated reserves to 'TURNOUT COATS & PANTS & HOODS' expenditure account (#18 5-070-05-01) for replacing worn out and/or expired turnout coats and pants for the Fire Department personnel;
- b. Appropriate \$5,000.00 from 0.25% Fire Protection Services Tax Fund unappropriated reserves to 'VEHICLE REPAIR/MAINTENANCE' expenditure account (#18 5-070-03-02) for repairs/maintenance to Engine 2 of the Searcy Fire Department;
- c. Appropriate \$15,000.00 from Street Fund unappropriated reserves to the 'HEAVY EQUIPMENT MAINTENANCE' expenditure account (#02 5-900-03-07);
- d. Appropriate \$470.70 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;
- e. Appropriate \$9,953.33 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 \$284,381.00 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 \$4,040.00 from 1% Special Tax Connector Route Fund unappropriated reserves to 'NORTH MAIN STREET IMPROVEMENTS' expenditure account (#13 5-900-54-03) for surveying services pertaining to preliminary stakeout (pin flags) of right-of-way, drainage easements, and

temporary constructions easements for the North Main Street improvement project, beyond the scope of the original project;

- h. Appropriate \$294,631.99 from Street Fund unappropriated reserves to the 'PAVING' expenditure account (#02 5-900-05-07) for the 2018 Street Overlay/Milling/Paving program;
- i. Appropriate \$218,888.01 from Street Fund unappropriated reserves to the 'ISSUE #1 MUNICIPAL TURNBACK PAVING' expenditure account (#02 5-900-05-15) for the 2018 Street Overlay/Milling/Paving program;

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

- a. \$19,891.31 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. \$470.70 to Hoffmann Architectural Inc. for architectural/design services for the new softball pressbox/concession/restroom facility (#14 5-085-54-03);
- d. \$9,953.33 to Whitlow Engineering Services for engineering services for Janet Drive, ancillary streets, public infrastructure improvements (#14 5-900-54-03);
- e. \$284,381.00 to Johnny Brock Excavating & Landscaping, Inc. for construction services for Janet Drive, ancillary streets, public infrastructure improvements (#14 5-900-54-03);
- f. \$4,040.00 to Whitlow Engineering Services, Inc. for surveying services pertaining to preliminary stakeout (pin flags) of right-of-way, drainage easements, and temporary constructions easements for the North Main Street improvement project, beyond the scope of the original project (#13 5-900-54-03);
- g. \$963,520.00 to CK Asphalt, LLC for the 2018 Street Overlay/Milling/Paving program (\$294,631.99 - #02 5-900-05-07 and \$668,888.01 - #02 5-900-05-15);

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

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“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. Brewer, seconded by Mr. Chalenburg, 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. Howard, seconded by Mrs. Arnett, to adopt the emergency clause, with the following voting “yes”: Sterling, English, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howard. **Ordinance 2018-27**

The Mayor announced:

- The Get Down Downtown Festival will be on Friday and Saturday, September 28-29, 2018

A motion was made and seconded to adjourn.

Minutes Approved: October 9, 2018

/s/ David Morris
MAYOR

ATTEST:

/s/ Jerry Morris
CITY CLERK

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