

Searcy City Council – Regular Session
Tuesday, July 14, 2020 6:00 p.m.
Minutes

A public hearing had been advertised to be held at 6:00 p.m. on July 14, 2020. 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 Kyle Osborne opened the public hearing. No person requested to speak. Mayor Osborne closed the public hearing.

Mayor Kyle Osborne called to order the Regular Session of the Searcy City Council. In order to follow recommended Covid-19 guidelines regarding social distancing, the regular July 14, 2020 City Council meeting was held at the Carmichael Community Center. City Clerk/Treasurer Jerry Morris called the roll with the following Council members answering “present”: Logan Cothorn, Mary Ann Arnett, Chris Howell, Rodger Cargile, Don Raney, Dale Brewer and Mike Chalenburg. Also present was City Attorney Buck Gibson. Council member Dale English was not present.

Item (3) on the agenda was for suspending the rules to add items (19-1-j): budget ordinance appropriation for testing services, surveying, and right of way acquisition for the North Main Street improvement project and (19-1-k) budget ordinance appropriation for the purchase of SONY Digital Paper electronic readers for Council meeting usage. A motion was made by Mr. Brewer and seconded by Mr. Cargile to suspend the rules and add items (19-1-j) and (19-1-k) to the budget adjustment ordinance. Motion carried with the following voting “yes”: Arnett, Howell, Cargile, Raney, Brewer, Chalenburg, and Cothorn.

The minutes of the regular June 9, 2020 meeting of the Council and the special June 12, 2020 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: Howell, Cargile, Raney, Brewer, Chalenburg, Cothorn, and Arnett.

Clerk/Treasurer Jerry Morris presented and read the Treasurer’s Report which lists the following balances as of June 30, 2020: General Fund: \$1,439,484.61; Street Fund \$2,217,625.87; Capital Equipment Fund \$17,848.95; LOPFI Fund \$155,733.63; Act 833 Fund \$45,304.59; Airport Fund \$137,642.27. The total of all of the preceding funds is \$4,013,639.92. He also reported the following balances as of June 30, 2020: Special Highway Connector Route Tax Fund \$3,826,015.16; 2014 Eight Year Plan Fund \$8,550,923.98; Information Technology Projects Fund \$492.75; Special Projects Fund \$2,594.59; 0.25% Fire Protection Services County Sales Tax Fund \$398,010.91; Court Automation Fund \$33,934.56; Advertising and Tourism Promotion Fund \$704,148.20. He also reported a total of \$3,426,342.31 year-to-date in City and County Sales Tax revenues received, which is up \$170,037.32 from the same time in 2019.

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Item (6) on the agenda was for the appointment of Wiley Blansett to fill the unexpired position previously held by J.R. Thomas on the Searcy Airport Commission, with the term set to expire on December 31, 2021. A motion was made by Mr. Chalenburg and seconded by Mrs. Arnett to approve the appointment of Wiley Blansett to fill the unexpired position previously held by J.R. Thomas on the Searcy Airport Commission, with the term set to expire on December 31, 2021. Motion carried with the following voting “yes”: Cargile, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell.

Item (7) was for the authorization to close the following inactive bank accounts:

- Information Technology Projects Fund (15)
- Special Projects Fund (16)
- Swim Pool Construction Fund (17)

A motion was made by Mr. Raney, seconded by Mr. Cothorn, for the authorization to close the inactive bank accounts. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, and Cargile.

Item (8) on the agenda was for the approval and selection of bid(s) for the 2020 street paving program. Two bids were received for the program. They were as follows:

- Delta Asphalt of Arkansas, Paragould, AR - \$502,908.00
- C-K Asphalt, Quitman, AR - \$524,312.50

Mayor Osborne noted that a list of streets to be included in the 2020 street paving program has been provided to the Council and also that City Engineer Mark Lane has recommended that the Council accept and approve the bid from Delta Asphalt of Arkansas in the amount of \$502,908.00. A motion was made by Mr. Raney and seconded by Mr. Cothorn to accept and approve the bid from Delta Asphalt of Arkansas in the amount of \$502,908.00 for the 2020 street paving program. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, and Raney.

Item (9) was for the approval of a change order on the Country Club Road improvement project. The change order was for an additional amount (increase) of \$3,967.00 for sections of segmental retaining wall on the project. A motion was made by Mr. Cothorn and seconded by Mr. Chalenburg to approve the change order on the Country Club Road improvement project. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howell, Cargile, Raney, and Brewer.

Item (10) was a resolution to approve the amounts of liens to be certified to the White County Tax Collector against certain properties as a result of grass cutting expenses and abatement of other nuisances. Mr. Gibson read the resolution in full. A motion was made by Mr. Brewer and seconded by Mr. Chalenburg to approve the resolution for the amounts of liens to be certified to the White County Tax Collector against certain properties as a result of grass cutting expenses and abatement of other nuisances. Motion carried with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, Raney, Brewer, and Chalenburg. **Resolution 2020-17**

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Item (11) was a resolution for authorization to accept a grant and execute and deliver a deed of conservation easement to the Arkansas Historic Preservation Program for the purpose of roof replacement and additional repairs for the American Legion Hut building. 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”: Arnett, Howell, Cargile, Raney, Brewer, Chalenburg, and Cothorn.

Resolution 2020-18

Item (12) was a resolution supporting the House Joint Resolution 1018 of 2019 (HJR 1018 of 2019), proposing an amendment to the Arkansas Constitution to continue a levy of a one-half percent sales and use tax for state highways and bridges, county roads, bridges, city streets, bridges, and other surface transportation after the retirement of the bonds authorized in Arkansas Constitution Amendment 91, as special revenue to be distributed under the Arkansas Highway Revenue Distribution Law. Mr. Gibson read the resolution in full. A motion was made by Mr. Raney and seconded by Mr. Howell to approve the resolution. Motion carried with the following voting “yes”: Howell, Cargile, English, Raney, Brewer, Chalenburg, Cothorn, and Arnett. **Resolution 2020-19**

Item (13) was a resolution declaring cities are essential: In support of fair, direct Federal emergency support to reopen and rebuild local American Economies. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mr. Brewer to pass the resolution. Motion carried with the following voting “yes”: Cargile, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell. **Resolution 2020-20**

Item (14) was a resolution encouraging the use of masks in relation to the Covid-19 Pandemic. Mr. Gibson read the resolution in full. A motion was made by Mr. Raney and seconded by Mr. Chalenburg to approve the resolution encouraging the use of masks in relation to the Covid-19 Pandemic. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, and Cargile. **Resolution 2020-21**

Item (15) on the agenda was an ordinance for the dedication of Colonial Heights as a city street. Mayor Osborne noted that at this time the documents that are needed for the dedication have not all been received and that this item will be on the agenda for the August 2020 regular Council meeting.

Item (16) on the agenda was an ordinance authorizing the Mayor to apply for grants for city departments. Mayor Osborne noted that this ordinance is not ready at this time and that this item will be on the agenda for the August 2020 regular Council meeting.

Item (17) on the agenda was an ordinance amending the Code of Ordinances, to include Section 31-4 relating to fence permits. A motion was made by Mr. Chalenburg, seconded by Mr. Cothorn, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, and Raney. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Raney, seconded by Mrs. Arnett, to adopt the ordinance. The ordinance passed with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howell,

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Cargile, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Cothorn, seconded by Mrs. Arnett, to adopt the emergency clause, with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, Raney, Brewer, and Chalenburg. **Ordinance 2020-21**

Item (18) 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, specifically real property located in the 1200 – 1300 block of Higginson Street from U-T (Urban Transitional) to R-1 (Multi-family Residential). 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, Howell, Cargile, Raney, Brewer, Chalenburg, and Cothorn. 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”: Howell, Cargile, Raney, Brewer, Chalenburg, Cothorn, and Arnett. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mrs. Arnett, to adopt the emergency clause, with the following voting “yes”: Cargile, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell. **Ordinance 2020-22**

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 \$315,457.20 from 2014 Eight Year Plan Fund unappropriated reserves to the ‘COUNTRY CLUB ROAD IMPROVEMENT’ expenditure account (#14 5-900-54-01) for construction services on the Country Club Road improvement project;
- b. Appropriate \$29,303.05 from 2014 Eight Year Plan Fund unappropriated reserves to the ‘COUNTRY CLUB ROAD IMPROVEMENT’ expenditure account (#14 5-900-54-01) for engineering services on the Country Club Road improvement project;
- c. Appropriate \$200,053.77 from Special 1% Connector Route Tax Fund unappropriated reserves to the ‘NORTH MAIN STREET IMPROVEMENTS’ expenditure account (#13 5-900-54-03) for construction services on the North Main Street improvement project;
- d. Appropriate \$18,835.00 from 2014 Eight Year Plan Fund unappropriated reserves to the ‘REGIONAL DRAINAGE DETENTION SYSTEM’ expenditure account (#14 5-130-05-07) for engineering services on the preliminary design of regional detention systems;

- e. Appropriate \$5,922.00 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;
- f. Appropriate \$30,504.98 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 construction services;
- g. Appropriate \$357.00 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 testing services;
- h. Appropriate \$10,000.00 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 right of way/eminent domain expenditures;
- i. Appropriate \$30,000.00 from General Fund unappropriated reserves to 'REPAIRS – AMERICAN LEGION HUT' expenditure account (#01 5-010-05-21) for roof replacement and additional repairs to the American Legion Building;
- j. Appropriate \$2,195.44 from Special 1% Connector Route Tax Fund unappropriated reserves to the 'NORTH MAIN STREET IMPROVEMENTS' expenditure account (#13 5-900-54-03) for testing services, surveying, and right of way acquisition on the North Main Street improvement project;
- k. Transfer \$7,294.00 from the Clerk's Department 'SALARIES' expenditure account (#01 5-100-01-01) to the Clerk's Department 'COMPUTER EQUIPMENT/SOFTWARE' expenditure account for the purchase of SONY Digital Paper electronic readers;

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

- a. \$108,217.06 to Regions Bank for payment on the loan for the construction of the Searcy Swim Center (#14 5-085-05-01);
- b. Transfer \$100,000.00 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);
- c. \$315,457.20 to RL Persons Construction, Inc., for construction services on the Country Club Road improvement project (#14 5-900-54-01);
- d. \$29,303.05 to ETC Engineers & Architects, Inc., for engineering services on the Country Club Road improvement project (#14 5-900-54-01);
- e. \$200,053.77 to Township Builders, Inc., for construction services on the North Main Street improvement project (#13 5-900-54-03);
- f. \$18,835.00 to Morrison Shipley Engineers for engineering services on the preliminary design of regional detention systems (#14 5-130-05-07);
- g. \$5,922.00 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);
- h. \$30,504.98 to Burkhalter Technologies, Inc. for construction services on the Rolling Meadows/Cloverdale Addition drainage improvement project (#14 5-130-05-02);
- i. \$357.00 to Arkansas Testing Labs, Inc. for testing services on the Rolling Meadows/Cloverdale Addition drainage improvement project (#14 5-130-05-02);

A motion was made by Mr. Brewer, seconded by Mr. Raney, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, and Cargile. 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”: Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, and Raney. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Brewer, seconded by Mr. Cothorn, to adopt the emergency clause, with the following voting

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“yes”: Chalenburg, Cothorn, Arnett, Howell, Cargile, Raney, and Brewer.

Ordinance 2020-23

A motion was made and seconded to adjourn.

Minutes Approved: August 11, 2020

/s/ Kyle Osborne
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

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