

Searcy City Council – Regular Session
Tuesday, September 8, 2020 6:00 p.m.
Minutes

A public hearing had been advertised to be held at 6:00 p.m. on September 8, 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. Mark Harris gave the Invocation, with the Pledge of Allegiance following, led by Rodger Cargile. 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: (13) approval of bid for the acquisition of rescue air bags for the Searcy Fire Department, (21-1-f) budget ordinance appropriation for replacement and repair to 20-yard and 40-yard dumpsters, (21-1-g) budget ordinance appropriation for acquisition of rescue air bags, (21-1-h) budget ordinance appropriation for acquisition of recycle pick-up truck, (21-1-i) budget ordinance appropriation for annual agreement for Fire Department software, (21-2-h) budget ordinance authorization to expend funds for acquisition of dumpsters for the Sanitation Department, (21-2-i) budget ordinance authorization to expend funds for acquisition of rescue air bags for the Fire Department, (21-2-j) budget ordinance authorization to expend funds for acquisition of a recycle pick-up truck for the Sanitation Department, and (21-2-k) budget ordinance authorization to expend funds for annual agreement for Fire Department software. A motion was made by Mr. Brewer and seconded by Mr. Chalenburg to suspend the rules and add the items 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 August 11, 2020 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: 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 August 31, 2020: General Fund: \$1,748,460.51; Street Fund \$2,388,121.77; Capital Equipment Fund \$17,856.39; LOPFI Fund \$150,456.01; Act 833 Fund \$49,457.01; Airport Fund \$119,674.18. The total of all of the preceding funds is \$4,474,025.87. He also reported the following balances as of August 31, 2020: Special Highway Connector Route Tax Fund \$3,432,561.80; 2014 Eight Year Plan Fund

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\$8,380,152.78; Information Technology Projects Fund \$493.60; Special Projects Fund \$2,599.06; 0.25% Fire Protection Services County Sales Tax Fund \$440,235.32; Court Automation Fund \$42,627.94; Advertising and Tourism Promotion Fund \$891,078.94. He also reported a total of \$4,698,054.30 year-to-date in City and County Sales Tax revenues received, which is up \$410,261.45 from the same time in 2019.

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

Item (7) on the agenda was approval of the reappointment of Karen Millar to a five-year term on the Searcy Housing Authority Board of Commissioners, with the term set to expire on March 30, 2025. A motion was made by Mr. Brewer and seconded by Mrs. Arnett to approve the reappointment of Karen Millar to a five-year term on the Searcy Housing Authority Board of Commissioners, with the term set to expire on March 30, 2025. Motion carried with the following voting "yes": Cargile, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell.

Item (8) was an update on the expected delivery of the new Fire Department tower truck. Fire Chief Brian Dunavan explained to the Council that at this time a final inspection by the Searcy Fire Department is set to take place the week of September 21, 2020. After the final inspection is done there is some equipment that will then be installed. Expected delivery should be in the month of October 2020.

Item (9) on the agenda was for discussion regarding real properties that have tax liens placed on them. Mr. Gibson explained that certain real properties are accumulating large amounts of tax liens as a result of grass cutting expenses and abatement of other nuisances that have been incurred by the City of Searcy. He asked the Council to provide guidance as to the direction to take to address the accumulating liens. Mr. Raney asked Mr. Gibson what his proposal is to address the situation. Mr. Gibson explained that he would like to provide a listing of properties that are proposed to take action against as well as a possible appropriation to undertake this action.

Item (10) was for discussion regarding the acquisition of dumpsters for the Sanitation Department. Mayor Osborne explained that a proposal has been presented to the Council that includes expenditures for both the acquisition of new 20-yard and 40-yard dumpsters and for the repair of six existing dumpsters. He noted that there has been instances where a dumpster has been requested to be placed for use but that there are no dumpsters available to fulfill the request. Mr. Raney stated that he thinks this should be done in order to be able to provide the services when requested. Mayor Osborne noted that an appropriation has been included in the budget adjustment ordinance for consideration.

Item (11) on the agenda was for discussion regarding the Advertising and Tourism Promotion Commission (A&P) resolution approving the calling of a special election for the issuance of bonds to finance improvements to the Searcy Sports Complex. Council member and Advertising and Tourism Promotion Chairman Chris Howell explained that the A&P Commission is asking for the Council to call a special election for the issuance

of bonds in order to undertake capital improvements to the Searcy Sports Complex. He further explained that the bonds would be paid using A&P tax revenues and stressed that this will be using existing tax levies and does not represent any new additional taxes.

Item (12) was for the approval of a change order for the Rolling Meadows/Cloverdale Drainage Improvement project consisting of an increase of \$8,640.00. Motion was made by Mr. Brewer and seconded by Mr. Cothorn to approve the change order for the Rolling Meadows/Cloverdale Drainage Improvement project consisting of an increase of \$8,640.00. Motion carried with the following voting “yes”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, and Cargile.

Item (13) on the agenda was for the approval/selection of bid(s) for the acquisition of rescue air bags for the Searcy Fire Department. Funding for the rescue air bags has been approved through a Federal Emergency Management Agency (FEMA) 90/10 Assistance to Firefighters grant. Two (2) bids have been received for the specified rescue air bags. The bids were as follows:

1. Precision Rescue, Harrison, AR - \$26,071.95
2. Emergency Vehicle Specialists, Conway, AR – \$26,366.23

Searcy Fire Chief Brian Dunavan noted that both of the bids were within the grant award amount and that the recommendation of the Fire Department would be to accept and select the bid from Precision Rescue of Harrison, AR in the amount of \$26,071.95. A motion was made by Mr. Raney, seconded by Mr. Brewer, to accept and select the bid from Precision Rescue of Harrison, AR in the amount of \$26,071.95 for the acquisition of rescue air bags for the Searcy Fire Department. Motion carried with the following voting “yes”: Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, and Raney.

Item (14) was a resolution to authorize the acceptance of grant funding from White River Solid Waste Management District and to take all actions necessary to perform under the terms of any grant conditions regarding a grant for the acquisition of a truck for the Searcy Sanitation Department. Mr. Gibson read the resolution in full. A motion was made by Mr. Chalenburg and seconded by Mr. Cothorn to approve the resolution to authorize the acceptance of grant funding from White River Solid Waste Management District and to take all actions necessary to perform under the terms of any grant conditions regarding a grant for the acquisition of a truck for the Searcy Sanitation Department. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howell, Cargile, Raney, and Brewer. **Resolution 2020-27**

Item (15) was a resolution for authorization to execute and perform a certain agreement, specifically an agreement with Black Sumac Design. Mr. Gibson read the resolution in full. Motion was made by Mr. Cothorn and seconded by Mr. Howell to pass the resolution. Motion carried with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, Raney, Brewer, and Chalenburg. **Resolution 2020-28**

Item (16) 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. Cothorn and seconded by Mrs. Arnett to pass the 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. Motion carried with the following voting “yes”: Arnett, Howell, Cargile, Raney, Brewer, Chalenburg, and Cothorn. **Resolution 2020-29**

Item (17) on the agenda was an ordinance amending the Code of Ordinances of the City of Searcy to add Section 2-8 relating to grant applications. 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”: Howell, Cargile, Raney, Brewer, Chalenburg, Cothorn, and Arnett. 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”: Cargile, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell. 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”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, and Cargile. **Ordinance 2020-29**

Item (18) on the agenda was an ordinance fixing and establishing the property tax millage for the City of Searcy for 2020 to be collected in 2021. 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”: Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, 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, Howell, Cargile, Raney, and Brewer. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Chalenburg, seconded by Mr. Brewer, to adopt the emergency clause, with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, Raney, Brewer, and Chalenburg. **Ordinance 2020-30**

Item (19) on the agenda was an ordinance amending the Code of Ordinances to amend Section 2-51-2 relating to the submission of measures prior to agenda meeting of the Searcy City Council. A motion was made by Mr. Cothorn, seconded by Mr. Raney, 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. Raney, seconded by Mrs. Arnett, 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. Cothorn, seconded by Mr. Raney, to adopt the emergency clause, with the following voting “yes”: Cargile, Raney, Brewer, Chalenburg, Cothorn, Arnett, and Howell. **Ordinance 2020-31**

Item (20) on the agenda was an ordinance calling a special election in the City of Searcy on the question of issuing bonds under Amendment No. 62 to the Constitution of the State of Arkansas for the purpose of financing all or a portion of the cost of capital

improvements and prescribing other matters pertaining thereto. 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”: Raney, Brewer, Chalenburg, Cothorn, Arnett, Howell, and Cargile. 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”: Brewer, Chalenburg, Cothorn, Arnett, Howell, Cargile, and Raney. **Ordinance 2020-32**

Item (21) 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 \$5,798.68 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;
- b. Appropriate \$47,234.00 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 construction services;
- c. Appropriate \$258,692.81 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;
- d. Appropriate \$34,265.93 from Special 1% Connector Route Tax Fund unappropriated reserves to the ‘NORTH MAIN STREET IMPROVEMENTS’ expenditure account (#13 5-900-54-03) for relocation of White County Cable TV facilities on the North Main Street improvement project;
- e. Appropriate \$16,595.00 from 2014 Eight Year Plan Fund unappropriated reserves to the ‘SWIM CENTER MAINT/REPAIRS’ expenditure account (#14 5-085-02-02) for replacement of water heater system for the therapy pool at the Searcy Swim Center;
- f. Appropriate \$49,000.00 from 2014 Eight Year Plan Fund unappropriated reserves to the ‘DUMPSTER REPAIR/REPLACE’ expenditure account (#14 5-090-53-07) for replacement and repair to 20-yard and 40-yard

dumpsters for the Searcy Sanitation Department;

- g. Appropriate \$26,071.95 from 0.25% Fire Protection Services Tax Fund unappropriated reserves to the 'RESCUE AIR BAGS' expenditure account (#18 5-070-53-05) and appropriate \$23,464.76 to 'RESCUE AIR BAGS-FEMA GRANT' revenue account (#18 4-000-99-01) for the acquisition/reimbursement of rescue air bags for the Searcy Fire Department;
- h. Appropriate \$25,653.00 from General Fund unappropriated reserves to 'RECYCLING PICK UP TRUCK GRANT' expenditure account (#01 5-090-56-04) and appropriate \$19,125.00 to 'RECYCLE GRANT' revenue account (#01 4-000-98-03) for acquisition of a recycle truck for the Searcy Sanitation Department, funding through grant from White River Regional Solid Waste Management District;
- i. Appropriate \$2,925.00 from 0.25% Fire Protection Services Tax Fund unappropriated reserves to the 'TECHNOLOGY USE' expenditure account (#18 5-070-05-15) for Zuercher/Central Square software annual agreement;

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

- a. \$6,496.67 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. \$5,798.68 to Morrison – Shipley Engineers Inc. for Rolling Meadows/Cloverdale Addition drainage improvement project engineering services (#14 5-130-05-02);
- d. \$47,234.00 to Burkhalter Technologies, Inc. for construction services on the Rolling Meadows/Cloverdale Addition drainage improvement project (#14 5-130-05-02);
- e. \$258,692.81 to RL Persons Construction, Inc., for construction services on the Country Club Road improvement project (#14 5-900-54-01);

- f. \$34,265.93 to White County Cable TV for relocation of White County Cable TV facilities on the North Main Street improvement project (#13 5-900-54-03);
- g. \$16,595.00 to Clarity Pools for replacement of water heater system for the therapy pool at the Searcy Swim Center (#14 5-085-02-02);
- h. \$34,000.00 to Wastequip, Inc. for dumpster acquisition for Searcy Sanitation Department (#14 5-090-53-07);
- i. \$26,071.95 to Precision Rescue for acquisition of rescue air bags for Searcy Fire Department (#18 5-070-53-05);
- j. \$25,653.00 to Magie Ford for acquisition of recycle pick-up truck for Searcy Sanitation Department (#01 5-090-56-04);
- k. \$2,925.00 Central Square for Fire Department software (#18 5-070-05-15);

A motion was made by Mr. Brewer, seconded by Mr. Howell, to suspend the rules and allow reading of the ordinance by title only. Motion carried with the following voting “yes”: Chalenburg, Cothorn, Arnett, Howell, Cargile, Raney, and Brewer. Mr. Gibson read the ordinance by title only. A motion was then made by Mr. Brewer, seconded by Mr. Howell, to adopt the ordinance. The ordinance passed with the following voting “yes”: Cothorn, Arnett, Howell, Cargile, Raney, Brewer, and Chalenburg. Mr. Gibson then read the emergency clause of the ordinance. Motion was made by Mr. Raney, seconded by Mr. Cothorn, to adopt the emergency clause, with the following voting “yes”: Arnett, Howell, Cargile, Raney, Brewer, Chalenburg, and Cothorn.
Ordinance 2020-33

A motion was made and seconded to adjourn.

Minutes Approved: October 13, 2020

/s/ Kyle Osborne
MAYOR OF SEARCY

ATTEST:

/s/ Jerry Morris
CITY CLERK

Seal