

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF MARION, ARKANSAS

The City of Marion, Arkansas, met in regular session Tuesday, January 24, 2017, at 7:00 p.m. at Marion City Hall.

Present:	Frank A. Fogleman	Mayor
	Kelly O'Neal	Councilman (1-1)
	David Bigger	Councilman (1-2)
	Cliff Wood	Councilman (2-1)
	Jim Spence	Councilman (2-2)
	Don Hanks	Councilman (3-2)
	James Hale III	City Attorney
	David W. Rikard	City Treasurer
	Patty James	City Clerk

Others

Present:	Ed Cain	City Planning Consultant
	Jim Shempert	Water Superintendent
	Gordon Floyd	Streets & Sanitation
	Andy Rawls	Parks Superintendent
	Jerry Kelley	Building Inspector
	Gary Kelley	Police Chief
	Woody Wheelless	Fire Chief

Absent:	Bryan Jackson	Councilman (3-1)
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I.

Councilman Hanks made a motion, seconded by Councilman Spence, to approve the minutes of the November 22, 2017, Council meeting. All Council members present voted in favor of the motion.

Councilman Hanks made a motion, seconded by Councilman Spence, to approve the minutes of the Special Council Meeting of December 28, 2016. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: James Hudson of 152 Morningside Drive, addressed the Council concerning his desire to install a Sky Cop camera at Morningside

Drive and Fieldcrest. He wanted to check with the City Council to see if there would be any restrictions involved to have a second pole installed at the corner. Mr. Hudson would have the pole installed on his property as well as the power line running power to the camera. Mayor Fogleman advised no one had ever made the request before, but that he would help in anyway he could.

III.

Planning Commission: Ed Cain reported that the Planning Commission met on January 3, 2017. The Commission reviewed a site plan for 93 Military Road, property that was recently re-zoned from R-5 to C-1. The site plan was presented by Sara Haralson who is leasing the property and is proposing to open a salon in the existing residential structure located thereon. The site plan proposed a paved parking area consisting of ten parking spaces near the existing driveway off Military Road that serves the property. The Planning Commission approved the site plan with the following contingencies: Increase parking bay width to 60 feet and parking space lengths to 20 feet. Increase the handicap parking space width to 14 feet to allow for a wheelchair lift. Provide a wheelchair ramp in the salon. Unless the existing driveway is paved, it cannot be used for parking. There is an agenda for the February 7, 2017 meeting.

Water and Sewer: Councilman Spence reported that the Water and Sewer Committee met on Tuesday, January 3, 2017. He advised that the manager of Lakeshore Estates was requesting a \$1,300.00 reduction in the sewer bill charges due to multi water leaks at the trailer park that have since been repaired. The Water and Sewer Committee recommended that the request be granted. Councilman Spence made a motion, seconded by Councilman Wood, to grant the \$1,300.00 bill reduction for Lakeshore Estates. All Council members present voted in favor of the motion. Another item discussed was a recommendation from the Water and Sewer Committee to place a meter at well #2 in or near the new Water Treatment Building that is currently under construction. It will cost approximately \$1,536.00 to do the rough in plumbing at the treatment building. Councilman O'Neal made a motion, seconded by Councilman Hanks to have contractor and building sub-contractor to stop construction until the City gets the rough in plumbing completed, and the meter ordered for the treatment building. All Council members present voted in favor of the motion. Lastly, all four water towers will be inspected and two of them will be cleaned. It will cost \$6,500.00.

Parks and Recreation: Andy Rawls reported that tournaments begin the weekend of February 25, 2017, with only three weekends open through June.

Streets and Drainage: None

Sanitation: None

Fire and Police: Councilman O'Neal reported the new Self Contained Breathing Apparatuses (SCBAs) air packs are in.

Building Inspector: Jerry Kelley reported 1 new house permits, 0 commercial permits, and 5 miscellaneous permits were issued for December. That's brings 2016 year to date totals to 38 new house permits, 3 commercial permits, and 199 miscellaneous permits.

Kelley reported 1 new house permits, 0 commercial permits, and 7 miscellaneous permits were issued for January. That brings year to date totals to 1 new house permits, 0 commercial permits, and 7 miscellaneous permits.

IV.

Old Business: Mayor Fogleman reported that the City is still awaiting paperwork for the AT&T lease buyout. He advised that a check has been issued to the City. There is some clarification wanted for paperwork purposes by AT&T.

V.

New Business: Mayor Fogleman reported that in November Khalil Nashaat had retired from the Advertising and Promotion Commission. Upon his retirement, Fogleman had spoken to Scott Selden, Owner of Funkees, and Mr. Selden has agreed to serve the remainder of Mr. Nashaat's term on the Advertising and Promotion Commission. Mayor Fogleman nominated Mr. Selden to serve on the Advertising and Promotion Commission. Councilman Wood made a motion, seconded by Councilman O'Neal, that Scott Selden serve on the Advertising and Promotion Commission. All Council members present voted in favor of the motion.

Mayor Fogleman reminded Council members to get their Statement of Financial Interest forms turned in to either Patsy House or Gail Tankersley at City Hall by January 31, 2017.

VI.

Resolutions and Ordinances: Mayor Fogleman brought the Resolution Establishing Rules For Governance Of Meetings Of The Marion City Council; And For Other Purposes to the floor for discussion. Councilman Wood moved that the resolution be adopted. Councilman Hanks seconded. All Council members present voted in favor of the resolution. The resolution was numbered 2017-01.

Mayor Fogleman brought A Resolution To Authorize Establishing New Bank Accounts And Establishing Security And Pledge Agreements Between The City Of Marion And Banking Institutions During The Calendar Year Ending December 31, 2017. Councilman Wood moved that the resolution be adopted. Councilman Spence seconded. All Council members present voted in favor of the resolution. The resolution was numbered 2017-02.

Mayor Fogleman brought A Resolution Providing For And Adopting The Budget For The City Of Marion, Arkansas, For The Twelve (12) Month Period Beginning January 1, 2017 and Ending December 31, 2017 and Appropriating Money For Each And Every Item Of Expenditure Therein. Councilman Spence moved that the resolution be adopted. Councilman Hanks seconded. All Council members present voted in favor of the resolution. The resolution was numbered 2017-03.

Lastly, the Mayor brought A Resolution Amending The 2016 Budget to the floor for discussion. Councilman O'Neal moved that the resolution be adopted. Councilman Wood seconded. All Council members present voted in favor of the resolution. The resolution was numbered 2016-08.

VII.

Financial Report: Treasurer Rikard reported that the financials have been previously distributed to the Council. Rikard noted that sales tax revenue collections were up for November and December for both the City and county portions compared to budget. The 2016 sales tax collections are better than budget by 1.2% for the City portion and worse than budget by 0.8% for the County portion. Rikard also noted that year to date revenue

for the general fund is better than budget by approximately \$286,000, with approximately \$195,000 of that amount being from the long-term AT&T water tower lease. Departmental expenditures for the year are better than budget by approximately \$183,000 for a net positive to budget of approximately \$469,000 for the general fund.

Rikard then opened the floor for questions.

VIII.

Departmental Reports:

Ed Cain had nothing further to report.

Gordon Floyd advised the new garbage cans have come in.

Jim Shempert had nothing further to report.

Andy Rawls made a request that Parks and Recreation be allowed to continue their contract in 2017 with Proturf. Councilman O'Neal made a motion, seconded by Councilman Wood, to continue the contract as was provided in 2016 with Proturf, for 2017 for mowing services for the City of Marion. All Council members present voted in favor of the motion.

Chief Kelley had nothing further to report.

Jerry Kelley had nothing further to report.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 8:00 p.m.