

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

The Council of the City of Marion, Arkansas, met in regular session Tuesday, February 27, 2018, 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
	Gordon Floyd	Streets and Sanitation
	Jim Shempert	Water Superintendent
	Andy Rawls	Parks Superintendent
	Gary Kelley	Police Chief
	Woody Wheelless	Fire Chief
	Jerry Kelley	Building Inspector

Absent:	Bryan Jackson	Councilman (3-1)
	Phyllis Mays	City Bookkeeper

I.

Councilman Hanks made a motion, seconded by Councilman Bigger, to approve the minutes of the January 23, 2018, Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Debbi Davenport, the City Librarian addressed the Council. She advised that the Annual Easter Egg Hunt would be Saturday, March 24, 2018. Davenport was requesting that Currie Street be closed between 9:00 a.m. – 12:00 p.m. for the Easter Egg Hunt for the safety of

the children participating in the hunt. Chief Kelley advised that the Police Department would assist with the street closing. Councilman Bigger made a motion, seconded by Councilman Spence, to close Currie Street from 9:00 a.m. – 12:00 p.m. on Saturday, March 24, 2018. All Council members voted in favor of the motion.

III.

Planning Commission: Ed Cain reported that the Planning Commission had no agenda for the February 7, 2018 meeting, therefore, there was not a meeting in February. Cain also advised, thus far, there is no agenda for the March 6, 2017 Planning Commission meeting.

Water and Sewer: Councilman Spence reported that there is a problem with the filtering system for Well Three. The City had to shut the filter plant down in November of 2017 because of the problem. The issue is that filter media is getting into the water system. At least one customer, East Arkansas Youth Services, Inc., (EAYSI) has suffered damage to their plumbing from this issue. They have advised that they (EAYSI) they have approximately \$4,500.00 in damages and would like the City to reimburse them for those expenses. Tonka Water Treatment Solutions is the manufacturer and B&B Utility Contractors did the installation work. Both companies have been advised of the problem and neither has, to date, responded. Meanwhile, the City is holding back a payment of approximately \$19,000.00 to B&B Utility Contractors. Mayor Fogleman advised the cost for new diffusers and media is about \$19,000.00, but does not include the cost to remove the media or the labor for media removal. The consensus of the Council is that this is an issue for Tonka Water Treatment Solutions and B&B Utility Contractors to fix. Attorney Hale advised that the city workers do not need to do any work on this until a third party looks at it first. Jim Shempert advised that Jim's Tank Service could look it at and see what the problem is. Council agreed to let Shempert get a quote from Jim's Tank Service but to wait a little longer for Tonka Water Treatment Solutions and B&B Utility Contractors to respond. Councilman Spence feels that this is a warranty issue and both parties should be responsible for fixing the problem.

Parks and Recreation: Councilman Wood reported that the City had received three bids for mowing this season. The contract will call for 28 mowings. If more mowings are needed, a "per week" additional charge was quoted by all bidders. Councilman Wood made motion, seconded by Councilman Spence,

to accept the bid of \$48,860.00 from Pro Turf for 28 mowings. All Council members present voted in favor of the motion.

Streets and Drainage: Councilman Hanks reported that Floyd's workers have been blowing out culverts and patching asphalt throughout the City.

Sanitation: The knuckleboom trucks come off lease in either June or July. The City has been provided new prices to secure two replacement knuckleboom trucks, buy back the two trucks that the City currently has and a payout of \$146,051.50 for two 2019 Freightliner w/ Petersen TL3 Knuckleboom trucks. It will take 4 – 6 months to get the two new trucks. Councilman O'Neal made a motion, seconded by Councilman Wood, to purchase the two knuckleboom trucks, and allow Treasurer Rikard ample time to get better or equal local financing, and allow the mayor the authorization to sign all necessary paperwork, with a condition of the buyback on the two existing trucks. All Council members present voted in favor of the motion.

Building Inspector: Jerry Kelley reported 3 new house permits, 3 commercial permits, and 12 miscellaneous permits were issued for February. That brings the year to date totals to 4 new house permits, 4 commercial permits, and 25 miscellaneous permits.

Fire and Police: Councilman O'Neal reported that the new police cruisers are in and should be out on the streets soon. The Police and Fire Committee met earlier in the evening and discussed the discontinuation of the ambulance service because of the changes in the laws applicable to volunteers performing ambulance services, the ever lengthening time required to release a patient to the Emergency Department and increased number of local ambulance services available via GPS. Councilman O'Neal made a motion, seconded by Councilman Wood, to terminate the ambulance service, retire our ambulance license, and terminate the insurance on the said vehicles. All Council members present voted in favor of the motion. Councilman O'Neal made a motion, seconded by Council Hanks, to get all three ambulances appraised to sale and determine if it is feasible to sale them outright or list them on govdeals.com and that the Fire and Police Committee make the decision on the sale. All Council members present voted in favor of the motion. Chief Wheelless advised that the fire helmets that his department uses were in need of replacement and that he recommended the use of accumulated Act 833 funds for the purchase of new helmets. Wheelless pointed out that Act 833 funds are funds that are

provided as a result of statewide taxes on fire insurance premiums and can only be used for the fire department. Councilman O'Neal made a motion, seconded by Councilman Wood, that Chief Wheelless is permitted to use Act 833 (\$11,000.00) money to purchase 40 new fire helmets for the fire department and to waive competitive bidding. All Council members present voted in favor of the motion. Councilman O'Neal made a motion, seconded by Councilman Bigger, to give the retired fire helmets to the firemen after the new fire helmets arrived and were distributed to the firefighters. All Council members present voted in favor of the motion.

IV.

Old Business: This was covered under Parks and Recreation.

V.

New Business: For information purposes, Fogleman advised that Jim Shempert planned to install some valves and piping at the Filter Plant at Washington St. so as to be able to direct water from one set of filtering pots to another or vice versa in the new filter plant. This will cost \$16,000.00.

Secondly, Jim Shempert would like to purchase, via the state's procurement process, a truck for the Water Department that has been included in the 2018 budget. Councilman Spence made a motion, seconded by Councilman Wood, to give Jim Shempert the authorization to purchase a 2018 Ford ½ ton pickup truck for \$24,494.00 from either McLarty Ford in Little Rock or West Memphis Ford. All Council members present voted in favor of the motion.

Next, under New Business and for information purposes, Jim Shempert plans to turn the old filter plant, at Pine and Currie Sts., into a storage building for the Vac-Con truck. Removal of the old filter pots and piping, the installation of a roll-up door, framing for the roll-up door are a part of the renovation that will take place at this location.

Lastly, under New Business, is the Marconi Street station renovation. Councilman Wood made a motion, and Councilman Bigger seconded, that this project not exceed \$45,000.00 and this project be funded with bond money. All Council members present voted in favor of the motion.

VI.

Resolutions and Ordinances:

Mayor Fogleman brought to the floor an ordinance for the Marconi Street Sewer Pump Station. Councilman Wood made a motion, seconded by Councilman Spence, to read the ordinance by title only. All Council members voted in favor of the motion.

City Attorney Hall read the following Ordinance by title only:

ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURPOSE OF WATER PUMPS AND MOTORS FOR MARCONI STREET SEWER PUMP STATION FOR THE CITY OF MARION

Councilman Spence made a motion, seconded by Councilman Hanks, that the ordinance be adopted on the first reading. On roll call the following votes were recorded: O'Neal-aye, Bigger-aye, Wood-aye, Spence-aye, and Hanks-aye.

Councilman Wood made a motion, seconded by Councilman Bigger, that the rules be suspended and the ordinance be read by title only a second time. All Council members present voted in favor of the motion.

City Attorney Hale read the following Ordinance:

ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURPOSE OF WATER PUMPS AND MOTORS FOR MARCONI STREET SEWER PUMP STATION FOR THE CITY OF MARION

Councilman Wood made a motion, seconded by Councilman Bigger, that the ordinance be adopted on the second reading. On roll call the following votes were recorded: Bigger-aye, Wood-aye, Spence-aye, Hanks-aye, and O'Neal-aye.

Councilman Wood made a motion, seconded by Councilman Spence, that the rules be suspended and the ordinance be read by title only a third time. All Council members present voted in favor of the motion.

City Attorney Hale read the following Ordinance:

ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURPOSE OF WATER PUMPS AND MOTORS FOR MARCONI STREET SEWER PUMP STATION FOR THE CITY OF MARION

Councilman Wood made a motion, seconded by Councilman Spence, that the ordinance be adopted on the third reading. On roll call the following votes were recorded: Wood-aye, Spence-aye, Hanks-aye, O'Neal-aye, and Bigger-aye.

Councilman Spence made a motion, seconded by Councilman Wood, that the ordinance be adopted with the emergency clause. On roll call the following votes were recorded: Spence-aye, Hanks-aye, O'Neal-aye, Bigger-aye, and Wood-aye.

The Ordinance was numbered 584.

VII.

Financial Report: Treasurer Rikard reported that the January financials have been previously distributed to the Council. Rikard noted that sales revenue collections for January were worse than budget by 0.3% for the City and worse than budget by 2.6% for the county. Rikard then opened the floor for questions.

VIII.

Departmental Reports:

Ed Cain had nothing further to report.

Jim Shempert had nothing further to report.

Andy Rawls had nothing further to report.

Chief Kelley had nothing further to report.

Jerry Kelley had nothing further to report.

Gordon Floyd asked about the vehicles he had requested. The Streets and Drainage Committee made a recommendation to the City Council to approve

the purchase of four used AT&T vehicles and one new Dodge Ram Truck. Floyd advised the use of the trucks would be as follows:

- 1 2010 Chevrolet Silverado Pickup X-Cab 4-Door \$10,927.30 - James
- 2 2006 Chevrolet Silverado Pickup 2-Door W/T \$ 6,017.50 ea. - Mike
- 1 2003 Dodge Ram 2500 Pickup 4-Door \$12,530.50 – Asphalt Crew

The one new vehicle will cost \$24,075.00.

- 1 2018 Dodge Ram 1500 4WD Regular Cab – Gordon Floyd

Council Hanks moved, with Councilman O’Neal seconding the motion, to allow the purchase of the used AT&T vehicles and one new 2018 Dodge Ram truck. All Council members present voted in favor of the motion.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 7:58 p.m.

MAYOR

CLERK