

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, January 23, 2018, at 7:00 p.m. at Marion City Hall.

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

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
	Phyllis Mays	City Bookkeeper
	Mike Demster	President, Chamber of Commerce

Absent:	David Bigger	Councilman (1-2)
	Patty James	City Clerk

I.

Councilman Hanks moved, seconded by Councilman Spence, to approve the minutes of the November 28, 2017, Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns:

Mr. James E. Hudson of 152 Morningside Drive addressed the Council concerning a community garden. He advised of his review of the property behind the Police Station and of some of his anticipated needs for the property. Following discussion, Fogleman suggested that Mr. Hudson, Gordon Floyd, any other interested parties and he meet to go into greater detail as to how to prepare the vacant lots for the community garden.

Joe Tiner, 236 Oak St. and Karen Thompson 254 Oak St. spoke to the Council concerning their problems with the quality of the water at their houses. Ms. Thompson provided pictures of the stains on the bathroom fixtures and Mr. Tiner spoke of his ongoing problems with his water and how the water department had been cooperative and courteous with his problem via flushing the water lines near his house but there seemed to be no progress toward correcting the problem on a more permanent basis. Jim Shempert advised that the Water Department had planned to replace the water line in question during 2017, but that it had not worked out to replace the line during 2017. Shempert further advised that replacing the Oak St. water line was at the top of his work plans for 2018.

Cassie Clayman, Branch Librarian, Woolfolk Library and Debbe Davenport, Director, Crittenden Count Library System, reported on the past summer's reading program attendance and successes. They advised of their plans for the 2018 summer reading programs, thanked the Council for their continued support of the summer reading program and distributed child-decorated Styrofoam cups with a bag of hot chocolate mix and marshmallows to each of the elected officials as tokens of their appreciation for their ongoing support of the library.

III.

Planning Commission:

Ed Cain reported that the Planning Commission met on January 9, 2018, and reviewed and approved a site plan for the construction of a new building for The Shake Shack at 207 Military Road.

Site plans for Mitchell Family Medicine Clinic were also reviewed. Both site plans were approved contingent on final approval of the City's consulting engineer and health department approval.

The Final Subdivision Plat for Mitchell Subdivision was also reviewed and the Planning Commission voted a “do accept” recommendation to the City Council.

There presently is not an agenda for the February 6, 2018, regularly scheduled Planning Commission meeting.

Building Inspector:

Jerry Kelley reported 3 new house permits, 1 commercial permit, and 29 miscellaneous permits were issued for December. That brings year to date totals to 38 new house permits, 6 commercial permits, and 248 miscellaneous permits. January 2018, had 1 new residential permit, no commercial permits and 13 miscellaneous permits.

Police and Fire: No report

Economic Development:

Mike Demster advised of his pending retirement from his position as President of the Chamber and thanked the Council for their past courtesies and their support of his activities. Several Councilmen thanked Demster for his past efforts on behalf of the City. Councilman Wood reported that in 2017, commercial investment in Marion rose to \$14.6M. He advised of 5 commercial projects that would begin or would be announced soon and that Marion’s mega-site was in the process of being re-certified. He also noted that the “Marion – Center of Living” campaign had begun by delivering materials concerning Marion to major area employers. Wood further advised that Tracy Brick has been recommended to succeed Demster.

IV.

Old Business: None

V.

New Business:

Fogleman called attention to the information in the Council packet concerning the bridge replacement on Hino Blvd. He noted that, if the bids for the bridge replacement were accepted, Parson Transportation Group would bill the City of Marion for half of the \$50,312.00 engineering service contract and reimbursable expenses not to exceed \$14,274.00.

The second item under New Business was consideration of Final Plat approval for Mitchell Subdivision. Following discussion, Wood moved, seconded by Spence, to approve the plat. All present voted aye.

Finally, Fogleman reminded all that Financial Interest Statements for 2017 were due no later than January 31, 2018, and that City Clerk James had designated Gail Tankersley of the Building Inspector's Office, as the recipient of the statements.

VI.

Resolutions and Ordinances:

Fogleman brought to the floor and read the title of a resolution entitled **A RESOLUTION AMENDING THE 2017 BUDGET** amending the 2017 Budget to the floor for discussion. This amends the 2017 budget to reflect the \$627,645 total changes in the 2017 budget. Following discussion, Councilman Wood moved, with Jackson seconding, that the resolution be adopted. All present voted aye. The resolution was numbered 2017-06.

Fogleman brought to the floor and read the title of a resolution entitled **A RESOLUTION ESTABLISHING RULES FOR THE GOVERNANCE OF MEETINGS OF THE MARION CITY COUNCIL, AND FOR OTHER PURPOSES** which establishes the rules of operation for Marion City Council meetings. Following discussion, Jackson moved, with Spence seconding, to approve the resolution. All present voted aye. The resolution is numbered 2018-01

Fogleman brought to the floor and read the title of a resolution entitled **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, 2018** which permits the mayor and the treasurer to open any needed new bank accounts and sign related paperwork and to sign any needed paperwork to secure pledge agreements for city deposits. Following

discussion, Wood moved, with Hanks seconding, to approve the resolution. All present voted aye. The resolution is numbered 2018-02.

Fogleman brought to the floor and read the title of a resolution entitled **A RESOLUTION PROVIDING FOR AND ADOPTING THE BUDGET FOR THE CITY OF MARION, ARKANSAS, FOR THE TWELVE (12) MONTH PERIOD BEGINNING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018 AND APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN** which established the budget for calendar year 2018. Following discussion, Jackson moved, with Hanks seconding, to approve the resolution. All present voted aye. The resolution is numbered 2018-03.

VII.

Financial Report:

Treasurer Rikard reported that the December financials have been previously distributed to the Council. Rikard noted that sales tax revenue collections for December were better than budget by 1.8% for the City and worse than budget by 2.9% for the county. The year-to-date sales tax collections through December are better than budget by 5.9% for the City portion and worse than budget by 1.0% for the County portion. Year-to-date general revenues are better than the originally budgeted revenues by approximately \$62,000 and year-to-date general expenditures are better than original budget by approximately \$62,000. In addition to the normal reports, the council packet this month includes a listing of expenditures from each construction bond fund for the year 2017. It also includes a summary of 2017 actual bond spending and proposed bond spending for 2018 and forward.

Rikard pointed out that the W-2s for council members and the 2018 pay schedule is included in this month's packet. He also reminded council members that the 2017 financial disclosure is due to the City Clerk by the end of this month and that we have been audited on this before so please get the financial disclosures filed timely. Rikard then opened the floor for questions.

VIII.

Departmental Reports:

Ed Cain had nothing further to report.

Gordon Floyd 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.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 8:10 p.m.

Mayor

City Clerk