

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 Monday, October 23, 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
	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
	Mark Randall	Evening Times

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 September 25, 2017, Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: None

III.

Planning Commission: The Planning Commission met on October 3 and reviewed plans for a pool house in Marion Lake Estates which would contain 1,071 square feet, 2 bedrooms, 2 baths, kitchen, dining room and one-car garage. The petitioner said his recently widowed mother who now lives out of state would reside in the pool house. The petitioner was told that the current Marion Zoning Ordinance does not permit a second living unit on a lot zoned for single-family residences. A second family was present who had previously approached City officials about constructing a second living unit on their lot to house an aging parent. This family had previously been told that this was not allowed by the current zoning ordinance.

These second living units are sometimes referred to as granny flats, but a more professional reference is accessory dwelling units (ADUs). It was recognized that demand for such living units is growing and will probably continue this trend as the "Boomer" generation continues to age. It was also recognized that a major concern with ADUs is their disposition once their initial purpose is no longer needed and they become rental units. Some cities in Arkansas now allow and regulate the construction and use of ADUs. It was generally agreed that Marion should consider a zoning ordinance amendment that would permit and regulate the construction and use of ADUs. Accordingly, the Secretary was directed to initiate a draft ordinance to this effect to be heard at a public hearing on November 7, 2017.

There is a full agenda for the November 7, 2017, meeting.

Water and Sewer: No Report

Parks and Recreation: Andy Rawls reported that the demolition work is complete. The work has been started on the dugouts and the foundation and footing should be completed by next week.

Streets and Drainage: Gordon Floyd reported that road crews have finished paving work in Bayou Vista and Pleasant Plains, and plans to move onto Elm, Pine, and Cherry Streets. Also, the city crews are working on some drainage work near Marion Intermediate School.

Sanitation: Mayor Fogleman reported that there is an issue with the recycling program. The company that is handling the city's recyclables is on

the verge of no longer accepting the blue bags that the city residents use to bag recyclables. The city will have to find a different way to separate materials that are picked up to continue to use the existing company.

Building Inspector: Jerry Kelley reported 0 new house permits, 0 commercial permits, and 36 miscellaneous permits were issued in October. That brings year to date totals to 32 new house permits, 5 commercial permits, and 215 miscellaneous permits.

Police and Fire: Councilman O'Neal reported that the Fire and Police Committee met earlier this month with F&F Construction Co. and Urban Arch. Both companies will be getting back with the committee concerning their ideas for the project.

IV.

Old Business: Councilman O'Neal wanted an update on the library project. Mayor Fogleman advised that the bids went out October 12, 2017. There have been two bids received. One bid is for \$219,000.00 from F&F Construction, and a second bid for \$249,000.00. The City is also in the process of pursuing a sizable grant to help defer some of the costs.

V.

New Business: Councilman O'Neal made a motion, seconded by Councilman Wood, to accept the proposed split salary (\$58,650.00) for the district court judgeship as recommended by the Department of Finance and Administration, and authorizing the mayor to sign all necessary paperwork. All Council members present voted in favor of the motion.

The next item under new business was the Arkansas Municipal League Defense Insurance. Councilman Bigger made a motion, seconded by Councilman Wood, to accept the Arkansas Municipal League Defense Insurance in the amount of \$24,690.00, that will become effective January 1, 2018. All Council members present voted in favor of the motion.

Lastly, under new business, was the purchase of four new police vehicles. Councilman O'Neal made a motion, seconded by Councilman Spence, to authorize Chief Kelley to order four new Ford Interceptor vehicles now to be paid for in early 2018, with a provision to order locally if the local Ford

dealership will match the price from the state bid. All Council members present voted in favor of the motion.

VI.

Resolutions and Ordinances: None

VII.

Financial Report: Treasurer Rikard reported that the September financials have been previously distributed to the Council. Rikard noted that sales tax revenue collections for September were better than budget by 5.0% for the City and worse than budget by 2.5% for the County. The October sales tax numbers are not out yet. The year-to-date sales tax collections through September are better than budget by 8.1% for the City portion and worse than budget by 0.8% for the County portion. Year-to-date general revenues are worse than budgeted revenues by approximately \$29,000.00 and year-to-date general expenditures are worse than budget by approximately \$114,000.00. Rikard then opened the floor for questions.

VIII.

Department Reports:

Ed Cain had nothing further to report.

Jim Shempert had nothing further to report.

Andy Rawls had nothing further to report.

Gordon Floyd had nothing further to report.

Jerry Kelley had nothing further to report.

Chief Kelley had nothing further to report.

Woody Wheelless had nothing further to report.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 7:26 p.m.

Mayor

Attest: _____

City Clerk