

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, September 25, 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)
	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
	Patty James	City Clerk
Others		
Present:	Ed Cain	City Planning Commission
	Gordon Floyd	Streets and Sanitation
	Jim Shempert	Water Superintendent
	Woody Wheelless	Fire Chief
	Jerry Kelley	Building Inspector
	Phyllis Mays	City Bookkeeper
	Mark Randall	Evening Times
Absent:	Cliff Wood	Councilman (2-1)
	Gary Kelley	Police Chief
	Andy Rawls	Parks Superintendent

I.

Councilman Jackson made a motion, seconded by Councilman O'Neal, to approve the minutes of the August 21, 2017, Council meeting with a request from Councilman O'Neal, that Councilman Bigger be quoted as noting that, based on information available from the Arkansas Municipal League, the mayor of Marion appeared to be among the lower-paid mayors of Arkansas mayors of cities with populations between 10,000 and 20,000. Despite Fogleman's caution against putting individual quotes in the meeting minutes, all Council members present voted in favor of the motion. This change was inserted in Old Business under the Mayor's current salary.

II.

Citizens' Concerns: Randy McClure and Elizabeth McClure of 161 Ross Street came before the Council concerning lot 3 which is adjacent to their lot (lot 4). Mr. McClure advised the Council according to the Assessor's office the City owns lot 3. Lot 3 is an overgrown street right of way and Mr. McClure would like the lot cleaned up and is interested in purchasing the property if that is possible. Mayor Fogleman advised that an abstract company needs to confirm whether the City owns the property and, if so, the Council will need to make the decision as to disposition of the property.

During the August 21, 2017, Council meeting, Councilman Spence brought before the Council the possibility of installing a three way stop sign at LP Mann and Judge Smith Drive. Gordon Floyd advised, that his department would install the three way stop sign immediately.

III.

Planning Commission: The Planning Commission met on September 5, 2017. Site plans for the proposed Willowbend Healthcare and Rehabilitation Center at 830 Canal Street were reviewed by the Planning Commission. This will be a 118-bed, one story, skilled nursing home. The site plans were approved contingent on approval of the City's consulting engineer. (Subsequent to the meeting Consultant approval of the site plans was received).

The Planning Commission reviewed a subdivision plat for the Willowbend project. The Planning Commission recommended approval of the Willowbend Subdivision Plat to the City Council.

The Commission also approved the proposed 25-foot x 50-foot addition to the east end of the Woolfolk Library. This approval was necessary to fulfill application requirements for a \$90k grant that would help pay for the addition.

There is an agenda for the October 3, 2017 meeting.

Water and Sewer: No Report

Parks and Recreation: No Report

Streets and Drainage: Gordon Floyd reported that the street overlay work in Pleasant Woods Subdivision and on L.H. Polk Road has been completed. Floyd also reported that the City hired First Step Pavement Management to create a video recording of the present street conditions and to make recommendations for street overlay work, related base work repair and pothole repair. This program is designed to help cities make paving decisions based on the city's budget and the condition of the roads. This program provided an assessment of all 96 miles of Marion streets. The program is set up on a color coding system ranging from green to red. Floyd advised the overall condition of Marion's streets is good.

Sanitation: No Report

Building Inspector: Jerry Kelley reported 6 new house permits, 1 commercial permit, and 30 miscellaneous permits were issued in September. That brings year to date totals to 32 new house permits, 5 commercial permits, and 179 miscellaneous permits.

Police and Fire: Councilman O'Neal reported that the Fire and Police Committee had met earlier in the month and opened the bids for the police evidence shed and Fire Station No. 1. F&F Construction Co. and Urban Arch submitted a joint bid and the Committee's recommendation is to accept them to work with the Police Department and Fire Department to develop plans for the anticipated improvements. Councilman O'Neal made a motion, seconded by Councilman Hanks, to enter into an agreement with F&F Construction and Urban Arch to do the bonded work for the Police Department and Fire Station, as well as to authorize the needed parties to sign all the necessary paperwork. All Council members present voted in favor of the motion.

Councilman O'Neal reported that Chief Wheelless had given him a quote from Emergency Vehicle Specialists in the amount of \$89,200.63 to purchase the remaining SCBA tanks needed for the Fire Department. After some discussion it was decided that the SCBA tanks would be purchased with bond money that was allocated for the Fire Department. Councilman O'Neal made a motion, seconded by Councilman Hanks, to approve the purchase of the SCBA tanks with bond money that was allocated for the Fire Department. All Council members present vote in favor of the motion.

IV.

Old Business: Councilman O'Neal asked about the plans for the Library. Mayor Fogleman advised that Pat Magruder is the architect for the project and that Mr. Magruder would be able to provide Councilman O'Neal with the plans. Fogleman concluded with advising the bids will be open October 12, 2017.

V.

New Business: Per the Planning Commission's report Councilman O'Neal made a motion, seconded by Councilman Spence, to approve the Willowbend Subdivision Plat. All Council members present voted in favor of the motion.

Mayor Fogleman advised that in the past the employees had very limited local availability of vision care services through the current voluntary participation employee group insurance vision care provided by Humana. United Healthcare can provide access to local vision care providers for a slightly greater premium than Humana currently charges. Councilman O'Neal made a motion, seconded by Councilman Jackson, to accept the United Healthcare plan for dental and vision coverage for City employees. All Council members present voted in favor of the motion.

VI.

Resolutions and Ordinances: Mayor Fogleman brought a Proclamation to the floor to declare October 6, 2017, Go Pink For The Cure Day. Councilman O'Neal made a motion, seconded by Councilman Spence, to accept the Proclamation to make October 6, 2017, Go Pink For The Cure Day. All Council members present voted in favor of the motion.

Mayor Fogleman brought to the floor an Ordinance to amend Ordinance 581.

Councilman Jackson moved that the ordinance be read by title only. Councilman Spence seconded. All Council members present voted in favor of the motion.

AN ORDINANCE AMENDING ORDINANCE NO. 581 OF THE CITY OF MARION, ARKANSAS AUTHORIZING THE ISSUANCE OF SALES AND USE TAX BONDS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

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, Spence-aye, Jackson-aye, Hanks-aye.

Councilman Spence made a motion, seconded by Councilman Hanks, 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.

AN ORDINANCE AMENDING ORDINANCE NO. 581 OF THE CITY OF MARION, ARKANSAS AUTHORIZING THE ISSUANCE OF SALES AND USE TAX BONDS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

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

Councilman Spence made a motion, seconded by Councilman Hanks, 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.

AN ORDINANCE AMENDING ORDINANCE NO. 581 OF THE CITY OF MARION, ARKANSAS AUTHORIZING THE ISSUANCE OF SALES AND USE TAX BONDS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

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

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

The Ordinance was numbered 583.

VII.

Financial Report: Treasurer Rikard reported that the August financials have been previously distributed to the Council. Rikard noted that sale tax revenue collections for August were better than budget by 8.1% for the City and worse than budget by 3.7% for the County. The September sales tax numbers came out Friday and the collections for September were better than budget by 5.0% for the City and worse than budget by 2.5% for the County. 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 better than budgeted revenues by approximately \$31,000.00 and year-to-date general expenditures are worse than budget by approximately \$166,000.00. Rikard then opened the floor for questions.

VIII.

Departmental Reports:

Ed Cain had nothing further to report.

Gordon Floyd had nothing further to report.

Jerry Kelley had nothing further to report.

Jim Shempert 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 7:45 p.m.

Mayor

Attest: _____
City Clerk

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