

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, July 23, 2019, 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)
	Sherry Holliman	Councilwoman (3-2)
	James C. 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
	Gary Kelley	Police Chief
	Woody Wheelless	Fire Chief
	Andy Rawls	Parks Superintendent
	Jerry Kelley	Building Inspector

Absent:	David Bigger	Councilman (1-2)
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I.

Councilman Jackson made a motion, seconded by Councilwoman Holliman, to approve the minutes of the June 25, 2019, Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: On behalf of the Arkansas Municipal League and the City Council, Mayor Fogleman presented Representative Milton Nix with a plaque recognizing his work in representing communities across the State of Arkansas.

Casandra Meyer of Lakeshore addressed the Council again this month with some of the same concerns she brought before the Council at the June 25, 2019, Council meeting. In light of the investigation of the Earle Water Department she is going to suspend her request to "Freely Assemble" pending the outcome of the investigation. In the future, when her group requests to "Freely Assemble", if there are no guidelines or ordinances in place, her group would like to give the City 10 business days prior notice and have law enforcement present to make sure there are no improprieties on anyone's part. The purpose of their assembly at 201 Rivertrace at Mr. Burgess' residence is because that is the business office address listed for Lakeshore Water Association, also known as the Lakeshore Water Department, and multiple others. In closing, Ms. Meyer gave her request to the Council for the records she previously requested.

III.

Planning Commission: Ed Cain reported that the Planning Commission met on July 2, 2019, and there were six members present. By a 2 to 3 vote with one member abstaining, the Planning Commission denied the approval the final subdivision plat for The Reserve Subdivision.

The Planning Commission approved the sale of overseas containers at the present location of Bob Tucker Motors located along the I-55 East Service Road north of Marion. This property is beyond the Marion City Limits, but within its planning jurisdiction.

There is an agenda for the August 6, 2019, meeting.

Water and Sewer: No Report

Parks and Recreation: No Report

Street and Drainage: Mayor Fogleman reported the Streets and Drainage Committee met July 22, 2019. The first item discussed was the Overpass project. The acquisition of right-of-way for the BNSF overpass has been turned over to the City of Marion. In acquiring the right-of-way, the City will have to follow the Arkansas Department of Transportation's guidelines. The City is currently gathering information in order to do this. Additional items discussed were, the City will be entering into an agreement with Roadway Management Technologies out of Little Rock to provide GPS locators on five of the City's vehicles and the cost will be \$5,750.00 for a year. This will help

give an unbiased opinion of what streets need attention. There was discussion on purchasing a grinder to do small street base failures and potholes, etc. The consensus was that the City might need to look into a more general tool like a skid steer attachment.

Sanitation: No Report

Building Inspector: Jerry Kelley reported 0 new house permits, 4 commercial permits and 21 miscellaneous permits were issued for the month of July. That brings year-to-date totals to 20 new house permits, 6 commercial permits and 162 miscellaneous permits.

Police and Fire: Councilman O'Neal reported the Arkansas Wireless Information Network (AWIN) radios are up and running. Chief Kelley advised they are working great.

IV.

Old Business: Jerry Kelley updated the Council on the progress of the police and fire station additions. Kelley reported that the police addition is very close to completion. The floors will go in next week. There is still work on the parking lot at the police station to be completed. As for Fire Station No. 2, Kelley reported that the ground where the new building is being built has been delayed because of the weather. Gordon Floyd is adding more dirt and compacting it in increments for the new building site. They are waiting on Sammy Hollowell to do relocate of the water and sewer lines so construction can begin on the addition of the sleeping quarters, the kitchen expansion and the enlargement of the restrooms and day room.

The Overpass update was covered under the Streets and Drainage report.

Mayor Fogleman reported that the City has received a health insurance renewal offer from Cigna, their current provider with an 8.8% reduction of their current premium. The City received bids from other providers and after reviewing the bids, the recommendation from the Insurance Committee is to renew the current policy with Cigna. On behalf of the Insurance Committee, Mayor Fogleman made a motion to renew the current policy with Cigna with a renewal date of September 1, 2019, and to authorize the necessary parties to sign the necessary paperwork to renew the City's Health Insurance Policy for another year with a caveat to extend the policy to sixteen months so the policy can be renewed in January 2021; the motion

was seconded by Councilman Woods. All Council members present voted in favor of the motion.

V.

New Business: There are conflicts for several Council members with the regular standing Council meeting dates for the August and September Council meetings. The proposal is to have the August meeting on the third Monday of August, which is August 19, 2019, and the third Monday in September, which is September 16, 2019; then revert to the fourth Tuesday in October and November. Mayor Fogleman presented this in the form of a motion to the Council, with Councilman O'Neal seconding the motion. All Council members present voted in favor of the motion.

VI.

Resolutions and Ordinance: Councilman Spence made a motion, seconded by Councilwoman Holliman, to approve the continuation of the personal and real property tax mileage rate of 5 mills for calendar year 2020. All Council members present voted in favor of the motion. The Resolution was numbered 2019-05.

The second Resolution was the "Go Pink Day". Councilman O'Neal made a motion, seconded by Councilman Spence, to approve October 4, 2019, as "Go Pink Day". All Council members present voted in favor of the motion. The Resolution was numbered 2019-06.

VII.

Financial Report: Treasurer Rikard reported that the June financials have been previously distributed to the Council. Rikard pointed out that the sales tax revenue collections for the City portion for the month of June were better than budget by 4.6% and the County portion was better than budget by 5.1%. That results in the year-to-date collections through June better than budget by 5.5% for the City portion and better than 0.1% for the County portion. Rikard further pointed out that the general fund revenue collections through June are worse than budget by approximately \$111,000.00 while the general fund expenditures are better than budget by approximately \$117,000.00.

Rikard then opened the floor for questions.

VIII.

Departmental Reports:

Ed Cain had nothing further to report.

Jerry Kelley had nothing further to report.

Gary Kelley had nothing further to report.

Andy Rawls had nothing further to report.
Jim Shempert had nothing further to report.

Woody Wheelless had nothing further to report.

Gordon Floyd advised that the cost of mosquito spray chemicals have gone up and to purchase more chemicals will cost approximately \$11,000.00 which exceeds the \$10,000.00 limit for which he is authorized. Since this has previously been approved in the budget, Treasurer Rikard advised it is ok for Floyd to sign for the additional increase.

IX.

Executive Session: Mayor Fogleman advised that normally the Executive Session is the time that raises are discussed. At this time, the City is awaiting a Human Resources report from the Johanson Group before raises will be discussed. Once that information is received and a decision has been made on raises, these raises will be retroactive to August 2, 2019.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 7:35 p.m.

Mayor

Attest: _____
City Clerk