

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 26, 2022, at 7:00 p.m. at Marion City Hall.

Present:	Frank A. Fogleman	Mayor
	David Bigger	Councilman (1-2)
	Cliff Wood	Councilman (2-1)
	Jim Spence	Councilman (2-2)
	Bryan Jackson	Councilman (3-1)
	James C. Hale III	City Attorney
	David W. Rikard	City Treasurer
	Patty James	City Clerk
Others		
Present:	Ed Cain	Planning Commission Consultant
	Brannon Hinkle	Police Chief
	Woody Wheelless	Fire Chief
	Jerry Kelley	Water Superintendent
	Fred Thorne, Jr.	Building Inspector
	Gordon Floyd	Streets Superintendent
Absent:	Kelsey Hensley	Councilwoman (1-1)
	Sherry Holliman	Councilwoman (3-2)
	Jon Millsap	Asst. Police Chief
	Andy Rawls	Parks Superintendent

I.

Councilman Bigger made a motion, seconded by Councilman Spence, to approve the minutes of June 28, 2022, regular Council meeting with the following amendments to the March, April and May minutes. Under the Building Inspector report for the month of March, the total miscellaneous permits should be 32 instead of 15, and the year-to-date miscellaneous permits total should be 51 instead of 34. Under the Building Inspector report for the month of April, the year-to-date miscellaneous permits total should be 77 instead of 60. Under the Building Inspector report for the month of May, the year-to-date miscellaneous permits total should be 121

instead of 104. All Council members present voted in favor of the motion to approve the minutes with the noted corrections.

## II.

Citizens' Concerns: Cassie Clayman, Crittenden County Librarian addressed the Council. She thanked the Council and the City of Marion, for their continued support of the library, and through their support, the library has been able to serve more people in our community through their story time, summer reading, and after school activities. She also stressed that she has received many compliments on our library and the quality of the materials that our library provides.

Lauren Matthews addressed the Council concerning the ordinance of storage and parking of trailers and commercial vehicles. City Attorney Hale advised that you cannot occupy a trailer as a residence on your property.

## III.

### Committee Reports:

Planning Commission: Ed Cain reported there was no agenda, therefore, there was no July 5, 2022, Planning Commission meeting. There is an agenda for the August 2, 2022, Planning Commission meeting. This meeting will be at 6:30 p.m. at Marion City Hall.

Water and Sewer: No Report.

Parks and Recreation: Councilman Wood reported that Josh Goodbar is going to replace the bridge at Halk's Lake as his Eagle Scout project. Next month, he will present his plans to the Council for rebuilding the bridge. The City will assist in removing the old bridge.

Streets and Drainage: The Streets and Drainage Committee met on July 18, 2022. One topic discussed was the several requests for speed bumps. Mayor Fogleman advised that the City administration, the City Council and First Responders are not in favor of the speed bumps, because they really do not deter speeding. A better solution would be to have stepped-up police patrols in those areas.

Another item discussed was the culvert (pipe) replacement on Marion Lake Road near Cypress Avenue. After discussion, Councilman Wood made a

motion, seconded by Councilman Bigger, to approve the installation of two 42-inch pipes under Marion Lake Road and to provide a budget amendment, if needed, later in the amount of \$41,400.00. All Council members present voted in favor of the motion.

Sanitation: Mayor Fogleman is awaiting word from David Schweitzer from RiverCity Hydraulics concerning the two knuckle-boom trucks, an automated garbage truck and a small rear-loading garbage truck, as to if and when, the City will receive these trucks and the final price of said vehicles.

Building Inspector: Fred Thorne, Jr. reported 5 new house permits, 0 commercial permits and 15 miscellaneous permits were issued in July. The new house permits indicate a value of \$1,465,000.00 in new construction, and other permits reflect \$439,575.47 for a total construction value of \$1,904,575.47 for the month of July. That brings year-to-date totals to 30 new house permits, 1 commercial permit and 184 miscellaneous permits.

Fred Thorne, Jr. advised that Gordon Floyd's crews mowed the Tri-State Surgery Center property located on the I-55 Service Road. He has had no response from the property owner. He is going to send a bill for the City's services to the owner and if necessary, put a lien on the property for payment.

He also reported that Attorney Tom Donaldson will contact the contractor for the old service station at the SW Corner of I-55/Hwy64 intersection.

Fire and Police: No Report.

#### IV.

Old Business: Military Road Updates – No new updates.

Overpass Update – At the June Council meeting, Ed Cain provided estimated costs for the overpass project. The City is approximately \$6M short for the project. It was requested by the Council that Mayor Fogleman check into some financial options to determine if the City has the financial cash flow to fund the borrowing of \$6M. Mayor Fogleman contacted The Stephens Firm who has handled the City's bond issuances in the past. In the Council packets was a handout from The Stephens Firm indicating the City could issue bonds secured by the revenues of its water and sewer utility. This could be an option for funding the \$6M shortfall.

The Marconi Family is getting their own appraiser to do an appraisal on their property. They disagree with the appraisal that was done for the City.

V.

New Business: Hunters Point Subdivision

Councilman Bigger made a motion, seconded by Councilman Spence, to accept the infrastructure improvements for the 11 lots at Hunters Point Subdivision conditioned on satisfactory break test results on the street core samples, the Fire Department confirming the fire flow is sufficient and that the necessary parties sign the plat and be recorded. All Council members present voted in favor of the motion.

The health insurance renewal, due September 1, 2022, was tabled to be discussed and authorized at a Special Council meeting within the next two weeks.

VI.

Resolutions and Ordinances: The Resolution of Diversity and Inclusion will be put on the August Council Agenda.

VII.

Financial Report: Treasurer Rikard noted that the June financials were distributed tonight. July sales tax collections were recently released and they were better than budget by 9.2% for the City portion and better than budget by 26.5% for the County portion. That results in year-to-date collections through July better than budget by 5.3% for the City portion and 19.1% for the County portion. In dollars that amounts to approximately \$202,000 of collections in excess of budget. Rikard pointed out that overall general fund revenue collections (excluding grant income) through June were better than budget by approximately \$196,000 and general fund expenditures (excluding capital items) are worse than budget by approximately \$79,000. Rikard then opened the floor for questions.

VIII.

Departmental Reports:

Chief Hinkle had nothing further to report.

Ed Cain had nothing further to report.  
Jerry Kelley had nothing further to report.

Fred Thorne, Jr. had nothing further to report.

Chief 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 8:18 p.m.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk