

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, November 24, 2020, 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)
	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	Planning Commission Consultant
	Jerry Kelley	Building Inspector
	Gary Kelley	Police Chief

I.

Councilman O'Neal made a motion, seconded by Councilman Wood, to approve the minutes of October 26, 2020, Council meeting and the November 12, 2020, Special Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Mr. Thomas Green addressed the Council concerning the N. Boston Cove and George Circle drainage issue. Mr. Green has taken the responsibility of getting the signatures of the 14 residents giving the City permission to create a drainage easement on their properties. Eleven of the residents have signed the letter, while three residents have refused to sign the letter giving the City permission to proceed with the drainage easement.

A resident of Delta Acres Subdivision addressed the Council with her concerns about the Hunters Point retention pond and who would maintain it. Mayor Fogleman advised that the City will maintain the pond.

III.

Planning Commission: Ed Cain reported that the Planning Commission met on November 10, 2020, with six members present.

At this meeting, the public hearing for the annexation petition and zoning for the Hunters Point Subdivision tract was continued from the October 6, 2020, Planning Commission meeting. The tract proposed for annexation contains approximately 147 acres and is north of and contiguous to Delta Acres Subdivision. The owners of the subject tract are planning development of a 211-lot single-family residential subdivision on the subject tract. Proposed zoning for the subdivision is R-1 Single-Family Residential.

A Preliminary Drainage and Storm Water Detention Plan for Hunters Point Subdivision prepared by Bond Engineering was presented during the meeting. Several residents of the Delta Acres community were in attendance to express opposition to the proposed annexation and Hunters Point Subdivision as presently proposed. Many expressed concerns regarding adverse impacts they believed development of the subdivision will have on their properties. These concerns included storm water run-off impacts, increased vehicular traffic, as well as construction traffic on Miller Drive, and adverse impacts on their property values and their present rural setting.

At conclusion of the hearing, the Planning Commission, by unanimous vote of members present, voted to approve the annexation petition as submitted and recommend enactment of the same to the Marion City Council. Consideration of the Preliminary Subdivision Plat for Hunters Point Subdivision remained tabled.

There is an agenda for the December 1, 2020, Planning Commission meeting.

Water and Sewer: Councilman Spence reported that the Water and Sewer Committee met prior to the Council meeting with Brian Woodring of Suez concerning four of the City's water tanks that need painting and maintenance.

Parks and Recreation: Councilman Wood reported that the house, concrete slab and numerous trees have been removed from the two parcels purchased from Connie Hale.

Streets and Drainage: No Report.

Sanitation: No Report.

Building Inspector: Jerry Kelley reported 0 new house permits, 0 commercial permits and 26 miscellaneous permits were issued for the month of November. That brings

year-to-date totals to 40 new house permits, 4 commercial permits and 431 miscellaneous.

Fire and Police: Councilman O'Neal reported that the new rescue truck has arrived.

IV.

Old Business: Attorney Donaldson and his client Mr. Shaw came before the Council with an update on Mr. Shaw's property. Mr. Donaldson reported that piers have been installed along with the new roof. Mr. Shaw has gotten the permit for remodeling and the contractor should start soon.

V.

New Business: Councilman Spence made a motion, seconded by Councilman Wood, to cancel the regular Council meeting for December with Council members being available for an at-call meeting if necessary. All Council members present voted in favor of the motion.

Councilwoman Holliman had made a request earlier to City Attorney Hale regarding the legalities of voting by electronic, digital or zoom capabilities. The Municipal League has advised that it is permissible.

The Police Department has made a request to purchase 4 additional (Tahoes) units and payment be made from 2021 budget. Councilman O'Neal made a motion, seconded by Councilwoman Holliman, to authorize Chief Kelley to order four Tahoes at a cost of \$33,892.00 per vehicle and approximately \$8,000.00 to stripe the four units. All Council members present voted in favor of the motion.

VI.

Resolutions and Ordinances: None

VII.

Financial Report: Treasurer Rikard noted that the October financials have been previously distributed to the Council. Rikard pointed out that sales tax revenue collections for October were better than budgeted by 2.7% for the City portion and 23.0% for the county portions. The November sales tax numbers came out today and were better than budget by 26.9% for the City portion and 17.2% for the county portion. Year-to-date collections through November are better than budget by 9.7% for the City portion and better by 12.1% for the county portion. The combined additional revenue through November is \$250,000. Rikard pointed out that overall general fund revenue collections

through October were better than budget by approximately \$121,000, but the property tax collections are worse than budget by approximately \$115,000. General fund expenditures were better than budget by approximately \$9,000. Rikard then opened the floor for questions.

VIII.

Departmental Reports: None

Councilman Spence made a motion, seconded by Councilman Jackson, to suspend the meeting at 7:39 p.m. All Council members present voted in favor of the motion.

At 8:30 p.m. following the Executive Session, Councilman O'Neal made a motion, seconded by Councilman Bigger to reconvene the Council meeting. There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 8:31 p.m.

Mayor

Attest: _____
City Clerk