

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, April 25, 2023, at 7:00 p.m. at Marion City Hall.

Present:	Tracy Brick	Mayor
	Kelsey Hensley	Councilwoman (1-1)
	Adam Cupples	Councilman (1-2)
	Cliff Wood	Councilman (2-1)
	Taylor Guy	Councilman (2-2)
	Bryan Jackson	Councilman (3-1)
	Ray Nassar	Councilman (3-2)
	Chris Crain	City Attorney
	David W. Rikard	City Treasurer
	Patty James	City Clerk

Others Present:	Fred Thorne, Jr.	Planning Commission & Building Inspector
	Brannon Hinkle	Police Chief
	Jon Millsap	Asst. Police Chief
	Woody Wheeless	Fire Chief
	Jerry Kelley	Water Superintendent
	Andy Rawls	Parks Superintendent
	Steve Johnson	Streets and Sanitation Superintendent

I.

Councilman Guy made a motion, seconded by Councilman Cupples, to approve the minutes of the March 28, 2023, regular Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Lisa O'Neal of "Moms of Marion", reported to the Council that the Color Run Event was a great success. There were 300 – 400 people in attendance.

Former Councilwoman Sherry Holliman addressed the Council concerning her non-profit, Different Direction Reform. She assists ex-felons and disadvantaged people in re-entering society with jobs, transportation, and housing, etc., She made an inquiry regarding space at City Hall to have meetings for her non-profit program. Mayor Brick advised she and Ms. Holliman have had a previous conversation concerning this matter. Mayor Brick informed Ms. Holliman that this is City property, and she did not have the authority to make such a decision. In

addition to this, it opened the door for others to do the same. Ms. Holliman will provide the Council with additional information so the Council can look into the matter and a decision can be made concerning her request.

### III.

#### Committee Reports:

Planning Commission: There was not an agenda for April, therefore, there was not a Planning Commission meeting for April. Mr. Thorne is awaiting some information to see if there will be an agenda for May.

Water and Sewer: Jerry Kelley and Councilman Wood met with parties concerning the pump grinder. Once Jerry gets all the necessary info a Water and Sewer Committee meeting will be scheduled.

Parks and Recreation: Councilman Wood advised the Parks and Recreation Committee had previously met concerning Phase I of the Parks Development Plan. This included renovations to K & R Park. Councilman Wood requested that Andy Rawls get the information together on costs for doing the renovations to K & R Park. The Outdoor Recreation Grant opens up the end of April and grant applications must be submitted by the third week of August. Mayor Brick is going to submit an application for the grant once again for K & R Park. Once Andy Rawls has the information needed a Parks and Recreation Committee meeting will be scheduled.

Streets and Drainage: Steve Johnson and Councilman Jackson are going to meet and will have a report for the next Council meeting in May.

Sanitation: No Report.

Building Inspector: Fred Thorne, Jr. reported 0 new house permits, 1 commercial permit at \$45M, and 54 miscellaneous permits for \$525,396.13 were issued for the month of April. That brings year-to-date totals to 12 new house permits, 1 commercial permit and 109 miscellaneous permits for a grand total of \$50,544,541.60 in construction.

Police and Fire: Councilwoman Hensley recognized the Police Department for their hiring and enforcing the new laws that have gone into effect.

Chief Wheelless is working on putting together a disaster resource plan. He is gathering a lot of information the City can use in the event of a natural disaster.

Animal Control: Councilman Nassar reported the Committee went over the short-range and long-range plans for the shelter. Also, the possibility of a new site for the shelter if the overpass comes through. Mayor Brick advised the City has \$25,000.00 to use for some of the improvements that need to be made at the Animal Shelter. Mayor Brick and City Attorney Crain are looking into making the shelter a 501C3 which is needed for tax deductible donations and any grants that are written and/or received.

#### IV.

Old Business: Mayor Brick reported the garbage truck that was damaged by pouring diesel fume cleaner in it, cost \$57,000.00 to be repaired. The insurance company reimbursed \$56,000.00 of that cost to the City.

Military Road Update – The affidavits from Bart Turner and Jeannie Martz have been submitted. ArDot is reviewing that information. The bid date is February 2024.

Overpass Update – Mayor Brick has met with Don Nelson who controls the Williford property. He is ok with the price from the appraisal. He wants a clause in the contract that he has first right of refusal to repurchase the property if the project is abandoned. Mayor Brick advised that can be put in the contract. Councilman Wood advised the contract should be written that they buy back the property if the project is abandoned instead of right of refusal. Mayor Brick advised that can be done.

She has also spoken to Larry Jackson, the attorney for the Marconi family, and they have hired an appraiser. Mayor Brick expressed her concerns to Larry Jackson about wanting to get the property acquired.

#### V.

##### New Business:

##### Overview of 2017 Bond Issue:

Fire - \$1.1 Million – for fire improvement and a new fire station. Last week the architects were called in and the decision was made to modify the original plan, and instead do a major renovation on Station No.1. There will be no demolition or concrete torn up. There will be some new construction on the northside for sleeping quarters, kitchen, and dayroom. Where the front of the building is currently located will be a big training room. The ladder truck will have to stay at Fire Station No. 3. When the City revises the bond issue, Mayor Brick will make a proposal to have a fire station built on the west side of the interstate.

Parks - \$107,000.00 – this will be used toward the match for the Outdoor Recreation Grant. Mayor Brick will also make a request to the A & P Committee for additional funds to meet the match for the grant.

Police - \$132,000.00 - \$102,000.00 will be for the police body cams. The remaining amount will go to the Animal Shelter.

Streets - \$11 Million – this is for the overpass project.

Water - \$750,000.00 – Jerry is working on using these funds for work that needs to be done.

The City is on track to pay off the bonds by March 2028.

Bids had gone out in April 2022, for quotes for body cameras for the Police Department. Councilman Jackson made a motion, seconded by Councilman Wood, to accept the quote of \$102,030.00 from Motorola for 30 police body cameras. All Council members present voted in favor of the motion.

Councilman Cupples made a motion, seconded by Councilwoman Hensley, to waive competitive bidding and accept the quote from Southern Bleacher Company for \$11,230.00, to install the bleachers at Brunetti Field. All Council members present voted in favor of the motion.

Mayor Brick has spoken with Steve Johnson to identify the five top streets that need to be repaired and the City will put those out for bid.

Mike Smith is the new City Engineer. He is a Civil and Structural Engineer. He is replacing Philip Sorrell who resigned last month.

The City received a bid of \$7,500.00 to demolish the house on Cedar Street. County Judge Wheelless had this taken care of this without a cost to the City. Mayor Brick thanked him for doing so.

Mayor Brick has enclosed a map of lots the City owns on Cedar Street. She would like to place an advertisement to accept proposals for the entire package of lots with the City having the right to refuse any or all proposals. Councilman Guy made a motion, seconded by Councilman Cupples, to request appraisals on all the lots on Cedar Street south of Maple Street. All Council members present voted in favor of the motion.

In the 2022 budget, there were funds to purchase a Kubota lawn mower, but the mower was not available to purchase. Councilman Wood made a motion, seconded by Councilman Nassar, to purchase the Kubota lawn mower for \$16,628.81, and to be paid for out of reserve funds.

Mayor Brick advised the City wants to put in a new fuel system with keys to restrict access from anyone that should not have access. Councilman Wood made a motion, seconded by Councilman Cupples, to waive competitive bidding and accept the quote from Southern Company for \$12,177.11. All Council members present voted in favor of the motion.

Mayor Brick reported the City has an IRA Account that is termed an orphan account. Paul McCutchen of Edward Jones is going to change this account into a 457B. He will help with the training and onboarding of the City employees.

Mayor Brick advised the Council she has the schedule for the Water board Training for anyone that needs to complete this training.

VI.

Resolutions and Ordinances: None

VII.

Financial Report:

Treasurer Rikard noted that the March financials were distributed tonight. March sales tax collections were better than budget by 13.0% for the City portion and better than budget by 14.8% for the County portion. The April results have already been released and they were better than budget by 7.8% for the City portion and worse than budget by 1.6% for the County portion. That results in year-to-date collections through April better than budget by 9.1% for the Cy portion and 5.4% for the Cuntly portion. In dollars that amounts to approximately \$90,000 of collections in excess of budget. Rikard pointed out that overall general fund revenue collections (excluding grant income) through March were better than budget by approximately \$280,000 and general fund expenditures (excluding capital items and grant expenditures) were better than budget by approximately \$163,000.

Also in this week's packet is the 2021 financial statement audit report. The audit has an unmodified opinion on the regularity basis of accounting. In addition, the audit report includes a finding of material weakness with regard to the district court accounting. The City's Corrective Action Plan in response to this weakness is also included in the audit report.

You will also find the auditor's Required Communication With Those Charged With Governance at the Conclusion of the Audit. This document includes comments on specific aspects of the audit engagement that must be communicated to the City Council.

Rikard then opened the floor for questions.

Councilman Cupples made a motion, seconded by Councilman Jackson, to accept the Financial Report. All Council members present voted in favor of the motion.

VIII.

Departmental Reports:

Andy Rawls had nothing further to report.

Brannon Hinkle had nothing further to report.

Jerry Kelley had nothing further to report.

Woody Wheelless had nothing further to report.

Steve Johnson had nothing further to report.

Fred Thorne, Jr. reported he went to a two-day class in Springdale for Flood Plain training. He also attended a class in Little Rock for Zoning and Planning.

Councilman Cupples made a motion, seconded by Councilman Guy, to suspend the meeting at 8:15 p.m. All Council members present voted in favor of the motion.

Following the Executive session, Councilwoman Hensley made a motion, seconded by Councilman Guy, to reconvene the Council meeting. All Council members present voted in favor of the motion.

Councilman Hensley made a motion, seconded by Councilman Guy to approve all proposals in Executive session. All Council members present voted in favor of the motion.

Councilman Wood made a motion, seconded by Councilman Guy, to approve the change start time to 6:00 p.m. for City Council beginning May 23, 2023. All Council members present voted in favor of the motion.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 9:00 p.m.

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Mayor

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