

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 26, 2019, 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	City Planning Consultant
	Jim Shempert	Water Superintendent
	Gordon Floyd	Streets and Sanitation
	Andy Rawls	Parks Superintendent
	Gary Kelley	Police Chief
	Woody Wheelless	Fire Chief

Absent:	Jerry Kelley	Building Inspector
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I.

Councilman Spence made a motion, seconded by Councilwoman Holliman, to approve the minutes of the October 22, 2019, Council meeting and the minutes of the Special Council Meetings of October 14, 2019, and October 28, 2019. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Realtor, Lisa O'Neal advised the Council of two parcels of land on Highway 77 adjacent to Brunetti Field, that she has permission to sell. The owner of the property is asking \$350,000.00 for both parcels of land.

Gordon Floyd distributed flyers for "Bikes for Tykes". He asked Council members if they know of anyone with a need, to submit their name to him. There will be a pancake breakfast on December 14, 2019, at Fire Station No. 3. The breakfast is free and they just ask for donations for "Bikes for Tykes".

### III.

#### Committee Reports

Planning Commission: Ed Cain reported that the Planning Commission met on November 5, 2019. The Planning Commission approved a digital message board sign at 3535 I-55 West Service Road with one revision, to make the sign compliant with City Ordinance No. 579. The Planning Commission reviewed a Lot Split Plat of Lot 1, Block 2 of the Correction Plat of Blocks 1 and 4 of Harbor Subdivision. This property encompasses the Corner Mart at the intersection of Highway 77 and Medel Marconi and the property just east of the Corner Mart. The Lot Split Plat was approved contingent on each of the properties having the required number of on-site parking spaces. The Commission approved a Replat of the Minor Subdivision Plat of Lots 1 and 1-A of Senter Subdivision located west of Holly Chevrolet. This property is beyond the Marion City Limits but within its Planning Jurisdiction. Lastly, site plans for the new Entergy Service Center to be constructed on Mary Ann Pike Drive were approved, contingent on satisfying the City's Consulting Engineer's review comments.

Water and Sewer: Councilman Spence reported that the Water and Sewer Committee met on October 28, 2019. He reported that the water meter antenna that puts out the signal that is picked up and read via the internet, is failing in some of the meters. Badger is going to replace the original antennas with current technology. They will replace 1,250 meters per quarter until all 5,200 meters are replaced with the current technology. There will be a new contract and it will help offset the cost of the \$2.00 reactivation fee that the City will have to pay. At the conclusion of the Water and Sewer Committee Meeting, there was a Special Council Meeting held to approve and authorize the signing of a new agreement with Badger Meter.

Parks and Recreation: Andy Rawls reported that the Arkansas Game and Fish Commission has contacted the City of Marion about becoming part of the Community Fishing, Ponds and Lakes Program offered by the State of

Arkansas. Rawls advised that the Arkansas Game and Fish Commission would stock the lake at the Sports Complex each year, as well as stocking the lake more frequently with catfish. If the City becomes part of the Community Fishing, Ponds and Lakes Program, there would be limits on the amount of trout, catfish, and bream that could be caught and individuals would have to have the proper fishing licenses. Rawls advised the Council in case there was any opposition to the program.

Councilman Wood advised the Parks and Recreation Committee met on October 28, 2019, to discuss a renewal contract with Pepsi and that no decision was reached because the Committee did not have all the necessary information to make a decision about the contract proposal. Andy Rawls is still getting information from various vendors. Once Rawls has all the information from the vendors, there will be a need to schedule a Parks and Recreation Committee Meeting.

Streets and Drainage: No Report

Sanitation: Councilman Jackson reported the Sanitation Committee met this evening prior to the Council meeting. The Committee discussed the need to purchase a new garbage truck. The Committee's recommendation to the Council is to purchase a 2020 Freightliner 25-yard Loader for \$196,381.00. Treasurer Rikard will look into the financing options. Councilman Jackson made a motion, seconded by Councilman O'Neal, to authorize the necessary parties to sign the necessary paperwork to purchase the truck, and to contact River City Hydraulics to place the order for the Freightliner Loader; Rikard will make a decision on the terms once all financing proposals are secured. All Council members present voted in favor of the motion.

Building Inspector: In Jerry Kelley's absence, Ed Cain gave the report. He reported 2 new house permits, 0 commercial permits and 25 miscellaneous permits were issued for the month of November. That brings year-to-date totals to 31 new house permits, 6 commercial permits and 256 miscellaneous permits.

Police and Fire: Councilman O'Neal reported progress is being made on Fire Station No. 2.

#### IV.

Old Business: The Overpass design has been reviewed and approved at 90%.

Councilman O'Neal made a motion, seconded by Councilman Bigger, to authorize Mayor Fogleman to sign the agreement with Haizlip Studio for design work for Phase I of the Sultana Museum, contingent on no operational funds from the City being used to fund the Haizlip Studio design work. All Council members present voted in favor of the motion.

V.

New Business: Councilman O'Neal made a motion, seconded by Councilman Bigger, to authorize Mayor Fogleman to accept the agreement and authorize the signing of the necessary paperwork for the TAP Grant awarded to the City of Marion from ArDot.

Councilman Wood made a motion, seconded by Councilman O'Neal, that the City will not purchase the death and disability coverage for elected officials and department heads offered by the Arkansas Municipal League. All Council members present voted in favor of the motion.

Councilman Jackson made a motion, seconded by Councilman Spence, to enter to an Agreement for Automatic Mutual Aid between the West Memphis Fire Department and the Marion Fire Department. The motion passed with 4 ayes and 2 nays.

Councilman Wood made a motion, seconded by Councilman Spence, to cancel the December Council Meeting, but Council members would be available if necessary, for a special called meeting. All Council members present voted in favor of the motion.

VI.

Resolutions and Ordinances: Councilman Spence made a motion, seconded by Councilwoman Holliman, to accept the Resolution to support permanent sales tax for state highways. All Council members present voted in favor of the motion. The Resolution was numbered 2019-08.

VII.

Financial Report: Treasurer Rikard reported that the October financials have been previously distributed to the Council. Rikard pointed out that sales tax revenue collections for the City portion for October were worse than budget by 3.0% and the County portion was worse than budget by 12.3%. The November numbers were just released and sales tax revenue collections for the City portion for November were better than budget by 14.8% and the County portion was better than budget by 8.4%. That results in the year-to-date collections through November better than budget by 5.7% for the City portion and better by 0.5% for the County portion. Rikard further pointed out that general fund expenditures are worse than budget by approximately \$18,000.00.

Rikard noted the initial draft of the 2020 budget has been prepared and will be emailed to the Council members by tomorrow. It shows a combined positive revenue over departmental expenditures and capital expenditures of \$3,098.00. As always, questions on the budget may be directed to either the Treasurer or the Mayor and meetings will be scheduled if anyone desires.

Rikard then opened the floor for questions.

#### VIII.

#### Departmental Reports:

Ed Cain had nothing further to report.

Andy Rawls had nothing further to report.

Chief Kelley had nothing further to report.

Chief Wheelless reported the new pumper truck went into production November 22, 2019.

Jim Shempert had nothing further to report.

Gordon Floyd thanked the Council for the new garbage truck.

Councilman O'Neal made a motion, seconded by Councilman Bigger, to suspend the meeting at 7:55 p.m. All Council members present voted in favor of the motion.

Following the Executive Committee meeting, Councilman Spence made a motion, seconded by Councilman Jackson, to reconvene.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 8:20 p.m.

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Mayor

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

DRAFT