

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, June 28, 2022, at 7:00 p.m. at Marion City Hall.

Present:	Frank A. Fogleman	Mayor
	Kelsey Hensley	Councilwoman (1-1)
	David Bigger	Councilman (1-2)
	Cliff Wood	Councilman (2-1)
	Jim Spence	Councilman (2-2)
	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
	Brannon Hinkle	Police Chief
	Jon Millsap	Asst. Police Chief
	Woody Wheelless	Fire Chief
	Jerry Kelley	Water Superintendent
	Fred Thorne, Jr.	Building Inspector
	Andy Rawls	Parks Superintendent
	Gordon Floyd	Streets Superintendent

Absent:	Bryan Jackson	Councilman (3-1)
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I.

Councilwoman Holliman made a motion, seconded by Councilman Spence, to approve the minutes of May 24, 2022, regular Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Innan Boucher addressed the Council concerning the Council giving her permission to put two "Turtle Crossing" signs in the entrance to River Trace near the swamp. Councilman Hensley made a motion, seconded by Councilman Bigger, to allow Innan Boucher to place

two "Turtle Crossing" signs in the entrance to River Trace near the swamp. All Council members present voted in favor of the motion.

III.

Committee Reports:

Planning Commission: Ed Cain reported that the Planning Commission met on June 7, 2022, and took the following action:

Approved the Final Subdivision Plat for Marion Lake Estates, Sixth Addition, consisting of 15 lots.

Approved the Minor Subdivision Plat for Hallum Subdivision.

Approved the Site Plan and the Utility, Grading and Drainage Plan for the proposed Pine Street Crittenden EMS Station.

There is no agenda for the July 5 meeting.

Water and Sewer: Jerry Kelley reported that July 5, 2022, the Water Department will be in their new building located at 310 Judge Smith Dr. There will be an automated door and tinted windows.

Parks and Recreation: Andy Rawls reported the Parks and Recreation Committee met on June 7, 2022. Discussion was held concerning two new playgrounds and their locations and costs. Andy Rawls will be following up on this.

Councilman Wood reported the Parks and Recreation Committee held a Public Meeting hosted by Councilwoman Hensley prior to the Council meeting tonight. The Masterplan was shared with the community, and discussions were held concerning the possibility of grants to help fund the project.

Streets and Drainage: No Report. Councilwoman Holliman expressed the need to schedule a Street and Drainage Committee meeting. A Streets and Drainage Committee meeting has been scheduled for Tuesday, July 19, 2022, at 4:00 p.m. at the City Annex.

Sanitation: No Report

Building Inspector: Fred Thorne, Jr. reported 11 new house permits, 0 commercial permits and 48 miscellaneous permits were issued in June. The new house permits indicate a value of \$3,540,000.00 in new construction, and other permits reflect \$178,172.74 for a total construction value of \$3,718,172.74 for the month of June. That brings year-to-date totals to 25 new house permits, 1 commercial permit and 169 miscellaneous.

Fire and Police: Chief Wheelless reported that he and Fred Thorne, Jr. had met the previous week with Ladd Garey of Evans, Taylor, Foster, Childress Architects. Mr. Garey provided them drawings of Fire Station No. 1 with renovation and add on plans. A Fire and Police Committee meeting has been scheduled for Tuesday, July 5, 2022, at 4:30 p.m. at the City Annex to discuss the project.

IV.

Old Business: Military Road Updates - No new update.

Overpass Update - In October, 2020, the cost was \$14.8M for construction of the overpass. In Ed Cain's research he added 10 – 15% which would make it \$16.3M. The city would have to hire an engineer and a consultant. He feels it would cost \$19M, plus the right-of-way costs. Mayor Fogleman will check into some financial options for the project before the city considers cancelling the project.

Sanitation Vehicles Update – No new info on price increase.

Councilman Bigger asked about the old service station at the SW Corner of I-55/ Hwy 64 intersection. Fred Thorne, Jr. has spoken to the attorney representing Mr. Shaw and is awaiting a response.

V.

New Business: The Sultana Museum addition is in Entergy's 15 feet easement. Therefore, the Museum will have to have lines run underground. The previous decision to not go with underground lines is causing some problems for the Sultana Historical Preservation Society (SHPS) and SHPS has asked the Council to consider rescinding an earlier Council decision to not go underground with Entergy's power lines. There is a cost of approximately \$78,000.00 to run the lines underground. Tracy and SHPS is

looking into a grant with Entergy to help cover this cost. Councilman Bigger made a motion, seconded by Councilwoman Hensley, to rescind the Council's previous decision to not go underground with the power lines. All Council member present voted in favor of the motion.

VI.

Resolutions & Ordinances: Mayor Fogleman advised the Council, that because of new population census laws that require the city to re-balance the population of each ward to be within plus or minus 4% of each other, approximately 820 people had to be moved from Ward 2 to Ward 1 in order to have all three wards within the percentage of the recommended tolerance.

Mayor Fogleman brought to the floor, for a first consideration an ordinance to amend ordinance 529 changing the ward boundaries of the City of Marion, Arkansas, to equalize the population in the wards of the City of Marion. Councilwoman Hensley made a motion, seconded by Councilman Wood, to reads the proposed ordinance by title only. All Council members present voted in favor of the motion.

City Attorney Hale read the following ordinance by title only:

AN ORDINANCE TO AMEND ORDINANCE NO. 529 CHANGING THE WARD BOUNDARIES OF THE CITY OF MARION, ARKANSAS, TO EQUALIZE THE POPULATION IN THE WARDS OF THE CITY OF MARION.

Councilman Wood made a motion, seconded by Councilman Bigger, that the proposed ordinance be adopted on the first reading. On roll call, the following votes were recorded: Hensley-aye, Bigger-aye, Wood-aye, Spence-aye and Holliman-aye.

Councilman Wood made a motion, seconded by Councilman Bigger, that the proposed ordinance be read a second time by title only. All Council members present voted in favor of the motion.

City Attorney Hale read the following ordinance by title only:

AN ORDINANCE TO AMEND ORDINANCE NO. 529 CHANGING THE WARD BOUNDARIES OF THE CITY OF MARION, ARKANSAS, TO

EQUALIZE THE POPULATION IN THE WARDS OF THE CITY OF MARION.

Councilman Wood made a motion, seconded by Councilman Spence, that the proposed ordinance be adopted on the second reading. On roll call, the following votes were recorded: Bigger-aye, Wood-aye, Spence-aye, Holliman-aye and Hensley-aye.

Councilman Wood made a motion, seconded by Councilman Bigger that the proposed ordinance be read a third time by title only. All Council members present voted in favor of the motion.

City Attorney Hale read the following ordinance by title only:

AN ORDINANCE TO AMEND ORDINANCE NO. 529 CHANGING THE WARD BOUNDARIES OF THE CITY OF MARION, ARKANSAS, TO EQUALIZE THE POPULATION IN THE WARDS OF THE CITY OF MARION.

Councilwoman Hensley made a motion, seconded by Councilman Bigger, that the proposed ordinance be adopted on the third reading. On roll call, the following votes were recorded: Wood-aye, Spence-aye, Holliman-aye, Hensley-aye and Bigger-aye.

Councilman Spence made a motion, seconded by Councilman Bigger, that the proposed ordinance be adopted on the emergency clause. On roll call, the following votes were recorded: Spence-aye, Holliman-aye, Hensley-aye, Bigger-aye and Wood-aye.

The Ordinance was numbered 600.

Councilman Wood made a motion, seconded by Councilman Bigger, to approve the continuation of the personal and real property tax mileage rate of 5 mills for calendar year 2023. All Council members present voted in favor of the motion.

The Resolution was numbered 2022-05.

Councilwoman Hensley made a motion, seconded by Councilwoman Holliman, to approve the federal-aid funds for the following city project:

Memphis to Marion trail. All Council members present voted in favor of the motion.

The Resolution was numbered 2022-06.

VII.

Financial Report: Treasurer Rikard noted that the May financials were included in tonight's packet. June sales tax collections were recently released and they were worse than budget by 9.5% for the City portion and better than budget by 2.1% for the County portion. That results in year-to-date collections through June better than budget by 4.6% for the city portion and 17.8% for the county portion. Rikard pointed out that overall general fund revenue collections (excluding grant income) through May were better than budget by approximately \$535,000 and general fund expenditures (excluding capital items) are better than budget by approximately \$72,000. Rikard then opened the floor for questions.

VIII.

Departmental Reports:

Chief Hinkle had nothing further to report.

Andy Rawls had nothing further to report.

Ed Cain had nothing further to report.

Gordon Floyd 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.

Councilwoman Holliman made a request to the Council concerning the Juneteenth Federal Holiday. She wanted to make sure that was a holiday that city workers could be off to observe. There are currently nine paid holidays. The employees have two "option" days, of the nine paid holidays,

that they can choose to be off. The City picks the other seven days of paid holiday. This topic was tabled for later discussion.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 8:47 p.m.

Mayor

Attest: _____
City Clerk

DRAFT