

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, March 28, 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 Wheelless  | Fire Chief                               |
|                 | Jerry Kelley     | Water Superintendent                     |
|                 | Andy Rawls       | Parks Superintendent                     |
|                 | Steve Johnson    | Streets and Sanitation Superintendent    |

I.

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

II.

Citizens' Concerns: Mary Beck, Relations Coordinator for Mid-South Transplant Foundation addressed the Council. Her organization is the organ procurement organization for the Mid-South area. This covers Northern Mississippi, Eastern Arkansas and Memphis, Tennessee. Her organization educates people on the truths and dispels the myths of organ and tissue transplants. Every year National Donate Life observes Blue and Green Day to educate and observe the

importance of registering to be organ and tissue donors. Later in the meeting, the Council will approve a Proclamation making April 14, 2023, Blue and Green Day in Marion, Arkansas.

Lisa O'Neal of "Moms of Marion" addressed the Council and distributed a calendar of the events for the 2023 year. There will be a Color Run on Saturday, April 22, 2023, from 4:00 p.m. – 6:30 p.m. She has spoken to Asst. Chief Millsap to have Cypress Street closed off and police cars stationed at Court and Washington Streets so citizens can safely participate in the Color Run.

Saturday, April 1, 2023, is the Easter Egg Hunt at Woolfolk Library. The street right in front of the library will be closed off for the event.

There will also be a clean up day tentatively scheduled for April 29, 2023.

John Warmath of 248 North Casa View addressed the Council concerning some potholes on Skyline and Northwind Drive. Steve Johnson will look into this tomorrow.

Danielle Lowe from the Lowe Family addressed the Council concerning Pediatric Stroke Awareness. She has a set of twin girls and one of her twin daughters suffered two strokes while in the womb. She wants to educate the public on Pediatric Stroke Awareness. Later in the meeting, the Council will approve a Proclamation making the month of May Pediatric Stroke Awareness Month in Marion, Arkansas.

Councilman Jackson has had several residents on L.P. Mann ask about the poles and the digging in their yards from Right Fiber. Mayor Brick has had several complaints as well. Citizens don't like the poles in their yards. Councilman Jackson spoke with an employee of Right Fiber and was advised that the City needs to request that the poles be removed or to be set level to the ground.

### III.

#### Committee Reports:

Planning Commission: Fred Thorne, Jr. reported the Planning Commission met on Tuesday, March 7, 2023. The Planning Commission approved a preliminary approval of Phase I of the Brown Stone Estates.

There is no agenda for April.

Water and Sewer: No Report.

Parks and Recreation: Andy Rawls reported that the replacement slides have been received and he is waiting on some good weather to install them.

Streets and Drainage: Steve Johnson reported the new recycling truck has come in.

Building Inspector: Fred Thorne, Jr. reported 4 new house permits, 0 commercial permits and 16 miscellaneous permits were issued for the month of March. That brings year-to-date totals to 12 new house permits, 0 commercial permits and 55 miscellaneous permits for a grand total of \$5,019,184.45 in construction.

Police and Fire: No Report.

#### IV.

Old Business: Mayor Brick advised at the last Council meeting there was discussion and concern regarding the Animal Shelter. She has decided to form a new committee and it will be the Animal Control Center. She has asked Councilman Nassar to be chairman of the committee. He is already involved in the Animal Shelter and donates his Council salary to the Animal Shelter. Becky Blundell oversees the Animal Shelter currently, and she will be on the committee as well. Councilman Guy has also agreed to be on the committee. Anyone that would like to come to the committee meeting once it is scheduled is welcome to attend.

Becky Blundell, who oversees the Animal Shelter shared some statistics with the Council. During 2022, 659 animals came through the Marion Animal Shelter. Out of those 659 animals, 372 were dogs, 287 were cats. Four hundred ninety-two animals went out through adoption and rescue while one hundred and forty-eight were euthanized. The percentage for euthanasia is 22.46%. The Animal Shelter needs to get to under 10% to be a no kill shelter. To reach this goal the Shelter has to keep animals from having to come to the shelter. There has to be spade and neuter clinics held and proper identification tags on all animals. Becky would like to start with going into the schools and educating children on the importance of having identification tags on their pets, so in the event they get out, they can quickly be returned to their owners.

Military Road Update – Mayor Brick had a meeting with the ArDot people in Marion. ArDot has always claimed responsibility for the water and sewer lines

east of Cherry Street. The problem has been ownership and responsibility of the water and sewer lines west of Cherry Street. ArDot has advised they will accept affidavits from residents in the City affirming they knew personally there were homes and or businesses west of Cherry Street that had city sewer and water prior to 1946. Bart Turner and Jeannie Martz have been able to provide affidavits to that effect. Those will be sent to ArDot along with a statement from the City of Marion. City Attorney Crain will draft a statement on behalf of the City of Marion to be sent and ArDot has advised that will suffice as to whom has ownership.

In 2017 Martin Smith wrote a grant to put sidewalks around the perimeter of Herbert Carter Global Magnet School, along with some improvements on Military Road. The time is running out for Martin Smith to complete that grant. He is going to back out of the improvements for Military Road and just do sidewalks around three sides of Herbert Carter Global Magnet School. There is a new tap grant that has opened up and Mayor Brick is going to write that grant for the improvements that Martin Smith had to back out of. The tap grants are approved by ArDot, so Mayor Brick is hopeful this will all come together.

Overpass Update – Mayor Brick had a visit from one of Senator Boozman’s field representatives. She advised him that Marion needs financial assistance for the Overpass project. She made a request that was forwarded to Senator Boozman for \$10 million dollars.

Mayor Brick’s BNSF contact will intervene on the City of Marion’s behalf for the Federal Elimination Crossing Grant that Mayor Brick applied for in October 2022.

Mayor Brick has not heard from Larry Jackson regarding the Marconi right-of-way property. Don Nelson, who owns the other piece of right-of-way property is ready to negotiate with the City.

Update on the City Building Department – Gail Tankersley, Patsy House and Fred Thorne, Jr. have been moved over to the City Annex where the old Water Department was located.

Drainage Update – Mayor Brick received confirmation from Jack Bond that Drainage District Six has the funds and will clean up Brushy Bayou. This will help tremendously. Mayor Brick advised when the Water and Sewer Committee met last month discussion was held on tackling the problem drainage areas and being able to prioritize those areas when there is forecasted heavy rain in our area. The Army Corp of Engineers is cleaning up 10-mile and 15-mile bayou. They will be updating each mayor and let them know the progress. Cleaning out these bayous will help the drainage issue for our city.

V.

New Business:

Councilman Wood made a motion, seconded by Councilman Cupples, to approve authorizing Herbert Stanley and Leigh Floyd to view banking accounts for the City. All Council members present voted in favor of the motion.

Councilman Cupples made a motion, seconded by Councilman Guy, to approve Matt Dorsey's appointment to the Planning Commission. Matt Dorsey is a Civil Engineer and will be a great asset for the Planning Commission. All Council members present voted in favor of the motion.

The past four years David Foret has done mowing for the City. It was discussed during the Parks and Recreation Committee meeting putting the excess mowing out for bids. By doing so, David would increase his prices, therefore, the consensus was to wait competitive bidding and use David Foret for one more year and then put the mowing out for competitive bidding. Councilman Wood made a motion, seconded by Councilman Nassar, to waive competitive bidding and use David Foret's mowing services for this year. All Council members present voted in favor of the motion.

David Rikard will meet with any Council members that want to go over the budget on Tuesday, April 25, 2023, at 6:00 p.m. at City Hall prior to the Council meeting.

Councilman Wood asked about previous discussion held on changing the start time of Council meetings from 7:00 p.m. to 6:00 p.m. Mayor Brick advised this would need to be changed by amending the current ordinance. Councilman Wood made a motion, seconded by Councilman Nassar, to have City Attorney Crain to amend the current ordinance to change the start time of City Council meetings from 7:00 p.m. to 6:00 p.m. and to have that ordinance available for approval at the April City Council meeting. All Council members present voted in favor of the motion.

VI.

Resolutions and Ordinance: Mayor Brick brought to the floor and read the title of a resolution titled **A RESOLUTION GRANTING AUTHORIZATION TO EXECUTE AND SUBMIT DELTA REGIONAL AUTHORITY AWARD APPLICATION.** This application is for the Sultana Museum. Councilman Wood

made a motion, seconded by Councilman Cupples, to adopt the resolution with the date to be changed to March 28, 2023. All Council members present voted in favor of the motion. The resolution was numbered 2023-03.

Councilman Wood made a motion, seconded by Councilman Guy to approve the Proclamation making April 14, 2023, Blue and Green Day in Marion, Arkansas. This Proclamation brings awareness to the importance of registering to be organ and tissue donors. All Council members present voted in favor of the motion.

Councilman Guy made a motion, seconded by Councilman Cupples to approve the Proclamation making the month of May 2023, Pediatric Stroke Awareness Month. All Council members present voted in favor of the motion.

## VII.

Financial Report: Treasurer Rikard noted that the February financials were distributed tonight. February sales tax collections were better than budget by 7.3% for the City portion and better than budget by 7.3% for the County portion. The March results have already been released and they were better than budget by 13.0% for the City portion and better than budget by 14.8% for the County portion. That results in year-to-date collections through March better than budget by 9.5% for the City portion and 7.7% for the County portion. In dollars that amounts to approximately \$78,000 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 \$268,000 and general fund expenditures (excluding capital items and grant expenditures) were better than budget by approximately \$26,000.

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

## VIII.

### Departmental Reports:

Mayor Brick thanked departments heads that helped solve the problem at Brunetti Park today. Also, she thanked department heads for going through all equipment and vehicle inventory. By doing so, 60 pieces of equipment were taken off property insurance at a savings of \$16,743.67.

Andy Rawls reported he is getting an estimate for installing the bleachers at Brunetti Field.

Brannon Hinkle had nothing further to report.

Jerry Kelley – reported the driveways discussed were fixed.

Fred Thorne, Jr. had nothing further to report.

Woody Wheelless had nothing further to report.

Steve Johnson had nothing further to report.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 7:56 p.m.

\_\_\_\_\_  
Mayor

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