

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, January 25, 2022, at 7:00 p.m. at Marion City Hall.

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

Absent:	David Bigger	Councilman (1-2)
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I.

Councilman Jackson made a motion, seconded by Councilwoman Holliman, to approve the minutes of November 23, 2021, regular Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Mrs. P.J. Cox of 835 Blvd Orleans addressed the Council with a compliment to the Police Department for the removal of the large trucks going down her street and their continued effort to curtail the speeding in her neighborhood.

Mr. Eddie Cates of 253 River Trace addressed the Council concerning an on-going sewage issue on his property. Raw sewage boils up in his front yard along with leaving a bad smelling odor on his property. Mr. Cates has been in contact with Jerry Kelley to get the issue resolved. Jerry Kelley reported that Jack Bond has three options to consider for fixing the issue. The estimated cost will be \$20,000.00. The issue is the force main and Jerry Kelley advised, the option he feels that is best, is to take the force main to the next man hole and go straight into another pipe. This should solve the issue. Mayor Fogleman advised this issue needs to be fixed. If the project is over \$10,000.00, the project will have to be advertised for bids. Once the engineers have all the information, the Water and Sewer Committee will meet and decide the best option for fixing the problem. It will take approximately 60 days to permanently fix the issue. The Council assured Mr. Cates the issue will be fixed.

III.

Committee Reports:

Planning Commission: Ed Cain reported there was no Planning Commission meeting in January, nor will there be a meeting in February due to no agenda.

Water and Sewer: Councilman Spence reported the Water and Sewer Committee met on January 13, 2022, to consider amending water rates. There is an ordinance for amending the water rates that was discussed later in the meeting.

Parks and Recreation: Councilman Wood reported the Parks and Recreation Committee met on January 13, 2022. Councilman Wood made a motion, seconded by Councilman Spence, to renew the City's mowing contract with Pro Turf Management for one more year. All Council members present voted in favor of the motion.

Streets and Drainage: Councilwoman Holliman requested a Streets and Drainage Committee meeting be scheduled. The meeting has been scheduled for Thursday, February 10, 2022, at 4:00 p.m. at the City Annex. This meeting will also include the Sanitation Department.

Sanitation: Gordon Floyd reported the one garbage truck and two knuckleboom trucks will be coming off lease soon. Jaime McCoy advised

that the city needs to get their order in as soon as possible since there is a delay in getting chassis built. Floyd and Mayor Fogleman have discussed doing some competitive bidding for the project. Another possible vendor is Arkansas Municipal Equipment, Inc. of Poyen, Arkansas. Floyd will get the specifications and prices so these items can be discussed at the Sanitation Committee meeting.

Councilman Jackson advised that the road leading to the city shop needs to be repaired immediately.

Building Inspector: Fred Thorne, Jr. reported 6 new house permits, 1 commercial permit and 27 miscellaneous permits were issued for the month of December. That brings year-to-date totals to 42 new house permits, 5 commercial permits and 501 miscellaneous permits. The new house permits indicate a value of \$13M in new construction, the new commercial permits reflect \$4.8M construction value and other permits reflect \$2.9M for a total construction value of \$20.8M.

There were 4 new house permits, 0 commercial permits and 7 miscellaneous permits issued for January. The new house permits indicate a value of \$1.3M in new construction and other permits reflect \$90,600.00, for a total construction value of \$1.4M for January, 2022.

Fire and Police: Councilwoman Hensley reported the Fire and Police Committee met on January 13, 2022; there are three more policies for the Council's approval. This will be covered under New Business.

The new patrol cars will be received by late summer or September, 2022.

Chief Wheelless reported the vendor has advised the fabrication repair work on the ladder truck should be completed by the end of February. He estimates the truck will be completed sometime in March, 2022.

IV.

Old Business: Mayor Fogleman reported that Jerome Alford of Bond Engineering has given an estimate of \$480,000.00 - \$500,000.00 to relocate the sewer lines for the Military Road project. The City's portion will be between \$80,000.000 - \$100,000.00. This does not include engineering fees and right-of-way acquisitions.

Overpass Update – Mayor Fogleman reported the Marconi Family has rejected the appraised offer. The Williford family has been receptive to the offer given.

V.

New Business: Councilwoman Hensley made a motion, seconded by Councilman Wood, to approve the (SWEAP) Southwestern Employee Assistance Program Insurance policy to cover police and fire employees. All Council members present voted in favor of the motion.

Councilwoman Hensley made a motion, seconded by Councilman Jackson, to approve the Code of Conduct, Missing Persons and Post Officer Involved Critical Incidents policies. All Council members present voted in favor of the motion.

Mayor Fogleman reminded elected officials that January 31, 2022, is the deadline to have the "Statement of Financial Interest" forms completed and turned in to Gail Tankersley.

Councilman Wood made a motion, seconded by Councilman Spence, to approve up to \$35,000.00 for the bid from Builder Services Group dba Cooper Glass, for the purchase and installation of the bullet-resistant glass to be installed at the new water department building. All Council members present voted in favor of the motion.

After discussion, Councilman Spence made a motion, seconded by Councilwoman Hensley, to waive advertising bids for the 253 River Trace sewer man-hole project. All Council members present voted in favor of the motion.

Discussion was held concerning architectural plans for Fire Station No. 1. Fred Thorne, Jr. will be contacting Ladd Garey with (ETFC) Evans Taylor Foster Childress Architects of Memphis, about the possibility of his firm doing architectural drawings for the addition to and remodeling of Fire Station No. 1 and the City acting as contractor for the project. Fred Thorne, Jr. will report back to the Council with his findings.

VI.

Resolutions and Ordinances:

Mayor Fogleman brought to the floor and read the title of a resolution titled **A RESOLUTION ESTABLISHING RULES FOR THE GOVERNANCE OF MEETINGS OF THE MARION CITY COUNCIL, AND FOR OTHER PURPOSES** which establishes the rules of operation for Marion City Council meetings. Councilman Wood made a motion, seconded by Councilman Jackson, that the resolution be adopted. All Council members present voted in favor of the motion. The resolution was numbered 2022-01.

Mayor Fogleman brought to the floor and read the title of a resolution titled **A RESOLUTION TO AUTHORIZE ESTABLISHING NEW BANK ACCOUNTS AND ESTABLISHING SECURITY AND PLEDGE AGREEMENTS BETWEEN THE CITY OF MARION AND BANKING INSTITUTIONS DURING THE CALENDAR YEAR ENDING DECEMBER 31, 2022**, which permits the mayor and treasurer to open any needed new bank accounts and sign related paperwork and to sign any needed paperwork to secure pledge agreements for city deposits. Councilman Wood made a motion, seconded by Councilman Jackson, that the resolution be adopted. All Council members present voted in favor of the motion. The resolution was numbered 2022-02.

Mayor Fogleman brought to the floor and read the title of a resolution titled **A RESOLUTION PROVIDING FOR AND ADOPTING THE BUDGET FOR THE CITY OF MARION, ARKANSAS, FOR THE TWELVE (12) MONTH PERIOD BEGINNING JANUARY 1, 2022, AND ENDING DECEMBER 31, 2022, AND APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN** which established the budget for calendar year 2022. Councilman Wood made a motion, seconded by Councilwoman Holliman, that the resolution be adopted. All Council member present voted in favor of the motion. The resolution was numbered 2022-03.

Mayor Fogleman brought to the floor and read the title of a resolution titled **A RESOLUTION AMENDING THE 2021 BUDGET** which amends the 2021 budget. Councilman Jackson made a motion, seconded by Councilman Spence, that the resolution be adopted with one correction; Police Department roof repair be changed to Fire Station No.2 roof repair. All Council members present voted in favor of the motion. The resolution was numbered 2021-11.

Mayor Fogleman brought to the floor an ordinance amending the water rates annually in the City of Marion. Councilman Spence made a motion, seconded by Councilwoman Hensley, to read 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 NOS. 204, 571 AND 573 OF THE CITY OF MARION, ARKANSAS IN ORDER TO FIX RATES WITHIN THE CITY LIMITS OF MARION, ARKANSAS, TO BE CHARGED FOR WATER SERVICES.

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

The proposed ordinance will be put on the February Council meeting agenda for consideration.

Councilwoman Hensley made a motion, seconded by Councilman Wood, to authorize the mayor and city attorney to negotiate water rates along with inflation indexing all the city's wholesale water customers. All Council members present voted in favor of the motion.

VII.

Financial Report:

Treasurer Rikard noted that the December financials were included in tonight's packet. December sales tax collections were better than budget by 12.2% for the City portion and 24.3% for the County portion. Total sales tax collections for the year of 2021, were better than budget by 10.9% for the city portion and better by 14.9% for the county portion. Rikard pointed out that overall general fund revenue collections (excluding grant income) for the year were better than budget by approximately \$773,000 and general fund expenditures (excluding capital items) are better than budget by approximately \$105,000. Rikard then opened the floor for questions.

Councilman Spence made a motion, seconded by Councilwoman Hensley, to reimburse Rikard & Neil CPAs, LLC for \$4,416.96 for accounting services provided for the city for 2021. All Council members present voted in favor of the motion.

Councilwoman Hensley made a motion, seconded by Councilman Jackson, to authorize bids for outsourcing accounting services for the city. All Council members present voted in favor of the motion.

Mayor Fogleman reported that the \$1.2M from the government for infrastructure has been changed to have more flexibility for the city, this means any reasonable city expenditures, with an emphasis on infrastructure can be funded with these funds.

The city is soliciting bids for next year's audit.

Treasurer Rikard also reported that a new bank account was opened December 2021 for accounts payable.

VIII.

Departmental Reports:

Chief Hinkle had nothing further to report.

Jerry Kelley had nothing further to report.

Andy Rawls had nothing further to report.

Ed Cain had nothing further to report.

Chief Wheelless had nothing further to report.

Fred Thorne, Jr. had nothing further to report.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 8:57 p.m.

Mayor

Attest: _____
City Clerk

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