

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 22, 2021, 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)
	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
	Woody Wheelless	Fire Chief
	Andy Rawls	Parks Superintendent
	Fred Thorne, Jr.	Building Inspector

Absent:	David Bigger	Councilman (1-2)
	Bryan Jackson	Councilman (3-1)
	Jerry Kelley	Water Superintendent

I.

Councilman Wood made a motion, seconded by Councilman Spence, to approve the minutes of May 25, 2021, Council meeting and the minutes of the Special Council Meeting of June 7, 2021. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Mr. Tom Greene of 182 N. George Circle addressed the Council requesting an update on the progress of the Delta Acres drainage easement. City Attorney Hale advised Mr. Greene that he has to get signatures from the 13 residents for their approval and to get them notarized to proceed with the work.

Mrs. PJ Cox of 835 Blvd Orleans addressed the Council concerning the speeding in her neighborhood. She made a request to the Council to install speed bumps on Blvd Orleans, as well as "watch for children" signs. Mrs. Cox also had an issue with a neighbor running an automotive business from their residence. Chief Hinkle will have more patrols in the neighborhood to deter the speeding. Gordon Floyd will install more "watch for children" signs. Fred Thorne, Jr., Building Inspector will visit the resident operating an automotive business from their residence and will issue a citation, if necessary.

### III.

Planning Commission: Ed Cain reported The Planning Commission met on June 1 and approved Preliminary Subdivision Plats for Northwind Estates, a proposed 24-lot residential subdivision, and for a Fogleman Property Subdivision consisting of 13 large residential tracts. Both are beyond the current Marion City Limits, but within its planning jurisdiction.

A Preliminary Site Plan for a 133-unit mini storage facility was reviewed, but no action was taken on this matter.

The Planning Commission also approved a Preliminary Site Plan for a drive-thru coffee shop to be located along Highway 77 just south of the Marion Auction Building. The approval included a modification to the presented plan that provides for additional on-site stacking of customers' vehicles.

The Planning Commission also agreed to reschedule the July meeting to July 13 due to the July 4 Holiday.

There is an agenda for the July 13 meeting.

Water and Sewer: Councilman Spence reported that the Water Department needed some new aerators and safety equipment. The Water and Sewer Committee gave the authorization for the purchasing of the aerators and safety equipment.

A Water and Sewer Committee meeting has been scheduled for July 13, 2021, at 5:30 p.m. at the City Annex to discuss some other issues.

Parks and Recreation: Andy Rawls reported the Esperanza fishing rodeo was a tremendous success. There were over 800 people in attendance and over 320 children participated in the fishing rodeo. Arkansas Game and Fish Commission did a great job hosting the event and was pleased with the pond at the Sports Complex.

Streets and Drainage: No Report

Sanitation: Gordon Floyd reported there will no trash pick up on Monday, July 5, 2021, due to the observance of the July 4<sup>th</sup> holiday. Tuesday, July 6, 2021, Sanitation will double up on trash pick-up.

Building Inspector: Fred Thorne, Jr. reported 1 new house permit, 0 commercial permits and 31 miscellaneous permits were issued for the month of June. That brings year-to-date totals to 19 new house permits, 2 commercial permits and 172 miscellaneous.

Fire and Police: Chief Hinkle reported grant funding has been approved to provide laptops for each police vehicle. The City will need to provide a 10% match for the laptops.

#### IV.

Old Business: There was no new update on the Old Station at Hwy 64 & I-55.

There was no new update on the 188 Hwy 77 purchase.

Mayor Fogleman spoke to the legal department at ArDot concerning the Military Road project. He was advised to contact the Highway Commissioner Alec Farmer. Mayor Fogleman will follow up with Mr. Farmer.

There was no new update on the overpass project.

Mayor Fogleman has signed the paperwork for the City of Marion to receive Covid-19 funds. The estimated amount is \$2.3 million dollars. The City is encouraged to use the funds for water, sewer and broadband projects. One half of the funds will be distributed this year and the other half will be distributed in 2022. Records have to be kept for 6 years and annual reports have to be provided.

## V.

New Business: Councilman Wood made a motion, seconded by Councilman Spence, to rename Maple Street as Chief Gary Kelley Street. This will serve as a memorial to Chief Kelley. All Council members present voted in favor of the motion.

A three-way stop sign at River Trace Drive and Ridgecrest Lane was approved by the Council.

Speed bumps on LP Mann between Meadowbrook and LH Polk were not approved by the Council.

The Water Department is going to adjust reconnect and cut-off policies. There will be no reconnects following cut-offs after 5:30 p.m. on any day. Those reconnects will be taken care of the following morning. As cut-offs typically start on Tuesdays, anyone that has a cut off has sufficient time to get it turned back on during business hours. The Water Department can grant a one-time extension, to avoid a cut off, per year for customers that are in danger of being cut off. Councilman Spence made a motion, seconded by Councilman Wood, to make these policies effective August 1, 2021, to allow one extension per year for cut offs and no reconnects after 5:30 p.m. on any day. All Council members present voted in favor of the motion.

Mayor Fogleman has looked at a building located at 310 Judge Smith Drive, that is currently being used as a doctor's office, as a potential new water department office. The owner is interested in selling the property. The building is approximately 2,000 square feet and the owner is asking \$425,000.00 for the building. The building is in good condition. Mayor Fogleman would like the building inspector and any Council members to look at the building. Councilman Wood made a motion, seconded by Councilwoman Hensley, to authorize Mayor Fogleman to make an offer up to \$425,000.00 to purchase this building. All Council members present voted in favor of the motion.

## VI.

Resolutions and Ordinances: The ordinance to authorize the private club license was presented for the third reading and consideration of approval.

Councilwoman Hensley made a motion, seconded by Councilman Spence, to read the 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 AUTHORIZING EL JINETE, INC. TO RELOCATE A PRIVATE CLUB LIQUOR LICENSE PERMIT WITH THE ARKANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION FOR THE OPERATION OF A RESTAURANT LOCATED WITHIN THE CITY LIMITS OF MARION, ARKANSAS AND FOR OTHER PURPOSES.**

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

The Ordinance was numbered 590.

VII.

Financial Report: Treasurer Rikard reported that “we have made good progress on getting the 2021 financials current. The majority of accounts have been reconciled through May. For the remaining accounts, we have identified the unrecorded bank transactions and most of the entries through April have been recorded. The budget software we use was upgraded and is currently not working, so the budget has not been exported and imported into the financial software yet. I prepared a summary financial statement through April to provide some budget to actual information until we can get the budget loaded to CenterPoint. It reflects general fund revenues worse than budget by \$144,000 and general fund expenses are better than budget by \$269,000. The June sales tax collections have not been posted yet. The year-to-date sales tax collections are better than budget by 9.6% for the city portion and 12.4% for the county portion.” 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 Hinkle had nothing further to report.

Gordon Floyd had nothing further to report.

Danny Bolden had nothing further to report.

Chief Wheelless had nothing further to report.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 8:30 p.m.

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Mayor

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