

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 February 25, 2020, 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)
	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
	Andy Rawls	Parks Superintendent
	Jerry Kelley	Building Inspector
	Gary Kelley	Police Chief
	Woody Wheelless	Fire Chief

Absent:	Cliff Wood	Councilman (2-1)
	Gordon Floyd	Streets and Sanitation

I.

Councilman Jackson made a motion, seconded by Councilman Spence, to approve the minutes of the January 28, 2020, Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Ralph Moore, Executive Director of Memphis Area Association of Governments (MAAG) addressed the Council. He advised that Crittenden County is a member of the MAAG and has been since 1968. The main focus of the Association is economic development and planning. He

distributed a handout of the Crittenden County Qualified Opportunity Zones, as authorized and identified by the federal government. The goal of the Association is to offer any assistance to Marion with professional or technical services available through MAAG.

Mia Adkins, 6th grader from Herbert Carter Global Community School (HCGCS) addressed the Council with her request that the City consider working with the Marion School District (MSD) to start a recycling program at HCGCS. She reported one of the avenues of recycling would be paper and plastic bottles because they are used extensively in the school district. She would like this program to become an MSD wide program. Mayor Fogleman advised, for the interim, using the blue bags and the City picking them up might be a possibility; long term, a trailer might be the answer. The City will consider looking into some grants for a recycling program as well as other recycling options in an effort to accommodate Ms. Akin's request. The Council thanked Mia for coming to the City Council meeting and her passion for recycling. Mayor Fogleman took her contact information and advised he would get back with her.

III.

Committee Reports:

Planning Commission: Ed Cain reported that the Planning Commission met on February 4, 2020, and convened, initially, as the Marion Board of Adjustment. A seven-foot front yard variance was granted for Lots 1, 2 and 3 of Block 5 of the Rhodes Addition to the City of Marion which are more commonly known as 101 and 111 Briarwood Street.

The Planning Commission conducted a public hearing for a Special Use Permit (SUP) to operate an in-home daycare /preschool for children at 610 Stewart Cove, legal description of which is Lot 14, Block 2 Rustling Oakes Subdivision. An adjoining property owner was present and spoke against granting the Special Use Permit (SUP). The public hearing was continued to the March 3, 2020, meeting to allow time for the two parties to, perhaps, reconcile their differences.

The Planning Commission also approved the final plat for the Sixth Addition to Rustling Oakes Subdivision, and a revised site plan for 109 Highway 77. Both were approved contingent upon review and approval of the City's Consulting Engineer.

Cain advised there is an agenda for the March 3, 2020, Planning Commission meeting to be held at 6:30 p.m. at City Hall.

Water and Sewer: No Report.

Parks and Recreation: Andy Rawls reported that the Parks and Recreation Committee met on February 17, 2020. A citizen attended the meeting and made a request to relocate the designated smoking area at the Marion Sports Complex. The committee agreed to do that; the Council will be voting on an ordinance to cover this, at a later date.

The Arkansas Game and Fish Commission is planning a family fun day event at the Marion Sports Complex on Saturday, June 6, 2020. There will be various events planned for the day.

Rawls advised that a citizen had addressed the committee requesting permission for a football team to use the city field and Rawls informed them the City would work with them.

Streets and Drainage: No Report

Sanitation: No Report

Building Inspector: Jerry Kelley reported 1 new house permit, 0 commercial permits and 11 miscellaneous permits were issued for the month of February. That brings year-to-date totals to 5 new house permits, 1 commercial permit and 23 miscellaneous permits.

Fire and Police: No Report.

IV.

Old Business: Jerry Kelley reported, concerning the remodeling of Fire Station #2, that the kitchen countertops will go in tomorrow, and the plumbing will be completed by the end of the work. There is still some parking lot work that needs to be completed contingent on the weather's cooperation.

V.

New Business: Mayor Fogleman reported that the City's health insurance has not changed, but the agent Joe Neri who had been an independent

agent has gone to work for Clay and Land Insurance Inc. of Memphis. The City's coverage is with the same company and is the same plan.

Mayor Fogleman asked the Council authorization to forward a copy of the letter that is included in the Council packet to ArDot on behalf of the Parsons Transportation Group. Councilman Jackson made a motion, seconded by Councilwoman Holliman, to accept the letter that supports the Supplemental Agreement for Parsons Transportation Group. All present voted in favor of the motion.

At the January 28, 2020, Council meeting, the Council approved the Ecological Design Group proposal and authorized the signing of the agreement. Mayor Fogleman inadvertently left out a page. The original document stated \$1,475.00 in reimbursable expenses and instead it will be \$6,500.00 in reimbursable expenses. Councilman O'Neal made a motion, seconded by Councilman Bigger, to accept the contract. All Council members present voted in favor of the motion.

Mayor Fogleman reported that he has been approached about some energy efficiency programs. Jay Holstead from McKinstry will be coming to Marion on March 24, 2020, at 6:00 p.m. to give a Power Point presentation on solar energy efficiency. It is not a mandatory meeting but anyone wanting to attend is welcome.

VI.

Resolutions and Ordinances: Mayor Fogleman brought to the floor and read the title of a resolution titled **A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF MARION TO UTILIZE STATE AID STREET MONIES FOR THE FOLLOWING CITY PROJECT: MARION OVERLAY.** Councilman O'Neal made a motion, seconded by Councilman Bigger, that the resolution be adopted. All present voted in favor of the motion. The resolution was numbered 2020-04.

Mayor Fogleman advised that he has obtained two examples of ordinances from other cities concerning their city parks smoking restrictions. The City Attorney is going to work on a draft ordinance to cover the city parks smoking restrictions. There should be a draft ordinance to consider at the March Council Meeting.

VII.

Financial Report: Treasurer Rikard reported that the January financials have been previously distributed to the Council. Rikard pointed out that sales tax revenue collections for the City portion for January were better than budget by 2.1% and the county portion was better than budget by 7.2%. The February sales tax numbers just came out yesterday and sales tax revenue collections for the City portion for February were better than budget by 11.5% and the county portion was better than budget by 11.7%. That results in year-to-date collections better than budget by 6.8% for the City portion and better by 9.5% for the county portion. Rikard further pointed out that general fund revenue collections for January were better than budget by approximately \$21,000 while general fund expenditures were better than budget by approximately \$64,000.

Rikard then opened the floor for questions.

VIII.

Department 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 that the new fire truck is completed, and that he and Asst. Chief Campbell will be flying to Florida on Sunday to inspect it. If there are any issues, they will be corrected, and he should take delivery of the fire truck by the end of March.

Jim Shempert had nothing further to report.

Jerry Kelley had nothing further to report.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 7:55 p.m.

Mayor

Attest: _____
City Clerk

DRAFT