

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 Monday, September 21, 2020, at 7:00 p.m. at Marion City Hall.

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

Absent: Cliff Wood Councilman (3-1)

I.

Councilman Jackson made a motion, seconded by Councilman Spence, to approve the minutes of the August 25, 2020, Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Johnnye Wisniewski of Parsons Transportation Group gave the Council an update on the Overpass Project. She reported that the design and right-a-way plans are complete and ARDot has no additional comments. Mr. McIvor of PTG needs front end bid documents from the City. Mayor Fogleman advised the City will use the standard ArDot documents. Mr. McIvor sent an email request to the City to release the retainage fee (\$8,211.21) which was ten percent of the design services. This request was covered later in the meeting.

Retired Judge John Fogleman, President of Sultana Historical Preservation Society (SHPS) addressed the Council with two concerns from a possible major donor. To adequately address those concerns the operating agreement between the City and the SHPS needs to be authorized. Judge Fogleman made a request to the Council to authorize the Mayor to enter into

an agreement with SHPS. Councilman Spence made a motion, seconded by Councilman Bigger, to authorize all necessary parties of the City to sign all the necessary paperwork needed in order to enter into an agreement with SHPS for the operation of the Sultana Disaster Museum, by SHPS, in the old gymnasium on Military Road. The language of the agreement is to be approved by City Attorney Hall prior to the signing of the agreement by city officials. All Council members present voted in favor of the motion.

### III.

Committee Reports: The Planning Commission met on September 1, 2020. At this meeting, the Planning Commission approved a minor subdivision plat for a 10-acre one-lot subdivision located in the Fractional SE ¼ of Section 10 and Fractional SW ¼ of Section 11, Township 7 North, Range 9 East, Crittenden County. This location is beyond the Marion City limits but within the Marion extra-jurisdictional planning area.

There is an agenda for the October 6, 2020, Planning Commission meeting.

Water and Sewer: A Water and Sewer Committee Meeting was scheduled for Monday, October 5, 2020, at 4:00 p.m. at the City Annex.

Parks and Recreation: No Report.

Streets and Drainage: No Report.

Sanitation: No Report.

Building Inspector: Mayor Fogleman reported 0 new house permits, 0 commercial permits and 30 miscellaneous permits were issued for the month of September. That brings year-to-date totals to 35 new house permits with a total of 8.3 million dollars, 4 commercial permits with a total of 7.9 million dollars and 352 miscellaneous permits with a total of 3.2 million dollars. A total combined value of \$19,555,000.00 for all issued permits.

Fire and Police: Councilman O'Neal reported that the new Police cruisers have been delivered. They are still working on the getting the rescue truck and replacing all the tools lost in the accident.

### IV.

Old Business: Mayor Fogleman reported that he had spoken to Donny Henson the engineer responsible for overseeing the Block Street and Judge Smith overlay project. Mr. Henson advised that as of September 14, 2020, there were 13 working days left on the contract before penalties would be assessed to the contractor (Crisp Contractors) if the project is not completed. Gordon Floyd and his department has completed all the base work that ArDot had requested be done. Gordon's street department did the work and saved the City two-thirds of the amount the contractor quoted to complete the base work repair. The City would be responsible for the cost of the base repair work whether the repair work was completed by the contractor or the City.

There will be a Public Hearing/Council Meeting, Tuesday, September 22, 2020, at 7:00 p.m. at City Hall to rule on the status/condemnation of the old service station at SW corner of I-55 & Hwy 64 intersection.

V.

New Business: Last Week, the Mayor and Council members met with Entergy to look at the solar proposal. After that meeting, the Mayor received additional information from Entergy. According to Entergy, the utility company can proceed with their solar subscriptions.

The Mayor had both proposals from McKinstry and Entergy for solar energy.

The City would also have the option to spend \$20,000.00 to do an investment-grade audit that would be completed in 90 days. This audit would include recommendations of all improvements to city lighting, heating and air-conditioning, well motors, sewer station motors and pumps, etc. that McKinstry deemed practical and efficient.

After much discussion, Councilman O'Neal made a motion, seconded by Councilman Spence, to accept the Entergy Proposal. All Council members present voted in favor of the motion.

Parsons Transportation Group has made a request to the City to release the 10 percent retainage fee. Councilman O'Neal made a motion, seconded by Councilman Jackson, to release the 10 percent retainage fee (\$8,211.21) to Parsons Transportation Group. All Council members present voted in favor of the motion.

VI.

Resolutions and Ordinances: The ordinance for the annexation of Hunter's Point Subdivision will be on the agenda for October's Council meeting for consideration.

VII.

Financial Report: Treasurer Rikard stated that the August financials have been previously distributed to the Council. Rikard pointed out that sales tax revenue collections for August were better than budgeted by 15.2% for the City portion and 9.7% for the county portions. The September sales tax numbers are not out yet. Year-to-date collections through August are better than budget by 9.7% for the City portion and better by 10.4% for the county portion. Rikard pointed out that overall general fund revenue collections through August were better than budget by approximately \$182,000, but the property tax collections are worse than budget by approximately \$74,000. General fund expenditures were worse than budget by approximately \$196,000. Rikard then opened the floor for questions.

VIII.

Departmental Reports: No Reports.

Mayor Fogleman advised the Council, following next month's regular Council Meeting there will be an Executive Session.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 8:16 p.m.

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Mayor

Attest: \_\_\_\_\_

City Clerk