

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, November 23, 2021, at 7:00 p.m. at Marion City Hall.

Present:	Frank A. Fogleman	Mayor
	Kelsey Hensley	Councilwoman (1-1)
	David Bigger	Councilman (1-2)
	Cliff Wood	Councilman (2-1)
	Jim Spence	Councilman (2-2)
	Bryan Jackson	Councilman (3-1)
	James C. Hale III	City Attorney
	Patty James	City Clerk
Others		
Present:	Ed Cain	Planning Commission Consultant
	Jon Millsap	Asst. Police Chief
	Andy Rawls	Parks Superintendent
	Jerry Kelley	Water Superintendent
	Fred Thorne, Jr.	Building Inspector
Absent:	Sherry Holliman	Councilwoman (3-2)
	David W. Rikard	City Treasurer
	Brannon Hinkle	Police Chief
	Gordon Floyd	Streets Superintendent
	Woody Wheelless	Fire Chief

I.

Councilman Wood made a motion, seconded by Councilman Jackson, to approve the minutes of October 26, 2021, regular Council meeting and November 12, 2021, Special Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: None

III.

Committee Reports:

Planning Commission: Ed Cain reported the Planning Commission met on November 2, 2021, and a public hearing was conducted for a Special Use Permit (SUP) for construction of an electrical transmission line within the Marion City limits to complete a connection between the West Memphis Solar Farm and Entergy Electrical Substation located in Marion on Kuhn Road. This SUP was requested by NEXtera Energy Resources, developer of the West Memphis Solar Project. Representatives of NEXtera were in attendance to present the request and answer questions. Approximately 25 persons were in attendance including property owners who would be affected by the project. No one present at the meeting spoke against the project nor were any negative comments received by the Planning Commission prior to the hearing. At the conclusion of the hearing, the Planning Commission, by unanimous vote, voted to recommend to the Marion City Council that the requested SUP be granted as requested. The request was put on the agenda for tonight's approval.

The Planning Commission also voted to table a request for a lot split of Lot 1-A, Spanish Grant Subdivision as recorded in Plat Book 5, Page 501, Crittenden County Records.

A Re-Plat of Parcel 25, Angelo's Grove Subdivision was approved by the Planning Commission. This is the site of the proposed Home2 Hotel. This approval was contingent on the developer providing an acceptable name for the street proposed along the north side of Parcel 25.

Construction plans were approved for the Angelo's Grove Boulevard Extension and a segment of proposed street along the north side of Parcel 25 contingent on providing required storm water detention for the Home2 Hotel site and approval of the City's Consulting Engineer.

Detailed site plans were approved for the Home2 Hotel, site contingent on meeting detention requirements and approval of the City's Consulting Engineer.

There is an agenda for the December 7, 2021, meeting.

Water and Sewer: Jerry Kelly advised that work is progressing on the sewer pond levee. The installation of stone around the interior perimeter is almost complete. Jerry estimated there is still approximately 3,000 linear feet to complete. The dredging of the pond to remove the sludge is still needed to complete the project. The project is estimated to cost \$250,000.00 to complete. Because the original scope of work was greatly increased, the estimated cost of \$250,000.00 is almost double the original estimate. A Water and Sewer Committee meeting has been scheduled for Tuesday, December 7, 2021, at 5:30 p.m. to discuss increasing water and sewer rates.

Parks and Recreation: No Report

Streets and Drainage: No Report

Sanitation: City Employees will not be working November 25 & 26, due to the Thanksgiving holiday. The crews will double up on Monday to complete the garbage pick-up for the city.

Building Inspector: Freddie Thorne reported there were 5 new house permits, 0 commercial permits and 49 miscellaneous permits issued for the month of November. That brings year-to-date totals to 36 new house permits, 4 commercial permits and 474 miscellaneous permits. The new house permits indicate a value of \$11M in new construction, the new commercial permits reflect \$4.4M construction value and other permits reflect \$2.9M for a total construction value of \$18.4M.

Fire and Police: Councilwoman Hensley reported the Fire and Police Committee met on November 11, 2021, and approved two new policies to bring before the Council for final approval.

Chief Wheelless is still awaiting bids for a ladder truck. He also reported the roof has been completed at Fire Station No. 2.

IV.

Old Business:

The purchase of the 188 Hwy 77 parcel is complete, and the City now owns the parcel.

The Military Road Project – Under New Business, the Easement agreement with Entergy has been signed to allow the power lines access across Fire Station No. 1 property.

Overpass Update – Mayor Fogleman reported that the Marconi family declined the appraisal report from United Field Services, Inc. that placed a value on their property, (adjacent to the Walmart Neighborhood store on Hwy. 77), that is needed for the railroad overpass project. They felt the appraised offer was not high enough.

V.

New Business:

Councilwoman Hensley made a motion, seconded by Councilman Wood, to approve the Duty to Intervene Policy and The Canine Policy. All Council members present voted in favor of the motion.

Councilwoman Hensley made a motion, seconded by Councilman Wood, to approve the City's share of the District Judge's salary for 2022. The City's portion will be \$11,290.13. All Council members present voted in favor of the motion.

The "Statement of Financial Interest" forms have been included in the Council packets. This must be completed and turned in by January 31, 2022, to Gail Tankersley.

There is a 1,300 acre solar farm being built by NEXtera between Lehi and Sheareville and the electricity generated by the solar farm will need access to the Entergy electrical sub-station on Kuhn Road. This sub-station will come in along Hino on Kuhn Road. A Special Use Permit (SUP) approval is needed for this project in order to allow electrical transmission lines to traverse property within the city limit of Marion. The SUP will be considered later in this meeting.

Councilman Bigger made a motion, seconded by Councilman Wood, to suspend the regular Council meeting for December, 2021, but the Council will be available if a Special Council meeting is necessary. All Council members present voted in favor of the motion.

VI.

Resolutions and Ordinances:

Mayor Fogleman brought to the floor and read the title of a resolution titled **A RESOLUTION APPROVING A SPECAIL PERMIT USE FOR CERTAIN PUBLIC UTILITY STRUCTURES ON PROPERTY LOCATED IN THE 1-1 INDUSTRIAL DISTRICT.** Councilman Jackson made a motion, seconded by Councilman Wood, that the resolution be adopted. All Council members present voted in favor of the motion. The resolution was numbered 2021-10.

VII.

Financial Report: Treasurer Rikard was not in attendance at the Council meeting but provided this report. October financials were previously distributed. The sales tax numbers for November were released today and they were better than budget by 7.5% for the city portion and 20.5% for the county portion. Total sales tax collections through November 2021 were better than budget by 10.8% for the city portion and better by 14.2% for the county portion. Overall general fund revenue collections (excluding grant income) through October were better than budget by approximately \$539,000 and general fund expenditures (excluding capital items) are better than budget by approximately \$346,000.

VIII.

Department Reports:

Asst. Chief Millsap 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.

Fred Thorne, Jr. had nothing further to report.

Councilman Jackson made a request to Jerry Kelley and Fred Thorne, Jr. to check into the remodeling of the floor plan for Fire Station No. 1.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 7:53 p.m.

Mayor

Attest: _____
City Clerk

DRAFT