

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 28, 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)
	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	City Planning Consultant
	Jim Shempert	Water Superintendent
	Gordon Floyd	Streets and Sanitation
	Andy Rawls	Parks Superintendent
	Jerry Kelley	Building Inspector
	Gary Kelley	Police Chief
	Woody Wheelless	Fire Chief
	Robert McIvor	Parsons Transportation Grp
	Jonnye Wisniewski	Parsons Transportation Grp

I.

Councilman O'Neal made a motion, seconded by Councilman Jackson, to approve the minutes of the November 26, 2019, Council meeting and the minutes of the Special Council Meetings of December 9, 2019, December 17, 2019, and December 30, 2019. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Gordon Floyd expressed his appreciation to the Council, the City and everyone that donated to "Bikes for Tykes". There were 162 bikes and \$1,000.00 worth of food and gift certificates distributed.

Floyd also reported that Wednesday, January 29, 2020, at noon there would be luncheon at the shop for James Herndon who is moving away. He has been with the City for 21 years. He invited all Council members to attend the luncheon.

III.

Committee Reports:

Planning Commission: Ed Cain reported there was no Planning Commission meeting in January. Cain advised there is an agenda for the February 4, 2020, Planning Commission meeting to be held at 6:30 p.m. at City Hall.

Water and Sewer: No Report

Parks and Recreation: No Report. At Councilman Wood's request, Mayor Fogleman scheduled a Parks and Recreation Committee Meeting for Monday, February 17, 2020, at 4:00 p.m. at the City Annex.

Streets and Drainage: No Report. At Councilwoman Holliman's request, Mayor Fogleman scheduled a Streets and Sanitation Committee Meeting for Monday, February 17, 2020, at 4:30 p.m. at the City Annex.

Sanitation: Gordon Floyd thanked the Council for the new garbage truck for his department.

Building Inspector: Jerry Kelley reported 1 new house permits, 0 commercial permits and 13 miscellaneous permits were issued for the month of December. That brings year-to-date totals to 32 new house permits, 6 commercial permits and 268 miscellaneous permits. January 2020, had 4 new house permits, 1 commercial permit and 12 miscellaneous permits.

Police and Fire: Jerry Kelley reported there was a water issue at Fire Station No. 2. A vestibule will be constructed to alleviate the problem. Kelley advised the work on Fire Station No. 2 should be completed by the end of next month.

IV.

Old Business: Fogleman advised that Robert McIvor and Jonnye Wisniewski of Parsons Transportation Group (PTG) were in attendance to request that the Council consider entering into a \$164,072.75 Supplement Agreement (SA) for additional payment, beyond the original agreement with PTG, and support the SA when presented to ArDot for approval. The \$164,072.75 SA includes \$26,305.11 for Brawley Engineering of West Memphis (BE), for work that has been completed and some work yet to be done by BE. McIvor explained that changes in the overpass location, the changed length of the overpass, drainage relocation work around the roadway intersection with Military Road, and the discovery of more property ownership matters than initially anticipated, all added together to increase the costs to PTG and BE and thus the request for additional payment(s). After discussion among Council members, Councilman Jackson made a motion, seconded by Councilman Bigger, to pay 25% of the \$164,072.75 immediately and, 30 days after the bid openings, the Council would determine if city funds are available to fund the final portion of the proposed supplemental agreement. The motion carried with 5 ayes and 1 nay.

V.

New Business: Councilman O'Neal made a motion, seconded by Councilman Bigger, to accept the Ecological Design Group proposal and authorize the signing of the agreement. All Council members present voted in favor of the motion.

A citizen contacted Chief Kelley offering to donate 2004 Buick to the City. Councilman O'Neal made a motion, seconded by Councilwoman Holliman, to accept the donation of the vehicle. All Council members present voted in favor of the motion.

Fogleman reported to the Council that a local developer at Angelo's Grove had contacted him about the City abandoning its claim to the boulevard, to the median and first median off of highway 64, and the first medium off of I55 Service Road and the roundabout. Fogleman advised that this was for the Council's information and no decision needed to be made as of now.

VI.

Resolutions and Ordinances:

Fogleman brought to the floor and read the title of a resolution titled **A RESOLUTION AMENDING THE 2019 BUDGET** which amends the 2019 budget to reflect the \$118,800.00 total changes in the 2019 budget. Councilman O'Neal moved, with Councilman Bigger seconding, that the resolution be adopted. All present voted aye. The resolution was number 2019-10.

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 O'Neal moved, with Councilman Bigger seconding, that the resolution be adopted. All present voted aye. The resolution was numbered 2020-01.

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, 2020** 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 O'Neal moved, with Councilman Bigger seconding, to adopt the resolution. All present voted aye. The resolution was numbered 2020-02.

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, 2020, AND ENDING DECEMBER 31, 2020, AND APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN** which established the budget for calendar year 2020. Councilman O'Neal moved, with Councilwoman Holliman seconding, to adopt the resolution. The resolution was numbered 2020-03.

VII.

Financial Report: Treasurer Rikard reported that the November and December financials have been previously distributed to the Council. Rikard pointed out that sales tax revenue collections for the City portion for December were better than budget by 10.3% and the County portion was better than budget by 7.5%. That results in 2019 annual collections better than budget by 6.0% for the City portion and better by 1.1% for the County portion. The January numbers were just released and 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%. Rikard further pointed out that general fund revenue collections for 2019 were better than budget by approximately \$57,000.00 while general fund expenditures were better than budget by approximately \$350,000.00

Rikard also reminded the Council that their annual disclosure statements are due to the City Clerk no later than Friday, January 31, 2020.

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 Kelley had nothing further to report.

Chief Wheelless had nothing further to report.

Jim Shempert had nothing further to report.

Gordon Floyd 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 7:41 p.m.

Mayor

Attest: _____
City Clerk

DRAFT