

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 24, 2026, at 6:00 p.m. at Marion City Hall.

Present:	Tracy Brick	Mayor
	Kelsey Hensley	Councilwoman (1-1)
	Adam Cupples	Councilwoman (1-2)
	Cliff Wood	Councilman (2-1)
	Taylor Guy	Councilman (2-2)
	Bryan Jackson	Councilman (3-1)
	Chris Crain	City Attorney
	Patty James	City Clerk
Others		
Present:	Woody Wheelless	Fire Chief
	Jon Millsap	Asst. Police Chief
	Norman Hampton	Public Works Superintendent
	Andy Rawls	Parks Superintendent
	Brandon Hall	Water & Sewer Superintendent
	Beth Wilson	Economic Development
	Fred Thorne, Jr.	Planning Commission & Building Inspector
Absent:	Ray Nassar	Councilman (3-2)
	David W. Rikard	City Treasurer

I.

Councilman Jackson made a motion, seconded by Councilman Guy, to approve the minutes of the January 27, 2026, Council meeting. All Council members present voted in favor of the motion.

II.

Citizens' Concerns: Jeff Tacker of Shake Shack, 409 Military Road addressed the Council concerning a piece of property behind Shake Shack that the Marion School District currently owns but is willing to sell the property to Mr. Tacker. The problem lies in that there is an alley way connecting both properties owned by the City, and Mr. Tacker proposes that the City of Marion close the alleyway, allowing his business access to both properties while ensuring utility companies can still reach their lines. The Tacker family owns all the properties connected to Lincoln Street and would like the City to close Lincoln Street and make that a private drive and Mr. Tacker and his business would maintain that street and relief the City of the burden and responsibility of maintaining the street.

Mayor Brick advised to abandon the street and close an alley this would need to be done by ordinance. Mayor Brick will have City Attorney Crain to draft an ordinance to close the alley and abandon Lincoln Street. Mayor Brick will work with City Attorney Crain to have an ordinance ready for the next Council meeting for consideration and approval. Mayor Brick thanked Mr. Tacker and his family for all they have done for our community.

Austin Cates of 502 Jake Drive addressed the Council concerning potholes in his neighborhood after the snow event. Two of the worse ones (potholes) are one at Stewart Cove and one at N. Riverbend Cove. Mr. Cates sent photos of both areas to Mayor Brick, who will share the information with Mr. Hampton our Streets Superintendent.

Fred Hollowell addressed the Council concerning solar donations. He urges the city to refuse additional solar donations from Triple Oak Power. Mayor Brick advised that the \$8,500.00 from Triple Oak Power was deposited in the City general fund and was used to buy equipment for the fire department.

III.

Committee Reports:

Parks Department: Councilman Wood advised the Parks Committee met and no action was taken. Data was collected for upcoming plans.

Planning Commission: Fred Thorne, Jr. reported the Planning Commission met on February 3, 2026. Items covered were a vote on setback clarification for 161 Lynwood, approval of the final site plan for 3196 I-55 Service Road Taco Bell and Jim Atkinson's Zoning Ordinance presentation.

Building Inspector: Fred Thorne, Jr. reported there were 5 new house permits, 1 commercial permit and 9 miscellaneous permits issued for the month of February. That brings year-to-date totals to 8 new house permits, 1 commercial permit, and 19 miscellaneous permits for a total of \$4,408,948.22 in new construction.

Police & Fire: Councilwoman Hensley reported the Police Committee met on February 10, 2026. Discussion was held regarding the creation of a Towing Service Advisory Committee. An ordinance to approve the creation of this committee was covered later in the meeting.

Mayor Brick advised the need to schedule an Insurance Committee meeting, a Public Works Committee meeting, and a Code Enforcement Committee meeting. Mayor Brick will contact Council members tomorrow to set up those Committee meetings.

IV.

Old Business:

Fire Station #1 Update – A final walk through was completed on Monday. It is a beautiful building. The Fire Department is awaiting new furniture. Mayor Brick advised once the Fire Department is settled in the City will have a ribbon ceremony and tours available to the public.

Overpass Update - Parsons Transportation has submitted the plans to BNSF and ArDot. ArDot submitted their comments back yesterday. Parsons is making changes and awaiting BNSF's comments. Once BNSF has turned in their comments and Parson makes their changes the project will be ready to go out for bids.

Military Road Update – ArDot has now bumped the bid date to September 2026 for the Military Road expansion project. Mayor Brick wrote a letter to ArDot wanting an explanation as to the delay in the bid date. There are two issues currently, 1) BNSF has an indemnity clause that must be worked out and 2) a property owner has filed an injunction against Entergy regarding trees that have been and need to be cut down for the project. A judge will not let this injunction go on indefinitely, but this will delay the project approximately 4 – 6 months.

BP Station I-55 Service Road - Mayor Brick invited Attorney Donaldson and Mr. Shaw to City Council to give an update on the project. She also included in the Council packets exerts from previous Council meetings regarding this project.

Attorney Donaldson advised the main reason for the delay is the backlog in getting underground storage tanks. It typically takes 18 months to get them, and because the delivered tanks were damaged, replacements had to be ordered. The tanks and pumps are in the ground now. The issue now is the weather in finishing up the inside and pouring the asphalt. Mr. Shaw estimates the bulk of the major construction should be completed in 90 days.

V.

New Business:

2025 Audit - Councilman Wood made a motion, seconded by Councilman Jackson, to approve Watkins Uiberall, PLLC to conduct the 2025 Financial Audit for the City of Marion at a cost of \$57,000.00 and a Single audit will be \$8,000.00. All Council members present voted in favor of the motion.

AR State Aid Street Committee Report - The City of Marion received a \$400,000.00 grant from Arkansas State Aid for Streets. This will be used for Currie Street that runs between Highway 77 and Highway 64, along with Colonial Drive and Barton Cove. ArDot will complete the project by the end of 2026 or in early 2027.

Mid-America Culvert repairs were approved by Council via emergency email. So, this would be recorded in the minutes a second vote was taken. Councilwoman Hensley made a motion, seconded by Councilman Guy, to accept SN Contractors' \$159,565.00 estimate. All Council members present voted in favor of the motion.

Mayor Brick has gotten some quotes for two snow blades from Land Pride. These are attachments that will go on two tractors. One snow blade will go on the tractor in the Public Works Department, and the other snow blade will go on the tractor in the Water Department. The cost of both blades is \$11,191.44. Mayor Brick is going to order both snow blades so in the event of another snow occurrence the city can put them to use. The city is also purchasing some brin and storage containers to store the brin for future weather issues.

VI.

Resolutions, Ordinances, & Proclamations:

Mayor Brick brought to the floor and read the title of a resolution **A RESOLUTION TO WAIVE COMPETITIVE BIDDING FOR REPAIRS TO MID AMERICA BLVD CULVERT AND ROADWAY AT NEWSOME ROAD** which is necessary to repair the culvert and roadway on the south end of Mid America Blvd. Councilman Guy made a motion, seconded by Councilman Cupples, that the resolution be adopted. All Council members present voted in favor of the motion. The resolution was numbered 2026-05.

Mayor Brick brought to the floor and read the title of a resolution **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARION, ARKANSAS, AMENDING RESOLUTION NO. 2022-06 TO CORRECT THE COMPANY NAME FROM STERIGENICS INC. TO STERIGENICS US LLC FOR PURPOSES OF PARTICIPATION IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).** Which is necessary for the name change. Councilwoman Hensley made a motion, seconded by Councilman Cupples, that the resolution be adopted. All Council members present voted in favor of the motion. The resolution was numbered 2026-06.

Mayor Brick brought before the Council an ordinance to create a Towing Committee for the City of Marion, Arkansas.

Councilman Jackson made a motion, seconded by Councilwoman Hensley, that the proposed ordinance be read by title only. All Council members present voted in favor of the motion.

City Attorney Crain read the following ordinance by title only:

AN ORDINANCE CREATING A TOWING COMMITTEE FOR THE CITY OF MARION, ARKANSAS

Councilwoman Hensley made a motion, seconded by Councilman Guy, that the proposed ordinance be adopted on the first reading. All Council members present voted in favor of the motion. On roll call the following votes were recorded: Hensley-aye, Cupples-aye, Wood-aye, Guy-aye, and Jackson-aye.

Councilman Guy made a motion, seconded by Councilman Jackson, that the proposed ordinance be read a second time by title only. All Council members present voted in favor of the motion.

City Attorney Crain read the following ordinance by title only:

**AN ORDINANCE CREATING A TOWING COMMITTEE FOR THE CITY OF MARION,
ARKANSAS**

Councilman Jackson made a motion, seconded by Councilman Cupples, that the proposed ordinance be adopted on the second reading. All Council members present voted in favor of the motion. On roll call the following votes were recorded: Cupples-aye, Wood-aye, Guy-aye, Jackson-aye, and Hensley-aye.

The proposed ordinance will be put on the agenda for the March Council meeting for consideration and/or approval.

VII,

Financial Report: Treasurer Rikard noted that the January financials are available in tonight's packet. January sales tax collections were better than budget by 0.2% for the city portion and better than budget by 8.2% for the county portion. February 2026 sales tax has been released, and the city portion is better than budget by 7.2% and the county portion is better than budget by 13.6%. That results in year-to-date sales tax through February better than budget by 4.1% for the city portion and 11.0% for the county portion. In dollars that amounts to approximately \$48,000.00 collections in excess of budget. Rikard pointed out that overall general fund revenue collections (excluding grant income and asset sales) through January were better than budget by approximately \$6,000.00 and general fund expenditures (excluding capital items and grant expenditures) were better than budget by approximately \$427,000.00 \$295,000.00 of the expense difference is the annual 911 fee that was budgeted in January but not paid.

VIII.

Departmental Reports:

Norman Hampton had nothing further to report.

Asst. Chief Millsap had nothing further to report.

Chief Wheelless had nothing further to report.

Fred Thorne, Jr., had nothing further to report.

Andy Rawls reported the bathrooms have been set at Colonial Park and the Pump Track installation will begin tomorrow.

Beth Wilson reported her trip to San Antonio went very well. She spoke to several retailers and restauranters. She will be doing follow-up. Franchisers are very interested in Marion. She also shared the Placer AI results with the Council. Trips have gone up 11%, Visitors have gone up 13%, Overnight stays have gone up 10% and spending has gone up 4.8%.

There being no further business to come before the Council and upon proper motion, the meeting was suspended at 6:43 p.m.

Executive Session:

The Executive Session was called to order at 6:45 p.m. and motion to adjourn Executive Session was at 7:17 p.m.

The City Council meeting was reconvened at 7:18 p.m. and Councilman Jackson made a motion, seconded by Councilman Guy, to approve the salary increases for all City Department Heads. All Council members present voted in favor of the motion.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 7:20 p.m.

Mayor

Attest: _____
City Clerk