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, October 28, 2025, at 6:00 p.m. at Marion City Hall.

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

I.

Councilman Jackson made a motion, seconded by Councilman Cupples, to approve the minutes of the September 25, 2025 meeting.

II.

Citizens' Concerns:

Fred Hollowell, address 510 Gammon Road, requested that the Council consider an ordinance addressing the oversight concerning towing procedures. Mayor Brick responded that the Police Committee will meet in November and she will him let know when the meeting is scheduled so that he can address the committee with his request.

Raymond Whiteside, address 131 S George Circle, requested that the Council vote in favor of the ward-based voting ordinance on the agenda.

III.

Committee Reports:

Economic Development Committee: Councilman Wood reported that the Economic Development Committee discussed an ordinance for tax abatement.

Parks Committee: Councilman Wood reported that the Parks Committee had approved a change order with Wagner General Contractors to have sod laid at Colonial Park instead of having it seeded. This will be presented for a Council vote during the business portion of the meeting.

Planning Commission: Fred Thorne, Jr. reported that the commission had a replat of Pleasant Woods for an easement issue, and a replat of the C-Store located off LH Polk due to a change in the egress off the Service Rd.

Building Inspector: Fred Thorne, Jr. reported that we had 4 New Home permits for a value of $1,582,000.00 and no Commercial permits. We had 32 other permits for a value of $512,494.03. for a total of $2,094,494.03 for the month of October.

Public Works: Councilman Jackson reported that the Public Works Committee approved a piece of equipment valued at $8,000 for cleaning ditches. The Committee also reviewed bids for additional ditch cleaning, and the Committee voted to recommend Lesley Contractors to the Council for the work. A bid tabulation sheet was distributed to the Council showing Lesley's bid at $198,450 and B&B Utility Contractors at $196,000, those being the lowest two bids. Kevin Mooney with Big Earl Excavation and Bobby Bell spoke on behalf of B&B Utility Contractors, noting they were the lowest bidder and are well-qualified to do the work. Don Graham spoke on behalf of Lesley Contractors, noting he would be doing the work and has a good work history with the City of Marion.

IV.

Old Business:

Military Road Update – Mayor Brick reported that ArDot still has the bid date scheduled as April 2026 for the Military Road expansion.

Overpass Update - Mayor Brick noted the inclusion of the update from Jonnye Wisniewski with Parson's re: the overpass. The project is expected to go out for bid in early 2026.

Fire Station No. 1 – The renovation of Fire Station No. 1 is almost complete.

Mayor Brick entertained a motion to vote on the reconsideration of the ward-based voting matter. A motion was made by Councilman Wood, seconded by Councilman Nassar to reconsider the issue and approved by all council members. This allows the ordinance to be presented and voted on as a second reading of the original ordinance from July, 2025. If the ordinance fails on the second reading, it will be considered dead with the Council, and the citizen(s) will need to go through state procedures to pursue having it put on the ballot.

V.

New Business:

Councilman Jackson made a recommendation to approve the change order presented by the Parks Committee for sodding Colonial Park instead of hydroseeding and awarding the job to the low bidder, M&A. Councilman Cupples seconded the motion and all council members voted to approve.

Mayor Brick entertained a motion or more discussion concerning awarding the ditch-cleaning project to Lesley Contractors, as approved by the Public Works Committee. Councilman Wood questioned why the low bid was not accepted. Councilman Nassar stated that he had made the recommendation based on his knowledge of Lesley's work in the past. Councilwoman Hensley noted the that historically, the precedence is for the low bid to be accepted unless there is a good reason not to accept. Councilman Wood motioned, seconded by Councilwoman Hensley, to accept the low bid submitted by B&B Utilities. Five council members voted to pass the motion, with Councilman Cupples abstaining.

VI.

Resolutions, Ordinances, & Proclamations:

Mayor Brick brought before the Council an ordinance banning right-hand turns on Currie Street for the third reading.

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

City Attorney Chris Crain read the following ordinance by title only:

AN ORDINANCE PROHIBITING CERTAIN VEHICLE TURNS AT THE INTERSECTIONS OF PINE (ALSO KNOWN AS CEDAR) AND CURRIE STREET, ELM AND CURRIE STREET, TURNER AND CURRIE AND WALNUT AND CURRIE DURING CERTAIN HOURS.

Councilwoman Hensley made a motion, seconded by Councilman Guy, that the proposed ordinance be adopted on the third 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, Jackson-aye, and Nassar-aye. The Ordinance will be entered as #642.

Mayor Brick brought before the Council an ordinance to re-zone property in Pleasant Woods Subdivision for the second reading.

Councilman Wood made a motion, seconded by Councilman Cupples, 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 TO REZONE A 2.24 ACRE TRACT OF LAND LYING IN SECTION 26, T-7-N, R-8-E, BLOCK 12 OF PLEASANT WOODS SUBDIVISION, FIRST ADDITION, FROM C-3 HIGHWAY COMMERCIAL DISTRICT TO C-1 NEIGHBORHOOD AND QUIET BUSINESS DISTRICT.

Councilman Cupples made a motion, seconded by Councilwoman Hensley, 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: Hensley-aye, Cupples-aye, Wood-aye, Guy-aye, Jackson-aye, and Nassar-aye.

Mayor Brick brought before the Council an ordinance to re-zone property at 93 Military Road (Scifres property) for the second reading.

Councilman Wood made a motion, seconded by Councilman Guy, 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 TO REZONE A 2.21 ACRE TRACT OF LAND LYING IN BLOCK P, ORIGINAL SURVEY TO THE CITY OF MARION, ARKANSAS, AS SHOWN BY PLAT RECORDED IN PLAT BOOK 1, PAGE 178, ALSO KNOWN AS 93 MILITARY ROAD, MARION, ARKANSAS, FROM C-1 NEIGHBORHOOD AND QUIET BUSINESS DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL.

Councilman Wood made a motion, seconded by Councilman Guy, 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: Hensley-aye, Cupples-aye, Wood-aye, Guy-aye, Jackson-aye, and Nassar-aye.

Mayor Brick brought before the Council an ordinance to re-zone property at 100 Mitchell Lane for the third reading.

Councilman Guy made a motion, seconded by Councilman Wood, 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 ORDINANCETO REZONE A 9.87 ACRE TRACT OF LAND, ORIGINAL SURVEY TO THE CITY OF MARION, ARKANSAS, AS SHOWN BY PLAT RECORDED IN PLAT BOOK 1, PAGE 72, ALSO KNOWN AS 100 MITCHELL LANE, MARION, ARKANSAS, FROM R-1 SINGLE FAMILY RESIDENTIAL TO C-2 GENERAL COMMERCIAL DISTRICT.

Councilman Guy made a motion, seconded by Councilwoman Hensley, that the proposed ordinance be adopted on the third reading. All Council members present voted in favor of the motion. On roll call the following votes were recorded: Hensley-aye, Cupples-abstain, Wood-aye, Guy-aye, Jackson-aye and Nassar-aye. The Ordinance will be entered as #643.

Mayor Brick brought before the Council an ordinance annexing the Sihvonen Property for the first reading.

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

City Attorney Chris Crain read the following ordinance by title only:

AN ORDINANCE GRANTING AND ACCEPTING THE ANNEXATION OF 5.00 ACRE TRACT OF LAND TO THE CITY OF MARION, ARKANSAS, AND MAKING SAME A PART OF 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, Jackson-aye, Nassar-aye.

The ordinance contains an emergency clause and a motion was made by Councilman Guy, seconded by Councilwoman Hensley, and approved by all except Councilman Wood, who voted nay, to read the ordinance by title only for a second reading.

City Attorney Chris Crain read the following ordinance by title only:

AN ORDINANCE GRANTING AND ACCEPTING THE ANNEXATION OF 5.00 ACRE TRACT OF LAND TO THE CITY OF MARION, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF MARION, ARKANSAS.

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

A motion was made by Councilman Guy, seconded by Councilwoman Hensley, and approved by all except Councilman Wood, who voted nay, to read the ordinance by title only for a third reading.

City Attorney Chris Crain read the following ordinance by title only:

AN ORDINANCE GRANTING AND ACCEPTING THE ANNEXATION OF 5.00 ACRE TRACT OF LAND TO THE CITY OF MARION, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF MARION, ARKANSAS.

Councilman Cupples made a motion, seconded by Councilman Guy, that the proposed ordinance be adopted on the third reading. By a vote of five to one, Council members voted in favor of the motion. On roll call the following votes were recorded: Wood-nay, Guy-aye, Jackson-aye, Nassar-aye, Hensley-aye, and Cupples-aye. The Ordinance will be entered as #644.

Mayor Brick brought before the Council an ordinance establishing a ward system for city council voting for the second reading.

A motion was made by Councilman Nassar, seconded by Councilman Wood, and approved by all, to read the ordinance by title only for a second reading.

City Attorney Chris Crain read the following ordinance by title only:

AN ORDINANCE OF THE CITY OF MARION, ARKANSAS, ESTABLISHING A WARD SYSTEM FOR THE ELECTION OF CITY COUNCIL MEMBERS.

Councilman Nassar made a motion, seconded by Councilman Wood, that the proposed ordinance be adopted on the second reading. By a unanimous vote, Council members voted not to approve the motion. On roll call the following votes were recorded: Hensley-nay, Cupples-nay, Wood-nay, Guy-nay, Jackson-nay, Nassar-aye. The ordinance motion failed after the second reading.

Mayor Brick brought before the Council a resolution concerning the conveyance of certain equipment and personal property to Hino Motors Manufacturing. The following resolution was read by title by Mayor Brick:

A RESOLUTION AUTHORIZING A BILL OF SALE CONVEYING CERTAIN MACHINERY, EQUIPMENT AND OTHER PERSONAL PROPERTY FINANCED WITH THE PROCEEDS OF THE CITY'S TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS (HINO MOTORS PROJECT), TO HINO MOTORS MANUFACTURING U.S.A., INC.; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

A motion was made by Councilman Guy, seconded by Councilman Wood, and approved by all Council members to pass the resolution. The resolution will be numbered 2025-09.

VII.

Treasurer Rikard provided the following financial report, which was presented by Mayor Brick in his absence. The September financials have been distributed. September sales tax collections were worse than budget by 1.2% for the city portion and better than budget by 6.0% for the county portion. The October sales tax has been released and the city portion is worse than budget by 1.0% and the county portion is better than budget by 3.7%. That results in year-to-date sales tax through October worse than budget by 2.0% for the city portion and 5.0% for the county portion. In dollars that amounts to approximately $114,400 of collections less than budget. Rikard pointed out that overall general fund revenue collections (excluding grant income and asset sales) through September were worse than budget by approximately

$195,000 and general fund expenditures (excluding capital items and grant expenditures) were better than budget by approximately $42,000.

VIII.

Departmental Reports:

Andy Rawls reported that the ball tournaments were over for this year, but expects more next year. He also noted that the Colonial Park project is moving forward very well and should finish on schedule.

Chief Hinkle had nothing further to report.

Chief Wheeless reported that the final inspection on the new ladder truck will be done in Ohio in November by himself and Assistant Chief, and the Fire Dept. expects it to be delivered in December.

Norman Hampton had nothing further to report.

Freddie Thorne had nothing further to report.

Brandon Hall had nothing further to report.

Beth Wilson had nothing to report.

Councilman Jackson raised a question about the patch job on Military Road and Mayor Brick reported that the County plans to temporarily repair the area by the end of the week.

There being no further business to come before the Council and upon proper motion, the meeting was adjourned at 6:37 p.m.

_____

Mayor

Attest: _____

City Clerk