

Minutes of a Regular Meeting of the City Council of the City of Marion held in the Council Chambers of the Marion City Hall on June 13, 2011. Mayor Butler presided and called the meeting to order at 6:30 P.M. The City Clerk was instructed to call the roll and the response was as follows:

PRESENT: COMMISSIONERS RIX, RINELLA, GOSS, PATTON AND MAYOR BUTLER

ABSENT: NONE

The minutes of the May 23, 2011 meeting were approved.

Executive Session 6:35 P.M.

Commissioner Rinella made a motion to go into Executive Session to discuss 2 litigations. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Regular Session 7:05 P.M.

Commissioner Goss moved to adjourn the Executive Session and reconvene the Regular meeting. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Mayor Butler read an e-mail from 1<sup>st</sup> Lt. William C. Grove inviting him along on a VIP flight on a CH47 Chinook helicopter to Ft Knox, KY on June 20 to observe the 2/130 Infantry, based in Marion, as the unit conducts tactical training. Mayor Butler said he would not be able to participate but suggested Commissioner Rinella to go in his place. Commissioner Rinella will be going on the helicopter.

Harry Boyd, Historical Preservation President, congratulated the City of Marion on their decision to not tear down the Old City Hall as once planned, but to allow Michael Baysinger to renovate the building back to its original grandeur.

**Williamson County Events Commission Agreement** Mayor Butler asked Attorney Ron Osman to explain the Agreement. Attorney Ron Osman stated this is an Intergovernmental Agreement with the Williamson County Events Commission Corp. (WCEC) and the City of Marion. Recent litigation by the School District has resulted in the WCEC being taxed for substantial back real estate taxes which neither WCEC nor the Pavilion are able to generate enough income to pay. Therefore, in order to maintain the Pavilion and to promote tourism in Marion and Williamson County, it is required that the City of Marion become the operator as well as the owner of the Pavilion. WCEC is going out of business. This agreement turns the assets of WCEC over to the City in exchange for the City paying off the Bonds and City taking over the Pavilion. The Bed tax will take care of debt service and operation and maintenance costs of running the Pavilion. The Bank of Marion is purchasing the Bonds in the amount of \$2.2 million. When this agreement is completed, the City of Marion will be the owner. Commissioner Rix moved to accept the Agreement with the Williamson County Events Commission Corp. as presented. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES

**LEASE BETWEEN CITY OF MARION AND WILLIAMSON COUNTY TOURISM BUREAU.** Attorney Osman explained that the Williamson County Tourism Bureau is a different entity from the Williamson County Events Commission. The Tourism Bureau had been leasing space from the WCEC with rent at \$500.00 a month. The Tourism Bureau will continue to work with the City signing a 5 year lease for the rental of the space inside the Pavilion. The

Tourism group was concerned about being obligated for the 5 year lease, so they also want the right to cancel after 1 year with a 90 day notice.

Commissioner Rinella made motion to accept the Lease between the City of Marion and the Williamson County Tourism Bureau as presented. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

**Ordinance No 2356. An Ordinance providing for the implementation of a tax upon all persons renting , leasing or letting rooms in a hotel/motel in the City of Marion, Illinois.** Implementation of a 3% Bed Tax on renting or leasing of hotel/motel rooms in the City of Marion, Illinois. It was explained that this is not an additional tax. Because the Bonds have been paid down, the City can use the money not used for debt service for operations and maintenance of the Pavilion.

Commissioner Patton moved to accept Ordinance 2356 as it was presented. Commissioner Rinella seconded the motion.

ON ROLL CALLVOTE ALL COUNCIL MEMBERS VOTED YES.

**Ordinance 2357 – An Ordinance authorizing and providing for the issuance of Hotel Taxes Refunding Revenue (Limited General Revenue Pledge), Series 2011, of the City of Marion, Williamson County, Illinois, to refund certain prior bonds, prescribing the details of such refunding bonds and providing for the collection, segregation and distribution of Hotel Taxes receipts by the City of Marion, Illinois.** This Ordinance authorizes purchase of \$2.2 million bonds by Bank of Marion. No out of pocket expense to City. Hotel tax will pay for Bonds. At request of negotiators, a call provision for one time was added. The interest was 3.85% - now will be 3.95% with call provision added in. They will be amortized over 12 years. \$19,200 additional cost for the call provision. There are no attorney fees, nor Trustees fees. With the call provision, the City can possibly pay off earlier if the City has the funds available.

Commissioner Rinella made motion to accept Ordinance 2357 as presented. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

**Ordinance 2358 – An Ordinance providing for Supplemental Appropriation (Pavilion).**

This ordinance is needed because of acquisition of the Pavilion.

Commissioner Patton moved to accept Ordinance 2358. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

**ORDINANCE 2360 – An Ordinance to Amend the Waste Water Service Charges and Industrial Waste Cost Recovery.** Brian Zeigler, of Clarida and Zeigler Engineering, explained that the debt service had to be increased to meet the demands, with the Northeast Sewer Lines and the project at the Waste Water Plant. There hasn't been an increase in 10 years. This is about a 25% increase. This increase affects Industrial and a few Commercial users.

Commissioner Patton made motion to accept Ordinance 2360. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

**ORDINANCE 2361 – An Ordinance to Amend Sewer Rates for debt service increase.** This increase is needed to help pay off the 20 year loan at 1 ¼% that is for work mandated by State. It also goes to pay increased

maintenance costs. The cost of operation increases every year with the increase in salaries and other expenses. The Sewer Rates have not been increased in several years. Debt Service is on a project to project basis. Commissioner Patton moved to accept Ordinance 2361 to amend the Sewer Rates. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

**ORDINANCE 2362 – An Ordinance to Amend Water Rates.** The Ordinance will raise \$.15 per 1000 gallons of water used. Out of 8040 water customers, 6200 customers use 5000 gallons or less per month and will see a \$.75 to \$.90 increase a month. Combined increase of approximately \$2.05 on monthly bill will take the minimum bill from \$24.05 to \$26.10. Average user will see an increase of about \$3.00 a month. Compared to other area towns, Marion’s water-sewer rates are about in the middle.

Commissioner Rinella made motion to accept Ordinance 2362 with Commissioner Rix seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES

Commissioner Rinella asked to table Ordinance 2266 – until next meeting.

Brian Zeigler of Clarida and Zeigler Engineering presented the bids from the bid letting for Route 13/Route 148 & Carbon Street. With the widening of Rt. 13 and Rt. 148 by IDOT, it is necessary to move the water main in that area. There were 2 bidders. J.M. Jones was the low bidder at \$294,848.25. KPS, Inc. bid \$314,080.25. The City will be reimbursed approximately \$50,000 from I.D.O.T. leaving the City’s obligation at \$245,000. The City still has \$260,000 in water bonds which will cover that part of the city’s obligation.

Commissioner Rinella moved to award the bid to J.M. Jones at \$294,848.25. Commissioner Goss seconded the bid.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Patton presented the bid for the demolition of the house at 401 N. Garfield from Neat Cut in the amount of \$2,900.00. Commissioner Patton made motion to accept Neat Cut’s bid of \$2,900.00 to tear down and remove the house at 401 N. Garfield. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Goss asked the Council to approve adding a Cemetery Laborer position, making a motion to post the position. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Goss reported Thad Tucker was restoring the brick pavement on South Market Street to its original grandeur removing the areas formerly patched with concrete that made the street rough and look terrible. Commissioner Goss moved to pay Mr. Tucker for 1/3 of the total amount for the improvement or approximately \$8,000 with the other 2/3 to be paid as the work is completed. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

ORDINANCE 2359 – Ordinance 2359 sets the States Prevailing Wage for 2011-2012 for anyone doing work for the City of Marion.

Commissioner Rinella moved to accept Ordinance 2359 as presented. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Mayor Butler stated that the State Statute mandates appointment of Freedom of Information Officers. He suggested that Alice Rix, City Clerk; Tammy Manier, Assistant City Clerk; and Steve Green, City Attorney be appointed as F.O.I. A. Officers.

Commissioner Patton made motion to accept Alice Rix, Tammy Manier and Steve Green as F.O.I.A. Officers for the City of Marion. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rix brought before the Council a bid to purchase 10 bullet resistant vests for the Police Department Tactical Team. The bid price is only good through June 23, 2011. The money would come from the Safety Grant. Since this item was not on the agenda, Commissioner Rix moved to accept the bid, but hold off until next meeting if can. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rix told the Council he had met with Ameren representatives concerning 2 lights in front of Arbys on North Carbon that will have to be moved in conjunction of the widening of Carbon Street. The City does not have to pay for the lights to be moved. The utility company pays for the move.

#### **CONSENT AGENDA**

Commissioner Rinella made motion to pay the Consent Agenda for June 13, 2011 as funds become available. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

#### **MONTHLY BILLS**

Commissioner Rinella moved to pay the monthly bills as funds become available. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rinella announced that on Saturday June 4, 2011 a group of Boy Scouts from the Zion Church assisted in a clean-up at the Marion City Lake. All the Duck Blind holders were there to help also. Together they filled 2 dump trucks with debris and junk. The shoreline is cleaned up. The duck hunters now understand their responsibility at the city lake. Commissioner Rinella would like to make this an annual clean-up event. He felt really good about the effort made at the City Lake that day.

Commissioner Goss asked how the signal lights at 17<sup>th</sup> Street and Champions Drive were coming along. Glenn Clarida of Clarida and Zeigler Engineering stated hopefully the lights would be installed and operational by July 4<sup>th</sup>. Commissioner Rix asked if the Police Officers would be able to control the lights manually for traffic control for the Miners Ballgames. Glenn said that would be possible.

