

**CITY OF MARION – REGULAR MEETING**

AUGUST 12, 2013

Minutes of a Regular Meeting of the City Council of the City of Marion held in the Council Chambers of the Marion City Hall August 12, 2013. Mayor Butler 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:

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

ABSENT: NONE

The minutes of the Regular Meeting of July 22, 2013 and the minutes of the Special Meetings of July 25, 2013 and August 5, 2013 were approved as presented.

Rick McVicar, spokesperson for the residents of the Colonial Hills Subdivision in Marion came before the Council seeking information on the sale of a single family residential house in the Colonial Hills Subdivision to Dr. Chow/Twin Scotts of Carbondale, Illinois for use by the H Group as a group home for the handicapped or mentally disabled. Mr. McVicar said all the homeowners respect the needs of the handicapped and disabled, however, all of the homeowners have their life savings invested in their individual properties. The homeowners are concerned for their neighborhood that their property values will go down. They are looking to the City for information, support and guidance, and they would like to have a say in the process. Mayor Butler told the group that the City is aware of the situation and that City Attorney Steve Green has researched the problem. Any resident can file a suit to protect the restrictive covenants of the subdivision, but the Appellate Court has the final decision. It comes down to the Civil Rights of the handicapped and disabled. City Attorney Steve Green told the Colonial Hills residents under the Federal Fair Housing Act it is illegal to discriminate against individuals because of race, sex or disability. Under the Federal law a group home functions as a single family. The group home used by the H group would qualify as a single family home, so therefore would be eligible to live in a neighborhood with only single family dwellings. Attorney Green told the Colonial Hills residents there have been thirty eight cases in various states, California and Florida among them, that have gone before the court to try to prevent similar group homes from moving into a single family house in a subdivision zoned for single family houses only, and all of the cases have lost. Mayor Butler told the group that the City will do everything the City can do to prevent the H Group from moving into the Colonial Hills Subdivision. Attorney Green has scheduled a meeting for Mayor Butler to meet with John Markley, CEO of the H Group to try to work out an agreement.

**RESOLUTION 2013-28 A RESOLUTION AGAINST PROGRESSIVE STATE INCOME TAX.**

Travis Akin, with the Americans for Prosperity, told the Council the State of Illinois has a huge fiscal crisis so the State is proposing to change the State of Illinois income tax from a flat tax to a progressive tax which would make an increase on everyone making \$5,000.00 or more a year. Mr. Akin was asking all the municipalities in the state to take a stand and adopt a Resolution to show the leaders of the State Senate and State Legislators that the municipalities are against this tax increase. Mr. Akin said the proposed progressive tax would basically match the Federal income tax, supposedly making the rich pay their fair share. With Illinois already at a 7% State Income tax rate, this would be devastating to any proposed new business developments with no new jobs coming into the state. The economy would plummet even further.

Commissioner Goss made a motion to approve Resolution 2013-28 as presented. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Mayor Butler stated Ed Davis, former City of Marion resident now living in St. Louis, is still active in promoting the Veterans on Parade. Ed asked Mayor Butler to announce the Veterans on Parade will be held Saturday September 7, 2013 starting at 11:00 A.M.

Michael Baysinger of Baysinger Architects, LLC presented the bids for the Police Station Renovation/Remodel at the former US Army Reserve building. \*See Attachment A. Commissioner Patton made a motion to approve the Option 2 – Prime Packages only plus Alternate Bid G-1 for Total Prime Contracts - \$1,337,542.85 plus \$28,000.00 for a total of \$1,365,542.85. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA

With the Energy Grant on the lights, the Police Department will get approximately \$20,000.00 back.

Jerry Ross of Ross Construction, Project Manager for the Hub Community Recreation Center told the Council that the initial specs for the roof for the Hub Community Recreation Center did not contain the correct information for the membrane part of the roofing over the area of the indoor swimming pool. The Roofing and Sheet Metal bids were re-submitted. \*See Attachment B. Commissioner Rinella made a motion to accept the bid of Kehrer Brothers Construction, Inc. at \$473,150.00 which is approximately only \$9,000.00 more than the original low bid for the roof. The roof will have a twenty year warranty. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED NO, COMMISSIONER PATTON VOTED YEA, AND MAYOR BUTLER VOTED YEA.

John Will, a broker for timber for land owners, spoke to the Council about buying timber from the old Railroad right of way east of Rt. 166, that the City had purchased to run waterline to the proposed Sugar Creek Lake. At this time Mr. Will was interested in 12.6 acres of the old railroad bed and right of way. The Council told Mr. Will they will wait to make a decision and sign a contract agreement with him until the City's attorney has looked at the timber agreement.

Chief of Police John Eibeck told the Council that per the F.O.P Contract, the Bullet Resistant Vests that the Police officers wear have to be replaced every five years. In the current year's budget, the Police Department had requested the purchase of ten of the Bullet Resistant Vests at a cost of \$800.00 each. Chief Eibeck stated that most if not all of the cost of the vests will be reimbursed from the Byrne JAG Grant with the money from the Grant anticipated in October 2013. Commissioner Rix made a motion to approve the purchase of the ten vests. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA

ORDINANCE 3115 – APPROVAL OF PRIME ACRES SUBDIVISION ON MORGAN AVENUE. Elisabeth Jo Abbott spoke to the Council asking that her property be accepted as a commercial subdivision. After a discussion, Attorney Steve Green said the Council should wait to make a decision until IDOT gives approval on the plat.

Commissioner Rinella made a motion to approve payment of the August 12, 2013 Consent Agenda subject to availability of funds. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Goss made a motion to approve a Design Engineering Agreement with Crawford, Murphy and Tilly, Inc. to provide additional Engineering Services for Illinois Route 13 and Sinclair Drive intersection. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Goss made a motion to accept the low bid of Marion Excavation and Construction of \$102,872.28 for the extension of Meadowland Parkway. The other bids were E.T. Simonds Construction Co. - \$112,065.23; George Jones Excavating, LLC - \$113,715.50 and A.C.E. Contracting of IL - \$118,167.13. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rix made a motion to leave the intersection of Logan and Clark Street as it is, putting up signs on Clark stating "Cross Traffic Does Not Stop". Commissioner Goss seconded the motion.

ON ROLL CALL ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rix made a motion to approve changing the start date for Firefighter Heyde for Pension purposes from September 2, 1993 to November 5, 1991. Commissioner Rinella seconded the motion. Commissioner Rinella explained that when Firefighter Heyde was hired November 5, 1991, it was as a temporary employee. Under State Statutes, if a temporary employee goes past 120 days, the employee has to be covered under the pension plan. Firefighter Heyde was hired as a full time employee September 2, 1993.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella made a motion to allow spending \$45,000 to purchase a tapping machine and line stops from Jones Plumbing, who is going out of business. In the past the City has hired Jones Plumbing to use their tapping machine and line stops, and the City has several jobs in the near future that will require the use of a tapping machine and line stops. The City will be able to purchase the used equipment at a substantial savings over what the new equipment would cost, or over what hiring another contractor to do the future jobs requiring the same equipment would cost. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Goss made a motion to approve the bid from George E. Jones Excavating, LLC. to replace an 8' x 3' precast box culvert on Broeking Road for \$10,570.00. Commissioner Rix seconded the motion. ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Goss presented the bids for the paving of the new parking lot on North Market Street. Short Brothers Construction Inc. 1020 Square yards of 3" asphalt surface \$13,158.00.

E.T. Simonds Construction Co. 1110 Square yards of total 3" asphalt surface \$13,387.92.

Commissioner Goss made a motion to accept the bid of Short Brothers Construction, Inc.

Commissioner Rix seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED NO, MAYOR BUTLER VOTED YEA.

Mayor Butler read a letter from Letina Poole, Director of the Marion Senior Citizens Center asking the City Council to a) approve the resignation of Dale Holloman, Vice Chairman, from the Senior Council; b) approve moving Don Henard from the position of Secretary of the Senior Council to Vice-Chairman; c) and approve transferring the Secretarial Position to Paul Langan, the current Treasurer making his position Secretary/Treasurer. Commissioner Rix made a motion to approve the three recommendations as suggested above. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Mayor Butler read from the same letter from Letina Poole, asking the Council to approve the appointment of Larry Clayton to the Senior Council Board to fill the vacancy left by the resignation of Dale Holloman. Commissioner Rix made a motion to accept the appointment of Larry Clayton to the Senior Council. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Another letter from Letina Poole, Director of the Marion Senior Citizens Center, asked the City Council to re-appoint Harold Worthen-Member, Don Henard-Vice-Chairman, and Alice Barnett-Member all for 1 year terms expiring 7/2014. Commissioner Rinella made a motion to approve the three above re-appointments as presented. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Goss made a motion to approve the IDOT/City of Marion Agreement for Interstate 57/Illinois Route 13/Morgan Avenue for widening of Morgan Avenue beginning east of Halfway Road and extending to west of Carbon Street by performing the following work:

- A. Widening Morgan Avenue to accommodate four (4) lanes of through traffic, two in both directions; by constructing new pavement, new ditches, bike/pedestrian accommodations, and a new bridge at the intersection of said routes.
- B. Cause the current configuration of the interchange to be that of a diverging diamond design that includes a ramp system that completes full Interstate 57 accesses to Morgan Avenue, new signalized intersections at the Morgan Avenue and Interstate 57 ramp intersections.

And by performing all other work necessary to complete the improvement in accordance with the approved plans and specifications. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA

Commissioner Goss made a motion to approve the Street Department Drainage Project from Paula Lane to Crisp Complex at an approximate cost of \$20,000.00, but the cost may be closer to \$10,000.00.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella made a motion to approve payment of the monthly bills as funds become available. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

9:00 P.M.

Commissioner Rix made a motion to go into Executive session to discuss a Real Estate matter and a financial matter. Commissioner Rinella seconded the motion

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

10:00 P.M.

Commissioner Rix made motion to go out of Executive Session and resume the Regular Meeting. Commissioner Rinella seconded the motion.


ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

ORDINANCE 3116 – ORDINANCE RESCINDING ORDINANCE 3114 AND APPROVING AND AUTHORIZING THE EXECUTION OF A NEW ECONOMIC INCENTIVE BETWEEN THE CITY OF MARION AND GMRI, INC. Commissioner Patton made a motion to approve Ordinance 3116 as presented, rescinding Ordinance 3114. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rix made a motion to adjourn the Regular Meeting. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

  
Robert L. Butler, Mayor

  
Alice F. Rix, City Clerk



August 12, 2013

Ms. Gail West  
 City of Marion  
 1102 Tower Square Plaza  
 Marion, IL 62959

Re: Renovation / Remodel of the Former US Army Reserve Training  
 Center into the Marion Police Department  
 Project - #13014

Dear Ms. West,

Please find listed below the low bid amounts for the Renovation / Remodel of the Former US Army Reserve Training Center Project proposed to the City of Marion. We have listed below the two available options for your review. We find either option reasonable and recommend you approve and award the option that works best for you and the City Commissioners.

Option 1 - Prime Packages + Alternate Bid G-1

General Package	\$ 470,000.00	Ron Gobin Enterprises
Alt G-1	\$ 28,000.00	Ron Gobin Enterprises (Joiner SHT MTL)
Mechanical Package	\$ 311,996.00	F & F Mechanical
Electrical Package	\$ 198,475.85	Bruce Electric
Plumbing Package	\$ 107,071.00	Litton Enterprises
Roofing Package	\$ 250,000.00	Ron Gobin Enterprises
Total Prime Contracts:	\$1,365,542.85	
A/E Fees at 8%	\$ 109,243.43	
Contingency at 5%	\$ 68,277.14	
Construction Observation	\$ 48,000.00	
Total Contracts Cost:	\$1,591,063.42	

Hourly not to exceed price

Option 2 - Prime Packages Only

General Package	\$ 470,000.00
Mechanical Package	\$ 311,996.00
Electrical Package	\$ 198,475.85
Plumbing Package	\$ 107,071.00
Roofing Package	<u>\$ 250,000.00</u>
Total Prime Contracts:	\$1,337,542.85
A/E Fees at 8%	\$ 107,003.43
Contingency at 5%	\$ 66,877.14
Construction Observation	<u>\$ 48,000.00</u>
Total Contracts Cost:	\$1,559,423.42

Ron Gobin Enterprises  
F & F Mechanical  
Bruce Electric  
Litton Enterprises  
Ron Gobin Enterprises (Geissler Roofing)

Hourly not to exceed price

Please feel free to contact our office if you have any questions or require further information.

Respectfully Submitted,



Michael Baysinger AIA  
Baysinger Architects, LLC

cc: File -13014









**Baysinger Architects, LLC**  
 401 N. Market St.  
 Marion, Illinois 62959  
 Phone: 618-993-8250  
 Fax: 618-993-8255

**BID TABULATION SHEET**

PROJECT: Renovation / Remodel of the Former US Army Reserve Training Center  
 Marion Police Department  
 OWNER: City of Marion  
 PROJECT NO: 13014  
 DATE: August 1, 2013  
 TRADE: **Mechanical Work**

Contractor	Bid Bond	ADD	Week Begin	Week Complete	BASE BID	ALTERNATE BID M-1
Heartland Mechanical	5%	1,2	8/13/13	3/14/14	\$363,800	No Bid
SI Piping	5%	1	9/13/13	3/10/14	\$315,500	No Bid
F & F Mechanical	5%	1,2	ASAP	Per Schedule	\$311,996	No Bid
HSG Mechanical	5%	1,2	9/9/13	3/10/14	\$317,195	No Bid



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**BID TABULATION SHEET**

**PROJECT:** Renovation / Remodel of the Former US Army Reserve Training Center  
 Marion Police Department  
**OWNER:** City of Marion  
**PROJECT NO:** 13014  
**DATE:** August 1, 2013  
**TRADE:** Electrical Work

Contractor	Bid Bond	ADD	Week Begin	Week Complete	BASE BID
Keith Martin, Inc.	5%	1,2	9/2013	3/2014	\$232,400
Bruce Electric	5%	1,2			\$198,475.85
FW Electric	5%	1,2	9/9/13	3/10/14	\$247,746
Ron Gobin Enterprises	5%	1,2	9/1/13	3/10/14	\$305,000
Evrard Strang Construction	5%	1,2	8/15/13	3/10/14	\$198,720



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**BID TABULATION SHEET**

**PROJECT:** Renovation / Remodel of the Former US Army Reserve Training Center  
 Marion Police Department  
**OWNER:** City of Marion  
**PROJECT NO:** 13014  
**DATE:** August 1, 2013  
**TRADE:** **Plumbing Work**

Contractor	Bid Bond	ADD	Week Begin	Week Complete	BASE BID
Litton Enterprises	5%	1,2	9/9/13	3/10/14	\$107,071
A1 Plumbing					No Bid
FW Plumbing	5%	1,2	9/9/13	3/10/14	\$113,900
SI Piping	5%	1	9/9/13	3/10/14	\$117,898
HH Sutton Plumbing	5%	1,2	9/9/13	3/10/14	\$145,460
Evrard Strang Construction	5%	1,2	8/15/13	3/10/14	\$109,710



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**BID TABULATION SHEET**

**PROJECT:** Renovation / Remodel of the Former US Army Reserve Training Center  
 Marion Police Department  
**OWNER:** City of Marion  
**PROJECT NO:** 13014  
**DATE:** August 1, 2013  
**TRADE:** **Roofing Work**

Contractor	Bid Bond	ADD	Week Begin	Week Complete	BASE BID
Martin Roofing	5%	1,2	9/1/13	3/5/14	\$271,577
Ron Gobin Enterprise	5%	1,2	9/1/13	3/10/14	\$250,000
Evrard Strang Construction	5%	1,2	8/15/13	3/10/14	\$232,875

ATTACHMENT B

**PROJECT:** Proposed Community Recreation Center  
917 West Main St.  
Marion, IL.

**Bid Date:** 7/30/13

**BID TABULATION SUMMARY  
for Bid Package #4 (Rebid)**

Bid Package No. 4- Roofing & Sheet Metal

<u>Kehrer Brothers Construction, Inc.</u>	<b>\$473,150</b>
Alternate Bid RSM-1	\$23,700
<u>DE Martin Roofing Co., Inc.</u>	<b>\$488,258</b>
Alternate Bid RSM-1	\$19,060
<u>Vaugh's Roofing</u>	<b>\$687,000</b>
Alternate Bid RSM-1	\$20,000