

MINUTES OF A REGULAR CITY OF MARION COUNCIL MEETING AUGUST 22, 2011

The Regular Meeting of the Marion City Council was called to order August 22, 2011 at 6:30 P.M. by Mayor Butler. The City Clerk was advised to call the roll. Those present were:  
Commissioners Rix, Rinella, Goss, and Patton and Mayor Butler.

Minutes of the August 8, 2011 Regular Meeting were approved.

Mayor Butler announced that Brain Fisher and his wife are the proud parents of a baby girl named Kylee Jo, born August 20 weighing in at 7.5 pounds and 19.5 inches long. Congratulations to the proud parents.

Reverend John Hotz, pastor of the Zion United Church of Christ and president of the Habitat for Humanity spoke to the Council about having the property at 112 South Vicksburg rezoned from C-1 Commercial to R-1 Single Family Residential. Commissioner Rix moved to approve the rezoning of the property from C-1 to R-1 with Commissioner Goss seconding the motion.

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

Commissioner Patton wanted Reverend Hotz to know that he fully supported the Habitat program but he didn't think the commercial area should be rezoned to residential. He thought the Habitat group should look for another lot in a residential area.

**Ordinance 2373 An Ordinance for supplemental appropriation.** Treasurer Steve Hale explained to the Council that last year the City received \$180,000 from the McMichael Trust to be used for beautification of the Rose Hill Cemetery. These funds were not in the 2011-2012 budget, so therefore a supplemental appropriation has to be made authorizing the money to be spent. Commissioner Goss moved to approve Ordinance 2373 as presented with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

City Administrator Gail West told the council the duct work on the outside of the Marion Civic Center had been damaged in the May 8, 2009 storm and in other wind storms since then, with the duct work being repaired each time. It is now in need of repair/replacing again. The funds have been received from the insurance company. The Civic Center is looking for approval of a bid from F & F Mechanical to repair and replace the duct work with a heavier 1" thick sheet of "Armaflex that will hopefully be able to withstand the high winds better. The bid is for \$42,986.00. Commissioner Rinella made a motion to accept the bid of F & F Mechanical in the amount of \$42,986.00 with Commissioner Patton seconding the bid.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rix told the Council that Fire Chief Jack Reed is asking for approval from the council to apply for an AFG Grant to either replace or upgrade the "Self Contained Breathing Apparatus" (SCBA). Commissioner Rix moved to approve the application for the grant with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Brian Ziegler spoke to the Council concerning the bids for the 16" water main that will replace a 10" and a 12" water main that run from the water plant west along side of the Crab Orchard and Egyptian Railroad. Both lines have been clamped repeatedly. The 16" will replace both of those lines that were installed in the late 30's. Ferky's of Herrin, Inc, was the low bidder at \$200,942.50 - approximately \$124,000.00 under the Engineer's estimate. Ferky's withdrew their bid after seeing and hearing the complexity and importance of this water main, since this was the first time Ferky's had bid for any City of Marion work, and decided to wait for a smaller project with the City of Marion. The next lowest bid of \$ 274,082.50 was from Haier Plumbing and Heating, Inc. of Okawville, Illinois, which was also under the Engineer's estimate. Brian Ziegler recommended the City accept the bid of \$274,082.50 from Haier Plumbing and Heating. Commissioner Rinella moved to accept Haier Plumbing and Heating with Commissioner Rix seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES

Brian Ziegler presented the bids for the Wastewater Treatment Plant renovations. The bids all came in substantially over the Engineer's estimate. The reason for that is the project has grown since the initial planning and the cost was underestimated. Treasurer Steve Hale had told Brian Ziegler and Gail West that with prior debts being paid off, with the increased debt service, and the 25% forgiveness on the IEPA Loan, there would be funds to cover the project. Brian recommended to accept the bid of Korte & Luitjohan Contractors of Highland, IL at \$2,489,000.00 with an added alternative bid of \$25,400.00 for a total bid of \$2,514,400.00. Commissioner Patton moved to accept Korte & Luitjohan's bid of \$2,514,400.00 with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

ORDINANCE 2375 – An Ordinance providing for the increased amount of borrowing from the IEPA loan to cover the wastewater treatment plant expansion and the Northeast sewer expansion. Commissioner Patton made motion to accept Ordinance 2375 as presented with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Glenn Clarida presented the bids for the Northeast Sewer Extension project consisting of Quail Run, Felts Acres, Melmar Estates, Spring Gardens, Oakshire and the houses in between with approximately 120 customers. Wiggs Excavating of Benton, IL was the low bidder at \$1,308,551.30. This bid was \$148,000.00 under the Engineer's estimate of \$1,456,272.00. Glenn recommended to accept Wiggs Excavating's bid subject to EPA Approval. Commissioner Patton moved to accept Wiggs Excavating's bid of \$1,456,272.00 with Commissioner Rix seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Mayor Butler reported he had received a contact from the Village of Spillertown suggesting that Marion annex Spillertown. Before the annexation could happen several things would need to occur. There would have to be a referendum in Marion as well as in Spillertown to allow the annexation to take place. According to the last census, Spillertown has a population of 203 people. They have their own sewer system but it connects to City of Marion sewer system to be processed. Their water is supplied by Pittsburg. That is something that would have to be

addressed. Mayor Butler said he was bringing this up so the Commissioners could give the idea some serious thought. Mayor Butler said he was not making any suggestion or recommendation; only that Spillertown was serious about the annexation idea.

Commissioner Goss made a motion asking the Council to approve using the McMichael Estate dollars left to the Rose Hill cemetery for the beautification of the Rose Hill Cemetery for which it was intended. The funds would be used to purchase trees and widen the streets in the Rose Hill Cemetery. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES

Commissioner Goss moved to accept a bid from Short Brothers Construction in the amount of \$90,000.00 to widen and resurface the streets in Rose Hill cemetery. Funds are to come from the McMichael Trust dollars. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

RESOLUTION 2011-13 RESOLUTION APPROVING IDOT UTILITY PERMIT TO CROSS UNDER HIGHWAY IL RTE. 13 WITH A 12" GRAVITY FLOW SANITARY SEWER. Commissioner Patton moved to accept Resolution 2011-13 with Commissioner Goss seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

ORDINANCE 2374 – TAXI ORDINANCE. AN ORDINANCE CREATING A CLASS II TAXICAB LICENSE. Commissioner Rinella made a motion to accept Ordinance 2374 as it was presented with Commissioner Goss seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Mayor Butler read a letter from Yolonde Peterson, Chairman of the Marion Cultural & Civic Center Board, recommending that Chris Duncan be hired for the position of Maintenance Manager at the Marion Cultural & Civic Center. Commissioner Goss moved to accept the recommendation to hire Chris Duncan with Commissioner Rix seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Mayor Butler read a second letter from Mrs. Peterson asking for the approval of the appointment of Jasmine Lee as the High School Board member to the Marion Cultural and Civic Center Board. Commissioner Patton made motion to approve the appointment of Jasmine Lee to the MCCC Board. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Bernard Paul's term on the Airport Authority Board is expiring. Mayor Butler recommended that he be reappointed to the Airport Authority Board as he has done a fine job on the board. Commissioner Rinella moved to accept the reappointment of Bernard Paul to the Airport Authority Board with Commissioner Goss seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Item 15 Millenium Contract and Item 16 Holland Ancillary Contract were tabled.

Commissioner Rinella moved to approve the Business Service Agreement for Marion Carnegie Library with Clearwave. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

City Attorney Steve Green told the Council the Clearwave Service Agreement with the Marion Police Department is a three year contract. The other 15 towns involved in this program have already signed the agreements. Mayor Butler feels comfortable with the contract and feels it is a reasonable agreement. Commissioner Goss made motion to accept the Clearwave Contracts with Commissioner Rix seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rinella announced the East Water tower is being drained for repairs. The Company that made the repairs on the East Water Tower two years ago didn't do a very good job as there are places that have already rusted through. The same company will be covering the cost of the repair on the East Tower.

Commissioner Rinella moved to pay the monthly bills as funds become available with Commissioner Patton seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rinella moved to pay the Consent Agenda of August 22, 2011 subject to funds availability. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

RESOLUTION 2011-12 A RESOLUTION TO MAKE THE 200 BLOCK OF PRINT ALLEY RUNNING FROM JEFFERSON STREET TO UNION STREET A ONE-WAY ALLEY WITH TRAFFIC GOING SOUTH. Commissioner Goss made motion to approve Resolution 2011-12 as presented with Commissioner Rix seconding the motion.

ON ROLL CALL VOTE ALL COMMISSIONERS VOTED YES.

Mayor Butler reported that Stephanie Knight who owns a house on Cherry Street directly behind the Fred's Store on W. Main Street said trash from Fred's dumpster blows around and gets stuck in Ms. Knight's fence detracting from the appearance of her place. The Fred's employees allow trash and garbage to blow all over the vacant lot between Stephanie's fence and the store.. Stephanie approached Mayor Butler about acquiring the piece of property between her fence and Fred's. Jim Phemister, Code Director said his department was working on a new trash ordinance that would cover such problems.

8:00 pm

Commissioner Rinella moved to go into Executive Session to discuss a personnel matter and a real estate matter. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rix moved to adjourn the meeting with Commissioner Goss seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

8:45 pm



ROBERT L. BUTLER, MAYOR

ATTEST:



ALICE F. RIX, CITY CLERK