

The Regular Meeting of the Marion City Council was called to order September 12, 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 22, 2011 Regular Meeting were approved.

L.C. Cavaness, as spokesperson of the "Committee to Re-elect Robert. L. Butler for Mayor" in the April 2011 election, presented Mayor Butler with a "Thank-you card" from the Re-election Committee: Sam Shelton, Bill Butler, Gail West, John Goss and L. C. Cavaness, along with a U.S. flag with a certificate stating that the flag had flown over the U.S. Capitol and a letter from Senator Mark Kirk. The letter from Sen. Kirk stated that he was honored to present the flag that had flown over the United States Capitol, to Mayor Butler in recognition of his forty eight years of service as Mayor of the City of Marion. Senator Kirk said he looked forward to continuing to work with Mayor Butler with concerns for the City of Marion, The Hub of the Universe, and wished Mayor Butler well in his future endeavors.

Michael Baysinger, Architect for the Boyton Street Community Center addition, stated there were six contractors that bid on the project. The low bid was from a local contractor, Evrard Strang Construction at \$80,825.00 which is \$8,000.00 under the estimate of \$89,000.00. City Administrator, Gail West stated that in 2007 the Boyton Street Community Center had applied for and received a Grant from DCEO for \$35,000.00 which has never been used. Gail has contacted the disbursements person for the Grant and has received in writing that DCEO will entertain additional disbursements on the \$35,000.00 grant if they are submitted. Therefore, the purchases would be paid for and then submitted to DCEO for possible reimbursement. DCEO did not say they would pay for them; they did say they could initiate authorization for payments. So there is a potential \$35,000.00 reimbursement if the project is completed. In 2007, Boyton Street Community Center received \$8,750.00 which was set aside in the budget and can be used for planning and engineering. There is an item on the September 12, 2011 Consent Agenda for the design and bidding process of the Boyton Street Community Center Addition in the amount of \$7,748.60 which can be paid from those funds leaving about \$27,251.00 still to ask the State for. The City will still have to come up with approximately \$53,000.00 in order to meet the low bid if it is accepted. Commissioner Patton asked if there is potential for more grant money. City Administrator Gail West told him, "No more than the \$35,000.00." Commissioner Rinella asked if this is a budgeted item. Treasurer Steve Hale said it is not in the budget but that funds are available in the savings account to pay the \$53,000.00. Commissioner Rinella said he didn't like going away from the budget. Mayor Butler said this addition to the Boyton Street Community Center is something that the city has been looking at since 2007 and the city needs to get it done as the residents in that section of town have been very patient. Commissioner Goss made motion to accept Evrard Strang's bid of \$80,825.00 with Commissioner Rinella seconding the bid.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Mrs. Linda Holman, owner of the Marion Cab Company, Inc. gave her views to the Council on the new Taxi Cab Ordinance # 2374 that was passed by the Council on August 22, 2011. She felt that the \$500,000.00 requirement for liability insurance for each taxi cab was too high. She

presently holds \$300,000.00 liability insurance which is the State of Illinois requirement for Taxi Cabs. She suggested the City Ordinance be in accordance with the State requirement. L. C. Cavaness, as her insurance agent with Jackson & Gray Insurance, stated that his company has never had a problem with Marion Cab Company with the twenty years or more that they have had insurance with Jackson & Gray Insurance Company. Mrs. Holman also stated that she thought the \$100.00 license fee was too high. She felt that \$50.00 was more in line with what it should be. Mrs. Holman asked for consideration. She has been in the taxi cab business for twenty six years and would like to continue her business. She purchases 12 taxi cab licenses each year. She usually runs six cabs but at this time she only has two cabs in service. Even with the rise in gas prices, she has not raised her prices for fares -- still charges only \$6.00 to ride anywhere in town. Mayor Butler said he thought Mrs. Holman's suggestions were warranted and the Council would act on them at the next regular meeting.

Treasurer Steve Hale presented Ordinance # 2376 - BUDGET OFFICER ORDINANCE to the Council for their consideration. This would be changing from the Appropriation Ordinance to the Budget Officer Ordinance. The Appropriation Ordinance just sets upper limits as to what can be spent. Under the Budget Officer Ordinance it would show actual projections of what will be spent. With this there would no longer be an internal budget and a separate Appropriations Ordinance. The Budget Officer Ordinance creates a position of Budget Officer appointed by the Council and Finance Commissioner. This does not take any authority away from the Council. It allows the Budget Officer to make sure all departments are cooperating in the budget process. There would still be the same process of doing a budget for each department. The Council would have the final say in what would be spent in each department and for each expenditure. The difference would be in the presentation of the budget. It would show a more accurate picture. Currently the revenues are not shown on the appropriation ordinance. With the new ordinance, revenues would be projected with the expenditures adding transparency to the whole budget process. It would also show beginning and ending fund balances which the current method does not do. It would also show actual expenditures from the last two years. The Budget Officer Ordinance also would provide for establishing a Capital Replacement Fund where funds can accumulate for a specific earmarked projected project. The current method does not allow for that. If funds were set aside in a Capital Replacement Fund for a specific project and the project did not materialize, the funds in the Capital Replacement Fund could be used for another project. Mayor Butler asked "What if a project comes up that has not been budgeted for? How do we fit that in with this new process?" Steve told him it would require an amendment to the budget. If there are monies available or receive monies from the state, you would amend the budget with a two thirds vote from the Council. The Capital Replacement Fund states that the amount is not to exceed 3% of the Equalized Accessed Property evaluation. Commissioner Patton asked if that was per budget year or 3% overall. Steve told him it was 3% of the Equalized Accessed Property Evaluation which is \$300,000,000.00 with 3% being \$9,000,000.00. So it is highly unlikely that would ever be a problem. Steve told the Council under the Appropriation Ordinance he currently uses the "Cash Basis". If the new ordinance is adopted, he would like to change to the modified accrual basis and that would simplify the audit report. Currently we use what is full accrual for the entity wide statements, modified accrual for the fund statements, and cash basis for the budget comparison. Currently we are using three different types of methods. Under the new ordinance we would still have the entity wide full accrual but for the funds we would use modified accrual and that would flow to the budget presentation which would all be in

accordance with G.A.A.P. (Generally Accepted Accounting Principles.) Steve told the Council that under this new ordinance the budget has to be in place by May 1 of the new budget year. Under the appropriation ordinance you have until the end of the first quarter to pass the appropriation ordinance. The last two years, the Council has past the appropriation ordinance by May 1. If the council does pass the Budget Officer Ordinance and for some reason decides they don't like this ordinance, then by a two-thirds vote the Council can vote the Appropriations Ordinance back in. Commissioner Goss asked about Section 6: Revision of Annual Budget (Proposed Budget Officer Ordinance). It was decided that Attorney Steve Green will rewrite that section with the amended Ordinance to be presented to Council at the next Council meeting.

Reverend John Hotz, pastor of the Zion United Church, spoke to the Council concerning placement of a sign the Zion Church purchased over a decade ago. The church would like to install the lighted five feet by three feet sign on a post at the corner of South Vicksburg and West Main Street on City of Marion property (old Marion Memorial Hospital property). Mayor Butler asked Jim Phemister to come forward to address the situation. Gail stated that Lifeline Ambulance is concerned about the sign blocking view of the ambulances pulling out of Vicksburg Street onto Main Street. Jim suggested the sign be set twenty feet back from the Main Street and twenty feet back from Vicksburg Street so as not to block the view of oncoming vehicles from either direction. Rev. Hotz said the church would be happy with whatever guidelines the City and Lifeline come up with as long as the Zion Church gets to set their sign somewhere close to the corner. The Church certainly wants to work with the City's agreements and wants to make sure the ambulance service is safe. Gail also reminded the Council that the City still has a pending grant applied for with the state that if received would make the old hospital property a recreational site, which current drawings show building all the way to the street. Mayor Butler said if at such time that the grant should come through or if the property were to be sold for some other purpose, then different arrangements would have to be made for the Zion Church sign. Rev. Hotz said the Zion Church would be more than happy to abide by those rules. Commissioner Rix made motion to allow the Zion Church to place their sign twenty feet back from Main Street and twenty feet back from Vicksburg Street on the old hospital property until such time as the old hospital property might be used for either a recreational facility or sold to another owner. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Darrell Kirk, former Youth League football coach asked the Council why he was let go from the Youth Football League. Commissioner Rinella told him that he thought he was guilty by association. Commissioner Patton said he thinks it is past time to call all the Youth Football League coaches and Recreation Department members in to get this settled. The City has a reputation to uphold. Mr. Kirk told the Council that Carbondale and Herrin will not play some of the Marion teams because of un-sportsman like conduct on the part of the coaches. Mayor Butler said the City of Marion can not tolerate behavior like this. A meeting will be set up with the Recreation Board to meet with the City Council at the next meeting.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rinella moved to approve payment of the monthly bills as funds become available with Commissioner Rix seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Goss made motion to approve Resolution 2011-14 – Dedication of Print Alley Plat. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Patton opened bids for the purchase of two 2012 trucks for the Sewer Department. Marion Ford bid \$22,822.00 for the 4 x 4 and \$18,082.00 for the 2 x 4; Marion Chevrolet and Cadillac bid \$20,277.56 for the 4 x 4 and \$17,586.00 for the 2 x4; Absher Arnold bid \$24,128 for the 4 x 4 and \$20,764 for the 2 x 4. Commissioner Patton moved to accept the low bid of Marion Chevrolet and Cadillac pending the review of the specs. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

7:40 pm.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rix stated a "School sign was needed on North Carbon Street by the Alternative Learning Center. Commissioner Goss reported that the sign had already been placed there.

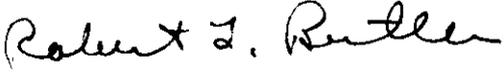
Commissioner Goss moved to appoint Walter "Wally" Dodge to the Police Pension Board. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

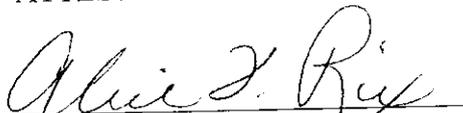
Commissioner Patton moved to continue the meeting to Monday September 19, 2011 with Commissioner Rix seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

8:45 pm

  
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ROBERT L. BUTLER, MAYOR

ATTEST:

  
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ALICE F. RIX, CITY CLERK