

**CITY OF MARION – REGULAR MEETING**

NOVEMBER 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 November 13, 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, AND PATTON AND MAYOR BUTLER.  
ABSENT: NONE

The minutes of the Regular Meeting of October 28, 2013 and the minutes of the Special Meeting of November 7, 2013 were approved as presented.

Herb Klein of Jacob and Klein, Ltd, TIF consultants for the City of Marion, recommended the Council approve the Amendments to TIF IV, TIF V, and TIF VI. Mr. Klein told the Council that a TIF District ends in twenty three years, but the TIF money that comes in the twenty fourth year can be spent on TIF eligible projects. Mr. Klein said the reason for the Amendments for these three TIF's is to incorporate the newer TIF language into the TIF's. The Joint Review Board unanimously approved the proposed Route 13 TIF.

ORDINANCE 3137 – AN ORDINANCE PROVIDING FOR AND APPROVING THE SECOND AMENDMENT TO THE MARION TIF DISTRICT IV REDEVELOPMENT PROJECT AREA, PLAN & PROJECTS FOR MARION, ILLINOIS. Commissioner Rinella made a motion to approve Ordinance 3137 as presented. Commissioner Patton seconded the motion.

ON ROLL CALL COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

ORDINANCE 3138 – AN ORDINANCE PROVIDING FOR AND APPROVING THE FIRST AMENDMENT TO THE MARION TIF DISTRICT V REDEVELOPMENT PROJECT AREA, PLAN & PROJECTS FOR MARION, ILLINOIS. Commissioner Rinella made a motion to approve Ordinance 3138 as presented. Commissioner Patton seconded the motion.

ON ROLL CALL COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

ORDINANCE 3139 – AN ORDINANCE PROVIDING FOR AND APPROVING THE FIRST AMENDMENT TO THE MARION TIF DISTRICT IV REDEVELOPMENT PROJECT AREA, PLAN & PROJECTS FOR MARION, ILLINOIS. Commissioner Rinella made a motion to approve Ordinance 3139 as presented. Commissioner Patton seconded the motion.

ON ROLL CALL COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Erica Pancoast addressed the Council explaining her plans to enlarge her current business, Erica's Doggie Stylez, located at 1010 West Main Street. Erica explained that before she can go

ahead with her expansion plans to add a Pet Resort, a Pet Daycare facility, an Indoor/Outdoor Dog Park, a full service Grooming Salon and other services for pets, the City needs to change the Zoning Rules so that a Pet Daycare and Resort could operate in a commercial or industrial area of the City without any minimum lot size or additional building setbacks. Erica told the Council she has met with an Architect and has her plans in place as soon as she gets the clearance from the City. Mayor Butler told Ms. Pancoast the City would look into amending the Zoning Ordinance to accept the Pet Daycare.

Jerry Ross, Construction Manager for the Hub Community Recreation Center, came before the Council to ask for approval for additional costs incurred at the Hub Community Recreation Center due to the unstable soil which had to be removed. Then more dirt and fill had to be added back making for a net cost addition to Samron Midwest Contracting, Inc. \$176,623.19. Other changes to approved bids are as follows:

Bid Package No. 1 General Trades – Samron Midwest Contracting, Inc.	
Change Order G-1	
HDPE toiled partitions, partial depth stair nosings and steel handrails in lieu of aluminum.	-\$41,162.00
Change order G-2	
Delete Sidewalk on east side of parking lot.	\$ 5,800.00
<b>TOTAL CONTRACT TO DATE</b>	<b>\$4,488,038.00</b>

Bid Package No. 2 Athletic Equipment – SportsCon Athletic Equipment	
Alternate AE-1	\$2,400.00
Alternate AE-2	\$1,500.00
<b>TOTAL CONTRACT TO DATE</b>	<b>\$40,180.00</b>

Bid Package No. 13 Plumbing – H.H. Sutton Plumbing & Mechanical, Inc.	
Change Order P-1	
Gas Piping revision, sch.80 pool fill piping, delete backflow Preventer, manual flush valve & faucets.	-\$22,200.00
<b>TOTAL CONTRACT TO DATE</b>	<b>\$391,800.00</b>

Bid Package No. 14 HVAC – Southern Illinois Piping Contractors, Inc.	
Change Order M-1	
Changed roof top equipment – manufacture.	-\$25,000.00
<b>TOTAL CONTRACT TO DATE</b>	<b>\$1,311,000.00</b>

Bid Package NO. 15 – Electrical – Brown Electric, Inc.	
Alternate E-1	\$16,064.00
Alternate E-2	\$5,172.00
Change Order E-1	- \$2,000.00
Delete electric flush valves & faucets	
<b>TOTAL CONTRACT TO DATE</b>	<b>\$1,245,549.00</b>

Testing Budget	<u><b>\$28,247.00</b></u>
	<b>\$12,330,100.00</b>

Construction Manager Jerry Ross recommended the changes to be approved. Commissioner Patton made a motion to approve the proposed change orders and alternate changes with the exception of P-1 (delete backflow preventer) until hear further from EPA. Commissioner Rinella seconded the motion. It was noted Illinois Public Health had approved the pool as of July 25, 2013.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

RESOLUTION 2013-17 – A resolution renaming Laborers Way to Ed Smith Way. 911 Coordinator, William Barrett, voiced concerns about renaming Laborers Way to Ed Smith Drive as the City already has a Smith Avenue. William stated having the similar street names could cause difficulty in an emergency 911 situation. Commissioner Goss made a motion to approve Resolution 2013-37 changing the name of Laborers Way to Ed Smith Way. Commissioner Rinella seconded the motion.

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

Commissioner Goss presented the following bids for the renovation and extension of an existing storage building at the Cemetery:

John Shoot Building	\$37,739.00
Tru-Bilt	\$41,000.00
A-1 Buildings	\$31,415.00

Commissioner Goss made a motion to accept the low bid of A-1 Buildings. \$16,236.00 of the cost is to come from the Cemetery with the balance coming from the General fund.

Commissioner Rinella stated he thinks each commissioner should adhere to the budget that was approved last April. Mayor Butler stated that the City's revenues were coming along and that rigidity is not the answer. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Commissioner Rix made a motion to accept a \$10,000.00 IEMA grant for the ITECS trailer. The funds would be used for tires, maintenance, etc. of the ITECS trailer. Commissioner Rix noted that Marion is the only municipality south of Springfield to receive the grant money.

Commissioner Goss seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Commissioner Goss presented the bid from A-1 Buildings - \$28,486.00 for the new 50 feet by 80 feet pole barn building at the Street Department. The bid is \$22,000.00 less than what was budgeted for the new pole barn. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Commissioner Goss stated the new Elgin Pelican Street Sweeper that the Street Department purchased this past summer is a lemon. The Elgin repairmen have worked on the sweeper several times and it still is not doing its job. Commissioner Goss made a motion asking for authority to take what action is needed to either get the machine fixed or replaced. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Commissioner Goss presented three of the proposed Downtown Restoration loans for approval.

- Ivan Zwick - \$10,000.00
- Joe Lerner - \$ 9,600.00
- Jerry Ross - \$10,000.00

Commissioner Rinella stated that the money to fund these loans had not been appropriated. Commissioner Goss said the projects have to be approved before receiving the grant money from the City. Attorney Steve Green will draw up the contract documents. Also, the Business Owner has to have completed the project before receiving the grant money. Commissioner Rix asked why the recipient only has to pay back half of the loan amount. Commissioner Goss stated the Downtown Restoration committee has the final recommendation, but the Council makes the final decision. Commissioner Goss made a motion to approve the Downtown Restoration loans for Ivan Zwick and Joe Lerner. There being no second the motion died. Commissioner Rix thought the money should be appropriated in the budget before giving out the loans.

ORDINANCE 3135 – AN ORDINANCE ANNEXING A “VACANT ACREAGE NOT ON A STREET OR ROAD, CURRENTLY ZONED RURAL AGRICULTURE RA, OWNED BY PHILLIP CAMPBELL. (Property south of Illinois Route 13.) Commissioner Goss made a motion to approve the annexing of the above stated property. Motion was seconded by Commissioner Rinella.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

ORDINANCE 3136 – AN ORDINANCE REZONING A PARCEL OF LAND FROM RURAL AGRICULTURE RA TO COMMERCIAL R1 (Eigenrauch Trust) (Area behind Ike’s Honda.) Commissioner Rinella made a motion to approve the above Ordinance 3136 as presented. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

City Administrator Gail West told the Council the Marion Cultural and Civic Center is in dire need of new Communication Equipment to enable the director to communicate with all the IT and sound equipment. Gail explained that a show runs off of eight headsets and currently the Civic Center is down to four. The equipment needed from BMI Supply costs \$15,448.00.

Commissioner Rix made a motion to approve the purchase of the needed equipment for the Sound Communication. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

After discussing the proposal submitted by Travis Akin to provide the City of Marion with some communication and marketing work, it was decided to table the proposal.

Mayor Butler read a letter from Marion Senior Citizens Center Director Letina Poole, requesting approval to hire Margaret Hezlep as a Kitchen Substitute Helper. Commissioner Patton made a motion to approve the hiring of Margaret Hezlep. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Mayor Butler reported that some of the owners of wrecker services in the City of Marion are asking for a limit on the number of wrecker services that can be on the Police Department's Rotation system. Commissioner Rinella suggested tabling the item on wrecker services until the Council gets more information on the matter.

Commissioner Rinella made a motion to approve and pay the Consent Agenda dated November 12, 2013 as funds become available. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

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

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

8:20 P.M.

Commissioner Rix made a motion to go into Executive Session to discuss a Personnel issue and a Real Estate Matter. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

9:00 P.M.

Commissioner Rinella made a motion to close the Executive Session and reconvene the Regular Meeting. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Commissioner Goss made a motion to approve Terance Henry, IT Director, to spend up to \$6,000.00 developing the City of Marion a Mobile App. Commissioner Rix seconded the motion.

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

Commissioner Patton made a motion to approve Right of Way Acquisition on North Russell Street from Scottsboro Road to south of Morgan Avenue. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

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

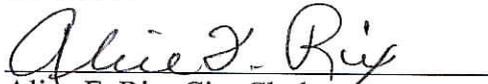
ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

9:07 P.M.



Robert L. Butler  
Robert L. Butler Mayor

ATTEST:

  
Alice F. Rix  
Alice F. Rix, City Clerk