

CITY OF MARION -- REGULAR MEETING

September 10, 2012

Minutes of a Regular Meeting of the City Council of the City of Marion held in the Council Chambers of the Marion City Hall September 10, 2012. 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 August 27, 2012 Regular Meeting were approved as presented.

City Clerk Alice Rix was instructed to perform the Oath of office to new Police Officer Dustin Lingle.

Myra Logston and family of 901 S. Bentley came before the Council stating there are at least three neglected rundown houses in their neighborhood that the City has not done anything about. Mrs. Logston said the house at 809 S. Bentley was posted back in July with a sign stating that the house is uninhabitable but nothing has been done about the house. Mrs. Logston was told that the City has to get the Court's permission before the City can go in on personal property and start demolishing the house. That sometimes the court proceedings can take up to a year or longer before the City gets permission to start the demolition and cleanup process, but that the City is aware of the problems. Mrs. Logston also told about a brush pile in the back alley of 901 S. Duncan that had been setting there for three years. Mayor Butler told her it would be checked into and the problem cleaned up.

Mayor Butler stated that Ameren Illinois is asking the City of Marion for a Transmission Easement of 0.459 acres located along the abandoned railroad bed in the vicinity of Old Creal Springs Road and Caplinger Pond Road approximately one-half mile west of Rte. 166. The current easement held by Ameren would expand from eighty five feet wide to one hundred fifty feet wide. Ameren will pay the City \$1,200.00 for the Permanent Easement. Commissioner Rinella made a motion to approve the Permanent Easement to Ameren. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rinella told the Council that Safety Director Brian Fisher has a quote from United Rentals Trench Safety for additional trench safety equipment for the Water and Sewer Departments in the amount of \$11,947.00 plus shipping. The City already owns one set of the "trench safety equipment" but it has become apparent that as all of our city employees now use the "trench safety equipment" when working in the trenches, that one set is not enough. Commissioner Rinella made a motion to accept the bid of United Rentals Trench Safety as this will mesh with the city's existing trench safety equipment. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Mayor Butler presented a copy of Audit Report #74 from Illinois Department of Transportation covering the receipt and disbursement of motor fuel tax funds by the City for the period beginning January 1, 2011 and ending December 31, 2011, and the entries for receipts in these books and records are true and correct and are in agreement with the records maintained by the Department of Transportation and that entries for bid disbursements are supported by cancelled warrants or checks with exceptions noted in the audit findings. The Audit stated all necessary records were available for the audit and were very well prepared, maintained and organized. Also, included was the Audit Report #11 covering the G.O. Bond Issue Fund stating the books and records are in agreement with the records maintained by the Department of Transportation and that entries for disbursements are supported by cancelled checks with exceptions noted in the audit findings. The Audit stated all necessary records were available for the audit. The Audit reports will be filed as permanent records in the office of the City Clerk.

Commissioner Goss made a motion to authorize an additional Lead Man position in the Street Department. It will be a union position and as the other Lead Man position in the Street Department will answer to the Superintendent and Commissioner of the Street Department. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Patton made a motion to approve payment of the invoice from Engineered Fluid, Inc. for the annual billing for the sixteen Lift Station Monitors in the amount of \$6,720.00 and for the Marion Water Department monitor annual billing in the amount of \$525.00 for an invoice total of \$7,245.00. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

City Engineer Glenn Clarida presented the bids for the addition of two lanes to the Morgan Avenue Bridge over I-57. This bid is just for the bridge. IDOT's Engineer's estimate was for \$2,716,533.00. E.T. Simonds of Carbondale, IL bid \$1,899,002.01; F.H. Pashen, S.N. Nielson & Assoc., Inc. of Chicago, IL bid \$2,620,152.63; and Southern Illinois Asphalt, Marion, IL bid \$2,825,979.50. Commissioner Rinella made a motion to award the bid to E. T. Simonds of Carbondale, IL with the bid of \$1,899,002.01. E.T. Simonds bid was \$817,531.90 under the IDOT engineer's estimate. Commissioner Patton seconded the motion. Glenn told the Council the work on the bridge would be starting in the next few days and the Contractor will be presenting bills for materials possibly in the next sixty to eighty days. Glenn also told the Council that this is just a part of the total construction project.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Resolution 2012-14 Reimbursement Resolution was tabled for a later date.

City Attorney Steve Green told the Council he had read both Contracts for Aggregate Energy Consultant and that both are straight forward; it will be a judgment call as to which firm is hired; A) Select Energy Partners, LLC. or B) S.I.M.E.C., LLC.

After much discussion Commissioner Rinella made a motion to approve Select Energy Partners, LLC. as the Consultant for the Electric Municipal Aggregations Services. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RINELLA VOTED YES, COMMISSIONER GOSS VOTED NO, COMMISSIONER PATTON VOTED YES, MAYOR BUTLER VOTED NO AND COMMISSIONER RIX VOTED NO. Motion did not pass.

Commissioner Goss made a motion to table the decision on the selection of an Electric Municipal Aggregation Services Consultant to a continued meeting. Commissioner Rix seconded the motion.

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

Mayor Butler said that was the final discussion on the Energy Consultants until next Monday night at the continued meeting.

ORDINANCE 3059 – An Ordinance authorizing execution of the Illinois Public Works Mutual Aid Network Agreement. On August 27, 2012 when the Ordinance was first presented, Mayor Butler had some questions on Section IV and Section VII-(B), but after looking over a copy of the state plan supplied to him by EMA Director Donna Stotlar, he found nothing in the plan that would unduly obligate the City. Commissioner Rinella made a motion to accept Ordinance 3059 as presented. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rix presented the Police report for July and August noting there were six DUI arrests in July and four DUI arrests in August. He said that set a record for DUI arrests in a two month time period.

Commissioner Rinella made a motion to approve payment of the Consent Agenda of September 10, 2012 as funds become available. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Goss reported the Tower Square sidewalks are completed. Mayor Butler stated that the sidewalks look real good and had been long overdue for replacement.

Commissioner Rinella stated that the Veterans Parade that was held Saturday September 8, 2012 was a real plus for the City of Marion. Mayor Butler said it was the best parade the city has ever had.

Commissioner Goss stated that Ed Davis, the Director of the Veterans Parade will be a great loss to the City of Marion when he and his wife complete their move to the St. Louis area. Commissioner Goss said Mr. Davis has said he will come back to Marion to help with the Veterans Parade.

Commissioner Patton reported he had received an email from Dave Fillon, who has big plans for the railroad with Progressive taking over the Crab Orchard and Egyptian Railroad.

Mayor Butler announced that Ivan Zwick, area businessman and National Weight Lifter, took top honors recently in a National Weight Lifting Competition held in California. Mr. Zwick weighs in at 145 pounds and beat the competitors in his class by bench pressing 275 pounds. Congratulations to Ivan. Ivan will now be going to Prague, Czech Republic for the International Weight Lifting Competition.

Mayor Butler also reported that he had been invited by Brent Gentry to pre-sample some of the yogurt that he will be selling when his new Yogurt Shop opens in the remodeled store on Williamson County Parkway where Stevens Floral and Gifts formerly was. Mayor said the chocolate yogurt that he sampled was delicious.

7:45 P.M.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

8:45 P.M.

Commissioner Rix made a motion to close the Executive Session and Reconvene the Regular Meeting. Commissioner Goss seconded the motion.

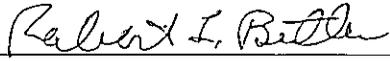
ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rinella made a motion to authorize Steve Hale and Steve Green to contact Jeff Scheppel to begin communication to authorize a bond issue in the amount of \$8,000,000.00. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

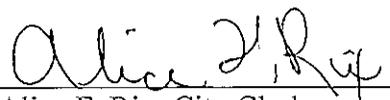
Commissioner Patton made a motion to continue the meeting to Monday September 17, 2012 at 6:30 P.M. with Commissioner Goss seconding the meeting.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.



Robert L. Butler, Mayor

ATTEST:



Alice F. Rix, City Clerk