

**CITY OF MARION – REGULAR MEETING**

OCTOBER 28, 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 October 28, 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, GOSS, AND PATTON AND MAYOR BUTLER.

ABSENT: COMMISSIONER RINELLA

The minutes of the Regular Meeting of October 14, 2013 and the minutes of the Special Meeting of October 17, 2013 were approved as presented.

Jalayne Lucket, Gray Hunter Stenn, presented an over view report of the recent Audit completed by Gray Hunter Stenn for the City of Marion for the Fiscal year of May 01, 2012 through April 30, 2013. Jalayne reported the basic report of the Financials gave a clean opinion, which is as good as it gets. The City's fixed assets are growing and the cash investments are up this year.

Administrator of the Revolving Loan Committee Clarke Deacon presented the loan request from the City of Marion Revolving Loan Fund for \$125,000.00 for Rodney Joe Hale dba Hale's Automotive Inc. Mr. Hale's former automotive business at the corner of E. Main and Old Creal Springs Road was destroyed in a fire that completely destroyed his business facility as well as the equipment used for his auto repair business. Mr. Hale has purchased land and a new facility is now under construction located on North Court. This request was approved by the Revolving Loan Committee at its October 21, 2013 meeting. The committee highly recommended this funding request.

Commissioner Patton made a motion to approve the Revolving Loan Request for Rodney Joe Hale as presented. Commissioner Goss seconded the motion.

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

Treasurer Steve Hale presented required annual reporting to the Municipality by the Police Pension Board and the Fire Pension Board which is required by statute before either Pension Board can request a Tax Levy for the coming year.

The Marion Police Pension Board recommended a Tax Levy for the year ending April 30, 2014 of \$663,000.00 which is an increase of 11.98% over last year.

The Marion Fire Pension Board recommended a Tax Levy for the year ending April 30, 2014 of \$425,798.00 which is an increase of 1.02%.

Treasurer Steve Hale told the Council the property tax levy is based on four things: 1) Police Pension 2) Fire Pension 3) 2005 Refunding and 4) Recreation levy. Based on these four items, Treasurer Steve Hale estimated the Property Tax Levy for Year 2013 at 0.47541 or an increase of 5.49% over the prior year with a dollar increase over all of \$71,796.00. Steve informed the Mayor and Council that since the proposed Tax Levy is greater than 105% of the aggregate

extension for the previous year, a public hearing notice must be published in the local paper not more than fourteen days prior to the Public Hearing and not less than seven days before the hearing. After the Public Hearing, the Council may adopt the levy. The levy must be passed and filed with the County Clerk no later than the last Tuesday in December.

Commissioner Rix made a motion to approve the proposed Tax Levy of \$1,378,700.00 at the rate of 0.47541 or an increase of 5.49% over the prior year. Commissioner Patton seconded the motion.

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

Mayor Butler read a request from the Marion Police Pension Board recommending the re-appointment of Walter (Wally) Dodge to the Police Pension Board. Treasurer Steve Hale said Mr. Dodge has been a great asset to the Pension Board as he has a good knowledge of investments. Commissioner Rix made a motion to approve the recommendation of the Police Pension Board to re-appoint Walter (Wally) Dodge to the Police Pension Board. Commissioner Patton seconded the motion.

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

Mayor Butler read a letter from Yolonde Peterson, Chairman of the Marion Cultural and Civic Center recommending the re-appointments of Art Pratt, Connie Ashe, Lety DeMattei, and Dr. John Power for three (3) year terms beginning November 1, 2013 and extending through October 31, 2016. Commissioner Goss made a motion to approve the recommended re-appointments as stated above. Commissioner Patton seconded the motion.

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

ORDINANCE 3134 – AN ORDINANCE AMENDING ORDINANCE 3128 REGARDING PUBLIC COMMENTS. After discussion of the Ordinance 3128 it was decided to table the Ordinance.

The approval of Renovation and extension of the existing storage building at the Cemetery was tabled.

ORDINANCE 3133 – AN ORDINANCE AMENDING ORDINANCE #3076A REGULATING NON-OWNER OCCUPIED DWELLINGS. Commissioner Goss made a motion to approve Ordinance 3133 as presented to the Council. Commissioner Patton seconded the motion.

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

RESOLUTION 2013-36 NAMING THE NEW ACCESS ROAD ON THE SOUTH SIDE OF ROUTE 13 WEST – CONNECTING TO WALTON WAY AND BRADFORD STREET TO GARDEN AVENUE. ALSO, RENAMING BRADFORD STREET TO GARDEN AVENUE.

Commissioner Goss made a motion to approve Resolution 2013-36 as presented. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS PRESENT VOTED YEA.

Old Business:

ORDINANCE 3111- AN ORDINANCE ADOPTING REGULATIONS REGARDING SPECIAL EVENTS was tabled.

ORDINANCE 3132 – AN ORDINANCE AMENDING EMA ORDINANCE 3032.

Commissioner Goss made a motion to approve Ordinance 3132 as presented. Commissioner Rix seconded the motion.

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

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS PRESENT VOTED YEA.

7:30 P.M.

Commissioner Goss made a motion to go into Executive Session to discuss a Contract issue, a Litigation issue and a Real Estate Matter. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS PRESENT VOTED YEA.

825 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 PRESENT VOTED YEA.

8:30 P.M.

Commissioner Goss made a motion to hire a Structural Engineer to get an estimate for investigation to see if a common wall exists between Ivan Zwick's building and Mr. Yacob's building on East Main Street before proceeding with further plans for the Yacob building on East Main Street. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS PRESENT VOTED YEA.

Council Consensus was to send a copy of the video tape to the CCMSI on a Worker's Compensation issue.

Mayor Butler stated the next Regular Council Meeting falls on Veteran's Day, November 11, P.M. Commissioner Goss made a motion to approve moving the Council Meeting to Tuesday November 12, 2013. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS PRESENT VOTED YEA.

Mayor Butler announced Halloween Trick or Treating will be October 31, 2013 from 5:00 P.M. to 8 P.M. for children twelve years of age and younger.

8:30 P.M.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.



Robert L. Butler Mayor

ATTEST:



Alice F. Rix, City Clerk