

CITY OF MARION – REGULAR MEETING

DECEMBER 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 December 10, 2012. Mayor Butler called the meeting to order at 7:30 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 November 26, 2012 Regular Meeting were approved as presented.

Commissioner Rinella made a motion to approve the Zoning Request for a Special Permit to allow a Home Based Firearm Business located at 1609 Kiowa Drive, owned by Aaron and Jordan Suits. Motion was seconded by Commissioner Rix. Mr. Suits stated that it was a side business only; no business inventory will be stocked. Mr. Suits also said plans are already under way to make the driveway to his house bigger to accommodate parking for the business.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Patton made a motion to approve the Intersection Design Study with Crawford, Murphy & Tilly, Inc. regarding the Illinois Route 13 and Sinclair Drive Intersection Design Studies. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella made a motion to approve the Easement for a Public road or Street located on the PFC R.G. Wilson US Army Reserve, granted by the Secretary of the Army to the City of Marion. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Resolution 2012-24 – A Resolution with IDOT allowing the City of Marion to put utilities on IDOT's right of way for water mains at the intersection of Route 13/Russell Street and at Route 13/Highland Street. Commissioner Rix made a motion to approve Resolution 2012-24 as presented. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

ORDINANCE 3075 – AN ORDINANCE APPROVING AN AMENDMENT TO THE HUB TIF REDEVELOPEMNT AGREEMENT FOR BRIAN ZIEGLER CHANGING THE BASE YEAR TO 2011 PAYABLE IN 2012. Commissioner Goss made a motion to approve Ordinance 3075 as presented with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

City Attorney Steve Green reported that the Park District would like for the City of Marion to levy as much as is possible for the City to levy for the Recreation Department. The City has received a letter of ruling from the Illinois Department of Revenue with the Williamson County State's Attorney concurring that the City of Marion can levy the tax, sign an Intergovernmental Agreement with the Park District, then abate the tax. The Park District could then levy up to the

maximum amount that the City had levied. Mayor Butler stated the Tax Levy Ordinance would have to be approved at a Special Called meeting.

Commissioner Goss stated that an invoice for payment to Samron Construction needed to be approved for payment. Since the invoice was received too late to be on the agenda for this meeting, Commissioner Goss asked for the invoice to be approved at the Special called meeting.

Commissioner Rix made a motion setting the date for a Special Called Meeting to Thursday December 13, 2012 at 5:00 P.M. for the purpose of approving the Tax Levy for Recreation purposes and approving the invoice to Samron. This will give time for the required forty eight hours notice of the Special meeting to the public and media. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rix reported the need for stop signs on West DeYoung Frontage Road at the back entrance to Logan's Roadhouse and to the back parking lot of Marion Chevrolet. There will be further discussion on the matter at the next Regular Meeting.

Commissioner Goss made a motion to approve the purchase of twelve sets of decorative lights from Niland Company of El Paso, Texas at the cost of \$1478.00 per set plus freight. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella suggested the City investigate the purchase of new Christmas lights before next Christmas season.

Commissioner Goss made a motion to hire an additional laborer for the Street Department. Commissioner Rinella seconded the motion to hire an additional laborer. Commissioner Goss stated this is for a new position – taking the place of the part-time help, with intentions of hiring another full time laborer after the start of the new fiscal year.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Patton made a motion to approve the purchase of a replacement grinder at the head works of the West Plant for the Waste Water Treatment Plant at a cost of \$23,097.00 from JWC Environmental, LLC. Commissioner Goss seconded the motion. Commissioner Patton stated the replacement of the grinder is a budgeted item.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Resolution 2012-23 A Resolution authorizing the City of Marion to enter into the Intergovernmental Cooperative Agreement empowering the Southern Illinois Metropolitan Planning Organization (SIMPO) as the transportation planning body serving as the forum for cooperative transportation decision-making for the Carbondale Urbanized area to full the requirements of MAP-21 (Moving Ahead for Progress in the 21st Century). Commissioner Rinella made a motion to approve Resolution 2012-23 as presented with Commissioner Goss seconding the motion. Mayor Butler stated he was not really in favor of this Resolution that was

being forced on the City of Marion and other surrounding areas by the Federal government, but that the City actually had no choice but to pass it.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS (RELUCTLANTLY) VOTED YEA.

ORDINANCE 3076 – AN ORDINANCE REGULATING NON-OWNER OCCUPIED DWELLINGS AND REPEALING ORDINANCES NO. 2058 AND 2072. Commissioner Patton made a motion to approve Ordinance 3076 with Commissioner Goss seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Attorney Steve Green stated he and Director of Code Enforcement Jim Phemister would like to meet with all the Residential Property Owners at a future date.

Resolution 2012-14 Reimbursement Resolution expressing official intent regarding certain capital expenditures to be reimbursed from proceeds of an obligation to be issued by the City of Marion in the maximum amount of \$25,000,000.00. Commissioner Rix made a motion to approve Resolution 2012-14 as presented with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

8:30 P.M.

Commissioner Rix made a motion to go into Executive Session to discuss a Real Estate matter, a contract matter and a personnel matter. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

9:45 P.M.

Commissioner Rix made a motion to go out of Executive Session and reconvene the Regular Meeting with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella made a motion to adjourn the Regular Meeting to December 26, 2012 with Commissioner Goss seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

The next Regular Meeting will be December 26th at 6:30 P.M.

The Special called Meeting will be December 13, 2012 at 5:00 P.M.

Robert L. Butler
Robert L. Butler, Mayor

ATTEST:

Alice F. Rix
Alice F. Rix, City Clerk