

October 11, 2021

City of Marion – Regular Meeting

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Minutes of a Regular Meeting of the City Council of the City of Marion held in the Council Chambers at 5:30 P.M. The City Clerk was instructed to call the roll and the response was as follows:

PHYSICALLY PRESENT: COMMISSIONERS PATTON, WEBB, AND STOECKLIN AND MAYOR ABSHER.

ABSENT: COMMISSIONER BARWICK.

The Pledge of Allegiance was led by Mayor Absher.

#### PUBLIC COMMENTS

Marion resident Donald Gaddis addressed the council regarding exposure to the truth helping to make correct conclusions.

#### CONSENT AGENDA

Commissioner Webb made a motion to approve the consent agenda as presented. Commissioner Stoecklin seconded the motion.

ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

#### NEW BUSINESS

##### POLICE DEPARTMENT

Commissioner Patton made a motion to approve the recommendation of the Merit Board to hire Alek Jiminez to the position of Patrol Officer per the collective bargaining agreement; to fill the vacancy created by the resignation of Chase Rednour. Commissioner Webb seconded the motion.

ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

Police Chief David Fitts told the Council he had an officer resign to take another position. He is filling that vacancy with Alek Jiminez. Alek will be full-time Probationary II and will start Tuesday, October 26. He introduced Alek to the Council and told them he is currently a Pulaski County Deputy and part-time School Security Officer. Alek thanked the Council for the opportunity.

##### PUBLIC WORKS DEPARTMENT

Public Works Superintendent Brent Cain told the Council the WTP Yard Piping project is one his department has been working on for some time. This will follow the demolition of the old water plant building. The demolition will make room for the new lines going out of the plant. He told the Council he received two very close bids, one from J.M. Jones, Inc. for \$110,131 and one from Skuta Construction, Inc.

for \$110,720. Brent recommended the Council approve the bid from J.M. Jones, Inc.

Commissioner Stoecklin made a motion to award the low bid of \$110,131 to J.M. Jones, Inc. for the 12" WTP Yard Piping project. Commissioner Webb seconded the motion.

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ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

Public Works Superintendent Brent Cain told the Council the project at the corner of Pentecost Road and Meadowland Parkway is a smaller project. He explained this is a sewer extension to property owned by Stack'd. The City paid their portion of the project cost with TIF funds and the owner of Stack'd also paid part of the project cost. Brent said the following four bids were received:

|                               |          |
|-------------------------------|----------|
| Scott Escue Construction, LLC | \$16,360 |
| J.M. Jones, Inc.              | 19,470   |
| Skuta Construction, Inc.      | 24,000   |
| Wiggs Excavating, Inc.        | 26,940   |

Brent recommended the Council approve the bid from Scott Escue Construction, LLC.

Commissioner Stoecklin made a motion to award the low bid of \$16,360 to Scott Escue Construction, LLC for the Sewer Extension for Stack'd. Commissioner Webb seconded the motion.

ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

#### STREET DEPARTMENT

Commissioner Webb told the Council the Street Department received two bids for a new Exmark mower. Both bids were received were for \$13,039 as this is a State bid amount. Little Tractor & Equipment Company included a \$480 credit which includes a free set of blades, the first service of the unit at no charge and an in-store parts credit of \$150. H & R Agri-Power included a \$450 parts credit with their bid.

Commissioner Webb made a motion to approve the low bid of \$13,039 for a new Exmark mower from Little Tractor & Equipment Company with a parts credit of \$480 included; a budgeted item. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

#### ECONOMIC DEVELOPMENT AND MUNICIPAL PLANNING

Mayor Absher told the Council the properties being purchased from JRJ Rentals include three houses on two parcels at the corner of Vicksburg and Hendrickson Streets.

Mayor Absher made a motion to approve the purchase of three properties from JRJ Rentals. Commissioner Stoecklin seconded the motion.

ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

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Mayor Absher made a motion to approve the purchase of 1246 Midway Court from McCrary Developments, LLC. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

#### PUBLIC AFFAIRS

Mayor Absher explained passing Ordinance 3754 is an opportunity to enact an ordinance relative to a video gaming push tax. He said this is a controversial issue. Oak Lawn and Waukegan have been sued over passing this type of ordinance. He told the Council this type of ordinance gives the City an opportunity to raise revenue. He told them this ordinance allows the City to collect a \$.01 tax per push or pull of every video gaming terminal in the City. The issue of collecting the tax is currently being heard by the State Legislature. The House has passed legislation allowing it, but the Senate has not. Mayor's Chief of Staff Cody Moake explained six communities have passed ordinances to collect this tax, but they are not enforcing them yet. They are waiting to see what happens with the pending court cases. If the City passes this ordinance, they will be grandfathered in to levy the tax. Cody explained the tax is being levied on the better, not on the establishment and is collectible by the video gaming terminal operator. Terminal Operators will be required to collect the tax and remit it to the City. The terminal operators do not have the ability to change the terminal software to make each wager \$1.01 instead of \$1.00. This means the \$.01 per wager tax will come out of the terminal operator's portion. A judge will have to decide who pays the \$.01. Home rule communities are only eligible to collect this tax and they must pass an ordinance prior to legislative action. The effective date of Ordinance 3754 will be November 1, but it will not be enforced until the lawsuits are settled.

Mayor Absher stated approximately \$92 million has been put into video gaming terminals in Marion since February 2021. Most of the play is occurring at the truck stops. He doesn't want City residents to be taxed. He believes the City has some long-term budgetary items that could be solved by the revenue generated from this tax.

Commissioner Stoecklin made a motion to approve Ordinance 3754 regarding amusement taxes. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

Mayor's Chief of Staff Cody Moake explained the amendment to the Farmer Environmental contract is an opportunity to save 35 days on the renovation of the First Southern Bank building. The general contractor and asbestos abatement contractor would be able to work in the building in different sections at the same time with Farmer monitoring air quality daily. Farmer will charge \$600 per day for air quality monitoring. The City already committed \$6,000 for that purpose. The total of the amended contract is \$30,000; however, Cody thinks it will be less than that due to time saved with the general contractor starting sooner. During the preconstruction meeting, all contractors met and agreed to these terms.

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Commissioner Patton made a motion to approve an amendment to the Farmer Environmental contract for asbestos air monitoring. Commissioner Webb seconded the motion.

ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

#### COMMISSIONER REPORTS

Commissioner Webb reported the Street Department continues work on the sidewalk program and drainage issues. The Cemetery Department had 17 burials and sold 9 lots during September. He also reminded everyone the Fall Clean Up starts November 8 in the Southeast section of town.

Commissioner Stoecklin read the Water Department report since the last meeting. He reminded residents to be detailed if they are using the City app to report problems. He thanked Cornerstone Church for a recent free event they held with food, rides, and a concert. He announced Central Hospital for Animals is having a Furry Photo Shoot on November 20. All proceeds will go to the Marion Police Department K-9 Therapy Program. He also announced there will be a ping pong ball drop on October 21 at the Crab Orchard Golf Club with all proceeds going to benefit CASA. Brandon Zanotti's office can be contacted for details.

Commissioner Patton had nothing to report.

Mayor Absher reported a nice lady from South Market Street called him with some ideas on how to improve her neighborhood. He reminded the Council some funds from Residential TIF I can be used for neighborhood improvements. There is currently \$276,000 in that TIF. He asked the Commissioners to give some thought to what improvements could be made in neighborhoods and bring their ideas back to the next council meeting.

IT Director Terance Henry addressed the Council regarding Community Connection Day to be held Saturday, October 16 in the 900 block of Sherman Drive. He announced there will be food, hayrides, games, and activities. This event will allow non-profit organizations to bring their services to the residents of Sherman Drive. These are citizens that may be able to utilize these services but might not know how to get them. Mayor Absher commended Terance and the other organizers for putting this event together.

Terance also reported on the items collected during the annual electronics recycling event. He thanked the Street and Safety Departments. He also thanked the Marion High School football and basketball teams and all volunteers for working the event in the pouring rain.

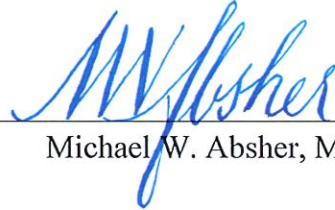
Mayor Absher announced there was no need for executive session this evening.

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Commissioner Stoecklin made a motion to adjourn the meeting. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONERS PATTON, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER BARWICK ABSENT.

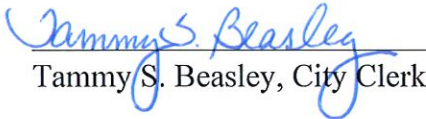
Meeting Adjourned at 6:30 P.M.



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Michael W. Absher, Mayor

ATTEST:



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Tammy S. Beasley, City Clerk