

February 8, 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, BARWICK, WEBB AND STOECKLIN AND MAYOR ABSHER.

The Pledge of Allegiance was led by Detective Sergeant T J Warren.

PUBLIC COMMENT

Detective Sergeant T J Warren addressed the council to request a donation for the Special Olympics Polar Plunge. He and Officer Scott Morse founded the Copsicles Team and they collect donations each year to benefit athletes with intellectual disabilities. He explained the Polar Plunge is usually held at Rend Lake, but this year's event will be a virtual one. He stated the Copsicles team may go to Mermet Lake to plunge this year. He invited the council to participate in the Plunge with Team Copsicles. He stated his team would appreciate any donation the City is willing to make. Mayor Absher stated he thought the City had budgeted for a donation and, if so, he would approve that administratively on Tuesday.

Mayor Absher asked for public comments. Ron Deedrick, Local Government Affairs Director with the Illinois Realtors called in to the meeting. He stated he was interested in the agenda items regarding the taxing of hotels/motels and transient occupancy rental units and the petitioning of the courts for administrative search warrants to conduct inspections of property and buildings.

CONSENT AGENDA

Commissioner Barwick made a motion to approve the consent agenda as presented.

Commissioner Webb seconded the motion.

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

NEW BUSINESS

SEWER DEPARTMENT

Public Works Superintendent Brent Cain stated the request to purchase a new aeration blower is a routine purchase. The blower being replaced is beyond repair. The quoted cost of \$9,387.04 is a good price for a new aeration blower. Brent explained the life span of this equipment is approximately six years. He said the Sewer Department tries to send them in for repairs after five years of service and the cost of repairs is typically around \$5,000.

Commissioner Stoecklin made a motion to approve the recommendation of the Public Works Superintendent to purchase a new aeration blower as a replacement from Aerzen at a cost of \$9,387.04 to be purchased from the equipment maintenance budget. Commissioner Patton seconded the motion.

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

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TREASURER'S OFFICE

Treasurer Steve Hale stated the annual contribution amounts for the Police and Fire Pension Funds were the two amounts computed and recommended by the actuary. The vote on these amounts is to confirm the amounts to place into the Property Tax Replacement Fund to fund the annual contributions.

Commissioner Patton made a motion to approve the recommendation of the Treasurer to make annual contributions to the Police and Fire Pension funds in the amounts of \$1,217,031 and \$720,967 respectively. Commissioner Stoecklin seconded the motion.

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

Treasurer Steve Hale explained the City is allowed, by the state, based upon population, to issue Private Activity Bonds for special ventures that wouldn't necessarily qualify as tax exempt. These bonds can be used and treated like tax exempt bonds, but for federal income tax purposes are subject to Alternative Minimum Tax for some taxpayers. Steve stated the City has no need to issue Private Activity Bonds. The past few years, Southeastern Illinois Economic Development Authority has requested the City to transfer our bond over to them. If they need to, they can use it to get a better rate than on a taxable bond. Steve explained the City is giving their allocation over to SIDEA rather than it transferring back to the state. The City has never bonded with Private Activity Bonds. These bonds have very specific uses per the Internal Revenue Service Code.

Commissioner Patton made a motion to approve Ordinance 3704 ceding unused 2021 private bonding authority in the amount of \$1,938,200 to the Southeastern Illinois Economic Development Authority. Commissioner Webb seconded the motion.

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

EMA

Mayor's Chief of Staff Cody Moake explained the City owns a 2006 Pilgrim Trailer that was donated by FEMA in 2008. The City has used the trailer twice as an emergency operations center since then. United Medical Response has asked the City to donate the trailer to them. They plan to use it as a cooling center at various events. Ordinance 3709 will convey the trailer to United Medical Response. If they determine they no longer need it, they agree to convey it back to the City at no cost. United has also agreed to let the City use the trailer if an emergency arises and an operations center is needed.

Commissioner Barwick made a motion to approve Ordinance 3709 conveying a 2006 Pilgrim Trailer to United Medical Response. Commissioner Stoecklin seconded the motion.

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

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ECONOMIC DEVELOPMENT AND MUNICIPAL PLANNING

Commissioner Stoecklin made a motion to approve Ordinance 3702 adding territory to the Williamson County Enterprise Zone. Commissioner Barwick seconded the motion.

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

Mayor Absher explained Ordinance 3703 is for properties that were previously advertised for sale by the City but did not sell.

Commissioner Webb made a motion to approve Ordinance 3703 directing the sale of previously advertised surplus property located at 1006 S Liberty and 301 S Future Streets to Shane Walker for \$500.00 each. Commissioner Patton seconded the motion.

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

Commissioner Stoecklin made a motion to approve Ordinance 3705 vacating an alley between North Market and North Van Buren Streets, maintaining a utility easement. Commissioner Barwick seconded the motion.

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

Mayor Absher explained Ordinance 3708 is a redevelopment agreement for a new business locating in Marion.

Commissioner Webb made a motion to approve Ordinance 3708 a redevelopment agreement with Joe's Pizza of Marion, Inc. Commissioner Barwick seconded the motion.

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

Mayor Absher explained Resolutions 2021-09 and 2021-10 are inducement agreements for potential developments in a potential new TIF District.

Mayor Absher made a motion to adopt Resolution 2021-09 a TIF Inducement Agreement with JMB Development, LLC. Commissioner Webb seconded the motion.

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

Mayor Absher made a motion to adopt Resolution 2021-10 a TIF Inducement Agreement with Brad Land Company, LLC. Commissioner Webb seconded the motion.

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

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PUBLIC AFFAIRS

Mayor Absher stated there has been significant discussion in previous council meetings regarding the regulation of vacation rentals. Mayor's Chief of Staff Cody Moake explained Ordinance 3706 gives the City the ability to collect tax on hotels or vacation rentals online. The tax will be collected when rooms are booked online and remitted directly to the City. Mayor Absher gave credit to City Attorney Wendy Cunningham and Cody for their work and research on this ordinance.

Commissioner Stoecklin made a motion to approve Ordinance 3706 amending Title 3 Chapter 5 Article D of the City Code regarding hotel/motel and transient occupancy rental units. Commissioner Patton seconded the motion.

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

Mayor Absher explained that the City has a handful of code violations that are health, life, safety issues. The City code allows the Code Enforcement officers to enter properties to inspect these issues. If the renter or owner refuses to allow the City access to the property for inspection, the City needs a way to be able to do this. Mayor Absher said an issue would have to be so acute and threatening the life, health and safety of the occupants or the neighbors before the City would obtain an administrative search warrant. City Attorney Wendy Cunningham explained the City would still need a court order from a judge to obtain the search warrant. The City would not ask for the court order unless they believe certain conditions exist. The City must also follow a legal due process to obtain the warrant.

Commissioner Webb made a motion to approve Ordinance 3707 permitting the petition of the courts for issuance of search warrants to conduct inspections of property and buildings to promote the public health, safety, and welfare of its citizens. Commissioner Barwick seconded the motion.

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

COMMISSIONER REPORTS

Commissioner Patton had nothing to report.

Commissioner Barwick read the Police Department, Narcotics Unit and Fire Department reports for January 2021.

Commissioner Stoecklin read the Water Department report.

Commissioner Webb had nothing to report but reminded the public to drive safely and give the snowplows plenty of room.

Mayor Absher reported on liquor license, video gaming permit and electrical license renewals in January.

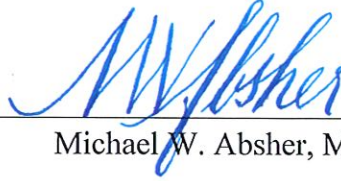
Mayor Absher stated there was no need for executive session this evening.

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Commissioner Webb made a motion to adjourn the meeting. Commissioner Barwick seconded the motion.

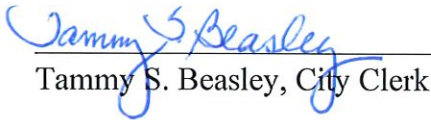
ON ROLL CALL VOTE COMMISSIONERS PATTON, BARWICK, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA.

Meeting Adjourned at 6 :25 P.M.



Michael W. Absher, Mayor

ATTEST:


Tammy S. Beasley, City Clerk