

February 13, 2023

City of Marion – Regular Meeting

February 13, 2023

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 COMMENTS

Marion resident James Carlton addressed the Council to express his concerns regarding a barbed wire fence hanging over the sidewalk near Washington School and his dissatisfaction with the Williamson County Coroner's office over a matter involving a family member. He complimented the Marion Police Department for being efficient but expressed concerns over not getting results for some recurring incidents.

Detective Sergeant T J Warren addressed the Council to request the annual donation to the Copsicles Team for the Special Olympics Polar Plunge. He explained every year the Copsicles Team plunges to raise money for athletes with intellectual disabilities. The funds raised help these individuals compete in athletic events. He told the Council this year's event is March 4th at noon at Rend Lake. He thanked the Council for their support.

Tryphosia Lee, Coordinator of the Young Hearts with Goals and Purpose Banquet addressed the Council to request a donation for the event. She told them the banquet is scheduled for May 6th at 1:00 p.m. at the Pavilion. She thanked the Council for their support over the years and asked them to sponsor twenty tables at \$120 per table. Mayor Absher explained the city has already budgeted \$1,500 for this year's banquet and will help with the Pavilion rental fees. She expressed her appreciation for the city's donation and requested they consider budgeting for twenty tables next year.

Aaron Smith with Smith Hafeli Construction updated the Council on the construction progress at the new City Hall. He told them supply chain issues have slowed down construction, but the elevator is coming this week and installation is estimated to take three to six weeks. He said finishes are going in the building and the end is in sight.

CONSENT AGENDA

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

Commissioner Patton seconded the motion.

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

NEW BUSINESS

BUILDING & CODE SERVICES

Mayor Absher told the Council and audience the city has received an application for a planned unit develop south of Marion off South Market Street. He explained the Council is supposed to approve or deny the Zoning Board's recommendation regarding this development and the

February 13, 2023

developer and any opponents to the development will be allowed to present information to the Council.

Developer Michael Baysinger told the Council he plans to build one hundred apartments on the 12-acre parcel. The complex will consist of twenty-five four plexes that will be strictly rental units. Commissioner Stoecklin asked if there would be any secondary access to the development besides the main entrance off South Market Street. Mr. Baysinger indicated no secondary access is planned right now. Commissioner Webb asked if the roads within the development would be privately maintained. Mr. Baysinger explained the roads will be built to city specs and will be concrete or asphalt. Commissioner Patton asked if the Council is being asked to approve the planned unit development process at this time with later approvals for the site plan, etc. Mr. Baysinger indicated that is correct since he is not that far along in the process yet.

Scott Cranick told the council his home will border the development. He expressed his appreciation for Mr. Baysinger's plan to build a concrete privacy wall between the development and the homes that border it. He expressed his concern regarding excessive traffic that will be entering and leaving the development. He said the intersection of South Market and Boyton Streets is already backed up in the mornings, Cochran Road is in poor condition, and the intersection of South Market Street and Cochran Road is very dangerous. He asked for traffic control devices to be placed at that intersection. He does not believe the development is a good fit for the area. He and other neighbors bordering the development are concerned about declining property values and an increase in crime.

Mr. Baysinger answered questions about the privacy fence, whether traffic issues have been addressed with Williamson County, and a timeframe for the project. Mr. Baysinger indicated the project is running behind but said he plans to build four buildings at a time and that will take 60 to 90 days. Mayor Absher commented he is impressed there will be a fence and he thinks traffic issues should be considered. He thinks the city may need to work with Williamson County on this.

Mayor Absher made a motion to approve a Proposal of a PUD Planned Unit Development at Parcel # 07-31-300-029 for a multi-family development to be platted as Owl's Landing with the condition the traffic will be studied on South Market Street. Commissioner Stoecklin seconded the motion.

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

Mayor Absher called for a brief recess of the meeting at 6:25 P.M. The meeting resumed at 6:31 P.M.

PUBLIC WORKS DEPARTMENT

Mayor Absher explained the plan for the South Market Sewer Extension is due to the new development that was just discussed. The plan is two stages with Phase 1 going to Sycamore

February 13, 2023

Road and Phase 2 going from Sycamore Road to Cochran Road. He said the development that was approved tonight brings the need to accelerate this project. The city is asking to approve the engineering agreement with Horner Shifrin to get a better estimate of project costs. City Commissioner Webb asked about the sewer plant capacity after adding the apartments from Mr. Baysinger's development. Public Works Superintendent Brent Cain said the sewer plant is currently at 60 percent capacity so there is plenty of capacity left.

Mayor Absher made a motion to approve an engineering agreement with Horner Shifrin for South Market Sewer Extension Phase 2. Commissioner Stoecklin seconded the motion.

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

Public Works Superintendent Brent Cain explained the current mosquito foggers are old and require more maintenance. He said the newer equipment is more efficient and easier to calibrate. Bids were solicited and three bids were received for new equipment. Brent recommended the Council approve the low bid of \$13,296 from Vesperis for one fogger. He explained there is money left in the mosquito abatement budget to cover the cost. If the equipment is purchased now, spraying will begin in March.

Commissioner Stoecklin made a motion to approve the low bid of \$13,296 from Vesperis for the purchase of a new mosquito fogger, a budgeted item. Commissioner Barwick seconded the motion.

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

STREET DEPARTMENT

Commissioner Webb told the Council the Street Department needs and has budgeted for a new three-quarter ton truck. They solicited bids for the new truck from three Ford dealers. Two bids were received. He recommended approving the low bid of \$49,002 from Jim Hayes, Inc.

Commissioner Webb made a motion to approve the low bid of \$49,002 from Jim Hayes Ford for the purchase of a new Ford F-250XL 4X4. Commissioner Stoecklin seconded the motion.

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

Mayor Absher explained Ordinance 3862 is for the funding to purchase the truck for the Street Department. Bids were solicited for financing and First Southern Bank offered the best rate at 3.04 percent.

Commissioner Webb made a motion to approve Ordinance 3862 authorizing a loan agreement with First Southern Bank for the purchase of a 2023 Ford F-250 XL 4X\$. Commissioner Stoecklin seconded the motion. Commissioner Patton asked about other funds to finance the purchase since Ordinance 3862 is for an amount less than the purchase amount of \$49,002.

February 13, 2023

Mayor Absher suspects this is a scrivener's error. Mayor's Chief of Staff Cody Moake noted there is \$65,000 budgeted for this purchase.

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

TREASURER'S OFFICE

Commissioner Patton told the Council the purchasing procedures needed updating. Ordinance 3861 updates those procedures and repeals Ordinance 3529. This ordinance moves EMA to its own department with its own spending authority and changes the purchase order requirements. Purchases over \$15,000 will need Council approval. This increased from \$7,500.

Commissioner Patton made a motion to approve Ordinance 3861 updating the purchasing procedures in the City of Marion, repealing Ordinance 3529. Commissioner Webb seconded the motion.

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

ECONOMIC DEVELOPMENT AND MUNICIPAL PLANNING

Mayor Absher explained Ordinance 3858 amends the TIF redevelopment agreement with Carlos Tanner to add names to the agreement because he has multiple LLCs. Mayor's Chief of Staff Cody Moake said this happens often.

Mayor Absher made a motion to approve Ordinance 3858 amending a Residential TIF I Redevelopment Agreement with Carlos Tanner. Commissioner Patton seconded the motion.

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

Mayor's Chief of Staff Cody Moake told the Council the developer has owned the property at 1004 West Chestnut for some time. He has made improvements to the property and wanted to recoup some of his costs since it is in the Residential TIF II.

Mayor Absher made a motion to approve Ordinance 3860 authorizing a Residential TIF II Redevelopment Agreement with Chestnut Rentals, LLC & John Beyers (1004 West Chestnut). Commissioner Webb seconded the motion.

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

Mayor Absher asked Chief of Staff Cody Moake to explain the Residential TIF I Residential Redevelopment Program. Cody told the Council this program will provide grants to homeowners to repair siding, roofs, windows, add ramps, etc. The TIF has generated enough increment to fund this grant program. One half of the funds generated will be dedicated to the program at this time. The program will award grants up to \$5,000 or 75 percent of TIF-eligible project costs, whichever is less to homeowners in the Residential TIF I district. The application period will

February 13, 2023

start soon. Disbursements from the program will begin in May, the start of the city's fiscal year. Applicants will have to submit receipts for the repairs that are made and will also be required to provide before and after photos. Anyone residing in the Residential TIF I area may apply. Properties must be owner occupied and all construction materials must be purchased in Marion.

Mayor Absher made a motion to approve Ordinance 3859 creating the FY2024 Residential TIF I Residential Redevelopment Program. Commissioner Stoecklin seconded the motion.

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

PUBLIC AFFAIRS

Mayor Absher told the audience the city issued a request for proposals for ideas on redevelopment of the City Hall building. The Council entertained two proposals in executive session but was not ready to accept those as presented. Since that RFP has ended, another party approached Mayor's Chief of Staff Cody Moake wanting to submit a proposal. City Attorney Wendy Cunningham advised the proper thing to do would be to close out the current RFP period and reject the proposals that were submitted then reopen the RFP period for two weeks and entertain the new proposal or any others that are submitted. Mayor Absher said the city would open requests for proposals to be submitted by Friday, March 3, 2023.

Mayor Absher made a motion to reject the two proposals and bids for the purchase and redevelopment of the City Hall building as received and presented and simultaneously open request for proposals for the purchase and redevelopment of the current City Hall building. Commissioner Barwick seconded the motion.

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

Mayor's Chief of Staff Cody Moake told the Council he was approached by bond counsel Gillmore Bell for future bond counsel services. He explained there is no cost at present until the city uses them for future bond issues. This is just starting a relationship with them.

Mayor Absher made a motion to approve an engagement letter with Gillmore Bell for future bond counsel services. Commissioner Webb seconded the motion.

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

Mayor's Chief of Staff Cody Moake told the Council and audience the city's contract with Homefield Energy ends in December. Voting to approve a limited power of attorney with Southern Illinois Aggregation Partnership allows the aggregation consultant to start negotiating for a new rate agreement for energy aggregation.

Mayor Absher made a motion to approve a limited power of attorney with the Southern Illinois Aggregation Partnership to negotiate potential future residential electric aggregation contracts. Commissioner Webb seconded the motion.

February 13, 2023

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

Mayor Absher explained during the COVID emergency, the city did not allow solicitors to go door to door. The city has recently streamlined the solicitor permit process. Mayor Absher explained it is a person's Constitutional right to go door to door. The city cannot deny this but can regulate the process. City Attorney Wendy Cunningham said if a resident posts a no solicitor sign, solicitors are supposed to abide by that. Solicitors are also required to always carry their solicitor's permit with them.

Commissioner Stoecklin made a motion to approve Ordinance 3863 amending regulations concerning canvassers and solicitors. Commissioner Barwick seconded the motion.

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

COMMISSIONER REPORTS

Commissioner Webb reported the Street Department has been running the leaf vac around town. They have been replacing road pipes and guttering along Clark Street and have been cleaning up trash and repairing potholes. They have also been repairing sidewalks, weather permitting. The Cemetery Department has sold two lots and had seven burials in January.

Commissioner Stoecklin read the Water Department report since the last meeting. He reminded residents to please send back their cross-connection surveys. He reported Connect 360 and Men of Decency held a food drive at Marion High School last Saturday. He said it was a great event. He also gave kudos to the performing arts centers in Marion.

Commissioner Barwick read the Fire Department, Police Department Narcotics Unit and Police Department reports for January. He reported 1,888 dispatched calls; 2,091 911 calls and 327 ambulance calls in January.

Police Chief David Fitts announced the Police Department is accepting applications for entry level and qualified entry police officers. The deadline for submitting applications is next week. Testing will be Saturday, March 4 at 8:00 a.m. at the Marion High School Health Education Center. He also announced a new bicycle registration program for Marion residents. Next Monday from 8:00 a.m. to 4:00 p.m. residents can bring their bicycles to the Police Department to get registered. A numbered sticker will be placed on their bicycle, and they will fill out a form with their information.

Commissioner Barwick announced the new fire truck should be delivered tomorrow for inspection. After inspection, it will be taken to St. Louis to have some additional equipment installed.

Commissioner Patton had nothing to report.

February 13, 2023

Mayor Absher read a Club 60 update from Director Jill Graskewicz. He reported several upcoming events at Club 60 including a discounted license plate sticker renewal program; an energy assistance program; a Valentine's Day dance; and a computer class held in their new computer lab taught by city IT Director Terance Henry.

Police Chief David Fitts announced Culvers will be hosting a share night on February 21, 2023. Citizens will be able to meet with and eat dinner with personnel from the Police Department from 5:00 p.m. to 7:00 p.m. A portion of the proceeds from this event will be donated back to the Police Department.

MISCELLANEOUS

Mayor Absher announced the purchase of a piece of property adjacent to the Boyton Street Community Center failed to get on the agenda tonight. A special meeting will be held Thursday, February 16, 2023 at 10:00 a.m. to address this matter.

CLOSED/EXECUTIVE SESSION

7:40 PM

Mayor Absher made a motion to go into executive session to discuss litigation (5ILCS 120/2(c)(11)), property matters (5ILCS 120/2(c)(5) and (5 ILCS 120/2(c)(6)) and a personnel matter (5ILCS 120/2(c)(1). Commissioner Webb seconded the motion.

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

10:00 P.M.

Commissioner Webb made a motion to adjourn the Executive Session and resume the Regular Meeting. Commissioner Stoecklin seconded the motion.

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

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

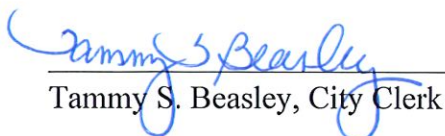
ON ROLL CALL VOTE COMMISSIONERS PATTON, BARWICK, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA.

Meeting Adjourned at 10:01 P.M.



Michael W. Absher, Mayor

ATTEST:



Tammy S. Beasley, City Clerk