

May 22, 2023

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

PLEDGE OF ALLEGIANCE

Ed Davis led the Pledge of Allegiance.

VETERANS ON PARADE

Ed Davis, President of Veterans on Parade told the Council this year will be the nineteenth year for the parade. He said it will be on Saturday, September 9th at 10:00 A.M. There will be a short ceremony at the end of the parade honoring the Gold Star Mothers. He hopes people will take time to attend and show their respect for these mothers. He thanked the Council and residents for their continued support.

PUBLIC COMMENTS

Four citizens were in attendance to address the Council regarding the Library. The first speaker explained he attended the most recent Library Board meeting and expressed his concerns that books are available in the youth department that are sexually explicit. He said he is not asking for any books to be banned, simply asking for more oversight by the Library. He is asking for the Library to require parental authority for these types of materials to be checked out by teens and children and would like a policy regarding this added to their by-laws for the youth section.

Commissioner Barwick stated he agreed with the speaker not being in favor of banning books because, as a Christian, he would not want Christian-type books to be banned. He agreed there needs to be some restraint as to who can check out those types of books.

The second speaker to address the Council stated he did not wish to find fault or assign blame for the incident that happened at the Library but wanted to address policies that actively discourage parental empowerment. He also attended the most recent Library board meeting. He said he is not seeking to remove books which contain content he considers objectionable or trying to ban books or limit the rights of adults. He wants to be sure pornography does end up in the hands of children. He is proposing a process to classify materials as pornographic and move them to another area of the library with restricted access.

The third speaker to address the Council was from Carterville and stated she was attending the meeting as an observer who is concerned about her grandkids' future in Illinois. She said she has heard stories about what is happening in Marion schools and that kids are using litter boxes. She said she also heard about pornography in the library. She also attended the library board meeting and was astonished by the materials (comic books) that were presented to the kids.

The fourth speaker to address the Council started out by reading an overview of Illinois Child Pornography laws. She expressed her disgust regarding the way the process of handing out the comic book bags was handled. She referenced social media posts regarding the situation. She expressed her concern with leadership at the federal, state and school district levels. She

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expressed her concerns about low voter turnout in the most recent election and citizens not utilizing their right to vote to affect change in state and local government.

Mayor Absher asked her to curtail her comments stating the meeting needed to move on.

Marion resident Carmen Adeyoe addressed the council and stated she grew up in Marion during the segregation era. She remembers when women were not allowed to vote and relatives who are military veterans could not use their rights when they returned from service. She stated that everyone has rights and asked that citizens do not block anyone else's rights. She finished by stating she was really offended.

After the Public Comments, Mayor Absher stated he had some comments speaking for himself, not for the Council. He explained he has been immersed in the comic book issue since the beginning and the story of what happened has changed a lot since the previous council meeting because more information has come out since then. To his knowledge, there was only one copy of the comic book that was distributed from the bags, and it was intercepted by the child's mother before the child saw it. He said the Library was given several bags marked youth material and several marked mature material. He agrees the definition of those terms was not very well set. He said it appears the bags of books were assembled in the same order with substantially the same titles. He said one package of each type of material was opened and examined and the comic book in question was not in either package. The Library staff was told all bags were the same and the presumption was the contents of one bag were representative of all bags. He said Mr. Fox has apologized for the incident and attended the Library Board meeting where he took responsibility for the incident. Mayor Absher does not believe this was done intentionally and said that precautions and extra care need to be taken when accepting materials from third parties. He said the actual aggrieved parties that received the book came in to talk with him and wanted him to know that with all the stuff being said, no one had spoken for them. He said they were some of the most gracious people he has ever met, especially under the circumstances. They indicated their sole purpose for attending the Library Board meeting was to make sure other parents were alerted in case the comic book was in other bags. He said they are forgiving of the situation.

He stated he personally believes more safeguards should be taken relative to Library materials that might be sexual in nature specifically for young children. The problem is who defines that. Mayor Absher said the policy of the Library is to be inclusive of material and read directly from their policy. He said he is a believer in the processes and a believer in the people the city has empowered to be the Trustees of the Library. He explained the Council's role is limited. The policies and procedures are determined by the Library Board of Trustees which is statutory. Mayor Absher explained there is a well-defined process to ask the Library for review of materials. He said he does not believe some things that have been disseminated online regarding Library employees not relating to the comic book issue. He encouraged the public to formally object to materials they find offensive or objectionable. He believes the Library Board will determine whether to change policies. Mayor Absher said ultimately a balance must be struck.

Commissioner Patton commented he thinks policies and procedures need to be discussed with the Library Board and tweaked a bit. He said he has known Mr. Fox for a long time and does not believe there were ill intentions and believes it was an unfortunate accident. He said when the incident happened, he saw it on Facebook before he heard about it. He does not believe that is the place to air dirty laundry. In his opinion, the issue should have been brought to the Council,

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Mayor Absher or Cody privately to be handled rather than posting the picture from the comic book on Facebook which opened the door for everyone to see.

CONSENT AGENDA

Commissioner Stoecklin 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

ECONOMIC DEVELOPMENT AND MUNICIPAL PLANNING

Ordinance 3886 Adding Territory to the Williamson County Enterprise Zone

Mayor Absher told the Council the county officials approved the addition to the Williamson County Enterprise Zone for a new hotel on Halfway Road that has been in process for some time. It is located on approximately three acres. Construction is expected to start late summer. All municipalities in Williamson County will vote on this addition.

Mayor Absher made a motion to approve Ordinance 3886 adding territory to the Williamson County Enterprise Zone. Commissioner Stoecklin seconded the motion.

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

Residential TIF Redevelopment Agreements

Mayor's Chief of Staff Cody Moake told the Council the Residential TIF I Redevelopment Agreement with Castellano Properties, LLC is for an apartment complex on the old WGGH property on East Main Street. This property was rezoned at a prior council meeting. Cody pointed out the portion of the property where the old WGGH antenna stood is not part of the TIF because it was not in city limits.

Cody told the Council the Residential TIF I Redevelopment Agreement with Brynnlayne Properties, LLC at 307 East Boyton Street is for a duplex at the northwest corner of Boyton Street and Old Creal Springs Road. He said this property was discussed at a prior council meeting when the previous owner requested a zoning change to build a machine shop.

Cody told the Council the Residential TIF I Redevelopment Agreement with CDR Rentals, LLC at 100 South Gray Street is for the rehab of a single -family home by Small's.

Cody told the Council the Residential TIF I Redevelopment Agreement with Josephine Miller for 1300 South Mechanic Street is for work that has been done to her home.

Cody told the Council all the TIF Redevelopment Agreements are standard agreements where the developers will receive sixty percent and the city will retain forty percent.

Ordinance 3887 a Residential TIF I Redevelopment Agreement with Castellano Properties, LLC for 1801 East Main Street

Commissioner Webb made a motion to approve Ordinance 3887 a Residential TIF I Redevelopment Agreement with Castellano Properties, LLC for 1801 East Main Street. Commissioner Stoecklin seconded the motion.

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

Ordinance 3888 a Residential TIF I Redevelopment Agreement with Brynnlayne Properties, LLC for 307 East Boyton Street

Commissioner Stoecklin made a motion to approve Ordinance 3888 a Residential TIF I Redevelopment Agreement with Brynnlayne Properties for 307 East Boyton Street. Commissioner Patton seconded the motion.

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

Ordinance 3889 a Residential TIF I Redevelopment Agreement with CDR Rentals, LLC for 100 South Gray Street

Commissioner Barwick made a motion to approve Ordinance 3889 a Residential TIF I Redevelopment Agreement with CDR Rentals, LLC for 100 South Gray Street. Commissioner Patton seconded the motion.

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

Ordinance 3890 a Residential TIF I Redevelopment Agreement with Josephine Miller for 1300 South Mechanic Street

Commissioner Patton made a motion to approve Ordinance 3890 a Residential TIF I Redevelopment Agreement with Josephine Miller for 1300 South Mechanic Street. Commissioner Stoecklin seconded the motion.

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

Ordinance 3891 Creating the Residential TIF I Multi-Family/Rental Redevelopment Grant Program

Commissioner Patton made a motion to approve Ordinance 3891 creating the Residential TIF I Multi-Family/Rental Redevelopment Grant Program. 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 Multi-Family/Rental Redevelopment Grant Program. Cody explained he created this program based on feedback from the last council meeting. This program is similar to the Residential TIF I Residential Redevelopment Program except that only fifty percent of eligible costs will be reimbursed up to five thousand dollars. Seventy-five thousand dollars has been allocated for this program.

Mayor Absher stated there is a list of applications received thus far that qualify under this program. Cody indicated he already has ten applications, and the grant amounts total \$35,385. That leaves a total of \$35,615 to be granted.

Commissioner Webb made a motion to approve Residential TIF I Multi-Family/Rental Redevelopment Grant applications. Commissioner Barwick seconded the motion.

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

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Residential TIF I Residential Redevelopment Grant Applications

Cody said almost half of the money allocated for this program could be approved tonight. A total of \$95,004.62. He told the Council a total of forty-eight grants were issued. The average grant amount was \$4,100 and the average homeowner spend was \$8,800. He reported a total of \$434,515 was spent through this program.

Mayor Absher made a motion to approve Residential TIF I Residential Redevelopment Grant applications. Commissioner Barwick seconded the motion.

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

EMERGENCY MANAGEMENT DEPARTMENT

Emergency Management Department Purchase of a Used Vehicle

Cody told the Council the Emergency Management Department was looking to purchase an SUV and had budgeted \$40,000. They found one with low miles that fit their requirements for approximately \$18,000. The cost of the vehicle will be split between the Water, Sewer, and General Funds.

Commissioner Stoecklin made a motion to approve the purchase of a used vehicle; a budgeted item using Water, Sewer, and General funds. Commissioner Webb seconded the motion.

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

PUBLIC AFFAIRS

Resolution 2023-11 Adopting the Williamson County Multi-Hazard Mitigation Plan

Mayor Absher told the Council Williamson County has updated their assessment and has updated the Multi-Hazard Mitigation Plan. They do this periodically and ask all municipalities in the county to adopt it. Resolution 2023-11 is to adopt the updated plan.

Mayor Absher made a motion to adopt Resolution 2023-11 adopting the Williamson County Multi-Hazard Mitigation Plan. Commissioner Patton seconded the motion.

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

Engineering Agreement with Horner & Shifrin for the Multi-Use Trail ITEP Project

Mayor Absher explained the city has been working as partners with the school district and Rides Mass Transit District to apply for an ITEP grant for funding for a multi-use trail for the Crab Orchard Greenway.

Mayor Absher made a motion to approve an engineering agreement with Horner & Shifrin for the Multi-Use Trail ITEP Project from the RMTD Park & Ride facility to the Crab Orchard Greenway. Commissioner Patton seconded the motion.

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

Quotes from ProTek to Replace Camera Systems at Library and Senior Citizens

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Mayor Absher told the Council the cameras at the Library and Senior Citizens Center are very old. He said it is possible to try and find replacement cameras online, but he feels the city needs all cameras on one system. He said the city has had good experience with ProTek. He said the city has budgeted funds from the capital improvement fund for these cameras.

Mayor Absher made a motion to approve quotes from ProTek to replace camera systems at the Library and Marion Senior Citizens Center. 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 - Streets & Public Improvements

Commissioner Webb reported the Street Department has been working on repairing washed out drainage on Old Creal Springs, Golf Course, Norman, Broeking, and Fietsam Roads. They have been repairing sidewalks on Monroe Street. They finished dirt work and seeding on Midway Court and continued downtown cleanup and trimming trees and bushes along College Street. The Cemetery has been preparing for Memorial Day weekend. There will be a service on Memorial Day at 11:00 a.m.

Commissioner Stoecklin – Public Property, Civic Center, Pavilion

Commissioner Stoecklin read the Water Department report since the last meeting. Tonight's trivia question asked how many contaminants are regulated in our drinking water. The answer is eighty contaminants are regulated in drinking water. He also asked when the first plastic bottled water was introduced. It was first introduced in 1947.

Commissioner Barwick – Public Health & Safety

Commissioner Barwick had nothing to report other than the air conditioning is working great at the Police Department.

Commissioner Patton – Accounts & Finances

Commissioner Patton reported the Treasurer's office has survived the hardest part of the year for payroll. He said it is a downhill run from here.

PUBLIC COMMENT FOR ALLOCATION OF ENERGY TRANSITION COMMUNITY GRANT

Mayor Absher said the public comments for the Allocation of Energy Transition Community Grant were accidentally skipped earlier on the agenda. Chief of Staff Cody Moake reminded everyone the grant is in Phase I. The city applied for the funds based on a reduction in work force at the power plant at Lake of Egypt. As a result, the city has been allocated a little over \$50,000. The city has decided to use those funds on a way finding system for downtown, including signage, sign boards and different pavement treatments. There have been zero comments from the public since the last council meeting. He announced this officially closes the comment period. The application is due at the end of the month.

MISCELLANEOUS

There were no miscellaneous items to come before Council this evening.

CLOSED/EXECUTIVE SESSION

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Mayor Absher made a motion to go into executive session under the Illinois Open Meetings Act to discuss a property matter under the following exemption (5ILCS 120/2(c)(6)). Commissioner Stoecklin seconded the motion.

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

Regular Session temporarily adjourned at 7:13 P.M.

7:16 P.M.

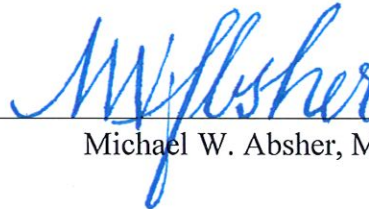
Commissioner Patton made a motion to adjourn the Executive Session and resume the Regular Meeting. Commissioner Barwick seconded the motion.

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

Commissioner Webb made a motion to adjourn the Regular Meeting. Commissioner Barwick seconded the motion.

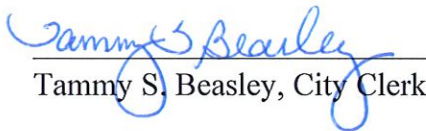
ON ROLL CALL VOTE COMMISSIONERS PATTON, BARWICK, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA.

Meeting Adjourned at 7:17 P.M.



Michael W. Absher, Mayor

ATTEST:



Tammy S. Beasley, City Clerk