

July 24, 2023

City of Marion – Regular Meeting

July 24, 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.

PLEDGE OF ALLEGIANCE

Cheryl Absher led the Pledge of Allegiance.

PUBLIC COMMENTS

Alex Fisher told the Council that he was a Unit Director for the Boys and Girls Club and worked there for two years. He said there were fifty kids in attendance on the last day. He expressed his disappointment that now many kids will not have a place to go, and many parents are left with no options.

Ashley told the Council she worked for the Boys and Girls Club Marion facility for four months. She told the Council the kids who attended there need someone to look up to and somewhere safe to go. She thinks many kids will be at risk staying by themselves without supervision while their parents are working.

Roy Hall told the Council he is a single parent. He said his kids have attended the Boys and Girls Club since it opened. He said his kids have been helped tremendously with their homework while attending. He said it was a safe place for kids where they are taught to do the right thing.

Carbondale resident Nathan Colombo addressed the Council regarding the recent closure of the Boys and Girls Clubs in Carbondale and Marion. He stated that damage will be done to Carbondale because of the closure of that facility. He criticized Mayor Absher for asking to bring Boys and Girls Club resources to Marion. He said he understands a myriad of issues may have occurred that led to the demise of the Boys and Girls Club as it is structured now. He said these processes would not have occurred if not for the ask of Mayor Absher to bring the resources to Marion. He questioned the adequacy of the resources that were already in Marion prior to the Boys and Girls Club opening. He stated he believes the issues leading to the demise of the Boys and Girls Club were not an immediate thing and he believes the repercussions of the closures may affect Marion a little bit but will affect Carbondale a lot. He told the Council he had a FOIA request for the city. Mayor Absher asked him to read the request publicly.

Mayor Absher responded to Mr. Colombo by saying this being laid at his feet is wrong. He stated that he is sorry if somehow his desire to start something good in Marion has offended him (Colombo). He told Mr. Colombo the city has not funded the Boys and Girls Club in any way, form, or fashion. Mayor Absher went on to say he and his wife have significantly supported the Boys and Girls Club and he is the last person who would want to see it fail. He told Mr. Colombo he resented him for accusing him of anything in a public forum because he has done nothing but give time and treasure to that organization. He went on to tell Colombo he is full of (expletive).

July 24, 2023

Roy Hall asked the Council about money disappearing at the Boys and Girls Club. Mayor Absher responded he could not answer that question. He said he has been told the board is trying to assess the situation and would like to restart services at some point.

Carmen Adeyoe told the Council she is saddened by the closure of the Boys and Girls Club. She asked the Council if the Boyton Center could help provide services to kids in need.

SISTER CITY REPORT

Marion students who participated in the Sister City Trip reported on their experiences and displayed story boards with pictures from the trip. Mayor Absher told the Council and audience student Maddie Deiters will be painting a sister city mural on the west side of the new City Hall building.

Mayor Absher reported a delegation from Kanie will be visiting Marion next August.

Pavilion Executive Director Jared Garrison told the Council the Sister City trip is a cultural exchange program that has been going for ten years. He explained it is about building and cultivating relationships. He said the adults stay in hotels, but the students stay with host families where deep emotional connections are made with those families. He explained the city pays a portion of the cost of the trip, and the Chamber pays a portion of the cost.

Mayor Absher told the Council this was the first exchange since 2018 and the first time a mayor from Marion has visited Kanie. He told the Council he thinks Marion will have to up its game for our visitors next August.

Mayor Absher made his way to the podium and asked the Council if he may address them. He said he felt personally indicted by Mr. Colombo and wanted to set the record straight so there is no misunderstanding. He said the City of Marion has not been a part of the Boys and Girls Club in any way financially or otherwise. He explained that by ordinance, the mayor is allowed a salary of \$50,000 per year. When he ran for mayor, he said he did not want one dime of taxpayer money as salary. After he was elected, his intention was for the city to pay his salary directly to the Boys and Girls Club. City Treasurer Steve Hale explained to him regardless of whether he took the money or not he would still have to pay taxes on it because he was controlling it. He told the Treasurer not to pay him. He said he and his wife have donated that amount and much more personally and that money comes from the Watermark employees who work so hard to make his family money. Mayor Absher said he found Mr. Colombo's remarks so offensive that he felt he needed to explain himself to the Council and the public. He said because of the whole debacle with the Boys and Girls club he has been somewhere between mad and sad the last two weeks. He said it's not over and it doesn't have to be over, but the board needs an opportunity to figure out what has happened. They have run out of funding, and they need to regroup. The Council didn't cause this, the city didn't cause this, and he (Mayor Absher) didn't cause this. He and his wife are willing to help and have offered to do so, including offering additional financial support, but it wasn't enough. He felt he needed to set the record straight and apologized for his earlier outburst. He said despite his best intentions to start the Boys and Girls Club, it didn't work, but he made good on his promise and much more.

July 24, 2023

CONSENT AGENDA

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

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

NEW BUSINESS

PUBLIC WORKS DEPARTMENT

Bid for Sewer Main Replacement on North Liberty Street

Public Works Superintendent Brent Cain told the Council the sewer line on Liberty Street north of Main Street needs to be replaced. He said two bids were received for the project, one from B.C. Contracting for \$45,270 and one from S & W Line Contracting for \$49,050. He recommended that the city approve the low bid of \$45,270 from B.C. Contracting.

Commissioner Stoecklin made a motion to approve the low bid of \$45,270 from B.C. Contracting for a sewer main replacement on North Liberty Street using Hub TIF Funds.
Commissioner Webb seconded the motion.

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

Brent told the Council the next three agenda items are all part of the Sewer Rehabilitation Project the city has been working on for three years.

Bid for Sewer Relining and Rehabilitation

Public Works Superintendent Brent Cain told the Council the Sewer Relining and Rehabilitation is the largest part of the Sewer Rehabilitation Project. He said this project is a planned rehabilitation to improve some of the oldest sewer lines in town since some of those lines are over one hundred years old. He told the Council the relining process is where a new line is slipped inside an existing line from manhole to manhole without having to excavate.

Mayor Absher said all these projects and expenditures are anticipated and the city has set aside a certain portion of every water bill for the debt service. When the city plans to borrow large sums of money, these projects do not cause taxes to be raised or water and sewer bills to increase. He told the council and audience Brent Cain has a ten plus year debt service plan for all these anticipated projects.

Brent explained all projects are funded through the water and sewer bills. He said bills were increased last year to fund projects and there are reserves which helps with future projects moving forward.

Mayor Absher said Brent has been proactive in taking on these projects before the city's infrastructure has to be replaced due to disrepair or failure. These projects are a part of planned rehabilitation of water and sewer infrastructure.

Commissioner Stoecklin made a motion to approve the low bid of \$3,999,667 from Skuta Construction for Sewer Relining and Rehabilitation, a component of the Sewer Rehabilitation Project. Commissioner Barwick seconded the motion.

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

July 24, 2023

Bid for Sanitary Sewer Replacements

Public Works Superintendent Brent Cain told the Council the replacement of sanitary sewers is to replace inadequate sewer lines so they are more usable. These are sewer lines that are unusable due to insufficient capacity. Wiggs excavating was the only bidder.

Commissioner Stoecklin made a motion to approve the bid of \$1,032,426 from Wiggs Excavating for Sanitary Sewer Replacements, a component of the Sewer Rehabilitation Project. Commissioner Patton seconded the motion.

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

Bid for East WWTP Bar Screen Replacement

Public Works Superintendent Brent Cain told the Council the city has two wastewater treatment plants and the screen on the east plant needs replaced. Midwest Petroleum & Excavating was the only bidder on this project.

Commissioner Stoecklin made a motion to approve the low bid of \$584,000 from Midwest Petroleum & Excavating for the East WWTP Bar Screen Replacement, a component of the Sewer Rehabilitation Project. Commissioner Webb seconded the motion.

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

IEPA Water Pollution Control Loan Agreement for the Sanitary Sewer Rehabilitation Project

Public Works Superintendent Brent Cain told the Council the IEPA Water Pollution Control Loan is the funding mechanism for the Sewer Rehabilitation Project. The city will receive \$6,437,675.79 from the IEPA revolving loan fund. \$1.9 million of that will be forgiven. The total amount paid back will be \$4,506,373.05 at an interest rate of 0.93 percent.

Commissioner Stoecklin made a motion to approve IEPA Water Pollution Control loan agreement for the Sanitary Sewer Rehabilitation Project with IEPA funding a total of \$6,437,675.79 with \$1,931,302.74 in debt forgiveness leaving \$4,506,373.05 loaned at a simple annual interest rate of 0.93%. Commissioner Barwick seconded the motion.

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

POLICE DEPARTMENT

Purchase of 2022 Ford Explorer from Jim Hayes

Commissioner Barwick made a motion to approve the recommendation of Commissioner Barwick and Chief Fitts to purchase a 2022 Ford Explorer from Jim Hayes to replace the recently totaled Ford Explorer at a cost of \$41,300 minus the insurance claims amount of \$20,763.

Commissioner Barwick told the Council the police department did not plant to buy this vehicle this early. Police Chief David Fitts told the Council he overestimated how much vehicle purchases would cost this year based on last year's purchases, so there is money in the budget for this purchase.

Commissioner Patton seconded the motion.

July 24, 2023

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

ECONOMIC DEVELOPMENT AND MUNICIPAL PLANNING

Close Out Funds for the Residential TIF I Redevelopment Grant Program

Mayor's Chief of Staff Cody Moake told the Council the residential TIF grant program has been winding down. He reported one grantee declined the grant after approval. He explained a few applicants turned in completed applications with before and after pictures. These were people who had previously talked with Cody but waited to turn in applications with the required information after their work was completed. Because there is money available, he said he is inclined to ask for additional funds of \$15,020.91 to make three additional grants.

Mayor Absher made a motion to approve additional funds to close out the Residential TIF I Redevelopment Grant Program. Commissioner Stoecklin seconded the motion.

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

Ordinance 3907 Creating 2024 Hub TIF Commercial Façade Renovation Program

Mayor's Chief of Staff Cody Moake told the Council the city has decided to offer a similar grant program to businesses in the Hub TIF District since the residential grant program was so successful. He explained funds for this program were not budgeted, but the funds are available in the TIF. Grants will be up to \$10,000 with a fifty percent match. \$250,000 in Hub TIF funds will be dedicated to the program. As with the other TIF grant programs, the materials must be purchased in Marion.

Mayor Absher made a motion to approve Ordinance 3907 creating the 2024 Hub TIF Commercial Façade Renovation Program. Commissioner Patton seconded the motion.

Mayor Absher told the Council he thinks the idea is to create the same virtuous cycle for older commercial buildings. He believes this will incentivize improvements.

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

IDOT Resolution 2023-12 for Improvements on Main and Market Streets

Commissioner Webb told the Council IDOT Resolution 2023-12 for \$695,045 is for work being done in combination with the work being done around the Square. This work includes paving, sidewalks, pavement removal and replacement, ADA ramps, decorative lighting, landscaping, brick pavers and streetscaping.

Commissioner Webb made a motion to adopt IDOT Resolution 2023-12 for \$695,045 for improvements on Main Street from Granite Street to Virginia Street and on Market Street from Calvert Street to Marion Street. Commissioner Barwick 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 Council they have a decision to make regarding selling the Sugar Creek property. He told the audience the city put the 1,800-acre property up for auction in one lump. It

July 24, 2023

did not meet the minimum reserve, but after the auction closed an offer came forward that was over the reserve. This is the item to consider this evening. He said he recommended the city sell the property after researching the storied history of the lake project and particularly the updated math that it would take to build a lake should all the legal history not be the case. He reminded the Council Economic Development and Municipal Planning Director Glenn Clarida had talked about the history of the lake project at a previous meeting and the repeated legal challenges that were faced. He told the Council fifteen years ago, after the city began buying water from Rend Lake, Mayor Butler sent a letter to the government cancelling the city's plans to build the lake. Mayor Absher said at that point, in his opinion, the city should have looked into divesting this land. He explained this process has taken the city almost three years to complete and the due diligence the city has gone through during that time helped immensely in coming to this recommendation. The City never cleared the legal hurdles to build the lake despite over a decade in trying. Mayor Absher said he does not believe the Army Corps has issued a permit to build any reservoir in its jurisdiction since Marion's was denied.

Mayor Absher said if you put the CAN we build a lake issue aside, the costs to build it have moved well beyond the city's ability to afford it in the last thirty plus years since it was first considered. It would be about three times the original cost estimate to build it now. The city does not have three times the number of water customers to spread those costs over. If the lake were to be constructed and a new treatment plant were to be built, the city would likely have an up-front investment somewhere north of thirty-five million. The debt would require the city to make monthly payments on that borrowed money and that amount would be divided over every customer's water bill. That type of debt would certainly double everyone's water bill in town and for some users it would triple it. The term of that debt would likely be thirty years and it is likely the city would have to borrow again at the end of that initial thirty years to rehabilitate the water treatment facility as those facilities have roughly a thirty-year lifespan.

Mayor Absher told the Council that not only is the cost of the project a compelling reason for selling the land, but the agreement the city has in place with Rend Lake positions residents to have some of the most affordable water bills in Southern Illinois. Some worry about the possibility of another water crisis like the one that occurred in 2018. During that time, the city did not run out of water. Since that time, Rend Lake has installed a redundant line and the city has more water towers with an additional 500,000 gallons of water stored making the chance of a similar crisis slim. Rend Lake has billions of gallons of water stored, and their water treatment plant has plenty of capacity to help with Marion's growth in the future.

Mayor Absher told the Council many years ago, the City entered into some logging contracts that netted the city very little revenue. The logging, and the mess it left, diminished the value of the land, and turned it into a liability that has required resources to maintain it. He said the city is fortunate to receive an offer that covers some of the original costs in purchasing the property, title work, surveys, and more.

Mayor Absher explained there is no compelling case to build a lake since there is no foreseeable pathway to ever getting a permit to do so especially now that the city has had a reliable water source for fifteen years. Not having access to a reliable water source was the main argument to the Corps of Engineers and to the Courts so many years ago. The city has no compelling case in owning land the city cannot maintain, cannot build a lake on, and frankly cannot afford to build a lake if somehow thirty plus years of legal history changed. Mayor Absher said he has spent the better part of three years studying all of this and believes that selling this land is in the best

July 24, 2023

interest of the taxpayers. It will be for the Council to decide how this money is ultimately allocated, but one good use of the proceeds of the sale would be the continual upgrading of the water and sewer system infrastructure. There are many continuing upgrades to make, and by using the proceeds to do so could further benefit the taxpayer by avoiding borrowing that amount to do so.

Mayor Absher believes the Council were all elected to take a different approach and he has judicially worked every day in this job to keep the taxpayer's best interests at the forefront. This decision and his recommendation to sell this property is consistent with that approach. The community will no longer be burdened with a property that cannot be used for the intended purpose for which it was purchased, a property that the city can't maintain or improve, a property that continues to tie up taxpayer's dollars. In his opinion, it would be financially reckless to not move forward with this sale, so he recommended the Council approve Ordinance 3906 declaring the Sugar Creek Lake property as surplus and authorize the sales agreement to be executed for the offer of \$2,000,900.

Ordinance 3906 Declaring Sugar Creek Lake Property as Surplus Property and Authorizing the Sale for \$2,000,900

Mayor Absher made a motion to approve Ordinance 3906 declaring the Sugar Creek property as surplus property and authorizing the sale for \$2,000,900. 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 – Accounts & Finances

Commissioner Patton announced the Colt League World Series starts with an opening program on Thursday and the first day of games will be Friday. The tournament runs from July 28th through August 1st. He recommended everyone come out and support the teams. He said this tournament brings a lot of revenue to the city.

Commissioner Barwick – Public Health & Safety

Commissioner Barwick read the Fire Department report for June where he reported 5,668 gallons of water were used. He reported there were 928 incidents last year.

Commissioner Webb - Streets & Public Improvements

Commissioner Webb reported the Street Department has been doing extra clean up on the west side of town to get ready for the tournament. They have repaired sidewalks on Circle Drive and replaced storm sewers on Mack Drive. They replaced 295 feet of road by Love's Truck Stop. They have been ditching on East Main Street, Old Creal Springs Road and Boyton Street. He reported the Cemetery is looking good.

Commissioner Stoecklin – Public Property, Civic Center, Pavilion

Commissioner Stoecklin read the Water Department report since the last meeting. He asked two trivia questions tonight.

Mayor Absher – Public Affairs

Mayor Absher reported on events at Club 60. They recently partnered with Williamson County Programs on Aging to distribute over \$12,000 in farmers market food voucher. Club 60 worked

July 24, 2023

to create a senior food pantry. This was sponsored by Laborers' Local 773, the local AFSCME chapter, Fifth Season Assisted Living, the Insurance House, Interstate Pro Auto Service, and multiple citizens. Club 60 is hosting a back-to-school supply drive through August 1st. He reminded everyone this Thursday is Walk Around the Clock with a Doc.

MISCELLANEOUS

Police Chief David Fitts announced the Police Department and other agencies will be training Tuesday and Wednesday this week at Longfellow School. Active Shooter Training will be Thursday at the high school. He wanted neighbors in those areas to be aware these are just training exercises and not emergency situations.

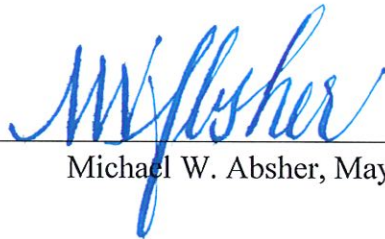
CLOSED/EXECUTIVE SESSION

Mayor Absher stated he did not have a need for executive session this evening and asked if any of the Commissioners had a need for executive session. Hearing no need for executive session Mayor Absher entertained a motion to adjourn the meeting.

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

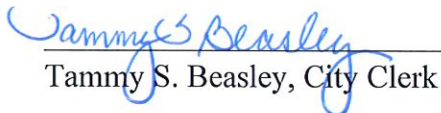
ON ROLL CALL VOTE COMMISSIONERS PATTON, BARWICK, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA.

Meeting Adjourned at 7:14 P.M.



Michael W. Absher, Mayor

ATTEST:



Tammy S. Beasley, City Clerk