

December 11, 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

Mayor Absher led the Pledge of Allegiance.

PUBLIC COMMENTS

Brandon, the General Manager of Clayton Homes told the Council he was available for questions or clarifications regarding the agenda item to change Ordinance 1148 concerning mobile and manufactured homes.

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

BUILDING & CODE SERVICES

Request for a 17.5' Variance at 1903 Princeton Avenue Parcel # 06-14-233-008 for a Pole Barn

Mayor Absher told the Council and audience there was a request for a variance for property owned by Mr. Beasley who was present at the meeting.

Mayor Absher made a motion to approve a request for a 17.5' variance at 1903 Princeton Avenue, parcel number 06-14-233-008, to build a pole barn for vehicle storage for the current business, Orkin. Commissioner Barwick seconded the motion.

Jerry Beasley, the owner of the property at 1903 Princeton Avenue told the Council the property is currently zoned C-2 and is located on a dead-end street. He explained Orkin, the company currently leasing the building, had informed him they will not be renewing the lease due to multiple issues with vehicle thefts, including catalytic converter thefts. He said this is due to some of the residents of the nearby hotel. He told the Council he had negotiated with Orkin to build a secure storage building if they would renew the lease. He said they currently have twenty employees. He explained the existing building faces Princeton Avenue and the storage building would be built on the north side of it where there is currently a chain link fenced area.

Mayor Absher and the Commissioners asked Mr. Beasley some questions about the building to be built on the property. After discussing the issue, Mayor Absher called for a vote.

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

Ordinance 3928 Amending Ordinance 1148, In Part, Concerning Mobile Homes

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City Attorney Wendy Cunningham told the Council it has come to her attention that a provision in the section concerning mobile homes in Ordinance 1148 was outdated and referred to an alternative support system approved by the City Engineer. Since the city does not have a City Engineer, she is asking for that provision to be removed from the ordinance to eliminate any confusion. Mayor Absher noted there had been a lot of consternation about this issue within the mobile home industry and it was indicated that a complete overhaul of the code was needed. He explained that is not the change being made tonight. Attorney Cunningham stated that sentence needs to be removed because it is not relevant.

Mayor Absher made a motion to approve Ordinance 3928 amending Ordinance 1148, in part, concerning mobile homes in the City of Marion. Commissioner Patton 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 told the Council and audience the four ordinances on the agenda are all related and he asked City Attorney Wendy Cunningham to explain.

City Attorney Cunningham explained the current owner of both the subdivisions in the Kokopelli area is not the original developer of these subdivisions. She said he is proposing to vacate the two specific subdivisions and wants to approve new subdivisions with him as the original developer.

She explained there is an ordinance to vacate the current subdivision platted as Kokopelli Villas Phase II Subdivision which is completely undeveloped. Following that is an ordinance to accept the new Cove Subdivision. Following that is an ordinance to vacate part of the Champions Subdivision and then an ordinance to accept the new subdivision platted as Re-Subdivision of Champions Subdivision. Both subdivisions are Planned Unit Developments and will remain as such. Mayor Absher asked for clarification as to the advantage for the current owner to be named as the developer. City Attorney Cunningham explained that there are advantages to the developer including reduced taxes on unsold lots.

The developer's engineer, Ryan Farley, addressed the Council. He explained there are no physical changes to infrastructure and no changes to covenants for either subdivision. He said there are some changes to the size of some of the unsold lots.

Ordinance 3929 vacating the Kokopelli Villas Phase II Subdivision

Mayor Absher made a motion to approve Ordinance 3929 vacating the Kokopelli Villas Phase II Subdivision. Commissioner Webb seconded the motion.

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

Ordinance 3930 Accepting a Subdivision Platted as "The Cove Subdivision" Planned Unit Development

Commissioner Webb made a motion to approve Ordinance 3930 accepting a subdivision platted as "The Cove Subdivision" Planned Unit Development to the City of Marion. 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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Ordinance 3931 Vacating Part of Champions Subdivision

Commissioner Stoecklin made a motion to approve Ordinance 3931 vacating part of Champions Subdivision. Commissioner Barwick seconded the motion.

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

Ordinance 3932 Accepting a Subdivision Platted as “Re-Subdivision of Champions Subdivision” Planned Unit Development

Commissioner Patton made a motion to accept a subdivision platted as “Re-Subdivision of Champions Subdivision” Planned Unit Development to the City of Marion. Commissioner Barwick seconded the motion.

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

Resolution 2023-20 TIF XX Inducement Resolution with Yogi Hotel, LLC

Mayor Absher asked Chief of Staff Cody Moake to explain the TIF Inducement Resolution with Yogi Hotels, LLC. Chief of Staff Moake told the Council and audience the purchaser of America’s Best Value Inn has the property under contract and is set to close on December 20, 2023. He said the city has previously discussed installing a new TIF District to encompass some of the undeveloped property in TIF I which expires at the end of the year. This is one of those properties. The purchaser of the property is interested in renovating the property. The inducement resolution needs to be in place for the purchaser to be able to include the acquisition costs in TIF eligible costs since the TIF is not already in place.

Mayor Absher clarified the city thinks this particular area is eligible for TIF but will that have to be studied by the TIF attorneys. Adopting this resolution will allow someone to benefit from TIF if the area is eligible for TIF and the Council approves a TIF District for that area. If either of those things do not happen, this resolution means nothing.

Mayor Absher made a motion to adopt Resolution 2023-20, a TIF Inducement Resolution with Yogi Hotel, LLC. Commissioner Patton seconded the motion.

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

POLICE DEPARTMENT

Cancel Agreement with Morrow Brothers Ford and Purchase Vehicles from Jim Hayes, Inc., and Paducah Ford Lincoln

Commissioner Barwick made a motion to approve the recommendation of Commissioner Barwick and Chief Fitts to cancel the agreement with Morrow Brothers Ford to purchase a 2023 Ford Explorer for the detective unit and a 2023 Ford Explorer for the K-9 unit and purchase a 2023 Dodge Durango from Jim Hayes in Harrisburg for \$39,316 and a 2023 Ford Explorer civilian model from Paducah Ford Lincoln for \$38,495 for the detective unit. Commissioner Webb seconded the motion.

Commissioner Barwick told the Council they had previously approved purchasing vehicles from Morrow Brothers Ford that never came in due to the United Auto Workers strike and other factors. Morrow Brothers has given the city a written commitment to get out of the order. By canceling the agreement and purchasing the vehicles from other dealerships, the Police

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Department will save \$11,000. Mayor Absher asked if both vehicles are at the dealerships and are ready and was told they are.

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

PUBLIC AFFAIRS

Contributions to the Police and Fire Pension Funds

Mayor Absher asked Treasurer Steve Hale to present information regarding the Police and Fire Pension Fund contributions. Treasurer Hale explained a private actuary has computed what the contributions to the police and fire pension funds should be each year. The state does their own contributions. Treasurer Hale said the state computations are inadequate due to use of incorrect actuarial methods and will result in much larger pension payments in the future. He explained there are several differences between the private actuarial methods and the state actuarial methods. He said the last few years the investments have not performed well and have not done much better this year. He explained the funds are all invested at the state level now due to the new state law.

Mayor Absher made a motion to approve the recommendation of the Treasurer to make the actuarial contributions to the Police and Fire Pension Funds, as follows: Police Pension Fund \$1,339,320 and Fire Pension Fund \$1,099,140. Commissioner Barwick seconded the motion.

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

Ordinance 3924 Providing for the Levy of Taxes for FY2023-2024

Mayor Absher announced the total tax levy for the city is \$100 and the city is statutorily required to pass an ordinance levying the tax.

Mayor Absher made the motion to approve Ordinance 3924 providing for the levy of taxes for FY2023-2024 in the amount of \$100 in the aggregate. Commissioner Patton seconded the motion.

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

COMMISSIONER REPORTS

Commissioner Webb

Commissioner Webb reported the Street Department has been working on a box culvert on Fosse Road, vacuuming leaves ahead of upcoming rain, and patching various roads. They have continued to work on downtown Christmas decorations, and they are getting snowplows ready. The installed two more wildcat stop shelters on Boyton Street and Meadowland Parkway. He reported the Cemetery Department had ten burials in November.

Commissioner Stoecklin – Public Property, Civic Center, Pavilion

Commissioner Stoecklin read the Water Department report since last council meeting. He congratulated the Marion Wildcat basketball team on their win over local rival Carbondale. He expressed condolences to the Lence family whose son was tragically killed over the weekend. He mentioned the Commissioners were adorned in the festive gear they wore in the parade this evening. He wished everyone a Merry Christmas.

Commissioner Barwick – Public Health & Safety

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Commissioner Barwick read the Police Department and Narcotics unit reports for November. He reported 1,874 dispatched calls; 1,788 911 calls; 4,102 non-emergency calls; and 132 ambulance calls in November.

Commissioner Patton – Accounts & Finances

Commissioner Patton had no report. He wished everyone a Merry Christmas and Happy New Year.

Mayor Absher – Public Affairs

Mayor Absher reported Jill Graskewicz of Club 60 emailed him an update. They hosted their second annual Pancakes and Pajamas event. There were 350 attendees. He said this event was hosted by senior volunteers. He thanked the Marion Kiwanis who purchased and cooked the food for breakfast. Jill shared they have started their own in-house food pantry strictly for seniors. The seniors hold fundraisers and work with resources in the community to get donations for the food pantry which serves the seniors at Club 60. This is the only food pantry that exclusively serves seniors in southern Illinois. Mayor Absher said Victoria Clark and her husband Ron are long time members of Club 60. He said he and the Head Elf realized the polar bear outside of city hall needed a scarf and Victoria happily accepted that challenge. She hand made a custom Marion themed scarf for the polar bear that is eighteen feet long and took one week to make. Mrs. Clark said she was thrilled to have the honor to make and dedicate the scarf on behalf of Club 60 to the City of Marion for all the support they generously give to the seniors and to the center.

MISCELLANEOUS

Mayor Absher announced the city has received a handful of requests to stay open later on New Years Eve since it falls on a Sunday this year. He explained the liquor code dictates Sunday closing is 10:00 p.m. City Attorney Wendy Cunningham stated she believes the city code allows Mayor Absher as liquor commissioner to make a change to the hours of operation. Mayor Absher asked the Commissioners for their input. After some discussion, the general consensus was to allow establishments serving liquor to stay open longer on Sunday, December 31, 2023, until 1:00 a.m. He asked the City Clerk to construct a letter notifying liquor licensees of the change.

Mayor Absher reminded everyone the next city council meeting will be held on Wednesday, December 27, 2023, due to the city being closed on Monday, December 25, 2023, and Tuesday, December 26, 2023.

CLOSED/EXECUTIVE SESSION

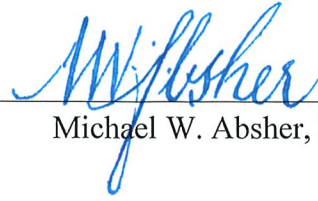
Mayor Absher stated he did not have a need for executive session this evening and asked if any of the Commissioners had a need for executive session. Hearing no need for executive session Mayor Absher entertained a motion to adjourn the meeting.

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

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

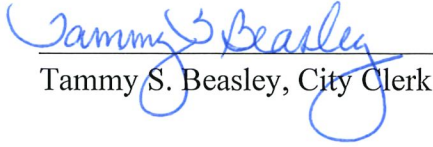
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Meeting Adjourned at 6:25 P.M.



Michael W. Absher, Mayor

ATTEST:



Tammy S. Beasley, City Clerk