

September 23, 2024

City of Marion – Regular Meeting

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REGULAR CITY COUNCIL MEETING

Minutes of a Regular Meeting of the City Council of the City of Marion held in the Council Chambers at 5:30 P.M. Mayor Absher called the meeting to order at 5:30 P.M. The City Clerk called 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

Marion resident James E. Johnson addressed the Council.

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

POLICE DEPARTMENT

Hire Matt Gayer as a Patrol Officer at the Agreed Upon Rate per the Collective Bargaining Agreement

Commissioner Barwick made a motion to approve the recommendation of the merit board, Commissioner Barwick, and Chief Fitts to hire Matt Gayer as a patrol officer at the agreed upon rate per the collective bargaining agreement with a start date of September 24, 2024.

Commissioner Stoecklin seconded the motion.

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

Assistant Chief Jody Wright told the Council Officer Gayer left the Police Department a little over a year ago to pursue a business venture. Mr. Gayer contacted the Police Department a few weeks ago stating he would like to come back. Assistant Chief Wright told the Council the Police Department is happy to have him back. Mayor Absher welcomed Mr. Gayer back. Mr. Gayer thanked the Council for hiring him back.

The Council took a brief recess while City Clerk Wright printed the oath of office.

City Clerk Wright administered the oath of office to Mr. Gayer during the meeting.

ECONOMIC DEVELOPMENT AND MUNICIPAL PLANNING

Mayor Absher asked Chief of Staff Cody Moake to introduce agenda items A through G stating that several are related to each other. Chief of Staff Moake stated items A, B, and C are the adopting ordinances for TIF XX. He reminded everyone there have been two public hearings and the attorneys from Jacob & Klein have gone through all the necessary steps to determine that the map associated with TIF XX is eligible for TIF. Agenda items D and E are also related to the

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map for TIF XX. These items remove parcels from the Marion Heights II TIF and the Little Tractor TIF. All five of the ordinances are related to the adoption of TIF XX.

Ordinance 3974 Approving the Redevelopment Plan and Projects for TIF District XX

Commissioner Patton made a motion to approve Ordinance 3974 Approving the Redevelopment Plan and Projects for TIF District XX. Commissioner Barwick seconded the motion.

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

Ordinance 3975 Designating the Redevelopment Project Area for TIF District XX

Commissioner Barwick made a motion to approve Ordinance 3975 Designating the Redevelopment Project Area for TIF District XX. Commissioner Stoecklin seconded the motion.

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

Ordinance 3976 Adopting Tax Increment Allocation Financing for TIF District XX

Commissioner Stoecklin made a motion to approve Ordinance 3976 Adopting Tax Increment Allocation Financing for TIF District XX. Commissioner Webb seconded the motion.

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

Mayor Absher stated that agenda items D and E are related. He confirmed with Chief of Staff Moake that these items are only removing parcels, not adding parcels to either of the existing TIFs. Chief of Staff Moake confirmed that is correct. He also stated the parcels being removed are undeveloped parcels.

Ordinance 3977 Providing for and Approving the Fifth Amendment to Marion Heights II TIF District Redevelopment Project Area, Plan and Projects

Commissioner Webb made a motion to approve Ordinance 3977 Providing for and Approving the Fifth Amendment to the Marion Heights II TIF District Redevelopment Project Area, Plan and Projects. Commissioner Patton seconded the motion.

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

Ordinance 3978 Providing for and Approving the First Amendment to Little Tractor TIF District Redevelopment Project Area, Plan and Projects

Commissioner Patton made a motion to approve Ordinance 3978 Providing for and Approving the First Amendment to the Marion Little Tractor TIF District Redevelopment Project Area, Plan and Projects. Commissioner Barwick seconded the motion.

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

Resolution 2024-17 Authorizing the Execution of a Disbursement Agreement Related to the First STAR Bond Issuance

Chief of Staff Moake told the Council this resolution is consenting to a disbursement agreement pursuant to the Master Development Agreement which the Council passed in April 2021 in relation to the STAR Bond Project. The disbursement is a request of the Developer to issue the first sixteen million dollars in costs. The attorneys are in the process of verifying the costs. The

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city is consenting to the disbursement of funds pursuant to the Master Development Agreement at the request of the Master Developer.

Mayor Absher made a motion to adopt Resolution 2024-17 authorizing the execution of a disbursement agreement pursuant to the STAR Bond Master Developer Agreement and the first project agreement. Commissioner Webb seconded the motion.

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

Mayor Absher introduced Shawn Flynn, an attorney with Gillmore and Bell, the city's bond counsel. Mayor Absher said the firm is instrumental, integral, and indispensable to the STAR Bonds process. Mayor Absher asked Mr. Flynn to introduce himself to the Council. Mr. Flynn explained Gillmore and Bell is a public finance firm and all they do is service bond issues to cities, counties, and school districts who are working on bond financings. He said he appreciates working with the city.

Mayor Absher asked Chief of Staff Moake to explain the process. Chief of Staff Moake said the Ordinance being considered issues developer notes. He explained there is an October 2<sup>nd</sup> deadline with Illinois Department of Revenue to issue bonds or notes in reference to the first project plan. Funds have been coming in from the state since April. This document issues developer notes not to exceed seven million dollars. The developer, Millennium, has submitted up to seven million dollars in eligible costs related to the first STAR Bond project. The funds are revenues derived from either the state sales tax rate or the city of Marion's sales tax rate within the STAR Bond District. These funds are deposited into the city accounts each month from the state. These funds are dedicated to the developer not to exceed seven million dollars. The city needs to issue these notes to meet the state's deadline of October 2<sup>nd</sup>. Within a couple of months, the city will have the bonds issued which will refund the note issuance. The bond proceeds will pay off this note. These are costs that have been recognized by the developer and verified through lien waivers, invoices, and canceled checks. This will satisfy the state to commit the funds for the project. The bonds will be payable December 1, 2058. The notes have zero percent interest.

Mayor Absher explained by approving this ordinance, this meets a requirement set forth in a memo of understanding with the state when they approved the STAR Bonds mechanism. No funds are being disbursed at this time. Some costs are being recognized per the requirements set forth in the agreement. Attorney Flynn confirmed this.

Attorney Flynn said that under the Master Developer Agreement the developer is entitled to submit requisitions for eligible project expenses and issue obligations to reimburse those. The city is issuing a note to satisfy that requirement. As revenues come in eighty-five percent of those funds will be deposited into a fund to pay off the note and fifteen percent of the funds will go to the city.

Ordinance 3979 Authorizing the Issuance of Series 2024 Sales Tax Revenue Notes related to STAR Bond Project

Mayor Absher made a motion to approve Ordinance 3979 authorizing the issuance of Series 2024 Sales Tax Revenue Notes related to STAR Bond Project #1. Commissioner Webb seconded the motion.

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Mr. Flynn answered some questions from Commissioner Patton.

Hearing no further questions or discussion, Mayor Absher called for a vote.

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

Mayor Absher thanked Mr. Flynn for coming to the meeting.

#### COMMISSIONER REPORTS

##### Commissioner Webb – Streets & Public Improvements

Commissioner Webb reported the Street Department has been finishing drainage and tile work on Gregory, Illinois, and Fair Streets. They are also doing drainage work on Holland Street. They have been doing ditching work on Morgan Avenue and Bentley Street. They have been working on the parking lots at the Pavilion, Library, Conservatory, and behind the Insurance House. He reported all is well at the Cemetery.

##### Commissioner Stoecklin – Public Property, Civic Center, Pavilion

Commissioner Stoecklin read the Water Department report since last council meeting. He gave kudos to Doug Phillips and the Street Department for placing directional pavement markings at the intersection by Starbucks and placing directional signs on Sinclair Drive. He reported the restroom upgrades at the Pavilion are going well. He announced the Civic Center has three big shows this week and he asked two trivia questions this evening.

##### Commissioner Barwick – Public Health & Safety

Commissioner Barwick reported he has received a few complaints about vehicles driving fast around schools. He encouraged everyone to slow down and said officers will be patrolling those areas. He said there is a new crosswalk on Wildcat Drive due to complaints that students could not cross the street. He asked everyone to be aware around the schools.

##### Commissioner Patton – Accounts & Finances

Commissioner Patton had no report. He mentioned the brick work going on around the square.

##### Mayor Absher – Public Affairs

Mayor Absher reported the brick work should be approximately one week in each quadrant of the square, weather permitting. The work will start in the northeast quadrant and will move clockwise around the square. October 18<sup>th</sup> is the projected finish date. He reported the lights will be hung in the alleys soon. He thanked everyone for their patience during the work on the square, especially the merchants.

#### MISCELLANEOUS

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

#### 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 he entertained a motion to adjourn the meeting.

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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 6:17 P.M.



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Michael W. Absher, Mayor

ATTEST:



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Tammy Beasley Wright, City Clerk