

March 24, 2025

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 COMMENT

Tonya Frehner, Chelsi Dials, Rebecca Holcomb, and Missy Brown were in attendance representing Birth to Five Illinois. They presented information to the Council about the early childhood services they provide and explained their primary focus is on early childhood education. They serve Franklin, Johnson, Massac, and Williamson Counties.

Connor Jackson, a resident of South Virginia Street, and his sister, a resident of Mechanic Street were present to speak with the Council about the stray animal issue in their neighborhoods. Mr. Jackson told the Council that stray cats are a problem, and he thinks the city code regarding feeding stray animals should be amended.

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

ECONOMIC DEVELOPMENT AND MUNICIPAL PLANNING

Mayor Absher asked Chief of Staff Cody Moake to speak about agenda items 5A, B, and C.

Ordinance 4017 Approving and Authorizing a TIF District Residential Exterior Improvement Program Grant Application with Brian and Amiee Kelley

Mayor's Chief of Staff Cody Moake told the Council that the property covered by Ordinance 4017 had already received an FY25 Residential TIF grant before it was sold to the new owners. They intended to make it a rental property, but determined the home needed to be demolished due to foundation issues. The grant program rules read only one grant per property per year is allowed. The new owners are requesting an additional grant to help them with the costs to demolish the home. This ordinance contemplates whether they can receive a second grant at this address this year. They are hoping to build a new single-family home in this location.

Chief of Staff Moake told the Council he is working through the rules for the new grant program. He explained because the program has been so popular, the city has not allowed repeat applicants for grants. He asked the Council if they would have the program to continue with first-time applicants only or if they want to start allowing repeat applicants. He said the city is trying to

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implement the program as fairly as possible. The consensus was to continue to only allow first time applicants.

Commissioner Stoecklin made a motion to approve Ordinance 4017 approving and authorizing a TIF District residential exterior improvement program grant application with Brian and Amiee Kelley. Commissioner Webb seconded the motion.

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

Ordinance 4018 Establishing a Date for a Public Hearing for the Proposed Third Amendment to the North Commercial TIF District

Mayor's Chief of Staff Cody Moake told the Council a Professional Services Agreement with Jacob & Klein was approved at the last city council meeting. He explained Ordinance 4018 sets the date for a public hearing which is part of the process to amend the North Commercial TIF District. He also announced the proposed changes are on display at the City Clerk's office.

Commissioner Patton made a motion to approve Ordinance 4018 establishing a date for a public hearing for the proposed amendment to the North Commercial TIF District. Commissioner Stoecklin seconded the motion.

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

FY25 TIF Grant Applications Received Through March 21, 2025

Mayor's Chief of Staff Cody Moake said there is one more TIF grant application for a roof replacement on Prairie Street. He told the Council there is approximately \$25,000 left in unused funds as some projects were unable to be finished. Mayor Absher recommended the unused funds be rolled over and used next fiscal year.

Commissioner Patton made a motion to approve FY25 TIF grant applications received through March 21, 2025. Commissioner Barwick seconded the motion.

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

PUBLIC AFFAIRS

Ordinance 4019 Establishing and Implementing the STAR Bond District Amusement Tax

Mayor's Chief of Staff Cody Moake told the Council Ordinance 4019 is adopting and implementing the STAR Bond amusement tax. He explained this ordinance puts all purchases within the STAR Bond District on the same playing field. He said there are things that have been proposed and discussed that are not subject to sales tax. For example, activities such as renting a hitting bay at the fieldhouse, playing a round of miniature golf, or attending a concert at Mt. Dew Park would be subject to this tax since these activities are not subject to sales tax. Only activities within the STAR Bond District would be subject to this tax which is intended to fund the activities that will entertain people. The tax collected must be dedicated to the STAR Bond District and can be used for infrastructure and other items within the district.

Mayor Absher made a motion to approve Ordinance 4019 establishing and implementing the STAR Bond District Amusement Tax. Commissioner Webb seconded the motion.

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

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Ordinance 4020 Repealing and Replacing Ordinance 1943 Concerning Fireworks within the City
Mayor Absher told the Council that Ordinance 4020 is replacing a twenty-year-old ordinance relative to fireworks. He said that some illegal fireworks have been sold in town even though they have been prohibited. He explained this ordinance does not allow the sale of certain types of fireworks. He told the audience the city is not funded by collecting fines and his goal is to not have to fine anyone. He said it takes more time for the city attorney to process these types of tickets than the fine that is collected. He said this ordinance is about peace for Marion residents.

City Attorney Wendy Cunningham explained the way the ordinance is written, the only fireworks that can be shot off legally in the city are the professional fireworks being shot off by someone who obtains a pyrotechnic display permit. A pyrotechnics license is required to obtain that permit per the Illinois Pyrotechnic Fireworks Act. Examples of legal fireworks displays are the professional fireworks displays put on by the Knights of Columbus or the fireworks after the ball games at Mt. Dew Park. Attorney Cunningham explained novelty items such as snaps, smoke bombs, and sparklers are considered legal by this ordinance. She said fireworks such as bottle rockets and roman candles are prohibited by the state. The list of prohibited fireworks is available through the State Fire Marshall's Office.

Mayor Absher made a motion to approve Ordinance 4020 repealing and replacing Ordinance 1943 concerning fireworks within 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.

Ordinance 4021 Implementing a Municipal Grocery Retailers' Occupation Tax and a Municipal Grocery Service Occupation Tax for the City

Mayor Absher told the Council and audience that Governor Pritzker and the Illinois legislature did away with the one percent grocery tax in 2024. This tax was used to fund municipalities. This tax was collected on grocery items that are taken home to be prepared such as frozen foods and fresh meats. The state did not want to collect this tax anymore and has given municipalities the opportunity to continue collecting it. Mayor Absher explained the city must notify the Illinois Department of Revenue by October 1, 2025, in order to continue collecting the tax after December 31, 2025. He believes that if the city does not continue collecting the tax, the impact will be between \$1.8 million and \$2.2 million. He said the city has three options. Option one is to take no action tonight and quit receiving the tax after December 31, 2025. This would have a catastrophic effect on the budget and would result in a reduction in employees. Option two is to pass the ordinance and see no change moving forward. Option three is to not act on this ordinance but replace the tax with a home rule sales tax which would require an increase in the home rule sales tax.

Mayor Absher made a motion to approve Ordinance 4021 Implementing a Municipal Grocery Retailers' Occupation Tax and a Municipal Grocery Service Occupation Tax for the City. Commissioner Stoecklin seconded the motion.

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

Ordinance 4022 Concerning Registered Sex Offenders in the City

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City Attorney Wendy Cunningham told the Council the Police Department has asked for the changes that are included in Ordinance 4022. Home rule authority allows the city to expand the prohibited residency restrictions on registered sex offenders in the city. This ordinance expands the prohibited areas from five hundred feet to 1,500 feet from parks, playgrounds, and schools and other protected areas where children are regularly. Registered sex offenders who own homes that are more than five hundred feet but less than 1,500 are grandfathered in under the old rules. Anyone who has a lease agreement that is less than 1,500 feet from prohibited areas will not be allowed to renew their lease when it expires.

Commissioner Webb made a motion to approve Ordinance 4022 concerning registered sex offenders in 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.

COMMISSIONER REPORTS

Commissioner Patton – Accounts & Finances

Commissioner Patton had no report.

Commissioner Webb – Streets & Public Improvements

Commissioner Webb reported that the Street Department has been patching concrete and picking up brush. They installed a new crosswalk at the corner of Jackson and Monroe streets near the courthouse. They have been picking up trash for the Building and Code Services Department and have cleaned up 1313 West Cherry Street. They are getting the mowers ready and have been working on the list of streets for paving. He reported the Cemetery Department will begin mowing next week and they have had twenty burials so far this month.

Commissioner Barwick – Public Health & Safety

Commissioner Barwick had no report.

Commissioner Stoecklin – Public Property

Commissioner Stoecklin read the Water Department report since last meeting. He asked three water-related trivia questions this evening. He reported that the Civic Center and the Pavilion have large events this weekend.

Mayor Absher – Public Affairs

Mayor Absher had no report.

MISCELLANEOUS

There were no miscellaneous items to come before the Council this evening. The Great Goldfish Taste-Off Presentation was postponed to a future date.

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.

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

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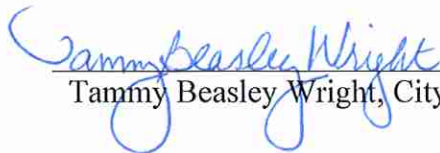
ON ROLL CALL VOTE COMMISSIONERS PATTON, BARWICK, WEBB, AND
STOECKLIN AND MAYOR ABSHER ALL VOTED YEA.

Meeting Adjourned at 6:35 P.M.



Michael W. Absher, Mayor

ATTEST:



Tammy Beasley Wright, City Clerk