

May 12, 2025

City of Marion – Public Hearing & Regular Meeting

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PUBLIC HEARING – Third Amendment to the North Commercial TIF District

Mayor Absher called the public hearing to order at 5:00 P.M. TIF Attorney Nic Nelson stated that any time the city wants to establish a new TIF District or amend a TIF District, a hearing is required. He told the attendees this hearing is for amending the North Commercial TIF District. He explained the city is removing a couple parcels and adding six parcels for contiguity. He said the parcels are considered to be blighted. He stated that TIF does not result in an increase in property taxes and that the TIF line item on the property tax bill indicates an increase in the value to the property. He also told the attendees the city is not taking any property through eminent domain. Mayor Absher told the attendees that while the area as a whole must qualify as blighted, that does not mean that all properties within the area are blighted. The area being added to the TIF is being added solely for contiguity and there is no intent to develop within that area. Attorney Nelson explained that TIF reallocates some of the tax collected from taxing bodies to the city's TIF account. Mayor Absher closed the public hearing at 5:14 P.M.

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

There were no public comments this evening.

CONSENT AGENDA

Commissioner Webb 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

STREET DEPARTMENT

FY26 Equipment Purchases

Commissioner Webb read the list of equipment the Street Department is purchasing. The items are as follows:

Exmark 60-inch Zero Turn Mower	\$14,900.00 from Little Tractor
T66 T4 Bobcat Compact Loader	\$64,959.06 from Bobcat of Marion
Road Lazer	\$63,255.00 from RAE Products
Ford F-250	\$47,423.00 from Jim Hayes, Inc.
2 Snowplows for the F-250 trucks	\$26,992.00 from Woody's Municipal Supply Co.

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Commissioner Webb said the total cost of this equipment is \$217,529.06. The Street Department is receiving a trade-in allowance of \$9,500 toward the purchase of the new Bobcat Compact Track Loader. The Street Department used competitive bids through Sourcewell.

Commissioner Webb made a motion to approve FY26 equipment purchases, all budgeted items. Commissioner Stoecklin seconded the motion.

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

Ordinance 4042 Authorizing a Loan Agreement with First Southern Bank to Purchase Equipment

Commissioner Patton stated that several banks were contacted regarding financing the Street Department equipment purchases. First Southern Bank was the low bid on the loan not to exceed \$217,530 with 2.65 percent interest over a five-year term.

Commissioner Patton made a motion to approve Ordinance 4042 authorizing the city to enter into a loan agreement with First Southern Bank to purchase Street Department equipment. Commissioner Webb seconded the motion.

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

TREASURER'S OFFICE

Firefighters' Pension Fund and Police Pension Fund Required Reporting

Commissioner Patton told the Council he was deferring to Treasurer Lance Roye regarding the required pension fund reporting. Treasurer Roye told the Council state statute requires reporting the ins and outs for each of the pension funds to ensure the city is not holding funds.

Commissioner Patton made a motion to approve Firefighters' Pension Fund and Police Pension Fund required reporting per 40 ILCS 5/3-141. Commissioner Barwick seconded the motion.

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

BUILDING & CODE SERVICES

Special Use Permit at 3305 Water Tower Road and 800 North Skyline Drive to Operate a Towing, Recovery, and Impound Business in an I-Industrial Zone

Mayor Absher told the Council the Zoning Board received an application for a special use permit in the Industrial Park to operate a towing, recovery, and impound business by Vernell's Interstate Service. There will be a ten-foot privacy fence around the area. The Zoning Board recommends approving the special use permit.

Mayor Absher made a motion to approve the Zoning Board's approval of a Special Use Permit at 3305 Water Tower Road and 800 North Skyline Drive, Marion, Illinois 62959. Parcel numbers 06-16-200-021 and 06-16-200-048 to operate a towing, recovery, and impound business in an I-Industrial Zone by Vernell's Interstate Service. Commissioner Stoecklin seconded the motion.

Commissioner Patton asked about ownership of the property. Mayor Absher stated that Vernell's has closed on the property even though the application for the special use permit indicates the property owner is Roof Bolt Express. At the time of application Vernell's had not yet closed on the property.

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After lengthy discussion between the Council, Chief of Staff Moake, City Attorney Cunningham, and audience members, Mayor Absher called for the vote.

ON ROLL CALL VOTE COMMISSIONER PATTON VOTED NO.
COMMISSIONERS BARWICK, WEBB, AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA.

Ordinance 4040 Requiring the Registration of Vacant Buildings and Properties

City Attorney Wendy Cunningham told the Council the Building & Code Services Department requested Ordinance 4040 because there are many vacant properties in town. This is their way to keep track of those properties. Attorney Cunningham stated many of these properties are used by squatters and the longer they are vacant, the more deteriorated they become and there are issues trying to keep the properties secure. Many municipalities require vacant property registrations. Properties would need to be registered after six months of vacancy.

Mayor Absher asked Attorney Cunningham about the goal for passing the ordinance and why the city would provide incentives for registration of properties. She indicated the goal is movement of vacant properties because vacant properties lead to crime, squatters, further deterioration of property, and lowering the value of neighboring properties. She indicated that the city is trying to lower the number of vacant properties by encouraging the owners to do something with them; either renovate them, sell them, or demolish them.

Mayor Absher stated that finding property owners has been a problem in the past. He said once the city knows where the property is, who owns it, and who is in control of it, there might be opportunities to use TIF and other economic incentives to spur development of the property.

Attorney Cunningham said the Building & Code Services Department will begin by mailing owners of properties with no active water service for six months or more.

Commissioner Stoecklin made a motion to approve Ordinance 4040 requiring the registration of vacant buildings and properties and providing procedures related to incentives, maintenance, marketing, and annual inspections. Commissioner Barwick seconded the motion.

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

ECONOMIC DEVELOPMENT AND MUNICIPAL PLANNING

Ordinance 4039 Authorizing the Sale of Property in the Industrial Park

Mayor Absher explained that the Council voted to sell property in the Industrial Park at the last council meeting. The city is selling two different parcels, approximately thirteen acres, to Banterra Bank for \$100,000. City Attorney Cunningham stated that state statute requires the property to be sold by ordinance. That was not done at the last meeting.

Mayor Absher made a motion to approve Ordinance 4039 authorizing the sale of property in the Industrial Park. Commissioner Patton seconded the motion.

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

FY26 TIF Grant Applications Received Through May 8, 2025

Mayor Absher stated there are several projects to approve with nearly \$310,000 in total project costs. Chief of Staff Cody Moake said these projects total \$150,000 in grants. He told the

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Council he is still working through reports in the new system, but that all applications presented have been reviewed and all are qualifying expenditures.

Mayor Absher made a motion to approve the eligible FY26 TIF Grant Applications received through May 8, 2025. Commissioner Stoecklin seconded the motion.

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

PUBLIC AFFAIRS

Ordinance 4038 Authorizing the Purchase of 1138 Midway Court, PIN 06-24-327-023 for \$25,000

Mayor Absher explained the property at 1138 Midway Court was sold for taxes and offered to the city. He stated that this property might work for a school build.

Mayor Absher made a motion to approve Ordinance 4038 authorizing the purchase of 1138 Midway Court, PIN 06-24-327-023, for \$25,000 from Metro Liens, Inc. Commissioner Patton seconded the motion.

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

Ordinance 4041 Banning the Sale and Delivery of Kratom and Derivatives within the City

Mayor Absher stated he wanted to take a moment and explain how the city arrived here with Ordinance 4041. He told the Council and audience he first became aware of Kratom six to eight weeks ago when a tragic circumstance brought it to his attention. A first responder told him about the dangers of this substance and how prevalent it is on the street. He told the Council and audience this predominantly an unregulated psychoactive herbal substance. He believes it is causing a growing danger inside Marion, Illinois. He said there are multiple warnings from federal health agencies regarding this substance. Despite the fact that twenty-two states have enacted legislation regulating this substance, it is still widely available. He said the street name is gas station heroin and it is readily available at gas stations, convenience stores, and vape shops here in the city. It is marketed as energy drinks, energy supplements or mood boosters. He believes the city needs to act to prevent the sale of Kratom and its derivatives to further prevent tragedies. He explained the substance is derived from a plant grown in Southeast Asia. In low doses it acts as a stimulant and in high doses, it acts as a sedative. It is not approved by the FDA for any medical use and is not legally marketed as a dietary supplement. Kratom's effects when used habitually or in very high doses closely mirror the effects of opioids and have resulted in documented cases of addiction, organ failure, psychosis, and death. Mayor Absher stated that there are two competing bills in the state legislature regarding this substance, one in the Senate and one in the House of Representatives. Both are not expected to pass this session.

Mayor Absher asked Emily Pieroni, widow of Blake Pieroni, to speak to the Council. She told the Council and audience she lost her husband Blake to the effects of Kratom. She told them this is a tragedy that has forever changed her life and the lives of those who knew and loved him. She told them he was offered an energy shot containing Kratom by the owner of a gas station close to Marion Junior High when he went in to make a purchase. He initially believed Kratom was a safe, natural supplement. She said this unregulated substance led to his untimely death. She told them she started a petition to address the dangers of Kratom. She urged the Council to consider implementing an ordinance that bans the sale of Kratom and Kratom containing products within

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city limits. She said this would honor the memory of those lost and safeguard the community from further harm. She thanked them for their time and consideration.

Mayor Absher expressed his condolences to Emily and to Blake's mother who was also present.

Commissioner Stoecklin stated he has researched Kratom, and the literature is shocking. He explained that in low doses, it acts like a stimulant, but in high doses, it can cause hallucinations. He explained that with most any drug that the body uses in an opioid receptor status, the longer a person takes that drug, the body requires more of the drug to do the same thing. He believes that Kratom is the same way. It has very powerful effects, is widely available to anyone, and is a very dangerous substance. He agrees that something regulatory needs to be done.

Mayor Absher stated this substance comes in various forms, and he wants to educate the public about it. He wants to make an update to the ordinance as it is listed on the agenda. He asked the city clerk to strike the word possession from the ordinance. This is because the city does not have the tools in the field to test for Kratom and there is no testing methodology.

Mayor Absher made a motion to approve Ordinance 4041 banning the sale and delivery of Kratom and Derivatives within the city. Commissioner Barwick seconded the motion.

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

Mayor Absher stated that City Attorney Cunningham will prepare a letter that will accompany the ordinance and will be served to owners of businesses selling products containing Kratom. After a certain notice period, officers will check to ensure that products containing Kratom are not being sold.

COMMISSIONER REPORTS

Commissioner Webb – Streets & Public Improvements

Commissioner Webb reported that the Street Department has been replacing concrete and patching streets in Summerfield. They have done some drainage work on Water Tower Road, Saluki Courts, and Main Street. They are getting ready for the final round of limb pick up and have been repairing railings downtown and sidewalks on Jefferson Street. They have been assisting the Cemetery Department with weed eating. The Cemetery Department has been busy mowing and had six burials in April.

Commissioner Stoecklin – Public Property

Commissioner Stoecklin read the Water Department report since last meeting.

Commissioner Barwick – Public Health & Safety

Commissioner Barwick read the April Fire Department report. He reported seventy-five total calls. He read the April Police Department report. He reported 2,343 dispatched calls; 1,732 emergency calls; 4,072 non-emergency calls; and 129 ambulance calls.

Commissioner Patton

Commissioner Patton had no report.

Mayor Absher – Public Affairs

Mayor Absher had no report.

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MISCELLANEOUS

Mayor's Chief of Staff Cody Moake reported the Homefield Energy letters went out this week. He said the rate starting in June will be eleven cents per kilowatt hour; it is currently nine cents per kilowatt hour. This rate is anticipated to be lower than Ameren's expected twelve and a half cents per kilowatt hour. He said this is year three of the five-year contract with Homefield. Residents may opt out of the program with Homefield by returning the card or calling them.

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.

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

Meeting Adjourned at 7:00 P.M.



Michael W. Absher, Mayor

ATTEST:



Tammy Beasley Wright, City Clerk