City of Marion – Regular Meeting July 28, 2025

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 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.

<u>NEW BUSINESS</u>
BUILDING & CODE SERVICES
<u>15.6'Foot Variance at 1001 N. Whitman Drive, Parcel #07-18-257-006 for an Installed Carport Without a Permit</u>
Mayor Absher told the Council the applicant, Mr. Leisenring, drove from Nebraska to meet with him about this issue. The Zoning Board denied his request for a variance on a carport that he had already built. Mayor Absher explained that Mr. Leisenring bought the house in an online auction as investment property and built a 20' x 20' carport on the lot. The carport does not have the proper setbacks. Mayor Absher said he thinks the Zoning Board made the correct decision because Mr. Leisenring did not follow the rules. He said he and Chief of Staff Cody Moake drove by to check out the property and the carport is an improvement. They did not observe any line-of-sight issues or other obstructions or hazards because of the carport. He said the owner also repaired a damaged sidewalk with his own money. Mr. Leisenring obtained letters of support from neighbors and the school district that were presented to the Zoning Board. Mayor Absher explained that if the city approves the Zoning Board's denial, Mr. Leisenring will have to tear down the carport.

Mayor Absher made a motion to disapprove the Zoning Board's denial and allow the carport at 1001 N. Whitman Drive, parcel #07-18-257-006 to remain. Commissioner Stoecklin seconded the motion.

Mayor Absher stated that he became aware of this issue at the end of June. Commissioner Barwick added that because this street is one-way, it creates a unique circumstance. Hearing no further discussion, Mayor Absher called for the vote.

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

POLICE DEPARTMENT

Purchase Can Am 6MSD for $29,997 with Accessories Installed Totaling $2,500

Commissioner Barwick made a motion to approve the purchase of a Can Am 6MSD for $29,997 with accessories to be installed by Fleet Fab for an additional $2,500. Commissioner Barwick explained this is a side-by-side utility vehicle similar to the Fire Department vehicle that was recently purchased.

Mayor Absher asked if this vehicle is solely for disaster situations. Police Chief David Fitts responded that he could see this vehicle being used by officers at the sports complex, at parades, and at events where streets are blocked off. Commissioner Barwick added that he thinks it can be utilized in other areas during other events.

Commissioner Webb seconded the motion.

Police Chief Fitts told the Council the vehicle is being purchased from Oasis, and they were the lowest bid.

Mayor Absher said this specific unit was not budgeted but that the department is under budget on planned vehicle purchases. Hearing no further discussion, Mayor Absher called for the vote.

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

WATER DEPARTMENT

Water Line Replacement Project on Redbud Street for $69,518.62

Commissioner Stoecklin made a motion to approve a water line replacement project on Redbud Street for $69,518.62, a budgeted item. Commissioner Webb seconded the motion.

Mayor Absher asked why the line needs to be replaced. Public Works Superintendent Brent Cain explained this is an old line that has had numerous breaks due to many services coming off the line. He said the quote in the packet is for materials and valves for the project. The department will do the labor.

Hearing no further discussion, Mayor Absher called for the vote.

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

Replace Outdated Zenner Meter Electronics and Batteries in 1,100 Units Totaling $122,100

Commissioner Stoecklin made a motion to approve replacing outdated Zenner meter electronics and batteries in 1,100 units totaling $122,100; a budgeted item. Commissioner Webb seconded the motion.

Public Works Superintendent Brent Cain said these are the oldest meters that were installed, and the warranties are getting ready to expire. The batteries and electronics must be replaced because they collect the data remotely that is transmitted back to the water office. Since these are the oldest units, the decision was made to upgrade the electronics to the newer generation. Superintendent Cain said there are 9,000 meters in total and there will be more components that will need to be replaced next year. The electronics will be upgraded in batches each year instead of spending a large amount to upgrade all at one time. The batteries in the meters are projected to last ten years. Superintendent Cain and IT Director Terance Henry answered several questions from the Council.

Hearing no further discussion, Mayor Absher called for the vote.

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

HUB RECREATION CENTER

Mayor Absher said last year during the slide restoration, he noticed the metal slide stairs were unsightly due to deterioration from environmental factors and asked General Manager Chris Georgantas to find out what it would take to get those repaired.

Hub Recreation Center General Manager Chris Georgantas told the Council he needs clarification on agenda item C. He said he intended for the whole project to be RP Coatings. The bid from Ground FX Flooring for agenda item 8C was slightly lower than RP Coatings, but he recommended the Council vote to go with the RP Coatings bid even though it is slightly higher. He said they (RP Coatings) can do all three projects at the same time because they have enough staff to do so. He said they have a proven track record, and he thinks it will be a more seamless project. He recommended the RP Coatings bids for all three projects for more efficiency and their proven track record.

Mayor Absher said all three repairs were known to be necessary. Agenda item A, $51,200 for the slide stair restoration will be funded by Capital Replacement Funds. Item B, the locker room maintenance projects totaling $54,980 will be paid from budgeted funds and Capital Replacement Funds. Item C, $30,000 was budgeted for the pool deck restoration project.

Slide Stair Restoration Project Capital Replacement Funds from RP Coatings for $51,200

Mayor Absher made a motion to approve a slide stair restoration project using Capital Replacement Funds from low bidder RP Coatings for $51,200. Commissioner Stocklin seconded the motion.

Commissioner Patton asked why there was such a large dollar difference between the two bids that were received. General Manager Georgantas explained that bidder Safe Slide planned to completely disassemble the stairs, remove them, and sandblast them outside. He said that RP Coatings planned to only remove the stair treads, sandblast inside, and repair using a three-coat process. After discussion regarding containment of the project, Mayor Absher called for the vote.

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

Locker Room Maintenance Projects Totaling $54,980 Using Budgeted and Capital Replacement Funds

Mayor Absher stated there is a lot of wear and tear in this area and it is time for maintenance.

Mayor Absher made a motion to approve the listed various locker room maintenance projects totaling $54,980 using budgeted and Capital Replacement Funds. Commissioner Webb seconded the motion.

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

Pool Deck Restoration Project for $35,046 from Ground FX Flooring Using Budgeted and Capital Replacement Funds

Mayor Absher explained that the common perception is that the city must always take the lowest bid. That is true in some situations such as building a building, but Council does have the discretion on purchases to choose the best for the city and not necessarily use the low bid. Mayor Absher said he understands the convenience argument for wanting to use RP Coatings but does not think it is fair to go with the higher bid unless there is some compelling reason to do so. After some discussion between the Council and General Manager Georgantas, the consensus of the Council was to approve the low bid.

Mayor Absher made a motion to approve a pool deck restoration project for $35,046 from Ground FX Flooring using budgeted and capital replacement funds. 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 4054, a Development Agreement with Bennie's Italian Foods

Mayor Absher said the owners of Bennie's Italian Foods approached him about wanting to expand their business. They want to get back into catering, holding small events, and meetings. John and Lynn Hill met with Mayor Absher and asked for a loan as a development agreement. They are guaranteeing the loan personally and agree to pay it back if the municipal tax generated by this is not sufficient to pay back the loan. This agreement is for a $140,000 loan to Bennie's Italian Foods.

Mayor Absher made a motion to approve Ordinance 4054, a Development Agreement with Bennie's Italian Foods. Commissioner Webb seconded the motion.

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

Ordinance 4055, a Residential TIF I Redevelopment Agreement with Laura Spiller

Mayor Absher told the Council Ordinance 4055 is a Residential TIF I Redevelopment Agreement. Chief of Staff Cody Moake said this project would qualify for one of the residential TIF grants, but it requires much more work than a residential TIF grant would cover.

Mayor Absher made a motion to approve Ordinance 4055, a Residential TIF I Redevelopment Agreement with Laura Spiller. 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 July 25, 2025

Mayor Absher made a motion to approve FY26 TIF grant applications received through July 25, 2025. Commissioner Patton seconded the motion.

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

Ordinance 4056, Amending a TIF XX Redevelopment Agreement with Enrico Castellano

Chief of Staff Cody Moake said Mr. Castellano has asked to be reimbursed $40,475 for his costs for the sewer portion of the project. He plans to upgrade the water portion of the project in the fall. Chief of Staff Moake submitted the documentation to the TIF Attorneys for review and reimbursement. He was informed that the original redevelopment agreement with Mr. Castellano was not written in a way that allows partial reimbursement. Ordinance 4056 amends the original redevelopment agreement so that Mr. Castellano can be reimbursed for the sewer portion of his costs now.

Mayor Absher explained the way the original redevelopment agreement was written; Mr. Castellano would have to complete the entire project before he could request reimbursement for his costs. The amended redevelopment agreement provides for him to request reimbursement for costs for the portion of the project that is complete since he cannot finish the rest of the project until this fall.

Mayor Absher made a motion to approve Ordinance 4056, amending a TIF XX Redevelopment Agreement with Enrico Castellano. Commissioner Stoecklin seconded the motion.

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

PUBLIC AFFAIRS

Participation in New Opioid Settlements with Purdue Pharma Bankruptcy and Sackler Family and Nine Additional Opioid Defendants

City Attorney Wendy Cunningham explained that there are a couple of new opioid litigation cases that have reached settlement. Because the city is participating in several of the other cases, we are being asked if we also want to participate in these cases. The attorneys that represent the city in the other cases are recommending that we join these cases.

Mayor Absher made a motion to approve participation in New Opioid Settlements with Purdue Pharma Bankruptcy and Sackler Family and nine additional opioid defendants. Commissioner Stoecklin seconded the motion.

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

COMMISSIONER REPORTS

Commissioner Webb – Streets & Public Improvements

Commissioner Webb reported that the Street Department has been doing drainage work on McLaren, Granite, Goodall, and State Streets. They are still picking up brush, mowing, patching streets, and paint striping. He reported all is good at the Cemetery.

Commissioner Patton

Commissioner Patton had no report.

Commissioner Stoecklin – Public Property

Commissioner Stoecklin read the Water Department report since the last council meeting. He asked trivia questions this evening that were provided by City Attorney Cunningham.

Commissioner Barwick – Public Health & Safety

Commissioner Barwick had no report.

Mayor Absher – Public Affairs

Mayor Absher had no report.

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

CLOSED/EXECUTIVE SESSION
6:35 P.M.
Mayor Absher made a motion to go into executive session under the Illinois Open Meetings Act to discuss pending or possible litigation 5 ILCS 120/2(c)(11). Commissioner Patton seconded the motion.

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

7:14 P.M.
Commissioner Stoecklin made a motion to adjourn the Executive Session and resume the Regular Meeting. Commissioner Patton seconded the motion.

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

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 7:15 P.M.

MW Absher
Michael W. Absher, Mayor

ATTEST:

Tammy Beasley Wright
Tammy Beasley Wright, City Clerk