

CITY OF MARION – REGULAR MEETING

February 11, 2013

Minutes of a Regular Meeting of the City Council of the City of Marion held in the Council Chambers of the Marion City Hall February 11, 2013. Mayor Butler called the meeting to order at 6:30 P.M.

The City Clerk was instructed to call the roll and the response was as follows:

PHYSICALLY PRESENT: COMISSIONERS RIX, RINELLA, GOSS, PATTON AND MAYOR BUTLER.

ABSENT: NONE

The minutes of the January 28, 2013 Regular Meeting were approved as presented.

Jane Ann Cruse, a Director of Miss Illinois Pageant, introduced Miss Illinois, Megan Ervin from Central Illinois, who was named Miss Illinois 2012 last June at the Marion Cultural and Civic Center, and was recently the preliminary winner of fitness and lifestyle, and one of the top ten finalists in the Miss America Pageant held in Las Vegas. Miss Illinois spoke to the Council about her speaking engagements all around the state. She will be leading a “Zumba Class” Saturday. She invited all the Commissioners and Mayor Butler out to join her Zumba class.

Ms. Kathleen Leonard, Representative of a group of people, appeared before the Council asking questions about the Water Department. She felt that she and the other water customers should receive a refund on their water bills. Mayor Butler explained that previously the Water Department depended on the General Fund to cover the short falls. The Water Department is now covering its own expenses. Ms. Leonard said her group was thinking of filing a Class Action Suit against the City. At that, City Attorney Steve Green told Ms. Leonard that she could not speak further to the Council and the Council had nothing further to say to her. Ms. Leonard was told she would be escorted from the Council Chambers if she did not sit down. Ms. Leonard finally sat down.

Darren Pulley a resident of the north east part of Marion asked to speak to the Mayor and Council to let them know how much he and the residents of Melmar Drive, Quail Run, Spring Garden, and Oakshire Drive appreciate the new sewer service the City has brought to that area. Mr. Pulley also wanted to thank KPS, Inc., the contractor who installed the system, the Marion Sewer Department, the Marion Water Department and Clarida and Ziegler Engineering all for a job well done. Also, thanks to former Commissioner Bob Owens who played a part in stirring interest for the northeast sewer system.

Commissioner Rinella made a motion to appoint Cindy Gibbons as Director of the Water Department. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella stated that he felt a director of the Water Department would be a good addition.

With the resignation of Steve Aschieris from the Library Board, Mayor Butler recommended the appointment of David Lawler to fill the empty seat. Commissioner Rinella made a motion to accept the resignation of Steve Aschieris from the Library Board and to appoint David Lawler to fill the vacated position. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Mayor Butler read a letter from Harry Boyd, Chairman of the Historic Preservation Board, stating that all the current members of the Historic Preservation board wish to resign, including himself, Ray Hancock, Linda Byassee, Twila Couey, Glen Gibbons and Clarence DeMattei. Commissioner Rinella made a motion to accept the resignations of the Historic Preservation Board. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

RESOLUTION 2013-11 ILLINOIS DEPARTMENT OF TRANSPORTATION (North Russell Street from 100' south of IL Rte. 13 to West Boulevard Street) Proposed improvement includes installing a supplemental storm sewer, inlets and junction boxes to upgrade existing storm sewer. Section 13-00116-00-SS. Appropriated funds - \$100,000.00 from the City's allotment of Motor Fuel Tax funds. Commissioner Goss made a motion to approve Resolution 2013-11 as presented. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

RESOLUTION 2013-12 ILLINOIS DEPARTMENT OF TRANSPORTATION (North Russell Street from Scottsboro Rd. to DuFour Street) Proposed improvement includes a pavement of variable width from 63' F-F to 39 F-F, concrete curb and gutter, storm sewer, inlets and various appurtenances. Section 09-00106-00-RP to be paid by \$350,000.00 from the City's allotment of Motor Fuel Tax Funds. Commissioner Goss made a motion to approve Resolution 2013-12 as presented. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

RESOLUTION 2013-13 ILLINOIS DEPARTMENT OF TRANSPORTATION (Morgan Avenue (FAU 9718) from N. Carbon to N. Russell St. Proposed improvement shall consist of P.C.C. Pavement, 39' F-F with concrete Curb and Gutter, storm sewers, inlets, utility adjustments and various appurtenances. Section 08-00105-00-FP to be paid by \$450,000.00 from the City's allotment of Motor Fuel Tax Funds. Commissioner Goss made a motion to approve Resolution 2013-13 as presented with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Goss made a motion to approve the Preliminary Engineering Services Agreement between Clarida and Ziegler Engineering Co. and the City of Marion for certain professional engineering services in connection with the widening of Morgan Avenue from Miners Drive to Halfway Road, including revising the design of Hill View Way to the south, the extension of Hill View Way north to Blue Heron Drive, and signalization of the intersection for a sum of \$128,000.00 to be paid from local funds. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Goss made a motion to approve the Amendment to the original Agreement for Engineering Services from Clarida and Ziegler Engineering Co. with the City of Marion for the Northeast Sewer Extension Project (Project 05088). The following section is amended:

1. Section D: The resident inspection not to exceed cost is increased by \$20,000.00.

Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Glenn Clarida presented the bids for the Illinois Route 13 Utility Adjustments on Rte. 13 from Russell Street to DuFour with the Engineer's estimate at \$89,505.00, and the three bidders KPS,

Inc.-bid \$75,196.00; JM Jones Excavating – bid \$111,636.00; and the low bidder Dean Bush – bid \$62,559.00. Commissioner Rinella made a motion to approve the low bid of Dean Bush at \$62,559.00. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Mayor Butler read a letter from Director of Code Enforcement Jim Phemister asking for the approval of the appointment of Enrico Castellano to the Zoning Board. Commissioner Rinella made a motion to approve the appointment of Enrico Castellano to the Zoning Board with Commissioner Patton seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Michael Baysinger of Baysinger Architects, gave an update of the status of the Recreation Center to be built on the site of the Old Marion Memorial Hospital grounds. Mr. Baysinger told the Council they are very close to submitting for bids for the construction work for the Recreation Center. A construction manager will not be necessary according to Mr. Baysinger. The footprint of the building is approximately 42,000 square feet. Estimated cost at this time is \$12,000,000.00. Commissioner Patton stated they are looking at various interior finishes as ways of saving some money on the cost.

City Administrator Gail West presented the two bids for the installation of the LED lights that were purchased for the exterior of The Pavilion. Gail stated that originally the plans had been for the city electrician to install the lights but time restraints made that impossible. Mayor Butler had suggested to submit the bids to area Electrical Contractors. Two bids were received: Electrical Specialists bid \$6,146.38 for labor and materials on the installation of the lights; Bruce Electric bid \$7,987.00 for labor and materials to install the lights. Commissioner Rix made a motion to accept the bid of \$6,146.38 from Electrical Specialists. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COMMISSIONERS VOTED YEA.

Mayor Butler read an Agreement between the State of Illinois acting through the Department of Transportation and the City of Marion to allow the City of Marion Police Department to use the following facilities for training purposes of the Emergency Response Holmes Team that are located at 1112 N. Johnson (formerly Lincare Inc. or One Hot Cookie), 802 W. DeYoung (formerly Holmes Chiropractic), 806 W. DeYoung (formerly Bernie Paul Law Office) and 905 W. DeYoung (formerly Gordon & Price or Shawnee Surveying). Commissioner Patton made a motion to approve the agreement with the Department of Transportation for the Police Department to use the above buildings as training facilities before the buildings are set for demolition. Commissioner Rix seconded the motion.

ON ROLL CALL ALL COUNCIL MEMBERS VOTED YEA.

Mayor Butler presented the proposed changes to amend Ordinance 2194 – Establishing the Powers and Duties of the City Administrator. After changing the wording of Item M. under Section III of the Powers and Duties of Ordinance 2194 to read “Subject to directions of the designated City Council Member, participate to the extent requested in collective bargaining agreements and advise the Council periodically during collective bargaining negotiations about issues being considered and the positions of such issues being taken in order that the City Council may be apprised of the position of the Council before being presented with an agreement

for final approval.” With that change to the amendment Commissioner Goss made a motion to approve the Amendment to Ordinance 2194 with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COMMISSIONERS VOTED YEA.

Commissioner Rinella made a motion to approve the payments to Jacob and Klein LTD and to the Economic Development Group LTD for the preparation of the FY2010 Annual Reports and Comptrollers Reports. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella made a motion to pay the monthly bills as funds become available. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella made a motion to approve payment of the Consent Agenda dated February 11, 2013 as funds become available. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Patton stated that Michael Baysinger has worked very hard at putting the plans together for the new Recreation Center. Commissioner Patton said, “The design is stellar, the location is stellar and I hope the bids come in good for the City.”

Mayor Butler voiced his concern with SIMPO of which the City of Marion is now a part. “It is a federally mandated program that gets a group of city leaders from various Williamson County and Jackson County towns together to decide how transportation funds are going to be spent. The federal funds are pooled. The Board discusses it. Each community has one vote. The bulk of the communities are from Williamson County. Carbondale is only community from Jackson County. Jackson County Mass Transit has one vote and IDOT has one vote.” It is all mandated by the federal government and Mayor Butler doesn’t like it. IDOT can still make recommendations. Cary Minis of Greater Egypt is the Chairman of this group.

8:00 PM

City Attorney Steve Green said he had a Real Estate issue and a personnel issue to be discussed in Executive session. Commissioner Rinella made a motion to go into Executive Session to discuss a Real Estate issue and a personnel issue. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

8:40 PM

Commissioner Rix made a motion to go out of Executive Session and reconvene the Regular Meeting. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rix made a motion to adjourn the Regular meeting with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Meeting adjourned.

8:40 p.m.

Robert L. Butler
Robert L. Butler, Mayor

ATTEST:

Alice F. Rix
Alice F. Rix, City Clerk