

CITY OF MARION – REGULAR MEETING

May 14, 2012

Minutes of a Regular Meeting of the City Council of the City of Marion held in the Council Chambers of the Marion City Hall May14, 2012. 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: COMMISSIONERS RIX, RINELLA, GOSS, PATTON AND MAYOR BUTLER.
ABSENT: NONE

The minutes of the April 23, 2012 Public Hearing, the April 23, 2012 Regular Meeting, the April 27, 2012 Special Called Meeting and the May 2, 2012 Special Called Meeting were all approved as presented.

Mayor Butler read a letter from Bob Jackson of the Williamson County Historical Museum, announcing the Museum (the old county jail) at 105 South Van Buren will have an open house Saturday May 19, 2012 from 9:00 A.M. to 3:00 P.M. commemorating the 30th anniversary of the May 29, 1982 tornado that tore a destructive path through Marion. Aerial photographs of the tornado path will be on display. Books will be available for purchase including books on the history of Williamson County; The 1920's Coal Mine Riots, Ku Klux Klan and the Charlie Birger Gang.

Mayor Butler introduced Lakynn Walker, a John A. Logan Government Student fulfilling class requirements by attending a City Council Meeting.

Representatives of Select Energy Aggregation, Anna Baluyot and Chad Hill presented the electricity aggregation information for Ameren residential and small business customers in the City of Marion. In 2009 the law changed so that residential and small business customers could choose who they buy their electricity from in hopes of receiving lower rates. Before the de-regulation, the customers were locked in to buying from either Ameren or some similar utility company that had sole rights to serve that area. By bundling all of the residential and small business customers together, the city can negotiate for a lower rate. To do this, the city would need to pass an ordinance within seventy nine (79) days of this meeting so that the referendum question could be put on the November ballot, asking the City of Marion residential and small business owners, currently Ameren customers, if they want the City of Marion to negotiate lower electric rates for them. The customers would still have the ability to opt out of the program. A letter would be sent by the supplier to the residents and two public hearings would be held. The Ameren customers who are currently "all electric" would not benefit a savings from this program. Out of 8,384 Ameren customers in the City of Marion, currently 3,871 are "all electric" customers. Select Energy, Chicago, has been in business since the de-regulation went into effect, approximately four to five years. Commissioner Rix stated Ameren currently bids for their rates by auction.

Resolution 2012-08 – A Resolution authorizing Mayor Butler to sign appropriate documents required in connection with the receipt of the Illinois Housing Development Authority Program

Grant for rehabilitation of single-family owner occupied residences. Commissioner Goss made a motion to approve Resolution 2012-08 as presented. Commissioner Patton seconded the motion.
ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rix made a motion to approve the submitting of an application for the Justice Grant (JAG) program on behalf of the Marion Police Department in the amount of \$10,265.00, which will be used to purchase two (2) in-car-DVR systems to be installed in two Marion Police Department Patrol Units. Commissioner Goss seconded the motion.
ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Brian Fisher, Safety Director, asked the Council to approve the purchase of ten sets of body harness and helmets for the Hazmat team at a cost of \$6,240.00 from low bidder, MES. Illinois Fire Store bid \$6,270.00. Commissioner Rinella made a motion to accept the MES bid. Commissioner Rix seconded the motion.
ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Safety Director Fisher asked the Council to approve the purchase of Chemical Gas Masks for the Police Department ERT Team at a cost of \$8,416.64 from low bidder, Grainger. Tower Equipment bid \$9,446.00. Commissioner Rix made the motion to accept the bid from Grainger. Commissioner Rinella seconded the motion.
ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Safety Director Fisher also asked the Council to approve the purchase of a Tactical Surveillance System (a camera that can see into attics or other dark hiding spaces) from Zistos Corporation for the Police Department at the purchase price of \$6,505.00. Commissioner Rix made the motion to approve the purchase. Commissioner Rinella seconded the motion.
ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

All the safety item purchases requested by Safety Director Brian Fisher are to be paid for by funds from a Safety Grant.

William Barrett, 9-1-1 Director came before the Council requesting a name change for the frontage road (that runs along East DeYoung) which currently has no name. The frontage road starts in front of the Farm Service Building (F S) and continues on to the east past the Farm Bureau office to the storage buildings on the far east end of the frontage road. Mr. Barrett asked the frontage road be named East DeYoung Frontage Street as all of the businesses along the frontage road are currently addressed with East DeYoung Street. Commissioner Patton made a motion to name the frontage road as East DeYoung Frontage Street. Commissioner Goss seconded the motion.
ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Patton submitted Sewer Superintendent Brent Cain's recommendation to approve the bid from Siemens to provide the following chemicals for the upcoming year.

Bioxide	\$2.61 a gallon	approximately 37,500 gallons
OdoFree	\$1.95 a gallon	approximately 22,000 gallons

The price per gallon includes all tanks and pumping equipment as well as service on all the feed systems. There is no service behind the products from other suppliers, making it very hard to bid “apples to apples”. Commissioner Patton made a motion to approve the Siemens bid. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Resolution 2012-09 A Resolution to move watermain on Bittle Place and Cornell on IDOT Right-of-Way. Commissioner Rinella made a motion to approve Resolution 2012-09 as presented. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Brian Ziegler asked to bring the Council up to date regarding the Clearwave ROW access. Some time ago the Council approved Clearwave to run the “backbone” trunkline through the City of Marion. This was to the City Hall, Police Department, Library, Hospital, Fire Department and to the area schools. Last week Brian had received some calls because the City had received some Julie locate calls pertaining to the placing of the Clearwave cable on City ROW. Clearwave has now sold seven or eight other contracts. After contacting Ray Cagle, Ray had someone to bring a drawing to Brian. Mayor Butler, Gail and Brian met with Ray and Scott Riggs last Tuesday to let them know that the City needs drawings of where Clearwave plans to put their cable and drops before they actually start digging and that the City needs at least a couple of weeks lead time before Clearwave plans to dig. Clearwave actually was installing the cable while they were having the meeting. Clearwave has to have an easement before they can run cable on City Property. Commissioner Rinella said two years ago Clearwave was given permission to put their cable in the “backbone” area according to the grant. All the other utilities have to apply to the City for an easement. Clearwave needs to abide by the same rules. Mayor Butler said the City Council, Clearwave, Brian Ziegler and Steve Green all need to set up a meeting and work this out.

Commissioner Rinella made a motion to approve the Consent Agenda of May 14, 2012 as funds become available. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rix announced that the Police are running several radar patrols. They wrote ninety accident reports last month. The new road around Menards is being used for a drag strip. The racing took out one of the lights along that road. The estimated cost to replace the pole and light is \$16,000.00 to \$18,000.00. This morning one of our Police officers wrote a ticket to an individual running 61 mph in a 45 mph work zone. Our police wrote 28 citations for speeding in construction zones last month. The fines for those citations start at \$350.00. Commissioner Patton stated the road construction work will be here for a while, so everyone needs to slow down.

7:30 P.M.

Commissioner Rinella made a motion to go into Executive Session to discuss a personnel matter, a real estate matter and a litigation matter. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

9:30 P.M.

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

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rinella made a motion to terminate Linda Heyde, Water Office Manager for cause. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rinella made a motion to appoint Alana Moss to the position of Water Office Manager with a starting annual salary of \$50,000.00 plus longevity. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

The position of Assistant Water Office Manager will be posted in the Water Office for bids.

After discussion about the litigation with the U.S. Specialty Insurance Company, Commissioner Rix made a motion to have Attorney Steve Green to pursue the lawsuit on the City's behalf on a contingency basis. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Mayor Butler stated that the next Regular Meeting would ordinarily be held on Monday May 28, 2012 which is Memorial Day, a national holiday, so if approved by the Council, the meeting will be held the following day May 29, 2012. Commissioner Rix made a motion to approve changing the next Regular Meeting to May 29, 2012. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

Commissioner Rix made a motion to adjourn the meeting. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YES.

9:30 P.M.



Robert L. Butler, Mayor

ATTEST:



Alice F. Rix, City Clerk