

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, DECEMBER 6, 2010**

Mayor Michaelis called the Regular Session to order at 7:00pm. Councilmembers present were Schwarz, Bardill, Bellm and Zobrist. Others in attendance: City Manager Mark Latham, City Attorney Harold Belsheim, Directors Cook, Gillespie, Rosen, Rusteberg and Schoeck, Police Chief Bell, Supervisor Limestall, EMS Captain Crosby, Treasurer Foehner, Deputy City Clerk Hediger, City Clerk Bellm; Latzer Library Director Angela Kim, 6 citizens and 1 member of the news media.

MINUTES

Councilman Bardill made a motion to approve the minutes of the November 15, 2010 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

PROCLAMATION

Mayor Michaelis read a document proclaiming the week of December 5th as Youth Appreciation Week in the City of Highland. Mayor Michaelis stated he and City Manager Latham just came from a banquet honor local youths as part of the Youth Appreciation Week, which Optimist International has developed and promoted.

PUBLIC FORUM

Citizens' Requests and Comments:

Terra Properties' Utilities Waiver Request for New Switzerland Railroad Club — Darin Girdler, with Terra Properties, 110 Executive Drive stated Terra Properties sublets the property for the owner where the New Switzerland Railroad will hold their display this year. We are requesting a waiver for electric charges over the average for December usage. Councilwoman Bellm made a motion to grant the request of Terra Properties, on behalf of the New Switzerland Railroad Club, to waive electric charges over the average for the unit; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Highland Arts Council – Presentation of Art in the Park Poster – Lynette Schuepbach, 105 North Harvest Crest, chairperson of the Highland Arts Council and the Art in the Park event thanked city staff and the city council for their support of the event and presented Mayor Michaelis with a poster from this year's event.

Requests of Council:

Nothing presented.

Staff Reports:

Annual EMS Department Report – EMS Captain Gary Crosby reviewed with the council the annual report. He pointed out the average years of experience, for the full-time staff is 10 years. In addition to the years of service with Highland, many have worked with other departments in the area before coming to Highland and some still work part-time for other departments. This past year, call volume was up 0.01% over prior year. Calls for all five districts that we serve and the distribution of activity between all the districts remain statistic as well. There was an 8% decrease in Medicare calls. Of the Medicare claims, we end up writing off 24% of the claims, for an average pay per call of \$430.09. With Medicaid calls, 74% of charges are written off, providing an average net of \$152.69 per call. Inter-contractual facility calls would be transport when, for example, St. Joseph’s Hospital has something such as a CT Scanner down and we transfer to a different facility for those services. Total average per call came to \$371.06. Total gross collections are 71.5% with net collection at 92.4%. Motor vehicle accidents may take as long as 3-4 years to collect due to litigation. The cost of service, based on per capita is \$43.42 to provide services. Based on an average property assessment of \$170,000, the average taxes paid for these services is \$136 per year.

Presentation of Tax Levy Options – Director of Finance Sharon Rusteberg reported she has provided the council with two options for the tax levy. Option 1 would levy the taxes at \$3,406,302; Option 2 would set it at \$3,294,481 for an \$111,812 difference. She asked for feedback from the council as to which tax levy option we want to go with. About 21% of the average property tax bill goes to Highland and the Louis Latzer Library. Option 2 discontinues the funding for Peanut Butter & Jam Festivals (PBJ), the municipal (“Muny”) band, and the comfort station tax. We would also stop funding the library ~\$42,000 for tort improvements. Option 2 is a 2% decrease; Option 1 is a 2% increase. Mayor Michaelis asked Director Rusteberg for her recommendation. Director Rusteberg responded I would go with Option 1. I believe that is what the citizens have come to expect as far as services provided. She noted IMRF and Police Pension are higher this year. In response to questions she has been receiving recently about the police pension funding, she stated we have always levied the required amount for funding the police pension. Mayor Michaelis expressed I have heard so many good things about Muny band. We need to continue it. Director Rusteberg pointed out they highlight our downtown area and shops. Councilwoman Bellm stated she agreed with going forward with Option 1.

NEW BUSINESS

Bill #10-125/ORDINANCE Amending FY 2010-2011 Budget – Councilman Bardill made a motion to approve Bill #10-125/Ordinance #2444 amending Fiscal Year 2010-2011 Budget as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #10-126/RESOLUTION Supporting Application for Safe Route to Schools Grant - Councilwoman Bellm made a motion to approve Bill #10-126/Resolution #10-12-1929 supporting application for Safe Route to Schools Grant as attached; seconded by Councilman Bardill. Councilman Schwarz questioned what happens if we do not get the grant. City Manager Latham responded we hold the funds and try another year. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #10-127/RESOLUTION Appropriating Funds for 2011 MFT Maintenance Materials – Councilman Bardill made a motion to approve Bill #10-127/Resolution #10-12-1930 appropriating funds for 2011 MFT Maintenance Materials as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Approve Waiver of Normal & Customary Bidding Procedures for Purchase of Cardiac Monitors – Councilwoman Bellm made a motion to approve waiver of normal and customary bidding

procedures for purchase of three Life-Pak 15 cardiac monitor defibrillators from Physio-Controls, Inc. in the amount of \$75,397.89 as attached; seconded by Councilman Bardill. EMS Captain Gary Crosby reported three units would be traded in and a fourth kept for backup; the trade-in values are included in the price. Councilman Schwarz asked is this the only place we can get this one. Captain Crosby stated the only way to get a Physio unit is to purchase through their regional office. Councilman Schwarz inquired, I would guess that purchasing a different one would mean additional training and thus cost for training. Captain Crosby responded we have had this brand for all the years that most have worked for Highland's department. The last thing you want is a paramedic having to search for buttons during an emergency. Additionally, we have several consumable items in inventory that work with Physio monitors. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Approve a Notice of Municipal Letting Bid #E-18-10 for Purchase of a Backyard Easement Machine – Councilman Bardill made a motion to approve a Notice of Municipal Letting Bid #E-18-10 for the purchase of a backyard easement machine as attached; seconded by Councilwoman Bellm. All council members voted aye, none nay. Motion carried.

Bill #10-128/RESOLUTION Approving Cost Reimbursement Sub-Subcontract Implementing an Energy Savings Project for Support of the Energy Efficiency and Conservation Block Grant – Councilwoman Bellm made a motion to approve Bill #10-128/Resolution #10-12-1931 approving cost reimbursement sub-subcontract implementing an energy savings project for support of the Energy Efficiency and Conservation Block Grant as attached; seconded by Councilman Bardill. Councilwoman Zobrist asked do we have to enter into a contract with Southwestern Illinois Metropolitan and Regional Planning Commission to move forward with this. Light & Power Director Cook explained we applied for a \$75,000 grant with this regional planning commission. They have approved the grant. The contract specifies requirements for us to obtain the money, documentation required, submittal of receipts for reimbursement, etc. If we do not enter into the contract, we will not be able to obtain the funds. They will provide \$75,000; we are to provide \$25,000. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #10-129/RESOLUTION Authorizing Execution of Task Order 2470015 with Spectrum Engineering for Design of Phase II FTTP Outside Plant – Councilman Bardill made a motion to approve Bill #10-129/Resolution #10-12-1932 authorizing execution of Task Order 2470015 with Spectrum Engineering for Design of Phase II FTTP Outside Plant, in the amount of \$195,515.00 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill and Bellm voted aye, Zobrist voted nay. Motion carried.

Bill #10-130/RESOLUTION Approving Arc Flash Study Proposal by Barnes, Henry, Meisenheimer & Gende, Inc. – Councilwoman Bellm made a motion to approve Bill #10-130/Resolution #10-12-1933 approving Arc Flash Study Proposal by Barnes, Henry, Meisenheimer & Gende, Inc. as attached; seconded by Councilman Bardill. Councilman Schwarz asked what this study is for. Director Cook explained an Arc Flash Study is an analysis done by electrical engineers. It is required by NEC, NFPA and OSHA on electrical equipment and machinery to evaluate the dangers. You have to determine what the fire safety dangers are with each piece of equipment and what required personal protective equipment is required when using or working on equipment. Each piece of equipment and machinery should have information posted on the front of it, so that before the workers opens the panel they know the dangers and how to protect themselves. Councilman Schwarz asked if anyone in-house could do this. Director Cook responded none of us have the training. I believe you must be certified also. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #10-131/RESOLUTION Approving Master Facilities License Agreement with Ameren IP – Councilman Bardill made a motion to approve Bill #10-131/Resolution #10-12-1934 approving Master Facilities License Agreement with Ameren IP as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, and Bellm voted aye; Zobrist voted nay. Motion carried.

Approve Three Change Orders Submitted by Plocher Construction for the Fiber Headend Modifications Project - Councilwoman Bellm made a motion to approve three change orders submitted by Plocher Construction for the Fiber Headend Modifications Project as attached; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill and Bellm voted aye, Zobrist voted nay. Motion carried.

Approve Change Order Submitted by Stiles, Inc. for the Removal of Contaminated Soil from the Power Plant – Councilman Bardill made a motion to approve change order submitted by Stiles, Inc., in the amount of \$61,046.33 for the removal of contaminated soil from the Power Plant as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked how the soil became contaminated. Director Cook reported there were multiple leaks with the storage tanks and equipment that was located over many years at the site. New equipment and procedures have been put into place. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Approve Name of Multi-Use Trail – Councilwoman Bellm made a motion to approve the name of the multi-use trail the “Sursee Trail”; seconded by Councilman Bardill. Councilwoman Bellm stated she likes it. Anytime we can keep the Swiss connection going, it is wonderful. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

REPORTS

Approve Warrants #825 & #826 – Councilman Bardill made a motion to approve Warrants #825 & #826 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to temporarily adjourn, to conduct an Executive Session pursuant to the Illinois Open Meetings Act under Section 2(c)(21) for discussion of executive session minutes, 2(c)(1) to discuss personnel matters, 2(c)(11) to discuss potential litigation and 2(c)(5) to discuss property acquisition; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried. Adjourned at 7:36pm.

Mayor Michaelis reconvened the Regular Session at 9:10pm. Council members Schwarz, Bardill, Bellm and Zobrist were present. Others in attendance were City Manager Mark Latham, City Attorney Harold Belsheim, EMS Captain Crosby, Supervisor Limestall, Deputy City Clerk Hediger City Clerk Bellm, 2 citizens and 1 member of the media.

Bill #10-132/RESOLUTION Approving Real Estate Purchase Contract – Grotefendt - Councilwoman Bellm made a motion to approve Bill #10-132/Resolution #10-12-1935 approving real estate purchase contract with Kathryn L. Grotefendt and Alan R. Grotefendt for ~5.64 acres as attached; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #10-133/RESOLUTION Approving Real Estate Purchase Contract – Ottensmeier - Councilman Bardill made a motion to approve Bill #10-133/Resolution #10-12-1936 approving real estate purchase contract with Ralph B. Ottensmeier for ~6.888 acres as attached; seconded by Councilwoman Bellm. Roll Call Vote: Bardill, Bellm, Zobrist and Schwarz voted aye, none nay. Motion carried.

Bill #10-134/RESOLUTION Approving Real Estate Purchase Contract – Zeller - Councilwoman Bellm made a motion to approve Bill #10-134/Resolution #10-12-1937 approving real estate purchase contract with Zeller Bus Services and Ila Fae Zeller for the purchase of three parcels as attached; seconded by Councilman Bardill. Roll Call Vote: Bardill, Bellm, Zobrist and Schwarz voted aye, none nay. Motion carried.

Bill #10-135/RESOLUTION Approving Real Estate Purchase Contract – St. Joseph’s Hospital –
Councilman Bardill made a motion to approve Bill #10-135/Resolution #10-12-1938 approving real estate purchase contract for the purchase of ten acres of land from St. Joseph’s Hospital, of the Hospital Sisters of the Third Order of St. Francis as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #10-136/RESOLUTION Approving Real Estate Purchase Contract – Kleiner Farms -
Councilwoman Bellm made a motion to approve Bill #10-136/Resolution #10-12-1939 approving real estate purchase contract with Kleiner Farms, LLC for the purchase of ~5.750 acres as attached; seconded by Councilman Bardill. Attorney Belsheim noted this contract is not been signed by either party and is still slightly in play. He recommend the council approve the contract as per approved by Mayor Michaelis and City Manager Latham. Roll Call Vote to amend motion: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion amended. Roll Call Vote to approve amended motion: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Councilman Bardill motioned to adjourn; seconded by Councilwoman Bellm. All council members voted aye, none nay. Motion carried. Meeting adjourned at 9:15pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk