

**MINUTES OF REGULAR SESSION  
HIGHLAND CITY COUNCIL  
MONDAY, APRIL 18, 2011**

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 Terry Bruckert, Directors Cook, Gillespie, Rosen, Rusteberg, Police Chief Bell, Supervisor Limestall, Latzer Public Library Director Kim, Treasurer Foehner, Deputy City Clerk Hediger and City Clerk Bellm; Councilman-Elect Nicholaides, 16 citizens and 1 member of the news media.

**MINUTES**

Councilman Bardill made a motion to approve the minutes of the March 28, 2011 Special Budget Session 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 approve the minutes of the April 4, 2011 Regular Session as attached; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill and Bellm voted aye, none nay. Councilwoman Zobrist abstained. Motion carried.

**PUBLIC HEARING**

Mayor Michaelis opened the public hearing to receive comment on the budget for Fiscal Year 2011-2012. Hearing no comments, Mayor Michaelis closed the public hearing.

Mayor Michaelis opened the public hearing to receive comments concerning the 2011 Madison County Community Development Block Grant Application. Hearing no comments, Mayor Michaelis closed the public hearing.

**PROCLAMATION**

Mayor Michaelis read a document proclaiming Thursday, April 28, 2011 as Arbor Day in Highland, with Tree Commission members Bill Peck, Jeannie Korte and Kathryn Comish present. Mr. Peck invited everyone to the Arbor Day celebration on Thursday, April 28, at 3:30pm at Silver Lake Park. Several Middle School students who have written poems about Arbor Day will join us there. We will recognize two winners from each grade.

## PUBLIC FORUM

### Citizens' Requests and Comments:

*Madison County Fair Association – 2010 Fair Dates Request* – Gwen McKinnon, Secretary of Madison County Fair Association, sought permission for arena events to be held the week of July 24-29, 2011, with a rain date of July 30 for the UMP Race. Councilman Bardill made a motion to approve the Madison County Fair Association's grandstand events July 24 – 29, 2011 with times and events as requested and attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

*Gateway Family Church Fishing Tournament Request* – Scott Sautman, head usher for Gateway Family Church, based out of Glen Carbon, Illinois, explained the local church began meeting at the Highland High School several months ago. He and John Rinderer are coaches of Highland High School's Bass Fishing Team. With such an interest in fishing, it was suggested that he organize a tournament. Mr. Sautman explained this is not a circuit; it is a one-day event. We have structured it with rules and provide winnings to the participants. Eighty-percent of the proceeds will be paid back as winnings; twenty-percent will go back to the church. We may also look at offering a free fishing tournament for kids at the Old City Lake. Mark Rosen stated he supports the project and feels it is a good idea. Mr. Sautman and Natural Resources Officer Ryan Hummert have been working out the details about the horsepower limits on the boats and city lake boat licenses. Councilwoman Bellm made a motion to approve Gateway Family Church's request for the Silver Lake Bass Tournament to be held Saturday, May 14, 2011 as attached; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

*Highland Area Ministerial Alliance – Square Use Request for National Day of Prayer* – Pastor Dan Perry, of Highland Hope United Methodist Church, requested permission, on behalf of the Highland Area Ministerial Alliance to gather at the Square during the evening hours on Thursday, May 5, 2011 to hold an event in conjunction with the National Day of Prayer. A copy of the insurance rider has been provided. We would need use of the bandstand, electric and bathroom facilities beginning at ~5:45pm for setup. At 6:00pm, we will have prayer time and end the event at approximately 8:00pm. Councilman Bardill made a motion to approve the request of the Highland Ministerial Alliance to use the Square on Thursday, May 5, 2011, from ~5:45pm – 8:00pm, in conjunction with the National Day of Prayer as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

*Street Art Festival Committee – Request for 2011 Event* – Vicky Rankin, 280 Canterbury, member of the Highland Street Art Committee, requested permission, on behalf of the Street Art Committee to hold the Street Art Festival on August 6 & 7, 2011 with use of the three streets, as in past years. She noted this is our ninth year for the event and we really are not requesting anything different. Councilman Bardill made a motion to approve the Highland Street Art Festival Committee's request to hold the 2011 Street Art Festival on August 6 & 7, 2011 as attached; seconded by Councilwoman Zobrist. Councilwoman Zobrist noted there was something in report that a tree needs to be removed and the Highland Arts Council was thinking they would like to have a woodcarver come in and do something with it in conjunction with this event. Director Rosen stated he is aware of that request. The tree is decaying and needs to be removed. The Tree Commission has approved its removal. Deputy City Clerk Hediger reported the Arts Council plans to come to the next meeting to make that request. Roll Call Vote: Schwarz, Bardill and Zobrist voted aye, none nay. Councilwoman Bellm abstained. Motion carried.

*Girls on the Run – Practice 5K Run/Walk Request* – Amy Sheraton, social worker with Highland Elementary, reported the Girls on the Run program is in its third year. We have 87 girls on the team this year. On May 15, they will run a 5K Run/Walk in Forest Park. Before that, each school does a practice run. Each runner runs with an adult. We are here with Mrs. Susie Brauns, if there are any questions regarding the streets to be used. Susie Brauns, Asst. Principal at Highland Elementary, reviewed the route, which will start at the elementary school and go to VFW, around Faith Countryside

Homes, over to 21<sup>st</sup> Street and back to the elementary. Mayor Michaelis asked Chief Bell if there are any questions or concerns. Chief Bell stated this has always gone well in the past. He asked the organizers to contact him at the station to go through the details. Councilwoman Bellm made a motion to approve the use of the streets to hold a 5K run on Saturday, April 30, 2011 at 10:00am as requested; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Lynn Rehberger, with the Highland Celebrates Committee, pointed out the council has before them a resolution for what is now called Highland Celebrates. The 175<sup>th</sup> anniversary celebration requires start-up money to get some of the fundraisers going and deposits down on bands and other items for the 2012 celebration. We hope the council will give this consideration, so we can get things started.

Bernell Petry, a.k.a. "Sugar Creek Wander", 1336 Plocher Way, stated he is the only one in the room that has participated in each of the celebrations held so far, including the Sharpshooter Shutzenfests. Highland should celebrate. All my Swiss friends who came down for the 1987 event said there was more Swiss flags than in Switzerland. Many wonderful memories have been shared and created with each of these events.

#### Requests of Council:

Councilwoman Ruth Zobrist thanked the council for their patience. There are a couple of people missing who were very influential when Joe and I set out to run - Jim Blackburn, Betty Holtgrave and Darrell Apken. When I started, one of the things that I wanted was to have the minutes of the meetings published in the newspaper. I still to this day do not believe how it can cost so much to have the minutes printed in the paper, but the paper can spend a half a page on the police blotter to cover who got a speeding ticket. Mayor Michaelis stated tonight will be Councilwoman Zobrist's last night that she will be attending as a member of the council. We thank her for her time and service.

#### Staff Reports:

City Manager Latham pointed out, in the council's information packets, is a copy of the letter to be sent to FEMA inquiring as to the errors in the 1986 flood calculations.

City Manager Latham reported we had applied for federal funds under two different grants to widen Sportsman Road and Broadway. We received notification, today, that we are getting funding for Sportsman Road. The Broadway project did not score as high. We will try again next year for that project.

### **NEW BUSINESS**

Bill #11-32/RESOLUTION Concerning Disbursement of the Amount of \$5,000, Included in the Budget for the 2010-2011 Fiscal Year, to the Highland Celebration Committee – Councilman Bardill made a motion to approve Bill #11-32/Resolution #11-04-1962 concerning disbursement of \$5,000, included in the budget for the 2010-2011 Fiscal Year, to the Highland Celebration Committee as attached; seconded by Councilwoman Zobrist. Councilwoman Zobrist pointed out that the 1987 celebration required coordination and additional man-hours of the police department. She asked that Lynn Rehberger coordinate with the police department the public safety requirements for the main event and other events, so they can be planned for it in their budget. Councilman Schwarz asked what the contingency plans are if there is a money shortfall. Mrs. Rehberger explained we are behind on our timeline. We will have to come to the council to ask for additional funds from the next budget, because we will not have the funds for the September events. The money will not come in, in full, until after the event is over. Councilman Schwarz inquired if they are asking for a loan or grant. Mrs. Rehberger stated we hope to have funds left when completed that will remain in a 501c fund for the next twenty-five-year event. Director Rusteberg reported we have \$13,500 set aside under Hotel/Motel Tax for the upcoming

budget. Mrs. Rehberger explained that southern Illinois has many residents with a Swiss and German heritage. We are hoping to draw in from local areas and areas further to the south. Councilman Schwarz pointed out we are taking on the fireworks this year and we already have the Schweizerfest. Have you considered going together with the Schweizerfest? Mrs. Rehberger stated we are hoping to “Swiss-up” the Schweizerfest. We definitely would like to get the Schweizerfest more Swiss. Not that it is something that can be done every year; however, maybe every five years. We have a high school teacher that is bringing some of the heritage and history into their class curriculum. Councilman Schwarz expressed his two concerns: We already have one festival already. In talking to several people about this, most people feel it is important to preserve the heritage and history; however, they are not that excited about another festival. In addition, this really is not a request for \$5,000; it is for at least \$18,500. If we approve part of it, it is difficult to turn down the additional request. Mrs. Rehberger stated we are doing this, in part, because we have a Schweizerfest that is not Swiss and does not celebrate our heritage at it any more. We are not going to have Optimist pizza; the food it is going to be wiener schnitzels, brats, baslerleckerli, and pastries. We will have authentic Swiss Dancers and German-Swiss Bands. Jeff Guillot, 810 Perch Drive, came forward and stated Tracey and I come from south Louisiana, which celebrates French and Cajun heritage. Down there, they hold festivals almost every weekend April through November celebrating our heritage. People here are probably indifferent, because they have lost that sense of heritage, which is the purpose for holding this festival. Roll Call Vote: Schwarz, Bardill and Zobrist voted aye, none nay. Councilwoman Bellm abstained. Motion carried.

Bill #11-33/ORDINANCE Approving and Authorizing the City Manager to Execute an Amended Agreement for Economic Development Incentives, and Other Actions Related Thereto – Tri-Onics – Councilwoman Bellm made a motion to approve Bill #11-33/Ordinance #2461 approving and authorizing the city manager to execute an amended agreement for economic development incentives, and other actions related thereto – Tri-Onics as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #11-34/ORDINANCE Further Amending FY 2010-2011 Budget – Councilman Bardill made a motion to approve Bill #11-34/Ordinance #2462 further amending FY 2010-2011 Budget as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #11-35/ORDINANCE Adopting Budget for FY 2011-2012 – Councilwoman Bellm made a motion to approve Bill #11-35/Ordinance #2463 adopting budget for FY 2011-2012 as attached; seconded by Councilman Bardill. Councilwoman Zobrist stated I will vote for this budget; however, I have some concerns about items in the budget. In particular, some positions. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #11-37/ORDINANCE Adopting the Master Trail Plan into the City’s Comprehensive Plan – Councilwoman Bellm made a motion to approve Bill #11-37/Ordinance #2464 adopting the Master Trail Plan into the City’s Comprehensive Plan as attached; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #11-38/RESOLUTION Approving Supplemental Funds for the 2010 Motor Fuel Tax Maintenance Materials Section 10-00000-00-GM – Councilman Bardill made a motion to approve Bill #11-38/Resolution #11-04-1964 approving supplemental funds for the 2010 Motor Fuel Tax Maintenance Materials Section 10-00000-00-GM as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked is the state giving us money for fuel. Public Works Director Joe Gillespie explained the state allocates a certain amount of fuel tax funds for maintenance materials, based on our population. Those funds are banked into a fund. We are allowed to use the funds to purchase road salt. We estimate how much we will need and put in a request to use those funds. All council members voted aye, none nay. Motion carried.

Approve Notice of Municipal Letting for 2011 MFT Maintenance Materials Section 11-00000-00-GM – Councilwoman Bellm made a motion to approve Notice of Municipal Letting for 2011 MFT Maintenance Materials Section 11-00000-00-GM as attached; seconded by Councilman Bardill. Roll Call Vote: All council members voted aye, none nay. Motion carried.

Approve Supplemental Preliminary Engineering Services Agreement with Oates Associates, Inc. for the Hemlock/US Hwy 40 Intersection Improvements – Councilman Bardill made a motion to approve Supplemental Preliminary Engineering Services Agreement with Oates Associates, Inc. for the Hemlock/US Hwy 40 Intersection Improvements, in the amount of \$25,500 as attached; seconded by Councilwoman Bellm. Councilwoman Zobrist inquired we have to put in additional turn lanes and that will require us to purchase additional land. City Manager Latham replied yes. We did not anticipate that IDOT would require us to add the additional turn lanes. Director Gillespie explained there will be a right and left turn lane for each leg of the intersection. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Approve Purchase Order for Light Poles for North End of Frank Watson Parkway – Councilwoman Bellm made a motion to approve Purchase Order for light poles for the north end of Frank Watson Parkway in the amount of \$58,995.12 as attached; seconded by Councilman Bardill. Councilwoman Zobrist inquired this will come out of the current budget. Where are we getting that money? Director Cook reported we are using from the \$125,000 budgeted for the digger truck that we did not purchase this year. Councilman Schwarz asked does the city, typically, use the same vendors and how is that determined. Director Cook explained statements of qualifications are received. As with this and the fiber-to-the-premises materials, those were done prior to your seating on the council. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Approve Purchase Order for Edge Channel Receivers and Equipment from Americas Center – Councilman Bardill made a motion to approve purchase order for Edge Channel Receivers and equipment from Americas Center as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, and Bellm voted aye; Councilwoman Zobrist voted 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 and 2(c)(1) to discuss personnel matters and 2(c)(5) to discuss property acquisition; seconded by Councilwoman Zobrist. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried. Adjourned at 7:50pm.

Mayor Michaelis reconvened the Regular Session at 8:16pm. Council members Schwarz, Bardill, Bellm and Zobrist were present. Others in attendance were City Manager Latham, City Attorney Bruckert, Directors Cook, Rusteberg and Kim; Councilman-Elect Nicholaides, Deputy City Clerk Hediger, and City Clerk Bellm.

Bill #11-39/RESOLUTION Creating the Position of Business Recruitment and Retention Coordinator - Councilwoman Bellm made a motion to approve Bill #11-39/Resolution #11-04-1965 creating the position of Business Recruitment and Retention Coordinator as attached; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm voted aye, Zobrist voted nay. Motion carried.

Bill #11-40/RESOLUTION Approving Real Estate Purchase Contract – Heirs of August J. Mueller – Councilman Bardill made a motion to approve Bill #11-40/Resolution #11-04-1966 approving real estate purchase contract with heirs of August J. Mueller as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

## **REPORTS**

Approve Warrant #839 – Councilwoman Bellm made a motion to approve Warrants #839 as attached; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Councilwoman Zobrist made a motion to adjourn; seconded by Councilwoman Bellm. All council members voted aye, none nay. Motion carried. Adjourned at 8:18pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk