

**MINUTES OF REGULAR SESSION  
HIGHLAND CITY COUNCIL  
MONDAY, DECEMBER 21, 2015**

Mayor Michaelis called the Regular Session to order at 7:00pm. Council members Schwarz, Frey, Bellm and Nicolaides were present. Others in attendance were City Manager Mark Latham, City Attorney John Long; Directors Cook, Gillespie, Imming, Korte, Peck and Rosen; Police Chief Bell, Fire Chief Bloemker, EMS Chief Wilson, Supervisor Limestall, Library Director Kim, Deputy City Clerk Hediger, City Clerk Bellm, 6 citizens and one member of the news media.

**MINUTES**

Councilman Schwarz made a motion to approve the minutes of the December 7, 2015 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

**PUBLIC FORUM**

Citizens' Requests and Comments:

*Lebanon Cedar Cruisers – Annual Volkswalk Request - Lebanon Cedar Cruisers Annual Volkswalk Request* – Bill Malina, President of the Lebanon Cedar Cruisers, of New Baden, Illinois, stated would like to continue with the Highland Walk. He provided a copy of the brochure that they use and distribute at other walks, over in the St. Louis area. Usually everyone that walks stays and eats lunch in Highland. We are asking permission to use the bandstand, in the event that there is rain, and we always make use of the bathroom facilities. He explained, we start the walk at 8:30am and are usually done by 1:30pm, depending upon the pace of the walkers. Two routes can be done. Councilman Schwarz made a motion to approve the request of the Lebanon Cedar Cruisers to hold their annual Volkswalk on Saturday, May 14, 2016, and their request for use of the pavilion on the square, bathroom facilities, and sidewalks and streets for the event. Motion seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

*2016 National Road Association of Illinois Membership/Funding Request* – Mary Truitt, Representative of the National Road Association of Illinois, stated she is representing the organization that represents the greatest old road of our nation. The goal of our group is to get people to hop in their cars and rediscover all the great things along this roadway – communities, shops, restaurants and tourist attractions, making it a destination. She noted the different brochures, which feature different attractions of towns along the highway, including a coloring book, called “Patch”, which is a story about a bear taking a trip on this road in a covered wagon. Ms. Truitt stated we are here to ask for a membership of \$1,000 from the hotel/motel tax fund. Those funds come, not from taxpayers, but from people that stayed the hotels in your community.

Mayor Michaelis pointed out that we are down to one hotel in Highland, from the three that we had years ago. There is no way to critic the number of overnight stays attributed to this. Director Korte confirmed there is only the one hotel that rents out for overnight stays in Highland. The other inn is now only renting for long-term stays. Councilwoman Bellm made a motion to approve the request of National Road Association of Illinois, in the amount of \$1,000; seconded by Councilman Schwarz. Councilwoman Bellm asked Director Korte if there are any funds available in the hotel/motel tax fund. Director Korte reported there is no funds budgeted for this group. All the organizations budgeted have requested the available funds. Mayor Michaelis explained to Ms. Huitt that one of the criteria is that the group can show that the event or endeavor will put heads in bed and generate funds towards the hotel/motel tax funds. Councilman Frey suggested we look at this again when we do the budget; trim some off the other organizations receiving these funds. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted nay, none aye. Motion failed. Mrs. Truitt implored the council to find some funds, if only ten dollars, to retain membership.

Requests of Council:

No requests or comments made.

Staff Reports:

City Manager Latham reported the State of Illinois has paid us for all funds owed, to date. Councilman Frey asked if we were paid in full or were there cuts to the funds promised. Director Korte stated we were paid in full.

## **NEW BUSINESS**

Approve Schedule of 2016 City Council Meeting Dates – Councilman Schwarz made a motion to approve the Schedule of 2016 City Council Meeting Dates as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #15-118/ORDINANCE Amending Sections 46-30, 46-37(A)(2), and 46-37(B)(1) of the Municipal Code to Allow the Use of Non-Motorized Canoes and Non-Motorized Kayaks on Old City Lake – Councilwoman Bellm made a motion to approve Bill #15-118/Ordinance #2713 amending Sections 46-30, 46-37(A)(2), and 46-37(B)(1) of the Municipal Code to allow the use of non-motorized canoes and non-motorized kayaks on Old City Lake as attached; seconded by Councilman Schwarz. Councilman Schwarz noted this was on the agenda and then were pulled off a prior agenda. Was there anything reworked or changed. Director Rosen explained there was no changes. It was simply clarifying what was Old City Lake from Silver Lake. Mayor Michaelis asked are we going to require proof of insurance on any of these. Director Bell explained there will be a sticker for canoe or kayak obtained. At that time, proof of liability insurance is checked. Director Kelly Korte explained, as with boats, they just have to have a copy of their State of Illinois watercraft license. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #15-119/ORDINANCE for Levy, Assessment and Collection of Taxes - Councilman Schwarz made a motion to approve Bill #15-119/Ordinance #2714 for levy, assessment and collection of taxes as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #15-120/RESOLUTION Approving Change Order No. 8 Submitted by Insituform Technologies USA, LLC, For the Cured-In-Place-Pipe Sewer Rehabilitation Project (PW-02-14) – Councilwoman Bellm made a motion to approve Bill #15-120/Resolution #15-12-2355 approving Change Order No. 8 submitted by Insituform Technologies USA, LLC, for the Cured-In-Place-Pipe Sewer Rehabilitation Project (PW-02-14) as attached; seconded by Councilman Schwarz. Councilman Schwarz asked what the change is. Public Works Director Joe Gillespie explained there was an adjustment in fuel quantities used with the contract quantities. This resulted in a net decrease of

\$126,000. Councilman Schwarz asked what Change Order No. 9 is then. Director Gillespie explained we are adding a few more areas to the project. Councilman Schwarz inquired, since dollars were freed up from this Change Order (#8) we are applying them towards more work, generating the other Change Order (#9). Director Gillespie replied yes. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #15-121/RESOLUTION Approving Change Order No. 9 Submitted by Insituform Technologies USA, LLC, For the Cured-In-Place-Pipe Sewer Rehabilitation Project (PW-02-14) - Councilman Schwarz made a motion to approve Bill #15-121/Resolution #15-12-2356 approving Change Order No. 9 submitted by Insituform Technologies USA, LLC, for the Cured-In-Place-Pipe Sewer Rehabilitation Project (PW-02-14) as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #15-122/RESOLUTION Approving Maintenance and Support Addendum to Master Customer Agreement with Fidelity Solutions, Inc. – Councilwoman Bellm made a motion to approve Bill #15-122/Resolution #15-12-2357 approving Maintenance and Support Addendum to Master Customer Agreement with Fidelity Solutions, Inc. as attached; seconded by Councilman Schwarz. Councilman Schwarz asked do we have to go to them, because we have their equipment. Director Angela Imming responded we do not. We are reconciling licenses, the established relationship that we have with them, and the amount of time we have worked with them. In the last six months, they have gone out of their way to help us get back on our feet after the changes. Councilman Schwarz asked did we go out to market to get a general idea of market costs from other vendors. Director Imming stated most of this is encryption support of the Minerva software. Other vendors would do the same, with a 5-7% mark up. Minerva is all the way in the California. They have come out on one or two occasions. They only support our IPT now. You have to buy the Minerva licenses from a contractor. Councilman Schwarz stated I don't want to beat someone up when there is a good relationship; however, I think we should get proposals on these things, to do due diligence. Director Imming stated there is not a whole lot of room to reduce the contract. There is not a lot of people in the area that can provide this support. This is a very good support team in place, right now. Councilman Schwarz asked do you feel this is a competitive price. Director Imming explained a lot of this is pass-thru license costs, which really is an established market price. I would not feel comfortable with ruffling the relationship for a \$2500 support services line item. Councilman Schwarz asked that in the future we have other proposals, just to know that this is competitive. Angela stated she would be happy to do that for next year. That is something that requires intimate knowledge, so the process of interviewing candidates for a contract now would have to start in August. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #15-123/RESOLUTION Approving Participation Agreement and System Participation Form With Respect to Distribution Agreement Between NBC-Universal Media LLC, on One Side, and 4COM, Inc., On the Other Side - Councilman Schwarz made a motion to approve Bill #15-123/Resolution #15-12-2358 approving Participation Agreement and System Participation Form with respect to Distribution Agreement between NBC-Universal Media LLC, on one side, and 4COM, Inc., on the other side as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #15-124/RESOLUTION Approving Extension of Contract for Diesel Fuel and Distillate Supplies for 2016 Calendar Year – Councilwoman Bellm made a motion to approve Bill #15-124/Resolution #15-12-2359 approving extension of contract for diesel fuel and distillate supplies for 2016 Calendar Year as attached; seconded by Councilman Schwarz. Councilman Frey asked how many different bids we got. Director Bell stated we did not go out for bid, this year. We are simply extending the option in the contract. We went out for bid in 2013 and accepted a contract that included a two-year extension option. Public Works and Electric departments are our biggest users. They were happy with the services and pricing. Councilman Frey stated, when I owned my business, I bid this out every year. One cent made a difference of \$1,000 or more. Director Bell noted we are out of contract at the end of December. This extension is for one year. It is a set price of one cent above rate.

Director Cook inserted that if we are going to change out oil on one of the generators, which uses a large amount, we go out for bids; we are not buying direct under this contract. Councilman Schwarz agreed that as far as standard business practice, it is a good practice to go out for bids on these items. Councilwoman Bellm expressed I feel we should go ahead and move forward with this now, but we do need to look at this next year. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #15-125/RESOLUTION Approving Assignment of Collocation Agreement from Missouri Network Alliance, LLC, to Illinois Network Alliance, LLC, Which Grants the Right to Use and Occupy Space in the HCS Headend Building for the Purpose of Installing, Operating, and Maintaining Certain Equipment Therein – Councilman Schwarz made a motion to approve Bill #15-125/Resolution #15-12-2360 approving Assignment of Collocation Agreement from Missouri Network Alliance, LLC, to Illinois Network Alliance, LLC, which grants the right to use and occupy space in the HCS Headend Building for the purpose of installing, operating, and maintaining certain equipment therein as attached; seconded by Councilwoman Bellm. Councilwoman Bellm asked for explanation. Director Imming explained Bluebird is the company we get our internet service through. This allows us to give our business customers the ability to tie into the headend fibers in St. Louis. They were reviewing the contracts, and since we are operating in Illinois and obtaining the fiber out of St. Louis, Mo., we are having to redo the contract. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Approve Notice of Municipal Letting, Bid #E-11-15 for the Poplar Street Fiber Innerduct Installation – Councilwoman Bellm made a motion to approve Notice of Municipal Letting, Bid #E-11-15 for the Poplar Street Fiber Innerduct Installation as attached; seconded by Councilman Schwarz. Councilman Schwarz asked if this is going to expand our fiber base. City Manager Latham explained we are relying on the AT&T line for redundancy, right now. This will allow us to get out of that contract and save some money. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

## **REPORTS**

Approve Warrant #1007 – Councilman Schwarz made a motion to approve Warrant #1007 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, and Bellm voted aye, none nay. Councilman Nicolaides abstained. Motion carried.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried. Meeting adjourned at 7:49pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk