

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, DECEMBER 7, 2009**

Mayor Michaelis called the Regular Session to order at 7:00pm. Councilmembers present were Rickher, 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, Supervisors Stram and Limestall, Deputy City Clerk Hediger, City Clerk Bellm, 65 citizens and 1 member of the news media.

MINUTES

Councilwoman Bellm made a motion to approve the minutes of the November 16, 2009 Regular Session as attached; seconded by Councilwoman Zobrist. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

TIME OF REMEMBRANCE

In observance of Pearl Harbor Day, Mayor Michaelis recognized Mr. Dallas Harvey, a Pearl Harbor Survivor, and remembered those who perished in service to our country on December 7, 1941. Mr. Harvey presented a flag that flew on the U.S.S. Arizona at Pearl Harbor and a certificate of the flag presentation to the City of Highland, for display in City Hall. Mr. Harvey read the certificate of flag presentation: ‘In tribute to the American fighting men, killed in the attack on Pearl Harbor, the national symbol is flown over the battleship daily, in memory of the brave men killed on December 7, 1941.’ The flag was flown over the memorial on February 24, 1984, 8am to sunset. Mayor Michaelis thanked Mr. Harvey for his service.

MAYORAL RECOGNITION

Mayor Michaelis called a “Time Out” to recognize the Highland Middle School 8th Grade Softball Team for their accomplishments this season. Head Coach Sharon Schmitz came forward with the team members Laura Lucco, Erica Huelsman, Sydney Lammers, Amanda Peterson, Alyssa Voegelé, Lena Geiger, Kaylee Hester, Kristin Potthast, Brook Hug, Hannah Hartlieb, Shanna Welz, Paige Ahlgren, Addison Rosen, and Assistant Coach Liz Weder. Coach Schmitz reported the team took second place in O’Fallon tournament, early in the season, then went on to win the regional championship, which gave them the “Elite 8” position. The team made it to the Final Four, but lost in first round. They earned third place in State and posted the most wins (20) in a season of any of the teams.

PUBLIC FORUM

Citizens’ Requests and Comments:

None.

Requests of Council:

None.

Staff Reports:

Budget Goals for 2009-2010 – Director of Finance Sharon Rusteberg presented a budget calendar for adopting Fiscal Year 2010-11 Budget. Budget goals were included in the council's information for the meeting. If anyone has any questions regarding those goals, please let staff know.

Introduction of new City employees – City Manager Mark Latham introduced Daniel Cook, Director of Light & Power, and an electrical engineer who has recently relocated from the Detroit, Michigan area. Director Rosen introduced Michael Lennon, Sports, Leisure and Facilities Manager for the Parks & Recreation Department, whom started with the city last Monday.

City Manager Latham noted that the picture of the utility trailer handed out to the council this evening is that of the emergency response equipment trailer that the city negotiated for in the pipeline deal with Keystone, LLC. Under the agreement, Conoco Phillips is to provide us with some emergency response equipment that can be used to assist in controlling the spill area should there be a leak in the pipeline. There will be a meeting here tomorrow evening and additional training in future months. While the trailer and equipment will be owned by Conoco, it will be housed at Station #2.

NEW BUSINESS

Award Proposal for Banking Depository Services – Councilman Bardill made a motion to award banking depository services to FCB Highland Bank as attached; seconded by Councilwoman Bellm. Councilman Rickher questioned, I assume we estimated what would happen if interest rates go up. With interests being low, is it worth making the change? Director Rusteberg explained everything is done electronically, so it is no problem to change every three years. The processes and change do not involve that much. Interest rates just have to move up by 0.06%. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-152/RESOLUTION Approving Two-Year Extension of Agreement with Scheffel & Co., PC for Audit Services – Councilwoman Bellm made a motion to approve Bill #09-152/Resolution #09-12-1843 approving a two-year extension of agreement with Scheffel & Co., PC for audit services as attached; seconded Councilman Bardill. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-153/RESOLUTION Designating Depositories – Councilman Bardill made a motion to approve Bill #09-153/Resolution #09-12-1844 designating depositories to FCB Bank and Bradford National Bank as attached; seconded Councilwoman Bellm. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-154/ORDINANCE Amending 2009-2010 Budget – Councilwoman Bellm made a motion to approve Bill #09-154/Ordinance # 2393 amending the financial budget for the City of Highland for Fiscal Year 2009-2010 as attached; seconded Councilman Bardill. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-155/RESOLUTION Appropriate Funds for 2010 MFT Maintenance Materials – Councilman Bardill made a motion to approve Bill #09-155/Resolution #09-12-1845 appropriating \$260,000.00 for 2010 MFT Maintenance Materials as attached; seconded Councilwoman Bellm. Councilman Rickher asked do we have to do this to legally collect the money from the state. City Manager Latham responded yes. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-156/ORDINANCE Declaring Real Estate Surplus Property and Directing that an Appraisal of the Surplus Parcel Be Made – Councilwoman Bellm made a motion to approve Bill #09-156/Ordinance #2394 declaring a ~0.0735 acre parcel of real estate south of, and adjacent to Sportsman Road, to be surplus property, and directing that an appraisal of the real estate be made as attached; seconded Councilman Bardill. Councilwoman Zobrist asked Attorney Harold Belsheim why we are approving the appraisal when we already have the appraisal. Attorney Belsheim explained it is a two-step process under statute. The fact that it is done already only expedites the process. City Manager Latham reported this parcel was purchased originally for right of way and drainage with the Sportsman Road improvements. There now is sufficient drainage and right of way. Hunsche Excavating can make use of the property. Councilwoman Zobrist inquired we will not need this property for right of way or for a turn lane if there is additional expansion of the roadway in that area. City Manager Latham replied no. Councilwoman Zobrist expressed concern over selling the property for \$2400 when the appraisal cost was \$1000 and we paid for that. City Manager Latham inquired if Mr. Hunsche would be willing to pay half the appraisal cost. Mr. Hunsche stated he did not have a problem with that. Councilman Rickher asked if the city is required to have an appraisal on all property that it sells. Attorney Belsheim stated it is required. As far as having an appraisal when purchasing, it is not necessary; but certainly in the best interest of the city to do so. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-157/RESOLUTION Approving Contract for Sale of a Surplus Parcel of Real Estate – Councilman Bardill made a motion to approve Bill #09-157/Resolution #09-12-1846 approving contract for sale ~0.0735 acres of surplus parcel of real estate as attached; seconded by Councilwoman Bellm. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-158/ORDINANCE Approving Business District Development Agreement with Ron Hunsche Excavating, Inc. for 12442 Sportsman Road – Councilwoman Bellm made a motion to approve Bill #09-158/Ordinance #2395 approving Business District Development Agreement with Ron Hunsche Excavating, Inc. for 12442 Sportsman Road as attached; seconded by Councilman Bardill. Councilwoman Zobrist asked for clarification on the proposed development plan. Mr. Hunsche explained we will be tearing down the front building and using the structure of the old Leisure World building, which will go in front of the new warehouse area recently built. It will consist of office and warehouse space. Everything will be under one structure. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-159/RESOLUTION Approving Relocation of a Water Main – Councilman Bardill made a motion to approve Bill #09-159/Resolution #09-12-1847 approving the relocation of a water main as attached; seconded by Councilwoman Bellm. Councilman Rickher inquired we do not do this if the deal does not go through. City Manager Latham responded that is correct. Councilwoman Zobrist asked why we are not doing this with TIF funds rather than funds from economic development. City Manager Latham explained I chose to dedicate it out of economic development because this expansion is projected to result in the creation of an additional fifteen jobs. Councilwoman Zobrist expressed she would like to see the funds used out of TIF and save the funds in economic development for other areas. City Manager Latham noted there has not been a lot of big dollars coming in yet under the TIF funds. Once this and the Express Care get going, more funds will be coming in. There is about \$25,000 in the economic development funds. City Manager Latham added, in a few years, we need to get the drainage project done, which was the primary focus for establishing the TIF. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-160/RESOLUTION Approving Development Agreement with Grandview Farm, LP and Archview Development Properties, Inc. Concerning Relocation of Prairie Trails Subdivision Phase 3 – Councilwoman Bellm made a motion to approve Bill #09-160/Resolution #09-12-1848 approving development agreement with Grandview Farm, LP and Archview Development Properties, Inc. concerning the relocation of Prairie Trails Subdivision Phase 3 as attached; seconded by Councilman

Bardill. Councilman Rickher asked why this does not have to go before Planning and Zoning. Kevin Limestall explained there were not any zoning issues involved, so Planning and Zoning's direction was to work out the details. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #09-161/RESOLUTION Approving Additional Engineering Services Agreement with Oates Associates, Inc. for Work Associated with Locating and Sizing Regional Retention Ponds – Councilman Bardill made a motion to approve Bill #09-161/Resolution #09-12-1849 approving the additional engineering services agreement with Oates Associates, Inc. for work associated with locating and sizing regional retention ponds as attached; seconded by Councilwoman Bellm. Councilman Rickher asked did we go to them with this, or is this the next step in the process. City Manager Latham explained this is the second phase of the process. Next year, we will move into the third phase. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Approve Balancing Change Order from Korte & Luitjohan Contractors for the Street and Alley Building Renovations – Councilwoman Bellm made a motion to approve Balancing Change Order in the amount of \$4,544.00 from Korte & Luitjohan Contractors for the Street and Alley Building Renovations as attached; seconded by Councilman Bardill. Roll Call Vote: Bardill, Bellm and Zobrist voted aye, none nay. Rickher abstained. Motion carried.

Approve Pay Request for Ambulance Entrance at St. Joseph's Hospital – Councilman Bardill made a motion to approve a pay request in the amount of \$12,875.00 for the Poplar Street – Emergency Entrance Sidewalk and Curb Replacement Project St. Joseph's Hospital to Korte & Luitjohan Contractors, Inc. as attached; seconded by Councilwoman Bellm. Roll Call Vote: Bardill, Bellm and Zobrist voted aye, none nay. Rickher abstained. Motion carried.

REPORTS

Approve Warrants #789 & #790 – Councilwoman Bellm made a motion to approve Warrants #789 and #790 as attached; seconded by Councilman Bardill. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to temporarily adjourn the Regular Session to enter into Executive Session under the Illinois Open Meetings Act, Section 2(c)(21) for discussion of executive session minutes and 2(c)(1) to discuss personnel matters; seconded by Councilman Bardill. Roll Call Vote: Rickher, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried. 7:48pm.

Mayor Michaelis reconvened the Regular Session at 8:18pm. Council members Rickher, Bardill, Bellm and Zobrist were present. Others in attendance were City Manager Latham, City Attorney Belsheim, Director Schoeck, Deputy City Clerk Hediger and City Clerk Bellm.

Mayor Michaelis announced that no action would be taken this evening on anything discussed in tonight's Executive Session.

Councilwoman Bellm commented that the Highland Highlights is very nice.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Bardill. All council members voted aye, none nay. Motion carried. Meeting adjourned at 8:20pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk