

**MINUTES OF REGULAR SESSION  
HIGHLAND CITY COUNCIL  
MONDAY, DECEMBER 5, 2016**

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, Asst. City Manager Lisa Peck, City Attorney John Long; Directors Bell, Gillespie, Imming, Korte, Rosen and Schoeck; EMS Chief Wilson, Fire Chief Bloemker, Police Lt. Conrad, Supervisor Limestall, Library Director Kim, Treasurer Foehner, Deputy City Clerk Hediger, City Clerk Bellm; 7 citizens and one member of the news media.

**MINUTES**

Councilman Schwarz made a motion to approve the minutes of the November 21, 2016 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:

Dave Todd, of Silver Lake Road, stated they live near the oil containment area of Silver Lake. There is a proposed ordinance to go on the books tonight, which we hope that you will approve, that would make that dock and the roadway to it for emergency access only. If there were an emergency and other boats and vehicles along that roadway or at that dock, it would block access for those needing to get in. Mr. Todd thanked Mayor Joe and City Manager Mark Latham for listening to our concerns and working to resolve this.

Don Rommerskirchen, of 12525 Silver Lake Road, thanked Mayor Michaelis and City Manager Latham. This whole thing has been a mess. Since I called Joe and talked with him, we have gotten it worked out. I want everyone to know that Joe and Mark are "Number One" guys. We like the ordinance as written.

Bill Meiner stated he grew up at 12525 Silver Lake Road. A beautiful place has been a very serene place. Original landowner rights protected the property. It is difficult to see what happened to the old oaks during this. I think it is terrible that the homeowners were not notified ahead of time, as far as the volume and size of equipment brought in. If truly concerned about the aesthetic beauty of the lake, I would just ask that the city consult with those around the lake, in the future, before something occurs.

Mayor Michaelis acknowledged that Mr. Rommerskirchen called me to discuss this. Letters are all right, but knocking on doors should have been done.

Requests of Council:

No requests or comments were presented.

Staff Reports:

City Manager Latham reported he gave the council a copy of an email he got from IDOT early this morning. We will be receiving highway safety funding for the construction of a roundabout at Broadway and Iberg Road/Veterans' Memorial Parkway. The money is already there. Bids for the project will need to be out by January 2019. In the interim, we will need to acquire property on the north side of Broadway.

City Manager Latham read a letter written by Lenny and Cindy Gall. It read, 'On November 20, we went out to the Highland City Cemetery to put a Thanksgiving wreath on the tombstone of our family members.' The letter went on to commend the city staff for taking such great care of the cemetery. Mayor Michaelis complimented Mark Rosen and his staff. The care the cemetery receives means a lot to the families of those there. Director Rosen stated it means a lot to the staff, too.

**NEW BUSINESS**

Discussion - 2016 Estimated Tax Levy Specifically Regarding Police Pensions – Director of Finance Kelly Korte reported Lieutenant Chris Conrad sent me some information earlier today regarding activity at the legislative level. Nothing has changed since previously discussed with the council. The higher contribution will get us from around the 70% level and, hopefully, up to 90-100% funding.

Lt. Conrad reported the pension board and Director Korte try to keep track of what my effect. There is newly proposed legislation, Senate bill 3455, which require audits and municipalities to submit those contributions to the state every three months. The problem is that not every municipality has been as diligent in funding their pension funds as the City of Highland. Some municipalities have historically underfunded, so those municipalities are going to have difficulties. The intent is to take our funds and thrown it into a pool to assist in funding those other communities that have not done their due diligence. It is very disturbing is that the IML is supporting this bill. We are encouraging responsible municipalities and the citizens of to contact our legislators. We are in the process of drafting a letter to Senator Bill Haines regarding our position. Councilwoman Bellm asked do we do something as a community or would it be better to have individuals send their letters. Mayor Michaelis asked if the FOP is involved in this. Lt. Conrad responded they are just starting to get educated on this. They are never happy about sending our money from downstate to the state level. We feel this is a misguided legislated approach. Senator Hastings is the senator that has proposed this. Mayor Michaelis asked if anyone has talked to Senator Kyle McCarter and Representative Charlie Meier. Lt. Conrad replied we have not, yet. This is a lame duck session bill.

Councilman Frey asked is it in our favor to keep the contributions at 70% level until we know how this bill is going to go. Are do we make this levy increase and potentially send more money up to the state. Director Korte explained this does not change the obligation on the payments. City Attorney Long expressed what worries me is the State of Illinois' credit rating is non-existent. Lt. Conrad concurred; it is just above junk bond status.

Bill #16-107/RESOLUTION Appropriating Motor Fuel Tax Funds for 2017 for the Maintenance of Streets and Highways – Councilwoman Bellm made a motion to approve Bill #16-107/Resolution #16-12-2424 appropriating Motor Fuel Tax Funds for 2017 for the maintenance of streets and highways as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #16-108/ORDINANCE Amending Section 78-112 and Sub-Subsection (3) of Subsection (b) of Section 78-56 of the Code of Ordinances to Adjust the Electric Rates, Rental Lighting Rates and Electric Installation Fees – Councilman Schwarz made a motion to approve Bill #16-108/Ordinance #2757 amending Section 78-112 and Sub-Subsection (3) of Subsection (b) of Section 78-56 of the Code of Ordinances to adjust the electric rates, rental lighting rates and electric installation fees as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked did we end up aligning to what we felt was real costs, or are we subsidizing. Director Dan Cook reported we adjusted the percentage on the rate closer to the suggested. Meter fees are lower than suggested by the study. Residential we went less than what was original proposed by us. Industrial and commercial meter charges are higher than initially proposed but closer to what the study suggested. Councilman Schwarz asked do we plan to make those charges adjusted closer to the true costs, at some point. Director Cook explained no one likes increases in costs; however, hope to cover the costs. Councilman Frey asked if this gets to the original figure you were trying to achieve. Director Cook reported the initial proposal was to provide \$721,000 additional revenue. The new proposal will provide \$710,000 additional revenue.

Mayor Michaelis stated it is important to note when our last increase was. Director Cook reported there has been no increases in these rates for twenty years. Until you exceed about 900 kilowatts per month, we are remaining lower than the rates of our neighboring service providers. Councilman Nicolaides asked what the meter charge will be. Director Cook reported, presently, the meter charges is \$6. It will be going up to \$9. We had originally proposed \$11. Councilwoman Bellm noted we are going to get feedback on this; however, we need to point out that we have not increase these rates in twenty years and we are running a business. Director Cook stated with the new federal administration going in, there is likely to be changes to the industry, further affecting the market rates. Mayor Michaelis pointed out this is not an easy thing to raise these rates. As council members, however, we are also citizens in this community and our rates will go up. Director Cook noted we have plans in place to assist those struggling financially to meet utility costs. Mayor Michaelis acknowledged I have seen staff work with those citizens. They do everything they can to keep those utilities on. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #16-109/ORDINANCE Approving Delegate Agency Contract (Recreation Loan Program) with Madison County – Councilwoman Bellm made a motion to approve Bill #16-109/Ordinance #2758 approving Delegate Agency Contract (Recreation Loan Program) with Madison County as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #16-110/ORDINANCE Approving a Pool Rental Agreement with St. Joseph's Hospital, of the Hospital Sisters of the Third Order of St. Francis for the One-Year Term from March 1, 2016 through March 1, 2017 – Councilman Schwarz made a motion to approve Bill #16-110/Ordinance #2759 approving a Pool Rental Agreement with St. Joseph's Hospital, of the Hospital Sisters of the Third Order of St. Francis for the one-year term from March 1, 2016 through March 1, 2017 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #16-111/ORDINANCE Closing to the Public the Oil Containment Infrastructure, Staging Area, Road to Emergency Boat Ramp, and the Emergency Boat Ramp Itself, on Silver Lake at the Northwest End of Silver Lake Road – Councilwoman Bellm made a motion to approve Bill #16-111/Ordinance #2760 closing to the public the oil containment infrastructure, staging area, road to emergency boat ramp, and the emergency boat ramp itself, on Silver Lake at the northwest end of Silver Lake Road as attached; seconded by Councilman Schwarz. Councilman Nicolaides asked who is going to enforce this. City Manager Latham stated it would be posted. Attorney Long it states 'No Trespassing'

and 'Closed to the Public.' Mayor Michaelis asked Director Gillespie if we have checked with the county that a sign is posted to let vehicles know "No Lake Access." Mr. Todd asked, if we as adjoining property owners, have issues, who do we call. Mr. Rommerskirchen replied the city police. Mayor Michaelis concurred. Director Gillespie clarified we want signage on Silver Lake Road, just as you turn off Route 160. Mayor Michaelis replied yes. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #16-112/ORDINANCE Declaring Set-Top Boxes Having No Value to be Surplus Property and Authorizing the Disposal Thereof – Councilman Schwarz made a motion to approve Bill #16-112/Ordinance #2761 declaring set-top boxes having no value to be surplus property and authorizing the disposal thereof as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked were these just outdated. Director Angela Imming reported they were at end of life. Others went out during the lightning strike, but they were close to their end of life. Working boxes sell for \$3-\$6. Since these do not work, there is no value. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Award Bid #BZ-11-16 for the Purchase of One New Vehicle for the Building & Zoning Department – Councilwoman Bellm made a motion to award Bid #BZ-11-16 for the purchase of one 2017 Ford Escape, from Tri Ford, of Highland, in the amount of \$22,950, for the Building & Zoning Department as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

## REPORTS

Approve Warrants #1041 & #1042 – Councilman Schwarz made a motion to approve Warrants #1041 & #1042 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to temporarily adjourn this regular session to enter into executive session under the Illinois Open Meetings Act under Section 5 ILCS 120/2(c)(21) to discuss approval of executive session minutes and 2(c)(1) to discuss an employee matter approval of executive session minutes; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried. Meeting adjourned at 7:43pm.

Mayor Michaelis reconvened the Regular Session at 8:25pm. Roll Call Vote: Councilman Nicolaides, Bellm, Frey and Schwarz were present, along with City Manager Latham, Deputy City Clerk Hediger and City Clerk Bellm.

Mayor Michaelis stated nothing discussed in Executive Session this evening would be acted upon in this session.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Schwarz. All council members voted aye, none nay. Motion carried and meeting adjourned at 8:26pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk