

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, JUNE 19, 2017**

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 Peck, City Attorney McGinley; Directors Cook, Gillespie, Imming, Korte, Rosen and Schoeck; Police Lt. Conrad, EMS Chief Wilson, Fire Chief Bloemker, Library Director Kim, Treasurer Foechner, Deputy City Clerk Hediger, City Clerk Bellm; 2 citizens, and one member of the news media.

MINUTES

Councilman Schwarz made a motion to approve the minutes of the June 9, 2017 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:

Highland Hope United Methodist Church – Hope Night on the Square Request – Kathryn Comish, Outreach Coordinator, Highland Hope United Method Church, reported that, last year, we were in Highland for 20 years, and we held this event as a celebration. It was the Friday night, after the last Munny Band concert of the season, and the week before Kirchenfest, so it worked out well. We would like to do this again, this year, on Friday, August 18, 2017. It is an evening of music and gathering that is free for families to attend. Councilwoman Bellm made a motion to approve the request of Highland Hope United Methodist Church for use of the Square on August 18, 2017 as requested; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Prairie Trails Block Party Road Closure Request – Brandi Oliver, 155 Rosin Dr., a resident of Prairie Trails Subdivision, stated we are requesting closure of the street between my driveway and the co-chair of this event for the safety of the children, while holding a neighborhood block party. This is Baneberry between Rosin and Arrowleaf, on Saturday, July 1, 2017, from 4pm to midnight. Councilman Schwarz made a motion to approve the request for road closure in the Prairie Trails Subdivision on July 1, 2017; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Relevant Pregnancy Options Center Walk for Life/5K Life Run Request – Diane Boeser, representing Relevant Pregnancy Options Center requested permission to host the Walk for Life/5K Life Run on Saturday, September 30 with the route the same as in years past. We would like to have the start and finish time placed on Laurel Street. In addition, we would like police escort crossing Broadway, use of the fire hydrants, water fountains, and public restrooms for the event. As available, we would like EMS staff on hand. Councilwoman Bellm made motion to approve Relevant Pregnancy Options Center's Walk for Life/5K Life Run on Saturday, September 30 with use of the streets and gazebo facilities as

requested; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Highland Band Parents' Association – Cow Pie Bingo Square Use Request – Kara Kelso, Co-President of Highland Band Parents' Association, requested permission for the group to hold Cow Pie Bingo on the Square, on Thursday, September 14, from 5:30pm-8:00pm. This is a huge fundraiser for our organization and a way to display what the different age groups in the band program are doing. It has a good turnout and public family event. To prepare for the event, we will need to begin setup mid-morning. Once again, we will need access to the bathroom facilities. Councilman Schwarz made a motion to approve the request for use of the Square for Cow Pie Bing and bathrooms, on Thursday, September 15, as attached; seconded by Councilwoman Bellm. Roll Call Vote: Frey, Bellm and Nicolaides voted aye, none nay. Councilman Schwarz abstained. Motion carried.

2017 St. Paul Kirchenfest Request – Braden Henze, General Chairman, requested permission to host the Kirchenfest on Friday, August 25, Saturday, August 26, and Sunday, August 27, 2017 with city assistance as outlined in the request letter and in years past. Councilwoman Bellm made a motion to approve the support for 2017 Kirchenfest, to be held August 25, 26 & 27, 2017, with the various items requested including street closure, use of electric, fire, police and EMS the same as in years past as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Highland Scratch-a-thon – Michael Patterson, with the Junior Code Academy, addressed the council. He explained we are here to talk about a program that just ended, as of this last Friday, after seventeen weeks of work by students in Highland. The Junior Code Academy was brought in here to teach kids about coding, projects affiliated with technology and coding opportunities. The students in the program learned about scratch, thimble, binary/hexadecimal, thinking through process, Wix, how to take and give feedback, and speaking skills. Students were placed into teams of two, unknown to each other. They then had to learn to work together as teams to create a program. We had two students that won the competition held at the end of the program: Gideon Basden and Caleb Berry created a game that represents different lines of code. The game, called “Clik”, allows people to click different icons on the map of Highland, on different spots in time, to learn about different things and places in Highland. Each team was judged on their pitch, idea/creativity, development of concept and marketing. Their team, “Highland Hand-Turkeys” was the winner. From this program, they can continue and learn additional programming sessions, such as Introduction to Python Programming, which is coming in Fall 2017. That session will be from August 29 through December 12. A new program will begin February 9, 2018 with Introduction to Coding again. Gideon introduced his father, John Basden; and Caleb, introduced his mother, Bethany Berry, who accompanied them tonight.

Councilwoman Bellm stated she was pleased to attend the presentation of these projects. All were very impressive. I have to say that I was very pleased and impressed that, in addition to the technology and terminology, they were taught to work together with others. They were thrown together with others they did not know and work together. Additionally, they had to market their project and that can be difficult to explain some of the technological aspects in terms that others can understand.

Susie Pfister, owner and operator of Hirsch's Tavern, stated she had questions regarding the liquor license applications. She asked Mayor Michaelis who the members of the Liquor Commission are. Mayor Michaelis replied there is a commission they have not met in quite some time. Members are Russ Hueberger and Tony Hundsdorfer. Mrs. Pfister read 6-2-4 'Prohibited Licensees. No retail alcoholic liquor license shall be issued by the Mayor to the following: (A) A person who is not a resident of this municipality'. Mrs. Pfister stated she has not lived in the city limits for many years, but has owned the tavern and had a license for seventeen years. City Attorney Mike McGinley addressed this by asking her

to refer look at 6-2-4 '(J) A corporation unless it is incorporated in the State of Illinois, or unless it is a foreign corporation which is qualified under the "Business Corporation Act of 1983" to transact business in Illinois;' that is no corporation, unless formed in State of Illinois, licensed in State of Illinois, as business, LLC or corporations, shall be able to obtain a license. He noted I am sure that you have a license to operate as one of these within the State of Illinois. Mrs. Pfister asked how you know if they are registered as LLC, business, or corporation. City Attorney McGinley stated I have not reviewed any of the specific applications submitted at this point. Mayor Michaelis reported that Megan, who works at the front desk, in City Hall, is now handling that. Mayor Michaelis stated I was not aware that the required of request for financial statement.

Mrs. Pfister asked how I know what classification to apply for. I applied for food service license and received a license from Madison County Health Department. So, am I a restaurant or a tavern, because I serve food? City Attorney Mike McGinley read the definition as defined in Article 1, 6-1: 'Restaurants means any public place kept, used, maintained, advertised, and held out to the public as a place where meals are served, and where meals actually are served and regularly served, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests.'

Kent Weise, owner and operator of Korner Keg, and board member of Madison County Liquor Association asked to comment. Mr. Weise explained Madison County Health Department changed license requirement, stating you must have a food manager on staff to serve any type of prepared food. All I have is frozen pizza. City Attorney McGinley stated, for the purpose of our liquor license, it does not matter how the Madison County Health Department classifies you. Mrs. Pfister contended it will matter because of number of licenses allowed under Class D. Attorney McGinley responded we can adjust the number of liquor licenses based upon the classifications. Mrs. Pfister asked Mayor Michaelis, do you have a list of what classification each establishment that has a liquor license. Mayor Michaelis replied Megan, at the front desk, does. Mrs. Pfister asked why we not have input into this during the process. Where did you come up with this ordinance design and the classifications? Mayor Michaelis stated I believe our city attorney explained it at the previous council meeting when the revised ordinance was voted on. As I mentioned then, I had told him that I was not in favor of such an increased; however, it was a starting point. Councilman Rick Frey pointed out there was not going to be a jump on the liquor license fee to \$1500. That was not the increase on the liquor license itself, it was for liquor and gaming. Mrs. Pfister asked Mayor Michaelis if there is a way that we can have input when these things are set up. Mayor Michaelis replied yes we could do that.

Ray Voss, of Highland Hi-Top Bowl, asked is there a set number of places with gaming. Mayor Michaelis replied yes. Mr. Voss pointed out you can drive throughout Illinois and there is gaming anywhere and everywhere. Is there going to be a limit on the number or is the number going to increase? If I go back to four years ago, when I bought Hi-Top, there was to be a limit and controls on this. Is there a number you will limit it to? Mayor Michaelis replied the ordinance is set to allow two hotels and two gaming parlors. Several people expressed concerns about the number of gaming parlors and that is how the whole review of the liquor license began. Right now, we have set that limit at two gaming parlors, which exist already in Highland, and two hotels. Presently, there is only one. Mr. Voss asked if that is what the limit is going to be or will it be expanded. Mayor Michaelis stated this what this council has set as limits. I can only speak for what this council's desires are.

Louis Dunning, 20A Auburn Court, Highland stated he has some questions. Has any action been taken to set time limits for zoning re-hearings? Mayor Michaelis and council members were not aware of any. Mr. Dunning asked how that process would happen. City Attorney Mike McGinley responded I have not had any request of the council to put anything together. Mr. Dunning stated he would like to

make that request. I would like to have the council have some hearing and set some type of limit on that. I also believe there should be set term limits on persons sitting on Planning & Zoning Board. When I attended Kevin Limestall's retirement celebration there were three people there commenting on their time on the board. One stated they have been on it for twenty-five years; another, twenty-eight years; and a third stated they had them all beat with forty-two years. That is over ninety years combined that these people have sat on the board. They think they own Highland and can do anything they wish. Case-in-point is this apartment development.

Jeannie Royhill, with Family Bible Church, stated we recently have a graduate from Greenville College come in and speak to our church regarding support for her mission trip to Africa. In order to support her mission, we would like to house a Flea Market Flip type of event on the south side of Square, July 15 or August 5, during the morning hours or for the whole day. Mayor Michaelis explained for the council to have it on the agenda for the council to vote on it. Mayor Michaelis noted a Special Event Application would probably be required also. Chief Bell asked that they contact him this next week to coordinate that.

Requests of Council:

No comments or requests were made.

Staff Reports:

City Manager Latham reported, since the State of Illinois has not approve a budget, projects funded by the state will need to be stopped by June 30. Those include construction of Sharpshooters Trail and the engineering project for the Iberg/Broadway Roundabout. Councilwoman Bellm asked that is not just for state roadway projects but anything with State funding participation. City Manager Latham replied anything.

City Manager Latham updated council that we are waiting on feedback from CSX Railroad regarding the drainage under the railroad. We have about 15 months to complete the project before the FEMA updated maps go into effect.

City Manager Latham reported brackets on the light poles around the Square have been installed and we will be hanging flower baskets on the Square tomorrow. The planters were planted by members of Highland Home, as part of a beautification project funded by Rita Hardy, who passed away last year.

NEW BUSINESS

Approve Mayor's Reappointments to the Library Board of Trustees – Councilwoman Bellm made a motion to approve the mayor's re-appointments of Nancy Genteman, Joshua Short and Marshall Rinderer to the Library Board of Trustees, for three-year terms, to expire June 30, 2020, as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Approve Request to Allow Highland Jaycees to Sell Alcohol at the Fireworks Presentation at Glik Park on July 4, from 4:00-10:00 PM – Councilman Schwarz made a motion to approve request to allow Highland Jaycees to sell alcohol at the fireworks presentation at Glik Park on July 4, from 4:00-10:00 PM; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #17-57/ORDINANCE Amending Section 6-2-2, of Chapter 6, of the Code of Ordinances, Entitled Alcoholic Liquor, Omitting Requirement of Financial Statement – Councilwoman Bellm made a

motion to approve Bill #17-57/Ordinance #2792 amending Section 6-2-2, of Chapter 6, of the Code of Ordinances, entitled Alcoholic Liquor, omitting requirement of financial statement as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #17-58/ORDINANCE Amending Section 46-36 - Waterfowl Blinds, in Division 1, of Article II Entitled Silver Lake Ordinance, in Chapter 46 of the Code of Ordinances, Addressing Anglers, Boaters, Decoys, and Use of Designated Waterfowl Blinds – Councilman Schwarz made a motion to approve Bill #17-58/Ordinance #2793 amending Section 46-36 - Waterfowl Blinds, in Division 1, of Article II entitled Silver Lake Ordinance, in Chapter 46 of the Code of Ordinances, addressing anglers, boaters, decoys, and use of designated waterfowl blinds as attached; seconded by Councilwoman Bellm. Councilwoman Bellm asked if Silver Lake Commission has reviewed and are in favor of this change and the next item on agenda. Director Rosen replied yes. Mayor Michaelis noted that it was actually their recommendations. Director Rosen concurred. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #17-59/ORDINANCE Amending Section 46-37—Boars and Boating, in Division 1, of Article II Entitled Silver Lake Ordinance, in Chapter 46, of the Code of Ordinances, Regarding Boating License Fees for Out-of-State Applicants – Councilwoman Bellm made a motion to approve Bill #17-59/Ordinance #2794 amending Section 46-37 - Boars and Boating, in Division 1, of Article II entitled Silver Lake Ordinance, in Chapter 46, of the Code of Ordinances, regarding boating license fees for out-of-state applicants as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #17-60/ORDINANCE Declaring One Police Vehicle and Four Police Bicycles Personal Property and Authorizing Their Sale – Councilman Schwarz made a motion to approve Bill #17-60/Ordinance #2795 declaring one police vehicle and four police bicycles personal property and authorizing their sale as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #17-61/ORDINANCE Declaring One Trailer, ITRON Centron Meters, and Five Pallets of Miscellaneous Electric Materials Surplus – Councilwoman Bellm made a motion to approve Bill #17-61/Ordinance #2796 declaring one trailer, ITRON Centron Meters, and five pallets of miscellaneous electric materials as surplus property as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #17-62/ORDINANCE Declaring One Fire Department Vehicle Surplus Property – Councilman Schwarz made a motion to approve Bill #17-61/Ordinance #2796 declaring one 2006 Chevrolet Impala as surplus property as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #17-63/RESOLUTION Waiving Normal and Customary Bidding Procedures and Authorizing the Purchase of One Used 2008 GMC K3500 – Councilwoman Bellm made a motion to approve Bill #17-63/Resolution #17-06-2456 waiving normal and customary bidding procedures and authorizing the purchase of one used 2008 GMC K3500 Pickup Truck, from Steve Schmitt, Inc., in the amount of \$21,483 with trade-in of 2006 Chevrolet Impala, as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #17-64/RESOLUTION Approving Creation of a New Employment Position within the Light & Power Department Entitled Electric Foreman – Councilman Schwarz made a motion to approve Bill #17-63/Resolution #17-06-2457 approving creation of a new employment position within Light & Power

Department, entitled Electric Foreman, as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #17-65/RESOLUTION Approving Change Order No. 3 Submitted by Korte & Luitjohan Contractors, Inc., for Clarifier Construction at the Water Treatment Plant (PW-06-14) – Councilwoman Bellm made a motion to approve Bill #17-65/Resolution #17-06-2458 approving Change Order No. 3 submitted by Korte & Luitjohan Contractors, Inc., for Clarifier Construction at the Water Treatment Plant (PW-06-14) for extending the completion date of the project by nine days as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Approving a Notice of Municipal Letting, Bid #PW-07-17, for the Sportsman Road Reconstruction project (Rural King) – Councilman Schwarz made a motion to approve a Notice of Municipal Letting, Bid #PW-07-17, for the Sportsman Road Reconstruction project (Rural King) as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

REPORTS

Approve Warrants #1060 & 1061 – Councilwoman Bellm made a motion to approve Warrants #1060 & #1061 as attached; seconded by Councilman Schwarz. 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. All council members voted aye, none nay. Motion carried and meeting adjourned at 8:56pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk