

**MINUTES OF REGULAR SESSION  
HIGHLAND CITY COUNCIL  
TUESDAY, JANUARY 2, 2018**

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 Bell, Cook, Gillespie, Korte, Rosen, and Schoeck, EMS Chief Wilson, Treasurer Foehner, Deputy City Clerk Hediger, and City Clerk Bellm, 4 citizens and one member of the news media.

**MINUTES**

Councilman Schwarz made a motion to approve the minutes of the December 18, 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:

No requests or comments presented.

Requests of Council:

No requests or comments made.

Staff Reports:

City Manager Latham reminded the council there was a report on the water line replacement plans in their December 18 council packets, for their review. Hurst-Rosche, Inc. will be here to discuss the report with the council at next meeting

**NEW BUSINESS**

Bill #18-01/RESOLUTION Supporting Fair Housing – Councilwoman Bellm made a motion to approve Bill #18-01/Resolution #18-01-2495 supporting fair housing as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-02/RESOLUTION Waiving Competitive Bidding Requirement and Authorizing Emergency Purchase of Remanufactured Load Tap Changer from Normandy with Installation by Solomon, Inc. - Councilman Schwarz made a motion to approve Bill #18-02/Resolution #18-01-2496 waiving competitive bidding requirement and authorizing emergency purchase of remanufactured load tap changer from Normandy with installation by Solomon, Inc., in the amount of \$62,790.00 as attached; seconded by Councilwoman Bellm. Councilman Schwarz stated I see you said we went out for bid last time and this is significantly lower. Director Cook reported their initial quote for servicing was like half the price as last time bided. We test these annually. When we tested this year, on schedule, we received a bad test. A re-test was done to confirm. When we went out for bid for service, we got one low bid. SD

Meyers was more than double the low bid. Solomon, who did our re-test, bid it lower. We pulled 22 megawatts, yesterday. Each substation can pull 22 megawatts. It is important that we get this repair done. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #18-03/RESOLUTION Authorizing Approximately 0.281 Acres of City-Owned Real Property to be Sold According to 65 ILCS 5/11-76-4.1 – Councilwoman Bellm made a motion to approve Bill #18-03/Resolution #18-01-2497 authorizing approximately 0.281 acres of city-owned real property to be sold according to 65 ILCS 5/11-76-4.1 as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-04/RESOLUTION Establishing the Type of Service to be Rendered, the Area to be Served and the Charges to be Made for the Highland Ambulance Service – Councilman Schwarz made a motion to approve Bill #18-04/Resolution #18-01-2498 establishing the type of service to be rendered, the area to be served and the charges to be made for the Highland Ambulance Service as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked when look at rates and increases do we look at percentage change or do we look at what others are charging. EMS Chief Brian Wilson stated it is a combination of the two. A couple months ago, we provided the council with a budget showing we need \$180,000 - \$200,000 per year for capital expenditures. No one likes to raise it too high, too fast. We are still in the area of a 10-11% overall. We could use 13-15%. Part of this proposal is to review these rates on an annual basis. Councilman Schwarz noted most of time they are called out for assistance with cases coverage by insurance. Are there not established rates and customary charge amounts these companies pay? Chief Wilson acknowledged Medicare and Medicaid have established rates for services. There are also laws that allow people to negotiate pricing for settlement of charges. Councilman Schwarz stated I have no objections to rates increases proposed. My question is will we actually receive these new rates and generate these projected revenues. Chief Wilson stated all things maintaining equal that is what we expect. Things do change. Councilman Schwarz asked what the standard percentage of charges that we see paid by insurance companies. Chief Wilson responded it varies by companies. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-05/ORDINANCE Repealing and Replacing Chapter 25, Nuisances, in the City's Code of Ordinances – Councilwoman Bellm made a motion to approve Bill #18-05/Ordinance #2825 repealing and replacing Chapter 25, Nuisances, in the City's Code of Ordinances as attached; seconded by Councilman Schwarz. Assistant City Manager Lisa Peck explained additional clarifying language was required in our ordinance with regards to grass cutting nuisances. It is easier to repeal and replace to make sure everything is adopted correctly. The statute treats the notification process for grass cutting different from other nuisance ordinances. There was some disconnect as to timing requirements. City Attorney Mike McGinley stated notice requirements can be different for grass cutting issues versus other types of nuisances. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-06/ORDINANCE Amending Section 46-36 – Waterfowl Blinds, in Division 1, of Article II Entitled Silver Lake Ordinance, In Chapter 46 of the City's Code of Ordinances, Setting Waterfowl Blind Fees at \$200 Annually for All Applicants – Councilwoman Bellm made a motion to approve Bill #18-06/Ordinance #2826 amending Section 46-36 – Waterfowl Blinds, in Division 1, of Article II entitled Silver Lake Ordinance, in Chapter 46 of the city's Code of Ordinances, setting waterfowl blind fees at \$200 annually for all applicants as attached; seconded by Councilman Schwarz. Natural Resource Officer Ryan Hummert stated we would like to go to the year around blind program and eliminate temporary blinds. We are at 100% capacity, right now with annual blinds. This allows for less enforcement process and blinds being pulled in and out of the lake. Councilwoman Bellm asked if there was any push back from the Silver Lake Advisory Commission. Mr. Hummert replied no. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-07/ORDINANCE Amending Section 46-37 – Boats and Boating, in Division 1, of Article II Entitled Silver Lake Ordinance, In Chapter 46 of the City’s Code of Ordinances, Prohibiting Use of Inflatable Watercraft on Silver Lake – Councilwoman Bellm made a motion to approve Bill #18-07/Ordinance #2827 amending Section 46-37 – Boats and Boating, in Division 1, of Article II entitled Silver Lake Ordinance, in Chapter 46 of the city’s Code of Ordinances, prohibiting use of inflatable watercraft on Silver Lake as attached; seconded by Councilman Schwarz. Councilwoman Bellm expressed I did not think we could have inflatables in there before. Mr. Hummert explained we did not; however, it was not specifically called out in the ordinance before. Councilman Schwarz asked why you not have the inflatable allowed. Mr. Hummert replied the chances of those riding in inflatables to go into the water is higher with inflatables. City Attorney McGinley explained we are trying to make sure that the ordinance is clear with the evolution of inflatable watercraft, kayaks and paddleboards. Councilman Schwarz noted paddle boarding is popular. I understand the prospective of why we would not want it, but I also do not see where it is any different from paddleboards or canoes. City Manager Latham stated we are trying to define a line to prevent someone from just taking an inflatable tube and wanting to float on it in the lake. Mr. Hummert explained we do not want to discourage use of the lake. The Army Corp of Engineers’ guidelines are that if it is not coast guard approved, they would not allow it. The Corp does allow inflatables on Carlyle Lake, except within the beach areas. With inflatables, it could be in good condition when permitted, but we cannot inspect it every time before it goes out. Councilman Schwarz stated if we gave a permit on an inflatable watercraft, and something happened, we would be liable. City Attorney McGinley advised I think we need to have a line to delineate and it needs to be clear and concise. Mr. Hummert reported we do not get but 2-3 calls per year requesting use of inflatables on the lake. We do allow canoes and kayaks on the Old City Lake. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

## REPORTS

Approve Warrant #1080 – Councilman Schwarz made a motion to approve Warrant #1080 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 5 ILCS 120/2(c)(21) to discuss approval of executive session minutes and 2(c)(23)(i) to discuss a memorandum of understanding relating to the purchase, sale, or delivery of electricity; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried. Meeting adjourned at 7:26pm.

Mayor Michaelis reconvened the Regular Session at 8:00pm. Roll Call Vote: Councilmembers Nicolaides, Bellm, Frey and Schwarz were present. City Manager Latham, Director Cook, City Attorney McGinley, Deputy City Clerk Hediger and City Clerk Bellm were also present.

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 8:00pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk