

**MINUTES OF REGULAR SESSION  
HIGHLAND CITY COUNCIL  
MONDAY, MARCH 5, 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, Imming, Korte, Rosen and Schoeck, EMS Chief Wilson, Fire Chief Bloemker, Sgt. Athmer, Det. McClanahan, Officers Bland and Flake Deputy City Clerk Hediger, and City Clerk Bellm, Director of Latzer Library Kim; 37 Girl Scouts, 9 members of the HHS Varsity Dance Team, 6 students and 3 advisors of Highland Middle School Communications Team, 71 other citizens and one member of the news media.

Thirty-seven Girl Scouts came to the front of the Council Chamber floor and lead everyone in reciting the Pledge Allegiance.

**MINUTES**

Councilman Schwarz made a motion to approve the minutes of the February 19, 2018 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

**PROCLAMATION**

Mayor Michaelis read a document proclaiming the week of March 11-17, 2018 as Girl Scout Week.

**MAYORAL RECOGNITION**

Mayor Michaelis recognized Highland High School Competitive Dance Team recently for winning the 2018 IHSA Class 1A State Competitive Dance Championship. Emily Wellen, Coach introduced Seniors Paige Foster, Olivia Gentemann, Abigail Roger. Juniors Brooke Wilson, Alexis Finley, Kylee McFarlan, and Taylor Stock. Coach Wellen stated with this being my last year of coaching and over half the team graduating, this year, it was pretty sentimental. We placed first in preliminaries and then went on to win the competition. We received the highest score ever for us, with a score of 95 out of 100. There are about 30 teams in preliminaries. The top twelve teams start over even scored for the next day. Mayor Michaelis pointed out I am sure you do not build a state championship team overnight. Coach Wellen agreed. Tryouts are in May and we practice all year. A lot time goes into the practices for competitions. Usually, beginning of January, we are cleaning up our routine. This year we re-choreographed over half the routine in the last two weeks before competition. Councilwoman Bellm asked who did the choreography. Coach Wellen stated Travis Lake did the initial choreography of all the routines, and then Kelly Fulton came in and did some finish touches. Councilwoman Bellm noted that some of the regionals are held here. Coach Wellen reported IDTA (Illinois Drill Team Association)

Regional are hosted here in Highland every year. We did well there. We had a clean sweep with first places in jazz, liturgical, grand champion and high point. This is our third straight state championship. Mayor Michaelis recognized the parents for their support, stating we are very proud of all of you.

## **PRESENTATION**

Highland Middle School Communications Team, consisting of Larissa Taylor, Josh Reed, Cade Altadonna, Tyler Kutz, Abby Athmer, and Chloe McTeer, gave an informational presentation about what the Highland Middle School is, what they do, and what their mission is. The team members stated in the presentation they want to show what everyday life is like for at Highland Middle School, how we are creating an environment for growth and learning, with our motto of “Doing What is Best for Kids.” Students start their day with a thirty-minute advisory meeting each morning. The time is used to socialize and honor our students. Core classes are math, science, and English. Then there is art, music and technology classes where Google Chrome books are used. Students have access to the Google classroom, student assignment and tutoring time. When students arrive, in the morning, they gather at the plaza. VIP (Very Important Principles) banners hang in the plaza. The VIP Program focuses on honesty, respect and caring. Highland Middle School students may participate in band and chorus. Those doing so, give up their ALP (Advanced Learning Period) time, which is time that students can use to seek help from teachers. Students visit the library every other week to research topics and get books to read. As you walk through Highland Middle School, you will notice that we are a bully-free school. There is a form for students to fill out, if they feel they are being bullied or see someone being bullied. Intramurals, clubs and athletics are offered for students to participate in. Sports include volleyball, baseball, basketball and track. Intramurals include such things as Pokémon, band conducting and ping pong. “Doing what is best for kids” is what it is all about at Highland Middle School, because faculty realize the students are at a special age for human growth and a time when students need assistance in dealing with the challenges of adolescents.

Councilwoman Bellm commended the students for a very nice presentation. She asked how this was put together. Mrs. Bertles explained this is part of the team’s project for the year. Each grade has two cores, with a total of four teachers. Each teaches two subjects to the students in that grade level.

Mayor Michaelis expressed it is really refreshing to see so many young men and women doing wonderful things.

## **PUBLIC FORUM**

### Citizens’ Requests and Comments:

*2018 Schweizerfest Request* – Highland Jaycees members 2018 Co-Chair Andrew Plocher and Zach Jenny, along with Matt Stallard, 2020 Chairman were present. Mr. Plocher requested permission for the Highland Jaycees to hold Schweizerfest, June 8, 9 & 10, 2018. Mr. Plocher stated to hold the event the same as the past few years. We hosting the Chamber Business After Hours on the Thursday before the event, on the Square. We would like to move the run from Friday night to Saturday morning and host it with the start and end at the Square. We have met with Officer Conrad on the event. We are requesting closure of Broadway on Friday, beginning at 8am, and Laurel Street, Washington Street and Main Street at 3pm, as we did last year. Councilwoman Bellm made a motion to approve the Jaycees’ request for street closure June 8-10, 2018, including the hosing of Business After Hours to be held on the Square on Thursday, June 7 as requested; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Requests of Council:

Ray Korte 13645 St. Rose Road, and Ken Klostermann, of Decks Prairie Lane were present to represent the Knights of Columbus. Mr. Korte stated we see this on the agenda, but we have not seen the proposed ordinance. City Manager Latham summarized changes were made as requested with lowering the permit fee from \$500 to \$100. The fidelity bond has been reduced and should only cost the organizations approximately \$30. We also took out the performance bond requirements. City Attorney Michael McGinley reported there are two tiers to the Queen of Hearts Raffles. Raffles with 2,001 pins and up can go for up to fifty-two weeks. Those with 2,000 pins and less are capped at \$500,000 with a rollover. It provides for a five-day grace period from end of one event to the start of the next event. You may sell tickets during that grace period. Mr. Klostermann stated the one concern I had was clarification for 365 days of a permit. City Attorney McGinley clarified it is not a fifty-two week license. It is a license for week one of a raffle through when the raffle goes out.

Rob Bowman, 25 Willow Creek Drive, President of Terra Properties, stated I am here regarding the proposed landlord ordinance/health and safety ordinance with a few observations and comments. He handed out to council a list of comments and questions they have regarding the proposed ordinance. Mr. Bowman stated Terra Properties is supportive of this ordinance. We hope something will be put into place to address the safety of those living in Highland. Questions and suggestions regarding the proposed ordinance: On Page 4, Section 33-7-3 Landlord Obligation to Register, I believe there is mimicking language from the existing ordinance requiring property registration. The way it reads, basically, is if you did not obtain the permission before 1/1/2011, you cannot. If created or constructed after that date, they would be illegal. That would mean that Wilken's development, under construction, and any subsequent property development such as that would be illegal. With regards to Subsection 2 of that same section (33-7-3), on Page 5, I would like to point out that we are a third-party property management and maintenance firm. We do not always have the ability to correct the problem, because the owner does not give permission or financial means to correct deficiencies in the property.

On Pages 6-8, we are looking for clarification as to what is expected. What Code will be followed with regards to smoke and carbon monoxide detectors? Does "two or more means of egress" apply to apartments or condominiums? Under "Other Safety Conditions" where it talks about handset locks, we recommend deadbolts in place of handset locks, because they are more secure and it prevents lockouts. What about GFI's in kitchen and bathrooms. Not all rental properties come with appliances included. Do you plan to inspect laundry and/or community rooms? In some rental properties, operation and maintenance of these areas is subcontracted to service and equipment companies.

Mr. Bowman pointed out that mold inspection, testing and remediation is very specialized. You may want to reconsider getting involved in mold inspection. It is our opinion that most of the time the presence of insects and rodents is directly related to the housekeeping of the tenant and not the negligence of the property owner. Believe the tenant should pay the fee. Government does not allow us to cover those costs. Limit the permit fee to one time per year. With government rental property, we can only do six-month lease then month to month after that.

Mr. Bowman stated, with regards to Section 33-7-6 Landlord Safety Inspection, it would be our preference that the tenant apply for the permit and pay the fee. While some landlords can pass the cost along to tenants, government regulations prevent property management firms to pass through inspection costs to the tenants of federally subsidized properties. Additionally, we would like to see the ordinance changed to limit the permit fee to once per year per unit. We recommend the permit stipulate the maximum occupancy allowed and have that stated on the permit issued. I am unsure if you can include it as part of the ordinance; however, I believe all landlords would like to see the inspection checklist you propose to use.

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Gayle Frey, 3437 Fairway Drive, of Frey Properties, acknowledged he was not as prepared Rob (Bowman); however, he would like to address the proposed inspection ordinance. Mr. Frey stated I have been pushing for something like this for over ten years. I understand this will cost time and money. What is the true cost of having bad landlords and poor property neighboring our properties? This has been going on for several years. I am worried about enforcement. I am having a hard time believing that these bad landlords are going to follow these additional rules. He estimated fifty percent of properties do not change the utilities over to the tenant. In Fairview Heights, we have one-year occupancy permits. One year is more reasonable. It makes it more manageable. We have not had a violation or an issue to fix in five years. I would like to be somewhat more involved on the details of this. While it is going to be a pain, especially getting started, other surrounding communities have this, and so we are getting what is sifted out. Density does need to be addressed. As a comprehensive plan, need to consider that requiring a certain amount of green space.

Assistant City Manager Lisa Peck stated we will try to manage this to the best of our ability. It may not be full proof, but we will capture the largest number of these properties. Councilman Schwarz asked if unit is currently being rented how is it reported or inspected. City Attorney Michael McGinley reported under state statue, you cannot inspect an apartment or home being rented, because it is someone's property. We can only inspect if there is a change in tenants. Councilman Schwarz asked what if utilities do not change. City Attorney McGinley stated we always welcome Good Samaritan reports. This is a starting point. There are always going to be people that skirt the system. Mr. Frey pointed out that problem landlords have turnover. Councilman Schwarz asked if we have a change of tenants on a bad property, do we have any recourse. Attorney McGinley responded with this ordinance we will be able to take them to Madison County Courts for fines at \$100 per day. There is never a point where anything is etched in stone with an ordinance. We get this to what we believe is good and then we can amend things as we find better ways or laws change.

Mayor Michaelis pointed out that the city will have to hire one additional staff member to handle the inspection process. Asst. City Manager Peck confirmed we will hire one additional officer to do these inspections and to make the process as efficient. Mr. Frey expressed that about one week timeframe for inspection is acceptable. If a landlord says they only have one day to turn it over, then things are not right. I am happy that you are taking this issue on. Mayor Michaelis expressed I am happy that you and Rob came to provide input on this.

Mr. Frey stated I do not like spending money on these inspections, but there is a cost to what happens to property values when those around the community are declining due to issues. City Attorney McGinley pointed out that some things in the enforcement areas are vague, intentionally, for development of this process. I agree, that real soon, we need to put a checklist in place. Thank you for the handout, it is very helpful. Mr. Frey stated we support the initiative. If there is anything we can do to assist with developing the checklist, we are here to help. We presently have some projects that are going on and it has been very helpful working with the city on these projects.

#### Staff Reports:

City Manager Latham reported we have been notified that the Water Reclamation Facility has been nominated for Group I Plant of the Year. We hope we are able to win this award this year.

City Manager Latham gave a brief overview of meeting with John Shimkus and CSX, while in Washington D.C. He expressed appreciation for Mr. Shimkus' help with that regarding FEMA issues. We told CSX that we have to be under construction by September 2018. We will submit paperwork to the Illinois Department of Natural Resources (IDNR) and FEMA to show the levels of reduction and flow. CSX committed to do everything they can to make sure that happens. I did not get the keen sense that they would pay for anything, based upon their discussion of other projects they are working on. I do

not know that we can continue to delay project. They did state that they will request handling the flagging for the project. According to Representative Shimkus, Highland has been the only community in his area that was being proactive in addressing issues with the FEMA maps. Councilwoman Bellm inquired why start in September. City Manager Latham explained Rep. Shimkus believes the FEMA maps will go into place in 2019. We will need that construction time, plus we do not want to be in the construction phase during the winter months.

## NEW BUSINESS

Approve Mayor's Re-Appointment of Dennis Rinderer to the Cemetery Board of Managers – Councilman Schwarz made a motion to approve the mayor's re-appointment of Dennis Rinderer to the Cemetery Board of Managers for an additional two-year term, to expire March 1, 2020 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Approve Mayor's Re-Appointments of Brad Kohlbrecher and Wm. Blechenger to the Silver Lake Advisory Commission – Councilwoman Bellm made a motion to approve mayor's re-appointments of Brad Kohlbrecher and William Blechenger to the Silver Lake Advisory Commission, for three-year terms, to expire March 2021 as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-22/ORDINANCE Amending Ordinance 2290 to Change What Entities Will Be Provided Utility Payment Assistance – Councilman Schwarz made a motion to approve Bill #18-22/Ordinance #2832 amending Ordinance 2290 to change what entities will be provided utility payment assistance as attached; seconded by Councilwoman Bellm. Councilman Schwarz expressed I do not know of any interests along the council, but I don't think this is something we should be providing to any organization. I do not feel the city should be in the business of philanthropy. Councilman Frey stated I have mixed feelings about it as well. Councilwoman Bellm expressed mixed feelings as well. I am assuming the organizations we give these reimbursements to do a thorough background on each case. City Attorney McGinley advised there is some sort of legal mechanism if we got involved on a case-by-case basis. Councilman Schwarz stated while I think this ordinance is a step in the right direction, I am not going to support it. Councilman Schwarz made a motion to amend the motion to change the ordinance to eliminate it.

Rob Bowman asked to speak. Mayor Michaelis allowed. Mr. Bowman stated I am a volunteer for one of the organizations that receives the rebates. With this, there would be two groups, HACSM and St Vincent DePaul still receiving the rebates. It was my understanding when this was put into place that these people run up \$500, \$700 or even \$1000 in unpaid utility bills. You (the City) are getting more money back than if you turned these over to a collection agency. It is no skin off us. We just will not help as many. We have a soft limit on the amount that can be appropriate to them. Councilman Schwarz stated when this came up for discussion, last time, I was asking is there a business case to be made. Otherwise, I see us venturing into an area that we should not be. Director of Finance Kelly Korte stated I suggested stopping this for all agencies when I brought this to Mark. The townships get tax dollars. I have no preference. We do get more money by sending our customers to these organizations than what we likely see if sent through collections. This is not tax dollars being spent to subsidize this. We take a percentage of electric, water and sewer funds to use towards this. Councilwoman Bellm pointed out this was established during the downturn in the economy. I am okay with stopping this and seeing how it works out with the organizations. Councilwoman Bellm asked how much do we give. Director Korte reported \$32,265 in the last fiscal year. Councilman Schwarz made a motion to strike all four organizations and stop the program entirely; seconded by Councilman Frey. Roll Call Vote: Schwarz,

Frey, Bellm and Nicolaides voted aye, none nay. Motion carried and motioned amended. On the motion to approve the amended ordinance, Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-23/ORDINANCE Repealing, Replacing and Superseding Chapter 50, Article 5 – Raffles, of the Code of Ordinances with Chapter 50, Article 5 – Raffles and Raffle Licenses –  
Councilwoman Bellm made a motion to approve Bill #18-23/Ordinance #2833 repealing, replacing and superseding Chapter 50, Article 5 – Raffles, of the Code of Ordinances with Chapter 50, Article 5 – Raffles and Raffle Licenses as attached; seconded by Councilman Schwarz. Councilwoman Bellm asked why change from dividing the classification based on 1,001 pins to 2,000 pins for Class C. City Attorney McGinley responded that would allow more organizations to have a Queen of Hearts Raffle that would be smaller event. It provides ease in conducting raffles, yet be very focus on health and safety of citizens without taxing public safety with large events. We felt the smaller events would allow for more venues but not tax our staff. Councilwoman Bellm noted this provides for a fifty-two week event, but does it require a permit fee for each raffle within that year. Attorney McGinley explained the license could last as much as fifty-two weeks. When you get a license, that license is good until the raffle goes out. That may be after week one or at week fifty-two. Councilwoman Bellm asked they have to apply each time. Attorney McGinley replied yes. Councilwoman Bellm responded I did not like it then and I do not like it now. Councilwoman Bellm questioned the stipulation that a raffle with pins 2,001 – 5,000 has no rollover of proceeds permitted, while those with 2,000 or less pins are allowed rollover. City Attorney McGinley explained the pin max determines the size of the pot. That should limit the crowd size, which should not become a public safety issue with crowds. Smaller raffles allow for more with more ease. Councilwoman Bellm stated I understand but do not agree with it.

Councilwoman Bellm pointed out that raffle tickets cannot be sold at other locations than the location of the where the drawing event is being held, limits several 501c organizations. Any organization that has an office cannot do this because they cannot hold the event there. The determination of maximum pins is at the decision the raffle administration. I think the number of pins should be determined by parking spaces or location size and specified in the ordinance. During the five-day interim and the anticipated renewal, the licensee may sell tickets. If they are not approved, they are going to have to get the money back to the people if the next license is not approved. Is that five business days? What if raffle administrator is ill, out of town, or there are holidays? If the permit cannot be obtained then it becomes a mess. The grace periods are nasty. City Attorney McGinley stated on the five days, it is five days, whether part of that falls over a weekend, holidays, or Monday through Friday, period. The provision Section 3, letter Q, applies only to the class with 2,000 pins or less. The only way that applies is if none of the information has changed. You show proof of fidelity bond, pay the fee and you are ready to go again. There is no uncertainty. Councilwoman Bellm noted it is 100% on them to do the work. City Attorney McGinley replied yes. Councilwoman Bellm stated I do not see anything with regard to that for events with 2,001 pins or more. Attorney McGinley acknowledged it is not applicable for those events because of the amount of money. More money and pins means more difficulty in shutting it down and regaining control.

Councilwoman Bellm stated, last one: ‘Licensee may rent premises to determine location.’ 501c rents facility, sells tickets there and holds event there. However, by the provisions of this, that location must fit under the 501c application and must file on the application. There are so many organizations could host these events; however, I feel this ordinance puts too many restrictions that it creates an unfair advantage. Councilman Frey agreed there are so many organizations that could do this, but they do not have the locations to host this. The venues that fit under 501c are KC Hall, Expo Hall on Madison County Fairgrounds and then outside city limits, Woodmen of the World and VFW Halls. Councilman Schwarz asked what changes you would want to see. Councilman Frey stated I do not see any options for smaller groups. Councilwoman Bellm agreed the facility has to be open enough hours to sell tickets.

Members of that organization have to be at those locations to sell the tickets. Attorney McGinley advised only a fiduciary member of the organization. Councilwoman Bellm expressed that puts a significant burden on an organization that wants to do this. Councilman Frey pointed out to Councilwoman Bellm that she is arguing against yourself by saying small organizations should be able to do this, but then saying they do not have enough manpower to do this. Councilwoman Bellm stated I am not saying any one of them are going to, but all should be given the opportunity. Councilman Frey stated this follows state statute. Organizations have to decide if they are going to do it or not. Roll Call Vote: Schwarz, Frey and Nicolaides voted aye, Councilwoman Bellm voted nay. Motion carried.

Bill #18-24/ORDINANCE Declaring the City's Solar Bee Equipment and Other Items as Surplus Property – Councilman Schwarz made a motion to approve Bill #18-24/Ordinance #2834 declaring the city's Solar Bee Equipment and other items as surplus property as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-25/ORDINANCE Establishing a Five-Year Incentive Program for Construction of Single-Family Residences – Councilwoman Bellm made a motion to approve Bill #18-25/Ordinance #2835 establishing a five-year incentive program for construction of single-family residences as attached; seconded by Councilman Schwarz. Councilman Frey noted we addressed this in the past. Last time it was going to be a \$5,000 incentive. Now going to \$4,000. Still for new homes in new subdivision. City Manager Latham replied yes. Councilman Frey clarified we brought this back again because we are trying to get new home construction. We have a lot of vacant lots within the city limits. City Manager Latham responded the price of those lots are fairly expensive and too costly for spec homebuilders to purchase them. Councilman Schwarz stated I have been the most vocal against this. The reality is the economy is rebounding in other communities but not here. If this makes it attractive to developers than we need to make it happen. City Manager Latham pointed out the developer is not going to get any money until they have a house ready to sell. Councilman Schwarz noted we figure a five-year payback on this. I ask would this happen without this. City Manager Latham reported there has not been a subdivision platted in city limits in ten years. Councilman Schwarz noted other places are developing. Councilwoman Bellm pointed out it has to be developer willing to do more than just one home, this has to be a subdivision. They have to commit to platting and infrastructure. City Manager Latham replied yes. But, also, get a house built on those lots. Councilwoman Bellm stated it is a serious commitment.

Councilman Frey expressed it is not written clear enough. Councilwoman Bellm concurred it does not specify that has to be within our utility service area. Without that, it defeats our purpose. Councilman Frey suggested writing it so it specifically states it must be a completely new subdivision. Councilwoman Bellm added it must fulfill all the requirements of Planning & Zoning. Councilman Schwarz expressed it needs to be as inclusive as possible; it needs to be for all builders. I see this is limited to twenty per year. If I was a landowner and had some of those vacant lots, I would have heartburn over all these incentives that we would not be eligible for. Councilwoman Bellm stated maybe we could get five houses built on the lots that are there now, but provide for new subdivision development also. Councilman Nicolaides pointed out only the developer gets \$4,000. What about a contractor buying the lot. Does he get anything? Councilman Schwarz acknowledged if just a landowner or contractor, then they feel left out. City Manager Latham pointed out this is written for someone developing property. If the council decides to include others within the subdivision, then does the money go to the builder? Councilman Schwarz stated the money should go to the builder not the person with the lot. City Manager Latham pointed out only two or three people own the majority of property surrounding Highland. We are running out of room. The only areas I know of are the west side of Highland. On east side, we do not have the infrastructure in place with the sewer. Water is out to the park, but does not encompass a lot along Frank Watson Parkway. On the south side of the community, one or two individuals own the property. The same for much along the east side. Councilman Frey stated I am in favor of doing something. Maybe allow 10-15 homes for individual development. Councilwoman Bellm agreed,

perhaps someone that has been holding onto a lot within a subdivision may decide to take advantage of this. Councilman Schwarz suggested rebate enough to get it sold. Councilman Schwarz made a motion to postpone Item F for establishment of construction incentive to the first meeting in April; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Item tabled.

Bill #18-26/RESOLUTION Requesting a Permit from the Illinois Department of Transportation Authorizing the City to Install a Water Main and Sanitary Sewer Main on Private Easement Along the North Side of Highland Road, Including Boring Service Line Crossings Under Highland Road - Councilman Schwarz made a motion to approve Bill #18-26/Resolution #18-03-2509 requesting a permit from the Illinois Department of Transportation authorizing the city to install a water main and sanitary sewer main on private easement along the north side of Highland Road, including boring service line crossings under Highland Road as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Councilwoman Bellm requested a five-minute recess; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried. Meeting recessed at 9:05pm

Mayor Michaelis reconvened the Regular Session at 9:10pm. Councilmembers 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, Imming, Korte, Rosen and Schoeck, EMS Chief Wilson, Fire Chief Bloemker, City Clerk Hediger, and City Clerk Bellm, Director of Latzer Library Kim, five citizens and one member of the news media.

Discussion – Rental Inspection Program – Councilman Frey stated I agree with all the comments presented tonight. They pointed out a few sections that need to be tweaked. We have been talking about this for a couple of years; it is time to get it done. I am not sure how to address the mold and mildew. Lisa Peck acknowledged she does have concerns about that. Smoke and CO detectors should remain vague to be within current code requirements. There is nothing in here that we are looking to do that is not within code. Mayor Michaelis suggested who incurs the costs of the inspections needs to be thought through. Councilman Schwarz stated I am not sure who we could redirect that to other than the property owner. It is their choice to pass or not pass that cost along. Mayor Michaelis asked Mr. Frey how they handle the application process. Mr. Frey stated we charge a \$25 application fee, but we keep none of it, because it costs \$25 for the criminal and credit background checks. This inspection fee would cost us about \$1,000 per year. Mayor Michaelis asked if any security deposit or other charges are assessed. Mr. Frey reported we do charge a security deposit of \$70 to hold the unit. Mr. Bowman reported we are restricted as to what we can pass through, based on government regulations. Marissa Bowman stated I deal with all these and all the communities that we have units. In other communities, if passed along, there is a \$25 application fee. For some, the renter pays the inspection fee and brings that license back to us. Mr. Frey acknowledged it is unfair to them that they cannot pass this along. Miss Bowman noted it simply is a cost we would incur that goes against the cost of managing the property. We are not opposed to it. We deal with it in other communities. Having the inspection puts everyone on the same level. We try to maintain our properties. It holds other landlords to the same standards. Mr. Frey stated most leases are for one year. We do have some residents that will do month to month as they are moving in to town or in the process of building a home. Those properties may get turned over more than once in a year. City Attorney McGinley advised to create an ordinance that treats all landowners the same.

Mr. Frey expressed concern about capturing those property owners that maintain the utilities. Miss Bowman reported that Trenton started their inspection program in 2016. As part of the process, they required all ground units to see their water hook ups. I have to fill out a water and sewer surveys for



communities, which are sent at least once a year. They use those to find out who is occupying the property. If you have a utility bill going to California, I do not think they are living there. Mr. Frey expressed that if you cannot capture those property owners who are trying to stay under the radar, and then it defeats the whole purpose. City Attorney McGinley pointed out we have an ordinance on the books that every landlord should be registered. If there is someone not registered, then we need to bring them into court to make them prove they are not renting the property, even with nine cars parked out there and a \$2,000 utility bill. Public Safety Director Bell pointed out the caveat is that we know where the problems are, but we do not have the means to go in and enforce. Mr. Frey noted that is true, because the police are in there and there is one tenant, and if they return and see another tenant. Miss Bowman acknowledge some of my properties create issues. Single females generally rent them. If a single female rents the apartment, there should be no men living there. Mr. Frey pointed out the issue is not with the tenant. It should be with the property owner that is renting something that is unsafe. Mr. Frey acknowledged it may not be perfect. We have property in Fairview Heights. There is no mechanism in place there, we just call it in and report it. Miss Bowman reported Troy is a strong proponent of this, with a \$25 fee and allowance of one re-inspection if there is an issue. After the inspection is done, the City of Troy turns off the utilities, so the tenant has to come in and pay the fee to get it turned on. City Attorney McGinley stated we will have an ordinance on the books to get this started. Maybe we do a three-month grace period for registering on properties, if the property owner did not register before now. Councilwoman Bellm suggested staff make changes according to the suggestions that Rob and Gayle provided.

Disposition of City-owned Property Located at 914 and 916 Deal Street – Councilman Schwarz made a motion to approve disposition of property located at 914 and 916 Deal Street. Councilwoman Bellm stated we do not know what to do with this property. Councilman Frey noted if it sells as is, it is pretty easy to determine what it become. Mayor Michaelis pointed out the property has a \$28,000 appraisal price. Councilman Frey noted the cost is \$38,000 to demolish it. Mayor Michaelis stated there are neighbors that expressed an interest to purchase the property. Asst. City Manager Lisa Peck pointed out we have to sell it for at least 80% of appraised value. Attorney McGinley explained first we have to declare it surplus property, publish it for sale at least once, and if get an offer for 80% or more you have to sell at the subsequent meeting. Councilwoman Bellm questioned we take bids and have to sell to highest bidder. Attorney McGinley advised if the city accepts anything less than highest bidder, you have to have sound reasoning to reject those offers. Councilwoman Bellm suggested doing the appraisal and get the 80% or just demolition it. Councilman Frey stated I want to see the neighborhood improved. I am pushing to demolish it. Councilwoman Bellm agreed.

Disposition of City-owned Property Located at 1311 Oak Street – Asst. City Manager Lisa Peck reported that all four foundation walls are structurally failing on this property. Consensus of the council that it needs to be demolished.

## **REPORTS**

Approve Warrants #1086 & #1087 – Councilwoman Bellm made a motion to approve Warrants #1086 & #1087 as attached; seconded by Councilman Schwarz. 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)(1) to discuss the performance and compensation of a specific

employee; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried. Meeting adjourned at 9:50pm.

Mayor Michaelis reconvened the Regular Session at 10:19pm. Roll Call Vote: Councilmembers Nicolaides, Bellm, Frey and Schwarz were present. Others in attendance were City Attorney McGinley and City Clerk Bellm.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Schwarz. All council members voted aye, none nay. Motion carried and meeting adjourned at 10:19pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk