

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, DECEMBER 17, 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, City Attorney Michael McGinley, Directors Conrad, Cook, Gillespie, Imming, Korte, Rosen and Slover; EMS Chief Wilson, City Staff: Mallord Hubbard, Treasurer Foehner, Deputy City Clerk Hediger, City Clerk Bellm, 10 citizens and one member of the news media.

MINUTES

Councilman Schwarz made a motion to approve the minutes of the December 3, 2018 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

PUBLIC HEARING

Mayor Michaelis opened the public hearing to receive comments from the public regarding the proposed annexation agreement between the City of Highland and Ronald E. Hunsche for the Ronald E. and Janet B. Hunsche Trust at 7:02pm. With no comments brought forward, Mayor Michaelis closed the public hearing at 7:02pm.

PUBLIC FORUM

Citizens' Requests and Comments:

Lebanon Cedar Cruisers Annual Volkswalk Request - Lebanon Cedar Cruisers Annual Volkswalk Request – The Lebanon Cedar Cruisers are requesting permission for the group host their annual walk of Highland on Saturday, May 11, 2019. Deputy City Clerk Lana Hediger stated Mr. Malina called and notified her that he would be unable to attend. Mayor Michaelis noted that normally we require that someone from the organization is here to make the request, in person. He asked that Lana contact him and let him know that he will need to have someone here to represent the group. Deputy Clerk Hediger pointed out that this is an annual event that requires no additional manpower or funding. It was taken over by a local group, about 19 years ago. They set up a table at the pavilion at the square. Those participating receive a stamp in their book, along with a map of the community and the walking route. There are normally two routes. Sometimes walkers remain in Highland and eat lunch and/or shop. Councilwoman Bellm made a motion to approve the request of the Lebanon Cedar Cruisers to hold their annual Volkswalk on Saturday, May 11, 2019, as requested; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

2019 Optimist Shootout Funding Request – Rick Ringwald, Representative for Optimist Shootout, stated we are here requesting, as in the past, police support with our event, which and Silver Level Sponsorship (\$1,000), to be held January 5, 2019. This year’s event line-up consists of seven games. Both boys and girls. Mr. Ringwald stated we are really happy with the line-up for this year, and have developed a reputation as one of the premier basketball events. We have two teams that are ranked in the top twenty in the state. Belleville West, has a top player that has committed to Ohio State, they will go against currently undefeated Vashon. The #4 Junior in the country is coming down from Milwaukee. That team will face Chaminade. Rock Bridge plays CBC, which is coached by Justin Tatum’s father. Earlier in the day, Bloomington goes against East St. Louis. Locally, we have Nashville (#1 in State for their level). Edwardsville plays Belleville West. The event has been so well attended that we have installed permanent bleachers on the south end of the gym to accommodate the attendance at the event and for the school to use. Councilman Schwarz made a motion to approve a Silver Level Sponsorship and provide police protection as requested; seconded by Councilwoman Bellm. Councilman Schwarz asked if they still offer purchase of half-day passes or full day passes. Mr. Ringwald replied yes. Mayor Michaelis noted, last year, he saw a team working out at KRC, before the event. Mr. Ringwald acknowledged we do put heads in beds. The Milwaukee team will be staying at Baymount, this year. Director Rosen stated we do not have any inquiries for use of the KRC gym, at this point, but we are ready to accommodate that.

Building Permit Fee Waiver Request – Highland-Pierron Fire Protection District – Terry Lammers, representing the Highland-Pierron Fire Department, stated we are asking the city if they would waive the tap-on fees for our new facility at Broadway and Iberg Road. We are ready to start the project. Korte Construction will be the contractor for the project. Councilman Schwarz made a motion to approve the request for building permit, water tap-on, sanitary sewer and electrical connection fees; seconded by Councilwoman Bellm. Councilwoman Bellm expressed it is not that I do not want to be a good neighbor, but this is a lot of money. I am not concerned with building fees or sign permit fees. Councilman Schwarz pointed out they are taxing body, so our populous is going to pay for it either way. Councilman Rick Frey acknowledged I understand what Councilwoman Bellm is saying. We are setting a precedence with this; however, they are a public safety body, so I don’t see this happening too often. Councilwoman Bellm stated I just wanted to bring this up. If it does not bother others, I will not fight it. Councilman Frey pointed out they do provide mutual aid and support to Highland. Councilman Schwarz asked how this effects Electric Department. Director Cook responded \$1,000 is not going to kill my budget. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Requests of Council:

No comments or requests.

Staff Reports:

Nothing to report at this time.

NEW BUSINESS

Approve Mayor’s Appointment of Steven “Tom” Mifflin to the Parks & Recreation Advisory Commission – Councilwoman Bellm made a motion to approve the mayor’s appointment of Steven “Tom” Mifflin to the Parks & Recreation Advisory Commission, to fill the vacant position of Allison Brown, for a term to expire July 31, 2019 as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-168/ORDINANCE for Levy, Assessment and Collection of Taxes – Councilman Schwarz made a motion to approve Bill #18-168/Ordinance #2904 for levy, assessment and collection of taxes as

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

Bill #18-169/RESOLUTION Approving and Adopting 2019 Meeting Dates for the City Council, Boards and Commissions – Councilwoman Bellm made a motion to approve Bill #18-169/Resolution #18-12-2580 approving and adopting 2019 meeting dates for the city council, boards and commissions as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-170/ORDINANCE Amending Chapter 22 of the Highland Municipal Code Concerning Fees and Assessments for the City Cemetery – Councilman Schwarz made a motion to approve Bill #18-170/Ordinance #2905 amending Chapter 22 of the Highland Municipal Code concerning fees and assessments for the City Cemetery as attached; seconded by Councilwoman Bellm. Councilman Schwarz pointed out this is increasing fees \$50 across the board. Director Rosen reported it has been a number of years since any fees have been increased. This is something the Cemetery Board recommended the increase and the amounts. Councilman Schwarz asked what the amount is. Finance Director Kelly Korte explained this brings the purchase price of a cemetery space to \$500, with \$200 for the space and \$300 for perpetual care. Cost of grave openings increased from \$400 to \$450, for weekdays. 2007 was the last time these amounts were increased. She clarified that the cost of a cemetery increased by \$100, with an additional \$50 going to the cost of the space itself and \$50 towards perpetual care. Councilman Schwarz inquired the reason for this is they are starting to run in negative and this is to protect that. Director Korte replied yes. She noted the board did do research and survey all local cemeteries. This is how they came up with these amounts. Mayor Michaelis reported he has notice some broken stones. It is not as bad as years ago; however, it is time to get a plan in place. Director Rosen noted some are getting to the point where it may be better to replace, because they have been repaired at least once already. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #18-171/RESOLUTION Appropriating Motor Fuel Tax Funds for 2019 for the Maintenance of Streets and Highways – Councilwoman Bellm made a motion to approve Bill #18-171/Resolution #18-12-2581 appropriating Motor Fuel Tax Funds for 2019 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 #18-172/RESOLUTION Approving Annexation Agreement with Ronald E. Hunsche on Behalf of the Ronald E. and Janet B. Hunsche Trust – Councilman Schwarz made a motion to approve Bill #18-172/Resolution #18-12-2582 approving annexation agreement with Ronald E. Hunsche on behalf of the Ronald E. and Janet B. Hunsche Trust as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #18-173/ORDINANCE Annexing Territory Owned by the Ronald E and Janet B. Hunsche Trust (PIN 01-1-24-06-00-000-004.003) – Councilwoman Bellm made a motion to approve Bill #18-173/Ordinance #2906 annexing territory owned by the Ronald E and Janet B. Hunsche Trust (PIN 01-1-24-06-00-000-004.003) as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #18-174/ORDINANCE Amending Zoning Classification of Unaddressed Property Located Approximately 200 feet northwest of the intersection of U.S. Highway 40 and Frank Watson Parkway, Owned by the Ronald E. and Janet B. Hunsche Trust, From R-1-C Single-Family Residential to I Industrial District (PIN 01-1-24-06-00-000-004.003) – Councilwoman Bellm made a motion to approve Bill #18-174/Ordinance #2907 amending zoning classification of unaddressed property located approximately 200 feet northwest of the intersection of U.S. Highway 40 and Frank Watson Parkway,

owned by the Ronald E. and Janet B. Hunsche Trust, from R-1-C Single-Family Residential to I Industrial District (PIN 01-1-24-06-00-000-004.003) as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #18-175/RESOLUTION Approving Preliminary Plat of Hunsche-Frank Watson Parkway Subdivision – Councilman Schwarz made a motion to approve Bill #18-175/Resolution a#18-12-2583 approving preliminary plat of Hunsche-Frank Watson Parkway Subdivision as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #18-176/RESOLUTION Approving Site Development Plan for Flax Meadow Submitted By Cottage Hill Development, LLC, as Developer on Behalf of Grandview Farm, LP, for Flax Meadow Apartments – Councilwoman Bellm made a motion to approve Bill #18-176/Resolution #18-12-2584 approving site development plan for Flax Meadow submitted by Cottage Hill Development, LLC, as Developer on behalf of Grandview Farm, LP, for Flax Meadow Apartments as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #18-177/ORDINANCE Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by any Other Method Within “Restricted Areas” Specified in this Ordinance – Councilman Schwarz made a motion to approve Bill #18-177/Ordinance #2908 prohibiting the use of groundwater as a potable water supply by the installation or use of potable water supply wells or by any other method within “restricted areas” specified in this ordinance as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked why we are trying to stop this. Is it a health and safety issue? Brian Wilson explained this has to do with a fire that occurred at a factory located on this property, years ago. As a result of that fire, there were some spills with the chemicals in that fire, which entered the ground. Klaus Service Center purchased this property in 2009. The federal EPA came to remove the contamination from what used to be a plating operation. The contamination of this facility site could potentially be within the ground. In 2011, the city had approved the ordinance; the federal EPA did not accept it, because of the switch over of companies handling the abatement and testing. City Attorney Michael McGinley explained that since 2011, there has been some movement, to try to refine the ordinance established. The federal EPA did not accept it; however, it is finally getting to the point where they are saying it meets their requirements. Councilman Schwarz asked if the properties affect have changed from then. Brian Wilson reported not. It did by some footage. Mayor Michaelis inquired this property would not be able to be sold unless this is changed. Mr. Wilson replied that is correct. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #18-178/RESOLUTION Approving and Authorizing Execution of a Proposal for Professional Architectural Services With FGM Architects, Inc., in Association With Preliminary Feasibility Study for a New Outdoor Swimming Pool – Councilwoman Bellm made a motion to approve Bill #18-178/Resolution #18-12-2585 approving and authorizing execution of a proposal for professional architectural services with FGM Architects, Inc., in association with preliminary feasibility study for a new outdoor swimming pool as attached; seconded by Councilman Schwarz. Councilwoman Bellm stated it seems to me that several years ago we had a strategic planning session. The (new) swimming pool was very low on our list of priorities. Not that it would not be nice; however, my concern is how we are going to pay for it. Without knowing how to pay for it, I am not sure it is wise to spend money for a feasibility study. Director Rosen stated the pool has provided a lot of benefits for the community. It is getting to the point that it will not hold water, literally. It requires more and more chemicals to maintain. The surface is starting to shift and cracks are enlarging on the deck. In 2020, when KRC debt bonds are paid off; a good portion of those funds could go towards this facility. We would pull out at least \$100,000 annually to maintain the KRC. We do have some money saved that we can use it for the preliminary work.

Councilwoman Bellm pointed out, in feasibility study, is a cost analysis by looking at recent bid projects. We could call several other communities and find out how much other communities spent on their new pools, within the last few years. This talks about starting the process in 2019 and building in 2020. It concerns me that we are jumping out of one pot and right into another. The intent of the project and procedure is a needs analysis and design. It is like putting the cart before the horse. There has been a lot of talk about where a new pool is going to go. That needs to be established before we do it. Councilwoman Bellm asked what the pool is costing us to run each year. Parks & Recreation Director Mark Rosen reported, in 2017, it took in about revenue \$178,140 and expenses were \$136,080. Councilwoman Bellm noted so we are showing a profit of ~\$40,000. I would rather see some of the reserves used to fix some of the issues versus paying for this feasibility study.

Councilman Frey stated I saw they were going to study some different sites, with this. In my opinion, there really is two choices: rebuild where it is at or put it out by the KRC. I am concerned. How are we going to pay for a public safety facility? We have a new fire truck that is needed. Streets and sidewalks need repair. Drive anywhere up and down streets and you will find broken curbing and sidewalks. There are other needs like a senior center, art center, etc. Councilwoman Bellm expressed the majority of people I have talked to do not want to see the pool moved out to KRC. If the public is going to be vocal against what they are going to propose, then I do not see spending money on this. I cannot support this, at this time. Councilman Schwarz stated I think the pool does need to be improved. I do agree that we do not need professional advice on where to put it. That is something we should decide. Director Rosen pointed out the study would look at how the community is growing in the next 15-20 years, to help with that determination. A lot of the growth of the community is on the north side. Councilman Schwarz stated I think, even though there is growth over there, we have a lot of community on this side, especially with the sidewalks and bike paths to get there. Councilman Nicolaides asked do we own the property where the pool is. Councilman Frey pointed out that is a draw back. While growth has been to the north, I see it growing to the south, shortly. Doing this right now, does not seem like the right time. Councilman Schwarz asked what happens if we do not do this, right now. Director Rosen stated starting in April there is the endless nights of what is going to break next and the struggles with Madison County Fair Board /Sharpshooters on parking with the other events going on out there. ADA accommodations are almost non-existent. City Attorney McGinley asked has there been liability claims due to movement of the concrete. Director Rosen reported we have one claim that I am not sure if it has been settled. The Illinois Health Department continues to put more regulations in place each year, in addition to new rules for ADA compliance. Councilman Schwarz expressed we need to start looking at this, but I think we are too early for the feasibility study. Councilman Frey stated I am sure we can do something with the sidewalks outside of the bathhouse to make thing safer and more accommodating. Councilwoman Bellm acknowledged the revenue is still there to maintain it; however, now is the time to start thinking about how to get money for it. Put the \$38,000 into the pool for this year. Councilman Frey agreed I do not see a need for a preliminary study. Let us get prices for a new pool and discuss where ourselves. Councilwoman Bellm suggested getting some price ranges on what we are we talking about as far as size of pool and what the costs. Mayor Michaelis asked do you think the study would be good. Director Rosen explained it give us a good footprint. Presently, we estimate \$3M - \$7M range. We need eight lanes. However, do we include a lazy river? Should there be a diving area, slides, or water features? Do we have a full-size concession stand? Councilman Schwarz pointed out, if done too early, by the time you start construction, some of those things can change. Mayor Michaelis asked what is the ability for us to get through next summer. Director Rosen expressed we just cross our fingers and hope. It will be a considerable amount of money to raise the deck to get it to drain. The baby pool has had constant issues and is a daily struggle with keeping the water in there. Councilman Frey expressed I am really attached to the pool; however, replacing something used 3-4 months out the year over year around needs of our community is hard to justify. Director Rosen pointed out the

swimming lessons bring in more than \$22,000. Our goal is to be more of a regional pool than just a community pool. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted nay, none aye. Motion fails to carry.

Bill #18-179/RESOLUTION Waiving Normal & Customary Bidding Procedures and Authorizing the Purchase of Two New Trucks from Tri-Ford, Inc. – Councilman Schwarz made a motion to approve Bill #18-179/Resolution #18-12-2585 waiving Normal & Customary Bidding Procedures and authorizing the purchase of two F-550 One-Ton Trucks with Knapheide bodies new trucks from Tri-Ford, Inc., in the amounts of \$68,043.00 and \$61,252,00 as attached; seconded by Councilwoman Bellm. Councilman Frey asked if the present trucks will be used by other departments. Director Gillespie stated Parks & Rec. could possibly utilize the Water & Sewer truck. The Street & Alley is going to use the old one as a tool truck to pull trailers, so that we are not taking a truck away from a job. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried.

Bill #18-180/RESOLUTION Approving Supplement 1 to Preliminary Engineering Services Agreement with Oates Associates, Inc. for the Iberg Rd./St. Rose Road/VHP Roundabout Project – Councilwoman Bellm made a motion to approve Bill #18-180/Resolution #18-12-2686 approving Supplement 1 to preliminary engineering services agreement with Oates Associates, Inc. for the Iberg Rd./St. Rose Road/VHP Roundabout Project as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #18-181/ORDINANCE Declaring Two Bucket Trucks Surplus and Authorizing Their Disposal – Councilman Schwarz made a motion to approve Bill #18-181/Ordinance #2909 declaring two bucket trucks surplus and authorizing their disposal as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Award Bid #G-10-18 to Korte & Luitjohan Contractors, Inc. for Installation of ADA Upgrades to Council Chambers and City Hall – Councilwoman Bellm made a motion to award Bid #G-10-18 to Korte & Luitjohan Contractors, Inc. for installation of ADA Upgrades to Council Chambers and City Hall, for the amount of \$46,800.00 as attached; seconded by Councilman Schwarz. Councilwoman Bellm stated this is not significantly over the engineer's estimates. Is there additional items? City Manager Latham reported an automatic open on the front door for handicap access was added to the project. Also, with getting new carpeting installed, the conduit that running across the carpet will be place into the floor, so there will not be cables laying across the floor. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

REPORTS

Approve Warrants #1114 & #1115 – Councilman Schwarz made a motion to approve Warrants #1114 & #1115 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey and Bellm voted aye, none nay. Councilman Nicolaides abstained. 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. Motion seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm and Nicolaides voted aye, none nay. Motion carried. Meeting adjourned at 8:06pm.

Mayor Michaelis reconvened the Regular Session at 8:12pm. Roll Call Vote: Councilmembers Schwarz, Frey, Bellm, and Nicolaides were present. Others in attendance were City Manager Latham, City Attorney McGinley, Deputy City Clerk Hediger and City Clerk Bellm.

Mayor Michaelis noted that nothing discussed in Executive Session will not be discussed in this open session.

Councilman Schwarz made a motion to adjourn; seconded by Councilwoman Bellm. All council members voted aye, none nay. Motion carried and meeting adjourned at 8:12pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk