

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, JUNE 3, 2019**

Mayor Michaelis called the Regular Session to order at 7:00pm. Council members Sloan, Frey, Bellm and Hipskind were present. Others in attendance were City Manager Mark Latham, City Attorney City Manager Mark Latham, City Attorney Michael McGinley, Directors Conrad, Cook, Gillespie, Imming, Kim, Korte, Rosen and Slover; Coordinator Hubbard, B&Z Administrator Speraneo, Treasurer Foehner, Deputy City Clerk Hediger, City Clerk Bellm, two members of new media, and 15 citizens.

MINUTES

Councilwoman Bellm made a motion to approve the minutes of the May 20, 2019 Special and Regular Sessions as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

PUBLIC FORUM

Citizens' Requests and Comments:

Chamber of Commerce – 2019 Street Art Fest Request – Penny Korte, Chamber of Commerce Representative, requested permission for street closures and use of the downtown square facilities to hold the Street Art Fest on September 20 & 21, 2019 per the Special Event Application submitted. Councilwoman Bellm made a motion to approve Highland Chamber of Commerce's request for street closures and facilities use to hold the Street Art Fest on September 20 & 21, 2019, with a rain date of Sunday, September 22, 2019 as presented in the Special Application Event; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Building Permit Fee Waiver Request – St. Paul Catholic Church – Jerry Rehkemper, member of St. Paul's Catholic Church, requested waiver of building permit fees for the renovation of St. Paul's Catholic School. Councilman Frey made a motion to approve the request of St. Paul's Church for waiving of permit fees; seconded by Councilwoman Bellm. Mayor Michaelis asked if this is specifically for the school. Mr. Rehkemper replied. Mayor Michaelis asked for the amount of the fees. City Manager Latham reported the fees total \$3,833.00. This consists of \$2,093.00 in plan review fees; \$1,105.00, electrical inspection fees; and, \$385.00, plumbing inspection fees. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Requests of Council:

No comments or requests were made.

Staff Reports:

City Manager Latham reported there is a Special Session City Council Meeting scheduled for 6:00 PM on Wednesday, June 12, 2019. The purpose for the meeting is to conduct a Public Hearing to receive comments regarding the proposed changes to the inspections process for new one- and two-family home construction. We are hoping to get some good information and find a resolution.

City Manager Latham expressed appreciation to Barb Bellm for hosting a group of concerned business owners, here at City Hall, earlier today. When Highland Recycling Center closed unexpectedly, it left a lot of businesses with issues as far as what to do with materials. Councilman Frey brought someone over from St. Louis to hopefully find some resolution for assistance in getting rid of cardboard and paper.

City Manager Latham reported things are going well with the roundabout construction. If weather holds, they should have the concrete work completed in three weeks.

Mayor Michaelis reported that, on Saturday, we had the ribbon cutting for the All Abilities Playground. It was a wonderful event. He stated he would like to thank Director Rosen and staff for setting things up out there. A special thanks to Jimmy Johns who showed up with free sandwiches for everyone out there. There are many, many more people to thank for that project.

NEW BUSINESS

Approve Mayor's Appointment to the Parks & Recreation Advisory Commission – Councilwoman Bellm made a motion to approve the mayor's appointment of Garry Klaus to the Parks & Recreation Advisory Commission, to fill the unexpired term of newly elected Councilman John Hipskind, which will expire July 31, 2020 as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-69/RESOLUTION Authorizing Allocation of Hotel/Motel Tax Funding (2019 Chamber of Commerce Street Art Festival) – Councilman Frey made a motion to approve Bill #19-69/Resolution #19-06-2626 authorizing allocation of hotel/motel tax funding, in the amount of \$6,254.00 for the 2019 Chamber of Commerce Street Art Festival as attached; seconded by Councilwoman Bellm. Councilman Hipskind stated I think this is a great event and they do a great job with it. According got the application: anticipated revenue of \$20,674 and \$13,577 expenses. That is a \$7,000 profit for the event. I realize it is a fundraiser for the Chamber. How much of that goes back into the general account. Chamber Representative, Penny Korte, stated I am not sure how much is of the exact amount. Councilman Hipskind pointed out \$6,254 hotel/motel tax funds is being used for this event and the Chamber makes \$7,000 off the event. I am not sure how much money is the fund, but I am wondering if some of these funds could be saved and go to an event that is in more need of the fund. Mayor Michaelis asked how much we budgeted for this last year. Mrs. Korte was unsure of any of the numbers. Councilwoman Sloan pointed out this money is going towards advertisement, so I do not look at this as giving them \$7,000. Mayor Michaelis asked Finance Director Kelly Korte how much money is in the fund. Susie Frank, Chamber of Commerce member, stated the goal is for this to be a fundraiser for the Chamber. A lot of the money is turned back over for other activities within the City. The Chamber does need to make some money off this event to continue to do the event, which showcases the community. Last year, \$5,451 of hotel/motel tax funds were received. Councilwoman Bellm reported they want to increase advertising to draw more people. I understand what you are saying and from helping Nancie with this, the revenues generated from this event help with other activities the rest of the year. City Manager Latham reported he and Director Korte met with several of the board members. \$3,000 of these funds will be spent for permanent signs in other communities. The intent is to bring more people into the community for tourism or overnight stays.

Director Korte reported through hotel/motel tax, we bring in approximately \$46,000. Councilman Hipskind stated I read the ordinance and I understand what the money is to be used for, that is why I am asking this question. Mayor Michaelis stated City Attorney McGinley suggested the council table this until Councilman Hipskind receives the answers to his questions. Councilman Hipskind table until someone who knows the figures can come in to answer these questions. Motion seconded by Councilman Frey. City Attorney McGinley clarified that this needs to be tabled until the next regularly scheduled meeting, which is June 17, 2019. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried and item tabled.

Bill #19-70/ORDINANCE Adopting an Expense Reimbursement Policy Pursuant to the Illinois Wage Payment and Collection Act – Councilwoman Bellm made a motion to approve Bill #19-70/Ordinance #2937 adopting an expense reimbursement policy pursuant to the Illinois Wage Payment and Collection Act as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-71/RESOLUTION Engaging the Services of WM Financial Strategies, as Financial Advisor, and Gilmore & Bell, P.C., as Bond Counsel, in Connection with the Issuance of Certain Bonds – Councilman Frey made a motion to approve Bill #19-71/Resolution #19-06-2626 engaging the services of WM Financial Strategies, as financial advisor, and Gilmore & Bell, P.C., as bond counsel, in connection with the issuance of certain bonds as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-72/ORDINANCE Amending Chapter 78, Article VII, Section 78-732, of the Code of Ordinances, Entitled Schedule of FTTP Rates and Charges, Creating New Rate Schedule for Residential Premise Viewing Component of FTTP System (HCS) – Councilwoman Bellm made a motion to approve Bill #19-72/Ordinance #2938 amending Chapter 78, Article VII, Section 78-732, of the Code of Ordinances, entitled Schedule of FTTP Rates and Charges, creating new Rate Schedule for Residential Premise Viewing Component of FTTP System (HCS) as attached; seconded by Councilman Frey. Councilman Hipskind asked for explanation on this. Director Angela Imming came forward and stated I can talk about this all night. In front of you is a service we would like to provide to our customers. Last August, we surveyed all of our customers. I high percentage, 60-70%, stated they would like to have some security services offered. We had some commercial customers come to us to make a request. We did those installs. Now we are ready to roll this out to residential customers. This will allow for install of cameras, and provide them with the software ability to view that footage or live feed via their phone or tables. We have a \$250 one-time fee that covers equipment and install fee, and asking for one-, two-, or three-year commitment. As you go into year three, things get higher, because of warranty issues with the equipment. That is to protect the customer. Councilwoman Bellm asked so after three years the program ends. Director Imming replied no. We would go back to the customer to find out what their needs are. I would assume they want to go with newer technology, because lifetime of this equipment is typically only 18-24 months. Councilman Hipskind stated I do not have HCS in my area. Would I still be able to use this service? Director Imming replied no. We have to be able to get inside our router to ensure it is working properly. If it is in Charter's service area, they are not going to allow that. We are excited about offering something that the customers asked for. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-73/ORDINANCE Declaring Personal Property Surplus and Authorizing Its Sale and/or Disposal, Including Highland Communication Services Equipment that is Broken and Out of Warranty, and Other Personal Property – Councilman Frey made a motion to approve Bill #19-73/Ordinance # 2939 declaring personal property surplus and authorizing its sale and/or disposal, including Highland Communication Services Equipment that is broken and out of warranty, and other personal property as

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

Discussion – Food Trucks – Mayor Michaelis stated this is a broad subject. City Attorney Mike McGinley reported a very timely Illinois Supreme Court decision just came down. The City of Chicago had a food truck ordinance that was challenged. Their ordinance prohibited food trucks from operating not less than 200 feet of a brick and mortar and GPS location tracking was required. They wanted to control where they go, in an effort to protect brick and mortar establishments, while maintaining safety. Their belief is that traditional restaurants have to be protected, because they pay property taxes. There are different rules for the two – food trucks versus restaurants. Food trucks bring new and exciting menus to diners, while restaurants provide sales tax and property tax base, as well as jobs to the area.

Economic & Business Recruitment Coordinator Mallord Hubbard reported we received an inquiry from a couple that was interested in opening up a food truck. Currently, we only have wording that addresses them for special events. Staff is seeking direction if we should continue to look into this and develop something. Councilwoman Bellm reported Alton has something in place, so I have been told. I have mixed feelings on it. I would like to have more information and find out what other communities are handling them, how we would handle any fees required, and the requirements by Madison County Health Department. Councilman Frey stated I have similar concerns. I agree with what the courts say, in that brick and mortars pay property taxes, and therefore, should be protected. Food trucks come and go. We have seen them at the Madison County Fairgrounds and Schweizerfest. Those are in controlled parking situations. The questions is how and where do we allow any day along streets, where the parking may be at a premium and narrow passage. If they park around the Square or along Broadway, they would most likely be in front of or near restaurants. In Northtown, if parked, they would be on private property. Councilwoman Sloan noted that some towns do a once a month thing with them. That would be a more controlled situation. Building & Zoning Administrator Breann Speraneo stated, first and foremost, they would have to comply with the Madison County requirements first, and would have to present a certification from Madison County Health Department. She asked the council, would you be interested in limited the number of permits. You could limit to five to start. Coordinator Hubbard reported the people that made the inquiry have already discussed placement. We have given them some contacts to inquire about parking or location areas. Councilman Frey expressed because of narrow streets we want to have it in an area that is safe. Administrator Speraneo reported, in addition to this one inquiry, there have been others from time to time and it is a growing market. Councilwoman Bellm expressed either way we need to get it into the books so we are ready to go. Councilman Hipskind expressed he liked Councilwoman Sloan's idea of a once a month event. That is a good idea. That is something I think would be a neat idea for the Chamber of Commerce to pursue. Restaurants owners put a lot of capital into getting their restaurants started up. We need to protect that. City Attorney McGinley reported the City of Columbia has put something into place already. They must operate 750 feet or more distance from any brick and mortar establishment serving food. They regular hours of operations. No tables or tents placed around it. If food trucks are based in Madison County, they require plumbing and health inspections and all annual licenses must be maintained properly. Mallord and Breann were looking to see what direction the council wants them to take with this.

Councilwoman Bellm stated I am not sure how people handle lunches around town. There might be a desire to have a food truck at some of the manufacturers in town. That might be a possibility. Not sure if they are given an hour or half hour and what their eating habits are. Councilman Frey explained that food trucks do not have food made up. It takes them 15 minutes to half hour just to set up. Mayor Michaelis asked if you are a grocery store or restaurant, I am sure this not something you would want to promote. Do we want to protect the existing businesses we have? Councilman Frey pointed out that if it is set at 750-feet or more, then that puts the trucks at least two blocks away from any restaurant. I want to

be fair to food truck operators to. They spend money to cover over here also. Councilman Hipskind pointed out if we have a special event and they really like the trucks, then the trucks would want to operate more here. Mayor Michaelis inquired what would the Optimist Pizza stand operators say or Lions Brats and Burgers stand people say. Councilwoman Bellm stated we need to look at this now, rather than having ten people here pushing us for an answer. City Attorney McGinley asked are we looking at allowing for food trucks daily, weekly, or only special times.

Coordinator Hubbard stated the couple that made the inquiry have come out tonight. I think they would like to explain what they are looking at. Eric Drake and Ashley Rensch stated they are looking at a special spot and hoping to open a coffee truck. There is a lack of coffee establishments in Highland. We are working with a couple of areas. We are looking at something that could accommodate a 7' x 10' trailer. It has the appropriate plumbing and would be licensed. It would allow for drive up on both sides. We are trying to get direction from the City. They stated we completely agree with all your points. We are interested in bringing business to Highland for something that we feel is lacking. At some time, in the future, we would add small breakfast sandwiches to compliment the drinks. Councilwoman Bellm noted, based on this menu and model, Michael's is the only place to get an espresso latte, as far as I know. It is not cutting into anyone's business. The problem is the future. City Manager Latham suggested you could limit the number of permits. Councilwoman Sloan asked are they any different from Tropical Sno. Mr. Drake noted we did discuss this with Tropical Sno. Councilman Frey inquired if operating like Tropical Sno, then how do they operate. Administrator Speraneo responded they are in an industrial zoned area. We have been encouraging them to look at rental or purchasing a lot, to create some investment into the community. Mr. Drake reported we are having conversation with Mr. Glik about leasing a space out front of Northtown Shopping Center. We want to generate traffic and create business in that shopping area. Mayor Michaelis stated, as far as existing business, I do not think that this business would impede on existing restaurants and grocery stores. Councilwoman Bellm noted a case-by-case basis with limited number of permits would be the preferred way to handle this. Attorney McGinley agreed each time the council would have this type of discussion. Councilman Frey asked what type of license does Tropical Sno has. Administrator Speraneo suggested we create a special use permit for food trucks. Attorney McGinley stated if there is interest in this, then we have a direction on where to have staff go with this. Councilman Hipskind asked do you have a truck right now. Mr. Drake replied it would be a trailer with a hitch. It is being custom built, right now, to our specifications.

REPORT

Approve Warrant #1131 – Councilwoman Bellm made a motion to approve Warrant #1131 as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Frey. All council members voted aye, none nay. Motion carried and meeting adjourned at 8:00pm.

Joseph R Michaelis, Mayor

Barbara Bellm, City Clerk