

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, JULY 15, 2019**

Mayor Michaelis called the Regular Session to order at 7:00pm. Councilmembers 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 Gillespie, Imming, Kim, Korte, Rosen and Slover; Chief Wilson, Sgt. Steinbeck, Coordinator Hubbard, B&Z Administrator Speraneo, Treasurer Foehner, Deputy City Clerk Hediger, City Clerk Bellm, one member of new media, and 12 citizens.

MINUTES

Councilman Frey made a motion to approve the minutes of the July 1, 2019 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

PUBLIC FORUM

Citizens' Requests and Comments:

Relevant Pregnancy Options Center – Walk/Run for Life Request – Diane Boeser, representing RPOC to requested permission for use of Square on Saturday, September 29, 2019 to hold their two-mile Walk for Life/5K Life Run. This not only helps us raise funds, but also increases awareness about what our organization does. We would begin set-up at 6:00am and have clean up completed before noon. We are asking for permission to block off Laurel Street for the start and finish line; water, sewer and fire hydrants during the event; availability of public restroom; and, for the city to provide police and EMT support during the event. Our full request has been included in your packets and we will include the city as an additional insured on our insurance. Councilwoman Bellm requested permission for Relevant Pregnancy Options Center to host their annual 2M Walk4Life/5K Life Run request on Saturday, September 28, 2019 per their request; seconded by Councilman Frey. Councilwoman Bellm asked Chief Wilson if this has been reviewed and we are okay with all the items she needs. Chief Wilson replied yes. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

DJ Sterling Enterprises, LLC Request for Increase in Number of Available Class G Liquor Licenses – Lori Forsythe, Representative for DJ Sterling Enterprises, LLC who wishes to open a gaming parlor at 12551 State Route 143. The intent is to operate a video gaming parlor, Debbie's. In order to do this, we need to obtain a Class G Liquor License. The city's liquor license ordinance only allows for two Class G Liquor Licenses. We believe that a town of this size would benefit from another gaming parlor, other than those currently here. I would like to request that the council increase the number of Class G

Liquor Licenses from two to three licenses, so that we may apply for a license. Based on this business model, we estimate a potential revenue of \$19,887 to the City of Highland. We have included in our request a plan of what that facility would look like. Councilman Frey stated we thought long and hard, and worked on this for a couple months, and then we made some minor changes. The initial thought was to subsidize restaurants and bars in Highland, to allow family businesses to sustain against other communities. I feel we have what we need. I do not feel that another gaming parlor is going to add anything. I feel it is only going to split up what is put in at existing establishments. Mayor Michaelis agreed we this only to subsidize existing businesses originally. This whole thing has escalated into gas stations and bars and we have added some gaming parlors. I feel we have enough. We spent a lot of time putting this together. Councilwoman Bellm agreed. Councilwoman Sloan concurred. In four or five months another person will be here making another request. Councilman Hipskind stated the gaming systems inside those restaurants help them. If we take them out, it is not helping them. Ms. Forsythe asked would it help if I did a deeper analysis to show there is a whole different group of people such a facility could attract. Councilwoman Sloan pointed out we have one located across the street from there this is proposed. I would not feel right with creating a direct competition. Ms. Forsythe noted some competition is good. You see that with stores like Walgreens and CVS. Councilwoman Bellm expressed I do not think any additional information will change my mind. As Councilwoman Sloan said, in a couple of months, yet another person will come in with another request.

Brian Farmer stated when I look up the meeting agendas online, I always see "attachment". It is only attached for you. It is not attached for public to view. City Attorney McGinley explained all of this information is available, if you would request it. The past couple of years, not many people have ask for these attachments. They can come up to City Hall to get a copy of the documents. What it shakes down is there has no been real call for all of it to be online. There is a lot of work put into in putting together the agenda and what is currently out there. It comes down to staff time. We can forward via email. Mr. Farmer asked, if that is the case, why put it on the website. City Attorney McGinley explained that state statute requires the agenda to be posted. Mr. Farmer pointed out that Madison County puts their agenda online with all the attachments. Councilman Frey stated, in six years, you are the only the second one that I remember. If there were more people that wanted it, it may be something we would consider. Mr. Farmer stated how many more. Mr. Frey replied I do not know, but it does not seem to be that many people. Mr. Farmer insisted how many more it will take. Councilwoman Bellm explained the packet has to get together by Thursday to get to council. Some meetings have a minimal amount of documentation associated with the items on the agenda; some have an enormous amount. It has to do with staff time. The time of getting it together, get it electronic and linked to the appropriate items. Mr. Farmer stated I suggest putting a link. How hard can that be? I do not think it can be that hard. Deputy City Clerk Hediger stated I have only had 2-3 requests for a document. I can have that document to them while we are still on the phone. Typically, I am receiving the last of the documents on Friday, when trying to put together the packets and running close to the end of the day to get them to the police department for distribution. Councilman Hipskind stated I stopped coming to the meetings before I was elected, because I did not have the attachments. He suggested adding a note on the bottom of the agenda to contact you to request an attachment. Councilwoman Bellm pointed out that some may be of interest, but some, like transfer of grave space and MFT allocation, not such much. Mr. Farmer stated I know I can make a link and that is all it takes. Councilwoman Bellm pointed out even creating a link takes time to make sure that is directed to the correct spot. Deputy City Clerk Hediger noted while there is only a few items on the agenda, tonight, there were 52 links. All of these documents can be requested at any time, either by calling, emailing or coming into City Hall. Mr. Farmer stated it is important that people have access to this information.

Jeff Rehberger, Highland, Illinois, stated my great-great-grandparents came here. As I look at the wall of mayors, I personally knew seven of them. He asked, Councilwoman Bellm, did you assist Nancie Zobrist in making the budget for the Street Art Fest. Councilwoman Bellm replied yes. Mr. Rehberger

stated then you voted to approve funding for that budget. That is a conflict of interest. You should resign. You grandstand at every meeting. You think you should be the next mayor. I think you would be the worst mayor in the City of Highland. City Attorney McGinley stated this is not the place for this. Mr. Rehberger stated this is my five minutes. I can say what I want. He continued to Councilwoman Bellm by stating, you have stated that the tax money you wanted used for the art festival does not come the taxpayers of Highland. That is no one from Highland has ever paid for a room at the Baymount. What a stupid comment! You told the mayor at a hospital gala that you deserved to be the mayor; that it was your turn to be mayor. Mayor Michaelis inserted I have never been to a hospital gala. Mr. Rehberger responded it was to City Manager Latham. The mayor is an elected position; it is not a rite of passage. Highland will never allow you to be mayor. Councilwoman Bellm did not respond.

Requests of Council:

No comments or requests.

Staff Reports:

City Manager Latham reported the food truck ordinance draft is in the packet, for the council's review. We will try to make them available for the next meeting.

City Manager Latham reported on the progress on the roundabout construction. While they lost a day, today, they are down to final grading and seeding, along with signage and stripping. They had ninety workdays to get it done. They have not hit 50% of their days yet. They have done a fantastic job

UNFINISHED BUSINESS

Bill #19-62/ORDINANCE Amending Chapter 18 – Buildings, Building Regulations, and Municipal Codes, Specifically, the 2012 International Building Code, to Provide New Inspection Requirements for New Construction of One and Two Family Homes – Councilwoman Bellm made a motion to approve Bill #19-62/Ordinance #2947 amending Chapter 18 – Buildings, Building Regulations, and Municipal Codes, specifically, the 2012 International Building Code, to provide new inspection requirements for new construction of one and two family homes as attached; seconded by Councilman Frey. Councilman Hipskind stated I noticed that we are kicking over the inspections for the plumbing to the state. I did talk to a contractor on Friday. He said the state inspectors are good to deal with. He also did state that he has never waited for a plumbing inspection. It is hard to eliminate a job of a Highland resident that is very passionate about the job. I understand what we are trying to do. Councilwoman Bellm expressed I have the same concerns. I am reluctant to rely on the state for anything. We have electric inspections under control. I am concerned about plumbing inspections. Especially when no one else had an issue with the time factor. I am a big believer in trying to do it in house. Building & Zoning Administrator Breann Speraneo stated I do understand reluctance. These inspectors will still be called in for commercial and multi-family construction. The state is fairly responsive. The contractors and the other communities that I spoke with are very satisfied with the state inspectors. I spoke with state agency, also. They have hired another inspector in this area. They feel confident that they will be able to do the inspections within the twenty-four hours. We believe all inspections should be done during business hours; however, they are able to do them outside of standard hours. Councilman Hipskind asked if we have ability to do them in house, should we do what we can. Administrator Speraneo responded I feel we should try this. If it does not work out, then we can go back to doing them all in house. Councilman Frey expressed concern that the state changes rules a lot and is constantly doing budget cuts. I can go either way. I would rather be self-sufficient. Mayor Michaelis stated Breann has worked on this a lot. We put confidence in our directors and we need to listen to them on this proposal. Administrator Speraneo stated this proposal is the best solution. I understand the reluctance and wanting to work between doing them in house and through the state; however, that gets messy. The goal is to get to what the city needs to allow

builders to flourish. Roll Call Vote: Councilmembers Sloan, Frey, and Hipskind voted aye, Councilwoman Bellm voted nay. Councilman Hipskind stated he is reluctantly voting for this. Breann has done an excellent job on putting this together. Motion carried.

NEW BUSINESS

Approve Mayor's Reappointment of Members to the Parks and Recreation Advisory Commission – Councilman Frey made a motion to approve the mayor's reappointment of Steven "Tom" Mifflin and Brooke Lipe to the Parks and Recreation Advisory Commission, for three-year terms, to expire July 31, 2022 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Approve Transfer of Graves in City Cemetery - Frey to Sigler – Councilwoman Bellm made a motion to approve transfer of Grave Spaces 3 and 4, in Lot 27, of Block 24 from Todd Frey and Susan Frey to Hurbert R. Sigler and Elaine Sigler as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-83/ORDINANCE Declaring Personal Property of the City Surplus and Authorizing Its Sale and/or Disposal, Including 22 Refuse Dumpsters – Councilman Frey made a motion to approve Bill #19-83/Ordinance #2948 declaring personal property of the city surplus and authorizing its sale and/or disposal, including 22 refuse dumpsters as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-84/ORDINANCE Amending the Code of Ordinances, Chapter 90, Article III, Section 90-131, Lot and Building Requirements, Single Family Attached Dwelling (Villa), and Chapter 90, Article III, Division 11, Permitted Uses, Section 90-201, Permitted and Accessory Use Table – Councilwoman Bellm made a motion to approve Bill #19-84/Ordinance #2949 amending the Code of Ordinances, Chapter 90, Article III, Section 90-131, Lot and Building Requirements, Single Family Attached Dwelling (Villa), and Chapter 90, Article III, Division 11, Permitted Uses, Section 90-201, Permitted and Accessory Use Table as attached; seconded by Councilman Frey. Councilwoman Bellm reported there have been to a lot of Planning & Zoning meetings where they have dealt with these. These should never have been converted. It was done without the city's knowledge and illegally, I believe. These people have had to fork over their own money to get their properties mortgage and insured. I would like to commended staff for the time they have spent working on this. This is the best way to handle this. Administrator Breann Speraneo reported, in 2014, the city came up with a condo to villa conversion process. Many of the property owners did not realize they were a part of what would have been part of a homeowner association, which did not exist. With a condo, you share the yard and outside exterior. With a villa, there is a division of the property. People needed a way to sell their properties. It may have been a great solution at a time. Allowing this, outright, will allow people to convert villas under the state statue. I would like to add that Madison County is required to send a notice if there is an issue. Currently we were collecting mortgage statements and deeds. Frankly, the city does not belong in a state process. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-85/ORDINANCE Amending Chapter 78, Article VII, Section 78-732, of the Code of Ordinances, Entitled Schedule of FTTP Rates and Charges, Amending Charge for Customer's Failure to Return All Equipment in Undamaged Condition Upon Termination of Service – Councilman Frey made a motion to approve Bill #19-85/Ordinance #2950 amending Chapter 78, Article VII, Section 78-732, of the Code of Ordinances, Entitled Schedule of FTTP Rates and Charges, amending charge for customer's failure to return all equipment in undamaged condition upon termination of service as attached; seconded by Councilwoman Bellm. Councilwoman Bellm asked has this been a problem. Director Angela Imming

replied it has. Technology moves very quickly. This was originally written when technology came in a different form. We have replaced the switch, router, and connection outside of the home with one item. When it is not returned, we need to replace that technology at its existing price. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-86/RESOLUTION Waiving Competitive Bidding Requirement and Approving and Authorizing the Execution of a Licenses and Services Agreement with Tyler Technologies as a Sole Source Purchase – Councilwoman Bellm made a motion to approve Bill #19-86/Resolution #19-07-2629 waiving competitive bidding requirement and approving and authorizing the execution of a licenses and services agreement with Tyler Technologies as a sole source purchase as attached; seconded by Councilman Frey. Councilman Hipskind asked why we are waiving competitive bidding requirement. Director Imming explained in all municipality letting there is that for design solution or notice of municipal letting for standard product. In a software application, it would be very costly. What the team and I did was write down what functionally all the departments needed and then mirrored it up with our municipal policy of keeping everything here on site, rather than out on a cloud or remote database site. There were four different pieces of software evaluated. The team gave each proposal of software a rating. The reason for this waiving is you can only buy that from selected dealers. Councilwoman Bellm inquired all the departments can use this software. Director Imming replied yes, and Tyler Technologies deals in this area of software. Councilman Hipskind stated Tyler Technologies actually has software to do filing for court systems, which I found out recently. The paralegals have not had issues with it. Have we spoke with some other municipalities that use the software? Director Imming reported the software can be complicated in setting up the procedures within it. The professional services amount is high for that reason. As the application analyst, I anticipate at least 30% of my week will go towards this. In Breann’s department (Building & Zoning), they can expect 20-25 hours per week of staff time. Tyler is the largest software company in this space. Our police department uses it, as does Glen Carbon. Highland Community Schools uses it for school bus scheduling. Peoria uses it for their payroll software.

Councilman Hipskind asked what the benefit of this is. Director Imming explained we want to make it easier for people to do business with the city. Mr. Farmer was talking about wanting the information. Permitting forms, status of inspections, occupancy inspection requirements and scheduling of inspections, etc. We have to allow people to access and submit requests 24/7. Administrator Speraneo added for citizens it can be a tedious process to get a permit. We have several different types of permits, which can be confusing, unless they are a contractor. Sometimes they need us onsite. The goal would be that all of this can be communicated back and forth. People are always welcome to come in and we can help them through the process. Director Imming added this software will allow us to pulls metrics. You can see when things are submitted and when we responded. You can see the amount of things going through and in the different areas. This will help us see where more help is needed and enable us to make better decisions. Councilman Hipskind asked will this allow for payment of utility bills online. Director Imming replied yes. Police Sergeant Arik Steinbeck reported she (Angela) spoke for me. This is important for us, as far as people wanting to apply for liquor licenses, boat licenses, day (boating/fishing) passes, dog tags, etc. Director Imming summarized making things easier is the goal. Councilwoman Bellm added this move us into the twenty-first century. Mayor Michaelis thanked Councilman Hipskind for asking. I feel we should ask that question every time a director makes a request to waive bidding. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-87/RESOLUTION Waiving a Portion of Building Permit Fees for Commercial/Industrial Plan Review for Cottage Hill Development, LLC, Developer of Flax Meadow Townhomes – Councilman Frey made a motion to approve Bill #19-87/Resolution #19-07-2630 waiving a portion of building permit fees for Commercial/Industrial Plan Review for Cottage Hill Development, LLC, developer of Flax Meadow Townhomes as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-88/RESOLUTION Appropriating Motor Fuel Tax Funds (Amended Amount) for the Maintenance of Streets and Highways and Approving the Amended Estimate of Maintenance Costs – Councilwoman Bellm made a motion to approve Bill #19-88/Resolution #19-07-2631 appropriating Motor Fuel Tax Funds (amended amount) for the maintenance of streets and highways and approving the amended estimate of maintenance costs to \$282,000 as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Award Bid MFT Section 20-00000-00-GM for the 2020 Motor Fuel Tax Materials – Councilwoman Bellm made a motion to approve Award Bid MFT Section 20-00000-00-GM for the 2020 Motor Fuel Tax Materials as follows: CA-7 Aggregate, to Mike A. Maedge Trucking, Inc., in the amount of \$9,720.00; CA-6 Aggregate, to Mike A. Maedge Trucking, Inc., in the amount of \$4,820.00; Grit (CM-13 Slag), Beelman Logistics, LLC, \$264.00; Seal Coat Furnished & Delivered, Beelman Logistics, LLC, \$23,000.00; MC-800 Prime, Furnished & Applied, JTC Petroleum Company, \$17,009.52; HFRS-2 – Emulsion, Furnished & Applied, Mike A. Maedge Trucking, Inc., \$42,852.70; and, Seal Coat Aggregate Hauled and Spread, DeLaurent Construction Co., Inc., \$23,750.00. Motion seconded by Councilman Frey. Councilman Hipskind asked for an explanation of what this is, for those in attendance. Public Works Director Joe Gillespie explained these are for materials we use for the maintenance of the streets. Most are for the oil and chip process; and, some are for backfill when we have a main repair. Councilman Hipskind asked how we get these bids. Director Gillespie reported all of these items are put on the state’s website for notice of municipal letting (NOML). They submitted a bid for these items. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Approve Notice of Municipal Letting, Bid #PW-03-18, for the CSXT Railroad Culvert Modification Project – Councilman Frey made a motion to approve Notice of Municipal Letting, Bid #PW-03-18, for the CSXT Railroad Culvert Modification Project as attached; seconded by Councilwoman Bellm. Mayor Michaelis asked Director Gillespie to explain the history of this project. This is very important to this community. Director Gillespie reported, in 1986, FEMA put together a floodplain map that had 100-year elevations on it. Things had been built to that. About ten years ago, FEMA decided to do a study and changed the elevation by 7-8 feet higher than it was previously. We contracted with Oates Associates to check those elevations. They verified that FEMA’s numbers were correct. They found that the culvert extension put under the Poplar Street was smaller than the railroad culvert, with an extension of a smaller box culvert. By doing that, water is not able to flow as quickly. This project will remove that small box culvert and put the same size extension in, as the original line. By doing this, it lowers the floodwaters in that area and significantly reduces the number of properties that would have to get flood insurance. Mayor Michaelis asked what would be the effect if we did not do this. Director Gillespie responded, if we do not do anything, it would effect a significant number of properties in that area. Mayor Michaelis added, if in floodplain, these properties would have issue with getting insurance and in selling their homes or businesses. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

REPORT

Approve Warrants #1135 & #1136 – Councilwoman Bellm made a motion to approve Warrants #1135 & #1136 as attached; seconded by Councilman Frey. Councilwoman Sloan stated she would abstained, stating I work at McGinley, Inc., in the finance department, and there is a payment in here to McGinley, Inc. Councilman Hipskind inquired this is to allow for the payment of these bills. Councilwoman Bellm replied yes. The copies of those bills are in this file box behind us at every meeting. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Councilwoman Sloan 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)(5) to discuss the purchase of real property. Motion seconded by Councilman Frey. Roll Call Vote: Hipskind, Bellm, Frey and Sloan voted aye, none nay. Motion carried. Meeting adjourned at 8:08pm.

Mayor Michaelis reconvened the Regular Session at 8:53pm. Council members Hipskind, Bellm, Frey and Sloan were present. Others in attendance were City Manager Mark Latham, City Attorney Michael McGinley, Deputy City Clerk Hediger, and City Clerk Bellm.

Mayor Michaelis stated that nothing discussed in Executive Session would be acted upon tonight.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Frey. All council members voted aye, none nay. Motion carried and meeting adjourned at 9:02pm.

Joseph R. Michaelis, Mayor

Barbara Bellm, City Clerk