

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, SEPTEMBER 16, 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 McGinley, Directors Conrad, Cook, Gillespie, Korte, Rosen and Slover; B&Z Administrator Speraneo, Treasurer Foehner, Deputy City Clerk Hediger, City Clerk Bellm, 13 citizens, and one member of the new media.

MOMENT OF SILENCE

Mayor Michaelis read a document that he wrote for release to local organizations and businesses upon receiving notification of W.J. “Bill” Stieb’s passing, requesting local flags to be lowered to half-staff from sunrise September 13 through sunset on Monday, September 16, 2019. A moment of silence was observed to pay tribute to the life, service, and memory of W. J. “Bill” Stieb who served as Mayor of the City of Highland from 1973 – 1977 and later as City Councilman from 1995 – 1999.

MINUTES

Councilwoman Bellm made a motion to approve the minutes of the September 3, 2019 Regular Session as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

PROCLAMATION

Mayor Michaelis read a document proclaiming September 17 – 23, 2019 as Constitution Week. Cheryl White, Regent of the Silver Creek Chapter of the National Society of the Daughters of the American Revolution, and Charlotte Digue, Vice Regent, were present to receive the Proclamation. Cheryl White reported we meet as a group, the second Saturday of each month, at the Louis Latzer Memorial Library. , we strongly support the Constitution of the United States, protecting the freedom granted to us, promoting patriotism, assisting veterans and, specifically, this year, to help domestic violence victims.

PUBLIC FORUM

Citizens’ Requests and Comments:

2019 Art in the Park Sign Placement Request – Lynnette Schuepbach, Highland Arts Council, presented a map of where the Highland Arts Council would like to place signage for the Art in The Park.

She reported that, with help of the Highland Area Community Foundation, we have purchased and are requesting to put up four feather flag signs at major intersections. This is in addition to the 20-25 directional signs as noted on the map. Signs would go up on Thursday and be taken back down on Monday, following the event. This event usually bring in about 9,000 people. Councilman Frey made a motion to approve the placement of advertising signs Thursday, October 10 and coming down on Monday, October 14. Motion seconded by Councilman Hipskind. Councilman Hipskind asked are these in government right of ways. Lynette replied yes. She stated they would do the best they can to make them not a distraction to drivers. Councilman Hipskind explained he inquired because he thought it was nice they asked for permission. Roll Call Vote: Sloan, Frey and Hipskind voted aye, none nay. Councilwoman Bellm abstained, as she will be a vendor at the event. Motion carried.

2019 Chamber of Commerce Christmas Parade Request – Penny Korte, Chamber Representative, requested use of the parade route and downtown Square to host the Lighted Christmas Parade and the downtown lighting ceremony on Friday, November 29, 2019. The parade will start at 6:30pm, from the Highland Primary, proceed west on Lindenthal Avenue to Washington Street, then north on Washington Street, crossing Broadway, then turning west on Main Street, and then south on Laurel Street, ending at the corner of Laurel and Broadway. We are requesting use of the Square facilities, from 5:00pm through 10:30pm, assistance with traffic control from the police department for the event, and electrical staff available for any lighting issues that may arise. This is the same as in years past. Councilwoman Bellm made a motion to approve the street closures, facilities, and assistance for the Lighted Christmas Parade and Lighting Ceremony on Friday, November 29, 2019 as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

The Fest—5K Leap for Kids & Pets on Parade Request -- Heather Pearson, Event Organizer, requested permission to hold a charitable 5K run and 1-mile pet walk on Sunday, October 6, 2019. Ms. Pearson stated each year she does a photo shoot day for pets, as a fundraiser. This year, she wanted to ramp it up and host a run and walk to benefit both Leaps of Love and Highland Animal Shelter. The event would start and end at The Olde Wicks Factory. Both events would utilize Zschokke Street and streets within the Woodcrest area.

2019 Trick or Treat Trail Square Use Request – Marshall Rinderer, Committee Chairman, explained we are planning to hold the event on Friday, October 25, 2019 and would like to reserve the Square to host “Treats on the Streets,” to take the place of the News Leaders Trick or Treat Trail. We are still ironing out the details. The plan is to begin on the square and end at the library. The Scavenger Hunt will be a little different. Councilwoman Bellm made a motion to approve use of the Square on Friday, October 25, 2019 for “Treats on the Streets” as requested; seconded by Councilman Frey. Councilwoman Bellm expressed thank you for picking this up. Councilwoman Sloan asked if they are still going around to local businesses for participation in the event. Mr. Rinderer stated we are asking those further away from the Square to set up uptown, so people do not have to drive. There will be some sponsorship opportunities, but other than candy provided there would be no additional costs. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Johnny Kapp stated I had a fire at my house, last week. I am so grateful the fire department was able to save everything. The firefighters were there within about two minutes. I was in shock to drive up and realize it was my house. On October 11, the KC will honor the fire department at the Queen of Hearts. You do not realize how much it means to have these people, until it is your home. I am so grateful to the City of Highland and the first responders. Mayor Michaelis stated no one could have said it any better.

Requests of Council:

No comments or requests.

Staff Reports:

Mayor Michaelis stated for the last couple of meetings, I have been talking about Lt. William Tschudy's visit to Highland, which will be September 27 & 28. I have asked Lana to provide an itinerary of the events, so the council and everyone knows what will be happening. Mayor Michaelis suggested someone post it on social media. Councilwoman Sloan stated she would get a flyer made up and post on Facebook.

NEW BUSINESS

Bill #19-108/ORDINANCE Designating Depositories for the Funds and Money of the City – Councilman Frey made a motion to approve Bill #19-108/Ordinance #2957 designating depositories for the funds and money of the City as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-109/ORDINANCE Declaring Personal Property of the City Surplus and Authorizing It's Disposal Miscellaneous WRF Equipment – Councilwoman Bellm made a motion to approve Bill #19-109/Ordinance #2958 declaring personal property of the city surplus and authorizing it's disposal miscellaneous Water Reclamation Facility equipment as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-110/ORDINANCE Amending the Municipal Code, Chapter 6 – Alcoholic Liquor, Increasing the Maximum Number of Gaming Machines Permitted in any Appropriately Licensed Establishment from Five to Six, in Accordance with Changes in Illinois State Gaming Law – Councilman Frey made a motion to approve Bill #19-110/Ordinance #2959 amending the Municipal Code, Chapter 6 – Alcoholic Liquor, increasing the maximum number of gaming machines permitted in any appropriately licensed establishment from five to six, in accordance with changes in Illinois State Gaming Law as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-111/ORDINANCE Repealing and Replacing Chapter 90 -- Zoning, Article II -- Administration and Enforcement, Division 3 – Applications, Permits and Fees, Sec. 90-63 - Site Plan – Review Procedures – Councilwoman Bellm made a motion to approve Bill #19-111/Ordinance #2960 repealing and replacing Chapter 90 -- Zoning, Article II -- Administration and Enforcement, Division 3 – Applications, Permits and Fees, Sec. 90-63 - Site Plan – Review Procedures as attached; seconded by Councilman Frey. Councilwoman Bellm stated this is taking it out of the Planning & Zoning Board for review. Building & Zoning Administrator Breann Speraneo explained this is something that can be streamlined. Anything requiring a variance or Special Use Permit would still go before the Planning & Zoning Board. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-112/ORDINANCE Repealing and Replacing Chapter 90 -- Zoning, Article IV -- Supplemental Regulations, Section 90-209 -- Home Occupations – Councilman Frey made a motion to approve Bill #19-112/Ordinance #2961 repealing and replacing Chapter 90 -- Zoning, Article IV -- Supplemental Regulations, Section 90-209 -- Home Occupations as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-113/RESOLUTION Waiving Normal & Customary Bidding Procedures and Authorizing Execution of Contract with J.F. Electric for Construction of Fiber Cabinet LCP04 – Councilwoman Bellm made a motion to approve Bill #19-113/Resolution #19-09-2644 waiving normal and customary bidding procedures and authorizing execution of contract with J.F. Electric for Construction of Fiber Cabinet LCP04 as attached; seconded by Councilman Frey. Councilman Hipskind expressed I am not a real huge fan of waiving the competitive bid process. What obligation do we have? City Attorney Mike McGinley advised any project in excess of \$25,000 for municipal projects needs to go through the bid process. At, \$207,000, this is over that amount, so need to have a super majority vote to approve a contract for a job that would normally have been bid. The reason we have normally used this provision, in the past, when the contractor knows the job better than that of others. We normally will feel out what the cost would have been with other contractors, to know that this is a good cost. Councilman Hipskind asked if we put this out for bid, do we have to take the lowest bid. Attorney McGinley replied we do not have to take the lowest bid; however, we would have to believe that it is the best interest to reject all bids and then waive the bid process.

Councilman Hipskind expressed I see the free market as a good and feel it keeps thing competitive. He asked Director Cook why we feel J.F. Electric is the best way to go. Director Dan Cook reported, about a year ago, we obtained a number for the final build of the system, for a budgetary estimate. Councilman Hipskind noted this is going to his neighborhood, so he is grateful for that. Director Cook reported, last year we received several quotes from other vendors, including Telecom Contractors, for \$207,690. Prevailing wage increases changed those numbers, a few months ago. The people from J.F. Electric have done several projects with the system over the last several years. I believe there will be a \$50,000-\$100,000 savings. Councilman Hipskind inquired, if this went out for bids, the numbers will be more because of prevailing wage increases. Director Cook stated they will be. When these other companies come down, they have to check into the local union hall. Councilman Hipskind asked why is J.F. Electric's cost not going to go up as much. Director Cook replied because they know the work. J.F. has intimate knowledge of the rock in the ground, the connections setup, and the work environment. Their staff has intimate knowledge of our fiber system and our equipment, because several of their employees formerly worked for us on this system. Since they are familiar with us, they will utilize some of our equipment. Others will lease equipment from a rental company, in the area. We have an indemnity agreement in place with J.F. Electric for the use of our equipment by their employee, so if someone is injured using the equipment, the City of Highland is not liable. Councilman Hipskind asked who drafted that. Director Cook replied Attorney McGinley. Councilman Hipskind expressed I am not in favor of just handing over contracts. What is the downside of opening this up for competitive bids? Director Cook stated we can do that. I do believe in keeping business and work local. Several of J.F. Electric's employees are local and this keeps the work local. If we chose to go out, J.F. may see that as negative and may not be as apt to bend over backwards to work with us emergencies. Councilman Hipskind stated I do not like the fact that they have three of our employees. It worries me that not going out for bids we set precedence that discourages other companies from not bidding projects in Highland because the projects are given to preferred vendors. Director Cook stated we released these employees, because we did not have this work available at that time. They did not come in and cherry pick them away from us. I am not a fan of waiving the bid process; however, this is the most cost effective and keeps citizens working local. Councilman Hipskind stated I do not want to encourage other directors to make this a precedence. I want to make sure the taxpayers are getting the best bang for their buck. I will vote for it at this time. Mayor Michaelis expressed I agree with John. This came up a few years ago. I think we have to have confidence in our directors and the information that they provide. He said the words that this is in the best interest of members of the community to do this. Councilman Hipskind added I was upset with myself for voting for waiving the bidding procedure a couple meetings ago, I spoke with Director Imming regarding that. I think sometimes it is in the best interest to open it up and see what bids do come in, even if it is that one proposal. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #19-114/RESOLUTION Approving Change Order Number One submitted by Plocher Construction Company, Inc. for Water Reclamation Facility Improvements Pursuant to Contract Number PW-06-17 – Councilman Frey made a motion to approve Bill #19-114/Resolution #19-09-2645 approving Change Order Number One submitted by Plocher Construction Company, Inc. for Water Reclamation Facility Improvements Pursuant to Contract Number PW-06-17 as attached; seconded by Councilwoman Bellm. Councilwoman Bellm noted this is actually decreasing the amount by \$1,464,780.79. Public Works Director Joe Gillespie reported the bids for this project came in higher than anticipated. In order to get this into budget, our engineer (CMT) working with the contractor, Plocher Construction, we were able to negotiate and get something things taken out of the project, while still making the necessary improvements. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Approve Notice of Municipal Letting, Bid #PW-18-19 for Purchase of One New Pickup Truck for the Water Reclamation Facility – Councilwoman Bellm made a motion to approve Notice of Municipal Letting, Bid #PW-18-19 for purchase of one new pickup truck for the Water Reclamation Facility as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

REPORT

Approve Warrants #1141 & #1142 – Councilwoman Bellm made a motion to approve Warrants #1141 & #1142 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 7:45pm.

Joseph R. Michaelis, Mayor

Barbara Bellm, City Clerk