

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, MARCH 2, 2020**

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 Latham, City Attorney McGinley, Directors Conrad, Cook, Gillespie, Imming, Kim, Korte, Rosen, and Speraneo; Coordinator Hubbard, Fire/EMS Chief Wilson, Aquatics Manager Wilken, Deputy City Clerk Hediger, City Clerk Bellm, 21 Girl Scouts, 9 citizens, and one member of the news media.

PROCLAMATION

Mayor Michaelis read a document recognizing 2020 as the 108th year of Girl Scouts and proclaiming March 8-14, 2020 as Girl Scout Week.

MINUTES

Councilwoman Bellm made a motion to approve the minutes of the February 18, 2020 Regular Session 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:

Make-A-Wish Hot Chocolate Walk, Square Use Request – Sue Messerli, Local Organizer, requested to hold a Hot Chocolate Walk. Normally, this is something local organizations do. I had to convince them that this was the place to hold this. They wanted a larger venue, like Belleville. However, the illumination of the Square and the houses makes the perfect backdrop. I have invited a couple of Make-A-Wish recipients and their families from the Highland area for the event. I will be looking for \$20,000 in sponsorships for the event. Councilwoman Bellm made a motion to approve use of the Square for Make-A-Wish Hot Chocolate Walk on December 4, 2020 from 5:00-7:00pm, per request submitted; seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Jerome “Blackie” Kuhl, stated, a police officer, with his pretty blue outfit on, told me that I should get a job, and do something worthwhile, because I have not amounted to anything. My job is going to be babysitting the city fathers. I have a couple of things: A lot of people asking why we have to put areas in with retainers. Along with that, I was wondering how we can put in a fancy big parking lot and do not have a place for the water to go. I am also wondering about the golf carts. We are going to try to get them, even if we have to go out of state to get them. Just like the dogs, sell the white cars and get the brown ones. I was told by police officer that you don't want to screw around with brown uniforms, they slap you around. I can tell you I have only gotten help from brown uniforms. I think there is a lot of

people that would like these golf carts. I was going over it with 4-5 people. We have a city with vehicles. There does not seem to be a legal way to do it. Yet, you put campers alongside of curbs all winter long. Cars parked the wrong direction along the street. Years ago, I got a ticket for parking a backhoe the wrong direction. Now we are going to add golf carts to it. I know the electric department says you cannot do this or that, but there are 4-5 places in town with electric cords that are run 100 ft. or so to campers and other things. Things are going to be coming up, because I have a new job. Got a problem with it, go talk to the police. They told me to get a job.

Mayor Michaelis asked Chief Conrad if he knew anything about this. Chief Conrad reported the police officers had interacted with “Blackie” during a fire call. Mr. Kuhl concurred there was a fire by my house. I was on the other half of the alley. Anyway, a young gentleman grabbed my shoulder and told me I need to get on the other side of the line. I thought about pulling my feeding tube to get some money, because who would have known if they did it. Two officers told me I did not belong there. The little one told me I don’t want to mess with brown uniforms. Since I started this story, I thought you should hear this. I know their names, but I am not going to say them here. Mayor Michaelis suggested you talk to the Chief of Police in private. Mr. Kuhl responded that is what the problem is with keeping things private. I will tell the Chief their names in private, but we can do it with the city council news too. Mayor Michaelis stated he will have Chief come forward to discuss golf carts, later.

Requests of Council:

No comments or requests made.

Staff Reports:

Mayor Michaelis stated, a couple weeks ago, I brought up the concern about the Coronavirus sweeping across the country. Chief of Police, City Manager Latham and I met with the hospital representatives. The numbers in the US are starting to increase. We have to be prepared for the worst-case scenario. This is a worldwide problem. If any, thing it tests our preparedness.

NEW BUSINESS

Discussion - Golf Carts on City Streets – City Manager Latham stated Mr. Kuhl came and spoke about six weeks ago about this. Chief Conrad put together some information from several different cities that allow for golf carts. Director Conrad reported there are state statues that allow for these types of vehicles. In 2009-2010, this was enacted and a few communities allowed for this shortly after. Salem and Breese are the two in this area. The vehicles must travel less than 25mph, and are not allowed to operate on state-controlled roadways. If county has not enacted ordinance, and the roadway divides city limits from county, they would not be allowed on those streets, as well. Included in the information provided to the council is a Q&A memo that covers that. There are inspection checklist and registration processes required and we would need to figure out how to regulate those. Those are a few challenges that we need to look at. It would take a little bit of work, because of the state routes that intersect us in different areas. Basically, I gathered this information and asked to be a discussion item for the council. Part of recommendation is that we get with cities of Breese and City of Salem, and find out why they made the changes they have made over the years. Mr. Kuhl stated, as far as crossing city streets. Golf carts are bigger than kids; however, kids are allowed to cross at roundabouts. Kids 5-6 years old. We have roundabouts that are big waste of money. I think we should check. People in golf carts should be as important as any people. The State of Illinois claims you can have a backhoe; however, if it does not have a sign on the back of it, it is illegal as hell. You can show them state boys you are as right. How would it be taxed? Would you allow it at night? What about insurance requirements?

Councilwoman Sloan expressed a major concern is who is going to be regulating all of this. On top of that, are they crossing in the right places or are they on a street they should not be on? Mr. Kuhl stated you can make rules as much as you want. If you were born in older days, there was no car seats; there were no turn signals on cars before that. All those things can be added. City Attorney McGinley read state statute, which states all neighborhood vehicles must have signals, seatbelts, brake lights, turn signals, and valid insurance all according to state statute. Mr. Kuhl asked what about scooters. Chief Conrad responded we have been very fortunate and courteous with people on these vehicles. Councilman Hipskind asked how this would affect your department. Chief Conrad acknowledged it would be a challenge for our department with registration and determining where and when they cannot operate, because of the state regulations and the state highways that intersect. Before making a public opinion on this, I would want to discuss this with the cities that have this in place already. Councilman Hipskind suggested we could try this out on a day our weekend, such as Kirchenfest or Schweizerfest weekend.

Councilman Frey noted we discussed this a few years ago. It was voted down unanimously. Primarily because of all the state routes intersecting the different parts of town. If they crossed and have accident, what would the liability be? City Attorney McGinley pointed out that Highland is a member of the Illinois Municipal League (IML) and they have provided a lot of information on this as well. He read: Where there may be some benefits, there is the potential for increased safety concerns and liability; as such, vehicles may pose a threat to public safety due to size and lightweight of the vehicle. Injury rates are on the rise, as are collisions between UTVs and vehicles. It provides an additional tort liability. We are subjecting the community to more liability, if we chose to allow those vehicles to be on the streets. Mr. Kuhl contended those vehicles have a lot of guarding with them. If the guy driving the big car has some rights, the guy driving the little car should have the same rights. Chief Conrad reported these are popular in senior citizen communities and work well, because of limited thru traffic. The Northtown area becomes a more difficult area because while designate an area. Mr. Kuhl stated they should have same right as a person riding a scooter. A lot of things, there are a lot of rules. It is all in the ordinance. As far as the councilwoman (Councilwoman Sloan) there, the turn signals can be added. Mayor Michaelis stated Chief Conrad has given us some information. Until all the research is done, as far as meeting with the other communities and finding out the changes they have made over time and why, I am not sure we can make a decision at this time. Chief Conrad added Segways and scooters that go less than 10mph are treated as bicycles under state statute. Mayor Michaelis stated at this point, we are open for advice. If it is a good thing for Highland, than it is. If it is not. Councilwoman Bellm stated can tell you put considerable time in to this. I am concerned about the amount of time we are putting into this, but if others feel it is worthwhile, then fine. Mr. Kuhl interjected if it takes too much time for this, then what are you doing this for your town. You are elected to serve people.

Bill #20-29/ORDINANCE Declaring Personal Property of the City Surplus and Authorizing Its Sale and/or Disposal, Specifically, Electric Department Equipment, Including Itron Electric Meters and Assorted Electrical Construction Hardware – Councilman Frey made a motion to approve Bill #20-29/ Ordinance #3002 declaring personal property of the city surplus and authorizing its sale and/or disposal, specifically, electric department equipment, including Itron Electric Meters and assorted electrical construction hardware as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-30/RESOLUTION Approving and Authorizing Execution of a Proposal for Professional Architectural Services with FGM Architects, Inc. for a New Outdoor Swimming Pool – Councilwoman Bellm made a motion to approve Bill #20-30/Resolution #20-03-2699 approving and authorizing execution of a proposal for professional architectural services with FGM Architects, Inc. for a new outdoor swimming pool as attached; seconded by Councilman Frey. Brian Harkin, Architect with FGM Architects, Inc., stated I am here to approve two documents. What you have before you tonight is the master agreement with FGM and project authorization for the feasibility study of amenities, site study,

and getting the biggest bang for the buck with features for the pool, based upon budget. When it is decided what makes the best sense as far as site, we would then develop the bid documents. As far as the schedule: The feasibility study is set for three months, taking us to Memorial Day.

Councilwoman Bellm stated I would like to make it very clear that I would love to see a new swimming pool. I want it made very clear. But, I would like to know how we are going to pay for it. We have talked about the bond payments of the Korte Rec Center (KRC) will be paid off soon. City Manager Latham reported the final payment will be in October, which was \$435,000 per year. Councilwoman Bellm stated some of that money for bond debt payment has to go to KRC, because it needs work. It has come out of each of the councilmembers that some of the money needs to go into KRC to take care of what we have. I am not sure where the money is going to come from for a \$3.5M pool. I need to hear where it is coming from. City Manager Latham reported Mark Rosen and I have worked with (Finance Director) Kelly Korte on funding options and department budget needs. We know it is going to cost \$1.4M to do something with the existing pool. Kelly Korte reported \$3.5M bond would be about \$240,000 annually, which leaves us with about \$100,000 for the Korte Rec Center and the other \$100,000 would go towards the other parks. City Manager Latham stated that is what we are presenting in the upcoming budget discussion. I know we initially said \$5M pool; however, we have taken it down. We feel that will be sufficient for the community. Councilwoman Bellm expressed I am not sure I am comfortable with borrowing money for a pool. I can justify borrowing money for a public safety facility or waste reclamation facility. Those serve the whole community. While a pool serves a great portion of the community, it is considerable amount of money. Is everyone comfortable with borrowing money? Councilman Frey stated if borrowing money now is the time to do it. To spend \$1.4M on the existing pool does not make any sense. Councilwoman Bellm stated I want you guys to convince me that borrowing this kind of money for this is the right thing. How long is that bond? Director Korte replied twenty years. Councilwoman Bellm pointed out that twenty years to pay it off, and in twenty years, that pool will need to be redone. I don't have the answer. I don't want to take money out of reserves, but I know we need to do something. Councilman Hipskind stated there is an enormous amount of people that use the pool. These meets bring in a ton of people. I don't want children from other communities or our community getting injured in that pool. No one blinked an eye when we enacted the senior center, and I think that is an even smaller segment of the community that uses it. He asked Director Rosen how long can this pool live. Director Rosen stated every year it is questionable. I have stated the baby pool will not open this year. Councilman Hipskind reported I was at the KRC yesterday; it was packed. A lot of people from out of town.

Brennan Hartin, AIA, with FGM, reported this next phase, with the feasibility study, will look at operational costs, rentable spaces, and fees. There is no rentable spaces and values brought back into the community with the existing pool. This will be all in the presentation of the feasibility study. Councilman Frey pointed out, just to keep the current pool operating; we have been spending close to \$40,000. In addition to the savings on operations costs, realtors feel the pool is a huge attraction. Councilwoman Bellm asked Councilman Frey if he is comfortable with borrowing money. Councilman Frey responded more than I am with shutting down our pool. Director Rosen pointed out people from Troy and Collinsville come in for swimming lessons. They don't just do the lessons and leave. There is a residual effect. Councilwoman Bellm responded I agree. I just don't like to borrow money. Councilman Frey stated in business, you have to spend money to make money. Director Rosen stated we would apply for grants to try to potentially offset some costs. Councilwoman Bellm stated I would like to be comfortable with borrowing money before we move forward; otherwise, there is no reason to go forward. Councilwoman Sloan stated I understand your concerns. Councilwoman Bellm added I want to make sure we have money for the parks and KRC. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-31/RESOLUTION Approving and Authorizing the Execution of Project Authorization Number One with FGM Architects, Inc., for Feasibility and Planning for a New Outdoor Aquatic Center – Councilman Frey made a motion to approve Bill #20-31/Resolution #20-03-2700 approving and authorizing the execution of Project Authorization Number One with FGM Architects, Inc., for Feasibility and Planning for a New Outdoor Aquatic Center as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-32/RESOLUTION Approving and Authorizing Execution of a Proposal for Civil Design Engineering Services with Curry & Associates Engineers, Inc. for the Public Safety Building – Councilwoman Bellm made a motion to approve Bill #20-32/Resolution #20-03-2701 approving and authorizing execution of a proposal for civil design engineering services with Curry & Associates Engineers, Inc. for the Public Safety Building as attached; seconded by Councilman Frey. Councilman Hipskind asked Chief Conrad if by switching to Curry we are doing anything that has not been done. Chief Conrad reported we brought civil engineer in with Loyet & Associates. We had some concerns with what the civil engineer was requiring. We did an internal review with Director Gillespie and some other outside engineers. We were not seeing the savings from that civil engineering firm, so we requested Loyet interview some different civil engineering firms. Based upon cost proposals and past experience with Curry, we are selecting them, going forward, to be handling our civil engineering for this project. They will handle all the groundwork on everything before we put the first brick into the ground on the building. We were looking for some saving and we feel we can do that with this change. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-33/RESOLUTION Waiving Normal & Customary Bidding Procedures and Authorizing Execution of an Agreement with Fidelity Cablevision, LLC, for Minerva Licenses and Technical Support as a Sole Source Purchase – Councilman Frey made a motion to approve Bill #20-33/Resolution #20-03-2702 waiving normal & customary bidding procedures and authorizing execution of an agreement with Fidelity Cablevision, LLC, for Minerva Licenses and Technical Support as a sole source purchase as attached; seconded by Councilwoman Bellm. Councilman Hipskind stated I realize Fidelity is in close relationship with us. Is there anyone else in close proximity to us that could provide the Minerva Licenses and technical support? Director Angela Imming explained we could buy the licenses direct from Minerva, but we would not get the support. By purchasing the licenses from Minerva, we get support for all the other end user items. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-34/RESOLUTION Waiving Normal & Customary Bidding Procedures and Authorizing Execution of a Contract with J. F. Electric for Construction of Fiber System – Councilwoman Bellm made a motion to approve Bill #20-34/Resolution #20-03-2703 waiving normal & customary bidding procedures and authorizing execution of a contract with J. F. Electric for construction of fiber system as attached; seconded by Councilman Frey. Councilman Hipskind asked Director Cook to answer some questions. Councilman Hipskind stated, as you know, I am not a huge fan of waiving normal and customary bidding. If we want to attract businesses into the area and get the most competitive pricing. There is the issue with a couple of our past employees working there. I talked to you before, and you make a convincing argument. They are a good company, good work and reasonable price. Director Cook reported we did get budgetary numbers from four other companies. At that time, the bids received are consistently higher. J.F. Electric is staying with their rates for this proposal. These were for prior to prevailing wage increases. Chances are very good that the change in prevailing wage will have increased the others. I set a precedent with J.F. Electric, allowing them to use our equipment. Other contractors transport their equipment in or lease equipment, if from out of the area. Councilman Hipskind asked why did J.F. not increase their prevailing wage. Director Cook replied they have. Theirs is \$99.50 per hour and a truck with that. The last job, the bid was \$207,000 and it ended at \$180,000. Councilman Hipskind asked why the costs comes in cheaper. Director Cook explained part is they don't have to pay per diem,

because the people live in the area. Councilman Hipskind asked have you tried to negotiate costs with other companies. Director Cook replied I have not.

Director Cook explained the proposal in front of you is to split finishing the final cabinet into three phases. J.F. Electric was \$552,000. The next lowest was \$561,000 and that is prior to change in classification. J.F. Electric staff has intimate knowledge of our system. Otherwise, we have to get engineering staff for splicing. With the bidding process, we are looking additional cost of \$15,000. The economy is quite good right now, so they are quoting higher rates. Mallord just attended a conference and several other communities are venturing into this. In order to finish this, J.F. Electric is the best way to go. Councilman Hipskind asked why we can't just finish this project. Why are we splitting it up? Director Cook explained we are using funds out of the electric department. \$200,000 I can get out of the budget; however, I don't think I can find \$552,000 in electric department's budget. The sooner we complete it, the sooner HCS can establish a customer base. Director Imming noted we have a 54% take rate overall. Director Cook pointed out we committed to the community to provide HCS to everyone inside city limits that the electric department serves. Councilman Hipskind asked what would it take to just do it all and finish it. City Manager Latham asked Councilman Hipskind if he is suggesting waiting and doing it all at one time. Director Cook reported it would take seventy-five workdays to complete this phase. To finish the full cabinet, which would serve Evergreen Court, Prestige Estates and Lakeview Hills, that would be the complete project and would be the end of the build out inside of city limits. Councilwoman Bellm clarified we got the money to do a small portion in this year's budget and the rest will be in the next budget. Councilman Hipskind made a motion to table. No second of the motion. City Attorney McGinley advised the council, if they wanted to do the whole project and finish out the cabinet as one project, rather than three phases, as presented here, then vote it down and start over. Director Cook stated with it being one project, he could possibly get better pricing on materials. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted nay, none aye. Motion failed.

Award Bid #PW-17-19 for Construction of the Illinois 160 Shared Use Path Project – Councilman Frey made a motion to award bid #PW-17-19 for construction of the Illinois 160 Shared Use Path Project to Haier Plumbing and Heating, Inc., in the amount of \$507,572.50 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Award Bid #BZ-01-20 for Demolition of Structures at 1213 13th Street – Councilwoman Bellm made a motion to award bid #BZ-01-20 for demolition of structures at 1213 13th Street, to Gelly Excavating & Construction, Inc. in the amount of \$9,500.00 as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

REPORT

Approve Warrant #1158 – Councilwoman Bellm made a motion to approve Warrant #1158 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 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 meeting minutes or any other as deemed necessary. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried. Meeting temporarily adjourned at 8:35pm.

Mayor Michaelis reconvened the Regular Session at 8:29pm. Council members Hipskind, Bellm, Frey and Sloan were present. Others in attendance were City Manager Latham, Attorney Michael McGinley, Deputy City Clerk Hediger and City Clerk Bellm.

NEW BUSINESS (Continued)

Approve Minutes of February 18, 2020 Executive Session – Councilwoman Bellm made a motion to approve the minutes of February 18, 2020 Executive Session 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 8:47pm.

Joseph R. Michaelis, Mayor

Barbara Bellm, City Clerk