

**MINUTES OF REGULAR SESSION  
HIGHLAND CITY COUNCIL  
MONDAY, APRIL 20, 2020**

Mayor Michaelis (*present in the council chambers*) called the Special Session to order at 7:00pm. Due to the city's COVID-19 Response, Councilmembers Sloan, Frey, Bellm, and Hipskind were present via phone. Others in attendance were City Manager Latham, Deputy City Clerk Hediger and Director Conrad. Others present via phone: City Attorney McGinley, Directors Cook, Gillespie, Imming, Korte, and Speraneo, Economic Development Coordinator Hubbard, City Clerk Bellm, and Brandy and Bill Holman.

**MINUTES**

Councilman Frey made a motion to approve the minutes of the April 6, 2020 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

**PUBLIC HEARING**

Mayor Michaelis opened the public hearing to receive comments on final adoption of the Budget for the 2020-2021 Fiscal Year. Due to this meeting being conducted via phone conference, as part of COVID-19 response, the public was instructed with publication of the agenda to submit comment via phone in to Deputy City Clerk Lana Hediger at 618-654-9892 Extension 1481 prior to the close of the public hearing or email lhediger@highlandil.gov prior to the start of the council meeting.

Deputy City Clerk Hediger reported no comments received. Hearing no one wishing to comment in on the phone line, Mayor Michaelis closed the public hearing at 7:04pm.

**PROCLAMATIONS**

Mayor Michaelis read a document proclaiming Saturday, April 25, 2020 Arbor Day in the City of Highland.

**PUBLIC FORUM**

Citizens' Requests and Comments:

No comments or requests submitted.

Requests of Council:

No comments or requests.

Staff Reports:

City Manager Latham informed everyone that a ribbon cutting will be held, tomorrow, at 10:00am, to open the newly constructed public parking lot at the corner of Walnut Street and Main Street.

**UNFINISHED BUSINESS**

Bill #20-40/RESOLUTION Approving the Revised Preliminary Plat of Carbay Crest Subdivision, Phase II - Councilman Frey made a motion to approve Bill #20-40/Resolution #20-04-2710 approving the Revised Preliminary Plat of Carbay Crest Subdivision, Phase II as attached; seconded by Councilwoman Bellm. Councilman Frey stated Planning & Zoning's information is very valued. For safety reasons, as cited in Planning & Zoning's decision, I feel we should their decision. Councilwoman Bellm expressed I agree whole heartily. City Manager Latham stated I feel we got off track last time with Vulliet Road. Vulliet Road has the capacity for 460 cars. With the current lots located off Vulliet Road and basing the number of cars at three cars per home, with five trips per day, it is at capacity. If the council has decided to close off the Sportsman Road entrance to Carbay Crest, all traffic would go onto Vulliet Road. Carbay Crest was approved by Planning & Zoning with a secondary entrance directly across from Arbor Crest. The developer, Justin Mettler, has since requested moving the entrance further east by the homestead home. One reason is the elevation drop is very close to the crest of the hill, so we agreed to further east to the original homestead drive. Based on the revised plat submitted, Planning & Zoning took two meetings to hear this request. They declined it primarily based upon Chief Conrad and Chief Wilson's recommendation. As stated in their memo to Planning & Zoning, 'It is our opinion that removing the secondary entrance to the subdivision off Sportsman Rd. would be irresponsible from an emergency planning perspective.' 'It is our recommendation the developer not be allowed to remove the secondary entrance.' City Manager Latham stated if you agree with Chief Conrad and Chief Wilson, as that is what Planning & Zoning did, then you need to vote against this. If you do not, then you need to vote in favor of the Resolution before you. Councilwoman Bellm stated I support the findings of Planning & Zoning and value both chiefs opinion that there should be two points of entrance. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted nay, none aye. Motion Failed.

Bill #20-53/ORDINANCE Amending Chapter 6, of the Code of Ordinances, Alcoholic Liquor, to Increase the Number of G Liquor Licenses to Three – Councilwoman Bellm made a motion to approve Bill #20-53/Ordinance #3012 amending Chapter 6, of the Code of Ordinances, Alcoholic Liquor, to increase the number of G Liquor Licenses to three as attached; seconded by Councilman Frey. Councilman Frey stated I do not want to issue another Class G Liquor License. We turned one down a while back. I like the project. I am not opposed to issuing a liquor license for use. Councilwoman Bellm stated I looked the project information submitted. She proposed a Class A-2 Liquor License. Is there any reason not to want an A-2, which is a tavern license? It allows for operation of video gaming subject to the same conditions. Councilwoman Sloan added it would allow them to achieve what they want, but with not as much backlash from those previously denied. Councilwoman Bellm explained both Class G and Class A-2 have a \$500 fee. Other than classification there appears to be no difference. City Attorney McGinley pointed out Class G is designed specifically, while A-2 is not designed as specifically. It is for more large-scale. Councilwoman Bellm explained the thought is if Class G Liquor License, they could continue to operate even if the salon portion of the business does not continue. Councilwoman Sloan asked Brand Holman are she was okay with operating a full-service bar. Brandy Holman replied we are willing to work with whatever. City Attorney McGinley reported we did not define tavern very specific. If Class G, sixty-percent of gross revenues come from the play of video gaming terminals. So, specific classification. Councilwoman Bellm noted A2 and G have the same criteria. Councilman Frey noted with the exception of 6-1-1 (4) 'an establishment whose primary purpose is the display of gaming terminals'. If want to have a salon and all that goes with it. If you want a supplemental business that is fine. If doing gaming primarily, then I do not want this. Councilwoman Bellm told Brandy, how you want to handle the hours of operation is up to you. Bill Holman stated that is what we are

looking for. We do not want gaming as primary. Councilwoman Bellm inquired the gaming is an adjunct to the salon. Mr. Holman replied yes. Councilwoman Bellm asked Director Speraneo or City Manager Latham if they see any difficulty in classifying this with Class A-2. Director Speraneo stated I am not familiar with the liquor licenses, but I do not see any issues. She suggested Chief Conrad review. Councilwoman Bellm made a motion to amend Item B, to approve Bill #20-53/Ordinance #3012 amending Chapter 6, of the Code of Ordinances, Alcoholic Liquor, to increase the number of A-2 Liquor Licenses by one, to four. Motion seconded by Councilman Hipskind. Mayor Michaelis asked the Holmans if that would satisfy them. Brandy and Bill Holman replied yes. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried. Item amended. Roll Call Vote on the motion to approve Bill #20-53/Ordinance #3012, as amended, amending Chapter 6, of the Code of Ordinances, Alcoholic Liquor, to increase the number of A-2 Liquor Licenses by one, to four: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-54/RESOLUTION Issuing Brandy Holman and Bill Holman a “G” Liquor License to Operate a Gaming Hall Pursuant to Chapter 6, of the Code of Ordinances, Entitled Alcoholic Liquor – Councilwoman Bellm made a motion to approve Bill #20-54/Resolution #20-04-2710 issuing Brandy Holman and Bill Holman a “G” Liquor License to operate a gaming hall pursuant to Chapter 6, of the Code of Ordinances, entitled Alcoholic Liquor as attached; seconded by Councilman Frey. Councilwoman Bellm made a motion to amend Item C, to issue Brandy Holman and Bill Holman a “A-2” Liquor License pursuant to Chapter 6, of the Code of Ordinances, entitled Alcoholic Liquor; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried. Motion amended. Roll Call Vote on the motion to approve Bill #20-54/Resolution #20-04-2710 issuing Brandy Holman and Bill Holman a Class A-2 Liquor License pursuant to Chapter 6, of the Code of Ordinances, entitled Alcoholic Liquor as attached: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

## **NEW BUSINESS**

Approve Mayor’s Reappointment of Bonnie McGinley to the Police Pension Board – Councilman Frey made a motion to approve the mayor’s re-appointment of Bonnie McGinley to the Police Pension Board, for another two-year term, to expire May 1, 2022 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-58/ORDINANCE Amending Fiscal Year 2019-2020 Budget – Councilman Frey made a motion to approve Bill #20-58/Ordinance #3013 amending Fiscal Year 2019-2020 Budget as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-59/ORDINANCE Adopting the Financial Budget of the City for the Fiscal Year Beginning May 1, 2020, and Ending April 30, 2021, and Authorizing the Expenditures Therein Contained – Councilwoman Bellm made a motion to approve Bill #20-59/Ordinance #3014 adopting the financial budget of the City for the fiscal year beginning May 1, 2020, and ending April 30, 2021, and authorizing the expenditures therein contained as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-60/ORDINANCE Authorizing City to Borrow Funds from the Water Pollution Control Revolving Loan Program for the Trunk Sewer Rehabilitation Project – Councilman Frey made a motion to approve Bill #20-60/Ordinance #3015 authorizing city to borrow funds from the Water Pollution Control Revolving Loan Program for the Trunk Sewer Rehabilitation Project, for an amount not to exceed

\$2,800,000, as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-61/RESOLUTION Approving and Authorizing the Current Local Limits for the City as Stated in the Ordinance for Approval of National Pollutant Discharge Elimination System Permit – Councilwoman Bellm made a motion to approve Bill #20-61/Resolution #20-04-2711 approving and authorizing the current local limits for the City as stated in the Ordinance for Approval of National Pollutant Discharge Elimination System Permit as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-62/RESOLUTION Waiving Normal and Customary Bidding Procedures and Authorizing Execution of a Master Services Agreement with Telia Carrier – Councilman Frey made a motion to approve Bill #20-62/Resolution #20-04-2712 waiving Normal and Customary Bidding Procedures and authorizing execution of a Master Services Agreement with Telia Carrier as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

## **REPORT**

Approve Warrant #1163 – Councilwoman Bellm made a motion to approve Warrants #1163 as attached; seconded by Councilman Frey. Councilman Hipskind noted there is an invoice in here for publication in the Belleville News Democrat (BND). When we published in the BND, last time, we discussed how we can publish in these notices in the Pioneer for much less and accomplish the same objective. Why do we continue when publishing in the BND is not cost effective? Mayor Michaelis asked what the publication was for. Finance Director Kelly Korte reported the publication was for the US 40/Hemlock Signalization Project. Public Works Director Joe Gillespie stated we do put publications in the Belleville News Democrat for project bids notifications. The Pioneer does not get out to the wide range of contractors and to the market area that BND does. We feel it is more advantageous to get it out there to as many contractors for the best bid for these projects. Mayor Michaelis stated that is a very good response. Councilman Hipskind agreed.

Councilman Hipskind noted the warrant also shows pay of \$20,000 for settlement of a lawsuit. He asked City Attorney McGinley or City Manager Latham to explain why the council was not aware of this, especially when it was an employment related matter. City Attorney McGinley acknowledged it was an employment related issue. He would have to check the release to see all the terms. I know some of the money was compensatory issues and outstanding wages that had to be paid by law. Everything was under the \$25,000 threshold, which requires council approval by statute. I also believe time was of the essence, so we settled the case. Councilman Hipskind suggested it would be wise in the future for the council to go into Executive Session to make council aware of these matters. Attorney McGinley responded duly noted.

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 7:54pm.

Joseph R. Michaelis, Mayor

Barbara Bellm, City Clerk