

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
TUESDAY, FEBRUARY 22, 2022**

Mayor Hemann called the Regular Session to order at 7:00pm. Council members Sloan, Frey, and Bellm were present. Councilman Hipskind and City Clerk Bellm were absent. Others in attendance were City Manager Conrad, City Attorney Michael McGinley, Directors Gillespie, Imming, Cook, Heimburger, and Rosen, Assistant Police Chief Becherer, Deputy City Clerks Hediger and VonHatten, and 56 citizens, including ~23 members of HHS Coed Cheerleading Team.

MINUTES

Councilman Frey made a motion to approve the minutes of the February 7, 2022 Regular Session as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

MAYORAL RECOGNITION

2022 IHSA Coed Cheerleading State Championship. Highland High School's Varsity Co-Ed Cheerleading Team was present. Mayor Hemann stated that he was once a "cheer dad" for his three daughters and understands what an achievement this team has made. He noted that it is a team effort that includes the coaches, parents, and families of the team members, too. He invited Coach Angie Fears to the microphone to talk about the team's season and to introduce the team members. Coach Fears introduced her Assistant Coach Tess Chlibec and mentioned that this year they added two very talented, Freshman boys to the team which put the team in the Coed Division competing against schools of all sizes. She noted that at the state competition, this team received the highest score of the second day of all divisions. She concluded with congratulations to the members and noting that this team is exceptional and has brought something special back to the community with their achievement. They had the entire arena at the competition cheering for them. She introduced the members present as follows:
Freshmen: Collin Heldenbrand, Cole Parsons, Emma Ethridge, Meagan Wiesman, and Rylee Thole.
Sophmores: Ava Lercher, Ava Allen, Kara Shaw, Sophia Thomas, Lexie Fears, and Chloe McTeer.
Juniors: Avery Miles, Kyleigh Buchen, Morgan Friesner, Riley Mansholt, and Carolynn Parsons.
Seniors: Rhea Fowler, Brittani Wellen, Allison Reiling, Mya Iberg, Kady Shaw, and Morgan Flesch.
A photo was taken of the team with Mayor Hemann and the highway sign he commissioned from IDOT in the team's honor.

PUBLIC FORUM

Citizens' Requests and Comments:

Masonic Lodge Annual Sausage Supper – Special Event Application –Representative Don Carnley requested the street closure of the 700 block of 9th St next Sunday, February 27, in order to provide drive-thru service of meals at the Highland Masonic Lodge. Councilwoman Bellm made a motion to approve the request as presented in the Special Event Application, as attached; seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Requests & Comments of Council:

Councilman Frey, noting that Highland has always been progressive, asked if we could start looking into the availability of grants, both state and federal, that would allow us to explore alternative forms of power, such as solar and wind. Mayor Hemann stated that he and City Manager Conrad and Director Cook have had conversations about this and he knows that Director Cook is already looking into it. The city has a power purchase contract, which is good until 2035. City Manager Conrad confirmed that, and stated that there will be a model policy on the March 21 city council meeting agenda for approval, in response to the recent Illinois legislation regarding clean energy. Our power purchase contract contains restrictions, as far as the percentages of additional power we are allowed to purchase outside of that contract. It set limitations on how much solar we are allowed to authorize and net metering, which is how much power we are allowed to buy back from them. Statute change supersedes our contract limitations on alternative generation/purchase of power. Director Cook added that this doesn't mean that the new policy will not contain any limitations on solar.

Councilwoman Sloan stated that the city has received a lot of negative discussion lately on our disconnection process. She asked if we can clarify it for the public. City Manager Conrad stated that he will provide details on our process at the next meeting, as a staff report.

Staff Reports:

None.

Mayor Hemann offered congratulations to Councilwoman Sloan on her upcoming award for Outstanding Chamber Member of the Year from the Highland Chamber of Commerce. It will be presented this weekend and he is sorry he will not be there to see her receive it.

NEW BUSINESS

Discussion – Video Gaming Terminal Fee Mayor Hemann opened the discussion stating that we have received some information from some local people and a few of them are here to speak tonight in case we have any questions and he has received a voice message from someone in opposition to the proposed \$250/terminal fee. He understands that those in the gaming industry and the establishments have suffered during the COVID crisis. The city also has felt the strain from COVID. The council has to look at this issue from all perspectives. We have an opportunity to establish an ordinance that would impose a \$250/terminal fee that would be split between the establishment owner and the terminal operator. Peg Bellm stated that she is struggling with this. She noted that we have not made changed the liquor license fees to differentiate between establishments with gaming and those without. But, she doesn't feel that that provides a level playing field. She is trying to decipher the information that was provided on gaming income. Specifically, the difference between Net Wagering Activity and Net Terminal Income. Kent Wiese, Owner of the Corner Keg Pub, 1300 Main St., and representative for the ILPA in Madison County, explained the reporting numbers that are available the general public. He noted that the \$2 max bet was raised to \$4 max bet which resulted in a 20-30% increase for the city and the terminal operators. Considering the proposed fee and the current number of machines, which is 85; the city could realize the same amount of additional revenue by the addition of 10-16 machines. He explained that the Net Terminal Income figure represents yearly income, but that there are other fees on top of that. He also explained that a machine can go negative, which means negative for all parties involved, until the revenues are recouped. Mayor Hemann noted that when COVID hit, the city allowed tavern owners to spread their annual liquor license fees over several payments. Sarah Sloan added that we could do that with this fee, too. By her calculations, this fee for an establishment with six terminals, would cost the establishment 35 cents per day. Mayor Hemann thanked everyone for their input and noted that the council has to do what is best for the whole community, we will bring the ordinance to council and have it voted on. City Manager Conrad

clarified that any increase in liquor license fees would be borne by the establishment owners alone, while the statute that allows this terminal fee mandates that it is split between the terminal operator and the establishment owner. Councilwoman Bellm agreed that she does not want to see the liquor license fees increased. She likes the idea of this fee being split between the two parties. When looking at the numbers, she explained that it is hard for her to understand that an establishment owner is uncomfortable with paying roughly \$750 per year. Kent Wiese added that the gaming industry over all has changed. It is less cash, and more credit card activity with additional fees. Councilwoman Bellm noted that she is not interested in more gaming. She would like the ones that are already here to do well. Mr. Wiese explained that the first column on the provided information sheet represents an electronic number, not actual cash. Councilman Frey, looking at the report noted that the income of the bottom ten establishments are equal to the top one, which he sees as an unfair distribution. Councilwoman Bellm pointed out that they do more marketing and that reflects fair market. Councilwoman Sloan pointed out that gaming patrons from the surrounding area are also buying dinners and gas and are shopping in Highland. Mayor Hemann thanked Mr. Wiese for his input again and ended the discussion noting that the council has a decision to make and is hopeful that we are all going in the right direction.

Approve Reappointment of Ben Eberwein to the Cemetery Board of Managers - Councilwoman Bellm made a motion to approve the reappointment of Ben Eberwein to the Cemetery Board of Managers for a two-year term, to expire March 1, 2024 as attached. Motion seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Approve Appointment of Steven Pfettscher and Reappointment of Ronald Wagner, David Frey to the Silver Lake Commission – Councilwoman Bellm made a motion to approve the appointment of Steven Pfettscher, for a term to expire March 2022, to the Silver Lake Commission, and reappointments of Ronald Wagner and David Frey to the Silver Lake Commission, both for three-year terms, to expire March 2025 as attached. Motion seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Approve Appointment of Jeffrey Hebrank and William Sloan to the Liquor Control Commission – Councilwoman Bellm made a motion to approve the appointment of Jeffrey Hebrank to the Liquor Control Commission, for term to expire June 2022, and William Sloan to the Liquor Control Commission, for a term to expire March 2025. Motion seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Approve Transfer of Two Graves in City Cemetery – Donation by Laverne Bohnak to City - Councilwoman Bellm made a motion to approve transfer Grave Spaces #5 & #6 in Lot 64 of Block 15 of Highland City Cemetery to the City of Highland as donation by Laverne Bohnack. Motion seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Bill #21-18/RESOLUTION Authorizing Allocation of Hotel/Motel Tax Funding for the Highland Parks and Recreation Mad Co Park Guide - Councilwoman Bellm made a motion to approve Bill #21-18/Resolution #22-02-2910 authorizing allocation of \$502 of hotel/motel tax funding for the Highland Parks and Recreation Madison County Park Guide as attached. Motion seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Bill #22-19/RESOLUTION Approving and Authorizing Execution of Agreement for Ambulance Services with the Grantfork Fire Protection District - Councilwoman Sloan made a motion to approve Bill #22-19/Resolution #22-02-2911 approving and authorizing execution of agreement for ambulance services with Grantfork Fire Protection District as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Bill #22-20/ORDINANCE Declaring One 2008 Ford F-550 Bucket Truck of Highland Communication Services Surplus and Authorizing its Sale - Councilwoman Bellm made a motion to approve Bill #22-20/Ordinance #3161 declaring one 2008 Ford F-550 Bucket Truck of Highland Communication Services surplus and authorizing its sale as attached. Motion seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Bill #22-21/RESOLUTION Approving Vivicast System Participation Agreement and Letter of Acknowledgement Regarding Bloomberg Television and Highland Communications Services - Councilwoman Sloan made a motion to approve Bill #22-21/Resolution #22-02-2912 approving Vivicast System participation agreement and letter of acknowledgement regarding Bloomberg Television and Highland Communications Services as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Bill #22-22/RESOLUTION Approving Agreement for Highland Communication Services, Between Vivicast Media, LLC and ESPN, Inc., International Family Entertainment, Inc., ABC Cable Networks Group, Soapnet, LLC, FX Networks, LLC and NGC Network US, LLC - Councilwoman Bellm made a motion to approve Bill #22-22/Resolution #22-02-2913 approving agreement for Highland Communication Services, between Vivicast Media, LLC and ESPN, Inc., International Family Entertainment, Inc., ABC Cable Networks Group, Soapnet, LLC, FX Networks, LLC and NGC Network US, LLC as attached. Motion seconded by Councilwoman Sloan. Mayor Hemann asked about the timing of these increases and whether our rate increases cover these. Director Imming stated that HCS has not raised rates. She reminded the council that we are part of this consortium that negotiates pricing with all of these various content providers in order to get us the best rates and that there is very little we can do about it. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

Bill #22-23/ORDINANCE Designating Depositories for the City's Funds and Money - Councilwoman Sloan made a motion to approve Bill #22-23/Ordinance #3162 designating depositories for the City's funds and money as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried.

REPORT

Accepting Expenditures Report #1213 for February 5, 2022 through February 18, 2022 - Councilwoman Bellm made a motion to accept Expenditures Report #1213 for February 5, 2022 through February 18, 2022 as attached. Motion seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm 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 the following exemption: 5 ILCS 120/2(c)(5) to discuss the purchase of real property; 2(c)(11) to discuss litigation; and, 2(c)(1) to discuss the performance of a specific employee. Motion seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, none nay. Motion carried. Open Meeting temporarily adjourned at 7:56pm.

Mayor Hemann reconvened the Regular Session at 8:37pm. Council members Sloan, Bellm, Frey and Hipskind were present. Others in attendance were City Manager Conrad, City Attorney McGinley, and Deputy City Clerks Hediger and VonHatten.

NEW BUSINESS (continued)

Bill #22-24/ORDINANCE Authorizing the Purchase of Real Estate from Earl E. Gaffner, Trustee of the Earl E. Gaffner Living Trust Dated 10, October 1995, and Rita J. Gaffner, Trustee of the Rita J. Gaffner Living Trust Dated 10, October 1995, for Future Expansion of the Weinheimer Community Center, Parking for the Weinheimer Community Center and City Service Buildings, and/or Another Public Purpose – Councilwoman Bellm made a motion to approve Bill #22-24/Ordinance #3163 authorizing the purchase of real estate from Earl E. Gaffner, Trustee of Earl E Gaffner Living Trust, dated 10, October 1995, and Rita J. Gaffner, Trustee of the Rita J. Gaffner Living Trust, dated 10, October 1995, for future expansion of the Weinheimer Community Center, parking for the Weinheimer Community Center and City Services Buildings, and/or another public purpose as attached. Motion seconded by Councilwoman Sloan. Roll Call Vote: Councilmembers Sloan, Frey, and Bellm voted aye, and Mayor Hemann voted aye, none nay. Motion carried.

Councilwoman Bellm asked how a 360 degree review works. City Manager Conrad stated that comments and reflections on the person's performance are submitted anonymously by people above them and their direct reports. These are done periodically in the military as they are more constructive to the day-to-day operations and more valuable to newer employees and their development. It can be set up through Survey Monkey and the responses can either be directed to Jackie Heimburger or Mayor Hemann. It was the consensus of the council to have the responses sent to Mayor Hemann and discuss it at the next meeting.

Councilwoman Bellm made a motion to adjourn. Motion seconded by Councilwoman Sloan. All voted aye, none nay. Motion carried and meeting adjourned at 8:40pm.

Kevin B. Hemann, Mayor

Barbara Bellm, City Clerk