

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, AUGUST 21, 2023**

Mayor Hemann called the Regular Session to order at 7:00pm at the Highland Area Senior Center. Council members Sloan, Frey, Bellm, and Napper were present. Others in attendance were City Manager Conrad, City Attorney John Hackett, Directors Cook, Gillespie Heimburger, Ohren, and Presson, 6 members of Police Department, Chief Straub, Treasurer Nicolaides, Deputy City Clerks Hediger and Von Hatten, City Clerk Bellm, and 29 citizens.

MINUTES

Councilman Frey made a motion to approve the minutes of the August 7, 2023 Regular Session as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

SWEARING IN

Mayor Hemann administered the official oath to probationary Patrol Officer Nicholas Wiegand.

PUBLIC FORUM

Citizens' Requests and Comments:

Mayor Hemann stated with regards to a matter that arose this week, which some of you may be here regarding, I want to read the following statement: Highland is a non-home rule community. This means that our local government is only allowed to do what the statutes specifically say we can do. This is according to what is commonly referred to as Dillion's Rule in IL case law. As it pertains to businesses looking to come to Highland, the city government only has a role to play under three main circumstances. First, if there is a development agreement that has been requested; second if there is a zoning request or change required; or third, if it is a business that is requesting a license for regulated activity such as liquor or gaming. If none of these circumstances applies, there is no action that can or will be taken by the city council. We will not be answering questions or making comments on hypotheticals, which could pull the city into a controversy in which the city has no role.

Highland Moose Annual Chili Cook Off & Car Cruise – Special Event Application – Kerry Fenton, Representative, Highland Moose Lodge #2479 was present to see approval. Councilwoman Bellm made a motion to approve the request of Highland Moose Lodge to host their annual chili cook-off and car cruise on October 15, 2023 as attached. Motion seconded by Councilman Frey. Ms. Fenton added we will need road closure for the car cruise. Mayor Hemann stated that is already taken care of with the car cruise automatically. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Cemetery Dash – Special Event Application – Parks and Recreation – Director Mark Rosen stated we will only need assistance with the cross over at Koepfli Lane. Councilman Frey made a motion to approve the special event application for the Cemetery Dash, to be held October 28, 2023 as attached.

Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Schafly Sausage Supper – Special Event Request – Riley Lengermann stated we would like to say a goodbye to summer by hosting a See Ya Summer Sausage Supper at Schlafly on Saturday, September 2, 2pm-6pm. We would utilize the city park, with use of the park bathrooms, only. Councilwoman Bellm made a motion to approve the request of Schafly to hold a sausage supper on September 2, 2pm-6pm as requested. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Requests of Council:

Councilwoman Sloan noted that, at the corner of 6th & Cypress Street, the flower box is getting really high and difficult to see traffic at the intersection. City Manager Conrad stated he noticed it today. The 6th Street reconstruction project will be done next year. At that time, we will remove that. It has been a great growing season, so it is at its largest, right now.

Councilman Napper stated he has received a lot of complaints about the AT&T cell tower, which has been down for a long period of time. Do we know when they will be put back up? Councilwoman Bellm stated what I heard was the cell antennas are not high enough. City Manager Conrad stated that is part of his reports for tonight.

Staff Reports:

City Manager Conrad reminded everyone that the next meeting is Tuesday, September 5 and will start at 6:30pm.

The painting of the water tower will be completed as of tomorrow. After 7-10 days of curing, they antennas can be re-mounted. Our water distribution guys have been as frustrated with the lack of water pressure, as everyone has been with cellular service.

City Manager Conrad acknowledged Carl Neier, who was a long-term employee of the Water Distribution Plant whom passed away this week. May have been our oldest long-term retiree. His son Dan Neier works at the Water Reclamation Facility. Our thoughts are with his family.

NEW BUSINESS

Approve Mayor's Reappointment of Deanna Harlan to the Combined Planning & Zoning Board – Councilwoman Bellm made a motion to approve the mayor's reappointment of Deanna Harlan to the Combined Planning & Zoning Board for an additional five-year term, to expire August 31, 2028 as attached. Motion seconded by Councilman Napper. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Bill #23-77/ORDINANCE Authorizing and Providing for an Installment Purchase Agreement for the Purpose of Paying the Costs of Certain Capital Projects of the City and Authorizing and Providing for the Issue of General Obligation Debt Certificates (Limited Tax), Series 2023, in the Aggregate Principal Amount of \$2,035,000, Evidencing the Rights to Payment Under Such Agreement, Prescribing the Details of the Agreement and Certificates, and Providing for the Security for and Means of Payment Under the Agreement of the Certificates – Councilman Frey made a motion to approve Bill #23-77/ Ordinance #3284 authorizing and providing for an Installment Purchase Agreement for the purpose of paying the costs of certain capital projects of the City and authorizing and providing the issue of General Obligation Debt Certificates (Limited Tax), Series 2023, in the aggregate principal amount of \$2,035,000,

evidencing the rights of payment under such agreement, prescribing the details of the agreement and certificates, and providing for the security for and mean of payment under the agreement of the certificates as attached. Motion seconded by Councilwoman Bellm. Mayor Hemann asked if this can be paid off early. Sean Flynn, Bond Attorney, advised you cannot be prepay for the first five years. After that point if you want to prepay or pay off the long-term debt. Mayor Hemann state 4.3% is a good in this market. City Manager Conrad reported the funds we are using to pay for City Hall remodeling and the spillway improvements. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Bill #23-78/ORDINANCE Authorizing the Execution of a Commercial Real Estate Sales Contract with Donald C. Brinker for Right-of-Way for a Public Purpose – Councilwoman Bellm made a motion to approve Bill #23-78/Ordinance #3285 authorizing the execution of a commercial real estate sales contract with Donald C. Brinker for right-of-way for a public purpose as attached. Motion seconded by Councilman Frey. Mayor Hemann stated this to purchase right-of-way to put a sidewalk and bike trail out to the new primary school. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Bill #23-79/ORDINANCE Authorizing the Execution of a Commercial Real Estate Sales Contract with Lisa A. Hill for Right-of-Way for a Public Purpose – Councilman Frey made a motion to approve Bill #23-79/Ordinance #3286 authorizing the execution of a commercial real estate sales contract with Lisa A. Hill for right-of-way for a public purpose as attached. Motion seconded by Councilwoman Bellm. Mayor Hemann noted this agreement is for two parcels. City Manager Conrad reported she owns two parcels. It is the same amount off the roadway; however, we are going through two parcels. We are still working on an agreement with the Baptist church. We may change the turn lane, which could require a larger purchase of property. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Bill #23-80/RESOLUTION Approving and Authorizing Execution of Refuse Collection Contract with Republic Services for the Three-Month Period from October 1, 2023, Through December 31, 2023, with Automatic Renewal Option, if Needed – Councilwoman Bellm made a motion to approve Bill #23-80/Resolution #23-08-3047 approving and authorizing execution of refuse collection contract with Republic Services for the three-month period from October 1, 2023, through December 31, 2023, with automatic renewal option, if needed as attached. Motion seconded by Councilman Frey. Councilwoman Bellm noted this is an extension thru the end of the year. We can do another one after that, if needed? City Manager Conrad yes, we could do a month-to-month after that, until we have everything in place with whatever vendor we go with. Director Jackie Heimburger stated the bid opening is September 26. Councilman Napper asked is there anyone else in the bid process. City Manager Conrad reported there are the two major players and two smaller ones. We put a lot of flexibility into the proposal package. We put in unlimited, which is what we have. I do expect most will bid containerized. Councilman Napper expressed those are large and difficult to handle. City Manager Conrad reported they do have different sizes. They have the standard size that you see everywhere; however, they have a one-third size also, depending upon the size people need. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Bill #23-81/ORDINANCE Establishing Service Charges to be Collected and Paid to the City for Refuse Collection Service – Councilman Frey made a motion to approve Bill #23-81/Ordinance #3287 establishing service charges to be collected and paid to the city for refuse collection service as attached. Motion seconded by Councilwoman Bellm. Mayor Hemann inquired I take it we are passing along the extension costs. City Manager Conrad replied yes. Mayor Hemann asked, if we get a better rate, we can reduce this. City Manager Conrad responded you can only hope. Roll Call Vote: Councilmembers Sloan, Frey, Bellm voted aye, none nay. Councilman Napper abstained. Motion carried.

Bill #23-82/ORDINANCE Declaring Personal Property of the City Surplus and Authorizing Its Sale and/or Disposal, Specifically, Approximately 275 Trash Containers / Dumpsters – Councilwoman Bellm made a motion to approve Bill #23-82/Ordinance #3288 declaring personal property of the City surplus and authorizing its sale and/or disposal, specifically, approximately 275 Trash Containers / Dumpsters as attached. Motion seconded by Councilman Napper. City Manager Conrad explained we own dumpsters. We are very unique in that, we have contemplated dipping our toe into trash disposal. Councilwoman Bellm expressed I have not given up on that yet. City Manager Conrad stated our hope is that we can get out of the dumpster business. Councilwoman Bellm inquired this is not something we are going to do immediately. We may hold onto them until another service starts. City Manager Conrad stated, yes, we will wait to complete any sale until we have a contract for services in place. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Bill #23-83/ORDINANCE Declaring Personal Property of the City Surplus and Authorizing Its Sale and/or Disposal, Specifically, One 2001 International 4900 Tandem DT466 Dump Truck – Councilman Frey made a motion to approve Bill #23-83/Ordinance #3289 declaring personal property of the City surplus and authorizing its sale and/or disposal, specifically, one 2001 International 4900 Tandem DT466 Dump Truck as attached. Motion seconded by Councilwoman Bellm. City Manager Conrad noted you approved the purchase of the one replacing this one, two years ago. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Bill #23-84/RESOLUTION Waiving Normal and Customary Bidding Procedures and Authorizing the Purchase of a 2023 Komatsu PC88MR-11 Compact Hydraulic Excavator from Roland Machinery Co., Under the Sourcewell Program – Councilwoman Bellm made a motion to approve Bill #23-84/Resolution #23-08-3048 waiving normal and customary bidding procedures and authorizing the purchase of a 2023 Komatsu PC88MR-11 Compact Hydraulic Excavator from Roland Machinery Co., in Bridgeton, Missouri for \$118,017.79 under the Sourcewell Program as attached. Motion seconded by Councilwoman Sloan. City Manager Conrad reported this purchase is through Sourcewell, which is a joint consortium under the state statute. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Bill #23-85/RESOLUTION Waiving Normal and Customary Bidding Procedures and Authorizing the Purchase of a Bobcat Bandit Brush Chipper Under the Sourcewell Program – Councilman Frey made a motion to approve Bill #23-85/Resolution #23-08-3049 waiving normal and customary bidding procedures and authorizing the purchase of a Bobcat Bandit Brush Chipper to Bobcat of St. Louis for \$43,000.00 under the Sourcewell Program as attached. Motion seconded by Councilman Napper. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Award Bid #E-03-23, for Purchase of 25 Tripsavers – Councilwoman Bellm made a motion to award Bid #E-03-23 for purchase of 25 Tripsavers, to Graybar in the amount of \$99,154.75 as attached. Motion seconded by Councilman Frey. City Manager Conrad reported this was a budgeted item. Director Cook reported, every morning around 6-7am, like this morning, the squirrels go out to get something to eat. When one shorts the line out, the guys have to walk the line to find the spot, and then put a new fuse in. This restores power to 25-30 homes. We will put these in the areas where there are a lot of squirrels, due to trees or people feeding them. When there is a short, it pops the circuit open for about five seconds, the closes it. With a few truck rolls eliminated, they will pay for themselves. It will improve reliability. We have one already installed at Eden Lane. We can also go by it and tell how many times it tripped. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Change to Channel Lineup for HCS Television Customers – Director Angela Imming provided an update. About three weeks ago, the cooperation that we purchase our programming through provided notice was ceasing operations. In response, we expanded our line up with NBC/Universal. During that process, we had a chance to renegotiate some of our line-ups. As part of that, we are required to say what packages we want. When Charter changed to Spectrum, they restructured and they did it again when going to Spectrum One. With this, I wanted to make us more competitive with our packages. Basic moves up to the Family Package and some from Family up total access. This avoids \$144,000 of costs. I have a consumer rights, (FCC) coop to comply with and FCC requires us to post this for thirty-days prior to today. Councilwoman Bellm asked if there are cost savings, what channels go away. Director Imming responded we have not dropped any content. Mayor Hemann asked, most importantly, where is Bally's. Director Imming acknowledged that is the decision-maker. It is in our lowest package, which is not what other competitors place it in. Mayor Hemann asked how many customers do we have. Director Imming reported, as of today, we have 923 streaming video customers. Our application is streaming, so everyone is streaming these days. There are 243 in the basic package, which the only thing the will be losing out of there is CNN. They will have to go up to Family Plus. We are moving some sports channels into a different package. Family Plus will lose some channels. Mayor Hemann stated we need to post this for thirty days. How do we get the word out? Director Imming replied on the front of our website, drop info into local newspapers, and put info out on social media, as well as on front of monthly invoices. The market is very volatile right now. This industry is changing rapidly, so we need to be nimble.

REPORT

Accepting Expenditures Report #1248 for August 5, 2023 through August 18, 2023 – Councilwoman Bellm made a motion to accept Expenditures Report #1248 for August 5, 2023 through August 18, 2023 as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Napper voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to adjourn. Motion seconded by Councilman Frey. All aye, none nay. Motion carried. Meeting adjourned at 7:44pm.

Kevin B. Hemann, Mayor

Barbara Bellm, City Clerk