

Jerilee Hopkins
City Clerk



City of Mt. Vernon
1100 Main PO Box 1708
Mt. Vernon, IL 62864
cityclerk@mvn.net

618-242-5000
FAX 618-242-6867
www.mtvernon.com

**City of Mt. Vernon, Illinois
Regular City Council Meeting
Monday, March 18, 2013
MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, March 18, 2013, at 7:00 p.m. at the Rolland W. Lewis Community Building, Veterans Park, 800 South 27th Street, Mt. Vernon, IL.

Mayor Mary Jane Chesley called the meeting to order.

The Invocation was given by Dan Henry of the Jefferson County Ministerial Association.

The Pledge of Allegiance was recited.

ROLL CALL

Roll call showed present: Council Members Dennis McEnaney, Todd Piper, David Wood and Mayor Mary Jane Chesley. Council Member Ron Lash was absent.

PRESENTATION OF JOURNALS

The Journals for the March 1, 2013 City Council Workshop Meeting and the March 4, 2013 Regular City Council Meeting were presented to Council for any additions, deletions or corrections. **Council Member Piper made a motion to approve the Journals as presented. Seconded by Council Member Wood. Yeas: McEnaney, Piper, Wood and Chesley. Council Member Lash was absent.**

APPROVAL OF CONSOLIDATED VOUCHERS FOR ACCOUNTS PAYABLE

Approval of Consolidated Vouchers for Accounts Payable was presented to Council for Approval. Council Member McEnaney asked City Manager Ron Neibert for an update on the following: Item #14 Freeman Environmental Services - \$97,925.10 – 2012-2013 demolition projects. There were 13 houses demolished in this bid. Mayor Chesley requested a list of City-owned property to be available for sale. Neibert reported that the list is being formulated, and an ordinance will be drafted in the near future to declare those properties as surplus by spring or summer. Item #15 Haier Plumbing - \$95,720.40 – Conger water main replacement. Neibert reported that the project is about 60% complete. With good weather the project may be finished in 45 days. Item #16 Horner & Shifrin - \$3,475.00 – reconstruction of Perkins from 10th to 12th Streets. This project has been turned over to the Illinois Department of Transportation for land acquisition. Neibert noted there will be a sidewalk on Perkins but didn't recall which side. Item #20 Joseph Zanola - \$17,885.00 – Housing Marketing Program. Neibert will meet with Mr. Zanola this week for some preliminary reviews of the website portion of the project. Item #33 Rhutasel & Associates - \$3,449.15 – North 34th Street to Central Avenue. Preliminary survey work is being performed. A special check to Guinzy Construction in the amount of \$194,698.31 for work on the Continental Tire Rail Spur. This grant funded project is expected to be complete in mid-April.

Council Member Wood made a motion to approve the Consolidated Vouchers for Accounts Payable in the amount of \$1,334,036.29. Seconded by Council Member Piper. Yeas: McEnaney, Piper, Wood and Chesley. Council Member Lash was absent.

BIDS & QUOTES

City Manager Neibert noted that these park shelters were originally bid as a contractor build. Unfortunately, the bids were over the budgeted amount. Director George Bryant agreed that his staff will construct the shelters thereby keeping this project within the budgeted amount.

Neibert reported that three (3) bids were submitted for the Park Shelter Materials. Two park shelters are budgeted this fiscal year. The shelters will be installed by the City staff. One will replace the deteriorated west park shelter at Veterans Park. The other park shelter will be built at Dawson Park as part of the development of Dawson Park's master plan. The three bids were as follows:

Cunningham Recreation 2504 Driftwood Road Bloomington, IL 61704 Don Roberts	\$44,390.00
Americana Building Products 2 Industrial Drive Salem, IL 62881 Mike Hargis	\$37,000.00
Huthinson Recreation & Design PO Box 194 Troy, IL 62294 Greg Haas	\$52,050.00

Neibert recommended that the low bid from Americana Building Products in the amount of \$37,000.00 be accepted by the Council.

Council Member Piper made a motion to accept the low bid from Americana Building Products in the amount of \$37,000.00. Seconded by Council Member McEnaney. Yeas: McEnaney, Piper, Wood and Chesley. Council Member Lash was absent.

CITY MANAGER

City Manager Neibert had nothing to present to the Council.

CITY ATTORNEY

City Attorney Bill Howard presented for the Council's consideration a First Reading on an Ordinance Revising the Liquor Ordinance. Mayor Chesley stated that the Classifications, Permits, and Fees portion of the City's liquor ordinance will be amended by deleting subparagraph 15 "Brew Pub License" and by deleting subparagraph 16 "Combined Wine Makers Retail and Brew Pub License" and by amending subparagraph 8 "Wine Makers Retail License" to read as follows:

8. "Wine-Makers Retail License" shall entitle licensee to make consumption sales of alcoholic liquor and to make package sales of wine only at the licensed premises, but not for resale in any form; this license shall be issued only to a person who is engaged in the manufacture of wine and who uses only grapes, berries, other fruits, fruit products, honey and vegetables produced or grown in Jefferson County, Illinois, except as follows: (i) during the first 36 months of operation after first being issued a license, the licensee may use as much as 100 percent imported products (ii) during the following 24 months, the licensee may use as much as 80 percent imported products; and (iii) thereafter, licensee may use as much as 60 percent imported products; provided however that the maximum allowances on use of imported products may be temporarily increased in any year in which there is a crop shortage or severe drought in such percentages as determined by the director of the Department of Agriculture and as provided by the Illinois Liquor Control Act. The license fee for a "Wine-Makers Retail License" shall be One Thousand Dollars (\$1,000.00) per annum.

The owners of GenKota Winery requested that they be able to serve alcoholic liquor, in addition to beer and wine. Kent Easton of GenKota Winery appeared and stated that by adding alcoholic liquor it will give his customers another option. The hours will remain the same. Also he noted they are planning in advance for the new Drury Hotel that will be constructed nearby.

The ordinance will further amend Article 6, Section 6.9 as follows:

Effective March 1, 2013 there are currently authorized and issued in the City of Mt. Vernon, Illinois one (1) Wine Makers Retail License, seven (7) Tavern Licenses, nine (9) Club Licenses, ten (10) Restaurant with Lounge Licenses, one (1) Motel-Hotel Licenses, three (3) Motel-Hotel Ticket Licenses, one (1) Restaurant Licenses, six (6) Package Sales Licenses, one (1) Grand-fathered Restaurant with Package Sales License, two (2) Banquet Room Licenses, and an unlimited number of temporary Licenses. Notwithstanding the foregoing, the number of Licenses above authorized shall, without any administrative or legislative act, be reduced in number as to the applicable license classification upon revocation, upon surrender and termination without re-issuance, or upon non-renewal of a license; the Clerk shall maintain records documenting each license revoked, surrendered, or not renewed and shall maintain records as to the number of licenses authorized for each classification subsequent to the date stated above.

Nothing herein shall restrict or limit the authority of the City Council to change by Ordinance the number of licenses authorized and in existence.

FIRST READING ONLY.

City Attorney Bill Howard presented for the Council's consideration a First Reading on an Ordinance Authorizing the Transfer of Surplus Property. City Manager Neibert noted these two pieces of property covered by this Ordinance were acquired by the City via enforcement. One is a derelict house across the alley north of Byrd Watson. The other is the gray house located adjacent to the parking area for the First United Methodist Church. The owners of Byrd Watson expressed interest to acquire the property for additional parking for their store. Byrd Watson will incur the cost of demolishing the house on the property. The First United Methodist Church expressed interest in acquiring the property that is contiguous to their parking area and will add additional parking for the Church. The Church will incur the cost of demolishing the house on the property.

FIRST READING ONLY.

City Attorney Bill Howard presented for the Council's consideration a First Reading on an Ordinance Granting Conditional Use for a Kennel Facility Located at 421 S. 23rd Street. The Petitioning party is Richard Hefner. Mr. Hefner appeared. City Manager Neibert stated there is a peculiar issue in our zoning ordinance as it relates to animals. The ordinance contains a definition of a kennel as any residence that has more than three animals, including a combination of cats and/or dogs, regardless of private ownership, third party boarding, etc. If an owner wants to have more than three animals it is necessary for them to apply for a conditional use review. Mr. Hefner presently has five beagles. He explained that the Animal Warden was in his neighborhood investigating an abundance of cats when he saw Mr. Hefner's dogs. The Animal Warden informed Mr. Hefner that a conditional use permit would be required to keep his five dogs. Mr. Hefner also stated that his neighbors have never made any complaint to him about the dogs.

There were no objectors at the Zoning and Planning Commission hearing. The Commission voted 8-1 in favor of recommending granting the conditional use.

Neibert noted that in the near future he will be reviewing this issue and making a recommendation to the Council to separate out the issues in terms of truly defining a kennel as a commercial boarding operation for animals. At that time, the Council will also need to address regulating private ownership of animals.

The Council agreed that no legislative action be taken on the conditional use ordinance at this meeting. In addition, the Council agreed that no enforcement action will be taken at this time unless Mr. Hefner takes in additional animals to board. He may maintain the status quo until Council can address the issue legislatively.

City Attorney Bill Howard presented for the Council's consideration a Resolution Approving an Agreement with PGAV Relating to an Amendment to the IPC (Industrial Park Conservation Area) TIF (Tax Increment Allocation) Redevelopment Plan. City Manager Neibert reported that he has been working with Roger Strong of RJ3A, LLC on a potential residential development project in the IPC TIF District. In reviewing the statute and the redevelopment plan, the City did not anticipate a housing development to be a possibility in this District. With the location of the new high school which is immediately north across Ambassador Drive, the economic dynamic of that area has changed. The statute allows for commercial and residential development in the IPC TIF. The City's redevelopment plan does not recognize residential development. Therefore, the City must amend the IPC TIF Redevelopment Plan in order for Mr. Strong's project to move forward.

The proposed Contract for professional services between the City and Peckham Guyton Albers & Viets, Inc. (PGAV) will begin the legal process to amend the redevelopment plan. They will assist the City in redrafting the plan, providing publication notices, public hearings, etc., in order to accomplish the amendment. The fee for the completed services associated with PGAV's services shall be \$14,500.00. Mr. Strong has agreed to reimburse the City for those costs. The amendment process will take about 60 days to complete.

Council Member McEnaney made a motion to approve the Resolution Approving the Agreement with PGAV Relating to the Amendment to the IPC TIF Redevelopment Plan. Seconded by Council Member Piper. Yeas: McEnaney, Piper, Wood and Chesley. Council Member Lash was absent.

City Attorney Bill Howard presented for the Council's consideration a Resolution Reclassifying Certain Public Utilities and Sanitation Accounts for Accounting Purposes. City Manager Neibert advised that from time to time the City reclassifies public utilities and sanitation accounts that have not been collected so they are written off the books for accounting purposes in the amount of \$11,334.07. The City continues to attempt to collect the accounts. Also, these individuals will be submitted to the State Treasurer's collection program. Neibert recalled that two years ago when accounts were reclassified the amount exceeded \$30,000.00 so the

City's efforts to administer the public utilities department are paying off. It was noted that a local restaurant is listed. Neibert will inquire and confirm that amount is paid.

Council Member Wood made a motion to approve the Resolution Reclassifying Certain Public Utilities and Sanitation Accounts for Accounting Purposes. Seconded by Council Member McEnaney. Yeas: McEnaney, Piper, Wood and Chesley. Council Member Lash was absent.

City attorney Bill Howard presented for the Council's consideration a Resolution Requesting IDOT Approval for Temporary Closure of IL 15 Westbound from Marlow Rd. (FAS 789) to Junction of IL 15 & Old Rt. 15 at East Edge of Mt. Vernon for Purpose of "Salute to Freedom" Fireworks Display on July 4, 2013.

Council Member Wood made a motion to approve a Resolution Requesting IDOT Approval for Temporary Closure of IL 15 Westbound from Marlow Rd. (FAS 789) to Junction of IL 15 & Old Rt. 15 at East Edge of Mt. Vernon for Purpose of "Salute to Freedom" Fireworks Display on July 4, 2013. Seconded by Council Member Piper. Yeas: McEnaney, Piper, Wood and Chesley. Council Member Lash was absent.

MAYOR

No information to report to the Council.

CITY COUNCIL

Council Member Piper advised there is a Max Hoopster 3on3 Tournament meeting on Tuesday, March 19, at 5:30 at the Rolland W. Lewis Building in Veterans Park.

VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE

No issues from the audience.

EXECUTIVE SESSION

No Executive Session was held.

ADJOURNMENT

Council Member Piper made a motion to adjourn the meeting. Seconded by Council Member McEnaney. Yeas: McEnaney, Piper, Wood and Chesley. Council Member Lash was absent.

The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Jerilee Hopkins
City Clerk