

Jerilee Hopkins
City Clerk



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**City of Mt. Vernon, Illinois
Regular City Council Meeting
Monday, May 6, 2013
MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, May 6, 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 Ron Lash

The Pledge of Allegiance was recited.

ROLL CALL

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

PRESENTATION OF JOURNALS

The Journal for the April 15, 2013 Regular City Council Meeting was presented to Council for any additions, deletions or corrections. **Council Member Piper made a motion to approve the Journal as presented. Seconded by Council Member Lash. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney**

APPROVAL OF CONSOLIDATED VOUCHERS FOR ACCOUNTS PAYABLE

The Consolidated Vouchers for Accounts Payable were presented to Council for Approval. Council Member David Wood asked City Manager Ron Neibert for an update on the following Items: Item #3 Baxmeyer Construction - \$158,805.67 — Veterans/Davidson Roadway Extension. This represents a partial payment. The project is expected to be complete not later than July. With good weather, it may be completed earlier. Item #4 BHMG Service Corporation - \$4,650.75 — Install tank level monitoring system for water towers. This represents a partial payment pursuant to the agreement entered by the City Council. It should be operational this month. Item #9 Haier Plumbing - \$75,836.05 — Conger Street water main replacement. All lines and service connections have been installed. The contractor is on site this week performing all the finishing work, and should be complete in two to three weeks. Item #12 IMCO Precast - \$1,955.49 — Sewer rings for Public Utilities Department. Neibert explained that sewer rings are used to raise the elevation of a sunken man hole to street level. Item #17 Joseph Zanola - \$15,297.50 — housing marketing program. Neibert reported that a City Council Workshop is scheduled on Tuesday, May 28, to present the housing marketing program. Item #22 KRB Excavating - \$47,561.00 — Holiday Inn sidewalk construction. The sidewalk is complete and the Holiday Inn is pleased with the work. Item #25 Moniger Excavating - \$127,290.52 — 34th Street road construction. The project is on track to be completed by the end of July. Item #31 PGAV - \$2,545.91 — TIF Consulting for west-side TIF. The 2013 Amendment to the Tax Increment Financing Redevelopment Plan & Project for the

Industrial Park Conservation Area (IPC) is expected this week. The formal legal process to allow for residential development in the IPC will begin once the document is received. Item #34 Sherwin Williams - \$7,685.13 — paint for exterior and roofs for Maintenance Buildings (\$7,000.00), paint for band shell at Park \$83.74) and fire hydrant paint (\$601.39). Council Member Wood inquired about what other clean-up projects the City has planned. Neibert stated that the City Hall restrooms will receive repairs and paint, the City Hall parking lot will be repaved, consideration will be given to reconstructing the west entrance to the City Hall, and a plan will be implemented to make City buildings more energy efficient as a result of the energy review recently completed. Council Member Lash asked for an update on Item #8 FGM Architects - \$16,582.37 — Professional services for Aquatic Zoo (\$4,971.12) and five park concept designs (\$11,611.25). Neibert stated that he would be receiving a status report from Parks & Recreation Director George Bryant, and the report will be forwarded to Council.

Council Member Wood made a motion to approve the Consolidated Vouchers for Accounts Payable in the amount of \$1,049,408.46. Seconded by Council Member Lash. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney

BIDS & QUOTES

None to report.

CITY MANAGER

City Manager Neibert presented for Council's consideration a Request for Permission to Seek Bids for the Purchase of Street Maintenance Materials.

Council Member Piper made a motion to approve the request for permission to seek bids for the purchase of street maintenance materials. Seconded by Council Member Wood. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Manager Neibert presented for Council's consideration a Request for Permission to Seek Financing for a new Roll-off Truck and Fire Pumper. The roll-off truck is used to haul away the sludge waste produced at the waste water treatment plant. The truck that has been used in the past is no longer operable. Council Member Wood asked that Neibert obtain information comparing the cost to purchase a new roll-off truck versus contracting the work out.

Council Member Piper made a motion to approve the request for permission to seek financing on the roll-off truck and the fire pumper. Seconded by Council Member Lash. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

CITY ATTORNEY

City Attorney Bill Howard presented for Council's consideration the second Reading on Ordinance Rezoning Property Located at 11100 N. Illinois Hwy. 148 from the Zoning Classification AG to R-3. The Petitioning Party is Randy Bernard. Mr. Bernard was present at the meeting. This property is located outside the city limits but within a mile and one-half of the city.

Council Member Piper made a motion to adopt Ordinance No. 2013-9 Rezoning Property Located at 11100 N. Illinois Hwy. 148 as presented. Seconded by Council Member Wood. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Bill Howard presented for Council's consideration the Second Reading on Ordinance Rezoning Properties Located at 1125 Maple Street, 1119 Maple Street, 1117 Maple Street, 1031 Maple Street, 1027 Maple Street, 1025 Maple Street, 1021 Maple Street, 1003 Maple Street, 333 North 10th Street, 315 North 10th

Street, 301 North 10th Street, 1102 North Street, 1106 North Street, 1108 North Street, 1111 North Street, 1112 North Street, 1113 North Street, 1114 North Street, 1120 North Street, 1121 North Street, 1124 North Street, 1125 North Street, 1126 North Street, 1128 North Street, 1130 North Street, 302 North 12th Street and 314 North 12th Street from the Zoning Classification R-2, B-1 and R-3 to R-2. The Petitioning Party is Central Christian Church.

Council Member Lash made a motion to adopt Ordinance No. 2013-10 Rezoning Properties Located at 1125 Maple Street, 1119 Maple Street, 1117 Maple Street, 1031 Maple Street, 1027 Maple Street, 1025 Maple Street, 1021 Maple Street, 1003 Maple Street, 333 North 10th Street, 315 North 10th Street, 301 North 10th Street, 1102 North Street, 1106 North Street, 1108 North Street, 1111 North Street, 1112 North Street, 1113 North Street, 1114 North Street, 1120 North Street, 1121 North Street, 1124 North Street, 1125 North Street, 1126 North Street, 1128 North Street, 1130 North Street, 302 North 12th Street and 314 North 12th Street from the Zoning Classification R-2, B-1 and R-3 to R-2. Seconded by Council Member Piper. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Bill Howard presented for Council's consideration the Second Reading on Ordinance Granting Conditional Use for a Church or Private Schools and subordinate uses related thereto for Properties Located at 1125 Maple Street, 1119 Maple Street, 1117 Maple Street, 1031 Maple Street, 1027 Maple Street, 1025 Maple Street, 1021 Maple Street, 1003 Maple Street, 333 North 10th Street, 315 North 10th Street, 301 North 10th Street, 1102 North Street, 1106 North Street, 1108 North Street, 1111 North Street, 1112 North Street, 1113 North Street, 1114 North Street, 1120 North Street, 1121 North Street, 1124 North Street, 1125 North Street, 1126 North Street, 1128 North Street, 1130 North Street, 302 North 12th Street and 314 North 12th Street. The Petitioning Party is the Central Christian Church.

Council Member Lash made a motion to adopt Ordinance No. 2013-11 Granting Conditional Use for a Church or Private Schools and subordinate uses related thereto for Properties Located at 1125 Maple Street, 1119 Maple Street, 1117 Maple Street, 1031 Maple Street, 1027 Maple Street, 1025 Maple Street, 1021 Maple Street, 1003 Maple Street, 333 North 10th Street, 315 North 10th Street, 301 North 10th Street, 1102 North Street, 1106 North Street, 1108 North Street, 1111 North Street, 1112 North Street, 1113 North Street, 1114 North Street, 1120 North Street, 1121 North Street, 1124 North Street, 1125 North Street, 1126 North Street, 1128 North Street, 1130 North Street, 302 North 12th Street and 314 North 12th Street. Seconded by Council Member Piper. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Bill Howard presented for Council's consideration the Second Reading on Ordinance Granting Conditional Use for One Residential Unit above Main Floor for Property Located at 120 S. 9th Street. The Petitioning Parties are Kip & Katrina Bauer. Mr. Bauer appeared.

Council Member Wood made a motion to adopt Ordinance No. 2013-12 Granting Conditional Use for One Residential Unit above Main Floor for Property Located at 120 S. 9th Street. Seconded by Council Member Lash. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

The Swearing in of newly elected officials including Mayor Mary Jane Chesley, City Clerk Jerilee Hopkins, City Treasurer Mary Jo Pemberton, and Council Member Todd Piper was held. The oath was administered by City Attorney Bill Howard, a Notary Public.

City Attorney Bill Howard presented for Council's consideration the First Reading on Ordinance Annexing Property Located at 13928 N. Dartmouth Lane. The property owners are Chris and Teresa Mendenall.

Council Member Wood made a motion to suspend the rules in order to act on this ordinance. Seconded by Council Member Piper. Yeas: Lash, Piper, Wood and Chesley. Council Member Wood made a motion to adopt Ordinance No. 2013-13 Annexing Property Located at 13928 N. Dartmouth Lane. Seconded by Council Member Piper. Yeas: Lash, Piper, Wood and Chesley.

City Attorney Bill Howard presented for Council's consideration the First Reading on Amending the Salary Ordinance. City Manager Neibert explained that it is necessary to amend the salary ordinance annually because collective bargaining unit contracts contain salary increases for employees. In some cases those salaries exceed the limit authorized by the salary ordinance. This ordinance does not raise salaries but makes the technical adjustment to allow salaries to take effect May 1, 2013.

Council Member Lash made a motion to suspend the rules in order to act on this ordinance. Seconded by Council Member Wood. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney. Council Member Lash made a motion to adopt Ordinance No. 2013-14 Amending the Salary Ordinance. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Bill Howard presented for council's consideration a Resolution Approving Rules of Operation and Governance for the Municipal Opt-Out Electricity Aggregation Program. City Manager Neibert noted these are the rules and regulations required to put into place for the City to administer the electrical aggregation opt-out program as was authorized by the citizens of Mt. Vernon at the recent election. With approval of this resolution tonight, he anticipates opening the bids tomorrow, May 7, 2013, for electrical costs and approving the low bidder on Friday, May 10, 2013. The City has asked for bids for 12-month, 24-month and 36-month prices. A notice will be sent to all residential and small commercial accounts that are deemed eligible by the City. After mailing the notices, there will be an opt-out period of 14 days which is expected to be in the middle of June.

Jeff Haarmann, Managing Partner of Affordable Gas and Electric, appeared. The Opt-Out Aggregation Program requires that a referendum be passed by the voters, and it was passed in November, 2012. Residents and small businesses are automatically included in the aggregation program, unless they choose not to participate, or "opt-out." Ameren's Utility customers who are located within the municipality's geographical boundaries and are either: Residential customers receiving electric service from Ameren Illinois on electricity service rate (DS)-1 and Small Commercial retail customers consuming 15,000 KWH or less annually on a calendar basis.

If a customer has already chosen a supplier, the customer can opt-in at any time, but there may be a termination fee from the previous supplier. They would also be eligible to opt-in at the expiration of their existing agreement. Every City customer, except Tri-County customers, will be notified about the aggregation program, even if they have previously chosen a supplier.

Basically, City customers will realize a savings of about 10% on the cost of the electricity supply rate and not the distribution rate. Natural gas is not affected by aggregation, and is not a choice program in the State of Illinois at this time.

Council Member Piper made a motion to approve the Resolution Approving Rules of Operation and Governance for the Municipal Opt-Out Electricity Aggregation Program. Seconded by Council Member Lash. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Howard presented for the Council's consideration a Resolution Authorizing the Appropriation of Motor Fuel Tax Funds for the FY 13/14 Street Maintenance program. According to City Manager Neibert, this Resolution will authorize the expenditure of the funds to the Illinois Department of Transportation for what the Council has already approved in the budget for this fiscal year.

Council Member Piper made a motion to approve the Resolution Authorizing the Appropriation of Motor Fuel Tax Funds for the FY 13/14 Street Maintenance program. Seconded by Council Member Wood. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Howard presented for the Council's consideration an Inducement Resolution with Audio Visionz Regarding 1500, 1502 and 1506 S. 10th Street located within the Downtown TIF District. Audio Visionz is currently developing a potential project. In the event the City enters into an agreement with them, this Resolution makes any costs they incur as of this date eligible for inclusion in a future TIF agreement.

Council Member Wood reminded that the inducement resolution is the first step for those who want to be involved in the TIF program. Individuals can call the City Manager's Office, and he will be glad to guide them through the TIF process.

Council Member Wood made a motion to approve the Inducement Resolution with Audio Visionz Regarding 1500, 1502 and 1506 S. 10th Street located within the Downtown TIF District. Seconded by Council Member Piper. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Howard presented for the Council's consideration a Resolution Accepting a Proposal for Signal Warrants Analysis/Justification Study, Veterans Memorial Drive at 42nd Street/Hospital Entrance, Mt. Vernon, Illinois CBB Proposal No. P13-043 from Crawford, Bunte, Brammeier, Traffic and Transportation Engineers. The Illinois Department of Transportation (IDOT) requires that traffic volumes exceed the minimum requirements prior to signal construction. With additional projects planned in the area by the City and IDOT, as well as the hospital being operational, a more effective design can be prepared. It is anticipated to take three to four months for the preliminary signal and intersection design study to be complete. In the meantime, the City will apply to IDOT for an economic development grant to pay for the construction of these signals. Configurations for the 34th Street project and the Aquatic Center will be taken into consideration when developing the design.

Council Member Wood made a motion to approve the Resolution Accepting a Proposal for Signal Warrants Analysis/Justification Study, Veterans Memorial Drive at 42nd Street/Hospital Entrance, Mt. Vernon, Illinois CBB Proposal No. P13-043 from Crawford, Bunte, Brammeier. Seconded by Council Member Lash. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Howard presented for the Council's consideration a Resolution Approving Amendment to Task Order No. 12 to the Previous Agreement between the City of Mt. Vernon and HMG Engineers for the South 34th Street Reconstruction Project. Because of flooding issues on Kline Field at Lincoln Park South of Harlan Road, it became obvious that some additional design work is needed on South of Veterans on South 34th Street.

Council Member Piper made a motion to approve a Resolution Approving an Amendment to Task Order No. 12 to the Previous Agreement between the City of Mt. Vernon and HMG Engineers for the South 34th Street Reconstruction Project. Seconded by Council Member Lash. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Howard presented for the Council's consideration a Resolution Approving Agreement between the City of Mt. Vernon and Tri-County Electric Cooperative, Inc. Regarding a Three Phase Underground Electric Line Extension on the East side of 34th Street. This agreement allows for the City to provide electricity to the Aquatic Center. The new underground service will run from Harlan Road north to the Aquatic Center. The cost for the project is just over \$64,000. The cost for standing wood poles would be \$55,000. Under Tri-County guidelines because the City is requesting the work and the opportunity for additional customers or looping of the system is not available, the City is required to pay for the work. Pursuant to the agreement, customers that tap on to the new service, the City has the ability to be reimbursed a percentage of the cost back from Tri-County if it's done within a five year period.

Council Member Lash made a motion to approve a Resolution Approving an Agreement between the City of Mt. Vernon and Tri-County Electric Cooperative, Inc. Regarding a Three Phase Underground Electric Line

Extension on the East side of 34th Street. Seconded by Council Member Piper. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

City Attorney Howard presented for the Council's consideration a Resolution Accepting a Proposal from Siemens for Full Service Odor Control Program Lift Station #15. Neibert commented this is a continuation of an ongoing program in the area around Garden Glen Apartments. Residents have complained of odor problems in the area because certain parts of the system don't have enough flow in the system. The City has shifted the odor problems in the Garden Glen Apartments area to the new Wells Bypass and Veterans and Davidson Roadway. When further development occurs around the Interstate interchange area the flow should be adequate to move the sewage along to the plant.

Council Member Wood made a motion to approve a Resolution Accepting a Proposal from Siemens for a Full Service Odor Control Program Lift Station #15. Seconded by Council Member Lash. Yeas: Lash, Piper, Wood and Chesley. Absent: McEnaney.

MAYOR

Mayor Chesley presented the following Proclamation to Assistant Police Chief Chris Deichman:

***OFFICE OF THE MAYOR
PROCLAMATION***

WHEREAS, The Congress of the United States of America has designated the week of May 12th to be dedicated as "National Police Week" and May 15th of each year to be "Police Memorial Day," and

WHEREAS, The law enforcement officers are our guardians of life and property, defenders of the individual right to be free men, warriors in the war against crime and dedicated to the preservation of life, liberty and the pursuit of happiness, and

WHEREAS, The City of Mt. Vernon desires to honor the valor, service and dedication of its own police officers, and

WHEREAS, it is known that every 57 hours an American Police Officer will be killed in the line of duty somewhere in the United States and 187 officers will be seriously assaulted in the performance of their duties, our community joins with other cities and towns to honor all peace officers everywhere, and

THEREFORE BE IT RESOLVED, that the City Council of the City of Mt. Vernon, Illinois, does hereby proclaim the week of May 12th to be police week and call upon all our citizens in this community to especially honor and show our sincere appreciation for the police officers of this city by deed, remark and attitude to show their thanks to the individuals who make it possible for us to leave our homes and family in safety each day and to return to our homes knowing they are protected by individuals willing to sacrifice their lives if necessary, to guard our loved ones, property and government against all who would violate the law.

FURTHER, LET IT BE RESOLVED THAT, I, MAYOR MARY JANE CHESLEY, do hereby proclaim the week of May 12th, 2013 as "National Police Week" in the City of Mt. Vernon.

***In witness whereof I have hereunto set my hand and caused the seal of this City to be affixed.
Mayor Mary Jane Chesley***

The City update for the month of May is available and printed on the back of water bills.

CITY COUNCIL

Council Member Wood commented that this is the first meeting of the new terms of office for the Mayor and Council Member Piper. At tonight's meeting the Council worked through many items on the agenda. The meeting lasted about an hour. It is a compliment to all City Officials that Council meetings run smoothly. It is

very clear that this is a concise group who want to get on with City business without antagonism. He thanked everyone for their efforts. Mayor Chesley thanked the Council for their continued teamwork to better the City of Mt. Vernon.

VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE

John Menke, of Mt. Vernon, expressed his concern about the health hazards associated with leaf burning in the City of Mt. Vernon. He provided a Metro East Community Air Project newsletter on the subject. Council Member Wood asked that the City Council consider a ban on leaf and yard waste leaf burning. Council Member Lash also expressed his concern about leaf burning in the City and the respiratory complications for the City's residents.

Bobby Farris, of Mt. Vernon, voiced his concern about the need for a stop sign at 911 21st Street.

EXECUTIVE SESSION

No Executive Session was held.

ADJOURNMENT

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

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Jerilee Hopkins
City Clerk