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**City of Mt. Vernon, Illinois  
Regular City Council Meeting  
Rolland W. Lewis Community Building — Veterans Park  
Monday, June 4, 2012  
7:00 p.m.**

**MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, June 4, 2012 at 7:00 p.m. at the Rolland W. Lewis Community Building, Veterans Park, Mt. Vernon, Illinois.

Mayor Mary Jane Chesley called the meeting to order.

The Invocation was given by Rev. Ron Lash.

The Pledge of Allegiance was given.

**ROLL CALL**

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

**JOURNAL**

The Journals for the May 21, 2012 City Council Public Hearing and the May 21, 2012 Regular City Council Meeting were presented to Council for any additions, deletions or corrections. **Motion by Council Member Piper to approve the Journals as presented. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

**CONSOLIDATED VOUCHERS FOR ACCOUNTS PAYABLE**

The Consolidated Vouchers for Accounts Payable were presented for Council's consideration. Council Member McEnaney asked City Manager Neibert for a briefing on the following: Item #4 Central States Fireworks - \$2,000.00 — 10% down payment on 4<sup>th</sup> of July Fireworks. This is a down payment on the City's Salute to Freedom at the airport on July 4, 2012. Item #8 FGM Architects - \$91,070.10 — Aquatics facility charges for April 2012. The project is on target to go out for bids in July, begin work in September with a May 2013 opening. Item #17 Ogletree Deakins - \$9,504.96 — April, 2012, legal services on Police and Fire personnel matters. They act as the labor attorneys for the City. Item #26 Tyler Technologies - \$15,446.87 — Financial software conversion for Finance Department. The new

financial accounting system is up and running and set to go online with the water billing at the end of this month. The City will advertise and promote the new format for the water bills in the news media, website and Facebook. The bill will be 8½"x 11" and filled with appropriate City information similar to a monthly newsletter. A sample bill will be distributed to the media for publication in local newspapers.

**Council Member McEnaney made a motion to approve the Consolidated Vouchers as presented in the amount of \$429,105.44. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

### **BIDS & QUOTES**

City Manager Ron Neibert stated that the City opened bids for the 34<sup>th</sup> Street Reconstruction project. There were three bids submitted. The bids were reviewed and he recommends awarding of the base bid to the lowest bidder, Moniger Excavating Company, Inc. of Moro, IL, in the amount of \$1,654,536.26. The City has not previously used this company, but they have a very good reputation according to City Manager Neibert. With good weather it is possible to complete this project by the end of the calendar year. Construction will begin at the north end of 34<sup>th</sup> Street near Buford School so that portion can be completed before the start of school on August 13. Four foot sidewalks will be placed on the west side of 34<sup>th</sup> Street with bike lanes in the pavement from Peach Street to Veterans Memorial Drive. This bid came in about \$110,000.00 less than the estimate.

Crossroads Hospital's construction will be complete with a projected opening in August. Good Samaritan Hospital's new facility will open in January, 2013.

**Council Member Lash made a motion to accept the low bid from Moniger Excavating Company, Inc. of Moro, IL, in the amount of \$1,654,536.26. Second by Council Member McEnaney. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Manager Neibert stated that the City received three quotes for a Canon imagePROGRAF iPF765 MFP Wide Format Printer/Scanner/Copier for the Engineering Department. This is a budgeted item (\$8,000.00) that will allow for storing and printing of architectural plans. He recommends accepting the low bid from Americom Imaging Systems, Inc. of St. Louis in the amount of \$7,100.00. The old equipment will be taken to Public Works for their use.

**Council Member Piper made a motion to accept the low bid from Americom Imaging Systems, Inc. of St. Louis in the amount of \$7,100.00. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Manager Neibert stated that the City received four quotes for a Folder/Inserter Machine for new water bills. This is a budgeted item (\$5,500.00). He recommends accepting the low bid from Prestige Business Equipment, LLC of St. Louis in the amount of \$4,617.25 with \$950.00 per year for maintenance of the equipment.

**Council Member Lash made a motion to accept the low bid from Prestige Business Equipment, LLC of St. Louis in the amount of \$4,617.25 with \$950.00 per year for maintenance of the machine. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

**CITY MANAGER**

City Manager Neibert introduced James Rippy, the City's representative on the Board of Trustees at the Rend Lake Conservancy District. Mr. Rippy updated the City Council on an issue at the Conservancy District regarding the District transferring millions of dollars from the Water fund to cover shortfalls in the Recreation fund consisting of the golf course, restaurant, condominiums and Lodge. These properties are owned by the District.

Mr. Rippy distributed copies of a forensic audit from a private accounting firm and the subsequent state audit commissioned by the state legislature from over seven years ago. The state audit was a major factor in a complete management turnover and restructuring of the Board in 2004. A few months ago the Conservancy District was presented with a proposal to loan the Recreation fund \$3.4 million from the Water fund. The River Conservancy Districts Act (70 ILCS 2105/11) states that *"If the board determines to operate any such recreational facilities, it shall establish for the revenue-producing facilities rates and charges which at least defray all fixed, maintenance, and operating expenses."* All the Jefferson County representatives on the Board voted against the proposal. All the Franklin County representatives on the Board voted for it.

A second proposal was presented to the Board to consolidate (Water fund and Recreation fund) all of the District's loans totaling \$8 million. Mr. Rippy stated that the Water fund should not be collateralizing the Recreation fund. One Board member was absent during the first vote on this proposal so the proposal did not pass. At the next meeting, all the Franklin County representatives voted for the proposal and the Jefferson County representatives voted against it. Mr. Rippy strongly disagrees with both of these recent developments especially since the audit centered on interfund transfers that had been made from the Water fund to the various recreation funds to meet operating cash shortfalls. The board obtained an outside legal opinion, which found that the transfers were not illegal but were a potential mismanagement of district funds.

Mr. Rippy noted there are three Board members from Jefferson county — one appointed by the City of Mt. Vernon and two appointed by the Jefferson County Board. Franklin County has four Board members — one appointed by West Frankfort; one appointed by Benton; and two appointed by the Franklin County Board. He believes Jefferson County should have the additional Board member because the City of Mt. Vernon purchases slightly more water than Franklin County. Mt. Vernon's population is slightly more than West Frankfort's and Benton's combined. City Manager Neibert advised that the statute provides that each county represented by the District gets two representatives and then each municipality in the District over 5,000 in population gets one representative. Mt. Vernon, West Frankfort and Benton each have one appointed representative.

Mr. Rippy noted that he has always tried to do what is best for the City of Mt. Vernon and has never been politically pressured by anyone but regrettably he is always out-voted by Franklin County. He thanked the Mayor and Council for their support and time to address them at the meeting.

City Manager Neibert presented for Council's consideration a Request for Permission to Seek Bids for an Aggregate Crushing Project at McDermott's Property (the Public Works facility on 12<sup>th</sup> Street). The City has stock-piled a large amount of old concrete sidewalks, etc. that will be bid out for the services of a company to crush the large pieces of scrap concrete down into CA6 size rock. He estimates the job will cost about \$30,000.00. If the City bid out that much rock it would probably cost \$90,000.00. In essence,

the City is recycling the old concrete and the ugly piles of old concrete at the McDermott property will be gone. Council Member Piper applauded this effort, and he appreciates the recycling effort.

**Council Member McEnaney made a motion to grant Permission to Seek Bids for an Aggregate Crushing Project at McDermott's Property. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Manager Neibert presented for Council's consideration a Request for Permission to Close Johnson Alley between Main and Harrison Streets on Wednesday, July 18, 2012 from 4:00 p.m. to 8:00 p.m. for the Southwest Grill at the Rex Fundraiser for CASA of Jefferson County; United Methodist Children's Home Foundation; Land of Lincoln Legal Assistance Foundation; and Illinois Bar Foundation M. Denny Hassakis Fund. The event is sponsored by Terry & Laura Schaubert, David & Kim Wood, Joah & Monika Humbrecht, Cindi's Catering, Dan & Cindi Peterman, South 70, Hassakis & Hassakis, P.C., and Mark & Janet Hassakis. Each of the adjacent property owners signed the request for the street closing.

**Council Member Piper made a motion to allow the closing of Johnson Alley between Main and Harrison Streets on Wednesday, July 18, 2012 from 4:00 p.m. to 8:00 p.m. for the Southwest Grill at the Rex Fundraiser. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Manager Neibert presented for Council's consideration a Request for Permission to Seeks Bids for the Repair and Painting of the Engine Bays at Station 4. The exterior painting has been completed so now it is time to work on the inside. This is a budgeted item.

**Council Member McEnaney made a motion to grant Permission to Seeks Bids for the Repair and Painting of the Engine Bays at Station 4. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Manager Neibert presented for Council's consideration a Request for Permission to Seeks Bids for the Removal of the Double Doors Located at the Northwest Corner of City Hall. The wooden doors are rotten and non-functional. He proposes to remove the doors and fill the opening with brick making a solid wall.

**Council Member Lash made a motion to grant Permission to Seeks Bids for the Double Doors Located at the Northwest Corner of City Hall. Second by Council Member McEnaney. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Manager Neibert presented for Council's consideration a Request for Permission to Waive Formal Bid procedure for the Purchase of a Porta-Patcher for the Public Works Department. Hampton Equipment is the sole distributor in our area for this equipment.

**Council Member Piper made a motion to grant Permission to Waive Formal Bid Procedure for the Purchase of a Porta-Patcher for the Public Works Department. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

**CITY ATTORNEY**

City Attorney David Leggans presented for Council's consideration a First Reading on Ordinance Amending Article 15, Section 15.8 Regarding Prohibition on Use of Groundwater as a Potable Water Supply. A similar Ordinance was passed several months ago that prohibits the drilling of water wells within the City limits as a means to get a no further action letter from the Illinois Environmental Protection Agency sent to property owners of leaking underground storage tanks in the City. IEPA requested that our Ordinance expressly include the City of Mt. Vernon. He requested a suspension of the rules because there is a project waiting for IEPA approval.

Council Member Lash made a motion to Suspend the Rules to take action on the Ordinance Amending Article 15, Section 15.8 Regarding Prohibition on Use of Groundwater as a Potable Water Supply. Second by Council Member McEnaney. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent. **Council Member Lash made a motion to adopt Ordinance No. 2012-21 Amending Article 15, Section 15.8 Regarding Prohibition on Use of Groundwater as a Potable Water Supply. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Attorney Leggans presented for Council's consideration a First Reading on Ordinance Regarding Prevailing Wage Rate. The Illinois Statute requires that the City pass an Ordinance establishing the Prevailing Wage Rate. He requested a suspension of the rules. All governmental entities are required to adopt this Ordinance annually.

Council Member Piper made a motion to Suspend the Rules to take action on the Ordinance Regarding Prevailing Wage Rate. Second by Council Member McEnaney. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent. **Council Member Piper made a motion to adopt Ordinance No. 2012-22 Regarding Prevailing Wage Rate. Second by Council Member McEnaney. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Attorney Leggans presented for Council's consideration a Resolution Approving Civil Engineering and Land Surveying Services Agreement with Round Table Design, Inc. for the ITEP Shared Use Bike Trail along Veteran's and 34<sup>th</sup> Streets. City Manager Neibert stated this is the formal agreement to begin the design work on the ITEP bike trail project. The trail will proceed from the current terminus in front of the new St. Mary's Good Samaritan Hospital; go east until 28<sup>th</sup> Street; and run down 34<sup>th</sup> Street to Harlan Road. The City is awaiting approval of the Change of Scope letter. The grant is for \$350,000.00 and estimated cost of the project is \$500,000.00.

**Council Member McEnaney made a motion to approve the Resolution Approving Civil Engineering and Land Surveying Services Agreement with Round Table Design, Inc. for the ITEP Shared Use Bike Trail along Veteran's and 34<sup>th</sup> Streets. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Attorney Leggans presented for Council's consideration a Resolution Approving Agreement with the Laborers International Union of North America, the Southern & Central Illinois District Council, and Laborers' Local #1197 and the Teamsters Automotive, Petroleum and Allied Trades Local #50. City Manager Neibert advised this is an agreement with two bargaining units that represent workers in Public Works, Public Utilities, and Parks and Recreation Departments. Terms of this agreement are consistent with contracts that we previously negotiated with the Police bargaining unit. Several items in

the contract will give the City working flexibility in terms of sharing labor between departments. Council Member McEnaney complimented the City Manager and Union Leaders on coming together during tough times on the union contract.

**Council Member Piper made a motion to approve the Resolution Approving Agreement with the Laborers International Union of North America, the Southern & Central Illinois District Council, and Laborers' Local #1197 and the Teamsters Automotive, Petroleum and Allied Trades Local #50. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

City Manager Neibert noted that the Council will consider adopting agreements with IBEW and FOP telecommunications unit at the next Council meeting.

City Attorney Leggans presented for Council's Consideration a First Reading on Ordinance Declaring Certain Items as Surplus. Even though the Agenda refers to this as a Resolution it will be adopted as an Ordinance. This is an Ordinance authorizing the sale of surplus municipal personal property to be auctioned off at the I64 Auction in Woodlawn, on Saturday, June 9, 2012 at 9:00 a.m. Because the auction is this Saturday, City Manager Neibert requested that the rules be suspended and act on this request at this meeting.

Council Member McEnaney made a motion to Suspend the Rules. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent. **Council Member McEnaney made a motion to adopt Ordinance No. 2012-23 Declaring Certain Items as Surplus. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent.**

#### MAYOR

The City Update brochures for June, 2012, are available at the meeting, City Hall and the Municipal West Building. A special section entitled *Summer Fun* has been added on the back of the brochure. Mayor Chesley noted that the latest building projects and building permits are highlighted in this month's update.

The June edition of Parks and Recreation Director George Bryant's *The P & R Review*, featuring the new Aquatic Facility, park facilities and recreation activities, is now available at the Parks and Recreation Office, City Hall, and the Municipal West Building.

#### CITY COUNCIL

Council Member Lash gave "kudos" to Director George Bryant for his work transforming the park system. Everyday more and more people are walking and utilizing the parks. Many people that haven't used the parks before are experiencing all the great things they have to offer, including Veterans and Dawson Park.

Council Member McEnaney thanked Mayor Chesley for all the work she has performed in creating the City's monthly updates. Mayor Chesley noted it is important for the citizens of Mt. Vernon to be knowledgeable about where and how their tax dollars are being spent.

Council Member McEnaney also thanked Council Member Todd Piper for his work and leadership in connection with the City's new Fall Festival. Council Member Piper advised that the event will be held the third weekend in October and is still in the planning stage. There is an aggressive group of nearly 60 local volunteers working on the Festival.

#### **VISITORS/CITIZEN REQUESTS/ADDRESSES FROM THE AUDIENCE**

Hortin Petties reminded the City to clear the brush and trees from around the Dawson Park Area. He thanked the Mayor, City Council and Police Department for working to create and provide south side neighborhoods that are safe. He is noticing more and more senior citizens are spending time in their yards and putting out gardens. He's so proud to have Rachel's Dance Studio and the new Dollar Store being constructed on the south side. The City is clean, nice and attractive. He has nothing negative to say.

Council Member Lash commented that the Council is working hard to improve the public image of Mt. Vernon. It's a big plus to hear Mr. Petties' positive comments because unfortunately in the past a negative City image had been propagated internally. The public is seeing that work has been, and is being, done to bring about a change of the City's image. Once the image changed internally then all people, even outside Mt. Vernon, can see the City's progressive attitude, and how much we're willing to grow, not only from an economic standpoint but also from a quality of life and personal standpoint.

Mayor Chesley remarked about how much improved Newby Avenue appears since the building of the Council Member Lash's new church and demolition of the old structure.

#### **EXECUTIVE SESSION**

No Executive Session was held.

#### **ADJOURNMENT**

Motion for adjournment was made by Council Member Piper. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper and Chesley. Council Member Wood was absent. The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Jerilee Hopkins  
City Clerk