

**CITY OF MT. VERNON, ILLINOIS
REGULAR CITY COUNCIL MEETING
Monday, July 20, 2015
7:00 P.M.**

MINUTES

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, July 6, 2015 at 7:00 p.m. at the Rolland W. Lewis Community Building, Veterans Park, 800 South 27th Street, Mt. Vernon, IL.

City Clerk Jerilee Hopkins called the meeting to order. The first order of business was to appoint a Mayor Pro Tem. Council Member Dennis McEnaney made a motion to appoint Council Member Todd Piper to act as Mayor Pro Tem to conduct the City Council Meeting. No second was required. There being no more nominations, nominations were closed. The roll call vote was as follows: Yeas: May, McEnaney, Moore and Piper. Absent: Chesley. Council Member Todd Piper was appointed Mayor Pro Tem for tonight's meeting.

The invocation was given by Rev. Randy Steele of the Jefferson County Ministerial Association.

The Pledge of Allegiance was recited.

ROLL CALL

Roll call showed present: Council Members Jeff May, Dennis McEnaney, Donte Moore and Todd Piper. Absent: Mayor Mary Jane Chesley.

PRESENTATION OF JOURNALS

The Journal for the July 6, 2015 Regular City Council Meeting were presented to Council for any additions, deletions or corrections. **Council Member Moore made a motion to approve the Journal as presented. Seconded by Council Member May. Yeas: May, McEnaney, Moore and Piper. Absent: Chesley.**

APPROVAL OF CONSOLIDATED VOUCHERS FOR ACCOUNTS PAYABLE

The Consolidated Vouchers for Accounts Payable were presented to Council for approval. Council Member May asked Interim City Manager Mary Ellen Bechtel for updates on the following items: #7 Doug Eubanks - \$22,861.09 – South 42nd Street sidewalks. This is the final payment; however, ATT will be repairing some damage they caused to the dirt work. #10 Henry, Meisenheimer & Gende - \$77,785.23 – West Industrial Park engineering. This represents a progress payment (\$25,757.24); North 27th Street and Old Union Road represents a progress payment (\$12,027.99); and additional easement and rights-of-way are needed on the North 42nd Street project (\$40,000.00). Council Member McEnaney inquired about the following: Item #8 Environmental Consultants - \$2,210.00 – Asbestos survey for the basement of the City Hall. There is extensive damage caused by water and cleanup needed in the basement. Item #23 Premier Demolition - \$134,527.65 – demolition of Mt. Vernon Townhomes. Landscaping is not yet complete at the Townhomes site so the City is

withholding about \$20,000.00 until the landscaping is finished. Item #29 Treasurer State of Illinois - \$60,500.90 – ITEP 34th and Veterans Bike Trail. This represents the City's 20% share of the multi-use trail on the south side of Veterans at 34th Street.

Council Member May made a motion to approve the Consolidated Vouchers for Accounts Payable in the amount of \$1,170,828.37. Seconded by Council Member Moore. Yeas: May, McEnaney, Moore and Piper. Absent: Chesley.

BIDS & QUOTES

No bids and quotes were presented.

CITY MANAGER

No business was presented by the Interim City Manager Mary Ellen Bechtel.

CITY ATTORNEY

City Attorney David Leggans presented for Council's consideration a Second Reading of an Ordinance Annexing Real Estate located off Bethel Road to the City of Mt. Vernon. The petitioning party is Melvin Dalton. Mr. Dalton plans to build a new home on the property. The annexation will allow the property owner access to City water and sewer which are already in place at that location.

Council Member McEnaney made a motion to approve Ordinance No. 2015-24 Annexing Real Estate Located off Bethel Road to the City of Mt. Vernon. Seconded by Council Member May. Yeas: May, McEnaney, Moore and Piper. Absent: Chesley.

City Attorney Leggans presented for Council's consideration a Second Reading of an Ordinance Amending Article 6 of the Revised Code of Ordinances Adding a Festival Events License for Liquor Sale. This amendment will allow beer and wine for consumption to be sold at the Friday Food and Art Markets on the outside of the former Armory Building from 2:00 p.m. to 7:00 p.m. A fenced in area will be used for the selling and drinking of beer and wines.

Council Member May made a motion to approve Ordinance No. 2015-25 Amending Article 6 of the Revised Code of Ordinances Adding a Festival Events License for Liquor Sale. Seconded by Council Member McEnaney. Yeas: May, McEnaney, Moore and Piper. Absent: Chesley.

City Attorney Leggans presented for Council's consideration an Ordinance Amending Article 21 Zoning Section 21-300 Schedule of District Regulations. Bechtel noted that this Ordinance will add "Funeral Homes" as a permitted use within the B-1 Primary Business District, the B-2 Secondary Business District, and the B-3 Interchange Business. In addition, the Ordinance will also add "Crematorium operated in conjunction with a Funeral Home" as a Conditional Use within the B-1 Primary Business District, the B-2 Secondary Business District, and the B-3 Interchange Business. This amendment was unanimously approved by the Zoning and Planning Commission.

Council Member May made a motion to approve Ordinance No. 2015-26 Amending Article 21 Zoning Section 21-300 Schedule of District Regulations. Seconded by Council Member McEnaney. Yeas: May, McEnaney, Moore and Piper. Absent: Chesley.

City Attorney Leggans presented for Council's consideration an Ordinance Rezoning Property Located at 124, 126 and 128 E. Perkins from RM-2 Medium Density Residential and Mobile Home District to B-2 Secondary Business District. Marshall Davis of Roundtable Design appeared and stated that the Mel Brookman owns a

construction company, and plans to expand their business on the property. The Zoning and Planning Commission unanimously approved the rezoning.

Council Member McEnaney made a motion to approve Ordinance No. 2015-27 Rezoning Property Located at 124, 126 and 128 E. Perkins from RM-2 Medium Density Residential and Mobile Home District to B-2 Secondary Business District. Seconded by Council Member Moore. Yeas: May, McEnaney, Moore and Piper. Absent: Chesley.

City Attorney Leggans presented for Council's consideration an Ordinance Rezoning Property Located at 17214 E. IL Hwy 15 from A-G General Agriculture to B-2 Secondary Business District. Bechtel advised that this property was formerly the Carpet Corner located within the one and one-half mile zoning area outside the corporate limits of the City. Property owner Harold Burwell appeared and stated in the future he may relocate his classic car business to this location. It was unanimously approved by the Zoning and Planning Commission.

Council Member May made a motion to approve Ordinance No. 2015-28 Rezoning Property Located at 17214 E. IL Hwy 15 from A-G General Agriculture to B-2 Secondary Business District. Seconded by Council Member Moore. Yeas: May, McEnaney, Moore and Piper. Absent: Chesley.

City Attorney Leggans presented for Council's consideration a First Reading of an Ordinance Annexing Real Estate Located at 1111 Veterans Memorial Drive. The property owners previously rezoned the property for the building of an outdoor and climate controlled storage facility. They are asking to annex into the City for the water and sewer service. The water and sewer lines are already installed. **FIRST READING.**

City Attorney Leggans presented for Council's consideration a First Reading of an Ordinance Amending Article 18, Section 18.20 "Street Parking". Downtown Mt. Vernon Development Corporation (DMDC) recommended that downtown parking permits be offered to persons residing in upstairs residences within the Special Service Area #1. Bechtel estimates no more than 12 permits per year would be issued. Rex Cusumano, President of DMDC, appeared and advised that this idea was recommended by Roger Brooks of Destination Development, Inc. Current downtown residents favor the proposed Ordinance. The proposed language for street parking is as follows:

There is hereby established a Downtown Resident Parking Permit, which Permit shall authorize parking privileges, subject to availability, upon the following streets: 9th Street from Harrison to Jordan, 10th Street from Main to Harrison, and Main Street from Johnson Alley to 10th Street. The Permit shall be issued by the Mt. Vernon Police Department and shall be issued only for use by persons residing in upstairs residences within the Special Service Area #1; said Permit shall issue only to the owner of the residence or to a tenant of the residence provided that not more than two (2) permits per residential unit shall be issued during any permit period. The permit period shall be from May 1 through April 30. The fee for each permit shall be \$240.00 for an entire permit year, but the fee shall be prorated at time of issuance based upon the amount of the permit period remaining in the permit year. The permit fee paid at time of issuance of the Permit shall be non-refundable, notwithstanding cancellation or surrender of the Permit. The Permit shall issue to a specific residential address within the Special Service Area #1 and shall not issue to a specific motor vehicle or person. The Permit shall allow parking upon the above designated streets, without the restriction of the two hour limit, within parking spaces where two hour parking is permitted; the Permit does not authorize parking within a handicapped parking space, a reserved space, a thirty minute parking space, nor any other parking area. The Permit must be displayed in clear view in the left front window of the vehicle during all times that the vehicle is parked; and if the Permit is not properly displayed, the two hour parking limitation shall apply. Nothing herein shall restrict other motor vehicles from parking upon the designated streets as provided by the Revised Code of Ordinances.

FIRST READING.

City Attorney Leggans presented for Council's consideration a Resolution Approving a Subordination Agreement relating to the Revolving Loan of Kipp Bauer, Katrina Bauer and Beit Mashach Property, LLC d/b/a Gallery 223. Bechtel explained that the Bauer's have applied at Community First Bank of the Heartland for a real estate mortgage loan in the amount of \$55,000.00 to further redevelop their property at 120 S. 9th Street. The Bauer's received a Revolving Loan from the City for \$30,000.00 in 2013. Community First Bank requires that the City's loan to the Bauer's be made subordinate, secondary and inferior to the Bank's loan. The Revolving Loan Committee unanimously approved this agreement. Kipp Bauer appeared and informed Council that cost over-runs on the project have occurred, i.e. the fire sprinkler system, water main hook-up, etc.

Council Member May made a motion to approve a Resolution Approving a Subordination Agreement relating to the Revolving Loan of Kipp Bauer, Katrina Bauer and Beit Mashach Property, LLC d/b/a Gallery 223. Seconded by Council Member Moore. Yeas: May, McEnaney and Moore. Abstain: Piper. Absent: Chesley.

City Attorney Leggans presented for Council's consideration a Resolution Approving Assignment of Tax Increment Financing Interest from Downtown Mt. Vernon Development Corporation (DMDC) to Banterra Bank. DMDC purchased the Manion Building on August 18, 2014, and they were awarded a TIF benefit of \$100,000.00 to have a new roof constructed on the building. The proposed Contractor, Bill Roberts a/k/a Billie E. Roberts, II a/k/a Roberts Electrical Contractors Inc. and Banterra Bank request the City consent to an assignment of the TIF benefit (\$100,000.00) to Banterra Bank who is holding a loan against the project. (FOR THE RECORD, COUNCIL MEMBER JEFF MAY RECUSED HIMSELF FROM THE DISCUSSION ABOUT THIS TOPIC BECAUSE OF HIS RELATIONSHIP WITH BANTERRA BANK.) Bechtel noted that Council has approved similar assignments on other projects in the past. Rex Cusumano, President of DMDC, appeared and stated there is no change in the scope of the project because of this transaction. It simply insures that when the TIF project is successfully completed the payment will go directly to the lending institution.

Council Member Moore made a motion to approve a Resolution Approving Assignment of Tax Increment Financing Interest from Downtown Mt. Vernon Development Corporation (DMDC) to Banterra Bank. Seconded by Council Member McEnaney. Yeas: McEnaney, Moore and Piper. Abstain: May. Absent: Chesley.

MAYOR

Mayor Chesley requested that Council Member Piper advise that the Aquatic Zoo was highlighted and commended for the creativity in the July/August addition of the Illinois Park and Recreation Magazine.

CITY COUNCIL

Police Chief Chris Deichman reminded everyone that the National Night Out Against Crime event will be held on Tuesday, August 4, 2015 from 5:30 to 8:30 pm at Veteran's City Park. This event is sponsored by the Mt. Vernon Police Department in order to join the Police Officers and citizens to help build a stronger, safer community. Chief indicated this will be the 14th year for the event and last year they served hotdogs and refreshments to approximately 900 people.

VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE

Dr. Chris Klein, along with his wife, Diane, son, Brian, and good friends were in attendance as well as MVTHS Baseball Coach Tim Holloway and current MVTHS Baseball Booster Club President Denny Clark. Dr. Klein stated that 13 years ago his family helped to fund the new high school field which is now known as "Brennan Klein Field". Klein proposed the construction of a new building that would contain a concession stand, restrooms, storage facilities and dressing rooms. He distributed a copy of one bid he received from Bevis Construction Co. totaling \$260,117. Klein requested that the City Council have a contract with Bevis Construction for the construction of only the foundation of the structure; establish some sort of entity wherein businesses can make a tax deductible donation with the money designated for this proposed building; and to seek additional funds, above and beyond those collected privately, to fully fund the project.

Bob Steffy appeared to lend support for the Klein's proposed structure at Brennan Klein Field.

Kent Southers inquired about whether a breach of contract had occurred because no switching of railroad cars commenced within 12 months as specified in the contract between the City and Milano Railcar Services, LLC regarding the closing of 7th Street. Bechtel stated that no breach of contract occurred because records indicate that railroad car switching did begin within 12 months and switching continues on those tracks.

EXECUTIVE SESSION

No Executive Session was held.

ADJOURNMENT

Council Member Moore made a motion to adjourn the Regular City Council Meeting. Seconded by Council Member May. Yeas: May, McEnaney, Moore and Piper. Absent: Chesley.

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Jerilee Hopkins
City Clerk