

**City of Mt. Vernon, Illinois
Regular City Council Meeting
Monday, August 20, 2012
MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, August 20, 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. Brad Henson of the Jefferson County Ministerial Association.

The Pledge of Allegiance was recited.

ROLL CALL

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

JOURNAL

The Journals for the July 23, 2012 City Council Workshop Meeting and the July 31, 2012 City Council Retreat were presented to Council for any additions, deletions or corrections. **Motion by Council Member McEnaney to approve the Journals as presented. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper, Wood and Chesley.**

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 #3 American Parking Remarketing - \$3,216.96 — marking streets for street repairs. All the streets that have been planned for this fiscal year have been marked. Matt Fauss, Director of Public Works, will be marking some high traffic areas using City employees. #4, American Utility Contractors - \$10,000.00 — run fiber optic line from Police Department to City Hall. This is part of the Clearwave fiber optic system. Item #6 Baxmeyer Construction - \$295,225.42 — Veterans West and Davidson South roadway extension. If the weather remains good the project will be completed, minus landscaping, this calendar year. Item #12 Henry, Meisenheimer & Gende - \$6,044.11 — South Davidson and Veterans sewer extension. Neibert noted the project is about 20% complete. Item #20 Moniger Excavating - \$166,933.26 — construction on South 34th Street. Construction is in the third phase of seven and targeting completion by the end of the year. Item #27 Rhutasel & Associates - \$4,822.64 — safe routes to schools sidewalk project (Peach

& Cherry Streets). This is a state bid process so authorization is expected in a couple of more weeks. Bids came in well below estimates. A special check was written to Hassakis & Hassakis in the amount of \$6,500.00 for reimbursement pursuant to the Downtown TIF Agreement for restoration of the Boston Building. Council Member Wood inquired about item #23 Ogletree Deakins - \$25,792.37 — June and July legal services for City Departments. Neibert stated this is the Labor Attorney's assistance in labor negotiation matters and in particular the arbitration with the Firefighters union.

Council Member Wood made a motion to approve the Consolidated Vouchers as presented in the amount of \$1,118,544.97. Second by Council Member McEnaney. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

BIDS & QUOTES

Five sealed proposals for the completion of the Casey Middle School Bike Trail were received as follows:

Gleeson Asphalt, Belleville, IL	\$466,807.98
Guinzy Construction, Ashley, IL	\$483,804.19
Shores Builders, Centralia, IL	\$520,974.29
Rooter's, Beckemeyer, IL	\$556,728.75
Hank's Excavating, Belleville, IL	\$572,805.20

City Manager Neibert recommended and requested that the City accept the low bid of Gleeson Asphalt, Belleville, IL, in the amount of \$466,807.98. The low bid is about \$7,000.00 above the Engineer's estimate.

Ron Kirsch of 708 Lake Park Drive appeared and stated that he encourages and supports bike trails in Mt. Vernon. He spoke on behalf of himself and neighbors. He noted it is dangerous to place the bike trails along private property rather than public streets, and the trails are less accessible for emergency personnel if needed. He suggested the trail follow the east side of United Methodist Children's Home on Columbia Drive using the existing street and perhaps reducing the cost.

Calvin Murphy resides outside the City limits but within the mile and one-half range of Mt. Vernon. He commended the City on constructing the bike paths. He rides regularly and is very grateful for the new paths located in less congested areas of the City such as 27th Street and Perkins Avenue.

City Manager Neibert noted that when this project was under consideration for the ITEP grant, the City was required to conduct a series of public hearings mandated by the grant program. Once the City made the decision to shift this trail from the ITEP guidelines and place a different trail on the ITEP grant, the City was not required to hold any additional public hearings. There has been much conversation with many neighbors in the area to address their concerns. He also added that because of a neighbor's concerns the sidewalk portion, on the City's right-of-way, has been eliminated on Lake Street requiring another easement from the hospital but maintaining the intent of the project. A portion of the trail is also on School District 80 property.

Council Member McEnaney recalled that this route and the project were part of the planning and recommendations of the Bike Trail Committee established many years ago and publicized at that time. The Casey School to Cedarhurst trail is the same as when it was first made known to the community.

A member of the audience was speaking but her comments were inaudible.

Sarah Modert stated that as a physician in the community she is concerned about safety. She believes that if the trail follows the east side of UMCH on Columbia Drive using the existing street then the emergency personnel will have better access. She requested that the Council delay the vote on accepting the low bid until the next Council meeting to allow the impacted residents to voice their concerns to the City Council.

Council Member McEnaney stated it is time to move ahead with this project after many years of planning and made a motion to accept the low bid from Gleeson Asphalt, Belleville, IL in the amount of \$466,807.98. Council Member Wood thanked the hundreds of supporters as well as Mr. Murphy for his comments and seconded the motion. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

CITY MANAGER

City Manager Neibert requested permission to seek bids for a water main replacement on Conger from 18th Street to 26th Street. This is a budgeted, Comprehensive Plan item at a cost of \$170,000.00, and the third phase of the project to replace water mains in the area. There was considerable discussion on this project at the last City Council retreat.

Council Member Piper made a motion to approve the request for permission to seek bids for a water main replacement on Conger from 18th Street to 26th Street. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

Debi Richardson, Director of Marketing at Crossroads Community Hospital, presented for Council's consideration a request for permission to temporarily close certain streets in support of the Fall Fest 5K Run on October 20, 2012 at 7:00 a.m. The first race will begin at 8:00 a.m. followed by an 8:15 a.m. walk and the one-half mile Fun Run Kids' race. Pre-registration can be done by contacting Debi Richardson at Crossroads Community Hospital, the race sponsor, at 241-8510. Flyers will be available at the hospital, around town and City Hall. The route is as follows:

The start/finish would be along Maple St. next to Central Church then north along 12th St. to Richview Rd. and then into the drive of Cedarhurst. The run would then follow the paved path through the museum grounds and exit along N. 27th St. Runners would then follow 27th St. around to Old Union to Wilshire. Take Wilshire/N. 12th St. all the way to Maple and finish there. This route is about 3.1. The exact start/finish can be measured and marked along Maple to achieve an exact 3.1.

The City Police will have a car to lead the race and at the end of the race.

Council Member Piper made a motion to approve the request for permission to temporarily close certain streets in support of the Fall Fest 5K Run on October 20, 2012 at 7:00 a.m. Second by Council Member Wood. Yeas: Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Manager Neibert presented for Council's consideration a request for permission to close S. 21st Street from Logan Street to Lamar Street on Sunday, September 2, 2012 from 5:00 p.m. to 9:00 p.m. for Logan Street Baptist Church Neighborhood Block Party.

Council Member Wood made a motion to approve the request for permission to close S. 21st Street from Logan Street to Lamar Street on Sunday, September 2, 2012 from 5:00 p.m. to 9:00 p.m. for Logan Street Baptist Church Neighborhood Block Party. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

Cyndi Mitchell, Director of Downtown Mt. Vernon Development Corporation, presented for Council's consideration a request for permission to close 9th Street from Harrison Street to 222 S. 9th Street (9th Street Grill) on Saturday, October 20, 2012 from 9:00 a.m. to 9:00 p.m. for the 11th Annual Downtown Promotional Event "Cruise-In @ Fall Fest".

Council Member Piper noted that the Fall Fest website is now online at www.mtvernonfallfest.com for a list of activities, performers, parade maps, registration forms, etc. The Main Stage schedule is as follows:

Friday, October 19

5:00-7:30 p.m. - *Pumphouse Monster*
7:30-8 p.m. - *Costume Contest Winners*
8 p.m. - 12 a.m. - *The Brat Pack*

Saturday, October 20

11 a.m. - 1 p.m. - *Mike's Good Time Country & Rock n' Roll*
1-2 p.m. - *Polly Launay*
2-3 p.m. - *Parade*
3-5 p.m. - *Jordan Carter*
5-5:20 p.m. - *Beauty Pageant Winners*
5:30 - 6:45 p.m. - *RBR Trio + 1*
7:30 - 9:30 p.m. - *26 or 5 to 4 Chicago Tribute Band*
10:00 - 11:30 p.m. - *South of 70*

Sunday, October 21

12 p.m. - *Opening Prayer, Minister Anthony Moore*
12:05 p.m. - *Tommy Adair w/ Celestine*
1 p.m. - *Hannah Elisha Grace*
1:30 p.m. - *Central Worship w/ Jon Henninger (will include Passion Painter)*
2 p.m. - *Passion Painter Andy Raines testimony*
2:30 p.m. - *Perry Case Band*
3 p.m. - *The Reason*
3:30 p.m. - *Matt Stephens (will include Passion Painter)*
6:30 p.m. - *Evening Tour - Britt Nicole, Group 1 Crew, Royal Tailor*

Council Member Lash made a motion to approve a request for permission to close 9th Street from Harrison Street to 222 S. 9th Street (9th Street Grill) on Saturday, October 20, 2012 from 9:00 a.m. to 9:00 p.m. for the 11th Annual Downtown Promotional Event "Cruise-In @ Fall Fest". Second by Council Member Piper. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

CITY ATTORNEY

City Attorney David Leggans presented for Council's consideration the Second Reading on Ordinance Creating a Video Gaming License Classification to Sell Alcoholic Liquor. The "Video Gaming License" shall entitle the licensee to make consumption sales of beer and wine; but no package sales. The license shall issue only for establishments licensed under Article 11, Licenses. The licensed premises shall not exceed 1,500 square feet, and not more than 1000 square feet of said licensed premises shall be open to the public or accessible to any patron. No premises licensed hereunder shall have any lounge or bar or other similar area; only a service bar is permitted and said service bar shall serve only the video gaming

terminals or similar type additional terminals, such as an internet station. No premises licensed hereunder shall have a dance floor or similar area; and no dance, live event, or other similar activity shall be permitted. No person under the age of 21 shall be employed by, nor allowed to enter or remain upon the licensed premises at any time. The license fee for a Video Gaming License shall be One Thousand Dollars (\$1,000.00) per annum.

Mayor Chesley noted that a couple of businesses have made inquiries about locating in the City. One is interested in the downtown area, but asked to remain confidential until a lease is signed.

There are a total of 14 different categories of liquor licenses in the City.

Council Member McEnaney commented this is a new concept/category for the State of Illinois and the City of Mt. Vernon. The State of Illinois is still working through the ins and outs of this new legislation. It is anticipated that it will be several months before the State is ready to issue Video Gaming Licenses in our area. A State license is required before a City video gaming license can be issued. He doesn't feel that the City needs this classification/category of license at this time.

Council Member Lash commented that the City has enough opportunities for video gaming without adding an additional category of license. He works with people with various forms of addictions. A gambling addiction affects the whole family and this type of establishment will perpetuate that problem.

Council Member McEnaney made a motion to deny the approval of an Ordinance Creating a Video Gaming License Classification to Sell Alcoholic Liquor. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Attorney David Leggans presented for Council's consideration First Reading on Ordinance Declaring Certain items as Surplus. The Fleet Services Department wishes to have the following trucks declared surplus. The vehicles will then be sold at public auction. City Manager Neibert requested a suspension of the rules so that the matter can be voted on at tonight's meeting.

#402 - 1996 Ford Ranger Pickup, vin 1FTCR1OU3TUA94528

#603 - 1995 Ford F150 Pickup, vin 1FTDF15YOSNB52094

#604 -1993 Ford F150 Pickup, vin 1FTDF15Y3PNA87281

#605 -1995 Ford F150 Pickup, vin 1FTDFi5Y6SLB77674

Council Member Piper made a motion to suspend the rules and act on this Ordinance. Second by Wood. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

Council Member Piper made a motion to adopt Ordinance No. 2012-31 Declaring Certain items as Surplus as presented. Second by Council Member Wood. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Attorney David Leggans presented for Council's consideration a Resolution Approving a Two Year Extension Regarding Cell Phone Service. Neibert noted this is an extension of the City's two year contract with cell phone provider Alltel replacing all the phones with no additional cost in service.

Council Member Lash made a motion adopting a Resolution Approving a Two Year Extension Regarding Cell Phone Service with Allied Wireless Communications Corporation d/b/a Alltel. Second by Council Member McEnaney. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

MAYOR

No information to report.

CITY COUNCIL

Council Member Piper advised that he received an email from a concerned citizen who made several telephone calls to the Police Department on Saturday night to complain about loud music at a residence; however, the music did not subside until 2:00 a.m. The Police returned to the residence after the third call and the music was quieted. Pursuant to Department Policy if the disturbance doesn't stop after the second Police intervention then the home owner or occupant should be arrested. Police Chief Chris Mendenall stated that on Monday he spoke with the Supervisor on duty Saturday evening. Chief Mendenall assured the Council that in the future Department Policy will be followed.

VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE

No visitors/citizens requests; addresses from the audience.

EXECUTIVE SESSION

At approximately 7:57 p.m. Council Member Wood made a motion to go into Executive Session to discuss the acquisition of real estate and litigation. Second by Council Member McEnaney. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

AJOURNMENT

Motion by Council Member Lash to adjourn. Second by Council Member Wood. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

The meeting adjourned at 8:17 p.m.

Respectfully submitted,

Jerilee Hopkins
City Clerk