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**City of Mt. Vernon, Illinois
Regular City Council Meeting
Monday, September 17, 2012
MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, September 17, 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 Reverend Travis Perry 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 August 20, 2012 Regular City Council Meeting and September 4, 2012 Regular City Council Meeting were presented to Council for any additions, deletions or corrections. **Motion by Council Member Lash to approve the Journals as presented. Second by Council Member McEnaney. 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 for an update on item #6 to Baxmeyer Construction in the amount of \$353,525.00 for the Veterans West and Davidson South roadway extension. City Manager Neibert stated that Baxmeyer is ahead of schedule and given favorable weather conditions there is a chance that they will be finished by the end of the year. Item #14, to Heneghan and Associates in the amount of \$18,838.60 for work on the Shared Use Trail. Neibert noted this as one of the final payments. City Engineer Scot Prindiville added that construction on the shared use trail would begin in about two weeks. Item #16, to J K Trotter and Sons in the amount of \$105,816.46 for the Veterans and Wells Bypass sanitary sewer extension. Prindiville clarified that the Wells Bypass sewer had been completely in for quite some time. The City is holding some retainage back for grading and there should be a small final payment of \$35,000.00 based on the retainage. Item #23 to Mid-American Energy in the amount of \$29,624.74 for August electric service. Neibert concluded the City is still saving money and will probably

be going out for bid in the open market in late November. Council Member McEnaney stated that he would like to know the savings on this project at the end of the year. Item #34 to Wilo USA in the amount of \$40,436.07 for the two pumps for lift station 1. Neibert stated this was a budgeted item.

Council Member McEnaney made a motion to approve the Consolidated Vouchers as presented in the amount of \$1,363,471.56. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

Due to the large number in attendance regarding the Safe Sidewalks to School Program in the Cherry, Jamison and Peach area, Mayor Chesley asked to address that issue before the rest of the Council meeting.

Mayor Chesley noted the City has applied for the Safe Routes to School program three different times over the years receiving it this last year. The grant was in the amount of approximately \$250,000.00. The design work was part of a sidewalk plan that had been done earlier which fit right in to the programs the City discussed and we are very happy to receive this outside money, stated Chesley. What happened in the interim as the project had moved along and engineering had been conducted was stakes started appearing in people's yards designating City right-of-ways. Since then there has been a lot of concern. She appreciated the phone calls and emails from the public. She has gone out to Cherry Drive, Jamison and Peach along with the Council Members to look at the situation. She stated it is a nice neighborhood, with established homes and a lot of time was spent on the landscaping and taking care of the property over the years and to see these stakes suddenly in people's yards was a shock to them. Mayor Chesley asked City Engineer Scot Prindiville to step forward and address this issue. Prindiville clarified that the stakes with pink ribbons are not designating where the sidewalk will be but marking the property line. The numbers, he clarified, is the distance from the property line to the inside edge closest to the houses. The sidewalk will be four feet wide so if the ribbon says 5.5, the sidewalk will be 5.5 to 9.5 feet away from the property line. It was explained to Mayor Chesley that the sidewalks will appear at a distance from the flags out toward the road.

Council Member McEnaney asked if that distance from the outer edge of the sidewalk to the road would be a consistent distance. Prindiville stated that it would not. He stated they are trying to lay the sidewalk out in the most efficient manner possible economically speaking. In some places it will be located behind the ditch in the front yards where the ditches are close to the roadways in others the ditches are back closer to the property line and in those cases the sidewalk is located closer to the road. Prindiville stated that when the project is completed the sidewalk won't look like its jogging around because there are no straight sections of right-of-way out there. The sidewalks will turn at a radius that is different from the right-of-way radius; instead of turning sharper the sidewalk will turn gradually away from the property line creating a smoother transition.

Mayor Chesley stated that with programs like this, whenever the City goes into established neighborhoods with sidewalks she feels it would have been appropriate to hold a public meeting or have some way of informing the residents within the neighborhoods of what was going to occur along with an explanation regarding how the program came about and why it's being implemented allowing the public to see the diagrams.

Danny Young, at 41 Cherry Drive, stepped forward and stated that he and his wife have two school-aged children, one attending Casey, the other Buford and one that is four. He stated he had some concerns about how the project would affect his home. He spoke with City Engineer Prindiville and Mayor Chesley

and appreciated them coming out to his residence and inspecting his home, drive and neighborhood. He stated that he had sent correspondence out last week to the Mayor and City Manager including pictures. He spoke with Prindiville on Tuesday of last week which was really the first indication that most of the neighbors had of the project beginning the upcoming week. He stated that the Mayor called him and wanted to meet with him at his home on Friday and he appreciated that. She mentioned that she had forwarded his emails onto the Council Members. He stated that he does not feel sidewalks are a bad thing, especially for the children and their safety. He thinks it is a great idea, especially in the initial phases of a housing development, but unfortunately he stated, they are not in the initial phases of a housing development. His view is that this project will be aesthetically unappealing and could potentially lower home values. He stated that in his opinion, neighborhood improvements would include road widening, a bike or walking path, along with fixing the open ditches in the area, additional lighting, water and sewer enhancements. Sidewalks he feels are more of an enhancement, similar to someone for example going to the plastic surgeon to have a procedure done, which would be an elective procedure and not always done for the right reasons. He stated that the sidewalk project would ultimately compromise, the twisting and turning of streets, open ditches, water meter relocations and power pole locations. It looks to him that the neighborhood would be chopped up. Mr. Young asked why the neighborhood did not know about the project a little more in advance, most everyone would like to know exactly what is going to happen to their property, he concluded.

Mayor Chesley asked Mr. Young if he had noticed what the number was on the stake on his property. He stated that he did see a number, but could not quote it off the top of his head. He stated that he did speak with one of the contractors again today; very pleasant guys and he enjoyed speaking with them. They are trying their best to avoid as much impact as possible. He stated that he measured again today and the right-of-way is 23 feet from the edge of the road into his yard. He stated he had a very expensive driveway put in two years ago and he is working with the contractors to see what they can do to keep from putting concrete in the middle of the asphalt. Mayor Chesley stated that she and the City Manager and City Engineer have discussed that issue and directed Prindiville to inform Mr. Young exactly where his sidewalk would go. In closing, he stated that the neighbors are proud of their neighborhood and want to make sure they keep the integrity of how the neighborhood looks. He did mention that it was nice that the City was able to receive the Illinois grant funds to do projects like this. He handed a resident signed petition including approximately 50 names to the Mayor and Council for review.

Dale Anderson, 92 Cherry Drive, stepped forward and stated he had been a resident at his current address for 33 years. He came home last week and found survey stakes out in his yard. His neighbor walked up and informed him that the City was putting sidewalks in. He stated as far as he knew; the citizens affected on Cherry Drive were never notified or if they were not personally. Secondly, he stated regarding the program "Children to Schools", Buford School is no longer a local school; it is a city-wide school where kids are bused in from all over the City. When his son went to school there the bike racks were absolutely full, last time he checked there were only two. The main problem was that he had improved his property with landscaping and sodding, blacktopped the driveway, and paid for tile for the deep ditch. He said now it is all going to be disturbed because of the new sidewalk project. Another concern is how close the flags are to his carport. He had to get a building permit from the City to put the carport up. He had detailed drawings to scale that he took to the Building Inspectors office. He was unable to use that drawing because he was less than ten feet from the City property line and a 10-foot setback was required. He had to change his drawings because he was unaware that the City property came up clear into his yard. He found out today that the contractors were going to cut out a third section of his blacktop that he paid for a few years ago to pour concrete. He felt that if he had to go into

the City to get a permit to put a carport on his property then the City should have to come to him as a property owner and let him know what they are doing.

Jerry Merritt, 2816 Cherry, stepped forward and stated that the sidewalks wouldn't be in his property yet. He is concerned about it because that area, he stated, was not designed to what the City is trying to make it into. It is not going to be a safe trail because the kids don't walk to school or ride their bikes; they take a bus or their parents bring them. His biggest concern is that for the last two years things have been done in the City that were supposed to be progressive, but have been regressive to the citizens.

Mayor Chesley, asked Mr. Merritt to address the "Safe Routes to School" sidewalk issue. He stated that they don't need them, that the area was not designed to have sidewalks. They weren't asked, no one was contacted, they found out about it in the Register News. His concern is where it's going to lead next. Mayor Chesley noted that she had spoken with the City Manager and the City Engineer regarding these issues when the City goes into established neighborhoods. These people that live in these neighborhoods, she stated, need to know more about what is going on in their neighborhoods. Mr. Merritt offered that every time they asked someone they got a different answer as to what was going on. He stated it would be good to have plans laid out where they know exactly what was going to go on and everyone stick to it. Mayor Chesley stated she had the City Engineer bring the plans for the project and to address specific questions to him.

Jamie Schultz, on 2910 Lime Avenue, on a corner lot with her driveway facing Cherry Drive stepped forward with a number of concerns. She spoke with the surveyors and contractors and the sidewalk is starting about 12 inches from the right-of-way in her yard. She stated that where her sidewalk will be and where others are is not going to be aesthetically appealing. She stated that the flags are in front of some light poles and behind others. She has a steep ditch which has not been filled in and instead of the City laying the pipe down, leveling that out and putting the sidewalk there they are just moving it farther over which probably accounts for why her part of the sidewalk is going only a foot off the right-of-way. There will be a sidewalk with a four foot drop on one side, she stated. The contractors contacted her at work today and wanted her to give them permission to "slope" her yard to lower property where they are putting the sidewalk to make it even with the drive. This takes up half her drive and they park two cars deep. If she goes to sell her house it won't be very appealing. Safety is another concern. She lives in an area that is connecting the City Park to the Fruit Bowl. She lives in a high-traffic area because of the City Park and has had two vehicles broken into, one attempted to be broken into, multiple vandalisms and has had four bicycles stolen out of her yard; three in broad daylight. All have been apprehended at the park or further in another direction. She has safety concerns about her neighborhood where she lives. She has animals and a fenced in back yard. The City is putting this traffic very close to her garage doors and to where her dogs live. Because her property is a corner lot there are ditches on both sides. The one on Cherry Drive is steeper and by not filling that in, there is a safety issue with people falling off of the sidewalk into the ditch. She had spoken with Mayor Chesley, City Manager Neibert and City Engineer Prindiville back in the summer and had yet to get a straight answer as to what the City intended to do on her property concerning the ditches and where the sidewalk will go. Some of the sidewalks she stated are four feet, some are six feet and then there are all these right-of-way variances, she wanted to know how this would be aesthetically appealing.

Mayor Chesley asked the City Engineer to address the issues of the width of the sidewalks. Prindiville stated that the sidewalks are four feet wide almost everywhere; there is a small strip of sidewalk that had to be placed adjacent to the road on the other side of Lime Avenue. The plans were reviewed by IDOT. IDOT requires that when there is no curb and gutter, sidewalks have to be a minimum of six feet

away from the road. There is one section just to the south of Lime that in order to avoid some large established trees the sidewalk will be adjacent to the road. There is a forty-five foot stretch where the sidewalk will be right up against the road. The City is going to put a small stretch of curb and gutter in, in which case the sidewalk needs to be six feet wide because it has to be two feet off the curb and gutter. Curb and gutter will be placed just south of Lime on the east side of the road and on Peach up the steep embankment west of Nora. Mayor Chesley asked Prindiville to address the fence issues she had been notified of. He stated that to his knowledge he has not found a spot yet where a fence had been an issue. There are some areas with split-rail decorative fences that are in the way and will be removed by the contractors and set aside so the property owner can place them in another location nearby if they so choose.

Council Member Piper asked if the City did the engineering on the project. Prindiville stated that the City contracted with the design consultant, Rhutassel to design the plans which occurred in May and submitted to IDOT for review and approval. The actual contract for the project is administered by the State. Piper reiterated that Illinois was administering this process and Mt. Vernon just had to approve it. Essentially Mt. Vernon is funding the bill above and beyond the \$247,000.00 grant amount. The City is attempting to work with people out in the field as much as possible. The City has some leeway moving things a foot or two. The City cannot make any radical changes though because it is not the one administering the contract, it's the State and every significant change has to go through them.

City Manager Neibert addressed the concerns regarding the concrete strip going through some resident's driveways. He stated that the City can, if the Council so chooses pave the balance of the driveway from the back of the sidewalk to the edge of the street, making it consistent from the sidewalk to the edge of the street. This would add a cost of around \$14,000.00 to the project.

Council Member McEnaney asked when the construction of the sidewalk project actually began. Prindiville stated today.

Mayor Chesley asked if there was a construction schedule. Prindiville stated that weather permitting they are expecting the project to be done by the end of the year. She noted that she would like for these sincere people with good questions to be informed of this project before it proceeds further. She asked Council for their opinion.

Council Member Wood interjected that they have a signed contract and need to find out what the legal avenues are. He stated that on other projects he had spoken with the neighbors about where bushes were removed and arrangements were made for the City to put fences back. If bushes were lost, they had worked with the owners to make sure those bushes were put back where the owner wanted. Wood stated the he had been working under the assumption that this project was no different and expected it to be done that way as well.

Council Member Lash felt the City should as much as possible accommodate the citizens that would be affected. He would be in favor of looking at the continuity of the driveways to keep that break from taking place.

Sue Price, 83 Cherry Drive, stepped forward and stated she was there on behalf of her neighbors. The proposed sidewalk does not affect her property, but it does her neighbors across the street. She has lived on Cherry Drive for 36 years and has raised two children there. Both of them went to Buford School, when it was a K-6 Center. The children were taken to school by car as many of the children in the

neighborhood were at that time. Buford is a fourth and fifth center now. To her knowledge, there was no feasibility study of any kind to find out how many fourth and fifth graders live in the neighborhood. To her knowledge they have not had one instance of a child being injured in any way walking to school.

Mayor Chesley asked if there was a feasibility study done for the project. City Manager Neibert concluded there was a survey done in 2008 by District 80 parents regarding transportation to school and related sidewalks. After those surveys were completed a meeting between City staff and District 80 staff was held to make a determination on this type of project and which neighborhood would be best suited for this type of project. This decision was made by City staff at that time, Dr. Settle and Tyler Brown back in 2009. This neighborhood and this layout other than the Jamison leg was the recommended route based on the survey results that were done in 2008. In 2009 the City applied for the grant.

Council Member Piper asked if there was an entire "Safe Route's to School" city plan, if there were other City routes that were identified as needing this type of sidewalk. City Manager Neibert stated that he was unable to answer that.

Mayor Chesley asked if there was a way to have a neighborhood meeting to inform people of exactly what was going to occur on their property before proceeding with the construction of the project. City Manager Neibert stated they could make the plans available and meet tomorrow evening or some other evening if the public wished. Obviously they would have to tell the contractors to cease construction possibly affecting the contract with the State and with the contractor. City Engineer Prindiville stated that he would check with the State, he assumed that it could be done though. He stated the one potential issue is that it would push back construction greatly increasing the chance that the project would not get done if there was an early winter. Mayor Chesley stated that she would like to have those people who have addressed concerns to see the plans and be more informed of what's occurring even if that means pushing construction back a week. Prindiville stated that the contractors have scheduled work. They certainly wouldn't be happy if it was delayed and to find out if the City would be liable for any damages, he would have to talk to the State. Wood suggested the City make resources available this week, for Prindiville to be available to meet people and alert the contractor that the City is working with individuals. Prindiville stated that he would stay as long as needed this evening to address further those concerns. He stated that anyone could call him at the office at (618) 242-6830 with additional questions. He would be happy to come to see them then or set up a time for later in the day.

Council Member McEnaney asked what the contractor's route was in order to speak with the citizens ahead of time providing them with information. Prindiville stated the contractor is starting at 27th and working northwest on Cherry. This contract also has a requirement for a subcontractor for a minority owned business, commonly done with a State contract, noted Prindiville. There will be another contractor on site at some point. That contractor will construct Jamison. Peach will be completed after the main contractor finishes Cherry.

Council Member Wood stated that he feels there is a safety issue involved. He has often said to his fellow Council Members at meetings that the number one thing a City can do for its citizens and for those who work here and visit here is to make it a safe environment.

City Engineer Prindiville encouraged residents to "Like" the City's Facebook page to view periodic construction updates on the projects going on throughout the City.

To get the communication process started Mayor Chesley suggested Prindiville set up in the Small Meeting Room with the plans allowing the public the opportunity to resolve any questions they may have.

Carolyn Young, 3004 Jamison Boulevard has lived at this address for almost two months. She always loved the Fruit Bowl. Everyone seemed to be so proud of the neighborhood and took care of their property. She has two flowerbeds that will have to be downsized due to the construction. She has nothing against the sidewalks. She thinks it will be great because she would like to start walking along with others. She would feel more comfortable on sidewalks rather than along the street. She understands that by having sidewalks so close to some houses that security is lost. She couldn't have picked a better place to live with family close by though. She can decrease the size of her flowerbeds, which won't hurt her at all, she stated. She sees people working in their yards constantly and knows they are proud of what they have worked for and can understand their feelings. Our main goal, she noted is that we do want safety for our children. Her grandchildren are taken to school and she sees other children walking to the school bus. There is a lot of traffic due to 34th street road construction. She appreciates the City Engineer and the Mayor checking things out and wanted to share how proud the residents of the neighborhood are of their property and that is why they are so upset, she stated.

Council Member McEnaney reiterated the need to be proactive and notify or meet with those whose properties are affected letting them know what is going to happen to their properties ahead of time. Prindiville stated they could send a letter to everyone south of Jamison on Cherry Street. City Manager Neibert asked if the council was agreeable to the modification to the project by increasing the paving on the driveways, landscaping and fencing issues. Council was agreeable.

Larry Goss, 21 Cherry Drive, stated he has encountered two break-ins to his garage at his home. The thieves stole a \$40,000.00 pickup out of his garage, circled the neighborhood all evening picking up the goods that they had stolen out of numerous cars and placed in the corner of various yards because they were lost by the circling streets and couldn't find their getaway car. Part of their capture was because they stole the camera from his car and took their pictures with it. The camera became the property of the police department when they apprehended them the next night doing the same thing in the same neighborhood. This plan is wrong for Western Gardens, he stated. It should have been a part of Mr. Jamison's original plan if it was going to be a part of a plan. Mr. Goss has owned homes on Apricot, Cherry Drive and his son-in-law has a home on Cherry Drive. They never questioned the mowing, maintenance, or the paying of the landscaping and fertilizing of the City's right-of-way in front of any of those homes. They have bought the tile when programs were available to tile an open ditch that was an eyesore. He lived on Apricot at a time when the street ended in front of his house because his was the last house on that street. He worked at a steel mine. He had a nice car and cleaned it once in a while. The City Manager at the time, Ray Botch bought a new home at the corner of Cherry Drive and another corner of Apricot. Mr. Botch would drive by on the dirt street. He got tired of eating dirt and watching his wife wash it off the front porch and he went to the City Council back then and learned that Mr. Jamison had agreed to pay additional funds to the City of Mt. Vernon for an additionally wide street and the cost to surface that street in lieu of curb and gutter which was part of many agreements Mr. Jamison entered into with the City which are buried in the archives of City records. Those streets are wider in many places than City streets where curb and gutter sidewalk is in place. To his knowledge there has never been a child hit by a car since he has lived out their 60 years. The sudden interest in creating sidewalks for the improvement of the safety of children going to school is a few years out of date, he stated. School buses or mom takes the kids to school. The City has a plan set that is ill-conceived for the neighborhood that it is being placed in. The funds and the plan needs to be redirected to a place where

it is appropriate. Perhaps the City would like to look at its ordinances and requirements on new developments to include such sidewalks so they can be engineered into the plan, stated Mr. Goss. He is complaining that overall the project will most likely degrade that neighborhood. He stated that when his wife walked up to their door this evening at the edge of the sidewalk, near the edge of the street there was fresh dog waste. This is what will happen in people's yards when the sidewalks are placed there. He noted that he has had dogs all his life and doesn't care to clean up after them. The most prominent use of these sidewalks, if used at all, will be used by families walking their pets or with their children taking an evening stroll. He has spoken with other professionals in other communities as nearby as Freeburg. When they built their new homes they were required to install and pay for the cost of curb and gutter. They told him not a resident in Freeburg walks on the new sidewalks because they have always walked on the edge of the street. The residents in Mt. Vernon may continue to walk on the street or they may walk on the new sidewalks, but there is already an approved walkway for them at edge of the street which is wider than a standard City Street concluded Mr. Goss.

BIDS & QUOTES

City Manager Ron Neibert presented to Council the Bid Results for Water Replacement on Conger from 18th Street to 26th Street. The City would recommend the low bid of Haier Plumbing and Heating, Inc.

Haier Plumbing and Heating, Inc.	\$172,838.80
J.K. Trotter and Sons, Inc.	\$205,272.38
Furlong Excavating, Inc.	\$207,731.87
Kieffer Bros. Construction Co., Inc.	\$241,287.60
Baxmeyer Construction, Inc.	\$401,622.98

Mayor Chesley asked if this was the third phase of this project. City Manager Neibert stated that it was.

Council Member Wood stated that he was a little surprised about the range. He questioned if Ron had reviewed and was confident in the company. City Manager Neibert stated that he had worked with this company when he was in Vandalia. They are out of Okawville and they bid frequently on jobs here; an excellent contractor, noted Neibert.

Council Member Piper made a motion to accept the bid from Haier Plumbing and Heating in the amount of \$172,838.80. Second by Council Member Wood. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

CITY MANAGER

City Manager Neibert stated that he had a non-agenda item he would like to bring up. Bow Hunting Season begins on October 1, 2012. He would like to remind the public and Council that last year in order to address the high deer population in the community that the Council implemented regulations to allow limited bow hunting of deer within City limits. Those permits are ready for processing in time for the October 1st deer hunting season.

Council Member Wood suggested taking a look at the process this year to see if there are any issues that need to be addressed and changed to make it more effective.

City Manager Neibert presented a request for Authorization to Bid ITEP Phase II project. This is the ninth Street portion of the project and is being done as a local letting, not a State letting so as to expedite the process to their schedule. The City will do it's best to minimize conflicts with those activities going on downtown at that time, stated Neibert.

Council Member Piper asked when the contractors would start. Neibert stated they could coordinate with the contractors and recommend they start sometime after October 21st after Fall Fest.

Given that the project would not be available until the spring, Wood would like to be sure that the cost of the contract would not be greater by working through the winter as opposed to getting an early start in the spring. Neibert stated they could do an at-risk start and stop now getting it in the spring or bid it later this winter and do it in the summer. Wood was of the opinion that when they are doing the bidding they ought to take into account the timing and cost factors. He is absolutely going to insist that they have a firm contract that gives them a number of days, weather permitting. They have disappointed the downtown people and the citizens of Mt. Vernon two years on this project and that's enough, he stated.

Council Member Piper shared that with any type of City projects, the bid letting and conversations at the Council meetings are what lets the public know what's going on. Going door-to-door is just not feasible for a City to do. If anyone has any other suggestions please let them know via Facebook, both papers, or radio. They do their very best to let citizens know of these types of projects and how it interferes with their lawn, he gets it and understands. He just had a new road on Wilshire put in a couple years ago and lost three feet of right-of-way. Things have to move forward.

Council Member Lash asked for the exact location on ninth street where this would take place. Neibert stated south of the Crossing and the block immediately north of the Granada.

Council Member Wood made a motion to approve the Request for Authorization to Bid ITEP Phase II Project. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Manager Neibert Requested Permission to Seek Bids for a new 16,000 LB Trailer. This would allow the City's construction crew to take its track hoes and mini-track hoes and equipment up to job sites, out of the job sites and brings out more efficiency in the City's operations. This is a budgeted item under capital projects.

Council Member Piper asked how they got the equipment to the job sites now. City Manager Neibert stated with an old flatbed that is about to go.

Council Member McEnaney made a motion to Seek Bids for a new \$16,000 LB Trailer. Second by Council Member Wood. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Manager Neibert presented to Council the Consideration of Preliminary and Final Plat for Lots 755 & 756 of City Park Addition. The plat was reviewed and recommended for approval by the Planning Commission. A letter from the Engineer requesting some modifications to the plat are contained within the Council packets. Neibert would recommend the approval of the plat with those recommended changes by the City Engineer as indicated in the letter to Mr. Athmer. Mr. Athmer stated that he had no issue with the changes.

Council Member Piper asked Mr. Athmer to describe the project on Wescott and 27th street. Mr. Athmer explained they are duplexes being proposed on that site. The owner; owner of Cedar Point Housing Authority is proposing up to 10 duplexes and a possibility of 20 units total beginning at 27th and Wescott and Cherry, College and Wescott further down and some sites on Casey as well as 24th street. Some of the larger lots, he mentioned would be divided to accommodate more usage of some of the land they purchased from the City.

Council Member Wood asked what the primary factor was in the decision to move forward with each new site. Mr. Athmer stated it would be based on how well each was leased. They are proposing starting two on Westcott and two on Cherry to total eight units under construction to begin. At completion of those eight units, how those lease would dictate how soon the next ones would start. Wood commented that this was a fairly significant capital project and a significant improvement in an older neighborhood. Unlike some developments that are open field developments these are going into a lot. Mr. Athmer had purchased some of the property from the City and some from private individuals. These are not Section 8 housing.

Mayor Chesley interjected that in essence he is rebuilding old neighborhoods.

Council Member Piper wanted to reiterate to the public that these were not Section 8 subsidized homes. The most important part of this, noted Piper was that it involved a redevelopment of an old neighborhood, market rate housing and very nice structures. He thanked Mr. Athmer for his submittal.

Council Member Wood thanked Mr. Athmer for coming to Mt. Vernon and congratulated and wished him luck with his project.

Council Member Lash asked if these units were open for leasing and purchasing. Mr. Athmer stated not for purchasing yet, just leasing.

Council Member Wood asked when they would be available for leasing. Mr. Athmer stated that Cedar Point Housing is taking applications for them now on Benton Road on Route 37.

Council Member McEnaney made a motion to approve the Consideration of Preliminary and Final Plat for Lots 755 and 756 of City Park Addition with the amendments suggested by the City Engineer. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Manager Neibert presented for Councils consideration a Request for Permission to Close South 15th Street Between Conger and Perkins on Tuesday, October 9, 2012 from 3:30pm to 7:00pm for the South Town Youth Program "25 Year Celebration"

Reverend Gordon stepped forward and stated they were going to have a real nice event to Celebrate 25 years of the South Town Youth Program. Secretary of State Jesse White and his tumblers would be there performing outside on the lawn. There would be fish, shrimp and live music. Also In attendance would be returning youth of the program from previous years speaking on what they are doing today and how the program impacted them. It will be a fun time and everyone is invited.

Council Member Lash congratulated Reverend Gordon on 25 years with the program. He has seen a lot of work done over the years and had the privilege many years ago to work in the "Get Down" program tutoring and mentoring young men. There were a lot of young men that benefited from the work there.

People are unaware of the behind the scenes work that goes on and he wanted to commend Reverend Gordon on that achievement.

Council Member Piper made a motion to Request Permission to Close South 15th Street Between Conger and Perkins on Tuesday, October 9, 2012 from 3:30pm to 7:00pm for the South Town Youth Program “25 Year Celebration”. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Manager Neibert presented for Council’s consideration the Presentation of Fiscal Year 2011-2012 Audit Report.

Greg Charlton, one of the auditors from Krehbiel and Associates stepped forward and shared the results of the April 30, 2012 Audit. He wanted to thank the Council and Mayor for allowing Krehbiel and Associates to be their auditors. He also thanked the employees within the departments for their cooperation in submitting the necessary information. Mr. Charlton stated the audit consisted of a 138 page report of which he highlighted a few of the main points.

Council Member Wood thanked Krehbiel and Associates for all their hard work. He would like for Finance Director Merle Hollmann to address item #2 at a later date in terms of how that would be dealt with. He would also like to see how the City Manager addresses overtime and item #3 regarding the consideration of workman compensation self-insurance and if the City would be able to combine that with the City’s health insurance. City Manager Neibert stated those funds could not be combined and would have to be administered separately. Neibert stated they are placing the City’s liability and worker’s compensation plan out for bid this year. This will be for proposals on full-insured under the full policy along with self-insured. In closing, Wood suggested that City Manager Neibert do further analysis on the property tax caps as it relates to Home Rule and report back to the Council in the near future.

Council Member Wood made a motion to approve the Presentation of Fiscal Year 2011-2012 Audit Report. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

CITY ATTORNEY

City Attorney David Leggans reported that the first agenda item number 9-A will be withdrawn and reconsidered at the next Council meeting because it has been determined that a Quit Claim Deed is not necessary and another form of agreement will be used.

City Attorney Leggans presented for Council’s consideration a First Reading on Ordinance Authorizing Vacating an Alley.

City Manager Neibert stated this was a request by Mr. Yoder who owns property on both sides of the alley. It was discovered that a portion of Mr. Yoder’s building actually exists within the alley right-of-way. Mr. Yoder made a petition to the City requesting vacation of that alley. They find no objection to that. The alley is a dead-end alley and find that there is no further use of that right-of-way for City purposes and would recommend vacation of that alley and request suspension of the rules to act on the ordinance this evening.

Aaron Dauby from Round Table Design stepped forward representing Mr. Yoder.

Council Member Wood made a motion to suspend the rules to take action on the Ordinance Authorizing Vacating an Alley. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

Council Member Wood made a motion to Approve Ordinance #2012-33 Authorizing Vacation of an Alley. Second by Council Member Piper. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Attorney Leggans presented for Council's consideration a Resolution Granting a Conditional Sign Permit for Property at 1 Good Samaritan Way; Petitioning Party is Good Samaritan Hospital. There was one minor change to the language on the resolution which is that the resolution will include language that is contingent upon completing an agreement regarding the location of two of the signs which relates to item 9-A earlier. This has been discussed with Good Samaritan. The agreement has already been worked out just didn't have time to get it in writing, stated Leggans.

Todd Ham of T Ham Signs and Victoria Woodrow, Director of Marketing and Public Relations for Good Samaritan Regional Health Center were present.

Council Member McEnaney made a motion to approve the Resolution Granting a Conditional Sign Permit for Property at 1 Good Samaritan Way. Second by Council Member Lash. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Attorney Leggans presented for Council's consideration a Resolution Approving Agreement for Engineering Services for Lift Station #14 Force main Replacement between HMG Engineers, Inc. City Manager Neibert stated this was one of the projects approved courtesy of one of the long and extended retreat processes. It is one of the Capital Projects and the first engineering agreement to implement, in his opinion, the most important sewer improvement in the City. It serves the Continental Tire facility along with a large portion of the community.

Council Member Lash made a motion to approve the Resolution Approving Agreement for Engineering Services for Lift Station #14 Force main Replacement between HMG Engineers, Inc. Second by Council Member Wood. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Attorney Leggans presented for Council's consideration a Resolution Approving Consent to Transfer Real Estate Regarding Magnum Steel. City Manager Neibert stated this was an agreement to allow Mr. Czerwinski to transfer the ownership of his property, as you would recall the City entered into a development agreement with Mr. Czerwinski to provide him with that property under an incentive basis and anticipation of his project. For tax purposes he would like to transfer ownership of that property to a different legal entity. Given the terms of the agreement and the mortgage that is in place this consent is required. Neibert sees no objective in approving it.

Council Member Wood made a motion to approve the Resolution Approving Consent to Transfer Real Estate Regarding Magnum Steel. Second by Council Member McEnaney. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

City Attorney Leggans presented for Council's Consideration an Inducement Resolution Regarding Property Located at the Northwest Corner of Ambassador and Wells Bypass within the Industrial Park Conservation Area Tax Increment Financing District.

Roger Strong from RJ3A, LLC. stepped forward and stated that he had placed under contract 77 acres and was looking to build 148 market rate apartments and 90 single-family housing units. In addition, at the front of the property, they have planned a linear retail center-1,200 feet across.

City Manager Neibert asked if they had any other projects like this elsewhere. Mr. Strong stated that he had been managing real-estate for the past ten years and his portfolio has been between \$50 and \$75 million a year. Everyone seated behind him currently owns or manages their real estate property.

Council Member McEnaney asked what brought him here to Mt. Vernon. He stated that he used to live in Mt. Vernon. The finances for the project are coming out of Chicago. People outside of the community do not realize what Mt. Vernon has. Mt. Vernon is in a bubble that is probably in one of the best economic conditions that there is in the United States right now, he stated. We need housing and people. They sent up information to Chicago about the new mines coming to the area and he has some personal experience with the person dropping the holes for those mines. Those in Chicago have started provided them with information back because now they are researching the area. With the amount of investment they are looking to put into this project, somewhere around \$20 million, it is a drop in the bucket, noted Mr. Strong. He stated he loved the community when he lived here and the only reason that he left was because his wife's job was in St. Louis. Two of them will probably have to move up here just because of the drive. The property is under contract and they are ready to go he said.

Council Member Wood asked what the time line for the project was. Mr. Strong stated that he hoped that by spring they would be doing basic grading and beginning road construction. His finance people are ready to begin now.

Council Member Piper stated that this was a tremendous start to the western expansion of Mt. Vernon and he thanked him for his interest. Mr. Strong stated there was still some acreage left over that they would be using for something else.

Council Member Wood asked what the zoning was on Wells Bypass and Ambassador. City Manager Neibert stated its all Conditional which requires a review process by the City to be certain especially across from the high school that the City has projects that are appropriate for the High School and the neighborhood and the west end of town.

Council Member McEnaney made a motion to approve the Inducement Resolution Regarding Property Located at the Northwest Corner of Ambassador and Wells Bypass within the Industrial Park Conservation Area Tax Increment Financing District. Second by Council Member Wood. Yeas: Lash, McEnaney, Piper, Wood and Chesley.

MAYOR

Mayor Chesley wanted to take the time to thank a lot of people. She stated that the month has been exceptionally busy for the City of Mt. Vernon. A lot of volunteers, hard work and money went into Cedarhurst Craft Fair again this year along with some outstanding craftsman. She appreciated all those who put their time and effort into this activity which brings a lot of people into the community for a quality day or stay over the weekend. The third annual Light Sport Aircraft Show was held out at the Airport which brought a lot of people into the City for an outstanding event the quality as well continues to grow. Wolf Stock Music Festival was held. Council Member Piper stated that he went out for a few minutes. It's well-run, well-managed and they sold 1,000 tickets, just a very nice event and a beautiful

evening. The event was sold out. They are discussing busing and shuttling people in like Cedarhurst. Mayor Chesley commented that all of these activities continue to grow. They start here with all the volunteerism and they continue to grow. She applauds all of those individuals who put forth effort on these events. She also noted the United Way Great Chili Wing Fest was held on Saturday and Sunday. Council Member Todd Piper was named the Wing King for eating the most wings in the wing eating contest. He noted that United Way had a fantastic event with 600-700 people on top of the US bank parking lot which included a reggae band with 30 or so different chili contestants. He said it was fantastic. His entire family loved it. Mayor Chesley stated that Fall Fest is coming up. A brochure will be distributed around town which talks about the event calendar as well as sponsorships listed. These sponsorships include individuals working throughout the whole City on this Fall Fest. She appreciates all help on that. The Parks and Recreation Fall Winter Guide is out and available at City Hall, at the Park Office and online.

CITY COUNCIL

No comments from City Council.

VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE

No public comments.

EXECUTIVE SESSION

No Executive Session.

ADJOURNMENT

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

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Jerilee Hopkins
City Clerk