

**CITY OF MASCOUTAH
CITY COUNCIL MINUTES
#3 WEST MAIN STREET
MASCOUTAH, IL 62258-2030**

AUGUST 20, 2018

The minutes of the regular meeting of the City Council of the City of Mascoutah.

PRAYER AND PLEDGE OF ALLEGIANCE

City prayer was delivered by City Clerk Kari Haas. The Council remained standing and recited the Pledge of Allegiance.

CALL TO ORDER

Mayor Gerald Daugherty called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Mayor Gerald Daugherty and Council members Paul Schorr, John Weyant, Pat McMahan, and Michael Baker.

Absent: None.

Other Staff Present: Assistant City Manager Mike Bolt, City Clerk Kari Haas, Police Chief Scott Waldrup, Finance Coordinator Lynn Weidenbenner, Fire Chief Joe Zinck, and EMS Supervisor Jeremy Gottschammer.

Establishment of a Quorum: A quorum of City Council members was present.

AMEND AGENDA

None.

MINUTES

The minutes of the August 6, 2018 regular City Council meeting were presented and approved as presented. The minutes of the August 6, 2018 Executive Session meeting were presented and approved as presented. The minutes of the August 9, 2018 Special City Council meeting were presented and approved as presented. The minutes of the August 9, 2018 Executive Session meeting were presented and approved as presented.

Motion passed. Passed by unanimous yes voice vote.

PUBLIC COMMENTS

None.

DEPARTMENT REPORTS

Fire Chief Joe Zinck – July 2018 report was provided.

Police Chief Scott Waldrup – July 2018 report was provided.

Finance Coordinator Lynn Weidenbenner – Monthly financials provided.

City Engineer Tom Quirk – absent – Status report on public projects and monthly building report were provided. Mayor suggested adding the Main Street resurfacing to the project list to keep track of the progress. Councilman Schorr commented on the East-West Berm Trail Phase 2, asked Council to walk the length of the trail and see the decimation of trees and privacy being gone. Councilman Baker asked about the 10th Street project that is supposed to be starting fall 2018 and asked if anything has been done on easement acquisition. Assistant City Manager stated that he doesn't believe any easement acquisition has started due to the possible Main Street resurfacing but will double check with the City Engineer. Councilman Schorr asked the City Attorney if the City has any liability on trees dying due to the roots being cut out with the installation of this new walking trail. City Attorney stated that he would look into it.

City Attorney Al Paulson entered the meeting at 7:11 p.m.

REPORTS AND COMMUNICATIONS

Mayor

Mayor announced that the members of the City Manager Search Committee are Tim Boyce, Keith Cook, Ben Grodeon, Jack Klopmeier, and Ron Bishop.

Attended the following meetings and functions: Chamber meeting, Dan Voegelé's retirement brunch, Special City Council meeting, Finance Committee meeting, City staff meeting, presented congratulatory resolution to Harold Knoth Sr., meeting with Heintz Pool & Spa staff, luncheon at Scott AFB, SLM Water Commission meeting.

City Council

Schorr – Attended the following meetings and functions: Dan Voegelé's retirement brunch, Special City Council meeting, Finance Committee meeting.

Weyant – Attended the following meetings and functions: Special City Council meeting, congratulatory resolution ceremony for Harold Knoth Sr.

McMahan – Attended the following meetings and functions: Special City Council meeting, congratulatory resolution ceremony for Harold Knoth Sr., Homecoming wrap-up.

Baker – Attended the following meetings and functions: Special City Council meeting, Chamber meeting, Finance Committee meeting.

Assistant City Manager – Retail vendors meeting in Fairview Heights.

City Attorney – Nothing to report.

City Clerk – Nothing to report.

COUNCIL BUSINESS

CONSENT CALENDAR (OMNIBUS)

The July 2018 Fund Balance Report and Claims & Salaries Report were provided under the omnibus consideration.

Councilman Baker asked about the dues payment to ITIA and why we belong to that association and if it is necessary. Mayor stated that they do advise on current laws and trends within TIFs.

Councilman Weyant asked about the repairs to the walk-in cooler and where that is. City Clerk stated that it is in the concession stand at the ball fields.

Councilman Weyant asked about the Scheve Park Master Plan and if there was an update. Assistant City Manager stated that the plan will be presented at the Parks & Recreation Commission meeting in September and have a public workshop the week following.

Councilman Weyant asked about the deduct meters purchase. City Clerk explained that the City is now selling these to homeowners so this would have been for another dozen meters to sell; they are sold at City's cost.

Councilman Weyant asked about the GIS implementation and for an update. Assistant City Manager stated that he can get an update from the Public Works Coordinator and City Engineer.

Weyant moved, seconded by Schorr, to accept all items under Omnibus consideration.

Motion passed. AYE's – Schorr, Weyant, McMahan, Baker, Daugherty. NAY's – none.

BID AWARD – SPRAY INJECTION ROAD PATCHING MACHINE

Assistant City Manager presented report for Council consideration of approval and authorization of bid to purchase a Spray Injection Road Patching Machine.

Councilman McMahan asked about the warranty. City Clerk stated that it has a 2 year warranty.

McMahan moved, seconded by Baker, to approve the bid of \$41,000.00 to Hampton Equipment, Inc. of Raymond, IL for furnishing a Spray Injection Road Patching Machine with accessories and authorize appropriate officials to execute the necessary documents.

Motion passed. AYE's – Schorr, Weyant, McMahan, Baker, Daugherty. NAY's – none.

RESOLUTION – HIRING OF ATTORNEY FOR ICC FILINGS

Assistant City Manager presented report for Council consideration of approval of resolution confirming the hiring of Gary L. Smith in relation to filings with the Illinois Commerce Commission.

Councilman Baker asked about the estimated billable hours. City Attorney stated that it is hard to guess but estimated at this point around 1,000 hours; if negotiations can take place then the hours will be lower. City Attorney stated that Gary Smith was recommended by Troy Fodor from IMEA.

Councilman Baker asked about the process and when this attorney would be brought in. City Attorney explained the steps and what is occurring now.

Schorr moved, seconded by Weyant, to approve Resolution No. 18-19-06, a resolution to authorize and confirm the hiring of Gary L. Smith of Loewenstein & Smith P.C. in relation to filings with the Illinois Commerce Commission in conjunction with the 138KV Phase II Project at the rate of \$400.00 per hour.

Motion passed. AYE's – Schorr, Weyant, McMahan, Daugherty. NAY's – Baker.

RESOLUTION OF AUTHORIZATION – ENCROACHMENT AGREEMENT AND UTILITY EASEMENTS WITH AMEREN ILLINOIS

Assistant City Manager presented report for Council consideration of approval of resolution authorizing the execution of encroachment agreements and utility easements with Ameren Illinois Company d/b/a Ameren Illinois. City Attorney reported that there is no cost to the City for these agreements and easements with Ameren Illinois.

McMahan moved, seconded by Weyant, to approve Resolution No. 18-19-07, a resolution to authorize the Mayor to execute any and all documents to procure encroachment agreements and utility easements with Ameren Illinois Company d/b/a Ameren Illinois in conjunction with the 138KV Phase II Project.

Motion passed. AYE's – Schorr, Weyant, McMahan, Baker, Daugherty. NAY's – none.

RESOLUTION OF AUTHORIZATION – UTILITY EASEMENT CONDEMNATION

Assistant City Manager presented report for Council consideration of approval of resolution authorizing the appropriate officials to proceed with the process of Illinois Commerce Commission condemnation for the purchase of obtaining a utility easement.

City Attorney explained that the City needs to connect with Ameren's ring-bus by April 2019. City Attorney explained that we are still hopeful that we can negotiate and come to an agreement, but if not then the City will have to go down this path through ICC.

McMahan moved, seconded by Schorr, to approve Resolution No. 18-19-08, a resolution to authorize the Mayor to execute any and all documents to proceed with the process of Illinois Commerce Commission condemnation of a utility easement on property owned by Roy Waller needed in conjunction with the 138KV Phase II Project.

Motion passed. AYE's – Schorr, Weyant, McMahan, Daugherty. NAY's – Baker.

CODE CHANGE – SMALL CELL WIRELESS FACILITIES

Assistant City Manager presented report for Council consideration of approval of an ordinance to amend the City Code of Ordinances establishing regulations, standards, and procedures for the siting and collocation of small cell wireless facilities on rights-of-way within the City of Mascoutah.

First reading. No action required.

COUNCIL – MISCELLANEOUS ITEMS

Councilman Baker commented on a resident wanting to build a carport/garage. Assistant City Manager stated that he believed it was waiting until more code changes were identified and presented before it was taken to the Planning Commission. Councilman McMahan and Councilman Weyant thought that it was to go through the variance process through the Zoning Board. Assistant City Manager will follow up with the resident to see if a building permit is going to be submitted.

CITY MANAGER – MISCELLANEOUS ITEMS

None.

PUBLIC COMMENTS

John and Creta Schiermann – Spoke regarding the berm trail. Stated that they were on vacation and came home to no TV or internet service because the wires were cut. Expressed concerns over their landscaping and trees on their property that have now been torn up; expressed concerns over drainage and water issues, potential flooding into their yard. Asked why the trail was put below the berm trail instead of at the top of the berm trail. Expressed concerns over culvert in backyard creating sink holes. Assistant City Manager stated that he will have the City Engineer contact them tomorrow.

Matthew Stukenberg – Stated that Friday night is the first high school home football game on the new turf; invited all the Council members to attend.

ADJOURNMENT TO EXECUTIVE SESSION

McMahan moved, seconded by Schorr, to adjourn to Executive Session to discuss Purchase/Lease of Property – Section 2(c)(5), Litigation – Section 2(c)(11) and Personnel – Section 2(c)(1) at 7:58 p.m.

Motion passed. AYE's – Schorr, Weyant, McMahan, Baker, Daugherty. NAY's – none.

RETURN TO REGULAR SESSION

Schorr moved, seconded by McMahan, to return to Regular Session at 8:13 p.m.

Motion passed. Motion passed by unanimous yes voice vote.

MISCELLANEOUS OR FINAL ACTIONS

None.

ADJOURNMENT

McMahan moved, seconded by Schorr, to **adjourn at 8:14 p.m.**

Motion passed. Motion passed by unanimous yes voice vote.

Kari D. Haas, City Clerk