

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

**MARCH 20, 2018**

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

**CALL TO ORDER**

Mayor Gerald Daugherty called the meeting to order at 6:30 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:* City Manager Cody Hawkins, City Clerk Kari Haas, City Attorney Al Paulson, City Engineer Tom Quirk, Public Works Coordinator Jesse Carlton, and Police Lieutenant Kevin McGinnis; Verbal Blakely, BHM&G Engineer.

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

**DISCUSSION**

Mayor provided an overview of the Phase II Electric Project easements and the reasoning for the City needing to obtain them and the process for tonight's meeting.

Roger Richter – Spoke regarding this process that has been ongoing since 2011; frustrated with the amount of time and the process; expressed frustrations with the original negotiator who lied (Anderson); expressed frustrations with easement issues, footing issues and measurement issues. Stated that he has multiple easements spanning from 2011 to now. Stated that he has been the spokesperson driving this thing; doesn't want to fight in court but wants a fair amount. Spoke regarding how the original offer was to be paid by the pole but didn't want that and wanted to be paid by the acre. Stated that we (the property owners) do not want the city on their land. Spoke about how another set of poles causes a serious equipment issue and is a pain to farm around poles. Spoke regarding not knowing how the exact amount per acre was determined. Stated that he knows that there were four appraisals done; appraisals have not been done on all other properties so do not know how the amount is determined; price ranges from \$12,000 to \$25,000 per acre with damages in the amounts from 35% to 75% with no reasoning for determination. Stated that there are multiple issues to get this resolved and not sure how to proceed from here. Stated that the Council has very little credibility with the people on this side on how this has gone about.

Mayor – Stated that in order to move forward, both sides need to forget about the history and focus on the now and try to make sense of that from both sides.

City Attorney – Explained how the City is having to do this because of what Ameren and the ICC has deemed the City to do in order to receive power. Stated that the City wants to sit down with each land owner individually to negotiate the best fair value for their land and the City wants to fairly compensate the owners for the property that the City is taking from each owner. Stated that City has no issues paying crop damage. Explained the process of how the City would have to file for condemnation through the ICC.

Roger Richter – Stated that a number of land owners do not want to sit down individually.

Discussion took place over deadlines with Ameren. It was explained that the City has a deadline to connect with Ameren at the ring-bus located on Route 4 of December 2018; have a construction deadline and that there will be penalties with Ameren but the City does not know what exactly that may be. It was explained that the City's line is running parallel to Ameren's line; City's easement will touch Ameren's easement.

Roger Richter – Asked about the City using AIMA to be included with the easement documents and explained that it is a document provided by the farm bureau outlining the details of an easement including crop damages and how those are figured among other things.

Verbal Blakely explained that Ameren's standard easement width is 165' so Ameren will not allow the City to get any closer than that. Verbal Blakely explained that Ameren denied the City to co-locate for liability reasons. Verbal Blakely explained that Ameren's current line structure will not handle another 138kv line which is what the City will be building; the City would have to pay Ameren to reconstruct their existing line which would be more than double the cost of what the City's construction cost would be to build their own line. Verbal Blakely explained that Ameren's St. Louis corporate office handles all transmission lines above 100kv. Verbal Blakely explained that the City has an encroachment agreement with Ameren for the blow out for the property along Fuesser Road, Ameren will not provide the City an encroachment agreement for the rest of the properties.

Question was asked about why not take the shortest line from the south to the north and go straight through town up Route 4. City Manager explained that a 138kv line cannot be run through town with the population. City Manager explained that the closest route is to run the line on the east end; City would have to annex and build a substation on the west end of Silver Creek in order to run the line on the west end.

Property owners stated that the big issue is they do not trust Cody. Property owners wanted to know how this project is benefiting them; once there are two lines going through the property, the property is not worth as much. Property owners stated that this easement is a guest and you have to act like a guest. Property owners want proof from the City that Ameren is requiring this.

City Attorney stated that the City wishes to have easements signed by May 1<sup>st</sup>. City Attorney stated that he will review the AIMA documents to be included in the easement documents.

City Manager explained that over the span of these last 8 years there have been multiple design changes due to pole span, line changes and other issues with the latest change being Ameren deciding to build the 4-ring bus substation which was brought to the City 1 ½ years ago. Ameren's new 4-ring bus substation will mitigate their 56 mile exposure Ameren has between Turkey Hill Grange and Ashland. Ameren has committed over \$6 million in upgrades and this project is one of them. The City has a deadline of December 2018 to tap on to the south line and a deadline of December 2019 to tap in to the north line.

City Attorney explained that the ICC approved Ameren's plan and project which in essence requires the City to do this project.

City Manager explained how the different amounts were figured for the offers. City hired an appraiser and had appraisals done on four different properties (one that had a house, one that was pure farmland, one that was near subdivision, one that was near a major road/highway); used those appraisals to match up with other property that was comparable and used those appraisals to place a value on the property based on location, probable development, if there is a structure on the property or not, etc. City Manager explained that those values are negotiable but individual meetings need to be scheduled. City Manager explained that issues occur when letters and easements are mailed to each property owner then the property owners want to have a group farmer's meeting, changes are brought to the City which requires legal review, engineer review, rewrite of easements and easement exhibits redrawn which causes more delays.

Property owners stated that within the easement documents they want to change the word 'forever' to 'so long as the poles are in place'; easement cannot be sold to another party; easement cannot have any other use besides electric. Verbal Blakely stated that the City will have a fiber-optic line for communication between the City's lines and Ameren's lines which they currently have so will need to add language to include electric fiber communication lines.

## **PUBLIC COMMENTS**

None.

## **ADJOURNMENT**

Schorr moved, seconded by McMahan, to **adjourn at 7:49 p.m.**

*Motion passed.* Motion passed by unanimous yes voice vote.

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Kari D. Haas, City Clerk