

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

JULY 18, 2016

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 Ben Grodeon, Paul Schorr, John Weyant, and Pat McMahan.

Absent: None.

Other Staff Present: City Manager Cody Hawkins, City Clerk Kari Haas, City Attorney Al Paulson, City Engineer Ron Yeager, City Engineer Tom Quirk, Fire Chief Joe Zinck and Finance Coordinator Lynn Weidenbenner.

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

AMEND AGENDA

None.

Mayor asked for a moment of silence to honor retired Cemetery Sexton Frankie Armstutz who passed away on Friday.

MINUTES

The minutes of the July 5, 2016 regular City Council meeting were presented and approved as presented.

Motion passed. Passed by unanimous yes voice vote.

PUBLIC COMMENTS

None.

DEPARTMENT REPORTS

Fire Chief Joe Zinck – June 2016 report was provided.

Police Chief Bruce Fleshren – absent – June 2016 report was provided by Sergeant McGinnis.

Finance Coordinator Lynn Weidenbenner – Monthly financials provided.

City Engineer/Director of Public Works Ron Yeager – Status report on public projects and monthly building permits report provided. Mayor asked about the North 10th Street extension and what the punch list items are that still need to be completed. City Engineer stated that we are mainly waiting for final lien waivers from the subcontractors. Mayor asked about the ditch. City Engineer stated that the ditch was cleaned out when the project was completed and the City accepted it as is; there has been some heavy rains and siltation so it is up to the City to maintain from now on. Mayor asked about the treatment plant facility plan study. City Engineer stated that we are waiting for plan approval from IEPA; did speak with the project manager at IEPA today who said there are three reviews and two of them have been done, still waiting for the final review to be completed. Councilman Grodeon asked about the berm trails and if they are going to get started this year. City Engineer stated that right now it doesn't look like they will be started this year; have a meeting with IDOT in September for phase 2 review; looking like it will be early 2017. Councilman Weyant asked about the ditch and if it won't drain because of elevation errors, who will be responsible for paying to fix the elevation issue. City Engineer stated that the elevations were within range; the City will be responsible for fixing the drainage issues which should be fixed once the rain slows down and vegetation is able to grow and fill in.

REPORTS AND COMMUNICATIONS

Mayor

Attended the following meetings and functions: VFW District meeting, IML meeting in Bloomington, meeting with Richard Fuess regarding the ditch issues. Thanked the City's first responders and the City crews for the response during the recent storms and also during the July 4th celebration.

City Council

Grodeon – Will be on business travel for the September 6th meeting.

Schorr – Nothing to report. Echoed the Mayor's comments regarding the City's first responders.

Weyant – Attended the following meetings and functions: MIA meeting.

McMahan – Attended the following meetings and functions: MIA meeting, put in two memorial benches at Scheve Park, meeting with Richard Fuess regarding the ditch issues.

City Manager – Nothing to report.

City Attorney – Nothing to report.

City Clerk – Nothing to report.

COUNCIL BUSINESS

CONSENT CALENDAR (OMNIBUS)

The June 2016 Fund Balance Report and Claims & Salaries Report were provided under the omnibus consideration.

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

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

ORDINANCE TO SET DATE FOR PUBLIC HEARING FOR TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND PROJECT AREA (TIF 3) (SECOND READING)

City Manager report for Council consideration of approval and adoption of an Ordinance to set date for a public hearing for the City of Mascoutah Tax Increment Financing Redevelopment Plan and Project Area (TIF 3).

Grodeon moved, seconded by Schorr, to approve and adopt Ordinance No. 16-16, thereby setting a time and date for a public hearing of September 6, 2016 at 6:30 p.m. for the proposed establishment of the TIF 3 Redevelopment Area and Redevelopment Plan.

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

POLICE VEHICLE PURCHASE

City Manager report for Council consideration of approval a purchase of one vehicle to be used as an unmarked vehicle for the Police Department.

Councilman Weyant asked why the Police Chief was asking for a Jeep Cherokee instead of a Dodge Durango. Sergeant McGinnis stated that the equipment for this vehicle is different since it is for an unmarked police car and the equipment in the current vehicle would be transferable to the new vehicle with a few additions; the equipment would not be transferrable to the Dodge Durango's that are used as marked police cars.

Councilman Schorr asked about the trade-in value. City Manager was unsure if the trade-in value was included in the price quoted or if that still needed to come off. City Attorney stated that the motion could be approved tonight because the Council would be approving the purchase price and add wording in the motion regarding the amount would be less the trade-in value.

Councilman Grodeon asked about the pricing differences. City Manager stated that is from buying local versus buying through the state contracts.

McMahan moved, seconded by Weyant, to approve the purchase of a 2016 Jeep Cherokee Latitude from Brent Bergher Chrysler Dodge Jeep Ram of Mascoutah, IL in

the amount of \$28,548.00 less the trade-in value and authorize appropriate officials to execute the required documents.

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

BID AWARD – TRENCHER/HOE

City Manager report for Council consideration of approval and authorization of bids for furnishing a trencher/hoe for the Electric Department.

Councilman Schorr asked about the trade-in value for a piece of equipment that is no longer operable. City Manager stated that the value is probably determined from the scrap value and other features of the current trencher that could be operational. City Manager stated that in order to attempt to fix the current trencher the entire hydraulic system would need to be torn apart and rebuilt which still would not guarantee that it would fix the problem and it would be extremely costly and time consuming to have that done so they came to the conclusion that a new piece of equipment would be better.

Weyant moved, seconded by Grodeon, to approve the bid of \$54,843.00 to Ditch Witch Sales, Inc. of Collinsville, IL for furnishing model RT45 Trencher/Hoe with accessories and authorize appropriate officials to execute the necessary documents.

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

ENGINEERING SERVICES – SIXTH STREET CIRCUIT UPGRADE, PHASE 2

City Manager presented report for Council consideration of approval of Engineering Services Agreement with BHMG Engineers, Inc. for design, preparing construction documents, bidding and construction observation for the Sixth Street Circuit Upgrade, Phase 2 Project.

Councilman Grodeon asked about an engineer's evaluation with this contract being over 20% of project cost. City Manager stated that this bid is consistent with the engineering cost for the first phase of the project and past history with BHMG. Councilman Grodeon asked if there was a man hour breakdown or anything providing a basis for their bid. City Manager stated that we can get a man hour breakdown for the project; staff reviewed this bid based on the same types of contracts in the past.

Councilman Schorr asked how many circuits are remaining after this. City Manager stated that there are two circuits left; one is the park circuit that can wait until after the Major Electric Phase 2 project is complete.

Councilman Schorr asked about the electric poles on North 6th Street that are leaning. City Engineer stated that the City has poles on the west side of North 6th Street and the poles on the east side that are leaning belong to Ameren.

McMahan moved, seconded by Schorr, to accept the City Manager's engineering recommendation to approve BHMG Engineers, Inc. for engineering services not to exceed \$49,000.00 for the Sixth Street Circuit Upgrade, Phase 2 Project and authorize appropriate officials to execute the necessary documents.

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

CODE CHANGE – SHORT TERM RENTALS (FIRST READING)

City Manager presented report for Council consideration of approval of an Ordinance to amend Chapter 7 – Business Code, Article XII – Short Term Rentals of the City Code of Ordinances.

Mayor asked about the license fee being more than the regular business license. City Manager stated that it was standard fee from what other cities are charging for these types of permits and types of businesses.

Councilman Schorr asked about putting a minimum amount required for the liability insurance. City Attorney stated that a minimum amount could be put in of \$100,000 and will look into it.

Councilman Schorr asked about the penalties. City Manager stated that this penalty is consistent with other sections of the City Code.

Councilman Schorr asked how the City could regulate a person who is leasing a property from doing his same thing. City Attorney stated that would be between the property owner and the person they are leasing to as to whether they allow subleasing in their rental contracts.

Councilman Grodeon commented on the annual fee and asked about getting a cost-benefit analysis on what the amount should be.

Councilman Grodeon asked about the inspection and if it was consistent with normal rentals. City Manager stated that all inspections are good for one year so it is consistent.

Councilman Grodeon asked about crime free housing and how this fits in with it. City Manager stated he has discussed crime free housing with the Police Chief and if the City was to do it, it would require a police officer designated to regulate just that. City Manager stated that if there have been issues with tenants, the property owners have worked with the City to get them moved out or whatever needed to be done. City Manager stated that under crime free housing, short term rentals would not be allowed.

Mayor asked about the reasoning for not allowing the units to be rented out more than 90 days in a year. City Manager stated that the intent is to limit the amount of in and out that could occur if there is no regulation so there would be less transient traffic in the neighborhood. City Manager stated that we also would not want all rental units turned

into short term rentals because that would affect the amount of long term rentals available for the housing population.

First reading. No action required.

COUNCIL – MISCELLANEOUS ITEMS

Mayor commented on the question that had come up about church signs. Council was in consensus to allow the sign in question with a sign permit and will address it in the future if it becomes a problem.

Councilman Grodeon asked about crop dusting in the City limits by helicopter. City Manager stated that he did speak with the person who farms the field who stated it is a harmless application. City Manager stated that he will look more into it and address the issue.

CITY MANAGER – MISCELLANEOUS ITEMS

None.

PUBLIC COMMENTS

Carrie Kunkel – Commented on the proposed short term rentals ordinance and asked about having a different day limitation for properties located in commercial zoning districts versus residential zoning districts.

ADJOURNMENT TO EXECUTIVE SESSION

Schorr moved, seconded by Grodeon, to adjourn to Executive Session to discuss Litigation – Section 2(c)(11) and Discussion of Closed Session Meeting Minutes – Section 2(c)(21) at 8:02 p.m.

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

RETURN TO REGULAR SESSION

Schorr moved, seconded by Weyant, to return to Regular Session at 8:29 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 8:31 p.m.**

Motion passed. Motion passed by unanimous yes voice vote.

Kari D. Haas, City Clerk