

**City of Mt. Vernon, Illinois
Regular City Council Meeting
Tuesday, January 22, 2019
7:00 p.m.
MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Tuesday, January 22, 2019 at the Rolland W. Lewis Community Building, Veterans Park, 800 South 27th Street, Mt. Vernon, Illinois.

Mayor John Lewis called the meeting to order at 7:00 pm.

Rev. Ron Lash of the Corinthian Baptist Church gave the Invocation.

The Pledge of Allegiance was recited.

ROLL CALL

Roll call showed present: Council Member Jeff May, Council Member Donte Moore, Council Member Jim Rippy, Council Member Mike Young, and Mayor John Lewis.

PRESENTATION OF JOURNALS

The Journals for the January 7, 2019 PEID Public Hearing and the January 7, 2019 Regular City Council Meeting were presented for approval.

Council Member Donte Moore motioned to approve the Journals as presented. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.

VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE

Mike Bullard, Chairman of the Grade Separation Committee, presented an update on the Committee. He reported that he personally called twenty-three (23) businesses on the east side of Mt. Vernon and invited them to an informational meeting. Out of twenty-three, five business representatives attended – Randy Olsen of Yeager's Dog Grooming, Troy Dietz and David Shore of Edward's Beauty Shop, Norman McKay of Martin & Bailey, Dr. Alan Froehling, and Gary and Gayla Bradshaw. The representatives were appreciative that they were invited to the discussion and that the Committee was looking for the least disruptive plan to their businesses.

The overpass concepts discussed were:

1. Constructing a new road which splits off of Route 15 to the south and runs into Route 142.
2. Move the Norfolk Southern Railroad to the east along the Union Pacific Railroad, then split off Route 15 to the south with two-line highway that lines up with Jordan Street.
3. Same as above but continue the new bypass down Jordan Street to the stop light on 10th Street.

Bullard contacted Herbert Smith, Norfolk Southern's Director of Government Relations. He asked if Norfolk could run a line parallel next to the Union Pacific to construct only one over-pass over the railroads. Norfolk Southern has a right-of-way next to the Union Pacific.

Bullard created a Facebook page "Eastside Overpass" for questions and concerns from the public. Former Mayor Milton Sees was contacted by Nathan McKenna and Sees has offered his support to help this endeavor.

Bullard asked for the City Council's support by adopting the Resolution of Support of the Grade Separation Committee.

Council Member Donte Moore asked why use Jordan Street versus Broadway/Main Streets because if the reconstruction occurs on State Route 15, the State of Illinois would fund the project. If Jordan Street is reconstructed, then the City would have to completely fund it. Council Member Jim Rippy responded that it is too premature to discuss which plan is the best until the City formally stands behind the overpass.

Council Member Jeff May agreed that the plan should not dislocate any businesses but asked what the probability of that being accomplished is. Bullard replied that he was uncertain. May stated that the Committee is asking the Council to support a Resolution that may not work, and he does not want the community to get the wrong message. May feels that if something is communicated, then people are going to believe that the project is guaranteed.

Council Member Jim Rippy reiterated that all the Committee is asking the Council to do is to state formally if they support a railroad bypass. May said that he cannot support something that may not become a reality. As public officials, the Council cannot give the community a belief that may not be executed.

Bullard said that the Committee is trying their best based on two pillars; public safety and to save businesses. May explained that the City needs to be careful what they promise, particularly due to being in the middle the most important project in the City's history - water and sewer projects. The proposed Resolution does not talk about the use of City resources for the Committee. Bullard stated that the Committee's position is to do as much work as they can without interfering with City employees. The only person that the Committee has involved so far is Assistant City Manager Nathan McKenna. Bullard said that they do not want to spend the City's money or obligate the City for anything. The Committee wants to present the Council with the best facts quickly.

Mayor John Lewis said that he was intrigued by the idea of heading down Liebengood Road for the bypass. That idea may even solve the Route 142 issue with Continental Tire without affecting businesses.

Council Member Donte Moore asked Bullard why only five businesses showed up for the meeting and asked if the businesses were given enough notice about the meeting. He asked if the Committee will be going door-to-door to speak with the businesses. Moore explained that it took eighteen months to bring the water and sewer project to life. The Railroad Committee has only had two meetings, so there is a lot more information to gather.

Bullard said that the Committee will continue to solicit ideas and keep the community informed of their progress. He stated that he intends to speak to the affected businesses.

APPROVAL OF CONSOLIDATED VOUCHERS FOR ACCOUNTS PAYABLE

The Consolidated Vouchers for Accounts Payable were presented to Council for approval. Council Member Jeff May questioned the payments to Stewart Irby, Inc. for the city-wide metering project. City Manager Mary Ellen Bechtel explained that the City has made two payments so far and the payments are based on the amount of work accomplished. Over 40% of the meters have been installed. Council Member Jim Rippy asked about the revenue trend. City Manager Mary Ellen Bechtel replied that there is not enough data to develop a trend yet.

Council Member Donte Moore questioned the payments to Dredge Resources for the Park Lake dredging. Bechtel explained that the dredging is due to be completed in March depending on the weather. Assistant City Manager Nathan McKenna explained that before the dredging, there was roughly two to three feet of water before the sediment layer. The company has been dredging six to eight feet of sediment.

Council Member Mike Young motioned to approve the Consolidated Vouchers for Accounts Payable in the amount of \$1,364,962.97. Seconded by Council Member Jeff May. Yeas: May, Moore, Rippy, Young, and Lewis.

BIDS AND QUOTES

No bids and quotes were presented.

CITY MANAGER

City Manager Mary Ellen Bechtel requested permission to seek bids for the Re-Painting of the Pedestrian Bridge on Route15/Broadway. She explained that this project was budgeted for the 2018-19 Fiscal Year, but it was not completed due to time and weather. The bids need to be submitted in order to know the amount to budget next fiscal year. The Public Works Department is performing maintenance on the bridge. A plan is still needed for the repair of the handrail. Council Member Jeff May asked if there are Americans With Disabilities Act (ADA) problems with the bridge. Bechtel explained that as long as there is not over 50% change or redesign of the bridge, the City would not be subject to ADA. Bechtel reported that the City is responsible for the maintenance of the bridge per a 1987 agreement.

Council Member Jim Rippy motioned to grant permission to seek bids for the Re-Painting of the Pedestrian Bridge on Route15/Broadway. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.

City Manager Mary Ellen Bechtel requested permission to seek quotes for a New Radio System and Relocation Radio Towers for the Public Works/Utilities and Fleet Services Departments. City Manager Mary Ellen Bechtel explained that through discussions regarding the City's National Incident Management Training for disasters, it was found that the City has a communication deficit. The new radio system would provide communication between the Police, Fire, Public Works/Utilities, and Fleet Services Department. The proposed system is digital which can communicate with analog radios. Three companies have been interviewed and each have their own proprietary method and equipment. She is asking to receive quotes so the best company for the City can be selected. The quote will provide the moving of a radio tower receiver from the Police Department to Times Square Mall. Council Member Jim Rippy asked if this will be bid after the quotes are received. Bechtel replied no and the company will be selected from the quotes.

Council Member Donte Moore motioned to grant permission to seek quotes for a New Radio System and Relocation Radio Towers for the Public Works/Utilities and Fleet Services Departments. Seconded by Council Member Jeff May. Yeas: May, Moore, Rippy, Young, and Lewis.

City Manager Mary Ellen Bechtel requested to waive the Bidding Requirements for the Construction to Replace the Water and Sewer Lines on Magnolia Street. Bechtel explained that two weeks ago a sewer pipe failed, and the other lines are in such a dilapidated condition, that the City crew was unable to use the sewer camera to see the problem. The water line is very close to the sewer line so both need to be replaced. The 2-inch water line will be replaced with a 6-inch line. The total project is 500 lineal feet. Engineering will be done in-house, and the company will be selected based on mainly, who is available to complete as soon as possible due to the emergency nature of the project.

Council Member Jeff May motioned to approve the request to waive the Bidding Requirements for the Construction to Replace the Water and Sewer Lines on Magnolia Street. Seconded by Council Member Donte Moore. Yeas: May, Moore, Rippy, Young, and Lewis.

CITY ATTORNEY

Corporation Counsel Bill Howard presented an Ordinance Approving the Rezoning of Property at 1706 and 1708 South 14th Street from R-2 Medium Density Residential to R-M2 Medium Density Residential and Mobile Home. The petitioner is Joe Buchanan. The Planning and Zoning Board approved this request and there were no objectors present. Council Member Donte Moore asked if the petitioner was aware of the revised rules regarding mobile homes. Buchanan replied yes.

Council Member Donte Moore motioned to adopt Ordinance #2019-04, an Ordinance Approving the Rezoning of Property at 1706 and 1708 South 14th Street from R-2 Medium Density Residential to R-M2 Medium Density Residential and Mobile Home. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.

Corporation Counsel Bill Howard presented an Ordinance Approving the Rezoning of Property at 2944 S. 13th Street from R-2 Medium Density Residential to R-M2 Medium Density Residential and Mobile Home. The petitioner is Joe Buchanan. The Planning and Zoning Board approved this request and there were no objectors present.

Council Member Donte Moore motioned to adopt Ordinance #2019-05, an Ordinance Approving the Rezoning of Property at 2944 S. 13th Street from R-2 Medium Density Residential to R-M2 Medium Density Residential and Mobile Home. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.

Corporation Counsel Bill Howard presented for Council's consideration a Resolution to Enter into a Professional Service Agreement between the City of Mt. Vernon and Prince Appraisal of Marion, Illinois to Complete the Appraisals of the Flood Plain Properties. The City of Mt. Vernon is working with the Illinois Department of Natural Resources (IDNR) and the Illinois Emergency Management Agency (IEMA) on a grant through the Federal Emergency Management Agency's Hazard Mitigation Grant Program (HMGP) to implement a program designed to help the owners of properties that have a history of flooding by acquiring and demolishing structures to eliminate the risk of future flood damages. The Contractor, who is a state licensed appraiser, will complete appraisals of up to eighteen (18) properties with Mt. Vernon. City Manager Mary Ellen Bechtel reported that two proposals were submitted for this project.

Prince Appraisal will appraise the properties at the rate of \$300 per property not to exceed \$5,400 and will be completed within a month. The cost is eligible for reimbursement after the project is completed. Prince Appraisal is an Illinois State Certified Residential Appraiser.

Council Member Jeff May motioned to approve the Resolution to Enter into a Professional Service Agreement between the City of Mt. Vernon and Prince Appraisal of Marion, Illinois to Complete the Appraisals of the Flood Plain Properties. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.

Corporation Counsel Bill Howard presented for Council's consideration a Resolution to Accept a Letter of Proposal from Round Table Design of Mt. Vernon, Illinois for Engineering of Water Main Replacement Projects. City Manager Mary Ellen Bechtel explained the engineering will be included in the 2020/2021 IEPA Applications for the reconstruction of nine miles of water mains. The engineering services amount to \$265,000 plus Round Table Design will keep the City's water modeling study current, update the improvements to the pump stations, and assist with the Illinois State Historic Preservation documentation regarding the historical value of the L & N Water Tower. The following are the services to be provided for a "not-to-exceed" fee of \$295,000. The cost breakdown:

1. Civil Engineering and Land Surveying services for the development of Construction Drawings and Bid Documents through the Bid Phase of the 2020 Water Main Replacement Project providing current high resolution ortho-rectified aerial imagery of water main routes: (\$140,000)
2. Updating the City of Mt. Vernon Water Model with improvements to the Eagle Court Pump Station, Rend Lake Pump Station and recent Water Main upgrades including the CDBG Grant project and the 2020 IEPA project: (\$15,000)
3. Coordination with the IL State Historic Preservation Office and IEPA Public Water Supply Loan program for the documentation of the 2021 L&N Tank project by a Historic Preservation Consultant and provide a high-resolution 3D model of the tank and site: (\$15,000)
4. Round Table will also offer to provide the Civil Engineering and Land Surveying services described above complete with current high-resolution ortho-rectified aerial imagery for the 2021 Water Main Replacement Project: (\$125,000)

Council Member Jim Rippy spoke in opposition to this Resolution not because of the qualifications or reputation of the company, but because he feels that this project should be competitively bid to get the best value for the citizens.

Council Member Donte Moore explained that Round Table Design is IEPA qualified and the City may be eligible to received 50% of the cost reimbursed. Bechtel stated that all the companies interviewed were qualified firms and if the engineering cost is included in the loan there is a possibility of a debt forgiveness. Moore stated that Round Table Design has the City's water modeling study and if another firm is awarded this project, the City would have to pay for the study again.

City Manager Mary Ellen Bechtel stressed that the City procured this service in a manner that she is 100% assured that it will be included in the IEPA Loan Application. She is confident that this is a good fair price that will qualify for the Federal requirements for procurement of services through IEPA. Rippy disagreed. He stated that to get the best value for the citizens, the service needs to be competitively bid.

Moore spoke on a matrix that was used to select the best firm. The matrix was reviewed by the City Manager, Chairman of the Public Utilities Committee, and City Engineer. They selected Round Table Design because they feel that they are the best engineering company for this project. Rippy stated that Round Table scored the lowest on the matrix. Council Member Jeff May argued that was a different matrix for a different project. Moore replied that he attended the last Public Utilities Committee Meeting and he is confident in awarding the project to Round Table Design.

Rippy repeated that this project needs to be competitively bid based on costs or the Council is not doing what is in the best interest of the citizens.

Mayor John Lewis stated that the Council has performed a good job on contracts and there has been no favoritism in the awarding of any contracts. The taxpayer was kept in mind with every decision. Bechtel explained that being Home Rule, the City has the ability to use the best tool for awarding projects. She stated that if the City wants to be ensured that the engineering costs can be included in the IEPA Loan, the qualification-based selection is what is suggested.

Rippy asked why the City is reluctant to bid professional engineering services. Bechtel replied that the City will when Federal funds are not tied to the project. City Engineer Brad Ruble stated that many engineering projects have been bid.

Council Member Jeff May summarized that for the City to be eligible for the IEPA Loan, the City had to select the engineering firm on a qualification-based method. Rippy disagreed and asked for a legal opinion of what would prevent the City from bidding on this project. Corporation Counsel Bill Howard stated that the information has been provided and the selection of professional services is one that frequently does not lend itself appropriately to bidding. He explained that the City is looking for the best ultimate result for the money. Howard said that to always bid professional services is incorrect both as a matter of law and practice. Rippy asked why the government sued the National Society of Engineers because of this problem. Howard replied that he is not aware of the case or any other case that states that a City has to bid professional services.

Council Member Donte Moore motioned to approve the Resolution to Accept a Letter of Proposal from Round Table Design of Mt. Vernon, Illinois for Engineering of Water Main Replacement Projects. Seconded by Council Member Mike Young. Yeas: May, Moore, Young, and Lewis. No: Rippy.

Corporation Counsel Bill Howard presented for Council's consideration a Resolution to Enter into a Cooperative Service Agreement between the City of Mt. Vernon and the USDA APHIS Wildlife's Services for Geese Population Control at Veteran's Park. City Manager Mary Ellen Bechtel explained that many complaints have been received about the wildlife population at the City Park, namely the geese. The City has tried various methods of reducing the population including the use of strobe lights, noise, and chemicals. The first-year cost is \$500, and they will train City staff to manage the population in the future.

Council Member Donte Moore motioned to approve the Resolution to Enter into a Cooperative Service Agreement between the City of Mt. Vernon and the USDA APHIS Wildlife's Services for Geese Population Control at Veteran's Park. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.

Corporation Counsel Bill Howard presented for Council's consideration a Resolution to Accept an Interagency Agreement Between the City of Mt. Vernon Police Department, Jefferson County Sheriff's Office, and the Jefferson County State's Attorney's Office for the Creation of a Multijurisdictional Narcotics Division. City Manager Mary Ellen Bechtel stated that the Agreement explains the allocation of cost, division of forfeitures, duties of each office, and the operational procedures.

Council Member Jim Rippy motioned to approve the Resolution to Accept an Interagency Agreement Between the City of Mt. Vernon Police Department, Jefferson County Sheriff's Office, and the Jefferson County State's Attorney's Office for the Creation of a Multijurisdictional Narcotics Division. Seconded by Council Member Jeff May. Yeas: May, Moore, Rippy, Young, and Lewis.

Corporation Counsel Bill Howard presented for Council's consideration a Resolution of Support of the Grade Separation Committee. City Manager Mary Ellen Bechtel explained that this a general resolution for the Council to review and make any changes for support of the group of concerned citizens to study the Railroad Overpass Project.

Council Member Jim Rippy motioned to formally approve this Resolution of Support of the Grade Separation Committee. Seconded by Council Member Donte Moore. Roll call was not taken.

Council Member Donte Moore stated that he was fully aware of the previous Resolutions presented tonight, but with this Resolution he still has questions. Moore does not want his name on the Resolution before he knows the answers. He requested more time to collect information and ask questions. Council Member Jim Rippy repeated that all the Resolution is stating is if the Council supports the bypass.

Council Member Jeff May stated that he supports the Grade Separation Committee, but he has concerns about the Resolution being politically motivated to put people on the spot during an election year. He explained that the Resolution does not go far enough. It needs to add information on how much the City will be involved and the time required to be fiscally responsible. The Resolution should clearly communicate to the people that the committee is looking into the possibility of a bypass, but there is no guarantee that there will be a bypass. No one knows if this project is feasible and what costs will be involved. If the Council is to vote on this Resolution, there needs to be something more substantial to vote on. Rippy stated that this is a starting point and there is a tremendous amount of work that needs to be done. Moore said that Mayor Lewis already stated that the City supports the Committee, but when it comes to voting on the Resolution more time and answers are needed. Moore asked if this Resolution could be tabled. Council Member Mike Young agrees that he supports the Committee, but he does not like the wording in the Resolution.

Council Member Jeff May motioned to table action on the Resolution of Support of the Grade Separation Committee. Seconded by Council Member Mike Young. Yeas: May, Moore, Young, and Lewis. No: Rippy.

MAYOR

Mayor John Lewis introduced Police Chief Trent Page to present the 2018 Officer of the Year Award. Chief Page explained that every year the Awards and Policy Committee nominates an Officer of the Year which demonstrates outstanding skill, ability and professionalism in the performance of his or her duties. Officers nominated for the award must display a combination of the following qualifications or characteristics; outstanding contribution in the area of assignment, exceptional knowledge, the ability to

complete job functions, overall productivity, civic contributions, and personal appearance and demeanor. The Committee consists of the Police Chief, Assistant Chief, MVPD Captains and Sergeants, and a union member. Detective Jeremy Osborn was selected for the 2018 Officer of the Year Award. Detective Osborn thanked the Committee for the award.

CITY COUNCIL

Council Member Mike Young read an email showing the ability of the citizens of Mt. Vernon to make a good impression on out-of-town visitors. Every person that the visitor met in Mt. Vernon was nice and happy to serve her.

Council Member Mike Young requested a status update on the street light at Davidson and Veterans Memorial Drive. City Manager Mary Ellen Bechtel reported that Tri-County Electric is looking into this matter to determine the best location for the light and they will provide a price quote to City.

Council Member Jeff May thanked everyone involved with the snow removal during the recent snow storm.

Council Member Jim Rippy hopes that the Council Members, who do not want to support the Grade Separation Committee Resolution or support competitive bidding for professional services, speak with the people who they represent.

Council Member Donte Moore spoke on the selection of Detective Jeremy Osborn as the 2018 Officer of the Year. He stated that the award is very prestigious, and he was very proud of Detective Osborn.

VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE

No comments were heard.

EXECUTIVE SESSION

At 8:10 p.m., City Manager Mary Ellen Bechtel requested an Executive Session under 5 ILCS 120/2 (c) (21) – Semi-Annual Review of Executive Session Minutes.

Council Member Jeff May motioned to go into Executive Session under 5 ILCS 120/2 (c) (21) for the Semi-Annual Review of Executive Session Minutes. Seconded by Council Member Donte Moore. Yeas: May, Moore, Rippy, Young, and Lewis.

At 8:16 p.m., Mayor John Lewis reconvened the Regular City Council Meeting.

Roll call showed present: Council Member Jeff May, Council Member Donte Moore, Council Member Jim Rippy, Council Member Mike Young, and Mayor John Lewis.

APPROVAL OF EXECUTIVE SESSION MINUTES

Council Member Donte Moore motioned to approve the releasing of the April 16, 2018 and August 20, 2018 Executive Session Minutes. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.

ADJOURNMENT

Council Member Jim Rippy motioned to adjourn. Seconded by Council Member Donte Moore. Yeas: May, Moore, Rippy, Young, and Lewis.

The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Mary Jo Pemberton". The signature is written in a cursive, flowing style.

Mary Jo Pemberton
City Clerk