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**City of Mt. Vernon, Illinois  
Regular City Council Meeting  
Monday, October 17, 2016  
7:00 p.m.**

**MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, October 17, 2016, at 7:00 p.m. at the Rolland W. Lewis Community Building, Veterans Park, 800 South 27<sup>th</sup> Street, Mt. Vernon, IL.

Mayor Mary Jane Chesley called the meeting to order.

The Invocation was given by Rev. Harold Quick of the Jefferson County Ministerial Association.

The Pledge of Allegiance was recited.

**ROLL CALL**

Roll call showed present: Council Members Jeff May, Dennis McEnaney, Donte Moore, Todd Piper and Mayor Mary Jane Chesley.

**PRESENTATION OF JOURNALS**

The Journal for the October 3, 2016 Regular City Council Meeting was presented to Council for any additions, deletions or corrections. **Council Member Moore made a motion to approve the Journal as presented. Seconded by Council Member McEnaney. Yeas: May, Moore, McEnaney, Piper and Chesley.**

**APPROVAL OF CONSOLIDATED VOUCHERS FOR ACCOUNTS PAYABLE**

The Consolidated Vouchers for Accounts Payable were presented to Council for approval. Council Members asked City Manager, Mary Ellen Bechtel, to clarify the following items: #1 Amalgamated Bank of Chicago - \$579,856.25 – 2010 Bond annual principal and semi-annual interest payment. All the money in these bonds has been committed and projects are completed. #10 Environmental Consultants - \$3,500.00 – City Hall basement asbestos remediation design and bid assistance. This project is currently underway. #13 HD Supply - \$2,313.01 – four water quality sampling stations. Public Works Director Jeff Wielt explained these designated sampling stations are more efficient than the previous sampling method. He hopes to purchase 20 stations to be placed throughout the City for water sampling. #16 Illinois EPA - \$21,233.99. This represents payment on a 2005 complete renovation of lift station #15 located north on Davidson Road.

**Council Member Piper made a motion to approve the Consolidated Vouchers for Accounts Payable in the amount of \$1,503,131.60. Seconded by Council Member May. Yeas: May, McEnaney, Moore, Piper and Chesley.**

**BIDS & QUOTES**

City Manager Bechtel presented for Council's consideration a request for Permission to Seek Bids for Janitorial Services. This two-year contract is for janitorial services at City Hall, the Police Department and the Municipal West Building.

**Council Member McEnaney made a motion to approve the City Manager's request for Permission to Seek Bids for Janitorial Services. Seconded by Council Member Moore. Yeas: May, McEnaney, Moore, Piper and Chesley.**

Bechtel presented for Council's consideration a request for Permission to Seek Bids for Financing the City's Portion of Early Retirement Incentive Cost. In 2014, City employees were offered the opportunity to retire early. Ten employees took advantage of the early retirement incentive at a cost of \$1.12 million to the City. Six of the ten employee vacancies remain unfilled. Bechtel proposed to seek traditional bank financing over IMRF financing for a savings of about \$198,000.00 over seven years of the loan.

**Council Member Piper made a motion to approve the City Manager's request for Permission to Seek Bids for Financing the City's Portion of Early Retirement Incentive Cost. Seconded by Council Member May. Yeas: May, McEnaney, Moore, Piper and Chesley.**

Bechtel presented for Council's consideration the Results of Quotes for Banking Services. Finance Director Merle Hollmann stated that the RFP was sent to all banks in Mt. Vernon except Banterra Bank per Council Member May's request. People's National Bank has handled the City's banking for several years. The following are the results of the bids:

**CITY OF MT. VERNON, IL  
 RESULTS OF REQUEST FOR PROPOSAL FOR BANKING SERVICES  
 OCTOBER 2016**

There are nine banks in town and all of them received our request for proposal for banking services except for Banterra Bank, since Councilman May requested that one not be sent there. We presently have six checking accounts. The quotes were due at 5:00 pm on Thursday, October 13th. Six banks did not provide a proposal. We are presently banking with Peoples National Bank. The responses from the other two banks are summarized as follows:

**Specifications:**

1. The ability to provide all banking services that are presently being received or possibly needed in the future, including direct deposit of payroll, wire transfer of funds, check drafting for utility bill payments, electronic deposit of checks received, related internet services and other miscellaneous services as required
2. An annualized interest rate that is in relation to the previous month's average annualized 91-day Treasury Bill interest rate
3. No charge for the City's deposit tickets
4. No monthly charges or other fees are to be charged
5. Availability of Overdraft Protection Line of Credit
6. Optional availability of Bank credit cards
7. Availability of advanced security measures such as authentication tokens for online banking
8. Either FDIC coverage or collateral sufficient to secure 100% of checking account balances
9. Three references are provided
10. Other

Peoples National Bank	First Financial Bank
Meets all requirements	Meets all requirements
Same as average 91-day Treasury Bill Rate	.15% below average 91-day Treasury Bill Rate
Complies	Complies
Complies	Complies
Available	Available
Available	Available
Available	Not Available, but lists other available safeguards
Complies	Complies
Provided	Provided
n/a	n/a

**Staff recommends that Peoples National Bank's proposal be accepted.**

**Council Member Moore made a motion to accept the bid for banking services submitted by Peoples National Bank. Seconded by Council Member May. Yeas: May, McEnaney, Moore, Piper and Chesley.**

**CITY MANAGER**

Greg Charlton of Krehbiel & Associates presented the Audit Report for Fiscal Year 2015-2016. He noted that the City received a clean, unqualified audit opinion with no findings. He reported there is approximately \$29 million in unfunded pension liability (IMRF, Police, Fire) in the audit which was not required to be included in past audits.

Bechtel presented for Council's consideration the Preliminary and Final Plat and Variance of Lot 2 width from 300 feet to 230 feet for Brieseacher Subdivision at the SW¼, NW¼, Section 18, T2S, R3E, Property Located at 15587 N. IL Hwy 37. The petitioning party is Rex Brieseacher. Kevin Phillips of RoundTable Design appeared on behalf of Mr. Brieseacher. The proposed parcel of land to be zoned Agricultural was below the 300-foot minimum lot width and therefore a variance was necessary. The subdivision and Variance were unanimously approved by the Zoning and Planning Commission.

**Council Member Piper made a motion to approve the Preliminary and Final Plat and Variance of Lot 2 width from 300 feet to 230 feet for Brieseacher Subdivision at the SW¼, NW¼, Section 18, T2S, R3E, Property Located at 15587 N. IL Hwy 37. Seconded by Council Member McEnaney. Yeas: May, McEnaney, Moore, Piper and Chesley.**

Bechtel presented for Council's consideration the Preliminary and Final Plat for Pangarkar Subdivision at NW¼ of the NW¼ of the SE¼, Section 25, T2S, R2E, Property Located at 522 N. 34<sup>th</sup> Street. The petitioning party is Sharad and Sunanda Pangarkar Trust. Kevin Phillips of RoundTable Design appeared on behalf of the Pangarkar's. The subdivision was unanimously approved by the Zoning and Planning Commission.

**Council Member McEnaney made a motion to approve the Preliminary and Final Plat for Pangarkar Subdivision at NW¼ of the NW¼ of the SE¼, Section 25, T2S, R2E, Property Located at 522 N. 34<sup>th</sup> Street. Seconded by Council Member May. Yeas: May, McEnaney, Moore, Piper and Chesley.**

**CITY ATTORNEY**

City Attorney David Leggans presented for Council's consideration the Second Reading of an Ordinance Amending Article 1, Section 1.3, Subparagraph (k) of the Mt. Vernon Revised Code of Ordinances Establishing Rules for Public Participation. Bechtel noted that the public participation agenda item will be moved up on the agenda thereby allowing citizens to address the Council earlier in the meeting rather than at the end of the meeting. She summarized the proposed Ordinance:

- (a) Public Participation. Public Participation shall be permitted during the following portions of an open meeting of the City Council:
  - (1) Public Forum
  - (2) Public Hearing
  - (3) Invited Speakers
- (b) Any person who seeks to address the members of the City Council at any Regular Monthly Meeting of the City Council will be permitted to speak on any matter listed on the Agenda or on any other matter directly relevant to the business of the City of Mt. Vernon. Any person who seeks to address the members of the City Council at any Special Meeting or Workshop Meeting of the City Council will be permitted to speak only on the specific matter listed on the Agenda for the meeting.
- (c) Persons desiring to address the City Council during a Public Forum shall do so in compliance with the following requirements:
  - Persons desiring to speak during a Public Forum of a Regular Council Meeting shall be permitted to speak immediately after "Approval of the Journal for the Preceding Meeting".
  - Each person wishing to speak during the Public Participation portion of a meeting shall sign a Speaker's List at the meeting prior the start of the meeting and shall provide his or her name and the topic(s) to be discussed.
  - Prior to speaking, each person who has signed the Speaker's List must be recognized by the Mayor or by the designee of the Mayor.
  - Prior to speaking, each speaker, if physically able, shall stand at the designated podium and shall state his or her name for the record.

- Public comments during the Public Participation portion of a meeting shall be limited to three (3) minutes per person (amended by motion to five (5) minutes per person) and to thirty (30) total minutes per meeting for all speakers, unless extended by consent of a majority of the City Council members present at the meeting.
- Whenever any group of persons wishes to address the Council on the same subject matter, it shall be in order for the Mayor to encourage that a spokesperson be chosen from the group to address the Council.
- Speakers shall address their comments only to the entire City Council and not to an individual Council Member or the Mayor, nor to the City Manager or a staff member, nor to the audience.
- Neither the Mayor, a Council Member, City Manager, nor other City Official shall have any obligation to respond to any comment or question of any speaker.
- After a verbal warning, a person who refuses to comply with the provisions of this Ordinance regarding public participation may be directed to cease speaking and to leave the podium, and may also be asked to leave the meeting room; a person may be physically removed if the person fails to comply with a request if such failure interrupts, disturbs, or disrupts the orderly conduct of business during the meeting.
- Public Hearing. The rules applicable to the Public Forum shall generally apply to public hearings, except that public comments shall be limited to the matter subject of the Agenda for the public hearing and the time limitations for public participation shall not be restricted to thirty (30) minutes but shall be for such periods of time as determined necessary by the City Council to permit a reasonable full and fair opportunity for public participation.

James Rippy expressed his concern about the need for the proposed Ordinance, but suggested that five minutes is more appropriate, rather than three minutes.

John Menke encouraged the City Council to take more time to study the proposed Ordinance and not rush into passing this Ordinance.

Ray Botch urged the City to welcome more public input at Council meetings, and not less.

Steven Casper stated that the Council has an "image" problem with the public and restricting public speaking will only make it worse.

Council Member Moore noted that the public should have five minutes to address Council. In addition, he suggested the public input portion of the agenda should be close to the beginning of the meeting and at the end of the meeting as well. Council Member May agreed.

City Attorney David Leggans explained in 2011, the Illinois Attorney General's Office issued an opinion for municipalities to adopt rules for the public comment section of open meetings. He said in instances where the Public Access Counsel of the AG's office is notified to investigate a possible violation of the Open Meetings Act, if the municipality hasn't adopted rules for public input, a ruling of impropriety is immediately issued by the office. The idea is to structure and organize the meeting, not to keep people from approaching and making a comment. Leggans added the Attorney General has expressed an opinion to place public input at the beginning of a meeting so the public can speak before actions are taken.

Mayor Chesley suggested that uniformity in public input policies for City Council and local school boards is advantageous.

Council Member McEnaney agreed that five (5) minutes for each speaker is appropriate.

**Council Member Piper made a motion to amend the speaking time to five (5) minutes rather than three (3) minutes per person and to adopt Ordinance No. 2016-30 Amending Article 1, Section 1.3, Subparagraph (k) of the Mt. Vernon Revised Code of Ordinances Establishing Rules for Public Participation. Seconded by Council Member McEnaney. Yeas: McEnaney, Piper and Chesley. Nays: May and Moore.**

City Attorney Leggans presented for Council's consideration an Ordinance Rezoning Property Located at 15587 N. IL Hwy 37 from AG; General Agriculture to B-2; Secondary Business. The petitioning party is Ryan McKee for the Brieseacher Subdivision property. Mr. McKee proposed to change the zoning for the south six (6) acres from General Agriculture to Secondary Business. The rezoning was unanimously approved by the Zoning and Planning Commission.

**Council Member May made a motion to adopt Ordinance No. 2016-31 Rezoning Property Located at 15587 N. IL Hwy 37 from AG; General Agriculture to B-2; Secondary business. Seconded by Council Member Moore. Yeas: May, McEnaney, Moore, Piper and Chesley.**

City Attorney Leggans presented for Council's consideration an Ordinance Rezoning Property Located at 116 N. 12<sup>th</sup> Street from B-1; Primary Business to R-3; High Density Residential. The petitioning party is Mark Ford. Mr. Ford recently purchased the large apartment building that has existed on this property for many years. The rezoning was unanimously approved by the Zoning and Planning Commission.

**Council Member Piper made a motion to adopt Ordinance No. 2016-32 Rezoning Property Located at 116 N. 12<sup>th</sup> Street from B-1; Primary Business to R-3; High Density Residential. Seconded by Council Member McEnaney. Yeas: May, McEnaney, Moore, Piper and Chesley.**

City Attorney Leggans presented for Council's consideration the First Reading of an Ordinance Authorizing the Sale of Municipal Property. The property is a 2004 Mercury Sable automobile seized by the City in a DUI arrest, and it is in the best interest of the City to sell the automobile at the Woodlawn Auction barn.

**Council Member May made a motion to suspend the rules and vote on an Ordinance. Seconded by Council Member Moore. Yeas: May, McEnaney, Moore, Piper and Chesley. Council Member Moore made a motion to adopt Ordinance No. 2016-33 Authorizing the Sale of Municipal Property (2004 Mercury Sable automobile). Seconded by Council Member McEnaney. Yeas: May, McEnaney, Moore, Piper and Chesley.**

City Attorney Leggans presented for Council's consideration a Resolution Approving a Proposal with Poettker Construction for Construction Management of the Armory Project. Bechtel reminded that in 2014 the City applied for, and was awarded, a Park and Recreational Facility Construction (PARC) Grant. However, because of the State of Illinois budget stalemate, all state grants were suspended. Recently, the City was notified that the grant funds are now available. The budget was previously set by the City at approximately \$2.1 million of which the PARC grant will pay 75% of the cost of renovation and the City will provide matching funds of \$500,000.00. Money from the 2012 bonds was used to replace the roof and windows at a cost of \$700,000.00. Poettker Construction submitted a proposal for the anticipated renovation of the former Illinois National Guard building (the old Amory) into a multi-use community recreation facility. They would provide their expertise as it relates to construction budgeting, planning and phasing of work, bid solicitation and administration, quality control, constructability review, safety administration, and overall construction management throughout the project. For these services Poettker will charge a four and three-tenths percent (4.3%) fee of the total cost of the project (excluding design costs and owner provided FF&E). Tourism Director Angela Schrum and Parks and Recreation Director Wes Plummer developed a business plan for the facility. Schrum and Plummer both appeared. Members of the audience addressed Council as follows:

Dan Black noted that construction management isn't necessary for a project of this size. He doesn't see the benefit for this project.

Ray Botch questioned how to operate and sustain the renovation project without a budget.

James Rippy suggested that construction management will add an additional layer of costs that are not needed.

Council Member May stated that he has a problem spending the \$500,000.00 in bond funds on this project without knowing how the remaining 2012 bond surplus will be spent.

Bechtel shared her concern to complete the project as efficiently and quickly as possible. The bond funds must be spent by December, 2017.

Council Member Moore suggested the Agenda item be tabled for further study of the business plan, etc.

**Council Member May made a motion to table Agenda item 9-E. Seconded by Council Member Moore. Yeas: May, McEnaney, Moore, Piper and Chesley.**

City Attorney Leggans presented for Council's consideration a Resolution Requesting Authorization from IDOT of the Temporary Closure of Portions of State Hwy. 37 and State Rt. 15 on December 3<sup>rd</sup> for the Annual Christmas Parade.

**Council Member Piper made a motion to adopt a Resolution Requesting Authorization from IDOT of the Temporary Closure of Portions of State Hwy. 37 and State Rt. 15 on December 3<sup>rd</sup> for the Annual Christmas Parade. Seconded by Council Member Moore. Yeas: May, McEnaney, Moore, Piper and Chesley.**

City Attorney Leggans presented for Council's consideration a Resolution Authorizing the Mayor to Act as Authorized Representative to the Economic Development Administration for Matters Related to the EDA Grant for local Industrial Expansion. The City is applying for funds through the Economic Development Administration (EDA) as a co-applicant with Jefferson County, Illinois to undertake the construction of a new water main to serve an industrial expansion. The City's portion of this grant is very small compared to the County. The industrial expansion is confidential.

**Council Member May made a motion to adopt a Resolution Authorizing the Mayor to Act as Authorized Representative to the Economic Development Administration for Matters Related to the EDA Grant for local Industrial Expansion. Seconded by Council Member Moore. Yeas: May, McEnaney, Moore, Piper and Chesley.**

#### MAYOR

No business was presented.

#### CITY COUNCIL

No business was presented.

#### VISITORS/CITIZENS REQUESTS/ADDRESSES FROM THE AUDIENCE

Jere Shaw asked several questions regarding the City employees' early retirement incentive program.

Hortin Petties suggested the City should hold-off on the Armory renovation. He thinks the Park lake needs improvements.

Bobby Farris urged the City to improve the Armory for children's activities.

#### EXECUTIVE SESSION

No Executive Session was requested.

#### ADJOURNMENT

**Council Member Piper made a motion to adjourn. Seconded by Council Member McEnaney. Yeas: May, McEnaney, Moore, Piper and Chesley.**

The meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Jerilee Hopkins  
City Clerk