

Mary Jo Pemberton  
City Clerk



City of Mt. Vernon  
1100 Main PO Box 1708  
Mt. Vernon, IL 62864  
cityclerk@mtvernon.com

618-242-5000  
FAX 618-242-6867  
www.mtvernon.com

City of Mt. Vernon, Illinois  
Regular City Council Meeting  
Monday, May 15, 2017  
7:00 p.m.

**MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, May 15, 2017 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 John Lewis called the meeting to order.

Harold Quick from West Salem Trinity 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 April 19, 2017 City Council Workshop Meeting, the April 27, 2017 Public Budget Hearing and Special City Council Meeting, and the May 1, 2017 Regular City Council Meeting were presented to Council for any additions, deletions or corrections. **Council Member Mike Young made a motion to approve the journals as presented. Seconded by Council Member Jeff May. Yeas: May, Moore, Rippy, Young, and Lewis.**

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

John Menke spoke against leaf burning due to health issues. He said that it is a good idea to obtain community input because of the controversial and emotional nature of this issue. Secondly, Mr. Menke stated that he was in favor of allowing citizens to speak at the beginning and the end of the City Council Meetings.

Bobby Farris spoke against leaf burning.

Shirley Riley spoke against leaf burning. She stated that she does not see any reason to burn leaves. A person should mow and grind up the leaves. Smoke from burning leaves sends many people to the emergency room.

Joseph Krivi, 809 Linden, complained about the lack of mowing and high weeds at Woodglen Acres Park. He reported that the weeds are up to his waist. Roger Jacobs spoke on the condition of Woodglen Acres Park at the May 1, 2017 City Council Meeting. He was told that someone would come down to look at the park and check the sewer lines. Krivi reported that the stench is not appropriate and the City is violating their own Ordinance. He voiced concern about the mosquitos and ticks causing diseases and lightening igniting the sewer methane gas. Mr. Krivi requested that the Park be maintained on a more regular basis instead of developing trails at Jaycee Lake. Mayor John Lewis addressed this issue immediately after speaking previously with Mr. Krivi and agreed that the park should be mowed

before working at Jaycee Lake. City Manager Mary Ellen Bechtel stated that the sewer problem has been reported to the Public Utilities Department and she waits for their recommendations.

Richard Elgin spoke on the zoning request for the 2200 Block of Benton Road (Route 37). Elgin is opening an auto repair business and desires that the property be rezoned from Light Industrial to B-1. This request is on the agenda for action later in the meeting.

#### **APPROVAL OF CONSOLIDATED VOUCHERS FOR ACCOUNTS PAYABLE**

The Consolidated Vouchers for Accounts Payable were presented to Council for approval. Council Member Jeff May asked for an update on overtime. City Manager Mary Ellen Bechtel stated that due to injuries, more overtime has occurred. The Fire Department seems to be holding its own concerning overtime. Since the new budget, Bechtel has not reviewed overtime, but will report back to the Council.

**Council Member Donte Moore made a motion to approve the Consolidated Vouchers for Accounts Payable in the amount of \$1,105,522.07. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.**

#### **BIDS & QUOTES**

No bids and quotes were presented.

#### **CITY MANAGER**

City Manager Mary Ellen Bechtel presented a Request for Permission to seek bids for the Peek, Last, and Rufus Streets Storm Sewer Project. There has been a long history of storm water problems in this area. The estimated cost is \$200,000. The engineering is complete and the funding source is the 2012 Bonds. City Engineer Brad Ruble explained the storm sewer's drainage route.

**Council Member Donte Moore motioned to seek bids for the Peek, Last, and Rufus Streets Storm Sewer Projects. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.**

City Manager Mary Ellen Bechtel presented a Request for Permission to seek bids for the Brownsville and Harlan Streets Storm Sewer Project. The City has worked on Brownsville Road in the past to mitigate the storm water problems, but some problems remain. This project is estimated at \$224,000. The design is complete and the funding source is the 2012 Bonds.

**Council Member Donte Moore motioned to seek bids for the Brownsville and Harlan Streets Storm Sewer Project. Seconded by Council Member Jeff May. Yeas: May, Moore, Rippy, Young, and Lewis.**

City Manager Mary Ellen Bechtel presented a Request for Permission to seek bids for the Lake Terrace Northeast Resurfacing Project. Lake Terrace NE is the main entrance to Walgreens Distribution Center and the Rolland Lewis Industrial Park. The design was completed in-house and the project is estimated at \$500,000. The funding source is the 2012 Bonds.

**Council Member Mike Young motioned to seek bids for the Lake Terrace Northeast Resurfacing Project. Seconded by Council Member Donte Moore. Yeas: May, Moore, Rippy, Young, and Lewis.**

City Manager Mary Ellen Bechtel presented a Request for Permission to seek bids for the South 28<sup>th</sup> Sanitary Sewer Project (aka Jones Street project). Bechtel stated that this important project will divert the City's west side sewer down 28<sup>th</sup> Street to Veteran's Memorial Drive. This diversion will reduce the potential for sewer backups during rain events. The funding source is the Capital Improvement Fee in the Utilities. Council Member Donte Moore asked if this would alleviate the issue on 12<sup>th</sup> Street and the Fruit Bowl. Bechtel replied yes. One citizen has contacted EPA several times and the City is on the edge of being fined. Council Member Jeff May asked if the Capital Improvement Fee is repealed, where would the funding come from. May stated that if the fee is repealed, the funds should be refunded to the citizens.

**Council Member Donte Moore motioned to seek bids for the South 28<sup>th</sup> Sanitary Sewer Project (aka Jones Street project). Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.**

**CITY ATTORNEY**

City Attorney David Leggans presented for Council's consideration a Second Reading of an Ordinance Annexing Real Estate to the City of Mt. Vernon. The petitioning party is Jefferson County Holdings, LLC.

**Council Member Donte Moore motioned to accept an Ordinance Annexing Real Estate to the City of Mt. Vernon. The petitioning party is Jefferson County Holdings, LLC. No second. Ordinance died for the lack of a second and will not be placed on the Council agenda again.**

City Attorney David Leggans presented for Council's consideration an Ordinance Rezoning Property at 615 Bledsoe from I-1 (Light Industrial) to B-2 (Secondary Business). The petitioning party is Joseph L. Welch. The Planning and Zoning Commission unanimously approved this request with no objectors.

**Council Member Donte Moore motioned to approve Ordinance #2017-23, an Ordinance Rezoning Property at 615 Bledsoe from I-1 (Light Industrial) to B-2 (Secondary Business). The petitioning party is Joseph L. Welch. Seconded by Council Member Jim Rippy. Yeas: May, Moore, Rippy, Young, and Lewis.**

City Attorney David Leggans presented for Council's consideration an Ordinance Rezoning Property at 2200 Benton Road from I-1 (Light Industrial) to B-2 (Secondary Business). The petitioning party is Route 37 Performance. The Planning and Zoning Commission unanimously approved this request with no objectors.

**Council Member Mike Young motioned to approve Ordinance #2017-24, an Ordinance Rezoning Property at 2200 Benton Road from I-1 (Light Industrial) to B-2 (Secondary Business). The petitioning party is Route 37 Performance. Seconded by Council Member Jeff May. Yeas: May, Moore, Rippy, Young, and Lewis.**

City Attorney David Leggans presented for Council's consideration the First Reading of an Ordinance Amending Article 13, Section 13.8 of the Revised Code of Ordinances regarding Open Burning.

**Council Member Mike Young motioned to postpone action indefinitely until additional research is complete. Seconded by Council Member Jim Rippy. Yeas: May, Moore, Rippy, Young, and Lewis.**

City Attorney David Leggans presented for Council's consideration a Resolution Approving a Subordinate Agreement with SBA Financing Related to the Weedy Acres LLC Development. City Manager Mary Ellen Bechtel reported that this is the final part of Weedy Acres LLC Development (aka Phoenix Modular Elevator) in the new industrial park. This Resolution would subordinate the City's \$125,000 mortgage behind SBA mortgage. Council Member Jeff May asked for the value of the property. City Manager Mary Ellen Bechtel explained the new industrial park is a seven (7) million dollar project.

**Council Member Donte Moore motioned to approved the Resolution Approving a Subordinate Agreement with SBA Financing Related to the Weedy Acres LLC Development. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.**

City Attorney David Leggans presented for Council's consideration a Resolution Relating to Participation by Elected Officials in the Illinois Municipal Retirement Fund. City Manager Mary Ellen Bechtel explained that this Resolution must be passed for elected officials, if they choose, to participate in IMRF. If the official joins IMRF, they must document 1,000 hours of service to the position each year.

**Council Member Donte Moore motioned to approved the Resolution Relating to Participation by Elected Officials in the Illinois Municipal Retirement Fund. Seconded by Council Member Mike Young. Yeas: May, Moore, Rippy, Young, and Lewis.**

**MAYOR**

Mayor John Lewis presented to the Council the Reappointment of Assistant Fire Chief Kevin Sargent as Emergency Management Agency Coordinator.

**Motion by Council Member Donte Moore to approve the Reappointment of Assistant Fire Chief Kevin Sargent as Emergency Management Agency Coordinator. Seconded by Council Member Jeff May. Yeas: May, Moore, Rippy, Young, and Lewis.**

Mayor John Lewis presented to the Council the Reappointment of Chris Mendenall to the Police Pension Board.

**Motion by Council Member Mike Young to approve the Reappointment of Chris Mendenall to the Police Pension Board. Seconded by Council Member Donte Moore. Yeas: May, Moore, Rippy, Young, and Lewis.**

Mayor John Lewis announced the presentation of the Mt. Vernon Police Department Merit Award to Sargent Victor Koontz and Detective Justin Haney. Police Chief Chris Deichman explained the guidelines for receiving this award. Captain Jeff Bullard nominated the officers in recognition of their work on a recent murder case.

**CITY COUNCIL**

City Manager Mary Ellen Bechtel proposed discussion on the Opening of the 7<sup>th</sup> Street Rail Crossing. Council Member Jim Rippy stated that based on the information provided, he cannot find anyplace, where this was officially closed. Rippy said that the citizens want this crossing open and the City needs to find out how to open it. Council Member Donte Moore asked about the legal ramifications. Bechtel reported that the ICC has not officially closed the crossing, so all legal ramifications fall back to the contract. According to the contract, the crossing is to be opened in case of emergencies. Bechtel said there are concerns that this would not be possible due to the condition of the crossing and tracks. Moore asked who is responsible for maintaining the crossing. City Attorney David Leggans explained that, ultimately, the railroad is responsible for maintaining the crossing and track. In the agreement between the City and Milano Rail, Milano Rail is responsible. Bechtel replied that she has met with Milano Rail, but more meetings are required. Moore stated that he does not want litigation to fall back on the City. Rippy said that the City may be subject to litigation, but the crossing needs to be open for emergencies which can happen at any time.

City Manager Mary Ellen Bechtel presented for discussion a Motion to Direct the City Manager to Draft an Ordinance Repealing the Public Utilities Capital Improvement Fee. Council Member Jeff May stated that the Council approved the use of the funds earlier in the meeting and he has not heard a viable plan to replace the fee. May feels that it would be premature to repeal this Ordinance until there is a viable option. He feels that if the Ordinance is repealed, then the funds previously collected should be returned to the citizens. Bechtel reported that the Blue-Ribbon Committee for the Study of the Public Utilities System will meet for the first time on Friday, May 19, 2017. Council Member Donte Moore does not feel that the Council should discuss this issue until hearing from the Blue-Ribbon Committee. Mayor John Lewis stated that until the City knows exactly what is needed, the Council needs to promote the fee or find another source of funding. He said that the City needs a revenue stream, but he is not in favor of the Public Utilities Capital Improvement Fee. Council Member Jim Rippy stated that the City needs to find out the real cost of the infrastructure improvements and to look at all other revenue sources. Rippy stressed that a very thorough study is needed to find the leaks which cost the City \$400,000 annually. Council Member Donte Moore stated the City's staff has prepared a priority list of the leaks which are causing daily problems. He suggested not repealing this Ordinance until the Council agrees on a collective decision that is the best for the City. Rippy feels that the Council should repeal the fee.

**Council Member Donte Moore motioned to postpone indefinitely the action to Draft an Ordinance Repealing the Public Utilities Capital Improvement Fee until the Council receives the findings of the Blue-Ribbon Committee. Seconded by Council Member Jeff May. Yeas: May, Moore, and Young. Nos: Rippy and Lewis.**

Council Member Donte Moore reminded everyone that the monthly Neighborhood Watch Meeting will be held on Monday, May 22, 2017 at 6 p.m. at the Rolland W. Lewis Community Building, Veterans Park, 800 South 27<sup>th</sup> Street, Mt. Vernon, IL.

**EXECUTIVE SESSION**

No Executive Session was held.

**ADJOURNMENT**

**Council Member Jeff May made a motion to adjourn. Seconded by Council Member Jim Rippy. Yeas: May, Moore, Rippy, Young, and Lewis.**

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,



Mary Jo Pemberton  
City Clerk