

**City of Mt. Vernon, Illinois  
Regular City Council Meeting  
Monday, September 18, 2017  
7:00 p.m.  
MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, September 18, 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.

Father Ben Hankinson of the Trinity Episcopal Church gave the Invocation.

The Pledge of Allegiance was recited.

**ROLL CALL**

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

**PRESENTATION OF JOURNALS**

The Journal for the September 5, 2017 Regular City Council Meeting was presented to Council for any additions, deletions or corrections. **Council Member Donte Moore motioned to approve the Journal as presented. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

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

Shirley Riley spoke against leaf burning. She asked why the City is putting the health of the citizens behind convenience. She urged the Council to keep the burning ban because burning leaves is not a necessity, but breathing is a necessity.

Tony Wielt, President of the Jefferson County Chamber of Commerce, spoke on the proposed increase in Sales Tax on behalf of the many small businesses in the community. There is a concern among many of the Chamber members that given the opportunity, a customer would purchase a similar item in another community for less out-of-pocket money. The small businesses would lose customers. He feels that it is a risky proposition to depend on the Sales Tax increase while Sales Tax revenue is declining. Wielt said that it is a collective feeling of the Chamber members that this

change is being done behind the scenes and is being rushed to proceed. He said that the increase should be sold to the community to allow them time to process what the increase will mean to them. The Chamber should have received more than a day's notice of a Workshop Meeting on a Friday Morning. Council Member Jim Rippy stated that he resented any implication of shady and under the cover methods. The Mayor is going all out to keep everything transparent and Wielt's comments are unjustified and unfair.

Roger Jacobs spoke against leaf burning. He stated that people cannot smoke cigarettes in public, so it does not make sense to allow leaf burning. There was a reason a ban was placed on leaf burning. He asked why the City wants to pollute the air. He said that there is no reason to burn leaves. The City provides leaf pickup every week. Secondhand smoke causes cancer, COPD and asthma and lifting the ban is the wrong way to go for a progressive City. The Council needs to consider what is good for the people.

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

The Consolidated Vouchers for Accounts Payable were presented to Council for approval.

**Council Member Donte Moore motioned to approve the Consolidated Vouchers for Accounts Payable in the amount of \$1,429,283.24. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

#### **BIDS & QUOTES**

City Manager Mary Ellen Bechtel presented the bid results for the Marteeny Street Sidewalk project. The project includes both sidewalks and storm water management along Marteeny. The engineer's estimate was \$353,925.63. It is recommended that the bid be awarded to J.K. Trotter for \$227,556.40. Three bids were received:

J. K. Trotter & Sons	\$227,556.40
Guinzy Construction, Inc.	\$325,466.82
Samron Midwest Contracting	\$355,972.00

Council Member Jim Rippy asked if the City performs post audits on the contractor. A post audit would show if the contractor completed the project on time within budget and if there were any change orders. He asked that a policy of post audits be established for bids of this size. He stated that when there is a \$100,000 difference in a bid, the contractor really needs to be good. A post audit determines this. Council Member Donte Moore asked what the time limit is for this project. City Manager Mary Ellen Bechtel will send the information to the Council. Bids are assigned a number of construction days and if they do not meet the time limit, the Performance Bond is forfeited.

**Council Member Donte Moore motioned to award the bid to J.K. Trotter for \$227,556.40 for the Marteeny Street Sidewalk project. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

### CITY MANAGER

City Manager Mary Ellen Bechtel requested permission to apply for an Illinois Department of Transportation Economic Development Tourism Grant for North 44<sup>th</sup> Street Construction. Bechtel explained that she believes the Harley-Davidson Roadhouse's business model would qualify for this grant. The grant funds infrastructure for tourism related entities. The estimated project cost is \$1.8 million and the grant gives dollar to dollar for eligible expenses. The City could receive up to \$825,000.

**Council Member Jim Rippy motioned to give permission to apply for an Illinois Department of Transportation Economic Development Tourism Grant for North 44<sup>th</sup> Street Construction. Seconded by Council Member Donte Moore. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

City Manager Mary Ellen Bechtel requested permission to close certain streets for the upcoming Fall Festival to be held September 30 through October 2, 2017. The streets requested to be closed include portions of 9<sup>th</sup> Street, Casey Avenue, and Jordan Street.

**Council Member Mike Young motioned to give permission to close certain streets for the upcoming Fall Festival to be held September 30 through October 2, 2017. Seconded by Council Member Jim Rippy. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

### CITY ATTORNEY

Corporation Counsel Bill Howard presented for second reading, an Ordinance Amending Article 13, Section 13.8 regarding Open Burning. Mr. Howard stated that the section pertaining to extending the leaf burning period was removed. City Manager Mary Ellen Bechtel explained that this Ordinance proposes to allow leaf burning during the following periods: Monday through Sunday from dawn to dusk during each, the second full week of April, the second full week of May, the second full week of October, and the second full week of November each year. Council Member Jim Rippy stated that he listened very carefully to the people and he feels that the City needs to give the people who do not have the ability or money to mulch or buy bags, the opportunity to burn leaves. Council Member Donte Moore said that he spoke with many people that were opposed to burning. The people requested that if burning was allowed, the weeks be reduced to two or three weeks instead of four weeks. Moore said that there should be some burning days to help with the sewer system, because leaves and clippings enter the City's storm sewers and cause serious flooding. Moore suggested allowing two weeks in the fall and one week in the spring for burning. Council Member Mike Young explained that the four weeks are a compromise and is a much shorter period than initially requested. Young said that if less than four weeks is adopted, an extension needs to be added in case of rain. City Manager Mary Ellen Bechtel explained that based on experience, it is difficult to get the word out about changing the dates. This works better if the City adopts a set period and time. Mayor John Lewis stated that burning is going on every day and the City is only trying to control it.

Shirley Riley stated that mulching is no different than mowing a lawn during the summer months. Mick Riley stated that he knows many people with respiratory problems and many of them cannot

attend the Council meetings to oppose burning. He begged the Council not to reinstate leaf burning.

Mayor John Lewis explained that leaf burning is what the citizens want and everyone has a different opinion. He gave assurances that leaf burning will be monitored closely and if there are any issues, it will be readdressed.

**Council Member Mike Young motioned to approve Ordinance #2017-38, an Ordinance Amending Article 13, Section 13.8 regarding Open Burning. Council Member Jim Rippy seconded the motion. Yeas: Rippy, Young, and Lewis. No: Moore. Absent: May.**

Corporation Counsel Bill Howard presented for second reading, an Ordinance Declaring Property Located at 117 N. 6<sup>th</sup> Street as Surplus. City Manager Mary Ellen Bechtel explained that Greg Rightnowler has agreed to buy this property with the condemned house on it. Rightnowler has agreed to tear down the dilapidated structure at no cost to the City by March 1, 2018

**Council Member Donte Moore motioned to adopt Ordinance #2017-39, an Ordinance Declaring Property Located at 117 N. 6<sup>th</sup> Street as Surplus. Council Member Mike Young seconded the motion. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

Corporation Counsel Bill Howard presented for first reading, an Ordinance Rezoning Property Located at 14179 N. Tolle Lane from F-P, Flood Plain to R-1, Low Density Residential. The petitioning party is Brian Lewis. City Manager Mary Ellen Bechtel explained that the City found that this property was zoned F-P, Flood Plain, for no reason. It is not in the FEMA floodplain maps. The Planning and Zoning Commission unanimously approved this rezoning with no objectors.

**Council Member Donte Moore motioned to adopt Ordinance #2017-40, an Ordinance Rezoning Property Located at 14179 N. Tolle Lane from F-P, Flood Plain to R-1, Low Density Residential. Council Member Mike Young seconded the motion. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

Corporation Counsel Bill Howard presented for first reading, an Ordinance Repealing the Public Utilities Capital Improvement Fee. City Manager Mary Ellen Bechtel explained that this Ordinance would repeal the meter tax on residential, commercial, government, and bulk water purchasers. A Special City Council Meeting is scheduled for Thursday, September 28<sup>th</sup> at 7:00 p.m. at the Rolland W. Lewis Community Building to hear the second reading. This Ordinance will take in effect with the occurrence of the proposed Sales Tax Increase Ordinance. Both Ordinances are to be effective on January 1, 2018.

Council Member Jim Rippy said that he is opposed to any type of tax increase, but the Council needs to look at what needs to be done. To repair the water and sewer systems, repair the streets, and debt reduction, the money must come from somewhere.

Council Member Donte Moore suggested that the City drops the meter fee in half and Sales Tax increase to ½%. Rippy asked where the money would come from to fix the utility system. He said that the Council needs to address this problem in an aggressive manner. Moore said that the

problems will be fixed in 25-30 years. Rippy replied that the City does not have that long to fix the utility system.

Mayor John Lewis explained that the City is tasked with taking care of the neediest people in the City and he feels that the Sales Tax increase is fairer than the meter tax. The figures used to calculate the savings per resident came from the US Census. He was in favor of using the method to save the residents the most money which is repealing the \$10-meter tax and increasing the Sales Tax by 1%. **First reading was held.**

Corporation Counsel Bill Howard presented for first reading, an Ordinance Implementing a 1% Home Rule Municipal Retailers' and Service Occupation Tax. City Manager Mary Ellen Bechtel explained that this Ordinance states that all proceeds from the imposition of the one percent (1%) increase in the Mt. Vernon Municipal and Service Occupation Tax shall be deposited into and maintained as a separate dedicated fund to be expended solely for (i) expenses incurred for Capital construction projects for the Public Utility Department, (ii) expenses incurred for Capital equipment purchases for all City Departments, (iii) expenses incurred for Capital expenditures for road construction or road maintenance, (iv) early retirement of existing indebtedness, with priority to payment of debt with the highest interest rate, and (v) nuisance abatement expenditures, including demolition of dangerous and dilapidated structures. The tax would be effective January 1, 2018.

Jeff Klein asked that the Council recognize the business' standpoint and to look at the Sales Tax rate of Mt. Vernon's competing towns. He urged the Council to do more research before increasing the Sales Tax.

Council Member Donte Moore stated that the City is seeing negative percentages in the Sales Tax receipts. He would like to see a blended approach with the meter tax and Sales Tax increase. He is worried about the City's budget and does not want to depend on Sales Tax. Mayor John Lewis said that this will be analyzed every year to see the impact on the budget. This matter has been discussed many times and there is nothing that anyone is trying to sneak through. Mayor Lewis is open to any suggestions and is against any and all taxes. This method replaces one tax with another tax. He does not like inserting a "Sunset" clause. The Council will review this each year to see if the 1% increase is still necessary. The proposed Ordinance will force future Councils to address this tax increase every year. **First reading was held.**

Corporation Counsel Bill Howard presented for first reading, an Ordinance Amending Article 6, Section 6.2 Definitions and Section 6.3 Applications and Licensing. City Manager Mary Ellen Bechtel explained that the Ordinance changes the requirement of the liquor establishment resident manager to live inside the City limits to living inside Jefferson County. The second change allows for a Memorandum of Understanding that gives a copy of a Liquor License to the licensee prior to the issuance of the Certificate of Occupancy for the premises solely for the use by licensee to obtain financing, to obtain State licenses, to permit construction or remodeling, or for other valid reasons approved by the local liquor Control Commissioner. **First reading was held.**

Corporation Counsel Bill Howard presented for Council's consideration a Resolution Requesting Permission from IDOT to Close Portions of Route 37 and Route 15 for the Fall Fest Parade. City

Manager Mary Ellen Bechtel explained that this annual Resolution is required to close the State Highways for the Fall Fest Parade.

**Council Member Jim Rippy motioned to approve the Resolution Requesting Permission from IDOT to Close Portions of Route 37 and Route 15 for the Fall Fest Parade. Council Member Mike Young seconded the motion. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

Corporation Counsel Bill Howard presented for Council's consideration approval of a Resolution Approving Memorandums of Understanding. City Manager Mary Ellen Bechtel explained that the City has four applications for Liquor Licenses that qualify for a Memorandum of Understanding. The applications are for C.L. Quick Stop of Belvidere, Inc. d/b/a Lucky Dogs, Fork Restaurant Group Mt. Vernon LLC d/b/a Ruby's, NVK Properties LLC, and Martin & Bayley, Inc. d/b/a Huck's Convenience Food Store #134. Memorandum of Understanding that gives a copy of a Liquor License to the licensee prior to the issuance of the Certificate of Occupancy for the premises solely for the use by licensee to obtain financing, to obtain State licenses, to permit construction or remodeling, or for other valid reasons approved by the local liquor Control Commissioner.

**Council Member Mike Young motioned to approve the Resolution Approving Memorandums of Understanding. Council Member Jim Rippy seconded the motion. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

#### MAYOR

Mayor John Lewis reported on the August statistics from the Fire and Police Departments. The Fire Department responded to 310 alarms and the Police Department responded to 2,321 total events. He commended the Fire and Police Departments for the work that they do every day to protect us.

Mayor John Lewis introduced Chairman Ray Botch to provide an update on the Public Utilities Committee. Botch requested that the City Council place on the September 28, 2017 Special Council Meeting Agenda, a request to seek bids for an Acoustic Leak Survey. This will include 185 miles of water mains. Of which, 85 are PVC mains and 97 miles of cast iron mains. The Committee determined that this Acoustic Leak Survey should be the City's number one priority. Botch requested that the City Council place on the September 28, 2017 Special Council Meeting Agenda, a request to seek bids to clean out the four 28" sewer transmission mains between the Lift Station and the Sewer Treatment Plant. One main is 100% full, one is 50% full, and the other two are each 25% full. Funds are available to conduct these projects from the Water Meter Tax. Council Member Donte Moore asked if there was any news on the water modeling study. Botch explained that he has meet with the people doing the study and the information will be presented at the next Public Utilities Committee Meeting on Friday, September 29, 2017.

#### CITY COUNCIL

Council Member Donte Moore announced that the monthly Community Watch Meeting will be held on Monday, September 25, 2017 at 6:00 pm in the Rolland W. Lewis Community Building, Veterans Park, 800 South 27<sup>th</sup> Street, Mt. Vernon, Illinois. Always, everyone is invited to attend.

Council Member Mike Young asked Nathan McKenna about the recycling fee and if it can be determined how many residents use this service. McKenna reported that he contacted Republic Services to begin compiling statistics on the recycling program. Republic had numbers on the amount of tonnage, but not the number of users. The only way to determine the number of users is by the drivers counting as the recycling waste is collected. The current refuse contract has over 4,800 accounts. If the City chooses to eliminate recycling there will be a charge to opt out and collect containers.

Nathan McKenna announced that there will be an electronic recycling day on Saturday, September 23, 2017 at the Park Plaza Shopping Center from 9:30 am to 2:30 p.m. This is separate from Republic Services' electronic recycling. They will take anything with a cord. Any device with a CRT will be charged \$.25 per pound due to the leaded glass. It is open to everyone in the City and Jefferson County.

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

No comments were heard from the public.

#### **EXECUTIVE SESSION**

No Executive Session was held.

#### **ADJOURNMENT**

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

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,



Mary Jo Pemberton  
City Clerk