

**City of Mt. Vernon, Illinois  
Regular City Council Meeting  
Monday, April 16, 2018  
7:00 p.m.  
MINUTES**

The Mt. Vernon City Council held a Regular City Council Meeting on Monday, April 16, 2018 at 7:00 p.m. at the Rolland W. Lewis Community Building, Veterans Park, 800 South 27<sup>th</sup> Street, Mt. Vernon, Illinois.

Mayor John Lewis called the meeting to order.

Pastor Don Evans of the Westside Baptist 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 April 2, 2018 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 Jim Rippy. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

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

Before participants spoke, Mayor John Lewis read a statement regarding the rumors about the 7<sup>th</sup> Street re-opening and the Park Plaza redevelopment. Lewis stated that everyone on the Council wishes that the street would be open as soon as possible. He reviewed the history on why the street was closed per the request from the railroad for safety purposes due to new construction on the Milano property. He explained that the railroad crossing on 7<sup>th</sup> could not be put back to its original condition, because it would entail someone to trespass on private property and the removal of the new tracks which were laid after the closure. Four entities are involved with the reopening; the Federal Railroad Administration, the Illinois Commerce Commission (ICC), the Illinois Department of Transportation and Evansville Western Rail. Currently, Evansville Western and the ICC are working on a grant for the reopening. Evansville Western has started the engineering process, the ordering of the materials, and work before the funding is available. Lewis stressed that everyone is committed

to the reopening of 7<sup>th</sup> Street as soon as possible. Tonight's proposed Resolution will eliminate the legally binding contract with Milano's.

Council Member Jim Rippy read a statement regarding the 7<sup>th</sup> Street re-opening and the proposed Resolution approving an Agreement concerning the opening of 7<sup>th</sup> Street with Milano Railcar Services, LLC and Evansville Western Railway, Inc. Rippy stressed that 7<sup>th</sup> Street needs to be open now and the proposed Resolution should be discarded or amended to reflect immediate opening of the street. He recommended restoring the crossing the way it was before the closure. City Manager Mary Ellen Bechtel explained that the crossing is not the same as it was because of the additional track that was installed.

JoAlice Pierce thanked Mayor Lewis and Councilman Rippy for their comments as they answered her concerns about the 7<sup>th</sup> Street re-opening. She was glad to hear that the City was working with the Federal Railroad Administration, the Illinois Commerce Commission (ICC), the Illinois Department of Transportation and Evansville Western Rail for the re-opening of 7<sup>th</sup> Street. Pierce asked if the former Big Lots property is designated as heavy industry since National Railway has taken the property over. City Manager Mary Ellen Bechtel replied that the property is zoned Industrial.

Ron Moyer stated that he has problems with the proposed Resolution which states that Milano's will agree to open 7<sup>th</sup> Street. He has spoken with Milano's several times and Milano's stated that they never had anything to do with the closure of 7<sup>th</sup> Street. Moyer asked how the City can agree to re-open 7<sup>th</sup> Street with someone who never closed the street. Moyer spoke on laws that have been passed that no one is aware of until after passage. Moyer reported that citizens did not get involved with the closure of 7<sup>th</sup> Street until it affected them. He appreciates the work that Mayor Lewis and Council Member Jim Rippy has done to re-open the roadway.

Kendra Peterson, owner of King City Books, spoke on the importance of TIF Funding for the downtown area. She explained that the heart of the community is the downtown area and stressed that the City needs to keep the downtown area a priority. She feels that the proposed TIF for the Granada is significant to keep foot traffic downtown and to make it a destination place.

Bobby Staley spoke on the re-opening of 7<sup>th</sup> Street. A few years ago, he brought the re-opening petition with over 1,000 signatures to Council. He thanked the Mayor and Council for their hard work in getting this street re-opened. He urged the Council to be careful in the future when signing contracts with no end date and stated that it is the Council's job to do the will of the people, not just one business.

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

The Consolidated Vouchers for Accounts Payable were presented to Council for approval. Council Member Jim Rippy commented that overtime costs have been reduced from 10% to 6%. City Manager Mary Ellen Bechtel credited the return of employees from leave. Rippy asked what vehicles are leased from Enterprise. Police Chief Chris Deichman explained that two cars are leased for undercover use.

Council Member Donte Moore noted that \$2,102,833.33 is being paid to the Illinois Department of Commerce and Economic Development for the closeout of the local Revolving Loan Fund. City Manager Mary Ellen Bechtel explained that the City will then receive the funds back in grants from Community Development Assistance Applications. The City has already applied for a \$1.6 million grant and a second application will be made for the remaining funds. The funds can be used for water/sewer projects.

**Council Member Donte Moore motioned to approve the Consolidated Vouchers for Accounts Payable in the amount of \$3,034,240.83. Seconded by Council Member Jim Rippy. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

### **BIDS & QUOTES**

City Manager Mary Ellen Bechtel presented the bid results for a new Parks Department lawn mower. Four bids were received from two companies. Three of the bids did not meet the specifications. She recommended awarding the bid to Ben's Lawn Service of Benton, Illinois for a Scag Turf Tiger 2 Zero Turn Commercial Mower for \$11,513.00.

**Council Member Jim Rippy motioned to approve the bid from Ben's Lawn Service of Benton, Illinois for a Scag Turf Tiger 2 Zero Turn Commercial Mower for \$11,513.00. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

City Manager Mary Ellen Bechtel presented the bid results for a new hydraulic hammer. Two bids were received from two companies. She recommended awarding the bid to the low bidder, United Rentals of Mt. Vernon, Illinois for an FRD Model FX45 Hydraulic Hammer for \$8,498.51.

**Council Member Mike Young motioned to approve the bid from United Rentals of Mt. Vernon, Illinois for an FRD Model FX45 Hydraulic Hammer for \$8,498.51. Seconded by Council Member Donte Moore. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

### **CITY MANAGER**

City Manager Mary Ellen Bechtel presented for Council's consideration the approval of the Preliminary and Final Plat of the Preserve Subdivision. The petitioning party is Camp Land, LLC. Kyle from Round Table Design explained that the property is located at 405 N. 27<sup>th</sup> Street. He desires to split the parcel into two lots. No objectors were present at the Planning and Zoning Commission Meeting.

**Council Member Jim Rippy motioned to approve the Preliminary and Final Plat of the Preserve Subdivision. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

City Manager Mary Ellen Bechtel requested permission to seek bids for the Ambassador Road Bridge Replacement Project. She explained that this is a dilapidated wooden bridge and hopes that the bridge could be replaced before the next high school year.

**Council Member Donte Moore motioned to grant permission to seek bids for the Ambassador Road Bridge Replacement Project. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

City Manager Mary Ellen Bechtel requested permission to waive bidding requirements for a new remote access server for the accounting software system. Finance Director Merle Hollmann explained that the City's Tyler Accounting Software requires a separate server for the remote locations. Kunce Computers quoted a price of \$10,650.00. Hollmann stated that his office went on-line and built a server using Dell products and the cost was \$10,328.00. He recommended purchasing the server from Kunce Computers because it has two central processing units, 1.6 terabytes, the technology which is seven to eight times faster than the Dell, equipped with a two-tier rack for expansion, and a five-year warranty. Council Member Jim Rippy asked what type of equipment Kunce is providing. Hollmann responded that Kunce builds the server from various suppliers.

**Council Member Jim Rippy motioned to grant permission to waive bidding requirements for a new remote access server for the accounting software system and purchase the server from Kunce Computers for \$10,650.00. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

#### **CITY ATTORNEY**

City Attorney David Leggans presented for second reading an Ordinance Authorizing Transfer of Surplus Property Identified as PIN 07-32-352-009, Commonly Known as the Former Townhomes Property to MTK Investments, LLC. MTK has offered to purchase the real estate for \$5,000 with the intention of developing the property for commercial use for a laundromat.

**Council Member Jim Rippy motioned to adopt Ordinance #2018-11, an Ordinance Authorizing Transfer of Surplus Property Identified as PIN 07-32-352-009, Commonly Known as the Former Townhomes Property to MTK Investments, LLC. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

City Attorney David Leggans presented for second reading an Ordinance Amending Article 6, Section 6.9 regarding the Number of Liquor Licenses. This Ordinance increases the number of Retail Business Customer Licenses from one to ten.

**Council Member Mike Young motioned to adopt Ordinance #2018-12, an Ordinance Amending Article 6, Section 6.9 regarding the Number of Liquor Licenses. Seconded by Council Member Donte Moore. Yeas: Moore, Young, and Lewis. No: Rippy. Absent: May.**

City Attorney David Leggans presented for first reading an Ordinance Approving the Fiscal Year 2018-2019 Budget. City Manager Mary Ellen Bechtel explained that the budget was reviewed in detail at the Workshop Meeting on April 9, 2018. Recommendations made at the Workshop Meeting were incorporated into the Budget. Included in the Budget is a 2.75% salary increase (1% step plus 1.75% raise) for the entire staff. The proposed Budget reflects a deficit in operations of \$69,798 in the General Corporate Fund for the year ending on April 30, 2019. The General Corporate Fund is expected to have 2.8 months' worth of operating expenditures in the Operating Working Fund Balance. One reason the deficit is not higher is due to the increase of license fees for Liquor Licenses and Video Gaming.

For the Motor Fuel Tax Fund, Bechtel explained that no increased revenue was budgeted in this fund. Next year's Street Maintenance Plan includes 7,375 linear feet of asphalt and 29,624 linear feet of oil and chip. Bechtel read the list of roadways to be repaired next fiscal year. Roads to be repaired are based on road condition, traffic count, and if the underground water or sewers lines are scheduled for replacement. Council Member Donte Moore urged the citizens to remain patient because there are still many water and sewer lines that need to be moved from the middle of roadways. Bechtel explained that there will be a balance in the Motor Fuel Tax Fund at the end of the year. She suggests letting the fund accumulate for larger road improvement projects. Council Member Jim Rippe suggested that the City be divided into quadrants. The streets in each quadrant would be graded and then prioritized by a team. After the streets are prioritized, a long-term plan would be developed for repair of the streets. Council Member Donte Moore appreciated that no funds were taken from the Motor Fuel Tax Fund this year.

For the Sanitation Fund, City Manager Mary Ellen Bechtel reported that the Fund went from a deficit to a positive Working Fund Balance of \$161,382 at April 30, 2019. She recommended not to increase rates for sanitation services. Council Member Jim Rippe asked if a decision had been made concerning recycling and the number of citizens that recycle. Bechtel is awaiting a report from Republic Services about the use of the recycling.

For the Revolving Loan Fund, City Manager Mary Ellen Bechtel explained that this Fund will be eliminated next year.

For the Home Rule Tax Fund, Bechtel explained that the funds in the Home Rule Sales Tax Fund are divided evenly between Water/Sewer projects and capital improvements, demolition, debt reduction, and equipment. Items include safety equipment (Mobile Data Terminals, 911 Repeaters, Squad Cars, and a generator for the Police 911 System), tandem dump trucks, 7<sup>th</sup> Street re-opening costs, and demolition of structures. Council Member Donte Moore asked where the funding for the repair of Davidson Drive will come from. Bechtel replied the Quality of Life/Economic Development Fund.

Bechtel explained that the City is establishing a Sinking Fund with \$1,200,000 allocated each year from Sales Tax. The Bonds with the highest interest rates will be paid off in 2020, then a large principal payment will be made on the remaining Bonds which will be paid off in December 2027. Bechtel stated that the City would set aside \$1,200,000 in the Sinking Fund plus pay interest annually

to reach this goal. Council Member Jim Rippy stated that this will also provide for funding for catastrophic events. Council Member Donte Moore fears that future Councils may use this money for other reasons. He said that if the funds are needed for something catastrophic instead of debt repayment, he would like to see a four-fifths vote requirement. Bechtel said more restrictions for the use of funds could be investigated. Moore stated that he wants to tell the citizens every year what the City is doing with this money.

Another difference in the proposed Budget, is that the Public Utilities Fund has been separated into two funds, Water and Sewer. The Water Fund is projected to have an operating surplus of \$415,201 for 2018-2019, a working fund balance for operations at April 30, 2019 of \$746,469 and total expenditures for operations of \$4,046,732. The Sewer Fund is project to have an operating deficit of (\$363,469) for 2018-2019, a negative working fund balance for operations at April 30, 2019 of (\$7,752) and total expenditures for operations of \$3,749,946. Bechtel reported on the proposed in-house and contracted projects in the Water and Sewer Funds. Funding for these projects come from the 2% Capital Improvements Fee and ½% of the 1% Home Rule Sales Tax. Bechtel recommended not to raise water and sewer rates for operations for the second year in a row.

Council Member Donte Moore reiterated to Mt. Vernon citizens that this is where the tax dollars are going and if there are any questions please ask anyone at the City.

Mayor John Lewis thanked the City staff for their hard work and the ability not to raise utility rates again this year.

**Council Member Jim Rippy motioned to suspend the rules to vote on an Ordinance. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

**Council Member Jim Rippy motioned to adopt Ordinance #2018-13, an Ordinance Approving the Fiscal Year 2018-2019 Budget. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

City Attorney David Leggans presented for Council's consideration a Resolution Approving an Agreement Concerning the Opening of 7<sup>th</sup> Street Rail Crossing with Milano Railcar Services, LLC and Evansville Western Railway, Inc. Council Member Jim Rippy stated that without specifics in this Resolution regarding timelines, milestones, and project management, he hopes that the Council will amend or disregard this Resolution. Council Member Mike Young stated that this Resolution is not tied to the Park Plaza Redevelopment Project. City Manager Mary Ellen Bechtel reported that according to the ICC, if anyone funds the 7<sup>th</sup> Street re-opening upfront, it would negate the ability to apply for a grant. Evansville Western is applying for the grant and they will not do anything that will place them in jeopardy of not receiving the Rail Crossing Safety Grant. She spoke with the ICC about their expedited process and ICC will expedite the grant. The City should have an answer on the grant within 90 days of application. It takes a long time because the ICC is a regulatory arm of the process and the money comes from the Illinois Department of Transportation (IDOT). The required stipulated agreement will be between the City of Mt. Vernon, ICC, Evansville Western, and IDOT. Rippy stated that the Resolution is too loose for what Evansville Western is accountable for regarding the timeline

and other specifics needed for this project. Bechtel stated that Evansville Western needs to use the language “as soon as the grant is awarded” for the start of the project. Rippy explained that Evansville Western needs to detail what the timeline is to do the job, how long it will take to obtain the materials, and the number of hours to do the job.

City Attorney David Leggans explained that the proposed Resolution sets the framework for the grant application for the improvements to be made. If the improvements are made, the prior 2012 Agreement with Milano’s is terminated. Council Member Mike Young asked if there will be any further negotiations. Leggans replied no. He said that the whole matter comes down to the ICC, because they are the entity to do the expedited process, the stipulated order, make the repairs, and set a timeline for completion.

Council Member Mike Young is 100% for the re-opening of 7<sup>th</sup> Street. He stressed that the re-opening is not connected with the Milano’s. The 7<sup>th</sup> Street re-opening is a stand-alone project. Young feels that the proposed Resolution allows for the 7<sup>th</sup> Street re-opening in a timely fashion.

Council Member Donte Moore stated that he has always asked for two things; not to be sued and the development of an understandable contract. He cannot give a timeframe for the re-opening but hopes that it will be by the end of the year.

Council Member Jim Rippy stated that if this does not apply to Milano’s, why was it written in Milano’s Park Plaza proposal. City Manager Mary Ellen Bechtel replied that he would need to ask Milano’s. Rippy said that the Council needs to support the will of the people or it will appear that the Council is favoring special interest.

**Council Member Donte Moore motioned to approve the Resolution Approving an Agreement Concerning the Opening of 7<sup>th</sup> Street Rail Crossing with Milano Railcar Services, LLC and Evansville Western Railway, Inc. Seconded by Council Member Mike Young. Yeas: Moore, Young, and Lewis. No: Rippy. Absent: May.**

## **MAYOR**

Mayor John Lewis requested that Police Chief Chris Deichman come forward to make an announcement. Chief Deichman read a letter from the Police and Fire Commission Chairman announcing that Jessica Callahan has been promoted to Corporal. Callahan is the first female supervisor in the history of the Mt. Vernon Police Department. Corporal Callahan gave thanks for her promotion and she is excited for her future career in law enforcement.

## **CITY COUNCIL**

Council Member Donte Moore reported that on Saturday, April 14<sup>th</sup> at City Hall, the City hosted a meeting regarding housing. Representatives from banks, the USDA, U of I Extension, and the City were present to help citizens with housing issues and financing. Thirteen citizens participated in the meeting. The goal is to get home ownership back in Mt. Vernon.

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

Linola Spann voiced her concerns about the traffic hazard at the new high school. She urged the City to find funding to pay for a Police Officer to direct traffic when school begins and ends.

Ron Moyer thanked the City Council for their openness and gave his appreciation for their work.

**EXECUTIVE SESSION**

At 8:25 p.m., City Manager Mary Ellen Bechtel requested an Executive Session under 5 ILCS 120/2 (c) (11) – Litigation and 5 ILCS 120/2 (c) (02) – Collective Bargaining.

**Council Member Donte Moore motioned to go into Executive Session under 5 ILCS 120/2 (c) (11) – Litigation and 5 ILCS 120/2 (c) (02) – Collective Bargaining. Seconded by Council Member Mike Young. Yeas: Moore, Rippy, Young, and Lewis. Absent: May.**

At 8:35p.m., the Regular City Council Meeting reconvened.

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

**ADJOURNMENT**

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

The meeting was adjourned at 8:36 p.m.

Respectfully submitted,



Mary Jo Pemberton  
City Clerk