

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, OCTOBER 18, 2010**

Mayor Michaelis called the Regular Session to order at 7:00 PM. Councilmembers present were Schwarz, Bardill, Bellm and Zobrist. Others in attendance: City Manager Mark Latham; City Attorney Harold Belsheim; Directors Cook, Gillespie, Rosen, Rusteberg and Police Chief Bell; Fire Chief Kilgore; Building and Zoning Supervisor Limestall; Treasurer Foehner; IT Technician Tracey Robinson; Deputy City Clerk Hediger; 24 citizens and 1 member of the news media.

MINUTES

Councilman Bardill made a motion to approve the minutes of the October 4, 2010 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

PROCLAMATION

Mayor Michaelis read a document proclaiming October 17 – 23, 2010 as Women in Business Week.

PUBLIC FORUM

Citizens' Requests and Comments:

St. Paul Catholic Church – Trunk-or-Treat Request – Joan Riffel was present to make the request. Councilwoman Bellm made a motion to approve the request of the St. Paul Catholic Church to hold the 2nd Annual Trunk-or-Treat on Friday, October 29, 2010, 5:00–9:00 PM, as requested; seconded by Councilman Bardill. Councilwoman Bellm asked what “Trunk-or-Treat” is. Mrs. Riffel stated that many cars park around the perimeter of the parking lot with their trunks facing the center and a horn is sounded to signal the start of the event, at which time, the car owners open their trunks and the kids stop at each trunk to receive a treat. It is fun and safer for the kids than going door to door. All Councilmembers voted aye, none nay. Motion carried.

Marcia Rowe of 713 Poplar Street – Addressed the council as the representative for the neighborhood around 7th and Poplar Streets. She indicated that there is a problem in the neighborhood with the residents of one rental home. There is loud verbal abuse, excessive trash in the alley, and suspicious men in the alley outside her home at night. Some neighbors have contacted the Police Department and were told that it was all taken care of but it is not. The neighbors are concerned about the children who play in the neighborhood. Officer Kutz came out and was helpful. She told them that they should call the police if anything happens and they will check it out. Chief Bell urged the residents to make contact with him during the day so that he can address it personally. He is glad to hear that the officers are responding when called.

Requests of Council:

None.

Staff Reports:

Annual Fire Department Report – Chief Mike Kilgore reported on the equipment available to the department. He stated that their O&M costs equate to \$16.39 per capita. Fire calls are down this year from 168 in 2009 to 154 in 2010. False alarms are down. He reported that the department's budget increased in 2010. O&M is up a little per call from 2009. Outside of false alarms, there were 112 calls in 2010. There were no questions from the council.

Trick-or-Treat hours – City Manager Latham reported that Trick-or-Treat hours have been set for Sunday, October 31, 2010, from 5:00 – 8:00 PM.

IMEA Municipality of the Year – CM Latham and Mayor Michaelis will be attending the annual meeting of the IL Municipal Electric Agency to accept the award for Municipality of the Year.

New Employee Introduction – Director Dan Cook introduced Steve Ferguson, who has been hired as the City's Fiber Operations Manager. He started work on Monday, October 11.

NEW BUSINESS

Approve Mayor's Appointment to the Parks and Recreation Advisory Commission – Councilman Bardill made a motion to approve the appointment of Mr. Mark Reaka to the Parks and Recreation Advisory Commission for the remainder of a term that will expire July 31, 2012 as attached; seconded by Councilwoman Bellm. All Councilmembers voted aye, none nay. Motion carried.

Approve Preliminary Engineering Services Agreement with Oates Associates for the Broadway Sidewalk Extension Project (PW-15-10) – Councilwoman Bellm made a motion to approve preliminary engineering services agreement with Oates Associates for the Broadway Sidewalk Extension Project, in the amount of \$16,300 as attached; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #10-112/ORDINANCE Creating a Landlord Registration Program in the City of Highland – Councilman Bardill made a motion to approve Bill #10-112/Ordinance #2441 creating a landlord registration program in the City of Highland, as attached; seconded by Councilwoman Bellm.

Councilman Schwarz doesn't want to see the city involved in overseeing landlords, but is in support of this as it is in response to Chief Bell's problems. He thinks the council should set a fee as penalty for not registering. He does not want this left up to the landlords themselves. Councilman Schwarz made a motion to incorporate into the Ordinance a penalty for not registering to be applied after 30 days, seconded by Councilman Bardill. Councilwoman Bellm agrees with him but believes the problem is the next step. She would like to start with what is in front of us tonight and see where the landlords go with this. She asked, "What is the next step if they don't pay the penalty? What is the next step?" She can see it getting nasty. She would be in favor of leaving it like it is right now and then adding a penalty later if necessary. Harold Belsheim thinks that there needs to be some sort of enforcement mechanism and \$25 is not enough from a legal standpoint. It would be better if the penalty was \$100 or \$150. Another way to handle it is to have a sliding scale. For example: if you don't return it within 30 days, a second notice is sent, and then a penalty is added. Mayor Michaelis asked if the penalties should be consistent with established ordinance violations? Councilwoman Bellm asked, "What if they don't pay the penalty?...the next step is court? Attorney Belsheim indicated that was correct and that then they pay court costs as well. Chief Bell believes that this needs to have some teeth for it to be enforceable. There are several landlords that cooperate with us. We know who they are. They are not the ones we're worried about. We need to have some mechanism to enforce this. Consistence with

current violations is a good idea or a sliding scale would work with the ability to give a warning first. Councilwoman Bellm agreed that a warning is a good idea. Councilman Schwarz agreed as well. Councilman Schwarz withdrew his motion to add a penalty and Councilman Bardill withdrew his second; motion withdrawn. Councilwoman Zobrist then made a motion to table this item until the next council meeting to give legal counsel time to incorporate a suitable penalty for non-compliance, seconded by Councilman Schwarz. Mayor Michaelis opened the floor to discussion on what council would like to see as the penalty scheme. Councilman Schwarz would like to see a 30 day notice of failure to register, then a fine consistent with current violations which is \$50 - \$750. This was the consensus of the council. All councilmembers voted aye, none nay on the Motion to table until the next council meeting. The motion carried and the item was tabled.

Bill #10-113/RESOLUTION Approving an Agreement with Voltedge, Inc. for the Re-Design of the Growhighland.com website – Councilwoman Bellm made a motion to approve Bill #10-113/Resolution #10-10-1919 approving an agreement between the City of Highland and Voltedge, Inc., for the redesign and enhancement of the “Growhighland.com” website, as attached; seconded by Councilman Bardill. City Manager Latham reported that the growhighland.com website was developed about 3 years ago by a company out of O’Fallon, MO. The city’s Industrial Development Commission brought in a site selector to see what we could do to get our name out there. Bob Ady reviewed Highland and recommended that the first thing we need to do is beef up our website. Site Selectors use websites 90% of the time when looking for a site. Voltedge knows specifically what site selectors are looking for. We are bringing this to the council on recommendation from the IDC. Councilwoman Bellm asked who hosts our site now? Supervisor Limestall indicated Mid American Web Solutions. Councilwoman Bellm stated that the growhighland.com website is not user friendly and is lacking a lot of information. It needs help. Anyone looking for a site, is going to go to the web. She asked, “Why this company? They are related to Ady International and that rubs me the wrong way. Their proposal is good but I can’t say that it is impressive.” Councilman Schwarz asked Mark if this proposal has been compared to other similar companies. Mark stated that we could do a RFP, but is not sure we have the expertise in-house to know what is needed here. He believes that the price is fair compared to what we paid three years ago. Councilwoman Bellm stated that for creating a website like this \$10,000 is not an outrageous fee and their hosting fees did not seem out of line. She added that the city would have access to the website for updates and changes as needed and that the city would own the copyright on this and that made her feel good. Councilman Schwarz asked Tracey Robinson how many man hours this would take and Tracey stated that \$10,000 is a fair price. Councilwoman Bellm stated that she is OK going with this company and wanted to make sure that it was on the record that she was uncomfortable with the relationship between Ady International and Voltedge, Inc. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

REPORTS

Approve Warrant #821 – Councilman Bardill made a motion to approve Warrant #821 as attached with the exception of one bill to Vendor #1093 in the amount of \$1,575.00, bringing the total amount of Warrant #821 to \$988,053.30; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to temporarily adjourn the regular session, to conduct an Executive Session pursuant to the Illinois Open Meetings Act under Section 2(c)(21) for discussion of executive session minutes, 2(c)(1) for discussion of personnel, and 2(c)(5) to discuss property acquisition.; seconded by Councilman Bardill. Councilwoman Bellm withdrew her motion and Councilman Bardill withdrew his second. Councilwoman Bellm restated her motion to temporarily adjourn the regular session, to conduct an Executive Session pursuant to the Illinois Open Meetings Act under Section 2(c)(21) for discussion of executive session minutes, 2(c)(1) for discussion of personnel, 2(c)(2) to discuss collective negotiating matters, and 2(c)(5) to discuss property acquisition.; seconded

by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried. Regular Session temporarily adjourned at 7:56 PM.

Mayor Michaelis reconvened the Regular Session at 8:29 PM. Council members Schwarz, Bardill, Bellm and Zobrist were present. Others in attendance were City Manager Mark Latham, City Attorney Harold Belsheim, and Deputy City Clerk Hediger.

Bill #10-114/RESOLUTION Approving Real Estate Purchase Contract – Shimer – Councilman Bardill made a motion to approve Bill #10-114/Resolution #10-10-1920 approving a contract with Donald L. Shimer and Elizabeth L. Shimer for the Sale of Real Estate to the City of Highland in the amount of \$1,000,000, as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Councilwoman Bellm motioned to adjourn; seconded by Councilman Bardill. All council members voted aye, none nay. Motion carried. Meeting adjourned at 8:30 PM.

Joseph Michaelis, Mayor

Lana R. Hediger, Deputy City Clerk