

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, FEBRUARY 7, 2011**

Mayor Michaelis called the Regular Session to order at 7:00pm. 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 Schoeck, Police Chief Bell, Supervisor Limestall, Treasurer Foechner, Deputy City Clerk Hediger, City Clerk Bellm; 24 citizens and 1 member of the news media.

MINUTES

Councilman Bardill made a motion to approve the minutes of the January 17, 2011 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

PROCLAMATION

Pat Noe, Coordinator Cardio Rehab; Barbara Barr, Director Cardio Rehab Department; and, Randy Schorfheide, Director, Community Relations & Development, were present as Mayor Michaelis read a document proclaiming the month of February as American Heart Month in the City of Highland.

PUBLIC FORUM

Citizens' Requests and Comments:

St. Joseph's Hospital Announcement of Go Red Events for Heart Month – Mr. Schorfheide stated that in conjunction with American Heart Month, St. Joseph's Hospital would be holding several "Go Red" events. St. Joseph's Hospital Cardiac Rehab will host an "open house" event on Monday, February 14, from 2pm-7pm, so the public can learn more about the nationally certified program (one of only two in the metro east Illinois area). On February 15, a Heart Saver & Health Care Provider CPR Class will be held for anyone wishing to participate and receive current American Heart Association CPR training. February 16, an open house and education event will be held with Cardiologist Dr. Anil Shah, who will discuss a broad array of heart health topics as well as participate in a "question and answer" session with those in attendance. Following this, there will be a free healthy cooking demonstration and free cholesterol, blood pressure, and blood sugar screenings will be available. On February 10, Belleville St. Elizabeth's will be hosting the annual Women's Heart Health Fair & Fashion Show at Hidden Lake Winery, in conjunction with Go Red for Heart Health.

Highland Jaycees 2011 Schweizerfest Request – Kent England, Schweizerfest Chairman, requested permission and assistance from the City, on behalf of the Highland Jaycees, for the 2011 Schweizerfest to be held June 10, 11 & 12, 2011. The parade will follow the same route as in years past, on both Saturday and Sunday. One possible change, for this year, is that we may move the parade on Sunday from 5:00pm to 3:00pm, in order to increase the crowd earlier in the day. Councilwoman Bellm made a motion to approve the Highland Jaycees' 2011 Schweizerfest, June 10, 11 & 12, 2011 and the parade request for June 11 & 12 as requested; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

HCWC Child Abuse Prevention Walk Request – Jennifer Baker, 813 13th Street, Event Chairman, on behalf of the Highland Civic Women’s Club, requested road closure of Broadway from Washington Street to Spindler Park on Sunday, April 17, 2011 for a public walk from Walnut Street to Spindler Park to raise awareness of child abuse. The walk starts the event, which would be held from 1:00 – 3:00 pm at Spindler Park with free games, rides and family activities for all ages, which are provided by different organizations. There is no rain date this year, since Easter is the following weekend. Councilman Bardill made a motion to grant the request of the Highland Civic Woman’s Club to hold a Child Abuse Prevention Walk on Sunday, April 17, 2011, from 1-3pm, as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Hospice of Southern IL, Inc. Memorial Service Request – Candice Arana, B.A., Community Education Coordinator, requested use of the Downtown Plaza Square on June 21, 2011 at 7pm to hold a memorial candlelight service. Councilwoman Bellm made a motion to grant use of the downtown square to hold a memorial service on June 21, 2011 as requested; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Eagle Scout Project Request – Christian Schuepbach, Life Scout member of Troop 1040, explained he is working towards obtaining the level of Eagle Scout. He has chosen to renovate the Cemetery Chapel, in working towards this. When presenting the project to the Historical Society, they said they only way they could approve it was to make sure that lead paint was not present. Mr. Schuepbach stated he got some lead testers from Home Depot, did testing in several areas, and found that lead was present in the paint on the door, trim around the windows and the ceiling. He obtained a quote for professional removal of the paint. Since it is a public dwelling, the contractor stated he would be willing to show us how to remove the paint. Otherwise, it could just be contained, since it is not a dwelling. Mayor Michaelis asked Mr. Schuepbach, if Boy Scouts of America would allow troop members to do this type of work. Mr. Schuepbach responded he had not asked yet. Mayor Michaelis stated I think this is a great project. Councilman Schwarz inquired if there is any liability in us allowing them to do this. Attorney Harold Belsheim stated as long as we supervise to make sure they are shown proper procedure and follow with periodic checks to make sure those procedures are being followed, there should not be any problems. Mr. Scott Schuepbach, Christian’s father, pointed out they have a letter from someone experienced in providing instruction and supervision with lead removal. Mayor Michaelis asked Building and Code Enforcement Supervisor Kevin Limestall if there would be any issues. Supervisor Limestall responded the EPA has requirements; I would have to check them. Mayor Michaelis asked Christian what he was looking for from the City, at this point. Mr. Schuepbach responded, right now, I am trying to get permission to remove the lead paint. Councilwoman Bellm expressed she feels this is a very well-worth project. I know we would like to do some things out at the cemetery, in conjunction with the 175th Anniversary Celebration coming up in 2012. Director Rosen stated, if all fails, we would be able to pay for the professional removal of the lead paint. Councilman Schwarz made a motion to allow Christian Schuepbach to proceed with removal of paint and the repainting of the chapel with assistance from city staff; seconded by Councilman Bardill. All council members voted aye, none nay. Motion carried.

Hug Truck Co. Documentary Film Funding Request – Mayor Michaelis reported he spoke with Mr. John Hug regarding this request. He explained the importance of having Mr. Hug and his partner present at a future council meeting. Mr. Hug lives in California; his partner, in New York. Mr. Hug has responded with a letter, which the council has been given a copy of, stating this would be possible. Councilman Schwarz stated I do not feel the value is there. I would not be in favor, so I do not want to waste his time. Mayor Michaelis pointed out Mr. Hug’s letter acknowledges that his presence would not guarantee our participation in this project. Councilwoman Bellm stated I would need a lot more of assurance and details on this project. If he wants to come to Highland and meet, I do not have a problem listening.

2011 Highland Speedway Schedule and Funding Request –Scott and Gina Kuhn and Sue Zobrist were present. Mr. Kuhn stated we are here to seek approval for this year’s schedule and a funding request for advertisement costs, which were submitted in writing to the council. Mrs. Zobrist noted Scott and Gina received a very big honor at the UMP Banquet in January, which is recognition at the national level for best small track. Mr. Kuhn provided a copy of the press release to the council. Mayor Michaelis inquired the funding request is the same as last year. Mrs. Zobrist responded yes. Councilman Bardill made a motion to approve the race schedule and the \$1,000 advertising funds request as attached; seconded by Councilwoman Bellm. Councilwoman Bellm noted that last year, the council provided permission for City Manager Latham to be allowed to approve any rain date situations without having to contact all the council members first. She asked that the council consider that this year. It was the consensus of the council. Councilman Schwarz noted this is a for-profit track. I do see a lot of what the track brings to Highland. How many years has it been operating? Mr. Kuhn stated this is our third year managing the track. Councilman Schwarz stated I think at some point, we need to step back and let businesses operate on their own; therefore, I do not agree with funding advertisement. Mrs. Zobrist explained the Madison County Fair Association leases the track, which is a not-for-profit organization. Until a few years ago, the Fair Association managed the track; however, they have leased that to Mr. Kuhn in order to provide some stabilized funding, due to the economic problems the state is having and their lack of funding. Roll Call Vote: Bardill, Bellm and Zobrist voted aye, Schwarz voted nay. Motion carried.

Requests of Council:

Councilwoman Bellm noted that a week ago tonight, we thought we were going to have a blizzard. I had my candles and flashlights ready; however, we did not need it. I thank city staff for the job done with tree trimming, line maintenance and streets during these storms and in preparation for such.

Councilwoman Bellm requested an update on the fiber testing. Director Cook reported the testing went rather well. We ran into some bumps with the signal from Cogent, our supplier; however, we got that straightened out. We have connection established with Compustitch, GTS, EL Flanagan’s Sports/Spirits, Compusolve, Hal Klaus Enterprises, Kido Karate and The Chocolate Affair. We have been able to provide uninterrupted service, since going on line. We plan to have our telephone service going on line at Compustitch this next week, as a secondary line. We anticipate rolling out to the rest of retail businesses by March. Councilwoman Bellm stated the article made it sound like a total melt down. Director Cook attributed that to the timing of the article. E.L. Flannigans actually has free WiFi on the premise and patrons have commented that they recognize the faster speed.

Staff Reports:

Nothing else to comment on at this time.

NEW BUSINESS

Approve Dates/Times of Special Budget Sessions of the City Council – Councilman Bardill made a motion to approve March 14, 2011 at 6:00pm and March 28, 2011 at 6:00pm for Special Budget Sessions of the City Council as attached; seconded by Councilwoman Bellm. All council members voted aye, none nay. Motion carried.

Approve Payment of Funds to Clerk of the Circuit Court of Madison County for Settlement of Mechanic’s Lien – Councilwoman Bellm made a motion to approve payment of funds, in the amount of \$75,098.33, to Clerk of the Circuit Court of Madison County for settlement of mechanic’s lien as attached; seconded by Councilman Bardill. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #11-10/ORDINANCE Approving an Amended Agreement for Economic Incentives with Paul Ray Capelle d/b/a Cabinet Gallery – Councilman Bardill made a motion to approve Bill #11-10/Ordinance #2452 approving amended agreement for economic incentives with Paul Ray Capelle d/b/a Cabinet Gallery as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked does the change impact the tax that was to be generated. Director Rusteberg replied no. The change is that I use the wrong square-footage in the original ordinance. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Bill #11-11/RESOLUTION Approving Agreement with AT&T for Managed Internet Service – Councilwoman Bellm made a motion to approve Bill #11-11/Resolution #11-02-1949 approving agreement with AT&T for managed internet service as attached; seconded by Councilman Bardill. Councilwoman Bellm inquired this is the redundancy line. Director Cook explained it is two-fold. This will allow us to provide iScan to Highland Community School District, as well as redundancy in our system. Roll Call Vote: Schwarz, Bardill, Bellm and voted aye, Zobrist voted nay. Motion carried.

Bill #11-12/ORDINANCE Prohibiting Use of Groundwater as Potable Water Supply Within Restricted Area – Councilman Bardill made a motion to approve Bill #11-12/Ordinance #2453 prohibiting use of groundwater as potable water supply within restricted area as attached; seconded by Councilwoman Bellm. Councilman Schwarz inquired they bought the property and knew there were these issues. What are we saying “no” to and allowing with this? Supervisor Limestall explained in order to continue plans to develop the property this is one way the EPA uses to mediate contamination issues. There are similar restrictions near Frey’s Country Store, due to the trains and fuel storage over the years. This is passing regulation that says you cannot use well water for potable water at this property. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Discussion - Livingston Group Proposal – Harold Belsheim reported, basically, this proposal is a product of several meetings that Mayor Michaelis, City Manager Latham and I have had with several public and private individuals. What we found out is that you are not going to get much out of Washington, D.C. for funding, action or otherwise, for the interstate interchange without lobbying. This group does not promise anything other than to walk us through the process and make connections for us to communicate to those we need to get information to for movement on this project. I do not think this is rocket science, but it is relationship-based. It would require a lot of time and a large learning curve. \$15,000 per month is the retainer. If we get into business with them, we can terminate the contract at any time. It is very difficult for them to articulate what they are going to do on a schedule. It depends on the bills going through and what people are in front of them at any given time. I am not saying we need to get into business with them; there are others. The bills for appropriation of transportation funding are being drafted over the next few months. If we do not move quickly now, it will be another two years before the next bill is drafted and appropriations made. Attorney Belsheim asked for direction with the council as to whether they would like additional proposals from other lobbying groups, not do this at all, or put this on the shelf for two years and take our time at doing this. I do not think we will get any traction with the federal government and get the funding, unless we join with someone that knows the business.

Councilwoman Bellm inquired how this group was found. City Manager Latham reported a group that we met with regarding the hospital suggested them. Councilwoman Bellm asked has this group done any lobbying for a community around here. Attorney Belsheim reported they have substantial knowledge with how the appropriations for these transportation projects work. They know a lot more about how to make this stuff happen than for us to go it alone. Councilman Schwarz stated, yes, as a city we want this interchange. However, are these decisions not made by IDOT? Attorney Belsheim acknowledged approval has to come from IDOT; however, without funding, the project will never happen. Should the funding go through, we need to have an understanding with state governor’s office and Illinois DOT to make sure the funds go to our project, not to a project up by Chicago. We have Congressman Costello (on Transportation Committee) and Congressman Shimkus. While we have some great tools, I do not think we know how to apply the tools to the job. Councilman Schwarz noted the

question becomes how much we are willing to pay for the opportunity. Attorney Belsheim stated he believes if you are not interested in committing at least two years to this project, then it is likely not to happen. Councilman Schwarz noted that 24 times \$15,000 equals \$365,000. Attorney Belsheim acknowledged you are looking at committing \$250,000 - \$500,000 to this project. City Manager Latham expressed he feels it is too early. We are still going through the process with community action groups with IDOT. I do not know that spending this money right now, is the answer. Even if you get the funding, if you do not get the access approved from IDOT, then we would not get funding. Councilwoman Bellm asked how much time we anticipate with IDOT. City Manager Latham stated it is obvious from the traffic projections report there is going to be a need within the next ten years. According to traffic studies, it would require either widening Route 143 to a five-lane roadway across the lake to the interstate or another access. It is going to be a lot cheaper to build access out off Route 160; therefore, it is positioning good that this access would be granted. However, I would hate to move forward until the access from IDOT is granted. Councilwoman Bellm agreed it sounds premature to spend the money for the lobbying now. Attorney Belsheim noted they can help us with IDOT. City Manager Latham recalled IDOT indicating when they started the process, that it would be almost a two-year period for the study and then review by federal DOT.

Attorney Belsheim summarized they are saying that if we do not move quickly now, it will likely be another two years before there is any movement. However, what Mark is saying is that we are almost two years away with IDOT having their study and approval ready. City Manager Latham explained this group came up in some discussion when the hospital was looking for a site for the new hospital. The proposal was given based upon the fact that they say this group can accelerate the access. Councilman Schwarz acknowledged this is probably the only way of getting a real chance at it. Attorney Belsheim recommended looking at the budget to see if we have a place to allocate funds from, should we decide to place them on retainer at some point. Mayor Michaelis asked Attorney Belsheim if they indicated to you how they could expedite the access approval. Attorney Belsheim responded they said they 'could be helpful.' They are very careful about what they say. He pointed out, the closer we get to the local front, the more it will rely on us to do the work; the more it moves to Chicago area and Washington DC, the more helpful they will be.

Councilman Schwarz stated he would like to see typical cost of another lobbying firm. Is there a way to put incentives into the contract? Attorney Belsheim stated he is not sure they would do performance-based retainers. Councilwoman Bellm expressed unless we are willing to put some push on, we are not going to get the interchange. There are people up there, in their faces, asking for stuff everyday. The key now is, if they can help us with IDOT. Attorney Belsheim suggested a phone conference with City Manager Latham to discuss if they could be any more detailed on how they can help with IDOT. Councilwoman Bellm stated if the hospital's organization looked at this group - considering how conservative they are with their funds - I think that carries some weight. City Manager Latham will check with IDOT regarding their timeline. Councilwoman Zobrist stated she does not agree with paying for lobbyist. It is a ridiculous amount.

REPORTS

Approve Warrants #831 & #832 – Councilman Bardill made a motion to approve Warrants #830 & #831 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Bardill, Bellm and Zobrist voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Bardill. All council members voted aye, none nay. Motion carried. Meeting adjourned at 8:18pm.