

Regular Council Meeting
of the City of Greenville
held in the Council Chambers
on Tuesday, May 12, 2009

Call to Order: The regular meeting of the City Council was called to order on Tuesday, May 12, 2009 at 7:35 p.m. by Mayor Alan Gaffner.

Roll Call: Present: Mayor Alan Gaffner, Councilman Kenny Hampton, Councilman Charles Ireland, Councilman Marshall Mollet, and Councilman Roger Sanders

Also Present: City Attorney Patrick Schaufelberger, City Manager David Willey, and City Clerk Margaret Iberg.

Pledge of Allegiance: The pledge of allegiance to the United States flag was recited.

Citizen Input: A resident of the Fayco housing on N. Elm Street requested the city look at making the sidewalk area next to Young Funeral Home handicapped accessible. She commended the city for all the sidewalk intersections that have been completed in recent months.

Gary Shaw asked the council to look at the drainage issues effecting his business at 1202 S. Fourth Street. At times his business is surrounded by storm water runoff. Mayor Gaffner directed the issue to the city manager and public works director for review.

Consent Agenda:

- Approval of minutes of the April 14, 2009 regular council meeting;
- Financial Statements for April 2009 ;
- Approval of Accounts Payable totaling \$263,776.15;
- Minutes of Board and Commissions;
- Approval of Administrative Reports of the Police, Public Works, Sewer and Water Departments, Building Permits, and Code Enforcement Report.

Moved by Mollet, seconded by Ireland, to approve the consent agenda as presented.

Ayes: Mollet, Ireland, Hampton, Sanders, Gaffner
Nays: none
Absent: none Motion carried.

**Approval / Release of
Executive Session
Minutes:**

Moved by Ireland, seconded by Mollet to approve the minutes of the executive sessions held from March 26, 2007 through March 23, 2009, with the release of the minutes of March 5, 2008, May 13, 2008, Second Session, July 3, 2008, July 8, 2008, January 23, 2009, Second Session, and January 29, 2009; all other minutes will remain sealed.

Ayes: Ireland, Mollet, Hampton, Sanders, Gaffner
Nays: none
Absent: none
Motion carried.

**Recognition of Out
Going Councilmen:**

Mayor Gaffner paid tribute to out going councilmen Charles Ireland and Marshall Mollet. Each was presented a framed letter of appreciation. The mayor thanked both for their assistance with many issues and projects completed the past four years. Mayor Gaffner and councilmen Kenny Hampton and Roger Sanders stated it had been a privilege to serve with them.

**Oaths of Office for
Newly Elected
Officials:**

City Clerk Margaret Iberg administered the oath of office to those elected at the April 7, 2009 consolidated election. Seated for four year terms are Mayor Alan Gaffner and Councilmen Will Boyd, Jr. and Roger Sanders. Seated for a two year term is Councilman Matt Roadman.

**Appointment of
Mayor Pro-Tem:**

Mayor Gaffner moved that senior councilman Kenny Hampton be appointed as mayor pro-tem to act in his absence; motion seconded by Boyd.

Ayes: Gaffner, Boyd, Roadman, Sanders
Nays: none
Absent: none
Abstain: Hampton
Motion carried.

**Recess to
Executive Session:**

At 8:03 p.m., moved by Roadman, seconded by Sanders, to recess to an executive session for the Sale of Real Estate, Section 2 (c) (6); and Purchase of Real Estate, Section 2 (c) (5) of the Open Meetings Act.

Ayes: Roadman, Sanders, Boyd, Hampton, Gaffner
Nays: none
Absent: none
Motion carried.

Reconvene Meeting:

At 8:57 p.m., Mayor Gaffner called to reconvene the meeting with all present.

**Consulting Contract
for District
TIF District
Expansion:**

Moved by Hampton, seconded by Sanders to approve a contract with PGAV Consulting for the expansion of the Industrial Park Conservation TIF district at a cost of \$25,000.

Ayes: Hampton, Sanders, Boyd, Roadman, Gaffner
Nays: none
Absent: none
Motion carried.

**Revolving Loan Fund
Requests:**

The Revolving Loan Fund Committee met recently to consider requests from two downtown businesses for loan funds.

Lucy and Cris Kelly, owners of the Bakery Nook, made application for a \$40,000 loan to purchase additional kitchen equipment as they have expanded into a diner plus the bakery. The Loan Committee recommended a loan be approved for \$20,000 with the stipulation that it only be used for purchase of equipment, not repayment of outstanding loans. Attorney Schaufelberger suggested loan conditions include deed of the collateral property to the city with the city deeding it back when the loan is repaid.

Moved by Sanders, seconded by Roadman to authorize a \$20,000 loan to Lucy and Cris Kelly of the Bakery Nook with the conditions recommended by the Loan Committee and city attorney; the loan is at 3% for seven years.

Ayes: Sanders, Roadman, Boyd, Hampton, Gaffner

Nays: none
Absent: none

Motion carried.

Leo Mannino of Mario's Pizza made application for a \$90,000 loan, with a later revision reducing the request to \$45,000 for expansion of his business. The Loan Committee recommended approval of the \$45,000 loan with conditions it not be used to refinance outstanding loans and it will be disbursed as construction progress payments.

Moved by Roadman, seconded by Sanders, to approve a \$45,000 loan to Leo Mannino of Mario's Pizza with the conditions set forth by the Loan Committee and city attorney. The loan is at 3% for seven years and the city will have second place on the mortgage.

Ayes: Roadman, Sanders, Boyd, Hampton, Gaffner
Nays: none
Absent: none

Motion carried.

**Request to Vacate
Alley:**

At their April 27, 2009 meeting, the Plan Commission considered a request by Tracy Fester to vacate the alley adjacent to her property and running north to south between Eighth and West Streets off Franklin Avenue. The other adjacent neighbor, Cory Hilpert, stated he mowed the alley, and while not opposed to its closing, has not lived there long enough to determine if the alley is of use. He asked that it not be closed at this time. The Commission also considered the need for the alley in emergency situations. With an unanimous vote, the Commission recommended the Council deny the request.

Moved by Hampton, seconded by Roadman, to accept the recommendation of the Plan Commission and deny the request to vacate the alley off Franklin Avenue between Eighth and West Streets.

Ayes: Hampton, Roadman, Boyd, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

Ordinance No. 2826
Rezoning to B-2:

The Plan Commission considered a request by the city at their April 27, 2009 meeting to rezone the 600 and 700 blocks of the north side of Harris Avenue from M-1 Manufacturing to B-2 Business General. This will be in keeping with the commercial development that occurred along Harris Avenue rather than manufacturing. The Commission recommended the council rezone this area to B-2.

Moved by Hampton, seconded by Boyd to pass Ordinance No. 2826, an ordinance rezoning from M-1 Manufacturing to B-2 Business General the 600 and 700 blocks of the north side of Harris Avenue (see ordinance on file for full text).

Ayes: Hampton, Boyd, Roadman, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

Employee Group
Health Insurance:

The city received notice that the health insurance with Group Health Plan would have a 28.5 % increase for the next twelve month renewal. City Manager Willey introduced Bill Schmaltz of Einstein Group who presented an alternative cost savings policy with Blue Cross Blue Shield. To receive the same coverage with lower premiums a \$2,500 single/\$5,000 family deductible policy was offered, proposing the city pay the deductible. The city would have to pay 51 \$5,000 deductibles to lose all cost savings in premiums. The Einstein Group would administer the policy, paying all claims under the deductible and billing the city for the cost. The annual estimated cost savings in premiums over the proposed GHP increased rate is \$258,001.

Moved by Sanders, seconded by Boyd, to enter into a contract with the Einstein Group for administration of a Blue Cross Blue Shield group health insurance policy with a \$2,500 single/\$5,000 family deductible to be paid by the city.

Ayes: Sanders, Boyd, Hampton, Roadman, Gaffner
Nays: none
Absent: none

Motion carried.

**Industrial Park
Overpass Project
Construction
Engineering:**

Moved by Roadman, seconded by Sanders to enter into a contract with SCI Engineering for construction supervision for the industrial park overpass project. Supervision was not included in the contract with Hanson Engineering and they recommended SCI which was given a good recommendation from IDOT. SCI Engineering will receive \$304,395.50 paid by grant funds.

Ayes: Roadman, Sanders, Boyd, Hampton, Gaffner
Nays: none
Absent: none

Motion
carried.**Industrial Park
Overpass Project
Utility Relocation:**

An Ameren utility pole on the property recently purchased from Sigma Aldrich for the overpass project will need to be relocated. The cost of relocation by Ameren is \$6,094.43.

Moved by Hampton, seconded by Sanders to approve the expense of \$6,094.43 for Ameren to relocate the utility pole.

Ayes: Hampton, Sanders, Boyd, Roadman, Gaffner
Nays: none
Absent: none

Motion carried.

**Water Taste & Odor
Proposals:**

City Manager Willey reported three proposals were received to address the taste and odor issues still occurring with the finished water. He noted the proposal of Kennedy Jenks takes a different approach than the city has used in the past, and a member of their staff, Dr. Stephen Booth, is the current chairman of the American Water Works Association National Taste and Odor Committee. Willey recommended the council enter into a contract with Kennedy Jenks at a cost of \$36,310.

Moved by Boyd, seconded by Sanders, to enter into a contract with Kennedy Jenks at a cost of \$36,310 for consulting on taste and odor issues in the city's finished water.

Ayes: Boyd, Sanders, Hampton, Roadman, Gaffner
Nays: none
Absent: none

Motion carried.

**Housing Rehab
Program Inspector:**

Moved by Roadman, seconded by Hampton, to approve a contract with Dunham Independent Services for housing inspections and construction supervision in the IHDA Housing Rehabilitation grant program, with all fees included in the grant funding.

Ayes: Roadman, Hampton, Boyd, Sanders, Gaffner
Nays: none
Absent: none

**Motion carried.
Public Works Week
Proclamation:**

Moved by Boyd, seconded by Roadman, to proclaim May 17 through May 23, 2009 to observe National Public Works Week in the city. Public Works Day will be observed on May 23 at the Bond County Fairgrounds with demonstrations of equipment, tours of the water and sewer plants, prizes and free food.

Ayes: Boyd, Roadman, Hampton, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

**National Nursing
Home
Week Proclamation:**

By a request from Helia Healthcare, moved by Gaffner, seconded by Boyd, to proclaim May 10 through May 16 to observe National Nursing Home Week in the city, and encourage all citizens to honor the residents of nursing homes and show appreciation of their staffs.

Ayes: Gaffner, Boyd, Hampton, Roadman, Sanders
Nays: none
Absent: none

Motion carried.

**IDOT Right of Way
Payment**

City Manager Willey noted that Troy Shukar has developed two buildings along Route 40 just east of Elm Street and has opened a new business, The Zone, with plans for other business. As a business incentive, Willey recommended the city assist Shukar by paying the \$7,000 fee required by the Illinois Department of Transportation (IDOT) for access for this and future development. No TIF or Enterprise Zone benefits are available at this location.

Moved by Hampton, seconded by Roadman, to approve a \$7,000 payment for the IDOT right of way for the development by Troy Shukar on Route 40.

Ayes: Hampton, Roadman, Boyd, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

Real Estate Listing:

As part of the purchase of the property now partially leased to Buchheit, a 4.3 acre tract on the west side of the store building is available for development. Johnson Properties has made a proposal to list and market the property for commercial development. City Manager Willey noted a listing agreement will have associated fees and should exclude Joe Koppeis of Admiral Parkway, Inc. should he bring the development which was originally anticipated. He recommended seeking listing proposals from any interested local realtors.

Industrial Park Covenants:

City Manager Willey noted the covenants for Wolf Business and Industrial Park are outdated and in need of revision for road specifications, signage and building codes. This matter was tabled for a later meeting.

Appraisal of City Owned Tracts:

City Manager Willey stated the city should explore the possibility of selling city owned tracts currently used by the public works department should they become no longer useful. He recommended having Jim Collier appraise the four tracts for \$2,500.

Moved by Hampton, seconded by Sanders, to approve the \$2,500 expenditure for the property appraisals by Jim Collier.

Ayes: Hampton, Sanders, Boyd, Roadman, Gaffner
Nays: none
Absent: none

Motion carried.

Ordinance No. 2827

In order for the lake patrol personnel to have the ability to cite people

**Boating Ordinance
Amendment:**

under local ordinances and for increased safety, it is proposed to amend the lake ordinance by the following, which is excerpted from the Illinois state statutes, 625 ILCS 45/5-18:

- 6. No person under 10 years of age may operate a motorboat.
- 7. Persons at least 10 years of age and less than 12 years of age may operate a motorboat only, if:
 - a. they are accompanied on the motorboat and under the direct control of a parent or guardian, or a person at least 18 years of age designated by the parent or guardian.

Persons at least 12 years of age and less than 18 years of age may operate a motorboat only, if:

- a. they are accompanied on the motorboat and under the direct control of a parent or guardian; or
- a. a person at least 18 years of age designated by a parent or guardian; or
- b. such motorboat operator is in possession of a Boating Safety Certificate issued by the Department of Natural Resources, Division of Education or a valid certificate by another state, a province of Canada, the United States Coast Guard Auxiliary or the United States Power Squadron.

Moved by Boyd, seconded by Sanders, to pass Ordinance No. 2827, an ordinance amending the lake ordinance by addition of the above noted boat operator age restrictions as found in ILCS 45/5-18 (see ordinance on file for full text).

Ayes:	Boyd, Sanders, Hampton, Roadman, Gaffner
Nays:	none
Absent:	none

Motion carried.

**Storm Drainage at
Dewey & Killarney:**

Flooding has been occurring during heavy rains in the area of Dewey and Killarney. Last month, council approved using a heavy duty

plastic pipe to replace the undersized piping at a cost of \$28,000. Approximately \$5,000 will also be needed for a trackhoe and operator and trench backfill. Installation of the piping will be done by city personnel.

Moved by Roadman, seconded by Sanders, to approve an expenditure of \$5,000 for the trackhoe and operator, and trench backfill to complete this project.

Ayes: Roadman, Sanders, Boyd, Hampton, Gaffner
Nays: none
Absent: none

Motion carried.

WWTP Sludge Tank Relining:

City Manager Willey advised the wrong bid information was presented to the council at a previous meeting for the relining of the sludge tank at the Wastewater Treatment Plant. An expense of \$17,207.50 was approved, which was the cost of exterior coating. The correct amount for the relining of the interior is \$21,013.50. \$49,000 was budgeted for this project which is still significantly under that.

Moved by Hampton, seconded by Boyd to approve the \$21,013.50 expenditure to Evans Industrial Coatings for the interior relining of the sludge tank at the Wastewater Treatment Plant.

Ayes: Hampton, Boyd, Roadman, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

Parking Lot Improvements:

The vacant lot at Fourth and College the city purchased last year to be used as a parking lot needs an estimated \$25,000 of repairs. All work will be done by city personnel except the asphaltting.

Moved by Roadman, seconded by Sanders to approve the \$25,000 expenditure for the improvement of the parking lot at Fourth and College.

Ayes: Roadman, Sanders, Boyd, Hampton, Gaffner
Nays: none
Absent: none

Motion carried.

Cable TV Franchise Agreement:

Newwave Communications is requesting a ten year franchise extension for the cable TV in the city. Per a new state law, companies can negotiate a renewal through the state. The agreement with Newwave will expire in December 2009. The matter was tabled for review.

Tourism Committee Recommendation:

Moved by Hampton, seconded by Boyd to accept the recommendation of the Tourism Committee to grant \$1,000 in funding for Civil War re-enactors at the Bond County Fair and to include this in the new fiscal budget.

Ayes: Hampton, Boyd, Roadman, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

Street Closing Requests:

Moved by Hampton, seconded by Sanders to approve the request by the Greenville Business and Professional Association (GBPA) and Our Common Ground to close Second Street from College to Main, and Main Street from Third to Second for two events to be held June 19-20 and September 25 in the downtown area.

Ayes: Hampton, Sanders, Boyd, Roadman, Gaffner
Nays: none
Absent: none

Motion carried.

Acceptance of Replat of Lake Property:

Moved by Boyd, seconded by Sanders, to accept the re-plat of Lot 6 of Glenwood Estates, 1282 Rogier Drive, owned by Dennis Korte. The replat is due to shoreline modifications that changed the elevation of the water line level and will show the city as owner below the 530 foot mark.

Ayes: Boyd, Sanders, Hampton, Roadman, Gaffner

Nays: none
Absent: none
Motion carried.

**Mid-America Sign
Lease:**

Karl and Edna Sues have requested the city reconsider the billboard sign request for their property on Illinois Route 127, the old Amoco station site. This matter was tabled for the city manager and mayor to meet with the sign company representative.

**Engineering Contract
Bowman Drive:**

Moved by Roadman, seconded by Boyd to approve a contract with Heneghan and Associates in the amount of \$57,100 to engineer replacement of 4,000 feet of 10" water line along Bowman Drive near Friendly City. The contract is contingent upon the city receiving award of a \$350,000 CDAP grant from DCEO.

Ayes: Roadman, Boyd, Hampton Sanders, Gaffner
Nays: none
Absent: none
Motion carried.

**Engineering Contract
Harris Avenue:**

Moved by Sanders, seconded by Hampton, to approve a contract with Heneghan and Associates in the amount of \$78,700 to engineer replacement of an 8 inch water main along Harris Avenue. The contract is contingent upon the city receiving award of an IEPA ARRA stimulus funding for the project.

Ayes: Sanders, Hampton, Boyd, Roadman, Gaffner
Nays: none
Absent: none
Motion carried.

**Annexation of Parcels
Surrounded by
City Limits:**

Thirty-eight parcels have been identified that are entirely surrounded by the city limits, but have not been annexed into the city. By state statute, any property surrounded and less than 60 acres in size can be annexed by the city. City Manager Willey noted there are issues with what zoning would apply and possible grand fathering of uses the council may want to adopt. To pursue annexation, the property owners would need to be contacted and a public hearing set before the Plan Commission.

Resolution 2009-07
Adoption of NIMS:

Moved by Boyd, seconded by Roadman, to adopt Resolution 2009-07, a resolution adopting the National Incident Management System (NIMS) for the day to day operations in the Greenville Police Department (see resolution on file for full text).

Ayes: Boyd, Roadman, Hampton, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

Old Business:

Councilman Hampton inquired on the status of recycling. City Manager Willey advised Montgomery County Recycling will no longer accept the recycling from Greenville due to cross contamination of items. It will be more costly to haul to East St. Louis. Mayor Gaffner advised he has spoken with County Board Chairman Jill Franks about the county's tipping fees assisting with the cost of having an attendant on site at the recycling center. Councilman Sanders commented he felt the city failed to make clear to the media and public the reasons behind the bonus granted to the assistant city manager which was a disservice to her. The bonus was for performance beyond expectations in producing results above what more experienced economic developers may achieve.

**Recess to Executive
Session and
Adjournment:**

At 11:17 p.m., moved by Sanders seconded by Boyd, to recess to an executive session for the purpose of Purchase of Real Estate, Section 2 (c)(5); Sale of Real Estate, Section 2 (c)(6); Personnel, Section 2 (c)(1); Pending Litigation, Section 2 (c)(11); of the Open Meetings Act. The meeting adjourned at the close of the executive session at 12:10 a.m., May 13, 2009.

Ayes: Sanders, Boyd, Hampton, Roadman, Gaffner
Nays: none
Absent: none

Motion carried.

City Clerk