



CITY COUNCIL MINUTES

November 12, 2012

REGULAR MEETING OF THE CARTERVILLE CITY COUNCIL

The meeting was held in the Council Chambers with Mayor Charles W. Mausey presiding. He called the meeting to order at 7:00 p.m.

ROLL CALL

Charles W. Mausey	Mayor	Present
Michele A. Edwards	City Clerk	Present
Mary Jane Fuller	Deputy City Clerk	Present
Mark Carney	City Treasurer	Present
Phyllis Emery	Alderman/Ward 4	Present
Tom Gentry	Alderman/Ward 1	Present
John Gooden	Alderman/Ward 3	Absent
Mike Helfrich	Alderman/Ward 2	Present
James Houseworth	Alderman/Ward 1	Absent
Jacob Rendleman	Alderman/Ward 2	Present
Brad Robinson	Alderman/Ward 4	Present
Tony Trombino	Alderman/Ward 3	Present

The Mayor declared a quorum present.

Others present were: Marvin Oetjen and Curt Oetjen, Kamper Supply; Garry Wiggs, Street Superintendent; Bud Edwards, Maintenance Superintendent; Attorney Josh Bradley; Ralph Graul, Volunteer Firefighter; John Frost, Assistant Police Chief; Bruce Talley, Fire Chief; Retia Watson (Clerk); Bill Kirk, Zoning and Planning Commission; John H. Crawford, Crawford & Associates; Janice McConaughy; Jim Adams, Codes Enforcement/Building Inspector; Brad and Melanie Ogden, Variance Hearing; Doug Williams, Realtor; Matt Eastman, 211 Howerton; Roger Norman; Wayne Morris, Lion's Club Secretary; Mr. and Mrs. Coe, 807 Valley Drive Drainage Problem; William Bateman, The Courier.

Motion 1: Trombino moved and Robinson seconded to *approve the minutes* of the Regular Meeting of October 9, 2012 as presented in pamphlet form. All voted yea and the Mayor declared the motion carried.

Mark Carney presented the Treasurer's Report for the month of October, 2012. Jake Rendleman asked about the \$20,046.00 Motor Fuel Tax receipt and Carney explained that this was an additional disbursement from the Illinois Jobs Now Capital Bill Program.

Motion 2: Rendleman moved and Trombino seconded to approve the *October 2012 Treasurer's Report* as prepared and submitted by Mark Carney. A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

*The Mayor turned the floor over to **Jake Rendleman** who explained that he will be leaving his seat at Alderman/Ward 2 in May, 2013 after 29 years of service to the community. He stated that he will serve the remainder of this term through April, 2013 but he is also on the Board of Directors for John A. Logan College and this is becoming very time consuming. The Mayor and Tony Trombino stated your years of service to the community are appreciated by all.*

Recognition of Guests

Wayne Morris, Lions Club Secretary, thanked the Council for their support with the Free Fair and the Haunted Hayride. He mentioned that the carnival owner committed \$1,000.00 toward the fireworks next year. The Mayor stated that if the Lions Club could get 7 more donations of this magnitude we would be happy to present the fireworks for Free Fair. The cost of this display is approximately \$8,000.00.

Roger Norman, Tri-C Athletics, also thanked the City of Carterville for their constant cooperation with regard to their athletic programs. The Mayor stated that the City Council appreciates the funds contributed by Tri-C toward the improvement of our parks.

Departments/Committees

*John Frost, Assistant Police Chief, recommended that the City **hire two part-time officers**: Dustin Scott King and Bobby Ryan Prather. These men are already certified and trained. Mike Dungan is going back to active duty in February, 2013 and these new part-time could help fill his shifts during his absence. Jake Rendleman, Safety Committee, also recommended these hires.*

Motion 3: Rendleman moved and Trombino seconded **to confirm the Mayor's appointment of Dustin Scott King and Bobby Ryan Prather** as part-time police officers as recommended by John Frost and the Safety Committee. A roll call vote was taken, and all present yea. The Mayor declared the motion carried.

*John Frost mentioned that we had **two burglaries** over the weekend at Subway and Borowiak's IGA and the investigation is proceeding. John also mentioned that Williamson County will assist with our change to narrow band radios.*

Bruce Talley indicated that there are no immediate needs from the Fire Department. Mike Helfrich asked about the deadlines for training of our EMTs for upgrade to paramedics. The Mayor stated that this is being addressed by the Fire Chief, Mayor and Safety Committee.

Mike Helfrich asked about rip rap for the cul-de-sac on Hummingbird. The property owner has been cleaning the ditch in this area and does not have enough rip rap rock to finish the ditch/drainage.

Motion 4: Helfrich moved and Trombino seconded **to approve the distribution of two more loads of rip rap** for the property owner on Hummingbird Lane that is repairing the ditch/drainage (approximate cost of \$1,000.00). A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

The Mayor stated that Jim Houseworth was unable to attend the meeting tonight because he has had some minor surgery.

Bud Edwards, Maintenance Department, had nothing for approval. He is still planning to install the new sign at Cannon Park and the cannon. The Mayor mentioned that he was really sorry that someone had to lose the game last week. Bud Edwards mentioned that several of these players worked for the City under the summer work program.

*Phyllis Emery mentioned that the Committee is working with Khriissy to revise the **Community Building Rental Contract** to include a larger deposit and some other amendments that should help with the damage that is occurring from some of the groups (one thing is that it will be tobacco free).*

The Mayor asked that Tina Coe address the Council after John Crawford arrives.

The Mayor stated that he is still trying to find a person to replace John Geiselman on the Merit Board and he may have someone willing to participate.

Motion 5: Rendleman moved and Trombino seconded *to approve the rezoning of property at 210 Howerton Street, owned by Shawnee Health, from R-1 to B-1.* A roll call vote was taken, and all present yea. The Mayor declared the motion carried.

Motion 6: Helfrich moved and Emery seconded *to approve a variance for Bradley Ogden at 403 S. Division to allow for a business in a residential zone.* A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

The Council is still looking for a person to appoint to the Greater Egypt Regional Planning and Development Board. Since our population has increased to over 5,000 we now are eligible to have a seat on this board. However, they meet on the same night as the Council meeting so it cannot be a Council member.

Brad Robinson explained that we received three bids for the liability/property/auto/equipment and worker compensation insurance. We have talked to a consultant about interpreting these bids. We also have information regarding employee health insurance. The Council needs to schedule a meeting with employees and also the Insurance Committee needs to meet with a consultant regarding bid explanation.

Motion 7: Robinson moved and Rendleman seconded *to schedule a meeting with the Insurance Committee and employees* on Monday, November 26, 2012 at 4:00 p.m. to discuss changes in health insurance. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Motion 8: Helfrich moved and Emery seconded *to authorize Jim Williams of Williams and Associates* in Harrisburg to review the Liability Insurance bids at a cost of \$1,500.00. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried. [Williams will review these bids and give the Council a recommendation at their continued meeting on November 27, 2012].

Motion 9: Rendleman moved and Emery seconded *to accept the annexation petition from Dana and Greg Talley, 12120 Greenbriar Road as R-1.* A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Motion 10: Rendleman moved and Emery seconded to pass *Ordinance No. 1331-12, AN ANNEXATION ORDINANCE FOR GREG AND DANA TALLEY AT 12120 GREENBRIAR ROAD.* A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

The Methodist Church made application for a building permit for construction of a 720 sq. ft. garage on their property at 410 Forrest Street. This can be approved under essential services and does not need a variance.

Motion 11: Emery moved and Helfrich seconded *to approve the free use of the Community Building* by John A. Logan College for their Literacy Program Trivia Night on February 22, 2013. Roll call vote: Emery, yea; Robinson, yea; Gentry, yea; Helfrich, yea; Rendleman, abstain; Trombino, yea. The Mayor declared the motion carried.

John Crawford and Ron Modglin, Crawford and Associates, arrived at 7:58 p.m.

*Mickey Edwards explained the correspondence received from John Leco from the SIU Skateboarding Society asking for the use of the Cannon Park skate park for a **skateboard competition** on November 17, 2012.*

Motion 12: Robinson moved and Emery seconded to have *a short intermission* to obtain information regarding the skate park competition (*7:59 to 8:10 p.m.*). All voted yea and the Mayor declared the motion carried.

Jim Adams, Codes Enforcement/Building Inspector, arrived at 8:03 p.m.

Motion 13: Robinson moved and Gentry seconded to *allow the SIU Skateboarding Society* to use the Cannon Park skate park for a skateboard competition on Saturday, November 17, 2012 [Insurance must be provided and this must end by 5:00 p.m.]. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Motion 14: Emery moved and Rendleman seconded to *approve payment of \$14,100.00 to John Crawford and Associates* for West Grand Avenue engineering. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

John Crawford addressed the Council

- *The utility relocation on South Division Street was discussed. The Mayor and Crawford met with I.D.O.T. today and presented cost estimates of over \$200,000.00 to move our water lines to accommodate the street work that they are doing. I.D.O.T. actually agreed to pay us the actual cost of moving these lines. They were very receptive. We hope to have an agreement before the end of this year or early next year.*
- *Randy Moore submitted a one-lot plat of subdivision to be approved by the Council. The Planning Commission has reviewed this plat and has approved it (Wildwood Arbor Estates Seventh Addition).*

Motion 15: Rendleman moved and Emery seconded to **approve the plat of subdivision for Wildwood Arbor Estates Seventh Addition** owned by Randy Moore (This is being done to satisfy the plat act and Williamson County government). A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

John Crawford indicated that the City of Carterville is working on a trade of Facility Planning Area with Crainville to accommodate customers with sewer service. There is a plan on the table that would exchange equal parcel of land, and Crainville is reviewing the drawings at this time.

Motion 16: Robinson moved and Trombino seconded to **approve the transfer of Facility Planning Area property** from Carterville to Crainville and from Crainville to Carterville pending agreement with the Crainville Village Board (map attached). A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried. [*John Crawford will contact Trent Johnson regarding this exchange*].

*Tina Coe, 807 Valley Drive, attended the meeting regarding the **drainage problem** at her residence. John Crawford checked the storm sewer in her area and found that the addition that was added to her home is on a utility easement and the City is not responsible for moving or filling this storm drain pipe.*

- 1. Tina Coe feels that this **addition is not on the easement** but on the original lot. John Crawford has indicated that this addition is on the easement. The Mayor stated that regardless of the fact that this is on the easement, the City is not responsible for the storm sewer system because we did not install this system.*
- 2. Tina Coe indicated that there was a **building permit** issued and she would like to see the building permit which we cannot locate (we are not sure that a building permit was issued). These issues will be turned over to the Attorney and the Engineer for legal advice.*
- 3. Tina Coe indicated that the **storm sewer in question is not large enough** to handle the flow and there are sink holes forming that may mean the storm sewer may be compromised. There is an explanation for the sink holes that does not affect the structural integrity of the pipe. They televised the pipe and found that there are lifting holes that have deteriorated and this has formed the small holes in the line which can be repaired. Mrs. Coe asked if we had heard of any other situation where the house is built over a pipe and the Mayor indicated that there are numerous situations where this has occurred. He also explained the history of the sewer systems in this subdivision. Brad Robinson stated that you should not feel that she is being pushed aside because there are differences of opinion that we cannot solve here at the Council meeting. John Crawford stated that he will complete a legal survey of this property to determine where this utility easement is located and advise the Council.*
- 4. Tina Coe indicated that there is an **illegal culvert installed** that is draining water onto her property. This is now forming another ditch in the yard and eroding her property. This is not legal. The Mayor stated that he did inspect this problem and discussed this with Garry Wiggs and John Crawford who stated that this installation helped to stop some of the erosion. The Mayor indicated that he has no objection to removing this culvert, but feels that this will cause more erosion. Garry Wiggs indicated that he might be able to remove this culvert by cutting an open ditch on the south side, but this might cause additional problems.*
- 5. The **ditch behind this property** is also a problem. This is a natural watershed that has been there for at least 40 years. This is on the south side of the property. Mrs. Coe suggested that we put rip rap in this ditch several years ago. The Mayor stated that we will continue to work with Mrs. Coe to try to alleviate the problems she is having with this drainage.*

*Jim Adams presented information regarding a **building permit application** that will require a variance hearing. Keith and Melissa Inman, 1621 Venable Drive, are asking to build an additional on the southwest corner of their home (574 Square Feet) to accommodate their 80-year old mother who is failing in health.*

Motion 17: Robinson moved and Helfrich seconded to *schedule a variance hearing* for setbacks, lot coverage, and exception for two residences on one lot for Keith and Melissa Inman, 1621 Venable Drive, on **Tuesday, December 11, 2012 at 6:45 p.m.** A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Motion 18: Robinson moved and Trombino seconded to move to **EXECUTIVE SESSION**. All voted yea and the Council moved from Regular Session at 9:28 p.m.

Motion 19: Rendleman moved and Emery seconded to return to **REGULAR SESSION**. All voted yea and the Council returned to session at 9:53 p.m.

Motion 20: Robinson moved and Trombino seconded to *approve Christmas Bonuses* for all full-time and part-time City employees as follows:

\$230.00 **Full-Time Employees** **\$115.00** **Part-Time Employees**

In order to be eligible for a bonus, the employee must be an active employee and must have received a payroll check within the last ninety days. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Motion 21: Robinson moved and Helfrich seconded to *forego the traditional evening Employee Christmas Party and participate in a Christmas Luncheon (date to be determined)*. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Motion 22: Rendleman moved and Emery seconded to *approve payment of the monthly bills* as submitted by the City Clerk. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Motion 23: Trombino moved and Emery seconded to *pay E & K Cleaning* for cleaning services in the amount of \$1,870.00 [*\$1,720.00 for 19 cleanings at the Community Center and \$150.00 for City Council Chambers*]. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

The Mayor announced that he has been negotiating with AMEREN C.I.P.S. for a right-of-way easement on Hafer Road and has asked them to make progress toward the moving of utility poles from Division. AMEREN agreed to work toward installing three phase to the back of the buildings in the downtown area and moving these services to the back so that we could deal with Frontier Communications about moving these poles. We are also trying to get our water pump house serviced from this new line.

Motion 24: Robinson moved and Emery seconded to authorizes *Mayor Mausey to negotiate and sign the paperwork* allowing an easement on Hafer Road to AMEREN C.I.P.S. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Motion 25: Helfrich moved and Emery seconded to *continue the meeting Tuesday, November 27, 2012 at 7:00 p.m.* All voted yea and the Mayor closed the meeting at 10:05 p.m.

Michele A. Edwards, City Clerk

Next Ordinance No. 1332-12

Charles W. Mausey, Mayor

Next Resolution No. R398-12