



## CITY COUNCIL MINUTES

April 10, 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 (7:15)
Mark Carney	City Treasurer	Present
Phyllis Emery	Alderman/Ward 4	Present
Tom Gentry	Alderman/Ward 1	Present
John Gooden	Alderman/Ward 3	Present
Mike Helfrich	Alderman/Ward 2	Present
James Houseworth	Alderman/Ward 1	Present
Jacob Rendleman	Alderman/Ward 2	Present (7:09)
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; Bud Edwards, Maintenance Superintendent; Garry Wiggs, Street Superintendent; Jennifer Brunner, Downtown Merchants Association; Attorney Josh Bradley; John Crawford, Crawford & Associates (7:40); Bruce Talley, Fire Chief; Monty Jeralds, Police Chief; John Frost, Assistant Police Chief; Jason E. Verbeck, Veterinary Clinic West Grand; Gary Hanley, Citizen; Bill Kirk and Gary Cooper, Zoning/Planning Board; Bob Coffield, Heckel Furniture; Rob Thompson, Cemetery Concern; Doug Williams, Realtor; Sam Henderson, Virginia Street; Ralph Graul, Fireman; and Gail and Trent Johnston, Cottonwood Drive.

**Motion 1:** Helfrich moved and Emery seconded to *approve the minutes* of the Regular Meeting of March 13, 2012 and the Continued Meeting of March 20, 2012 as presented in pamphlet form. All voted yea and the Mayor declared the motion carried.

*Mark Carney presented the March 2012 Treasurer's Report.*

**Motion 2:** Emery moved and Helfrich seconded to approve the March 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.

### **Recognition of Guests**

*The Mayor welcomed all present and asked for questions from the audience.*

*Marvin Oetjen invited all to the 37<sup>th</sup> Annual Open House at Kamper Supply scheduled Friday, May 4 through Sunday, May 6, 2012.*

*Rob Thompson had a concern about the cemetery mowers blowing grass on stones. Also, Thompson stated that, even though signs are in place prohibiting dogs in the cemetery, dogs are still being walked in the cemetery and leaving their droppings on cemetery lots. This was referred to Bud Edwards to resolve.*

### **Department Heads**

*Fire Chief Bruce Talley had no requests.*

*Police Chief Monty Jeralds stated that the two items on the agenda are still being considered.*

*Garry Wiggs, Street Superintendent, stated a need to purchase cold patch and weed killer at a cost below the \$500.00 limit. Brad Robinson asked about the work to be completed on East Sycamore and Wiggs informed the Council that his crew will be working on this project in the near future.*

*Mike Helfrich stated that the **Street Committee** is recommending that the City use the funds for the annual oil and chip program and put these funds into permanent streets. Our Street Department will complete the emergency oil and chip and the Street Committee will work with John Crawford to determine*

**Motion 3:** Helfrich moved and Houseworth seconded ***NOT to participate in the oil and chip maintenance program*** this year (except for emergencies). A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

*Bud Edwards asked about the dates added to the Tri-C Youth Athletics schedule for use of the ball diamonds at James Street and Cannon Park diamond. March 31<sup>st</sup> to August 1, 2012 are the dates requested for James Street and they are requesting the use of the Cannon Park field for eight home games for the 13-14 year old players. Tri-C will handle all the maintenance and cleanup of the Cannon Park diamond.*

**Motion 4:** Gooden moved and Emery seconded to ***approve the Tri-C Youth Athletics schedule:*** James Street Park from March 31, 2012 to August 1, 2012 and Cannon Park diamond for eight home games for the 13-14 traveling team. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*Bill Kirk, Planning/Zoning Board, asked the Council about a repair that needs to be made at the Cannon Park restroom roof. Also, there is some graffiti on the skate board park that needs to be removed. Bud Edwards stated that repairs are being made to the restroom and his staff checks this skate park daily for obscene graffiti. Alderman Houseworth also asked that Bud check the grass that is growing in the asphalt on the walking path.*

*Jim Adams and Josh Bradley explained the progress on the abandoned/dilapidated properties.*

- The **Taylor property** on Onley has been cleaned up on the outside and we have done all we can do legally to get this cleaned. There is an issue with odor caused from the house and this may be a Bi-County Health issue.
- The **Dalzell property** abuts the Taylor property and some of these problems belong to Dalzell. Josh Bradley stated that we have not had any movement from Dalzell on any of these problems so he is issuing condemnation paperwork for this house.

**Motion 5:** Rendleman moved and Emery seconded to **accept John Geiselman's resignation** from the Carterville Police and Fire Commission and **confirm his appointment** to the Water and Sewer Board. A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

**Motion 6:** Emery and Gentry seconded to approve a **\$300.00 sponsorship ad for Carterville High School honor students** in The Courier. Roll call vote: Emery, yea; Robinson, no; Gentry, yea; Gooden, yea; Helfrich, yea; Houseworth, yea; Rendleman, yea; Trombino, yea. The Mayor declared the motion carried.

*Mayor Mausey announced that **summer seasonal employees** were discussed in committee meetings tonight and it was decided that the Street Department would hire four workers and Maintenance Department would hire two workers.*

**Motion 7:** Houseworth moved and Gentry seconded to authorize the hiring of **summer seasonal help** for the Street and Maintenance departments. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*Mayor Mausey explained that one of the areas of increase to help the financial situation with the City was to increase the garbage rates by \$1.00 per customer. The Finance Committee has made this recommendation.*

**Motion 8:** Trombino moved and Rendleman seconded to **increase garbage rates by \$1.00 per month and designate these funds for the Economic Development.** A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 9:** Gentry moved and Emery seconded to approve a **\$125.00 ad for Carterville Day at Miner Field** scheduled for May 31, 2012 (Ticket day is April 20, 2012). This ad will be in all programs this year for the Miner's. *[This ad was approved by phone pole earlier in the month].* A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

**Motion 10:** Gentry moved and Emery seconded to authorize the *purchase of flowers for the downtown sidewalks* at a cost of \$500.00 (*this project is sponsored by the Downtown Merchant's Association*). A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

*The Mayor explained that the City is in the process of completing paperwork for the increase in property tax to cover the cost of the fire and police pension funds. This is required due to the increase reflected in the 2010 census. Last year's levy was \$306,880.00 - the 2012 levy is \$389,736.00. This is more than a 5% increase and will require a Truth in Taxation hearing to be scheduled before this levy ordinance is passed in June, 2012.*

**Motion 11:** Trombino moved and Rendleman seconded to confirm the proposed amount of the *2012 levy as \$389,736.00*. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 12:** Gentry moved and Emery seconded to pass the following ordinances affecting the Home Rule Sales Tax (increase from 1% to 1.5%):

**#1313-12** AN ORDINANCE OF THE CITY OF CARTERVILLE, ILLINOIS AMENDING ORDINANCE NO 1081-03 ESTABLISHING A HOME RULE MUNICIPAL SERVICE OCCUPATION TAX.

**#1314-12** AN ORDINANCE OF THE CITY OF CARTERVILLE, ILLINOIS AMENDING ORDINANCE NO. 1080-03 ESTABLISHING A HOME RULE MUNICIPAL RETAILER'S OCCUPATION TAX.

A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*There was a question regarding the difference between the service occupation tax and the retailer's occupation tax. Josh Bradley explained that this keeps a retailer from separating the service charge from a retail sale.*

**Motion 13:** Helfrich moved and Rendleman seconded to approve **Ordinance No. 1315-12, AN ORDINANCE TO CONFORM TO AN ACT REGULATING WAGES OF LABORERS, MECHANICS AND OTHER WORKERS EMPLOYED IN ANY PUBLIC WORKS BY THE STATE, COUNTY, CITY OR ANY PUBLIC BODY OR ANY POLITICAL SUBDIVISION OR BY ANY ONE UNDER CONTRACT FOR PUBLIC WORKS, APPROVED JUNE 26, 1941, CODIFIED AS AMENDED, 820 ILCS 130/1 ET SEQ. (1993), FORMERLY ILL. REV. STAT., CH. 48, PAR. 395-1 ET SEQ.** A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 14:** Gooden moved and Emery seconded to approve **Ordinance No. 1316-12, ORDINANCE TO ABATE TAXES LEVIED PURSUANT TO SECTION 8 OF ORDINANCE NO. 1091-03 ENTITLED "AN ORDINANCE OF THE CITY OF CARTERVILLE, WILLIAMSON COUNTY, ILLINOIS, PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2003, PROVIDING THE DETAILS OF SUCH BONDS AND FOR A LEVY OF TAXES TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS AND FOR CERTAIN REVENUE SOURCES TO PAY AND SECURE THE PRINCIPAL OF AND INTEREST OF SUCH BONDS, AND RELATED MATTERS".** A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*The City Council will be approving the Appropriation Ordinance at the May 2012 meeting because this has to be filed with the County Clerk within 30 days of passage and the Budget Resolution and Income Statement must accompany this ordinance.*

**Motion 15:** Emery moved and Gentry seconded to donate **\$500.00 to Project Graduation 2012**.  
A roll call vote was taken, all voted yea. The Mayor declared the motion carried.

**Motion 16:** Gooden moved and Emery seconded to schedule the following rezoning hearings:  
**May 8, 2012 at 6:30 p.m.**

*Tri-C Veterinary Clinic, 1111 West Grand R-1 to B-1 Jason E. Verbeck*

**May 8, 2012 at 6:45 p.m.**

*Southard Station, West Commercial Drive R-1 to B-1 Barrett Rochman*

A roll call vote was taken, all voted yea. The Mayor declared the motion carried.

*John Crawford arrived at 7:40 p.m.*

**Motion 17:** Helfrich moved and Houseworth seconded to pass ***Ordinance No. 1317-12, AN ORDINANCE TO AMEND SECTIONS OF THE SUBDIVISION CODE OF THE MUNICIPAL CODE OF THE CITY OF CARTERVILLE, ILLINOIS. [The City will reimburse for curb and gutter only and will not participate in minimum standard of blacktop or concrete in all new subdivisions].***  
A roll call vote was taken, all voted yea. The Mayor declared the motion carried.

*The Mayor notified John Crawford that we have cancelled the 2012 oil and chip program in lieu of spending these funds for permanent streets to be determined. The Street Department will handle repair of oil and chip streets in house.*

*Crawford presented information regarding the vacation of Prairie Grove Subdivision and approval of a new plat of subdivision that facilitates the use of two lots for drainage in this area.*

**Motion 18:** Houseworth moved and Helfrich seconded to pass Ordinance No. 1318-12, AN ORDINANCE VACATING PRAIRIE GROVE SUBDIVISION IN THE CITY OF CARTERVILLE (*this includes a petition from Mavigliano to vacate this plat*). A roll call vote was taken, all voted yea. The Mayor declared the motion carried.

**Motion 19:** Helfrich moved and Houseworth seconded to approve the second plat of subdivision for Prairie Grove Subdivision [pending approval from the Zoning/Planning Board]. A roll call vote was taken, all voted yea. The Mayor declared the motion carried.

**Motion 20:** Gooden moved and Helfrich 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 21:** Emery moved and Gentry seconded to approve payment *to E & K Cleaning Service* in the amount of \$1,510.00 (*16 cleanings of the Community Center \$1,360.00 and City Council Chambers \$150.00*). Roll call vote: Emery, yea; Robinson, yea; Gentry, yea; Gooden, abstain; Helfrich, yea; Houseworth, yea; Rendleman, yea; Trombino, yea. The Mayor declared the motion carried.

**Motion 22:** Robinson moved and Trombino seconded to *move to EXECUTIVE SESSION* for the purpose of discussing the acquisition of property and personnel. A roll call vote was taken, all voted yea and the Council left regular session at 8:02 p.m.

**Motion 23:** Emery moved and Gooden seconded to *return to REGULAR SESSION*. All voted yea and the Mayor reconvened the Council at 8:37 p.m.

**Motion 24:** Emery moved and Gentry seconded to authorize the Mayor to sign the documents for *purchase of property located at 308 East Illinois Avenue* at a cost of \$16,000.00. A roll call vote was taken, all voted yea. The Mayor declared the motion carried.

**Motion 25:** Emery moved and Houseworth seconded to *contract with Neat Cut Lawn Care and Dirt Work* for the demolition of the house at 308 East Illinois at a cost of **\$2,850.00** (*as soon as this property sale is finalized and the contractor's insurance has been verified*). A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 26:** Helfrich moved and Gooden seconded to *continue the meeting on Tuesday, May 8, 2012 at 6:30 p.m. for the rezoning hearings*. All voted yea and the Mayor dismissed the meeting at 8:40 p.m.

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Michele A. Edwards, City Clerk

**Next Ordinance No. 1319-12**

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Charles W. Mausey, Mayor

**Next Resolution No. R394-12**