

# CITY COUNCIL MINUTES

March 12, 2013

## 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 7:01 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 (7:05 p.m.)
John Gooden	Alderman/Ward 3	Present (7:28 p.m.)
Mike Helfrich	Alderman/Ward 2	Present
James Houseworth	Alderman/Ward 1	Present
Jacob Rendleman	Alderman/Ward 2	Absent
Brad Robinson	Alderman/Ward 4	Present
Tony Trombino	Alderman/Ward 3	Present

The Mayor declared a quorum present.

Others present were: Marvin Oetjen , Kamper Supply; Curt Oetjen, Candidate for Ward 2 Alderman; John Strueter, Candidate for Ward 2 Alderman; Garry Wiggs, Street Superintendent; Bud Edwards, Maintenance Superintendent; Barbara Kerley, Downtown Merchants Association; Attorney Josh Bradley; Ralph Graul, Volunteer Fire Department; John Frost, Assistant Police Chief; Bruce Talley, Fire Chief; Jeff Stuck, Ambulance Coordinator; Retia Watson (Clerk); John H. Crawford, Crawford & Associates (7:30 p.m.); Jan Campbell, Carterville Chamber of Commerce; Jim Adams, Codes Enforcement/Building Inspector; Jerry Humble, Shawnee Trail; Ford “Hoopie” Harris, Candidate for Mayor; Sandra Congiardo, Candidate for Mayor; Doug Williams, Candidate for Mayor; Two Johnston City Firefighters, Greg Jennings and Bruce Fosse; Bill Kirk, Planning/Zoning Commission; Reed Fozzard, Zoning Change Request; Shawn Glennon and his father, Eagle Scout Project; and gentleman in checked shirt with grey hair.

*Mark Carney was not present. The Mayor asked the Council to review the Treasurer’s Report.*

**Motion 1:** Trombino moved and Helfrich seconded to approve the minutes of the Regular Meeting of February 12, 2013 and the Special Meeting of February 25, 2013 as presented in pamphlet form. All voted yea and the Mayor declared the motion carried.

*Mark Carney presented the February 2013 Treasurer’s Report.*

**Motion 2:** Helfrich moved and Emery seconded to approve *the February 2013 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**

*Shawn Glennon, Boy Scout Troop 77, presented a request to update the mapping of the City cemeteries as his Eagle Scout Project. He will recruit other scouts to help in this project and will work with City personnel. There are over 8,000 plots in the cemetery and there is a probability of corrections that could be made in this mapping.*

*Tom Gentry arrived at 7:05 p.m.*

**Motion 3:** Houseworth moved and Emery seconded to allow **Shawn Glennon** to use the mapping of City cemeteries as his **Eagle Scout Project**. Roll call vote: Emery, yea; Robinson, yea; Gentry, pass; Helfrich, yea; Houseworth, yea; Trombino, yea; Gentry, yea. The Mayor declared the motion carried.

*Barbara Kerley, representing the Downtown Merchants Association, asked the Council to pay for the plants for the 32 planters for the downtown area at a cost of \$600.00. Malone Child Care will once again have their students water these planters on a regular basis this summer. The Girl Scout, Boy Scouts and several volunteers will handle the planting and placing of the pots.*

**Motion 4:** Emery moved and Houseworth seconded to approve the cost of **plants for the downtown planters** sponsored by the Downtown Merchants Association in the amount of **\$600.00**. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*Greg Jennings, President of the Johnston City Fire Department, and Bruce Fosse explained to the Council that they had a fatality which required the assistance of Carterville Fire Department for water recovery. He praised the Carterville Fire Department for their assistance, he presented a check to Bruce Talley for our help with the incident, and he suggested these funds could be used to purchase an underwater camera for use with water rescues. The audience applauded them and the Mayor and Fire Chief thanked them personally. Bruce Talley indicated that the department has been looking at sonar equipment for water rescue.*

*Reed Fozzard, Elles Avenue, asked the Council to schedule a rezoning hearing for his property on Elles Avenue where he has had his plumbing business for 30 years. He is interested in selling this building and cannot transfer a variance to the new owner.*

**Motion 5:** Robinson moved and Emery seconded to **schedule a Rezoning Hearing** for 6:30 p.m. Tuesday, April 9, 2013 for the Reed Fozzard property on Elles Avenue from R-3 to B-1. All voted yea and the Mayor declared the motion carried.

### **Departments/Committees**

*Garry Wiggs presented information regarding the sale of the **street sweeper** to the City of Herrin for \$17,000.00. He has found pricing for the replacement equipment through F. B. McAffoos for \$7,400.00 with the attachments they need. He indicated that this piece of equipment is more suited to our needs than the street sweeper that was sold.*

**Motion 6:** Houseworth and Helfrich seconded to *purchase street sweeping equipment* from F.B. McAffoos an a cost of \$7,400.00. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Garry Wiggs announced the following Cleanup Days:

**SPRING CLEANUP - May 6 & 7**

**FALL CLEANUP - October 7 & 8**

*Bruce Talley indicated that he would be bringing bids for the purchase of the siren to the Council in April for their approval.*

*John Frost asked about the rebid for the police car. The Mayor responded that the Chief had indicated that it needed to be rebid.*

*Bud Edwards, Maintenance Department, had nothing to report or request at this time.*

*The Mayor indicated to the Council that he has found a person to serve on the Williamson County Airport Board, Dr. Robert Mees.*

**Motion 7:** Robinson moved and Helfrich seconded to confirm the Mayor's appointment of *Dr. Robert Mees* as our representative to the *Williamson County Airport Board*. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*The SIH Gala was discussed. Last year the City of Carterville sent a \$2,000.00 sponsorship to this event and this year we received an invitation to join the festivities. The cost is \$650.00 for a 8 place table and/or \$75.00 each. It was decided that the Clerk should take reservations for this event to be held on April 12, 2013 and purchase the needed tables space for those attending.*

**Motion 8:** Emery moved and Houseworth seconded to *purchase table(s) for the SIH Fundraising Gala* at a cost of \$650.00 for eight and \$75.00 for each additional person attending. Roll call vote: Emery, yea; Robinson, abstain; Gentry, yea; Gooden, yea; Helfrich, yea; Houseworth, yea; Trombino, yea. The Mayor declared the motion carried.

*John Gooden arrived at 7:28 p.m.*

**Motion 9:** Emery moved and Robinson seconded to approve the *Garden Gate Garden Club budget in the amount of \$903.47*. A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

*Tri-C Athletics sent a letter of request for the use of James Street Park (April 1, 2013 until August 1, 2013) and a letter requesting a donation for their "Fun Day". It was suggested that the Council approve the schedule and research donations given in 2012 and discuss this at the April meeting.*

**Motion 10:** Emery moved and Helfrich seconded to *approve the use of James Street Park by Tri-C Athletics* from April 1, 2013 to August 1, 2013 as requested. All voted yea and Mayor declared the motion carried.

*The Mayor announced that **Carterville Community Day at Miner's Park** will be held on May 30, 2013. This event is sponsored by our Chamber of Commerce and in the past we have purchased a \$125.00 program ad for this event.*

**Motion 11:** Houseworth moved and Gooden seconded to **purchase a \$125.00 program ad for the Carterville Community Day at Miner's Park** on May 30, 2013. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*John Crawford arrived at 7:30 p.m.*

*The Mayor explained that he received a request from the Chamber of Commerce for Council approval to schedule the **2<sup>nd</sup> Annual Chamber Twilight Run** on September 6, 2013. This event was a great success last year in conjunction with the Lion's Club Free Fair. The Police Department will have to work with the Chamber on road closings.*

**Motion 12:** Houseworth moved and Robinson seconded to support the **Chamber of Commerce 5K Twilight Run** scheduled for **Friday, September 6, 2013**. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*A flyer was circulated announcing the **14<sup>th</sup> Annual Carterville Community Hurricane Golf Outing** sponsored by the Carterville Rotary and the Carterville Chamber of Commerce to be held Friday, May 10, 2013 at the Crab Orchard Golf Club. In the past, the City has approved a Tournament Sponsorship at a cost of \$700.00.*

**Motion 13:** Robinson moved and Emery seconded to approve a **Tournament Sponsorship** for the **14<sup>th</sup> Annual Carterville Community Hurricane Golf Outing** at a cost of \$700.00. Roll call vote: Emery, yea; Robinson, yea; Gentry, no; Gooden, yea; Helfrich, yea; Houseworth, yea; Trombino, yea. The Mayor declared the motion carried.

*The Mayor announced that, due to the fire at Corbell Electronics, meetings have been held with Frontier Communications and Ameren C.I.P.S. regarding **moving the poles along Division Street from Grand Avenue to Virginia Street**. Bruce Talley and Mickey Edwards will be working on a bid advertisement for the rewiring and relocation of lines at the City Hall. Also, Bruce Talley was asked to **identify all those downtown businesses that would be affected by the removal of these poles**. We will ask each business to get at least two prices for relocation of their services to the rear of their buildings and the City Council is committed to helping these businesses with this relocation of service.*

**Motion 14:** Helfrich moved and Emery seconded to accept the **low bid of \$5,719.00 from E. A. Knight Construction for replacement of the ceiling tile in the Council Chambers** and refer this to the City insurance agent, Tom Couch, for processing by our ICRMT. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**John Crawford – Engineering Report**

- Crawford's office is working with Greater Egypt Regional Planning and Development Commission on grant applications for assistance with the infrastructure for the *SIH Cancer Center*.
- The bid opening for the *new water pump station* will be held on April 2, 2013.
- I.D.O.T. has indicated that they will be leaving the *Route 13 exit off of Pin Oak Road (right in/right out and left in from Carbondale)*. This work is committed to be completed in 2014. The City has committed to the resurfacing of Pin Oak Road for the new SIH Cancer Center.
- Plans for the *West Grand waterline work* will be submitted to I.E.P.A. for approval as soon as we hear from the State regarding the Safe Routes to School program.
- The plans are ready to submit for the *Safe Routes to School grant* as soon as this becomes available for State funding. This is the only program that has been established for sidewalks and the State has not fully funded this program yet.
- Crawford reported on the *SIMPO meeting held at GERPDC* on Monday, March 11, 2013. Crawford has been appointed to the Technical Committee for the Metropolitan Planning Organization.
- The *sewer work on Prairie Road* will begin as soon as the weather clears. Ameren has moved the gas lines that were in the way of this construction.
- Crawford is working with Bruce Talley to work on *standby power for this new water pump station* through State surplus equipment.

**Motion 15:** Helfrich moved and Emery seconded to pass *Ordinance No. 1332-13, 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, APPROVE 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 16:** Houseworth moved and Emery seconded to pass *Ordinance No. 1333-13. 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 ON SUCH BONDS, AND RELATED MATTERS.* A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 17:** Trombino moved and Robinson seconded to move to *EXECUTIVE SESSION* for the purpose of discussing personnel, acquisition of property or pending litigation. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried and the Council left Chambers at 7:56 p.m.

*Alderman Tom Gentry excused himself and left the meeting after Executive Session at 8:58 p.m.*

**Motion 18:** Emery moved and Gooden seconded to return to **REGULAR SESSION**. A roll call vote was taken, and all present voted yea. The Council returned to regular session at 8:59 p.m.

**Motion 19:** Robinson moved and Helfrich seconded to **approve the agreement with Frontier Communications for relocation of phone lines** from Division Street to Walnut Street. *[This includes a boring easement near the Fire Station and payment for moving the phone pedestal at the corner of West Illinois and Division to Walnut Street at a cost of approximately \$13,000.00.]* A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*The Mayor stated that the City has two properties the Council is prepared to purchase at this time.*

**Motion 20:** Houseworth moved and Emery seconded to **purchase the property at 511 W. Idaho** owned by David Crawford at a purchase price of \$6,000.00. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 21:** Gooden moved and Emery seconded to **purchase the property at 115 S. Division Street** owned by Create-A-Smile, NFP (known as the Thrift Shop) at a purchase price of \$12,000.00. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*Mayor Mausey gave a brief explanation of the State mandates with regard to the pension funds for the Police Officers and Firefighters. Although the City is required to pay the lost funds from the IMRF pension for the Police Officers, the Firefighters are being asked to repay these funds for themselves. The firefighters past pension funds would be lost if not refunded by them. This means that they would lose the pensions that were given to them when they began work with the City. This back pension for the existing firefighters is \$94,785.86. The Mayor and Treasurer have been working on a way to replenish these funds without using taxes. They looked at the Ambulance Fund, which includes fees for the services that the firefighters provide, but there is still indebtedness in this fund from past shortfalls. Then they looked at the contractual services in the Fire Department and this amount committed for four years will more than reimburse the \$94,785.86. With the advice and counsel of our City Auditor, these funds will be paid directly to the Pension Board and will be taxable when funds are disbursed to the employee. We have letters from our Auditor and detailed information regarding individual pension amounts, and an explanation of the procedures for establishing these reimbursements.*

**Motion 22:** Emery moved and Houseworth seconded to **authorize payment of the Fire Department pension back pay** in the amount of \$94,785.86 by using the contract fees from the Village of Crainville and No. 9 to pay the Pension Board over a four-year period. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*There is another problem that was presented to the Mayor by the Pension Boards. The Mayor explained that during the period from June 2011 and January 2012 the City deducted the 4.5% IMRF amount and not the appropriate amount for the new pension funds. This shortfall is \$7,552.81 for the Police Department and \$4,053.23 for the Fire Department. The City has been advised that this is indebtedness to the individuals. We are willing to work with each individual employee on a plan to deduct this amount from their checks.*

**Motion 23:** Emery moved and Gooden seconded to authorize the City to work with the firefighters and police officers to make deductions for *under withheld pension funds from June 2011 to January 2012*. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 24:** Emery moved and Gooden seconded to allow the *free use of the Community Center* on April 28, 2013 for the *Women's Center* for their Mother & Daughter Tea. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 25:** Houseworth moved and Emery seconded to authorize *a \$0.25 per hour increase for all part-time City employees*. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 26:** Helfrich moved and Emery seconded to *pay the monthly bills* as listed on the spreadsheet submitted by the City Clerk. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 27:** Emery moved and Robinson seconded to approve payment *to E & K Cleaning Service* in the amount of \$1,490.00 (*17 cleanings of the Community Center \$1,340.00 and City Council Chambers \$150.00*). Roll call vote: Emery, yea; Robinson, yea; Gooden, abstain; Helfrich, yea; Houseworth, yea; Trombino, yea. The Mayor declared the motion carried.

*The Mayor asked John Frost about the **rebid of the police car** and indicated that this should be addressed at the April meeting.*

*The Mayor mentioned that our next meeting is on Election Day, April 9, 2013 and we have a Rezoning Hearing at 6:30 p.m. that evening before the regular meeting.*

*Mickey Edwards asked John Frost to check with the Police Department to make sure the office is getting City Ordinance violations as we had someone come to pay today and we do not have the original..*

**Motion 28:** Helfrich moved and Gooden seconded to *adjourn the meeting*. All voted yea and the Mayor closed the meeting at 9:20 p.m.

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**Michele A. Edwards, City Clerk**

**Next Ordinance No. 1334-13**

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**Charles W. Mausey, Mayor**

**Next Resolution No. R399-13**