

Minutes of the Regular Arcola City Council Meeting Monday, March 1, 2004

Mayor Manna called the meeting to order at 7:00 p.m. Members present were Alderpersons Wheeler, Gentry, Lampe, Kile, Williams, Ferguson. Attorney Moore, City Foreman Jack Logan, Police Chief Mike Phillips and Zoning Officer Byron Joergens were present.

PLEDGE OF ALLEGIANCE Alderman Wheeler led the Council and the audience in the Pledge of Allegiance.

PUBLIC COMMENT

Mayor Manna introduced **Tom Hershey**, a very good friend of his from Mattoon, and **his wife Sue**. Mr. & Mrs. Hershey represents the Moose Club in Mattoon and had called Mayor Manna a couple of weeks ago to see if the residents of Arcola would be interested in forming a Moose Club in the City. Mr. Hershey said the Moose International is trying to expand their service base. He said they are a not for profit organization that has three goals: First goal is fellowship by working with each other, The second goal is Moose Heart Illinois which is a City outside of Aurora, Illinois that has an orphanage with approximately 300 children. He said it is a self-contained City that the Moose Organization operates. Moose Haven near Winter Park, Florida is also operated by Moose International. The third goal is community service. Moose International conducts food drives; supports school functions, sporting events, Special Olympics, Muscular Dystrophy, as well as many other things. In the smaller communities, Moose International is proposing to develop a Moose Service Center. There would not be a building; it would take at least 25 men to form a Moose Service Center. These men would meet twice a month and work on and develop projects. Mr. Hershey said he would like to know if the City is saturated with Service Organizations and if not interested he would not pursue the issue. However he said if the City were not saturated, he would like to have the Council's blessing in trying to find at least 25 men to start the Moose Service Center Organization. He said they would look at the current members in Mattoon and Tuscola to see if the Arcola members would be interested in forming an Arcola Service Center, then they would advertise for members and have an informational meeting.

Alderwoman Kile felt it was a worthwhile organization and had no objections. Alderman Ferguson said there are several service organizations, but could not say if the City was saturated at this time. Mayor Manna said he would work with Mr. Hershey to try and form a Moose Service Organization.

APPROVAL OF FEBRUARY 17, 2004 COUNCIL MEETING MINUTES Mayor Manna felt the minutes were well written and asked for a motion to approve. Alderman Ferguson moved to approve the February 17, 2004 Council meeting minutes, copies of which were furnished to each Council member and was seconded by Alderwoman Lampe. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried.

APPROVAL OF FEBRUARY 13 – 27, 2004 BILLS Council questioned the Kemper Bill again and felt the City should not pay for hotel and meals when a person comes down to train or update a program. Alderwoman Kile felt the Kemper bills should be itemized in the future so the Council will know exactly what they are charging for. After further discussion, Alderman Ferguson moved to approve the February 13 – 27, 2004 Bills as presented and was seconded by Alderwoman Lampe. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried.

APPROVAL OF FEBRUARY TREASURERS REPORT Alderman Ferguson moved to approve the February Treasurer's Report as presented and was seconded by Alderman Wheeler. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried.

APPROVAL OF FEBRUARY ZONING OFFICER'S REPORT Alderwoman Kile moved to approve the February Zoning Officer's Report consisting of \$3,840,000.00 Valuation and \$12,308.00 Permit Fees and was seconded by Alderman Williams. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried. Permits were issued to: Libman Co., 200 N. Sheldon for an addition to warehouse building.

APPROVAL OF ORDINANCE 04-C-2, CHECK SIGNERS FOR CITY Alderman Ferguson moved to approve Ordinance 04-C-2, an Ordinance amending Article 1 of Chapter 2 of the "Municipal Code, City of Arcola, Illinois," adopted June 2, 1980, as amended, by adding thereto Section 2-1-10 entitled "Authority to sign checks; two signatures required", and was seconded by Alderwoman Lampe. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried. This ordinance will designate checks to be signed by any two of the following, Mayor, City Clerk, Deputy Clerk, Treasurer, Water Billing Clerk.

APPROVAL OF KEMPER INVOICE TABLED FROM 2/17/04 MEETING Alderwoman Kile moved to approve the bill from Kemper CPA Group that was tabled from the February 17, 2004 Council meeting in the amount of \$851.70 and seconded by Alderman Williams. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried. Council said they would like to see Kemper used less, thus reducing the billing cost.

DAVID JONES – PROPOSED TROPICAL SNOW BUSINESS Zoning Officer Byron Joergens introduced David Jones, who wants to start a Tropical Snow business in Arcola. Mr. Jones wanted to address the Council and see what the Councils feeling were.

David Jones said he would like to start a Tropical Snow business, which would be located on the north end of Wilmer Otto's old office on Rt. 45. He said he and Mr. Otto had agreed on a year's lease for the property. An 8' x 10' building would be put on the lot for the business. He said it would have to be approved by the Health Department before he could operate his business. His plans are to have a couple of picnic tables next to the building also. His plans are to employ himself, his wife and son and a few more summer workers. He would be at the business every day, opening and closing, and would not allow loitering.

Zoning Officer Byron Joergens said the property is zoned properly for this type of business. He did question locating the building close to a fire hydrant, but Fire Chief Bobby Clark said that would be no problem. Joergens said a building permit would be the only thing required.

After further discussion, the Mayor gave Mr. Jones his blessings and wished him good luck in his business venture.

REPORT FROM TIF ADVISORY BOARD – PAT MONAHAN A report from the TIF Advisory Board, copies of which had been given to the Council members, was presented. Pat Monahan, Chairman of the TIF Advisory Board was present and reported as follows:

Douglas County Kreative Kitchens Tom Lyons, who was also present tonight, had submitted a request for his business Country Line Inc. dba Douglas County Kreative Kitchens for a TIF tax rebate of 60% of taxes to be paid to cover allowable expenses for a new business, owned by himself and Ivan Gingerich, who are buying the former J & M complex on Rt. 133 and will be operating a furniture and cabinet manufacturing plant and retail furniture store. They hope to employ 35 people and generate half a million dollars in retail sales. Monahan said the TIF Advisory Board unanimously approved the request and recommended the City Council grant the request. Tom Lyons said their plans were to sell merchandise from the front half of the building and manufacture merchandise in the back portion of the building. Attorney Moore said there were no legal problems. Alderman Ferguson moved to approve the request for a 60% tax rebate to cover allowable expenses for Douglas County Kreative Kitchens, owned by Tom Lyons and Ivan Gingerich as presented and was seconded by Alderwoman Lampe. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried.

Auto Tech – Storefront Grant A TIF Storefront Grant request was submitted by Auto Tech – Paul Harshbarger, owner. Paul Harshbarger was present and said he would like to put up an 8' high pole barn fence which would match the exterior of his building. He said there would be four gates in the fence. Harshbarger said he has vehicles that come and go as per the insurance companies. He also operates a vehicle maintenance business, towing service, table and chair rental, stage rentals and vehicle rentals. Alderman Ferguson said the City currently has two Ordinance Violations pending against Mr. Harshbarger's property and felt the legal fees for the ordinance violations should be deducted from

Harshbarger's grant. Harshbarger said he had talked to an Attorney and the Ordinance Violations were in question and could be beaten in court. He said the fence would take care of the ordinance violation. He felt the TIF Grant request and the ordinance violations were two separate issues. Alderman Ferguson moved that the City grant the request minus the legal fees incurred due to the Ordinance violations. After further discussion, Alderman Ferguson rescinded his motion. Alderwoman Kile felt Harshbarger should take care of his Ordinance Violation also. Pat Monahan said that Paul should take care of his Ordinance violation also, but did not feel the City should get into a court battle to settle. He suggested that Paul pay half of the legal fees incurred for the Ordinance Violations. After further discussion, Alderwoman Kile moved to table the request until the next Council meeting so the Council can find out more details on the Ordinance violations and determine a cost of legal fees incurred and was seconded by Alderwoman Lampe. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried.

Pat Monahan informed the Council that the property west of True Value and west of Eric Headrick and Mike Kaufman's businesses on South Rt. 45 was going to be considered for addition to the TIF District.

Mayor Manna also reported he had received word from the Department of Natural Resources that the Governor was going to come down and make a presentation of grant funds to the Cap & Gown Company. Mayor Manna said he would let everyone know when and where the presentation would be made.

Arcola Emporium – New Awnings Pat Monahan also presented a request from the Arcola Emporium for new awnings and a new roof for the building. Monahan said the TIF Advisory Board approved the request for the awning at an approximate cost of \$3,800.00. He said they felt the roof was a maintenance project and did not qualify for a Storefront grant. Alderwoman Kile moved to approve the Storefront Grant request for the new awning for the Arcola Emporium as requested and was seconded by Alderman Williams. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried.

WAIVE BIDS FOR DUMP TRUCK Alderman Wheeler moved to waive the bids for the purchase of a dump truck in order to purchase a dump truck on the State Bid Program, thus saving cost, and was seconded by Alderwoman Kile. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried.

PURCHASE OF DUMP TRUCK ON STATE BID PROGRAM Alderwoman Wheeler moved to purchase a dump truck for the City on the State Bid Program at a cost of \$65,445.00 and was seconded by Alderman Ferguson. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried.

APPROVAL OF EMPLOYEE LIFE INSUREANCE PAYMENTS Alderman Gentry said those employees that did not have life insurance policies would be paid the estimated cash value of a comparable whole life policy. Alderman Gentry moved to approve cash value life insurance payments as follows:

George Peters	\$2,371.00
Steve Hargis	\$1,910.00
Dustin Downs	\$ 380.00
Seth Bean	\$ 708.00
Tim Shadwell	\$ 787.00
Inge Schicke	\$ 334.00
Lucas Zeien	\$ 219.00

Alderman Ferguson seconded the motion. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried. Alderman Gentry said all employees now have a \$35,000.00 Term Life Insurance policy.

COMMITTEE REPORTS:

Alderman Wheeler reported that the Police Committee met this evening and discussed a Stop sign at the entrance of Bailey Meadows. He said the sign would be put where you exit Bailey Meadows.

Also discussed was the poor visibility when crossing E. Main St. at Oak St. Similar intersections were also discussed where visibility is poor. Parking in front of Casey's on Rt. 45 was also discussed. After further discussion, Alderman Ferguson moved to have Attorney Moore draft an ordinance designating No Parking in front of Casey's on Rt. 45 north to W. Washington St. and was seconded by Alderman Gentry. Roll call vote, Wheeler, aye; Gentry, aye; Lampe, aye; Kile, aye; Williams, aye; Ferguson, aye. Motion carried. Chief Phillips said he had talked to IDOT and they informed him that City could pass an Ordinance for No Parking in that area and Arcola Police could enforce the ordinance.

Alderman Gentry had nothing to report at this time.

Alderwoman Lampe reported that the new light poles in Moore Park were going up.

Alderwoman Kile reported that Mediacom was going to raise Cable TV rates \$5.00. She said rates were also being raised in Marshall. She also reported Air King would be contacted to install heat/air in Mike Butler's Office and the restrooms. The estimate was under bid price.

Alderman Williams reported a pre-construction meeting was held last Thursday with Insituform. He said they hoped to start work lining the sewer tile behind West Jefferson St. the third week in March and weather permitting they should be through in about a week.

Mayor Manna asked Alderman Wheeler when the park restrooms would be open. Alderman Williams said not until the freezing weather is over. He said they would get porta potties for the park until the restrooms could be opened.

Mayor Manna asked Williams if he had received any comments on the sump pump issue after the Arcola paper came out. Williams said he had received no comments.

Alderman Ferguson reported that the preliminary budget numbers would be turned in by March 8 and he would like to schedule a Finance/Budget Committee meeting for March 22 at 6:00 p.m. to go over the first draft. He said he hoped the budget would be ready to vote on at the April 19, 2004 Council meeting. Alderman Ferguson also said the raises for employees would be voted on at the April 19 meeting after the evaluations are completed.

Alderman Ferguson thanked the Mayor for sending the letter to Dick Prout reference water and sewer to his property.

Alderman Ferguson thanked Vickie Dill for getting the list of other expenses to him and also the project planner completed. He felt the planner would be very helpful. If anyone has anything to add he ask them to e-mail it to Vickie.

Mayoral Comments: Mayor Manna said he had received 4 or 5 letters on the Libman Expansion and would leave them in the office for anyone to look at.

Mayor Manna said he had received several derogatory complaints on potholes. He said he had told them they would be fixed as soon as the patch mix is available. Mayor Manna also said someone told him the wheel was about ready to fall off of a City truck. City Foreman Jack Logan said the tie rod was loose after hauling dirt from the old sewer plant. He said it would be repaired.

Mayor Manna said he attended a party for Charlie Crist who had returned home from Iraq and had earned a medal. Mayor Manna presented Crist with a key to the City and said Charlie was grateful to the City.

Mayor Manna asked anyone wanting to attend the CIMOA meeting to let City Clerk Dill know.

Mayor Manna asked what the Council's opinion was of a letter that was written by Eastern Illinois Precast reference the quality of materials bid in the South Side Storm Sewer project. Alderman Wheeler said that Eastern Illinois Precast had caused problems before and the quality of their material had caused problems on other jobs. Wheeler said Clark Dietz had had problems with their materials before in other jobs that they have engineered. Mayor Manna felt this was the City's call on whether or not to use the materials from Eastern Illinois Precast. Mayor Manna with the Council's approval gave the letter to

Attorney Moore and asked him to speak with Marty Vogel of Clark Dietz, Inc. about the issue and make sure the City is legal in the bidding process.

Mayor Manna said he had talked with Tom Ward, who is to be the new manager of Casey's Store. Mr. Ward cannot find affordable housing in Arcola at this time. He said 60 days to locate in Arcola would be difficult to comply with. Mayor Manna said there are situations with the other Liquor License holders living in town. He asked the Council to think about changing the ordinance which states the manager or owner of a liquor license establishment has to live within the City. After further discussion Attorney Moore said he would check the State Statute to see if the owner/manager is required to live within the City.

Mayor Manna said he and Alderman Wheeler met with Andy Shields and Andy Shields feels he has been given an Ordinance Violation unjustly because of the junk cars in his yard. Mayor Manna said Shields referred to the "grandfather's clause". Mayor Manna asked Attorney Moore to explain. Attorney Moore said the "grandfather's clause" refers to a use being permitted until the property changes hands or several other variations. Attorney Moore said Andy Shields does not totally understand the rules. Attorney Moore said the City has tried before to get Mr. Shields to place all of the vehicles behind the fence to be in compliance.

Zoning Officer Byron Joergens said he was sure that Andy Shields has a Special Use Permit to operate a garage and a furniture store.

Mayor Manna said Andy Shields is trying to get all vehicles behind the fence and to comply with the Ordinance. He said he feels the City will continue to harass him. Mayor Manna said Dale King claims he is grandfathered in also.

As this concluded the business of the meeting, Alderman Wheeler moved to adjourn and was seconded by Alderwoman Kile.

Adjourned at 9:00 p.m.

Andrew A. Manna Sr., Mayor
Vickie Dill, City Clerk