

# CITY COUNCIL MINUTES

March 13, 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   | Present |
| Mike Helfrich      | Alderman/Ward 2   | Present |
| James Houseworth   | Alderman/Ward 1   | Present |
| 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; Diane Gutiérrez, Downtown Merchant; Ray Tholen, Carterville United Pantry; Bud Edwards, Maintenance Superintendent; Dave Bloodworth, Street Superintendent; Jan Campbell, Chamber of Commerce; Attorney Josh Bradley; John Crawford, Crawford & Associates; Jennifer Spence, Downtown Redevelopment; Bruce Talley, Fire Chief; Monty Jerals, Police Chief; John Frost, Assistant Police Chief; Jason Mulholland (and three children), South Division Street; Gary Hanley, Citizen; Randal Cavins and Gary Cooper, Zoning/Planning Board; Khrissy Hollister, Block Party Coordinator; Bill Venable and Joe Venable, Visitors; Cora Taylor, Baptist Association; Jeff Stuck, Ambulance Coordinator; Jeff Church, Water and Sewer Department Laborer; Jerry Humble, Citizen; and Laura Addison, Visitor.

**Motion 1:** Trombino moved and Emery seconded to *approve the minutes* of the Regular Meeting of February 14, 2012 as presented in pamphlet form. All voted yea and the Mayor declared the motion carried.

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

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

*Jason Mulholland who lives on the corner of Vine Alley and South Division Street thanked the Council and Police Department for their efforts to help with speeding on Vine Alley and asked what more can be done to reduce speed even more. The Mayor encouraged Mr. Mulholland to work with the Police Department.*

*Ray Tholen, American Legion, asked about a bucket brigade that was requested. There is a bucket brigade scheduled for May 19 to TLC and the American Legion wants Memorial Day weekend each year (May 25).*

*Ray Tholen, Carterville United Pantry, indicated that they have purchased a 10' X 16' wooden portable building for the Pantry and wanted directions about how to place this behind the building. The Council indicated that they should work with the building inspector and Jennifer Spence.*

**Motion 3:** Rendleman moved and Emery seconded to ***allow placement of a 10' X 16' storage building for the Carterville United Pantry*** (with the understanding that it be locked and secured and, if this placement interferes with any future plans for downtown parking, this will be moved). A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

*The Mayor informed the Council and Ray Tholen that Jennifer Spence has completed a drawing and ordered the bricks for the Veteran's Memorial. All current orders will be placed in the first section of sidewalk in front of the Memorial.*

### **Department Heads**

*Dave Bloodworth, Street Superintendent, presented a request for the purchase of **100 tons of shoulder bam** at an approximate cost of \$5,000.00.*

**Motion 4:** Houseworth moved and Helfrich seconded to ***purchase 100 tons of shoulder bam*** for the Street Department at a cost of approximately \$5,000.00. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*There was an agreement made with the Harrison Foundation to have the new soccer fields fertilized and seeded as a condition of the grant for the Cannon Park pavilion and bathroom renovations. This project has an approximate cost of \$3,000.00.*

**Motion 5:** Emery moved and Gooden seconded to ***fertilize and seed the soccer fields at Cannon Park*** at a cost of approximately \$5,000.00 [**City Park Fund**]. A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

*Dave Bloodworth asked to have **old posts and signs declared surplus property** (450 old signs and 150 old posts) so that they can be sold as scrap and the funds used to purchase new style square posts for our signs.*

**Motion 6:** Houseworth and Helfrich seconded to pass Resolution No. R391-12, A RESOLUTION DECLARING CERTAIN STREET DEPARTMENT PROPERTY AS SURPLUS. A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

**SPRING CLEANUP DATES – APRIL 16 (NORTH) AND APRIL 17 (SOUTH)**

*Bud Edwards, Maintenance Superintendent, informed the Council that he had been soliciting prices from local tree services for removal of trees and stumps at James and Cannon Parks. The only response he received from the three services he contacted was from Hodges Tree Service in Marion. The price was \$1,750.00 for removal of three trees and grinding the stumps, removal of two additional stumps, and trimming three trees and removing one large tree from Cannon Park.*

**Motion 7:** Emery moved and Gooden seconded to contract with *Hodges Tree Service, Marion*, for removal of trees, trimming of trees and removal of stumps in the City Parks. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*Edwards further explained that it is time to renew the mowing contract for the cemeteries. Russell Mowing is asking for a fuel surcharge increasing each mowing to \$1,300.00 (last year \$1,150).*

**Motion 8:** Emery moved and Gooden seconded to *contract with Russell Mowing* at a cost of \$1,300.00 per mowing at the City cemeteries. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 9:** Rendleman moved and Trombino seconded to pass *Resolution No. 392-12, PROTESTING THE CLOSING OF THE TAMMS CORRECTIONAL CENTER*. A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

*Fire Chief Bruce Talley presented information regarding worker compensation insurance and indicated that he has verification that the department is covered for all aspects of their responsibility. Also, Bruce did an internal audit to try to cut costs. The department will be cancelling the linen service and the mat pickups and will be handling these services in house.*

John Crawford arrived at 7:25 p.m.

*The Mayor asked Bud Edwards to talk about the committee discussion regarding the repair of damaged stones in the cemeteries. After the storm, two years ago, there were approximately 200 stones*

*damaged and they were so old that no family was available to make repairs. The estimate for repairing these stones was approximately \$20,000.00. The committee is asking that the City put aside \$5,000.00 each year to repair and/or reset stones in the cemeteries.*

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*The Mayor discussed the **financial situation the City is facing** and indicated that he has volunteers (Brad Robinson and Mike Helfrich) working with him, Mark Carney and Michele Edwards to evaluate possible increases in City income. We will announce a Public Hearing to solicit input from local merchants and citizens before this list is sent to the Finance Committee for review. The City Council must act on these increases (especially real estate tax) as soon as possible because we will have to hold a "Truth in Taxation" hearing to increase real estate tax more than 5%. This has to be completed before the levy is passed in June. Because we passed the Pension Plan Ordinances in June 2011, we have a two year gap and will not receive real estate tax for this purpose until July 2013 so we are two years behind on funding of these pension funds. This hearing will be posted on our website and advertised in the newspaper.*

*The Mayor thanked Randal Cavins for his years of service to the City on the zoning.*

*The Mayor announced that he will be talking with a person on Wednesday regarding a position on the Fire and Police Commission (Merit Board).*

*Jennifer Spence presented information regarding **downtown redevelopment** and her accomplishments for the past five months. She also explained that **website** (cityofcarterville.com or visitcarterville.com). Email addresses have been set up for all aldermen and department heads and she put information in mailboxes about the setup of these email addresses. Jennifer introduced **Curt Orso, Architechniques**, who presented plans and drawings for improved parking and green spaces in the downtown area. These drawings were left on the table for review. Jennifer indicated that she would leave these drawings in the Council Chambers and return them in a couple of weeks. She asked Bruce Talley if he had any updates from Ameren C.I.P.S. and he indicated that he and the Mayor are working on the renovation of the City Hall electrical service. Jennifer thanked the Council for her contract and indicated her appreciation of the work that they do for the City. She has several projects she would be happy to continue to work on if the Council would like to continue her relationship with them.*

*The Mayor asked Jim Houseworth to introduce his proposal for street improvements in Carterville. Houseworth indicated he had spoken with John Crawford and Randal Cavins regarding his proposal to refrain from the use of oil and chip in new subdivisions. We will follow the existing codes except a change in the street surface to asphalt or concrete and construction curb and gutter. Houseworth made two motions:*

*First, to require asphalt or concrete streets and curb and gutter in all new subdivisions and to require that 50% of the subdivision be sold before the first coat of asphalt and 75% of the subdivision be sold before the final coat is done. Also, there would be a bond made by the developer for three years to insure that the street does not fail. Second, that the City will contribute 35% of the cost to the developer of asphalt and sidewalks after the three year bonding period.*

*There was a lengthy discussion regarding this change in ordinance. Bonding companies will not bond for more than one year and we have had this problem in the past. The Mayor stated that we need a policy in writing that states all of the requirements of the Council. There was no second to either of these motions. Tony Trombino asked about the bonding policy. Houseworth wanted to modify his motion to state that there must be a plan in place for the three year bonding policy. Mike Helfrich indicated that we had changed this policy and allowed for participation at a rate of \$4.00 per running foot and each of these payments had to be reviewed by the Council before payment was approved. We should return to the original policy with conditions regarding completion of asphalt before the City will participate. **The Mayor asked Mike Helfrich, Jim Houseworth and John Crawford to review this entire ordinance with regard to streets and return a written request for a change to the Council in March for approval.** Curt Oetjen stated that you don't necessarily want curb and gutter in all areas because this could affect the drainage in a subdivision.*

*Jim Adams was asked about the application for building permit for the Carterville United Pantry located at 117 S. Division (City owns the building). Jim Adams must be informed of the size, placement and type of building, but the Pantry is trying to get this donated. Therefore, we cannot issue a building permit until we can get all the information for review.*

*Jim Adams presented a request from Brian Mausey for construction of a pole barn building on his property on Sycamore Road to be built behind the new home he is constructing.*

*Jim Adams mentioned the dilapidated properties that have been cleared or have agreed to clear during the past month. [Jim Roaden, 213 Pine; House at Peach/Hampton; Mobile Home on W. Idaho; and Ivan Sam's properties]. The City Clerk asked Josh Bradley about the transfer of deed for the Heritage Museum. Also, he is still working on demolition orders for several properties in the City.*

*John Crawford announced that his firm has submitted the paperwork for the closeout of the West Grand Street improvements. The final paperwork will require the Mayor's signature. He is submitting his final bill for engineering in the amount of \$8,615.61.*

**Motion 9:** Houseworth moved and Emery seconded to authorize *payment* from the *Motor Fuel Tax Fund* to **John Crawford and Associates in the amount of \$8,615.61** for the final engineering on the West Grand street improvements (Section 09-00039-00-FP). A roll call vote was taken and all present voted yea. The Mayor declared the motion carried.

*John Crawford explained that he directed a **meeting with the Carterville Unit #5 Superintendent, representatives from I.D.O.T. and City officials** regarding the west by-pass road from the High School to Greenbriar Road. The right-of-way has been acquired from U. S. Fish and Wildlife and the school is working on a transfer of property that has been approved by both parties. This property will be deeded to the City so that we do not have to involve Williamson County. The Mayor stated that the City will **not** be contributing to the funding for this project, but will be supporting the project by helping with grant applications and helping to acquire State and Federal funds.*

*John Crawford presented a Plat of Subdivision for **Prairie Grove Subdivision** being developed by Matt and Corene Mavigliano along with a petition for annexation.*

**Motion 10:** Helfrich moved and Houseworth seconded to accept the **annexation petition** from Matt and Corene Mavigliano for Phase 1 (9 lots) of Prairie Grove Subdivision. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 11:** Gooden moved and Helfrich seconded to approve **Ordinance No. 1312-12, AN ANNEXATION ORDINANCE FOR PHASE 1 OF PRAIRIE GROVE SUBDIVISION (MATT AND CORENE MAVIGLIANO)**. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*The plat of subdivision for Prairie Grove Subdivision was presented for approval. This has already been reviewed and approved by the Zoning/Planning Board.*

**Motion 12:** Houseworth moved and Gooden seconded to **approve the plat of subdivision** for Phase 1 of Prairie Grove. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

**Motion 13:** Emery moved and Houseworth seconded to approve **Resolution No. R390-12, A RESOLUTION OF SUPPORT FOR A DCEO GRANT FOR THE NORTHWEST SEWER IMPROVEMENTS (LOCAL SHARE \$193,000.00)**. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

Jim Houseworth asked about the bids for the Grand and Division intersection resurfacing. Crawford indicated that these bids would be let in May, 2012.

**Motion 14:** Helfrich moved and Gooden seconded to **move to EXECUTIVE SESSION** for the purpose of discussing acquisition of property and personnel. A roll call vote was taken, all voted yea and the Council left regular session at 8:37 p.m.

**Motion 15:** Gooden moved and Helfrich seconded to **return to REGULAR SESSION**. All voted yea and the Mayor reconvened the Council at 9:32 p.m.

**Motion 16:** Gooden 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 17:** Emery moved and Trombino seconded to approve payment *to E & K Cleaning Service* in the amount of \$1,615.00 (*21 cleanings of the Community Center \$1,465.00 and City Council Chambers \$150.00*). Roll call vote: Emery, yea; Robinson, yea; Gentry, yea; Gooden, abstain; Helfrich, yea; Houseworth, yea; Trombino, yea. The Mayor declared the motion carried.

*Phyllis Emery asked about the IMRF for elected officials and the Mayor indicated that this issue was tabled while Jake Rendleman reviews his options.*

*The Mayor announced that **Jennifer Spence's contract** will expire at the end of February 2012 and asked Brad Robinson to elaborate on a proposal from the Downtown Redevelopment Committee. The committee is recommending that this contract be renewed month-to-month and can be canceled by the City or Jennifer with a 30 day written notice.*

**Motion 18:** Robinson moved and Trombino seconded to extend the marketing contract for *Jennifer Spence* on a monthly basis with a 30-day out clause. A roll call vote was taken, and all present voted yea. The Mayor declared the motion carried.

*The Mayor stated that we have some very good opportunities for the City with regard to economic development and we are very proud of the efforts being made on our behalf.*

*The City Clerk announced that the **Downtown Merchants Association** is meeting on a monthly basis and she has minutes of these meetings if any of the aldermen would like to review these. Brad Robinson attended yesterday's meeting and the Mayor encouraged the Council members to attend an occasional meeting (as long as only two aldermen attend at any meeting).*

*The Mayor announced that Mary Corley (widow of Bill Corley) and Katherine Patrick (mother of Chuck Patrick) passed away today.*

**Motion 19:** Helfrich moved and Houseworth seconded to *adjourn*. All voted yea and the Mayor dismissed the meeting at 9:38 p.m.

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**Michele A. Edwards, City Clerk**

**Next Ordinance No. 1313-12**

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**Charles W. Mausey, Mayor**

**Next Resolution No. R391-12**