City of Mt. Sterling

General Council Meeting

Police Training Center - #5 Jefferson Road

September 19, 2016 at 6:30 p.m.

Mayor Flesner calls the general City of Mt. Sterling Council Meeting to order at 6:33 p.m. with roll call. ROLL CALL – Jim Jennings here, Schenk here, Myers here, Scranton here, Buss here, Lauren Jennings here.

Fire Chief Brian Gallaher, Police Chief Brandon Norris, Public Works Director Dusty Buss, City Attorney Lonnie Dunn, City Treasurer Cheryl Flynn, and City Administrator Vada Yingling are present.

Mayor Dane Flesner- I would like to entertain a motion to approve August minutes.

City Administrator, at the beginning of the minutes you state that Lauren Jennings was here at the last meeting but I think you were absent? Lauren Jennings- that is correct.

Alderman Scranton makes a motion to approve the August minutes with corrections, seconded by Buss. Schenk yes, Myers yes, Scranton yes, Buss yes, Lauren Jennings yes, Jim Jennings yes.

Mayor Flesner- motion to pass the August minutes passes unanimously.

Mayor Flesner- I would to entertain a motion to approve the August expenses with the only addition of $2268.75 to Dunn Law Office.

Alderman Scranton, I had a question under fire, Tony Slater home theater. Brian, it was for a tv very similar to the one up there on the wall for the training room. We split that 3 ways with the District Fire, Fire, and Ambulance. Scranton, ok. Buss, and we had some training pay to Holly? Brian, yes she went to a, it is called Illinois Fire Services Administration Professionals basically training for clerical type stuff. Buss, and we split that too? Brian, we did split it with the District but not the ambulance. Myers, is she a City or County employee? Brian, county but she does stuff for the fire department too. Myers, have the checks already been cut? Stacy, yes. Myers, before we approved them? Stacy, just like every other month. Myers, I have something else, I noticed on this camping there is no regularity of the camping out there. It looks like some stay two nights and pay $30.00 it just varies here is 1 two nights camping $20.00. I mean there is no constancy with any of these. I just wondered if there is deviation from the set fee’s or why some people pay more and some people pay less. Buss, is tent camping different? Dusty, tent camping is $10.00. Myers, yeah but are these tent camping or what? Stacy, I can just go off the receipts that Doc brings me. Cheryl, and Senior citizens get a discount a dollar off discount

Alderman Jim Jennings makes a motion to approve the August expenses with the only addition of $2268.75 to Dunn Law Office, seconded by Scranton. Myers no, Scranton yes, Buss yes, Lauren Jennings absent, Jim Jennings yes, Schenk yes.

Mayor Flesner- motion to approve the August expenses with the addition of $2268.75 to Dunn Law Office passes with 5 yes, and 1 no.

Mayor Flesner- Guest/Citizens opportunity to address the council- We just want to welcome everybody to Council Chambers tonight thanks for coming out on such a beautiful evening, and wanting to learn more about your City Government. Action Brown County update. No one here.

Mayor Flesner- Inez McNeff or Diane Wagner present petition on the proposed sidewalk improvements for the uptown project. And whoever presents due to ordinance you have five minutes at the podium. Welcome Diane. Diane, good evening we would like to thank you for this opportunity and time that you have given us. And we would like to let you know we are not here to stop progress but we feel that narrowing Main Street is not to the best advantage to Brown County. I think the first question we have is, the way the plan stands now is the parking going to be parallel or at an angle? Dusty, parallel. Dusty, on 24 or Capitol Diane? Diane, what about Main Street? Dusty, on 24 yes parallel. Diane, ok then the next question we would have is, if you narrow this and you use an alternative route what are you going to use? Dusty, an alternative route for what? Diane, for the traffic. Dusty, what kind of traffic? Diane, well we are talking about heavy traffic the big trucks that come down through there. Dusty, we are not changing that. They are still going to use 24. Diane, ok then the quote I believe was 4 million dollars for this project how much of that is Mt. Sterling going to have to be responsible for? Is the grant for 2 and Mt. Sterling responsible for 2? Vada, the Main Street project we applied for an ITEP grant which is a 2 million dollar max grant and that will be a 80/20 match and then the Capitol portion could be upwards of another 2 million we have funding that we can use out of the TIF district for that as well to help pick up the balance as well as a combination of water and sewer money. We can use low percent financing through our local banks and bonding if we have to go that route. Dusty, for the 20%. Vada, for the 20%. Diane, so that is going to get back into tax dollars for the Mt. Sterling people. Ok, so in that 4 million, is there any extra built in that? You know when you get a project started it usually runs more than you think it is going to run. So is there any extra built into that or are we saying you know. Anthony Miller, this on contingency when we get an estimate. Dusty, and we are not talking about doing the whole project in one phase. We are just talking about doing the highway 24 part of it first which equates to about half of the project. Then we would apply for more funding for the Capitol portion of it. It is actually 2 separate programs the way we have it set up now it won’t be all done at one time. Diane, ok so we are going to do Main Street first, 24? Dusty, correct yes. Diane, so how much are we going to take off of 24 from each side? Dusty, which portions, we are not narrowing the driving lanes any and we aren’t narrowing the parking lanes any. What we are narrowing is that buffer strip between the edge of the driving lane and the parking lane. Basically each side will, where people double park which this will eliminate that problem, because we will narrow it from 8 foot to 4 foot. Diane, ok so how much sidewalk are we going to have? Dusty, well it will vary as you are going down through there but most generally between 13 and 14 foot. Diane, so given that we are going to have 13-14 foot of sidewalk from the front of the businesses to the parking lane? Dusty, right. Diane, we just feel that is probably taking too much of the Main Street. Vada, Anthony do you want to address to her why we need that much for sidewalk to get into each building to make it handicap accessible? Anthony, there are multiple purposes for the sidewalk, 2- 2.5 foot next to the street there is going to be street lighting there. And have the 2-2.5 foot area allows for car doors to open. There is a 5-6 foot mostly 5 foot through way that is going to be used for handicap accessibility. A through pass from one end of Main street to the other, that would be why that ADA compliant slopes. And the remaining 5-7 feet depending on where you are at would be for ADA compliant ramps into the building and eliminate the steps that are out there. Diane, so are they going to be all the way down through Main Street? Are they going to be all way from the Post Office down through to Dorothy’s corner? Anthony, we are going to work between NW Cross and the alley East of Dorothy’s that is the limits of the project. It will include total improvements on the other section of Capitol and Main Street also. And there is also a width in there to allow for the vendors uptown to have sidewalk sales and on street dining and that sort of thing. This is something that the City has expressed their interest in in the past. Dane, which we already have right now, between Spirited Treasure’s, lots of places already do it right now. Anthony, so this space that is right adjacent to the building that allows for handicap accessibility in the building also allows for vendor wares and or whatever kind of wares there is and it gives them enough distance to display them without conflicting with the required through way or ADA compliance. Phyllis Vanzant, can I ask a question? Are you saying that every door entrance into a business is going to be slope so that each will have to be handicap accessible? Anthony, at least one door out of the building has to have an ADA compliance entrance unless there are some of the buildings uptown that you walk in the door and it goes up a flight of stairs into apartments, there is no ADA compliance there. But every business will have an ADA complaint route to the face of their building. Phyllis, does the business pay for that or does that come out of the project? Anthony, the project will pay for ADA compliance through the true face of the building fi there is an inset beyond the face of the building that is off of the right a way and the owner wishes to make it ADA complaint it will be on the owner. And I am not totally aware of any places that are non-compliant right now. But we are stopping at the true face, it is public money so we have to stop at the face. Diane, so what will that do with the old Gross building bank building on the SW corner? Anthony, well that is a really good question as of right now we are trying to make it ADA complaint on the East side. Diane, at the back door at that South door? Anthony, well not the back door but the front door. Diane, well there are steps on the NE corner and there are steps on the NW corner. So you are going to use the East steps to be ADA compliant. Anthony, our goal is to make at least one entrance to each building ADA compliant, that building has 3 entrances in it, 2 of them being to the business portion of the building from what we see right now the Eastern entrance will be the easiest to make ADA complaint. And we have a plan to do so, but we are also working with the department of Historical Preservation on all of this too so that may come into play before it is over. Diane, another thought that we had was the consensus was that maybe we need to start it in a little different situation than this. Where Woody’s used to be there’s the building on the East side of that and then where the radio shack used to be those buildings all look pretty rough. Dane, we don’t own those buildings. Diane, I would think you would have some kind of plan to work on those buildings to get them looking in a little bit better shape and I think one of the reasons we are doing this is make it a little more appealing to someone coming into town. Scranton, I think that is the idea to make it a little more appealing for businesses to come and for people to see the increased foot traffic and we have programs to improve the store fronts that available to building owners once they fill those buildings with businesses or tenants then they can apply for those grants. Diane, ok so I guess what I am saying whoever owns those buildings we need to get after them and say you need to make improvements here before we go widening these sidewalks and taking out of the Main Street. What room we have up there, it looks like we would get after those people and say hey you know help us clean these up straighten these up make them look more appealing and maybe then we would have the people come to town to use those 10 foot sidewalks. Dusty, here is one other scenario that I would to throw out there. The infrastructure that is under those sidewalks now is aging like all of our infrastructure. We are going to need to update the storm sewer, the water, and the sanitary. Once that comes up you need to have a plan to put it back, the way were are looking know, because of the cost us twice as much money if we pull them sidewalks up put the utilities back put the sidewalks back to where they are at now then we come back in in 5 years or 10 years however long it takes to get the buildings up. Once the buildings are up then you coming in again and doing another 2 million dollar project that would have cost you half of that had you done it in the first place while everything was already tore up. Inez McNeff, you are getting the cart before the horse. Jim Jennings, well no we are buying the horse to make sure we can pull the cart when it becomes time. I want to comment on that. On the buildings we don’t have ordinances Diane that tell people what color it can be and if it looks good. We do have, the only thing we can enforce is safety issues. If there are some there bring them to our attention and we can always talk about that. But, the example I want to use is the old Buckley properties, they were in horrible shape there were no taxes paid on it for 10-15 years and because of forethoughtful thinking of a council and I was not part of it, when they hired TIF experts to make that another TIF district that is why we now have Dorothy’s Market and Hagel there. And all the information that people are learning about what we are doing down town that is why we have the new coffee shop and that is why now unfortunately as people, I have met with some and Vada has met with some and they don’t want to reveal their names yet and they are calling saying when is this going to happen, are there buildings available etcetera that kind of thing. To me, if we just sit there and wait for land owners to take care of the buildings it is going to be another Buckley building. And the reason that is, is not financially prudent when they run the numbers and they look at it what will it cost to fix it up, they say nope that probably isn’t going to work for me. What is it going to cost to tear it down and build new and that is not going to work either. And that is why we had the problems with Buckley’s and there was no taxes paid on that property for probably 15-20 years. Reason being, he didn’t pay the taxes he just walked away from it. Taxes weren’t paid, investment groups would then buy the taxes 3 years go by and they would come in to force the sale of the property to get their taxes. And as soon as they came to town and saw the properties they would march right over to the courthouse and say, I want file, I forget what it is called but a tax in error we are not interested and I want my money back. I don’t want my interest I will see you later, there was no interest paid on that forever. What we are doing is thinking forward instead of sitting around and waiting for someone else to do something we are as a group doing it. And I think it is working because there is the coffee shop that seems to be doing pretty well and they came here because they heard what was going on it town. I am one at least that thinks that is going to continue. Diane, we don’t have a problem with that. It is my understanding that on the old Woody’s building the brick on the West wall is giving away. And I guess there is cats, coons, and Squirrels staying in there, now I would think there would be some kind of ordinance that could be applied to that, to get it taken care of. They are kind of eye sores, ok. The other thing in relation to that is the thrift store building, that has been 3 months and there has been nothing done with that yet. And people who go through Mt. Sterling on 24 have looked at that for how long? 3 months or better, ok that is an eye sore I would think that there would be something that you could do to get that straightened up. Jim, we are and they are. Dusty, we are working on it. Vada, just because you aren’t hearing about it doesn’t mean that it is not being discussed. Phyllis, what about boarding it up so it doesn’t look so bad? Dane, we have had 5 people come in and I have spoke with Dr. Cowan and his wife numerous times and we have had 5 construction people come in and want no part of doing anything with it. Shoring it up isn’t going to help it, putting boards over the wholes is not going to help it, the only thing that is going to help it and the only thing that was recommended was it has to come down. And that process as you will see later on tonight is almost there. Diane, ok do you have any new incentives for new businesses to come to town to help them along to help them get started? Vada, they can apply for TIF money. Dane, that is what our TIF district is. Vada, TIF is a tax increment funding program and we happen to have our expert here tonight Steve Klein, he is our advisor. People can get a loan so to speak on their real estate taxes from the increment that is increased by the improvement on their buildings. And there is also the façade grant available which is a 50/50, but they have to at least spend $5000.00 on the front of the building, which is windows, signage, paint, tuck-pointing, and awnings. Dane, Michelle Goben would be a great one to talk to she took advantage of all of that to redo her building. Vada, she did TIF and the Tastee Treet is also under a TIF agreement. Diane, the infrastructure on the South side of the Street does that run down underneath the sidewalk or does that run in the alley? Dusty, what infrastructure are you talking about? Diane, well we are talking about what you are going to replace that sidewalk on the south side of the street. Dusty, it runs in both there is water in the alley behind the building there is also sewer in the alley behind the building but the storm sewer is up front. Diane, mine is all behind. Dusty, the storm sewer? Diane, the water and sewer line. Dusty, yes that is what I just said, it’s in the alley behind the building. But the storm sewer is in the front. Diane, so what is wrong with using that alley for the storm sewer and the water and the sewer line? That alley needs to be redone anyway. Dusty, you are going to have to tear the sidewalk up to even change it back there because you don’t want to tie in a 100 year old clay pipe to new plastic pipe that is in the alley and then you have to have a gravity flow because everything is gravity flow. So you are going to have to take into consideration if we could get the drop to get it there or if we couldn’t that is not really an option. Anthony, to have curbs on the street you have to have storm sewers. Diane, ok I think that takes care of us. Diane, yes we have petitions 261 names for people who are against shrinking Main Street. Ok, we didn’t go door to door I am sure if we went door to door we would have more names. Dane, I can also vouch for a hand full of people whose names that are on there that have since come to me. Can you say Diane, that everybody on that list was told factual information and knew exactly why they were signing that petition, can you answer that? Diane, the people I had that signed the petition, I said this is for the fact that they’re going to shrink or narrow Main Street and they were for that. Dane, we had people approached at Casey’s General Store pumping gas that didn’t even live here to sign it. Ameren CIPS people to sign it and a handful of people that signed it and did come to me. Diane, we don’t anything about that. Phyllis, we don’t about that we have some that April did petitions. Dane, I am all for petitions I am fine with it but after what I learned about what I learned after a bunch of them had signed it, come to be and asked I told them and they wished they could get their name off of it. I am all for petitions that is fine I think it is great that people speak up and speak out but I just want to make sure that everybody was receiving factual information to sign that. Myers, what was the question? Phyllis, it says right on it what we asked them to do and we asked them to look at the ones we did. Inez, we undersign the petition to the City Council of Mt. Sterling Illinois oppose the proposal of narrowing Main Street, Main Street is a very busy thorough furrow which is frequently travelled by trucks and oversized loads and farm implement which do not fit within normal lanes restrictions. Reducing the width of Main Street will increase traffic congestion, increase risk for all who use Main Street and direct addition traffic to side roads which are not equipped to handle such things. We ask the City Council in the City of Mt. Sterling Illinois to reject the proposed narrowing of the Street. All we are asking for, we want you to beautify everything the way you are wanting to just don’t narrow the Street that is all. And the sidewalk you are talking about, we don’t have people that use what we have now. Vada, but we need to build for tomorrow we can’t build for today. Diane, we are not here to stop progress we are just saying you know that it looks like it is not something that. Scranton, so we addressed the concern by saying that we are not shrinking the street, right the through furrow is not shrinking never has been. And the only thing that is shrinking is the buffer lane. Dane, right we are not shrinking actual Main Street. Scranton, that is all we are shrinking and we are adding 4 feet to the sidewalk. Which your concern is valid but we believe that is going to increase pedestrian traffic and add to the beautification downtown and also increase value and possibly bring in new businesses and new opportunities. Jim, and also I do want to make the point is number 1 heavy traffic and farm implements are already going down South Street. We didn’t tell them to go there they do it because they don’t want the hassle of going down Main Street. Some of them still do it, if you look at Main Street anybody that does choose to go down Main Street in the 100 blocks, you’ve got the parking lane, you’ve got this buffer zone, and you’ve got the lanes. As soon as you get to John Leonard’s office in narrows there is just parking no buffer lane whatsoever and the lanes. So, Main Street will still be wider than all of the rest of 24 going through town and the driving lanes on Main Street are wider than they are on Route 99 North and South of town. So anybody that has currently been going in front of John Leonard’s it will be easier for them to go through Main Street. Because, it will be 8 foot wider total 4 feet on each side. If they been going through their all this time they can get through Main Street. Phyllis, we definitely don’t need them coming down East South Street as this policeman right here will tell you he loves that street to give the tickets and we have 15 little children in one block area that play on that street with cats and dogs. One little one ran out in the street chasing a cat the other day and you can’t scream at them it would have made it worse but there was a car right there. Jim, like I say there is already a lot of them going down South Street. Diane, so if this overflow of traffic gets to using South Street. Jim, no I don’t think that is the case I think the people are already going down South Street are going to continue too and people that go down Main Street are going to continue to. Buss, we have modified the plan to insure that traffic going F.S. will be able to be accommodated we have modified the plan for that. Jim, because we had people here from F.S. and Western Grain Marketing and they gave input, we changed what we were going to do on the 4-way to discourage them from going South street down. Diane, so if South Street gets more traffic, heavier traffic who is responsible for getting that back up in shape? Jim, the City the City has to take care of the Streets. Diane, so roughly that is going to get back to the taxpayers. Dusty, actually South Street is already an 80,000 pound route, we had a grant in 2009 and we rebuilt that whole road with the expectation of the one block right there by the church correct? Anthony, yes it was already 80,000 pounds. Dusty, and it was already 80,000 pounds. Diane, so that whole part from 24 from The Station clear down to 99? Dusty, yes. Diane, will hold those heavy trucks? Dusty, well it will hold 80,000 pounds that is what the street was built for. Anthony, any street you put a lot of trucks on will have wear and tear over time. Dusty, but I just want to make sure that you understand that we are not trying to direct traffic onto that street. Phyllis, thank you. Dusty, we are just saying that that street is capable with those trucks. Diane, that is available if needed. Dusty, yes, it would be like me telling you that you couldn’t drive down an alley in town, I can’t tell you where you can drive in town and where you can’t. Brandon, if we do see an increase of large truck traffic on South Street and it is an issue if they are speeding then we will just get out there and we will so some more patrol in that area. Because everybody knows you come off 24 and hit South Street they don’t slow down very much. Diane, I am not talking about traffic tickets at this point I am talking about the weight that that street will hold and if it isn’t heavy enough to hold that heavy traffic then somebody has got to be responsible for building that back up. Brandon, like Dusty just told you it is rated for 80,000 pound traffic and to express your concern about the small kids if we have complaints over there just let us know and we will get over there and do some more traffic enforcement on those. Jim, and quickly now I want to make sure going way back to the beginning you are talking about monies, I want to make sure every time this has been reiterated here at the table I want to make sure everybody knows. This money we are using, it is called Tax Increment Finance it is a result of taxes going up because of properties being worth more we are not raising taxes on anybody. And that money can only be spent in the TIF area. Diane, which is the two block Main Street? Jim, yes and down roughly. So we can’t when people say how come we are not using that to fix a sidewalk down by North Grade? We can’t use it there it has got to be in the TIF district. And actually later tonight we will be discussing the sidewalk program. Anyhow for some of those people, but the money we are spending can only be spent in that TIF district and originally and Vada and Mr. Klien can vouch for this, we were looking at the City just doing this on our own and spending 2 million dollars. If we do 80/20 in the entire project is 4 million we spend less than 1 million. So with the grant money the City will be spending less. Now we won’t know if we are going to get it then other decisions will have to be made but. Diane, but you have filed for that grant money? Jim, oh yea. Diane, but you haven’t heard back yet? Vada, not until about October we think. Anthony, yes October. Diane, ok I don’t think I have any more questions so thank you. Jim, thanks Diane. Dane, thank you Diane. Diane, I do have one more thing, these petitions here we just may hang onto them and you and I could go through those. Dane, no I don’t have time for that I will look at them I appreciate it, I know who I have talked to. Diane, so can you get us a list and we will go back and correct it with those people? Dane, no, I will look at it I am not worried about it I have just had people approach me so. Inez, I know I haven’t had anyone from Ameren. Diane, well we will hang onto our petitions and if you want to give us a list we will go back. Dane, no those people just want to wash their hands of it and don’t want to be talked to about it anymore so I will respect their wishes. It is not a big deal like I said it was not very many so. Diane, well that tells me that how many names have you got? Why don’t you go back to them and see if they care if we come back to them. Dane, it is fine I am not worried about it Diane, it doesn’t bother me that much and it shouldn’t bother you. Diane, you know what it does bother me because when I put a petition in front of somebody. Dane, then you must not of put it in front of them. Diane, well it must have been somebody else, so I feel like we are responsible because we put these petitions together. Vada, Diane if you would like to come to the office I would be glad to make copies of them and then we will get a chance to look over them. Diane, that is fine.

Mayor Flesner- Kathy Hazelrig- dirt replaced at her house. Not present.

Old Business

New Business- Tom Schneider or Jim Rischar, October 7th the VFW poppy drive at the 4-way. Dane, did they give you a time? Stacy, no. Jim, what is the 7th Saturday? Stacy, just a second and I will check. Myers, I don’t want them up there in the dark. Stacy, October 7th is a Friday. Jim, just give them 7 A.M. it will be daylight if they want to get up that early they can and if they don’t want to be there to 8 they can.

Alderman Myers makes a motion to allow the VFW to stand at the 4-way for the poppy drive on October 7th from 7:00 A.M. until 6:00 P.M., seconded by Jim Jennings. Scranton yes, Buss yes, Lauren Jennings yes, Jim Jennings yes, Schenk yes, Myers yes.

Mayor- Tom Schneider or Jim Rischar request for the poppy drive at the 4-way for October 7th passes unanimously.

Mayor-Approval of the parade route for Homecoming parade on September 30th.

Alderman Scranton makes a motion to approve the resolution for the parade route as presented, seconded by Schenk. Buss yes, Lauren Jennings yes, Jim Jennings yes, Schenk yes, Myers yes, Scranton yes.

Mayor- motion to approve the parade route resolution for the Homecoming parade for September 30th passes unanimously.

Mayor- Philip Krupps- Thrift Store. Did he get anything to you on it? Vada, no he didn’t.

Mayor- approval of ordinance 2016-09-01, authorizing the execution of a professional service agreement for the second amendment of Mt. Sterling TIF district I.

Vada- Steve do you want to explain? Steve Klein, good evening everyone. In discussions with Vada and also with Philip and the TIF committee it had come to our attention that there are a number of things that are happening, a lot of good things for your downtown. We were successful last year in requesting and obtaining Legislative extension of the life of your Tax District #1. And with the approval of that extension we have gained another 12 years. So instead of a 23 year TIF district TIF 1 is now a 35 year TIF district. So it will continue for another 12 years and that is a good thing. When TIF district 1 was created in 1992 you have a TIF plan. An original TIF redevelopment plan for that area. And in that area the plan had anticipated a number of project but it was written in such a way that it looked at alley and streetscape and parking and water and sanitary sewer there is cost in there for land acquisition, demolition, professional services and so forth. In the total of the cost that was anticipated that would be spent in TIF 1 in 1992 was a total of $242,000.00. And when you put a TIF plan together you are to kind of get your crystal ball out and look over a 20 year period as to what kind of activity you are anticipating in that area. The folks in 1992 when the plan was put together anticipated if the increment was generated that you would be spending about $242,000.00 over a 23 year life of the TIF district. That is really low. If your recall when they generated TIF 2 in 2011, TIF 2 is the downtown area stretches across town some out West and it contiguous with TIF 1 where the McDonalds is at. Our total cost in TIF 2, what we hope you will be able to generate, the amount of cost you would spend over a 23 year period, we anticipated $36,584,620.00. Those included both public improvements of all times, public infrastructure, as well as providing support for private projects such as Dorothy’s, such as the Salon, and Tastee Treet. The types of things that you are doing then, so you just begun to scratch the surface and what is really interesting is that TIF 1 which was really at the end last year its natural 23 year life generates about $82,000.00 a year for you in real estate taxing. TIF 2 which was established in 2011 has already generated almost $54,000.00 a year. So, we would anticipate that TIF 2 is going to be very active a lot of projects to do a lot of façade renovations a lot of down town projects can be untaken in. But you will recall when we laid out TIF 2 we made it so it was continuous with TIF 1 and the point of that is during the life of TIF 1 if you had funds available in your TIF 1 fund then you can periodically transfer money from TIF 1 to TIF 2, as long as their borders are touching. So up through last year your total cost in TIF 1 had exceeded $240,000.00 that was originally anticipated. And the total accumulative cost as of fiscal year 15 in TIF 1 is about $819,000.00. Now, before we say oh we really over spent what we had planned not as much as you might think because the TIF act allows the City to increase isn’t original cost by the consumer price index every year plus at least a onetime 5% increase so you factor all that in that would get you to right around $500,000.00. The other thing to keep in mind is that your original TIF 1 was established in 1992 which was 7 years prior to what is known as the 1999 TIF reform act, and those TIF districts prior to 1999 you could add costs pretty liberally as you needed to without much fuss. Without having to do what we are going to talk about here as a major amendment. Post 1999 if you are going to add 1 square inch of territory to the boundary to the TIF 1 area or you are going to add any additional costs or projects you anticipate undertaking which exceed your original costs that you have in your plan plus this CPI adjustment then that requires what is called a major amendment. And a major amendment is going through the same steps and process that you would go through if you were going to create a new TIF district. You have to amend the plan and we would have a special board meeting with the taxing bodies and discuss the changes to the plan and we schedule a public hearing and that whole process takes about 3 or 4 months to get through. Because there is a statutory process you have to go through, mailings, notices, and so forth. Until you got your extension for the additional 12 years we weren’t too concerned about it because your TIF was going to end. And a large portion of the cost that you paid out for the $800,000.00 over $300,000.00 of it has been in support of Junction Developments projects and cost that they had incurred, where IGA is at and that whole area that is developed there. So that redevelopment agreement was entered into about the time you created the TIF district, 1995 is when it was entered in to. So that was somewhat anticipated by virtue of that redevelopment agreement that those costs would be added to the plan. That was prior to the TIF act amendment which now requires City’s if you spend more than was provided for in the plan you have to add cost to your plan. To add more project you have to get your crystal ball out again and say how are we going to spend the money that TIF 1 is going to generate for the next 12 years? Because that is way far more than you forecasted for the first plan. So because you’re doing some projects that are going to require you to rely on so of the TIF 1 money for engineering purposes, planning and other public infrastructure improvements within the down town and now you have the thrift store issue to deal with. You undoubtedly will be transferring some additional funds from TIF 1 in order to at least support that project in its early years until some redevelopment of that property can occur it will then begin generating new increment and be able to replenish the funds. Because TIF 2 however is doing really well isn’t quite generating enough right now to pay for all these things that we need to do. So the proposal that you have from us is a professional service agreement to undertake this process to add these additional costs for additional projects which we will need to work with you to identify what those are when we amend your plan. But, I would anticipate that it would be some large numbers that need to be added to the plan. Several million dollars I would anticipate for the next 12 years that TIF 1 could potentially support in TIF 2. So normally for a new TIF district in a town when we haven’t done one before, new TIF districts by and large are more than $50,000.00. In towns were we have already done one and we know the community and we have a lot of the basic research together are second TIF districts if you were going to do a 3rd one here would be somewhere probably around between $20,000.00-$30,000.00 to do it a new TIF district. And what we are proposing for this would be legal and consulting fees that would not exceed more than $7500.00 to prepare this amendment plus the mailing costs and other mileage and that type of thing. We are not going to have to come back we can do all of this from the office, you are not changing the boundary you are not adding territory we don’t have to survey any parcels this is really going to be an exercise to try and figure out what you are going to do more precisely with the TIF 1 money during your extension period. Does anyone have any questions or concerns about that? Jim, no but just a comment I would like to say, I was at the table with the council that wasn’t as forethoughtful as this one I was sitting here right after the first one was made. And now that you have thrown out all your cards I feel I can say your services are well more worth more than because I know what it is like if you have a TIF district and you don’t have somebody overseeing it. And what you have brought to the table particularly on TIF district 2 has been above and beyond I mean it is so much better having you involved. The reason the numbers were low in that first TIF district was because some local guys that knew just enough to get it passes and moved on it, we didn’t have somebody overseeing it and looking forward to plan ahead and whatnot. Steve, it is really done very well, it is not a very big area and it has done very well for the City. It is certainly something to be proud of.

Alderman Jim Jennings makes a motion to accept the agreement presented by Jacob and Klein and Economic Development Group, ordinance number 2016-09-01, seconded by Schenk. Lauren Jennings yes, Jim Jennings yes, Schenk yes, Myers yes, Scranton yes, Buss yes.

Mayor Flesner, motion to approve ordinance # 2016-09-01 passes unanimously.

Mayor Flesner, approval of ordinance #2016-09-02, authorizing the execution of a redevelopment agreement by and between the City of Mt. Sterling and the Brown County Development Corporation.

Steve Klein, so that is for TIF 2 and this is an agreement by and between the City of Mt. Sterling and the Brown County Development Corporation. Most of you will remember that a few years ago the Brown county Development Group purchased and cleaned up the site where Dorothy’s is located. And this agreement is essentially a repeat of the arrangements that you made with BC Development Group with that. The difference is that the amount is different. And I do not have personal knowledge of where BC Development Corporation is at, if they are in discussion with the bank right now that owns the property. Dane, Steve I can update everybody now. The Brown County Development Corporation has everything ready to go and it ready to take possession and that will be started on Wednesday morning. They will be getting that started with the Home Bank and everything is ready to go on both sides, from what I understand. Steve, I know that they have had a terrific amount of diligence that they have had to do to work through all the insurance questions and to try to get bids for the demolition, it just takes time. If you approve this agreement tonight then Brown County may not want to sign off on this until they have signed closed on the property. So I would suggest you would give them time to do that. All this ordinance does is that it authorizes the Mayor to execute the agreement. The total cost for the demolition of the building is $129,800.00 which is exhibit one of the document. And the terms for the support that they are asking for is a reimbursement, they will pay for the demolition to take the building down but then they are asking for reimbursement from Tax Increment Financing funds from TIF 2 in 3 equal installments of $43,266.67 each year for 3 years. And as I was saying before because TIF 2 is contiguous with TIF 1 if necessary we can transfer TIF 1 funds to TIF 2 to provide these funds to them. And I am really glad you approved the amendment to TIF 1 because you could still borrow the money from TIF 1 to pay these TIF 2 costs but without the amendment we would have to pay it back by the end of this fiscal year. We will have the amendment completed before the end of this fiscal year so it will be fine. Myers, Steve you spoke earlier about over spending do you see this as problematic in that regard? Steve, well here is the thing about TIF money, we help City’s administer about $55 million of TIF funds through all the clients that we have. We never handle funds and do not have real time daily knowledge of what is in the TIF funds. We prepare the reports as a result of your audits so we have a general idea but we are not telling you how to budget these funds we are just merely answering questions you ask if something is eligible for TIF funds to be used. So that is an internal budgeting question that you are going to have to resolve and maybe Vada had solved some of that now. It’s probably going to have to be a little trade off on some of these because I don’t know if you are going to have enough for everything you want to do this year. Jim, along this line Steve let me ask you 2 questions. 1. Is this common practice you have seen this happen in out Municipalities where they pay monies to an outside organization to demolition something? Steve, sure. It has happened before here and as long as what you are reimbursing is eligible for reimbursement under the TIF act and all the demolition and cleanup of that site it’s a slam dunk as for as eligibility. Jim, 2. As we move forward, we discussed from day 1, of doing some sort of long term debt obligation for the downtown revitalization and depending on how the numbers shack out if we do get the grant, if we go to get bonds or hopefully local banks if we as a council feel that we will have the increment to make the installment payments each year can we add this cost to the long term obligation? Steve, and pay it off? Jim, Yes. Steve, you could, as long as we see the projections and cash flow plus some sort of debt service coverage we don’t want you to leverage yourself 100% you need at least 25-30% coverage over your debt service. Which reminds me of one other thing it is not on your agenda tonight. I will just put this in the back of your mind when you get a little closer, we will be coming back to ask you to engage as what is known as an independent registered Municipal advisor. There are new rules now that in regards to the FCC and the Municipal securities, it’s a bond organization. Ever since the recession of 2007 and he economic meltdown that occurred throughout the country, the infamous Dodd Frank Act changed all the banking rules and they have increased a number of rules for the security exchange which includes the issuance of Municipal bonds. So, if you are going to an open market and you are going to issue securities municipal bonds the FCC now wants you to have a quote, Municipal advisor. The purpose of the Municipal advisor is that we have to be registered with FCC which we are and we have to be capable of helping you through the math to look at whether this underwriter or that underwriter may have a better deal for you when it comes to issuing your bonds. One of things people don’t understand is that underwriters you sell bonds for municipalities they do not fiduciary responsibility to you. You hire an underwriter and the City pays an underwriter but they are not responsible to you. They are out there to make money, so they purchase your debt and in many cases resell it to the public market, so they are making money doing that. And the purpose of the municipal advisor is to help council you on are you paying appropriate bond issuance fees is the interest rate commensurate with the type of debt that you are issuing and is inflective of the general market for what your trying to do. And most municipalities don’t have that capability on site on a daily basis because you don’t issue bonds every day. That is why the FCC believes that you need a municipal advisor. When you engage as what is known as a IRMA which is Independent Register Municipal Advisor we don’t charge you anything extra for that unless you get to the point where you actually get to the point when you are going to get the bond and you need to rely on us for either a legal or professional opinion as to your TIF district or to the extent in which you will have TIF funds available then we would have an additional fee that is actually minor but would be paid out of the bond. Lonnie, what he is talking about too Jim is above and beyond your council you would have local bond council as well but it would be in different functions. Steve, yes it is bond council does have a responsibility to you but bond council doesn’t serve that function, bond council is making sure that the debt is being issued pursuant to IRS rules. Especially if you were issuing tax exempt debt. But I will back for that that is not for tonight. Tonight is just kind of a repeat of what you did on the Buckley building. It is the same process just a different amount. So what we will want to if you approve this you are going to want to start paying it we will want to start looking at those bond projections or at least we would want to update or revise that net projection we did for you to show how much net money or unobligated amounts you will have to work with. We will want to take this into account and adjust that so you will have a new projection to look at. Myers, the 5th paragraph of the preamble that statement is inaccurate. And I see nothing in this agreement that has any time limits on the demolition of the building I would like to see some verbiage to that extent. And that property is not owned by the 6th person Economic Development Corporation. Dusty, no yet but it would be by Wednesday. Jim, wouldn’t the deadline on demolition be up to Brown County Economic Development no us? Steve, no if you are giving them the money you can set a deadline. Myers, well we got Dr. Cowan here and I certainly think that he would like see some type of time limit or time frame on that building coming down. Steve, we are fine with making any changes you want here. Scranton, would be a responsible deadline as to when the demolition would be done? Jim, I have to be honest. Dane, I don’t know how you would know that. Dusty, I spoke to a person that put a bid in, he actually came and looked at the building, and we went over a few of things that could be possible snags and would hold things up from them coming in immediately and taking the building down so I wouldn’t want to set the time line so short I know for sure there is one obligation that is probably going to be 3 weeks out. And that is just one thing of many but there is a lot more things that have to be done before this building can be taken down that we need to consider. Jim, I am not personally comfortable with setting a tight deadline because I don’t know what I am talking about. Myers, I didn’t say a tight deadline, my gosh the guy is like living on a fault line in South California and I think he would probably like to know have a little idea of what the length of the time it is going to take the building down. Steve, that is a good point. Myers, I have been to his house today, Dusty has been there we have seen the cracks in his walls and I wouldn’t even feel comfortable sleeping there at night. Because if there is some rain up there that is collecting that no one is aware of and if the wall comes crashing down his family is at risk and we got to do something isn’t been nearly 3 months now. Jim, now what if the walls falls from us getting in too much of a hurry? I have the upmost sympathy with what Dr. Cowan is going through. Not that I have been in that situation. Myers, I didn’t suggest that it be rushed. I think there ought to be a responsible time limit on bringing the building down. I mean it is going to be handed to them I am understood there is no money exchange the bank is just going to quick claim it and be done with it. Jim, I am not privy to any information from the structural engineers, contractors or anything I have no idea. Myers, I would like to know why there is so much secrecy shrouded in this that is going on, I have learned more reading the DM last week about what is going on behind the scenes. Like I said we have done nothing to get this thing rolling and I think we are obligated to provide some safety here for Dr. Cowan and his family. You know if a wall comes down, his wall comes down are we going to help him with another agreement to help him get back on his feet again? Jim, with all due respect I think that is an insult to Brian Gallaher, the structural engineers, Home Bank, they have been doing things Mick and just grandstanding doesn’t change it they have been working hard to try and take care of this. Because I would be the first one if they said they could take it down today heck yes I would love it, but they are trying to be careful. Myers, well I am not suggesting it to be rushed. Jim, and the more we know the more liable we are is what it amounts to Mick. If we run in and start putting limits on the building then we are exposes ourselves and that always seems to be your concern Mick liability so I would think that would concern you in this case also. Myers, obviously it is a concern but it has been nearly 3 months. Jim, yes and I don’t know what they have went through I don’t know I haven’t been up there. Brian is there any update or input you want to give? Brian, to be honest with you for the last couple of weeks I have been out of the loop since Dr. Cowan has been involved with it and him and Philip have been talking and I haven’t really had much information. I know they worked very hard early on to get in there with their insurance company and figure out what they could do. They had in fact the bank hired their own structural engineer because they didn’t want to wait on their insurance company. Initially the bank wanted to try to salvage it if at all possible but after the structural engineer looked at it was salvageable but it was going to cost more than everybody was willing to pay to get back to that point. I actually met with the person from the bank the day of the incident because we responded when the incident occurred and they were looking for some point of contact here locally and I became the point of contact for a period of time but that has since pasted. Myers, a second consideration is obviously the monument. Dane, so do we want to make a motion on the redevelopment agreement or it is something we need to look into more on the finance budget side of it? Steve, you could refer it to further amendments or changes rather than voting on it tonight. I don’t know if 6 months is too long but if it was 6 months and then, you are coming into the winter here pretty soon you’re really going to only have October and November and maybe there will be a mild part of December. Dane, just so everybody understands, us not taking a vote on this tonight does not hold back any sort of anything with the Bank moving forward and Philip with the demolition this is just our agreement with Philip and them to reimburse. So we are not holding up any of that process by not voting on that today. Steve, what you are doing here is you are agreeing not to cripple Brown County Development Corporation for this project. So if they are willing to clean it up they are asking the City for some consideration to reimburse them for some of these funds so that there funds are depleted. Myers, I have no problem with that, I just think there should be a reasonable time frame for that building to come down. Vada, so really is that a separate issue from the TIF agreement? Steve, no I think he wants language in the agreement. Dusty, we could do that at any point though. Lonnie, yes. Dusty, we don’t have to have that in this agreement we could come back later on and say hey now you have 90 days. We could tell them that immediately upon possession that they would have 90 days. But everybody wants to say that nothing is being done here that is complete false statement because there is so much going on Dane knows it, I know it, Brian knows it and from day 1 this isn’t something that is being put off onto any one individual a lot of people are working together for one common goal here and we just don’t want to do something tonight and hold that up. Dr. Cowan, I am allowed to say something? Dane, absolutely. Dr. Cowan, there is a difference between doing something on paper and doing something physically. If this building was on fire you would be there right now putting it out. This is a catastrophe waiting to happen and this isn’t any kind of grandstanding but something has to be done now. 3 months we have waited our building is starting to crack showing wear and tear. We have to get somebody there pronto to do something to save us and to save the buildings and the monument around there so there is either we just have to do something that is enough of that. We have been so patient we thought that things was going to be done and taken care of really from day 1 somebody should have been in there doing something to that building to stop it from deteriorating because that whole is getting bigger every day. Something shifting around something moving, to me it looks like the front of the building is bowing out even more than it has. So, I know Mick wants a schedule on when it is going to be done but I want to know when it is going to be started. I was talking to I believe Joe Kimball was the demo person I talked to he said by simply separating our building from the thrift store building it would take the pressure off of our building. And that is all I want to know is when they can start when can they go and at least do that and the rest I don’t care how long it takes to get the rest down just separate us from that building that’s all we need. Diane, I noticed the other day the front of that building does look like it is bowing. Myers, well there is bricks coming off the back of the building too. The back on the alley side I seen it, an area where there is a lot of bricks coming away from the foundation. Diane, I haven’t been behind it but the front of it to me looks like it is bowing. Buss, do we want to vote on this? Jim Jennings, my only concern this does not slow down anything that is going on if we change more amendments. Dusty, it is going to slow it down a month for sure. Jim, well that is what I am concerned about. Dusty, I mean how could it not? Unless we are going to call a special meeting. Lonnie, why would the redevelopment agreement agreeing to pay TIF money back slow down the process of tearing down the building? Dane, it shouldn’t they know it is coming. Lonnie, it is Brown County Development taking the risk that you guys may decide not to do this but that has no effect on whether or not that building comes down tomorrow or a week from now or two weeks from now. Steve, that is right. Lonnie, this just allows them to know give them confidence that it is going to be paid back with TIF money. Buss, is that going to make it move more smoothly for them? Schenk, the way it is written in here is like they own the building now, which they won’t until Wednesday. So how can we approve this? Dusty, we are just giving Dane permission to sign it right? Buss, yes. Dusty, so we aren’t signing it tonight. Steve, no the ordinance only authorizes the Mayor to sign the agreement when it is appropriate to sign it. Jim Jennings this is just laying the ground work if everything comes together and he is able to sign it and we can move on and do something. And I do want to comment Doctor, here is what they are thinking, in the society we live in can you tell me if they just run in there and do something that they are not going to get sued? When the front does fall in because they don’t take the time to put up a fence and all the things they are wanting to do. That is why they don’t want to get in a hurry because if they go in there in a hurry and pull your wall off you are going to sue them. Dr. Cowan we have to look at it the other way too what if the wall falls in if we don’t do something we can go what if what if but we got to do something we got to take action. Jim Jennings, like I said I don’t have the knowledge that they have I wish I could change your situation right now. But I don’t know how to do it as quickly as you are wanting it. Dr. Cowan, quickly? 3 months is quickly, seriously you call that quickly? Steve, maybe we could work some language in the agreement where they would get a bonus if they take it down sooner. If they take it down a little earlier, in other words if they get it down within, I am just picking a number, 6 months we could put terms in here that it would be paid in two years instead of three. Or some other amount, I don’t sense that they are delaying I don’t know if they are going to delay at all getting it down because they don’t want the liability either. Dusty, as soon as they can get the few things they have to get done in order to take the building down the building is going down I know that they have told me. They are not going to even we say we are going to give them a year or 6 months 3 months whatever, as soon as they get those few things done off that list that building is coming down. Because they want it separated right now. Meyers, well I am for getting it down and the sooner the better and I would like to see verbiage of that effect, why don’t you ask Philip for a time table? My gosh look how long it took us to get the Ratcliff place down and that was just a house.

Alderman Jim Jennings makes a motion to approve Dane to have the authority to sign the agreement between the City of Mt. Sterling and the Brown County Redevelopment Group on the demolition of the discussed property and we as the council want to see it done as quickly as possible, seconded by Schenk. Jim Jennings yes, Schenk yes, Myers yes, Scranton yes, Buss yes, Lauren Jennings yes.

Mayor Flesner, motion to approve ordinance #2016-09-02 authorizing the execution of the redevelopment agreement by and between the City of Mt. Sterling and Brown county Development Corporation with the emphasis of the council’s recommendation to get it down as soon as possible passes unanimously.

Alderman Jim Jennings with that being said is the next thing on the agenda are we able to use that as a tool to apply pressure. Is that the plan there? Lonnie, it is my understanding that it is basically in the works we talked about a notice going on the building, there is a notice on the building so that process is ongoing from the City’s standpoint. Dane, if there is any more feet dragging then we can. Jim, but we are going to discuss this now is that right? On the condemnation lawsuit? Dane, basically we were just updating everybody that it started and if we have to use it, it has already begun. Myers, is that pursuant to chapter 55? Lonnie, 2 things actually we will go through Chapter 55 because there is quicker time frames but there is a provision in the City code for a demolition as well and that is what we initially did. We have actually put a notice on the building per our own code and will start the notice procedure in the very near future. It will be kind of both. Myers, well I think we need to stay tuned to it, if that remedy is available which it is I would certainly like to see it exercised in this incident. Jim, what is the time constraints on us how long do we have to wait in between each step. Lonnie, you have a 15 day notice to anybody who owns anybody that has a lien we do a title search you have a 15 day notice you send that out you give them an opportunity to make an appearance and if they don’t then you can file suit right away. After you get your initial 15 day notice back then you have to wait 30 days once you file suit once you give them an opportunity to then answer so you are still looking at, at the closest 45 days. So, again it is not the quick process but it is the process. Jim, that is the only process we have correct? Lonnie, yes statuary.

Treasurer’s Report

Public Works Report- Dusty, the first item I would like to replace the Dodge pickup that we have it is a 97 it has a Knapheide dump bed on it that is rusting pretty bad. I would like to replace it with another single cab dually with a Knapheide dump bed on it. It will probably be a Ford because they have the state net bid. But I am just looking for approval from you to put out bids for a truck.

Alderman Jim Jennings makes a motion to allow Dusty to get bids on a replacement truck for picking up brush, seconded by Myers. Schenk yes, Meyers yes, Scranton yes, Buss yes, Lauren Jennings yes, Jim Jennings yes.

Mayor Flesner, motion to allow Dusty to get bids for a brush truck passes unanimously.

Mayor, curb side pickup regulations. Dusty, the next thing I had on the first picture in my packet it change at one point or time where the curb pickup had to be in a container a box or a bag. That hasn’t been the case since I have been here that isn’t what we have been picking up. We have allowed a little bit larger things, obviously storm damage doesn’t play in this, but we have been getting more and more piles where people are taking complete trees down and piling them out there with their own tractors and own equipment and leaving them for us to pick up. So, I just wanted to come back to the council and make sure everyone is still on board with making sure that with any brush that we are going to pick up is going to be in a box or a bag or a trash can that we can dump in. Other than 40 foot long limbs and things that we have to have our loader to pick up to load in a truck. It is getting really ridicules and we are sending 2 guys every Monday and Friday spending between 7 and 8 hours a day picking up brush. Cheryl, Dusty do you still have if someone has a whole tree that they can call and you will send a truck? Dusty, we do and that is always an option. There is a lot of stuff where we would bring a truck and park it and they can load it and then we will haul it off. But we don’t load it for them but we will haul it off. Myers, I think we should put something in the paper a notice. Cheryl, and even let them know that too that we still provide that. Jim, I thought I remembered from years ago, there is actually an ordinance describes it basically like you said right, in bags or something that one person can easily handle. Don’t be have an ordinance of that effect? Dusty, well I think we do but I haven’t been able to find it. But I know that has been verbiage that has been used before. I would like to put something in the paper just to let everybody know that is has to be in a trash can, box, or bag for us to pick up. And if it is not we won’t be picking it up. Dane, Lonnie what is the liability if somebody damages are truck loading it or anything like that if we leave a truck for them? Lonnie, first of all I wouldn’t do it there is an augment you will still have tort immunity but at the same time there are lawsuits all the time across the State where City’s will load or unload their debris or City’s will pick up on trash days and the City is involved in compacting and putting away trash and people come up and unload and there are accidents and it is just best for the City to put the receptacle wherever and say you can go and you can dump but for the City to be actively doing that I would be, I would not recommend that you do that. Do you do a curb side pickup or what are you talking about? Dusty, yes. Lonnie, that is fine I don’t have any problem with that. Dusty, the other thing we were talking about is if they were taking larger stuff down we do leave a truck like in the street or along the road that they can load the stuff in and we would haul it off. Lonnie, it is tough to enforce liability in that situation I mean that is a question for your insurance carrier more than anything. That is going to be hard to police unless you have somebody there to prove what happened when it happened. Dusty, I have no problem doing away with that I am just saying that is the service that has always been there. Lonnie, I mean normally if you have like a big dumpster or something like that where you just sit it out there and nobody is going to really get hurt that is one thing. But if you got a pickup truck or a truck where windows can get damage that is a totally different animal. Dane, or we left it in the road and somebody smoked it that is my biggest issue. But if we have always done it and it has never been an issue then. Myers, has it. Dusty, no it hasn’t been but that doesn’t mean that it won’t be tomorrow. Meyers, well what happens when someone is cutting the grass on the City’s side and a rock flies out and hits a passing car, who is liable for that? Jim Jennings, if there is an ordinance and it reads like I think it does which is just curb side pickup in either bags or receptacles easy enough to be handled by one person and no large limbs things like that fi that is the ordinance. I would like to make a motion.

Alderman Jim Jennings makes a motion to give Dusty the authority to put that in the paper and let people start knowing about it now, if we do not have the ordinance have Mr. Dunn write up an ordinance, seconded by Scranton. Myers no, Scranton yes, Buss yes, Lauren Jennings yes, Jim Jennings yes, Schenk yes.

Committee Reports

Ad Hoc

Airport

Cemetery- Let bids on farm ground. Dusty, it was discussed when we were doing our budgeting this year, I believe Mick brought it up, how many years it had been since we let bids on the farm ground at the Cemetery. Vada and I both talked about it and I went out to the ASCS office and got the exact acreage on it, so if you want to let that again for the next farming season we need to do that now and the same goes for the airport. But if everybody is ok with the person that is at the Cemetery, I think he pays $100 an acre, if everyone is ok with staying with him we can stay with him but if we want to put it out for bids we can do that as well. Jim, we probably should both properties bid them. Dane, how many acres is it? Dusty, 3.8. Dane, yay as long as we don’t spend as much in advertising than we get out of it. Jim, Lonnie aren’t we legally bound to advertise for the farm land when we have a contract for so many years and it ends don’t we have to let bids on it? Lonnie, unless by 2/3 vote of this council you decide not to put it out for bids, you have that right. But at a general rule it would be recommended to do bids but if you guys decide not to by 2/3 vote you don’t have to. But your code generally requires things like that to be done by bids. Dusty, another thing we need to take into consideration too is how many years a contract be. The contract at the airport is 3 years so I assume we would stay with that for the other too. Myers, I am like you Jim I think we still should rebid it. Jim, the Cemetery you said is about 3? Dusty, 3.8. Jim, so we will be looking at about $360.00 we would spend about $70.00 in advertisement, so we want to do that or just keep the 3 as is and only let the acreage out at the airport? Dusty, he does a good job of keeping everything cleaned up out here.

Alderman Schenk makes a motion not to bid out the Cemetery, let the person farming it continue to for the next 3 years if he would like to, seconded by Jim Jennings. Scranton yes, Buss yes, Lauren Jennings yes, Jim Jennings yes, Schenk yes, Myers yes.

Mayor Flesner, Motion to not let out the bid for the Cemetery ground passes unanimously.

Alderman Jim Jennings makes a motion to give the airport committee the authority to let bids on the airport ground if they see fit, seconded by Schenk. Buss yes, Lauren Jennings yes, Jim Jennings yes, Schenk yes, Myers yes, Scranton yes.

Mayor, motion to give the airport committee approve to let bids on the farm ground at the airport passes unanimously.

City Planning

Finance/Budgeting

Fire

Lake/Lake Development-Vada, that was Mick’s item. Dane, ok Dusty can we get no hunting/trapping signs at the Lake please? Dusty, if you wish do you want me to get a price before you make it a motion? Dane, as long as they don’t go above 3 million I am ok with it. Mick I just entertained a motion to purchase hunting/trapping signs for the lake do you have anything to add to that? Myers, no just put up there with the rest of them. Dane, who is in charge of the sign across the street that was run over? Dusty, that would be the State.

Alderman Myers makes a motion to purchase no hunting and no trapping signs to be posted at the entrance to the lake, seconded by Jim Jennings. Lauren Jennings yes, Jim Jennings yes, Schenk yes, Myers yes, Scranton yes, Buss yes.

Mayor, motion to purchase no hunting or trapping signs for the lake passes unanimously.

Myers, and with fall coming up can we get an ad in the paper for no hunting or trapping at the lake? Buss, we lock the lake. Schenk, people know they are supposed to hunt out there anyway. Myers, I know that. Cheryl, did we put an ad in the paper to say when we are closing it? Dusty, we can. Vada, we could write an article. Jim, see if Vada can do an article.

Personnel

Plan Commission

Police- Brandon Norris, we had 304 contacts this month, 71 traffic stops, issued 32 citations, 50 warnings, handled 4 accidents, 6 arrests, and had 6 ordinance contacts. We did have damage to one of the squad cars the 2013 Sedan has some front end damage, the post at the lake was not damaged. It has already been taken care of with our insurance company, I got with Stacy and Yingling’s. Dane, what did you hit I missed it? Brandon, One of guys hit one of the concrete steel posts at the restrooms at the lake. There was about $2000.00 damage to the car the insurance company is already working with Dixon’s to get it taken care of. Dane, can you do no overtime for that officer for 6 months please? Brandon, yes I can do that. Our deductible is $500 so that is coming off what the insurance is paying out so that will be out of pocket. The new squad car is 99% ready, the rifle rack has to be put in it and a couple of other things, the striping whenever they can get into Griffen’s over there. But it will be up and running by the end of this week without any striping and then whenever they can get it in for the markings on it. Myers, is everyone trained on the use of rifles, certified? Brandon, there is no State standard we have went out there shot them and qualified with them. A qualification that is not mandated by the State, we haven’t sent anybody to any 16 hour classes. I worked with the MTU to become an instructor and actually hold them here and then out at the State range at the prison, when the State stopped paying money they stopped having the MTU course.

Street and Alley- Vada, ok we have our first 2 applications for revocable permits as in your packet. Scott Stamerjohn has filed for the first application for Hagel restaurant to have outside seating and to serve alcohol on the sidewalk. That is 2 separate issues so basically what we are approving here is just for their seating outside, it is a 5’ by 32’ area as seen in the drawing that is also in your packets. They are going to stay about 3 feet away from that alley parking lot entrance there to Brown County State Bank parking lot so people aren’t hanging over the edge in case somebody gets a little wild pulling in there. It will be just left of that existing light pole so they can still get clearance through there. There is enough room for them to have the 5’ clear sidewalk for pedestrian traffic on the side of that. And with your approval of that and they will receive these provisions as stated in this memo. Any questions? Myers, we are still in compliance with ADA with that request? Vada, yes. Schenk, do we have a City ordinance that prevents them from serving outside of the bar? Vada, there is but they have made a request in writing to Dane as the liquor commissioner to enlarge their premise to serve alcohol. As stated in here they are going to have to put up a barrier. Dane, do we have in that and I think I went over with you Vada, no glass. Vada, we can put it in there no glass, I don’t think it is noted in there as no glass because I typed it myself. Dane, unless nobody else thinks that is going to be a problem. Scranton, it says in here that it must remain free of any debris and any types of safety hazards so you think that will cover it then. Dane, yes that is fine just leave it how it is. Vada, ok there is 2 separate ones so we need approval on this one. This will be the approval of Hagel’s revocable permit that can be revoked at any time if they don’t keep their end of the deal. So, just know that this is not permanent if we should so choose.

Alderman Scranton makes a motion to approve this revocable permit for Hagel as shown, seconded by Buss. Jim Jennings yes, Schenk yes, Myers yes, Scranton yes, Buss yes, Lauren Jennings yes.

Mayor, our request to issue a revocable permit to Hagel 1891 as presented passes unanimously.

Vada, then the second one is from the Ormond’s at the old O’Neils pharmacy building and what theirs is for is an avenue to get a fire escape out the front. An awning so to speak it is not going to be wide enough to be a balcony where they can sit chairs and a bbq and that out there. And you can see, Rustic Garden has their design for the actual awning portion. And then they have another vendor that will be supplying the fire escape ladder which stores within itself and looks like a drain pipe. And of course it has to be where people can’t access it from the ground. Dusty, and there is something on there that says they can’t have furniture out there right? That does need to be there. Vada, ok. Dusty, would that include like a couple of pub chairs and small table? Dusty, yes. Myers, John told me they were going to put a door upstairs to have access to that area. That they were going to take a window out and put a door in. Vada, unless they are going to tear up what they already have repaired, they have already put new replacement windows upstairs and I doubt they would take one of those out to put a door in. The last I heard they were going to fix a way to have a bench on the inside where you can step up on it comfortably up out the window if you need to escape. Brian, that is what I was told also. Dusty, it is not going to be a living space it is just a fire escape. Myers, well maybe I misunderstood him then. Vada, they might have in the beginning I am not saying that they didn’t. Myers, they appeared some time ago to discuss this plan with us. I think at the time we pretty much approved it, so I will make it a motion.

Alderman Myers makes a motion to approve the request as presented from Ormond’s to build their fire escape, seconded by Schenk. Schenk yes, Myers yes, Scranton yes, Buss yes, Lauren Jennings yes, Jim Jennings yes.

Mayor motion to request revocable permit from the Ormond’s passes unanimously.

Mayor, uptown revitalization plan recommendations. Vada, the last street and alley meeting we had, we had a recommendation at that time to set the revitalization plan as designed and that recommendation is being brought to the table tonight to be voted upon. I think all the council was there so everybody pretty much knows all about that without going into any more detail. Dusty, and I will say we did have a promising meeting with IDOT and how they felt about the proposed plan at that time. It was a good meeting and I don’t think there was a lot of opposition to it, but maybe the courthouse other than that everything seemed like it was pretty good. And the State did agree with us that the 4’ buffer was way more than adequate they said most places don’t have that they said you could make a complete U-turn in our downtown there is so much room. Jim Jennings, before we vote on this I want to expand on our conversation if I can. Steve, sure. Jim, because I am just concerned about this thing moving forward being a strong advocate of it and just in full disclosure. I guess there have been a couple of people that think maybe I am approaching impropriety owning a building down town and voting on this stuff. Now does it matter, in the past I actually had somebody come to me when I first did some work on the front of my building and I want to do some more now, and they talked to me about the façade program. But I am touching it I am doing everything on my own. I will not take advantage of the grants I will refuse to take TIF money it is all just me. Do you think that relies any of that impropriety? Or do you think it still is a problem that they would look at it as the reason I am promoting this is to make my building worth more? Lonnie, I will tell you the safe thing is always if in doubt I just wouldn’t my advice would always be just not too Jim. Because even if you said that there is somebody out there that is going to question something some aspect of it. Jim, sure which I don’t ever care of somebody questions I care if they sue. Lonnie, right and obviously you don’t know.

Alderman Buss makes a motion to approve the revitalization plan recommendations of the uptown as they were presented in the committee meeting, seconded by Scranton. Myers no, Scranton yes, Buss yes, Lauren Jennings abstain, Jim Jennings abstain, Schenk abstain. Lonnie, then the Mayor will have to vote, 4 have to vote. Mayor Flesner, so I have to vote? Lonnie, yes I recommend you vote. Mayor, yes.

Jim Jennings, I want to have further discussion about that to make sure we don’t jeopardize anything in the near future. Usually the state is sympathetic to the realities of small towns I want to have further discussion because I am hoping there is a way to avoid that but we will see.

Mayor, the recommendation from the last meeting for the revitalization plans for the uptown passes with 3 abstentions, 3 yes, and 1 no. Lonnie, let’s look at this I don’t think it passed. Don’t it normally take 4 to pass? I don’t think it passed. Dane, that is what I asked you earlier would it matter if I voted or not. Jim, let me ask you this the two abstentions right here she doesn’t own the building she has nothing to do with it expect she is my daughter. Is that enough of an impropriety she has nothing to financially gain from it. Lauren, I am not really going to benefit from it. Lonnie, now you get into a lot of speculations I mean ultimately at the end of the day you have to declare your own conflict. And whatever the argument would be whether or not she would benefit from inheriting the building or not inheriting the building or whatever I am just saying you have to think of all the various potential issues. Vada, so you are saying this doesn’t pass now? Lonnie, correct, I don’t believe it does. Jim, but it can be reconsidered correct? Lonnie, it can be reconsidered.

Mayor, the motion to move forward with uptown revitalization plan recommendations made at the last meeting does not pass.

Jim, I reserve the right to refuse the advice of counsel and I am going to make a motion that we accept the uptown revitalization plan and I am going to make the statement that I have turned down any funds from the City that is offered and I will continue to do so and I will accept no TIF funds I have not accepted any façade improvement and I will not will I own that building. To try to stay away from impropriety. Lonnie, so you are wanting to do a motion to reconsider? Jim, yes. You are going to have to vote on the motion to reconsider first and then if the motion to reconsider passes then you get to do it.

Alderman Jim Jennings makes a motion to that we reconsider… Lonnie, actually no I take that back you can simply with permission of body you can change your vote. You can just change your vote you can declare what you just said and you can change your vote. Until the meeting is over you can change your vote.

Alderman Jim Jennings, I have made my declaration and I have changed my abstention to yes.

Mayor, motion to move forward with the uptown revitalization plan recommendation passes with 4 yes, 2 abstentions, and 1 no.

Mayor, sidewalk plan/prioritization and funding. Dusty, well I have got everybody’s list that I have compiled a lot of sidewalks here I would like to have another street and alley committee meeting so we can hash some of this order out. Which order we want to go and how many feet we want to do in each ward. Jim Jennings, can we do this I have thought a lot about this, tonight can we just set the level of funding that we want to do and then we can prioritize when we have the meeting get bids of home much per foot or yard then everybody in their ward will know how many feet or yard’s they get to do. Dusty, but I think we want to wait until after the next fiscal year to do that because we only budgeted $30,000.00 for it. Jim, I swear we put something in capital improvement in the general fund. Did we not? Cheryl, I think we did. Jim, I know we did, because I wanted to supplement it with the general fund. Cheryl, for the sidewalks? Jim, yes. Dusty, I know we talked the last time how much money do you want to do in each ward. Because we set aside it was $30,000.00 I believe. Jim, yes out of Motor Fuel Tax. Dusty, no $10,000.00 out of Motor Fuel Tax, then $30,000.00 out of general fund. Jim, I thought it was more than that. Dusty, that is why I was saying if you want to get this all hashed out then at budget time we can be ready to let it. But I don’t think we want to let it with that small of an amount of sidewalk because I don’t think we will get the best results out of it. Jim, yep. Dusty, one other thing on the sidewalk Kathy Hazelrigg was on higher up here. We put new sidewalk in front of her house along 99 , NW Cross and she said that she has been finding some glass and some rocks and other debris in it. The dirt we put back around that sidewalk was top soil it was dirt that was taken off out at Dot. They were gracious enough to give us that dirt. It is not sifted it is not clean dirt, however we are along the highway we have not control over what gets into that. I had two guys go up there for two hours today and they racked all the dirt to the West and they came and racked all the dirt to the East and I told them to pick up everything that they had we through. They had some rocks, they had some other small things and there was a broken beer bottle that was west of her house, on the North side of the driveway and that is the only glass they could find and it was all right there. It was in a very small area, it is obviously a beer bottle I would say someone threw it out and it broke. But I do want everybody to know she did have a concern we go out we did our due diligence, I don’t think we will gain anything by taking all the dirt out of it and put new dirt in. Jim, does she know you went and done that. Dusty, I was going to talk to her about it tonight but I will call her tomorrow. I can talk to her tomorrow and let her know that we did our due diligence and went up there and looked at it but I don’t think it is a chronic problem I think it is a localized problem. Jim, right. Dane, so we are good to go then? Jim, yes.

TIF

Water/Sewer

Zoning

Zoning Board of Appeals

Other Business

Dane, like to make a motion to go into executive session for personnel matter 5ILC 120\2C1

Alderman Jim Jennings makes a motion to move into executive session at 8:31 P.M., seconded by Schenk. Scranton yes, Buss yes, Lauren Jennings yes, Jim Jennings yes, Schenk yes, Myers yes.

Mayor, we have to ask all visitors to exit council chambers and thank you.

At 8:41 P.M. council returns to normal session with roll call.

Jim Jennings here, Schenk here, Myers here, Scranton here, Buss here, Lauren Jennings here.

Alderman Scranton makes a motion to remove the lake host immediately, seconded by Jim Jennings. Schenk no, Myers no, Scranton yes, Buss yes, Lauren Jennings yes, Jim Jennings yes.

Mayor, motion to remove lake attendant immediately passes with 4 yes and 2 no.

Mayor, entertain a motion to adjourn.

Alderman Myers makes a motion to adjourn at 8:42 P.M., seconded by Schenk. Buss yes, Lauren Jennings yes, Jim Jennings yes, Schenk yes, Myers yes, Scranton yes.

Respectfully submitted,

Stacy Dunlap, City Clerk / Collector