



City of Collinsville

125 S. Center Street
Collinsville, IL 62234

Minutes - Draft

City Council

Councilman Nancy Moss

Councilman Jeff Kypta

Councilman Jeff Stehman

Councilman Cheryl Brombolich

Mayor John Miller

City Manager Mitch Bair

Corporate Counsel Steve Giacoletto

City Clerk Kim Wasser

Monday, July 11, 2016

7:30 PM

Council Chambers

A. CALL MEETING TO ORDER

Mayor Miller called the meeting to order at 7:30 p.m.

B. ROLL CALL

Also present was City Manager Mitch Bair, Corporate Counsel Steve Giacoletto and City Clerk Kim Wasser.

Present: 5 - Councilman Jeff Stehman, Councilman Cheryl Brombolich, Councilman Nancy Moss, Councilman Jeff Kypta, and Mayor John Miller

Absent: 0

C. INVOCATION

Delivered by Pastor Jeff Young of First United Presbyterian Church.

D. PLEDGE OF ALLEGIANCE

Recited.

E. PROCLAMATIONS/RECOGNITION/PRESENTATIONS

1. Recognition of Lannie Altenberger for 50 Years of Volunteer Service to the City of Collinsville

Mayor Miller recognized and thanked Lannie Altenberger for his 50 years of volunteer service to the City of Collinsville. Mr. Altenberger has volunteered countless hours while participating as a member and now Assistant Director of the Collinsville Emergency Management Agency.

2. Presentation of 2015 Comprehensive Annual Financial Report

Attachments: [Agenda Item Report](#)
[2015 FINANCIAL STATEMENTS](#)

Finance Director Tamara Ammann introduced Kevin Tapin, partner of C.J. Schlosser Co. and City auditor. Mr. Tapin summarized the 2015 Comprehensive Financial Report. He highlighted page 17 of the report and indicated the revenues in the total governmental funds was almost \$28 million with a slight deficient in expenditures over revenue. He explained the deficient was due to various improvement projects (Summit bridge, painting of water tower, etc) and not alarming. He next summarized page 20 of the report which is the Water and Sewer Fund. He explained the overall operating expenses amount is skewed due to new IMRF reporting requirements. He also mentioned the fiduciary funds for the Police and Firefighter's Pension and explained the difference is due to earnings on investments. He explained requirements under GASB 68 that indicates the City must record pension liabilities on their annual financial statement. He ended by explaining overall the general fund did well in comparison with previous years, Water and Sewer Fund would have been the similar to previous had it not been for the new reporting requirements, and pension funds lacked due to the returns on investments. He indicated 2014 was the City's 6th year receiving the Certificate of Achievement.

City Manager Bair inquired as to how we compare with other municipalities regarding performance and financial policies. He indicated Collinsville staff is highly qualified, helpful and very knowledgeable during the audit process. Performance wise, Mr. Tapin indicated there is not a trend but issues arise due to unplanned spending.

F. BUSINESS PRIOR TO PUBLIC INPUT

Public Hearing on the Removal of Real Property from the Collinsville Crossing South Business District

a) Motion to Open Public Hearing

Councilman Moss commented and asked that anything that requires a vote on this agenda to be rescheduled due to the Granicus software issue that caused the agenda and some of the supporting documents to intermittently appear and disappear from our website over the weekend, after the agenda was posted on Thursday (July 7). She indicated she was unable to review all the documents.

Councilman Kypta commented that he too was unable to review all the documents.

A motion was made by Councilman Moss, seconded by Councilman Kypta, to delay voting on tonight's agenda items.

Answer to roll call: Ayes - Moss, Kypta, Nays - Stehman, Brombolich, Miller, Absent - None.

A motion was made by Councilman Brombolich, seconded by Councilman Stehman, to open public hearing. The motion carried by the following vote:

Aye: 3 - Stehman, Brombolich, and Miller

Nay: 2 - Moss, and Kypta

Absent: 0

Abstain: 0

b) Staff Report

City Manager Bair explained that this is a request to remove parcels from the Collinsville Crossing South Business District as they are not associated with nor do they general revenue with said Business District. He displayed an aerial map of the parcels to be removed from the business district.

c) Public Input

Mayor Miller opened the floor for public input for participants who had signed up to speak and reminded participants that comments are to pertain to the removal of parcels from the business district since this is a public hearing.

Rob Dorman commented on the Mayor's opening remarks and cancellation of the meeting. Mayor Miller reminded Mr. Dorman that comments during the public hearing are to address the issue at hand. Mr. Dorman indicated he previously spoke with (and pointed to someone in the audience) regarding the properties being in another business district and cannot be in the proposed TIF until removed from existing business district.

Robert Thiel indicated he was confused and inquired as to what he is allowed to speak about. Mayor Miller advised this segment of comments is regarding the public hearing for the removal of parcels from the Collinsville Crossing South Business District. Mr. Thiel inquired about other properties in the existing TIF would be affected if parcels are no longer contiguous. City Manager Bair explained that this is not about the TIF program but removing properties that are in a business district out of the Collinsville Crossing South Business District.

Mary Drumm inquired as to why properties are being removed from the business district. City Manager Bair explained, for housekeeping purposes, they are being removed from the business district. He advised these properties do not generate revenues and are no longer associated with the Collinsville Crossing development. He indicated the properties were been part of a bigger plan for the area but did not come to fruition. Ms. Drumm indicated a lack of planning.

d) Motion to Adjourn Public Hearing

A motion was made by Councilman Brombolich, seconded by Councilman Stehman to close public hearing. The motion carried by the following vote:

Aye: 3 - Stehman, Brombolich, and Miller

Nay: 2 - Moss, and Kypta

Absent: 0

Abstain: 0

1. Ordinance of the City of Collinsville Providing for the Removal of Certain Properties from the Collinsville Crossing South Business District

Attachments: [Agenda Item Report](#)
[Ordinance](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Map](#)

Overview by City Manager Bair, who advised, this ordinance would allow for the removal of the specified properties from the Collinsville Crossing South Business District.

Councilman Brombolich inquired as to when these properties were put into the Collinsville Crossing South Business District. City Manager Bair advised records indicate they were included in the 2004 adoption of the business district. She asked of Mr. Brancaglione of PGAV Planners to comment on his conversation with Mr. Dorman prior to the meeting. Mr. Brancaglione indicated he understood Mr. Dorman's questions during their conversation to be about the TIF program and not that of the business district. He explained the TIF and business district circumstances are completely different. He further indicated the parcels to be removed were added in the adoption of the 2004 amendment to the business district as it was slated to be part of a larger development within the Collinsville Crossing area. Once it was determined that the property was not going to be incorporated into the Collinsville Crossing development, it should have been removed from the business district.

Councilman Moss commented on the confusion regarding this item. She spoke of the intermittent agenda issue. She indicated she reviewed the agenda packet on Thursday night, tried again Friday but had issues and reviewed documents on Sunday.

Councilman Brombolich explained that the properties were added into a business district 12 years ago as part of a phase development that did not come to materialize. These properties should have been removed from the Collinsville Crossing South Business District as they are not part of that development and not paying the tax but was not previously addressed. Whether they will be part of a new business district or not is irrelevant. She indicated she, as well as a majority of the Council, reviewed the agenda packet when distributed on Thursday. Rescheduling the meeting would cost the tax payers again as the public hearing was published in the paper.

A discussion was had between Mayor Miller and Councilman Moss regarding when these properties were added into the business district and if they will be part of the proposed TIF district. City

Manager Bair advised some of the parcels will and other will not be part of the proposed TIF district. However, he reiterated what Mr. Brancaglione stated, in that the removal of these parcels of the Collinsville Crossing Business District stands alone as they are not part of that development.

A motion was made by Councilman Stehman, seconded by Councilman Brombolich to approve. The motion carried by the following vote:

Aye: 3 - Stehman, Brombolich, and Miller

Nay: 2 - Moss, and Kypta

Absent: 0

Abstain: 0

G. SPEAKERS FROM THE FLOOR

Mayor Miller opened the floor for speakers and addressed rules governing input under Ordinance #4765.

Phil Astrauskas commented on the lack of availability of the agenda. He inquired if the properties removed from the business district are going to be part of the new TIF. He also inquired of TIF properties being contiguous and displayed a map. He inquired if TIF 2 and/or TIF District 3 produces tax revenue. He inquired of a Porter's Steakhouse bill. He suggested increasing the number of the Council members to 9 as a proactive measure.

Rob Dorman mentioned the constitution and Open Meetings Act. He spoke of the Collinsville Mini Mart redevelopment. He spoke of the need for a forensic audit regarding misappropriation of funds. He said the Mayor previously said he (Mayor) was "corrupt." Mayor Miller interjected and advised Mr. Dorman he was done speaking. Councilman Moss objected. Mayor Miller advised he (Dorman) called him "corrupt." A discussion was had between Dorman and Miller regarding a previous meeting where comments were made. Mayor Miller asked Chief Evans to ask Mr. Dorman to leave.

Mayor Miller announced Council in recess at approximately 8:10 p.m. City Clerk Wasser paused the Live Manager software. Mayor Miller reconvened the meeting at approximately 8:13 p.m. and Live Manager resumed.

City Clerk Wasser noted that Mr. Dorman had 2 minutes and 30 seconds remaining of his overall 4 minutes to speak. Mr. Dorman continued. He mentioned an increase in the utility tax, sidewalks in disrepair, and various employees who have left the City.

Robert Thiel thanked Council for opportunity to speak. He spoke of the May 5, 2016 Joint Review Board meeting. He mentioned the proposed TIF Plan and Project Area and presentation by PGAV Planners.

Donna Green indicated she did not review the agenda prior to the meeting due to personal time

constraint but item previously voted on was easy to understand. She thanked Council for their efforts. She encouraged Council to set personal opinions aside and work together to help Collinsville thrive. She mentioned the Collinsville Community Collaboration event. She thanked Council for being financially responsible.

Mary Drumm spoke of rule #7 of Ordinance 4765. She mentioned unprofessionalism.

H. COMMENTS & ANNOUNCEMENTS - MAYOR

Mayor Miller spoke of the recent tragedy in Dallas and the lack of respect people have for one another. He asked for a moment of silence for the 6 Police Officers who were shot and killed in Dallas.

I. COMMENTS & ANNOUNCEMENTS - COUNCIL MEMBERS

Councilman Moss apologized and indicated she did not hear "what" the person had said but was objecting to someone being removed for criticizing an elected official when the rules say appointed officials. She spoke of her concerns regarding Freedom of Speech and transparency. She spoke of her past 11 years as a Councilman. She mentioned the agenda packet issue and wished the meeting would have been rescheduled.

Councilman Stehman spoke of the difficulty of being criticized on a regular basis and false accusations. He spoke of his previous involvement with McLanahan's Towing. He indicated he sold the business in 2011 and has no financial interest in the business at this time. He had been listed as secretary on the corporation paperwork to facilitate the sale of the business only. A clerical error occurred between the Illinois Secretary of State's office and McLanahan's Corporation by failing to remove his name from the corporation paperwork in 2013. This matter has now been resolved.

Councilman Brombolich spoke of the recent tragedy and encouraged a positive change for the future. She spoke of previous comments by the public during Council meetings.

J. COMMENTS & ANNOUNCEMENTS - CITY STAFF

K. CONSENT AGENDA

1. Motion to Approve Payment of Bills for the Period Ending July 1, 2016 in the Amount of \$1,377,902.53

Attachments: [Agenda Item Report](#)
 [Board List 05-01-16](#)
 [Board List 06-24-16](#)
 [Board List 07-01-16](#)

2. Motion to Approve Payroll for the Period Ending 6/17/16 in the Amount of \$497,887.70

Attachments: [Agenda Item Report](#)
 [Board List 6-17-16](#)

3. Resolution Reappointing Members to the Collinsville Fire and Police Commission (Ciuferi and Hoskins)

Attachments: [Agenda Item Report](#)
 [Resolution](#)

Mayor Miller asked if the Council wished to pull any items prior to a Motion. No items were pulled. A motion was made by Councilman Brombolich, seconded by Councilman Stehman, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 3 - Stehman, Brombolich, and Miller

Nay: 2 - Moss, and Kypta

Absent: 0

Abstain: 0

L. NEW BUSINESS

1. Ordinance Approving the 2016 Amendment to the City of Collinsville TIF Redevelopment Project Area No. 1 (Removal of Certain Properties)

Attachments: [Agenda Item Report](#)
 [Ordinance](#)
 [Exhibit A - Legal Description \(Easterly Tract along IL 157\)](#)
 [Exhibit B - Legal Description \(Along Mall Drive\)](#)
 [Exhibit C - Map](#)

City Manager Bair explained to Council this would be an amendment to TIF District 1 in which two areas would be removed from said district. He displayed an aerial map depicting the two areas. Area 1 was contiguous to TIF 1. When Area 2 previously removed from the Collinsville Crossing TIF area, Koman Properties counsel has an error in their legal description, thereby making the property non-contiguous. Although these properties will be considered in the proposed Southwest Corridors TIF and Business District, this is a matter of housekeeping that should have been resolved previously. Staff recommends approval and asked Council to weigh this item on its own merit.

Councilman Moss clarified that these parcels have been in TIF 1 since 2004 and they will be considered within the Southwest Corridors TIF. City Manager Bair advised they should be removed from TIF 1 due to issues previously addressed but they will be within the proposed Southwest Corridors TIF area, if Council approves. She inquired of the legality. City Manager Bair indicated this was at the advise of PGAV Planners and referred to Mr. Brancaglione for additional comments. Mr. Brancaglione explained these parcels were contiguous and had been apart of TIF 1 amendment. The legal description was written incorrectly and therefore failed to remove these properties at the time the amendment was drafted and approved. He further explained that this amendment removing these parcels from TIF District 1 should occur even if the proposed Southwest Corridors TIF District is not approved. She inquired of Mr. Brancaglione as to how long a property can be in a TIF district. He explained the TIF Act allows for property to be removed from one TIF district and placed in another. He further explained the only limit of time a property can be in a TIF district is the amount of time within a particular TIF district and not a combined amount.

Councilman Brombolich confirmed that TIF 1 originated in 1986 and expires in 2021, total of 35 years, due to the TIF extension. Mr. Brancaglione concurred. He explained the Area 1 and Area 2 in question was not part of the original TIF and has only been in the TIF 1 District since 2004.

A motion was made by Councilman Brombolich, seconded by Councilman Stehman to approve. The motion carried by the following vote:

Aye: 3 - Stehman, Brombolich, and Miller

Nay: 2 - Moss, and Kypta

Absent: 0

Abstain: 0

2. Resolution Requesting Utility Permit from Illinois Department of Transportation (IDOT) for Installation of 6" Water Main at 701 N. Bluff Road (Compton Commercial Development).

Attachments: [IDOT Resolution](#)
[IDOT Utility Permit Application](#)
[Agenda Item Report](#)

Overview by Dennis Kress, Public Works Director, advised this resolution would allow for a new water main extension to be constructed within IDOT's right-of-way in order to supply water to the Compton Subdivision development at 701 N. Bluff. The water main will be constructed by the developer and dedicated to the City upon completion. Director Kress clarified that the City is not installing the water main but will be completed by the developer. IDOT requires the City to pass a resolution because we (City) owns the utilities on IDOT's right-of-way.

Councilman Moss inquired of the resolution wording. Director Kress advised the resolution is a standard form from IDOT and will be clarified that the City is not doing the install. The final resolution will indicate so.

Mayor Miller made the motion to amend the resolution with the change of this document to indicate that City employees are not performing labor for the installation of the water main, seconded by Councilman Stehman.

A motion was made by Councilman Brombolich, seconded by Councilman Stehman to approve. The motion carried by the following vote:

Aye: 3 - Stehman, Brombolich, and Miller

Nay: 2 - Moss, and Kypta

Absent: 0

Abstain: 0

3. Ordinance Authorizing the Mayor to Execute a City Consent to Pledge and Security Agreement in Relation to the Orchards at Collinsville

Attachments: [Agenda Item Report](#)
[Ordinance](#)
[Agreement](#)

Corporate Counsel Giacometto explained to Council this is routine with developers in that Orchards is refinancing their loans so the lending institution is verifying tax incentives.

A motion was made by Councilman Brombolich, seconded by Councilman Stehman to approve. The motion carried by the following vote:

Aye: 3 - Stehman, Brombolich, and Miller

Nay: 2 - Moss, and Kypta

Absent: 0

Abstain: 0

M. OLD BUSINESS

1. Ordinance Authorizing the Mayor to Execute a Redevelopment Agreement Between the City of Collinsville and Bhavani Investment, Inc

Attachments: [Agenda Item Report](#)
[Planning Commission Staff Report - UCD Land Use Amendment](#)
[Memo - Project Overview](#)
[Site Plan](#)
[Ordinance](#)
[Redevelopment and Economic Incentive Agreement](#)

Motion was made by Councilman Brombolich, seconded by Councilman Stehman, to remove item from being tabled and resume for consideration.

Answer to roll call: Ayes - Stehman, Brombolich, Miller, Nays - Moss, Kypta, Absent - None.

Motion was previously made at the June 27, 2016 meeting to approve for discussion by Councilman Brombolich, seconded by Councilman Stehman. Motion stands.

City Manager Bair indicated this topic was previously discussed at tonight's Strategic Session. The redevelopment agreement is blank with regards to the total amount but the developer is requesting \$480,000. These expenses are associated with Fire Code and Building Code compliance issues for a total of approximately \$760,000. The percentage is consistent with other developments. Motion will need to include the total amount of the award to be given to the developer. The agreement is structured to identify the total in 3 installments as a rebate after the project is completed and a lien will be placed on the property that will extend 6 years after completion and proof of expenditures are submitted.

Mayor Miller made a recommendation to award the developer \$450,000 based on the type of development and the impact it will have on the Uptown area. Councilman Stehman agreed with the amount. Corporate Counsel Giacoletto confirmed that would be in 3 equal installments of \$150,000 each and Mayor Miller concurred.

Councilman Brombolich asked City Manager Bair to remind Council of total project cost and total eligible amount. He indicated the total project cost of the redevelopment is \$1.3 million and the total TIF eligible amount is \$1.1 million. She confirmed that with a funding of \$450,000 the owner is investing \$850,000 of his own money into the property to which City Manager Bair concurred.

Mayor Miller asked for other recommendations but none was given. Mayor Miller moved forward with the recommendation of \$450,000 award for the agreement between the City and Bhavani Investment, Inc.

A motion was made by Councilman Brombolich, seconded by Councilman Stehman to approve. The motion carried by the following vote:

Aye: 3 - Stehman, Brombolich, and Miller

Nay: 2 - Moss, and Kypta

Absent: 0

Abstain: 0

N. CLOSED SESSION

Mayor Miller asked for a motion to proceed into Closed Session to discuss in accordance with 5 ILCS 120/2(c):

11. Pending or Threatened or Imminent Litigation

A motion was made by Councilman Brombolich, seconded by Councilman Stehman. to approve. The motion carried by the following vote:

Aye: 5 - Stehman, Brombolich, Moss, Kypta, and Miller

Nay: 0

Absent: 0

Abstain: 0

O. ANNOUNCEMENTS

P. ADJOURNMENT

A motion was made by Councilman Kypta, seconded by Councilman Brombolich. to adjourn at 8:57 p.m. The motion carried by the following vote:

Aye: 5 - Stehman, Brombolich, Moss, Kypta, and Miller

Nay: 0

Absent: 0

Abstain: 0

ADDRESSING THE COUNCIL DURING SPEAKERS FROM THE FLOOR

Below are the rules for input during City Council meetings as set out in Ordinance No. 4765 entitled “Ordinance Governing Speakers From the Floor During Meetings of the City Council and the Commission, Boards, and Sub-Bodies of Collinsville, Illinois”. Speakers may address the Council during the time designated as Speakers From the Floor on the agenda.

RULE 1: Speakers shall be allowed only during “Speakers from the Floor,” or at any other time if requested by a member of the City Council.

RULE 2: Input must relate to a matter under the authority of the City of Collinsville.

RULE 3: Upon request by the meeting Chairman for speakers from the floor, a prospective speaker shall express the desire to speak, be recognized by the meeting Chairman, approach the designated podium, and state their name and general subject matter to which they will address the City Council.

RULE 4: After establishing their identity, prospective speakers shall immediately address only the City Council.

RULE 5: Each speaker is limited to four (4) minutes to address the City Council. No extensions will be granted and no time shall be compensated to the speaker resulting from interruptions by or discussion with the City Council, City Manager, or any other City officer or employee.

RULE 6: Speakers shall address only the City Council collectively or its members individually. Speakers shall speak to issues and shall refrain from personal attacks on City appointed officials and employees. Speakers may not address issues related to pending litigation in which the City or its subsidiary bodies, officers, agents, employees, boards or commissions is a party.

RULE 7: Speakers shall not be permitted to advertise, solicit, request, urge, summon, or cajole the City Council or the general public, except as otherwise provided for herein, with regard to any products, goods, services, information, gains, losses, advantages, consequences, or any other similar matter, notwithstanding that there may or may not be any pecuniary, monetary, financial or property gain, loss, or benefit to the speaker or any other person or entity.

RULE 8: Speakers shall act and speak with decorum and conform to conventional social manners in speech, writing, dress, and behavior. The audience shall refrain from conduct that disrupts the meeting in any way such as clapping, booing, loud talking or outbursts. A speaker may be immediately terminated at the meeting Chairman’s discretion.

RULE 9: Determination of breaches of this Ordinance shall be made by the meeting Chairman. The meeting Chairman customarily will warn the speaker or members of the audience of inappropriate behavior through one warning use of the gavel. Subsequent inappropriate behavior shall result in the immediate removal of the responsible parties at the discretion of the meeting Chairman.