



# 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*

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Monday, November 14, 2016

7:00 PM

Council Chambers

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#### A. CALL MEETING TO ORDER

Mayor Miller called the meeting to order at 7:00pm.

#### B. ROLL CALL

Also present: City Manager Mitch Bair, Corporate Council Steve Giacoletto and City Clerk Kim Wasser.

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

**Absent:** 0

#### C. INVOCATION

Delivered by Pastor Kyle Wright of Holy Cross Lutheran Church.

#### D. PLEDGE OF ALLEGIANCE

Recited.

#### E. PROCLAMATIONS/RECOGNITION/PRESENTATIONS

#### F. BUSINESS PRIOR TO PUBLIC INPUT

#### G. COUNCIL DISCUSSION

1. Gateway Center TIF Request for Capital Improvements

**Attachments:**    [Gateway Center TIF Request Memo 2016.pdf](#)  
                              [Gateway Center Resolution Financial Support 2012.doc](#)  
                              [Gateway Center TIF App.pdf](#)

City Manager Bair introduced the discussion item as being an application for TIF funds from the Gateway Center in the form of a rebate for capital improvements. The application is similar to those previously approved. The request is for just over \$150,000 which would leave a balance of over \$19,000 that they had rebated back to the City. He referenced a 2012 proposed resolution that defined how the program would be administered. He indicated the application was presented after the work was already completed on the HVAC units. He advised that permits were issued for the work done. He further advised a long range strategic plan is underway for the Gateway Center in which TIF funds may be requested in the near future but this request and improvement is separated out from that proposal.

Cindy Warke, Executive Director of the Gateway Center, spoke of a proposal she presented to the Council back in 2012 regarding the Convention Center. She explained the current TIF application is for the replacement of several HVAC units. They secured 3 bids with the lowest being \$147,400. She further explained there was an error made on the bid documents in that a duplicate serial number was given causing an incorrect tonnage on the specification. They contacted the lowest bidder, C&K Heating and Cooling, regarding the price for the additional tonnage (from 5 to 8 1/2 ton unit) which represents the \$2,725 increase. The total TIF request is for \$150,125.

She indicated 36 of the 48 HVAC units at the Gateway Center have been replaced. The remaining units are newer as they are from the 2006 building expansion.

She explained, as agreed upon, the Gateway Center rebated back to the City a total of \$169,992.48 last year. If this application is approved, there will be a surplus of over \$19,000.

Mayor Miller stated it is imperative to maintain and keep the HVAC units operating properly. Ms. Warke explained the units they have been replacing are more than 25 years old.

City Manager Bair asked Ms. Warke to address what future capital projects they may request reimbursement for. She indicated many of the major mechanical replacements have been done and she does not anticipate future requests. She mentioned looking into other funding options for aesthetic issues since TIF is not available for such improvements.

City Manager Bair asked Ms. Warke to address why the bid was awarded in July but the TIF request for reimbursement was made after the fact. Ms. Warke explained they followed suit with how they historically have done. She explained they had to find a window of opportunity to complete the project without interfering with scheduled events. She indicated that it was explained to her back in 2012 during the presentation, that they could proceed with capital improvements but they would be taking a risk of the Council voting on the matter after the work was completed. Meaning, they (Gateway Center) is not assured of having full support but would have to go through the formality of submitting a TIF application for reimbursement. City Manager Bair confirmed they (Gateway Center)

were of the understanding to complete the capital improvement projects at their own risk and before Council approval to which Ms. Warke concurred. Ms. Warke also explained they have been contemplating presenting the strategic plan for the Convention Center as well as presenting the TIF application at the same time but could not hold off making the necessary HVAC improvements.

Councilman Moss concurred that the Convention Center is a viable asset to the City. She indicated that she thought the proper procedures for TIF applications were clear in that the request is to be made prior to the work being completed. She further indicated that a 10 year plan for the Convention Center was requested some time ago. She voiced several concerns. Ms. Warke explained that this is the same process for reimbursement that they have historically followed with no issues. She (Warke) indicated they never got advanced TIF approval for any of the past projects. City Manager Bair confirmed with Ms. Warke that she previously said and was aware that proceeding with the project without prior approval is at their (Gateway Center) own risk.

Councilman Stehman indicated he understands this situation is different than that of a private entity but also indicated it is important to keep consistent rules with regards to the TIF application process. He advised that clear policy needs to be recorded as to how to process the applications.

City Manager Bair agreed that policies and procedures need to be clear and followed by everyone applying for TIF funds. He further indicated this is a formal request and asked Council if they would like to move this request to an action item for the November 28th meeting or if further information is necessary and continue this as a discussion item.

Ms. Warke elaborated that previous Council and former City Manager Williams intent was to treat the Convention Center like others by making the application for funding of capital improvement projects come before Council on an annual basis but not necessarily prior approval. She was of the understand from that intent that they could not commit TIF funds for future Council so a protocol was established to make annual applications. Councilman Brombolich concurred with Ms. Warke and explained that the TIF rebate money that the Gateway Center pays back to the City could be used for capital improvement projects. At that time, the decision was to come before Council, explain the project, show that it went out for competitive bids, and prove that the work was completed and inspected. Councilman Brombolich indicated that at that time they were not required to come to Council for prior approval. She understands what Councilman Stehman is saying with respect to the recent TIF changes. She further indicated that this is different since it is rebate money from Gateway Center coming back to the City and in 2012 it was determined they could use the money for capital improvement projects.

Councilman Brombolich inquired as to what businesses were denied TIF funds for doing work after the fact. City Manager Bair indicated no one in the last year because they were notified of the procedure. She also inquired if the City has a standing agreement with Gateway Center regarding reimbursement for projects with rebate money. He indicated no agreement or memorandum of understanding was located.

Councilman Stehman advised he would like to reserve making his decision on the matter until

additional information could be located as to the Council's intent in 2012. Councilman Moss indicated she never thought the rebate program was in place so they could automatically have it back for improvements but would rather require them to apply for TIF funds before the improvements are made.

Mayor Miller indicated he was present during the 2012 meeting but does not recall the specific intent or understanding. However, he does recall past discussions regarding Gateway using TIF funds for the replacement of HVAC units but not necessarily how the application process would be handled. City Manager Bair agreed and advised nothing was found that outlined the application process for the Gateway Center. Finance Director Tamara Ammann advised she does not recall the Gateway Center being told they could not apply for TIF funds after the fact but every year a separate ordinance was done as a TIF grant.

Steve Giacoletto, Corporate Counsel, advised the idea was capital improvements could be done by reimbursing with rebate funds but no one said or indicated that it was okay to go ahead, complete the project, and then apply for TIF funds. He indicated he was in several of the meetings and staff did not advise such. However, he did indicate this is a unique situation and Council has approved funding for the previous HVAC systems. Councilman Brombolich advised that is not what she said. She indicated they were told they would have to apply each year instead of assuming they could use the rebate funds for capital projects and Mr. Giacoletto concurred.

Councilman Stehman asked to review the minutes of previous Council meeting when the proposed resolution was discussed. Councilman Kypta inquired if Counsel would have notes or additional information of what was previously discussed. Mr. Giacoletto advised he would search for information. City Manager Bair clarified to research the topic for additional information, present the facts to the Council and bring the item back to Council as an agenda item under New Business. He also indicated staff will work on outlining the TIF application process.

## **H. SPEAKERS FROM THE FLOOR**

Robert Thiel advised he opposes the new water treatment plant location, Southwest Corridors TIF and Business District. He mentioned a FOIA request. He spoke of the new water treatment plant location being between a school and grocery store. He mentioned the Safe Roads Amendment. He also mentioned taxes not paid by the Convention Center.

Karen McReynolds spoke of the TIF application process. She mentioned a job site project.

Phil Astrauskas spoke of the Gateway Center's TIF application. He inquired of information regarding the Gateway Center. He mentioned the recent presidential election. He spoke of FOIA denials.

Rob Dorman spoke of a previous FOIA request.

Mary Drumm spoke of a binding opinion regarding a FOIA request.

**I. COMMENTS & ANNOUNCEMENTS - MAYOR**

Mayor Miller spoke of the Veteran's Day parade and ceremony.

**J. COMMENTS & ANNOUNCEMENTS - COUNCIL MEMBERS**

Councilman Stehman spoke of the Gateway Center and their board. He mentioned the Council's role in assisting the Gateway Center.

Councilman Moss spoke of viability concerns regarding the Gateway Center. She asked to have the Council agenda available earlier when a holiday falls within the same week. Councilman Kypta agreed that having the agenda available on Wednesday when a holiday falls on Friday would be beneficial.

Councilman Brombolich addressed the FOIA issues mentioned by the Speakers. She advised that the Council does not answer or review FOIA requests. It is the FOIA Officer(s) responsibility to respond to FOIA requests. She mentioned that the process needs to be reviewed to determine if changes are necessary.

**K. COMMENTS & ANNOUNCEMENTS - CITY STAFF**

City Manager Bair indicated the HVAC replacement project at the Convention Center started in 2013. The recent request concludes the project. He advised the previous TIF application requests were also received and awarded after the work was completed. He spoke of the FOIA process being within the statutory requirements. He asked Council for a target date to have future agendas available.

Councilman Brombolich advised she is okay with receiving the agenda on the Thursday preceding the meeting. Councilman Moss suggested having it available on Wednesday when a holiday falls within the same week. She further suggested having a page limit to keep the agenda packet to a minimum, having the packet available earlier if it contains 100+ pages and/or a large project. City Manager Bair advised larger scale projects will be presented in advance as a discussion item.

**L. CONSENT AGENDA**

1. Motion to Approve Payment of Bills for the Period Ending November 4, 2016  
in the Amount of \$4,061,744.56

**Attachments:**    [Agenda Item Report](#)  
                          [Board List 10-21-16](#)  
                          [Board List 10-28-16](#)  
                          [Board List 11-04-16](#)

2. Motion to Approve Payroll for the Period Ending October 21, 2016 &  
October 31, 2016 in the Amount of \$629,652.19

**Attachments:**    [Agenda Item Report](#)  
                              [Board List 10-21-16](#)  
                              [Board List - Sick Bonus 10-31-16](#)

3.        Motion to Approve Minutes of the October 24, 2016 Strategic Session and Regular Meeting

**Attachments:**    [Agenda Item Report](#)  
                              [102416StrategicSession.pdf](#)  
                              [102416RegMtg.pdf](#)

**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 Kypta, seconded by Councilman Brombolich, to approve the Consent Agenda. The motion carried by the following vote:**

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

**Nay:**        0

**Absent:**    0

**Abstain:** 0

## **M.        NEW BUSINESS**

1.        Ordinance Authorizing the Mayor to Accept Proposal for Audit Services

**Attachments:**    [Agenda Item Report](#)  
                              [Ordinance](#)  
                              [CJ Schlosser Audit Proposal](#)

Finance Director Tamara Ammann gave an overview of the audit services proposal. She indicated proposals were solicited from certified public accountants for independent audit services to the City for 5 years and 4 proposals were received. The lowest bid was CJ Schlosser & Company at \$115,100 over 5 years. Staff recommends CJ Schlosser as they have qualified staff, has served the City for many years as well as other neighboring communities, and was the lowest bid received. Their proposal is \$1,500 less for the 2016 audit than the prior year.

Councilman Moss voiced concerns of having the same audit firm for over 20 years. She said a new pair of eyes reviewing our records would be beneficial every few years. Councilman Stehman agreed with switching auditors every few years. City Manager Bair indicated the proposals were based on a 5 year term.

Director Ammann indicated she previously proposed a different auditor but Council recommended using CJ Schlosser because they were less expensive. A discussion was had regarding changing the term to 2 years. Director Ammann indicated the proposal was given on a yearly basis. She advised

she previously recommended going with a larger regional firm. She further advised that she would recommend going with another knowledgeable firm if cost was not a factor.

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

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

2. Resolution to Allow for the Appropriation of Funding for the Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code (2017 MFT General Maintenance Program)

**Attachments:** [Agenda Item Report](#)  
[Resolution](#)  
[Estimate of Maintenance Costs](#)

Overview by Troy Turner, City Engineer, who advised the resolutions allows for the purchase of general maintenance materials through the Motor Fuel Tax Fund. Materials include salt for ice and snow control, concrete for street and sidewalks, road oil and chip for street resurfacing, and other necessary materials. This is an annual item required by IDOT in order to use funds.

Councilman Brombolich inquired of the labor cost listed under oil and chip. Mr. Turner advised the City is not contracting this work out but will be done by City employees. He indicated the labor hours must be recorded as well as equipment hours.

Councilman Stehman inquired if this item must be sealed by an engineer. Mr. Turner advised it does not but IDOT procedures are followed per their bid letting process with sealed bids accepted.

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

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

3. Ordinance Authorizing an Amended Local Agency Funding Agreement with IDOT for the Clay Street Streetscape and Pavement Overlay Projects

**Attachments:**    [Agenda Item Report](#)  
                              [Ordinance](#)  
                              [AMENDED AGREEMENT-CLAY ST 11.14.16](#)

City Engineer Turner advised this ordinance amends original funding agreement with IDOT to allow for funding to include the cost of construction engineering services for the Clay Street Streetscape and Overlay Projects. This would allow for federal funds to cover the cost of construction engineering along with a local match from Madison County.

Councilman Brombolich inquired as to why the City did not apply for construction engineering services previously. Mr. Turner advised the City was permitted to apply but it apparently was not formally done.

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

**Aye:**        5 - Kypta, Stehman, Brombolich, Moss, and Miller  
**Nay:**        0  
**Absent:**    0  
**Abstain:**   0

4.        Ordinance Approving Collective Bargaining Agreement with the International Union of Operating Engineers Local 148 (Water Plant)

**Attachments:**    [Agenda Item Report](#)  
                              [Ordinance](#)  
                              [Proposed Local 148 Water Plant 2016-2017 Agt.pdf](#)  
                              [Local 148 Contract 2013-2016 Agt.pdf](#)

City Manager Bair advised this ordinance is the first of 4 collective bargaining agreements that will be presented tonight in an effort to ratify agreements for the year. He advised this agreement will expire December 31, 2016. This agreement includes a 2% wage increase which is the amount included in the approved budget. The Acting Director's Pay language was removed from the contract. Staff recommends approval.

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

**Aye:**        5 - Kypta, Stehman, Brombolich, Moss, and Miller  
**Nay:**        0  
**Absent:**    0  
**Abstain:**   0

5.        Ordinance Approving Collective Bargaining Agreement with the International Union of Operating Engineers Local 148B (City Hall)



**Attachments:**    [Agenda Item Report](#)  
                          [Ordinance](#)  
                          [Proposed Local 148B City Hall Contract 2016.pdf](#)  
                          [Local 148B Contract 2013-2016.pdf](#)

City Manager Bair advised the Collective Bargaining Agreement with Local 148B represents City Hall employees in the Finance Department. This contract represents a 2% wage increase which was included in the approved budget. For the 2% increase, language regarding Acting Pay has been removed from the contract.

Councilman Brombolich inquired if all of the contracts include back pay to which he advised they are retroactive.

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

**Aye:**        5 - Kypta, Stehman, Brombolich, Moss, and Miller  
**Nay:**        0  
**Absent:**    0  
**Abstain:** 0

6.        Ordinance Approving Collective Bargaining Agreement with the International Union of Operating Engineers Local 520C (Public Works)

**Attachments:**    [Agenda Item Report](#)  
                          [Ordinance](#)  
                          [Proposed Local 520C Public Works Contract 2016 Agt.pdf](#)  
                          [Local 520C Contract 2013-2016 Agt.pdf](#)

City Manager Bair advised this ordinance includes a wage increase of 2% as well as several changes indicated:

- deleting positions of Water Meter Reader and Service Man and consolidating into one classification, Line Maintenance Worker,
- established work hours for employee assigned to service water meters (8:30am-5pm),
- no later than a 48 hour notice to change regular work schedule,
- established that call-outs for weekends, holidays, and non-normal work hours are to be performed by members of the bargaining unit, and
- language was clarified.

Councilman Brombolich inquired if the contract covers all the public works employees except the water plant operator and City Manager Bair confirmed.

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

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

7. Ordinance Approving Collective Bargaining Agreement with the International Association of Fire Fighters (AFL-CIO) Local 2625

**Attachments:** [Agenda Item Report](#)  
[Ordinance](#)  
[Proposed Local 2625 Fire Fighters Settlement Agt.docx](#)  
[Local 2625 IAFF Contract 2013-2015 Agt.pdf](#)

City Manager Bair advised the proposed contract is a 2 year agreement scheduled to expire December 31, 2017. It includes language that specifying the next agreement will also be for a 2 year term, making for all the contracts to expire at the end of 2019. The agreement was arrived through mediated arbitration. Contract includes a 0% wage increase for 2016 with the exception of 2 retiring Firemen, who will receive a 2% increase, while the unit will receive 4% wage increase in 2017.

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

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

**Nay:** 0

**Absent:** 0

**Abstain:** 0

**N. OLD BUSINESS**

**O. CLOSED SESSION**

**P. ANNOUNCEMENTS**

City Clerk Wasser gave the following announcements:

- City Hall will be closed November 24 and 25, 2016 for the Thanksgiving holiday,
- reminder that the November 28 and December 12, 2016 regular Council meeting will start at 7:00pm in the Council Chambers,
- special meeting is scheduled for Tuesday, November 29, 2016 at 6:00pm in the Council Chambers for the purpose of conducting a training session, and
- the second regular Council meeting in December is cancelled.

**Q. ADJOURNMENT**

**A motion was made by Councilman Kypta, seconded by Councilman Moss to adjourn at 8:32pm. The motion carried by the following vote:**

**Aye:** 5 - Kypa, Stehman, Brombolich, Moss, 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.