



City of Collinsville

125 S. Center Street
Collinsville, IL 62234

Minutes - Final

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, November 28, 2016

7:00 PM

Council Chambers

A. CALL MEETING TO ORDER

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

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 Ron Habermehl of Alpha and Omega Church.

D. PLEDGE OF ALLEGIANCE

Recited.

E. PROCLAMATIONS/RECOGNITION/PRESENTATIONS

F. BUSINESS PRIOR TO PUBLIC INPUT

1. Ordinance Amending the Collinsville Municipal Code, Title 17, Zoning (Kennels & Outdoor Storage)

Attachments: [Agenda Item Report](#)
 [Ordinance](#)
 [Staff Report](#)
 [Planning Commission Minutes \(Draft\)](#)

Overview by Community Development Director David Bookless, who advised the proposed amendment addresses the definition of kennel and outdoor storage.

He advised that kennels are currently permitted by right in M-1 districts and then by a special use permit in B-2, B-3, and B-4 districts; whereas, pet care with the exception of veterinary services is permitted by right within B-2, B-3, B-4 and M-1. He explained there has been some inquiries of opening doggie day care facilities in which someone may watch a dog for the day rather than overnight; thereby, making the facility and services similar to that of a kennel. For that reason, staff is recommending to amend kennel definition to include doggie day care or pet sitting and making application for a special use permit required.

Director Bookless advised as past practice the City has allowed for outdoor storage in planned districts at various times with a special use permit; however, the code may prohibit outdoor storage within specific districts. This amendment would be to make it a planned use and would require Planning Commission to review application for recommendation.

Councilman Moss inquired of the various districts and their locations within the City. Director Bookless explained the M-1 district is the manufacturing and industrial areas such as Lebanon Rd. and S. Morrison. B-2, B-3, and B-4 are standard commercial areas such as Beltline Rd., Vandalia and maybe some Uptown area. The amendment would still allow kennels/doggie day care facilities to be in the same area as indicated in prior ordinance but would require recommendation by the Planning Commission and prior Council approval instead of by right. He explained the purpose is to keep from having such facilities opening up in an appropriate zoned location that is next to a residential area.

Councilman Stehman inquired of a dangerous dog ordinance to be considered. He explained a situation in his neighborhood involving a pit bull that continuously got loose and attacked 2 dogs. He previously spoke with Police Officers regarding the situation and indicated a dangerous dog ordinance would be beneficial for the City. City Manager Bair advised such provisions are usually addressed in the nuisance section rather than the zoning code but staff will research dangerous animal ordinances and bring information back to Council for review. Councilman Moss asked that Councilman Stehman is not necessarily referring to prohibiting certain breeds and he indicated he was not specifying breeds but addressing dangerous animals in general.

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

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

Nay: 0

Absent: 0

Abstain: 0

G. COUNCIL DISCUSSION

1. Republic Services Trash Automation Proposal

Attachments: [Republic Services Trash Automation Memo](#)

City Manager Bair introduce Joell Aguirre of Republic Services who will present their automated trash services proposal for the City. He mentioned benefits in going to an automation system as being the reduction of trash trucks on the streets, eliminate an additional route, and potentially going to an on demand bulk pick up service.

Ms. Aguirre gave a brief overview of Republic Services' proposal for trash automation services. She highlighted several benefits of automation with the 95 gallon trash cart such as fixed lids, wheeled carts are provided and more efficient pickup times per stop. She mentioned various acceptable materials for recycling. She spoke of the benefits of recycling.

She explained that currently Collinsville is under a CPI (Consumer Price Index) with regards to waste services but they would like to move us to the WST (Water-Sewer-Trash Index) pricing. The WST index ensures quality service by allowing Republic Services to keep up with inflation related to delivering services.

She presented the cost proposal through the year of 2024 which is a 3 year extension to the current contract. Republic Services is proposing a \$1.35 increase per month for each household to go with trash automation with a cap of 4% increase per year. Each resident will receive a 95 gallon trash cart, up to 2 large item clean ups per year with the date to be determined by the resident, and half price rental for additional trash carts. Ms. Aguirre further explained the benefits to the City with trash automation services to include 2 less trash routes, reduction of wear and tear on streets, overall appearance of City and 2 clean up dates to be scheduled by the individual residents. She also presented price comparison with surrounding communities. She indicated Republic Services will partner with the City to help educate the citizens with communication brochures and recycling efforts.

City Manager Bair explained that Council would need to define multi-family units with a recommendation being 4 units or more would be treated as commercial property and usage of carts would be required versus trash bags.

Councilman Kypta indicated he was not in favor of a price increase for such services.

Councilman Brombolich inquired of the current price and the price increase for 2017 due to the CPI. Ms. Aguirre explained the current price is \$12.30 but will go to \$12.92 in 2017.

Councilman Stehman asked for an estimated CPI increase to the end of the contract in 2021. Ms.

Aguirre said she could do an estimate but the exact CPI increase for each year is unknown.

Councilman Moss mentioned the 95 gallon carts may be too large for some residents and she is not of the price increase. Ms. Aguirre indicated there is a 65 gallon option for those who would like a smaller container.

Mayor Miller spoke of the overall appearance of the City with using uniformed trash receptacles. He likes the idea of each resident being supplied with a trash cart and having the option of different size carts to meet individual needs.

Councilman Brombolich spoke of the benefits of residents scheduling their large trash pick up when it is convenient for them. She also indicated she would like to see the estimated CPI increase for the remainder of the contract.

Ms. Aguirre recapped each Councilman's comments and made notes for requested information. She asked Councilman Moss of a reasonable cost associated with the services to which Councilman Moss indicate she would like to go with automated trash services without a cost increase.

2. Personnel Policies

Attachments: [Personnel Policy Memo](#)
 [Proposed Personnel Policies](#)
 [Prior Personnel Manual with Final Edits 2016.11.07](#)
 [Proposed Employee Handbook with Policies and Procedures](#)

City Manager Bair indicated this is the second discussion regarding the Personnel Handbook and he introduced Michael Lowenbaum of Lowenbaum Law Firm to be apart of the discussion. He indicated the revised draft was previously emailed to Council and enclosed within the agenda.

Overview by Human Resource Coordinator Stacey O'Brien, who advised procedures were removed from the manual so that Council could focus on the employment related policies. She spoke of the proposed personnel policies and proposed employee handbook with policies and procedures that were emailed to Council in draft form.

Councilman Brombolich inquired of several benefits and plans that were not listed in the proposed personnel policy and Ms. O'Brien clarified that the benefits did not change. Councilman Brombolich further inquired of Section 1.04 which states applied to all except those under the jurisdiction of the Fire and Police Commission and Civil Service. Attorney Lowenbaum advised the language may need to be clearer but essentially stating that if the employee is governed by another agreement, such as a union agreement, then the collective bargaining agreement takes precedence.

Councilman Brombolich inquired of the residency requirements and Ms. O'Brien indicated the proposal is to only require the City Manager to live within the City. Councilman Moss indicated she noted the residency requirement change but would like to encourage new employees to consider residency if they move in the future. Mr. Lowenbaum suggested wording residency requirements for

certain staff level employees to be required rather than suggested or encouraged in the policy. City Manager Bair mentioned the 3 positions that he believes should have residency as being the City Manager, Police Chief and Fire Chief and Councilman Stehman was in agreement with those listed positions. A discussion was had regarding residency issues. With Council guidance, H.R. will amend residency requirements within the proposed policy.

Councilman Brombolich inquired of Section 3.01 Employment Definitions with regards to the City Manager's authority to appoint and remove directors and employees not subject to Civil Service and questioned if it should include employees not subject to Fire and Board Commission. Mr. Lowenbaum indicated this is the same wording as previous policy but H.R. will review and amend accordingly. A discussion was also had regarding annual employee performance appraisals and Ms. O'Brien indicated they could have an effect on potential raises.

Councilman Brombolich inquired of Section 4.05 Overtime/Comp Time in that it does not indicate who it applies to (exempt vs. non-exempt). H.R. Coord. O'Brien advised it specifies hourly employees which means non-exempt status.

Councilman Brombolich inquired of the life insurance policy that Department Head employees qualified for based on their annual income. Ms. O'Brien advised she was not aware of such policy but it should be listed as a procedure as to how many each employee qualifies for. Councilman Brombolich also inquired of sick pay benefits upon retirement since it was not specified in the policy but Ms. O'Brien indicated no benefits would change and they were listed within the procedures. It was determined that changes to the wording may be necessary for clarification.

Councilman Moss mentioned the nepotism clause in Section 2.03 and indicated it should prohibit employees from supervising all relatives, regardless of their position as a seasonal or temporary employee.

Councilman Moss inquired of the word "generally" used in describing the gift ban. Mr. Lowenbaum indicated this was from the prior handbook but they can remove the word generally for clarification. She also inquired as the meaning of nominal value as mentioned in the gift ban section. Councilman Stehman suggested having the gift ban wording to mirror that of the state regulations. Councilman Moss suggested banning it all together or specify a dollar amount. Mayor Miller suggested going with the state Gift Ban Act since it is already established and Councilman Brombolich agreed.

Councilman Moss spoke of Section 5.16 Social Networks/Blogging/Forums allowing for limited or occasional use on City equipment. Attorney Lowenbaum indicated the law regarding such use changes frequently but the language is up to date as the law reads today.

Councilman Moss asked for random drug testing to include Council members for reasonable suspicion reasons. She gave an example of an incident that occurred in St. Clair County. A discussion was had regarding Council members not being employees. Mr. Lowenbaum suggested making that a separate policy and not part of the employee handbook.

City Manager Bair concluded that the Council is responsible for adopting the Personnel Policy and to address all comments with H.R. Coordinator O'Brien.

H. SPEAKERS FROM THE FLOOR

Phil Astrauskas spoke of the automated trash service proposal and indicated it is a cost savings to Republic Services. He mentioned having to see trash on the side of the road at various times with individual bulk pick-up schedules. He spoke of his social security increase as only being \$1.72. He asked if Mark Ahlvers' has a City vehicle. He mentioned increasing the Council size by 2 additional members. He spoke of residency requirements for the Public Works Director and the City Clerk.

Robert Thiel inquired of the effective date for the Southwest Corridors TIF and Business District. He mentioned that amount of tax he paid on a purchase he made at Rural King. He mentioned the individual large truck pick-up as being ineffective.

I. COMMENTS & ANNOUNCEMENTS - MAYOR

Mayor Miller spoke of the Thanksgiving holiday and mentioned things he is thankful for. He also mentioned the Christmas season as it approaches.

J. COMMENTS & ANNOUNCEMENTS - COUNCIL MEMBERS

Councilman Moss spoke of the meeting format and configuration of the new Council meetings as being beneficial with the exception of some technical issues.

K. COMMENTS & ANNOUNCEMENTS - CITY STAFF

L. CONSENT AGENDA

Consent Agenda was ready by City Clerk Wasser as follows:

1. Motion to Approve Payment of Bills for the Period Ending November 18, 2016 in the Amount of \$304,176.44

Attachments: [Agenda Item Report](#)
 [Board List 11-10-16](#)
 [Board List 11-18-16](#)

2. Motion to Approve Payroll for the Period Ending November 4, 2016 in the Amount of \$535,351.63

Attachments: [Agenda Item Report](#)
 [Board List 11-04-16](#)
 [Board List - Backpay 11-04-16](#)

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

Nay: 0

Absent: 0

Abstain: 0

M. NEW BUSINESS

1. Ordinance Amending the Collinsville Municipal Code, Title 16, Subdivisions, Regarding Platting Procedures (Minor Subdivisions, Boundary Adjustments and Consolidations)

Attachments: [Agenda Item Report](#)
[Ordinance](#)
[Staff Report](#)
[Planning Commission Minutes \(Draft\)](#)

Overview by Director Bookless indicated the amendment is to provide clarification for the need of City review of all subdivisions, establishment of a minor subdivision procedure with no more than 2 residential lots or up to 4 commercial lots being created and would eliminate the preliminary plat procedure, and to add an administrative approval process for boundary adjustments and/or lot consolidation.

Councilman Brombolich indicated minor subdivision procedures were previously addressed and the City use to sign off on property splits with the County. City Manager Bair advised language in the code regarding minor subdivision procedures must have been changed and Director Bookless indicated there are some cases allowing an individual to go straight to the County to record a property split; therefore, by passing City approval.

Councilman Stehman inquired of the Plat Act and Director Bookless indicate the City is more restrictive than the Plat Act in that someone could create a lot but zoning requirements would restrict what they could do with the lot.

Director Bookless indicate the amendment would make the language of the code more clear and up front. Councilman Stehman inquired of the cooperation level with the County regarding neighboring city limit properties and City Manager Bair acknowledged their cooperation.

Councilman Brombolich indicated subdivision code amendments done normally go before the Planning Commission and inquired of this amendment. City Manager Bair indicated he has always taken

subdivision code amendments to the Planning Commission but not the subject of a public hearing. Director Bookless advised that since the Zoning Code and Subdivision Code are closely integrated it would be beneficial to discuss potential amendments with the Planning Commission.

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

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

Nay: 0

Absent: 0

Abstain: 0

2. Ordinance to Authorize Expenditure and Payment to Ameren Illinois for Gas and Electric Services for the New Water Treatment Plant

Attachments: [Agenda Item Report](#)
[Ordinance](#)
[Ameren Summary of Fees](#)

Public Works Director Dennis Kress advised that in order to avoid the cost of the contractors profit and overhead associated with the installation of utilities at the new Water Plant, Ameren Illinois' fees for the installation of gas and electric services were not included in the original bid. Fees will be paid for with funds accumulated from the 2014 rate increase. These costs are eligible to be included in the loan from EPA at the conclusion of the project; however, fees must be paid in advance for Ameren Illinois to schedule the work. Staff recommends approval for the payment to Ameren Illinois in the amount of \$94,707.30.

Councilman Moss inquired if the electric service will be overhead or buried. Director Kress advised it would be overhead behind Rural King and then buried to the plant.

Councilman Kypta asked if the front lot would have underground electrical services and Director Kress indicated underground services are already in place for that portion of the property.

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

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

Nay: 0

Absent: 0

Abstain: 0

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

Attachments: [Agenda Item Report](#)
[Ordinance](#)
[Hochschild Bloom proposal](#)

City Manager Bair advised that Finance Director Ammann was unable to be present but this is a new item under New Business since it is a new proposal and the previously tabled item will die. At the Council's direction, staff reviewed what the best practices and benefits would be in switching auditors since we have had the same auditor for 20 years. Finance Department recommends Hochschild Bloom and Company as the new auditor with a 4 year term.

Councilman Moss indicated this was a wise decision and mentioned that the State of Illinois requires their department to rotate auditors every 2 years but Director Ammann explained why that is not ideal.

Councilman Brombolich indicated some confusion as to why a new recommendation was brought to Council and wanted to encourage staff to make recommendations based on their expertise. City Manager Bair advised that prior Councils took into consideration with going with the least expensive options and that understanding may have played a role in the initial recommendation.

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

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

Nay: 0

Absent: 0

Abstain: 0

N. OLD BUSINESS

O. CLOSED SESSION

Mayor Miller announced a closed session for discussion in accordance with 5 ILCS 120/2(c):

2. Collective bargaining

5. The purchase or lease of real property

11. Pending or Threatened or Imminent Litigation

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

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

Nay: 0

Absent: 0

Abstain: 0

P. ANNOUNCEMENTS

City Clerk Wasser read the announcements.

The City is offering free yard waste disposal on Saturday, December 3 from 8am until 3pm at the Street Garage, 850 S. Morrison Ave. Leaves and yard waste must be in paper yard waste bags. This services if available for Collinsville residents only with proof of residency required.

Q. ADJOURNMENT

A motion was made by Councilman Kypta, seconded by Councilman Brombolich to adjourn at 8:48 pm. 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.