

**Harrisburg City Council Meeting
Council Room, City Hall
Harrisburg, Illinois
Regular Meeting
September 6, 2018
6:00 PM**

The Harrisburg City Council met on September 6, 2018 at 6:00 pm in the Council Room of City Hall Harrisburg, Illinois.

Mayor John McPeek presided over the meeting with Commissioners Beth Montfort, Natalie Miller, Richard Harper and Mike Weirauch answering roll call.

Pastor Laurie Fields from the First Presbyterian Church led the group in prayer and the pledge.

Mayor McPeek:

- Announced Harrisburg Class of 1961 will be conducting a Vietnam War Commemoration on September 21 at 6:00 pm at the American Legion.
- Announced the Rt. 13 Bypass stop light will be operable by the end of the month
- Ask again for everyone to stop littering and keep grass clippings out of the street.

Commissioner Harper made a motion to approve the following items under the Consent Agenda:

1. Regular Meeting Minutes of August, 2018.
2. Check Register and Warrant Report for August 2018.
3. Bill from Illini Asphalt for asphalt in the amount of \$83,910.58 to be taken out of MFT.
4. Bill from Brown & Roberts for toe drains engineering bill in the amount of \$2,940.00.
5. Bill from Brown & Roberts for preliminary estimates for Mill Street extension south of Sloan in the amount of \$448.00 to be taken out of Council Contingency.
6. Bill from Brown & Roberts for detention basin information in the amount of \$638.45 to be taken out of IEMA.
7. Bill from LaFarge for rip rap in the amount of \$1,621.61 to be taken out of MFT.
8. Lake of Harrisburg:
Request to Relinquish:

Allen Lane - Fourth Addition, Lot 4

Commissioner Weirauch seconded. By roll call vote, all voted yes. Motion carried.

Jim Brown from Brown & Roberts stated the Corps had concurred with the closing of the levee toe drains and had approved the method for the closure. A bid opening had been held for the project and Mott Excavating was the only bidder at \$19,600.00. Commissioner Harper moved to accept the \$16,900.00 bid from Mott Excavating for the closure of the toe drains. Commissioner Miller seconded. By roll call vote, all voted yes. Motion carried.

Brown reminded Council they were reviewing the cost estimate from last meeting on the Mill Street extension south of Sloan. He asked if Council wanted to proceed with the project and authorize him to prepare his Engineering Agreement. Commissioner Harper moved to authorize Brown & Roberts to

prepare an Engineering Agreement for the extension of Mill Street south of Sloan. Commissioner Miller seconded. By roll call vote, all voted yes. Motion carried.

Mayor McPeek stated the proposed water contract with Saline Valley Conservancy District was in the packet. Commissioner Harper stated he had some questions about it and some things need to be defined or added or deleted. Commissioner Miller stated it was a lot closer but would like to wait until next meeting to vote on it. Commissioner Weirauch stated he was satisfied with the contract. Commissioner Harper stated he had several concerns:

Page 2 - A. 1 - Minimum “20 million gallons per month”. He acknowledged the possible closings of those places listed. He stated the City will be replacing much of its water infrastructure and it is losing customers on a regular basis. He asked if it was possible this minimum could be too large at some point in time prior to the passing of 40 years.

“Minimum shall be reduced in the event and to the extent that water usage by the IYC, HMC, Saline County Housing Authority, Raleigh Water District, Saline County Housing Authority Saline County Detention Center and/or any other major water user.” He stated he was concerned about loss of population also.

“Hardness of water shall not exceed 200 milligrams per liter”. He did not know if 200 is a good number.

Page 3 - 2 - “Point of Delivery and Pressure. That water will be furnished with enough pressure to fill the elevated storage tank.” He referred to the Minutes of the July 6, 2017 meeting of the Harrisburg City Council which stated that 80 psi was agreed upon by Mr. Wilson, Engineer Brown, Commissioner Harper and Superintendent Hefner. He stated that should be reflected in this contract.

3 - “Metering Equipment.” He stated the last paragraph states “The parties acknowledge that Seller’s waterline serving its customers east of Harrisburg” and asked for clarification as to whether that referred to customers that live east of Harrisburg or customers whose water source is off the line serving those customers who reside east of town. He noted that Mitchellville Water District is taped on this line and SVCD is their emergency water supplier.

“Receives back pressure from Purchaser’s water system (Harrisburg). This arrangement shall continue unchanged for as long as required by seller.” He stated the City cannot deliver pressure without also delivering water. He continued that since the City is delivering water also at this point, this should not be treated any differently than how this contract treats pass through water at the Liberty/Ledford tap. The meter serving this line should be replaced. It was not replaced when the Liberty/Ledford meter was replaced. He asked why SVCD decided that the City of Harrisburg will continue to provide free delivery of water to all those customers. He asked if SVCD is requiring any other purchasers to provide free services for SVCD and, if so, he would like them to be named and a list of the free services they provide for SVCD.

5 - “Pass Through of Water to Other Customers of Seller.” He stated that customers residing east of Harrisburg, which includes Mitchellville Emergency Water Supply tap, should be included here and a

meter placed at this connection and the City should receive pass through revenue for this service. He stated it was no different that the service the City provides for the Liberty/Ledford connection.

7- “Allocation of Storage Capacity.” - He asked if 300,000 gallons per day was enough and how did the City know it exists.

Page 5 - B -2 - “Exclusive Supply.” - He stated this clause needs to be amended because the City needs an emergency supplier.

C - 1 - “Terms of Contract.” He stated there was no need for a 40 year contract. He stated the reason for this had been given that it was required for bonding but IEPA loans and other financing are only for 20 or 30 years. He stated the rest of the sentence reads the contract “may be renewed or extended for such term, or terms, as may be agreed upon by the Seller and Purchaser.” He asked, if it can be renewed, then why it has to be started at 40 years.

2 - “Failure to Deliver.” Commissioner Harper wanted “operate and maintain its system in an efficient manner” defined. He stated in this section the City loses control of its own water in its own towers. He stated that, during an emergency, the City should be able to conserve our own water because what is delivered to the east is not addressed.

Page 6 - 3 - He stated a specific time for increases needs to be identified because “by Seller from time to time” was unclear. He asked if that meant any time the Seller wants, even two or three times a year. He also wanted a definition of “adequate depreciation fund” and “proper reserve fund”.

5 - He stated this section should be deleted completely because SVCD has no need to use the City’s bike path as the City provides a pass through for their customers at the Liberty/Ledford tap.

Commissioner Harper stated this contract is much better than the previous contract. However, he needed more time to compare it to the original.

Commissioner Harper noted that Saline Valley had one well shut down due to contamination.

Commissioner Harper stated the City has hired HMG Engineering, Inc. to conduct a Water Supply Feasibility Study to help answer the questions of what is the best possible source of water for the citizens of Harrisburg. He stated he believed Council should wait until the results of the study are completed and presented to Council and the citizens of Harrisburg before signing any contracts concerning the City’s future water source and/or sources. He added that HMG needed a copy of this contract to help in evaluating the possible role SVCD might play in the City’s future water needs.

Commissioner Harper stated the contract does not need to be signed at this meeting and Council should take time to study it more and possibly take care of some of the problems he had listed.

Commissioner Weirauch stated there was no need to nick-pick the contract and the study could be used for a secondary source consideration. Commissioner Weirauch moved to accept the contract as is.

Commissioner Montfort seconded. By roll call vote, Commissioners Montfort and Weirauch and Mayor McPeek voted yes. Commissioners Miller and Harper voted no. Motion carried.

Commissioner Weirauch moved to authorize the Clerk to advertise the properties as listed in the packet. Commissioner Miller seconded. By roll call vote, all voted yes. Motion carried.

Fire Chief John Gunning stated there had been a fire at 201 South Shaw in January of this year. The City is holding a check for \$8,500.00 that can be used to demolish the house. He stated the demolition could be done next week contingent upon Attorney Bittle looking at the Statues and the agreement.

Commissioner Harper moved to authorize Attorney Bittle to prepare the necessary paperwork for the demolition at 201 South Shaw. Commissioner Miller seconded. By roll call vote, all voted yes. Motion carried.

Alene Carr from Southeastern Illinois Regional Planning addressed Council regarding the Public Hearing held prior to the meeting for a potential Brownfield grant for the City. She referred to the Professional Consulting Agreement in the packet which was with the company that would be conducting the cleanup. She stated her office would be assisting with the application and processing. She stated the contract is for \$2,500.00 plus expenses. Commissioner Montfort asked if that came out of the grant and was told no. Carr explained that the \$2,500.00 does not have to be cash but could be City manpower, equipment or City administrative time. Commissioner Harper moved to enter into an Agreement with CAID Group. Commissioner Weirauch seconded. By roll call vote, all voted yes. Motion carried.

Attorney Bittle stated the code change item on the Agenda required no action.

Superintendent Kelly Hefner informed Council that one of his trucks had caught on fire and Bliss McKnight has deemed it a total loss. The claim will be for \$17,500.00. He had found a replacement through Jim Hayes which would cost an additional \$24,499.00. Commissioner Weirauch moved to authorize Superintendent Hefner to proceed with the purchase. Commissioner Montfort seconded. By roll call vote, all voted yes. Motion carried.

Commissioner Miller moved to pass Resolution 18-0906 an Illinois Department of Transportation Road Closure Request for the Homecoming Parade on September 20. Commissioner Montfort seconded. By roll call vote, all voted yes. Motion carried.

Commissioner Montfort stated the Fire Department and the Police Department were continuing with their training. She stated Chief Morris would be working closely with the County to combat crime.

Commissioner Weirauch stated he wanted to direct Clerk Wofford to request IMRF dollar figures on early retirement. Commissioner Miller stated that, if there would be no savings to the City, she would not want to do it.

Commissioner Weirauch stated the City had acquired the property at 422 West Lincoln and torn down the house that was there. He stated the School District could definitely use the property for a parking lot. He moved to authorize the Mayor to sign the Intergovernmental Agreement with Unit 3 and the deed for

422 West Lincoln. Commissioner Miller seconded. By roll call vote, all voted yes. Motion carried.

Superintendent of Harrisburg Unit 3 Schools Mike Gauch, along with West Side Principals Kim Williams and Eric McCollum and School Board Member Jonathon Russell, addressed Council to thank the City for the donation. He stated it would be formally approved at his Board's meeting next week. He stated they would immediately begin the work to make it into a very much needed parking lot and greatly appreciated the donation.

Gauch stated he also wanted to thank the Mayor and Chief Morris for working with him on safety issues. He stated the school was bringing in an off-duty Officer to be in the buildings during the day but there was an extra need he wanted to bring to Council's attention. He was aware of a retired State Police Officer that he wanted to team with the City to utilize him. Gauch stated the Officer was not able to carry a gun in the school unless he is sponsored by the County or the City. He stated concerns about insurance and workmen's comp had been addressed and the school had no problem signing a waiver. He wanted to meet with whomever to discuss it further. Commissioner Montfort stated she had asked Bill Ghent to attend to address possible insurance issues. Ghent stated that both the school and the City have their professional liability with Bliss McKnight. He stated if there would be any incidence where the Officer is in a City uniform, the City would be involved with any possible lawsuit. His question if the Officer would be an independent contractor or an employee loaned is being looked into by the schools insurance representative. Ghent stated an intergovernmental agreement was needed. Gauch stated the school would enter into any kind of agreement that would absolve the City of any responsibility. Ghent pointed out the City would get drug into any legal action. He stated any injury should be on the school's workmen's comp. Gauch stated, after talking the Attorney Bittle, that would be a grey area and it needed to be worked out. Ghent stated responsibility of the retired officer would be all on the school. He suggested that all parties concerned meet to discuss the idea further to prevent anyone from getting into an uninsured predicament.

Commissioner Harper moved to adjourn to Executive Session discuss Possible Litigation and Personnel. Commissioner Weirauch seconded. By roll call vote, Commissioners Montfort, Harper and Weirauch and Mayor McPeek voted yes. Commissioner Miller voted no. Motion carried.

Adjourned 6:42 pm.

Reconvened: 7:03 pm.

Mayor John McPeek presided over the reconvened meeting with Commissioners Beth Montfort, Richard Harper and Mike Weirauch answering roll call. Commissioner Natalie Miller was absent.

Mayor McPeek stated there was no action on Possible Litigation or Personnel.

Commissioner Harper moved the meeting be adjourned. Commissioner Weirauch seconded. By roll call vote, all voted yes. Motion carried.

Adjourned: 7:03 pm.