

THE CITY OF MOMENCE

Momence, IL 60954

MICK PORTER, Mayor
JENENE HENSON, Clerk
MARGARET PETERSON, Treasurer

ALDERMEN

Diann Denton	Richard Kupferer
Bonnie Straley	David Cook
Nova Metz	Mark Lesyna
Charles Steele	Steve Puglise

MOMENCE CITY COUNCIL Monday, July 16, 2012 Council Meeting

Time: 7:30 P.M.

The City Council Meeting of the City of Momence was held in the Council Chambers at 123 W. River Street, Momence. Mayor Mick Porter called the meeting to order.

ROLL CALL

Roll was called by the Clerk with Aldermen Metz, Steele, Kupferer, Cook, Lesyna and Puglise present. Also present was Mayor Mick Porter. Alderman Straley and Denton were absent.

APPROVAL OF PREVIOUS MEETING MINUTES

Alderman Cook made a motion to approve the Regular Session minutes of the July 2, 2012, Council Meeting as presented. Alderman Kupferer seconded the motion with Alderman Metz, Steele, Kupferer, Cook, Lesyna and Puglise voting yes.

APPROVAL OF THE BILLS

The bills were discussed at tonight's Budget and Finance Committee Meeting. Alderman Kupferer made a motion to approve the bills for payment. Alderman Metz seconded the motion with Alderman Metz, Steele, Kupferer, Cook, Lesyna and Puglise voting yes.

CITIZEN FORUM

CallOne presentation done by Kenneth Chemers, Senior Account Executive. No equipment change, no interruption, services lines, problems (24 hour service). Distributed packet to council members. A 36 month contract was suggested. Savings were discussed: One year contract 19%, 2 year contract 25% and 34% for 3 year contract. There is no penalty to leave At&T. Cost of service charge of \$127.08, which would cover lines. T1 line point to point City of Momence and Kankakee County Sheriff's department cannot be switched until contract complete in 2014, can save 20-30% once switched in 2014.. Mayor Porter called Bourbonnais, Kankakee and Manteno all stated that service was good. Sign into long term contract with Mayor only having one year left on his term was questioned and stated that it would be fine because contract between City of Momence and CallOne. Department breakdowns were discussed. Phone numbers do not change. Internet analysis was discussed. Internet lines will not be affected by this change. Phone equipment will need to be replaced eventually. No vote was taken.

OLD BUSINESS none

ALDERMANIC REPORTS

Alderman Steele: Discuss/Vote 2012 MFT Maintenance Program. Resolution for MFT Funds, several streets for \$15,075, spray patching and \$6,000 for sidewalk repairs. Authorization needed for Mayor Porter to sign resolution to get sent to IDOT (Illinois Department of Transportation). Alderman Steele made a motion to pass a resolution for MFT funds. Alderman Kupferer seconded the motion with Alderman Metz, Steele, Kupferer, Cook, Lesyna and Puglise voting yes. Resolution #154.

Alderman Cook: Assembling a Master Plan Implementation Committee was discussed and suggested that it be chaired by David Cook with members to include: Diane Denton, Betty Dionne, Anne Dionne, and John Sokol. Mayor Porter questioned whether to appoint or treat as a working group and it was decided to treat as a working subcommittee group.

Alderman Lesyna: Discuss and vote on Driving or Riding on Sidewalks ordinance. Alderman Lesyna stated that changes were that no person shall operate any motorized vehicle upon a downtown business district sidewalk, all shall yield the right of way to any pedestrian and persons operating a motorized vehicle has permission to be on the east sidewalk of Dixie Highway from East Ohio Street to East River Street. Alderman Lesyna made a motion to pass an ordinance amending an ordinance regulating driving or riding on sidewalks within the city limits. Alderman Kupferer seconded the motion with Alderman Metz, Steele, Kupferer, Cook, Lesyna and Puglise voting yes. Ordinance # 737.

Discuss and vote on the 2012 Appropriation Ordinance. An email was received from the City's attorney stating that Council has not had a public hearing for the Appropriation Ordinance and it cannot be passed without having a public hearing. Special Council meeting to be held on July 30, 2012, at 6:30PM with an Appropriation Ordinance Public Hearing at 6P.M. Tabled appropriation ordinance until public meeting/special council is held.

DEPARTMENT HEAD REPORTS

Chief Swanson: Concern of commercial vehicles parking on city streets. Chief to work with Ordinance Chairman Alderman Lesyna to implement an ordinance to limit some on the weights on City streets.

TREASURER REPORT – Treasurer Becky Peterson none

MAYORAL REPORT

Discuss and vote on the ICC Grade Crossing Protection Fund application. Aaron Toliver with ICC (Interstate Commerce Commission) contacted City Hall regarding closing railroad crossing (Ash and Maple Streets). The initial plan was to redo railroad crossing adding gates. Access is at Ash and Maple streets, if close Maple then will only have one access. Proposing a north side access Maple to Locust. Preliminary information from engineer is \$125,000-130,000 to build cheap access road with majority on railroad easement. Location of arms mechanism would prohibit straight line road. Possibly need to acquire land from adjacent owner. Mayor Porter stated that City cannot afford to pay for the access road. However, there is a fund to assist with this, applying for fund

would pay for entire cost of the road. Detailed road plan from engineer would be needed. If grant were accepted/awarded, this would be refunded. Engineering costs were questioned (minimal \$25,000–\$50,000). This street would have to meet all IDOT guidelines. Removal of Maple Street crossing top priority for railroad company. Minimize danger by reducing number of railroad crossings in town. Engineering fees are reimbursable, potential benefit to residents. Right now there are no lights at either crossing. Residents were in favor of losing Maple street crossing, if it meant acquiring another crossing. Mayor Porter to talk to adjacent property owners.

Presentation by NIMEC regarding steps involved in placing utilities referendum on ballot. David Hoover, director of NIMEC, opportunity for municipalities to help local residents purchase power and lower costs of utilities bills. Kankakee and Bradley have done this for their residents at 4.5 to 4.8 cents per kilowatt hour. Decision for Council to pass an ordinance to place municipal aggregation referendum on the ballot. Next opportunity for the referendum to be voted on would be in November. Allows Council to act as a purchasing agent on residents' behalf. Commonwealth Edison would still be delivery agent. It was stated that Com Ed makes money on delivery only. Com Ed acts as a pass through. NIMEC would go out to bid, find a lower price of power. Mayor Porter stated that Kankakee reported a savings a \$200-\$300 a year savings per household. Steps involved: get on ballot, people decide if they want. August 20 would be the date to inform County Clerk (Bruce Clark's office), pass a board ordinance prior to August 20. Ordinance placed with County Clerk (Bruce Clark's office), then put on ballot. 2. Public Hearings to make community aware of referendum. NIMEC acts as a broker if contracted by the City. No interruption in service. Difference : if referendum passes, program in place, inform residents, if they do nothing they are automatically included in program but have an opportunity to opt out. Rates: www.pluginillinois.org website, see list of all individual offers. Aggregation only applies to those on Com Ed, others that have chosen another program are not included. Volume attracts better pricing. Municipality will enter into an agreement, use NIMEC for a term (1, 2 or 3 year). Residents are mailed an informational sheet explaining pricing. If they do nothing they will be included, they have 2 opportunities to opt out. NIMEC has draft ordinance and will help put together mailings, assist in informational process. Small business is defined as an account less than 15,000 kilowatt hours per year. Above 15,000 not eligible for this program. They will present bids for 1, 2 and 3 years. Council has to decide if they want to present to the residents. Put on agenda for July 30, special meeting.

Discuss and vote on authorization to execute an Intergovernmental agreement with the State of Illinois to enroll in the State's Debt Recovery Program. Program needs authorization to enter into intergovernmental agreement with MCSI. They keep track of all debts that are owed. Alderman Kupferer made a motion to approve Mayor Porter entering into an intergovernmental agreement with MCSI. Alderman Metz seconded the motion with Alderman Metz, Steele, Kupferer, Cook, Lesyna and Puglise voting yes.

Discuss and vote on removing the No Parking signs between Pine & Elm Streets. Because there was a baseball diamond that was used by kids and is no longer used. It was decided to table this until further discussion with Chief Swanson. Alderman Kupferer made a motion to table removing the No Parking signs until discussion with Chief Swanson. Alderman Metz seconded the motion with Alderman Metz, Steele, Kupferer, Cook, Lesyna and Puglise voting yes.

Discuss and vote on the recommendation of Zoning Board of Appeals regarding the variance request for side yard fence 425 Railroad Avenue. Meeting held July 12, 2012, discussion north side yard, installed prior to obtaining variance. Requested a 44 feet variance for existing fence, after

placing privacy and picket fence, Mr Vickery submitted request to meet with Zoning Board of Appeals, At July 12 meeting a motion was made and passed from Zoning Board of Appeals to deny request. Building Inspector has not signed off on fence. Chief talked to Mr. Vickery regarding issue of being past side yard. Mr. Vickery stated his concerns: Received permit, Picket fence runs even with the side of the yard, Project started about 3 months ago. Mr. Kerouac stated his concerns: January filed citizen's complaint, to clean up property in violation of city codes for having junk. Some was cleaned out. In February, privacy fence started going up, no variance and no permit. Request for building permit was dated June 4, for fence installation, doesn't believe blue prints were given at that time. Permit was for a 6 foot high fence. Picket fence then went up, without a variance, which was needed because it went past the back yard. The fences were built without the permits in place. Mr. Vickery replaced a four foot fence with a 6 foot fence. Mr. Vickery is stock piling materials to build a 4 car garage. The 44 foot picket fence is what is in question. Alderman Steele stated that the City issued the permit and the building inspector failed to do his job to inspect. Picket fence went up at a later time. Determination has to be made as to whether council needs to agree with Zoning Board of Appeals' denial of request. Chief Swanson stated that it does not obstruct views as safety issue. It is in violation of the ordinance because it goes past the back of the house. Alderman Metz feels there needs to be a fine in place. Mayor Porter stated fines have been issued in the past, double the cost of the permit. First thing to do is either agree with their recommendation or go against it.

Alderman Puglise made a motion to accept recommendation of the Zoning Board of Appeals to deny the variance request for the picket fence at 425 Railroad Avenue. Alderman Lesyna seconded the motion with Alderman Metz, Kupferer, Cook, Lesyna and Puglise voting yes. Alderman Steele voted no. Chief Swanson made recommendation that City come up with some kind of a time frame to remove fence (30 days). Alderman Metz made a motion that the fence needs to be removed within 30 days unless steps are taken toward a review of the situation. Alderman Cook seconded the motion with Alderman Metz, Steele, Kupferer, Cook, Lesyna and Puglise voting yes.

Alderman Lesyna called a Budget and Finance Committee meeting for 7:15P.M. on August 6, 2012.

EXECUTIVE SESSION-none

Alderman Metz made a motion to adjourn the meeting. Alderman Kupferer seconded the motion with Alderman Metz, Steele, Kupferer, Cook, Lesyna and Puglise voting yes.

Meeting adjourned at 9:15P.M.

Respectfully submitted,

Jenene Henson, City Clerk