

The City Council of the City of Aledo met in Regular Session in the Council Chambers of the City Hall building on February 1, 2010. ACTING MAYOR HUNTER called the meeting to order at 7:48 P.M. The roll was called, whereupon the following answered present:

Aldermen TAB BALMER, JR., MICHAEL BAUGHER, TERRY BEWLEY, BARRY COOPER, RICHARD HUNTER, RANDY MATTSON, RICHARD MAYNARD and ROBERT RILLIE.

Also present were JANICE GREEN, City Administrator, J. MICHAEL SPONSLER, Chief of Police, STEPHEN MOLLER, Director of Public Works & Utilities, MARK WALTON, City Attorney, and JAROD DALE, City Clerk.

An attendance sheet has been marked Exhibit “A”, attached hereto and made a part of these minutes. The media was represented by Jim Taylor of WRMJ, and Cathy Decker of the Times Record.

COMMITTEE OF THE WHOLE

The meeting was opened in prayer by Pastor Daren Dietmeier, Trinity Presbyterian Church.

Appearances: **Jenny Garner of MERGO** appeared before the Council to present information on the comprehensive housing profile for Mercer County and jurisdictions within. The study period was November 2008 – December 2009.

John Harms of National Public Gas Agency (NPGA) appeared to give insight on the supply agreement that will be up for renewal in April, 2010. In 1993, the City of Aledo entered into a gas supply agreement with Merchant Division of ANR pipeline which eventually became an El Paso Merchant Energy contract. In 2001 NPGA acquired the supply agreements from El Paso Merchant Energy.

Currently, the City of Aledo has a spot price contract with NPGA and Mr. Harms offered another consideration of a group hedging program. The primary goal of the LPP hedging program is to reduce rate volatility. The LPP rate is a cost averaging program that periodically places hedges with the goal of converting approximately 50% of each month’s purchases to fixed prices. The LPP program currently hedges gas purchases up to 36 months into the future.

The Public Gas Partners (PGP) gas supply program is a joint action group whose members are large municipal utilities or join action groups such as NPGA. PGP participants will receive their pro-rata share of production from the acquired assets in return for paying their pro-rata share of costs. Under the program, PGP will acquire gas reserve assets and issues bonds for the acquisition of such assets. NPGA’s view that

when economic periods of time are good for producers, PGP will yield benefits. Conversely, during periods of time that are not good for producers, PGP will likely produce very little benefit. The PGP program is an opportunity to capture some of the profit margin currently embedded in the producer segment of the industry.

ALD. Rillie inquired on the liability side of the PGP gas supply program. Mr. Harms noted that PGP is the owner but under the contract there is an obligation to buy the gas that is produced at the cost that it is produced. Mr. Harms noted that he would provide communication with PGP in regards to the liability of entering into the supply program.

Pam Myers of Aledo Main Street informed the Council that the 2010 Main Street Farmer's Market will be downtown Aledo each Thursday beginning June 10th and ending October 14th, from 4:00 p.m. to 6:00 p.m.

Ms. Myers also appeared to discuss and get an idea for support of matching dollars on a quarterly basis to market the community. Looking to pool resources between the City and businesses to invest 50 to 100 dollars to market through billboard ads, T.V. ads, and papers.

Acting MAYOR Hunter requested that she speak with local business owners to see who would be interested in being involved.

Fire Chief Dennis Litwiler of the Aledo Fire Department appeared to inform the Council on a fire station construction project. A potential location desired by the fire protection district is the east portion of the former Henderson Auto Sales property. The property was acquired by the City in December of 2009. It was noted that a fire station construction grant will be made available soon and an option provided through the stimulus plan but noted that ground must be obtained and construction plan in place before one can proceed with the grant. There is a time issue with the grant and applications must be filed by March of 2010.

The grant would cover the demolition of the building that presently exists on the property but would not cover environmental issues if any.

Potentially the fire district is looking to build a firehouse 130 feet in range with four double-deep bays and a meeting room situated on the west side of the building. A parking lot would sit on the west side of the building and the building would sit back 60 to 70 feet off of the highway and would not create any traffic hazards. Mr. Litwiler has been a member of the fire protection district for the past 32 years and has served as Aledo Fire Chief for the past 5 years.

Proclamation- National Entrepreneurship Week: Acting MAYOR HUNTER read the proclamation proclaiming the City observe and recognize February 21 – 28, 2010 as National Entrepreneurship Week.

Communication and Correspondence:

Requests & Petitions:

Administrative Report: CHIEF Sponsler submitted the Aledo Police Department Activity Report and mentioned during the ice storm the Emergency Weather Plan was in affect and the first warming station opened was the Aledo Fire Department and the second being the V.F.W. The decision was made to rent a portable generator for the V.F.W. and arrangements were made to transport the generator to the warming station site. Meetings were held every 4 hours with a representative from Ameren-IP present or available via phone that provided updates on the progress and work during the power outage.

A committee is being formed by Jennifer Hamerlink, the Emergency Management Director, to study how to fund the purchase of a generator for the V.F.W. and any other options to be considered. A second goal was noted to work with WRMJ to get a generator for the transmitter site so the public can be kept informed and is a concern due to the radio station being a main source for communication to residents.

DPW Moller reported:

- 325 tons of salt have been spread so far this winter with 150 tons available in storage.
- Staff responded to many complaints regarding loss of power and limb branches down blocking roadways.
- Well No. 5 has gone into failure mode and the Travelers' Insurance Group has been contacted for the filing of a claim. A new well motor has been ordered and will hopefully be up and running in the next few days.
- EPA report regarding the sewer/main break last fall and Missman Stanley & Associates has been contacted regarding the requirements the EPA is requesting to provide.

Committee Report:

ALD. Baugher set the Public Property Committee Meeting and will be held on Thursday, February 11th, 2010 at 6:00 o'clock p.m.

ALD. Cooper reminded the Council the next Tax Increment Financing (TIF) Committee Meeting will be on Thursday, February 4th, 2010 at 6:00 o'clock p.m.

REGULAR COUNCIL SESSION

Following the Pledge of Allegiance to the Flag,

ACTION ITEMS

APPROVAL OF MINUTES:

Motion was made by ALDERMAN RILLIE and seconded by ALDERMAN COOPER to approve the meeting minutes of February 1, 2010 as read. Roll call vote was recorded as follows:

YES: Balmer, Baugher, Bewley, Cooper, Hunter, Mattson, Maynard and Rillie. NO: None. Motion carried. 8 yeas, 0 nays.

FINANCE: INVOICE LIST:

Motion was made by ALDERMAN RILLIE and seconded by ALDERMAN BALMER that the Invoice Listing, which has been marked Exhibit “B”, attached hereto and made a part of these minutes, be approved and checks issued. Roll call vote was recorded as follows:

YES: Baugher, Bewley, Cooper, Hunter, Mattson, Maynard, Rillie, and Balmer. NO: None. Motion carried 8 yeas, 0 nays.

APPROVAL OF NORTHWEST SANITARY SEWER ENGINEERING CONTRACT:

DPW Moller reported that Mike McCaw of Missman Stanley & Associates agreed to begin Part 1 (Engineering Study of the Existing Sanitary Sewer) and Part 2 (Smoke Testing of Sanitary Sewer) of the engineering study and Part 3 to be considered at a later date (Flow Study of Existing Sanitary Sewer) and be reviewed after the completion and results of Parts 1 and 2.

Motion was made by ALDERMAN BALMER and seconded by ALDERMAN BAUGHER to approve the first two portions of the engineering study done by Missman Stanley & Associates. Part 1 the engineering study of the existing sanitary sewer at a cost of \$6,050.00 and Part 2 the smoke testing of the existing sanitary sewer at a cost of \$3,500.00. Roll call vote was recorded as follows:

YES: Bewley, Cooper, Hunter, Mattson, Maynard, Rillie, Balmer, and Baugher. NO: None. Motion carried. 8 yeas, 0 nays.

MAYOR’S REPORT

Acting MAYOR Hunter reported that he had received calls expressing the opinion to not give up on taking houses out of the Tax Increment Financing (TIF) district.

OLD BUSINESS

CITY ATTORNEY Walton provided an ordinance amending the provisions for liens for unpaid gas bills and the new language being underlined within the ordinance. CITY ATTORNEY noted this is not a formal agenda item and looking for consensus from the Council to have on the next council meeting on 02/15/10.

The additions read as follows:

The City Clerk may record a notice of lien in the office of the Mercer County Recorder of Deeds in the event the outstanding balance on any account that is delinquent by more than thirty (30) days exceeds two hundred dollars (\$200.00), and the City Clerk shall record a notice of lien in the office of Mercer County Recorder of Deeds in the event the outstanding balance on any account that is delinquent by more than thirty (30) days exceeds three (3) times the monthly average gas bill for such account over the preceding twelve-month period.

A consensus is to have on the agenda as an action item for 2/15/10 regular council meeting.

NEW BUSINESS

ALD. Maynard moved to adopt an on first reading and waive the second reading for an ordinance to amend the Aledo Tax Increment Financing Project regarding the property located at 115 Northeast 2nd Street, Aledo, IL., Lot Eight (8) in Block Fifty-Four (54) of the Original Town, now City of Aledo, Mercer County, Illinois.

CITY ATTORNEY Walton noted that this should actually be done as an action item when on the agenda and could be placed as an action item for the regular council meeting held on 02/15/10.

ALD. Baugher inquired whether this would violate the contiguity of the TIF district.

ALD. Cooper expressed uncertainty of ALD. Maynard and ALD. RILLIE discussing and proposing the ordinance for the amendment of the TIF Redevelopment Project as a conflict of interest to be either direct or indirect.

ALD. Bewley asked for an interpretation of indirect and CITY ATTORNEY Walton gave an example being, “the property is owned by a corporation and you would be the primary shareholder of the corporation, you as an individual don’t own the property but you own the corporation that owns the property, would be indirect”.

ALD. Rillie did not agree and noted that the property was owned by his wife and tax dollars were not generated by his residence for the TIF district.

ALD. Maynard inquired whether there is a conflict of interest in him potentially inheriting property in the future or with his wife owning property currently in the TIF district. CITY ATTORNEY Walton reported that it would depend on how the real estate was titled and is a complicated inquiry in talking about an indirect interest. There is case law that states that spousal interest is not necessarily an indirect interest and how it was titled to the spouse and the circumstances. Also, CITY ATTORNEY Walton would need more facts first before making a clear decision.

Motion was made by ALDERMAN MAYNARD and seconded by ALDERMAN RILLIE to adjourn to closed session to discuss:

- A. Pending/possible litigation (Section 2(c)(11) Open Meetings Act and**
- B. Personnel (Section 2(c)(1) Open Meetings Act and**
- C. Purchase of Real Estate (Section 2(c)(5) Open Meetings Act.**

Roll call vote was as follows:

YES: Hunter, Mattson, Maynard, Rillie, Balmer, Baugher Bewley, and Cooper. NO: None. Motion carried. 8 yeas, 0 nays. The meeting was recessed to closed session at 8:19 P.M.

Council reconvened in open session at 9:04P.M. Roll call was taken with the following answering present: ALDERMEN BALMER, BAUGHER, BEWLEY, COOPER, HUNTER, MATTSON, MAYNARD, and RILLIE, as well as, CITY ADMINISTRATOR GREEN, CITY ATTORNEY WALTON, and CLERK DALE.

ADJOURNMENT: There being no further business, motion was made by ALDERMAN RILLIE and seconded by ALDERMAN MAYNARD that the meeting be adjourned. Unanimous voice vote followed in agreement. Meeting was adjourned at 9:05 P.M.

Jarod Dale, City Clerk

Minutes approved by Council action February 15, 2010.

Jarod Dale, City Clerk