

AGENDA

A regular meeting of the Wood River City Council was called to order by Mayor Tom Stalcup at 7:00 p.m. on Monday, September 16, 2024, in the Council Chambers at City Hall, 111 N. Wood River Avenue, with the recital of the Pledge of Allegiance. The Clerk called the roll and reported that the following members were:

PRESENT: David Ayres
Bill Dettmers
Jeremy Plank
Scott Tweedy
Tom Stalcup

and that a quorum was present and in attendance.

APPROVAL OF MINUTES:

Councilman Tweedy moved to approve the minutes of the regular meeting of September 3, 2024, as printed, seconded by Councilman Ayres, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

APPROVAL OF BILLS:

Councilman Ayres moved to approve the bills submitted for payment for the period August 29, 2024, to September 11, 2024, as printed, seconded by Councilman Tweedy, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

APPROVAL OF THE FINANCIAL STATEMENT:

Councilman Dettmers moved to approve the Financial Statement ending August 31, 2024, as printed, seconded by Councilman Plank, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

CITIZEN/CITY OFFICIAL COMMENTS:

Bill Rogers stated that he would like to comment on the Personnel questions on the agenda because the problems still exist. He stated that Police Chief Wells said in an editorial three years ago, that he was not doing his job in the public sector which is called dereliction of duty. Mr. Rogers stated that Chief Wells is also working two full-time jobs for the City, which violates the City Council statements a year ago and is grounds for termination. According to Mr. Rogers, Officer Johnson allowed his officers to kidnap his mother out of her home three times. His officers not only aided and abetted but participated. He should not be allowed to work for the City until his alleged retirement. Officer Buerke should not have been allowed to work for the City until he left for another jurisdiction. Officer DeSherlia acts like it is an imposition to investigate incidents targeting those he does not like. Mr. Rogers stated that he will not comment on Hoefert and Burns due to pending litigation. Officer Younker thought acting like big ethel was appropriate, and he spoke against her promotion due to her misconduct and was arrested for doing so. In a more recent incident, Officer Timmins was dispatched to an incident in January and told Mr. Rogers he would call him back for updates, but he did not do that. Squad Car marked with 168 saw Mr. Rogers at Petro Mart and tried to incite an incident, then pulled to the pumps and repeatedly through his loudspeaker said "What's my name" referring to himself. Mr. Rogers stated that was more harassment. Public Safety sat at the corner for several hours for two days during the last week of December 2021 and two days during the first week of January 2022. Mike Roper brought Officer Greene to Petro Mart and failed to keep a mandatory distance and was only there for harassment, bullying, and intimidation. The day after his mother passed away, he was walking to church and was stalked by a cop. At least half the cops should be up on charges if not in jail or prison with theft of his funds, civil rights violations, three counts of grand theft auto, kidnapping, and elder abuse. He stated he and his family have been targeted by City employee misconduct long enough. Fire them or resign, that goes for the City Manager and the Chief of Police. How many lawsuits is it going to take to get the message across, union or not, government employee or not, they can be fired. Mr. Rogers worked for a government entity that was a union job and he saw it happen to coworkers. Retaliation will result in appropriate action being taken and if they get a chance for rebuttal on anything he said he will get a chance to respond, and it comes out of the City's time.

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June Gibbs stated that recently she has seen on social media where elected government officials have been actively involved in trash pickup in the community. As the efforts are good for the betterment of the community, she has noticed that they are aligning themselves with the concept that it is a chain gang. Ms. Gibbs then stated that Mayor Stalcup is the one who is doing so. She does not know if the Mayor is ignorant, insensitive, or a racist. So, she took the time to give a brief history of chain gangs. Almost half a century after the Civil War, the southern states with a largely black population, made up two models of outdoor convict labor, the prison farm and the chain gang. Chain gangs flourished throughout the south. During the 1920's and the 1930's chained prisoners, mostly black, were commonly seen along the roadways in Georgia. Southern states encourage others to follow their lead. The race factor enhanced the enthusiasm of the chain gang for the good road movement. To a southern black prisoner, there was little difference between being a slave on a plantation or as a chained prison worker on the roads. They became slaves of the state. The atrocities shifted from the private sector to the state sector. Black prisoners labored and slept together with chains fastened through their feet and around their ankles. The rations were infested with maggots. With an armed white guard, the black convicts slaved from sunup to sundown. Brutalities and corporal punishment including beatings with a leather strap and thumping with rifle butts and clubs were commonplace. Major atrocities such as the staking treatment in which they chained inmates between stakes and poured molasses over them while bees and white flies crawled over them. Also, they used the sweat box treatment where they locked a prisoner into a wooden box for days that was not high enough to stand nor deep enough to sit while the temperatures exceeded 100 degrees. Also, they used what was known as the Georgia Rack, where they stretched the inmate between two hooks with a cable and turned a crank. Between constitutional issues, labor reform, and help from the media, chain gangs were eliminated. Ms. Gibbs stated that this is history Mayor Stalcup, so as he embraces this for a mere photo op, she hopes he remembers what was said this evening. She feels the Mayor should issue a public apology.

Mayor Stalcup stated that what he needs to know from Ms. Gibbs is if his ignorance is so high then will Ms. Gibbs be making the same trip down to the high school telling the football team and the chain gang down at the football field the same story.

Ms. Gibbs stated that she did not know that they were going to be doing it, it is not just you Mayor.

Mayor Stalcup asked Ms. Gibbs if she knew what a chain gang is for a football game.

Ms. Gibbs stated that she knows what a chain gang is along the roadway.

Audrey Dettmers stated that the TIF agreement proposed tonight, item seven on the agenda, should not have one aye vote tonight. As of Monday, September 16, 2024, at 8:00 a.m., the Illinois Secretary of State considered Wood River Revival LLC's status to be involuntary dissolution. In other words, the person identifying as Wood River Revival ignored their obligation to make contact with, we the people's representative, the Illinois Secretary of State. It could be easily identifiable for the purpose of commerce. The obligation was ignored for eight months. Ironically, during the afternoon today, the status for this corporate entity has changed to active. Besides the issue of corporate status, Wood River Revival had not paid their 2023 property taxes until Friday, September 13, 2024. However, on Saturday morning when looking at the Madison County property tax website, it showed that they were still in arrears. These taxes are for last year and the first installment was due in July and the second installment was due Tuesday, September 3, 2024. Given that information, she asked the Council, do noble righteous men justify contracting with a corporate entity that is negligent or would men that acquiesce to the proposal before you be termed desperate harlots. Furthermore, the City's agents, Ms. Weber, Mr. Palen, and Mr. Wells who also swore an oath to the Illinois Federal Constitutions need reprimanded as it should be embarrassing to this Council that basics like corporate status, property taxes, and good standing were not confirmed prior to Thursday, September 12, 2024, when the agenda was posted. This is the second time this year that we the people had to correct our public servants before entering unlawful contracts. This TIF District has and always will be dead. The Council can attempt to artificially ignite what would be classified as small business commerce but 10 to 20 million dollars over 23 years cannot revive that issue. The problem is opportunity cost. The enticement of globalization of commerce and a reduction on organically lifting up one's community caused this issue. Until Wood River has a significant amount of people who value local versus Amazon and Walmart prices, there is no hope. Ms. Dettmers stated that the Councilmen are the biggest reason Wood River is surviving solely on the one percent sales tax that was recently passed. Until they collectively, as in three or more of the Council, start to analyze every dollar spent with the City of Wood River's funds, the City will not have anything more than a working poor class tax base.

Mayor Stalcup congratulated Mickey Sabolo on having the highest revenue month in August in the past 30 years. Mr. Sabolo and his crew have done an excellent job this year at Belk Park.

The Concert in the Park will be held at Central Park on Friday, September 20, 2024, from 6:00 p.m. to 8:00 p.m., featuring Trent Thrun and Matt Gadeken.

The Wood River Food Truck Festival will be held on Sunday, September 22, 2024, from 1:00 p.m. to 4:00 p.m. in Downtown Wood River on Ferguson Avenue and Whitelaw Avenue. There will be live music, shop specials, and food trucks.

Mayor Stalcup stated that it has come to his attention that there are concerns about the TIF program for Downtown Wood River. He would like to shed some light on what TIF is and how it is used in Wood River.

Tax Increment Financing, or TIF, is a common program used in municipalities to fund economic growth and community development. TIF uses increased property taxes from the district and is used to pay for these improvements.

TIF funds are not just handed over to businesses or developers. After applying for TIF and being approved by the City Council, work begins on the project. Funds are distributed after the project is completed and after the City officials have gone through the project and have approved all the work done and financial records. In some cases, TIF is distributed in phases, meaning as one phase of construction is complete, and funds will be distributed for that phase only. Unfortunately, not all plans go smoothly, and business owners pull out of projects leaving an empty building looking for a new tenant. In those cases, TIF funds are not disbursed. He understands the frustration some people have about the speed these projects are moving. Everyone wants to see progress and completion of the many projects downtown. Unfortunately, some of the buildings being rehabilitated have been left in disrepair for many years and it has taken more manpower, funds, and time to finish these projects. In 2022, with the help of residents, Wood River completed a new Comprehensive plan. This plan included infrastructure, housing, parks, the downtown area, and the rest of Wood River. TIF was included in this plan to spur economic growth in the Wood River Downtown District; a copy of this plan is available at City Hall and the Wood River Library. Please rest assured that the TIF Committee and City Council have the best interest of the citizens in mind when approving TIF agreements, the City looks forward to the completion of these projects and the economic growth that comes with it.

He stated that if anyone has any questions or concerns, please reach out to the Mayor or the City Manager.

Finance Director Karen Weber explained that when a TIF application is received, her first step is to review the project to ensure it meets the criteria for TIF eligibility. She then thoroughly examines the supporting documents, including cost breakdowns, to analyze the amount requested and assesses whether the project would be beneficial for the City. Once she has completed this analysis, she presents the details to the other TIF committee members, where they discuss payment options and the feasibility of the request.

If the applicant agrees to the proposed terms, she forwards the application and payment information to the City Attorney for legal review. While the application is a useful starting point, many applicants find it difficult to provide all the necessary information without help. In such cases, she gathers additional details through phone calls or in-person meetings to clarify any uncertainties or omissions.

It is important to note that a formal TIF application is not required by state statute, and she views it as the beginning of a broader conversation with the applicant. Ultimately, the only binding document is the final agreement approved by the City Council. The TIF Committee's goal throughout the process is to ensure the City is negotiating deals that will attract new businesses and enhance existing ones, all in the best interest of the City of Wood River.

She also emphasized that there is no financial risk to the City until a TIF payment is made. Agreements specifically state that no payment will be issued if the business owes money to the City. Additionally, the check is cut to the entity specified in the agreement, so if a business is dissolved, they would not receive any payment. TIF agreements inherently carry some degree of uncertainty in the early stages, which is why the City includes protections in the agreement to safeguard the City's interests.

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As someone who lives, works and invests in this community, Director Weber is deeply committed to doing her best for the City. She believes the TIF committee shares this dedication, and together they strive to fulfill the goals of the TIF district and advance the growth of Wood River. She understands that there may be concerns about the thoroughness or thoughtfulness of the TIF committee's work. She assured citizens that the TIF Committee takes these agreements very seriously and puts a great deal of care into ensuring they are in the best interest of the City.

Councilman Dettmers asked the Mayor to repeat what he said about the payments to be made to the TIF applicants.

City Manager Steve Palen stated that he thinks it was upon completion of the project.

Councilman Dettmers stated that it was something else that was said.

Mayor Stalcup stated that funds are distributed after the project is complete and after the City officials have gone through the project and have approved all the work done and financial records. In some cases, TIF's are distributed in phases meaning as one phase of the construction is complete funds would be distributed for that phase only. Unfortunately, not all plans go smoothly, and the business owners pull out of the projects.

Councilman Dettmers stated that tonight there is a change in the language that he has not noticed before. When he joined the City Council a little over a year ago, he had a meeting about TIF with Chris Sobrino who was the head of the Finance Department, the City Treasurer, and on the TIF Committee. Mr. Sobrino was adamant that no TIF payments would be made to any business, currently or in the future if the building is vacant. In the agreement tonight, that language has changed. He asks that the Council make an amendment to that agreement to put it back to what it was before. The change would give the City Manager the discretion to make payments even if the building is vacant at any time in the future, and he does not agree with that. Chris Sobrino did not agree with that, he assured Councilman Dettmers that he would never approve a TIF agreement that did not have language in it that prohibited payment to a building owner who had a vacancy. That was one of the tools he felt was very important that the City had, and Councilman Dettmers agreed with him on that. The City should not be making payments to any building owner who does not have an occupant in their building. Those are some big changes that are being presented in this agreement. He would like to propose an amendment to put it back to what it was before.

Secondly, Councilman Dettmers stated that he has struggled with TIF. He has been in Downtown St. Louis at Laclede's Landing, where although they did not use TIF, back in the 1970's and 1980's, the federal government approved a 25% federal tax credit for the rehabilitation of old historical buildings. That is how Laclede's Landing got developed. After the new ballpark, it was a thriving community. After the St. Louis Cardinals built the new ballpark, the City of Saint Louis entered into an agreement to give the St. Louis Cardinals substantial sums of money to develop Ballpark Village not too far from Laclede's Landing. Laclede's Landing today is desolate, and it is because of Ballpark Village. The City government of Saint Louis granted millions of dollars to the Saint Louis Cardinals to develop their complex and the tax dollars shifted from Laclede's Landing to Ballpark Village. He does not believe that was a positive development. All it did was move the businesses and the tax dollars from one business district to another. He sees a similar situation with TIF. He suggested that the City do a comprehensive economic impact study to determine what TIF would mean to the City, but he has not gotten a response to that. He has several concerns with TIF but one of his main concerns with TIF is if the City has development in the Downtown District, with the incentives that are being given to businesses to come here, all it is going to do is take tax dollars from other businesses already in Wood River and put them out of business like what happened with Laclede's Landing. His second concern with TIF is speculators. He is not opposed to speculators, there is a time and place for them. He has voted for TIF dollars for businesses who own their building because he wants to see these business owners who are putting dollars into their buildings succeed. He would like to see more businesses come into Wood River to invest in buildings and get TIF dollars to develop their business. However, these speculators are coming in and buying all the buildings, they are increasing the value of these properties which makes it unsustainable to get brick and mortar businesses to come to Wood River. If there is a speculator who had an anchor business that proved that it would not interfere with other businesses in Wood River, he thinks the City of Wood River would be successful. He has had several discussions about people bringing in different things in the Downtown District, but he has not seen it happen yet. Whenever there are vacant buildings in Downtown Wood River or anywhere in a small area, it is not good whether they are old buildings or rehabilitated buildings that are vacant. A vacancy is a vacancy, and it is not good.

Councilman Dettmers stated that he has some real concerns about how the City is operating TIF and he is not convinced that TIF is the right thing to use to develop the City of Wood River.

Councilman Tweedy stated that he appreciates what Councilman Dettmers said about Laclede's Landing and Ballpark Village, but that is not the entirety of the story. When the City of St. Louis redid the Arch grounds, there was one way in and one way out of Laclede's Landing and the City admitted that it took many years to redo the Arch grounds but that was part of the reason for the economic downfall of Laclede's Landing.

Councilman Dettmers stated that the economic downfall occurred long before they shut down Second Street and the other egress and the way in and out of Laclede's Landing.

Councilman Tweedy stated that he understood. He does not necessarily disagree with any economic studies that the City can do and move forward, but he has heard Councilman Dettmers bring up Ballpark Village before and he does not feel like that is the whole story.

Councilman Dettmers stated that what they are doing now, is putting in lofts where nightclubs used to be, and they are hoping to bring in some barber shops and small stores because it is going to be a community where people will be living, and they are going to grow organically in the Laclede's Landing area. The death of Laclede's Landing was not within the last five years when they changed the roads, it was ten years ago when Ballpark Village was built.

Councilman Plank stated that roughly half a million dollars will be going into rehabilitating the building at 87 E. Ferguson that is deteriorating at this point and someone is going to invest their money into developing the building and if they do not have tenants in the building, they are the ones losing on the rental income, so they would be naturally inclined and motivated to find lessees for the building. Besides the fact that there is a building that is vacant and will suddenly be cleaned up and improved for someone to come along and not just lease it, but if they wanted to sell it to somebody else then the City has improved value in that building. Councilman Plank stated that he thinks this is a positive thing and he is hoping this goes forward.

Councilman Tweedy stated that he thinks it is a step in the right direction, to let a building sit and deteriorate is not the answer.

City Manager Steve Palen clarified that this will be the first time the City would be approving a TIF agreement for white boxing a building so that probably explains a little bit of why Chris Sobrino said what he did because at that time the City was not doing that. After talking to several surrounding communities that have TIF Districts in place that have been white boxing buildings for a long time, they have seen great results once it is white boxed, and almost immediately somebody is interested in the building. It is different than what we have done before but his personal opinion is that it is worth it.

Councilman Plank stated that he does think it is important to be up to date on their state requirements for filing for LLC, but he thinks it is more important before making a payment to them or a reimbursement payment, not necessarily before making the agreements in the beginning. In some cases, people buy parcels not understanding that the taxes have yet to be paid. It is easy to understand that someone could buy a property, the City makes a TIF agreement with them, and then they pay the taxes after that agreement has been put in place. They have to understand that everything has to be done before the City will issue a payment. Again, there is no risk in it for the City until a check is cut.

Councilman Dettmers stated that he does not think that is the situation on this one.

Councilman Ayres stated this is the third time in a year that an organization or business has come before the Council to ask for funds, whether TIF or other funds. One did not fill out the application completely and two of them had incorrect information at the time the applications were submitted. With this current application, it was submitted with information that the City would not have approved if the Council had known about it, such as back taxes and an inaccurate business name change. In his opinion, this should never be on the agenda. These things are to be discovered and investigated before they ever get to the agenda.

City Manager Steve Palen replied that none of those issues would have stopped the application from leaving the TIF committee to come before the Council. He does not believe the business license information is on the application and the other question about property taxes is on the application,

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and they said the last time they were paid was 2021, so it was not incorrect information. The application was complete, and it is up to the Council if the application gets approved or not. As Councilman Plank said the only risk the City has is once the City cuts the check, and those things will be verified before the check is cut. It happens many times, that developers buy buildings that have back taxes and Cities still proceed with TIF agreements because someone is not going to want to develop a property if they have not purchased the property yet, especially if the property is already eligible for TIF, they are not going to pay someone else's taxes until they have an agreement in place or until they have bought the building.

Councilman Dettmers stated that City Manager Steve Palen said that the developer disclosed on the application and Councilman Dettmers surprised a member of the TIF Committee with that information. He does not know if City Manager Steve Palen was aware of it but the member of the TIF Committee was not aware that they had not paid their taxes yet. He then asked why the agreement states that property taxes must be paid yet tax delinquency is going on and the Council is not being told about it.

Director Weber replied that she does not think City Manager Steve Palen was saying that the Council should know what is not being told to them rather that is why that language is in the agreement because while it is on the application, the developer stated that the last taxes paid were in 2021. A payment will not be issued per the TIF agreement until it is verified that those taxes have been paid.

Councilman Dettmers stated that he does not think the Council should be voting on anything when it is for someone who has not paid their taxes and cannot even operate in the State of Illinois. He does not think that is smart at all and he would be very shocked if anybody agreed with that.

Councilman Plank stated that like he said before as long as it is verified before the City cuts a check that taxes have been paid, not necessarily before the City makes an agreement with them because there is an expectation and there is no risk in it for the City until a check is cut. If they have invested half a million dollars in the building to improve it, all the City has to do is check and see if they paid the taxes and if it is paid then they get their check. It is incumbent upon them to pay their taxes, late fees, and everything else that goes along with paying property taxes. The City still has an improved building with half a million dollars in it, which might get tenants in it, might produce sales tax, and might produce employees walking Downtown. It is on the developer if they pay their taxes or not, and if he wants to be reimbursed for \$245,000.00 then he is going to go pay his taxes.

City Manager Steve Palen showed the Council some drawings of examples to do in Downtown Wood River. One of the drawings is the lot at the corner of Ferguson Avenue and Wood River Avenue which shows outside seating, a bandstand, cornhole stations, and places to sit and eat. The boundary is a wall with bollards that are six feet apart to protect the area from a wayward car. The entire site would be protected. The other one is the dog park, and to the left will be the restaurant, Gauchos. There will be a parking area at the back for people who will utilize both the park and the restaurant. City Manager Steve Palen stated that the City had someone do the layout of the dog park and they did a good job. Heartlands helped the City with these layouts, and they put together a pretty good package for the City. Please let City Manager Steve Palen know if there are any questions now or in the future. This is something he wants to proceed with relatively soon.

City Manager Steve Palen stated that one of the items on the agenda is for personnel, so he asked Human Resources/Payroll Specialist Kayla Hosford to come forward to explain item number six on the agenda.

Human Resources/Payroll Specialist Kayla Hosford explained the changes in the personnel manual being presented to the Council.

Councilman Plank asked Ms. Hosford if everything is consistent with the union contracts.

Ms. Hosford asked if Councilman Plank was talking about health insurance.

Councilman Plank replied in the affirmative, he wants to make sure that there were no conflicts.

Ms. Hosford replied that the only thing that would be in conflict would be the 90% pay, they still do the 90% pay on the Fire Department contracts and the Public Works contracts.

City Manager Steve Palen stated that they still come in at a reduced rate according to their contracts, we are eliminating coming in at 90% pay in the personnel manual, but employees are still on probation for a year.

Ms. Hosford replied that everything else matches the union contracts.

Councilman Dettmers stated that he was surprised to see some of the positions the City used to pay for, like the school crossing guards. He assumed the school would pay for something like that.

City Manager Steve Palen stated that he had never seen one in the City, but it was in the personnel manual, and therefore needed to be removed.

Councilman Dettmers stated that he had talked to a couple of people over the last few years who lament the fact that the City no longer has concerts in the park during the summer. He thought of that while he was reading about the band director, the manager, and the band members. He asked what kind of expenses the City was incurring regarding that and why was it removed.

City Manager Steve Palen replied that the total cost was around \$12,000.00 to \$15,000.00 for a summer and there was relatively poor attendance.

Councilman Ayres stated that he attended many of them and there was poor attendance.

City Manager Steve Palen asked Fire Chief Wade Stahlhut to give an update on the issue with one of the fire trucks.

Fire Chief Wade Stahlhut stated that on Friday, September 13, 2024, the Fire Department was dispatched with the Edwardsville Fire Department to an apartment complex fire. During that incident one of the Wood River fire trucks had an engine fire that got into the cab of the fire truck. It was the fire truck that was due to be replaced. An order was put in for a new fire truck in November of 2022 and was supposed to arrive in July 2024 and now it is projected to arrive in May of 2025. The truck that caught on fire is permanently out-of-service until the insurance evaluates the apparatus and determines how to move forward. In the meantime, the Fire Department has a loaner truck that has been provided by Sentinel Fire Equipment. Once Chief gets more information from the insurance company, he will update the Council.

ORDINANCE NO. 24-20: ORDINANCE AMENDING THE CITY CODE 90-7, TITLE III: ADMINISTRATION, CHAPTER 36: PERSONNEL POLICIES, SECTION 36.01 ADOPTION BY REFERENCE, CHANGING RULE 3: CLASSIFICATION OF POSITIONS, RULE 4: EMPLOYMENT, RULE 8: BENEFITS, RULE 9: LEAVES OF ABSENCE, RULE 10: MEETINGS/CONFERENCES AND TRAVEL, AND APPENDIX IV: TITLE VI PLAN:

Councilman Plank moved to approve an ordinance amending the City Code 90-7, Title III: Administration, Chapter 36: Personnel Policies, Section 36.01 Adoption by Reference, changing Rule 3: Classification of Positions, Rule 4: Employment, Rule 8: Benefits, Rule 9: Leaves of Absence, Rule 10: Meetings/Conferences and Travel, and Appendix IV: Title VI Plan, seconded by Councilman Dettmers, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)

NAYS: None (0)

ORDINANCE NO. 2909: ORDINANCE AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH DAN KAMMERER, ON BEHALF OF WOOD RIVER REVIVAL, FOR TIF FINANCIAL ASSISTANCE AT 87 E. FERGUSON:

Councilman Plank moved to approve an ordinance authorizing the execution of a Redevelopment Agreement with Dan Kammerer, on behalf of Wood River Revival, for TIF Financial Assistance at 87 E. Ferguson, as submitted by the TIF Committee, seconded by Councilman Tweedy

Councilman Ayres stated that he would like a revision made on Page Five, Section Four, Paragraph (d) of the agreement, to eliminate where it says, "At City's request". He thinks the developers should annually provide information about taxes and everything else. The City should not have to ask for it.

City Attorney Mike McGinley stated that if he is not mistaken, the actual redevelopment agreement it goes to great lengths to talk about the developer has to pay all real estate taxes, sales taxes, basically anything and everything due and owed to the City, to the state, to the federal government.

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In addition, the City has the right to ask for any additional information that the City may want to feel comfortable about issuing the first check to the developer.

Councilman Ayres asked why the City must ask or go out to a developer to get information and why is it not a standard that the information should be annually submitted to the City.

City Manager Steve Palen replied that the first part of the paragraph refers to evidence that they have paid their taxes.

Councilman Dettmers stated that what he thinks Councilman Ayres is saying is he wants to put the responsibility on the developer to send a copy of the property tax receipts to the City. This makes it optional unless the City asks for it, and he does not want to make it optional especially if the developer is getting recurring payments. Once the developer has their money, he is not worried about it. The developer should turn the documents over to show that he complies with the City and that the developer is authorized to operate in the State of Illinois. He thinks that the TIF Committee should require that language in the application, requiring that those documents be turned over to verify the information.

City Attorney Mike McGinley stated that if Councilman Dettmers is going to make changes to the language, then changes should be made to the actual development agreement, not the application. The application is not what will be legally enforced. The development agreement itself is if there is anything that needs to be looked at from a policy standpoint, but if you want to require them to submit that every single year as part of their TIF payment then you can certainly make that decision. In the past, when the developer signed the agreement, they are saying that they would have everything that is required completed, and if not then they would be in breach of the agreement and the City would not have to pay them.

Councilman Ayres stated that with how our government works, they may slip through the cracks, or the City may not have the information or have the desire to request those for six months to a year. If it is automatic, then the City will not have to worry about it because the information will be given annually.

Councilman Plank stated that the trigger is the City cutting the check.

Finance Director Karen Weber asked Councilman Ayres if he is proposing that if they do not automatically provide this, the agreement is void and the City does not pay them.

Councilman Ayres stated that it should be mandatory that during the agreement, they annually give the City these reports.

Director Weber replied that she does not necessarily disagree with that, and she does request the information annually. Her concern is if we take out "At City's request" if the developer forgets to send it in January when it is due, would this be void and the City cannot cut a check when they typically would or does the City call the developer and have them send in the receipt to get their check.

City Attorney Mike McGinley replied that is how the language is intended to flow, and the word "shall" is used instead of "may", "developer shall provide evidence that the real property tax bill has been paid for the property for the applicable tax year". He likes to give the person who is cutting the check the discretion to do whatever it is they need to, to make sure that this person has complied with everything that they are supposed to do, and if they have not then they do not get their money and then we can ask them to do more. He does not want to get in the middle of a policy decision, he is just trying to explain how the language is supposed to flow.

Councilman Dettmers replied that he thinks he understands the City Attorney's point but he has to agree with Councilman Ayres because if Director Weber does not request it, he is going to get the money.

City Manager Steve Palen replied that Director Weber will request it before she would make a payment.

Councilman Plank stated that the second sentence says, "developer must supply City with sales, rent, tax."

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Councilman Dettmers replied that it is for sales tax, not property tax. He wants to add a provision that they must be authorized by the Illinois Secretary of State to operate in the State of Illinois.

Councilman Plank replied that he does not think that as a City we would want to be babysitting businesses, but he thinks the good trigger is when the payment is made. That is where the language should be, and this seems sufficient for that particular procedure.

Councilman Dettmers replied that it does not cover all the points that are being addressed. They are only obligated to turn over the sales tax and not obligated to verify that their business is registered to operate with the Illinois Secretary of State nor are they obligated to turn over the property taxes on a building that the City is giving them money for.

Councilman Plank stated that the language currently in the agreement states that it is at the City's request. Councilman Dettmers replied that the language is the disagreement. He does not want the City to have to request it, he wants the developer to turn it over because he is required to turn it over to get the money. It puts the responsibility on the building owner, Councilman Dettmers does not want to give money to someone who cannot take care of their paperwork. He does not want to be addressing this issue with someone who cannot keep their corporation set up with the Secretary of State and cannot pay their property taxes on time. The City should not be giving hundreds of thousands of dollars to people who cannot take care of the basics of their business.

Councilman Tweedy asked if we could remove the three words "At City's request" and move on. Councilman Dettmers replied that more language should be added.

City Manager Steve Palen replied that the way it is written is exactly the way it is intended to be because when the payment is made, Director Weber requests the information from the owner.

Councilman Dettmers stated that the Council has the decision to make changes if they so choose. He wants to change it, and he wants to make another change too, he then asked Councilman Ayres if he wanted to make a motion and Councilman Dettmers will second it.

Discussion ensued regarding how to amend the TIF agreement.

Councilman Plank made a motion to amend the approval of an ordinance authorizing the execution of a Redevelopment Agreement with Dan Kammerer, on behalf of Wood River Revival, for TIF Financial Assistance at 87 E. Ferguson, as submitted by the TIF Committee, removing "At City's Request" on Page Five, Section Four, Paragraph (d) of the agreement, seconded by Councilman Tweedy, and the amendment was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

Councilman Dettmers made a motion to amend the approval of an ordinance authorizing the execution of a Redevelopment Agreement with Dan Kammerer, on behalf of Wood River Revival, for TIF Financial Assistance at 87 E. Ferguson, as submitted by the TIF Committee, adding a requirement that in order to receive a payment, the developer must provide documented proof that they are authorized to conduct business in the State of Illinois with the Illinois Secretary of State's Office, seconded by Councilman Ayres, and the amendment was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

The approval of an ordinance authorizing the execution of a Redevelopment Agreement with Dan Kammerer, on behalf of Wood River Revival, for TIF Financial Assistance at 87 E. Ferguson, as submitted by the TIF Committee, with both amendments, was approved by the following vote:

AYES: Ayres, Plank, Tweedy, Stalcup (4)
NAYS: Dettmers (1)

RESOLUTION NO. 2083: RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF WOOD RIVER AND DEPENDABLE CLEANING SERVICE FOR CLEANING SERVICES AT CITY HALL AND PUBLIC SERVICES BUILDINGS:

Councilman Tweedy moved to approve a resolution authorizing an agreement between the City of Wood River and Dependable Cleaning Service for cleaning services at City Hall and Public

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Services Buildings, as submitted by the Director of Public Services, seconded by Councilman Dettmers,

Councilman Dettmers stated that he noticed this is just for City Hall and the Public Services Department. He then stated that a lot of people were hired for the Recreation Center and the Roundhouse. He brought up at a previous meeting about maybe consolidating, is there a reason why the City is not consolidating the Recreation Center. If the City is going to outsource the cleaning services, then maybe it would be advantageous to get some bids to see if money could be saved on the Recreation Center as well.

City Manager Steve Palen replied that the City looked into that but with the hours and the manpower that the Recreation Center currently has, those employees are not going to be able to take on the cleaning services at Public Services and City Hall.

Parks and Recreation Director Pat Minogue stated that with the Recreation Center and the Roundhouse having two part time maintenance workers, they both need to stay under a thousand hours which is roughly 20 hours a week, so they do not have time to go elsewhere.

Councilman Dettmers stated that maybe he should have rephrased it a different way. Maybe the City needs to look at outsourcing the cleaning services at the Recreation Center to an independent contractor and see if the City can save some money that way.

Mayor Stalcup replied that the comparison should be done. The Parks and Recreation Department is using part time employees right now and they have been long-time employees who do a good job. He asked Director Minogue if they could be used in several different aspects of the business other than just cleaning.

Director Minogue replied in the affirmative. He stated that over a year ago they looked at some other places to see what it would cost to contract out cleaning the Recreation Center and it is definitely more expensive than what they are paying the two part-time employees.

Councilman Dettmers replied that maybe in a couple of years the City can take another look at it and see if there is a way to save money at that time.

The resolution was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

RESOLUTION NO. 2084: RESOLUTION AUTHORIZING ASSIGNMENT OF TELECOMMUNICATIONS RIGHTS-OF-WAY ACCESS AGREEMENT AND ATTACHMENT AGREEMENT FROM EVERSTREAM GLC HOLDING COMPANY LLC TO UNITE PRIVATE NETWORKS-ILLINOIS LLC:

Councilman Ayres moved to approve a resolution authorizing assignment of Telecommunications Rights-of-Way Access Agreement and Attachment Agreement from Everstream GLC Holding Company LLC to Unite Private Networks-Illinois LLC, as submitted by the Director of Public Services, seconded by Councilman Dettmers, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

APPROVED: RECOMMENDATION TO ACCEPT THE BID FOR EMERGENCY AND MAINTENANCE PEST CONTROL SERVICES FOR CITY FACILITIES FROM ROTTLER PEST SOLUTIONS:

Councilman Plank moved to approve a recommendation to accept the bid for emergency and maintenance pest control services for City facilities from Rottler Pest Solutions, as submitted by the Director of Public Services, seconded by Councilman Tweedy, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

APPROVED: RECOMMENDATION TO ACCEPT THE BID FOR EMERGENCY AND MAINTENANCE PLUMBING REPAIRS FOR CITY FACILITIES FROM GRP/WEGMAN:

Councilman Tweedy moved to approve a recommendation to accept the bid for emergency and maintenance plumbing repairs for City facilities from GRP/Wegman, as submitted by the Director of Public Services, seconded by Councilman Ayres, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

APPROVED: RECOMMENDATION TO ACCEPT THE BID FOR GENERAL EMERGENCY AND MAINTENANCE ELECTRICAL REPAIRS FOR CITY FACILITIES FROM CAMP ELECTRIC AND ENGINEERING, INC.:

Councilman Ayres moved to approve a recommendation to accept the bid for general emergency and maintenance electrical repairs for City facilities from Camp Electric and Engineering, Inc., as submitted by the City Manager, seconded by Councilman Tweedy

Councilman Dettmers asked City Manager Steve Palen for an explanation on why he is recommending both bids. He then asked how the City is going to determine when the City is using one company versus the other company.

City Manager Steve Palen explained that the City has some specialized facilities in particular, the Water Plant and the Wastewater Plant. It will be up to each Department Head to decide which company to use depending on the scope of work. City Manager Steve Palen stated that he spoke to the City Attorney, and the City Attorney feels like this is a comfortable way to do this by accepting both bids for electrical repairs.

The recommendation was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

APPROVED: RECOMMENDATION TO ACCEPT THE BID FOR SPECIALIZED/LEGACY EMERGENCY AND MAINTENANCE ELECTRICAL REPAIRS FOR CITY FACILITIES FROM GRP/WEGMAN:

Councilman Dettmers moved to approve a recommendation to accept the bid for specialized/legacy emergency and maintenance electrical repairs for City facilities from GRP/Wegman, as submitted by the City Manager, seconded by Councilman Ayres

Councilman Dettmers asked City Manager Steve Palen for another explanation on why he is recommending both bids.

City Manager Steve Palen explained that Camp Electric will be who the City will use for some of the general and routine electrical repairs. The City will use GRP/Wegman for the specialized and legacy repairs.

The recommendation was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

APPROVED: RECOMMENDATION TO ACCEPT THE BID FROM CSR CONSTRUCTION IN THE AMOUNT OF \$116,890.00 TO ROTOMILL AND RESURFACE THE CART PATHS AT BELK PARK GOLF COURSE:

Councilman Plank moved to approve a recommendation to accept the bid from CSR Construction in the amount of \$116,890.00 to rotomill and resurface the cart paths at Belf Park Golf Course, as submitted by the Director of Parks and Recreation, seconded by Councilman Dettmers

Councilman Tweedy asked how far this will go towards getting the paths done.

City Manager Steve Palen explained that the budget for the paths is \$300,000.00 and this price is just to mill it and lay it and the City will purchase the asphalt. They City purchasing the asphalt saved quite a bit of money in the overall project cost. The City anticipates just over \$200,000.00 for the asphalt which puts the total cost a little over \$300,000.00 but the City is in communication with

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the contractor about some opportunities to save a little more money to get it down to \$300,000.00. To answer Councilman Tweedy's question, hopefully all of the paths will be completed.

The recommendation was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)

NAYS: None (0)

CLOSED SESSION:

Councilman Plank moved to approve a recess to hold a closed session to discuss matters pertaining to Personnel (5 ILCS 120/2 (c)(1)), seconded by Councilman Dettmers

Councilman Dettmers asked to move across the hall to hold the closed session.

The closed session was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)

NAYS: None (0)

The Council recessed at 8:10 p.m. and reconvened at 8:18 p.m.

Councilman Ayres made a motion to go back into open session, seconded by Councilman Dettmers, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)

NAYS: None (0)

RESOLUTION NO. 2085: RESOLUTION AUTHORIZING THE EXECUTION OF GENERAL RELEASE AND SETTLEMENT AGREEMENT WITH MIKE MEYERS:

Councilman Tweedy moved to approve a resolution authorizing the execution of a General Release and Settlement Agreement with Mike Meyers, as submitted by the City Manager, seconded by Councilman Ayres, and approved by the following vote:

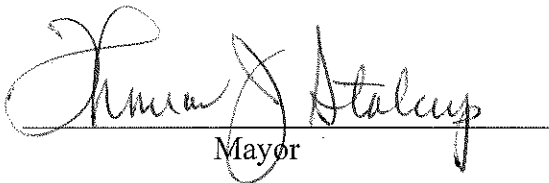
AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)

NAYS: None (0)

OLD BUSINESS: NONE

NEW BUSINESS: NONE

ADJOURNMENT: There being no further business to come before the Council, the meeting was adjourned at 8:19 p.m.



Mayor



City Clerk