

COUNCIL OF THE CITY OF DIXON, ILLINOIS
REGULAR COUNCIL MEETING
COUNCIL CHAMBERS - CITY HALL
MONDAY, AUGUST 4, 2008
6:30 P.M.

ROLL CALL

The meeting was called to order by Mayor Burke. Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke answered Roll Call. The Pledge of Allegiance was cited. Reverend Jim Lemberg of the Sauk Valley Community Church gave the Invocation.

APPROVAL OF MINUTES

Commissioner Blackburn moved that the minutes of the Regular Council Meeting of Monday, July 21, 2008 be accepted and placed on file. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

APPROVAL OF TOTAL LABOR & OUTSIDE CLAIMS

Commissioner Bridgeman moved that the Total Labor & Outside Claims in the amount of \$417,043.99 be approved and ordered paid. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

COUNCIL REPORTS

Commissioner Kelly congratulated City Engineer, Shawn Ortgiesen, on receiving an award from the Illinois Society of Professional Engineers. The rest of the City Council echoed their congratulations also to Shawn.

BOARDS & COMMISSIONS REPORTS

Mayor Burke reported the Monthly Building Permit Report of July, 2008, the Dixon Plan Commission Minutes of July 24, 2008 and the Tourism Board Minutes of July 14, 2008 are on file with the Clerk and available for inspection.

VISITORS

Luke Dixon, 1017 South Peoria Avenue, addressed the Council on behalf of Dixon Main Street to get permission to have stencils painted on City streets as part of a program to help deter garbage in the downtown area and to clearly define crosswalks. Luke advised this cleanup is for preparation of the Scarecrow Festival. He further advised that these stencils would have to be re-painted every year. Mayor Burke stated this is a good, positive program to keep the streets clean in Dixon. Commissioner Bridgeman advised he has no problem with this program but asked the City Attorney what action, if any, the Council would need to do. Attorney Branson advised a motion at the next meeting to approve the request would be in order.

ACCEPT BIDS & PLACE ON FILE – 8TH/HIGHLAND STREET PROJECT

Commissioner Contreras moved that the bids for the 8th Street/Highland Avenue Street Project be accepted and placed on file until the next regularly scheduled Council Meeting of Monday, August 18, 2008. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

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ACCEPT BIDS & PLACE ON FILE – OAKWOOD CEMETERY TRACTOR

Commissioner Kelly moved that the bid for the Oakwood Cemetery Tractor be accepted and placed on file until the next regularly scheduled Council Meeting of Monday, August 18, 2008. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

PET. – ALLEY VACATION – 1811 WEST 4TH STREET

Commissioner Contreras moved that the Petition for Alley Vacation pursuant to the request of David and Derri Bowers, for property located at 1811 West 4th Street, be referred to the City Attorney for proper action. Discussion followed. Attorney Branson asked if there was a figure designated for this vacation. Commissioner Blackburn advised Paul Shiaras has developed a spreadsheet on the going rates and when Paul returns from vacation, he will get the figures from him. After no further discussion, the Mayor called for the vote. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

INDUCEMENT RES. #2230-08 – REDEVELOPMENT PROJECT OF
EEB PROPERTIES, LLC/CITY RETAIN WMPJ – TIF ELIGIBILITY

Commissioner Blackburn moved that the Inducement Resolution regarding the proposed Redevelopment Project of EEB Properties, LLC be adopted and that the City of Dixon retain Ward, Murray, Pace & Johnson to perform a preliminary analysis of TIF eligibility. Discussion followed. Attorney Branson explained the inducement resolution allows the City to negotiate with the petitioner if property is TIF eligible and the petitioner will pay the fees—not the City. He stated the costs are negotiated between the City and the petitioner when the analysis is done. Attorney Branson advised this resolution acknowledges that the City is interested in considering this property in the TIF project. Commissioner Blackburn shared his concerns that if the City goes to TIF, each and every redeveloper going forward will ask for this. He further stated there is a device in place utilizing the Enterprise Zone. Attorney Branson clarified that there is a tax abatement for property located in the Enterprise Zone but if in the TIF area, it comes out of the Enterprise Zone with no tax abatement and the tax increase monies go to reimburse the developer for infrastructure costs. Commissioner Bridgeman emphasized that the City has no money to invest. Attorney Branson reiterated that this is a reimbursement not up-front costs. Commissioner Kelly asked if this item could be tabled for two weeks. At this time, Gary Gehlbach, attorney for the petitioners, addressed the Council to state this is a redevelopment of a blighted area and that his client does not want to incur costs unless the Council is on board with this project. He further advised that part of this inducement resolution is retaining Ward, Murray, Pace & Johnson and his client is willing to accept this expense for the analysis. Attorney Gehlbach further stated his client is serious about going forward, and in good faith, an annexation agreement has been prepared for future consideration. Attorney Branson then explained to Commissioner Kelly that this is a different TIF than a downtown TIF as no bonds are issued and when the petitioner makes improvements, he gets reimbursed. Commissioner Kelly changed his mind and asked that this item go forward. After hearing no further comments, the Mayor called for the vote. Voting Yea: Commissioners Kelly, Bridgeman and Contreras. Abstaining: Mayor Burke. Voting Nay: Commissioner Blackburn. Motion carried.

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ORD. #2707 – AUTHORIZING AGREEMENT FOR THE PURCHASE OF
PROPERTY AND AGREEMENT FOR THE LEASE OF PROPERTY
108 ARTESIAN

Commissioner Kelly moved that an Ordinance authorizing an Agreement for the Purchase and an Agreement for the Lease of Certain Real Property (108 Artesian) be passed. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

ORD. #2708 – AUTHORIZING AGREEMENT FOR THE PURCHASE OF
PROPERTY AND AGREEMENT FOR THE LEASE OF PROPERTY
112 ARTESIAN

Commissioner Contreras moved that an Ordinance authorizing an Agreement for the Purchase and an Agreement for the Lease of Certain Real Property (112 Artesian) be passed. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

ORD. #2709 – AUTHORIZING AGREEMENT FOR PURCHASE
OF REAL PROPERTY – CITY/LCIDA

Commissioner Blackburn moved that an Ordinance authorizing an Agreement for the Purchase of Real Property (11.24 acres in Lee County Business Park) be passed. Discussion followed. Attorney Branson advised there is an appraisal on file. Commissioner Blackburn reminded everyone that at the last meeting, John Thompson advised Burke Realty would not receive a commission for this sale of property. He then advised that Burke Realty did receive a commission on the Raflatac property. After no further discussion, the Mayor called for the vote. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman and Contreras. Voting Nay: None. Abstaining: Mayor Burke. Motion carried.

PLACE ON FILE – CONSULTANT'S AMENDMENT #1 TO THE
AIRPORT AGREEMENT – CITY/HANSON ENGINEERS

Commissioner Kelly moved that the Consultant's Amendment #1 to the Airport Agreement between the City of Dixon and Hanson Engineers be placed on file until the next regularly scheduled Council Meeting of Monday, August 18, 2008. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

ACCEPT & PLACE ON FILE – MOTOR FUEL TAX AUDIT

Commissioner Bridgeman moved that the Motor Fuel Tax Audit be accepted and placed on file. Discussion followed. Commissioner Bridgeman commented this audit revealed that \$2,680.97 was not MFT-eligible; therefore, it will be repaid to the MFT Fund. After no further comments, the Mayor called for the vote. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

ACCEPT & PLACE ON FILE – ANNUAL STATEMENT OF THE TREASURER

Commissioner Bridgeman moved that the Annual Statement of the Treasurer be accepted and placed on file. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

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RES. #2231-08 – AUTHORIZING PURCHASE OF AMBULANCE

Commissioner Blackburn moved that a Resolution authorizing the purchase of an ambulance for the Dixon Fire Department be adopted. Discussion followed. Commissioner Blackburn advised this similar procedure has worked in the past where a demo has been purchased. Commissioner Bridgeman advised that the monies to purchase this ambulance were previously budgeted for. After no further comments, the Mayor called for the vote. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

PLACE ON FILE – WEBSITE AGREEMENT – CITY/TDG COMMUNICATIONS

Commissioner Bridgeman moved that the Website Agreement between the City of Dixon and TDG Communications be placed on file until the next regularly scheduled Council Meeting of Monday, August 18, 2008. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

DISCUSSION/AUTHORIZE ACCEPTANCE OR REJECTION OF
THREE-YEAR ELECTRIC RATE BID – CITY/NIMEC

Commissioner Kelly moved that Dan Mahan be authorized to accept or reject the 3-year electric rate bid between the City of Dixon and NIMEC. Discussion followed. David Hoover, NIMEC representative, addressed the Council and explained this is a 3-year vs. a 1-year contract. He then stated a 1-year has an approximate increase of 10-15% while a 3-year would have an approximate one-time 5-10% increase and then fixed for the 3 years. He further advised there are currently 120 communities in NIMEC and 70 municipalities are seeking pricing on the day of bidding. Mr. Hoover stated this is an optional bid whereby the Council gives Dan Mahan the authority to accept or reject the 3-year bid based on the percentage. Mayor Burke asked Mr. Hoover if he thinks the price will stabilize and Mr. Hoover advised it follows the oil pricing. Attorney Branson advised this is no benefit to NIMEC if the City chooses either option. Commissioner Bridgeman commented that a 3-year rate lock-in would be good for budgeting purposes. Mr. Hoover advised the 3-year would lock in the rate through May, 2012. Commissioner Blackburn asked what the percentage of clients who are going with the 3-year is and Mr. Hoover advised 70%. After no further discussion, the Mayor called for the vote. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

OATH OF OFFICE – JAKIAH MUNTEAN

Mayor Burke issued the Oath of Office to Dixon Police Officer Jakiah Muntean.

EXECUTIVE SESSION

Commissioner Bridgeman moved that the Regular Council Meeting of Monday, August 4, 2008 meet in Executive Session to discuss pending litigation. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.


RECONVENE MEETING

Commissioner Bridgeman moved that the Regular Council Meeting of Monday, August 4, 2008 reconvene into Open Session. Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke. Voting Nay: None. Motion carried.

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ADJOURNMENT

Commissioner Contreras moved that the Regular Council Meeting of Monday, August 4, 2008 be adjourned to meet in Special Executive Session on Monday, August 11, 2008 at 5:00 p.m. in the Paul Potts Community Training Room at the Public Safety Building.
Voting Yea: Commissioners Kelly, Blackburn, Bridgeman, Contreras and Mayor Burke.
Voting Nay: None. Motion carried. The meeting was adjourned at 7:30 p.m.


Kathe A. Swanson, City Clerk