

**CITY OF BELLEVILLE, ILLINOIS  
COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS – CITY HALL  
January 3, 2023 – 7:00 PM**

Mayor Gregory called this meeting to order at 7:00 p.m.

City Clerk Gain Meyer called roll. Members present on roll call: Alderman Hazel, Alderman Whitaker, Alderwoman Duco, Alderwoman Eros, Alderman Randle, Alderman Anthony, Alderman Ovia, Alderman Dintelman, Alderwoman Schaefer, Alderman Rothweiler, Alderman Elmore, Alderwoman Sullivan, Alderwoman Osthoff.

Excused: Alderman Ferguson, Alderwoman Stiehl, Alderman Weygandt

**ROLL CALL DEPARTMENT HEADS**

City Clerk Gain Meyer called roll of Department Heads: City Attorney, Garrett Hoerner; Police Chief, Matt Eiskant; Finance Director, Jamie Maitret; Asst. Director of Wastewater, Jay Godt; Library Director, Leander Spearman; Director of IT, Eric Walls; City Engineer, Sal Elkott; Director of Health, Housing & Building, Scott Tyler; Director of Economic Development, Planning & Zoning, Clifford Cross.

Excused: City Treasurer Biermann; Fire Chief, Lloyd Stinson; Director of Public Works, Jason Poole; Director of Wastewater, Randy Smith; Director of Human Resources, William Clay, Director of Communications & PR, Kathy Kaiser.

**PLEDGE**

**PUBLIC HEARING**

Petition for Annexation of 1709 Carlyle Avenue (Parcel: 08-24.0-200-012).

Mayor Gregory: Does anyone have anything they want to say about the annexation of this property? Cliff, do you have something to say?

Director of Economic Development, Planning & Zoning, Clifford Cross: There is nothing that we really have to say, but if you look at our Ordinance when we have annexed in properties any underlying zoning district that is assigned to the outside of the A-1 or Agricultural Zoning District requires this public hearing, that is why it is on the agenda tonight.

Mayor Gregory: Hearing no other comments, the Public Hearing is hereby closed.

Public Hearing began: 7:02 p.m.  
Public Hearing ended: 7:04 p.m.

**PUBLIC PARTICIPATION**

**Geri Boyer:** 208 East Main Street, Suite 100. There is a motion under Administration 11(C)1 to terminate Kaskaskia Engineering contract regarding the Construction Inspection for Forest Avenue. This contract was executed under this administration, we haven't started the contract yet and no one from the City has ever contacted us to talk about this action. We would like to ask the City to at least meet with us before you take any action and let's talk about why the termination is going to happen. I did hear from one Alderman that they thought it was because we did the design, and they did not want the same engineer to do the construction inspection. It is kind of standard practice in the Local Roads Agreement, when I worked at IDOT we passed those contracts over and over and over. I know the City we tried that on West Main Street we designed it, we had Gonzalez doing the Construction Inspection, it cost a lot of money because they were not up to speed with the plans or the conversations that had gone on with property owners and they had to tear things out and replace them because they made decision without talking to us. At that time, the City Engineer had not been following the project mostly, so there was a lot of money that was spent that didn't have to be spent. If the Construction Inspection is the inspection of the contractor, it doesn't have anything to do with the plans, especially Forest, Forest has been a project that has been ongoing and the current City Engineer was not here when it was being designed and all the conversations that were going on with property owners and we were trying to work out drainage problems and figure out how this thing could work and get it constructed. Really this is in the City's best interest if you stay with the same firm that designed it so we do not have problems and overruns because somebody doesn't understand why decisions were made. I just asked that maybe table it tonight so that we can at least have a meeting with the City and discuss what the pros and cons are in having us continue with this contract that has already been executed.

## **PRESENTATIONS, RECOGNITIONS & APPOINTMENTS**

Mayor Gregory recognized the character word of the month "INTEGRITY"; doing what is right even if it is difficult.

## **APPROVAL OF MINUTES**

Alderman Schaefer made a motion second by Alderman Eros to approve City Council Meeting and Executive Session Minutes of December 19, 2022.

All members present voted aye.

Motion carries.

## **CLAIMS, PAYROLL AND DISBURSEMENTS**

Alderman Schaefer made a motion second by Alderman Eros to approve claims and disbursements in the amount of **\$1,616,388.38** and payroll in the amount of **\$944,631.37**.

Members voting aye on roll call: Hazel, Whitaker, Duco, Eros, Randle, Anthony, Ovian, Dintelman, Schaefer, Rothweiler, Elmore, Sullivan, Osthoff. (13)

Motion carries.

## **REPORTS**

None.

**ORAL REPORTS FROM STANDING COMMITTEES, SPECIAL  
COMMITTEES AND ANY OTHER ORAL REPORTS FROM THE ELECTED  
OFFICIALS OR STAFF**

**STREETS & GRADES**

Alderman Randle made the following motions second by Alderman Rothweiler:

Motion to reimburse Illinois American Water Company (ILAWC) \$21,879.00 for curb/gutter removal and reconstruction and \$25,000.00 for the resurfacing of Town Hall Road for a total reimbursement of \$46,879.00 (City's portion of the work)

Motion to sell/transfer/scrap the following vehicles from the Sanitation Department: 2009 International (VIN# J121025), 2014 International (VIN# T2EH764996), 2007 International (VIN# J449869) and 2007 International (VIN# J449870)

Members voting aye on roll call: Whitaker, Duco, Eros, Randle, Anthony, Ovian, Dintelman, Schaefer, Rothweiler, Elmore, Sullivan, Osthoff, Hazel. (13)

Motion carries.

**ECONOMIC DEVELOPMENT & ANNEXATION**

Alderman Randle made a motion second by Alderwoman Schaefer to approve the Petition for Annexation of 1709 Carlyle Avenue (Parcel: 08-24.0-200-012).

Members voting aye on roll call: Duco, Eros, Randle, Anthony, Ovian, Dintelman, Schaefer, Rothweiler, Elmore, Sullivan, Osthoff, Hazel, Whitaker. (13)

Motion carries.

**ADMINISTRATION**

Alderman Whitaker made a motion second by Alderwoman Osthoff to terminate a contract with Kaskaskia Engineering Group, LLC approved May 17, 2021, regarding the Construction Inspection for Forest Ave., in the amount of \$39,427.00.

City Engineer Elkott: The reason for the termination, well first of all, Ms. Boyer, I applaud you standing up for your company, I appreciate that. My position and my responsibility as the City Engineer, I have to abide by the will of the public and the will of the public is represented by this body. This body had approved, unanimously, that the company doing the design be different than the company doing the Construction Inspection. That is what I have counseled all five companies that have worked for us on the project today. The Construction Inspection agreement that we had with Kaskaskia, there is a clause like there is all or most every IDOT agreement that the local agency can terminate the agreement. Now let's consider opposite of this, if I come to you when I had the opportunity to implement your will, you should have questions for me, but when I come to you,

implement, if you will, the public of this body by asking you to terminate the contract then that is a different story answered in the affirmative. Do you have any questions for me about this?

Alderwoman Schaefer: I am just going to bring it out, so the reason we are terminating this contract is because we have said whoever is doing the project, we do not want them inspecting, correct?

City Engineer Elkott: That is the only reason.

Alderwoman Eros: And when was that approved?

City Engineer Elkott: I wish I could tell you; I don't have - - -

Mayor Gregory: Garrett do you, have it?

Attorney Hoerner: I do not, but I think this is simply a recommendation from the City Engineer based on the explanation that he just provided. The reason it would take Council action is because notice has to be provided in the event of termination and because the contract was approved by the Council, any termination prior to providing notice must come before the Council. I guess the motion is before the Council now is simply the City Engineer recommendation that he may engage somebody different than Kaskaskia to do the Construction Inspection engineering.

Alderman Elmore: I would just like to clarify what your question is Alderman Eros, you asked when was this approved, are you talking about the project and its originality or the change that we have decided, the change that we decided to follow through, as Sal said unanimously, was to not have the same - -

Alderwoman Eros: I understand that I just didn't know - - -

Alderman Elmore: That was done I believe now I am afraid to through it out, I believe it was earlier this year like March.

Alderman Hazel: Mayor it makes complete sense what Ms. Boyer said when you certainly don't want the Construction Engineers reinspecting their own work but the Design Company, the Design Engineers it makes complete sense for the Design Engineers to inspect the work that the construction company did to make sure it follows their design, their conversations through the course of this, and I have also been part of the cost overruns that she was talking about. It was terrible. Plus, then who are we going to have inspect the work? A company who was denied the contract to begin with? And then have that company come back in and reinspect that work?

Mayor Gregory: I am not sure that there were bids being taken, especially on Forest Avenue.

Alderman Hazel: Regardless, we are not talking only about Forest Avenue here, because he is using what we voted on by Council apparently, as his only reasoning for this action and so maybe that action is wrong and should be reconsidered and I certainly would make a motion that we table this and I think it needs more conversation because maybe we are opening up our doors to more cost especially whenever there is a war between one engineer and another engineer and they just want to cause issues with an inspection. We are opening up the doors to a lot of potential issues and maybe we should revisit this.

Alderman Elmore: I have a question for Sal, have we rescinded any other inspections?

City Engineer Elkott: We haven't had any occasion to do this. Forest Avenue was on the letting I think for 25<sup>th</sup> of this month and this is the only occasion we had this is what I have been telling all five companies when they speak with me, please give us the Construction Inspection contract. I can't do that without going rouge, meaning that operating in contradiction of what you have to say.

Alderman Elmore: And we started this process at least three to four years ago on Forest Avenue, it is in my Ward.

Mayor Gregory: I think as far as the bid process, I sat in on the Welcome to Belleville and they were going through everything with Forest Avenue, I asked some questions I was ignored. When I asked the questions, there was also a question, then at that time, about the bidding process because we are still in a situation where we have, we are still looking at contracts, we recently asked for a copy of contracts from the same engineering company and we did not get that, so - -

Alderman Elmore: I agreed with what we voted on, I think back in March, the inspections should be done by a separate entity and that is something that you send out for bid?

City Engineer Elkott: Yes, we get proposals from the companies that - -

Alderman Elmore: Just the inspections?

City Engineer Elkott: Just the inspections right. In this particular case based upon what you had decided, I knew to solicit for proposals from the company that did the design work, then I need to solicit proposals from one of the other four companies.

Alderman Hazel: Mayor, I have a motion on the floor, to table this.

City Attorney Hoerner: If there is a motion to table, there would need to be a second and then, if there is a second, by virtue of Council rules you would have to have a vote on the motion to table in the event of a second prior to voting on the motion to approve and second to the action that is on the agenda.

Alderwoman Eros made the second to table.

Alderman Ovian: I would just like to know what the hold up is and why the project hasn't started.

City Engineer Elkott: That is a question better answered by the design company and I am not directing this to Ms. Boyer sometimes projects run into trouble for many different reasons, sometimes it is regulatory issues on this project, I don't know why it is taking this long. Sometimes it is the company doing it, and I am not suggesting this is the case here.

Michael Velloff: The plans submitted to IDOT back in August and it has been, they are waiting for information from the City until IDOT, there is like a \$20,000 difference between the cost estimate and what was allocated by the City. IDOT needs to know how to fund the additional \$20,000 and then also they were waiting for the bids on the project. That goes back to August.

Mayor Gregory: I think there were also some other things, like emails passing back and forth - - -

Geri Boyer: That is why we wanted to have a meeting.

Multiple people speaking at once.

Members voting aye on roll call: Eros, Anthony, Schaefer, Sullivan, Hazel, Duco. (6)

Members voting nay on roll call: Randle, Ovian, Dintelman, Rothweiler, Elmore, Osthoff, Whitaker. (7)

City Attorney Hoerner: For a motion to table, you would need nine votes. On the underlying one you have action involving a contract but this one, is it seven in favor?

Mayor Gregory: Seven no and six yes.

City Attorney Hoerner: It failed either way, so you are back to underlying motion.

City Clerk Gain Meyer: Motion on the floor to approve.

Alderman Hazel: Call for a vote.

Members voting aye on roll call: Randle, Anthony, Ovian, Dintelman, Rothweiler, Elmore, Osthoff, Whitaker. (8)

Members voting nay on roll call: Schaefer, Sullivan, Hazel, Duco, Eros. (5)

Mayor Gregory voted aye

9:5 motion carries with the Mayor's vote.

### **PETITIONS**

None.

### **RESOLUTIONS**

None.

### **ORDINANCES**

Alderwoman Eros made a motion second by Alderwoman Schaefer to read by Title only 9118 and 9119 and as a group.

All members voted aye.

Motion carries.

### **ORDINANCE 9118-2023**

An Ordinance Authorizing Sale/Conversion of Personal Property – Sanitation Department Vehicles

**ORDINANCE 9119-2023**

An Ordinance Annexing Certain Territory Owned by GWF Belleville LLC to the City of Belleville, Illinois.

Alderman Eros made a motion second by Alderman Schaefer to approve the Ordinances as read.

Members voting aye on roll call: Anthony, Ovian, Dintelman, Schaefer, Rothweiler, Elmore, Sullivan, Osthoff, Hazel, Whitaker, Duco, Eros, Randle. (13)

Motion carries.

**UNFINISHED BUSINESS**

None.

**MISCELLANEOUS & NEW BUSINESS**

Alderman Rothweiler made a motion second by Alderman Eros to approve Motor Fuel Claims in the Amount of \$8,989.73.

Members voting aye on roll call: Ovian, Dintelman, Schaefer, Rothweiler, Elmore, Sullivan, Osthoff, Hazel, Whitaker, Duco, Eros, Randle, Anthony. (13)

Motion carries.

**EXECUTIVE SESSION**

None.

**ADJOURNMENT**

Alderman Schaefer made a motion second by Alderman Randle to adjourn at 7:25 p.m.

All members voted aye.

Motion carries.



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Jennifer Gain Meyer, City Clerk

