

**WEST FRANKFORT REGULAR COUNCIL MEETING**  
**TUESDAY, FEBRUARY 9, 2016**

1. MAYOR JORDAN CALLED THE MEETING TO ORDER AT 7:00 P.M. REQUESTING A ROLL CALL. COMMISSIONER BLADES WAS NOT IN ATTENDANCE, COMMISSIONER CHAMBERS, COMMISSIONER SIMPSON AND COMMISSIONER HARKINS WERE IN ATTENDANCE, ALONG WITH THE CITY ATTORNEY AND CITY CLERK.
2. MAYOR JORDAN ASKED FOR APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING OF JANUARY 26, 2016. COMMISSIONER HARKINS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
3. MAYOR JORDAN NEXT ASKED FOR APPROVAL TO PAY CITY BILLS AND PAYROLL IN THE AMOUNT OF \$168,001.28. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
4. THE NEXT ITEM WAS DISCUSSION WITH POSSIBLE ACTION, REGARDING THE WEST FRANKFORT POLICE DEPARTMENT'S 2016 POLICE TOW LIST. THE MAYOR STATED WE TALKED ABOUT THIS FOUR WEEKS AGO. WE PROPOSED A TOW POLICY HERE IN WEST FRANKFORT FOR THE PUBLIC TO REVIEW. WE PROMISED WE WOULD BRING THIS BACK FOR DISCUSSION. I THOUGHT THIS WAS A GOOD TIME TO TOUCH BASE ON THIS. CHIEF TALLUTO STATED THERE ARE A FEW THINGS WE NEED TO WORK ON. THERE ARE A FEW SECTIONS IN HERE THAT SOME OF OUR SMALLER TOW COMPANIES HAVE VOICED THEIR CONCERNS ABOUT. THIS NEEDS TO BE MODIFIED. THE MAYOR STATED WHAT THE PUBLIC NEEDS TO KNOW IS THAT THE CITY IS TRYING TO ACCEPT OUR RESPONSIBILITY. THIS MATTER WAS TABLED.
5. THE NEXT ITEM WAS DISCUSSION WITH POSSIBLE ACTION, REGARDING AUTHORIZATION FOR THE MAYOR TO EXECUTE DOCUMENTS FOR THE CITY OF WEST FRANKFORT TO APPLY FOR USDA RURAL BUSINESS DEVELOPMENT GRANT IN THE AMOUNT OF \$99,999.00. THE CITY WILL PROVIDE MATCHING FUNDS OF \$35,001.00. THE PURPOSE OF THE GRANT IS TO REPLACE SEVERAL HVAC UNITS AND REPAIR A PORTION

OF THE ROOF AT THE WEST FRANKFORT OUTLET MALL. THE MAYOR STATED WE PURCHASED THE WEST FRANKFORT MALL. PRIOR TO DOING THAT WE HAD THE AIR CONDITIONING UNITS AND ROOF INSPECTED BY A HEATING AND AIR CONDITIONING PERSON. WHEN WE MADE THE PURCHASE OF THE STRUCTURE WE WERE AWARE THAT THERE WERE SEVERAL UNITS THAT WERE THE ORIGINAL UNITS FROM 1990. SOME OF THE UNITS WERE NOT FUNCTIONING PROPERLY. WE HAVE ALREADY HAD SOME OF THESE REPAIRED. BUT WE WOULD LIKE TO GET THIS GRANT TO HELP US REPLACE AND REPAIR THE UNITS ON THE ROOF. WHEN THESE UNITS LEAK THEY LEAK AROUND THE UNIT, THROUGH THE UNIT OR THE ROOF AROUND THE UNIT IS LEAKING. ALSO, THERE IS A SECTION ON THE ROOF WHERE THE SEAM IS AT THAT NEEDS SOME ATTENTION. THIS ROOF IS IN GOOD SHAPE IT'S JUST THE LEAKING UNITS THAT NEED FIXED. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

6. THE NEXT ITEM WAS DISCUSSION, WITH POSSIBLE ACTION, REGARDING THE PURCHASE OF A TRUCK FOR STREET/WATER SUPERINTENDENT. ROGER STANLEY STATED THERE ARE THREE DIFFERENT QUOTES; THE NEW QUOTE IS FOR A HALF TON HEAVY DUTY CHEVY SILVERADO. THE MAYOR STATED THESE ARE ALL ON A STATE CONTRACT. WE LOOKED AT A NEW CREW CAB DODGE V8 WITH A HEMI AND THE PRICE WAS \$36,191.00. THE GMC CREW CAB WAS \$38,000.00 AND THE CHEVY SILVERADO IS A HEAVY DUTY HALF TON \$34,500.00. WILL THE HALF TON DO EVERYTHING YOU NEED IT TO DO? IF YOU COULD PICK ONE WHAT ONE WOULD YOU PREFER? ROGER STANLEY STATED THE HALF TON CHEVY SILVERADO HEAVY DUTY IS THE ONE HE WOULD PREFER. THE MAYOR STATED THIS MOTION IS FOR THE PURCHASE OF THE HALF TON CHEVY SILVERADO FOR \$34,500.00. COMMISSIONER CHAMBERS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
7. THE NEXT ITEM WAS APPROVAL FOR PAYMENT OF AN INVOICE FROM RAY O'HERRON CO. REGARDING THE PURCHASE OF 2 TACTICAL VESTS/ 2 HELMETS IN THE AMOUNT OF \$3,300.00 FOR THE POLICE DEPARTMENT. CHIEF TALLUTO STATED THE PRICE IS HALF OF THAT. HE HAS THE MONEY TO BUY TWO THIS QUOTE IS FOR FOUR THE PRICE WOULD BE \$1,650. COMMISSIONER HARKINS MADE A MOTION TO

APPROVE, SECONDED BY COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

8. THE NEXT ITEM WAS APPROVAL FOR PAYMENT OF AN INVOICE FROM BROWN & ROBERTS, INC. REGARDING THE ST. LOUIS STREET FAU DESIGN IN THE AMOUNT OF \$6,734.36. THE MAYOR STATED THIS IS FOR ENGINEERING FOR OUR PROJECT ON EAST ST. LOUIS STREET. MIKE ROBERTS STATED THIS HAS BEEN A LENGTHY PROJECT. THE CITY WAS AHEAD ON THE FAU ACCOUNT BECAUSE OF CLEVELAND STREET. THE FAU IS SPLIT AMONG THE DISTRICT'S, IT'S ALMOST LIKE THEY ADVANCED YOUR SHARE. RIGHT NOW THEY HAVE THAT PROGRAM FOR THE FISCAL YEAR. THERE IS A LETTER THE MAYOR IS SENDING OFF THIS WEEK THAT WILL REQUEST THE APPROVAL OF A NEGOTIATOR. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
9. THE NEXT ITEM WAS APPROVAL FOR PAYMENT OF AN INVOICE FROM BROWN & ROBERTS, INC. REGARDING THE STP MITIGATION PROJECT IN THE AMOUNT OF \$10,034.13. COMMISSIONER CHAMBERS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
10. THE NEXT ITEM WAS APPROVAL FOR PAYMENT OF AN INVOICE FROM FRANKLIN COUNTY REGARDING THE PURCHASE OF SALT FOR THE STREET DEPARTMENT THROUGH MOTOR FUEL TAX IN THE AMOUNT OF \$4,866.40. COMMISSIONER CHAMBERS STATED ROGER HAS DONE A REALLY GOOD JOB TO MAKE SURE THAT WE HAVE ENOUGH CINDERS TO HELP US GET THROUGH THE WINTER. COMMISSIONER CHAMBERS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HARKINS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
11. THE NEXT ITEM WAS APPROVAL FOR PAYMENT OF AN INVOICE FROM FOWLER HEATING & COOLING REGARDING REPAIR OF SEVERAL ROOF HEATING UNITS AT THE WEST FRANKFORT OUTLET MALL. THE MAYOR STATED THE BILL IS FOR \$1,734.89. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

12. THE NEXT ITEM WAS APPROVAL OF THE TRANSFER OF LAKE LOT LEASE E ½ #30 FROM CHRISTOPHER AND PAMELA SHADOWENS TO JAMIE MCKINNEY. COMMISSIONER CHAMBERS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HARKINS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

13. OFFICER'S REPORTS:

CHIEF ALLEN READ THE FIRE DEPARTMENT'S REPORT.

CHIEF TALLUTO READ THE POLICE DEPARTMENT'S REPORT.

CODES OFFICER, ED HAMMONDS, READ THE CODES REPORT.

14. BUILDING AND SIGN PERMITS:

THE CODES OFFICER STATED THERE WAS A SIGN REQUEST. I WOULD LIKE TO EXPLAIN THIS REQUEST TO YOU. SAM MITCHELL HAD PUT A NEW SIGN ON MAIN STREET AND RT. 37 ON THE SIDE OF THE BUILDING. PART OF THE PROCESS THAT I WENT THROUGH TODAY WAS GOING DOWN AND ADDRESSING THIS ISSUE WITH SAM MITCHELL & ASSOCIATES. THEY DID ILLEGALLY HAVE A SIGN PUT UP ON THE SIDE OF THE BUILDING. I DID ISSUE THEM A CITATION FOR A NON-APPROVED SIGN. THEY THEN COMPLETED THE SIGN PERMIT REQUEST AND OFFERED A CHECK TO PAY FOR THEIR FINE. I TOLD THEM I WOULD BRING THIS BEFORE THE CITY COUNCIL BEFORE I WOULD ACCEPT THAT CHECK. WHAT I WOULD ASK CITY COUNCIL TO DO IS TO CONSIDER REVOKING THEIR FINE BECAUSE THEY WERE NOT AWARE OF THE FACT THEY HAD TO DO THIS, AND APPROVING THEIR SIGN REQUEST. COMMISSIONER CHAMBERS STATED THE LAST TIME WE HAD THIS SCENARIO THERE WAS A SIGN THAT WAS PUT UP WITHOUT COUNCIL APPROVAL WE TOOK SEVERAL DAYS TO TRY AND GET THE OWNER OF THE SIGN TO RESOLVE IT TO AVOID GETTING FINED. I THINK AT THAT TIME THAT WAS OUR STANCE. IF WE CAN RESOLVE THE SIGN ISSUE THEN YOU WON'T RECEIVE A FINE. IF THEY ARE UNAWARE OF THE ORDINANCE AND THEY RESOLVE THE SIGN ISSUE WE HAVE NOT PURSUED THE FINE. WHEN THE SIGN ISSUES ARE NOT RESOLVED THEN THE FINE WILL CONTINUE. THE MAYOR STATED HIS MEMORY IS PRETTY CLEAR ON THE LAST SITUATION WITH THE SIGN. I THINK THE FIRST THING WE NEED TO DISCUSS IS THE APPROVAL OF THE SIGN PERMIT. THEN LET THE COUNCIL WAY IN ON THE LEGALITIES OF THE FACT THAT WE HAVE DONE EVERYTHING WE NEEDED TO DO, THEY WERE IN

VIOLATION AND RECEIVED A FINE. HE HAS AN APPLICATION FOR A SIGN PERMIT WHICH I WOULD LIKE TO ADDRESS FIRST. WHAT IS THE COUNCILS PLEASURE ON THE PERMIT? COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HARKINS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

THE MAYOR STATED LETS NOW TALK ABOUT THE CITATION. HAS THE OTHER CITATION BEEN PAID? CODES OFFICER ED HAMMONDS STATED NO IT HAS NOT. COMMISSIONER CHAMBERS STATED THE ONLY OTHER CONCERN WOULD BE IF WE WAIVE THE FEE BASED ON I DIDN'T KNOW ABOUT THE ORDINANCE. I DON'T KNOW THAT THERE WOULD BE ANYONE WHO WOULD VOLUNTARILY TELL YOU THAT THE KNEW ABOUT IT. IT IS SETTING A STANDARD IN WHATEVER DIRECTION WE DECIDE TO GO ON HOW TO PURSUE THE SIGN PERMITS. THE CITY ATTORNEY STATED THE APPLICATION WAS MADE SHORTLY AFTER THE NOTIFICATION SO I WOULD SAY WE COULD WAIVE THE CITATION. THE MAYOR STATED ON THE FIRST CASE DID THEY REMOVE THE SIGN? CODES OFFICER ED HAMMONDS STATED HE DID REMOVE THE SIGN. THE MAYOR STATED IN HIS OPINION IF WE ARE GOING TO WAVE THIS CITATION WE SHOULD WAIVE THEM BOTH. BASICALLY WE HAVE THE SAME RESULT. WE HAVE ONE PERSON WHO COMPLIED WITH THE APPLICATION THEY HAVE THE SIGN UP AND PAID THE SIGN FEE THAT GOT APPROVED. AND THE OTHER PERSON TOOK THE SIGN DOWN AFTER HE WAS TOLD HE COULDN'T HAVE IT UP WITHOUT A PERMIT. HE NEVER RE-APPLIED FOR A SIGN PERMIT HE HAS NEVER OFFICIALLY BEEN DENIED ONE OR WE HAVE NOT OFFICIALLY DISCUSSED ONE. THE MAYOR STATED HIS OPINION IS THEY BOTH DID WHAT WE ASKED THEM TO DO WE NEED TO BE FAIR AND WAIVE THEM BOTH. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HARKINS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

#### 15. MAYOR'S REPORT:

ON A GOOD NOTE THE CITY IS WORKING ON THE OUTLET MALL. WE HAVE MET WITH A MALL MANAGER PROSPECTIVE PERSON TO HELP US PLACE PEOPLE INSIDE THE MALL. WE HAVE BEEN IN DISCUSSION WITH THE VANITY FAIR CONTACT PERSON THEY HAVE. THEY ARE OUR ANCHOR STORE WE WANT TO MAKE SURE THAT WE PUT THINGS IN THE MALL THAT HELP THEM. OUR OBJECTIVE IS TO SET THE BAR HIGH AND GET QUALITY STORES IN THERE THAT WILL BRING PEOPLE OFF OF THE

INTERSTATE. IF WE HAVE PEOPLE WHO NEED A PLACE OR ARE LOOKING FOR SOMETHING I WOULD LOVE TO GET OUR LOCAL PEOPLE DOWNTOWN TO HELP FILL IT. WE REALLY NEED TO TRY AND BRING IN RECOGNIZABLE STORES TO DRAW PEOPLE OFF THE INTERSTATE. WE ARE ALSO WORKING ON DEVELOPING THE GROUND AROUND THE MALL. I THINK THIS IS GOING TO BE A SLOW PROCESS BUT HOPEFULLY WE WILL SEE SOMETHING SOONER RATHER THAN LATER OUT THERE. GETTING THE RIGHT PEOPLE IN PLACE AND THE RIGHT APPLICANTS IS SOMETHING WE ARE GOING TO BE SELECTIVE ABOUT. WE HAVE LOST SOME PEOPLE IN OUR COMMUNITY RECENTLY ONE OF THEM BEING LINDELL BLADES HE WAS OUR POLICE CHIEF. I WANT TO THANK OUR POLICE DEPARTMENT AND THOSE WHO SHOWED THEIR RESPECTS TO HIM. THEY HAD A NICE TRIBUTE TO HIM IT WAS VERY NICE IM SURE THE FAMILY APPRECIATED IT. I HAD A CHANCE TO TALK TO HIM A FEW DAYS BEFORE HE PASSED AWAY. WE HAD WORKED TOGETHER HE WAS THE POLICE CHIEF AND I WAS THE FIRE CHIEF. HE WAS A GREAT FRIEND HE WILL BE MISSED. THE SERVICE WAS VERY RESPECTFUL AND HONORABLE. WE ARE GOING TO BE BURYING SOME OTHER PEOPLE THIS WEEK AS WELL, ONE OF THEM BEING COMMISSIONER BLADES MOTHER IN LAW SHE WAS THE WIFE OF JIM BERNHARD. WE ALSO LOST DEANNA TOMLINSON WHO WAS THE WIFE OF GEORGE TOMLINSON. WE ARE GOING TO HAVE SOME SADNESS IN OUR COMMUNITY FOR THE NEXT FEW DAYS.

16. COMMISSIONER'S REPORTS:

COMMISSIONER HARKINS STATED THE POLICE AND FIRE DEPARTMENT ARE DOING THEIR JOBS AND I AM ALWAYS PROUD OF THEM.

COMMISSIONER SIMPSON STATED HE IS GLAD THAT ROGER IS FINALLY GETTING A SAFE VEHICLE TO DRIVE AROUND IN.

COMMISSIONER CHAMBERS STATED THE STREET DEPARTMENT IS DOING A GOOD JOB EVERYTHING IS GOING GREAT. I AM THANKFUL THAT WE WERE ABLE TO GET ROGER A NEW TRUCK. HE HAS TAKEN ON ALL THE DUTIES OF ANOTHER POSITION AND YOU GET CALLED OUT ALL TIMES OF THE DAY AND NIGHT. TAKING ON THE WATER DEPARTMENT HAS MORE THAN DOUBLED HIS DUTIES AND HE NEEDS TO HAVE A VEHICLE THAT IS RELIABLE SO HE CAN DO ALL THE THINGS WE ASK HIM TO DO. IT IS SO GREAT TO BE ABLE TO WORK WITH ALL THE DEPARTMENTS AND BEING IN THE PUBLIC EYE SO THEY CAN SEE AND EXPERIENCE THE PROGRESS THAT IS GOING ON. WHEN YOU WALK OUT

OF YOUR HOUSE AND SEE A DILAPIDATED HOUSE ON YOUR BLOCK BEING TORN DOWN THAT IS A REALLY BIG DEAL TO PEOPLE. I AM SO THANKFUL THAT WE HAVE THESE PROGRAMS AND HAVE BEEN GETTING REALLY GOOD FEEDBACK AND COMPLAINTS FROM PEOPLE IN THE COMMUNITY. IT IS A HARD JOB TO DO BUT GREAT TO SEE THE POSITIVE CHANGES.

17. AUDIENCE QUESTIONS OR COMMENTS:

WE HAVE A HOUSE ONE BLOCK TO THE EAST OF US AND A HALF A BLOCK TO THE SOUTH OF US. THESE ARE ALL IN THE PROCESS OF BEING TORN DOWN. IT IS JUST GETTING AROUND TO DOING IT. THE MAYOR STATED THERE IS A PROCESS WE GO THROUGH TO GET POSSESSION OF THE PROPERTY THEN WE GOTTA HAVE AMEREN GET OUT THERE TO REMOVE THE GAS LINES. COMMISSIONER CHAMBERS STATED SHE HAS BEEN IMPRESSED BY THE PROCESS. IT IS A HUGE UNDERTAKING TO TEAR DOWN JUST ONE HOUSE AND I DON'T THINK PEOPLE UNDERSTAND THE PROCESS.

THE OTHER SIGN REQUEST YOU GUYS WERE TALKING ABOUT IS THAT THE SIGN ACROSS FROM HARDEES? THE MAYOR STATED YES THAT IS THE SIGN WE WERE REFERRING TO.

18. MAYOR JORDAN ASKED FOR APPROVAL TO GO INTO EXECUTIVE SESSION TO DISCUSS CONTRACT NEGOTIATIONS, PERSONNEL, LAND ACQUISITION AND/OR PENDING LITIGATION, WITH POSSIBLE ACTION. COMMISSIONER HARKINS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS ALONG WITH THE MAYOR VOTED YES. MOTION CARRIED. THE COUNCIL WENT INTO EXECUTIVE SESSION AT 7:45 P.M.

19. THE COUNCIL RETURNED TO OPEN SESSION AT 8:57 P.M. ON A MOTION BY COMMISSIONER SIMPSON, SECONDED BY COMMISSIONER HARKINS. ROLL CALL VOTE: ALL COMMISSIONERS ALONG WITH MAYOR JORDAN VOTED TO RETURN TO OPEN SESSION. MOTION CARRIED.

20. WITH NO FURTHER BUSINESS TO BE DISCUSSED, THE MEETING WAS  
ADJOURNED ON A MOTION BY COMMISSIONER HARKINS AT 8:58 P.M.

  
MAYOR TOM JORDAN

  
ANGIE BAKER, CITY CLERK