

THE CITY OF FAIRVIEW HEIGHTS
OPERATIONS COMMITTEE MINUTES
Wednesday, March 15, 2023, 7:00 p.m.
Council Chambers
Fairview Heights City Hall
Fairview Heights, Illinois

Committee Members in attendance – Aldermen Josh Frawley, Anthony LeFlore, Brenda Wagner, Pat Peck, Bill Poletti, Mayor Mark Kupsky, Ex-officio

Committee Members absent – None

Other Aldermen and Elected Officials in attendance – City Clerk Karen Kaufhold, Aldermen Frank Menn, Barb Brumfield, Harry Zimmerman, Denise Williams

Staff in attendance – City Attorney Andrew Hoerner, Finance Director Gina Rader – video/teleconference, Human Resource Manager Becky Thompson – video/teleconference, IT Manager Chris Elliott, Land Use and Development Director Dallas Alley – video/teleconference, Parks and Recreation Director Angie Beaston, Police Chief Steven Johnson, Public Works Director John Harty, Administrative Assistant Kathy Frawley

Recorder – Jill Huffman

Public Participation

Resident, Mr. Wayne Sanders, stated he is running for alderman in Ward 5 and wants to bring something to the City's attention. This is the first time he has run for an office and he has lived here since 1996. He stated that one of his campaign signs was removed and replaced with his opponent's sign. He stated that his sign was placed legally. He stated this occurred off of Beau Gon. Two of Mr. Sander's signs are missing. Mr. Sander's stated he is not running for prestige, but because he was asked to run, and believes he can do a better job than his opponent.

Alderman Poletti, Mr. Sander's opponent, relayed that he knows nothing of this and has talked with his constituents to leave Mr. Sander's signs where positioned.

The Mayor commented that election time is a difficult time, and usually, it is not the opponent who moves the signs. Even though he is running unopposed, he does have signs posted and 75 of them have been moved. He stated if campaign signs are placed in the right-of-way, the City will remove them.

In the spirit of cooperation, Alderman Poletti relayed that Mr. Sanders should have his sign placed in its original location.

Approval of Minutes, February 15, 2023

Motion and second to approve minutes were made by Aldermen Peck/LeFlore. Roll call vote: Aldermen Frawley – yes, LeFlore – yes, Wagner - yes, Peck - yes, Poletti – yes. Motion carried.

Law Enforcement Committee

Alderman Josh Frawley, Chairman

STATEMENT OF THE DEPARTMENT

The Chief of Police presented his written report to the elected officials for their review.

REPLACEMENT OF SPEED TRAILER

The Chairman stated funds are budgeted in the Capital Improvements Program for the replacement of the speed trailer. The proposed trailer is solar powered with a digitized screen where wording can be displayed. The Mayor stated the current trailer will be kept and used, however, the batteries have to be recharged since it is not solar. These trailers are used in areas where there are high speed motorists - primarily in residential areas.

Alderman Wagner questioned the \$500 annually after the first year, shown on the proposal, to which it was confirmed this will be included in the Police Department's budget. She also questioned the verbiage of other plans available upon request to which Chief Johnson replied that they would not be including other plans. The system would be cloud based allowing the department to observe the speed of a vehicle from the station.

Alderman Peck questioned if there is another board that displays directional information to which the Director of Public Works replied that the City owns a message board. The Mayor added the message board is used for events and traffic information.

Chief Johnson stated that the total for the trailer and the board is \$9,650.00.

Motion and second to forward to City Council with recommendation of approval the Resolution to purchase a new Traffic Logix Speed Trailer from Warning Lites of Southern Illinois for \$9,650.00 by Aldermen Poletti/LeFlore. Roll call vote showed Aldermen Frawley – yes, LeFlore – yes, Wagner – yes, Peck – yes, Poletti – yes. Motion carried.

Public Works Committee

Alderman Bill Poletti, Chairman

INDEMNIFICATION AGREEMENT - STONEWOLF COMMUNITY ASSOCIATION

The Chairman discussed the Indemnification Agreement between the Stonewolf Community Association and the City. This item was tabled last month.

The Director of Public Works stated that a guard shack was previously located in an island at the entrance to the Stonewolf Subdivision, approximately 50 feet west of Illinois Route 159. The Association removed the guard shack, and working with the Land Use Department, requested to build a monument sign. It was determined that this area is located on the City's right-of-way. In a way to indemnify the City and be held harmless for damage, maintenance, or accidents that may occur to the new monument sign, the Indemnification Agreement was compiled.

Alderman Peck requested that the City Attorney explain number three on the second page of the Agreement. The Attorney stated that this clause states that the City is protected from any

liability that might arise from the implementation of this plan. Therefore, for any type of law suit that is filed, the City would be protected and the Association would bear the costs.

Alderman Peck relayed that number three states that the Agreement shall terminate upon the expiration of applicable statutes of limitation. Alderman Poletti stated there is not a hard expiration date written in the Agreement to which Alderman Peck added it should never expire. The City Attorney stated it would expire one year after the Association is finished with the project and that this is the applicable law. The statute of limitations would affect any potential law suit. Alderman Peck questioned if this is only during the scope of the project, and shouldn't the City continue to be held harmless? The City Attorney stated this Indemnification Agreement is only effective during the construction of the monument and one year after completion.

The Public Works Director stated number three should be struck from the Agreement. The intent was to protect the City as long as the executed plan is on the City's right-of-way.

Alderman Brumfield commented that number two of the Agreement mentions the Association which is the only entity is states.

After further discussion, it was requested that the Public Works Director and the City Attorney consult with the Stonewolf HOA and suggest to extend maintenance and liability to the life of the monument.

Alderman Brumfield questioned that once the HOA disbands, would there be no one to hold accountable except the City? The City Attorney stated that the monument is on the City's right-of-way. Alderman Brumfield stated that once the HOA disbands and the monument sits on the City's right-of-way, the City would assume responsibility of the monument. In absence of the HOA, the City would be the only source to be held accountable.

The Director of Public Works stated that the City could pursue vacation of the right-of-way and make it the HOA's property, the same as sections of Fountains Parkway which are owned and maintained by the HOA of The Fountains.

Alderman Poletti requested that the Director of Public Works and the City Attorney discuss with the HOA the vacation of the property or an unlimited time of liability for the piece of land they are using.

The Director stated to vacate the property, a small amount of surveying, engineering, and recording costs would be incurred.

DIRECTOR'S REPORT/PROJECT UPDATES

The Director of Public Works presented his written report to the elected officials for their review.

Alderman Peck commended the Public Works Department for fast action on the Mt. Vernon/Ogles Creek pipe repair.

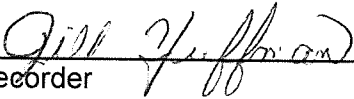
The Director stated that the plans/specifications have been received in Public Works for the Emergency Vehicle Preemption System project. This project will be advertised in the Belleville News Democrat on Sunday and in IDOT's Local Road Contractor's Bulletin on March 23. Bids

will be received by the City on April 6 and the results and a recommendation will be presented at the April Operations Committee Meeting.

Motion to adjourn the Operations Committee Meeting by Aldermen Wagner/Peck.

Adjournment 7:34 p.m.

Submitted By:


Recorder