

City of Auburn
Council Meeting Minutes
Monday, May 16, 2022

The meeting was called to order at 7:00 PM by Mayor Berola with the reciting of the Pledge of Allegiance of all present.

Mayor Berola called for the roll. Present were Mayor Berola, Treasurer Williams, Alderman Powell, Alderman Marquis, Alderman Garrett, Alderwoman Sheppard, Alderman Karhliker, and Alderman Johnson. Also present were Superintendent Henson, Office Manager Ponsler, Chief Campbell, and Attorney Moredock.

Absent: Alderman Marquis

Alderman Hemmerle arrived at 7:07 p.m.

Alderman Garrett made a motion to allow Alderman Royer to attend remotely via phone, second by Alderwoman Sheppard.

AYES: Hemmerle, Johnson, Karhliker, Powell, Royer, Garrett, and Sheppard

NAYES: None

PRESENT: None

ABSENT: Marquis

Alderwoman Sheppard presented the meeting minutes from the zoning board meeting from May 11, 2022.

- 1.) A variance request was submitted for 515 N. 5th Street (Royell Holdings LLP) to allow for a reduction in setback for the side yard to 4' on both sides for the purpose of building a garage to adjoining property at 511 N. 5th Street separated by a city alley.

Alderwoman Sheppard made a motion to approve the reduction in setback at 515 N. 5th Street for the side yard to 4' on both sides, second by Alderman Garrett.

AYES: Johnson, Karhliker, Powell, Garrett, and Sheppard

NAYES: None

PRESENT: None

ABSENT: Hemmerle, Marquis

ABSTAIN: Royer

- 2.) Matthew Jokisch – did not attend

- 3.) Dave Rikas attended the meeting and presented a 22-acre tract proposal for land located just south of Timberbrooke Subdivision. This section of land was proposed phase 6 and 7 additions to the subdivision. The proposal requests to break the section out into three tracts of land:
- a.) Tract 2 (5 acres) – will have a 50’ road access off of Timberbrooke Drive. This will be sold as a single-family home site.
 - b.) Tract 2 (10.95 acres) – that will have 50’ road access off Arrowhead Drive. This will be used for a future home for the Rikas family.
 - c.) Tract 3 (6.3 acres) will not have road access. This tract is being sold to Pam and Kurt Powell via a Quit Claim Deed. The tract will be contiguous to property they already own and therefore no road access will be required.

Alderwoman Sheppard made a motion to approve the 22-tract proposal from Mr. Dave Rikas, second by Alderman Johnson.

AYES: Hemmerle, Johnson, Karhliker, Powell, Royer, Garrett, and Sheppard
NAYES: None
PRESENT: None
ABSENT: Marquis

Mayor Berola informed the city council of a request for a noise permit at 101 W. Jefferson Street on June 11, 2022, from 4:30 pm to 10:00 pm. The mayor had asked the homeowner to consider the city square and/or the East Park as it would allow for a better venue for something like this. However, the homeowner wished to proceed with the event at their residence but was told that if any complaints come in and police were called, the event would have to be shut down.

Deputy Clerk Ponsler presented the May 2, 2022, meeting minutes for the council’s review and approval. Alderwoman Sheppard made a motion to approve the minutes, second by Alderman Karhliker.

AYES: Hemmerle, Johnson, Karhliker, Powell, Royer, Garrett, and Sheppard
NAYES: None
PRESENT: None
ABSENT: Marquis

Treasurer Williams presented the bills list from May 3, 2022, to May 16, 2022, for the council’s review and approval. Alderwoman Sheppard made a motion to approve the bills list, second by Alderwoman Johnson.

AYES: Hemmerle, Johnson, Powell, Karhliker, and Sheppard
NAYES: Garrett
PRESENT: None
ABSENT: Marquis
ABSTAIN: Royer

Treasurer Williams presented final totals for video gaming revenue for the city of Auburn – May 2021 to April 2022 the total amount was \$139,399.86.

Treasurer Williams also stated to the council the proposed FY23 budget will be up for review and approval later in the agenda.

Attorney Moredock presented for First Reading Ordinance 1514-22, Declaration of Surplus Materials for the council's review. Additional items may be added by the city office prior to the passage of the ordinance at the June 6, 2022, meeting.

Attorney Moredock presented a paired down version of Ordinance 1515-22, Food Truck ordinance. This version would include permitting process and would include two types of permits. One type of permit would be for special events (one day or weekend) and would carry a fee of \$50.00. The second type of permit would be a fixed-point permit and would allow an operator to be at a fixed point and that would be a year long period. The fee was set at \$50.00/month or \$250.00/annually.

The city is not taking any responsibility for inspecting the food trucks. Attorney Moredock was open to suggestions on this new version. Most of the regulation would come in the application process and the specific location where the food truck wishes to be located.

Alderman Garrett addressed the need to address the regulation of power when they hook into city power outlets. Alderman Powell felt it was not fair to take business from a brick-and-mortar business and allow a food truck to come in and the city provide free power for their food sales. It was asked to check with Ameren on a potential nominal fee to be charged to operate such things as a fryer, refrigerator, and other items that may be used in the food truck.

Alderman Royer stated to the council that in the past there has never been an issue with something like this taking place in the city. The council has never required anything for events at the East Park and felt it was not being looked at from a larger perspective but more at a specific person and/or business who had the food truck on the square. Slaughterhouse had a food truck on city streets for quite some time and just recently moved them onto their property. Alderman Royer felt this ordinance over-regulated the specifics of operating a food truck in Auburn.

Attorney Moredock feels the issue of providing power to private entities would be best served by its own ordinance. This would not just restrict the use of power to food trucks, but any entity requesting the use of power on the square or East Park. Mayor Berola requested that there be a disclaimer in the ordinance to hold the city harmless should someone plug into the electrical source

Attorney Moredock does not need to have an executive session, but if the council is going into executive session for another reason, he will provide an update on pending litigation.

Chief Campbell discussed an intergovernmental agreement with Sangamon County for Digi-Ticket. This would allow the city to go to computerized citations. The city council did not see any agreement in Microsoft Teams; therefore, the item will be placed on the next agenda and all paperwork forwarded to the council for review.

Superintendent Henson provided an update on Route 104 and Dixon Road. Petersburg Plumbing is putting in a second water feed. This will allow the city to take water down Kennedy Road. There has been a pressure issue but now it will be metered.

Decorative rock and landscaping will be done around the city square to update some spots in need of attention.

Alderman Garrett asked Superintendent Henson to inspect the handrails leading to the gazebo as they needed repair, and it may have been some time since painting or repairs have been made.

Alderman Johnson asked Superintendent Henson the projected dates to fill in spots in the city roadways that were cut due from the water main project. Further discussion with the contractor will take place as they will be doing concrete work and will determine when streets will further be repaired.

Office Manager Ponsler introduced Skylar Fay with the Boy Scouts. Skylar will be undertaking a project to complete for his ranking of Eagle Scout. Office Manager Ponsler met with him prior to the council meeting with the potential of his project focusing on the front of the city hall building. Skylar plans to provide a sketch with materials list of landscaping for the front of the office to beautify the front part of city hall and will provide further information to the council as the project progresses.

Office Manager Ponsler provided a few options for the city council to consider for chairs to be purchased. A motion was made by Alderman Garrett to purchase 15 chairs (Mode #476279) for the city council chambers from Office Depot (Realspace Office Depot Chairs – Tan) not to exceed \$5000.00, second by Alderwoman Sheppard

AYES: Hemmerle, Johnson, Karhliker, Powell, Royer, Garrett, and Sheppard
NAYES: None
PRESENT: None
ABSENT: Marquis

One additional night of training for residents on the new all call system will take place on May 17th from 4 pm to 6 pm. An all call will be sent out to residents reminding them of the additional office hours should they wish to attend. Postcards with information pertaining to the new all call system are being printed and will be distributed around to local businesses. The school district is also allowing the postcards to be placed in folders the last week of school with students to provide to parent and/or guardian with further information as well.

Alderman Johnson presented the FY23 budget for review by the council. Alderman Johnson requested Office Manager Ponsler to reduce the water revenue and sewer revenue by the amount listed in the infrastructure expense line item, it would be more in line with projections for revenue for FY23.

Alderman Johnson made the motion with the proposed changes to water and sewer revenue line items, to approve the FY23 city budget, second by Alderwoman Sheppard.

AYES: Hemmerle, Johnson, Karhliker, Powell, Royer, Garrett, and Sheppard
NAYES: None
PRESENT: None
ABSENT: Marquis

Alderman Johnson requested an executive session at the end of the meeting. Action will take place out of the executive session.

Alderman Karhliker held a Public Works committee meeting prior to the council meeting. Benton and Associates was in attendance to discuss the North Street project and how best to proceed in terms of funding for that project.

- 1.) North Street Roadway Engineering Services Agreement – Alderman Karhliker made the motion to approve the North Street Roadway Engineering Services Agreement from the MFT program not to exceed \$31,500.00, second by Alderman Garrett

AYES: Hemmerle, Johnson, Karhliker, Powell, Royer, Garrett, and Sheppard

NAYES: None

PRESENT: None

ABSENT: Marquis

- 2.) Western Acres Lift Station Replacement Engineering Services Agreement was presented by Alderman Johnson. Alderman Johnson made the motion to approve Tasks A and B for the amounts of \$9000.00 and \$55,000.00, not to exceed \$64,000.00, second by Alderman Karhliker.

AYES: Hemmerle, Johnson, Karhliker, Powell, Royer, Garrett, and Sheppard

NAYES: None

PRESENT: None

ABSENT: Marquis

- 3.) Alderman Karhliker was approached by the city building inspector Ron Appelt as well as Superintendent Henson regarding Solar Panels. The ones on the roof do not seem to pose any issues, but if anyone wishes to place those on their property in the yard, the city does not have a language in the building code to address any specifications on that. Alderwoman Sheppard asked that solar panels be placed on the next zoning board meeting to be held June 8, 2022.

- 4.) North Street Water Main Replacement – Alderman Johnson made a motion to approve Engineering Services Agreement for the 4 tasks for the North Street Water Main Replacement (A, B, C, D - field survey, plans and easements) not to exceed \$41,000 that will be coming out of ARPA funds, second by Alderman Powell.

AYES: Hemmerle, Johnson, Karhliker, Powell, Royer, Garrett, and Sheppard

NAYES: None

PRESENT: None

ABSENT: Marquis

Alderman Sheppard had no report for Health and Safety.

Alderwoman Sheppard presented to the council the property located at 708 N. 4th Street regarding their unsightly accumulations and running a junk yard on their residential property. The owner attended and questioned what was still not cleaned up. He stated he is not running a junk yard on his property. He has several vehicles on the property since there are 5 licensed drivers in the household. The children have

demolition derby cars on site as well as a mud track that is used. He stated all vehicles have batteries and do run. Additional pictures were provided that had been taken by the homeowner showing other properties around town that were also in disarray that he felt the city should also draw attention to.

Attorney Moredock is researching a few additional items on this property. No further action taken at this time by the council on this property.

Alderman Sheppard stated that the city office had received a phone call from a local landscaping business inquiring about potentially dumping grass and yard waste from local jobs at the sewer plant. The council agreed that they were not in favor of any business dumping at the sewer plant that has been established for residents. The business will be contacted.

Alderwoman Sheppard brought attention to Superintendent Henson to properties located at South 5th, Harrison, East Jefferson, and Kennedy. All properties have received letters with no response, and it was noted individuals might have moved. Superintendent Henson will inspect the properties and mow where needed and provide further details to the city office for tracking.

Alderman Royer brought to the council's attention to actual junk yard south of town that is within city limits does have two cars stacked on top of each other. It does not appear safe nor do the cars seem secure. Alderman Royer asked for a letter to be sent to the property.

Alderman Hemmerle provided an update on a Parks Committee meeting that was held on May 11, 2022.

- 1.) Grant Update – The grant is still being reviewed and the new timeline is late summer or early fall for a final determination and awarding of funds.
- 2.) Park Improvements – redo basketball court and potential pickleball courts at Pohlod Park.
- 3.) East Park – adding parking to alleviate kids driving through the park.
- 4.) Pond – obtain additional land from the school and continue moving forward with Alderman Marquis and Superintendent Henson on the design as well as working with Local 965 to dig more dirt out.
- 5.) Drinking fountain for city square – there are (4) total points where water could be obtained from – drinking portion, portion for dogs, portion to fill up water bottles and ADA accessible fountain on the side. Motion made by Alderman Hemmerle to approve the purchase of a water fountain for the city square not to exceed \$4,500.00, second by Alderwoman Sheppard.

AYES: Hemmerle, Johnson, Karhliker, Powell, Royer, Garrett, and Sheppard

NAYES: None

PRESENT: None

ABSENT: Marquis

Other Business: Alderman Garrett wishes to further progress the idea of a new police department building and has scheduled an appointment with Senator Durbin over the course of the next three weeks to potentially find federal dollars that may assist with funding the new building.

Alderman Garrett will be contacting local communities in our area to determine what stimulus they provide to incoming business in their communities to attract and retain businesses.

Mayor Berola introduced former Alderman Vince Nadalini to further discuss the property located at 530 S. Kennedy.

Alderman Karhliker followed up with Mr. Nadalini on various timeframes in which the property located at 530 S. Kennedy was owned by his father and any discussions pertaining to who would maintain the city road as well as when the garage may have been constructed.

The process started back in September 1983 when Bob Nadalini sent a letter to the city requesting to build a garage. Nothing further happened until October 1984 when the garage was constructed. It was marked that the garage could go between the utilities. No additional information found after 1985. The city has never maintained the road and no abandonment of the road has been found in the records.

According to GIS it is still plotted as a city street.

Attorney Moredock offered four different options to how the city might treat the property:

- 1.) Vacate the road and it will go evenly to each adjacent property owner.
- 2.) Sell the property but that would require the city to get an appraisal of the property.
- 3.) Do nothing; or
- 4.) Grant an easement to the property owner who has been using it, leave garage there, and maintain the road there, but not selling it.

The city council advised Superintendent Henson to schedule time to remove the sidewalk on the north side of 600 S. Kennedy and to fill in any holes in the roadway near the property.

At 8:28 pm Alderman Royer was not participating via phone to the council meeting.

Alderwoman Sheppard made a motion to go into executive session at 8:42 PM, second by Alderwoman Alderman Johnson. Taken by voice vote.

AYES: Garrett, Hemmerle, Johnson, Powell, Royer, Karhliker, and Sheppard

NAYES: None

PRESENT: None

ABSENT: Marquis

A motion to come back into regular session from the executive session was made by Alderman Garrett at 9:26 PM, second by Alderwoman Sheppard. Taken by voice vote.

AYES: Garrett, Hemmerle, Johnson, Powell, Karhliker, and Sheppard

NAYES: None

PRESENT: None

ABSENT: Marquis and Royer

Alderman Johnson made a motion to approve an 8% raise plus one-week additional vacation to Chief Campbell retroactive to May 1, 2022, second by Alderwoman Sheppard.

Motion to adjourn was made at 9:33 PM by Alderman Johnson, second by Alderwoman Garrett. Taken by voice vote.

AYES: Hemmerle, Powell, Johnson
NAYES: Sheppard, Garrett, Karhliker
PRESENT: None
ABSENT: Marquis and Royer

Mayor Berola was the tie breaking vote and voted yes, motion passed.

Alderman Johnson made a motion to approve an 8% raise for Superintendent TJ Henson retroactive to May 1, 2022, second by Alderman Garrett.

AYES: Garrett, Hemmerle, Johnson, Powell, Karhliker
NAYES: Sheppard
PRESENT: None
ABSENT: Marquis and Royer

Alderman Johnson made a motion to approve a 4% raise to Office Manager Ponsler retroactive to May 1, 2022, second by Alderman Garrett.

AYES: Hemmerle, Johnson, Powell, Karhliker
NAYES: Sheppard and Garrett
PRESENT: None
ABSENT: Marquis and Royer

Alderman Johnson made a motion to approve a \$0.65 per hour raise for office staff Tami Travous retroactive to May 1, 2022, second by Alderman Garrett.

AYES: Garrett, Hemmerle, Johnson, Powell, Karhliker, and Sheppard
NAYES: None
PRESENT: None
ABSENT: Marquis and Royer

Alderman Johnson made a motion to approve a \$0.65 per hour raise for part time staff Rod Brandt, second by Alderman Garrett.

AYES: Garrett, Hemmerle, Johnson, Powell, Karhliker, and Sheppard
NAYES: None
PRESENT: None
ABSENT: Marquis and Royer

Alderman Sheppard made a motion to approve a \$0.65 per hour raise for part time police officers Drake Manser and Jeff Hart, retroactive to May 1, 2022, second by Alderman Garrett.

AYES: Garrett, Hemmerle, Johnson, Powell, Karhliker, and Sheppard
NAYES: None
PRESENT: None
ABSENT: Marquis and Royer

Alderman Johnson made a motion to adjourn at 9:33 p.m., second by Alderman Garrett.

Respectfully submitted,

A handwritten signature in black ink that reads "Kristy Ponsler". The signature is written in a cursive style with a large, looped initial 'K'.

Kristy Ponsler
Deputy Clerk of Auburn

