City of Auburn

Council Minutes

September 15, 2014

Mayor Stamer called the meeting to order at 7:00 PM.

Present: Barb Stamer, Chris Warwick, and Tom Appelt. Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, Wayde Rathgeber, John Tanner. **Absent:** None.

Department Heads: Bruce Centko, Bill Karhliker, and Kristy Ponsler. **City Attorney:** Raylene Grischow

I. Mayor's Comments

a. Trick or treat hours will be on Thursday 10/30/14 and Friday 10/31/14 from 5:00 PM to 8:00 PM and trick-or-treaters should only approach homes with outdoor lighting on.

b. The ACC will have a Trunk or Treat event at East Park on Saturday 10/25/14; the hours will be announced later.

c. The August Video Gaming revenues were $1,163.00.

d. UGM has an additional supplier for gas supplies. Kessler made a motion to authorize the Mayor to sign on behalf of the city and enter into a new agreement with Blue Market Energy and UGM for natural gas supplies, second by Davidson. **Voice Vote: AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

e. The Mayor wanted to discuss the current agreement we have started with the TIF District, because School Superintendent Root has concerns about future TIF District. Grischow noted that we are already under contract to develop a TIF District and we have already paid our deposit to get the process started. The city can reimburse the school district for part of the lost revenues from the TIF District; Grischow felt that the objections are premature because we have not had any meetings regarding the mapping and administration of the TIF District and those upcoming meetings would be open to the public, including the school district. Rathgeber noted that there has only been one steering committee meeting so far and there will be two to three more meetings before the public meetings and the TIF District final plan would be approved by the council. It was noted that Superintendent Root has been at all of the meetings to date. Grischow noted that we are in a contract with Jacob and Klein; the contract could be broken with one year's notice. Rathgeber commented that we would have an intergovernmental agreement in place to reimburse the school district. The school would lose out on the increased evaluation of the properties on the district, but the city

can reimburse some of those losses each year, after 23 years the school district would be flush with cash from the changed valuation.

II. City Clerk's Report – Warwick

a. Warwick presented the meeting minutes from the city council meeting on 09/02/14. Kessler made a motion to accept the meeting minutes and destroy the recorded copy, second by Rathgeber. **Voice Vote: AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

b. There is a zoning change notice from the county regarding a property on Hogan Road, the owners will dividing a property less than 40 acres.

c. Warwick noted that packets for the April General Election will be available on 09/23/14. The alderman that will be up for possible re-election would be Tanner, Kessler, Hemmerle, and Rathgeber.

III. City Treasurer's Report - Appelt

a. Appelt presented the Bills List from 09/01/14 to 09/15/14 for the council's approval. A motion was made by Kessler to approve the bills list, second by Gillock. **Voice Vote: AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

b. Appelt presented the Financial Report from May 1st to September 15th, the new report can show up to the current business day if requested. Kessler asked if we could have snap shot of the current funds versus 30 days prior. Appelt asked if we could get a historical load of the financials, Ponsler responded that the transfer of data was tough because of the previous media format. A motion was made by Rathgeber to approve the Financial Report through September 15th, second by Berola. **Voice Vote: AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

c. The tax revenue for video gaming was $1,163.00.for the month of August 2014.

IV. Attorney – Grischow

a. An ordinance is required to receive payment on the closing of the pedestrian railroad crossing at Jefferson Street. Grischow presented Ordinance 1400-14 which outlines the closure of the pedestrian railroad crossing. Kessler felt that the crossing is a safety issue and requested that we have an emergency vote. Kessler made a motion to suspend the second reading of Ordinance 1400-14 due to health and safety issues, second by Gillock. **AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

b. A motion was made by Kessler to approve Ordinance 1400-14 closing the pedestrian railroad crossing at Jefferson Street, second by Rathgeber. **AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

c. Grischow has been looking over the liquor ordinances, she would like permission to review and make up dates to the liquor ordinances that she can then present to the council for approval. Gillock made a motion to direct Grischow to make adjustments and to present those to the council, second by Rathgeber. **Voice Vote: AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

d. Grischow does have updates on the Bell versus Crissey matter and also Magro's lawsuit, she will present the information in Executive Session.

e. Kessler wanted to discuss an update on the liquor classification change for The 104 Store. Grischow stated she did not see any reason we would deny the request. Ponsler asked if The 104 Store would need to pay the full fee for a new liquor license, it was determined that since it is a new license and the full fee would need to be paid.

f. Grischow received an e-mail from Steve Kline regarding the TIF District indicating that preliminary amounts were based on an estimate, once more data is collected the amounts can be refined and a better idea on the impact could be realized.

V. Visitors

a. Thomas Walker requested to be added to the agenda but he was not present at the meeting. His issue was related to his cat being taken to animal control in Springfield.

b. Chris Jacobs was present for the property at 115 North 7th Street. Chris explained that he spoke with the mayor earlier and that the property is in a trust and all correspondence should go through the Trust Administrator. He stated he tries to take care of the property the best he can but he is not the owner.

c. Rita Hollingsworth was present asking about the Administrative Tow Fee what it was and why it applied. Rita explained a hypothetical situation that someone was getting sodas for his daughter's soccer practice at 6:00 AM and that he is pulled over and the car from the auto shop and it had bad plates and the car was to be towed. Chief Centko explained that the Administrative Tow fee reimburses the city for lost time/wages while the officer is waiting for a tow truck and for the time taken for paperwork and for a title search if the vehicle if impounded over 10 days. The vehicle in question had bad plates, the officer was told that the vehicle belonged to Clouser Auto but when the VIN was checked it did not belong to Clouser Auto. Rita asked for leniency for the situation.

VI. Department Heads

a. Centko

i. Centko presented a graph showing the speeds recorded from the new speed trailer. Stamer asked if tickets were issued to speeders and Centko replied that the sign is informational only.

ii. The new vehicle is here.

b. Karhliker

i. No report

c. Ponsler

i. No utility billing training this week

VII. Committee Reports

a. Administration – Berola

i. Berola made a motion to remove Kristy Ponsler from her 1 year new hire probation, second by Kessler. **Voice Vote: AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

b. Public Works – Johnson

i. Johnson reported that shortening the culvert for Hogan Road has saved $6,240 on the project. Johnson made a motion to allow Benton & Associates to change the design plans to reflect the shortening of the culvert on the Hogan Road Project, second by Davidson. **AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

c. Public Utilities – Kessler

i. Gerry Berry has not paid his past due utilities, Kessler noted that the minimums and fines would continue.

d. Health & Safety – Gillock

i. No Report.

e. Health & Housing – Stamer

i. We heard from Chris Jacobs about the property.

ii. The Schumacher's have been out mowing the property but the windows still have not been fixed.

iii. Nick Rector has mowed the property, but there is still debris in the yard.

f. Parks – Tanner

i. Tanner received a $3,900.00 quote for artificial turf for the batting cage between Leonard and Merritt fields.

g. Library/Technology – Hemmerle

i. Hemmerle asked that the bush on the northwest corner of the library, it is a traffic hazard for people pulling out of the library parking lot.

VIII. Executive Session

a. Hemmerle made a motion to enter into executive session, second by Kessler. **Voice Vote: AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

b. Kessler made a motion to exit executive session, second by Hemmerle. **Voice Vote: AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

IX. Adjournment

a. A motion was made by Kessler to adjourn the meeting at 8:24 PM, second by Johnson. **Voice Vote: AYE: Berola, Davidson, Gillock, Hemmerle, Johnson, Kessler, Rathgeber, and Tanner. NAY: None. ABSENT: None. (8-0-0).**

Respectfully Submitted,

Christopher Warwick

City Clerk