

City of Auburn

Council Minutes

August 5, 2013

Grayson Baker, Evan Ihlenfeldt, and Zach Crafton from Auburn Boy Scout Troop 340 started the meeting by leading the Pledge of Allegiance.

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

Present: Barb Stamer, Chris Warwick, Tom Appelt, John Tanner, Matt Gillock, Mark Kessler, Larry Hemmerle, Clay Davidson, Rod Johnson, Wayde Rathgeber, and Raylene Grischow.

Absent: Tom Berola

Department Heads: Bruce Centko, Bill Karhliker, and Connie Powell.

I. Mayor's Comments

- a. Mayor Stamer announced the members of the ad hoc Auburn Activities Committee (AAC). The following citizens were named: Mary Centko, Kathy Thomas, Kathy Wilson, Gerry Dee, Rene Gallaher, Fran Henkhaus, Heather Murdock, Dana Beck and Kelli Morton.
- b. Mayor Stamer and several members of the ad hoc Bike Trail Committee attended a meeting at the Lincoln Library last week to get additional details on how to get a bike trail to connect Auburn to Chatham via the old interurban railway path, there will be more information at a future date. The following citizens were named to the ad hoc Bike Trail Committee: Bob & Dawn Bartolozzi, John Tharp, Roger McCredie, Kate Baker, Lori Basiewicz, and Traci Leahy Beck.
- c. The Labor Day Picnic will be held on the City Square on Saturday 08/31/13 from 10:00 AM to 11:00 PM. There will be kick off parade at 10:00 AM. There will be food, beverages, games, and music. The event will also feature a Miss Auburn Pageant, Auvenshine's Taekwondo, Extreme Gymnastics program and a pie auction.

II. City Clerk's Report – Warwick

- a. Warwick presented the meeting minutes from the City Council on 07/15/13. Kessler made a motion to accept the meeting minutes the updates and destroy the recorded copy, second by Rathgeber. **AYES: Tanner, Gillock, Kessler, Hemmerle, Davidson, Johnson, and Rathgeber. NAYS: None. ABSENT: Berola (7-0-1)**

III. City Treasurer's Report - Appelt

- a. Appelt presented the bills list from 07/16/13 to 07/31/13. A motion was made by Gillock to approve the bills list, second by Hemmerle. **AYES: Tanner, Gillock, Kessler, Hemmerle, Davidson, Johnson, and Rathgeber. NAYS: None. ABSENT: Berola (7-0-1)**

IV. Attorney – Grischow

- a. Grischow presented the First Reading of Ordinance No. 1376-13 - An ordinance to vacate a portion of a municipal street right of way in the Wineman's Second Addition in the City of Auburn, Illinois.
- b. Grischow presented the First Reading of Ordinance No. 1377-13 - Ordinance Amending chapter 4 - alcoholic beverages - division 2 business regulations - section 4-47.1 - excessive drinking; gambling on premises. Alderman Kessler asked if there was anyone that wanted to comment on the ordinance. Mayor Stamer introduced James Hockenyos of Greenleaf Holdings, his group recently purchased Sharp's Trailer Park and the strip mall in the 1300 block of West Jackson Street. He indicated that they would like to bring in a gaming facility with five machines; the facility would have a 4 drink maximum. The additional business would draw more traffic to the strip mall and hopefully bring more business and jobs to Auburn.
 - i. Ray Landers expressed concerns about a possible water issue on Route 104 (West Jackson Street). Mr. Hockenyos indicated that there are specifications on the original plans to add a detention pond on the property.
 - ii. Reverend David Van Bebber was deeply concerned that the gaming ordinance is coming back up, at the 06/03/13 he stated that Mayor Stamer indicated that 65% of the people she polled did not want gaming. He suggested that if the citizens really can be heard the issue should be put on a binding referendum on the 2014 ballot. Rev. Van Bebber stated that to reach the proposed \$5,000 in gaming revenue to the city, people would have to lose \$200,000 to the establishment and even though the proposed business would called a gaming facility, by the fact of them offering liquor, it is just another bar.
 - 1. Mayor Stamer indicated that she has agonized over this issue but the city needs businesses and we cannot afford to turn them away. She realizes that the people have concerns about people losing money, but she felt that we cannot legislate people's behavior and this a free country, alcohol can kill people, no one has died from video gaming.
 - 2. 'lynn Pignon retorted that countless murder and burglaries have been committed by those short of funds for gambling or drugs. She felt that this was opening a can of worms.
 - 3. It was asked if we had looked into the need for extra police to cover the city, Mayor Stamer indicated that we were pretty well covered.
- c. Grischow presented the First Reading of Ordinance No. 1378-13 - Ordinance Amending Sec. 4-7 of Chapter 4 Alcoholic Beverages - Drinking on a public way. This ordinance is in conjunction with Ordinance 1379-13 which would allow for a temporary permit for businesses to have drinking a public right of way. Mayor Stamer indicated that prior groups had the Labor Day Picnic at East Park (Union Park) and they had the correct coverage to do so, since it is the desire to have the Labor Day Picnic on the City Square they cannot do so because it is adjacent to city right of ways. This ordinance would allow bars to have people on the sidewalk or street if requested and would lend itself to the outdoor atmosphere of the Labor Day Picnic.

- i. Davidson indicated that according to the ordinance they could use this temporary permit six times in in calendar year. Hemmerle suggested that we move the application date out from 14 business days to 21 business days.
- d. Grischow presented that a recent ruling in Sangamon County found that text messages sent on personal devices during a council meeting to other council members could be considered public records and could be subject to Freedom of Information Act (FIOA) rules. She wanted to make the council aware of this new ruling. Grischow indicated again that if we do want to have a Facebook or social media page, we need to have Social Media Policy in place before doing so.
 - i. Office Manager Powell asked about letters to the editor published in newspapers, she was concerned about a recent letter to the editor sent by Mayor Stamer. Grischow indicated that letters to the editor are protected by the First Amendment.
- e. Grischow sent revision to the to the Village of Thayer's attorney (Roger Rutherford) regarding the Police Protection Agreement, they are not done yet but they are making progress. The main issue is the insurance indemnification.

V. Visitors

- a. Ray Landers indicated that he has talked to McDonald's and that they have strong interest in coming to Auburn. Mr. Landers was asking about the city creating a Tax Increment Financing (TIF) district in Auburn. He wanted the council to look at business, housing and commercial development; the city is an uncut diamond. He indicated that he wants to help the town.

VI. Department Heads

- a. Centko
 - i. Chief Centko indicated that there is grant from our workman's compensation carrier to buy Tasers, the cost would be \$9,450 and the grant would cover \$4,400 so the city's cost would be \$5,050. Our work compensation carrier is recommending that we use Tasers. The funds will come out of the supplies budget. Gillock indicated that there have been recent issues where a Taser might have been a benefit to the officer(s). Grischow stated it can also increase the liability for the city. The grant would be for 2013. Gillock indicated that he would look at his schedule and call a committee meeting when available.
- b. Karhliker
 - i. Karhliker and the mayor met with Tim Seifert, a trustee with Auburn Township, about replacing the sidewalk that was displaced in front of the township building during the Kennedy Road project. The city will split the cost on the materials, since the township employees would provide the labor. There were no guarantees that city could do this. Kessler thought that Motor Fuel Tax (MFT) funds could be used because the sidewalk was removed during a road project. The estimated cost for the materials to replace the sidewalk would be \$1,000 (9 to 10 cubic yards); about 200 feet of sidewalk. Kessler made a motion to approval the expenditure if the township is able to do the project, second by

Johnson. **AYES: Tanner, Gillock, Kessler, Hemmerle, Davidson, Johnson, and Rathgeber. NAYS: None. ABSENT: Berola (7-0-1)**

- c. Powell
 - i. No report
- VII. Committee Reports
 - a. Administration – Berola
 - i. No report
 - b. Public Works – Johnson
 - i. Johnson reported that to finish out the Kennedy Road project there are 2 things that are needed; a change order to complete the project which included additional seeding that was not originally know and more Portland Cement and prime coat was used in the paving process, the amount was \$10,021.68. When the amount is added the project comes to \$738,544.69; we still owe \$7,500.00. Johnson made motion that pay estimate number six to KE Vas would be \$7,500.00, second by Kessler. **AYES: Tanner, Gillock, Kessler, Hemmerle, Davidson, Johnson, and Rathgeber. NAYS: None. ABSENT: Berola (7-0-1)**
 - 1. Kessler asked if there was any 10% retainage and Johnson did not believe there was any retainage left.
 - ii. Johnson will call a Public Works committee meeting regarding the fencing and culvert related to the high speed rail. The meeting will be with Gerald Kennedy of HDR Engineering and the date will be Tuesday 08/13/13 at 7:00 PM.
 - c. Public Utilities – Kessler
 - i. No report
 - d. Health & Safety - Gillock
 - 1. No report
 - e. Health & Housing – Stamer
 - i. Mayor Stamer moved that we begin fining Terry Painter, Sr. regarding his property at 415 West North Street because of nuisance of unsightly accumulation and odor. Letters had been sent on 05/23/13, 05/28/13, 06/04/13, 06/10/13, 06/18/13, and 07/10/13. The fine shall be \$100 per day every day the condition exists effective 08/07/13.
 - f. Parks – Tanner
 - i. Tanner indicated there will be a Parks Committee meeting tentatively scheduled on Monday 08/19/13 at 6:30 PM regarding scheduling of the baseball fields at Veterans Park.
 - g. Library/Technology – Hemmerle
 - i. No report

VIII. Adjournment

- a. A motion was made by Rathgeber to adjourn the meeting at 8:19 PM, second by Kessler.
By voice vote - AYES: Tanner, Gillock, Kessler, Hemmerle, Davidson, Johnson, and Rathgeber. NAYS: None. ABSENT: Berola (7-0-1)

Respectfully Submitted,

Christopher Warwick

City Clerk