



**CITY OF MONMOUTH
COUNCIL MEETING MINUTES**



Date: Monday, February 1, 2016 **Time:** 7:00 p.m. **Location:** 100 East Broadway
Monmouth, Illinois

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Rod Davies called the meeting to order in the Council Chambers at City Hall, 100 East Broadway at 7:00 p.m. and led the audience in the Pledge of Allegiance to the Flag.

II. ROLL CALL

City Clerk Susan S. Trevor called the roll and those answering **Present were:** Alderwoman Dawn Johnson, Aldermen Dave Rutledge, Alderwoman Susan Twomey, Aldermen Brian Daw, Bob Wells, Dennis Willhardt, Dan Heatherly and Jaime Godina. **Also Present:** Mayor Rod Davies, City Administrator Lowell Crow, City Attorney Marcum Spears, City Clerk Susan Trevor, MFD Chief Casey Rexroat, MPD Chief Feithen, Woodard & Curran Public Works Director Andy Jackson and Zoning Inspector Wade Woodward. **Absent:** Community Development Director Paul Schuytema.

III. APPROVAL OF MINUTES

A. January 19, 2016 Council Meeting Minutes

It was moved by Alderwoman Twomey and seconded by Alderman Wells to approve the January 19, 2016 Council Meeting Minutes as presented. **AYE:** Alderwoman Johnson, Alderman Rutledge, Alderwoman Twomey, Aldermen Daw, Wells, Willhardt, Heatherly and Godina. **NAY:** none **MOTION CARRIED.**

IV. PRESENTATION TO THE COUNCIL

A. Presentations or Citizen Inquiries

There were none to be considered.

B. Consent Agenda

- 1. Approval of Bills** (Items on Consent Agenda will not be discussed unless a request is made to remove an item for discussion).

It was moved by Alderman Heatherly and seconded by Alderman Godina to approve the bills as presented. **AYE:** Alderman Rutledge, Alderwoman Twomey, Aldermen Daw, Wells, Willhardt, Heatherly, Godina and Alderwoman Johnson **NAY:** none **MOTION CARRIED.**

C. Committee of the Whole Discussion Items – possible action to follow

1. MFD January Report – Chief Rexroat

Chief Rexroat highlighted his report as follows:

- AED's that are carried on the four vehicles that are licensed by the IDPH to respond to emergency medical calls were replaced through grants from IDPH and IDPRF, which kept the contribution from the City fairly small. It was in the budget to replace two AED's per year as it was recommended that they should all be replaced every eight years. However the grant money made it possible to replace all four at once.

- There were two minor issues with Tower 22 and Engine 21, but the problems were repaired quickly and the engines were only out of service for a short time.
- Chief Rexroat attended a meeting at the Biggsville Fire Department regarding MABAS activities.
- Fire Pension Board meeting was held at the Monmouth Police Department.
- Monmouth College is considering the purchase of an alert system in the form of an application for cell phones.

2. Woodard & Curran December Report – Director Jackson

- December was a pretty routine month with just a couple of salt events and no plowing done; however, leaves were still being picked up almost to Christmas.
- City received the draft of NPDES permit from the EPA for the Waste Water Treatment Plant. This permit has to be renewed every 5 years. The EPA is asking for some additional data that the City will have to address during the next five year period. It appears that this data is being asked of most communities within the State and will be used to implement more stringent requirements for the issuance of the NPDES permit renewals in the future.
- Director Jackson has been working with Wade Woodward, the City Building Inspector on strengthening the City code with regards to grease trap regulations and inspections with restaurants and any businesses involved in food preparation that would involve discharges into the City's sewer system. Currently our present ordinance does not have stringent enough requirements for grease traps. It is anticipated that in the future the EPA is going to be requiring more regulations on discharging into a municipality's sewer system from these commercial businesses; therefore, it is important to begin addressing this issue.
- The City has received a verbal acceptance to drill the new well and with that acceptance the City ordered site soil borings and the geo-technical routing of the well water main. Both of these tasks have been completed. Woodard & Curran has now begun the full design, which should be finished by the end of April. The bid process takes thirty days and will begin the 1st of May; therefore, drilling should begin around the 1st of June. The drilling will be twenty-four hours a day for seven days a week and will be very noisy.
- Alderman Heatherly asked for an explanation of the brush pickup process to which Director Jackson explained that the City will pick up brush from the boulevard if there has been a significant weather event to cause the loss of limbs and branches from citizens' trees or bushes. Otherwise, it is the responsibility of the citizen to dispose of their brush or tree limbs.

3. Approval of Lawn Waste Contract

Administrator Crow explained that there was a correction on the second page in the amount of the contract which should read \$25,000 not \$11,000. There also will be a progressive charge that if needed two weeks can be added to the contract for an additional \$700 per week. He is recommending to the Council that they approve the contract as presented.

AYE: Alderwoman Twomey, Aldermen Daw, Wells, Willhardt, Heatherly, Godina, Alderwoman Johnson and Alderman Rutledge **NAY:** none **MOTION CARRIED.**

4. Bethany Morath dba “The Press” Request

Bethany Morath addressed the Council with a request to utilize Marcum Spears, City Attorney to resolve her issues with Frantz Community Investors, who are her landlords for her coffee shop, The Press. She gave a synopsis of her issues since she signed the lease with Frantz in April. The Spring rain damaged supplies of the business stored in the basement, which delayed the opening of her business. Frantz felt caulking the basement windows would take care of the problem, but each time it rained the basement continued to get standing water. There was also a sewer smell coming from the upstairs renovations, which Ms. Morath relayed to her landlord, Frantz Community Investors. The water heater went out, which resulted in a temporary shutdown of her business with a slow response to replace it on the part of the landlord. All in all, she felt that Frantz was not honest with her on the condition of the building. Due to all the problems with the building and the landlord, Ms. Morath felt that she had no choice but to close her business for good the last of September. Since the City has granted Frantz the use of TIF money and deemed the building on South Main where she had her business not able to be rented until the problems with the building are corrected, she is asking to partner with the City and utilize the City Attorney, Marcum Spears to resolve the issues with Frantz Community Investors. City Attorney, Marcum Spears expressed his opinion that there could be a conflict with his representing Ms. Morath. Alderman Wells asked if the use of another attorney would not better serve Ms. Morath’s needs to which she replied that she had invested all of her money in her business and therefore had no funds available to hire another attorney. Alderman Willhardt complimented Ms. Morath on her presentation, but is not sure of the City’s part in this.

V. EXECUTIVE SESSION

A. Per Illinois Statute 5ILCS 120/2 to consider MFD contract negotiations and possible litigation.

1. It was moved by Alderman Heatherly and seconded by Alderman Wells to go into Executive Session at 7:20 p.m. to consider MFD contract negotiations and possible litigation. AYE: Aldermen Daw, Wells, Willhardt, Heatherly, Godina, Alderwoman Johnson, Alderman Rutledge and Alderwoman Twomey. **NAY:** none **MOTION CARRIED.**

2. It was moved by Alderman Wells and seconded by Alderman Rutledge to return to Regular Session at 8:15 p.m. AYE: Aldermen Wells, Willhardt, Heatherly, Godina, Alderwoman Johnson, Alderman Rutledge, Alderwoman Twomey and Alderman Daw. **NAY:** none **MOTION CARRIED.**

Upon return to Regular Session, City Attorney Spears explained to Ms. Morath that after discussion in Executive Session, that he felt that not only might it represent a conflict for himself as an attorney, but would also be a conflict of interest for the City as they may have their own issues to resolve with Frantz Community Investors. Based on that opinion the City will not be able to assist Ms. Morath with her issues with Frantz due to the afore-mentioned conflicts of interest. Ms. Morath then responded to City Attorney Spear’s statement that she will be pursuing other action.

VI. OTHER BUSINESS

1. Administrator Crow

a. MPD Sergeant Bratcher will be doing additional ALICE training next Wednesday beginning with Harding School for approximately one hour prior to the start of school by working with the teachers and then at approximately 8:00 a.m. will actually go into the building and do a walk through. The children will be informed that it is not an actual shooter. They will be in the gym watching a fifteen minute movie entitled "I'm Not Scared".

b. The Community Engagement Committee completed their informational engagement meeting with the Chin people from Mynamar at the Chin Church. There were around fifty people present and the response was favorable.

VII. ADJOURNMENT

It was moved by Alderman Heatherly and seconded by Alderwoman Twomey to adjourn the meeting at 8:18 p.m. MOTION CARRIED by unanimous voice vote.

Mayor Rod Davies

City Clerk Susan S. Trevor