

Mayor Charles L. "Skip" Lee called a meeting of the Sterling City Council to order at 6:30 pm on Monday, August 6, 2018. Roll call. Present: Aldermen Retha Elston, Joe Martin, John Stauter, Christine Wilen, and Jim Wise. Absent: Aldermen Bob Conklin.

Also present were City Attorney Tim Zollinger, City Manager Scott Shumard, Superintendent of Building and Zoning Amanda Schmidt, Superintendent of Public Works Brad Schrader, Superintendent of Waste Water Treatment Scott Howard, Fire Chief Gary Cook, Police Chief Tim Morgan, and City Clerk Marie Rombouts.

The Pledge of Allegiance was recited.

There were no communications from Visitors.

Alderman Elston made a motion to approve the following items on the Consent Agenda:

- A) Council Minutes from July 16, 2018 minutes
- B) Bills and Payroll totaling \$1,469,096.10
- C) Plan Commission minutes from July 19, 2018
- D) Award bid for Demolition of 402 Sixth Avenue to Stichter Construction of Erie in the amount of \$8,350.00
- E) Sterling American Legion Auxiliary to hold a bucket brigade on August 18, 2018
- F) Partial Pay Request #1 for Twin City Construction in the amount of \$99,842.40 for the 2018 Street Projects Contract #1

The motion was seconded by Alderman Martin. Alderman Stauter asked when the demolition was scheduled. Superintendent Schmidt indicated it should start shortly after the award. Shirley Sharp asked if she could be advised of the start of demolition so her tenants could move their vehicles. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Elston made a motion to approve the Proclamation declaring August 7, 2018 as National Night Out; seconded by Alderman Martin. Chief Morgan informed the Council there would be activities at Wallace Park, Kilgour Park, Douglas Park, and St. Paul's Lutheran Church on August 7 from 5:00 to 7:00 pm. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Wilen made a motion to approve **Ordinance #2018-08-29 Allowing the Sterling American Legion a Special Use Permit to construct signage in the right-of-way at 601 First Avenue**; seconded by Alderman Stauter. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Elston made a motion to approve **Ordinance #2018-08-30 Restating and Affirming Prior Approval of Petition of WC-Sterling LLC, as owners of PIN #22-16-151-002 and 11-16-151-003**; seconded by Alderman Martin. Dr. Carl Thornblad spoke on behalf of the residents at Coventry. A majority of the residents want a committee to review the declarations before they sign for their deed. Thornblad was concerned if the plat is reaffirmed tonight that they will have no recourse. Attorney Zollinger explained the declarations are between the Owner and Coventry residents. This ordinance gives the owner an opportunity to file the plat that was presented in May of 2017. Alderman Stauter asked if the approval of the plat has an impact on the residents. Zollinger cannot say whether it does or not. Superintendent Schmidt stated this project has been in the works for more than six years. Schmidt state the City is trying to get this completed after the Owner dropped the ball. Zollinger stated that if the City does not pass the ordinance reaffirming the plat tonight, the Owner would have to start the process over. Mayor Lee stated the City wants to see these properties transitioned to the residents. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Wilen made a motion to approve **Ordinance #2018-08-31 Amending and Regulating the Presence of Certain Animals within the City**; seconded by Alderman Martin. New language permits chickens to be kept 25' from property lines. Alderman Wise feels this excludes many people from having chickens. Superintendent Schmidt clarified that 25' from property lines eliminates the creative measurements used with 50' from right-of-ways. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Elston made a motion to approve **Resolution #R2018-08-14 Authorizing the Acquisition of Real Property located at 805 Maple Lane**; seconded by Alderman Martin. Attorney Zollinger stated the tool used to obtain this property can only be used in unique situations, primarily because there was no mortgage or claims to the property. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Martin made a motion to approve **Ordinance #2018-08-32 Providing the Exemption of Municipal Utility Taxes for Sterling Steel Company, LLC**; seconded by Alderman Stauter. Alderman Martin asked why the 95% exemption expires in 2025. Attorney Zollinger stated that he picked a year to have the ordinance revisited. Alderman Wise asked if this precludes future Councils from changing this. Zollinger stated that it will remain at the 95% exemption until January 1, 2025. Wise would like this amount reviewed. Zollinger stated the exemption could be reviewed but it takes three to six months to get the paperwork done through the state. If it is not in place the City collects the utility tax and refunds when the exemption is in place. Alderman Martin stated this should be reviewed next time a year before the exemption

expires. Voting: Ayes – Aldermen Elston, Martin, Stauter, and Wilen. Nays – Alderman Wise. Motion carried.

Alderman Martin made a motion to waive the bid process and authorize the purchase of the Poligon Chelsea structure, including engineering and delivery, in the amount of \$174,722.00; seconded by Alderman Elston. Manager Shumard stated the bid is out for the concrete work and surrounding asphalt. The structure will be brown on brown. It takes 16 weeks for the structure to arrive. The walkway will not be finished for the October Hops on the Rock. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Chief Morgan reported Hot Dog Day was a success at City Hall. We sold 500 hot dogs, plenty of pop, and ice cream.

Superintendent Howard reported the flow meter study is back. The infiltration and inflow (I & I) is mostly from the downtown area. We had enough rain during the metered time to determine areas of concern.

Superintendent Schrader reported the City still has 73 Ash trees to remove from public right-of-way. There are 388 diseased trees on private property. Shumard stated the Tree Board has the authority to order the trees down. Shumard asked if we should offer payment plans to those that need monetary assistance.

Alderman Elston reminded everyone the last movie, *Peter Rabbit*, is Tuesday and the final municipal band concert is Wednesday.

Mayor Lee complimented the Sterling American Legion on their chicken BBQ. The chicken was good as usual.

Alderman Stauter made a motion to move to “closed session” at 7:41 pm to discuss personnel matters as covered under subsection (2) of 5 ILCS 120/2(c); seconded by Alderman Martin. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Martin made a motion to adjourn the Closed Session and reconvene the regular Council meeting at 7:58 pm; seconded by Alderman Wise. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried. Open meeting reconvened.

The meeting adjourned to a study session at 7:58 pm.

Manager Shumard explained there have been many misconceptions on what has been done at the Riverfront. Shumard wants to create a website detailing the history on the

riverfront and follow progress. Shumard shared the history with the Council. Problems exist such as litter, graffiti, an unsecured tower, animal holes in mowed paths, drop-offs, and vandalism. Mayor Lee questioned the quality and installation of the fence at the riverfront after it was damaged over the weekend. Manager Shumard stated aluminum was chosen over galvanized steel because of the cost. Attorney Zollinger assured the Council that vandals cannot hold the City liable for injuries.

Shumard stated concerns of opening the Riverfront are security, safety, access, litter, legal liability, and creating a bad perception due to the incomplete nature of the site. Shumard believes signs advising of risk and history of the site are necessary, along with fencing, an accessibility path, waste receptacles, power, lights, and cameras.

Mayor Lee stated we have not moved forward in the opening. We need to open it up to generate enthusiasm. Shumard would like it open but does not want the risk. It is an expansive area. Lee stated if we do not open it up, we have a \$3 million weed lot.

Alderman Stauter stated it is a nice area but it is not ready yet. Alderman Wise asked if the paths could be phased in with crushed limestone and then pavement.

Janna Groharing wants to invite people to the Riverfront to see and start chipping away at the necessary projects.

Attorney Zollinger asked what is the City's risk tolerance?

Superintendent Schmidt stated that access is important but it must be ADA compliant.

Groharing would like to see outside sources help fund the project phases. Alderman Martin asked if Sterling Steel has been approached to help.

Alderman Wise wants to secure and control the site.

With no further business, meeting adjourned at 8:53 pm.

Marie Rombouts
City Clerk