

CITY OF KNOXVILLE
Regular Council Meeting
Knoxville Police Station, 215 N. Hebard St., Knoxville
Monday, May 15, 2017, 7:00 PM

MINUTES

Call to Order: Mayor Maurer called the meeting to order at 7:00 PM. All rose to recite the **Pledge of Allegiance**.

Roll Call: Present: Aldermen Hillier, Heller, Mahar, Myers and Eiker; Mayor Maurer, Treasurer Bivens, Attorney McCoy, Engineer Cooper and City Clerk Gruner. **Absent:** Aldermen McGovern, Benjamin and Naslund.

Public Comments: Mr. Dennis Neuhaus spoke referring to the May 2nd article in the Register-Mail regarding the pouring license for the BP Station on Henderson Street. He was opposed to serving alcohol on the premises of a gas station because of the strong potential for driving under the influence of alcohol.

Approval of Minutes: Alderman **Eiker** moved to approve the Minutes of the May 1, 2017 City Council Meeting; Alderman **Hillier** seconded the motion which **passed** by voice vote with no dissent

Treasurer – Swearing in: Treasurer Bivens reminded City Clerk Gruner that he had sworn her in on Tuesday, May 2nd.

GENERAL REPORTS

Attorney Report:

- Attorney McCoy reported that the demolition order for one of the houses is progressing.
- Nuisance Ordinance violations are being pursued
- Attorney McCoy distributed the final Tax Computation Report from the County. He reported that the figures show that the City will be receiving close to what we have asked for.
- We should prepare for next year's appropriation which is due in July.

Engineer Report: Engineer Cooper reported that the IDOT Motor Fuel Tax (MFT) Audit was recently performed. The recent Auditor reviewed the MFT Fund transactions for the past four years and found there were no irregularities. However, going forward the City will not be able to reimburse the Street Fund with MFT funds without prior appropriations approved by the City Council. It was her opinion that the city should not have been doing it this way, but she was willing to “forgive” anything that was done prior to 2017. Engineer Cooper said that he had looked up previous years practices and found that the City had been doing it the same way for at least forty years. To help ease the implementation of this technicality, Mr. Cooper suggested that Knoxville follow the fiscal year time frame (which begins on May 1st) for MFT projects in the future. Alderman **Hillier moved** to change the MFT purchases from a calendar year to a fiscal

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year; Alderman **Myers seconded** the motion which **passed** by voice vote with no dissent. Engineer Cooper said that he will write the letter to IDOT confirming the change..

Treasurer's Report: Treasurer Bivens distributed paper copies of the Treasurer's Report. She is currently using the same format as the previous treasurer, James Whitney.

City Clerk Report: City Clerk Gruner reported that the Mayor, two aldermen and he attended the Miller, Hall and Triggs Municipal Law Seminar on Saturday, May 13. He has a copy, in booklet form, of all of the sessions of the Seminar. They will be on his desk for any Council Member to review. If anyone cannot get to City Hall during normal business hours, they should call him and he will get it to them. Once again, Miller Hall and Triggs presented good information.

Payment of City's Bills: Alderman **Mahar** moved to approve payment of the City Bills; Alderman **Eiker seconded** the motion which **passed** with five (5) Yes votes and three (3) Absent.

INFORMATION ITEMS

- **Information Regarding Training for the Open Meetings Act:** The City Council Package contains information regarding training for the Open Meetings Act (OMA). All newly elected officials need to complete the Electronic Training Curriculum before the end of the year. City Clerk Gruner recommended that all elected and appointed Officials take the OMA training and also the training for FOIA, the Freedom of Information Act, because some of the rules have changed over the years. Many of the changes relate to electronic media "meetings".

OLD BUSINESS

1. **Retirement program – Elected/Appointed Officials – Adjust wages – Myers:** Alderman Myers understood that a previous vote to pay into the SEP Retirement program, including elected officials be divided and paid out, for this year only, as part of the officials' wages. After some discussion of various problems involved, Alderman **Myers moved** to terminate the SEP payments to Elected and Appointed Officials entirely; Alderman **Heller seconded** the motion which **passed** by voice vote with no dissent.
2. **Revisions to Liquor License Ordinance 2017-08 - Hours:** The discussion revolved around consistency between the City of Knoxville and the City of Galesburg as well as Knox County, because The City of Knoxville calls on both of those jurisdictions from time to time for emergency or police support. Since the Council was unsure of the exact

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hours in both of those jurisdictions, and to avoid any confusion, **Ordinance 2017-08 was tabled.**

- 3. Revisions to Liquor License Ordinance 2017-09 – New Sub-Class:** Pradeep Kataria, owner of the BP Station on Henderson Road near I-74 Exit 51, showed his version of a “bar” which is just a small refrigerator unit to handle beer and wine in small quantities. He also proposed that he would price his “serving” products much higher than his competitors to discourage drinking on the premises. A representative from the company providing support for establishments with gaming explained the legal requirements of the Illinois Gaming Board (IGB). According to Illinois Gaming law, the BP Station does not qualify as a “Truck Stop” because it does not have enough acreage (minimum 3 acres). It would need to have the pouring license in order to qualify for the gaming license. While Mr. Kataria stated that he would deliberately over-price his beer and wine, there is no requirement that other applicants would do the same and once the Ordinance is amended to allow for the facility at the BP station, others could make a similar application with no need to set prices too high for liquor sales. Alderman **Myers** moved to reject the proposed revisions to the Liquor Codes in Ordinance 2017-09; Alderman **Eiker seconded** the motion. City Clerk Gruner reminded the Council that a Yes Vote means rejecting the Ordinance and a No Vote means approving it. The motion **passed** with five (5) Yes votes and three Absent. Changes to the Liquor Ordinance for the purpose of adding a new classification was rejected.

NEW BUSINESS

- 1. Resolution 2017-37 – Part-Time Police Officer Employment – Jack C Harlan:** Alderman Myers reported that both he and Chief of Police Poyner interviewed Officer Harlan and recommend him. He is currently employed as a full time deputy sheriff but has committed to fill in enough hours to help out with Knoxville’s needs. Alderman **Myers moved** to approve Resolution 2017-37 and appoint Officer Jack C. Harlan as a Part-Time Knoxville Police Officer; Alderman **Hillier seconded** the motion which **passed** with five (5) Yes votes and three (3) Absent.
- 2. Museum Roof Repairs:** There is a problem with the Museum roof leaking. The roof situation was addressed several years ago but is leaking again in another location. Some members of the Council suggested that the entire roof be redone with a slope at some time in the future. Until then, Alderman **Eiker moved** to approve the bid from Armour Roofing, Inc., for a total of \$2,175 as an immediate solution; Alderman **Hillier seconded** the motion which **passed** with five (5) Yes votes and three (3) Absent.

COMMITTEE REPORTS:

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Parks: **Alderman Eiker** reported that he has received three new trees. The Fishing Derby went well and is seen as a success.

Mayor's Report:

- Thank You cards were received from Karen Benjamin on the passing of her husband and from Bill Shenaut for Police and Emergency Response.
- Jim Eastwood and his team made a success of the Fishing Derby.
- A Crosswalk Guard for District 202 is needed on Route 150. The City will be working with the School District to resolve the issue.
- Recently there was an OSHA inspection of the Knoxville Facilities. There were several issues with the Water Department but they have been addressed by Mike Johnson and Dave Liniger.
- There was a Mailing from the University of Illinois Extension for a webinar on FOIA.
- The Illinois Municipal League is also holding a seminar on FOIA. Registration for this seminar is \$75.
- The Miller Hall and Triggs Municipal Law Seminar on Saturday (May 13) was attended by two Aldermen, the Mayor and the City Clerk. Attorney McCoy was one of the presenters on the subject of FOIA. As he noted there have been some changes to the FOIA and to the Open Meetings Act.
- The Knoxville Fire Department plans to sell hot dogs at the 4th of July celebration at James Knox Park. We need to have a written request to approve.
- The Action Team is meeting on Tuesday, May 16 at 6:00 PM.
- The Zoning Board of Appeals is meeting on Wednesday, May 31, at 7:00 PM in the Old Courthouse.
- City Collector Leslie Wilt will be on vacation next week.
- The letter authorizing the outside consumption of alcohol for their car/motorcycle show has been delivered to Big CatZ.

Future Agenda Items: Ordinance 2017-08, Liquor Service hours of operation:

Adjourn: At about 8:00 PM, the meeting was adjourned by voice vote with no dissent.

Respectfully Submitted by:

Charlie Gruner, City Clerk