

CITY OF KNOXVILLE
Regular Council Meeting
Knoxville Police Station, 215 N. Hebard St., Knoxville

Monday, April 1, 2019, 7:00 PM

MINUTES

Call to Order: Mayor Maurer called the Regular City Council Meeting to order at 7:01 PM. All rose to recite the Pledge of Allegiance.

Roll Call: Present: Aldermen Benjamin, Eiker, Hillier, Mahar, Myers, Naslund; Mayor Maurer, Treasurer Bivens, Chief of Police Poyner, Attorney McCoy, Account Specialist Tuthill. **Absent:** Aldermen Heller and McGovern. Also in attendance: Mr. Charlie Gruner, Mr. Jared Poppett, Mr. Steve Benedict, and two members of the press.

Public Comments: Mr. Steve Benedict expressed his disappointment to the City Council Members of the latest Cemetery Spring Cleanup. He stated that the flowers, plastic inserts and foam fillers were removed from a vase that was attached to his mother's stone that should have not been removed according to the Cemetery Rules. Mr. Benedict said he spoke to Supervisor of Public Works Tim Rossell and he was unhappy with the visit with Mr. Rossell. Mr. Benedict stated he has been taking flowers to the Cemetery for 9 years and switches them out each season and has never had a problem in the past. Mayor Maurer assured Mr. Benedict we would look into the situation since City Hall had received several complaints also.

Approval of Minutes: Alderman **Eiker moved** to approve the Minutes of the March 18, 2019 City Council Meeting; Alderman **Hillier seconded** the motion which **passed** by voice vote with no dissent.

INFORMATION ITEMS

- 1. Home Rule vs. Non-Home Rule:** At the last City Council Meeting, Mayor Maurer spoke about House Bill 824 regarding Non-Home Rule Sales Tax. This is something the Illinois Municipal League is watching over. A question came up as to the difference between Home Rule vs. Non-Home Rule. Mayor Maurer presented some information about the Rules from the Biennial Booklet that Miller, Hall and Triggs does for their legal seminars. Also information was included from the Realtors Association. Mayor Maurer shared that there are several communities that are looking into switching from Non-Home Rule to Home Rule. There were approximately 12 locations that tried to make the change in 2017 and only one was successful. It was mentioned that residents consider this a tax increase. Attorney McCoy said the City would have to do a referendum or grow to a population of 25,000. He also stated that the Home-Rule is more freedom for the Hotel/Motel fund. If the City could go to Home Rule we would still have the same hotel tax and same rate but we could use the tax for any public purpose.

OLD BUSINESS

- 1. Roofing Bids for James Knox Park Shelters:** Mr. Myers shared that three bids were received and they were a combination of things such as steel and then steel and shingle. The bids were not similar in comparison. Mr. Myers and Mr. Eiker had discussion in just

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completing just the large pavilion this current year. The small pavilion needs repair but the roof isn't that bad yet and could wait at least a year. Mr. Eiker requested that the large pavilion roof be completed in steel. The bids received did include price to roof both the large and small pavilions. 1st bid was \$8,900 and included price of sheeting. 2nd bid was \$6,840 but did not include the sheeting price and stated to add \$3,800 additional for a total of \$10,640 with sheeting. 3rd bid was \$10,240 and included the sheeting price. Alderman **Myers moved** to table this item until the next Council Meeting. Alderman **Hillier seconded** the motion, which **passed** by voice vote with no dissent.

NEW BUSINESS

- 1. Independence Day Fireworks:** Mayor Maurer stated the 4th of July is on a Thursday this year. He suggested having the fireworks display on the 4th with a rain date of the 5th. Alderman Hillier mentioned that the Knoxville Mercantile was interested in doing the ice cream at the park again this year and Alderman Myers requested that they come to the next Council Meeting to make their request. Alderman **Hillier moved** to approve the celebration of July 4th on the 4th with a rain date of July 5th. Alderman **Benjamin seconded** the motion, which **passed** by voice vote with no dissent.
- 2. Resolution 2019-02 – Hire Part Time Utility Worker:** Mayor Maurer requested a change to the Resolution 2019-02 for guidance of payroll. The Part Time Utility Worker, Mr. Sterr was called in by Supervisor of Public Works, Tim Rossell to do some cemetery cleanup which was before Mr. Sterr's original Part Time Utility Worker state date. There was about 5 hours of labor. Mr. Rossell had mentioned the rate of \$13.50 per hour to Mr. Sterr which Mayor Maurer stated should be the authority of the Council and not the Public Works Supervisor. Mr. Myers suggested a rate of \$13.75. Mayor Maurer suggested the Resolution date be changed from April 22nd, 2019 to March 26th, 2019. Alderman **Myers moved** to approve as amended. Alderman **Hillier seconded** the motion which **passed** with six (6) Yes votes and two (2) Absent.
- 3. Proposed Liquor License Changes – Class G & Class CR:** Mayor Maurer informed the Council that Mr. Keith Vaughn approached him about setting up tents at the St. Mary's Chapel for wedding events and that he would like to have the ability to sell alcohol at those events. Mr. Myers asked about the buildings that Mr. Vaughn was to initially build. Mayor Maurer stated those building are still on the radar to be built but possibly in the form of a pavilion instead with open sides and a permanent roof. Mayor Maurer mentioned that the City's current license does not allow liquor to be served in tents. Treasurer Bivens asked a question to Mr. Rob McCoy regarding liquor licenses. She shared that she has read that the liquor licenses require that the liquor be served in a gated and confined area. Serving in tents is not in a gated or confined area. Mr. McCoy responded that most of the licenses do require that. You have to have a license to the premises for most things so that you have some control. Mr. McCoy's biggest concern is we have the Class G License which is for events which is basically for non-profits and the State has a non-profit license as well for events. At the State level they can get a permit for a special event for someone who already has a liquor license. Mr. McCoy's

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thought on the license is to allow a change to the CR License. He suggested with the CR License you can have a tent next to a pavilion or outdoor structure with supervisors next to the rental hall. They would have to get an event license from the State anyway. The CR License is currently not being used. Mr. McCoy stated that we could make a license that limits the number of outdoor events per year. Mr. Myers stated he is not comfortable rewriting the license without having Mr. Vaughn at a meeting to discuss what is exactly needed for the license. Mr. McCoy also reminded the Council that there is still a grocery store license out there that is not being used. Mr. Myers requested that the grocery store license be placed on the next City Council agenda. This item was tabled until Mr. Vaughn is able to attend a meeting and make his request.

4. **Use of Cargo Containers as Accessory Buildings on Residential Properties:** Mayor Maurer informed the Council that there is a permit request at City Hall from Mr. Nathan Gibbs for a 160 square foot cargo container to be placed on his property at 214 N. Market St. at the SE corner of his garage to be used as an accessory building. Mr. Mahar asked if Mr. Gibbs was going to remodel the container which was not noted on the permit request. Mayor Maurer shared that he had spoken to Attorney Rob McCoy regarding this issue and Mr. McCoy came up with an Ordinance from Eagle Grove, IA that was included in the packets and pertains to the portable storage containers. Mr. Myers stated that it is very good Ordinance but did express that he does not think that the portable containers need to be placed in a residential area at all. Mr. McCoy stated he will write up a proposed Ordinance and he suggested sending this information to the Zoning Board and have a meeting set up as soon as possible. Mayor Maurer will contact Mr. Gibbs and find out more of what his purpose is for the building. This item was tabled until information can be sent to the Zoning Board for review.

Mayor's Report:

- Aaron Buck with Midcentury has provided the City with a Franchise Agreement and it has been sent to Attorney Rob McCoy for review. City Hall, Police Department, Street Department, Library and Museum are all up and running on fiber. The High School will be moving to Midcentury fiber no later than June 30th. When we first discussed the fiber with Midcentury, we were talking internet and phone service. Once the fiber was installed at City Hall, the phone was discussed and we received a little push back on it from Midcentury. It is currently being worked on to see how soon we can get phone systems.
- In October 2018 the Council created a Lead Line Replacement Program and made it available for five (5) residents and we have received a request from Monica and Larry Clevenger at 502 Newman St. Mr. Mahar informed the Council that Joe Bouchard with Backhoe Joe, is no longer working with the Service Line Agreement Company.
- Jim Eastwood had informed the Mayor that he is unable to do the Fishing Derby this year due to some health reasons. In talking to Mr. Myers and Mr. Eiker, the decision was made to not have the derby this year. We will continue to stock the pond as we have in the past so the kids can have something to fish for through the summer. It will be discussed for next year.

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- Sometime in mid-March there was a foreclosure action in the newspaper against Mr. Kataria with the BP Station. Mr. Myers shared that Mr. Kataria was incarcerated but is now out. Mr. Myers also mentioned that it was his understanding that Mr. Kataria did not own the station. Mayor Maurer confirmed that the land is owned by Tri-Power Petroleum out of Chicago but he is unsure of what Mr. Kataria's arrangement is with the company. It is understood that the owner of the property is trying to take back ownership of the property. Mayor Maurer also shared he has received a phone call from someone asking about the station interested in what the status was and it was explained that the two parties are battling for ownership. Mayor Maurer happily gave them Mr. Kataria's number.

COMMITTEE REPORTS:

Administrative – Benjamin: None.

Cemetery – Hillier: None.

Community & Economic Development – McGovern: None.

Parks – Eiker: Received a bid for some work to be done on the Stamps Field Sign.

Police – Myers: None.

Sanitation – Naslund: None.

Streets – Heller: None.

Water/Sewer – Mahar: Mr. Mahar shared that there has been a change in the painting of the Water Towers. The electrical panel won't allow us to shut the water off at the North Tower so the painting started with the South Tower until the panel is fixed. There could also be a delay in the process due to the repairs needed on the panel because the company has another scheduling so it could be later in the year before the North Tower is completed.

Mr. Mahar also mentioned that there could possibly be an issue with receiving water from Galesburg. They are installing a new system at the river and when they do the switch over, there is going to be a shut down. There may or may not be enough water from Galesburg during the switch. We may need to switch to our well water until the switch is made. Mayor Maurer noted that the City received a letter from Wayne Carl, Director of Planning and Public Works, that they are going to be rehabbing the well in Oquawka and he is assuring us that the backup wells should have enough capacity to meet the water needs.

FUTURE AGENDA ITEMS:

- Mr. Eiker requested that the Stamps Field Sign at the High School be on the next City Council Agenda to approve putting it up in the park.
- Roofing Bids for James Knox Park Shelters
- Proposed Liquor License Changes
- Use of Cargo Containers as Accessory Building on Residential Property
- City Employees and City Council Compensations
- Annual Appointments

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Adjourn: At about 7:50 PM, Alderman **Eiker moved** to Adjourn the Meeting; Alderman **Hillier seconded** the motion which **passed** by voice vote with no dissent.

Submitted by:

Melanie Tuthill, Deputy Clerk