

MINUTES OF THE AUGUST 27, 2013 REGULAR MEETING OF THE MOUNT CARROLL CITY COUNCIL

Mr. Jim Fiser rang the bell to announce the start of the meeting. RINGING OF BELL  
Mayor Carl Bates called the meeting to order at 7:30 p.m. CALL TO ORDER  
Roll call: Mayor Carl Bates, present, Aldermen Tom Charles, present, ROLL CALL  
Jim Rose, present, Bob Sisler, present, Doug Bergren, present, Mike Risko, present, and Joe Grim, absent.  
Alderman Risko led the Pledge of Allegiance.  
Mr. John Boelkens gave the invocation.

Alderman Risko moved and Alderman Charles seconded to approve the MINUTES minutes of the August 13, 2013 regular meeting as presented. Roll call vote: Aldermen Charles, yes, Rose, yes, Sisler, yes, Bergren, yes, Risko, yes, and Grim, absent. Vote: 5 yeses, 0 noes and 1 absent. The motion was carried.

Alderman Charles moved and Alderman Risko seconded to authorize ACCOUNTS PAYABLE the payment of the accounts payable to date for the month of August 2013 as approved by the finance committee. Roll call vote: Aldermen Rose, yes, Sisler, yes, Bergren, yes, Risko, yes, Charles, yes and Grim, absent. Vote: 5 yeses, 0 noes and 1 absent. The motion was carried.

Mayor Bates reported the bank account balances were at \$411,243.83 FINANCIAL REPORT as of today before the accounts payable are paid.

Alderman Bergren reported of the August 21<sup>st</sup> historic preservation advisory committee meeting:

COMMITTEES  
HPAC

1. Discussed the current status of the Haas building in the downtown, the work on the updated historic district survey, the digital sign ordinance, the pros and cons of a Business District Development, repair needed to one of the signs in the historic district and the next meeting would be held on September 18<sup>th</sup> at 7:00 p.m.

Aldermen Risko, Rose, Charles and Bergren reported of the committee STREETS, POLICE meetings held on August 26, 2013. A copy of these minutes are LICENSE & ORDINANCE, AND attached and included with these minutes. The following are WATER & SEWER additional comments, recommendations or decisions from those meetings:

Alderman Charles presented the license and ordinance committee "NO DUMPING" SIGNS recommendation to approve the purchase and placement of "No Dumping" signs near the guardrail located in the Bushy Flats area (located in the 200 block of East Market Street). Roll call vote: Aldermen Sisler, yes, Bergren, yes, Risko, yes, Charles, yes, Rose, yes, and Grim, absent. Vote: 5 yeses, 0 noes, and 1 absent. The motion was carried.

Alderman Sisler commented about paragraph 4 from the license and ordinance committee meeting about maintaining one form of payroll records for recording the time for the city employees. He stated he felt that the time card not the time clock cards should be the one to get rid of.

Alderman Charles reported of the August 27<sup>th</sup> finance committee meeting: FINANCE

1. The bills were reviewed and approved.
2. Alderman Charles reported of an amount of funds that had been run DEFERRED COMP. through the City's check clearing account in order to close out a recently PLAN retired employee's deferred compensation plan. The documentation was on file in the City hall.

3. The committee discussed that there was a candidate to be recommended to fill the vacancy for the position on the City street department.
4. The committee discussed the issue of the outdoor music events at one business in the community. This matter was presented at last night's committee meetings. Alderman Charles noted that he would be getting information from some other communities and the county to see if any regulations should be amended or developed.

Mayor Bates noted that the next item of business was to discuss the status of the Haas property located at the corner of Carroll and Market Streets. He stated that the next court appearance was scheduled for September 3<sup>rd</sup>. He reported that the proposed purchaser of the building that attended the last council meeting (Jerry Gendreau of Savanna, IL) was supposed to have gotten a letter from the architect that the work they were proposing to repair the building was going to meet the specifications. This had not been done to date. Mayor Bates stated that we were running out of construction time before the winter. He asked the council to consider authorizing him to explore the City's options with the local banks to secure a loan so that the City could take measures to get the building fixed. City Attorney Coplan was in attendance and addressed the council about this matter. He stated that there were several things in play here. The current record holder of the property would not be let out or relieved of any responsibility if the property was purchased by someone else. The buyers would be additional defendants, there would be a lien on the building site and personal judgment would be against all of the owners. No one would escape this and this had been expressed to Ms. Haas. He stated the contractor that was suggested by the proposed buyer was not listed as a corporation with the State of Illinois.

Alderman Charles moved and Alderman Risko seconded to authorize the Mayor to investigate financing of this downtown building project. Roll call vote: Aldermen Bergren, yes, Risko, yes, Charles, yes, Rose, yes, Sisler, no, and Grim, absent. Vote: 4 yeses, 1 no and 1 absent. The motion was carried.

Alderman Sisler commented that he had information that the proposed contractor was on another list that the City should be concerned with. It was noted that the options proposed had been to consider to repair or demolish. City Attorney Coplan stated that this was in litigation and that it was his intent to enter an order to repair or demolish and then it would be up to the City to exercise this.

Alderman Charles reported that Mr. Jim Johnson owner of the property located on Commercial Street had cleaned up the mowed the weeds. The consensus of the council members present was to remove this item from the agenda.

Mr. Lou Schau was in attendance and reported that he and Mr. Pokropinski had one more vendor to talk with regarding the iFiber networking for internet services. Mayor Bates stated that he had met with Mr. Payette from the Blackhawk Hills Agency and he would meet with Mr. Schau about their discussions.

Mayor Bates presented to the council the appointment of Mr. Mark Mueller to fill the vacancy of the street department position. Risko moved and Alderman Charles seconded to approve the appointment of Mark Mueller to fill the street department position, with a starting wage of \$13.01 per hour, with starting date of August 30<sup>th</sup> pending completion of a physical on August 30, 2013 and signing of agreement. Roll call vote: Aldermen Charles, yes, Rose, yes, Sisler, yes, Bergren, yes, Risko, yes, and Grim, absent. Vote: 5 yeses, 0 noes, and 1 absent. The motion was carried.

Mayor Bates presented to the council the appointment of Duane Babicz

of Freeport, IL to be added to the part time police officer roster in OFFICER BABICZ the department. He stated this was a recommendation from the police committee as well. Alderman Sisler asked if the part time officers could be introduced to the council. Chief Cass was in attendance and stated he would take care of that matter. Roll call vote: Aldermen Risko, yes, Charles, yes, Rose, yes, Sisler, yes, Bergren, yes, and Grim, absent. Vote: 5 yeses, 0 noes, and 1 absent. The motion was carried.

Alderman Risko moved and Alderman Charles seconded to grant a RAFFLE LICENSE raffle license to the Good Samaritan Society. Roll call vote: Aldermen Charles, yes, Rose, yes, Sisler, yes, Bergren, yes, Risko, yes, and Grim, absent. Vote: 5 yeses, 0 noes and 1 absent. The motion was carried.

Alderman Charles moved and Alderman Bergren seconded to grant STREET the street solicitation permit to the Knights of Columbus for the SOLICITATION September 21, 2013 activity. Roll call vote: Aldermen Rose, yes, Sisler, yes, Bergren, yes, Risko, here, Charles, yes, and Grim, absent. Vote: 5 yeses, 0 noes, and 1 absent. The motion was carried.

Mr. Len Anderson, Car Cruise Night organizer, was in attendance and 2014 CAR CRUISES addressed the council to request continued sponsorship by the City to have the 2014 car cruise activities on June 21<sup>st</sup>, July 19<sup>th</sup>, August 23<sup>rd</sup> and September 27<sup>th</sup> for the eighth annual year. For these four nights the City handles the insurance coverage, closes a portion of Market Street and contributes \$800 from the City band fund to pay for the entertainment. Alderman Charles moved and Alderman Risko seconded to approve all of the activities for the 2014 Car Cruise nights as stated above. Roll call vote: Aldermen Rose, yes, Sisler, yes, Bergren, yes, Risko, yes, Charles, yes, and Grim, absent. Vote: 5 yeses, 0 noes, and 1 absent. The motion was carried.

#### GENERAL AUDIENCE

Under general audience Mr. Lou Schau of the Mt. Carroll CDC reported of the Brick Street Saturday events, reported of the paint work, fence work and brick and mortar work on the outside of the Kraft Building. Mr. James Meador of the Henry's Double K and his neighbor Mr. Jim Fiser were in attendance and discussed the outside noise issue with the live bands. Their question was what would happen this weekend. Alderman Charles, Aldermen Risko and Alderman Sisler stated that they felt the ordinance as it stands now should be enforced that the noise was to be reduced at 11:00 p.m. so as not to disturb the neighbor or neighbors. Alderman Charles, Bergren and Risko stated they would be doing some research to have some options for the next meeting about this matter.

Mayor Bates noted from the correspondence there was information from the Chamber about the Brick Street Saturday events on August 31<sup>st</sup> and a September 1<sup>st</sup> tractor pull in Shannon, IL. He also reported that the auditors have submitted the final draft of the annual financial reports and they would be here at the September 10<sup>th</sup> council meeting.

Alderman Risko moved and Alderman Charles seconded to adjourn the ADJOURNMENT meeting. Roll call vote: Aldermen Charles, yes, Rose, yes, Sisler, yes, Bergren, yes, Risko, yes and Grim, absent. Vote: 5 yeses, 0 noes and 1 absent. Mayor Bates adjourned the meeting at 8:30 p.m.

NAME OF COMMITTEE Streets, Police, Water & Sewer, License & Ordinance Committees

PLACE OF MEETING City Hall

DATE OF MEETING August 26, 2013

TIME MEETING CALLED TO ORDER 6:02 p.m.

THOSE PRESENT Mayor Bates, Aldermen Risko, Bergren, Charles, Sisler, Rose

ITEMS OF BUSINESS DISCUSSED, RECOMMENDATIONS OR DECISIONS:

Also in attendance: Police Chief Cass, Superintendent Dauphin, Superintendent Handel, John Boelkens, James "Henry" Meador, Mr. and Mrs. Jim Fiser

STREETS

1. Completed projects

Alderman Risko noted that the crew was maintaining the equipment, sweeping the streets and doing the regular maintenance at the City cemetery.

The committee discussed the status of the new playground equipment that was installed and the completion of the sand base. It was noted and considered to remove the old equipment in the back of the park area and started discussion to assess the maintenance of the wood train in the front of the park. There are some safety issues with this piece of equipment. Need more information about what is needed to fix it.

Superintendent Dauphin noted the repairs to the boom truck were done and reported they were still working on the light to the flag in the park.

2. Current projects

- The crew would be working with the water and sewer department on the bio disc project this fall.

- Have selected a candidate for a new hire, this recommendation would be presented to the mayor.

-Alderman Risko stated he would be scheduling a meeting with the county highway engineer to discuss the Galena Street Bridge project.

-Mr. & Mrs. Fiser reported of a place on South Jackson Street that was buckling up and was quite a bump now.

POLICE

1. Chief Cass provided a copy of the July monthly report.

2. Chief Cass reported of the new tires purchased for the Crown Vic squad and that the Explorer would need new tires before winter.

3. Chief Cass asked to have Mr. Duane Babicz of Freeport, IL be considered to be added to the part time police roster. \*Recommendation from the committee to approve Mr. Babicz being presented to the mayor for appointment.

4. Alderman Charles reported he had received two good comments about Officer Nick Meeker and he wished to pass that on to the committee and the chief. Alderman Risko stated he observed a situation that Nick had handled and he stated he felt he was doing a good job.

LICENSE AND ORDINANCE

1. Alderman Charles reported that he was waiting for any feedback from the city attorney regarding the recommendation to approve the last draft of the employee handbook.

2. Alderman Charles reported he had met with Mr. Westphal about the clean up at the Bushy Flats area (200 block of East Market Street). Progress a bit slow. Once he gets the

front of the building cleaned we might want to move the dumpster to the back of the building. Also, Mr. Westphal reported that someone was dumping brush and other items near the guardrail. \*Recommendation to the council to approve the purchase and placement of "No Dumping" signs near the guardrail area near the Bushy Flats.

3. Alderman Charles asked the others on the committee and the council members to please look at the Jim Johnson property located along East Commercial Street. He felt this had been cleaned and completed for what was asked of him. If there is more to be considered to provide that information tomorrow night at council otherwise he would like to close this matter.
4. Alderman Charles provided a new time sheet to be used by the city employees for recording their time for payroll. The auditors recommended one set of paperwork and he felt we should get rid of the time clock cards. He has provided this to the superintendents and the clerk. Unless some editing is needed these would be used. Alderman Sisler noted he felt that the time clock cards should be the ones to be used.
5. Alderman Charles stated that next item of business is to consider the noise complaints presented recently from the outdoor music being conducted on the weekends at the Henry's Double K business. The neighbor to the immediate south of the business wants this to be stopped when the City ordinance states at 11:00 p.m. Mr. Jim Fiser, 842 S. Jackson Street, was in attendance and addressed the council about this matter and stated that he had borrowed a decibel meter to check the noise levels on the evenings that the business has the outdoor live music. He stated the readings were high according to safe noise levels. He has called the police a couple of times and he stated they might go over and talk with the owner but that the noise is still very loud until midnight and sometimes later and he does not feel that is acceptable. He stated he cannot take the noise and he wants the ordinance enforced or some sort of permit process set up and the music has to stop by 11:00 p.m. Mr. James "Henry" Meador, owner of the business, was in attendance and addressed the council. He stated he wanted to know what the council would be doing. He stated that the outdoor live music is an attraction that he has received a lot of business from. If he would be closing down at 11:00 p.m. he felt he would not recoup his costs for this type of activity. Mr. Meador stated he was working on the air conditioning units for the upstairs of the building for some of the music, but he does not want to do away with the outside activities. Alderman Sisler and Charles stated that the city did have a noise ordinance requiring it to be tolerable after 11:00 p.m. This should be enforced and was there a way for Mr. Meador to set the band up different in the patio area or put up a wall or buffer to stop the noise from traveling to the south somehow. Police Chief Cass stated that the police officers have been going when called and he felt this matter needed to come to council as it was a bit unique. Alderman Charles stated the committee would look to ask the city attorney if an amendment to the noise ordinance should be considered. Alderman Bergren stated that in the town that he works they had a similar situation in the downtown area and a ten foot fence was installed to buffer the noise. He stated he would check and see if that helped to deter the noise complaints and would report back. Alderman Charles stated another meeting would be scheduled for September 10<sup>th</sup> to discuss this matter with the city attorney whether an ordinance should be drafted or not. In the meantime the ordinance should be enforced if there are any further complaints.

PAGE 3 COMMITTEES AUGUST 26, 2013

WATER AND SEWER

1. Superintendent Handel reported that the media for the bio discs was scheduled to be shipped on September 9<sup>th</sup>. Should be able to have most of the project done before winter.
2. Would be doing the fire hydrant flushing starting after the holiday. Superintendent Handel reported that the hydrant near the Schnitzler's had been done.
3. The swimming pool was closed for the season.
4. Superintendent Handel reported that Greg was picking up the work on water and sewer very well.
5. Discussed the new candidate for hire to fill the vacant position. The committee members present voiced their approval to have the candidate complete a physical, drug and alcohol testing and if ok to present the candidate to the mayor for appointment. Should have this done and available for council consideration at the September 10<sup>th</sup> meeting.
6. Discussed the use of the lift at the swimming pool this year.

The meeting was adjourned at 7:20 p.m.  
Minutes taken by Clerk Cuckler

The Mount Carroll City Council approve the minutes of the August 27, 2013 regular meeting at the September 10, 2013 regular meeting.

Julie A. Cuckler  
City Clerk & Collector

