

CITY COUNCIL MEETING
Tuesday, August 10, 2021
7:00 P.M.

J. William Ingold, Mayor

Suzie Shell, City Clerk

The monthly meeting of the Paxton City Council was held on Tuesday, August 10, 2021 at 7:00 p.m. in the City Council Chambers. Mayor Ingold called the meeting to order at 7:00 p.m.

Roll call showed the following aldermen in attendance: Cox, Crutcher, Evans, Geiken, Pacey, Wilson, and Withers. Also, in attendance were: Mayor Bill Ingold, Treasurer/Comptroller Tammy Jensen, Water/Sewer Supervisor Bob Carleton, Street/Alley Supervisor Jesse Houtzel, Police Chief Coy Cornett, Attorney Marc Miller, City Clerk Suzie Shell, and members of the audience and press.

Mayor Ingold led the meeting in the recital of the Pledge of Allegiance.

MINUTES: Mayor Ingold asked if there were any changes, corrections or additions that needed made to the minutes from the July Council meeting. Alderman Wilson made a motion to approve the minutes of the July Council meeting. Aldermen Geiken seconded the motion. All approved on a voice vote.

LIST OF CLAIMS: Alderman Wilson made a motion to approve the lists of claims, excluding EIEC. Alderman Withers seconded the motion. Roll Call: ayes - Alderman Cox, Crutcher, Evans, Geiken, Pacey, Wilson, and Withers. Seven ayes, motion carried. Alderman Withers made a motion to approve the EIEC bill. Alderman Evans seconded the motion. Roll Call: ayes - Alderman Cox, Evans, Geiken, Pacey, and Withers. Abstain – Crutcher, Wilson. Five ayes, two abstains, motion carried.

TREASURER'S REPORT AND INVESTMENT REGISTER The reports have been emailed to all Aldermen. Alderman Wilson made a motion to approve the Treasurer's Report and Investment Register. Alderman Evans seconded the motion. All approved on a voice vote.

FINANCE/BUDGET – ALDERMAN WILSON:

Alderman Wilson stated that the first bill was received from the auditors. Everything seems to be in order per Comptroller Tammy Jensen. She stated that there were a few things to update but her hope is to have them back next month to complete the review.

PUBLIC WORKS – ALDERMAN WITHERS:

Discuss and Update on MFT Work – Alderman Withers mentioned the email sent out regarding Pells St by the IGA. Mayor reported that about \$24,000 was left over from contracted work and received a phone call about the parking area near IGA/Farmers Merchants bank. Based on a review with Mr. Cook, it was determined that this area can be completed with the remaining money. Street Supervisor Houtzel stated that the work on West Franklin St is almost completed and then work will begin on the other approved streets.

Discuss Draft proposal for Drainage Issues Work – Mr. Friend reviewed and discussed the drainage issues that were looked at in town. Mr. Friend stated that a visit was conducted and based on their understanding of the priority, the council will need to review the list and determine the priority of areas that need to be worked on and then the project estimated costs can be given. Mayor Ingold stated that he emailed out the working draft to the council and it may be that a meeting will be necessary to review and then the committee and/or council can meet to discuss. Ms. Ursula Baker, citizen, asked if bids were taken for this list of properties with drainage issues. Mayor Ingold advised that Farnsworth is the city's Engineering Company and that once amounts for repairs are received, it would be put out for bids as needed. Alderman Withers stated he would try to get a committee meeting put together in the next few weeks to review.

Water/Sewer Supervisor Bob Carleton stated that they have been busy doing water meter installs. Heather Haile has been calling customers to try and arrange appointments. The car wash has been moving along. A fire hydrant was run over this past week and is in the process of being repaired. A new roof for the filter building was finished. Ms. Baker asked Supervisor Carleton how the company was chosen to do the repair. Supervisor Carleton stated that if a project is under a certain amount, a bid is not needed.

Attorney Marc Miller explained that jobs under \$25,000 do not require bids to be published per state statute. Mr. Miller further explained that for small jobs under \$25,000 the work can be done without the

bid process. Mr. Miller stated that this is consistent with state statutes. Ms. Baker stated that she would like a copy of these statutes and Mr. Miller stated that he believes it is part of the online ordinances. Mr. Miller stated that the bidding out of jobs is set out at the state level. Discussion continued between City Attorney Miller and citizen Baker.

PUBLIC SAFETY – ALDERMAN PACEY:

Chief Cornett mentioned a letter of appreciation to be given to Stewart Stafford for his work with the Subway and Monical's burglaries. Also, Officer Stafford received a call regarding a female who was not responsive and he was able to deliver a dose of Narcan to revive the female.

The city went to court on the second of August on the Liggett property. The city will need to wait thirty days for the appeal process and then they would need to get bids to take down the house. Chief Cornett expects Ms. Liggett will get things taken care of in that time frame.

Alderman Pacey stated that they have been working on several properties over the last few years to take care of 640 E Patton and 335 E Chestnut. These homes were part of ordinance violations. He further stated that it is part of public safety to keep an eye on homes that may endanger others. It was asked if the property was abandoned. The home on E. Patton has two holes in the roof from fire damage as one example of the safety issues. Chief Cornett stated that it is undetermined if one of the homes is abandoned but that there is a process to follow to handle these types of home situations.

Mr. Joe Reinhart asked what happens to the property if the city has to take down a house. Alderman Pacey says that sometimes the city would purchase the lot to take down the house. Alderman Pacey explained that it is costly and takes 12-24 months for the process to go through with the intention to clean an area and lot with an unsafe property.

Carol Thilmony asked if anything would be done about overweight vehicles/semi's traveling down Market Street. Chief Cornett advised that small signage is in place and that there is large signage available but that is pending with the State. It is also an issue in that Google Maps still lists this as an appropriate travel way. Chief Cornett states that it isn't fair to ticket semi-drivers for following what has been listed as an appropriate travel route through Google Maps until we are able to find out how to get that changed/updated. Mayor Ingold stated that when the Streetscape work is scheduled to be done there will be traffic routes established for deliveries to the uptown businesses.

Matthew Griffin, Paxton, shared with the city council a civil encounter he had with another Paxton citizen and that man's dog. After the encounter, Mr. Griffin reports he went to City Hall to pay a bill and to call local law enforcement. Mr. Griffin met with a City of Paxton officer who suggested that this was a civil matter and that he could file a civil suit. Mr. Griffin stated that he has since asked to share feedback on the performance of the Paxton officer. Chief Cornett did begin to address the issue with Mr. Griffin and Attorney Marc Miller advised Chief Cornett that this is not the format to speak to an employee's performance. Attorney Miller stated that information should not be given out until thorough fact checking has been done. Ms. Baker stated that she had an attorney Mr. Griffin could be referred to in order to share his experience and to get feedback. Mayor Ingold stated that if there were additional questions regarding this issue, they could be referred to City Attorney Marc Miller.

CITY PROPERTY – ALDERMAN EVANS:

The mayor stated that work will start on the clock tower tomorrow morning. There has been more vandalism at Pells Park. Both restrooms were vandalized. Working with Paxton Police to determine how to move forward with this problem.

LICENSE, PERMIT, ZONING & INSURANCE

Discuss and Approve Recommendation from Planning Commission for 146 W State – Alderman Geiken stated that a meeting was held and the commission made the recommendation to rezone the property from B1 to R1. Mayor Ingold stated that Chairman Jones, Justin Raub, Brian Breymeyer, and Charlie White attended the meeting. Ms. Baker began to voice her concern and Mayor Ingold asked that public comment be held until after Alderman Geiken finished speaking. Attorney Miller stated that this is now a public hearing and that it is time to listen to the public for open comment. Mayor Ingold opened the comment first to the council members and the history of the said property was reviewed from when it was used as both a business and also as a residence. Ms. Baker stated that when she entered into her establishment in a lease with Shields that this rezone would cause her business harm. She states that when the planning meeting ended the measurement was redone. Ms. Baker explained that when you are in an animal feed business the ordinance sets a distance to have a business set off

from a residence. She further stated that planning commission members Raub and Breymeyer measured her property after the meeting. Ms. Baker stated that she feels that it isn't fair that people are being accommodated through favoritism. Alderman Wilson spoke to the Tavenners to clarify that they owned the house in question and asked if they followed the guidelines to request the zoning change. The Tavenners stated that they followed the process to request the review and change. Alderman Evans asked if this zoning goes through right now would it affect her business tomorrow. Ms. Baker stated that yes it would impact her business. Alderman Wilson stated that he feels that it doesn't make sense to vote on this at this time since it appears that the commission may not have been fully aware of the request. Mayor Ingold advised that at the time of the planning commission meeting it was discussed if an exception could be made for Ms. Baker's property at 108 W State St. to be discussed and possibly amended and the mayor advised that it would be a violation of the Open Meetings Act to do business that is outside of what is listed on the agenda. Alderman Pacey asked if Ms. Baker would be able to request a special use permit. Attorney Marc Miller stated he didn't know if that was allowed under the Special Use ordinance so the fix would be for her to ask for a classification for special use or change the wording in the ordinance. He further stated Ms. Baker would need to follow the same process the Tavenners did in filing a public notice and having a meeting to ask for this accommodation. **Alderman Pacey made the motion to approve Ordinance 21-11 to rezone the property of 146 W State. from B1 to R1. Alderman Evans seconded the motion. Roll Call: ayes – Alderman --Cox, Evans, Geiken, Pacey, Wilson and Withers. naves – Crutcher. Six ayes, motion carried.**

Discuss and Approve Distillery Ordinance – Mr. Will Glazik visited to discuss his request. He stated that he and his brother would like to set up a production facility in Paxton. Alderman Pacey recommended that we review the PDF – everything after #10, would not be needed. Only the distillery portion and that the council revisit the craft portion at a later date. Mr. Glazik stated that they are currently looking at the Old Ford building. This would include on-site tasting and production. They would not be able to distribute. There would be a \$350 semi-annual licensing fee. **Alderman Pacey made the motion to approve ordinance 21-12 with deletions as presented and seconded by Alderman Geiken. Roll Call: ayes - Alderman Cox, Crutcher, Evans, Geiken, Pacey, Wilson, and Withers. Seven ayes, motion carried.**

COMMUNITY – ALDERMAN HOEDEBECKE:

ECONOMIC DEVELOPMENT – ALDERMAN COX:

Alderman Pacey asked if there was a date set for the TIF review board. Mayor Ingold said he has a call scheduled tomorrow and will bring this up.

LONG TERM PLANNING – ALDERMAN CRUTCHER

Alderman Wilson motioned to adjourn the meeting and Alderman Withers seconded the motion. All ayes. Motion approved; meeting adjourned at 8:08pm.

Respectfully submitted,

Suzie Shell
City Clerk