

The City Council of the City of Aledo met in Regular Session in the Council Chambers of the City Hall building on June 7, 2010. Acting MAYOR HUNTER called the meeting to order at 7:10 P.M. The roll was called, whereupon the following answered present:

Aldermen TAB BALMER, JR., MICHAEL BAUGHER, TERRY BEWLEY, BARRY COOPER, RICHARD HUNTER, RANDY MATTSON, RICHARD MAYNARD and ROBERT RILLIE.

Also present were JANICE GREEN, City Administrator, STEPHEN MOLLER, Director of Public Works & Utilities, TERRY DOVE, Chief of Police, MARK WALTON, City Attorney, and JAROD DALE, City Clerk.

An attendance sheet has been marked Exhibit “A”, attached hereto and made a part of these minutes. The media was represented by Cathy Decker of The Times Record, John Hoscheidt of WRMJ.

### **COMMITTEE OF THE WHOLE**

The meeting was opened in prayer by Ron Moffitt.

**Appearances:** Alan Boucher, Superintendent of Mercer County School District # 404 presented a plaque to School Resource Officer (SRO) Shay Litwiler. The plaque read as follows: In recognition of Aledo Police Officer Shay Litwiler for his dedication to duty while serving and protecting students and staff, Community Unit District # 404 as a School Resource Officer. Officer Litwiler served as SRO from August 2007 to August 2010.

Lance Meyer of the Aledo Area Chamber of Commerce read a statement in regards to recent actions of the City Council/City leaders and how the actions affect businesses and the community. It was noted that the Chamber was concerned that the current administration is not promoting an atmosphere that encourages growth of Aledo in the business community and residential community. The Chamber also commended the City for recognizing the 200,000 dollars set aside for the old Jr. High School and returning it back to the counties taxing authorities and was a much better option than taking action that would hinder future development of the Tax Increment Financing (TIF) district in Aledo.

**Communication and Correspondence:** No Report.

**Requests & Petitions:** No Report.

**Administrative Report:** CITY ADMINISTRATOR Green reported that Mr. David Burbach of Burbach Aquatics, Inc., informed the City on grant funding that was made available from the State of Illinois for communities to build swimming pools. He had

inquired if the City would support and assist the Aledo Park District in building a new Family Aquatics Center. The grant application needs to be completed by August 1, 2010 and has asked the City to assist in the cost of applying for the grant in the amount of \$2,500. The Tax Increment Financing (TIF) committee meeting will be held on Thursday, June 10<sup>th</sup>, and Mr. Burbach will be attending to give the TIF committee a brief presentation and a new estimate was supplied in the council packets for the Jerry Hall TIF project as well as the bids for the World-Wide Gun Report TIF project. Finally, the current water rates were discussed and the rates have not been changed since May 1, 2005, at which time the rates were lowered. In 2005, the minimum water rate was \$5.61 and basic user rate was \$3.01 per 100 cubic feet over 100 cubic feet. The new rate should be water minimum, \$17.14 and BUR \$6.24. This change would increase an average water & sewer bill (800 cu. ft.) from \$41.69 per month to \$74.23 per month.

The Aledo Police Department Activity Report was submitted and CHIEF Dove recognized Officer Adam Moseley for his exemplary performance in the area of DUI enforcement and 25 DUI arrests have been made to date. A certificate was presented to Officer Moseley from the Illinois Department of Transportation, Division of Traffic Safety. It was also noted that Officer John Murphy attended and successfully completed the 40 hour basic school resource officer course held in Springfield from May 10<sup>th</sup> through May 14<sup>th</sup>, 2010. The course was presented by the National Association of School Resource Officers. The Aledo Police Department has provided a service to the public assisting in lockouts of motor vehicles. While it does provide a service, there is the potential for damage to a vehicle when officers attempt to gain entry into the motor vehicle. CHIEF Dove noted that he would implement a policy that requires the officer to provide the motorist requesting assistance in a lockout situation to sign a Warning and Notice of Liability form. CITY ATTORNEY Walton has reviewed and approved the form as to the language and content.

DPW Moller reported:

- Provided a memorandum in regards to the gas department and it was noted that it is highly important for the Council to be aware of the capabilities that the City has in the Public Works gas department and having individual(s) skilled for gas welding.
- The cemetery received good compliments concerning conditions this year during the Memorial Day services.
- The gas service has been removed to a grain dryer at Martin Grain. A 2.6 million dollar project is starting at the site and meetings with the gas department will be scheduled to review plans for the new project.
- Also provided was the East Main Street Extension exhibit submitted by Missman, Stanley & Associates, P.C. The total area for the right-of-way equals 3.45 acres and has been submitted to the Illinois Department of Transportation (IDOT) by Missman for conceptual approval onto Route 94. DPW Moller awaiting approval from the owner of the property and has

assured them the City would take up the minimum amount of acreage possible.

ALD. Rillie noted that the entire property lies outside of the city limits and also inquired if more property could be acquired by the City. DPW Moller reported that the property would be annexed into the City and that he could keep the dialogue open in potentially purchasing more acreage.

**Mayor's Report:** a letter was received from Darlene Johnson noting that God had blessed the City when he turned off the rain both Friday and Saturday so they could enjoy the success of the best Rhubarb Festival yet, both financially and volunteer wise.

**Committee Report:** The Tax Increment Financing (TIF) committee meeting will be Thursday, June 10, 2010 at 6 o'clock p.m. in the council chambers. ALD. Mattson notified CLERK Dale that he would not be attending the TIF committee meeting on Thursday. ALD. Baugher also noted that he would not be able to attend because his mother's 92<sup>nd</sup> birthday was on Thursday.

## **REGULAR COUNCIL SESSION**

Following the Pledge of Allegiance to the Flag,

### **ACTION ITEMS**

#### **APPROVAL OF MINUTES:**

Motion was made by ALDERMAN BAUGHER and seconded by ALDERMAN BEWLEY to approve the meeting minutes of May 17, 2010 with the following noted change:

- Page 5, under heading Approval of Minutes, 1<sup>st</sup> paragraph, 2<sup>nd</sup> sentence, shall be changed as follows with the strikeouts and additions underlined:  
ALD. Maynard also asked that the minutes reflect fairness in equal time of support and play ~~for the advertising~~ between the boys and girls ball diamonds.

Roll call vote was recorded as follows:

YES: Balmer, Baugher, Bewley, Cooper, Hunter, Mattson, Maynard, and Rillie. NO: None. Motion carried. 8 yeas, 0 nays.

#### **FINANCE: INVOICE LIST:**

CITY ATTORNEY Walton recommended that a motion be made at this time without approving the entries for Taylor, Rees, Beckey & Co., P.C., and would be more sensible

to approve those entries after Resolution No.11R, Series of 2010 was approved or disapproved.

Motion was made by ALDERMAN MAYNARD and seconded by ALDERMAN BALMER to table Bill Approval List AP-11 and to approve Resolution No.11R, Series of 2010 beforehand. Unanimous voice vote followed in agreement.

**RESOLUTION NO. 11R, SERIES OF 2010:**

CITY ATTORNEY Walton reported the City previously engaged the firm of Taylor, Rees, Beckey & Co., P.C., to perform audit services and the City terminated the services prior to completion of the audit in question. The City filed complaints with the Illinois Department of Financial and Professional Regulation and the Illinois CPA Society based upon the conduct of the audit services. Taylor, Rees, Beckey & Co., P.C., filed a complaint against the City in the Circuit Court of Illinois, Mercer County, Case Number 06-AR-11, seeking to recover, among other things, unpaid professional fees; and an arbitrator has ruled in favor of Taylor, Rees, Beckey & Co., P.C. in Case Number 06-AR-11, awarding the sum of \$17,545.00. Taylor, Rees, Beckey & Co., P.C., has agreed that it will accept the arbitrator's award if the City of Aledo will accept the arbitrator's award and withdraw complaints filed by the City against Taylor, Rees, Beckey & Co., P.C. with the Illinois Department of Financial and Professional Regulations and the Illinois CPA Society.

CITY ATTORNEY Walton also reported that the pending cases against former mayor Lee Celske and former alderman Mike Frye would continue.

Motion was made by ALDERMAN MAYNARD and seconded by ALDERMAN BAUGHER to approve Resolution No. 11R, Series of 2010, a resolution approving arbitration award and withdrawal of complaints filed against Taylor, Rees, Beckey & CO., P.C.; that the Mayor of the City of Aledo be and is hereby authorized and directed to take all steps necessary to accept the award of the arbitrator in Case Number 06-AR-11 and to cause payment to be made to Taylor, Rees, Beckey & Co., P.C., in the amount of \$17,545.00 plus court costs in the amount of \$100. Roll call vote was recorded as follows:

YES: Baugher, Bewley, Cooper, Hunter, Mattson, Maynard, Rillie, and Balmer. NO: None. Motion carried. 8 yeas, 0 nays.

**FINANCE: INVOICE LIST:**

Motion was made by ALDERMAN MAYNARD and seconded by ALDERMAN RILLIE that the Invoice Listing, which has been marked Exhibit "B", attached hereto and made a part of these minutes, be approved and checks issued. Roll call vote was recorded as follows:

YES: Bewley, Cooper, Hunter, Mattson, Maynard, Rillie, Balmer, and Baugher. NO: None. Motion carried. 8 yeas, 0 nays.

**RESOLUTION NO 10R, SERIES OF 2010:**

Motion was made by ALDERMAN RILLIE and seconded by ALDERMAN COOPER to approve Resolution No. 10R, Series of 2010, a resolution adopting the Mercer County Multi-jurisdictional Natural Hazards Mitigation Plan. Roll call vote was recorded as follows:

YES: Cooper, Hunter, Mattson, Maynard, Rillie, Balmer, Baugher, and Bewley. NO: None. Motion carried, 8 yeas, 0 nays.

**ORDINANCE NO. 16, SERIES OF 2010:**

Motion was made by ALDERMAN BAUGHER and seconded by ALDERMAN COOPER to waive second reading and adopt on first reading for Ordinance No. 16, Series of 2010, approving an Ordinance of the City of Aledo, Mercer County, Illinois ascertaining the prevailing rate of wage for Laborers, Workmen and Mechanics employed on Public Works for the City of Aledo. Roll call vote was recorded as follows:

YES: Hunter, Mattson, Maynard, Rillie, Balmer, Baugher, Bewley, and Cooper. NO: None. Motion carried. 8 yeas, 0 nays.

Motion was made by ALDERMAN RILLIE and seconded by ALDERMAN BALMER to adopt Ordinance No. 16, Series of 2010, approving an Ordinance of the City of Aledo, Mercer County, Illinois ascertaining the prevailing rate of wage for Laborers, Workmen and Mechanics employed on Public Works for the City of Aledo. Roll call vote was recorded as follows:

YES: Mattson, Maynard, Rillie, Balmer, Baugher, Bewley, Cooper, and Hunter. NO: None. Motion carried. 8 yeas, 0 nays.

**ORDINANCE NO 17, SERIES OF 2010 (FIRST READING):**

Motion was made by ALDERMAN COOPER and seconded by ALDERMAN MAYNARD to refer Ordinance No 17, Series of 2010 to the ordinance committee for further review.

ALD. Maynard requested there be discussion.

Discussion followed for Ordinance No.17 amends Title 3, Chapter 4 of the Aledo City Code relating to Peddler's. ALD. Cooper noted that he believed there were items within the ordinance that he did not agree with and requested further discussion at the

ordinance committee. ALD. Maynard reported that there are State statutes addressing pawn brokers and the State statute outlines within the statute that the Sheriff of the County or the County with less than 2,000,000 people reviews the registrations by the Pawn Shop and is monitored by the State.

Don Yates provided the Federal and State regulations that are applicable to a pawn industry to the Council for review.

Acting MAYOR Hunter noted the ordinance should be referred to the ordinance committee. ALD. Rillie being the chairman of the ordinance committee noted that he will speak with CITY ATTORNEY Walton before convening a committee meeting in regards to the current draft of the ordinance.

After the discussion Acting MAYOR Hunter called for Roll Call. Roll call vote was recorded as follows:

YES: Maynard, Rillie, Balmer, Baugher, Bewley, Cooper, Hunter, and Mattson. NO: None. Motion carried. 8 yeas, 0 nays.

**STANDING COMMITTEE REPORTS – No Report.**

**OLD BUSINESS – No Report.**

**NEW BUSINESS –** ALD. Baugher requested a letter of intent be drafted to move forward with an agreement with the Aledo Fire Protection District for the purpose of allowing the AFD to pursue the grant to build a new fire station.

Acting MAYOR Hunter voiced approval as well and noted the AFD should have something to move forward with the application process. It was also instructed to have CLERK Dale have this included on the agenda for the regular council meeting on 06/21/10.

ALD. Rillie suggested to not limit the letter to the entire site but possibly the east portion of the site to get through the grant process.

Motion was made by ALDERMAN RILLIE and seconded by ALDERMAN BALMER to adjourn to closed session to discuss:

- A. Pending/Possible Litigation (Section 2(c)(11) Open Meetings Act**
- B. Semi-Annual Review of Minutes (Section 2(c)(21) Open Meetings Act.**

Roll call vote was as follows:

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YES: Rillie, Balmer, Baugher, Bewley, Cooper, Hunter, Mattson and Maynard. NO: None. Motion carried. 8 yeas, 0 nays. The meeting was recessed to closed session at 7:42 P.M.

Council reconvened in open session at 8:20 P.M. Roll call was taken with the following answering present: ALDERMEN BALMER, BAUGHER, BEWLEY, COOPER, HUNTER, MATTSON, MAYNARD, and RILLIE, as well as, CITY ADMINISTRATOR GREEN, and CLERK DALE.

**ADJOURNMENT**: There being no further business, motion was made by ALDERMAN BALMER and seconded by ALDERMAN BEWLEY that the meeting be adjourned. Unanimous voice vote followed in agreement. Meeting was adjourned at 8:20 P.M.

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Jarod Dale, City Clerk

Minutes approved by Council action June 7, 2010.

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Jarod Dale, City Clerk