

Mayor Charles L. "Skip" Lee called a meeting of the Sterling City Council to order at 6:30 pm on Monday, April 16, 2018. Roll call. Present: Aldermen Bob Conklin, Retha Elston, Joe Martin, John Stauter, Christine Wilen, and Jim Wise. Absent: None.

Also present were City Attorney Tim Zollinger, City Manager Scott Shumard, Financial Director Cindy Von Holten, Superintendent of Building and Zoning Amanda Schmidt, Fire Chief Gary Cook, Superintendent of Public Works Brad Schrader, Police Chief Tim Morgan, and City Clerk Marie Rombouts.

The Pledge of Allegiance was recited.

Shelly Eng, "the bread lady", from Erie, Illinois presented information to the Council on the Cottage and Cupcake Laws. The County Board has not adopted the Cupcake Law. Eng asked for support from the City. The Cottage Law requires the baker to have a certificate of sanitation and they can bake at home for Famer's Markets. The Cupcake law needs to be enacted by the County Board. No sanitation class is required and the baker cannot gross more than \$1000 monthly. The Health Department's concerns are the norovirus and putting bakeries out of business.

Alderman Wilen made a motion to approve the following items on the Consent Agenda:

- A) Minutes from April 2, 2018
- B) Bills and Payroll totaling \$1,089,752.23
- C) Petition from Rock River Hospice & Home to hold a bucket brigade on May 5, 2018 to raise funds for their Charity Care Fund

The motion was seconded by Alderman Elston. Voting: Ayes – Aldermen Conklin, Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Chief Morgan introduced Police Officer Tabatha Justice. Clerk Rombouts administered the Oath of Office. Justice is a 2016 graduate of the University of Wisconsin Platteville with a Bachelor of Science Degree in Criminal Justice and has attended basic training at the Suburban Law Enforcement Academy.

Alderman Elston made a motion to approve **Ordinance #2018-04-08 Amending the FY 2017-18 budget with a decrease of \$869,104**; seconded by Alderman Conklin. Alderman Stauter noted the Rock River TIF was adjusted from \$575,351 to \$613,225. This has been done annually. Stauter wants this to end. Voting: Ayes – Alderman Conklin, Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Conklin made a motion to pass **Ordinance #2018-04-09 adopting the proposed FY 2018-2019 Budget in the amount of \$39,019,831**; seconded by Alderman Elston. Alderman Wise wants expenses limited for the Rock River TIF. Wise recommends a super majority of the Council to amend expenses avoiding overruns and a signed agreement before any payments are made. Mayor Lee added that no economic development or bonds were in the scope of work. Alderman Martin asked if the Community Branding was added to the budget. Manager Shumard stated \$12,000 was included. Voting: Ayes – Aldermen Conklin, Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Elston made a motion to approve **Ordinance #2018-04-10 Amending the Sterling City Code Section 74-14 to establish the cost of refuse collection**; seconded by Alderman Martin. The solid waste collection charge will increase \$.29 to \$17.05. Voting: Ayes – Alderman Conklin, Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Martin made a motion to pass **Ordinance #2018-04-11 Amending Chapter 94, Section 34 regarding wastewater service charges and Section 35 regarding billing and collection of service charges**; seconded by Alderman Stauter. The minimum base user charge will increase from \$7.85 to \$8.85 and basic user rate per 100 cu. ft. will increase from \$2.75 to \$3.10. Voting: Ayes – Aldermen Conklin, Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Elston made a motion to approve the write-off on uncollectible accounts totaling \$22,870.73 for FY 2017-18; seconded by Alderman Martin. Voting: Ayes – Aldermen Conklin, Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Wise made a motion to approve **Ordinance #2018-04-12 Amending the Pay Plan for Fiscal Year 2018-2019**; seconded by Alderman Stauter. Voting: Ayes – Aldermen Conklin, Elston, Martin, Stauter, Wilen, and Wise.

Alderman Conklin made a motion to waive the bidding procedure to approve Gasvoda to supply, install, collect two months of data, remove flow meters and provide a report of the findings in the amount of \$37,946; seconded by Alderman Martin. Voting: Ayes – Aldermen Conklin, Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Martin made a motion to award the bid for the Second Avenue and Miller Road Drainage Improvements to Martin & Company Excavating of Oregon, Illinois in the amount of \$909,467.50; seconded by Alderman Conklin. Manager Shumard reported it has been a year since the additional sales tax was approved. This project will get started the second week of May and should be finished by the second week of August.

The next project will be Douglas Park. Mayor Lee asked if we can produce a sign to recognize the use of the extra sales tax for this project. Voting: Ayes – Aldermen Conklin, Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Wise thanked the staff for their work on the budget presentation.

With no further business, the meeting adjourned to a study session at 7:31 pm.

Mayor Lee opened discussion on the Ordinance Amending the Liquor Code allowing Special Event Permits. Chief Morgan stated that he has no security concerns. This is for Special Events only. It will be a restricted area; a fence is not realistic. A special cup will be distributed and cannot be outside the boundary. A ticket can be issued if the drink is taken outside the boundary. Morgan's personal feeling is we need to progress and grow. Morgan supports the Special Event Permit. Mayor Lee asked if more Police presence will be necessary. Chief Morgan does not believe it will require additional personnel. Morgan admitted Police visibility does produce more compliance.

Alderman Conklin asked why Light Street is not being used because it was his understanding that was the reasoning for the gates. Alderman Stauter asked if the area will be contained to Part of Locust, Third Street, and the alley. Janna Groharing, Main Street Director, stated this is the area and Light Street is used during the day for deliveries and parking.

Alderman Wise asked the time of the "pop-up" market. Groharing stated from 5:00 to 8:00 pm. The Special Event Permit could be used for other events, also. Alderman Wise asked if there will be signs demarcating the area, such as "no alcohol beyond this point". Signs can be used.

Alderman Elston asked how the liquor establishments felt about the Special Event Permit. Groharing stated they are fine with increasing foot traffic in downtown.

Attorney Zollinger clarified that no one should be increasing their liability risk.

Groharing checked with other communities that have started this recently. It is a new thing and no communities have reported any problems. She reported that 14 vendors have expressed interest in the pop-up markets. Alderman Martin asked why alcohol is necessary. Groharing stated it is a social event and it will be other venues besides the markets.

Aldermen Conklin, Elston, and Wise asked about a sunset clause or a trial period.

Alderman Stauter asked why the Liquor Commission is not making the decision versus the Liquor Commissioner. Mayor Lee explained the Liquor Commission is only an

advisory body. Attorney Zollinger stated the Commissioner reflect on the State statute but authority could be with the Liquor Commission.

Manager Shumard displayed a few examples where snow was thrown into the street. Superintendent Schrader stated the snow thrown into the street can create a safety hazard. Mike Adams, a plow driver, stated this can refreeze and create a safety hazards for emergency personnel and trip up the plow, causing damage. Several Aldermen were surprised that the code does not prohibit residents throwing snow into the street. Mayor Lee stated plows block driveways and homeowners have to remove it. Lee believes it causes more controversy than harm. Mayor Lee does not want plow drivers to confront homeowners because it uncertain what people may do. Chief Morgan stated that tickets can be issued to residents disobeying the odd-even parking but there is no repercussion for throwing snow into the street.

Attorney Zollinger clarified the towing ordinance. The City has limited authority on vehicles based on state statutes. Vehicles cannot be towed from private property without a warrant. An abandoned vehicle is defined. Zollinger stated the ordinance will update the City code to be compliant.

Manager Shumard presented several locations for entry-way signs into the City. Entry-way signs will be approximately 8" tall with a concrete base and stone veneer. Manager Shumard stated we would start with two signs. Council agreed to start with a sign at the east end neat the pond at Emerald Hill. The sign would be set back 70' from the shoulder of the road. The other location was on the north side on Wahl Clipper property.

Manager Shumard reported staff has been working with Republic Services on the solid waste contract. Republic has offered a seven-year proposal that will include one bulk waste item per week and limit the increase to 3.5% annually. Republic still offers recycling but the market is costing more than disposal. Mayor Lee asked if we could extend the garbage pick-up to businesses. Alderman Wise liked the seven year proposal but would like to see the increase capped at 3% annually.

With no further business, meeting adjourned at 9:01 pm.

Marie Rombouts
City Clerk