

Mayor Charles L. "Skip" Lee called a meeting of the Sterling City Council to order at 6:30 pm on Monday, June 17, 2019. Roll call. Present: Aldermen Retha Elston, Mackenzie Hopping, Joe Martin, John Stauter, Christine Wilen, and Jim Wise. Absent: None.

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

The Pledge of Allegiance was recited.

There were no communications from Visitors.

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

- A) Minutes of May 20, 2019, Special Meeting of May 30, 2019, and June 3, 2019
- B) Bills and Payroll totaling \$815,879.05
- C) Purchase of Fire Truck from Custom Fire Apparatus in the amount of \$648,545.60 through the Houston-Galveston Area Council (HGAC Buy)
- D) Partial Pay Request #5 for Second Avenue/Miller Road Project to Martin & Company Excavating in the amount of \$341,390.59
- E) Resolution #R2019-06-16 Regarding the .02% Building and Maintenance Property Tax Levy of the Sterling Public Library**
- F) Waive the bid process for the purchase of two 2019 Chevrolet Silverado trucks from Sterling Chevrolet for Code Enforcement in the amount of \$22,289.64 each

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

Firefighter Tanner Seidel was a paid-on call firefighter, took the test, hired on, completed Peoria Fire Academy and has finished his one-year probationary period. Seidel was pinned by his wife, Ariel.

Alderman Stauter made a motion to remove Lee and Reyes for the Band Commission from the listing of board and commission appointments/reappointments; seconded by Alderman Martin. Voting: Ayes – Aldermen Elston, Hopping, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Martin made a motion to approve Mayor Lee's recommendations to appoint and reappoint the following individual to various Boards and Commissions of the City:

- Appoint Robert Allen to a three-year term on the Fire and Police Commission
- Reappoint Dennis Aldrich to a five-year term to the Building Code Board of Appeals
- Reappoint Kevin McGinn and Alfred Segneri to three-year terms on the Electrical Commission
- Reappoint Dawn Zeigler and Tim Zollinger to three-year terms to the Library Board
- Reappoint Nancy Rasmussen and Dr. Jeff LeMay to five-year terms to the Hospital Board
- Reappoint Alfred Segneri, David Jones, and Marv Lofgren to two-year terms to the Property Maintenance Code Board of Appeals

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

Alderman Stauter expressed concern with reappointing Lee and Reyes to the Band Commission. There has been a lot of turmoil and finances are uncertain. The budget was reduced after Council asked why reserves are dwindling. Mayor Lee stated there was a conflict but the financial house is in order. Stauter also noted the cancellation of concerts is unpredictable. Stauter would like reduced terms for Lee and Reyes. Attorney Zollinger reported the five-year term is based on City code.

Mayor Lee stated the commission was not functioning well and it is now under control. Invoices are paid on time and the donor list disappeared. The removal of the director and band manager was contentious. The Band Commission has moved on.

Zollinger stated if the members are not appointed, the Commission would run short-handed. Chief Morgan stated the members could serve until appointments are made. Zollinger stated their term technically ends and is unsure if they could serve until appointments are confirmed.

Mayor Lee stated if Lee and Reyes are not reappointed, it makes them scapegoats for what has happened with the Band Commission.

Alderman Martin suggested that concerns be given to Alderman Stauter to ask for regular reports from the Band Commission

Alderman Wise made a motion to reappoint R. Allen Lee and Gonzalo Reyes to the Band Commission for five-year terms, with reports produced upon Council's requests;

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

Alderman Wise made a motion to approve the closure of the 300 block of Light Street on Saturday, July 13, 2019 from 2:00 pm to 10:30 pm to conduct a fundraiser by the YWCA of the Sauk Valley; seconded by Alderman Hopping. Mayor Lee explained there were communication issues between City staff and YWCA staff. Area businesses were notified of this meeting to discuss concerns. No concerns were presented. Voting: Ayes – Aldermen Elston, Hopping, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Elston made a motion to award the bid for the 2019 Street Construction Program to Civil Constructors from Freeport in the amount of \$317,160.05, including the following streets to be repaved:

- Sixth Avenue from Propheter Park to 11th Street
- Second Avenue from 8th to 11th Streets
- East 13th Street from 12th to 13th Avenue

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

Alderman Wise made a motion to approve **Ordinance #2019-06-20 Amending Chapter 22, Article IV of the Sterling City Code Increasing the Minimum Age for the Sale and Purchase of Tobacco Products, Electronic Cigarettes, and Alternative Nicotine Products from 18 to 21 Years Old**; seconded by Alderman Martin. Alderman Elston asked if this affects e-cigarettes in restaurants. Attorney Zollinger stated it will not change; establishments can determine if they allow e-cigarettes or not. Voting: Ayes – Alderman Elston, Hopping, Martin, Stauter, Wilen and Wise. Nays – None. Motion carried.

Alderman Elston made a motion to approve **Ordinance #2019-06-21 Authorizing the Sale of Surplus Real Property Located at 402 Sixth Avenue in an amount to equal eighty percent (80%) of the appraised value to Roy and Shirley Sharp**; seconded by Alderman Hopping. Voting: Ayes – Aldermen Elston, Hopping, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Attorney Zollinger updated the Council on the state's new marijuana laws. The legislation was 610 pages and will be effective January 1, 2020. Cannabis will be sold in licensed stores. Possession will be limited to 30 grams of raw cannabis, 500 mg of THC, or 5 grams of cannabis in concentrated form. Non-Illinois residents can only purchase one-half of these amounts. It cannot be used in public or observed by others. Municipalities have the ability to regulate zoning class and hours of operation. They

cannot ban sales, but can ban on-site consumption. Zollinger suggests uniformity with neighboring communities. The City can impose penalties for violations. CBD stores operate totally separate. A 3% sales tax can be imposed. Home cultivation will be limited for medical card holders. Any previous charges for a limited amount of cannabis will be expunged. Medical dispensaries will be the first to lawfully sell recreational cannabis.

Alderman Hopping asked if there will be any type of safety locks or containers to ensure safety for children. Zollinger stated it will be sold in secure containers but nothing regulates storage at home. Alderman Wise asked if this includes edibles. Zollinger stated it is for all cannabis. Alderman Elston asked how driving under the influence will be handled. Zollinger stated there is no effective test for consumption. Mayor Lee asked about employees with a CDL. Zollinger stated employers can still require drug-free work places.

Manager Shumard reported that questions have been raised about motorized vehicles on sidewalks in the downtown. Bicycles are not permitted. Attorney Zollinger cautioned that motorized personal-assist vehicles cannot be banned. Chief Morgan stated that law permits low-speed vehicles to travel on streets but an ordinance can be passed to ban those vehicles. ATVs are not permitted.

Janna Groharing reported the Millennial Group was presenting the idea of a dog park to the Sterling Park District tonight.

Alderman Hopping announced she would be resigning after tonight's meeting. Her husband will be starting a new job in Peoria and they will be leaving the area. Mayor Lee stated they're leaving would be a loss to our community.

Alderman Elston announced the movie tomorrow night would be "Princess Bride" and the band concert will be on Wednesday.

Mayor Lee asked for interested parties to contact him about the position of Third Ward Alderman.

Meeting adjourned at 7:58 pm.

Marie Rombouts
City Clerk