

A meeting of the Sterling City Council was called to order at 6:30 p.m. on April 19, 2004, by Mayor Ted Aggen. Present: Mayor Aggen, Aldermen Adell, Chevalier, Cox, Francis, Martin, and Viering.

Mayor Aggen reminded citizens in attendance that their comments are welcome. If comments are regarding a specific issue on the agenda, he requested that comments be held until that matter is discussed. Everyone will have an opportunity to speak. The speaker should announce their name and address and will have three minutes to speak unless they are speaking on behalf of a group, which would allow them five minutes. Mayor Aggen also request that repetitive comments be eliminated.

The Pledge of Allegiance was recited.

Alderman Viering made a motion to approve the items on the Consent Agenda, as follows:

- 1) City Council Minutes of April 5, 2004
- 2) Bills and Payroll totaling \$389,803.12
- 3) Petition from Sterling Kiwanis Club to hold annual Peanut Day Fundraiser on Saturday, May 22, 2004 at Second Street and Second Avenue and Fourth Street and Second Avenue from 7:30 a.m. to 1:30 p.m.
- 4) Petition from The Marine Corps Toys to Tots to allow a bucket brigade fundraiser on July 3, 2004, at First Avenue and Third Street and Second and Second Street from 8:00 a.m. to 12:00 noon
- 5) Refer to Plan Commission a petition from Prescott Development Inc. and Northwest Illinois Holdings, LLC to rezone Lot #10 of Prescott County Acres from B-1-1 Retail Business District to an R-5, General Residence District Special Use
- 6) Approve the sanitary sewer connection for James R. Adams at 804 Dixon Court
- 7) Approve the sanitary sewer connection for Timothy M. Wright of 2011 Chestnut Drive

The motion was seconded by Alderman Cox. Voting: Ayes – All. Nays – None. Motion carried.

Mayor Aggen read a Proclamation, "Volunteers Inspire by Example" as the theme of the 31st Annual Volunteer Week, April 18 – 24, 2004. Alderman Chevalier made a motion proclaiming April 18 – 24, 2004 as Volunteer Week; seconded by Alderman Adell. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Martin made a motion to approve Ordinance No. 2004-04-08, An Ordinance Amending the Budget Ordinance for Fiscal Year Beginning May 1, 2003; seconded by Alderman Viering. Manager Wieland explained that the amended budget reflects a decrease of \$92,847. The abolishment of the Working Cash Fund offset the General Fund increase. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Adell made a motion to approve Ordinance No. 2004-04-09, Annual Budget for Fiscal Year 2004-2005; seconded by Alderman Martin. Manager Wieland explained that the budget is the same as the work copy, except a couple transposition changes that were corrected and an addition for the Rock River TIF District. Manager Wieland stated that this was the most difficult budget he has ever worked on. The budget is \$16,046,269, an increase of 5.04%. There are three primary reasons for the increase: 1) 12.2% increase in solid waste tipping fees, 2) \$750,000 for the transfer of Freeport Road, and 3) \$252,00 increase in the Rock River Development TIF District. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Adell made a motion to approve Ordinance No. 2004-04-10, An Ordinance Setting Forth the Fiscal Year 2004-2005 Employee Classification and Compensation Plan as Provided for Under Chapter 2, Article VI of the Sterling City Code; seconded by Alderman Francis. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Chevalier made a motion to approve Ordinance No. 2004-04-11, An Ordinance Regarding Garbage, Litter and Rubbish; seconded by Alderman Adell. Manager Wieland explained that the monthly charge is being increased. There have been increases for the last five years to pay for garbage, recycling and yard waste collection. City staff is attempting to have the garbage collection self-supporting, rather than subsidize it with property tax funds. Alderman Cox advised citizens to write their congressmen objecting to the unfunded mandates from the state that require these types of increases. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Martin made a motion to approve Ordinance No. 2004-04-12, An Ordinance Regarding Wastewater Service Charges; seconded by Alderman Adell. Manager Wieland stated that this increase is necessary from additional unfunded mandates from the state. Last year the City absorbed an increase of \$14,500; which cannot be done again. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Adell made a motion to approve Ordinance No. 2004-04-13, An Ordinance Amending the City Code as it Relates to the Sale of Alcoholic Beverages; seconded by Alderman Martin.

Wayne Wright of Speedway Super America spoke in favor of the ordinance to allow convenience stores the opportunity to sell alcoholic beverages. There is little profit in gasoline sales. Convenience stores across the nation are trying to increase their sales of items inside the stores. Wright would like to see a free and open market place to sell

alcoholic beverages. Wright would expect 100% compliance from his employees when carding underage purchases.

Clarence Yount, 212 East Miller Road, stated that the newspapers have had several articles regarding theft of gasoline, from patrons leaving without paying for gasoline. If there is only one clerk that is worried about gasoline theft, how can they keep an eye on retail items inside the store and identify underage purchases. Yount believes that liquor stores are better equipped to deal with underage purchases. Convenience stores will give underage drinkers easier access. Yount cited several accidents and suggested that DUI fines become more strict, to discourage drinking and driving.

Mary Pryor, 1303 Long Court, stated that we do not need more outlets for alcoholic beverages. Pryor would like to see the convenience stores thrive, but not with detriment to others. Pryor cited several personal experiences relating to the evils of alcohol.

Pastor Scott Porter of the Abiding Word Christian Center stated that he has been a minister in Sterling for almost 18 years. Twelve years ago, Pastor Porter stated that he attended a Council meeting when the Council permitted liquor sales in grocery stores. He wanted to know where the sale would stop. Porter believes that we do not need to make it more available; it should be regulated. He reads to violations of tobacco compliance checks and is concerned about the damages to our young people. Tobacco may damage our youth in future years but alcohol can cause major damage that day behind the wheel.

Sharon Cheshier of Kelley Williamson (Mobil) supported the sales to offset losses in the convenience stores. Training would take place and rules would have to be followed.

Chris Jennings, 1616 16th Avenue, asked why the city code was being amended. Or what the motivating factor was. Mayor Aggen replied that convenience stores had approached him, as the Liquor Commissioner, to sell in their stores. Mayor Aggen also stated that there are less liquor stores and taverns in our City than there were ten years ago, when he took office.

Jennings asked what kind of message we are sending to your youth.

Paul Wiederanders, owner of the North End and Precinct, expressed his belief that this is a bad ordinance, that has no vision or focus. Wiederanders stated that there should be minimum square footage, like Dixon has. He stated that the consequences should be more severe for convenience stores. If he has a violation, his establishment would be closed. Convenience stores lose the privilege to sell alcohol only. Wiederanders suggested that convenience stores sell the alcohol beverages warm, not available for immediate consumption. Wiederanders asked if the income of \$20,000 to \$30,000 is that crucial to the City for the first year of licensing to convenience stores. He touched

on the proposed .5% increase in sales tax. Wiederanders stated that he is not opposed to this increase, the cost should be spread around, instead of hurting his businesses alone.

Manager Wieland explained that the City was not anticipating increased liquor licenses. In fact, the City estimated \$2,500 less in this year's budget compared to last year's.

Theresa Charles asked why the ordinance was not available for review prior to the meeting. Manager Wieland stated that the ordinance was available upon request. She would like to see a win-win situation for everyone concerned.

Alderman Cox expressed concern that 18 year olds can sell alcohol. He believes that you should not be able to sell or serve it until you are of age to drink it. If a clerk, under the age of 18, cannot sell alcoholic beverages, we are diminishing the job force for the younger children.

Wayne Wright stated that the age of clerks is not important in his case because his youngest employee is 24 years old. He stated that they need to mature before they become trustworthy and reliable enough to show up routinely for their job.

Alderman Martin asked why a square footage requirement was not part of our code. Attorney Coplan stated that the square footage issue was not discussed.

Barbara Swenson, 1810 Avenue L, was a nurse and is a grandmother of teenage children. She is concerned that there is too much alcohol and too readily available.

Carrie Crofton, 1010 Fourth Avenue, is the manager at A & J Liquors. She has had experience with the people that come in to purchase their alcohol and does not want her children subjected to these people when they run into a convenience store for a sports drink.

Jane Kalra, 1601 Sixth Avenue, stated that as a high school student, she does not drink and adding more locations to purchase alcohol would not affect her. She believes it will only give more outlets to those that choose to drink.

Voting: Ayes – Aldermen Adell and Martin. Nays – Alderman Chevalier, Cox, and Francis. Abstain: Alderman Viering. The Mayor stated that he cannot cast a tie vote, therefore, he did not vote. Motion denied; Ordinance No. 2004-04-13 failed.

Alderman Cox made a motion to approve Resolution No. R2004-04-13, to close streets for the Memorial Day celebration and municipal band concerts; seconded by Alderman Chevalier. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Adell made a motion to approve Resolution No. R2004-04-14, A Resolution Authorizing an Intergovernmental Agreement Between the City of Sterling, IL and the Sterling Park District, Whiteside County, Illinois, allowing Sterling police officers to enforce Sterling Park District ordinances and regulations. The motion was seconded by Alderman Cox. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Martin made a motion to move to “closed session” at 7:35 p.m. to discuss collective bargaining issues as provided for under 5 ILCS 120/2a; seconded by Alderman Viering. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Adell made a motion to reconvene the regular meeting at 8:14 p.m.; seconded by Alderman Cox. Voting: Ayes – All. Nays – None. Motion carried.

With no further business to discuss, Alderman Martin made a motion to adjourn; seconded by Alderman Viering. Voting: Ayes – All. Nays – None. Motion carried. Meeting adjourned at 8:14 p.m.

Marie Rombouts
Interim City Clerk