

Mt. Pulaski City
Council Meeting
Tuesday, April 24, 2018
6:30pm

Present: Mayor pro tem Maxheimer, Alderman Bobell, Neaville, Palmquist and West, City Treasurer Tricia Aylesworth, W/S Superintendent Matt Presswood, Police Chief Tony West

Absent: Alderman Knauer

Recognition of Guests:

The City Council meeting was called to order, Mayor pro tem Maxheimer presided.

Public Comments – Agenda Items Only:

Police: Nothing to Report

Water/ Sewer: Alderman Neaville stated the town hall meeting was held to discuss the water options for the City. A survey was passed out to get feedback. Twenty surveys were turned in and from those 65% are for joining The Regional Water Coop and 95% are for not selling the water system.

Alderman Palmquist wanted to clarify that the water from the water coop would be softer than that of the current water Mt. Pulaski has. Water softeners will still be needed in homes for those who choose have a water softener. Right now we are 18 grains and with the coop it will be about 5 to 6 grains. Mayor pro tem Maxheimer asked if there will be another meeting to discuss the water options again. Alderman Neaville stated there is not one planned at this time.

Streets/Alleys: Bill Fricke stated he has not gotten any information on the alley behind Fred Stahl's house. This matter of business is on hold for the moment. Bill and Josh Poffenbarger will attend a mug a bug class to get certified for spraying for mosquitos this Thursday and Friday. The tree list is being worked on.

Alderman Bobell talked about a program being brought back to the City for the rock. City could deliver purchased rock at cost. Alderman Bobell will look into this more.

Financing: Deposits to date are \$20,678.18

City Treasurer, Tricia Aylesworth stated budgets need to be turned in. Alderman Bobell stated the budgets need to be approved by the May meeting.

Public Comments – Non Agenda Items: Roger Bohn asked the council if the City had a lien on a property at N. Garden and E. Dekalb. If there is no lien then why is the City mowing this property? Roger directed this next question to the City attorney, Jordan Klein asking if the City continues to mow the Court House lawn if that will be misuse of City funds and labor. Jordan stated he would look into this. Josh Poffenbarger stated this property was on the list to be mowed and he mowed the whole lot not realizing the only thing to be mowed was the ditches.

Joe Lucas stated he is chairman of the arbor committee. Mt. Pulaski has 3500 trees on City property. The tree committee determines the health of each tree. Most of the trees in town are very old with a lot of

them being over 200 years old. The committee goes by a street map when someone has a question on a tree on City property. You must have a permit to cut or trim a tree in this town. If a tree is cut without a permit there is a minimum fine of \$250.00.

Approval of Consent Agenda:

City Clerk, Kelly Cowan read the bills as presented. A motion was made by Alderman Neaville and seconded by Alderman West to **approve the bills** as read. All voting yea – the motion carried.

The council would need to select a **pro tem mayor** to run the meeting due to the absent of pro tem mayor Knauer. Alderman Neaville and Alderman Bobell both volunteered to run the council meeting in the absent of pro tem mayor Knauer. Alderman Bobell stated after talking with others in the community it was suggested the Alderman who has been on the council the longest should run the meeting in the absent of the pro tem mayor. Alderman Maxheimer ran the meeting as pro tem mayor.

City Attorney, Jordan Klein stated he received via fax an unconditional **resignation letter from Mayor Cole's** attorney Brown Hay & Stephens. Jordan recommends to deem the prior resignation. A motion was made by Alderman Bobell and seconded by Alderman Neaville to accept the current resignation and accept the withdrawal of the former resignation. All voting yea – the motion carried. A motion was made by Alderman Neaville and seconded by Alderman Palmquist to certify the vacancy seat of mayor. All voting yea – the motion carried.

Alderman Neaville stated he would like to notify the Logan County States Attorney about the current **actions** that have taken place with Former Mayor Cole. If charges are brought then the states attorney can press charges, not the City. Alderman Bobell doesn't think it's the best thing for the City to do. Alderman Neaville stated he doesn't want it to be said the City did not do anything. A motion was made by Alderman Neaville and seconded by Alderman Palmquist for the council to allow Alderman Neaville permission to notify the states attorney of the situation. City Attorney, Jordan Klein stated it is not the City's job to notify them. This motion has been tabled at this time.

Alderman Neaville stated after talking with Jordan Klein the City **cannot issue ordinance fines** in dereliction of duty.

The council needs to **nominate and vote on an acting or pro tem mayor**. There is 28 months still in this term and they would have to run in the April 2019 election. Between now and then the City needs someone to act as mayor and will have to decide to be pro tem mayor or acting mayor. The council has 30 days to fill the mayor position.

Alderman Palmquist stated he is continuing to look into the **electric aggregate**.

MFT Expenditure statement 2016 & 2017 will be discussed at a later date.

Miscellaneous: Police chief Tony West stated a donation letter was sent in request for the City to **donate to Mt. Pulaski post prom**. This is something the City has previously done. A motion was made by Alderman Bobell and seconded by Alderman West to donate to the Mt. Pulaski post prom for what the City has donated in the past. All voting yea – the motion carried.

Barbara Stroud-Borth stated for the past few years the City has **mowed the courthouse lawn** and would request for the City to continue this. Delmar Stewart stated the City took this over years ago and has an agreement with the state. Mayor pro tem Maxheimer stated the least we can do is continue to mow, the courthouse is the center of our town. Alderman Neaville stated he thinks this is a good thing. City

Attorney, Jordan Klein stated a citizen has raised a question of law and would request some time to look into this and address the council accordingly.

Alderman West stated the City is done with the **Joint Solid Waste Program** and will be getting a credit of \$4,110.00. The City will be moving forward with AREA Disposal. There might be a week or so without the recycling but hoping there will not be too much of a gap of no recycling bins.

Alderman Neaville stated there was a concern about the council not voting on the live streaming of the meetings. The council is in agreement to start **live streaming** the council meetings.

Alderman Bobell stated he would like the **business district to appropriate** \$1,000 for The Market Hill Days May 11th. A motion was made by Alderman Bobell and seconded by Alderman West for business district funds to appropriate \$1,000 to give the Economic Advisory Board for support for The Market Hill Days, May 11th. All voting yea – the motion carried.

Alderman West stated she was having two (2) trees cut down on her property. One tree's roots have grown into the sewer line and the other tree was said to be rotten. As the second tree was being cut done a question was raised whether this was a City tree or their tree so the process has been stopped. Alderman West has put in a tree request at City Hall as she just wants to make sure things are done right. Alderman West stated they would pay to have this tree cut down. Joe Lucas stated the City does not follow statue. Alderman Neaville stated there is a lot of grey area in the tree ordinance and this is something that needs to be looked into more.

Executive session: A motion was made by Alderman Bobell and seconded by Alderman West to exit regular session and enter into executive session to discuss personnel for 20 mins. All voting yea – the motion carried.

A motion was made by Alderman Bobell and seconded by Alderman West to exit executive session and enter back into regular session. All voting yea – the motion carried.

A motion was made by Alderman Neaville and seconded by Alderman Bobell to exit regular session and enter back into executive session to discuss probable litigation for 2 minutes. All voting yea – the motion carried.

A motion was made by Alderman Bobell and seconded by Alderman West to exit executive session and enter back into regular session. All voting yea – the motion carried

No action was taken from the executive sessions.

Pro tem Mayor Maxheimer stated the meeting was adjourned.

Kelly Cowan- City Clerk