

**CITY OF LINCOLN**  
**REGULAR CITY COUNCIL MEETING**  
**AGENDA**  
**SEPTEMBER 3, 2019**  
**CITY HALL COUNCIL CHAMBERS**  
**7:00 pm**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Public Participation**
5. **Consent Agenda by Omnibus Vote**

All items under the Consent Agenda are considered to be routine in nature and/or non-controversial and will be approved by one motion. If any one wishes to have a separate vote on any item, it will be pulled from the Consent Agenda and voted on separately.

A. Payment of Bills

B. Approval of minutes July 23, 2019 Special City Council Meeting, August 5, 2019 Regular City Council Meeting, August 19, 2019 Regular City Council Meeting, August 27, 2019 Committee of the Whole Meeting

C. Request from The Lincoln Knights of Columbus to collect donations for the Annual Intellectual Disability Drive on Friday, September 20, 2019 from 8:00 am until 5:00 pm and Saturday, September 21, 2019 from 9:00 am until 1:00 pm on the corner of Broadway and McLean Streets, Pulaski and McLean Streets, Pulaski and Kickapoo Streets and Broadway and Kickapoo Streets.

6. **Ordinance and Resolution**

7. **Bids**

8. **Reports**

9. **New Business/Communications**

A. Approval of the ETSB/9-1-1 Intergovernmental Agreement between Logan County and the City of Lincoln (Tabled August 19, 2019)

B. Approval of the placement of a Referendum to abolish the Civil Service Commission on the ballot for the March 17, 2020 election (Tabled August 19, 2019)

C. Approval of three-way agreement between the City of Lincoln and Lincoln College and Comcast to provide public Broadcast service to the Channel 5 Public Broadcast Station for four (4) City Council Meetings per month. (Tabled August 19, 2019)

D. Approval of Request for Proposal for the Construction of solar panels at the Sewer Treatment Plant.

10. **Announcements**

11. **Executive Session**

12. **Adjournment**

We welcome the participation of persons with disabilities at all City of Lincoln meetings. If auxiliary aid or service is required for most effective participation and communication, please notify the City Clerk's Office at 217-735-2815 or [cityclerk@lincoln.il.gov](mailto:cityclerk@lincoln.il.gov) no later than 48 hours prior to the meeting time.

**SPECIAL CITY COUNCIL MEETING**

Lincoln City Hall, Council Chambers  
700 Broadway Street | Lincoln, Illinois

**Tuesday, July 23, 2019**

A special meeting of the City Council of Lincoln was called to order by Mayor Seth Goodman at 7:12 p.m., with proper notice given. Roll call was taken by City Clerk Peggy Bateman.

**Present:**

Alderman Steve Parrott  
Alderman Kathryn Schmidt  
Alderman Sam Downs  
Alderman Kevin Bateman  
Alderman Ron Keller  
Alderman Kathy Horn  
Alderman Jeff Hoinacki

**Present:**

City Administrator Elizabeth Kavelman  
Treasurer Chuck Conzo  
City Clerk Peggy Bateman  
City Attorney John Hoblit  
Streets Superintendent Walt Landers  
Building and Safety Officer Wes Woodhall  
Police Chief Paul Adams  
Fire Chief Mark Miller  
Fire Chief Bob Dunovsky

**Absent:**

Gregory Pyles, Veolia Project Manager  
Alderman Tracy Welch

**Presiding:**

Mayor Seth Goodman

**Pledge of Allegiance**

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**Consent Agenda by Omnibus Vote:**

**A. Payment of Bills**

**B. Approval of minutes - July 1, 2019 Regular City Council Meeting, July 9, 2019  
Committee of the Whole Meeting**

Alderman Keller made the motion, seconded by Alderman Hoinacki. City Clerk Peggy Bateman called roll.

**Yeas: (7)**

**Nays: (0)**

**Absent: (1)**

**Ordinance and Resolution:  
Resolution adopting a Working Budget for F.Y. 2019-2020**

Alderman Hoinacki made the motion, seconded by Alderman Bateman.

Treasurer Conzo said everyone had received a copy of a report that he sent to everyone . . . during the last meeting, during the monthly treasurer's report. He talked about expenditures under and expenditures over within the General Revenue Fund (GRF).

He listed off some numbers and appropriations. His main reason to send this out was to dispel that the idea that the appropriation is to pad the budget. He said the purpose of the appropriation is for contingencies and gave the example of gasoline and the gas tax. He said the idea is to use that difference between the budget . . .

He said in every case the city is well under the appropriation and under the budget. He said the budget is a working document for what you plan to spend. He listed off various departments and department heads . . . saying he has not seen anyone try to squeeze out extras.

Alderman Parrott asked the treasurer who determines the appropriation. Treasurer Conzo said the city administrator . . . who then said he came up with the appropriations, and then she plugged them into the document.

He then said this has to be filed with the county by the 31st of the month.

Alderman Bateman said he did agree with Treasurer Conzo that you have to appropriate your expenses, but line by line -- there are dozens and dozens of lines that have never spent he budgeted amount of money. He did not see why you'd constantly budget \$1,000 if you never spent that, and he didn't see why you'd appropriate \$1,200. He said if you take every line item and appropriate the amount of money, you could better appropriate for the needs of this town.

He said because it's not even close . . . he said if you budget money and then you appropriate \$2.94 million more -- then the budget is off. That was his opinion.

Alderman Parrott asked about the expected revenues for 2019. Treasurer Conzo said the revenue projection is still the same . . . he said for the GRF last year, there was a change between the appropriation and the budget. He said \$7, 200,173 . . .

City Administrator Kavelman mentioned they sat together, he came up with the initial numbers and she plugged them into the system, but they did get the extra amounts from the department heads. He said he wanted to point out that this had to be filed with the county clerk no later than the last day of the month . . . he called this the governing document for their expenditures. It had to be filed by the 31<sup>st</sup>.

Mr. Bateman said if you take the time, and go through this thing by line, there is dozens and dozens of line that have never spent the budgeted amount of money. He didn't see the reason to budget more money or appropriate more money over the top of the budget. He called for dissecting every line item. He said it's not even close.

Alderman Parrott asked Treasurer Conzo what the city was going to take in for 2019. He said, not the appropriation amount.

Treasurer Conzo said that the revenue projection was still the same, for the General Revenue Fund, \$7, 200,173. This year it is around \$7.5 million. The total estimated revenue is \$22,464,156. Mr. Parrott, said so our budget is higher than our expected revenue.

Treasurer Conzo said the sewer expenditure is the reason why it's over . . . that and the pensions. He said the pension funds . . . the city is still taking in a lot less in terms of revenue than they need to. Mr. Parrott thanked him.

Alderman Keller said he was in total agreement with Alderman Bateman and appreciated what Treasurer Conzo said about the budget. Mr. Keller did not see a rhyme or reason for some of the other increases.

Alderman Keller was not comfortable doing business that way. He said he was all for going back, and he called for more responsibility to the taxpayers that what they are giving here. He was not comfortable voting for this as previously presented.

Alderman Bateman said in the document the City Administrator handed out . . . in the first three offices on page two . . . he then listed the city clerk's office salary and then listed off information about the city administrator's line items. He wanted to know where these appropriations are coming from.

Alderman Parrott said if you appropriated it, why didn't you budget it. He said it's have to be in the budget to actually use it. Alderman Parrott asked the treasurer to follow up on that. He said the idea is this to be a safety net for the budgeted amount.

He said it's not even a safety net . . . it's actually very heavily considered to use that \$14,000. Treasurer Conzo said generally if you're going to hire someone, it will typically go before the council to approval of it. Alderman Parrott said good practice would be to budget for it, if you wanted to use it. Alderman Bateman said that was the problem he was having.

Alderman Bateman said the first meeting we had, was the budget meeting, he said he abstained from that. Treasurer Conzo that was May 6, the appropriation amendment, the budget would have been voted on in April. Alderman Bateman then mentioned the office supply line items from the city administrator's office. Alderman Bateman said his math stops after the city administrator's office.

Alderman Parrott asked the difference between office supplies and equipment. He said if she needs a \$500 printer. City Administrator Kavelaman said it could have been its own item, but they did not do that and they put it in the office supplies line item. Alderman Bateman said they could put it in its own separate line item.

Alderman Parrott wanted to know the difference between office equipment and supplies.

Alderman Bateman liked the idea of adding the line for transparency purposes. He then gave a hypothetical situation. He said those are budgeted line items. He said you should know these things yearly. He could not see offices needing large amounts of equipment line items each year.

Chief Adams wanted to reference the budget, for supplies and equipment. He said with accounts payable, they can account for all those expenses. He said if you get too many lines in the budget, you've got more lines and more appropriations and more budgeted.

Alderman Parrott then weighed in on the difference between the line items. Chief Adams said appropriations is not money that we can have . . . we just cannot go over it, but law. Chief Adams said the council voted on the budget. He said the department heads and the city administrator are the ones who determine how many jelly beans are going into the jar.

City Administrator said her job code said she is to do the budget and the appropriations. She said the treasurer was kind enough to help her, so they worked on it in Excel, he told her was numbers to plug in. She said these types of discussions we had.

Treasurer Conzo said the statute stipulates you can spend the money if it's necessary and if there is sufficient enough funds to cover it. Treasurer Conzo said last year there was a vacancy in the city administrator's role -- so he took care of the budget and the appropriations. He said as a transition to her taking over the budget and appropriations, he kind of went through the lines of what they did last year. Then following that she met with the department heads and came up with the numbers appropriated. He said just to clarify that.

Alderman Hoinacki wanted to view things from a different angle. Talking about the time constraint that they are asking the treasurer to do in five days, and then having a meeting on the 30th -- and what will they do if they do not agree then. He talked about working on this again next year, he did not see things getting worked out within five working days. Treasurer Conzo agreed with Alderman Hoinacki. Saying it was not sufficient time to do that. He said you can amend specific lines in the budget, if you see \$50,000 here and it ought to be \$45,000 . . . or if you think something is much too high . . . you can amend those.

He reminded them that the 31st is a day from tomorrow. Alderman Bateman said the document he was handed tonight is the third document he was handed. He said he was still a, "No," vote. He was just one vote.

Alderman Schmidt brought up committee structures. She said it was her understanding that if they go to that structure, then it could take some strain off of the city administrator.

Alderman Parrott said if we went to a committee structure - would we event have a city administrator. Treasurer Conzo said there was time when we had a committee structure we did not have a city administrator.

Alderman Keller said I suppose our course of action is to vote and see what happens, but there is a motion and a second on the floor.

City Clerk Peggy Bateman called roll.

**Yeas: (2)**

Alderman Kathy Horn  
Alderman Jeff Hoinacki

**Nays: (5)**

Alderman Steve Parrott  
Alderman Kathryn Schmidt  
Alderman Sam Downs  
Alderman Kevin Bateman  
Alderman Ron Keller

Alderman Kathy Horn  
Alderman Jeff Hoinacki

**Absent: (1)**

Alderman Tracy Welch

Treasurer Conzo then said now you have to decide what you want to do. And that you will have to vote on another appropriation if you want to operate during this next fiscal year. Alderman Hoinacki called for a meeting

Alderman Keller said we as a council voted, "No" to this so we should take some ownership and go down the line . . . but we need to go through this and get those submitted to the treasurer and the city administrator as soon as possible. City Administrator Kavelman said she could cut 10 percent down the line.

The city administrator wanted a deadline for this.

Alderman Bateman wanted the expenditures. Treasurer Conzo said the revenue and expense reports are online.

Alderman Parrott wanted to know what would happen to the city if this was not done by July 31, or Aug. 1.

Alderman Parrott asked a question about using Excel spreadsheets -- he wanted a side by side document. He said he asked last Thursday. She said she did not get asked until yesterday at 3 p.m.

Alderman Parrott wanted a side by side, comparisons etc. He said this is valuable document. He wanted to know if the council cannot have access to the software or documents. Alderman Bateman said right now he's just going to draw a line and bring it in -- all scribbled on.

City Administrator Kavelman referenced past years, when they would cut four or five percent.

Alderman Parrott asked again if he could get an Excel spreadsheet version of this document. He said it's easier for him to use Excel. He wanted to be able to make his own edits to the document, for his use personally for the city to manipulate it for next year or whatever. He said if this is a city document, we should be able to have access to it. He wanted to see a comparison of the budgeted amounts for 2018-2019. He said to him it seems pretty easy, if you have Excel. He said if you have to do it line by line, then it can take some time.

City Administrator Kavelman said there were different line items from last year. She said it took a little bit of time to do this. She talked about concern over having different versions from the Excel spreadsheets. He said he personally could use the program.

She reiterated that there are five days. Mayor Goodman said so there will be seven different documents with different changes, and then what would everyone do.

Treasurer Conzo posed recommending changes tonight. He said recommended changes would have to go out no later than Friday in order to have a meeting on Tuesday, July 30. He said the city administrator worked continuously in order to get the document put together. He said if you're expecting him to do real sophisticated things with Excel, then you've got the wrong

person. He said she did do an exceptional job putting this together, and that he guesses that whatever they are going to do, they have to do it real soon.

Alderman Hoinacki mentioned a meeting night. City Clerk Bateman said she would think Monday would allow them to have an extra day. They went back and forth about a potential meeting date.

Alderman Keller said first of all, he should say everyone should have respect for the treasurer and city administrator and all the work they put into it. He said going down the line . . . and gave an example of the city clerk's line item for vital records and the increase. He said just to help out the process, he'd be willing to sit down and crunch something out.

Alderman Bateman said his problem was the blanketed increase of every single line item. he said the previous council and department heads worked diligently on their budgets. He said take the budget, look at the previous year's budget and maybe the year before that . . . he said just go to zoning and you're looking at . . . two years . . . he said postage was budgeted, \$50, and appropriated was \$150. He said he wanted to know if he used the \$50 or went over it.

He said we're trusting them to run their own departments. He wanted to give them a few days to go back and look at their own budgets. He said he agreed with Steve, and that he could be done with it if it were Excel, that he could be done within a few hours. He said it was their deal to look at these things line by line.

Alderman Keller said he is not asking the department heads to go back and look at their budgets, but to sit down with the city administrator and treasurer to sit down together. Alderman Bateman wanted to make a motion for the meeting . . . but they did not have to.

The meeting will be held Monday, July 29, at 6 p.m., according to Mayor Goodman. He asked the council how they wanted to proceed. Another meeting would be scheduled for Tuesday, July 30, at 6 p.m. The meeting could be cancelled, if need be.

Alderman Parrott wanted to follow up on the need to pay the city council members a bit more. For additional meetings. It would be budgeted.

City Administrator Kavelman asked if the treasurer could be in the office before 1 p.m.

Alderman Bateman said they need to wait for our suggestions. Mayor Goodman said the deadline to submit would need to be Thursday at 8 a.m. or the end of the day tomorrow, Wednesday, July 24. The group could meet on Friday.

Alderman Bateman said isn't everyone going to line by line. Alderman Bateman said he was going to work on one. City Clerk Bateman said you can't give Beth eight different pieces of paper and expect her to plug in whatever numbers.

The treasurer, city administrator, Aldermen Keller and Downs could meet Friday at 11 a.m. at Lincoln City Hall [inaudible]. City Administrator Kavelman weighed in. Mayor Goodman confirmed the meeting details and then moved the meeting forward.

**New Business/Communications – FOP Contract:**

Alderman Keller made a motion to table the item and Alderman Hoinacki seconded it. There being no discussion, roll call was taken. The item would be discussed on the COW agenda.

**Yeas: (7)**

Alderman Kathy Horn  
Alderman Jeff Hoinacki  
Alderman Steve Parrott  
Alderman Kathryn Schmidt  
Alderman Sam Downs  
Alderman Kevin Bateman  
Alderman Ron Keller  
Alderman Kathy Horn  
Alderman Jeff Hoinacki

**Nays: (0)**

**Absent: (1)**

Alderman Tracy Welch

**Adjournment:**

Alderman Keller motioned to adjourn, seconded by Alderman Parrott. There being no discussion to come before the City Council of Lincoln, Mayor Goodman called the special meeting to a close at 8:18 p.m.

**Respectfully Submitted By:**

Alex Williams, Recording Secretary



**REGULAR CITY COUNCIL MEETING**

Lincoln City Hall, Council Chambers  
700 Broadway Street | Lincoln, Illinois

**August 5, 2019**

**Presiding:**

Mayor Seth Goodman

The Regular Meeting of the City Council of Lincoln was called to order by Mayor Seth Goodman at 7 p.m., with proper notice given. City Clerk Peggy Bateman called roll.

**Present:**

Alderman Tracy Welch, Ward 1  
Alderman Sam Downs, Ward 2  
Alderman Kevin Bateman, Ward 3  
Alderman Ron Keller, Ward 3  
Alderman Kathy Horn, Ward 4  
Alderman Jeff Hoinacki, Ward 4

**Staff Present:**

City Administrator Elizabeth Kavelman  
City Attorney John Hoblit  
City Clerk Peggy Bateman  
Treasurer Chuck Conzo  
Police Chief Paul Adams  
Fire Chief Bob Dunovsky  
Building and Safety Officer Wes Woodhall  
Streets Superintendent Walt Landers

**Absent:**

Alderman Steve Parrott, Ward 1  
Alderman Kathryn Schmidt, Ward 2

**Public Comment:**

Mayor Goodman called upon citizens registered to speak.

**Consent Agenda by Omnibus Vote:**

**A. Payment of Bills**

**B. Approval of minutes July 15, 2019 Regular City Council Meeting, July 23, 2019 Committee of the Whole Meeting, July 29, 2019 Special City Council Meeting**

**C. Request from the Logan county Tourism bureau to permit the closing of McLean Street from the Art Institute Building to the corner of McLean and Pulaski Streets on Saturday, September 21, 2019 from 9 a.m. until 4 p.m. for the "World Record Abe Lincoln Attempt"**

**D. Request from the Harvest of Talents for World Hunger Ministry Team to permit the closing of various City of Lincoln streets for the "Harvest Run" on Saturday, October 26, 2019 from 7 a.m. until its conclusion**

Alderman Horn made the motion to approve, seconded by Alderman Welch. City Clerk Bateman called roll.

**Yeas: (6)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (2)** Alderman Steve Parrott, Alderman Kathryn Schmidt

Mayor Goodman moved to other items on the agenda.

### **Ordinance and Resolution Ordinance Amending the City of Lincoln Liquor Regulations**

Alderman Welch made the motion to approve, seconded by Alderman Bateman. Mr. Bateman then wanted to ask if the receipts would be removed. City Attorney John Hoblit weighed in. He said he has looked at Home Rule and Non-Home Rule municipalities. He said sometimes there are restrictions on the various gaming parlors that do exist. Alderman Hoinacki asked if there was a cap on any of the fees, Mr. Hoblit said the body of his research was to the reporting requirements. He said the fees varies from municipality to municipality. He said the biggest fees were for Home Rule municipalities.

City Clerk Bateman said there's a book downstairs that says the biggest fee they can ask for is \$25 per machine, per year. Alderman Hoinacki referred to Liquor Commission member Rick Hoefle who came forward to the microphone. He said he spoke with the city attorney about if it would be improper to do that. City Clerk Bateman said he was talking about the license itself, point to Mr. Hoefle. Then Mr. Hoefle said the state just came out with the allowance for six games and that some of the truck stops would be allowed up to 10 units. He said he was assuming Thornton's and Becks will be interested.

Alderman Bateman said two choices – they could either table this tonight . . . - but she thinks there should be a fee for up to five games and a fee for businesses that got to the six to 10 range. He gave a hypothetical about charging more for those who go over five games.

Mr. Hoefle weighed in. Discussion ensued about the businesses that could potentially go up to six to 10 units. It had to do with truck stops.

Treasurer Conzo said the qualify as a truck stop, they have to be on three acres or more and sell either gas or diesel fuel. He mentioned which locations in town might qualify or might not qualify. Alderman Bateman said . . . so what's wrong with upping the price for the truck stops? Alderman Welch said it seemed safer to put in a per unit fee.

Alderman Hoinacki said a couple of municipalities charge the actual gaming machine companies a couple of thousand dollars per location. Others charge for stickers per machine. He thought it also needed to be tables in order to discuss it further. Alderman Bateman wanted to table it and come up with a fee for the truck stops. He said they are going to have 10 games and most places will have five or six. He said call it anything seven through 10 is an extra \$1,000.

Alderman Hoefle said you could go an extra \$200 per game. More discussion ensued. He did not have a problem tabling it as Alderman Parrott was not present. Attorney Hoblit said he counseled the council not to rush into it. Mr. Hoefle asked if they were talking about waiving the 30 percent completely out.

Alderman Welch asked, "What is the problem we are trying to solve here?" He said we've sat through this exact same conversation before, saying it took several weeks to get the same point that they were at now.

More discussion ensued . . . Mr. Bateman said every business in town can go to six games. He wanted a fair fee for places in town to from six to 10. He called it leveling the playing field. He said the truck stop will just write the check. Saying they've got money coming off the highway all the time.

Treasurer Conzo said it seemed to him that Mr. Bateman was mixing two different things with the liquor license fee. Saying they'd be charging the truck stop a higher liquor license fee. He said he was not sure this was even allowed. He said it might be a good idea to find that out first. Alderman Bateman withdrew his second, Alderman Welch withdrew his first.

He then (Alderman Welch) made a motion to table it, seconded by Alderman Bateman. City Clerk Bateman called roll.

**Yeas: (6)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (2)** Alderman Steve Parrott, Alderman Kathryn Schmidt

Mayor Goodman moved to other items on the agenda.

**Bids:**

**A. Approval of bid from P.H. Broughton for the HMA Mill & Overlay Project in an amount not to exceed \$164,498.77**

Alderman Hoinacki made the motion to approve, seconded by Alderman Keller. Alderman Hoinacki asked about a timeframe for the start. Mr. Landers touched on the contracts. There being no further discussion, City Clerk Bateman called roll.

**Yeas: (6)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (2)** Alderman Steve Parrott, Alderman Kathryn Schmidt

Mayor Goodman moved to other items on the agenda.

**B. Approval of bid from Beniach Construction for the Scarification/Oil and Chip Project in an amount not to exceed \$242,462**

Alderman Welch made the motion to approve, seconded by Alderman Horn. City Clerk Bateman called roll.

**Yeas: (6)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (2)** Alderman Steve Parrott, Alderman Kathryn Schmidt

Mayor Goodman moved to other items on the agenda.

**New Business/Communication:**

**A. Approval of Amendment No. 1 to the CSO Improvement Construction**

Alderman Bateman made the motion to approve, seconded by Alderman Keller. City Clerk Bateman called roll.

**Yeas: (6)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (2)** Alderman Steve Parrott, Alderman Kathryn Schmidt

Mayor Goodman moved to other items on the agenda.

### **B. Approval of Amendment No. 3 to the Union Street Pumping Station Design**

Alderman Welch made the motion to approve, seconded by Alderman Downs. City Clerk Bateman called roll.

**Yeas: (6)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (2)** Alderman Steve Parrott, Alderman Kathryn Schmidt

Mayor Goodman moved to other items on the agenda.

### **C. Approval of targets for the 2019 Curb and Sidewalk Replacement Project**

Alderman Hoinacki made the motion to approve, seconded by Alderman Welch. Alderman Keller offered a question for Mr. Walt Landers, he said he walked a lot of the sidewalks, saying the sidewalk out by Washington Monroe has some missing sidewalk. He wanted to know there were some areas where there was some patchwork, but he wanted to know if there was a need to fill in everything. Mr. Landers said they could be filled in. They are ADA compliant. City Clerk Bateman called roll.

**Yeas: (6)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (2)** Alderman Steve Parrott, Alderman Kathryn Schmidt

Mayor Goodman moved to other items on the agenda.

### **E. Approval City of Lincoln & FOP Union Labor Contract Proposed Memorandum of Understanding**

Alderman Keller made a motion to remove the item from the agenda. Seconded by Alderman Welch. City Clerk Bateman called roll.

**Yeas: (6)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (2)** Alderman Steve Parrott, Alderman Kathryn Schmidt

Mayor Goodman moved to other items on the agenda.

### **Announcements:**

Mayor Goodman asked if anyone had any announcements.

- Treasurer Conzo read a message from the Logan County Genealogical and Historical Society, thanking the council for the \$750 appropriation.
- Alderman Hoinacki said he has been working still with Illinois DOT on the railroad crossing on Kickapoo Street . . . he shared a quote from the Canadian National Railway, relating to loose panels. There will be construction on the crossing this season.
- Chief Adams shared information on the National Night Out.
- Chief Adams offered kudos to some of his officers, about DUI arrests in the area. He said three officers have been top performing for DUI arrests – last year.
- City Clerk Bateman talked about calls for watering your grass during the current drought. She said the city is not responsible for water bills increasing. Water conservation would be appreciated.

**Executive Session:**

Alderman Welch made a motion to enter into Executive Session under 2(c)1 Personnel and 2(c)5 Purchase or Lease of Real Estate, seconded by Alderman Hoinacki.

The council went into recess at 7:30 p.m. in order to enter into Executive Session.

**Return from Executive Session:**

At 8:40 p.m. the council returned from Executive Session.

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**Adjournment:**

There being no further discussion to come before the City Council of Lincoln, Alderman Keller motioned to adjourn, seconded by Alderman Welch. Roll call was taken. Mayor Goodman adjourned the meeting at 8:40 p.m.

**Respectfully Submitted By:**

Alex Williams, Recording Secretary

**REGULAR CITY COUNCIL MEETING**

Lincoln City Hall, Council Chambers  
700 Broadway Street | Lincoln, Illinois

**Monday, August 19, 2019**

**Presiding:**

Mayor Seth Goodman

The Regular Meeting of the City Council of Lincoln was called to order by Mayor Seth Goodman at 7 p.m., with proper notice given. City Clerk Peggy Bateman called roll.

**Present:**

Alderman Tracy Welch, Ward 1  
Alderman Steve Parrott, Ward 1  
Alderman Sam Downs, Ward 2  
Alderman Kathryn Schmidt, Ward 2  
Alderman Kevin Bateman, Ward 3  
Alderman Ron Keller, Ward 3  
Alderman Kathy Horn, Ward 4  
Alderman Jeff Hoinacki, Ward 4

**Staff Present:**

City Administrator Elizabeth Kavelman  
City Attorney John Hoblit  
City Clerk Peggy Bateman  
Treasurer Chuck Conzo  
Building and Safety Officer Wes Woodhall  
Streets Superintendent Walt Landers  
Police Chief Paul Adams

**Absent:**

Fire Chief Bob Dunovsky

**Public Comment:**

Mayor Goodman called upon citizens registered to speak. Mr. Bob Meinershagen came forward to share his support for the elimination of the bike path in the 5<sup>th</sup> Street Road Project.

**Consent Agenda by Omnibus Vote:**

**A. Payment of Bills**

**B. Approval of minutes July 23, 2019 Public Hearing**

**C. Approval of Mayoral Proclamation, 2019-390 declaring the week of September 1, 2019 as American Payroll Week in the City of Lincoln**

**D. Approval of request from the Railsplitting Association to use Postville Park and to close various city streets for the Annual Railsplitting Festival from Friday, September 20, 2019 until Monday, September 23, 2019.**

**E. Approval of request from the Lincoln Park District to use city sidewalks on the square for sidewalk chalk art on Thursday, September 19, 2019 from 8:30 a.m. until 8 p.m.**

Alderman Welch made a motion to approve, seconded by Alderman Keller.

Alderman Bateman asked a question about the payment of bills, he wanted an explanation for the purchase of fitness equipment. Chief Adams weighed in saying the city was getting a good deal. Alderman Bateman asked if there was a way to renegotiate the contract with the park district to be on an as-used basis. Chief Adams said the park district fees include the police and fire departments. He said they want healthy officers, and sometimes equipment at the rec center isn't always available to the officers.

Mr. Bateman asked about starting a conversation with the park district, about eliminating the needs for the park district or scale back, in order to save money.

Alderman Keller had follow-up questions about sidewalk chalk art. City Clerk Peggy Bateman weighed in saying some businesses did not want the sidewalk chalk out in front of their business.

Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

**Ordinance and Resolution:**

**A. Ordinance 2019-900 authorizing the City of Lincoln to borrow funds from the Water Pollution Control Loan program**

Alderman Hoinacki made a motion to approve, seconded by Alderman Keller. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

**B. Ordinance 2019-901 amending Section 3-7-5 of the City Code, Liquor Regulations**

Alderman Parrott made a motion to approve with a few changes, including a section on page one and page two, a clause about an additional \$500 for the liquor license and reporting requirements. He wanted it to go up to \$1,000 without a stair step. He then mentioned leaving the reporting requirements for items in at 30 percent for items other than liquor.

Mr. Hoblit said, Mr. Parrott - other than liquor, did you mean other than gaming? More discussion was had about changing this from, "other than food" to "any sales." He was open to discussion on this, he said. So he was looking for changes in section k, and then changes from food to any sales.

The second was made by Alderman Schmidt. City Clerk Peggy Bateman said the licenses go into effect in May. Mr. Hoblit said the ordinance would take effect January 1. Alderman Bateman asked if it passes

with percentages, would they let it be up to the liquor commission to determine if they meet that requirement. He said if we leave k in there, there's no mention about who to turn receipts into, or the timeframe. City Administrator Kavelman said they are to be turned into the City Clerk's Office. Mrs. Bateman said she wanted this in writing.

Mr. Bateman said receipts were never collected. He wanted a procedure in writing, what they are required to do, etc. And a date that they had to turn in the receipts – no later than such established date. He called for definitive language, and the timeline for when they have to turn items in. He needed this information before he would be a, "Yes," vote on this. City Administrator Kavelman weighed in on past practice and process.

Mr. Bateman said if it was in writing, then they could point to it. She said it would be in there as required. It would be a requirement. Mr. Rick Hoefle of the Liquor Commission came forward. He said the rules were simple, if you don't turn in your receipts, you don't get your license.

He said no receipts, no approval.

Alderman Welch weighed in saying it was not wise for the city to get into the business of telling people how they can and cannot spend their money. He would be a, "No" vote and said they would have to make an amendment to the motion. He did not like the language about the 30 percent. He said we'd have to amend it now as it was not on the agenda, so he said you'd have to make an amendment to the motion.

Alderman Bateman wanted to make a second amendment, he wanted to make a motion to also remove the 30 percent, but he wanted to follow on Alderman Parrott's idea, but changing the fee.

Mr. Hoblit said, why don't you rescind the motion that's on the floor and then all the amendments could be rolled into one. Mr. Hoblit thought everyone would be on board. Mr. Welch then cited Robert's Rules of Order. Mr. Bateman said if he got a seconded, and they voted on it and it passed, then they would vote on Mr. Parrott's motion would fail and then they would vote on it as amended.

More discussion ensued, some [inaudible] comments made by Mr. Hoefle.

Mr. Parrott then weighed in on previous practice of not following the ordinance, he said shame on us. He said if they cannot make 30 percent off of something other than gaming . . . then trailed off. Mr. Welch asked why is video gaming the one? Or is it just the one in front of us right now?

Mr. Hoblit said the one that has the motion and the second, and it should be the one that is voted on now. Then they can vote on the other at the juncture as well.

**Yeas: (3)** Alderman Steve Parrott, Alderman Kathryn Schmidt, Alderman Sam Downs

**Nays: (5)** Alderman Tracy Welch, Alderman Ron Keller, Alderman Kathy Horn, Alderman Kevin Bateman, Alderman Jeff Hoinacki

**Abstain: (0)**

**Absent: (0)**

Alderman Bateman made a motion to remove the fee stair step and amend the fee rate, seconded by Alderman Parrott. Alderman Hoinacki wanted to ensure they were voting on the stair step or the 30 percent being out. Starting in 2021 at the higher rate. Mr. Hoblit weighed in.

City Clerk Peggy Bateman wanted clarification, Mr. Hoblit said they were removing the stair step and



making it a flat \$1,000 - this was section k deleted.

**Yeas: (5)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Kathy Horn

**Nays: (3)** Alderman Steve Parrott, Alderman Kathy Schmidt, Alderman Jeff Hoinacki

**Abstain: (0)**

**Absent: (0)**

Mr. Hoblit said there was another motion that needed to be addressed – it was the ordinance as amended, he either needed to resubmit a new draft, or it needed to pass as amended.

Alderman Bateman made a motion to pass the ordinance as amended, Alderman Parrott wanted to table it, but it was then seconded by Alderman Welch.

**Yeas: (4)** Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman

**Nays: (4)** Alderman Steve Parrott, Alderman Kathy Schmidt, Alderman Jeff Hoinacki, Alderman Kathy Horn

**Abstain: (0)**

**Absent: (0)**

There being a tie, Mayor Goodman had the vote and made the vote in favor of passing it as it read. Mr. Hoblit weighed in. Mayor Goodman voted, "Yes."

### **C. Ordinance approving the sale of property to Illinois American Water Company**

Mr. John Hoblit explained that this was a real-estate transaction. He asked that this not be voted on at this time. Alderman Bateman asked if they motion to table it, or do they just make a motion to remove it from the agenda all together.

He then made a motion to remove it from the agenda, seconded by Alderman Welch. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

### **Reports:**

#### **A. City Treasurer's Report for July, 2019**

City Treasurer Chuck Conzo said the composite account balance and general revenue fund are up from last month. He said this process will continue now through November. He mentioned work needing to be done on the sewer and lift station. He said the expectation is that receipts will pay off the loan that the council authorized earlier in the evening.

He then touched on investments, he said they struggled for a long time to get above \$10 million. The fire pension fund is also up from where it was at the end of June. He then hit on the downward trend in the stock market, but he said it has been going up again. He said historically there are often declines in

the month of August. He said it's a month that tends to be turbulent.

He then touched on the replacement tax. He said this year has been better, they're about \$20,000 ahead of where the city was one year ago.

He also touched on the Non-Home Rule Sales Tax, and he said he hoped the trend with it continued, including with the Sales State Use Tax. He then said the State Income Tax receipts were up significantly. He said unemployment was down, even in Illinois. He said more people are working and paying income tax.

He said the Motor Fuel Tax, you see a decline there over a year ago, he said those are from receipts in June. He said then the state saw a gasoline tax. He said if that continues the city could continue to see a decline in that revenue.

He said it was logical to assume that the closing of the glass factory may have made an impact. He said the city may need to keep an eye on this in the future.

### **B. City Clerks Report for July, 2019**

City Clerk Bateman began to touch on sewer receipts for the \$354,408.45 in sewer receipts. No payment was received from either prison in the month of July.

### **C. Department Head Reports for July, 2019**

These reports are either on file or will be shortly.

#### **New Business/Communications:**

##### **A. Approval of the hiring a new Police Officer from the Police & Fire Commission list**

Alderman Keller made a motion to approve, seconded by Alderman Horn. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

##### **B. Approval of the appointment of Firefighter James Cosby to the position of Fire Inspector**

Alderman made a motion to approve, seconded by Alderman Welch. Mr. Bateman made the second. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

**C. Advise and consent to the appointment of Jonathan Parker to the Historic Preservation Commission**

Alderman Welch made a motion to approve, seconded by Alderman Keller. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

**D. Approval of the placement of a Referendum to abolish the Civil Service Commission on the March 17, 2020 election**

Mr. Hoblit wanted to table the item.

Alderman Keller made a motion to table it, seconded by Alderman Bateman. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

**E. Approval of ETSB/9-1-1 Intergovernmental Agreement between Logan County and the City of Lincoln**

Alderman Bateman made a motion to approve, seconded by Alderman Welch.

Police Chief Adams said there are still some blanks left open on the contract. He said most of the language refers to 9-1-1, whereas this is an agreement just for the dispatching services. He asked if the council had the updated version, or not.

Alderman Bateman rescinded his motion, Alderman Welch rescinded his second.

Alderman Bateman then made a motion to table the item, seconded by Alderman Welch. Mr. Hoblit said he would speak with the states attorney to expedite and finalize the contract. Alderman Bateman confirmed this would give the city attorney two weeks.

Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

**F. Approval of Television Franchise Agreement between the City of Lincoln and Comcast of Ill., Ind., Ohio, LLC for a period of 10 years beginning September 1, 2019**

Alderman Bateman said he said last week that he would be voting, "No."

Mr. Hoblit said it was not ripe for discussion at this time. Someone needed to make a motion.

Alderman Welch made a motion to approve, seconded by Alderman Parrott. He then said he would not be voting for something more than three years. He said what if there are problems 10 years from now. He said three years max, but he would like to see two years.

A representative from Comcast came forward, saying they would do less than 10 years, but it would need to be around eight years. She said they have done less than 10 with some communities, but Comcast would be willing to do eight years.

Alderman Keller said he was inclined to agree with Alderman Bateman. He said he did not know why it would be advantageous for Comcast to want an agreement of sorts in a time when telecommunications is an ever-changing market.

She rebutted saying that Comcast is the number one cable provider, and that it would continue as Comcast wants to be the leader in innovation.

Alderman Schmidt said they needed to have an opt-out clause for service, or there needs to be a store for people to be able to go to. Mrs. Schmidt said it has not been a good service in our city. The representative weighed in saying she had not heard about downed lines. Alderman Schmidt asked who customers can contact for downed lines. People can call the 1-800 number or items can be referred to the representative who can then send customers down an escalated process.

Alderman Sam Downs said he did call the 1-800 number several times. He said he did not get an issue resolved until going into a store in Decatur-Forsyth and talk to a person in person. The representative said when they did have an office, they did not have a lot of foot traffic. She said it did not make sense to keep the overhead going as it would have to be passed onto customers.

Alderman Welch said he reached out to the representative, (Libby) last week. He said he understands where Comcast decided to take the stance with eight years. He believed at a minimum, Comcast should reinstate the drop box on Kickapoo Street. He mentioned the elderly population who is not capable of driving or is tech savvy. He said that would be the least they could do.

He said the letter with the 1-800 number is sent out annually. She said the last one was sent out around December 2018. He said this was something that could be published. He also wanted to share that this is a non-exclusive contract, so Comcast does not have the same rights as the city has with Area Disposal. He said the council should take this into consideration. He said long-term agreements are a hard pill to follow, but he said losing a \$200,000 revenue stream wouldn't be good for the city.

Mr. Welch said he spoke with Lincoln College and Mr. John Malone, they wrote a white paper, he did not know what it means if they would or wouldn't vote on it tonight. But he wanted to share it with the City Administrator.

Alderman Bateman said he wanted to stick to three years or fudge to five years. He mentioned the numerous phone calls everyone receives. He said they only hear about the horrible customer service.

He said he notices these things because of all the horrible complaints, and downed lined. He said sometimes lines never get buried.

He said he had a real problem with the form of answering a question, saying it did not help the situation at all.

She said the emergency operations number is what is not supposed to be distributed.

City Attorney John Hoblit said there is a channel that Lincoln College uses. He said in the new agreement, the televised meeting was eliminated. He said Comcast was trying to get out of providing this service. He wanted to know if that was still the position of Comcast.

She said right now there is a three-way agreement between Comcast, the city and Lincoln College. Comcast provides the channel capacity, the channel was transferred to them years ago, so they could manage the workload of that. Her recommendation to Mr. Welch was to bring in a Lincoln College student in to shoot the meetings. Right now they have a contractor doing the work. She said the agreement between Comcast and Lincoln College will need to be renewed.

Comcast provides the channel capacity. Lincoln College manages the operations for Comcast. It expires September 1, 2019. City Administrator Kavelman weighed in. Then the representative said this was listed under section eight. But the three-way agreement is a separate agreement with Lincoln College.

Alderman Welch wanted to elaborate a little on a couple of items. He said the council needed to review the document before doing anything.

Mr. Welch said it did not sound like their staffing would be able to meet the needs of the city's broadcasts. He said they have a list the City of Lincoln in regard to the equipment, quality of equipment and the quality of the feed. They want the channel upgraded to HD. He said it's important that everyone understands what is in the contract. He said unless we can work on these issues, they might not be inclined to sign the agreement. He said it did not sound like they were ready to vote on it. He wanted to know where Comcast would stand. The representative weighed in, saying that Comcast liked working with communities in order to come to an agreement.

Mr. Welch asked what is Comcast's position on a three to five-year contract. She said she would have to take that back. City Administrator Kavelman asked what kind of time period would Comcast continue to provide services. The representative said that Comcast had no desire to pull out of the City of Lincoln.

Comcast has a non-exclusive agreement now with the city. Comcast would operate under the current agreement although it might expire. Alderman Schmidt asked what at state certificate is and how it worked. The representative said they would prefer to reach an agreement locally.

Alderman Parrott said they should go ahead and vote and then wanted to know what the difference is.

Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (0)**

**Nays: (7)** Alderman Steve Parrott, Alderman Sam Downs, Alderman Tracy Welch, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Abstain: (1)** Alderman Ron Keller

**Absent: (0)**

**G. Approval of three-way agreement between the City of Lincoln, Lincoln College and Comcast to provide public broadcast service to the Channel 5 Public Broadcast Station for four City Council meetings per month**

Alderman Bateman made a motion to table this until they received an agreement with Comcast, seconded by Alderman Schmidt. The Comcast representative made comment, however it was inaudible. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (7)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (1)** Alderman Ron Keller

**Absent: (0)**

**H. Approval of the removal of the bike path from the design of the City's portion of the Fifth Street Road Project**

Alderman Keller made a motion to approve, seconded by Alderman Horn. Mayor Goodman called for further discussion, there being none, City Clerk Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

City Administrator Kavelman suggested that Alderman Schmidt should have abstained from the vote as she is a property owner.

**Announcements:**

- Next week's meeting will be at 6 p.m.
- Alderman Bateman said these people are coming from out of state
- Alderman Welch said in the interest of time, they might table the COW items that are not priority for the next meeting
- Mr. Landers mentioned scarification and oil and chip projects, he said drivers should be a on the lookout for no parking signs
- Third Fridays Downtown Lincoln and the Balloons Over 66 weekend will take place starting August 23, at 5:30 p.m. – followed by the glow event on Saturday evening at 8 p.m.

**Executive Session - 2(c) 11 Potential Litigation:**

There being no further business to cover on the agenda, Alderman Welch made a motion to enter into executive session under **2(c) 11 Potential Litigation**. Alderman Keller seconded it. City Clerk Peggy Bateman called roll.

**Yeas: (8)** Alderman Steve Parrott, Alderman Tracy Welch, Alderman Sam Downs, Alderman Ron Keller, Alderman Kevin Bateman, Alderman Jeff Hoinacki, Alderman Kathryn Schmidt, Alderman Kathy Horn

**Nays: (0)**

**Abstain: (0)**

**Absent: (0)**

Mayor Goodman recessed the Regular City Council Meeting in order to enter into executive session. The council recessed at 8:14 p.m. There would not be any future city business.

**Return from Executive Session - 2(c) 11 Potential Litigation and Adjournment:**

The council returned from Executive Session at 9:10, roll call was taken.

**Present:**

Alderman Tracy Welch

Alderman Steve Parrott

Alderman Sam Downs

Alderman Kevin Bateman

Alderman Ron Keller

Alderman Kathy Horn

Alderman Jeff Hoinacki

Alderman Kathryn Schmidt

Then Alderman Keller made a motion to adjourn, seconded by Alderman Welch. The council adjourned at 9:11 p.m.

**Respectfully Submitted By:**

Alex Williams, Recording Secretary

**COMMITTEE OF THE WHOLE MEETING**

Lincoln City Hall, Council Chambers  
700 Broadway Street | Lincoln, Illinois

**Presiding:**

Mayor Seth Goodman

The Committee of the Whole Meeting of the City Council of Lincoln was called to order by Mayor Seth Goodman at 6:02 p.m., with proper notice given. City Clerk Peggy Bateman called roll.

**Present:**

Alderman Tracy Welch, Ward 1  
Alderman Steve Parrott, Ward 1  
Alderman Kathryn Schmidt, Ward 2  
Alderman Sam Downs, Ward 2  
Alderman Kevin Bateman, Ward 3  
Alderman Ron Keller, Ward 3  
Alderman Kathy Horn, Ward 4  
Alderman Jeff Hoinacki, Ward 4

**Staff Present:**

City Administrator Elizabeth Kavelman  
City Attorney John Hoblit  
City Clerk Peggy Bateman  
Treasurer Chuck Conzo  
Fire Chief Bob Dunovsky  
Police Chief Paul Adams  
Building and Safety Officer Wes Woodhall  
Streets Superintendent Walt Landers

**Absent:**

None

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**Public Comment:**

Mayor Goodman called upon citizens registered to speak. City Administrator Kavelman started in sharing information about the new Eagle Scouts in the City of Lincoln, Illinois.

Next, Mrs. Wanda Lee Rohlf's came forward to talk about the marijuana dispensary presentation. She said within the first five to six years of teaching, she said after working with a student she knew the student was overdosing on medication. She took her to the hospital. Then her parents were notified, they had no idea their daughter had been abusing drugs. She said she goes back another number of years to other experiences. She has a preconceived notion about marijuana and other substance abuse products. She then proceeded to read quotes. She said if we are not selling it, they cannot blame the City of Lincoln. She read an article about recreational marijuana and college student usage.

She said having had personal experiences, we as a city need to protect our youth. She said she does not want to be one of the people who helps minors access the drugs.

Mr. Paul Carder came forward to talk about a marijuana dispensary as well. He wanted to know what products would be available, he said he uses oral and extracts – he said labels show where the item



was produced. He wanted to know if this quality control would be the same in recreational usage. He said he'd like to spend his money in Lincoln and not have to drive to Springfield, Bloomington, Canton etc. He urged everyone to, "Bring it." He said it's going to be in Illinois anyway, we might as well benefit from it.

He then mentioned Cresco labs and that Lincoln is going to benefit from their vast expansion. But he said he never heard much about that. He said the market is here to stay, illegal or otherwise.

Alderman Schmidt asked if he was for medical and recreational, he said not for himself. More conversation was had off microphone as Mr. Carder left the table [inaudible].

Alderman Bateman weighed in about people buying from a facility, and not off the street. He said they have to buy it from a controlled state lab.

Alderman Schmidt was curious about the taxes, she wanted to know if the taxes from the Cresco Labs facility went to the city or the county. Mr. Conzo said that there is a portion that goes to the county and not the city as it is not in city limits.

Alderman Downs asked about the city receiving a tax cut if a dispensary came to the city. Mr. Conzo said .5 percent to a maximum of five percent could be assessed. He said it's not three percent, a sales tax of three percent which can be increased. He continued on about law enforcement prevention programs.

Alderman Schimidt asked about more tax. He said this was the maximum. But he still did not know if it was possible to assess a licensing fee for the facilities. He was not sure if this was a \$25 or \$1,000 fee. He was hoping to find this out soon.

Mr. Francesco Pedinga asked if the city is trying to get a crop growers facility in town. Alderman Downs engaged with him. Then Alderman Bateman weighed in saying right now it is just a recreational dispensary. He said there are different requirements under the state license. He said before getting down that path they need to decide if they are going to get a dispensary in town.

Mr. Bateman said these growing facilities usually happen in places that do not already have a growing facility.

Mrs. Rohlf's ask about the three percent tax, asking if this is for people who are selling or if it's a three percent sales tax. Alderman Bateman weighed in, saying only people going in and buying the product would pay the three percent on top of the sales tax, he said it's the end user.

Alderman Keller mentioned a tax based on the level of THC, with 20 and 25 percent increments per THC level.

Mayor Goodman moved down to other agenda items and put the conversation on hold.

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### **Swearing in of Fire Fighter James Cosby as newly-appointed Lincoln Fire Inspector:**

Mr. James Cosby of the Lincoln Fire Department came forward to be sworn into the office of Lincoln Fire Inspector in the City of Lincoln, County of Logan – he swore to support the constitution of the country and state.

**New Logan County's Proposed ETSB/9-1-1 Intergovernmental Agreement Costs for City Council Approval:**

Chief Paul Adams said there was a meeting with Mr. Hoblit and the attorney for the county about getting out of the agreement. Alderman Keller talked about a formula on page three – what all participants would be paying, \$221,000 and change. He said this is the initial annual cost and reassessed every year. He said we are bearing a little over half of all the dispatch calls in the county. Chief Adams followed up, saying by state statute they can be responsible for those dispatching services up to 35 percent. It could fluctuate based on the numbers of calls going up and going down.

Alderman Keller noted the count fiscal year. There being no further questions, the item was placed on the agenda.

**Legalized Marijuana Dispensary Presentation:**

Alderman Bateman introduced Eli McVey and April Glosser – they are looking to start a marijuana dispensary. They shared a presentation titled, "Adult-Use Cannabis in Illinois." He lives in Denver, CO and is a research and data analyst. April is an entrepreneur. Eli's brother (Payton McVey) is also an entrepreneur and business partner who will be on their team.

Mr. McVey listed off what recreational marijuana is – and how it can be consumed. He talked about the product types. He recognized there is a stigma and baggage with marijuana. He said this is professional industry ran by professional people. He reiterated that, "This is professional industry." He said the gateway use has been debunked. He said people are not going to go on to use harder drugs. He said this isn't a substance that is entirely good or bad and he was not going to, "Evangelize."

He said the difference with marijuana use and dependency is quite minor. He said there are 55 dispensaries around the state, and they will be able to sell to the recreational market after January 1, 2020. Then in May 2020, 75 new dispensaries will be granted. Their group will be applying for one of those recreational licenses.

Alderman Keller said if he looks at research correctly, the state has divided Illinois into different regions so that they are geographically dispersed. Mr. McVey said Lincoln may not get one. Mrs. Glosser said it is pretty competitive, they are hoping to partner with a community that sees it as a benefit. There would be reinvestment back into the community. She said the winning scenario will be a community and a strong applicant coming together.

Alderman Schmidt asked a question about the facility outside of Lincoln. Mr. McVey said dispensaries are just selling cannabis. He said cities and towns are doing exactly what we're doing today.

Alderman Schmidt had a question about language on a specific slide. Relating to the numbers.

Alderman Bateman said we do not have a facility right now, that is just a cultivation facility on the outside of town. Mr. McVey continued saying recreational marijuana has been consumed, will be consumed in the City of Lincoln. He said come 2020, that marijuana is going to come in much fancier packaging. He referenced the potential booth for the local economy.

He talked about converting dollars from the black market into a licensed, regulated retail channel. City Administrator Schmidt asked why someone would pay more money to buy it legally than they are paying to buy it illegally. She said it makes sense to her that those who are paying less won't want to pay more with taxes, etc. He said the black market will not recede immediately. He said eventually

marijuana will likely become cheaper in a licensed retail store, the quality will be better and the selection will be much greater.

Mrs. Glosser said the state is anxious to get tax revenue off of this so they will not want to see a continued black market.

Alderman Bateman said the only thing that remains illegal, it is only legal when sold in a legal, regulated way. He said there is a lot of this that is still illegal and will remain illegal. He said it will drive the illicit market out. Alderman Keller asked a question. Mrs. Glosser said there is a \$5,000 nonrefundable application, there will be a security firm to write a security plan, they have a partnership covered to fill gaps. She said the community reinvestment with the community will be a big part of their application. That they are doing the best that they can for the community and that the community will be supporting them. Mr. McVey then weighed in. He said a strength of this application will show ties to the community. This is what the state wants to see. Mrs. Glosser said this is going to be a really strong application.

Alderman Keller said this is still a federal law on the federal level, he wanted to know if the city would still be on the hook or be liable for disobeying a federal law. Mr. McVey said it would be terrible political move for the country to crack down on marijuana laws.

More discussion continued, with Alderman Parrott citing homelessness rates in Denver. Mr. McVey rebutted about housing prices in Denver.

Mr. Paul Carder spoke again but some of what he said about RSO's was off microphone and [inaudible]. Treasurer Conzo asked about the number of counties – there are roughly 22 counties, with three dispensaries per county, it is west Central Illinois. Mrs. Glosser said it was a big area. She said if Lincoln was lucky enough to get a dispensary, they would be pulling in customers from out of town. Some dispensaries are putting them in a strategic place – there is tourism element and draw that could provide synergy for other businesses.

Mr. McVey then continued with his presentation – hitting on valid concerns and the impact to the city on usage rates. He said when walking into a retail store, the state will come down hard on places selling to minors. Making it harder for underage kids to get their hands on this. He said this will not be an issue like they have in Oregon where there are more dispensaries than there are Starbucks'.

He said the effect on people is not like alcohol, it will lower their inhibitions. He said there is no physical addiction that comes along with marijuana. He said if you look at the laws for the states, licensed dispensaries will be one of the most secure places in town. Mrs. Glosser said in some places they are seeing property values rise around dispensaries. Mr. McVey said, "Yes, these are nice places, they are attracting money. . . they do tend to increase property value."

He said it will be illegal for anyone to consume marijuana outside of their own home. He said you can't use it in your car, outside in a park – only inside a private residence. He then wanted to address their request to set up a marijuana dispensary in Lincoln – he said this offers them a unique opportunity to present their own unique skills and strength and to own their own business. He said it is not a cash grab. They have a professional interest in the City of Lincoln. They think setting something up allows them to collect business from people in town and up and down the interstate. He said it's really more than just a professional move, he said it allows him to come back to be closer to his family. He called it a unique opportunity, he has local ties. He talked about those local ties and his incentive to come to Lincoln to run a business. He said he would not want to do it on a way that negative impacts the community. He said Lincoln is the right market for the culture of their business.

Alderman Parrott asked Chief Paul Adams about his research about crime – saying he thought crime would go up and there would be an increased cost to help with the costs of crime, more costs with personnel and such – he wanted to get a better understanding.

Chief Adams said the DUI's and traffic accidents and fatalities . . . he said it's going to happen here, are there going to be robberies? Yes, he said it's going to be expensive and you're going to have a black-market sale, even if it becomes legal. People will be allowed to possess 30 grams, he said you're going to have those problems, the bad thing is, until things settle down, over the next few years – you're going to have problems.

He said if we can have something locally to support law enforcement and our fire department, he trailed off. Mrs. Glosser weighed in on the reality of enforcing the new laws.

Mrs. Adams said we have problems with mental health issues now, he said in Colorado there were around 9,973 visits that came in from cannabis use, he said the edibles provide more psychotic issues. He said with marijuana you're tripping that trigger a little bit sooner. He said there will be more problems transporting people to the hospital and the beds will fill up a little sooner. He said that number was from 2012.

Mr. McVey said what he had said about edibles, is true, as it pertains to portions. He said Illinois being on the cusp of that – he did not think the city would see such an increased rate in people going to the hospital.

Mrs. Glosser touched on how nice it was that other states have come before them.

Alderman Schimidt asked if it would be more harmful to the city than if it were in any other place. Chief Adams said he could not say if he believed it would be any more harmful. He said it was on the council's shoulders if they wanted to have dispensary or not. Alderman Keller said this comes incumbent upon the city if they want to prohibit the sale or publicly open it up and say, "We are open for business," in that regard. He proposed putting it on the future Committee of the Whole agenda (COW).

Alderman Welch asked about the portions. Consumers would be limited to one ounce per day. Mr. Welch said when he was under age it was not hard getting access to beer. He said you're going to see the same thing happen here with that frequency.

Mr. McVey said it is incumbent upon your local operators, to operate above the law. He said the state will crack down fast and it will crack down hard. Mr. Carder asked about items at the dispensary. They will be anonymous purchases. Mrs. Glosser said the auditing process was tough.

Alderman Welch was curious about their research on increased costs of law enforcement and emergency response in relation to the revenue that is generated. He posed a few hypotheticals.

Mr. McVey did not want to provide a number he would not defend. He said it comes back to whether you have the dispensary here or not, as the marijuana will be legal.

Alderman Welch said so you stated that they can get one ounce per day? He said as far as he was aware, that was where they were at.

A dispensary has the right to refuse sales.

Alderman Bateman asked about crime increases, he wanted to know if the theft of cigarettes has gone

up when packs went up to \$8 per pack. Chief Adams said more people are going out of state and buying it in order to avoid the taxes. Mr. Bateman said tobacco use is more addictive than marijuana.

He posed putting a step one, step two and step three on the next agenda – to begin outlining the council's regulations and an ordinance to control the hours, where the dispensary can be etc. He said a mayor of an adjacent town is already on top of this, he wanted this put on the agenda for the next voting session in order to get ahead. He highlighted why the city is in a strong position to house a dispensary. He thinks delaying or waiting will put the city behind the eight ball.

Alderman Parrott wanted to make comments off of that saying recently we've done some things pretty rushed. He said this he'd like some contacts from mental health to talk about the data that they have. He said there is drug problem at the high school and in the community. He did not want to rush into this, he said there are more options than the, "All mighty tax dollar."

He referenced alcohol related deaths in the community, and people trying to get horns removed on the trains passing through town. Mr. Parrott referenced Mrs. Rohifs' concern for the youth too. He said there will be bodily harm and death. He wanted to bring in the mental health people. Mr. Parrott said he volunteers at the women's prison in town for their drug rehab program. He said everyone of those ladies – they didn't start with heroin or cocaine. He said he did not, "want to rush into this as a councilman," and he wanted to caution the council.

Mayor Goodman asked what kind of location they would be wanting to look into in a city. Mrs. Glosser said 1,500 to 2,000 square feet, a place with ample parking, an area the city wants to see up scaled, a place that will have synergy with other businesses. They would want to do the site selection with the city. She called it a, "Well-weaved strategy."

Mayor Goodman asked how the council wanted to proceed.

Mr. Bateman wanted to see it on the voting session agenda, and they could table it as needed. He wanted to take the first step forward in whether they were or were NOT going to do this. He called it a one-time chance to capitalize on this. He said, "We control the destiny." We have the control and I don't think we should kick the can down the road, but we can table it if we are not ready to vote.

Alderman Parrot said, "We are not ready to vote." He did not want to push this too quickly, he did not think this was something the council should do.

They will be coming to Springfield, Bloomington, Peoria, Danville – the representatives would have to keep their options open.

Mayor Goodman said people will drive 30 minutes to get it regardless. The deadline is by October 1, for a municipality to tax it at three percent – as a means to get their foot in the door. Mrs. Glosser did not want to pass up on this opportunity.

Alderman Bateman wanted to congratulate Paul Carder for coming forward. Mr. Bateman said the money is being spent elsewhere in these towns.

They will not be a medical dispensary, but they will offer discounts to medical marijuana users. Alderman Welch said what he thinks the council has been tasked with is – is this recreational marijuana and edibles – will they come into the city based on our decision. Mr. Welch said they are coming in regardless.

He then asked if they had the capability of regulating, he then said, "Steve is right," that there are people looking at the financial aspect of this. He said it's coming regardless as there is a market for it. It will be, he said, "A very wise decision to capitalize on that." He said we are constantly looking for a revenue stream for the city, and these are things we should be looking at.

Mr. Keller said maybe not the next voting session, but the next COW. And then public can come forward. Then by the next voting session they could make a decision. Alderman Welch followed up about inviting someone from mental health.

### **Solar Energy Panels Presentation:**

Alderman Bateman introduced the next speakers – who passed out packets of information about a solar garden. Laurayn Farwell and Anthony Fotopoulos with Keystone Power Holdings Inc. said they met the city administrator at a conference.

This is about developing a solar array, maximum two megawatts – there would be a lot of usage. This is not a capital expense for the city, it is net metered. They take on the expense of building, developing and financing it. You go green, you get a lower rate, you make payments lower than your current rate, and you're agreeing to buy power at a fixed rate. It's a 25-year contract.

Mr. Fotopoulos outlined with the packet contained, he said the state did not know how they were going to continue to pay for each block. There is no capital investment from the city, but what they tell their customers is the review the proposals and legal documents – there is a time investment and on page five there was information on Keystone, the founders and information on the power purchase agreement. It's a 25-year contract, he called this the biggest risk from the city's perspective.

The contract is so long, due to the dedicate usage, according to Ms. Farewell.

All though it is long, there are option to buy it out, according to Mr. Fotopoulos. The fault at the end of the term will be taken away. He said it is typical that they see that. Money is already set aside to pay for that – that was the power purchase agreement.

On page six is a high-level layout – the size and the system. He said there is a strip in the property records that the town owns. He said there are economies of scale, one megawatt is five acres – roughly 10 acres including the fencing all the way around it, but it does not have to be two megawatts. In Illinois you can go up to 110 percent of what you use. He said it could be half this or it could be less.

He said half of this could work. He said they're working on Freeport right now, they are working with 1.2 megawatts. He said we'd have to find a place to put it. He said it could be released from the farmer – or there are some places that the town owns. He said this was to give the council an idea of what they could do. He said but, "It's a great place to put solar."

More examples continued about the various needs of city buildings. Mr. Fotopoulos said the new facilities building was looked at – it was too small 250 is their cutoff point. They could look at the facility again, but just on its own, they would not recommend it.

Mr. Fotopoulos continued to work through the packet explaining what was on each page – including electrical usage. How much they could go up to (90 percent of usage) without going over.

Each year production would degrade (a half a percent per year). It would save a bit on the police station, but not a whole lot. He then weighed in on the sewage treatment plant.

Alderman Keller wanted to know why Keystone was better than their competitors. They are building in Freeport, Illinois, other cities and villages too. Mr. Fotopoulos said they'd be happy to provide references. He said their buyouts are good, not everyone gets the buyouts over time – he also said their price is good, there isn't a lot of fluff in their business, not a lot of marketing.

Alderman Parrott asked a question about a site in Springfield. Mr. Bateman said it is Turaskey's. He then said Country Bob's invested in solar at their own business in Centralia – they power their entire plant with solar and it will be entirely paid off in eight years, rather than 15. Mr. Bateman said he appreciated Mrs. Kavelman handing him this project. He said it was right up his alley.

Mr. Fotopoulos said they would be ready to work immediately and that they could provide references. They could also give examples on the east coast about what examples they own.

Mrs. Kavelman said she was impressed with the presentation at an economic development conference she attended this year and that was why she pursued them.

Alderman Welch said just so – and he could have this completely wrong, but so – what you're proposing out at the wastewater treatment facility is current farmland – he wanted to know what revenue is generated on the land annually.

Mr. Conzo said it is in the \$6,000 range per acre. Mr. Welch said they want to put the facility on city property and then turn around and sell the energy back to the city at a discount. He then asked about the incentives. Ameren and ComEd have to buy it. There are also tax credits including the Solar Renewable Energy Tax credit.

Mr. Fotopoulos said the city does not have to take the option, he would look – but there is a certain depreciation. He would run the numbers. At the end you do not have to buy it. Alderman Hoinacki said if we're locked into a rate what happens when someone comes in and offers lower energy prices. Mr. Fotopoulos said there is no one expecting power prices to plummet.

He said the only gotcha in this is that it is a long-term contract. Sean with Veolia came forward and called for an RFP, he said there are only 13 watts out there at the waste water and treatment plant. Those were his recommendations. He was very into solar. Water and waste water are the biggest single user of energy in the country.

Alderman Welch said he went back and looked at the municipal aggregation rates. He said this council tends to be very leery of 25-year agreements on most of anything. Alderman Welch asked him what he thought the future of solar would be.

Mr. Fotopoulos said the cost of solar is continuing to drop. He said if money is saved over the long-term, and there is decent capital return, then it works and could continue after 25-years. The solar panels are warranted for 25-years. Efficiency goes up every year. He said it almost never pays to take a producing asset and upgrade it.

Mr. Fotopoulos said he believed there would be a lot more solar coming. And there is only so much land.

Alderman Bateman said, "So the next step moving forward," would be an RFP for a two megawatt solar facility on the 40 acres, he wanted to point out that the 40 acres they are looking at is significantly prone to flooding. He said they just need someone to put together and RFP going forward and he wanted it put together as soon as possible. He wanted to move forward. The council agreed. Alderman Bateman

asked if they wanted him to work with Sean.

**Request to Permit the Lincoln Knights of Columbus #1250 to collect donations for the Annual Intellectual Disability Drive on September 20, 2019, from 8 a.m. to 5 p.m. and on September 21, 2019, from 9 a.m. to 1 p.m., at the corners of Broadway and McLean Streets, Pulaski and McLean Streets, Pulaski and South Kickapoo Streets, and Broadway and North Kickapoo Streets:**

The item will be placed on the consent agenda.

**Resolution for Emergency Street and Sewer Repair at Keokuk and Hennepin Streets, estimated cost of \$64,812:**

Sean of Veolia gave a rundown of what the issue is. He said the ground underneath the street is dropping, but it is 11 feet deep. He is afraid there will be hole opened up in the street. Mayor Goodman has already signed the document. Then once signed, it can authorize the city administrator to order the work. It would be an emergency resolution, this exceed their \$20,000 spending limit – the longer the problem sits there, the longer this problem is opened to the public.

This bypasses the voting session. This is an emergency declaration. Mr. Bateman said this same issue is in the alley behind The Blue Dog. He wanted Veolia to authorize this spending at the same time. This would save the city \$3,000 if the equipment only had to be moved into the city one time. This is in the middle of the street and goes back toward Hennepin. There is over \$300,000 in a sewer improvement fund.

Mr. Anthony Harper introduced himself, he is the project manager for the waste water sewer and treatment plant for Veolia.

The item will be placed on the agenda.

**Comcast 10-Year Agreement with the City of Lincoln, effective September 1, 2019:**

**Comcast/Lincoln College/City of Lincoln Three-Way Agreement to Provide Public Broadcast Services to the Channel 5 Public Broadcast Station – four City Council Meetings per Month:**

Alderman Bateman said, "We voted it down." He said we voted, "No." Alderman Welch wanted to join a meeting with Alderman Schmidt, the city attorney and city administrator to meet with Comcast.

**Overall Update of the Progress on the City's Portion of the Fifth Street Road Project and Eminent Domain Letters from the City Sent to Non-Responsive Fifth Street Road Property Owners:**

City Administrator Kavelman said the letters have gone out. She said all the properties are in influx, they sent out 15 letters. One letter did not go out and one is coming in. Someone came in and signed. She said she would have a better answer once some of the return slips come back.

**Drainage Concern with the City of Lincoln's Property/Lincoln Futbol Club Lease/Lincoln YMCA Soccer Program Sub-lease of the Current Soccer Fields and Lincoln Industrial Park Board:**

City Administrator Kavelman said there was a letter going out to the individuals asking them to do something. A letter is going out to the Futbol field, asking them to move the pilings, in order to try to correct the drainage. They either needed to relocate or help mitigate the problem with the landowner.



There is no guarantee this will help, however, this is an attempt.

**Committees Structure:**

Alderman Bateman revisited the idea of committees and gave examples. Mr. Bateman said we're all struggling. There are issues that could have been taken care of a long time ago had the conversation continued. He wanted to as a committee talk about items rather than keep putting it on a COW.

Alderman Schmidt said it seems already some committees have been formed by Mr. Bateman. Mr. Hoblit weighed in talking about adhering to the Open Meetings Act, if there's a committee that consists of two aldermen, or if there is a committee that is formed with two or more aldermen.

Alderman Bateman said he had this discussion with another alderman is that it needs to be more than two allowed, comes down to a vote and if an idea is able to come before the council.

Alderman Hoinacki said he liked the idea of it being as-needed only. He did not see so much of a structure. Mr. Bateman said he is saying, "As-needed." He was suggesting increasing the aldermen who sit on a committee. He said still, "As-needed," when a topic warrants a committee.

Alderman Keller said who will be responsible for attending the meetings and recording the meeting – in order to comply with the Open Meetings Act – Alderman Bateman said whether, "She" the recorder needs to be present . . . Alderman Keller said he was not arguing against committees, he said there is work that needs to be done, but he didn't want to do something that could get the same results without it being so complicated. More discussion ensued and Treasurer Conzo weighed in about the potential need to meet over the tax levee, he said it would be helpful to have a committee in place to work on the budget.

Alderman Welch wanted to recommend they continue to move forward, with committees formed as topics come up. He listed off a bunch of committees that he said were working.

**Announcements:**

Mayor Goodman asked if anyone had any announcements.

- The next meeting is on Tuesday, due to Labor Day
- Comcast announcements about Turner Classic Movies and Nicktoons

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**Adjournment:**

There being no further announcements to come before the council, Alderman Welch made a motion to adjourn, seconded by Alderman Hoinacki. Mayor Goodman adjourned the meeting at 8:58 p.m.

**Respectfully Submitted By:**

Alex Williams, Recording Secretary

## REQUEST TO PERMIT

AUG 12 2019

RECEIVED

DATE: 8-12-2019

We, the undersigned of the City of Lincoln, do hereby respectfully request the Mayor and City Council to permit

The Knights of Columbus Council #1250 to  
collect donations for the annual Intellectual  
Disability drive on September 20, 2019 from 8am  
to 5pm and on September 21, 2019 from 9am to 1pm  
The collection will take place at the corners of  
Broadway and McLean; Pulaski and McLean; Pulaski  
and Kickapoo; Broadway and Kickapoo

If the above request is for use of City property, including streets and/ or alleys, please check one of the two boxes below:

A Certificate of Insurance Liability for the event is attached.

A Certificate of Insurance Liability for the event will be provided to the City no later than \_\_\_\_\_.

If City property is used, a Certificate of Insurance Liability is required listing the City as an additional insured. The City reserves the right to postpone review and consideration of this Request to Permit until a Certificate of Insurance Liability is provided.

Name: Ryan Coughlin

Address: 1720 N. Ottawa St.

Lincoln, IL 62656

Phone: \_\_\_\_\_ Cell: 217-750-2240

Email: ryncghln@aol.com



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
08/07/2019

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).**

<b>PRODUCER</b> Moriarty Insurance Services 617 KEOKUK ST	<b>CONTACT NAME:</b> Lindsay Voile <b>PHONE (A/C No. Ext):</b> (217) 732-7341 <b>E-MAIL ADDRESS:</b> lindsay@dpcrminsurace.com		<b>FAX (A/C No.):</b> (217) 732-9340
	<b>INSURER(S) AFFORDING COVERAGE</b>		
<b>LINCOLN</b> IL 62856-2173	<b>INSURER A:</b> CINCINNATI INS CO		<b>NAIC #</b> 10677
<b>INSURED</b> Knights Of Columbus #1250, Columbian Home Assoc P.O. BOX 231 Lincoln IL 62856-0231	<b>INSURER B:</b>		
	<b>INSURER C:</b>		
	<b>INSURER D:</b>		
	<b>INSURER E:</b>		
	<b>INSURER F:</b>		

### COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL BURN (IND. INV.)	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	EPP 0297897	01/17/2019	01/17/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		EPP 0297897	01/17/2019	01/17/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A			PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 104, Additional Remarks Schedule, may be attached if more space is required)  
Certificate of Liability is issued for the Tootsie Roll Drive - 9/20/2019 & 9/21/2019

<b>CERTIFICATE HOLDER</b> City of Lincoln 700 Broadway St Lincoln IL 62856	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE COUNTY OF LOGAN, ILLINOIS  
AND  
THE CITY OF LINCOLN, ILLINOIS

This intergovernmental agreement between the County of Logan, Illinois, a body corporate and politic on its own behalf and the City of Lincoln, Illinois, a municipal corporation (“Participant”).

**RECITALS**

**WHEREAS**, the County of Logan (“County”), Illinois is a unit of local government and a body corporate and politic, organized and existing pursuant to the Illinois Counties Code; and

**WHEREAS**, the Participant is a unit of local government and a municipal corporation organized and existing pursuant to the Illinois Municipal Code comprised of territory located within the geographical boundaries of Logan County; and

**WHEREAS**, the Constitution of the State of Illinois, the Intergovernmental Cooperation Act, and other provisions of Illinois law authorized units of local government to contract or otherwise associate among themselves, to obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law or by ordinance, and to use their credit, revenues, and other resources to pay costs and to service debt related to intergovernmental activities; and

**WHEREAS**, the County and the Participant desire to cooperatively work together to ensure that dispatch services continues to be consistent with the laws and regulations of the State of Illinois; and

**WHEREAS**, the County and the Participant agree that it is in the best interest of all parties to this Intergovernmental Agreement to memorialize in writing the terms and conditions by which the County and the Participant shall continue to support the operations of dispatch services and shall continue to cooperatively work together to provide dispatch services.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements contained herein, the County and the Participant hereto hereby agree as follows:

## ARTICLE I. GENERAL PROVISIONS

**Section 1.1 Recitals Incorporated.** The recitals set forth above are incorporated and made a part of this Intergovernmental Agreement (“Agreement”) as if fully as if fully contained herein.

**Section 1.2 Purpose.** The Parties have entered this Agreement for the purpose to provide for the long-term operation and maintenance of a county-wide dispatch services.

**Section 1.3 Scope.** The Parties intend that this Agreement shall in all respects govern or provide for the salaries and benefits of dispatch personnel.

**Section 1.4 Definitions.** As used in this Agreement,

- (a) “County” means the County of Logan, Illinois and all departments, agencies and instrumentalities thereof under the direct supervision and control of the County Board. The term “County” does not include the ETSB, the Circuit Clerk, the State’s Attorney, the Judiciary or the elected County Officers;
- (b) “Benefits Costs” means costs associated with salary benefits and employment including but not limited to IMRF (Illinois Municipal Retirement Fund), FICA (Federal Insurance Contributions Act) tax, Workers Compensation, insurance, and dispatch certificates.
- (c) “Circuit Clerk” means the Clerk of the Circuit Court of the Eleventh Judicial Circuit, Logan County, Illinois;
- (d) “ETSB” means the Emergency Telephone System Board of Logan County;
- (e) “ETSB Payment” means ETSB’s portion of the salary and benefits for telecommunicators, which is the equivalent to the annual average percentage of 911 calls received by dispatch;
- (f) “Participant” means an entity contracting with the County to participate in the system in accordance with the provisions of this Agreement;
- (g) “Participant Usage” means the percentage of the dispatch services used by all participants of the total dispatch services used OR as otherwise agreed by the Parties;
- (h) “Parties” means the County and the Participant collectively;
- (i) “Party” means a party to this agreement, e.g. the County or the Participant;
- (j) “Sheriff” means the Logan County Sheriff;
- (k) “State’s Attorney” means the Logan County State’s Attorney;
- (l) “Treasurer” means the Logan County Treasurer;

**Section 1.5 Agreement Non-Exclusive.** The Participant acknowledges and understands that the County will enter into similar Agreements with other municipalities and units of local government for the purposes and objectives set forth in the Recitals and the duties owed to the Participant by the remaining Parties are not exclusive.

ARTICLE II. RESPONSIBILITIES OF THE COUNTY

Section 2.1 Generally. The County shall administer the emergency communications, non-emergency communications, and dispatch services on behalf of the Participant.

Section 2.2 Staff. The County shall employ such staff persons as the Sheriff deem necessary to maintain and manage the dispatch services. The portion of the cost of the salary and benefits of such persons which are directly attributable to their work with the dispatch shall be paid from the Logan County Sheriff's Office's budget.

Section 2.3 Claims. The Sheriff's Office, or the Sheriff's designee, will fully investigate and respond in writing to any claims, accusations or allegations of negligence or other wrongdoing, whether civil or criminal in nature, that is provided by written notice of the Participant.

ARTICLE III. RESPONSIBILITIES OF THE PARTICIPANT

Section 3.1 Payment. The Participant shall make annual payments to the County for purposes set forth in this Agreement in accordance with the schedule adopted by the County in Section 4.3.

Section 3.2 Amount. The Sheriff shall calculate the total cost attributable to salaries and benefits of 9-1-1 personnel using the following formula:

$$\text{AMOUNT} = \frac{(((S + C) - \text{ETSB}) - \text{PTR})}{\text{Participant Usage}}$$

S = Total Salaries of Telecommunicators and Operations Managers

C = Benefits Costs

ETSB = ETSB Payment

PTR = Part-Time Reimbursement from EM-COM

Section 3.3 Claims. The Participant shall promptly deliver to the Sheriff written notice and copies of any claim, accusations or allegations of negligence or other wrongdoing, whether civil or criminal in nature, that the Participant becomes aware of which involves, in any way, the County. The Participant shall cooperate with any investigation conducted by the Sheriff, or the Sheriff's designee, of any act or performance of any duties by any County agent.

ARTICLE IV. FINANCE

Section 4.1 Initial Cost Allocation. Pursuant to Section 3.2, the Participant's initial annual cost is \$221,812.35.

Section 4.2 Cost Attributable to Salaries and Benefits of Dispatch Personnel. The following costs are deemed attributable to salaries and benefits of 9-1-1 personnel: the full salary, benefits, and related expenses of County personnel devoting 100% of their duties to the maintenance or operating of the system.

Section 4.3 Invoice Schedule. The County, through the Sheriff's Office, shall quarterly invoice the Participant for cost attributable to salaries and benefits of dispatch personnel. Each Participant shall pay such invoices in accordance with the provisions of the Local Government Prompt Payment Act, 50 ILCS 505.

#### ARTICLE V. TERM AND TERMINATION

Section 5.1 Effective Date. This Agreement shall become effective on \_\_\_\_\_, or upon the date it is executed by the Parties, whichever occurs first. Thereafter, the obligations of the respective Parties as set forth in this Agreement shall be immediately binding on the Parties.

Section 5.2 Term of Agreement. The Initial Term of this Agreement shall be from the Effective Date until \_\_\_\_\_. Thereafter, the Agreement shall renew for successive one (1) year terms commencing on \_\_\_\_\_, unless a Party terminates the Agreement as set forth in Section 5.3 or the Parties agree in writing to a longer extension.

Section 5.3 Termination by Election of Parties. A Party may terminate this Agreement for any reason by notifying the other in writing 180 days prior to termination or as mutually agreed upon by the Parties. One Party shall not terminate this Agreement during its Initial Term without the consent of the other.

#### ARTICLE VI. MISCELLANEOUS TERMS

Section 6.1 No Joint Venture. This Agreement shall not be construed in such a way that any Party is or is deemed to be, the representative, agent, employee, partner, or joint venture of the other. The Parties shall neither have the authority to enter into any agreement, nor to assume any liability, on behalf of any other Party, nor to bind or commit the other Party in any manner, except as expressly provided herein.

Section 6.2 Notice. All notices required to be given pursuant to this Agreement shall be in writing and addressed to the Parties at their respective addresses set forth below. All such notices shall be deemed duly given if personally delivered, or if deposited in the United States mail, registered or certified return receipt requested, or upon receipt of facsimile transmission. Notice given as provided herein does not waive service of summons or process.

<b>If to the County, to:</b>	/	<b>If to the Participant, to:</b>
	/	
Attention: Logan County	/	Attention: City of Lincoln
c/o Logan County Board	/	c/o City Administrator
601 Broadway Street	/	700 Broadway Street
Lincoln, Illinois 62656	/	Lincoln, Illinois 62656

**Section 6.3 Entire Agreement.** This Agreement constitutes the entire agreement with respect to the subject matter hereof and supersedes all other prior and contemporary agreements, understandings, representations, negotiations, and commitments between the Parties with respect to the subject matter hereof.

**Section 6.4 Approval Required and Binding Effect.** This Agreement shall not become effective unless authorized by each Party’s respective corporate authorities or governing body. This Agreement constitutes a legal, valid and binding agreement, enforceable against the Parties.

**Section 6.5 Representations.** Each Party represents that it has the authority to enter into this Agreement and undertake the duties and obligations contemplated by this Agreement and that it has taken or caused to be taken all necessary action to authorize the execution and delivery of this Agreement.

**Section 6.6 Covenant Not to Sue.** The Parties hereby covenant and agree that each shall not sue, institute, cause to be instituted or permit to be instituted on its behalf, or by or on behalf of its past, present or future officials, officers, employees, attorneys, agents or assigns, any proceeding or other action with or before any local, state and/or federal agency, court or other tribunal, against the other Party, its board members, officers, commissioners, employees, attorneys, agents or assigns, arising out of, or from, or otherwise relating, directly or indirectly, to this Agreement to the extent authorized by law, provided that the County, with the consent of the ETSB, may bring an action against the Participant to enforce Participant’s financial obligations under this Agreement.

**Section 6.7 Indemnification.** The Parties hereby release and agree that each shall indemnify and hold harmless the other Party and all of its present, former and future officers, including board members, commissioners, employees, attorneys, agents and assigns from and against any and all losses, liabilities, damages, claims, demands, fines, penalties, causes of action, costs, present or future, known or unknown, sounding in law or equity that arise out of or from or otherwise relate, directly or indirectly, to this Agreement to the extent authorized by law, including, but not limited to any injury or damage caused by the failure of the system to function properly, the quality of the data contained in the system, or the failure of the system to operate as designed. This Section is an agreement between local public entities to allocate or share liability from an injury resulting from their joint undertaking of a shared function under Article VII of the Local Government and Governmental Employees Tort Immunity Act, 745 ILCS 10/7.

**Section 6.8 Appropriations.** The Parties hereby agree that the duties imposed on by this Agreement contemplate the appropriate of funds required to perform such duties. To the extent



authorized by law, the Parties agree to appropriate when necessary, and in the manner provided by law, such funds as may be required to perform their respective duties under the Agreement.

Section 6.9 Amendments. This Agreement may be amended upon the written agreement of the Parties.

**WHEREFORE**, the Parties have signed and executed this Agreement as of the date written below in the County of Logan, State of Illinois.

\_\_\_\_\_  
Logan County Count Board Chair

\_\_\_\_\_  
City of Lincoln Mayor

\_\_\_\_\_  
Logan County Clerk

\_\_\_\_\_  
City of Lincoln Clerk

\_\_\_\_\_  
Logan County Sheriff

Date: \_\_\_\_\_