

**City of Auburn
Council Meeting Minutes
Monday, November 21, 2022**

The meeting was called to order at 7:00 PM by Mayor Berola with the reciting of the Pledge of Allegiance of all present.

Clerk Sponsler took roll. Present were Mayor Berola, Clerk Sponsler, Treasurer Williams, Alderman Garrett, Alderman Johnson, Alderman Karhliker, Alderman Marquis, Alderman Powell, Alderman Royer, Alderwoman Sheppard.

Also present were Superintendent Henson, Chief Campbell, and Attorney Andrew Jarmer.

Alderwoman Sheppard read a letter of resignation as Alderwoman of Ward 3. Mayor Berola presented Alderwoman Sheppard with a plaque of appreciation from the City of Auburn. Alderman Johnson made a motion to approve the resignation of Ward 3 Alderwoman Tracy Sheppard, second by Alderman Garrett.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer
NAYES: None
PRESENT: None
ABSENT: None

Mayor Berola announced the appointment of the new Ward 3 Alderman as Scott Sheppard. He asked for a motion to approve the appointment of Scott Sheppard as Ward 3 Alderman. A motion was made by Alderman Hemmerle, second by Alderman Johnson.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer
NAYES: None
PRESENT: None
ABSENT: None

Mayor Berola asked for Clerk Sponsler to swear in Ward 3 Alderman Scott Sheppard.

Visitors/Public Comments:

Greg from Benton's presented an Engineering Service Agreement for the renovations to Union/East Park to the council. A motion to accept Benton's Service Agreement was made by Alderman Royer, second by Alderman Hemmerle.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer, Sheppard
NAYES: None
PRESENT: None
ABSENT: None

Dawna Edie from the Auburn Activities Committee was present to ask permission from the Council to shut down 5th street in addition to the rest of the square for the Holiday Walk on Saturday, November 26. The council agreed that since it was only from 1 to 4 in the afternoon it would be okay to shut down 5th street for that short amount of time. Since there were children present and would be walking all around the square, mainly from the Community Center to the rest of the square, it was important to shut it down so traffic would not be a safety issue.

City Clerk's Report:

Clerk Sponsler presented the November 7, 2022 meeting minutes for review and approval. Alderman Garrett made a motion to pass the November 7, 2022 meeting minutes, second by Alderman Karhliker.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer
NAYES: None
PRESENT: Sheppard
ABSENT: None

Treasurer's Report

Treasurer Williams presented the bills list from November 8- November 18, 2022 for review and approval. A motion was made by Alderman Karhliker to approve the bills list, second by Alderman Garrett.

AYES: Hemmerle, Johnson, Karhliker, Marquis, Powell
NAYES: Garrett, Royer
PRESENT: Sheppard
ABSENT: None

Treasurer Williams presented the Budget Report through November 18, 2022 for review.

Attorney's Report

Attorney Jarmer was present at the meeting in place of Attorney Hedinger.

Attorney Jarmer presented the second reading of Ordinance 1523-22 Annexing 5495 Hogan Road-Jay Timm-to the City of Auburn. A motion was made by Alderman Johnson to approve the ordinance, with second by Alderman Karhliker.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer
NAYES: None
PRESENT: Sheppard
ABSENT: None

Attorney Jarmer mentioned that they are still researching the library's inquiry about the ordinance that was enacted in 2000 and the PPRT funds that the library feels they should still be receiving from the city.

Attorney Jarmer clarified that the only restriction that the city cannot charge for and regulate the use of the right of way, however, the city can restrict the companies' continuation of work after dark or any noise violations.

The attorney has no objections for the Christmas lights proposal. If there was a contract in the future, Attorney Hedinger would like to investigate that further.

In looking at FOIAs, we are up to date, but there was a new one that was directed to the Police Department but will be sending out an extension request.

Regarding the Hergenrother nuisance matter, there is a complaint being drafted that will be finalized.

Regarding the Lincoln Militia, a preliminary and permanent injunction will be sought, and a temporary injunction will be drafted next week.

Department Heads

Chief Campbell:

Chief Campbell informed the council that McDermand will graduate soon. He also informed the council that Officer Lavin will be leaving to work at the Boat Dock and will be part time after January.

Chief Campbell asked the council to approve hiring Officer Flesch as a full-time officer effective December 5, 2022. Alderman Marquis made the motion to hire Officer Flesch as a full-time police officer, second by Alderman Royer.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer, Sheppard
NAYES: None
PRESENT: None
ABSENT: None

There was discussion about the Oller property on 5th street. The property has accumulated an unsightly amount of stuff again. This property has been declared a nuisance previously. It was decided that the property be declared a nuisance again. At a previous meeting, her fees were lowered to 10% of the fines under the agreement that it would not happen again. Since this property is a nuisance again, a clean-up date, the end of the week, would be given again and then fines would be imposed again. It was also agreed that since the property was not kept clean as promised, the fines that were waived previously, would be imposed again. A motion to declare 514 N. 5th Street a nuisance was made by Alderman Royer, second by Alderman Marquis.

AYES: Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer, Sheppard
NAYES: Garrett
PRESENT: None
ABSENT: None

Chief Campbell mentioned that a list of properties that have been deemed unsightly accumulations has been written and letters have been sent out to those property owners.

Superintendent Henson:

Superintendent Henson provided an update on the Christmas lights on the square. They have been installed; however, they weren't plugged in yet and needed the extension cords. Superintendent Henson will be in touch with the company.

Superintendent Henson asked for the council's thoughts on closing Ballpark Road near the city garage. This request comes from safety issues due to cars flying around the corners by the railroad tracks and the garage and the large equipment in the garage. There would still be access to the ballpark via North Street and Maple Street. Alderman Royer suggested security cameras and a rolling gate that could be left open on the weekends and during baseball tournaments. The council was undecided about it. The decision was made to try concrete blocks and signs.

Office Manager

Office Manager Rathgeber informed the council of the trash collection study the office conducted. They checked with three local trash collection companies for their prices for the City of Auburn. We currently use Republic; their price is \$228.50 and exempted the city from the environmental and administration fees. Cleeton's price was \$623, and Community's price is \$530. The decision was made to stay with Republic as their price was the cheapest.

The City of Auburn employees have decided to stay with their current insurance company and policy.

Office Manager Rathgeber provided a small update on the website redesign. He has been in contact with the people the previous office manager had been working with and the redesign will continue.

Office Manager Rathgeber updated the council on the Zillow listing of the Kennedy Road land that was put up for sale. He said that the listing is getting looked at, but we should put a for sale sign out to draw attention to the property.

Mike Heren inquired about his IMRF funds from prior work for the city. The council thought that this matter had already been resolved. An option is to forward the documents to the city attorney to look into further.

Committee Reports

Administration:

There was an Administration Committee meeting on November 9, 2022 to discuss the replacement of the office server. We currently use CDS and have a bid from them. The council wants to check with other IT companies for other bids.

Public Works:

Alderman Karhliker reported that they were still in the design and plan stage of the North Street project and Safe Walks to Schools project.

Public Utilities:

Alderman Johnson asked if Superintendent Henson had spoken to Jamie about the status of Phase Two of the water project. There is going to be an extension because there is a pressure-reducing valve that isn't working correctly, so it needs to be investigated. Superintendent Henson said the system is working well.

Health & Safety:

No report.

Health & Housing:

No additional report besides the nuisance at 514 N. 5th street that was previously discussed. There will be an executive session for pending litigation.

Parks:

No additional report besides the Engineering Service Agreement with Bentons that was previously discussed.

Economic Development:

Alderman Garrett has had multiple conversations with multiple sources about grant solutions to the water service out west with Springfield Plastics. It was mentioned that there were too many options, so it was limited to options one and three. A decision will be presented at the next meeting. Alderman Garrett said there were many options for grant money for this project and mentioned that there would be much growth for the community with this expansion.

Other Business

Alderman Garrett and Alderman Royer had a town hall meeting in which seven people attended in person and there were 18 that joined the live video stream that Alderman Royer posted on Facebook.

There is still money in the budget for tree removal, so Alderman Garrett wants the council members to inform him of any trees that need to be removed in their wards.

Adjournment

Alderman Royer made a motion to exit regular session and move to executive session at 8:55 pm, second by Alderman Garrett A voice vote was taken.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer, Sheppard
NAYES: None
PRESENT: None
ABSENT: None

A motion was made to exit executive session at 9:02 pm by Alderman Garrett, second by Alderman Royer. A voice vote was taken.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer, Sheppard
NAYES: None
PRESENT: None
ABSENT: None

A motion was made to come back to regular session from executive session at 9:03 pm by Alderman Garrett, second by Alderman Royer. A voice vote was taken.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer, Sheppard
NAYES: None
PRESENT: None
ABSENT: None

Alderman Garrett made a motion to adjourn meeting at 9:10 pm, second by Alderman Royer. A voice vote was taken.

AYES: Garrett, Hemmerle, Johnson, Karhliker, Marquis, Powell, Royer, Sheppard
NAYES: None
PRESENT: None
ABSENT: None

