

LEWISTOWN LIQUOR COMMISSION
November 12, 2019

The Lewistown Liquor Commission met in the Council Chambers at 6:00 p.m.

PRESENT: Linda Helle, Kevin Delmastro, Alderman Sally Clark, Alderman Trever Kelley, Mayor Elmer Littlefield, City Treasurer Deb Brown, Ed Helle and Melody Rudolph.

Mayor Littlefield explained that Neimann Foods owns the County Market Grocery store. They currently have a D license to sell package liquor. They are seeking a license to serve liquor so that they may receive a license to install video poker machines. They have 17 stores they want to put the video poker machines in. They cannot obtain a permit from the state of Illinois unless they serve liquor. An A license would be \$1,000.00; Sunday license will be \$400.00. They would keep their D license along with these. Total fees for the licenses would be \$2100.00. We do not have a limit on the licenses; we have to approve another license.

A license covers until midnight. They are only open until 11:00 p.m. A-1 allows a business to serve till 1:00 a.m. they will not need this.

Mayor not sure where they will serve the liquor – possibly cafeteria area? The City receives a percentage of the video machine money.

Motion by Kevin Delmastro that allow Neimann's having the license. Mayor Littlefield recommended to the council to issue another A License, second by Linda Helle. This was agreed by all. It will be presented to the council to create another license. There were no further comments.

Meeting ended at 6:08 p.m.

LEWISTOWN CITY COUNCIL MEETING
DATE November 12, 2019

The Lewistown City Council met in regular session in the council chambers. Mayor Elmer Littlefield called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

ROLL CALL: PRESENT: Aldermen Sally Clark, Trever Kelley, Doug Lafary, Kendall Miller, Kim Pascal, John Spotloe and Mayor Elmer Littlefield. Also present: Wendy Martin from the Fulton Democrat, City Treasurer Debby Brown, Ed Helle, Linda Helle, John Foxall, Jayson Herrick, Jeremy Brannan, Attorney Nathan Collins, Officer Nate Atkins, Officer Ethan McClaughry, and Police Chief John Werland, Auditor Andrew, Leigh Ball, John Ball, Billie Simmons. ABSENT: City Clerk Cindy Goddard

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DECLARATION OF QUORUM by Mayor Elmer Littlefield

CLERKS REPORT/MINUTES: Cindy Goddard. Absent
Alderman Miller made a motion to approve the minutes of October 22, 2019, second by
Alderman Spotloe roll call vote, the motion carried all ayes.

TREASURER'S REPORT: Debbie Brown.

PRESENTATION OF BILLS:

Alderman Clark made a motion to approve all bills properly endorsed; Seconded by
Alderman Pascal roll call vote, the motion carried with all ayes.

PUBLIC COMMENTS AND PETITIONS:

ATTORNEY'S REPORT: Attorney Nathan Collins.

ENGINEER'S REPORT: Keith Plavec. No Engineer present.

COMMITTEE REPORTS:

Finance – Alderman Clark: Nothing to report.

Utilities/Publications – Alderman Kelley: Nothing to report.

Buildings and Grounds – Alderman Kelley: The cost to replace and or repair fire
hydrants could be \$2,000.00 to \$3,000.00 per hydrant.

Police/ESDA – Alderman Lafary: Nothing to report.

Street & Alley – Alderman Miller: The 8" Main break was repaired by Casey's on Main
Street.

Tourism – Alderman Pascal: Nice turnout for the Halloween party. Veterans Day
presentation was great, Chief Werland gave a presentation. Thanksgiving Dinner, city is
going to sponsor it, it was voted on at previous meeting. Cindy Havens has spoken to
Jayson Herrick regarding this. Mayor noted the City has paid for all the food including
turkeys, deli and groceries for the last 3 years along with restaurants donations. She is
still concerned about the fire hydrants.

Sewer – Alderman Spotloe: Nothing to report.

Water – Mayor Littlefield: City guys did great job with repair of water main break.

OLD BUSINESS:

1. Discuss/Approve Application for Deferred Payment for Water Customers – Included in the packet, Attorney Collins explained proposed ordinance relating to the Implementation of Applications for Deferred Payment for Residential Water and or Sewer Service. Cindy Havens will determine the amount of the payment to be made by the water consumer. Sample application was handed out. Guidelines will be set forth on the application so that the ordinance will not have to be changed every time. City council may establish a minimum. \$50.00 was suggested. Alderman Spotloe wanted to make sure if they chose to pay more they could, yes it is OK. Motion by Alderman Pascal to establish a \$50.00 minimum second by Alderman Kelley, roll call vote motion carried all ayes. Attorney Collins will add this to the application.

NEW BUSINESS:

1. Discuss/Approve County Market Class A Liquor License – At 6:00 p.m. there was a Liquor Commission Meeting. Neimann's (County Market) is asking for license to serve liquor. Currently have D license and want to put in video poker machines. They have in one store already and plan to do 17 more. City currently has no A licenses available. Council may establish an additional A License. In order to obtain a video poker machine license they must serve liquor. They will do a separate area. Liquor Commission recommends establishing the license. Alderman Miller asked if ordinance had been changed. Used to require an increase in population to create a new license. When it came up previously the council has the right to create additional licenses. Attorney Collins explained that it was changed. Billie Simmons asked to speak. When she was on the liquor commission no one from the business was present to answer questions. They did offer to come from the corporate office but the Mayor had told them they did not need to. The commission at that time was concerned about policing the area during lunch times and students. Linda Helle asked to speak. She felt it was no different than restaurants being allowed to serve alcohol. Mayor Littlefield said they will have a separate area for the poker machines. Discussion followed. Motion to approve Class A liquor license for County Market by Alderman Kelley. Amended motion first to create a Class A license. Motion by Alderman Kelley to create a Class A Liquor License for Neimann's County Market, second by Alderman Clark, roll call vote, motion carried all ayes. Motion by Alderman Kelley to issue Class A liquor license to Neimanns, second by Alderman Clark, roll call vote, motion carried all ayes.
2. Discuss/Approve Audit Engagement Letter from Gordon, Stockman & Waugh P.C. - Mayor Littlefield explained the accountants are working very diligently to bring our books up to date. Have to have audit done or City will face a fine. Have to approve the Audit Engagement Letter. Andrew from Gordon, Stockman

and Waugh P.C. was present to discuss the audit proposal and give some background information. His firm has had preliminary discussion with the City's accounting firm. Monday November 25 they propose to begin audit leave about 3 ½ weeks to complete. Recommended by CL&A. About \$5000.00 less that CL&A from last year. Alderman Spotloe made a motion to hire Gordon, Stockman and Waugh, P.C., to do the audit, second by Alderman Lafary, roll call, motion carried all ayes.

3. Discuss/Approve Annual Tax Levy Ordinance - Mayor Littlefield explained that this is an annual ordinance, this directly affects the property taxes and how the levy is determined. Did 3% last year, we are currently increasing 3 percent. Can do 0 to 5 percent. Alderman Clark made a motion to approve the Tax Levy Ordinance at 3% increase, second by Alderman Pascal; roll call vote motion carried all ayes.
4. Discuss/Approve Lakeside replacement quote for Bearings & Seals for Rotors for Oxidation Ditches – This was discussed some at a previous council meeting. Mayor noted we are constantly looking for grants, we employ WIRC to do this along with Keith Plavec. There could be grants next year that could save the city money. Quote by Lakeside was submitted around \$3,000.00. Mayor felt this will work for us while we try to obtain grant funding. Motion by Alderman Pascal to approve the Lakeside replacement quote, second by Alderman Spotloe, roll call vote, motion carried all ayes.
5. Jayson Herrick to address the Ethic's Committee - Mayor Littlefield stated that we do not have an Ethic's Committee. Jayson Herrick stated the committee is the Liquor Commission by default. Current situation with the city and the Mayor. Jayson: We adopted in part Illinois General Assembly general provisions 5430 If we read into it the prohibited activity. He read a part of it regarding contributions.
Jayson: Asked the Mayor if he contributed to any campaigns. Jayson stated that the Mayor contributed to four different campaigns/asked the Mayor. The Mayor stated that he violated nothing. Jayson said that someone addressed him regarding this. He asked the Mayor if this is correct. The Mayor stated that he was not aware of this subject. He needs to research this and learn what this is about and if this applies. He will look into it. Mayor said I have something about you, this is a personal item. Jayson said you cannot pick and choose. Kept repeating we are non home rule.

Section 5 ILCS 4:30 is the statute, Attorney Collins will look into this. We are under municipal code. Alderman Kelley asked if we adopted the General Statute does it fall under the State does this specific ordinance hold weight. The ordinance has to be looked up.

Alderman Lafary asked why don't you call the Attorney General if you feel this is a violation of state ethics law.

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Mayor Littlefield stated we need information prior to the meeting in order to review. We need to look into this. Attorney Collins said that there are about 70 pages in this. Alderman Clark said we need to know the basic question Leigh Ball stated that if no city ordinance, the statute is the default. Mayor asked if she was an attorney. She asked what the default is if our ordinances do not cover. Alderman Kelley asked did the mayor violate by contributing to campaigns of.

Attorney Collins, 33.34 adopts sections 5 thru 15 in article 10 of the state officials and employee's ethics act. Need to review the sections.

Jayson Herrick discussed this, likes the idea to let people pay an extra .25 or \$1.00 that would go into a slush fund to help people with water bills of those who cannot pay. This would be totally optional.

CLOSED SESSION: No closed session

ADJOURNMENT:

Alderman Miller made a motion to adjourn at 7:21 p.m.; Seconded by Alderman Lafary motion carried all ayes.

A handwritten signature in blue ink that reads "Cindy Goddard". The signature is written in a cursive style and is positioned above a horizontal line.

Cindy Goddard, City Clerk