

LEWISTOWN CITY COUNCIL MEETING  
DATE October 13, 2020

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:** Alderperson Sally Clark, Trever Kelley (ZOOM), Doug Lafary, Kendall Miller, Kim Pascal, John Spotloe and Mayor Elmer Littlefield. Also present: City Clerk Cindy Goddard, City Treasurer Debby Brown (ZOOM), Public Works Director Evinn Palmer, and City Attorney Nathan Collins. **ABSENT:**

**DECLARATION OF QUORUM** by Mayor Elmer Littlefield Jr.

**CLERKS REPORT/MINUTES:** Cindy Goddard.

Alderperson Miller made a motion to approve the minutes of September 22, 2020, second by Alderperson Spotloe roll call vote, the motion carried all ayes.

Clerk report: The state has a new program called the Local Cure Program that the city can get reimbursed for the police payroll and protective gear such as masks from April thru December 31, 2020. Also, I have guidelines for Halloween from Department of Public Health if anyone wants a copy.

**TREASURER'S REPORT:** Debbie Brown. Nothing at this time.

**PRESENTATION OF BILLS:**

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

**ATTORNEY'S REPORT:** Attorney Nathan Collins. Will discuss fairgrounds in unfinished business.

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

**PUBLIC COMMENTS AND PETITIONS:** NONE

**COMMITTEE REPORTS:**

Finance – Alderman Clark: Nothing to report at this time.

Sewer – Alderman Spotloe: Nothing to report.

Street & Alley – Alderman Miller: I want to commend the public works and street department for how nice the streets and alleys look, also went and looked at the Central School Road and it is very nice. Mayor Littlefield added it was a holiday on Monday and

school was closed so Evinn Palmer (Public Works Director) coordinated the work to be done with the principal.

Police/ESDA – Alderman Lafary: Nothing to report.

Water – Mayor Littlefield: Nothing at this time.

Utilities/Publications – Alderman Kelley: Nothing to report.

Buildings and Grounds – Alderman Kelley: Nothing to report.

Tourism – Alderman Pascal: There was a good turnout for the scarecrow contest 18 participants. 1<sup>st</sup> place went to “Crow Stew”, 2<sup>nd</sup> place went to “Mother Earth” and 3<sup>rd</sup> place went to “Aunt Nancy”. People’s choice was “Mother Earth”. Alderperson Miller stated the free Halloween party at the Visitors Center is cancelled this year. Alderperson Pascal said a wiener roast would be fun also, maybe next year.

#### UNFINISHED BUSINESS:

1. Discuss Grissom and Fulton County Fair and Racing Association Agreements briefing from Attorney Collins – Mayor Littlefield explained at the last meeting Attorney Collins was asked to research specific items and create a memorandum regarding these issues. Attorney Collins explained that there he understands he was to research any issues with the Fulton County Fairgrounds and Grissom. Regarding the question from Alderperson Clark from last meeting the city does own the property at the Fulton County Fairgrounds that the tanks sit on. We have an agreement for ingress and egress over the property; it appears that the city has ingress and egress over the fair grounds’ property in exchange for gravel, no provision for water. A State Representative from the Rockford Area passed a bill which limited back billing. Prior to this law there was no back-billing regulations. Section 11-150-2 (billing for services) of Illinois Municipal Code 65ILCS 5/11-150-2 is attached. In this statute regarding some of the language such as “shall” (which means must) and “may” (means you can) it also includes the time period regarding back billing. The language is clear; municipalities have to bill the customers for the water service they receive. This became effective on August 18, 2017. Next, he was asked to look into the easement with Grissom were legal. 1<sup>st</sup> was in 1975 with Kenneth and Helen Grissom a pipeline easement granted them a 1 ½ in water line which went to their house at no charge and they shall pay no water charge. It pertained to the grantors only and in hand writing it said no water meter to be installed. Then in 1977 a resolution signed by Mayor Gaskill, was drawn up that a single rate would not apply to any subdivision. This did not contemplate the descendants of Grissom to get free water. Then in 1978 Grissom’s granted the City of Lewistown a Water Line and Well Easement among other things the Grantor a right to 10 water hook ups and grants any children the right to be billed at the single water rate (the in-town rate). In reviewing all this, the Fair Grounds was contracted to get gravel not free water, no other documents showing they get free water. In review the Fair Grounds or

descendants of the Grissoms' get free water. Mayor Littlefield (wanted it on record) addressing Evinn Palmer and his discussion with Craig McCoy sometime in August, Mr. McCoy said he (Evinn Palmer) was not allowed to place meters on the Fair Grounds and he would put up gates if need. Attorney Collins read part of ordinance regarding us doing maintenance at the Fair Grounds and entering the property. The right-of-way agreement is attached. It is approximately 1/3 acre (100' x 150' parcel) that the city owns, said Mayor Littlefield that we have an easement to get to. Alderperson Miller asked if anyone is receiving free water on the line from the well field to the fair grounds, yes Steve Grissom, the two lines and one where a house was torn down. Previously when he (Miller) was Mayor a few people along that water line asked if they could get free water and he told them no. Attorney Collins will write up a letter to Grissom regarding all this.

#### NEW BUSINESS:

1. Discuss/Approve Illinois Counties Risk Management Trust (ICRMT) renewal - Mayor Littlefield explained that this is the liability insurance for the city, the company Snedeker Risk Management out of Havana is the company we have the insurance with and have had with them for many years. Alderperson Spotloe made a motion to approve the ICRMT renewal for 2021, second by Alderperson Miller, roll call vote, motion carried all ayes.

#### ADJOURNMENT:

Alderman Miller made a motion to adjourn at 6:54 p.m.; Seconded by Alderman Pascal motion carried all ayes.

  
Cindy Goddard, City Clerk