

LEWISTOWN CITY COUNCIL MEETING

DATE October 27, 2020

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

ROLL CALL: PRESENT: Alderperson Sally Clark, Trever Kelley, Doug Lafary, Kendall Miller, Kim Pascal, John Spotloe (Zoom) and Mayor Elmer Littlefield. Also, Present: City Clerk Cindy Goddard, Treasurer Debbie Brown (Zoom), Public Works Director Evinn Palmer. **ABSENT:**

DECLARATION OF QUORUM by Mayor Elmer Littlefield Jr.

CLERKS REPORT/MINUTES: Cindy Goddard.

Alderperson Pascal made a motion to approve the minutes of October 13, 2020, second by Alderperson Miller roll call vote, motion carried all ayes.

TREASURER'S REPORT: Debbie Brown. Statement of Cash and Investments in packet.

PRESENTATION OF BILLS:

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

ATTORNEY'S REPORT: Attorney Nathan Collins. Nothing at this time

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

PUBLIC COMMENTS AND PETITIONS: None

COMMITTEE REPORTS:

Finance – Alderperson Clark: Nothing to report.

Sewer – Alderperson Spotloe: Nothing to report.

Street & Alley – Alderperson Miller: Nothing at this time

Police/ESDA – Alderperson Lafary: Nothing to report.

Water – Mayor Littlefield: Nothing at this time.

Utilities/Publications – Alderperson Kelley: Nothing to report.

Buildings & Grounds – Alderperson Kelley: Nothing to report.

Tourism – Alderperson Pascal - Nothing new to report.

Public Works Director's Report- Evinn Palmer, we have working on water meters, around 200 residential and 36 meter pits left, getting close to end.

October 27, 2020

UNFINISHED BUSINESS:

1. Discuss/Approve New Agreements with Fulton County Fairgrounds and Racing Association – Alderperson Spotloe had this placed on agenda, he wants to come to some kind of agreement with the board of the Fulton County Fair Grounds to alleviate the situation with the fair grounds. Mayor Littlefield said he checked and for a load of stone it is around \$335.00. Table at this time to maybe come up with a new agreement.
2. Discuss/Approve New Agreement with Grissom Heirs - Steve Grissom and sisters (heirs) present to discuss this. To have a new contract means each person gets something. Mayor Littlefield said the city had approached them previously for a small piece of property for a new well, like 1/6th of an acre. Steve Grissom said the city wants to piece their land all off when the city wants something. The city only wanted a small amount of woods. Mayor Littlefield said we need to work together, would like to sit down together and discuss this. Alderperson Spotloe wants a new agreement with the heirs that works for the city and them, something like the previous agreement. Years ago, an agreement was drawn up with the parents. Alderperson Miller said we need to go back and forth to work out something with both groups. With our water system we need this piece of land. The law that is dated 2017 is what we need to abide by. Alderperson Pascal wants to know why we are just discussing this now and not in 2017. Mayor Littlefield does not want to go backwards. Alderperson Miller said we need a special water committee meeting to discuss both sides. Steve Grissom said you don't slap someone then ask them for something. Mayor Littlefield reminded them that water is not free. Alderperson Lafary said when he turns on the faucet, he gets water, so they are giving us something. Alderperson Spotloe said this would not have been brought up if not for the situation with the fairgrounds. Nothing to gain, a lot to lose. Attorney Collins said the law of 2017 says "shall" which means if the municipality is going to provide waterworks and sewer system, we have to bill for it. The whole point of this bill was to prevent municipalities from back billing customers for prior water usage (protecting the consumers). Is it legal to exchange, the law says to charge but, the municipality can fill in the blanks, it could be up to the court to decide. Alderperson Spotloe wants to renew the contract with the heirs of the estate. The contract did not say the heirs per Mayor Littlefield. Alderperson Spotloe said he knows it did not say the heirs, that is why he believes a new contract needs drawn up. Alderperson Lafary questioned what is their motivation to sit down with us? Alderperson Clark thinks this is all petty, this is Lewistown, Illinois not Chicago. Alderperson Lafary asked how much time and money has been spent on this issue. Attorney Collins has a retainer, Alderperson Lafary just not sure if all this work is worth the expense. Attorney Collins explained that the Grissoms are not paying for water at the vacant house and hydrant. It is not metered. Steve Grissom said maybe only 50 gallons have went thru it

last year. Alderperson Clark as if the old agreement could be grandfathered in. The agreement involves a Trust. Alderperson Spotloe said this is ridiculous. Attorney Collins is also Grissoms attorney so we will have to get a new attorney for this. Just need to make a new agreement. Change agreement to the trust of children, it can be changed with a resolution and Attorney Collins is allowed to do that. The Trust is the owner of the property. Attorney Collins asked the heirs if this continues on after they pass. It is a grant to the Grissoms not a contract with the Grissoms, so this can be accomplished thru the resolution. Motion by Alderperson Spotloe to make a resolution using the same language as before except it says trust, second by Alderperson Miller. Attorney Collins said he will draft a resolution and have the Grissoms review it, roll call vote motion carried all ayes. Alderperson Clark made a motion to share with Grissoms ahead of time, second by Alderperson Lafary, roll call vote, motion carried all ayes.

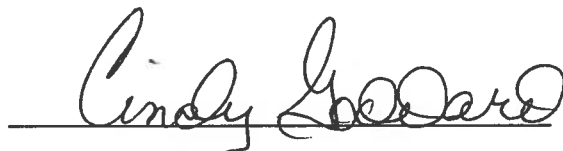
NEW BUSINESS:

1. Discuss/Approve TIF application for Wireless Business Solutions, LLC (Jason Bastien) – Leasing a space at 124 West Washington. Steve Kline with The Economic Development Group, Ltd. drafted an agreement after receiving an application from Jason Bastien which he submitted thru Cole McDaniel in Canton. Briefly the city agrees with percentage a matching grant up to half after paid. Cost of lighted sign is \$4050.30. Also agrees that store operates for up to 1year, if closes before that year he then is obligated to pay the city back the \$2,000. Jason Bastien said they will be covering wireless service, direct TV services and home security. Looking to open between the 1st and the 12th when inside complete. Motion by Alderperson Spotloe, to approve the TIF as written up between the City of Lewistown and Wireless Business Solutions, LLC (Jason Bastien), second by Alderperson Clark, roll call vote, motion carried all ayes.
2. Discuss/Approve TIF application for Jayson Herrick for 124 W. Washington - Mayor Littlefield had to recuse himself because he is in litigation with Jayson Herrick and Kim Pascal had to recuse herself because of being his mother. Motion by Alderperson Clark for Kendall Miller to lead the meeting, Kendall Miller then made motion for Doug Lafary to lead meeting. This is the old barber shop next to the Kost building. Jayson Herrick stated he has had unexpected attorney fees and with Covid19, rent money is down and that is why he is asking for TIF assistance for this project for Mr. Bastien. Going to redo the floors, the front of the building with brick and ceiling and repaint. He is asking for \$5,600.00. Alderperson Miller made a motion to approve the TIF application from the City of Lewistown and Jayson Herrick for property at 124 W. Washington, second by Alderperson Clark, roll call vote all ayes motion carried. At this time Steve Kline asked what exactly was voted on. He explained why the difference in the application procedures. Jayson Herrick said he started out with Cole McDaniel and gave him the application, then Cole contacted Jayson and said he could not assistant him that it needed to be given to Cindy Goddard. So, he gave the application to Doug Lafary to deliver to Cindy Goddard. Jayson suggested we have Cole do everything. Cindy Goddard said she

does not believe that Cole writes up agreements. Doug Lafary asked why it was worded the same on the agenda if not the same getting approved. Cindy Goddard said that The Economic Development Group did not have time to get Jayson Herrick's Ordinance/agreement written up. Steve Kline explained why Jason Bastien's was a different situation than Jayson Herrick. Bastien's application was received by Steve Kline on the 12th and Herrick's was received on the 19th and understands that it is usually presented to the council first to determine the amount of the loan or grant. Alderperson Miller said it should have not been worded that way on the agenda. Cindy Goddard apologized for not wording it correctly on the agenda. At the next meeting the agreement will be presented. It will be for \$5,600.00 for inside and outside of building. Jayson Herrick was asked by Cindy Goddard to provide an estimate of the materials on the application. Steve Kline said it would be helpful.

ADJOURNMENT:

Alderperson Miller made a motion to adjourn at 7:21 p.m.; Second by Alderperson Clark motion carried all ayes.

A handwritten signature in cursive script, reading "Cindy Goddard", is written over a horizontal line.

Cindy Goddard, City Clerk