

**City of Auburn**  
**City Council Meeting Minutes**  
**Monday, August 2, 2021**

The meeting was called to order at 7:00 PM with the Pledge of Allegiance being said.

Mayor Berola stated that Alderman Garrett would be connecting via phone as he was out of town and could not attend in person. Mayor Berola stated that per the city ordinance Alderman Garrett could listen into the meeting but would not be allowed to vote on any item discussed.

Mayor Berola acknowledged the absence of Clerk Warwick and stated that Office Manager Ponsler will assume her additional role as Deputy Clerk and take minutes for the council meeting.

Mayor Berola asked Deputy Clerk Ponsler in Clerk Warwick's absence to take the roll.

Present at the meeting were Mayor Berola, Deputy Clerk Ponsler, Treasurer Williams, Alderman Powell, Alderman Marquis, Alderman Hemmerle, Alderwoman Sheppard, Alderman Johnson, Alderman Royer, and Alderman Karhliker. Also, present was Chief Campbell, Superintendent Henson, and Attorney Moredock. Alderman Garrett present via phone.

Mayor Berola invited visitors to speak. Van Dwinnells wanted to inform the city council of his business and his potential to help the city. Mr. Dwinnells stated that he wished to inquire of the council of any overgrowth properties or assistance he might be able to provide to the city. He runs a lawn care business (Envy Lawn Care) in town. He provided his business card to Office Manager Ponsler and she will update the city website with his business information.

Sangamon County Auditor Andy Goleman and Sangamon County Clerk Don Gray were in attendance to speak at current initiatives and activities happening at the county level.

Sangamon County Auditor Andy Goleman discussed his position and provided a brochure of the duties associated with the Auditor's Office. His job is to monitor the internal operations of the county in terms of revenue and expenditures. The biggest line item in the county is the Sheriff's Office. CURES and CARES program provided for nearly 3 million in funding to the county. The biggest funding at this time for the county is the American Recovery Act funds in which the county received 37.5 million dollars. The county board will then determine how to allocate those funds. County building is currently undergoing remodeling. The first floor is the start of the remodeling project.

Sangamon County Clerk Don Gary was present to discuss recent activity and changes in the County Clerk's Office. A brochure was handed out to provide details on how the office ensures a transparent and accountable election process within the county. There has been a change in the calendar of election.

There is normally a March primary but that is now going to be in June. A permanent vote by mail list registration is also being created. Illinois residents and registered voters of the county will now have an opportunity to register into a program in which they always receive a ballot by mail as long as your voter registration address and your name doesn't change. If those change, you will have to re-register into the system based on the changes. There will be controls in place to articulate messages to ensure the

person registered is who they say they are, they live where they say they do, and understand the ballot is coming.

Mobile Records unit will soon be traveling around the county to set up to provide a way for residents to obtain marriage licenses, birth certificates, etc. at a location outside of the county office.

Alderman Garrett asked the question as to how long the Clerk's Office is required to keep ballots after an election. The Clerk indicated that all of the underlying paperwork and ballots are kept for a two year period.

Deputy Clerk Ponsler presented the July 19, 2021, meeting minutes for review and approval. A motion was made by Alderwoman Sheppard to approve the minutes, second by Alderman Royer. Alderman Royer asked that one area be corrected in terms of a motion being made for the new officer, it said the motion was made by Alderwoman but provided no name. It was requested to place name with that in the minutes. Taken by voice vote.

AYES: Marquis, Hemmerle, Johnson, Karhliker, Royer, Powell, and Sheppard

NAYES: None

ABSENT: None

Treasurer Williams presented the Bills List from July 20, 2021, to August 2, 2021. A motion was made by Alderwoman Sheppard to approve the Bills List, second by Alderman Marquis. Taken by voice vote.

AYES: Hemmerle, Johnson, Karhliker, Marquis, Royer, Powell, and Sheppard

NAYES: None

ABSENT: None

Treasurer Williams presented a journal entry to correct the bill for Woody's Municipal Supply for the hitch/plow as previously questioned by the council at the July 19, 2021 meeting. The bill had been corrected to reflect the expenses to be taken equally out of general, gas, water and sewer

Alderman Royer made a motion to approve the corrected bill for the hitch/plow, second by Alderman Marquis.

AYES: Hemmerle, Johnson, Karhliker, Marquis, Royer, Powell, and Sheppard

NAYES: None

ABSENT: None  
Attorney Moredock presented the second reading of ordinance 1503-21 an ordinance amending the code pertaining to meeting procedures and the Pledge of Allegiance. This amends the city code to have the Pledge of Allegiance said before the start of each council meeting. A motion was made by Alderman Johnson to approve Ordinance 1503-21, second by Alderwoman Sheppard.

AYES: Karhliker, Royer, Marquis, Sheppard, Johnson, Powell, Hemmerle

NAYES: None

ABSENT: None

Attorney Moredock presented resolution 88-21 for an easement on Sievers Property, LLC. This dates back to when the city first began asking for easements for the water project system. The city never received confirmation from the Sievers property. At the time, Sievers requested was fine with the line being run but wanted a two inch tap attached to his property. Construction is set to start next week in

that area. The agreement is that the city could construct the water main wherever we like but that we needed to install the two inch water tap.

Alderman Karhliker asked for clarification on what is being done with the Sievers property. Alderman Powell indicated that they just have one tap on the property now. Therefore, the city is installing a two inch tap where the existing one is and just tie it in.

A motion was made by Alderman Johnson to approve the easement with Sievers Properties, LLC, second by Alderwoman Sheppard.

AYES: Hemmerle, Powell, Johnson, Sheppard, Marquis, Royer, Karhliker

NAYES: None

ABSENT: None

Attorney Moredock stated that the approval of the Resolution and CBA pertaining to the FOP would be placed on the next city council agenda for review and approval. Attorney Moredock stated that the garage union contract should be also be available at the next meeting for council review and approval.

Chief Campbell presented the resignation of Officer Pearce for the Council's approval effective August 6, 2021.

A motion was made by Alderwoman Sheppard to approve the resignation of Officer Pearce effective August 6, 2021, second by Alderman Johnson. Taken by voice vote.

AYES: Hemmerle, Johnson, Karhliker, Marquis, Royer, Powell, and Sheppard

NAYES: None

ABSENT: None

Superintendent Henson reported on the mower that was to be used for a trade in on a new mower that had been previously approved. The trade in was no longer in working condition and therefore no trade in value could be provided on that mower. The total of the new mower without the trade in value was \$14,641.29. The previous approval amount had been for \$9,847.62. Sievers Equipment did lower the overall cost by \$1000.00 given no trade in would be accepted given the condition of the old mower.

A motion was made by Alderman Johnson to approve the supplement on the new purchase price of the mower not to exceed \$14,700.00, second by Alderwoman Sheppard.

AYES: Karhliker, Royer, Marquis, Sheppard, Johnson, Powell, Hemmerle

NAYES: None

ABSENT: None

Superintendent Henson also informed the council of the current shortage of PVC pipe. The price of a piece of 10 inch that broke recently was selling at a cost of \$330.00. The garage does have some in stock that can be used, however, the current shortage of materials is causing a severe supply issue which may lead to a potential 4-6 month delay in the Phase II facilities plan project.

Office Manager Ponsler reported on the American Recovery Act funds that would be available to the City of Auburn as a non-entitlement unit. Auburn is slated to receive \$628,470.08. The only questions that Office Manager Ponsler was awaiting on was how to properly calculate the overall total budget for the city and complete full registration into the portal. Once that is completed the mayor will sign

Assurance and Compliance documentation and that too will be submitted into the portal. As additional information is available it will be presented to the council.

## **COMMITTEE REPORTS**

### **ADMINISTRATION**

Alderman Johnson had an Administration Committee meeting on July 27, 2021, at 6:30 PM to discuss vacation time and computer/networking needs for the city. A summary was provided to the committee pertaining to employee vacation hour balances.

### **VACATION BALANCE**

The requirements of the new vacation ordinance was to limit the amount of hours an employee could carry over into the next calendar year to 40. This had not been applied which has resulted in several employees that carried over more than 40 hours into January 2021. The consensus of the committee members was not to reduce the vacation time balances of those over 100 hours. A couple of different possibilities was presented including that the employees that have a balance over 100 hours would be allowed one extra calendar year to use their time to meet the current ordinance. They would have until March 31, 2023 to get that vacation time down to the limit per the ordinance. Those employees that are under that 100 hours would be able to schedule their vacation and get that vacation balance down to meet the ordinance this year.

At the committee meeting, Alderman Hemmerle had indicated there might be issues with employees with vacation balances over 100 hours to even meet that criteria of using it and asked if the city would be willing to issue a pay out to pay for those additional vacation hours such that everything would be in line with the ordinance and there would be no need to extend the expiration of time.

Office Manager Ponsler provided information to Alderman Johnson on overall totals in which he will need to make revisions. There are six employees that fell into that category of having to take vacation time to meet ordinance. Making changes to the numbers to not pay out the entire amount but to keep 40 hours on the books as stated in the ordinance, the total payout would be 10,156.10 roughly for 5 employees.

The two options based on the consensus of the committee was to provide an additional year to take the vacation time or if the payout for the vacation hours was reasonable, then the city would offer to pay it. No final decision was made from the committee and council discussion was needed.

All figures being presented were just for those hours as of January 1, 2021 and not those hours that would normally be accrued in a given years' time based on years of service.

Alderman Johnson will work with Office Manager Ponsler to refigure the numbers and present to the council at the meeting on August 16<sup>th</sup> for additional discussion and possible approval.

Mayor Berola asked the council to consider directing the city attorney to change the amount of time on probation as well to possibly be less than a year but at least 6 months that way vacation could be used sooner.

Attorney Moredock stated that he would potentially take to each union and would be an MOU as opposed to changing the contract since those contracts have been agreed upon.

## **CITY OFFICE BUILDING/POLICE NETWORKING AND HARDWARE**

Alderman Johnson presented to the council the proposal Chief Campbell received from CDS Office Technologies. Previous proposals received were from Royell and from Illinitek. The new proposal will provide managed technology services (MTS) for a monthly fee of 301.25 for the city office and 308.40 for the Police Department totaling 609.65 monthly, that includes technical support and security.

During the March 15, 2021 council meeting the council voted to approve an expenditure for the purchase of VOIP equipment from Royell which was in the amount of 1841.57 and a new monthly telephone expense of 232.70. The council has not acted upon that approval. CDS has quoted the city at a 36 month lease on VOIP equipment and also service that totals 1049.00/month. When you add the VOIP, MNS contracts, and equipment the total cost is 1658.65 per month. It was the recommendation of the Administration Committee to approve the CDS proposal for a cost not to exceed \$1700.00 per month.

A motion was made by Alderman Johnson to approve the CDS proposal, second by Alderwoman Sheppard.

Alderman Royer had some discussion on the proposal and wanted to be clear that the city was in the business of putting out for bid for a service, accepting that bid for service, and then voting now to allow another company to come in and underbid and accept that for service. Alderman Royer asked the legality of that from Attorney Moredock since it was voted on by the council to take a service and then now undercut and allow another company to come in.

Alderman Royer indicated that the numbers he reviewed as a part of the proposal did not even make sense because the previous bid was \$1800.00 for the equipment and approximately 234.00/month for VOIP. Alderman Royer stated that CDS has quoted over the previous approval on top of which they are charging \$1700.00/month for security and questioned what exactly the company was doing in terms of security.

Alderman Royer stated that from a personal aspect he does this work for a living but from an objective city official side of things, he felt this was no different than accepting a bid for a mower and then someone else offering to provide a mower for a lower price after it was voted on. He felt it was bad business for the city to take part in.

Chief Campbell indicated the phone portion of the pricing was not initially sought after. The contract for the security features for the city office was set to expire in September and further discussion was had pertaining to the needs of the police department. Additional information was later provided on the VOIP system to both Chief Campbell and Office Manager Ponsler. Items can be taken out or added at any point to the proposal, however, as items are deleted, it will cause the pricing structure presented to be altered.

Alderman Royer stated there was no way he was voting for this proposal and it has nothing to do with his personal connection and has everything to do with simply not doing this to any company.

Alderman Garrett asked if we voted on something publicly and there was a bidding process there then why we didn't move forward with that. Chief Campbell indicated that the city had continued to work with Royell on the paperwork and it was continually sent back for revisions. Alderman Royer indicated the initial delay was the fact that there was so much going on in terms of projects in the office that the changeover at the time would have coincided with the changes in the office.

It was clarified by Mayor Berola that this was not a bidding process as there was no official sealed bid process as it was under the threshold to seek bids.

Alderman Johnson stated that based on the committee discussion, CDS already does the city office and provides them technical support and the fact that it is a one stop shop was appealing as they would then be one location in which to contact for assistance.

Chief Campbell and Office Manager Ponsler reiterated that no pricing was sought out from CDS. The discussions were based on the soon to expire MNS contract for the city office and how best to continue that while also including the police department and their needs.

Alderman Royer again asked Attorney Moredock for clarification on what happens since the council had already agreed on a service. Alderman Johnson stated that no equipment had been purchased nor had any contract been signed previously. Attorney Moredock concurred that the city council had the right to vote to change a previous motion and the fact that no contract had been signed then they would go back and the current vote could override the previous motion.

Deputy Clerk Ponsler stated a motion by Alderman Johnson was on the table and a second was again made by Alderwoman Sheppard.

Alderman Johnson asked Deputy Clerk Ponsler to amend the motion to not only approve the CDS proposal but also to cancel Frontier Phone services. Second by Alderwoman Sheppard.

AYES: Hemmerle, Powell, Johnson, Sheppard, Marquis, Karhliker

NAYES: Royer

ABSENT: None

Alderman Garrett clarified that if he received bids from one tree service to cut down trees and they do not get started right away, and an additional company provides a lower pricing to cut down the same trees would that be allowed.

Attorney Moredock stated that if there is no contract and there is no sealed bidding process then you can go back and revisit that price. The fact that the prices were public does not limit the council from taking different action.

#### **PART TIME OFFICE STAFF**

Office Manager Ponsler asked this to be discussed at a later date to further gather necessary information to present exact needs for the office

#### **PUBLIC WORKS**

Alderman Karhliker reported that P.H. Broughton was scheduled to do work on roads, just waiting on additional rock.

Mayor Berola asked for further information pertaining to the Divernon Road Bridge. Alderman Karhliker indicated that an inspection was to be done soon. The engineering process was supposed to start this fall, but they were going to do an inspection on the bridge first. The actual work probably will not start until 2023. Alderman Karhliker stressed the need for the bridge to be wider because of the school buses going each way.

## PUBLIC UTILITIES

Alderman Johnson had a committee meeting prior to the council meeting pertaining to a leak at 614 W. Washington Street – Gayla Oyler. She had contested her monthly water usage from April 30-May 28. Usage was shown to be 428 units. It was reported that her water meter had been replaced on April 7, 2021 with her previous meter being inside in the basement.

The construction crew could not get in or did not have access and elected to install the water meter outside. Once in place and operational it showed an excessive use of water being passed through the meter. During that billing period of April 30<sup>th</sup> through May 28<sup>th</sup>, the 428 units was billed (sewer already receiving a credit), but she did pay her cost. The next billing period May 29 – June 30<sup>th</sup> was billed at 169 units. Relief was requested for the 428 units that had been paid along with the 169 units that was on the new bill.

Take off sewer charge for May 28<sup>th</sup> through June 30<sup>th</sup>

Refigure water bill for April 30<sup>th</sup> through May 28 at the 428 units at city cost

Refigure water bill for May 28 through June 30 – at city cost

It was noted that a full credit of sewer would be provided to Ms. Oyler on both bills and a refigure of water cost at city cost.

Motion by Alderman Johnson to approve the recommendations of the committee, second by Alderman Karhliker.

AYES: Hemmerle, Powell, Johnson, Sheppard, Marquis, Royer, Karhliker

NAYES: None

ABSENT: None

Alderman Johnson presented IEPA Reimbursement Request #11 for Phase I in the amount of \$707,966.83.

- \$28,314.50 is not an allowable expense under the loan and will be paid out of gas savings
- IEPA loan request in the amount of \$679,652.33

Alderman Johnson made the motion to approve the payment in the amount of \$707,966.83 of which \$679,652.33 will be paid by IEPA loan and \$28,314.50 paid through gas funds, second by Alderwoman Sheppard

AYES: Karhliker, Royer, Marquis, Sheppard, Johnson, Powell, Hemmerle

NAYES: None

ABSENT: None

Alderman Johnson presented IEPA Reimbursement #1 for Phase II in the amount of \$182,602.85

- \$65,903.40 for the contractor
- \$85,005.92 for design to Benton and Associates
- \$31,693.53 for construction management to Benton and Associates

Alderman Johnson made the motion to approve the payment in the amount of \$182,602.85 for Reimbursement Request #1 for Phase II to be paid out of the IEPA loan, second by Alderman Karhliker.

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

### **HEALTH AND SAFETY**

No report.

### **HEALTH AND HOUSING**

No report.

### **PARKS**

A Parks Committee meeting was held on July 23, 2021 where the committee discussed getting more of a final layout for the park itself and obtaining additional information to be included as part of the OSLAD grant.

Greg Hillis from Benton and Associates was in attendance to discuss next steps and presented the drawing of the layout of the proposed changes for East Park. There was an allowance within that cost for new playground equipment at \$60,000, but additional costs may be added to that.

The layout provided in drop box is proposed pickle ball court, updated/upgrading basketball courts, upgrading existing pavilions, adding onto the restrooms to the west, and new playground equipment. Two spaces will be added by the equipment for ADA parking.

The quarter mile walking path is available to also be incorporated into the developments on restructuring of East Park.

Approximately \$890,000 package but with upgrade to playground equipment, there may be an additional cost and could increase the overall cost to approximately 900,000.

At the next council meeting final discussion will outline the final plans and also discuss avenues for financing the park plans.

Alderman Royer asked if the walking path could propose more of a smooth curve along the path so it is not such a sharp curve at each point around park. Also confirmed that this included lights around basketball courts as well as along walking path.

Motion to adjourn was made at 8:39 PM by Alderman Johnson, second by Alderman Marquis. Taken by voice vote.

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

Respectfully submitted,

Kristy Ponsler, Deputy Clerk