

City of Litchfield
120 E. Ryder, Litchfield, Illinois
Regular Meeting Minutes
October 6, 2022

Mayor Steven Dougherty called the Regular Meeting to order at 6:30 p.m. The Pledge of Allegiance was recited. Present on roll call were Alderpersons Dwayne Gerl, Marilyn Sisson, Dave Hollo, Kassidy Paine, Woodrow Street, and Ray Kellenberger. Absent: Dan Newkirk, Timothy Wright. The Mayor declared that a quorum was present.

Public Participation:

Lori Crunk and David Kalaher each addressed the Council regarding the use of golf carts and UTVs in the City. They asked that the Council give this some consideration.

Other Business:

Aldersperson Gerl made a motion, seconded by Aldersperson Kellenberger to accept the minutes from the September 15, 2022 meeting.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Aldersperson Gerl made a motion, seconded by Aldersperson Sisson to direct the City Clerk to transfer funds from the city sales tax to the City's general fund to issue checks and authorize to pay the bills and process payroll.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Old Business:

None.

New Business:

Lake:

Aldersperson Hollo made a motion, seconded by Aldersperson Kellenberger to allow controlled hunting within specified portions of the Lake Lou Yaeger Recreational Area for the purpose of maintaining healthy wildlife populations from November 1, 2022 through January 15, 2023.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.
Absent: Newkirk, Wright.
Motion carried.

Alderson Hollo made a motion, seconded by Alderson Street to approve D&M Electric to install electrical service for the ADA dock for an amount not to exceed \$3,027.50 and authorize the City Clerk to issue a check upon satisfactory completion.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Alderson Hollo made a motion, seconded by Alderson Street to authorize HMG Engineers, Inc., to perform the Annual Dam Inspections for Lake Yaeger Dam and Litchfield Lake Dam for an amount not to exceed \$8,000 and authorize the Mayor to sign the agreement.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Alderson Hollo made a motion, seconded by Alderson Paine to award the contract for the Lake Yaeger Watershed Implementation Project – Phase II – 16th Avenue Sediment Dam to Blankenship Construction for an amount not to exceed \$562,901.00, and authorize the Mayor to sign the contract contingent upon engineer's approval.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Administration:

Alderson Street made a motion, seconded by Alderson Hollo to approve an Ordinance Establishing a position for Human Resources Coordinator. City Administrator Flannery remarked that this position was included in the budget and was advertised as both a full time and part time position.

The Mayor directed a roll call vote.

Aye: Hollo, Paine, Street, Kellenberger.

Nay: Gerl, Sisson.

Absent: Newkirk, Wright.

Motion carried.

Economic Development:

Alderson Kellenberger made a motion, seconded by Alderson Paine to approve the Downtown Façade Grant application submitted by Ms. Tracy Davidson of Hair 51 for the

property located at 209 N. State Street for an amount not to exceed \$2,500, contingent upon the Building Department granting final approval of materials used and work completed and to authorize the City Clerk to issue a check.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Aldersperson Kellenberger made a motion, seconded by Aldersperson Street to approve surveying services for the Route 66 Sports Complex from Nail Land Surveying in an amount not to exceed \$4,000.

The Mayor directed a roll call vote.

Aye: Gerl, Hollo, Paine, Street, Kellenberger.

Nay: Sisson.

Absent: Newkirk, Wright.

Motion carried.

Aldersperson Kellenberger made a motion, seconded by Aldersperson Hollo to approve geotechnical investigation services for the Sports Complex with Soil and Material Consultants, Inc. for an amount not to exceed \$8,617.

The Mayor directed a roll call vote.

Aye: Gerl, Hollo, Paine, Street, Kellenberger.

Nay: Sisson.

Absent: Newkirk, Wright.

Motion carried.

Building and Zoning:

Aldersperson Kellenberger made a motion, seconded by Aldersperson Paine to approve an Ordinance Amending Ordinance #2831 (Chapter 150) of the Litchfield Zoning Ordinance, Schedule 14 (Appendix A) Area and Bulk Regulations; Parking Requirements, which will give the option to construct a garage or shed on vacant lots without a Dwelling. Must comply with lot allowance regulations and be located on the rear section of lot to allow room for a future home on front of lot. Also, re-organize and coordinate all setbacks with one another.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Aldersperson Kellenberger made a motion, seconded by Aldersperson Street to authorize amending Ordinance #3359 and adopt provisions of 65 ILCS, 5/8-3-14 as amended, and impose a tax upon all persons engaged within the City of Litchfield in business of renting, leasing, or letting rooms in a Hotel as defined in the Hotel Operators' Occupation Tax Act. Being 35 ILCS 145/1 at the rate of 4% as per State Statute. Said tax shall also be collected from Bed and Breakfast, Short-Term Rental Unit Service, or any business which rents rooms overnight to the

general public which would include but not be limited to internet services such as VRBO and AIRBNB.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Aldersperson Kellenberger made a motion, seconded by Aldersperson Hollo to approve an Ordinance Amending Zoning Ordinance #2831 of the City of Litchfield to Remove Tourist Homes as a Prohibited Use as a Home Occupation of the City of Litchfield, Montgomery County, Illinois and allow tourist homes/short-term rentals in General Commercial Districts (C-2) and said rentals in Single Family (S-1) and (S-2) residences by "Special Use".

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Aldersperson Kellenberger made a motion, seconded by Aldersperson Street to approve an Ordinance declaring 305 E. Hauser as surplus and advertise for bids, with stipulations for bid qualifications.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Aldersperson Kellenberger made a motion, seconded by Aldersperson Street to approve an Ordinance Adopting a Short Term Rental License in the City of Litchfield, Montgomery County Illinois. This includes Bed and Breakfast, Short-Term Rental Unit Service, or any business which rents rooms overnight to the general public which would include internet services such as VRBO and AIRBNB who provide guest accommodations. Aldersperson Hollo moved to amend the motion to allow 90 days for existing properties to come into compliance. Aldersperson Street seconded the amendment.

The Mayor directed a roll call vote on amending the motion.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

The Mayor then directed a roll call vote on the motion as amended.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Alderson Kellenberger made a motion, seconded by Alderson Sisson to direct the City Attorney to begin the condemnation and demolition process on 3 vacant residential structures. 1) 303 S. Grant. Pin #15-05-231-014 / 15-05-231-015. 2) 833 S. Chestnut. Pin #15-04-258-020. 3) 908 N. Chestnut. Pin #10-33-408-003.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Wastewater Treatment:

Alderson Gerl made a motion, seconded by Alderson Kellenberger to approve payment of invoice #120015573 from Durkin Equipment Company for the amount of \$14,991.27 for work performed at the Wastewater Treatment Facility as part of the Flow Meter Replacement Project and authorize the City Clerk to issue a check.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Alderson Gerl made a motion, seconded by Alderson Sisson to approve pay request #1, from Korte-Luitjohan in the amount of \$101,696.40 for materials received in use during the Wastewater Treatment Facility's Lagoon Liner Replacement Project and authorize the City Clerk to issue a check.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Administration:

Alderson Gerl made a motion, seconded by Alderson Paine to approve a 1-year contract with Kerber, Eck & Braeckel LLP for accounting services to prepare for the City audits in the amount not to exceed \$25,000 and authorize the Mayor to sign the engagement letter.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Alderson Street made a motion, seconded by Alderson Sisson to enter into Executive Session, as allowed under the Illinois Open Meetings Act, as found in Chapter 5 of the Illinois Compiled Statutes, Section 120, to address these certain and restricted items:

1. "The appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body..." (5ILCS 120/2(2)(C)(1).
2. "The setting of a price for sale or lease of property owned by the public body." (5ILCS 120/2(2)(6)

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Executive Session was entered into at 6:59 p.m.

Alderson Street made a motion, seconded by Alderson Paine to return to regular session at 7:32 p.m.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

New Business:

Alderson Gerl made a motion, seconded by Alderson Street to accept the bid of \$5,000 for 1018 E Union Avenue from Michael W. Phipps/Advantage Construction contingent upon beginning construction within two years and completing construction in three years or forfeit purchase price and return property to the City.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

Absent: Newkirk, Wright.

Motion carried.

Alderson Hollo made a motion, seconded by Alderson Street to accept the bid for Lots 23 and 24 in Eagle Ridge Subdivision for the lease amount of \$242,000.

The Mayor directed a roll call vote.

Aye: Gerl, Sisson, Hollo, Paine, Street, Kellenberger.

Nay: None.

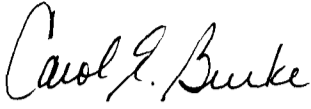
Absent: Newkirk, Wright.

Motion carried.

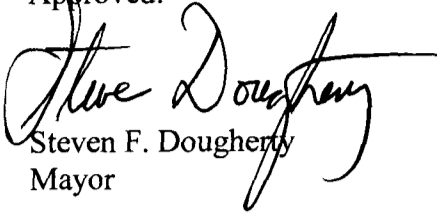
Having no further business, Alderson Street made a motion, seconded by Alderson Gerl to adjourn the regular meeting of the Litchfield City Council. The Mayor called for a voice vote,

motion carried, and the regular meeting adjourned at 7:30 p.m.

Attest:


Carol E. Burke
City Clerk

Approved:


Steven F. Dougherty
Mayor