

CITY OF FULTON

COUNCIL MEETING MINUTES

FEBRUARY 26, 2024

5:30 P.M.

(Held at Cattail Park, Fulton, IL)

Regular Meeting

Meeting was called to order by Mayor Wendy Ottens at 5:30 p.m. On roll call, Alderpersons Burggraaf, Wilkin, Boonstra, King, Mask, Banker and VanKampen were present. Alderperson Brondyke was absent. Police Chief Neblung, Public Works Director Sikkema, City Attorney Huizenga, Business Manager Garibay and City Clerk Wade were also in attendance.

The Pledge of Allegiance was recited.

New Appointments by Mayor Wendy -None

Recognition of Volunteers – None

Communications from Visitors – None

Mayor Wendy asked for a motion to approve the Consent Agenda.

Motion to approve the City Council meeting minutes from February 12, 2024, the meeting minutes from the Budget Workshop meeting minutes (with correction) held on February 12, 2024, and the Bill List all in one motion.

Motion to approve, Alderperson Boonstra made the motion, second by Alderperson King.

Aldersperson Mask would like corrections made to the Budget Workshop portion of the minutes, stating that Aldersperson Brondyke was present and City Attorney Huizenga was not present. Corrections will be made.

Motion to approve minutes with corrections, Aldersperson Boonstra made the motion, second by Aldersperson VanKampen.

On roll call, all yes. Motion passed.

Business -

Motion to approve ordinance to raise water/sewer rates on sales only by 5%. (No increases in debt services.) The increase will begin with the May 31, 2024, billing.

Mayor Wendy asked for a motion to approve.

Aldersperson Boonstra made the motion. Seconded by Aldersperson King.

Aldersperson Boonstra asked what happened to the 6%? Public Works Director Sikkema said that he and Business Manager Garibay ran the numbers and he felt comfortable with the 5% increase. Garibay stated that it amounted to an increase of \$0.22 cents per 1,000 gallons. He thinks it's where we need to be.

Aldersperson Mask stated that there was not an increase last year.

On roll call, all yes. Motion approved.

Motion to approve bids for 10th Avenue Park.

Aldersperson King made the motion. Aldersperson Wilkin seconded.

Aldersperson Boonstra asked if we had gotten bids from any other company? Aldersperson Wilkin stated that yes, we did. They are not included in this packet. She stated that she contacted the company that did the elementary school playground and they could not even come close

to this company. She said that the City gets a nice discount from Play Illinois and we're getting the best price we can get and it is a very reputable company. Alderperson Wilkin explained to the Council some of the features of the new park equipment and layout. She also explained the funding for this project and that they are waiting to hear from Diamond Drives (Timken) on the amount they are going to give the City for this project.

Public Works Director Sikkema explained that the "newer" pieces of playground equipment (on the East side) from 10th Avenue Park will be disassembled and taken to Cattail Park to replace the aging equipment that is there.

On roll call, all yes. Motion approved.

Mayor Wendy asked for a motion to approve to move forward with the 2024 street maintenance engineering agreement for the estimated amount of \$28,500.00, for 13th Street from 13th Avenue to 14th Avenue and 19th Avenue from 4th Street to 9th Street.

Motion made by Alderperson King. Seconded by Alderperson Boonstra.

Eric Sikkema explained the funding for this project. He is hoping for this project to start mid summer. Alderperson Mask asked Sikkema the status of the 7th Avenue road project. He said that it was still in the works, but the road is so narrow that it will need to be widened.

On roll call, all yes. Motions approved.

Mayor Wendy asked for a motion to approve the bid from Lynn Roth for the design and development of the City's new website.

Alderperson VanKampen made the motion. Alderperson Wilkin seconded.

Alderperson VanKampen asked what was the cost for this? Business Manager Garibay stated that the first year will be more expensive because

of the design and development for the new website from the ground up at a cost of about \$11,000.00. After the first year, the cost will be much less. It will be an hourly rate for maintenance at \$50.00 per hour. Garibay said that the cost of this project is already in the budget.

On roll call, all yes. Motion approved.

Aldersperson Mask asked what is the time table on this project. Garibay said it won't start until the new budget.

Chief Neblung clarified that Lynn Roth was going to turn the website itself into a paper form so that you could understand the dynamics of it. Then we could make suggestions and changes to it before he dumps it into the html format. He is not going to spend all that time designing it and then us ending up not liking it. There will be plenty of opportunities for changes to be made.

Moving on, Mayor Wendy said we're going to discuss a sample ordinance on permitted uses in our Business District with possible action if needed. Mayor Wendy said this decision has to go to the Zoning Board, so we could move on tonight the action of letting it go to the Zoning Board for approval.

Mayor Wendy asked if there are any questions? Mayor Wendy said there are 2 downtown businesses that will be grandfathered in and we can't do anything about it.

Aldersperson VanKampen said she had the Ordinance and it's already prohibited. City Attorney Huizenga stated that is the Cannabis Ordinance and they are using industrial hemp that is legal. Aldersperson VanKampen said these businesses are using cannabis not industrial help. City Attorney Huizenga explained the specifications of each. A lengthy discussion was held regarding the monitoring of this.

Aldersperson VanKampen feels the City should ask for a business plan before we allow a business to come into town. Mayor Wendy said that we

can't legally do that, it is not allowed. Business Manager Garibay brought up the use of a Business Application that needs to be filled out at City Hall for new businesses, that would give the City a heads up on what type of business it is without the possibility of discrimination. A fee could be charged for the application.

Mayor Wendy said that it is up to our Police Dept. to make sure these 2 businesses are following the guidelines put in place for businesses selling industrial hemp products. If they are violating any part of this, then the City can shut them down!

Chief Neblung said he understands the frustrations these businesses have caused, but it is imperative that these ordinance changes be passed on to the Zoning Board as soon as possible. Neblung stated that they are being monitored by the Department of Agriculture using industrial hemp in their business. He said they are misadvertising their products (as cannabis) and that will probably cause problems in the future. He stated that we can't shut them down, we have absolutely nothing in our ordinances that allows us to do that.

Chief Neblung says there are a lot of things that can be done at the municipal level to help control what businesses can and can't come into Fulton, starting with the implementation of a Business License.

City Attorney Huizenga explained the regulations that these types of businesses must follow. If they do not follow these guidelines, there are strict fines.

Aldersperson King made the motion. Aldersperson Wilkin seconded.

On roll call, all yes. Motion approved to go forward with this process.

Aldersperson Banker asked Chief Neblung if his department gets complaints from citizens regarding the advertising that is being done by these businesses. He replied no, only complaints he has heard of have been from the Council members.

## Committee of the Whole - Discussion items

Continued the discussion on the state of the City Council chambers. Public Works Director, Eric Sikkema, has provided copies of the set of plans for the new structure, done by Frary Lumber. He said the interior of the building isn't going to change a lot other than adding a second story. It is out to 4 different contractors for bid. They have to have their bids back in by the second week in March.

Mayor Wendy asked if the contractor is doing the removal of the existing building. Sikkema said, no, that is going to be done by Jeff Spencer.

Aldersperson Mask asked Business Manager Garibay if we had heard anything from the insurance company regarding the existing building. She has not heard from them, but will be contacting them soon.

Discussion on whether or not we need a City Administrator - Mayor Wendy said this discussion can tie in with the City Administrator application they have received. Aldersperson Banker from the Personnel Committee wanted to put this in closed session, Mayor Wendy said the applicant is Chief Neblung. She said the Council could not go into closed session regarding an application. Neblung has agreed to discuss it during this meeting. Mayor Wendy stated that as a city employee, Chief Neblung has the right to be given an interview. Aldersperson Banker said it would be best to set up the interview for a future date and go from there.

Business Manager Tammy Garibay said there was a zoom meeting with Wipfli (our auditors) to get their opinion on whether or not we need a City Administrator. It was attended by several City employees and a couple of Alderspersons jumped in on the meeting. Tammy explained to them our situation regarding the position. Wipfli's advice was that the city needs a strategic plan.

Gaibay read an email that she received the next morning from Wipfli. Their advice was for them to assist the City to develop a Strategic Plan, assist

the City with redeveloping the duties and roles of employees, and they could assist us in finding a new City Administrator.

Discussion was held on a digital sign for the City that will be like the one at Bethel Church.

Public Works director discussed the 4th St. and watermain improvement plan.

The Council gave a head nod on letting the new owners of a Mexican restaurant in town apply for a liquor license.

Committee Reports -

Reports were included from the Finance Committee, the Marina Committee and the Mayor's report and the Historical Society.

Mayor Wendy asked for a motion to adjourn the regular meeting.

All Alderpersons agreed to adjourn.

Meeting adjourned at 6:49 p.m.

Respectfully submitted,

Tori Wade

City Clerk