

CITY OF FULTON
COUNCIL MEETING MINUTES
MARCH 25, 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 Boonstra, Burggraaf, King, Mask, VanKampen, and Wilkin were present. Alderpersons Banker and Brondyke were absent. Police Officer Hermes, 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 March 11, 2024, and the Treasurer's Report.

Aldersperson King made the motion. Aldersperson Wilkin seconded.

Business Manager Garibay asked if there were any questions on the Treasurer's Report. She stated that the General Fund Reserves are in good shape with a little over 2.3 million dollars in General Fund Reserves, this includes ARPA funds of approximately \$450,000.00.

Mayor Wendy stated that having that amount is nice to have because when applying for grants that may require matching funds. These are the numbers they will look at to determine if we are eligible.

Business Manager Garibay reminded the Council that \$900,000.00 should never be touched. We can't go below that because that is the amount needed for 6 months of reserves in case something happens, such as when the State of Illinois was behind on sending checks to the City. The new Council Chambers will also come out of this fund.

Garibay said the 2024/2025 Budget was going to be on tonight's agenda, but with the time constraints of having to put it in the newspaper, it will have to be on the next meeting's agenda.

On roll call, all yes. Motion passed.

Business -

Mayor Wendy asked for a motion to approve the recommendation from the Personnel Committee to end the search for a City Administrator and continue as is until Tammy Garibay's departure and then review our options.

Aldersperson King made the motions. Aldersperson Boonstra seconded.

Aldersperson Burggraaf asked about Aley Hamling's role as Business Manager Trainee and if she would be attending City Council meetings in the future. Business Manager Garibay said yes she will be attending the meeting for at least 6 months before Garibay's retirement.

On roll call, all yes.

Motion approved.

Mayor Wendy asked for a motion to approve the purchase of a Street Sweeper for the Public Works Dept.

Motion to approve by Aldersperson Wilkin. Seconded by Aldersperson King.

Public Works Director Eric Sikkema explained the need for this equipment. He believes it will do a much better job than the one the City currently owns. He said our current sweeper is a 1998, the proposed one is used being a 2014. It will be completely refurbished before we receive it. It will be paid for out of the Cannabis (infrastructure) Fund. The cost can not come out of Water/Sewer and the Streets budget does not have any room in that budget for anything extra. Total cost of this is \$142,620.00.

On roll call, all yes.

Motion approved.

Mayor Wendy asked for a motion to approve the acceptance of all three bids for the construction of the new Council Chambers. The bids were on time and followed the required specifications. The recommendation from Public Works Director, Eric Sikkema, is to award the bid to Ryan Eissens Construction, Inc.

Motion made by Aldersperson King. Seconded by Aldersperson Mask.

Eric Sikkema told the Council that this bid is for building construction only. There will be separate bids for HVAC, Electrical and Technology. He said construction will begin as soon as the old building is removed.

On roll call, all yes.

Motion approved.

Mayor Wendy asked for a motion to amend Ordinance Section 155.105 of the Codified Ordinances of the City of Fulton Captioned "Permitted Uses" as same Pertain to the Business District, as recommended per the Zoning Board of Appeals on March 21, 2024.

Motion to approve, Alderperson King, seconded by Alderperson Wilkin.

Discussion was held on this change. Businesses located in Fulton's Business District will NOT be allowed to sell industrial hemp, delta-8 (also known as delta-10), THC, kratom, cannabidiol (also known as CBD) and any products derived from or containing said substances...

A lengthy discussion was held regarding small towns like Fulton in Illinois are getting bombarded with these types of businesses. Something needs to be done at the State level in Springfield. Right now the rules are so vague and gray. Mayor Wendy said that until the State makes some black and white rules, it is up to individual towns to make their own rules to stop these businesses. Mayor Wendy said that is what we are doing by passing this revised ordinance.

On roll call, all yes.

Motion approved.

Committee of the Whole -

Discussion of the new building at City Hall. Public Works Director, Eric Sikkema, stated that he spoke with Ryan Eissens (contractor) and he said construction will start as soon as the demo is completed. He was asked about the delivery of construction material from Frary Lumber. The only delay may be a 2 or 3 week delay of the floor trusses.

Discussion on the City of Fulton's Business Registration vs. Business License. Mayor Wendy and Chief Neblung have discussed these two forms. It was decided that a Business License would be better than a Business Registration because it has more power.

Officer Chad Hermes explained the differences between the two most importantly being a Business License can be revoked immediately if they are not following the rules. A Business Registration, simply means they exist in our City. A Business Registration violation means the City has to give them 10 days to comply before that can be shut down.

Business Manager Garibay said right now, the City can't force businesses to have insurance. If the City required a Business License, a Certificate of Liability could be required. Mayor Wendy stated that any fees that we might collect for items such as this, could go towards paying a Code Officer.

Discussion was held on making a Business License that the Council can approve. It was also discussed that we should require contractor's to register with the City.

Discussion was held on whether or not our police officers have the right to go into businesses to check for violations in closed off areas. Officer Hermes told the Council that it is a violation of the owner or renter's right to privacy.

Mayor Wendy told the Council Chief Neblung said that right now we are complaint driven when it comes to checking for violations. If we had a Code Officer, these violations could be enforced.

Mayor Wendy asked the Council to look over the Code Officer job description located in the packet.

Mayor Wendy stated that we need to adopt the International Property and Building Maintenance Code. Without it, we don't have any power to enforce our rules.

Business Manager Garibay told the Council that at the last meeting of the Zoning Board, they thoroughly agreed that we need a Code Officer.

Aldersperson VanKampen questioned the law concerning the code from the State of Illinois website. (plumbing, electric, fire code, etc.) Public Works Director Sikkema said that a lot of that falls under the constructional components of the building.

Existing buildings would not be grandfathered in for structural violations. They would have to comply with the new regulations. The Council was in agreement that we need to pursue this and keep moving forward.

Mayor Wendy reminded everyone to complete their NIMS training.

Committee Report -

Finance - Aldersperson Mask explained how the sales tax breaks down.

Personnel - Aldersperson VanKampen reported what she had found out from surrounding towns regarding City Administrators. By the size of the town, it was suggested that we don't need a City Administrator. (They don't write grants anymore). She was advised to have our city Business Manager join the Illinois City Management Association. They have a lot of resources.

Committee Meetings -

Parks & Rec - Alderperson Wilkin reported that the Timken Foundation of Canton has given the City \$100,000.00 for the new park on 10th Avenue. This is not from the plant here in Fulton. They are from Canton, OH. They also expressed an interest in coming to Fulton when the project is finished to attend a ribbon cutting ceremony. Alderperson Wilkin said the Parks & Rec committee will stay in touch with them.

Alderperson VanKampen told the Council that Paul Banker is going to paint the house at Heritage Canyon this spring. Colors are being discussed.

Alderperson VanKampen stated that Heritage Canyon will also be getting a new gazebo this spring. The cost is \$5600.00. Business Manager Garibay was able to get discounts of \$1100.00, free shipping and no sales tax. Alderperson VanKampen said that the money for this has been in the Heritage Canyon's fund. Public Works will pour the concrete pad it will sit on. The gazebo that is there right now is not in good shape and needs to be torn down.

Alderperson VanKampen also said that she has been looking for flooring for the church at Heritage Canyon. She may have a good source for flooring from the old Assembly of God church. It is being renovated and there is a possibility of using the wood from their floor.

Public Works Director Sikkema stated he has been in touch with the Amish contractors and they could make new flooring, but it would look period appropriate for the church

Alderperson Boonstra suggested that there could be a volunteer day to help with the installation of the new gazebo.

Mayor Wendy moved on to the Zoning Board of Appeals report. City Clerk, Tori Wade, was able to put the meeting together in a timely manner. Zoning Officer, Tarek Farmer, was not available because he was working.

Mayor Wendy's report - Mayor Wendy has been contacted by Mike North, he is the owner of the building on 4th Street that is in need of repair so the brick wall does not collapse. The City sent him a certified letter stating that he had to do something or the City will take it down. North contacted Mayor Wendy and said he thinks the building is worth saving. He is having someone come look at it and he is going to repair it. Mayor Wendy will keep in touch with North and keep the Council up-to-date on the progress of the repairs.

Mayor Wendy received a call from Jason (new owner of Harbor Crest). He is planning to have this property an Enterprise Zone, which is a long process. There will be a ribbon cutting on April 3, at 11:00. Gary Camarano of the Whiteside Carroll Enterprise Zone will be attending. Mayor Wendy encouraged Council members to attend.

Public Works report - Director Eric Sikkema told the Council the bandshell is completed. He also reported that he is going to give the contractor that is dredging out the marina two weeks to get his equipment out of there or it will be removed for him.

Sikkema said there is still some dredging to be done. He will rent Jeff Spencer's long reach excavator and finish what we can ourselves.

Business Manager's report - Tammy Garibay reminded the Council that there has to be a public hearing for the budget.

Also, she has heard from the insurance company regarding the Council Chambers and they denied the claim because of poor construction.

Mayor Wendy asked for a motion to adjourn. Alderperson King made the motion. Alderperson Boonstra seconded. All in favor, aye's have it.

Meeting adjourned at 6:35 p.m.

Respectfully submitted,

Tori Wade
City Clerk