

**MINUTES OF THE REGULAR SESSION  
OF THE ANNA CITY COUNCIL  
November 2<sup>nd</sup>, 2021**

The Anna City Council met in regular session at Anna City Hall at 5:05 p.m. on November 2<sup>nd</sup>, 2021. The meeting was called to order by Mayor Steve Hartline. The roll call went as follows: Present were Commissioner Michael Bigler, Commissioner Kathy Bryan, Commissioner Bryan Miller, Commissioner Martha Ann Webb and Mayor Steve Hartline.

A motion was made by Commissioner Webb and seconded by Commissioner Bigler that it be **RESOLVED TO APPROVE THE OCTOBER 19<sup>TH</sup>, 2021 ANNA CITY COUNCIL REGULAR SESSION MINUTES AS THE OFFICIAL MINUTES OF SAID MEETING.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Miller, Commissioner Webb and Mayor Hartline voted yea. Commissioner Bryan abstained. Nay – none. Mayor Hartline declared the motion carried.

Students with the Union County CEO program addressed the council. Melanie Smith, the CEO facilitator thanked the council members for the opportunity for the students to present. Abigail Dahmer, Makenzie Howell, Natalee Brown, Hunter Boyd, Kyle Hall introduced themselves. They then went on to present their class business idea of a “Hallmark Christmas” in downtown Anna. This idea included an ice-skating rink rental that would be present during the Small Business Saturday/Giving Parade event on November 27<sup>th</sup>, 2021 in downtown Anna. The event would require set up and delivery of the rink on Friday the 26<sup>th</sup> between the hours of 12-4 pm, the event taking place from 10am- 8pm on Saturday the 27<sup>th</sup> and a tear down and clean up on Sunday the 28<sup>th</sup>. Their idea included placing the ice-skating rink in the parking lot on East Davie Street. They informed the council the total cost of the rental is \$8,224.27 and that they have received a donation of \$5,000.00 from Aeriz. The students then asked the council if they would consider being a co-sponsor for their event by making a donation of \$3,000.00 towards the ice-skating rink. They stated the CEO program would pay the remaining \$224.27. Mayor Hartline asked the students if they have asked any of the other Cities in the Union County area to donate to their event. They replied yes, they have; the City of Jonesboro donated \$250.00 and they are planning to ask the Village of Cobden but have not yet done so. Commissioner Bryan asked how much space they will take up

on Friday while they are setting up out of concern for local businesses that will be open. Ms. Smith replied that the rink takes up 2,000 square feet. Commissioner Bryan commented that would probably be about 1/3 of the parking lot. She then stated her only other concern is lack of parking during the event. Administrator Bigler commented that there should still be plenty of parking in other areas for those visiting downtown. Commissioner Bigler asked how many streets will be blocked off. Ms. Smith replied technically they do not need any streets closed. She stated that originally, they wanted to set the ice-rink in the middle of the street on East Davie but due to the fact that the road would have to be blocked for three days; they understand that is not feasible. Ms. Smith stated they are open to ideas. Commissioner Bryan commented that she had a lot of people calling and asking her where to park during the Colorfest event. Commissioner Bigler asked if there was an issue with parking at Colorfest. Administrator Bigler replied that she arrived during the middle of the event and had no issue finding an available parking space. Mayor Hartline commented that someone may want to reach out to the Moose due to how accommodating they have always been in the past regarding use of their parking lot. Ms. Smith stated that last year during the event they were set up in the Presbyterian Church parking lot to distribute the boxes they sold and they took up a great deal of space in that parking lot that they will not be utilizing this year therefore it would then be available for parking. Commissioner Bryan asked if the CEO students will be submitting a city property usage application. Administrator Bigler replied that they already filled one out and returned it and it was on the agenda for vote tonight. Ms. Smith commented that they are very excited about the idea of doing this. She stated they haven't advertised due to everything not being set in stone. Commissioner Bigler asked what kind of advertising they planned on doing. Ms. Smith responded they plan to utilize social media and WIBH but are open to suggestions as well. Commissioner Bryan replied that if they get her the information she will gladly share. Ms. Smith responded they would appreciate it very much. Ms. Smith also commented that the CEO group in Vandalia had an ice-skating rink last year and they have been utilizing them as a good resource regarding what went over well or didn't and any tips to making it more successful. The CEO group thanked the commissioners for their time and their consideration.

Mayor Hartline commented that on their city property usage application they had marked street closure. Ms. Smith apologized and stated they do not need any streets closed for the event.

A motion was made by Commissioner Bigler and seconded by Commissioner Bryan that it be **RESOLVED TO APPROVE THE CITY PROPERTY USAGE APPLICATION FOR THE UNION COUNTY CEO FOR NOVEMBER 27<sup>TH</sup>, 2021.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Miller, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Mayor Hartline declared the motion carried.

Mayor Hartline asked City Administrator Bigler if the council did decide to donate to the CEO program's event where the money would come from. Administrator Bigler responded that there is money available that was allocated for festivals this fiscal year and no other festivals are planned until next fiscal year.

A motion was made by Commissioner Bigler and seconded by Commissioner Bryan that it be **RESOLVED TO APPROVE A DONATION OF \$3,000.00 TO THE UNION COUNTY CEO CHRISTMAS EVENT.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Miller, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Mayor Hartline declared the motion carried.

Union County Hospital Interim CEO Michael Clark addressed the council regarding residential block parties. Mr. Clark stated that it was brought to his attention this afternoon of an agenda item on a block party. He stated that the Hospital supports community involvement, however they ask that the city take the hospital and nursing home into consideration considering noise, safety, routes, etc. Bob Newberry, Facility Manager, addressed the council and said he was made aware of late this afternoon of the agenda item. Mr. Newberry said they have standards set regarding alternate routes. He stated that the hospital owns four properties on Kohler Avenue and had some questions: 1. Police/Fire issues – Mr. Newberry stated that he spoke with Chief Watkins earlier today. Police and ambulance have easier access than fire. 2. Mr. Newberry stated that the current ordinance is geared towards businesses; and he assumes the new is allowing individuals. Mr. Newberry was concerned about liability. City Attorney John Foley stated that insurance is required, also, there is a noise ordinance on the agenda to be voted on tonight. Mr. Foley stated that the individuals are not selling alcohol, there is no band, etc. Mr. Newberry stated that he isn't concerned with only this event but for future events as well. He wanted to know if the hospital would be notified? He stated that many people don't realize that they plan ahead; Colorfest – we had to plan ahead. Mr.

Foley stated these concerns, the hospitals concerns, were discussed prior to the meeting. He stated that the applications will be decided on a case-by-case basis. The rules are set to hopefully prevent any issues. Commissioner Webb asked if Kohler was shut down, will the ambulance be able to reach the hospital. Bob Newberry stated that yes, they can. He gave an example of how important communication is between agencies, citing an incident that happened in 2009 during an ice storm. A large oak tree fell across Main Street and the detour sign was placed with an arrow down Lincoln Street. An Alexander County ambulance took that detour and was then stuck at the bottom of the hill and the passenger almost died. The detour sign was then moved back a block and pointed down Kohler; the ambulance services were all called and made aware. This is an example to explain completely where their concerns come from. Mayor Hartline stated that we understand those concerns. If this is passed tonight, don't think of it as a blanket for all; we will look into each request. Mr. Newberry stated that they will plan and help however they can but they just request notification from the city.

Commissioner Webb stated just so you know, if this passes anyone can do this. Commissioner Bryan stated that no, anyone can apply; they aren't guaranteed to be approved. Commissioner Bigler stated that Mr. Newberry brought up a good concern regarding insurance; are the individual homeowners aware they are open to exposure having properties in the area. Commissioner Bryan stated the insurance provided would cover someone twisting their ankle. Commissioner Bigler stated that he thinks everyone could be listed on the lawsuit. City Attorney Foley stated that the individual's insurance policy would be held responsible up to \$1,000,000/\$2,000,000. Commissioner Bigler asked what if there was a death? Commissioner Bryan asked about the Reindeer Run. City Administrator Bigler stated that the insurance requirements are the same. Commissioner Bigler stated that there is no alcohol involved. Commissioner Webb asked about the 70% requirement and where they were located. Mr. Foley stated within the area of the event. Commissioner Bigler stated he didn't know how we could vote when there is no application on the agenda. Administrator Bigler stated that it would be under emergency agenda items. Commissioner Bigler stated it would be fine if the event wasn't BYOB. He stated that we are opening ourselves up to exposure. Commissioner Miller asked what does it matter? The fair, Colorfest, etc. Commissioner Bigler stated that those are structured events we have control of. Commissioner Bryan stated that her only concern is who controls who drinks too much; if you're selling alcohol, you can cut someone off. Mr. Foley stated the idea is

not to drink in the streets, it is to walk across the street holding a drink. Administrator Bigler questioned if their application says they agree but then the event ends up being a kegger in the street. Commissioner Bigler stated if we approve this event, how can we ever decline a request. Mr. Foley said easily, most will be turned off by the cost. Commissioner Bigler said that we don't know that for sure. He then addressed Commissioner Miller and said he does not have an axe to grind against him, he just doesn't know why this is being rushed. Commissioner Miller asked how this is being rushed, it has been on four meetings. Commissioner Bigler disagreed that it was on four meetings and stated that tonight is the first time an ordinance is on the agenda. He added that he doesn't agree with adding applications as an emergency agenda item. Commissioner Bryan stated that if we aren't ready to pass this tonight, what else do we need. Commissioner Bigler stated no alcohol and he feels the city shouldn't open themselves up to risk, as well as the homeowners.

Mary K Miller spoke up from the audience and asked what about the risk at Halloween. Commissioner Bigler stated that the City isn't approval alcohol at Halloween. Ms. Miller stated that you can't say that parents aren't walking around with alcohol in their cups. Commissioner Bigler stated again that the City doesn't approve that. Commissioner Bryan asked what if a kid falls in a hole. Administrator Bigler stated that the city could be sued. Commissioner Bigler stated that that has happened before. Ms. Miller stated to remove the alcohol from the application; that's why they have insurance, lots of things could happen. She added that they wanted a place for kids to ride bikes and scooters. She questioned how Carbondale, Chicago, how do they have them? Mr. Foley stated that the city would be responsible for what happens on city property. Commissioner Bryan stated that she doesn't understand; if we approve Halloween, why we can't approve this. Mr. Foley stated that we require the host to provide insurance.

At 6:10pm Mayor Hartline exited the meeting.

Commissioner Bigler questioned if this was even on the agenda. Mr. Foley stated that no, the ordinance is. Commissioner Bryan commented that she doesn't like how we don't give them a price until 7 days before the event. Administrator Bigler commented that payment is due 7 days before the event, but we need some time to calculate the added costs.

At 6:13pm Commissioner Miller states that he isn't going to sit here all night, he is hungry and he is going to eat; he then exits the meeting.

At 6:14pm Mayor Hartline enters the meeting.

Mr. Foley states that he doesn't think the council shouldn't pass the agenda items due to what just happened. Mayor Hartline stated that he appreciates everyone's input. The Mayor has his concerns as liquor commissioner; and the liability. If something happens when alcohol is involved the homeowner and the city will be sued. Whether it goes to court or not, who knows. As far as the hospital and nursing home, I did my homework. Commissioner Bryan asked if the Kohler Street people wanted a picnic in the park with alcohol? Mayor Hartline stated they would fill out a special event liquor license. Mayor Hartline commented that he had questions and wished that Commissioner Miller was here to answer them, such as how is he going to control liquor. Administrator Bigler inquired if we have ever had an individual apply for a special event liquor license. Mayor Hartline stated no and it would be on a case-by-case basis. Commissioner Bigler commented that he doesn't understand why Commissioner Miller stated that we have spent so much time on this when we haven't even voted on a block party ordinance.

City Administrator Dori Bigler submitted project updates to the council. (1) Previously discussed the session at the IML Conference on the 5 Steps to Downtown Revitalization. Ms. Bigler requested a customized trade area report from Moran Economic Development and passed out the report to the council. She explained how to read the report, which explains the supply and demand by NAICS code and whether our residents leave the area to make the purchase or if people come to our area to make the purchase. This will tell us what industries we need in town and we can market for those sectors. (2) Last meeting, we discussed the 'push tax'. The Illinois General Assembly clarified the rules on October 28<sup>th</sup> and non-home rule communities are left out, so this is not on tonight's agenda. (3) Anna District 37 Art Club submitted some drawings for their picnic table designs. A discussion followed and the council has requested a few more designs. (4) The Illinois Secretary of State certified our official 2020 census numbers. The City of Anna has 4,303 residents, which is a drop of 139 from the 2010 census population of 4,442. (5) City Administrator Bigler inquired of the council if they would be comfortable with leaving the 2022 Tax Levy the same. If so, this will be the 3<sup>rd</sup> year in a row we haven't increased the tax levy and this directly helps all of our residents. The consensus was

to leave it unchanged. (6) Ms. Bigler reported that she pulled the most recent car count data from IDOT and wanted to share the 5 most highest sections in town. 1. Walgreens & Kroger 14,000/day; 51 & Kroger 13,400; Jefferson & Higher 11,200; Jefferson & Davie 11,100; 4-way & Davie 10,200.

A motion was made by Commissioner Webb and seconded by Commissioner Bryan that it be **RESOLVED TO RENEW THE ILLINOIS COUNTY RISK MANAGEMENT INSURANCE POLICY FOR THE 2021-2022 TERM.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

Mayor Hartline appointed Commissioner Webb to the Joint Health Insurance Committee.

Mayor Hartline tabled the Letter of Resignation from Jeremy Smith.

Discussion was held regarding the possible addition of speed bumps on Baker Street. Mayor Hartline stated that he has received several phone calls regarding traffic and speed from those leaving the high school. Chief Watkins stated that it has been an issue as long as he has been an officer. Chief Watkins suggests a speed bump is placed down by the stop sign. Mayor Hartline said to work with Public Works Manager Gary Dahmer and get it done.

A motion was made by Mayor Hartline and seconded by Commissioner Bigler that it be **RESOLVED TO INSTALL A SPEED BUMP ON BAKER STREET.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

Discussion was held regarding the General Retail Liquor License and how many liquor licenses are available. City Administrator Bigler reported that there is 1 general retail, 1 original package, 1 club and 2 restaurant/lounge licenses available.

A motion was made by Mayor Hartline and seconded by Commissioner Webb that it be **RESOLVED TO APPROVE A GENERAL RETAIL LIQUOR LICENSE FOR ANDREA LASTER.** A vote was taken upon the motion with the following results. Commissioner

Bigler and Commissioner Webb voted nay. Commissioner Bryan abstained. Commissioner Miller was absent. Mayor Hartline declared the motion is lost. A motion was made by Commissioner Bryan and seconded by Commissioner Bigler that it be RESOLVED TO ADOPT ORDINANCE 2021-21; APPROVING THE TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND PROJECT. A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Bryan and seconded by Commissioner Bigler that it be RESOLVED TO ADOPT ORDINANCE 2021-22; DESIGNATING THE TAX INCREMENT FINANCING REDEVELOPMENT PLAN PROJECT AREA. A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Bryan and seconded by Commissioner Webb that it be RESOLVED TO ADOPT ORDINANCE 2021-23; ADOPTING TAX INCREMENT FINANCING. A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Bryan and seconded by Commissioner Bigler that it be RESOLVED TO ADOPT RESOLUTION 2021-21; DECLARING A SURPLUS OF FUNDS IN THE SPECIAL TAX ALLOCATION FUND FOR THE CITY'S TAX INCREMENT FINANCING REDEVELOPMENT PROJECT #1. A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Webb that it be RESOLVED TO ADOPT ORDINANCE 2021-24; LIQUOR CONTROL. Motion not seconded; motion failed.

No motion was introduced for ORDINANCE 2021-25; PRIVATE BLOCK PARTY.



A motion was made by Commissioner Webb and seconded by Commissioner Bigler that it be **RESOLVED TO ADOPT ORDINANCE 2021-26; CREATING A NOISE ORDINANCE.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Webb and seconded by Commissioner Bryan that it be **RESOLVED TO APPROVE A FENCING APPLICATION AT 505 SOUTH GREEN STREET FOR JAMES AND SARAH DAVIS.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Bigler and seconded by Commissioner Webb that it be **RESOLVED TO APPROVE A CITY USAGE REQUEST APPLICATION FROM SHAWNEE DEVELOPMENT COUNCIL.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Webb and seconded by Commissioner Bryan that it be **RESOLVED TO APPROVE A CITY USAGE REQUEST APPLICATION FROM SHAWNEE ARTS COUNCIL.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

Chief Watkins reported that Shop with a Cop did not receive their donation from Wal-Mart for this year's program. The Chief is asking for the city to consider giving a larger donation for next year's program because of this. City Administrator Bigler said that this could be noted for the FY23 budget discussions which begin in January.

Chief Watkins also commented on mobile speed bumps and using them around town. Commissioner Bigler suggested talking with IDOT division of Local Roads to see if use of these are permissible.

Commissioner Webb inquired about an old city ordinance regarding Commissioner's attendance at meetings and the number of meetings that can be missed. Mayor Hartline replied that yes, we do have an ordinance to this effect. City Administrator Bigler was directed to pull the ordinance.

Public Works Manager Gary Dahmer reported that leave and limb pick up will be the week before Thanksgiving and again in December. Mr. Dahmer also suggested the city consider doing a spring pick-up as well.

A motion was made by Mayor Hartline and seconded by Commissioner Bigler that it be **RESOLVED TO ENTER CLOSED SESSION TO DISCUSS PERSONNEL AND PENDING LITIGATION AT 7:21 PM.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Bigler and seconded by Commissioner Bryan that it be **RESOLVED TO EXIT CLOSED SESSION AT 7:44 PM.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Bryan and seconded by Commissioner Webb that it be **RESOLVED TO APPROVE THE CLOSED SESSION MINUTES OF NOVEMBER 2<sup>ND</sup>, 2021 AS PREVIOUSLY READ AS THE OFFICAL CLOSED SESSION MINUTES OF SAID MEETING.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Bigler and seconded by Commissioner Webb that it be **RESOLVED TO ACCEPT THE LETTER OF RESIGNATION FOR JEREMY SMITH.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.

A motion was made by Commissioner Bryan and seconded by Commissioner Bigler that it be **RESOLVED THAT THE REGULAR SESSION OF THE ANNA CITY COUNCIL MEETING OF NOVEMBER 2<sup>ND</sup>, 2021 BE ADJOURNED AT 7:56 P.M.** A vote was taken upon the motion with the following results. Commissioner Bigler, Commissioner Bryan, Commissioner Webb and Mayor Hartline. voted yea. Nay – none. Commissioner Miller was absent. Mayor Hartline declared the motion carried.