

**REGULAR CITY COUNCIL MEETING
FARMER CITY, ILLINOIS
MONDAY, AUGUST 20, 2018
6:00 P.M.
AGENDA**

PRELIMINARY MATTERS

1. Call to order
2. Roll call
3. Pledge of allegiance to the flag
4. Proclamations/presentations/recognitions
5. Public Comments

SECTION I CONSENT AGENDA

The following items will be adopted on a single motion without discussion unless a council member requests separate consideration.

- A. Approval of the minutes of the August 6, 2018 council minutes
- B. Fund Warrant List
- C. Ordinance 1009 – Ordinance prohibiting the use of tobacco and nicotine related products by minors
- D. Ordinance 1010 – Ordinance prohibiting truancy

SECTION II: UNFINISHED BUSINESS--Ordinances or resolutions previously tabled.

SECTION III: NEW BUSINESS--Ordinances and resolutions for initial consideration

1. Ordinance 1011 - 2018 Prevailing Wage
2. Resolution 2018-15 - approving an agreement to invest monies with PMA Financial

SECTION IV: EXECUTIVE SESSION –

SECTION V: OTHER ITEMS

1. City manager report
2. Non-agenda items and other business

ADJOURNMENT

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the city clerk's office at (309) 928-2842, 48 hours before the meeting. Staff will be pleased to make the necessary arrangements.

**MINUTES OF THE FARMER CITY, ILLINOIS
CITY COUNCIL
REGULAR MEETING OF
AUGUST 6, 2018
6 p.m.**

Roll call Present: Councilmembers Coffey, McKinley, Testory and Acting Mayor Scott Kelley
Also, in attendance: City Manager Sue McLaughlin, City Attorney Joe Chamley and City Clerk Sandy Shaw
Absent: None

Pledge of allegiance to the flag

Proclamations/presentations None

Public Comment Amy Johnson, librarian Farmer City public library, spoke to council present updating them on their 4-H efforts.

SECTION I: CONSENT AGENDA

- A. Approval of the minutes of the July 30, 2018 regular council meeting
 - B. Fund Warrant List
- MOTION by McKinley to approve consent agenda as printed.
Seconded by Testory Approved unanimously. Motion carried.*

SECTION II: UNFINISHED BUSINESS Ordinances or resolutions previously tabled
Resolution 2018-14 – Approval of Heritage Days request to close the 300 block of South Main on October 13, 2018
No action taken on this item

SECTION III: NEW BUSINESS – Ordinances and resolutions for initial consideration

1. Approve finals plans for the Water /Washington St reconstruction project.

Baylor Wagehoft, engineer from the firm Mauer Stutz updated the council present on the Water St/Washington St reconstruction project. Wagehoft reviewed the major aspects of the project including new sidewalks, sewer and water main, V-curb and storm sewer. City Manager McLaughlin said there will be at least one large tree removed, but they will try to save 2 on the north side of Water Street. McLaughlin said they held a town hall meeting for the citizens of the projected area with a few comments that were or will be addressed. She said the City will be providing temporary mailboxes and notify the residents where to park once we know

who the contractor is and where they will stage equipment. The pre-bid meeting will be August 23 and the bid opening will be August 30. We do expect the project to be completed by the first of November.

MOTION by McKinley to approve final plans for the Water St/Washington St reconstruction project. Seconded by Coffey. Approved unanimously. Motion carried

2. Ordinance 1008 – amending the garbage ordinance regarding insurance

An ordinance amending chapter 53 – Garbage and refuse. This ordinance will delete sub section 53.11 (c) (5) entitled “environmental impairment pollution liability. CM McLaughlin said she was approached by Knights Environmental regarding an ordinance provision for environmental impairment pollution liability insurance. She said this provision is only for those companies that own and operate a landfill and it would be too costly for smaller companies like Knights to carry. Area Disposal is covered under our agreement. City Attorney Joe Chamley recommends removing this section from Chapter 53 entitled “garbage and refuse”

MOTION by McKinley to adopt Ordinance 1008 – Amending the garbage ordinance. Seconded by Coffey. Approved unanimously. Motion carried.

3. Ordinance prohibiting the use of tobacco and nicotine related products by minors (first reading)

Police Chief Terry Scott spoke to council present on the tobacco and nicotine related projects. This ordinance will bolster the tools that City Officials can use to reduce tobacco and nicotine use by persons under the age of eighteen (18). The ordinance will be placed on the next consent agenda (August 20)

4. Ordinance prohibiting truancy

Police Chief Terry Scott spoke to council present adopting a truancy ordinance. The school district and the police department have seen an increase in truancy rates which can affect education and juvenile criminal activity. This ordinance will be placed on the next consent agenda (August 20)

**SECTION IV: EXECUTIVE SESSION –
No executive session held**

SECTION IV: OTHER ITEMS
1. City manager reports
2. Non-agenda items and other business.

ADJOURNMENT *Motion by McKinley to adjourn meeting. Seconded by Testory. Voted unanimously. Motion carried.*

Vendor Name	Net Invoice Amount	
100		
ENGER BRO'S HEAT AC PLUMB	215.00	CH TOILET
SUPREME RADIO COMM	399.77	KENWOOD MOB,ANTENNA
MAURER-STUTZ	531.25	ENGINEER SERVICE BRROKVIEW DR DRAINAGE
EVANS FROEHLICH BETH AND	1,837.50	LEGAL ADM
AMACHER, LYNN	375.00	WEB MAINT AND RECORD MEETINGS
PRIME TIME CLEANING & JANIT	399.61	CLEANING SERVICE
FRONTIER	191.71	ADM PHONE
CLINTON JOURNAL	45.60	invitation to bid
CLINTON JOURNAL	99.00	help wanted
RODEWALD, DONALD	293.40	REIMBURSE SUE FLIGHT ICMA
Mediacom	109.95	INTERENET
MIDWEST MAILING AND SHIPPI	561.00	FOLDER SEALER AND MAINT
CLINTON JOURNAL	.70	fee
EVANS FROEHLICH BETH AND	437.50	LEGAL -LEGIS
KEARFOTT GRAPHIX	350.00	SIGN
EVANS FROEHLICH BETH AND	577.50	LEGAL -POLICE
FRONTIER	774.01	POL PHONE
LEXIPOL	3,715.00	POLICE ANNUAL SUBSCRIPTION
LETAC	370.00	ANNUAL MEMBERSHIP
2ND AMENDMENT SURPLUS	260.00	NOISE SUPPRESSION
WEX BANK	725.37	POLICE FUEL
Hill Radio	411.72	KENWOOD MOBILE -DUI FUND
DENNIS MARTIN EXCATATING	10,530.00	DEMO HOUSE
FUNDI LAWN CARE	600.00	CEMETERY MOWING
FUNDI LAWN CARE	1,020.00	STREET MOWING
CORNEGLIO AG	34.97	STREET SUPPLIES
WEX BANK	582.68	ST FUEL
FUNDI LAWN CARE	1,880.00	PARK MOWING
ENGER BRO'S HEAT AC PLUMB	90.00	REPAIR LEAKY POOL PIPE
FRONTIER	145.13	POOL PHONE
MCCORMICK DISTRIBUTING	102.22	POOL COCESSION
MCCORMICK DISTRIBUTING	139.13	POOL COCESSION
Total 100:	27,804.72	
170		
FEHR GRAHAM	8,347.50	ENGINEERING
Total 170:	8,347.50	
270		
MAURER-STUTZ	1,762.50	TIF ENGINEERS
MAURER-STUTZ	7,247.75	TIF ENGINEERS
EVANS FROEHLICH BETH AND	87.50	TIF
FUNDI LAWN CARE	600.00	TIF MOWING
IMCO UTILITY SUPPLY CO	157.50	MAPLE ST SEWER
Total 270:	9,855.25	
280		
MAURER-STUTZ	1,460.00	WATER /SEWER EXTEN EVAL
Total 280:	1,460.00	
510		
CORNEGLIO AG	27.62	WATER SUPPLIES
FUNDI LAWN CARE	1,400.00	MOWING WATER

Vendor Name	Net Invoice Amount	
FRONTIER	96.37	WATER PHONE
NICOR Gas	28.20	WATER GAS
GUNTHER SALT CO	3,117.26	WATER BULK SALT
Cox Electric Motor Service	2,721.00	new high service motor install & align
MAURER-STUTZ	1,731.25	ENGINEER SERVICE WATER ST MAIN
Total 510:	9,121.70	
520		
FUNDI LAWN CARE	120.00	SEWER MOWING
CORNEGLIO AG	55.14	SEWER SUPPLIES
CORNEGLIO AG	15.79	SEWER SUPPLIES
WEX BANK	148.80	SEWER FUEL
MAURER-STUTZ	87.50	IMPROVMENTS WWTP
Yeagle Electric	4,851.55	REPAIR ELE PANELS
Total 520:	5,278.78	
530		
FRONTIER	240.83	ELEC PHONE
NICOR Gas	103.17	ELE-UTILITIES
NICOR Gas	931.09	ELE-NATURAL GAS (GENERATION)
WEX BANK	91.97	ELE FUEL
Total 530:	1,367.06	
Grand Totals:	63,235.01	

Ordinance No. _____

An Ordinance Amending Chapter 136: Offenses Against Public Health and Safety

Whereas, the City of Farmer City desires to reduce tobacco and nicotine use by persons under the age of eighteen (18); and

Whereas, the Illinois Municipal Code (65 ILCS 5/11-20-3) authorizes corporate authorities of any municipality to adopt ordinances to regulate the inspection of all food for human consumption and tobacco; and

Whereas, the City Council for the City of Farmer City desires to bolster the tools that City Officials can use to reduce tobacco and nicotine use by persons under the date of eighteen (18); and

NOW, Therefore, be it ordained by the Mayor and City Council of the City of Farmer City as follows, to-wit:

Section 1. Section 136.08, entitled “POSSESSION OF TOBACCO AND ALTERNATIVE NICOTINE PRODUCTS BY MINORS PROHIBITED” of Chapter 136, entitled “OFFENSES AGAINST PUBLIC HEALTH AND SAFETY”, of the Farmer City Code, is added to read as set forth below:

§ 136.08 – Possession of Tobacco and Alternative Nicotine Products by Minors Prohibited.

- (A) Generally. It shall be unlawful for any person under the age of eighteen (18) years to possess any tobacco products or alternative nicotine products; provided that the possession by a person under the age of eighteen (18) years under the direct supervision of the parent or guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.
- (B) Definition of Tobacco Products. Tobacco products is defined as: any substances containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff or smokeless tobaccos including chewing tobacco and dipping tobacco.
- (C) Definition of Alternative Nicotine Product. Alternative Nicotine Product is defined as: a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing or otherwise. "Alternative nicotine product" excludes cigarettes, smokeless tobacco or other tobacco products, as these terms are defined under state law and any product approved by the U.S. FDA as a non-tobacco product for sale as a tobacco cessation or dependence product or for other medical purposes and is marketed and sold solely for that purpose.

(D) **Penalty.** Any person 13 years of age or older who violates any provision of this Section shall be subject to a penalty of no more than \$100 or community service or both, for each such violation. If the violator is under 13 years of age, the parent or custodian of the violator is subject to the fine or community service, or both, for each such violation.

Section 2. Effective Date. The provisions of this Ordinance shall become effective immediately following its passage, approval and publication as required by law.

Section 3. Conflict. All other ordinances or parts of ordinances which are in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby superseded.

Section 4. Publication. The City Clerk is hereby authorized and directed to cause this Ordinance to be published in pamphlet form immediately after passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMER CITY,
COUNTY OF DEWITT, ILLINOIS THIS _____ DAY OF _____, 2018.

AYES: ___ NAYES: ___ ABSTAIN: ___ ABSENT: ___

ATTESTED:

Scott Kelley, Mayor

Sandra I. Shaw, City Clerk

Ordinance No. _____

An Ordinance Amending Chapter 132: Offenses Against Public Order

Whereas, the City of Farmer City desires to reduce truancy; and

Whereas, the Illinois Municipal Code (65 ILCS 5/11-5-9) authorizes corporate authorities of any municipality to adopt ordinances to regulate truants within its jurisdiction; and

Whereas, the Blue Ridge School District and the Farmer City Police Department have seen an increase in truancy rates, which can affect education and juvenile criminal activity; and

Whereas, the City Council for the City of Farmer City desires to bolster the tools that City Officials can use to reduce truancy; and

NOW, Therefore, be it ordained by the Mayor and City Council of the City of Farmer City as follows, to-wit:

Section 1. Section 132.04, entitled “TRUANCY PROHIBITED” of Chapter 132, entitled “OFFENSES AGAINST PUBLIC ORDER”, of the Farmer City Code, is added to read as set forth below:

§ 132.04 – Truancy Prohibited.

- (A) Generally. No person who is required by law to attend school and who is subject to the compulsory attendance requirements of the Illinois School Code and/or who is enrolled in a public, private (including a home school) or parochial school within the corporate limits of the City, shall absent himself or herself from attendance at school during the hours in which he or she is enrolled. Any person who shall so absent himself or herself shall be guilty of the offense of truancy and shall be subject to the penalties set forth herein.
- (B) Parental Responsibility. It shall be unlawful for any custodial parent or guardian of any unemancipated person under eighteen (18) years of age to allow or permit such person to violate the provisions of subsection (a) above. The fact that prior to the present offense a parent, guardian or custodian was informed in writing by a law enforcement officer of a separate violation of subsection (a) by the same minor occurring within ninety (90) days prior to the present offense shall constitute a rebuttable presumption that such parent, guardian or custodian allowed or permitted the present violation.
- (C) Contributing to Truancy. No person eighteen (18) years of age or older shall knowingly or willfully cause, aid or encourage any person to be or to become a truant, knowingly or willfully commit an act which directly tends to render any person a truant, or knowingly or willfully fail to do that which will directly tend to prevent such state of truancy.

(D) Defenses to Truancy. Those defenses, exceptions and valid causes for absence, as set forth in the Illinois School Code for compulsory attendance or enrollment in school, shall apply as defenses to violations of this section.

(E) Penalty. Any person 13 years of age or older who violates any provision of this Section shall be subject to a penalty of no more than \$100 or community service or both, for each such violation. If the violator is under 13 years of age, the parent or custodian of the violator is subject to the fine or community service, or both, for each such violation.

Section 2. Effective Date. The provisions of this Ordinance shall become effective immediately following its passage, approval and publication as required by law.

Section 3. Conflict. All other ordinances or parts of ordinances which are in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby superseded.

Section 4. Publication. The City Clerk is hereby authorized and directed to cause this Ordinance to be published in pamphlet form immediately after passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMER CITY,
COUNTY OF DEWITT, ILLINOIS THIS _____ DAY OF _____, 2018.

AYES: ___ NAYES: ___ ABSTAIN: ___ ABSENT: ___

ATTESTED:

Scott Kelley, Mayor

Sandra I. Shaw, City Clerk

ORDINANCE 1011

ORDINANCE ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, MECHANICS AND OTHER WORKERS EMPLOYED ON PUBLIC WORKS OF THE CITY OF FARMER CITY, ILLINOIS

WHEREAS, the State of Illinois has enacted the Prevailing Wage Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, County, City or any public body or any political subdivision or by any one under contract for public works (820 ILCS 130); and

WHEREAS, the aforesaid Act requires that the Council of the City of Farmer City investigate and ascertain the prevailing rate of wages as defined in the Prevailing Wage Act for laborers, mechanics and other workers in the locality of said City employed in performing construction of public works, for said City:

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMER CITY, DEWITT COUNTY, ILLINOIS, THAT:

Section 1. To the extent and as required by the Prevailing Wage Act (820 ILCS 130) regulating wages of laborers, mechanics and other workers employed in any public works by State, County, City or any public body or any political subdivision or by any one under contract for public works. The general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the City of Farmer City is hereby ascertained to be the same as the prevailing rate of wages for construction work in DeWitt County areas as determined by the Department of Labor of the State of Illinois as of June 1, 2018, a copy of that determination being attached hereto as Exhibit "A" and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede previously Labor Department wage determinations and apply to any and all public works construction undertaken by the City of Farmer City. The definition of any terms appearing in this Ordinance that are also used in the prevailing wage law shall be the same as in said Act.

Section 2. Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the City of Farmer City to the extent required by the aforesaid act.

Section 3. The City Clerk shall publicly post or keep available for inspection by any interested party in the main office of the City of Farmer City this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

Section 4. The City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

Section 5. The City Clerk shall promptly file a certified copy of this ordinance with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

Section 6. The City Clerk shall cause to be published in pamphlet form City notice of passage of this ordinance, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMER CITY, COUNTY OF DEWITT, ILLINOIS THIS 20th DAY OF AUGUST, 2018.

AYES: _____ NAYS: _____ ABSTAIN: _____ ABSENT: _____

Scott Kelley, Mayor

Sandra I. Shaw, City Clerk



CITY OF FARMER CITY, ILLINOIS

105 South Main Street
Farmer City, Illinois 61842-0049

Telephone: (309) 928-2842

Facsimile: (309) 928-2228

MEMO

Date: August 20, 2018

To: City Council

From: Sue McLaughlin, ICMA-CM
City Manager

RE: Investment

GFOA standards suggest keeping at least 25% fund balance in your funds in case of emergencies. Some of the Electric Fund's money has been held in a CD at Heartland Bank, which recently came up for renewal.

After inquiring with Heartland Bank about the new rates, I reached out to PMA Financial because their 1-year CD rates were much higher. Heartland Bank quoted us .4% (below 1%). PMA Financial quoted us 2.54%. Therefore, we moved the money from Heartland Bank to PMA Financial, which CFG Bank in Maryland is holding. We have sextupled our money for the next year. We have also continued to diversify our monies in order to better protect them with full collateralization when necessary. Early withdrawal would only cost 30 days interest so its semi-liquid.

As part of this change, PMA Financial requested a resolution reinforcing our decision to invest money with them. Please see the attached resolution.

PMA Resolution

City of Farmer City, IL

RESOLUTION 2018 15

Whereas, this Council deems it to be in the best interest of this unit of local government for its City Manager to make use, from time to time, of investments which are legal under the applicable State statutes;

AND

Whereas, a list of such investments (Investment Policy) has been presented to this Council;

AND

Whereas, this Council deems it to be in the best economic and administrative interest of this unit of local government for its City Manager to make use of, from time to time, PMA Financial Network, Inc. and PMA Securities, Inc. in securing such investments;

NOW, THEREFORE, BE IT RESOLVED by this Council:

- That the City Manager shall make use of investments legal under the applicable State statutes approved in the investment policy and such Investment List be placed in the minutes of the meeting at which this Resolution was adopted; and that when needed, notice of the modifications made to the Investment List from time to time be provided by the City Manager; and
- That monies of this unit of local government may be invested at the discretion of its City Manager or those acting on behalf of the City Manager through the intermediary (PMA Securities, Inc. and PMA Financial Network, Inc.), and
- That the City Manager may acquire guarantees for prompt return of invested and deposited monies; and
- That attached to this resolution and placed in the minutes of this meeting are the "Institutional Brokerage Account Agreement(s)" and the "Institutional Account Application(s)" as issued by PMA Securities, Inc. and PMA Financial Network, Inc., and
- That the unit of government may open a depository account and enter into wire transfer agreements, third party surety agreements, safekeeping agreements, collateral agreements and lockbox agreements with Harris N.A. and other institutions participating in PMA Programs for the purpose of transaction clearing and safekeeping or the purchase of insured certificates of deposit through PMA's Insured CD Program, and PMA Financial Network, Inc. and/or PMA Securities, Inc. are authorized to act on behalf of this entity as its agent with respect to such accounts and agreements, and
- That the City Manager or those acting on behalf of the City Manager may execute documents, financial planning contracts, financial advisory contracts and other applicable agreements, as necessary, with PMA Financial Network, Inc., PMA Securities, Inc. The following individuals, or their successors, currently holding the office or position are designated as "Authorized Officials" with full power and authority to effectuate the investment and withdrawal of monies, contracts and agreements on behalf of this unit of local government entity:

Name _____

Signature _____

Name _____

Signature _____

Name _____

Signature _____

Name _____

Signature _____

Name _____

Signature _____

Name _____

Signature _____

It is hereby certified that the City of Farmer City, the City Manager of which is Sue McLaughlin adopted this Resolution at a duly convened meeting of the Council of the Unit of Local Government held on the ____ day of _____, 2018, and that such Resolution is in full force and effect on this date, and that such Resolution has not been modified, amended, or rescinded since its adoption.

City Clerk