

Athens City Council  
Committee Meeting  
May 5, 2016

Those in attendance were Mayor Donald Neisler, Clerk Debra Richardson, Police Chief Tim Becker and Aldermen: Anita Bednarko, Ron Canterbury, Tom Croft Sr., Bobbie Dowell and Harry Nichols. Alderman Larry Buhr was absent. Persons in the audience included Anthony and Shannon Gates, Deb Selby, Linda Wasilewski, Doug Rankin, Rex Kieffer, Merle Messersmith, Gary Richardson, Darin Fritz and Karissa Carls.

Mayor Neisler welcomed everyone to the meeting.

Athens resident Deb Selby addressed the council regarding the issue of disturbing the peace. Selby stated that there has become an ongoing problem with excessive noise. She reported that disturbing the peace consists of disorderly conduct such as excessive loud noise. Selby stated that she has lived near the downtown of Athens for the past 24 years and has never been one to complain. She explained that since the Longbranch Tavern has been allowed to construct an outdoor beer garden several years ago, there has been a disturbance of her peace numerous times. Selby stated that she is a homeowner and property tax payer. She indicated that the music gets louder and louder throughout the evening. She informed the council that she has had to make numerous calls to the police department about the noise and continually asks that the music be turned down. Selby indicated that she is not able to sleep and the windows in her house shake. After calling the police there is nothing done about the noise. She stated that the last time this happened was the Saturday night before Easter, in which her family was not able to get to sleep until 1:00 AM. Selby reported that she made two calls to the Athens police that evening. She indicated that a good nights sleep is important to her and her family. Selby stated that she understands that the City does not have a noise ordinance and she would like for the council to consider putting one into place.

Shannon Gates addressed the council concerning the same issue. Gates stated that she knows that the music goes with the territory, but the excessive noise has got to stop. She indicated that the night before Easter she and her husband could not watch television without turning the volume up an exorbitant amount. Their new windows were vibrating because of the noise. Gates stated that neighbors need to respect others rights to peace in Athens. She reported that this goes on until 12:00 to 1:00 AM and when they are testing the microphones there is repeated profanity and her grandchildren are hearing this and it is just not necessary. Gates indicated that if they had known that this goes on, she and her husband would not have bought their home. Gates stated that when the peace is being disrupted in your home, it has got to stop.

Alderman Nichols stated that the City does have a noise ordinance. Selby ask what is in the ordinance and why it is not enforced. Chief Becker stated that he has given each council member a copy and he has pulled a few other examples for the council to review. Alderman Dowell asked what the beer garden rules are. Darin Fritz stated that he thought that the beer garden ordinance referenced back to noise complaints. Shannon Gates stated that when Chief Becker came to their house after receiving their complaint she asked Becker what would happen if they decided to entertain and they had a band that was loud. Gates stated that Becker told her that he would have to ask them to turn it down. Gates stated that if someone else does it, then why can't they. Fritz stated that if the police tell someone to turn down the music and they turn it down a little, then they have complied with the ordinance. Chief Becker stated that the City does have a decibel meter that is missing some parts. Selby stated that there has to be some way to monitor the noise. Gates stated that it is deafening sometimes. Selby stated that it is so excessive that you cannot even think. Shannon Gates indicated that she should not have to wear earplugs to sleep. Mayor Neisler asked that if these establishments would turn the music back a little bit, would that be satisfactory. Gates indicated of course, but it would have to be more than a little bit. Doug Rankin stated that he does not have bands on Sundays on a regular basis. Rankiin indicated that he always complies with

requests for the music to be turned down. Selby stated that the music got louder and louder. Rankin stated that the band stopped at 11:00 PM. Selby invited anyone to come and sit on her porch when this is going on, because she had two little girls at her house that could not get to sleep until after 1:00 AM.

Police Chief Becker presented the police report. Chief Becker stated that they are still waiting on the LINK system parts to come in. Officer Dalton Abrams-Meredith has two months left of his training. There were nine ordinance violations issued, with 137 calls for service, 129 traffic stops, 41 issued citations and 96 verbal warnings. Selby asked if there have been any more vehicle break ins in the City. Chief Becker indicated that the ones from April 11, 2016, those persons are in the Sangamon County Jail at this time. These individuals had done break ins in other communities. Chief Becker indicated that there were vehicles entered into in Petersburg last night. Alderman Dowell asked if any vehicles were forcibly entered. Chief Becker indicated that all vehicles involved were left unlocked.

Mayor Neisler indicated that Darin Bowman would present the treasurers' report on Monday night. He noted that there is a balance sheet in the documents. Alderman Bednarko asked about some to the funds. Mayor stated that the park fund would be deleted and the "Keep Athens Clean" fund was used for drug enforcement expenses. The park fund will be added to the general fund and the "Keep Athens Clean" fund would be added to the police fund.

Mayor Neisler reported that Zoning Administrator Judi Harlan had indicated that she did not think it would be in the best interests to approve the Cari Claussen request for a variance at 511 West Little Street to allow horses on pasture property. Alderman Nichols asked if there was going to be a variance meeting to vote on the issue. Mayor Neisler stated that he does not know if there was a zoning meeting held. Mayor Neisler indicated that Harlan and Alderman Buhr spoke with Claussen and told her that they did not think it was a good idea to allow such a variance. Alderman Dowell stated that he believes that there would need to be a zoning meeting to make a determination. Mayor Neisler indicated that he would speak with Harlan about it.

Mayor Neisler stated that he has a contract from Klingner & Associates to do the needed work for the scope of construction for a water main on Ethell Road at a cost of \$5,000.00. Alderman Nichols requested a cost study be done on the cost of piping, construction and how many customers would be tapping on. Aldermen Dowell and Bednarko agreed with Nichols on finding out how much it would cost to put the pipe in the ground.

Mayor Neisler stated that the budget as presented does not include salary increases for employees. Mayor indicated that there is a \$146,000.00 bond payment for 2016 - 2017. The bond payment for 2018 will increase to \$400,000.00. Mayor Neisler reported that there is \$150,000.00 included from the LESO fund. Chief Becker indicated that since the Rauner administration took over that the LESO equipment supply has tightened up. He estimated that the City has approximately \$150,000.00 in equipment, which must be held for twelve months before being sold. Mayor Neisler noted that because of the abandonment of Well #3, the City would be able to use components from that well for Well #7, which would be a cost savings. Mayor Neisler indicated that the City had planned to convert to a CO2 system at the water plant because the City has agreed to show good faith to the IEPA. He suggested that the City combine the loans for Well #7 and the CO2 system. Mayor Neisler reported that the lime tower loan would be paid off this May. He recommended that the council agree to place the budget on review for thirty days.

Linda Wasilewski asked if the new 25 MPH speed limit applies to all persons. She stated that there is a City employee that never complies with that limit. She asked if anyone is ever going to do something with the dangerous playground equipment at the park. Wasilewski suggested that the City consider doing some painting on the equipment. Alderman Bednarko stated that she had received a complaint about the picnic tables being in need of repair. Karissa Carls stated that City employees are working on that matter.

Merle Messersmith reported that there have been no improvements on the Michael Meyers property. Alderman Dowell stated that he spoke with Meyers concerning his fine and told him that the City would start assessing daily fines if the property is not cleaned up. Dowell indicated that Officer Derrick Fritz stopped and talked with Meyers on the matter.

Alderman Dowell informed the council that he has had requests about adding streetlights in the Timberbrook subdivision, since lighting was not added to that part of the subdivision. Dowell indicated that the area is in need of lighting. He noted that the other light poles in the subdivision are of a fancier design. Alderman Croft noted that Rainbow Drive is in need of additional lighting. There was discussion about swimming pools not being maintained and containers holding standing water.

Alderman Croft presented information on the purchase of a new "Welcome to Athens" sign to be placed at the entrance to Athens, at a cost of \$1,350.00.

Council left for executive session on personnel matters at 8:03 PM.

Council returned to meeting room at 8:45 PM to review bills.

Meeting adjourned at 8:55 PM.