

**City of Nokomis**  
**City of Nokomis Council Regular Meeting Minutes**  
**August 14, 2023**

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The City Council of the City of Nokomis, County of Montgomery, Illinois held its regular meeting at the Nokomis City Hall on Monday, August 14, 2023. Mayor Goldsmith called the meeting to order at 7:00 p.m., and the City Clerk called the roll. Those present were Commissioners Morris, Glenn, Stauder and Arkebauer, and Mayor Goldsmith. Also, present City Clerk Hill, Attorney Chris Sherer; Visitors present were, Ellen Christener (Pana News) Allen Hard, Derek Durbin, Jocko Nash, Keith Hancock, Randy Herzog, Josh Robison, Gary and Clarann Hulbert, Tim Chumley, Steven Guinn, Dolan O'Malley, Andy Hanfland (Farnworth Group) Adam Fox (Benton and Associates), Chief Burton and Buck Jett (Local 1084) and Mike Young (Local 1084)

**VISITORS**

None of the visitors listed on the agenda were present.

During the visitor's discussion, Commissioner Stauder asked Commissioner Glenn why Lee Beckman was not at the meeting, Commissioner Glenn stated Lee Beckman was coming Wednesday. Commissioner Stauder asked Commissioner Glenn why he was coming Wednesday. Commissioner Glenn responded that he is coming Wednesday because they are having a special meeting. Discussion was held on the special meeting, lack of communication, and items not listed on the agenda and setting up a special meeting. Commissioner Stauder and Mayor Goldsmith both stated that they were not made aware of a special meeting by Commissioners Glenn or Morris and would not be able to attend. Commissioner Stauder asked Commissioner Glenn why he was so obsessed with trying to get another company to take over the plans that are already approved. Commissioner Glenn stated that he is not obsessed but that he would rather spend four million on a sewer plant than seven and a half million, he doesn't think the rate payers of the City can afford a seven-million-dollar project when we could have a simpler and less expensive plant. Mayor Goldsmith and Commissioner Stauder both asked Commissioner Glenn how they could do that and to prove that they could. Mayor Goldsmith stated that we are getting ready to start the new project in a couple months. Commissioner Glenn stated that if came to the meeting on Wednesday they would talk about it then. Mayor Goldsmith stated that he cannot come because he has to work. To which Commissioner Glenn told him to take off work, adding that he had to cancel a trip with his wife. Commissioner Stauder stated that in January on January 9<sup>th</sup> the council approved a resolution for the bonds with Southwit, Commissioner Stauder asked where Commissioner Glenn was, to which Commissioner Glenn responded that he was on a vacation. Commissioner Stauder let the Council know that Commissioner Glenn was on a three-month long vacation. Discussion continued about the special meeting and the need for an additional engineering firm. Commissioner Stauder stated he's not interested in listening to Lee Beckman, he has already

heard what he had to say when the last Council listened what Lee Beckman offered before the City decided to hire Benton and Associates. The council continued to discuss the other engineering firms. Commissioner Strauder stated that Lee Beckman has been in the past. Mayor Goldsmith stated that they will move on with the meeting. Commissioner Morris addressed the council in regards to the topic stating that as a new council person who was not on the council two years ago and who is trying to figure out what is best for the people of Nokomis fiscally and responsibly, stating that she does not know Benton's plan or Beckman's plan but that she wants to hear both sides out to figure out what the best option is for the people and that for this to happen, something is missing whether it is communication or motive. Mayor Goldsmith responded to Commissioner Morris, stating that he has attempted to reach out to everyone individually about meeting with Benton and Associates to go over the project plans. Commissioner Morris stated that she had been sick. Mayor Goldsmith states that all he is asking is that the City is allowed to continue moving forward with the project that has been going on for the last two years. Commissioner Stauder went on to discuss the loss of money that could occur if the city was to terminate Benton and Associates, between engineering fees, and loan forgiveness not including EPA violation notices and a possible lawsuit from the federal EPA. Discussion continued about the agenda and project plan. Visitor Derek Durbin asked the council why all of the sudden is the council seeking to hire another engineering firm. Commissioner Glenn stated that he was not going to turn the meeting into a public hearing, Commissioner Stauder stated we are still in the hearing of visitors. Discussion was held on the last time Lee Beckman presented to the council. Commissioner Morris stated that she just wants to make sure she is making a fiscally responsible decision and not just going with this option because it's the only option we have. Visitor Derek Durbin asked the council that if they are so worried about the tax payers money, what about the money the city has already invested in their plans because another engineering firm will not go off of their plans they will redesign. Mayor Goldsmith asked Commissioner Glenn where the four-million-dollar plant idea came from. Commissioner Glenn responded that Lee Beckman said he could build the plant for four million. Mayor Goldsmith followed up with the question, where did Lee Beckman base those number off of. Commissioner Glenn responded that he's not sure, he's not an engineer. Mayor Goldsmith asked if Lee Beckman based those numbers off of the EPA permit. Commissioner Glenn responded to the Mayor to take off work and come to the meeting. Mayor Goldsmith asked Commissioner Glenn if he could give him any indication on what Lee Beckman based his numbers on. Commissioner Glenn asked Mayor Goldsmith if he planned to get to the rest of the agenda. Mayor Goldsmith stated that was fine but that we will be coming back to the topic as it is listed on the agenda. Visitor Andy Hanfland stated that he could do the project for 3.9, Mayor Goldsmith asked Commissioners, Morris, Arkebauer and Glenn if they had a problem with Farnsworth submitting a project plan. Mayor Goldsmith let Andy know that he could come to the meeting on Wednesday.

### **Approval of Meeting Minutes**

Minutes of the July 24, 2023 regular meeting were presented. Discussion was held on the meeting minutes, Commissioner Morris stated that she would like to see added to the minutes that she did not think it was feasible to spend money on the City Clerk's office or the building

unless it's for the Police Department and they get that space. Commissioner Glenn made a motion to approve the minutes as written. Commissioner Morris seconded the motion. Voting yes, Commissioners Morris, Glenn, Arkebauer; and Stauder and Mayor Goldsmith. Nays, none. The motion carried.

Minutes of the July 24, 2023 executive meeting were presented. Commissioner Morris made a motion to approve the minutes as written. Commissioner Arkebauer seconded the motion. Voting yes, Commissioners Morris, Arkebauer, Stauder; and Mayor Goldsmith. Commissioner Glenn abstained. Nays, none. The motion carried.

Minutes of the July 31, 2023 Special meeting were presented. Commissioner Arkebauer made a motion to approve the meeting minutes. Commissioner Stauder seconded the motion. Voting yes, Commissioner Arkebauer, Stauder and Mayor Goldsmith. Commissioners Morris and Glenn abstained. Nays none. The motion carried.

### **Resolutions, Petitions, Ordinances, Remonstrance**

#### **Reports of City Officers**

Commissioner Morris made a motion to approve a fence permit at 601 Water St. Commissioner Arkebauer seconded the motion. Voting yes, Commissioners Morris, Glenn, Arkebauer, Stauder, and Mayor Goldsmith. Nays none. The motion carried.

Commissioner Morris made a motion to approve a building permit at 524 Chestnut St. Commissioner Arkebauer seconded the motion. Voting yes, Commissioners Morris, Glenn, Arkebauer and Commissioner Stauder. Mayor Goldsmith abstained. Nays none. The motion carried.

Commissioner Glenn reported that the street department has been busy cleaning out ditches, street sweeping and mowing and granular treatment for mosquitoes.

Commissioner Arkebauer reported that Brain Hayes has been gone on vacation. The water department has done some hydrant flushing/ pressure testing, painting hydrants and replacing meters. Commissioner Stauder asked what the policy is on flushing notifications. Mayor Goldsmith stated that in the past they have handed out flyers and posting on Facebook. Commissioner Stauder stated that a lot of people did not receive the notification and knows of several people who did not receive the fliers. Commissioner Stauder would like to see a notifications out earlier. Discussion was held on how to better handle the notification of hydrant flushing.

Commissioner Stauder reported on the revenues in the amount of \$146,973.32

#### **Approval of Bills**

Commissioner Arkebauer made a motion to approve the bills. Commissioner Stauder seconded the motion. Voting yes, Commissioners Morris, Glenn, Arkebauer; Stauder and Mayor Goldsmith. Nays none. The motion carried.

### **OLD BUSINESS**

No news on the EJ water or wastewater agreement contracts.

Commissioner Glenn made a motion to approve the purchase of two Phillips heartstart AED machines for City Hall. Commissioner Arkebaure seconded the motion. Voting yes, Commissioners Morris, Glenn, Arkebaure; Stauder and Mayor Goldsmith. Nays none. The motion carried.

Commissioner Arkebauer addressed the council to discuss the purchase of a vacuum trailer for the public works department. Discussion was held on the purpose of the vac trailer, how the demo went and the extended warranty options. Commissioner Stauder made a motion to approve the purchase of the Vacuum trailer. Commissioner Morris seconded the motion. Voting yes, Commissioners Morris, Glenn, Arkebauer; Stauder and Mayor Goldsmith. Nays none. The motion carried.

Commissioner Arkebauer made a motion to approve the rest of the property at the water department to be surveyed. Commissioner Morris seconded the motion. Voting yes, Commissioners Morris, Glenn, Arkebauer; Stauder and Mayor Goldsmith. Nays none. The motion carried.

Mayor Goldsmith entertained the discussion on the bid opening that was held for the portable generator. Adam Fox from Benton and Associates addressed the council to let them know that Evapar was the lowest bid out of three in the amount of \$70, 865.00. Commissioner Stauder asked if they would need to have the electrical updated to the lift stations. Mr. Fox let the council know that none of the electrical would need to be updated at this time, and there will be no additional cost. The generators will run everything as is. Commissioner Arkebauer made a motion to award the bid to purchase the generator to Evapar. Commissioner Stauder seconded the motion. Voting yes, Commissioners Morris, Glenn, Arkebauer; Stauder and Mayor Goldsmith. Nays none. The motion carried.

Mayor Goldsmith led the council discussion on the party wall located at 113-115 W State St. stating that he does not believe that the wall that is causing problem is his wall but is the wall that belonged to the building that used to be there. Mayor Goldsmith added that he can not see awarding a business district grant to the property owner to fix a wall that is not his wall. Commissioner Glenn stated that he may talk with Mr. Umberger about the brick. Commissioner Morris stated that she would like to just get it fixed and be done with it before something falls.

### **NEW BUSINESS**

Discussion was held on the addition of two more members to the plan committee. Commissioner Morris made a motion to approve Kirk Pavolka and Lance Lehnen. Commissioner Arkebauer seconded the motion. Voting yes, Commissioner Morris, Glenn, Arkebauer; Stauder and Mayor Goldsmith. Nays none. The motion carried.

Commissioner Morris addressed the council to let them know she has spoken to Parker Webster from Ameren, she stated that the City has twenty two light poles in the down town area and she would like to see them painted black with hanging planters for flowers added to them. Commissioner Morris stated that Mr. Webster from Ameren has stated that the City can paint the poles. Commissioner Morris let the council know that she has spoken to Lola Spears from the Nokomis Gift and Garden about the hanging planters. And she has spoken to Brandy Chausse from Cameron's Causes, Commissioner Morris stated that Cameron's Causes is willing to donate flower boxes to the downtown area. Commissioner Morris added that she has also been looking into a few different light pole options for the Fred B. Johnson Park. Discussion was held on who would be responsible for taking care of the hanging flower baskets. Visitor Steven Guinn asked about the junk properties around town that have tall grass or are dumping the yard clippings in the street adding that he believes a lot of other things could be made a priority. Commissioner Morris stated that she really thinks that the beautification of the downtown area should be made a priority and would really like to see the changes made. Discussion continued on the light poles and flower baskets. Commissioner Stauder asked what the cost would be for all of it. Commissioner Morris stated for the brackets it would cost \$2,662.00 and the lamp post at the park would cost about \$10,800.00.

Mayor Goldsmith addressed the council to go over the wastewater construction plans. Mayor Goldsmith stated that plans are simple. Mayor Goldsmith went on to explain some of the wastewater plant plans, the problem the city has with infiltration and explain how the cost of labor and materials has gone up. Mayor Goldsmith explained that the wastewater project could be going out for bid in September and we could potentially be starting this project before the end of the year. Mayor Goldsmith asked the Council members what kind of project concerns they may have. Commissioner Arkebauer stated that he is concerned about the cost of the project. Discussion was held on the cost of the project and the potential loss of money the City has already spent on the project, including a potential loss of the IEPA loans and over one million dollars in loan forgiveness. Discussion was then held on the Special meeting that Commissioner Glenn and Morris plan to have on Wednesday, August 16, 2023. Mayor Goldsmith asked the council to consider rescheduling the meeting so that everyone is available. Commissioners Morris and Arkebauer both agree that they would like the full council to be available to hear what Lee Beckman has to say. Mayor Goldsmith addressed the council to let them know that he understands that they want to hear another option but that he is asking them not to make any decision until they hear the options. Asking that they don't terminate the contract with Benton and Associates when they don't know if another company can actually do the project for that amount. Letting them know that it could set the City back years of progress. Discussion was held about the cost of the project. Commissioner Glenn stated that Lee Beckman stated he could operate the plant for \$500.00 a month. Mayor Goldsmith stated that we have a good working relationship with all of the engineering firms we currently have, and why do we

need another engineering firm. Visitor Jocko Nash asked Commissioner Glenn how he knew Lee Beckman. Commissioner Glenn stated that Mr. Beckman has done work for EJ Water, and we should have gone with them anyway. Visitor Derek Durbin added that the last council approved Benton and Associates over nine months ago, and asked Commissioner Glenn why he has waited until now to try and change engineering services. Discussion was held on Benton and Associates, and it was stated by Adam Fox of Benton and Associates that they have been working for the city for over three years. A heated discussion continued about the possible termination of Benton and Associates. Commissioner Stauder asked Commissioner Glenn if he was the one that turned in the petitions for Commissioners Morris and Arkebauer. Commissioner Glenn responded that he did not recall. Commissioner Stauder asked Commissioner Glenn if he also went out to solicited signatures for them. Both Commissioners Morris and Arkebauer stated that they got their own signatures. Mayor Goldsmith let the council know that he has no problem with hearing another proposal but that he dose not want to stop progress with our current plans because it is being ramrodded down his throat. Both Mayor Goldsmith and Commissioner Stauder stated that they were not informed that there was a special meeting. Commissioner Arkebauer added that there needed to be better communication. Commissioner Glenn stated that he wants the special meeting and his items on the agenda. Mayor Goldsmith requested that he move the special meeting to a time when everyone can be there. Discussion was held on the agenda items for the special meeting. Visitor Derek Durbin asked Commissioner Glenn if has asked any other engineering firms for proposals. Commissioner Glenn stated that no he doesn't have time. Commissioner Glenn stated that if the (the Council members) come Wednesday that they can hear the proposal. Discussion continued on the special meeting and if it should be moved. Mayor Goldsmith stated that this is why Benton and Associates tried to schedule one on one meetings with the Commissioners to go over and explain the construction project plans, so the new Commissioners could understand the plans. Visitor Ellen Christner of the Pana News Group addressed the Council to ask what the cost to the city is if they terminate the contract with Benton and Associates, what is the cost to the city for the engineering services. Mayor Goldsmith stated that at this time it could cost the city about \$282,000.00. Visitor Keith Hancock stated that he was on the council for over 19 years and has never seen a council like this, why can't the hole council decide and for part of the council to be left out is not right. Commissioner Glenn stated that he tried to contact the Mayor several times. Discussion continued on the special meeting and the need for a different special meeting that everyone can come to. Mayor Goldsmith stated that he will make contact with Milano and Grunloah and well as Benton and Associates about a date that works for everyone and see about setting up a time for special meeting that everyone can attend.

### **EXECUTIVE SESSION**

Commissioner Morris made a motion to go into executive session during its regular session at 8:58 p.m. to discuss the matters of the Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of the employees (5ILCS 120/2 (c) (2). Commissioner Arkebauer seconded the

motion. Voting yes, Commissioners Morris, Glenn, Arkebauer, Stauder and Mayor Goldsmith. Nays, none. The motion carried.

Commissioner Morris made a motion to resume regular session at 10:02 P.M. Commissioner Arkebauer seconded the motion. Voting yes, Commissioners Morris, Glenn, and Arkebauer, Stauder and Mayor Goldsmith. Nays, none. The motion carried. Visitors present were Derek, Durbin, Keith Hancock, Alan Hard, Jocko Nash, Gary & Clarann Hulbert, Josh Robison and Ellen Christner (Pana News).

### **Other Business**

No news.

### **Adjournment**

Commissioner Morris made a motion to adjourn at 10:04 P.M. Commissioner Arkebauer seconded the motion. Voting yes, Commissioners Morris, Glenn, and Arkebauer, Stauder and Mayor Goldsmith. Nays, none. The motion carried.

Respectfully Submitted,

Rachel Hill  
City Clerk