

June 14, 2010

Minutes of the reconvened meeting of the City Council of the City of Clinton, Illinois in session in the Council Chambers of City Hall, Monday, June 14, 2010. Mayor Ed Wollet, presiding. On roll call Commissioners Edmunds, Hickman, Wise and Milton were present.

Mayor Wollet opened the meeting with an explanation that Council will be taking up consideration of an amendment to the Liquor Code requested by the 175<sup>th</sup> Celebration Board at the June 7<sup>th</sup> meeting.

Hearing no comments or questions from those present this evening, City Attorney Steve Myers outlined the 3 parts of this amendment for the Council.

The first being 3-12-4 – Sidewalk Café – this amendment would delete language that would prohibit alcohol being served by the permitted sidewalk café setting.

Second amendment would be in 3-3-26 of the liquor code, which adds for the sale outside the license premises and continues language allowing anyone with a sidewalk café permit, to also sell outside. New language has been attached to this section requiring the licensee to add the City as an additional insured to the dram and general liability coverage. Because of the sidewalk café's being on public sidewalks, this would be needed to protect the City.

Final provision amends the public tipping section 5-2-1 for consuming alcohol on public streets or sidewalks – creating an exception for the sidewalk cafés. Maximum allowance for sidewalk is 5 feet.

Kelly Riggs from the audience asked if these amendments are permanent or just for this weekend. Mayor Wollet responded that they are permanent.

Stan Watkins of the 175<sup>th</sup> Celebration Board said that he feels a lot of this has come about because of the request by the Board. The Board thinks the addition of the Sidewalk Café allowing alcohol would be a nice addition along with showing our visiting guests some progressiveness on the City's part. Business owners still hold all the responsibility to see that their patrons drink in a reasonable manner.

Mark Killough commented that this could be used as an economic development tool to promote the downtown square and maybe bring new eateries.

After wrapping up with comments from Commissioner Milton and Commissioner Edmunds saying that he regrets the Council hasn't had but just a short amount of time to think out any consequences that might occur with these changes.

Commissioner Wise commented that he is against this change since it is not tied to food being served and also the fact that it can be from the time they open to the time an establishment closes.

Written motion was made by Mayor Wollet and seconded by Commissioner Edmunds to adopt Ordinance #1195, an Ordinance amending sections 3-12-4, 3-3-26, and 5-2-1 of the City Code of the City of Clinton, Illinois. On roll call Commissioners Edmunds, Milton and Mayor Wollet voted “Yes.” Commissioners Hickman and Wise voted “No.”

Mayor Wollet then said Council could now consider some of the items placed on file at the June 7<sup>th</sup> meeting.

Written motion was made by Commissioner Hickman and seconded by Commissioner Wise to adopt Ordinance #1196, an Ordinance authorizing Encroachment (JWCS Router Placements). On roll call Commissioners Edmunds, Hickman, Wise, Milton and Mayor Wollet voted “Yes.”

Written motion was made by Commissioner Milton and seconded by Commissioner Edmunds to approve the Flag Pole for Downey Park – not to exceed \$1,300. On roll call Commissioners Edmunds, Hickman, Wise, Milton and Mayor Wollet voted “Yes.”

Written motion was made by Commissioner Wise and seconded by Commissioner Milton to approve the Filter Media for Waterworks Plant – All Service in the amount of \$29,333. On roll call Commissioners Edmunds, Hickman, Wise, Milton and Mayor Wollet voted “Yes.”

Written motion was made by Commissioner Edmunds and seconded by Commissioner Wise to adopt Resolution #2010-11, Resolution authorizing execution of the Amended Intergovernmental Agreement Providing for the Combined Communications Center Serving DeWitt County, the City of Clinton, Farmer City and DeWitt County ETSB. On roll call Commissioners Edmunds, Hickman, Wise, Milton and Mayor Wollet voted “Yes.”

Mayor Wollet had one final comment on the adoption of the amendment to the Liquor Code (sidewalk cafés) – the change that was adopted by the Council this evening will only be as good as the enactment by those establishments that have had this made available to them.

With no further business to come before the Council, motion was made by Commissioner Edmunds and seconded by Commissioner Wise to adjourn. Motion was unanimous.

Respectfully Submitted,

Rozella D. Wickenhauser  
City Clerk