

**VILLAGE OF PAWNEE
BOARD OF TRUSTEES
Minutes of February 22, 2021**

Call to Order:

- President Clarke called the meeting to order to 7:00pm.

Roll Call:

- Village Clerk, Devona Martin called roll
- Trustees in attendance: Todd Richeson, Phillip Thompson, Jan Bowsher, Patrick Murphy, David Skinner, Troy Squires
- Trustees Absent:
- Also in attendance: Attorney Don Cravens, Treasurer Kelly Thein, Candy Kramer with the Pawnee Post, Lindsey Enlow with UGA, Andy Lee, Scott Cameron with Pawnee Schools, Representative Mike Murphy, Senator Steve McClure, Jeff Thomas, Andrea Womack, Travis Simpson, Steve Haney, Dominic Campo, Kevin Rollins, Tammy Squires, Lynda Skinner, Gary White, Danny Syes, Gail Hedges, Wayne Jones, Jason Clauser, Rod Molnar, Jessica Leach, Sarah Clipper

Visitor's Recognition/Comments:

- President Clarke introduced Lindsey Enlow and Representative Mike Murphy. Mr. Enlow appeared before the Board and interested residents to discuss what happened this past week to gas prices. He explained how gas is purchased for the Village of Pawnee and his thoughts on how the prices got to where they are. The Village of Pawnee is on a small general service contract. He advised that when they purchased our gas, they make a judgment on how much we will need for a month. They make an estimate and sell it back if it's warmer and buy extra if it is colder. What happened this month was that on February 12th, Panhandle Eastern Pipeline issued "Operational Flow Order" which requires us to balance on a daily and hourly basis. We have to be within a 110% on usage that day and have to keep that number within 1/16 of that daily buy within every hour. We have to buy the gas for that particular day at the indexed price. What happened to us is that we normally buy on a Friday for Saturday, Sunday and Monday. Since Monday, February 15 was a holiday, we had to buy for Saturday Feb 13, Sunday Feb 15, Monday Feb 15 and Tuesday Feb 16. When gas was being purchased on that Friday, Feb 12, the prices went through the roof on certain pipelines. Panhandle Eastern was one of those pipelines. On the first of the month, prices were \$3/unit. On Friday February 12, prices jumped to \$225/unit. He stated that this wasn't just Panhandle Eastern and that other pipelines were worse. This was nationwide. He believes the cause was due to extreme cold temperatures that pushed all the way down into Texas. It affected natural gas productions plants and all kinds of infrastructure issues. At this point, no one knows why only certain pipelines were affected by this. He stated that what they plan to do is to send letters protesting these indexes and why they were allowed to go this high. They are going to get to the bottom of it. He further advised that Representative Murphy has been working from a state level to see what we can do. Mr. Enlow believes that Representative Murphy is the reason the governor signed an order of emergency.
- Representative Mike Murphy appeared before the Board. He got involved Sunday morning February 14 when the Village Clerk from Divernon called him. He was advised that gas prices went from \$3 to \$150 overnight. He then talked with Lindsay Enlow on Monday and they agreed

the best thing to do was to keep the usage down. He discussed it with all the mayors from Pawnee, Divernon and Auburn and he was able to put together a robocall asking residents to turn down their thermostats. He also asked the superintendents to close school in each town. The next thing he did was to contact the governor's office to see what they could do. He asked for an emergency declaration to kick in state and potentially federal aid. Governor Pritzker granted his request and issued an Emergency Declaration for the State of Illinois. Representative Murphy also advised he contacted Ray LaHood to update him on what was happening and asked if there was anything that could help the communities. He is looking into price gouging and sent a letter to the Attorney General's Office asking them to start an investigation and to make sure it would never happen again. He also sent a letter to the chairman of our energy committee to have a meeting on what happened and why it happened. He advised that he is not aware of this happening in the last 40 years. He commended all 3 community mayors and school officials on their information and cooperative. He lastly gave a shout out to Pawnee's President Clarke stating that every time they talked, President Clarke talked about how worried he was for his residents and that we could not pass these prices on to them.

- President Clarke welcomed Divernon's board members.
- State Senator Steve McClure appeared. He just came from a similar gathering in Winchester. People are upset and he understands why. He stated that the governor called him mid week and had a conversation about this. They are holding a press conference tomorrow. He agrees that an investigation by the attorney general is needed and that this should never happen again. He stated that it is insane that it happened in the first place. "When you don't have a choice and they gouge the prices." He stated he is optimistic we will get federal help and that everyone should not be financially destroyed over paying bills because it was cold for a few days. People are already suffering from COVID 19 and now we have to deal with this.
- President Clarke now asked for questions from the crowd. Gary White asked if we can refuse payment. Lindsay Enlow advised him that they already contacted an attorney. They will be paying the bill but protesting it. That will give them an ability to have a legal stand. Gary White asked about a class action lawsuit. President said that can only be done if there is a breach of contract and there has been no breach of contract on their part. He went on to state that we will have to pay the bill and then file an administrative protest. To avoid further penalties, we will pay the bill.
- Danny Syes asked how much the bill is. Lindsay Enlow advised he does not yet know the actual amount but that we can expect our gas bill to be 5-6 times what your normal bill would be for those days. He also stated that the contract that we signed it between the Village of Pawnee and the supplier. Our supplier is Panhandle Eastern. His role is to nominate the gas that we are going to use. He is the agent. He is limited on the amount of gas he can buy. He stated that we have done this exact same thing for 40 years. Mr. Syes stated that he believes we need legislation to keep this from happening. He also suggested we allow Ameren to handle this. Lindsey advised that we cannot buy from Ameren as we do not have the marketing numbers. Ameren does not have their own pipeline. They buy off multiple pipelines but they have their own storage. They can store gas and move gas. Ameren would also be impacted by this if they bought gas off Panhandle Eastern or any of the other affected pipelines. Pawnee's gas comes off one pipeline and we have to purchase from that pipeline which happens to be Panhandle Eastern. Mr. Syes believes it is Lindsey Enlows fault for not purchasing enough gas. Mr. Enlow tried to explain that we are limited to the restrictions of Panhandle. Once they issue an OFO (Operational Flow Order), we have to follow the requirements. When we go over, we are required to pay Panhandle double the daily rate. It is 2 times the average weekly index. The penalty would be \$225 x 2. If we purchase more than we need, we would have to sell the gas

back at the end of the month but we would only get the average of that day. In this case, anywhere from \$3-4 and that's it. Mr. Enlow advised that pipeline companies dictate the OFO.

- Kevin Rollins asked when we expect to the increase on our gas bills. President Clarke stated that the gas bill we received March 1st, will be for January's usage. The April 1st gas bill will be for February's usage. The village will pay the bill. We are not going to bill anyone in Pawnee at this time. He would like to spread the bill over a long period such as \$5/month increase over 5 years. They are looking into options and we have a month to get it figured out.
- Divernon Gale Hedges asked a question to Representative Murphy and Senator McClure asking if they would be reaching out to residents to advise the status. They stated yes they would reach out to residents.
- Lindsey Enlow stated that there are 2 parts to the bill. Gas and transportation. He stated the transportation cost will stay the same.
- President Clarke thanked Representative Murphy, Senator McClure and Lindsay Enlow for being here. He also assured everyone that we will not stick everyone with a large bill.
- President Clarke passed out minutes from February 8, 2010. He stated that he received a call from a local bar owner wanting to know when we will open bars back up to 3am. He invited Jessica Leach to attend the board meeting to discuss. He stated that we changed the liquor license from 2 am to 3am February 8, 2010. On page 3, it is highlighted, it was stated that it would be on a temporary basis and if there were any problems, it will be rescinded. President Clarke advised we are open later than other bars in the surrounding communities and we have been having problems as other towns are coming here. Divernon is 2am; Auburn is 1am; Springfield has some 3am bars; Southernview has a 3am bar; Tovey is 2am. Bullpitt is 2am; President Clarke recommends we stay at 2am except during Prairie Days and they can stay open later. Sarah Clipper with Copperheads asked if 2am is forever. She stated that of all of the bar owners, none of them owned their bars during this 2010 meeting. President Clarke advised that he has heard that most area towns give DUI's coming from Pawnee. There are also bar fights and we don't want to be known as a bar fight town. He advised that when Jessical Leach owned Locals on the west side of the square, she came to a board meeting and asked to stay open until 3am and we said yes until there are problems. President Clarke recommends we stay at 2am like other towns around. Jessica Leach asked if anyone would be open to staying up until 3am with certain stipulations, like having someone at the door. He stated he has asked multiple times for the bar owners to quit serving intoxicated people and it keeps happening. Sarah Clipper stated she has owned the bar for 1 year and has only been open 5 months. She's trying to make it and it isn't working. Trustee Murphy stated that he hates to take money away, but he agrees with President Clarke. He suggested in fairness, we can offer an earlier hour but not a later hour. Consensus was that no one needs an earlier hour. She stated when she purchased the bar, the hours were 11am – 3am. People came to the bar at 1am because they know they stay open until 3am and that 2am – 3am is when she makes most of her money. Kevin Rollins asked if we can we get a print out of the calls for service from the bars from the police department to make sure it is fact and not small town rumors. Chief Harris stated that yes, he can access it. President Clarke stated that everyone needs to stop serving drunk people. Jessica Leach advised President Clarke was a drunk that they served. President Clarke acknowledged yes and that they should not have served him. Trustee Skinner asked if we can leave it at 2am until the next board meeting. We will get all the information together and see what we have. Consensus was to readdress at the next scheduled board meeting.

Clerk's Report:

- Minutes of February 8, 2021 were presented for review and approval
Motion made by Trustee Skinner to approve the minutes of February 8, 2021 as presented
Second made by Trustee Murphy
Roll Call Vote Taken: Richeson-yes, Thompson-yes, Bowsher-yes, Murphy-yes, Skinner-yes, Squires-yes
Motion Carried: (6-0)
- Minutes of February 15, 2021 were presented for review and approval
Motion made by Trustee Skinner to approve the minutes of February 15, 2021 as presented
Second made by Trustee Murphy
Roll Call Vote Taken: Richeson-yes, Thompson-present, Bowsher-yes, Murphy-yes, Skinner-yes, Squires-yes
Motion Carried: (6-0)

Personnel & Finance Committee Report: Committee Chair, Trustee Skinner

- Trustee Skinner presented the bills payable for the week ending February 22, 2021 in the amount of \$53,163.28
Motion made by Trustee Skinner presented the bills payable for the week ending February 22, 2021 in the amount of \$53,163.28
Second made by Trustee Squires
Roll Call Vote Taken: Richeson-yes, Thompson-yes, Bowsher-yes, Murphy-yes, Skinner-yes, Squires-yes
Motion Carried: (6-0)
- Treasurer Thein's Monthly Budget Comparison Report for the month ending January 31, 2021 was tabled to the next scheduled board meeting.

Gas and Water Committee Report: Committee Chair, Trustee Squires

- Trustee Squires advised the Board that they have been working on water main breaks. The most recent were on Franklin Street and Jefferson Street.

Streets, Alley and Sidewalk Committee Report: Committee Chair, Trustee Richeson

- No report

Police Committee Report: Committee Chair, President Clarke

- No report

Sewers and Parks: Committee Chair, Trustee Thompson

- No report

Zoning Committee Report: Committee Chair, Trustee Murphy

- Trustee Murphy advised he is working on the property in the 900 block of Lincoln Street and the property at 300 Carroll Street.

Bargaining Committee: Committee Chair, President Clarke

- No report

Energy: Committee Chair, President Clarke

- No report

Infrastructure: Committee Chair, Trustee Richeson

- No report

Unfinished Business:

- None

New Business:

- None

Motion to Adjourn:

- **Motion** made by Trustee Murphy to adjourn
Second made by Trustee Squires
Roll Call Vote Taken: Richeson-yes, Thompson-yes, Bowsher-yes, Murphy-yes, Skinner-yes,
Squires-yes
Motion Carried: (6-0)

Meeting adjourned at 7:52pm on Monday, February 22, 2021. The next scheduled meeting of the Pawnee Village Board of Trustees is Monday, March 8, 2021 at 7:00pm at the Village Hall.

Respectfully Submitted,

Devona L. Martin
Village Clerk