

DANVILLE CITY COUNCIL  
MAY 3, 2011

#1....THE REGULAR MEETING of the City Council of the City of Danville was called to order at 6:04 p.m. by Mayor Scott Eisenhauer.

THE ROLL CALL was answered by Mayor Scott Eisenhauer, Vice Mayor Rick Strebing, Aldermen Jerry Askren, Terry Baldwin, Dale Brandenburg, Ron Candido, Jon Cooper, Lois Cooper, Steve Foster, Bill Gilbert, Michael Puhr, Rickey Williams, Jr., and DeMarko Wright. Absent were Aldermen Steve Nichols and Sharon McMahon. A quorum was present.

Staff Members Present: City Treasurer Lisa Monson, City Clerk Janet Myers, City Comptroller Gayle Brandon, Corporation Counsel David Wesner, City Engineer David Schnelle, Information Technology Administrator Teresa Winn, Human Relations Administrator Sandra Houston, Human Resources Administrator Bill Westphal, Public Development Director John Heckler, Public Safety Director Larry Thomason, Public Transportation Director Richard Brazda, Public Works Director Doug Ahrens, and Risk Manager Kathy Courson.

Others present included Aldermen-Elect William B. Black, Kevin Davis, April Gilbert, and Thomas Stone, 6 news media, and standing room only audience members.

#2....INVOCATION was given by Reverend Tommie Reed followed by

#3....THE PLEDGE OF ALLEGIANCE led by Alderman Terry Baldwin.

Mayor Eisenhauer thanked former Alderman Reverend Tommie Reed for his service as City Council Chaplain over the past several years and announced that he has agreed to continue his role for another two years.

#4....THE MINUTES of the regular meeting held April 19, 2011, having been published and distributed, were presented. Alderman Brandenburg moved for approval as presented, seconded by Alderman Baldwin. On the voice vote, all ayes, no nays; the motion so ordered.

#5....THE AGENDA for the evening was presented with Item #10 Vouchers being moved to Item #11 and Item #11 Public Works Committee Report being moved to Item #10. There being no further changes, Alderman L.Cooper moved for approval as amended, seconded by Alderman Brandenburg. On the voice vote, all ayes, no nays; the motion so ordered.

#6....MAYOR'S REPORT

#6-A..Proclamations – None

#6-B..Board/Committee Appointments

Mayor Eisenhauer asked for concurrence to appoint Sandra Alcorn to replace Joan Richards, with term to expire July 2014, and reappointments of Bill Satterwhite, Louise Free, and Dick Wallace, with terms to expire July 2013, to the Danville Public Library Board. Alderman Foster moved to concur, seconded by Vice Mayor Strebing. There being no discussion, on the voice vote, all ayes, no nays; the motion so ordered.

#6-C..Reports of Boards, Agencies, Commissions

#6-C-1..Credentials Committee Report

Alderman Puhr, Chairman of the 2011 Credentials Committee, reported that he, Alderman Lois Cooper, and Alderman Steve Foster, met earlier and after review of all the documentation and there being no reason to believe anyone was ineligible, found that those elected April 5, 2011, were all qualified and eligible for elective municipal office to which each were elected, per State Statute, being:

- Mayor: Scott Eisenhauer
- Treasurer: Lisa K. Monson
- Alderman Ward 1: Kevin Davis
- Alderman Ward 2: Rick Strebing
- Alderman Ward 3: April Gilbert
- Alderman Ward 4: Wm. Michael O'Kane
- Alderman Ward 5: Thomas Stone
- Alderman Ward 6: Jon Cooper
- Alderman Ward 7: William B. Black

Alderman Williams moved to accept the report and place on file, seconded by Alderman Brandenburg. On the voice vote, all ayes, no nays; the motion so ordered.

#6-D..Items of Information

Mayor Eisenhauer welcomed everyone in the audience and thanked them for their attendance at tonight's meetings.

#7...PETITIONS, COMMUNICATIONS, AUDIENCE COMMENTS

Eugene "Radio" Thompson spoke opposition to subsidizing businesses and, while on the Council previously, voted "no" to all such requests for rebates or other financial assistance from taxpayers. He also voiced concern that discussions are held and decisions made without the public's knowledge.

#8...ZONING PETITIONS – None were presented.

#9...PAYROLL

Mayor Eisenhauer presented Payroll for April 21, 2011, of \$464,374.21, and for April 29, 2011, of \$70,741.48. Alderman Baldwin moved to dispense with the readings and asked for approval as presented, seconded by Alderman L.Cooper. Alderman Williams questioned overtime in Mass Transit, Sewer, and Solid Waste Divisions on the Voucher of April 29. Director Brazda stated several drivers were off on workmen's comp injuries causing overtime and Director Ahrens stated there was a force main break that caused overtime in Sewer and garbage collection on Saturday due to Good Friday holiday that caused overtime in Solid Waste. There being no further questions, the roll call vote being:

Ayes: Aldermen L.Cooper, Gilbert, Wright, Baldwin, Puhr, Foster, Brandenburg, J.Cooper, Strebing, Williams, Askren, Candido

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

#10...PUBLIC WORKS COMMITTEE REPORT

#10-A..Chairman Puhr presented RESOLUTION NO. 2011-53 approving a Golf Manager

Employment and Lease Agreement with Brock Burton dba Take a Shot LLC for Harrison Park Golf Course and Pro Shop/Concession Stand for period May 1, 2011, through December 31, 2011, moved to dispense with the reading and asked for approval as recommended by Committee at a special meeting held earlier in the evening, seconded by Vice Mayor Strebing. Alderman Askren questioned if Mr. Burton would continue to hold his position as Recreation & Public Facilities Manager. Director Ahrens stated he would hold the same position and would continue to perform some of the duties, with other staff stepping in to fill in when needed. His current salary was paid 15% from Harrison Park budget and 85% from Parks Division budget, but with the proposed change, this percentage would flip for the remainder of the year. Plans are to continue to operate within the current calendar year 2011 Harrison Park Golf Course budget that was approved last year, with some internal reductions being planned. Mr. Burton has hired Eric Millis to serve as assistant pro and teach lessons. With regards to the liquor license, Mr. Burton will operate a separate, independent business to hold the liquor license. Alderman Askren questioned if there would be any equipment purchased, it was stated capital equipment needs are usually determined at the end of the calendar year. The \$4,000.00 budgeted for the Pro Shop is the anticipated property taxes that have yet to be determined. Alderman Candido questioned liability to the City with a City employee holding the liquor license and Mayor Eisenhower clarified that the LLC will hold the license and have all liability attached. There being no further questions or discussion, the roll call vote being:

Ayes: Aldermen Gilbert, Wright, Baldwin, Puhr, Foster, Brandenburg, J.Cooper, Strebing, Williams, Askren, Candido, L.Cooper

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

#### #10-B..Items of Information

Chairman Puhr announced the newly reorganized Public Works Committee will meet on Tuesday, May 10, 2011, at 6:00 p.m. and thanked all for their work and cooperation while on this Committee.

#### #11...SCHEDULE OF VOUCHERS PAYABLE

Mayor Eisenhower presented the Schedule of Vouchers Payable, each having been published, posted, and distributed, for April 26, 2011, of \$477,265.90, for Special Run of April 26, 2011, of \$273,937.81, for Special Run #2 of April 27, 2011, of \$150.00, for May 3, 2011, of \$271,101.71, and for Special Run of May 3, 2011, of \$12,000.00. Alderman Brandenburg moved to dispense with the readings and asked for approval as presented, seconded by Alderman Gilbert. Alderman Williams questioned a payment of \$175,000.00 out of Community Block Grant Funds and it was clarified this is for reimbursement of expenses for an economic development project. There being no further questions, the roll call vote being:

Ayes: Aldermen Wright, Baldwin, Puhr, Foster, Brandenburg, J.Cooper, Strebing, Williams, Askren, Candido, L.Cooper, Gilbert

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

#### #12...PUBLIC SERVICES COMMITTEE REPORT

In the absence of Chairman Nichols, Vice Chairman Baldwin was asked to present the items.

#12-A..Vice Chairman Baldwin presented the City Clerk's License Report of applications, moved to dispense with the reading and asked for approval, seconded by Alderman Gilbert. Those licenses as follows:



**BUSINESS LICENSES**

**Tobacco Dealer**

My Brother's Liquor, 536 E. Main  
2 Guys Marathon, 445 N. Vermilion  
Big 4, 620 N. Vermilion

**RAFFLE LICENSES**

Catholic Charities  
Danville Public School Foundation  
Illinois Elks Lodge #147  
Jamaica Jr. High Cheerleaders and 6<sup>th</sup> & 7<sup>th</sup> Grade Girls Basketball  
Quaker Oats Company for Relay for Life  
Rankin United Methodist Women  
Rankin's Lions Club  
Ridge Farm Family Festival  
Sully's Friendly Tap for Peer Court & CASA Fundraisers

There being no questions, on the voice vote, all ayes, no nays; the motion so ordered.

Vice Chairman Baldwin presented Items B & C for a single vote, moved to dispense with the readings and asked for approval as recommended by the City/County Public Safety Building Committee.

There being no objections, Alderman L.Cooper seconded. Those items being:

#12-B..RESOLUTION NO. 2011-54 authorizing the Danville Public Building Commission to complete inspection and repairs of the masonry and caulking at the Public Safety Building for an additional amount not to exceed \$50,000.00, to come from the Danville Public Safety Building Capital Improvements budget;

#12-C..RESOLUTION NO. 2011-55 authorizing the Danville Public Building Commission to replace the air compressor at the Danville Police Division Mechanics Garage at the Public Safety Building at a sum not to exceed \$3,300.00, to come from the Danville Public Safety Building Maintenance Account budget;

There being no discussion or questions, the roll call vote being:

Ayes: Aldermen Baldwin, Puhr, Foster, Brandenburg, J.Cooper, Strebing, Williams, Askren, Candido, L.Cooper, Gilbert, Wright

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

Vice Chairman Baldwin presented Items D & E for a single vote, moved to dispense with the readings and asked for approval as recommended by Committee. There being no objections, Alderman Brandenburg seconded. Those items being:

#12-D..RESOLUTION NO. 2011-56 amending Resolution No. 2011-29, which authorized a Loan for Health Insurance Fund, to create line item Transfer to Health Insurance in the amount of \$260,000.00 and line item Transfer from General Fund in the amount of \$260,000.00 and to authorize an additional Loan of \$60,000.00 from the General Fund for a period not to exceed 9 months to pay for Health Insurance Claims, with premiums being increased until all loans paid off;

#12-E..RESOLUTION NO. 2011-57 amending Resolution No. 2011-28, which authorized a Budget Amendment in various General Fund budgets for Health Insurance, to increase Health Insurance Fund budget line item Payment of Claims by \$613,754.25 instead of \$353,754.25 and to increase General Fund budget line item Streets by \$41,900.00 instead of \$42,500.00;

There being no discussion or questions, the roll call vote being:

Ayes: Aldermen Puhr, Foster, Brandenburg, J.Cooper, Strebing, Williams, Askren, Candido,  
L.Cooper, Gilbert, Wright, Baldwin

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

Vice Chairman Baldwin presented Items F & G for a single vote, moved to dispense with the readings and asked for approval as reviewed by Committee. There being no objections, Vice Mayor Strebing seconded. Those items being:

#12-F..RESOLUTION NO. 2011-58 amending Resolution No. 2011-39, which authorized a Budget Amendment in the Fire Pension Retirement Fund budget, to correct line item Transfer from General Fund Reserve account number 098-098-90015 to be 098-098-49091;

#12-G..RESOLUTION NO. 2011-59 amending Resolution No. 2011-40, which authorized a Budget Amendment in the Police Pension Retirement Fund budget, to correct line item Transfer from General Fund Reserve account number 099-099-90015 to be 099-099-49091;

There being no discussion or questions, the roll call vote being:

Ayes: Aldermen Foster, Brandenburg, J.Cooper, Strebing, Williams, Askren, Candido, L.Cooper,  
Gilbert, Wright, Baldwin, Puhr

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

Vice Chairman Baldwin presented Items H & I for a single vote, moved to dispense with the readings and asked for approval as reviewed by Committee. There being no objections, Alderman L.Cooper seconded. Those items being:

#12-H..RESOLUTION NO. 2011-60 authorizing a Budget Amendment in the Infrastructure Development and Improvement Program Fund budget to increase line item Overlay Program in the amount of \$87,500.00, to come from Infrastructure Development and Improvement Program Fund Reserve;

#12-I...RESOLUTION NO. 2011-61 amending Resolution No. 2011-50, which authorized a Budget Amendment in the Capital Improvements Fund budget, to change the amount of line item Improvements to Buildings from \$151,589.64 to \$151,478.62 and the amount of line item Danville Stadium Grant from \$71,083.56 to \$8,000.00;

There being no discussion or questions, the roll call vote being:

Ayes: Aldermen Foster, Brandenburg, J.Cooper, Strebing, Williams, Askren, Candido, L.Cooper,  
Gilbert, Wright, Baldwin, Puhr

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

#12-J..Vice Chairman Baldwin presented RESOLUTION NO. 2011-62 amending Resolution No. 2011-52, which authorized a Budget Amendment in the Police ARRA Fund budget, to correct the amounts for various line items to be as follows: Group Insurance from \$3,400.00 to \$5,800.00, Overtime from \$800.00 to \$500.00, Court time from \$400.00 to \$300.00, Contract Overtime from \$700.00 to \$500.00, STEP Grant from \$500.00 to \$710.00, Training for New Hires from \$4,500.00 to \$4,200.00, and Clothing for New Hires from \$2,500.00 to \$2,000.00, moved to dispense with the reading and asked for approval as reviewed by Committee, seconded by Vice Mayor Strebing. There



being no discussion or questions, the roll call vote being:

Ayes: Aldermen Brandenburg, J.Cooper, Strebing, Williams, Askren, Candido, L.Cooper, Gilbert, Wright, Baldwin, Puhr, Foster

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

#12-K..Vice Chairman presented RESOLUTION NO. 2011-63 authorizing the City Comptroller to request bids from area banking institutions for a Closed End Line of Credit in the amount of \$1,200,000.00 for the North Vermilion Development Project at the former K's Merchandise property, and accept the lowest bid, moved to dispense with the reading and asked for approval as previously discussed by Council, seconded by Alderman Puhr. Alderman Williams voiced concern that language of the resolution does not state that the Line of Credit would be for a five-year term. Comptroller Lewis clarified that the Open End Line of Credit is only open until the entire amount is borrowed, which will be around August 31, 2011. At that time, the five-year term of the loan will take effect. There being no other questions or discussion, the roll call vote being:

Ayes: Aldermen J.Cooper, Strebing, Williams, Askren, L.Cooper, Gilbert, Wright, Baldwin, Puhr, Foster, Brandenburg

Nays: Alderman Candido

Absent: Aldermen Nichols, McMahon

Motion carried 11 to 1 with 2 absent.

#12-L..Vice Chairman Baldwin presented RESOLUTION NO. 2011-64 accepting the 2010 FEMA (Federal Emergency Management Agency) and Department of Homeland Security Assistance to Firefighters Grant in the amount of \$191,493.00, with Federal share being \$172,344.00 and the City's share being \$19,149.00 and authorizing a Budget Amendment in the Capital Improvement Fund budget to create Revenue line item Fire Assistance Grant in the amount of \$172,344.00 and Expense line item Fire Assistance Grant in the amount of \$191,493.00, with the City's share of \$19,149.00 coming from a transfer from Capital Improvement line item in the Capital Improvements Fund budget, moved to dispense with the reading and asked for approval, seconded by Vice Mayor Strebing. Vice Chairman Baldwin stated the list of equipment being purchased was included in the agenda packet. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen Strebing, Williams, Askren, Candido, L.Cooper, Gilbert, Wright, Baldwin, Puhr, Foster, Brandenburg, J.Cooper

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

#12-M..Vice Chairman Baldwin presented RESOLUTION NO. 2011-65 authorizing a Development Agreement with Continental 160 Fund LLC for the development of a retail shopping center at 3707 N. Vermilion, formerly K's Merchandise, moved to dispense with the reading and asked for approval, seconded by Alderman Foster. Alderman Askren voiced support of the Title Search being conducted by a local business. There being no further discussion or questions, the roll call vote being:

Ayes: Aldermen Strebing, Williams, Askren, L.Cooper, Gilbert, Wright, Baldwin, Puhr, Foster, Brandenburg, J.Cooper

Nays: Alderman Candido

Absent: Aldermen Nichols, McMahon

Motion carried 11 to 1 with 2 absent.

After the vote, Mayor Eisenhower introduced Christopher Moore and Eric Thom with Continental Properties. Mr. Moore thanked Mayor Eisenhower and Staff for working with them on this project and stated they look forward to a very successful project.

Vice Chairman Baldwin presented Items N & O for a single vote. Alderman Candido voiced objection; therefore, each were taken separately.

#12-N..Vice Chairman Baldwin presented ORDINANCE NO. 8737 amending Chapter 35 Fire Department to remove Sections 35.30 to 35.38 regarding the Firemen's Pension Board, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Gilbert. Vice Chairman Baldwin stated these sections are not needed in the City Code and due to there being various changes to State Statute. There being no discussion or questions, the roll call vote being:

Ayes: Aldermen Williams, Askren, Candido, L.Cooper, Gilbert, Wright, Baldwin, Puhr, Foster, Brandenburg, J.Cooper, Strebing

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

#12-O..Vice Chairman Baldwin presented ORDINANCE NO. 8738 amending Chapter 121 Taxicabs regarding Section 121.20 to increase Taxicab Fare Rates, moved to dispense with the reading and asked for approval as discussed by Committee. Vice Chairman Baldwin stated the taxicab companies have requested these rate adjustments due to the high cost of gasoline. Alderman Foster questioned if a sunset clause could be included that would allow the rates to decrease again if gasoline prices came down; however, Mayor Eisenhower suggested that the issue could be revisited at any time in the future. Corporation Counsel Wesner also stated that rates have not been adjusted since 2005 and the cost of doing business and the cost of maintenance of the vehicles has also increased over time. Alderman Candido stated he would support the increase but feels the City should have no control on what private business charges for services and suggested the City get out of the taxicab regulation business. Alderman Askren voiced support of the increase in rates. Alderman Williams yielded to a member of the audience who stated he was an ex-cab driver and voiced concern that a ride from Corrine Street to CVS Pharmacy on Bowman and Main would increase an extra .75 to the customer, plus with drivers having to pay for their own fuel, this increase will not benefit the drivers either. It was clarified that the increases would take effect after 10 days of posting. There being no further discussion or questions, the roll call vote being:

Ayes: Aldermen Askren, Candido, L.Cooper, Gilbert, Wright, Baldwin, Puhr, Foster, Brandenburg, J.Cooper, Strebing, Williams

Nays: None

Absent: Aldermen Nichols, McMahon

Motion carried 12 to 0 with 2 absent.

#12-P..Vice Chairman Baldwin presented RESOLUTION NO. 2011-66 authorizing a Redevelopment Agreement with T Danville Mall LLC for redevelopment of the retail shopping center at 2917 N. Vermilion by providing an incentive package that would include up to 50% of the Home Rule Sales Tax generated by each of the two new anchor stores for a five-year period, not to exceed 50% of the total redevelopment costs, moved to dispense with the reading and asked for approval, seconded by Alderman Puhr. Alderman Williams questioned if construction supplies would be purchased locally and Mayor Eisenhower stated that he would consider such an incentive package for future



agreements. There being no further discussion or questions, the roll call vote being:

Ayes: Aldermen L.Cooper, Gilbert, Wright, Baldwin, Puhr, Foster, Brandenburg, J.Cooper, Strebing, Williams, Askren

Nays: Alderman Candido

Absent: Aldermen Nichols, McMahan

Motion carried 11 to 1 with 2 absent.

After the vote, Mayor Eisenhauer introduced Tabani Group, T Danville Mall, LLC, representatives Zeshan Tabani and Jeremiah Sudan. Mr. Sudan thanked Mayor Eisenhauer, City Council, and everyone involved for their support. They look forward to bringing the project to a successful conclusion in making the Danville Village Mall again a place for the community to shop and enjoy.

**#12-Q..Items of Information**

Vice Chairman Baldwin stated the newly organized Public Services Committee will meet next month on May 24, 2011. He voiced appreciation to the Staff and stated he has enjoyed his work on this Committee and the City Council.

**#13....CLOSED SESSION was not needed.**

**#14...ITEMS OF INFORMATION**

Mayor Eisenhauer honored outgoing Ward 5 Alderman Jerry Askren, Ward 2 Alderman Terry Baldwin, Ward 3 Alderman Dale Brandenburg, and Ward 7 Alderman Ron Candido with a brief summary of their time on the Council and with a plaque of appreciation. After each spoke words of appreciation, Mayor Eisenhauer welcomed all to stay for cake and punch that will following the swearing in ceremony of newly elected Aldermen.

**#15...ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned by acclamation at 7:16 p.m. following a motion by Alderman Askren and a second by Alderman Baldwin.

  
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Janet K. Myers, City Clerk

I, Janet K. Myers, City Clerk of the City of Danville, Illinois, do hereby certify that the foregoing Minutes are a true and correct copy of the regular meeting held May 3, 2011, as the same appears on the records of the City now in my custody and keeping.

\_\_\_\_\_  
Janet K. Myers, City Clerk

Approved: 05/17/11  
Posted Publicly: 05/18/11