

DANVILLE CITY COUNCIL  
JULY 7, 2015

#1....THE REGULAR MEETING of the City Council of the City of Danville was called to order at 6:00 p.m. by Mayor Scott Eisenhauer.

THE ROLL CALL was answered by Mayor Scott Eisenhauer, Vice Mayor Rickey Williams, Jr., Aldermen Brenda Brown, Jon Cooper, Steve Foster, Frank Hoskins, Sharon McMahon, Sherry Pickering, Lloyd Randle, Rick Strebing, Michael O'Kane, and Tom Stone. Absent were Aldermen R.J. Davis, Steve Nichols, and Michael Puhr. A quorum was present. Alderman R.J. Davis arrived at 6:02 p.m.

Staff Members Present: City Treasurer Stephanie Wilson, Deputy City Clerk Megan Mudd, City Comptroller Gayle Lewis, Corporation Counsel David Wesner, Engineering & Urban Services Director David Schnelle, Human Relations Administrator Sandra Finch, Human Resources Administrator Bill Westphal, Information Technology Administrator Agnel D'Silva, Public Safety Director Larry Thomason, Public Transportation Director Lisa Beith, and Public Works Director Doug Ahrens.

There were also 12 audience members and 3 news media in attendance.

*[Alderman R.J. Davis arrived at 6:02 p.m. during the invocation and took his seat at the dais.]*

#2....INVOCATION was given by Reverend Lucius Barber, Pastor, Antioch Missionary Baptist Church followed by

#3....THE PLEDGE OF ALLEGIANCE led by Alderman McMahon.

#4....THE MINUTES of the regular meeting held, June 16, 2015, having been published and distributed, were presented. Alderman Randle moved for approval as presented, seconded by Alderman Stone. On the voice vote, the motion so ordered.

#5....THE AGENDA for the evening was presented. There being no further changes, Alderman Cooper moved for approval as presented ~~amended~~, seconded by Alderman Stone. 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 - None

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

- Human Relations Administrator Sandra Finch announced that this coming Sunday, July 12th they will be holding the 22<sup>nd</sup> Community Day at Lincoln Park from 2:30pm to 5:00pm and encouraged everyone to come out that is available to do so.

#6-D..Items of Information

- Mayor Eisenhauer thanked Deputy Clerk Megan Mudd for filling in at tonight's meeting while City Clerk Lisa Monson is currently on vacation. Mayor Eisenhauer also announced that Alderman Jon Cooper will be celebrating his birthday on Sunday, July 12<sup>th</sup> and wished him a "Happy Birthday".

#7...PETITIONS, COMMUNICATIONS, AUDIENCE COMMENTS

- Sam Cole, a partner at C2 Engineers in Danville, spoke concern regarding the inconsistent enforcement of policies and ordinances over the last several months. However he wants to assure the City Council that they do not intend to show up to every meeting to badger the City about multiple issues. Instead, he stated they simply want to present that there is a problem, as well as an opportunity for improvement that would benefit everyone. He said he is not here because he is a disgruntled former City employee, stating that he appreciates his years working for the City. He said the real issue, however, is the consistency, fairness, and equitable enforcement of ordinances. Mr. Cole then listed over 20 sites that were held to a different standard than what he says is being applied to their projects today. He stated that most of the sites he listed were likely completed in accordance with the ordinances, however current demands reach beyond the ordinances, and that inconsistency does not benefit Danville, nor does it benefit anyone trying to start a business here. He said it's an atrocity that is allowed, and even protected and defended. He addressed any officials elected by the citizens and asked if this does not concern them, and hopes they will take a further look into the issue at hand.
- Myra Flick of Danville spoke concern of water that is still entering her property after a hard rainfall. She questioned a drain pipe that is now capped and a drain across the street that has been removed as well. She feels the City should help with the drainage problem so that water does not keep entering her basement, and that she would like a phone call back regarding this matter.
- Cyril Ostiguy of Danville spoke in praise of the development agreement with Larsen Family Real Estate, LLLP, which will bring a new Slumberland Furniture Store to the former Sears building.

#8...ZONING PETITIONS – None

#9...PAYROLL

Mayor Eisenhauer presented Payrolls for June 19, 2015 of \$78,126.19, June 26, 2015 of \$542,954.31, and July 2, 2015 of \$77,955.60. Alderman Stone moved to dispense with the readings and asked for approval as presented, seconded by Alderman Davis. Alderman O'Kane stated that he is still waiting on paper work. Mayor Eisenhauer replied that he is waiting on information from the actuary so that the City can provide a full long-term cost savings to not hiring more personnel versus over-time, and also just to simply throw out short-term numbers is not the full story, and that the information will be provided to him once it is obtained from the actuary. Alderman O'Kane asked if the budget would be extended. Mayor Eisenhauer replied that they will have to do a budget amendment unless however since negotiations are going on in July & August with Fire, the hope will be that changes could be made to the contract to reduce the overtime. There being no further questions, the roll call vote being:

Ayes: Aldermen Davis, McMahon, Stone, Williams, Strebing, Pickering, O'Kane, Randle, Cooper, Foster, Brown, Hoskins

Nays: None

Absent: Aldermen Nichols, Puhr

Motion carried 12 to 0 with 2 absent.

*[Alderman R.J. Davis left the meeting prior to discussion of next item.]*

#10...SCHEDULE OF VOUCHERS PAYABLE

Mayor Eisenhauer presented the Schedule of Vouchers Payable, each having been published, posted, and distributed, for June 23, 2015, of \$180,803.99, June 30, 2015 of \$40,147.36, and for July 7, 2015 of \$660,064.55. Alderman Cooper moved to dispense with the readings and asked for approval as presented, seconded by Alderman Brown. Staff addressed questions of various vouchers, as follows:

- Payment made to Loizzi Hodges for Legal Services is the individual who does the arbitrations for Police, Fire, & disciplinary hearings;
- Payment to Harris Computer is for annual and quarterly software assistance;
- Payment to Wilson’s Body Shop is for repairs for Unit #62 for the Parks Department;

Alderman Hoskins questioned the payment for GIS User Licenses and why it’s listed several times. Engineering & Urban Services Director David Schnelle replied that there are several different departments using GIS, including DATS, Engineering & Urban Services, and Code Enforcement. The fee is allocated to the percentage that an employee is in those departments, and that the fee is for annual maintenance and license. Alderman Hoskins also questioned the payment of \$3,070.00 to Midwest Construction for miscellaneous materials when another page shows a payment to Big R Store for similar materials. Public Works Director Doug Ahrens replied that the concrete saw blade was purchased and not rented, but it was actually purchased from a rental company. Director Ahrens also stated the purchase from Big R was probably for a smaller saw. Alderman McMahon questioned if the City would be getting reimbursed for a payment to I-Deal Casuals, Inc. for Summer Basketball League apparel in the amount of \$2,900.00. Mayor Eisenhauer replied that the City would in fact be getting reimbursed for all of it.

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

Ayes: Aldermen McMahon, Stone, Williams, Strebing, Pickering, O’Kane, Randle, Cooper, Foster, Brown, Hoskins

Nays: None

Absent: Aldermen Davis, Nichols, Puhr

Motion carried 11 to 0 with 3 absent.

#11...PUBLIC WORKS COMMITTEE REPORT

#11-A..Mayor Eisenhauer called upon Vice Chairman Cooper in absence of Chairman Puhr to present RESOLUTION NO. 2015-74 appropriating MFT funds, Section #14-00350-00-RS, for the 2015 Overlay Program Poland Road Project, in the amount of \$675,000.00, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Hoskins. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen Stone, Williams, Strebing, Pickering, O’Kane, Randle, Cooper, Foster, Brown, Hoskins, McMahon

Nays: None

Absent: Aldermen Davis, Nichols, Puhr

Motion carried 11 to 0 with 3 absent.

#11-B..Vice Chairman Cooper presented RESOLUTION NO. 2015-75 Awarding Bid #539 to the lowest responsible bidder, Daniel L. Ribbe Trucking, Inc. for the 2015 Seal Coat Program in the amount of \$150,186.16, to come from the Infrastructure Development and Improvement Fund-Pavement Maintenance budget, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Vice Mayor Williams.

*mmu*

- Alderman Pickering asked if there was only one bid received for the seal coat program. Director Schnelle replied that there were two bidders, AC Pavement Striping Company & Daniel Ribbe Trucking. He also noted that it's uncommon to receive two bids, as they usually only receive one.

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

Ayes: Aldermen Williams, Strebing, Pickering, O'Kane, Randle, Cooper, Foster, Brown, Hoskins, McMahon, Stone

Nays: None

Absent: Aldermen Davis, Nichols, Puhr

Motion carried 11 to 0 with 3 absent.

#### #11-C..Items of Information

- Vice Chairman Cooper announced the next Public Works Meeting will be next Tuesday, July 14, 2015 at 6:00 p.m.
- Director Ahrens announced that the work on Bowman Avenue has progressed nicely and that almost everything is done except for landscaping, and a little dry weather would help as well.

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

Mayor Eisenhower called upon Vice Chairman Foster in the absence of Chairman Nichols, and presented Items A thru B for a single vote, moved to dispense with the readings and asked for approval and placement on file. There being no objections, Alderman McMahon seconded. Those items being:

#12-A..City Clerk's Report of Licenses and Permits, being:

##### LICENSES:

Medix Emergency Medical Services, Inc.

Dollar General Store #16180 – 108 N. North St.; and

#12-B..City Treasurer's Statement of Receipts and Disbursements for April 2015 stating a Beginning Balance on April 1, 2015, of \$15,967,922.64, Receipts of \$5,356,736.84, Disbursements of \$4,474,526.03, an Ending Balance on April 30, 2015, of \$16,850,133.45 and a Cash Balance of \$2,799,478.97.

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

#12-C..Vice-Chairman Foster presented RESOLUTION NO. 2015-76 approving a Development Agreement with Larson Family Real Estate, LLLP providing for the redevelopment of a portion of the retail shopping center at 2917 N. Vermilion Street, in order to provide incentive based on the City's sales tax rate of 2.25% if majority of local labor is used, the incentive will be equivalent to 75% of the retail sales tax revenue generated each year for a ten year period, not to exceed \$100,000.00 in any one year and if a majority of labor is not local labor, the incentive will be equivalent to 50% of the retail sales tax revenue generated each year for a ten year period, not to exceed \$100,000.00 in any one year, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Cooper.

- Vice Mayor Williams spoke in favor the agreement, stating that it will be good for citizens to have a place in Danville to buy furniture, because they might also additionally do other shopping or eating while here, instead of leaving and spending money in a different town. He also stated that it will add additional jobs, and if they meet their goal of \$3,000,000.00 in a year that is \$70,000.00 in tax revenue that will go to the City.
- Mr. Larson with Larson Family Real Estate, LLLP spoke regarding the agreement. He stated they are excited and appreciate the support they have received. He also stated the

*mmw*

architectural plans are almost ready and will be going out to bid sometime this week. Alderman Foster asked when they might anticipate being open. Mr. Larson replied they are hoping to open in October. There being no further questions or discussion, the roll call vote being:

Ayes: Aldermen Strebing, Pickering, O'Kane, Randle, Cooper, Foster, Brown, Hoskins, McMahon, Stone, Williams

Nays: None

Absent: Aldermen Davis, Nichols, Puhr

Motion carried 11 to 0 with 3 absent.

#12-D..Vice Chairman Foster presented RESOLUTION NO. 2015-77 updating the safety and training policies to remain compliant with the Department of Labor and Occupational Safety and Health Administration (OSHA) standards, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Hoskins. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen Pickering, O'Kane, Randle, Cooper, Foster, Brown, Hoskins, McMahon, Stone, Williams, Strebing

Nays: None

Absent: Aldermen Davis, Nichols, Puhr

Motion carried 11 to 0 with 3 absent.

*[Alderman R.J. Davis returned to the meeting during discussion of the next item.]*

#12-E..Vice Chairman Foster presented RESOLUTION NO. 2015-78 designating Portions of Poland Road as a Class II Designated Truck Route, in the amount of \$171,400.00 received in TARP (Truck Access Route Program) funding to contribute towards the Poland Road Improvement from Vermilion Street to Bowman Avenue, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Strebing. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen O'Kane, Randle, Cooper, Foster, Brown, Hoskins, Davis, McMahon, Stone, Williams, Strebing, Pickering

Nays: None

Absent: Aldermen Nichols, Puhr

Motion carried 12 to 0 with 2 absent.

#12-F..Vice Chairman Foster presented amended ORDINANCE NO. 8998, waiving the requirements of Section 30.07(A) of the Code and authorizing the purchase of certain real property commonly known as 718 S. Gilbert Street, for a purchase price of \$18,028.00, for the purpose of replacing the sanitary sewer serving the Southview Middle School area, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman McMahon. Alderman Strebing asked how much ground was being bought for the amount of money being spent. Director Schnelle replied that the City is not actually purchasing any real estate but instead is buying 3200 square feet of permanent easement, and that two appraisals were done on this commercial property. Director Schnelle went on to say that the location of the sewer bisects the property next to the building, so there is not just the purchase of the easement but also consideration for loss of value to the property due to the acquiring of the easement, so that is how the dollar amount was arrived at. Alderman Strebing asked if any of the flow comes out at the baseball diamond. Director Schnelle replied yes, that the flow from the stadium and Southview Middle School go to an unusual pump station, which goes underneath an industrial building, then again underneath a railroad in a pipe that

is in disrepair and that needs to be replaced. Director Schnelle stated this relocates that entire system and eliminates the pump station, which will be a tremendous cost savings to the City in the long run. There being no further questions or discussion, the roll call vote being:

Ayes: Aldermen Randle, Cooper, Foster, Brown, Hoskins, Davis, McMahan, Stone, Williams, Strebing, Pickering, O'Kane

Nays: None

Absent: Aldermen Nichols, Puhr

Motion carried 12 to 0 with 2 absent.

#12-G..Vice Chairman Foster presented ORDINANCE NO. 8999, waiving the requirements of Section 30.07(A) of the Code and approving the Purchase of Certain Real Estate from Steven and Evelyn Shaw at 3616 Tuttle Street, in an amount not to exceed \$900.00 from the Sanitary Sewer Fund-Infrastructure Improvement budget for Sewer Improvements, eliminating the Tuttle Street Pump Station by Constructing a New Gravity Sewer between Tuttle Street and Bayview, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Cooper. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen Cooper, Foster, Brown, Hoskins, Davis, McMahan, Stone, Williams, Strebing, Pickering, O'Kane, Randle

Nays: None

Absent: Aldermen Nichols, Puhr

Motion carried 12 to 0 with 2 absent.

#### #12-H..Items of Information

- Vice Chairman Foster asked if an earlier comment from Mrs. Flick could be addressed. Director Schnelle replied that he and Director Ahrens had met with Mrs. Flick out at her property and looked at the situation. He stated they do recognize there is a whole subdivision issue and it is not relegated just to her property. While they were out there they did determine there used to be a creek running through the side of her property before the subdivision was created and water does like to follow its natural course. There are long-term solutions that need to be looked at for the entire subdivision and those are not inexpensive options, it's not just a matter of creating a new drain here or there but instead a whole holistic approach will need to be considered. They plan to bring something to the Public Works Committee next week to consider as they begin to tackle this problem as a community.
- Director Schnelle stated that the final meeting of the Housing Task Force took place today, and they do believe they have reached consensus on the recommendations and findings of that task force. They will be sending out a final draft to the members asking for their consensus, which they believe they will receive, and at that time in the near future they will bring to the City Council for consideration and adoption.

*[The next Public Services meeting will be held Tuesday, July 28, 2015 at 6:00 p.m.]*

#### #13...ITEMS OF INFORMATION

- Alderman O'Kane stated that habitual persons that carry multiple ordinance violations for grass or yard nuisances should possibly be given a heftier fine and sooner in hopes that Public Works can spend less time writing out violations to the same people over and over.
- Alderman Foster asked for clarification on Mr. Cole's comments from earlier, asking if there is a misunderstanding and if it is being looked in to. Mayor Eisenhauer replied that they are working on a plan for storm water management, including ordinances that would go with that

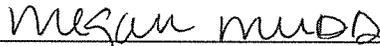
master plan. Alderman Foster asked if Mr. Cole's complaints were related more or less to drainage. Mayor Eisenhauer replied that, from his understanding, his concerns are related to the interpretation of the storm water management ordinance as it relates to particular development projects.

- Alderman Stone asked if a woman in the audience could be recognized. Brenda Dungan of Danville, who lives across the street from her mother, Myra Flick, stated they have been having this issue with the water for quite some time, and have not received a response from anyone after repeatedly asking for help. She asked Mayor Eisenhauer if he could bring attention to this matter. Mayor Eisenhauer replied yes and that he would be contacting her regarding this issue.
- Vice Mayor Williams announced that his sister and brother-in-law are visiting from Japan and that means his nephew has stepped foot on American soil for the first time and they are excited to have them here.
- Alderman Brown congratulated Vice Mayor Williams on a Project Success program that was held at the Laura Lee Fellowship House. She stated that it was a success and had heard a lot of great comments about it.

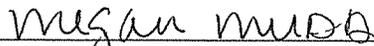
#14...CLOSED SESSION was not needed

#15...ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 6:39 p.m. following a motion by Alderman Hoskins and a second by Vice Mayor Williams.

  
\_\_\_\_\_  
Megan Mudd, Deputy City Clerk

I, Megan Mudd, Deputy 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 July 7, 2015, as the same appears on the records of the City now in my custody and keeping.

  
\_\_\_\_\_  
Megan Mudd, Deputy City Clerk

Approved: 07/21/15  
Posted Publicly: 07/23/15