

DANVILLE CITY COUNCIL  
JANUARY15, 2019

#1....THE REGULAR MEETING of the City Council of the City of Danville was called to order at 6:00 p.m. by Mayor Rickey Williams, Jr. at the Robert E. Jones Municipal Building, 17 W. Main Street, Danville, Illinois.

THE ROLL CALL was answered by Mayor Rickey Williams, Jr., Aldermen Jon Cooper, R.J. Davis, Dan Duncheon, Steve Foster, Sharon McMahan, Steve Nichols, Michael O’Kane, Sherry Pickering, Mike Puhr, Lloyd Randle, and Tom Stone. Absent was Vice Mayor Brenda Brown and Alderman Rick Strebing. A quorum was present. Alderman Rick Strebing arrived at 6:01 p.m.

Staff Members Present: City Treasurer Stephanie Wilson, City Clerk Lisa Monson, City Comptroller Shelley Scott, Community Development Director David Schnelle, Corporation Counsel Dave Wesner, Human Relations Administrator Sandra Finch, Public Transportation Director Lisa Beith, Public Safety Director Larry Thomason, and Public Works Director Carl Carpenter. There were also 19 audience members and 3 news media in attendance.

#2....INVOCATION was given by Elder Tyson Parks, followed by

#3....THE PLEDGE OF ALLEGIANCE led by Alderman O’Kane.

#4....THE MINUTES of the regular meeting held, December 18, 2018 having been published and distributed, were presented. Alderman Randle moved for approval as presented, seconded by Alderman Cooper. On the voice vote, all ayes, no nays; the motion so ordered.

#5....THE AGENDA for the evening was presented. Alderman Cooper moved for approval as presented, seconded by Alderman Pickering. 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 the Martin Luther King, Jr. Celebration events. Sunday, January 20 at 4:00 p.m. at Days Hotel will be the annual scholarship banquet, with tickets sold out. The entertainment for the evening will include, Chicago gospel group “The Douglas Singers”. Monday, January 21 will begin with a motorcade at 10:30 a.m. from the corner of Main and Logan Streets traveling to the MLK Memorial at Jackson and Williams and then on to St. James United Methodist Church, where the community service will begin at 11:30 a.m with the speaker Bishop Ronald Henton.

#6-D...Items of Information

- Mayor Williams thanked Director Carpenter and the members of Laborers Local 703 for the exceptional work clearing the streets of snow during the most recent snow event as he received no complaints.
- Mayor Williams thanked Administrator Finch and the MLK Celebration Committee for all of the work they are doing in preparation for the MLK banquet and march.

- Mayor Williams acknowledged Danville AMBUC's and the wonderful work they do for the community as they were featured on the front cover of the National AMBUC's magazine, January issue.

#### #6-D-1..Review and Acceptance of Fiscal Year 2017-2018 Audit

Mayor Williams introduced Sandy Cook, CPA with CliftonLarsonAllen LLP, who presented the Financial Statements and Supplemental Information for period May 1, 2017, through April 30, 2018. Mrs. Cook thanked City staff for another job well done. The financial statements for the year ending April 30, 2018 included no new standards implemented in fiscal year 2018. Mrs. Cook highlighted the opinions as follows:

- Page 1 - Audit Report, unmodified (clean) opinion
- Page 106 – Internal control over financial reporting and compliance and other matters on financial statement audit (references two findings-financial reporting under GAAP, City; segregation of duties and accrual basis adjustments, Danville Public Library).
- Page 108 – Unmodified, clean opinion on internal control and compliance for each major federal program, required by Uniform Guidance (reference two findings-controls over voucher and time card approval)
- Federal Transit Formula Grants (accounted for approximately 47% of federal expenditures).

Mrs. Cook answered questions from the Council after her presentation.

#### #6-D-2..Review and Acceptance of Mass Transit Fiscal Year 2017-2018 Audit

Sandy Cook with CliftonLarsonAllen LLP presented the Financial Statements and Supplemental Information for fiscal year beginning July 1, 2017, and ending June 30, 2018. Mrs. Cook stated there was only one finding on the Mass Transit audit, relating to the cash to accrual basis; otherwise, the report was very clean. Mayor Williams thanked Mrs. Cook and the city team for all of their work on the audit.

Mayor Williams asked for a motion and a second to approve both Item #6-D-1 and #6-D-2 together. There being no objections, Alderman Strebing moved to accept the audits and for their placement on file, seconded by Alderman Cooper. There being no further discussion or questions, on the voice vote, all ayes, no nays; the motion so ordered.

#### #6-D-3..Update on Vermilion County Land Bank from Pat O'Shaughnessy

Mayor Williams introduced Mr. Pat O'Shaughnessy, Executive Director of the Vermilion County Land Bank. Mr. O'Shaughnessy explained the history of the Vermilion County Land Bank and highlighted the following information:

- Formed in 2015 as one of three in the State of Illinois along with Cooke County and South Suburban Land Banks. Vermilion County Land Bank is still one of three in the State.
- Vermilion County Land Bank modeled after South Suburban Land Bank with the Intergovernmental agreement formed with the help of South Suburban.
- There are 16 cities, towns, and villages including the County of Vermilion that make-up the Vermilion County Land Bank. Each entity is represented by one seat with the exception of Danville and Tilton who have two seats and the County has three seats and then at-large seats. Alvin, Henning, and Fithian have not joined at this time.
- Received \$50,000.00 grant the first year being established from Vermilion County; \$40,000.00 grant from Vermilion County the second year, and in addition have received three IHDA (Illinois Housing Development Authority) grants-\$40,000.00 APP; \$30,000.00 Round 3, and award of \$300,000.00 for operations and/or to explore the possibilities of regional land banking as IHDA would like to see land banks work downstate.

- Vermilion County Land Bank addresses blight removal, rehabilitation of homes, inventorying of blighted homes, and commercial development. Agreed to market City of Danville's 175 lots with most of the lots sold being vacant lots sold to neighbors. They operate with one part-time employee.
- The future of the Vermilion County Land Bank could include adjoining counties. Consultants are conducting studies regarding regional land banking. A full-time grant writer is needed as well as developers for commercial properties. In addition, there is a lack of a constant funding source.

After his presentation, Mr. O'Shaughnessy addressed questions from the Council.

#### #7...PETITIONS, COMMUNICATIONS, AUDIENCE COMMENTS

- Randy Leibach of rural Danville and Blount Township Road Commissioner spoke in support of the solar farms, but asked the energy company respect the neighbors regarding the placement of the solar panels.
- Vince Koers of Danville does not live close to the proposed solar garden, but feels there should be a way for the residents affected to vote on whether they want a solar garden or not.
- B. Enyeart of rural Danville supports solar farms as they reduce power bills.
- Ben McBride of rural Danville is opposed to a solar garden and does not want it in his backyard.
- Patty Carlton of rural Danville spoke in opposition to the solar garden in a residential area as solar energy needs to go in the right location such as the old GM plant.
- Keith Goble of rural Danville and property owner of each of the sites spoke to the neighbors in 2018 about the proposed solar installations and at the time, they seemed to be okay with it and now many are against it. He stated most of the concerns are fixable as there will be fencing, trees, and shrubs.
- Brad Johnson of rural Danville spoke in support of proposed solar gardens as Danville is economically depressed and the solar gardens do not make noise.
- Cynthia Johnson of rural Danville stated her property is directly connected to one of the parcels proposed for a solar garden and spoke in support of it. She feels some of the concerns are out of fear and they do not want change, but we need to look at the bigger picture, be responsible, and look at all factors.
- Barbara Carlton of rural Danville owns property right next door to the proposed solar farm and she spoke in opposition to it as she voiced concern of the groundwater contamination, feels it would have a negative effect on her property value, and there would be a constant humming noise. She submitted a petition signed by 63 individuals opposed to the proposed solar installations.
- Cy Carlton of rural Danville lives 36 feet from the proposed solar farm and is opposed to it.
- Tyler Turner of rural Danville lives northeast of the proposed solar site and stated the solar farm is misleading. He has been comparing Danville's solar ordinance to Champaign's solar ordinance and he would like to see a larger set back, is concerned about the financial stability of six year old company, and overall feels the ordinance does not provide enough protections.
- Edgar Lara with Novel Energy Solutions stated there was an informational meeting on January 14<sup>th</sup> and only a few people showed up. Novel Energy started in 2012 and the company has worked on over 180 projects in the State. The company will need permits from the body to submit the sites for funding and Illinois soil lottery which is a mandate created by the State with a goal of funding 30,000 megawatts of solar funds until the year 2030 which they are doing it in increments. The window for the first drawing is starting January 30<sup>th</sup> and will be closing on February 14<sup>th</sup> and requires three things which are approvals from the utility companies, approvals from the property owner, approvals from the jurisdiction that does permitting which

would be the City. The project then gets submitted to the lottery with only 6 to 10 percent selected and on sites scattered all over the State. He stated there is time to inform people about solar projects and his company wants to be a good neighbor. The project is a temporary use, the panels are shatterproof, do not leak chemicals and the panels do not go into the landfill. They are like batteries and are recycled.

#### #8.....ZONING PETITIONS

Mayor Williams presented Items A through C for a single vote. There being no objections, Alderman Strebing moved to dispense with the readings and asked for approval, seconded by Alderman Stone. After hearing testimony during a Public Hearing on January 3, 2019, the Planning & Zoning Commission recommended denial of all three petitions by a vote of 1 to 5 with 1 vacancy. Those items being:

#8-A...Special Use Permit #232, amending the Zoning Ordinance and Map to allow for construction of a 2 megawatt Community Solar Garden (Large Ground Solar Energy System) at the property commonly known as 14127 Old Ottawa Road in the AG Agriculture Zoning District for Petitioner, Novel Energy Solutions;

#8-B...Special Use Permit #233, amending the Zoning Ordinance and Map to allow for construction of a 2 megawatt Community Solar Garden (Large Ground Solar Energy System) at the property commonly known as 21168 N. 1400 East Road in the AG Agriculture Zoning District for Petitioner, Novel Energy Solutions; and

#8-C...Special Use Permit #234, amending the Zoning Ordinance and Map to allow for construction of a 1 megawatt Community Solar Garden (Large Ground Solar Energy System) at the property commonly known as 14000 Old Ottawa Road in the AG Agriculture Zoning District for Petitioner, Novel Energy Solutions.

Alderman Randle supports solar technology, but not at these locations. He suggested placing a solar farm at the Vermilion County airport or other plots of land and we should revisit the solar ordinance. He will not be supporting this project because the residents do not want it. Alderman Strebing voiced opposition to the placement close to residential backyards, the neighbors should have been informed sooner, and he did not know about the informational meeting on January 14<sup>th</sup>. Alderman Foster also suggested looking at the Vermilion County airport and feels the solar ordinance should be revisited. Alderman McMahan asked if Novel could pursue other properties in the area and feels the Council should support the recommendation from the Planning & Zoning Commission so she will not be supporting the project. Alderman Davis commended the individuals who spoke for solar power, but he would like to respect the decision from the Planning & Zoning Commission. Alderman Stone feels like the City should be looking into solar as it could produce enough electricity for streetlights and it is a target rich environment, but in this situation the neighbors spoke and were not on board with the project and sadly, that was the missing link. Alderman Puhr also feels there are other locations that could have been considered, thinks solar technology is the wave of the future, and would like to look at other communities ordinances to see what we are missing in the City's solar ordinance. Alderman Pickering stated anyone who would opt-in to the solar project would receive a 10% discount. Mayor Williams stated he believes solar is the wave of the future and he wholeheartedly embraces it for the community, but not for this project. He stated it has been ten years that he has served on the Council in May and he has received more phone calls, emails, and letters about this project than other items that he has voted on and up until this evening all were opposed to it so he will be voting "no".

Alderman Cooper asked if the solar farm has to be within a certain proximity of an Ameren substation and Mayor Williams stated "yes". Mayor Williams called the question. Mayor Williams clarified a "no" vote means against approval of the special use permits and a "yes" vote means voting for the special use permits. Corporation Counsel Wesner agreed with Mayor Williams' clarification. There being no further questions or discussion, the roll call vote being:

Ayes: None

Nays: Aldermen Duncheon, McMahon, Stone, Williams, Strebing, Pickering, O’Kane, Randle, Cooper, Puhr, Nichols, Foster

Absent: Alderman Brown

Voting Present: Alderman Davis

Motion failed 0 to 12 with 1 voting present and 1 absent.

#9...PAYROLL

Mayor Williams presented Payrolls for January 4, 2019, of \$669,235.25, and for January 11, 2019 of \$64,337.33. Alderman Randle moved to dispense with the readings and asked for approval as presented, seconded by Alderman Duncheon. There being no questions, the roll call vote being:

Ayes: Aldermen McMahon, Stone, Williams, Strebing, Pickering, O’Kane, Randle, Cooper, Puhr, Nichols, Foster, Duncheon, Davis

Nays: None

Absent: Alderman Brown

Motion carried 13 to 0 with 1 absent.

#10...SCHEDULE OF VOUCHERS PAYABLE

Mayor Williams presented the Schedule of Vouchers Payable, having been published, posted, and distributed, for special run of December 3, 2018, of \$15,745.03, special run of December 19, 2018, of \$434,579.00, special run of December 20, 2018, of \$61,873.53, special run of December 27, 2018, of \$1,887.52, regular run of January 8, 2019, of \$1,450,396.46, and for January 15, 2019, of \$353,788.03. Alderman Cooper moved to dispense with the readings and asked for approval as presented, seconded by Alderman Strebing. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Stone, Williams, Strebing, Pickering, O’Kane, Randle, Cooper, Puhr, Nichols, Foster, Duncheon, Davis, McMahon

Nays: None

Absent: Alderman Brown

Motion carried 13 to 0 with 1 absent.

#11... PUBLIC WORKS COMMITTEE REPORT

#11-A.. Chairman Puhr presented RESOLUTION NO. 2019-1 approving the Agreement between the Greyhound Connect Service/Greyhound Bus Lines and Danville Mass Transit, effective January 23, 2019, for inclusion of Greyhound Connect service in Danville to provide connection between cities within the north east portions of Illinois from the Richard L. Brazda Bus Terminal and Danville Mass Transit will receive a commission for tickets and parcel service from Greyhound, without Committee recommendation, moved to dispense with the reading and asked for approval, seconded by Alderman Cooper. Chairman Puhr stated the item was discussed at the Committee. Director Beith explained the agreement was part of a grant that included another county. The county asked if the DMT terminal would want to be named as one of the terminal stops for the route. The route will start in the Chicago area and work its way across to Rockford, then down to Bloomington, to Champaign, then in to Danville, then will be re-routed the opposite direction. The route will occur once daily seven days a week. There will be revenue generated through commission of ticket sales and the parcel service. There has also been a conversation started with Burlington to bring the bus service that now uses the Lynch Road facility into town so that could be another possibility for some commission for sales. Mayor Williams stated the City will receive residual revenue as the bus drivers will be staying overnight. Alderman Foster questioned if there is adequate long-term parking at the bus terminal and Director Beith responded “currently yes”. Alderman Davis stated the service will be a great thing for the people from Chicago. Alderman Strebing questioned if this service will hurt us with any of the



other grants and Director Beith responded the service DMT previously had between Danville and Champaign, that grant ran out three years ago so that is not operating under anything other than our operating grant so we do not have any additional grants to help fund that service. She stated many of the people that go to Champaign are going to Champaign only so that service should not have a big impact by the Greyhound service. There being no further questions or discussion, the roll call vote being:

Ayes: Aldermen Williams, Strebing, Pickering, O'Kane, Randle, Cooper, Puhr, Nichols, Foster, Duncheon, Davis, McMahon, Stone

Nays: None

Absent: Alderman Brown

Motion carried 13 to 0 with 1 absent.

#11-B...Chairman Puhr presented RESOLUTION NO. 2019-2 amending the Contract for Bid #593 to Big O Services, LLC for Oregon Street Bridge Repairs in the amount of \$47,433.96 due to the need to make joint repairs and concrete repairs, with the work to be paid from Motor Fuel Tax Fund, Section 16-00353-00-BR, line item 103-103-16-6353B, for a total contract price of \$184,461.71, and Amending the Fiscal Year 2018-2019 Budget for Motor Fuel Tax Fund (103), line item 103-103-16-6353B, in the amount of \$184,461.71, with the funds to be paid from Fund 103 Reserves, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Strebing. Alderman Duncheon asked for an explanation and Director Schnelle explained the design plans showed the correct amount of concrete work to take place, but the bid quantities did not have the correct concrete quantity. Mayor Williams stated despite the error, the City still came out ahead using Big O Services, LLC and they did not receive any kind of unfair, competitive advantage. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen Strebing, Pickering, O'Kane, Randle, Cooper, Puhr, Nichols, Foster, Duncheon, Davis, McMahon, Stone, Williams

Nays: None

Absent: Alderman Brown

Motion carried 13 to 0 with 1 absent.

#11-C...Chairman Puhr presented RESOLUTION NO. 2019-3 amending Fiscal Year 2018-2019 Sanitary Sewer Budget (402) to Increase Line Item 402-402-00-55018-Infrastructure Improvements in the amount of \$359,378.55, with funds to come from the Sanitary Sewer Reserves, for the Koehn Creek Interceptor Sanitary Sewer Improvement contract to Midwest Asphalt, Inc., moved to dispense with the reading and asked for approval, seconded by Alderman Cooper. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen Pickering, O'Kane, Randle, Cooper, Puhr, Nichols, Foster, Duncheon, Davis, McMahon, Stone, Williams, Strebing

Nays: None

Absent: Alderman Brown

Motion carried 13 to 0 with 1 absent.

#11-D...Items of Information

- Director Schnelle reported the stage is back together at Garfield School as the collapsed manhole has been repaired. He also reported storm and sanitary sewers are mapped in the GIS system and all of the structures in the city are mapped in the GIS system, so Adam Aull, GIS Coordinator, was able to do a query and come up with a list where there is a potential conflict where any sewer, sanitary or storm, could potentially be underneath a building. We have assigned two engineering staff to go out in the field to investigate all of those situations

and then we are putting together a list of all of those locations to get cleaned and televised by a contractor next year. Mayor Williams stated he appreciates the staff is being proactive in working on asset mapping.

- Director Schnelle reported staff is finalizing up quantities from the annual maintenance this year and he stated there will be an extra coming in regards to the microsurfacing contract as Fairchild Street was added which was previously discussed. The amount is approximately \$30,000.00 and a resolution will be coming next month.

*[The next Public Works Committee meeting is scheduled for Tuesday, February 12, 2019 at 6:00 p.m.]*

## #12... PUBLIC SERVICES COMMITTEE REPORT

### #12-A..Item of Information

Chairman Nichols announced the next Public Services Committee meeting is scheduled for Tuesday, January 22, 2019 at 6:00 p.m.

## #13...DISCUSSION AND REVIEW OF PROPOSED 2019-2020 DRAFT BUDGET

Comptroller Scott stated she anticipates a first draft of the budget will be ready on February 5<sup>th</sup>, then a discussion and review will be ready at Public Works Committee on February 12<sup>th</sup>, so any divisions or departments that report to Public Works will be there and prepared to answer any questions. The discussions will continue at the February 19<sup>th</sup> City Council meeting where the General City Government budget will be reviewed along with Public Affairs, and most of the revenues so everyone has an overview of that. The same thing on the 26<sup>th</sup> of February, those departments and divisions that report to Public Services Committee will be available to answer your questions regarding their budgets as well. There will be any adjustments or changes made and a second draft will be distributed and reviewed at the March 5<sup>th</sup> City Council meeting. Comptroller Scott explained the reason why the Administration did not go with the first plan for the budget is due to a couple of union contracts being settled and it requires extensive changes and updates to the personnel line items in almost every budget and rather than distributing a rough draft and having to turn around and modify it immediately, the Administration held off so the first draft will include all of those union updates and everyone will be dealing with the most updated current information available for the first draft.

## #14... ITEMS OF INFORMATION

- Alderman Davis announced special prayers and concern on behalf of the City for Mrs. Raj Karinattu and her family due to the recent passing of her husband, Dr. Joseph Karinattu, who was an active member of the community.
- Mayor Williams announced there will be a swearing-in ceremony for six Probationary firefighters and the firefighter promotional swearing-in ceremony beginning at 9:00 a.m. tomorrow morning in the City Council chambers. There will also be a swearing-in ceremony for one Probationary Police Officer at 11:00 a.m. tomorrow morning in the City Council chambers.
- Mayor Williams reminded everyone to attend the MLK Celebration events with the banquet on Sunday, January 20<sup>th</sup> at 4:00 p.m. at the Days Hotel, gathering for the March at the World War I Memorial at 10:00 a.m. on Monday, January 21<sup>st</sup>, followed by the service at St. James United Methodist Church at 11:30 a.m.

## #15...CLOSED SESSION

Alderman Duncheon moved to go into Closed Session under Section 2(c)(1) of the Open Meetings Act to discuss Specific Employees, under Section 2(c)(2) of the Open Meetings Act to Discuss Collective Bargaining Matters and Salary Schedules, and under Section 2(c)(6) of the Open Meetings

Act to discuss the Setting of a Price for Sale or Lease of Real Property, seconded by Alderman Pickering. The roll call vote being:

Ayes: Aldermen O’Kane, Randle, Nichols, Duncheon, Davis, McMahon, Stone, Williams, Pickering

Nays: Aldermen Cooper, Puhr, Foster, Strebing

Absent: Alderman Brown

Motion carried 9 to 4 with 1 absent.

TIME: 8:12 p.m.

Mayor Williams announced there will action taken after closed session.

Alderman Duncheon moved to return to Open Session, seconded by Alderman Pickering. On the voice vote, all ayes, no nays; the motion so ordered. Mayor Williams called the meeting back to order at 9:13 p.m.

#15-A...Mayor Williams presented RESOLUTION NO. 2019-4 approving Collective Bargaining Agreement with International Brotherhood of Electrical Works, Local 538-Inspectors for period beginning May 1, 2017 through April 30, 2021. Alderman Pickering moved for approval as discussed in Closed Session, seconded by Alderman Strebing. Before the vote, Mayor Williams stated on behalf of himself and the Council, he believes the raises provided were outrageous and unfair; however, it is arbitration and because the Council has been dealt this hand, he thinks there is reluctant support from most of the Council. There being no questions or further discussion, the roll call vote being:

Ayes: Aldermen Cooper, Puhr, Foster, Duncheon, Davis, Williams, Strebing, Pickering, O’Kane

Nays: Aldermen Randle, Nichols, McMahon, Stone

Absent: Alderman Brown

Motion carried 9 to 4 with 1 absent.

#16...ADJOURNMENT

There being no further business to discuss, the meeting was adjourned by acclamation at 9:15 p.m. following a motion by Alderman Strebing and a second by Alderman McMahon.



\_\_\_\_\_  
Lisa K. Monson, City Clerk

I, Lisa K. Monson, 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 January 15, 2019, as the same appears on the records of the City now in my custody and keeping.

\_\_\_\_\_  
Lisa K. Monson, City Clerk

Approved: 02/05/19

Posted Publicly: 02/06/19