

DANVILLE CITY COUNCIL  
FEBRUARY 18, 2020

#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., Vice Mayor Bob Iverson, Aldermen Brenda Brown, R.J. Davis, Dan Duncheon, Steve Foster, Sharon McMahan, Sherry Pickering, James Poshard, Michael Puhr, Tom Stone, Rick Strebing, Aaron Troglia, and Robert Williams. Alderman Michael O'Kane was absent. A quorum was present.

Staff Members Present: City Treasurer Stephanie Wilson, City Clerk Lisa Monson, Corporation Counsel Charles Mockbee IV, City Engineer Sam Cole, Grants & Planning Manager Logan Cronk, Human Relations Administrator Sandra Finch, Information Technology Administrator Agnel DSilva, Interim Fire Chief Don McMasters, Police Chief Chris Yates, Public Transportation Director Lisa Beith, and Public Works Director Carl Carpenter.

There were twenty audience members and two news media in attendance.

#2...INVOCATION was given by Reverend Thomas Miller, Pastor, New Life Church of Faith, followed by

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

#4...THE MINUTES of the regular meeting held, February 4, 2020, having been published and distributed, were presented. Alderman Duncheon moved for approval as presented, seconded by Alderman Stone. On the voice vote, all ayes, no nays; the motion so ordered.

#5...THE AGENDA for the evening was presented. Alderman Troglia 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 – None

#6-D... Items of Information

- Mayor Williams updated everyone on the status of the casino application. The State has until September 30, 2020 to approve Haven Gaming's application. He met with a gentleman last Friday by the name of Frank Sporcich, who is assigned as our representative from the Illinois Gaming Board. Mr. Sporcich had a few questions and asked for some background information. The Illinois Gaming Board is essentially at the stage where they are out interviewing all of the applicants regarding their applications. Mr. Sporcich is from the Fithian area.
- Mayor Williams announced there are two debates being held in the community this week. The first debate is for the 15th Congressional District seat that Mr. Shimkus is vacating for the Democratic party will be held this evening and the Republican party will be having their debate for the same seat tomorrow evening. Both debates are being held at 7:00 p.m. at the Danville Area Community College Bremer Center. Mayor Williams encouraged everyone to attend the debates to make an informed decision for the March primary.

- Mayor Williams praised Chief Yates and the Danville Police Division for an outstanding job apprehending criminals who have been involved in gun violence. The swift and thorough response is appreciated by the community.

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

#7-A...Introduction of the 2020 MLK Scholarship Recipient, Grace Awodeha, by Mary Thompson  
Mayor Williams introduced Mrs. Mary Thompson, MLK Committee Chair, who thanked Mayor Williams, the City Council and the Community for their support enabling the Committee to continue to award the MLK scholarship. She then introduced the 2020 MLK Scholarship Recipient Grace Awodeha, who presented her MLK essay "I Have a Dream".

#### #7-B...PRESENTATION FROM GREEN GROWTH GROUP, INC.

Mayor Williams introduced Gary Oliver, Co-Founder and Community Liaison, and Simone Grimes, Co-Founder and Chief Strategist with Green Growth Group, Inc. The following items were highlighted in their presentation:

- Their goal is to bring high-quality medicinal products to Illinois residents while simultaneously collaborating with their neighbors to make the community the best it can be through partnership and economic development.
- The five-point engagement model is 1) strengthen local economics; 2) increase local employment; 3) provide local educational programs; 4) community investment; and 5) be a good neighbor.
- There would be a local Community Advisory Board and municipal leaders would provide a feedback loop.
- The definition of a craft grower is a facility operated by an organization or business that is licensed by the department to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at an infuser. Infuser means a facility that produces cannabis-infused products. Transporter or transporters means an organization or business that is licensed by the Department of Agriculture to transport cannabis on behalf of a cannabis business establishment. (Title 8: Agriculture and Animals Chapter I: Illinois Department of Agriculture Part 1300 Cannabis Regulation and Tax Act).
- The growth strategy would be in three phases with Phase I including the build out/retrofit of the facility with the initial facility being between 10,000 and 15,000 square feet of which 5,000 square feet being allocated to canopy space. The proposed facility location is 202 and 204 Eastgate Drive.
- Security measures have been set by the State, but their security plan is to have minimal impact on the community such as using low profile vehicles. They have a team of security managers with experience in both law enforcement and in the commercial security industry specializing in the protection of persons, assets as well as the movement of high value/high risk good.
- The cleanroom will have preventative measures in place with a master grower and lab technicians. The focus will be on the end result of the user.
- The Planning & Zoning Commission will be voting on the Special Use Permit March 5<sup>th</sup> to allow for Medicinal/Adult Use Cannabis Cultivation Center. Ms. Grimes stated Green Growth Group plans to submit a license application to the State by March 13<sup>th</sup> with the State announcing the issuance of licenses in July, 2020.

Mr. Oliver and Ms. Grimes addressed questions from the Council. Mr. Oliver stated dispensaries in other states are struggling to keep up with the demand of the products. He feels it is a good idea that Illinois is issuing a small number of licenses. Mayor Williams stated the City will not receive any

revenue directly because there is no sales tax allowed for the cultivation, but there will be 3% community investment which could range from \$60,000.00 the first year upwards to \$300,000.00 after the third year.

### AUDIENCE COMMENTS

The following audience members spoke in opposition of Zoning Petition #275.

- Erin Hoff of rural Danville voiced concern with lighting from the proposed car lot and concerned with any future business that could go in the location due to the rezoning.
- Cindy Eaglen of rural Danville stated her property is the only adjacent property to the proposed car lot and spoke concern of there being no highway access. She also handed out pictures and maps of the proposed rezoning location.
- Father Timothy Sauppe' of Westville spoke concern of the effects of light pollution to plant life, insect life, and decrease of bird population.
- Mike Garfield of rural Danville voiced concern of any future businesses that could locate in the area if rezoning occurs.
- Jen Slavik of rural Danville stated she is two doors down from the proposed business area, is building a new home and is concerned as the neighborhood kids are used to playing outdoors in a non-commercialized area as there would be increased traffic if the rezoning occurs.
- Jeff Nardoni of rural Danville voiced concern of the lighting from the proposed car lot as well as concern over any future businesses in the area if rezoning is allowed.

The following audience members spoke in support of Zoning Petition #275.

- Barbara Delanois of Danville and attorney for the Petitioner Mr. Brennan clarified there is not a single entry curb cut off of Route 1 to allow any business to access the west side of road north of Newell. She also stated the current zoning classification AG-Agriculture for the tract of property to be rezoned is clearly non-agricultural as the area of the current business has been B-2 for 30 some years.
- Rob Brennan of rural Danville and Petitioner of ZP #275 stated he is not going to change the lighting and will continue with the commercial self-storage facility.
- Clerk Monson announced she received an audience comment card in her office today from Clark Meeker of rural Danville who has no objections to the rezoning and believes increased traffic and lighting is no issue as the lot entrance is 100' from the highway.

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

#8-A..Mayor Williams presented Zoning Petition #275 Amending Zoning Ordinance and Map to Approve Rezoning Petition for Robert Brennan, Petitioner by changing the classification of the subject tract at 15952 Potters Woods Rd. *[within the 1.5-mile zoning jurisdiction]* from AG-Agriculture to B2-Highway Business to be used for automotive sales and continuance of storage facility. Alderman Strebing moved to dispense with the reading and asked for approval, seconded by Alderman Duncheon. After hearing testimony during a hearing on February 6<sup>th</sup>, the Planning & Zoning Commission voted 3-3-1 to deny the request. Chairman Puhr questioned how a 3-3 vote by Planning & Zoning constitutes denial. Manager Cronk explained per Chapter 150, the ordinance states a tie vote by the Commission shall be considered a recommendation to deny the amendment request. Aldermen Foster and Puhr feel the City should not be getting involved in businesses outside of the City. Mayor Williams asked Corporation Counsel Mockbee to explain the voting procedure from the City code. Corporation Counsel Mockbee explained since the Planning & Zoning Commission voted to deny the rezoning request, a 2/3 affirmative vote of the City Council holding office is required to override the Planning & Zoning's recommendation for denial; therefore, ten votes would be required. Alderman Pickering spoke concern if changing the area to B-2, there could be a possibility of a gas station or other high traffic business to be placed at that location in the future. Alderman Troglia

stated he thinks the property should have been changed to B-2 a long time ago. Alderman Strebing stated he is in favor of changing the property to B-2. *[Alderman Davis left the dais at 7:55 p.m.]* Alderman Pickering asked for an explanation of the Future Land Use Map. Manager Cronk explained the Future Land Use Map was drafted in 2008 and included a mass rezoning outside of the city limits to be either rural or agricultural. Alderman Foster stated there was a big concern when the map was passed and the Council at the time promised there would be no businesses north of west Newell.

*[Alderman Iverson left the dais at 7:59 p.m.]* Additional discussion ensued and a motion was made by Alderman Pickering to delay the vote due to two Aldermen stepping away from the dais with the vote being taken upon their return, seconded by Alderman Brown. The roll call vote on the motion to delay voting being: *[Alderman Iverson returned to the meeting at 8:02 p.m. before the roll call vote]*

Ayes: Aldermen Pickering, Iverson, Strebing, Puhr, Foster, McMahon, Brown, Duncheon, Poshard, Stone, Williams

Nays: None

Absent: Alderman O’Kane

*[Alderman Davis returned to the meeting at 8:04 p.m. during roll call vote so the roll call vote was not completed.]*

Mayor Williams reminded everyone a “yes” vote will be to approve the Ordinance amending the Zoning Ordinance and disagree with the recommendation from the Planning & Zoning Commission. There being no further questions or discussion, the roll call vote on the Ordinance being:

Ayes: Aldermen Iverson, Strebing, Puhr, Foster, McMahon, Brown, Troglia

Nays: Aldermen Davis, Duncheon, Poshard, Stone, Williams, Pickering

Absent: Alderman O’Kane

Motion failed 7 to 6 with 1 absent.

ZP #275 DENIED

#### #9...PAYROLL

Mayor Williams presented the Payrolls, having been published, posted, and distributed, for run of February 7, 2020, of \$69,439.31, and for run of February 14, 2020, of \$537,759.67. Alderman Strebing moved to dispense with the readings and asked for approval as presented, seconded by Alderman Duncheon. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen Strebing, Puhr, Foster, McMahon, Brown, Davis, Duncheon, Poshard, Stone, Williams, Troglia, Pickering, Iverson

Nays: None

Absent: Alderman O’Kane

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 run of February 11, 2020, of \$517,965.42, and for run of February 18, 2020, of \$218,480.47. Alderman Brown moved to dispense with the readings and asked for approval as presented, seconded by Alderman Strebing. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen Puhr, Foster, McMahon, Brown, Davis, Duncheon, Poshard, Stone, Williams, Troglia, Pickering, Iverson, Strebing

Nays: None

Absent: Alderman O’Kane

Motion carried 13 to 0 with 1 absent.

#### #11...PUBLIC WORKS COMMITTEE REPORT

#11-A...Chairman Puhr presented RESOLUTION NO. 2020-9 authorizing Budget Amendment in Office of Grant and Planning Management for Fiscal Year 2020 and Fiscal 2021 budgets to be amended to use funds from salary 001-060-00-51001 (20%); 106-106-00-51001 (40%); and 116-116-00-51001 (40%) for the annual salary of \$52,000.00 for the Planner I position to be funded by reallocation of funds from the vacant Senior Planner position with the funds for the amendment to come from the vacant Senior Planner position, 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 Foster, McMahon, Brown, Davis, Duncheon, Poshard, Stone, Williams, Troglia, Pickering, Iverson, Strebing, Puhr

Nays: None

Absent: Alderman O’Kane

Motion carried 13 to 0 with 1 absent.

#11-B...Chairman Puhr presented ORDINANCE NO. 9252 amending Chapter 73 of City Code Pertaining to Parking Rules, by removing language in Section § 73.032(B),(C), and (D) Municipal Building Lot and amend language in Section § 73.999 (B) Penalty; Pre-Hearing Settlement as follows:

The amount of fines for pre-hearing dispositions shall be as follows: (1) For violations of §§ 73.001, 73.002 or 73.032: ~~\$5~~ \$10 if paid within 72 hours of issuance of the ticket; ~~\$40~~ \$25 if paid after 72 hours but before the expiration of 10 days; ~~\$25~~ \$35 if paid after 10 days but before the expiration of 30 days; for a subsequent ticket issued on the same day for a violation of any of the sections described above, ~~\$40~~ \$25 if paid within 72 hours of issuance of said subsequent ticket or ~~\$25~~ \$35 if paid after 72 hours but before the expiration of 30 days, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Duncheon. Alderman McMahon asked for the areas affected by the parking rule changes and Mayor Williams responded the entire downtown. She also asked who monitors the parking and Mayor Williams responded Cindy Parson and an auxiliary worker monitor the parking. Alderman Foster supports the Ordinance as it has created a problem for individuals who pay for the spaces and they are not available to them when someone else parks there. Alderman Williams voiced concern if the parking violations are occurring the most in the parking lot across from Rich’s that just issues in that parking lot should be addressed. Mayor Williams stated the City has problems in other downtown parking areas as well. Alderman Brown voiced concern as she serves on the East Central Illinois Community Action Board and is downtown every day. There are times she is there longer than two hours and has to move her car to avoid receiving a ticket. Alderman Duncheon stated when he owned a business in the first block of Vermilion Street, there were two main people who parked in front of his business. They were the Vermilion County Courthouse Annex employees and attorneys. There is not a problem from the county courthouse annex anymore due to their relocation. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Foster, McMahon, Davis, Duncheon, Troglia, Pickering, Iverson, Strebing, Puhr

Nays: Aldermen Brown, Poshard, Stone, Williams

Absent: Alderman O’Kane

Motion carried 9 to 4 with 1 absent.

#11-C...Items of Information

- Director Carpenter reported demolitions are taking place for the Carle project and they are using the City’s yard waste facility for the tree debris creating income for the City.
- The City demolished a structure in the old Carver Park area and he is hoping that will stop illegal dumping. There was also a demolition on south State Street that a citizen owned and agreed to pay for.

- Mayor Williams thanked Logan Cronk and Christina Turner for meeting the CDBG timeliness requirement. He also thanked Sam Cole and the Engineering team for their assistance with meeting the requirement. Director Carpenter thanked the City Council for approving the CDBG projects.

*[The next Public Works Committee meeting is scheduled for Tuesday, March 10, 2020 at 6:00 p.m.]*

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

#12-A... Chairman Foster presented the City Treasurer's Report for October 2019 for approval, moved to dispense with the reading and asked for approval, seconded by Alderman Stone. The reports as follows: Statement of Receipts and Disbursements for October 2019 stating a Beginning Balance on October 1, 2019, of \$23,376,975.57, Receipts of \$4,488,713.56, Disbursements of \$6,688,882.44, an Ending Balance on October 31, 2019, of \$21,176,806.69 and a Cash Balance of \$9,475,868.25.

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

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

Chairman Foster announced the next Public Services Committee meeting is scheduled for Tuesday, February 25, 2020 at 6:00 p.m.

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

Director Beith announced a fundraiser for Soul Garden Recovery Center to be held Friday, February 28<sup>th</sup> beginning at 6:00 p.m. at Harrison Park Clubhouse. It is the second annual "A Child's Voice Above the Noise". There will be a chicken and noodle dinner at 6:00 p.m. with entertainment beginning at 6:30 p.m. for the children showcasing their talents such as sharing techniques they learned from "Camp Care for You". There will also be a silent auction held from art the kids created, and a 13-year old will share her story of losing both her mother and father to opioid addiction.

**#14... CLOSED SESSION**

Alderman Duncheon moved to go into Closed Session under Section 2(c)(1) of the Open Meetings Act to discuss Specific Employees, and under Section 2(c)(6) of the Open Meetings Act to discuss Setting Price for Sale of Property, seconded by Alderman Brown. The roll call vote being:

Ayes: Aldermen Brown, Davis, Duncheon, Poshard, Stone, Williams, Troglia, Pickering, Iverson, Puhr, McMahon

Nays: Aldermen Strebing, Foster

Absent: Alderman O'Kane

Motion carried 11 to 2 with 1 absent.

TIME: 8:24 p.m.

Mayor Williams announced there will be no action taken after closed session.

Alderman Pickering moved to return to Open Session, seconded by Vice Mayor Iverson. On the voice vote, all ayes, no nays; the motion so ordered. Mayor Williams called the meeting back to order at 8:56 p.m.

**#15... ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned by acclamation at 8:56 p.m. following a motion by Alderman McMahon and a second by Alderman Duncheon.

  
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 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 February 18, 2020, as the same appears on the records of the City now in my custody and keeping.

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Lisa K. Monson, City Clerk

Approved: 03/03/20  
Posted Publicly: 03/04/20