

DANVILLE CITY COUNCIL
MARCH 19, 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., Vice Mayor Brenda Brown, Aldermen Jon Cooper, R.J. Davis, Dan Duncheon, Steve Foster, Sharon McMahon, Steve Nichols, Michael O'Kane, Sherry Pickering, Mike Puhr, Lloyd Randle, Tom Stone, and Rick Strebing. A quorum was present.

Staff Members Present: City Treasurer Stephanie Wilson, City Clerk Lisa Monson, City Comptroller Shelley Scott, Corporation Counsel Dave Wesner, Assistant City Engineer Eric Childers, Human Relations Administrator Sandra Finch, Information Technology Administrator Agnel DSilva, Planning Manager Christopher Milliken, Senior Planner Tyson Terhune, Public Safety Director Larry Thomason, Public Transportation Director Lisa Beith, and Public Works Director Carl Carpenter. There were also 34 audience members and 3 news media in attendance.

#2....INVOCATION was given by Rev. Doug Knapp, Pastor, Christway Church & Associate Pastor at Life Church, followed by

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

#4....THE MINUTES of the regular meeting held, March 5, 2019 having been published and distributed, were presented. Alderman Randle moved for approval as presented, seconded by Alderman O'Kane. On the voice vote, all ayes, no nays; the motion so ordered.

#5....THE AGENDA for the evening was presented. Mayor Williams announced the removal of Items 11-J through 11-K and stated the items will be on the April 2, 2019 agenda. Alderman Foster moved for approval as amended, seconded by Alderman Puhr. On the voice vote, all ayes, no nays; the motion so ordered.

#6....MAYOR'S REPORT

#6-A... Proclamations

Mayor Williams presented and read a proclamation proclaiming Friday, March 29, 2019 as "LARRY THOMASON DAY" to retiring Director of Public Safety Thomason, after 48 years of service in the Danville Police Division with 12 years as Director of Public Safety. Director Thomason was also presented with a plaque from the City of Danville by Mayor Williams for his many years of dedicated service. Ed Butler, Alderman R.J. Davis, and Reverend Frank McCullough, the Three Kings of Peace, presented a vest to Director Thomason with the words on the back "All the King's Men". Mr. Butler stated ever since the Three Kings of Peace have been involved with the peace marches within Danville, Director Thomason has been with them since day one and he is going to be missed. Director Thomason thanked the Mayor and the Council for working with him and stated he has had good working relationships with them as well as the other departments and feels the City is moving forward. He loves the City and feels it has a lot of potential. He also thanked his wife and the people of the community who share things and he also thanked the police officers and the firefighters who worked side by side with him to make sure things were done as far as Public Safety. Mayor Williams announced there will be a reception to honor Director Thomason on Friday, March 29th, at 3:00 p.m. in the City Council Chambers.

#6-B... Board/Committee Appointments – None

#6-C... Reports of Boards, Agencies, Commissions – None

#6-D... Items of Information

- Mayor Williams reminded everyone to attend the NJCAA Division II Men's Basketball Tournament at DACC (Danville Area Community College). The tournament began today and will run the rest of the week with the championship game played Saturday evening.
- Mayor Williams announced there will be a Budget Study Session held Saturday, March 23, 2019 at 9:00 a.m. in the City Council Chambers.

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

#7-A..The Public Hearing on Annual MS4 (Municipal Separate Storm Sewer Systems) Public Evaluation and Comment was opened by Mayor Williams at 6:16 p.m. Assistant Engineer Childers explained the IEPA (Illinois Environmental Protection Agency) issues the City the NPDES (National Pollutant Discharge Elimination System) Permit, the ILR40/MS4 to small municipalities and to regulate the stormwater discharge the permit is issued, which is typically a five-year permit, the ongoing permit was issued in February, 2016 and will expire in 2021. The permit is on the City stormwater website. The guidelines of the permit require BMP's (Best Management Practices) to be addressed with an annual compliance report to the IEPA. There are six BMP categories which are public education and outreach, public participation and involvement, Illicit Discharge Detection and Elimination, Construction Site Runoff Control, Post Construction Runoff Control, Pollution Prevention and Good Housekeeping. BMP description basically states to provide one public meeting annually for the public to provide input as to the adequacy of the permittees MS4 programs. The city's MS4 annual compliance for last year was submitted in May, 2018 and the current 2018-2019 is being developed and will be submitted on time for the June 1, 2019 deadline. All annual reports are on the stormwater website for public viewing. He then asked for public questions or comments. Joe Gleisner manages an MS4 for the Tilton, Illinois area and he shared an outreach item he is doing with other communities regarding pollution prevention and drainage. He stated the University of Illinois has an informative public class held on Thursdays on the all connected Vermilion River system. There being no further public comments or comments from the Aldermen, Mayor Williams closed the public hearing at 6:22 p.m.

#7.... Audience Comments

- Robert Sloan of Danville, owner of Anker Florist and General Manager of The Heron restaurant in Downtown Danville spoke in support of the First Friday events in Downtown Danville.
- Amy McKinley of Danville, owner of Senior Source in Downtown Danville, supports the First Friday events, feels they are important to goodwill and business growth and the feedback from the events has been great. She stated Amanda Vickery, First Friday event coordinator, has been excellent to work with.
- Amanda Vickery of Danville, Public Affairs Specialist and First Friday event coordinator, explained the steps involved in planning a First Friday event when trying to appeal to everyone to generate numbers to the events and create tourism. There were 150 people in Downtown Danville for the Harry Potter event.
- Carol Nichols of Danville voiced support of the First Friday events in Downtown Danville and stated the \$10,000.00 donation from the FY 2019-2020 City Budget was to go towards Amanda Vickery's salary for the First Friday events
- Jerry Hawker of Danville thanked Mayor Williams for working diligently in getting grant funds back. He suggested bringing large roll-off containers to the Public Works facility for citizens to bring major garbage items.

- Rhonda Parrish of Danville spoke concern of rehabilitation dollars approved, but never received for her roof repairs back in 2017.

#8.....ZONING PETITIONS

#8-A..Mayor Williams presented Zoning Petition #269, ORDINANCE NO. 9195, Amending Chapter 150 of City Code Zoning Ordinance for Article VII-Animated/Digital Signage for Petitioner, City of Danville Zoning Administrator, be amended to make changes to the signage regulations in the ordinance, specifically adding regulations to require special use permit application and approval for placement of animated/digital signs in the P1, R1, R2, and R3 Zoning Districts. After hearing testimony during hearings on February 7, 2019 and March 7, 2019, the Planning & Zoning Commission voted on March 7th 5-0-1 to approve the request. Alderman Cooper moved to concur with the recommendation from the Planning & Zoning Commission, seconded by Alderman Pickering. Manager Milliken explained that the ordinance was reformatted to put the requirements for animated signs into a table rather than in text only format in order to hopefully make them easier to understand. Manager Milliken indicated that the changes were being made in hopes of avoiding rezonings being proposed simply to install an animated/digital sign. In addition to where animated/digital signs are allowed currently, the proposed changes would allow animated/digital signs after application for and issuance of a special use permit in the B1 and P1 Zoning Districts. Additionally, in the R1, R2, and R3 Zoning Districts, but only for legally conforming non-residential uses, animated/digital signs would be allowed after application for and issuance of a special use permit. Manager Milliken stated if the Council's desire is to approve this petition with the ordinance changes then the rezoning petition for First Baptist Church in Item #8-B could be withdrawn, because it would not be required at that point. First Baptist Church will still need the Special Use Permit #235, Item #8-C. After all questions were addressed and there being no further discussion, the roll call vote being:

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

Nays: None

Motion carried 14 to 0.

#8-B..*[removed due to the approval of Item 8-A]* Ordinance: Amending Zoning Ordinance and Map to Approve Rezoning Petition #268 for First Baptist Church

#8-C..Mayor Williams presented Special Use Permit #235, ORDINANCE NO. 9196, Amending the Zoning Ordinance and Map for Petitioner First Baptist Church to allow for the installation of an animated/digital freestanding sign at 1211 N. Vermilion Street in the R4 Multi-Family Residential Zoning District. After hearing testimony during hearings on February 7 and March 7, 2019, the Planning & Zoning Commission voted on March 7th 4-0-1 with 1 abstention to approve the request. Alderman Strebing moved to concur with the recommendation from the Planning & Zoning Commission, seconded by Alderman Cooper. After all questions were addressed, the roll call vote being:

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

Nays: None

Motion carried 14 to 0.

#9....PAYROLL

Mayor Williams presented Payrolls for March 8, 2019, of \$67,184.81, and for March 15, 2019 of \$545,891.37. Alderman Puhr moved to dispense with the readings and asked for approval as presented, seconded by Alderman Cooper. There being no questions, the roll call vote being:

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

Nays: None

Motion carried 14 to 0.

#10... SCHEDULE OF VOUCHERS PAYABLE

Mayor Williams presented the Schedule of Vouchers Payable, having been published, posted, and distributed, for March 12, 2019, of \$879,262.11, and for March 19, 2019, of \$813,000.78. 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 McMahon, Stone, Williams, Strebing, Pickering, O'Kane, Randle, Cooper, Puhr, Nichols, Foster, Brown, Duncheon, Davis

Nays: None

Motion carried 14 to 0.

#11... PUBLIC WORKS COMMITTEE REPORT

#11-A... Chairman Puhr presented RESOLUTION NO. 2019-28 approving Construction Engineering Services to Knight & Associates Surveying LLC on a time and material basis in the amount of \$456,105.03 for various construction projects including the Jackson Street shared use path extension, the Bowman sanitary force main, the 2019 sewer lining and cleaning project, the 2019 annual maintenance program, the Denmark Road roadway improvement, and the Northwest sanitary sewer project, to be paid from the MFT Section 16-00352-00-PV line item 103-16-6352C and the Sewer line item 402-402-00-55018 and Amending Fiscal Year 2018-2019 Budget for Motor Fuel Tax Fund (103) and Sanitary Sewer Fund (402), to increase 103-103-16-6352C in the amount of \$230,000.00 and increase the line item 402-402-00-55018 in the amount of \$230,000.00, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Strebing. After all questions were addressed, the roll call vote being:

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

Nays: Alderman Pickering

Motion carried 13 to 1.

#11-B... Chairman Puhr presented RESOLUTION NO. 2019-29 rejecting Bid #616 Daniel Ribbe Trucking, for the 2019 Sealcoat as the bid amount exceeded project cost estimates, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Strebing. There being no questions, the roll call vote being:

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

Nays: None

Motion carried 14 to 0.

#11-C... Chairman Puhr presented RESOLUTION NO. 2019-30 awarding Bid #617, using Option A, Contract to the lowest bidder, Big-O Services, in the amount of \$80,848.00 for the 2019 Storm Drainage Improvements, with the work to be paid from the Sewer Enterprise Fund-Storm Infrastructure Improvement Budget, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Strebing. After all questions were addressed, the roll call vote being:

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

Nays: None

Motion carried 14 to 0.

#11-D...Chairman Puhr presented RESOLUTION NO. 2019-31 amending the Contract for CDBG Housing Rehabilitation Project at 1018 Franklin St., for an additional amount of \$3,200.00 to be paid from line item 106-106-17-54090, for a total project amount of \$21,750.00, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Cooper. After all questions were addressed, the roll call vote being:

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

Nays: None

Motion carried 14 to 0.

#11-E...Chairman Puhr presented RESOLUTION NO. 2019-32 extending Uniform Rental Services with Aramark Uniform Services for a three-year agreement, in an amount not to exceed \$6,500.00 per year moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Cooper. After all questions were addressed, the roll call vote being:

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

Nays: None

Motion carried 14 to 0.

#11-F...Chairman Puhr presented RESOLUTION NO. 2019-33 approving a Ten-Year Facility Lease Agreement with Vermilion County Amateur Radio Association at Harrison Park West, commencing April 1, 2019 and terminating on March 31, 2029, 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 Randle, Cooper, Puhr, Nichols, Foster, Brown, Duncheon, Davis, McMahon, Stone, Williams, Strebing, Pickering, O’Kane

Nays: None

Motion carried 14 to 0.

#11-G...Chairman Puhr presented ORDINANCE NO. 9193 authorizing Vacation of an East-West Alleyway near 425 N. Gilbert Street for Heartland Properties IV LLC, E Series, 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, Puhr, Nichols, Foster, Brown, Duncheon, Davis, McMahon, Stone, Williams, Strebing, Pickering, O’Kane, Randle

Nays: None

Motion carried 14 to 0.

#11-H...Chairman Puhr presented ORDINANCE NO. 9194 authorizing Vacation of Certain Roadways and Alleyways for REG Danville, LLC, 707 E. Harrison St., 710 E. Harrison St., 210 Anderson St., 206 Anderson St., 204 Anderson St., 201 Anderson St., 203 Anderson St., 219 Anderson St., 715 Johnson St., 712 Johnson St., 710 Johnson St., 114 N. Collett St., 709 Johnson St., 104 N. Collett St., 751 E. North St., 717 E. North St., 741 E. North St., and 743 E. North St., moved to dispense with the reading and asked for approval as recommended by Committee February 12, 2019, seconded by Alderman Cooper. After all questions were addressed, the roll call vote being:

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

Nays: None

Motion carried 14 to 0.

#11-I...*[previously removed]* Ordinance: Amending Chapter 52 of City Code Pertaining to Solid Waste-Major Cleanup Collection (amended)

#11-J...*[previously removed]* Ordinance: Amending Chapter 116 of City Code Pertaining to Taxation – Hotel Motel Tax

#11-K...*[previously removed]* Ordinance: Amending Chapter 118 of City Code Pertaining to Licensing – Video Gaming

#11-L...Items of Information

Director Carpenter reported the dam at Ellsworth Park was breached yesterday and the level of the river had gone down eight inches upstream as of yesterday. The boat dock water level was raised today and will continue to make progress on a daily basis.

[The next Public Works Committee meeting is scheduled for Tuesday, April 9, 2019 at 6:00 p.m.]

#12... PUBLIC SERVICES COMMITTEE REPORT

There being no objections to taking Items A and B together, Chairman Nichols moved to dispense with the readings and asked for approval, seconded by Vice Mayor Brown. Those items being:

#12-A...City Clerk’s Report of Licenses

BUSINESS LICENSES:

TOBACCO DEALERS:

- Circle K #4701299 – 401 W Main St
- Circle K #4701305 – 2606 N Vermilion St
- Circle K #4701404 – 1212 N Bowman Ave
- Circle K #4701405 – 610 S Bowman Ave
- County Market #510 – 2917 N Vermilion St
- Danville Eastside Grocery – 1618 E Fairchild St
- Danville Grocery & Deli – 1814 E Main St
- Danville Marathon Station – 3401 E Main St
- Murphy USA #6511 – 4105 N Vermilion St
- Ruler #246 – 102 N Griffin St
- Stroud Liquors – 418 S Gilbert St
- Vermilion Liquor – 2709 N Vermilion St

TOBACCO DISTRIBUTORS:

Super Food Services, Inc – Byron Center, MI; and

#12-B...City Treasurer’s Report for December, 2018 and January, 2019

The reports as follows: Statement of Receipts and Disbursements for December, 2018 stating a Beginning Balance on December 1, 2018, of \$15,956,968.03, Receipts of \$4,026,611.07, Disbursements of \$3,981,030.26, an Ending Balance on December 31, 2018, of \$16,002,548.84 and a Cash Balance of \$8,350,828.80; Statement of Receipts and Disbursements for January, 2019 stating a Beginning Balance on January 1, 2019, of \$16,002,548.84, Receipts of \$3,933,221.29, Disbursements of \$4,150,017.17, an Ending Balance on January 31, 2019, of \$15,785,752.96, and a Cash Balance of \$5,611,882.43.

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

#12-C...Items of Information

Chairman Nichols announced the next Public Services Committee meeting is scheduled for Tuesday, March 26, 2019 at 6:00 p.m.

#13...DISCUSSION AND REVIEW OF PROPOSED ANNUAL BUDGET FOR FISCAL YEAR 2019-2020

Mayor Williams stated the Administration has no changes and asked for any comments. Alderman Cooper asked when discussion will take place on the items removed from the agenda this evening. Mayor Williams responded the items will come back on April 2nd to City Council as it was his understanding Aldermen have alternative proposals they would like to review at the Budget Study Session on March 23rd. Alderman Cooper asked if there was both a Police Chief and a Fire Chief in the proposed budget and Mayor Williams responded "yes". Alderman Cooper asked if the POP unit was included in the proposed budget and Mayor Williams responded "yes". Alderman Nichols asked how much was proposed in the budget for the Police Chief and the Fire Chief and Mayor Williams responded there is an additional \$10,000.00 for the Fire Chief with the perspective that we would hopefully be involving an Assistant Chief serving as an Acting Chief and then \$30,000.00 additional for the Chief of Police.

#14...ITEMS OF INFORMATION

- Alderman Randle reminded everyone the community laid to rest Eugene "Radio" Thompson today [*Mr. Thompson, Ward 1 Alderman from September, 1987- May, 1993, passed away 03/11/2019*] and he would like to find a way to recognize Mr. Thompson. He would like to make it a priority with the Council to honor all of the plaintiffs.
- Alderman Puhr stated there are 60 visiting coaches from four-year colleges at the NJCAA Men's Division II Basketball Tournament this week and reminded everyone to attend.
- Mayor Williams, on behalf of the City, thanked all those who volunteer and plan the NJCAA Men's Division II Basketball Tournament.
- Alderman Foster thanked Senior Source for hosting the Mayoral forum last night.
- Mayor Williams announced there will be a Mayoral Forum hosted by Neuhoff Media Services on Thursday, March 28, 2019 from 6:30 p.m. to 8:00 p.m. at the Village Mall.

#15...CLOSED SESSION

Alderman Randle 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)(2) of the Open Meetings Act to discuss Collective Bargaining Matters and Salary Schedules, seconded by Alderman Foster. The roll call vote being:

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

Nays: Alderman Cooper

Motion carried 13 to 1.

TIME: 7:17 p.m.

Alderman Cooper moved to return to Open Session, seconded by Alderman Foster. On the voice vote, all ayes, no nays; the motion so ordered. Mayor Williams called the meeting back to order at 8:18 p.m.

#16...APPOINTMENT OF INTERIM DIRECTOR PUBLIC SAFETY

Mayor Williams announced there will be no action on the appointment of Interim Director of Public Safety as that item has been deferred to April 2, 2019.

#17...ADJOURNMENT

There being no further business to discuss, the meeting was adjourned by acclamation at 8:19 p.m. following a motion by Alderman Nichols and a second by Alderman Strebing.



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 March 19, 2019, as the same appears on the records of the City now in my custody and keeping.

Lisa K. Monson, City Clerk

Approved: 04/02/19

Posted Publicly: 04/03/19