

DANVILLE CITY COUNCIL
APRIL 2, 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, and Tom Stone. Absent was Alderman Rick Strebing. A quorum was present.

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, Information Technology Administrator Agnel DSilva, Public Safety Commander Chris Yates, Public Transportation Director Lisa Beith, and Public Works Director Carl Carpenter. There were also 18 audience members and 4 news media in attendance.

#2....INVOCATION was given by Rev. Randy Downing, Pastor, Rock Church, followed by
#3....THE PLEDGE OF ALLEGIANCE led by Alderman Nichols.

#4....THE MINUTES of the regular meeting held, March 19, 2019 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.

[Alderman Davis left the dais at 6:02 p.m. during discussion of the next item.]

#5....THE AGENDA for the evening was presented. Alderman Nichols moved to postpone Items 12-F Ordinance: Amending Chapter 52 of City Code Pertaining to Solid Waste and 12-G Ordinance: Amending Chapter 116 of City Code Pertaining to Taxation to the April 16th City Council meeting, seconded by Alderman Randle. Alderman Nichols asked the items be postponed due to there still being options and he thought the vote could wait until April 16th because of the negotiations coming up soon for Danville to continue to host the NJCAA Division II Men’s Basketball Tournament. Mayor Williams requested a roll call vote on the agenda as amended. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Nichols, Foster, Duncheon, McMahon, O’Kane, Randle, Puhr

Nays: Aldermen Brown, Stone, Williams, Pickering, Cooper

Absent: Aldermen Davis, Strebing

Motion failed 7 to 5 with 2 absent.

Alderman Cooper moved to postpone Item 12-G Ordinance: Amending Chapter 116 of City Code Pertaining to Taxation to the April 16th City Council meeting, seconded by Alderman Nichols.

After all questions were addressed, the roll call vote on the amended agenda being:

Ayes: Aldermen Foster, Duncheon, McMahon, O’Kane, Randle, Cooper, Puhr, Nichols

Nays: Aldermen Brown, Stone, Williams, Pickering

Absent: Aldermen Davis, Strebing

Motion carried 8 to 4 with 2 absent.

Mayor Williams asked for approval of the agenda as amended. 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 Williams announced the appointment of Don McMasters, Assistant Chief, to Vermilion County Emergency Telephone System Board to replace Assistant Chief Dave Milholland, who recently retired. Alderman McMahan moved to concur, seconded by Alderman Stone. On the voice vote, all ayes, no nays; the motion so ordered.

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

#6-D...Items of Information

Mayor Williams thanked everyone who attended the Budget Study Session and thanked the Aldermen for their proposals as he was pleased with the work they did to get the City to a budget that is balanced and reasonable to everyone.

[Alderman Davis returned to the dais at 6:15 p.m. during presentation of the next item.]

#7...PETITIONS, COMMUNICATIONS, AUDIENCE COMMENTS

- Donald Crews of Danville and Code Enforcement Inspector for the City thanked the Aldermen who reached out to see what the inspectors do as it is a complex department. He spoke concern of the proposed elimination of one Code Enforcement Inspector position in the Fiscal Year 2019-2020 Budget, feels it is a terrible idea as we cannot move forward to make the City “clean” with less inspectors. There is so much to do in the alleyways and with the houses. There are so many needles that need picked up in the alleys as he picks them up and takes them to Carle every week.
- John Gallez of Danville, Assistant Business Manager for IBEW Local 538, representing the City Inspectors, voiced concern with proposed budget cuts concerning personnel. He stated he heard in the Mayoral debate there were concerns with blight problems and not one candidate mentioned eliminating anyone from the Code Enforcement Inspector’s group or anyone else. He asked the Council to rethink some of the issues and feels it is not going to help if more positions are eliminated.

#8.....ZONING PETITIONS - None

#9...PAYROLL

Mayor Williams presented Payrolls for March 22, 2019, of \$64,352.78, and for March 29, 2019 of \$508,319.69. Alderman Cooper moved to dispense with the readings and asked for approval as presented, seconded by Alderman Stone. There being no questions, the roll call vote being:

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

Nays: None

Absent: Alderman Strebing

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 March 26, 2019, of \$360,812.98, and for April 2, 2019, of \$476,029.11. Alderman Randle 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 Duncheon, Davis, McMahon, Stone, Williams, Pickering, O’Kane, Randle, Cooper, Puhr, Nichols, Foster, Brown

Nays: None

Absent: Alderman Strebing

Motion carried 13 to 0 with 1 absent.

#11... PUBLIC WORKS COMMITTEE REPORT

#11-A... Items of Information

Director Schnelle reported Public Works Operations has been working on a storm sewer failure between Walnut and Franklin Streets between Woodbury and Clay Streets. He stated there are some large AT&T main phone ducts that run down the alley. There is a sanitary sewer and on top of that there is a storm sewer that is failing and on top of that is the phone ducts. Staff is looking at alternatives, but the storm sewer is in bad shape and the initial estimates are at \$100,000.00 to get a repair going. Staff is working on getting that designed which will be done in-house, but the overall repair will include a contractor.

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

#12... PUBLIC SERVICES COMMITTEE REPORT

#12-A... Chairman Nichols presented RESOLUTION NO. 2019-34 awarding Contract to National Construction Services, LLC for CDBG Housing Rehabilitation Project at 1016 Franklin St., in the amount of \$25,500.00 for roof replacement with the homeowner contributing \$2,000.00 towards the cost of the project with the remaining \$23,500.00 to be paid from the CDBG Community Projects line item 106-106-17-54090, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Vice Mayor Brown. There being no questions or discussion, the roll call vote being:

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

Nays: None

Absent: Alderman Strebing

Motion carried 13 to 0 with 1 absent.

#12-B... Chairman Nichols presented RESOLUTION NO. 2019-35 awarding Auditing Services with CliftonLarsonAllen LLP, for a fee of \$53,100.00 which includes auditing the financial statements of the City, performing a single audit of the City, GATA CYEFR Audit, and implementation of GASB 75, \$5,500.00 for the Danville Public Library for Fiscal Year ending 04/30/19, and \$8,500.00 for the Danville Mass Transit for period ending June 30, 2019 for a total amount of \$67,100.00 and authorization to accept the lowest bid from Bid 621 for five-year auditing services to CliftonLarsonAllen LLP for a fee in FY2020 of \$64,100.00, FY2021 of \$65,400.00, FY2022 of \$66,500, FY2023 of \$67,900.00, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Randle. Mayor Williams thanked Comptroller Scott and her staff for going out for a five-year auditing services proposal as Aldermen have asked for years to receive a competitive bid to make sure the City is receiving the best price and he is proud to say the City will continue to work with CliftonLarsonAllen LLP locally due to their good contract pricing which was substantially lower than the other bidders. There being no questions or further discussion, the roll call vote being:

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

Nays: None

Absent: Alderman Strebing
Motion carried 13 to 0 with 1 absent.

#12-C...Chairman Nichols presented RESOLUTION NO. 2019-36 approving Products and Services Agreement for Merchant Services with BridgePay Network Solutions, LLC, preferred provider of the necessary technology to integrate Tyler Cashiering and the merchant service providers/credit cards, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Duncheon. There being no questions or discussion, the roll call vote being:
Ayes: Aldermen Stone, Williams, Pickering, O’Kane, Randle, Cooper, Puhr, Nichols, Foster, Brown, Duncheon, Davis, McMahan
Nays: None
Absent: Alderman Strebing
Motion carried 13 to 0 with 1 absent.

#12-D...Chairman Nichols presented RESOLUTION NO. 2019-37 approving Trade-In of Tangible Personal Property to dispose of the following three vehicles as trade-in value for replacement of vehicles purchased through the Capital Fund: 2007 Cadillac Escalade, VIN: 1GYFK63887R165903, 2008 Dodge Caliber, VIN: 1B3HB48B18D671211, 2002 Chevrolet Pickup, VIN: 1GCEK19T52E301999, with funds to be returned to Capital Fund-Sale of City Property budget, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Cooper. Alderman Randle questioned the total trade-in amount and Commander Yates responded \$10,300.00. There being no further questions or discussion, the roll call vote being:
Ayes: Aldermen Williams, Pickering, O’Kane, Randle, Cooper, Puhr, Nichols, Foster, Brown, Duncheon, Davis, McMahan, Stone
Nays: None
Absent: Alderman Strebing
Motion carried 13 to 0 with 1 absent.

#12-E...Chairman Nichols presented ORDINANCE NO. 9197 waiving the requirements of Section 30.07(A) of the Code and approving Real Estate Contract for Acquisition of Certain Interests in Real Property and Disposition of Certain Real Property at 1510 E. Voorhees St. owned by Steel Grip, as the City has obtained authorization to demolish the property at 1510 E. Voorhees St. and Steel Grip desires to assist in the demolition as the City desires to perform stormwater management activities to alleviate stormwater issues on Voorhees St., moved to dispense with the reading and asked for without recommendation by Committee, seconded by Alderman Foster. Alderman Pickering asked Director Schnelle if the City would be demolishing the property and he responded the cost is shared and the owner of Steel Grip hired a contractor to demolish the property and they were able to use the City’s dump rates. He also stated our efforts are to get title to the property by foreclosing on the lien that we have on our dump fees, then eventually transfer that to Steel Grip, then he will forgo the cost of the easement the Council authorized to purchase. There being no further questions or discussion, the roll call vote being:
Ayes: Aldermen Pickering, O’Kane, Randle, Cooper, Puhr, Nichols, Foster, Brown, Duncheon, Davis, McMahan, Stone, Williams
Nays: None
Absent: Alderman Strebing
Motion carried 13 to 0 with 1 absent.

[Alderman Davis left the meeting at 6:40 p.m. during presentation of the next item.]

#12-F...Chairman Nichols presented ORDINANCE NO. 9198 amending Chapter 52 of City Code Pertaining to Solid Waste Major Cleanup Collection to increase the major cleanup collection fee to be more in-line with the current expenses associated with solid waste collections to remove first and second \$75.00 major cleanup collection fee in the calendar year and remove \$200.00 for any subsequent major cleanup collection fee in the calendar year and add \$300.00 per major cleanup collection and add a \$500.00 collection charge fee for collections not in compliance with requirements in Chapter 52, moved to dispense with the reading and asked for approval as recommended by Public Works Committee on 03/12/19, seconded by Alderman Cooper. Mayor Williams stated he was asked by the Council to provide a comparison of what we paid previously in fees to what they currently are and Director Carpenter provided those with the strike-throughs. He clarified the increase does not raise the regular garbage rates and this is a measure designed to prevent the City from raising the regular garbage rates. The increase does not include large items and is only for major collections which are the huge piles of trash. Dumpster fees are at least \$400.00 to \$450.00 if they are rented for huge piles of trash. The City is spending a lot of man hours and we are risking injuries to our employees. Rental properties makeup 70% of those using the services for major cleanup collection. Director Carpenter stated the increase will offset the cost of the dump fees themselves and will not completely pay for the dump fees. Alderman Cooper voiced concern of the regular garbage fee increasing if the major cleanup fee is not increased. Director Carpenter stated the regular garbage fee will have to be increased by a minimum of \$.50 and will need to continue to increase for the next three or four years at \$.50 each year. Alderman Randle feels there should be a larger fee for a larger size set-out or penalty and previously made a comment to have a category defined as a "mega" collection. He would like to see an additional fee to the \$500.00 penalty for a mega set-out, but it has to be defined based on size, such as \$700.00. Corporation Counsel Wesner suggested when you see someone illegal dumping to call 9-1-1 at the time of the dumping. Alderman O'Kane stated we do not have a good way to notify the public of changes and need to find a way to notify the landlords and public of the increase and the penalties. Mayor Williams asked Comptroller Scott if a note can be added to the sanitary sewer bill and she stated "yes". Alderman Duncheon moved to change the definition of a minor cleanup collection not to exceed 5 x 10 x 3 and change the definition of a major cleanup collection 5 x 10 x 3 up to 10 x 10 x 3 and the fees to stay the same on the minor and the \$300.00 on the major cleanup collection to define a mega from 15 x 10 x 3 to 15 x 15 x 3, there was no second so the motion failed. Mayor Williams stated the concern from the Council is illegal dumping so he suggested giving the proposed ordinance a try for a year and see how things go and if they do not go the way we hope they will go, to revisit it at that time. There being no further discussion, the roll call vote on the original motion being:

Ayes: Aldermen Pickering, O'Kane, Cooper, Puhr, Brown, Duncheon, McMahon, Stone, Williams

Nays: Aldermen Randle, Nichols, Foster

Absent: Aldermen Strebing, Davis

Motion carried 9 to 3 with 2 absent.

#12-G...*[previously removed]* Ordinance: Amending Chapter 116 of City Code Pertaining to Taxation

#12-H...Items of Information

[The next Public Services Committee meeting is scheduled for Tuesday, April 23, 2019 at 6:00 p.m.]

#13...PRESENTATION AND DISCUSSION OF SECOND DRAFT OF PROPOSED ANNUAL BUDGET FOR FISCAL YEAR 2019-2020

Comptroller Scott distributed Draft #2 and Draft #3 of the Proposed Annual Fiscal Year 2019-2020 Budget. She highlighted the similarities and differences. Both of the budgets are balanced and both of the budgets have allocated approximately \$50,000.00 worth of salaries to the Sewer and Solid Waste funds and in order to come up with those allocations she did a three-year snapshot of actual transactions and actual usage of the people's time before it was allocated there. All of the different fees discussed up to this point have been removed except for in Draft #2 there is a 1% Hotel/Motel tax increase. There are no increases in Draft #3. Draft #2 leaves us with reserves of \$2,468.00 and Draft #3 leaves us with reserves of \$1,114.00. She also stated anything that has changed since discussions began in February is highlighted in yellow. Draft #3 is highlighted in turquoise if it is different from Draft #2 because other cuts had to be made in Draft #3 to make up for the \$100,000.00. The biggest share of that was in the Parks and Public Property budget because that is the one that had been increased to make increase to parks and public buildings with the hotel/motel tax so it made sense to make the deepest cuts in that department to offset the revenue. There are also smaller changes throughout all of the departments. Mayor Williams voiced appreciation to Comptroller Scott and her team as they have worked hard on the budget drafts to include requests from the Council. Alderman Cooper asked if an RFP for Legal Services was going to be done and Mayor Williams responded he did not plan to do that at this time. Mayor Williams was under the impression Alderman Cooper and Alderman Randle were going to begin the RFP process. Alderman Randle asked Mayor Williams for authorization to begin the RFP process to contract out legal services and Mayor Williams responded that he will be happy to work with him on that. Alderman Duncheon asked if both drafts include the funds from the Sewer and Solid Waste funds reserves and Comptroller Scott responded "yes". Alderman Cooper asked if TIF funds could be used to pay salaries and Corporations Counsel Wesner responded TIF is similar to grant funds as accounting for personnel as best as you can so TIF would be eligible perhaps to pay a portion of those who administer those TIF funds. Director Schnelle stated if the City had an engineering project and we wanted to reimburse for our personnel engineering cost on the project, that would likely be an eligible expense because we were using in-house staff instead of hiring a consultant to do it, but as far as running day to day operations of the City, those would not be eligible TIF expenses. Alderman Foster voiced concern of not taking more money out of the enterprise funds to use for the parks and the pool. Director Schnelle stated when the sewer funds were combined two fiscal years ago or last year with the half percent sales tax that goes to the sewer fund for the storm sewer as well as the sanitary. The reserves that are being looked at in those funds are not going to be there for long as they are going to be rapidly depleted with the number of projects we have slated and coming. The first one coming hopefully is the Northwest Sanitary Sewer project which is going to be approximately a \$275,000.00 repayment for a loan for twenty years which that alone coupled with some of the outlay we are going to need for that as well as other repairs, the Council needs to take a serious look at the reserves to see if they are adequate. He also mentioned on the salary distributions, the Engineering staff is heavily loaded on the Sewer fund in paying for their salaries so we should actually look at how much time engineers labor is allocated to Sewer because many of the projects are Street projects. Director Carpenter stated the reserve in Solid Waste is set up for the fact that we do not have to continuously raise fees when we need equipment. We came to you earlier this year when we needed a new automated truck and a new rear loader and we have received both of those. We have \$500,000.00 in the budget this year for other equipment which is more new automated trucks as the original automated trucks are working on year eleven and we have one completely inoperable due to an engine failure. The intention was to replace those on a continuous seven to eight year cycle and we are not doing that. If funds are taken out of Solid Waste reserves, we will very quickly have no reserves and no capital to replace those trucks and it going to put us behind and we will have to start raising fees. Alderman Duncheon stated hotel owners he has spoken to are okay with the 1% hotel/motel tax. Mayor Williams stated both drafts will be placed on public display until April 16th.

#14...ITEMS OF INFORMATION

Mayor Williams thanked everyone who ran for office as five out of the seven Aldermanic seats were contested and that is good for democracy. All running were wished the best.

#15...CLOSED SESSION was not needed.

#16...ADJOURNMENT

There being no further business to discuss, the meeting was adjourned by acclamation at 7:06 p.m. following a motion by Alderman Duncheon and a second by Alderman Pickering.



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 April 2, 2019, as the same appears on the records of the City now in my custody and keeping.

Lisa K. Monson, City Clerk

Approved: 04/16/18

Posted Publicly: 04/17/18