

DANVILLE CITY COUNCIL  
APRIL 16, 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, 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 14 audience members and 5 news media in attendance.

#2....INVOCATION was given by Elder Allen Dixon, Jr., Pastor, Mason Temple COGIC, followed by  
#3....THE PLEDGE OF ALLEGIANCE led by Alderman Foster.

#4....THE MINUTES of the regular meeting held, April 2, 2019 having been published and distributed, were presented. Alderman Stone moved for approval as presented, seconded by Alderman McMahon. On the voice vote, all ayes, no nays; the motion so ordered.

#5....THE AGENDA for the evening was presented. Mayor Williams announced under Item 12: Approval of Annual Budget for Fiscal Year 2019-2020 there will be two budget drafts. Item 12-A will be Draft #2 and Item 12-B will be Draft #3. Vice Mayor Brown moved for approval as amended, seconded by Alderman Pickering. On the voice vote, all ayes, no nays; the motion so ordered.

#6....MAYOR'S REPORT

#6-A...Proclamations

Mayor Williams presented a Proclamation proclaiming April 26, 2019, as "Arbor Day". Mayor Williams then read the proclamation.

#6-B...Board/Committee Appointments

#6-B-1, 2, 3...Mayor Williams announced the appointment of Alderman Sharon McMahon as Chairman, Alderman Dan Duncheon, and Alderman Steve Foster to the 2019 Credentials Committee. Alderman Puhr moved to concur, seconded by Vice Mayor Brown. 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 announced the IDNR (Illinois Department of Natural Resources) will be in Danville tomorrow to evaluate the City's trail proposal submitted for the Riverfront area. He thanked Director Carpenter and Superintendent Lane and their team for preparing the area and getting it cleaned up for the visit.

#7...PETITIONS, COMMUNICATIONS, AUDIENCE COMMENTS

- Ruby Swinford of Danville spoke concern of two unsightly areas in the Holiday Hills area as there has been illegal dumping.
- John Gallez of Danville, Assistant Business Manager for IBEW Local 538, representing the City Inspectors, voiced concern with reducing positions in the Fiscal Year 2019-2020 budget.
- Donald Crews of Danville and Code Enforcement Inspector for the City, voiced concern of reducing one position in Code Enforcement will cause the division to become a reactive department.
- Jerry Hawker of Danville commended the Council members for working professionally together to come to a consensus on the budget, is thrilled to hear the IDNR is coming to visit the Riverfront area, would like to see the Council go for the 2% hotel tax, voiced concern of illegal dumping due to the \$300.00 large dumping fee, and spoke for the liaison for the Danville Area Landlords Association and stated the group of Code Enforcement officers that are currently working get along great with the majority of the landlords.

#8.....ZONING PETITIONS - None

#9....PAYROLL

Mayor Williams presented Payrolls for April 5, 2019, of \$69,494.62, and for April 12, 2019 of \$528,196.20. Vice Mayor Brown 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 O’Kane, Randle, Cooper, Puhr, Nichols, Foster, Brown, Duncheon, Davis, McMahon, Stone, Williams, Strebing, Pickering

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 April 9, 2019, of \$453,486.79, special run, for April 11, 2019, of \$1,982.47, and for April 16, 2019, of \$245,862.99. Alderman Randle 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 Randle, Cooper, Puhr, Nichols, Foster, Brown, Duncheon, Davis, McMahon, Stone, Williams, Strebing, Pickering, O’Kane

Nays: None

Motion carried 14 to 0.

#11...ORDINANCE: AMENDING CHAPTER 116 OF CITY CODE PERTAINING TO TAXATION

Mayor Williams presented ORDINANCE NO. 9199 amending Chapter 116 of the City Code Pertaining to Taxation for Hotel/Motel Tax, to increase the imposition of tax in Section 116.32 from 6% to 7%, with the proceeds distributed as follows: David S. Palmer Arena, 57.1%; Danville Area Convention and Visitors Bureau, 14.3%; Harrison Park Golf Course, 14.3%; and City of Danville Parks & Public Property Division, 14.3%, effective May 1, 2019. Alderman Strebing moved to dispense with the readings and asked for approval as presented, seconded by Vice Mayor Brown. After all questions were addressed, the roll call vote being:

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

Nays: Aldermen Nichols, Foster, Randle

Motion carried 11 to 3.

#12-A...APPROVAL OF ANNUAL BUDGET FOR FISCAL YEAR 2019-2020 (Draft #2)

Mayor Williams presented the 2018-2019 Budget totaling \$58,724,502.00 minus departmental transfers of \$6,960,703.00 for a grand total of \$51,763,799.00, for approval, beginning May 1, 2018 through April 30, 2019. Alderman Duncheon moved to approve as presented, seconded by Alderman Stone. Mayor Williams stated Draft #2 and Draft #3 were placed on public display April 2, 2019. Comptroller Scott explained Draft #2 handouts that were distributed to the Council. Alderman Cooper voiced concern of the elimination of one Code Enforcement Inspector. Alderman Randle supports keeping the Code Enforcement Inspector position and feels it is going to have to be revisited sometime in the future. Mayor Williams voiced his appreciation to the Council for their support of the Hotel/Motel tax increase as it will allow much needed maintenance to the Parks and Public Property and Draft #2 is the budget he supports. He also stated it is not a perfect budget, but we all worked together hard for the last several months to come up with a budget that is reasonable and really in the end we squabbled over a couple thousand dollars, which he feels is pretty good. He is proud of the work that the Council has done and asked for their support of the budget. Alderman Foster stated the Council discussed in detail the Code Enforcement Division and he feels if we see problems we will have to come back and amend the budget. After all questions were addressed, the roll call vote being:

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

Nays: Aldermen Nichols, Foster, Strebing, Randle, Cooper

Motion carried 9 to 5.

#12-B...*[removed due to the approval of #12-A]* APPROVAL OF ANNUAL BUDGET FOR FISCAL YEAR 2019-2020 (Draft #3)

#13... PUBLIC WORKS COMMITTEE REPORT

#13-A... Chairman Puhr presented RESOLUTION NO. 2019-38 awarding Bid 623 to DMS Contracting, Inc. to the lowest responsible bidder, in the amount of \$551,769.90 for the 2019 Seal Coat Program, to be paid from the Infrastructure Development Fund-Pavement Maintenance budget, 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 Nichols, Foster, Brown, Duncheon, Davis, McMahon, Stone, Williams, Strebing, Pickering, O'Kane, Randle, Cooper, Puhr

Nays: None

Motion carried 14 to 0.

#13-B... Chairman Puhr presented RESOLUTION NO. 2019-39 awarding the Bid 618 to the lowest responsible bidder Schomburg & Schomburg Construction, Inc. for Wayfinding Foundations and Steel, in the amount of \$22,254.00, with the work to be paid from the Infrastructure Development Fund- Infrastructure Improvement budget line item 107-107-52058, 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, Brown, Duncheon, Davis, McMahon, Stone, Williams, Strebing, Pickering, O'Kane, Randle, Cooper, Puhr, Nichols

Nays: None

Motion carried 14 to 0.

#13-C... Chairman Puhr presented RESOLUTION NO. 2019-40 amending the CDBG (Community Development Block Grant) Annual Action Plan for Program Year 2016, to reduce the amount dedicated to the East Main Street Public Infrastructure Improvements activity from \$259,035.00 to

\$38,807.98; increase the existing Economic Development activity from \$75,000.00 to \$135,000.00 and a new activity titled Public Improvements and Infrastructure be created and funded with remaining \$160,227.02 transferred from the East Main Street activity, 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 Brown, Duncheon, Davis, McMahon, Stone, Williams, Strebing, Pickering, O'Kane, Cooper, Puhr, Nichols, Foster

Nays: Alderman Randle

Motion carried 13 to 1.

*[Alderman Davis left the dais at 7:00 p.m. during presentation of the next item.]*

#13-D...Chairman Puhr presented RESOLUTION NO. 2019-41 authorizing Filing of Applications with FTA for Federal Transit Assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes, authorizing a project administered by the FTA, 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 Duncheon, McMahon, Stone, Williams, Strebing, Pickering, O'Kane, Randle,

Cooper, Puhr, Nichols, Foster, Brown

Absent: Alderman Davis

Nays: None

Motion carried 13 to 0 with 1 absent.

#13-E...Chairman Puhr presented RESOLUTION NO. 2019-42 authorizing Intergovernmental Agreement with Danville School District 118 Concerning Demolitions, 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 McMahon, Stone, Williams, Strebing, Pickering, O'Kane, Randle, Cooper, Puhr,

Nichols, Foster, Brown, Duncheon

Absent: Alderman Davis

Nays: None

Motion carried 13 to 0 with 1 absent.

#13-F...Chairman Puhr presented a resolution awarding RFP 620 to Sprague Lawn Care for a total amount not to exceed \$105,000.00 Mowing of City-Owned Lots and Privately-Owned Vacant Lots Which Go Unmaintained in six-week intervals of the 239 city-owned lots and 278 privately-held non-city owned-lots at \$29.00 per lot, moved to dispense with the reading and asked for approval as discussed in Committee, seconded by Alderman Strebing. Director Carpenter stated he and Tracy Craft, Program Compliance Coordinator, have met with Mr. Sprague and expectations were explained to Mr. Sprague from the City side. Mr. Sprague plans to work better with the City and the citizens itself who would like to see some of the empty lots in their hands as well. He will communicate that information back to Mr. Carpenter or Mr. Craft. Director Carpenter stated the number of lots have been reduced from last year and we have went from a 4-week interval to a 6-week interval so a rough estimate if mowing occurs five times, the total will be \$89,000.00. Director Carpenter stated if a lot gets "out of hand", the City will mow to help out. Aldermen McMahon and Randle voiced concern of Mr. Sprague not fulfilling his mowing obligations last year. Director Carpenter stated there was not a lot of communication last year with City personnel and Sprague. Alderman Duncheon asked if there were other bidders and Director Carpenter responded there was only one other bid on the Rabbittown area only and his bid was \$34.00 per lot. Alderman Strebing asked if the unions talked about mowing

the vacant lots and Director Carpenter stated “yes”, this was talked about three years ago and the City actually hired six auxiliaries to do the mowing, but Mr. Craft was charging the banks that own the properties and received quite a large sum of monies in return so we would like to try bill the banks again this year as we can still bill for the services. Mayor Williams stated equipment would have to be purchased if the City went back to doing the work. Director Carpenter stated if the City were to do the mowing, we would have to purchase two more pick-up trucks at a minimum to haul the trailers and two more trailers. There are enough lawn mowers. Mayor Williams asked Director Carpenter if he thought the City mowing these lots is something that could be explored in the future as we weren’t prepared this year and Director Carpenter responded “yes”. Mayor Williams stated the number one complaint he has received is tall grass complaints. Aldermen Strebing, McMahon, and Pickering voiced support of the City looking into mowing these lots next year. Mayor Williams stated last year when he called about lots not being mowed, he found out they were not on the list. Alderman O’Kane asked if Tracy Craft is the contact person and Director Carpenter responded “yes”. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Stone, Williams, Pickering, O’Kane, Puhr, Foster, Brown

Absent: Alderman Davis

Nays: Aldermen McMahon, Strebing, Randle, Cooper, Nichols, Duncheon

Motion failed 7 to 6 with 1 absent.

After the roll call vote, discussion ensued regarding

#13-G...Chairman Puhr presented RESOLUTION NO. 2019-44 authorizing Application and Acceptance of Local Discretion Grant from Norfolk Southern and Amending Fiscal Year 2018-2019 Police Division (021) Budget, for the purpose of replacing Kevlar helmets for the Emergency Response Unit (ERU) and increasing Other Revenues budget in the amount of \$5,000.00 and increasing Expense-Small Tools and Equipment by \$5,000.00, moved to dispense with the reading and asked for approval without recommendation by Committee, seconded by Alderman Cooper. There being no questions or discussion, the roll call vote being:

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

Absent: Alderman Davis

Nays: None

Motion carried 13 to 0 with 1 absent.

*[Alderman Davis returned to the dais at 7:20 p.m. during presentation of the next item.]*

#13-H...Chairman Puhr presented RESOLUTION NO. 2019-45 authorizing Actuarial Services to Lauterbach and Amen, LLP for four-year actuarial and reporting services for the City’s Health Insurance plan (GASB 45); the City’s Police and Firefighter’s Pension Funds (GASB 67/68) and implementation and preparation of the City’s Post-Employment benefits other than Pension (OPEB) (GASB 74/75) for four fiscal years commencing with fiscal year ending April 30, 2019, 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 Williams, Pickering, O’Kane, Randle, Cooper, Puhr, Nichols, Foster, Brown, Davis, McMahon, Stone

Nays: Aldermen Strebing, Duncheon

Motion carried 12 to 2.

Alderman Puhr stated Alderman Davis was out of the room when the vote on Item #13-F was taken and asked Corporation Counsel Wesner if the item could be presented for a vote again. Corporation Counsel Wesner advised the idea of readdressing an issue is usually when an item is amended and the fact that an alderman was absent at that time is not a trigger for re-voting for that particular item. Alderman Randle asked if the item could be brought back before the Council for reconsideration and Counsel Wesner responded "yes" and it would have to be motioned by someone who voted in the majority which in this case was a "no" vote

Alderman Randle moved to reconsider RESOLUTION NO. 2019-43 that was presented under Item #13-F awarding RFP 620 to Sprague Lawn Care for a total amount not to exceed \$105,000.00 Mowing of City-Owned Lots and Privately-Owned Vacant Lots Which Go Unmaintained in six-week intervals of the 239 city-owned lots and 278 privately-held non-city owned-lots at \$29.00 per lot, seconded by Alderman Stone. The roll call vote on the motion to reconsider, being:

Ayes: Aldermen Pickering, O'Kane, Randle, Puhr, Foster, Brown, Davis, Stone, Williams

Nays: Aldermen Strebing, Cooper, Nichols, Duncheon, McMahon

Motion carried 9 to 5.

#13-I...Chairman Puhr presented RESOLUTION NO. 2019-46 authorizing Budget Amendment in Capital Improvements (302) for Receipt of Funds for the First Financial Bank loan proceeds to account for the payment for the refurbishment of the Fire Division Pierce 2002 Platform Aerial Truck to increase Revenues-Loans by \$434,579.00 and increase Expenditures-Other Capital Equipment by \$434,579.00 with funds for the amendment to come from the Capital Improvements Fund 302 in the form of five (5) annual loan payments to First Financial Bank commencing in 2019, 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 Pickering, O'Kane, Randle, Cooper, Puhr, Nichols, Foster, Brown, Duncheon, Davis, McMahon, Stone, Williams, Strebing

Nays: None

Motion carried 14 to 0.

#13-J...Chairman Puhr presented RESOLUTION NO. 2019-47 authorizing Budget Amendment in Capital Improvements (302) for Receipt of Revenue from Settlement with Pierce Manufacturing for reimbursement received for \$32,000.00 per Pierce fire truck rail replacement as a result of the settlement agreement, to increase Revenues-Reimbursement of Expense by \$64,000.00 with the funds for the amendment to increase the Capital Improvements Fund 302 Reserves, 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.

Chairman Puhr presented Items K and L for a single vote, moved to dispense with the readings and asked for approval as recommended by Committee. There being no objections, Alderman Randle seconded. Those items being:

#13-K...RESOLUTION NO. 2019-48 authorizing Budget Amendment in Capital Improvements (302) and Solid Waste (405) to transfer \$150,000.00 to Capital Improvements (302) from Solid Waste (405) in exchange for reallocation of the 2013 John Deere 524K Wheel Loader from the Streets Division (031) to the Solid Waste Division (405), increase Revenues-Transfer from Solid Waste by \$150,000.00 to come from the Solid Waste Fund 405 Reserves; and

#13-L..RESOLUTION NO. 2019-49 authorizing Budget Amendment in Sanitary Sewer (402) Budget to remove trees prior to April 1, 2019 along Old Ottawa Road due to a sewer line conflict for the Denmark/Old Ottawa Road project which is being completed in coordination with the Aqua dam project and is subject to tree removal restrictions, on a time and material basis to Miller Tree Service for a total cost of \$57,907.90, and to amend the Fiscal Year 2018-2019 Sanitary Sewer budget Expenditure-Infrastructure Improvements by \$58,000.00 with the funds to come from the Sanitary Sewer Reserves.

After all questions were addressed, 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.

#13-M...Items of Information

*[The next Public Works Committee meeting is scheduled for Tuesday, May 14, 2019 at 6:00 p.m.]*

#14... PUBLIC SERVICES COMMITTEE REPORT

#14-A... Chairman Nichols presented the City Clerk's Report of Licenses, moved to dispense with the report and asked for approval, seconded by Alderman Stone. The report being:

BUSINESS LICENSES:

AMBULANCE SERVICE:

Carle Arrow Ambulance

OSF Pro Ambulance

TOBACCO DEALERS:

Bowman Pantry – 616 S Bowman Ave

Casey's General Store #1788 – 2101 E Main St

Casey's General Store #2262 – 845 E Voorhees St

Danville EZ Mart – 205 W Fairchild St

Danville Food Shop – 121 S Gilbert St

Dollar General Store #1878 – 100 N Griffin St

Dollar General Store #2944 – 1405 N Bowman Ave

Dollar General Store #4394 – 3353 N Vermilion St

Dollar General Store #12709 – 300 W Fairchild St

Family Dollar #21244 – 2 E Main St

Family Dollar #27405 – 1228 E Main St

JB Hawks – 501 N Vermilion St

KT Mini Mart & Gas – 2602 N Vermilion St

Lynch Travel Mart – 379 Lynch Rd

Mach 1 Marathon – 510 N Gilbert St

Mach 21 Liquor Store – 510 N Gilbert St

Main Package Liquor – 732 E Main St

Main Phillips 66 – 851 E Main St

Meijer Gas Station #269 – 3635 N Vermilion St

My Brother Cut Rate Liquor – 536 E Main St

Quick Stop Discount Tobacco – 1403 E Main St

Sarge's Tap – 409 E Main St

SP Mini Mart & Gas – 3910 N Vermilion St

The Blue Store – 801 N Vermilion St

The Blue Store – 614 E Voorhees St

Walgreens #12787 – 400 W Fairchild St  
Walgreens #3212 – 842 E Main St  
Walmart #2491 – 4101 N Vermilion St

TOBACCO DISTRIBUTORS:

Casey's Marketing Company – Terre Haute, IN  
McLane/Midwest – Danville, IL  
Meijer Distribution, Inc – Lansing, MI  
Peyton's Northern – Bluffton, IN

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

#14-B...Chairman Nichols presented RESOLUTION NO. 2019-50 authorizing Old National Bank as Depository for Payments Made by Credit Card, moved to dispense with the reading and asked for approval without recommendation by Committee, seconded by Alderman Randle. After all questions were addressed, the roll call vote being:

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

Nays: None

Motion carried 14 to 0.

#14-C...Items of Information

Chairman Nichols announced the next Public Services Committee meeting is scheduled for Tuesday, April 23, 2019 at 6:00 p.m.

#15...ITEMS OF INFORMATION

- Vice Mayor Brown stated she attended the First Friday event on April 5<sup>th</sup> and thought it was a very good event. The downtown businesses were open and getting business and there were a lot of people in the downtown area.
- Alderman Puhr inquired about solar panels being placed near Aqua Illinois. Mayor Williams responded he would contact Bob Ervin at Aqua Illinois as he has not received a meeting notice regarding solar panels near Aqua.
- Alderman Puhr asked Commander Yates if parking of semi's on an approved surface in a citizen's own drive-way is allowed and Commander Yates responded it has to do with weight and he will have to look at the ordinance to check on the exact weight.
- Alderman Davis spoke concern of memorials in way of traffic and in some situations is unsightly. He suggested the Council revisit the ordinances. Alderman Strebing stated there may not be anything that can be done as there could be a stipulation in the State Statute regarding memorials next to the roadway.

#16...CLOSED SESSION was not needed.

#17...ADJOURNMENT

There being no further business to discuss, the meeting was adjourned by acclamation at 7:48 p.m. following a motion by Alderman Strebing and a second by Alderman Pickering.



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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 April 16, 2019, 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: 05/07/19  
Posted Publicly: 05/08/19