DANVILLE CITY COUNCIL
JULY 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 Steve Nichols, Aldermen Brenda Brown, R.J. Davis, Dan Duncheon, Steve Foster, Bob Iverson, Sharon McMahon, Michael O'Kane, Sherry Pickering, Mike Puhr, Tom Stone, Rick Strebing, and Aaron Troglia with one vacancy in Ward 1. A quorum was present.

Staff Members Present: City Clerk Lisa Monson, City Comptroller Shelley Scott, Corporation Counsel Dave Wesner, Human Relations Sandra Finch, Information Technology Administrator Agnel DSilva, Interim Fire Chief Don McMasters, Fire Captain Justin Watt, Interim Police Chief Chris Yates, Planning Manager Tyson Terhune, Public Transportation Director Lisa Beith, and Public Works Director Carl Carpenter. There were also 50 audience members and 5 news media in attendance.

#2....INVOCATION was given by Rev. Dave Anderson, Pastor, Danville First Church of the Nazarene, followed by
#3....THE PLEDGE OF ALLEGIANCE led by Alderman Troglia.

#4....THE MINUTES of the regular meeting held, June 18, 2019, having been published and distributed, were presented. Alderman McMahon moved for approval as presented, seconded by Alderman Brown. 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 Item 8-A, Resolution: Approving Minor Replat for Lynch Creek Addition Lots 2, 3, 4, and 5. Alderman Puhr stated he requested the item be removed from the agenda to allow more time for investigation and obtain more information. Alderman Puhr moved for approval as amended, seconded by Alderman Strebing. 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
Administrator Finch announced Community Day will be held Sunday, July 14th at Lincoln Park from 2:30 p.m. to 4:30 p.m.
#6-D...Items of Information
#6-D-1...Casino Presentation
Mayor Williams announced there is a short timeline for the casino project as Governor J.B. Pritzker signed the expanded Illinois Gaming Act into law, Senate Bill 690, on June 28, 2019 to include a land-based casino in Danville. Mayor Williams stated what would normally take twelve months is being compressed into four months. He has never endeavored to undertake a process such as this before so he thanked Mr. Dave Cocagne, President and CEO with Vermilion Development, and the folks from Vermilion Development for helping the City with the process. Mr. Cocagne lived in Vermilion County and has been working on this issue for a decade and a half so he thought if the City was going to undergo something new for all of us around the table, we should have the help of someone who has a lot of experience, has a connection to the community, and someone whom we can trust.

He announced the steering committee members being himself, Vicki Haugen, President and CEO of Vermilion Advantage, Tinisha Shade-Spain, Director of Business Development of Vermilion Advantage, Chris Yates, Interim Police Chief, Dave Wesner, Corporation Counsel, Gardner Peck with Danville Metal Stamping, Jerry Connolly with Venture Mechanical, and Mike Puhr, Ward 5 Alderman and Chairman of Public Works Committee. Dave Cocagne, along with Tim Brangle, President and CEO of Chicago Consultants Studio, Inc., and Vicki Haugen, gave a presentation on the casino and summarized the team overview, Senate Bill 690 requirements, the process, which included a timeline, potential sites and site criteria, solicitation of interest deliverables, solicitation of interest evaluation criteria, and the preliminary conceptual approach. The timeline included the deadline of October 28, 2019 for the casino application to be submitted to the Illinois Gaming Board. President Haugen reported on the possible sites and explained the requirements are a minimum of 20 to 25 acres, access to and visibility from Interstate 74, utility capacity and availability, ease of site assembly/site control, and compatibility with context and adjacent uses. The land north of Interstate 74 at Lynch Road with three different owners has a sanitary distribution interceptor that is at capacity and there is not a final resolution on that issue. The two Southgate parcels, one parcel at 42 acres and the other parcel at 30 acres with no utility issues was chosen as the best location with the land owned by the heirs of Lou Mervis. Mr. Cocagne spoke of other potential developments with the casino such as a hotel, retail stores/outlet mall, water park, and event center. Questions were addressed to Mr. Cocagne by the Council as well as the following residents: Bob Williams, Brandon Pliskus, Randy Draper, Lynn McClinden, Randy Downing, Edwin Barney, George Weller, Vince O'Brien, Joseph Uram, and P.B. Patel.

#7….PETITIONS, COMMUNICATIONS, AUDIENCE COMMENTS

- Jill Pitlik of Danville spoke concern of public safety at two rental properties on Main Street.
- Ed Butler of Danville and President of the Danville NAACP thanked Mayor Williams, Aldermen O'Kane and Pickering, Chief Yates, and others who participated in the Peace Marches. He also urged everyone to get involved in various ways to try to stop the shootings. He hopes to see more blacks on construction sites in the City as many of the black young men are bored and turn to violence.
- Lynn McClinden of Danville feels the casino site selection is premature and in particular the process that led to the selections is subject to question and feels the site selection should be explored further.
- Randy Downing of Danville spoke concern of the proposed casino and distributed a handout to the Council with statistics from the National Council on Problem Gambling.
- Edwin Barney of Danville stated in regards to the casino there is the issue of the roads and the option of a temporary location can be placed until those things can be done such as the sanitary distribution interceptor challenge.

#8……ZONING PETITIONS
#8-A…*[previously removed.]*

[Alderman Davis left the dais at 8:00 p.m. during presentation of the next item.]

#9….PAYROLL
Mayor Williams presented Payrolls for June 21, 2019, of $514,723.91, and for June 28, 2019, of $72,328.38. Alderman Duncheon moved to dispense with the readings and asked for approval as presented, seconded by Alderman Pickering. There being no questions, the roll call vote being:
Ayes: Aldermen Puhr, Foster, McMahon, Brown, Duncheon, Nichols, Stone, Troglia, Pickering, O'Kane, Iverson, Strebing

Nays: None
Absent: Alderman Davis
Motion carried 12 to 0 with 1 absent and one vacancy.

#10…SCHEDULE OF VOUCHERS PAYABLE
Mayor Williams presented the Schedule of Vouchers Payable, having been published, posted, and distributed, for run of June 25, 2019, of $546,322.85, and for run of July 2, 2019, of $561,864.91. Alderman Foster moved to dispense with the readings and asked for approval as presented, seconded by Alderman Brown. After all questions were addressed, the roll call vote being:
Ayes: Aldermen Foster, McMahon, Brown, Duncheon, Nichols, Stone, Troglia, Pickering, O'Kane, Iverson, Strebing, Puhr
Nays: None
Absent: Alderman Davis
Motion carried 12 to 0 with 1 absent and one vacancy.

[Alderman Davis returned to the dais at 8:01 p.m. during presentation of the next item.]

#11… PUBLIC WORKS COMMITTEE REPORT
#11-A… Items of Information

- Chairman Puhr announced the next Public Works Committee meeting is scheduled for Tuesday, July 9, 2019 at 6:00 p.m.
- Director Carpenter reported debris fell from the Bresee Tower building on Sunday afternoon *[June 30th]*. Public Works was notified by 911 communications center and the City closed the two lanes of westbound Main Street lanes south of the tower as well as the north sidewalk as the debris had fallen into the roadway and sidewalk. The owners of the building, Mr. and Mrs. Collins, have been contacted and we met with their construction manager on Monday. We hired a structural engineer from the Farnsworth Group who inspected the exterior of the building and it has been deemed a dangerous structure. The full report from Farnsworth will be emailed to the Council tomorrow. The recommendation also is there is a need for a more permanent solution such as placement of netting to catch the debris. Mayor Williams stated the Collins' had until the end of the July to enact the safety promises that they made prior to the falling debris, but now the timeline is expedited.

#12… PUBLIC SERVICES COMMITTEE REPORT
Chairman Foster presented Items A and B for a single vote, moved to dispense with the readings and asked for approval and placement on file. There being no objections, Alderman Brown seconded. Those items being:
#12-A… City Clerk's Report of Licenses
BUSINESS LICENSES:
TOBACCO DEALERS:
I Mart Stores, LLC – 2606 N Vermilion St.; and
#12-B…City Treasurer's Report for April, 2019
The reports as follows: Statement of Receipts and Disbursements for April, 2019 stating a Beginning Balance on April 1, 2019, of $16,178,237.65, Receipts of $4,700,728.96, Disbursements of $3,974,986.48, an Ending Fund Balance on April 30, 2019, of $16,903,980.13 and a Cash Balance of $7,013,181.37;
There being no questions, on the voice vote, all ayes, no nays; the motion so ordered.

#12-C…Chairman Foster presented RESOLUTION NO. 2019-74 approving Agreement with Azavar Government Solutions, Inc. to conduct a contingency based review of the Cable Television Franchise Agreement (Agreement) with Comcast of Illinois/Indiana/Ohio, LLC in Section 5.2 *Franchise Fees Subject to Audit*, and according to the audit standards set forth in the *Illinois Municipal Code at 65 ILCS 5/11-42-11.05* (Municipal Franchise Fee Review), which allows for the City, or City's designee, to inspect the Grantee's financial records, moved to dispense with the reading as recommended by Committee, seconded by Alderman Duncheon. After all questions were addressed, the roll call vote being:

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

Nays: None

Motion carried 13 to 0 with one vacancy.

#12-D…Chairman Foster Presented RESOLUTION NO. 2019-75 approving Agreement with the Illinois Housing Development Authority (IHDA) for funding, in the amount of $33,400.00, the demolition of targeted properties in East Main Street corridor thru the Abandoned Property Program (APP), Round 4 and amending the IHDA APP FY 2019-2020 budget (Fund 712) by reducing line item 712-712-00-46240 from $40,000 to $33,400; reduce line item 712-712-00-52099 from $20,000 to $16,700; and reduce line item 712-712-00-54099 from $20,000 to $16,700, moved to dispense with the reading as recommended by Committee, seconded by Alderman Brown. After all questions were addressed, the roll call vote being:

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

Nays: None

Motion carried 13 to 0 with one vacancy.

#12-E…Chairman Foster presented an ordinance amending Chapter 96 of the City Code Pertaining to Intoxicating Liquor to amend Section 96.22 to add language Gaming Revenue, <u>For any license issued under this chapter that allows for video gaming on the licensed premises, the revenue the license holder may generate from video gaming shall not exceed 49% of the license holder's total gross revenue,</u> moved to dispense with the reading as recommended by Committee, seconded by Alderman Strebing. Alderman Puhr questioned the license holder's total gross revenue would be for what period of time and after discussion it was determined it should be total gross annual revenue. Alderman Puhr relinquished time to Vince O'Brien, owner of O'Brien's Corner Tavern, who voiced concern of the amendment as many liquor establishments have more revenue on video gaming machines than alcohol sales. Alderman Stone relinquished time to Drew Rush, owner of The Pub who stated his bar has way more revenue on video gaming than liquor sales and the amendment will cause bars earning more money off video gaming than food and liquor to close down. Mayor Williams stated the City's intention is not allowing video gaming cafes and he did not realize many of the liquor establishments have more revenue in video gaming than the sale of liquor. After further discussion, Alderman Pickering moved to postpone the ordinance to the July 23rd Public Services Committee, and August 6th City Council meeting for more discussion, seconded by Alderman McMahon. Mayor Williams stated an informational letter will be sent to all liquor license establishments with video gaming machines in advance of the meeting so they will know what is being proposed. There being no questions or further discussion, the roll call vote on the motion to postpone being:

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

Nays: None

Motion carried 13 to 0 with one vacancy.

#12-F…Items of Information
Chairman Foster announced the next Public Services Committee meeting is scheduled for Tuesday, July 23, 2019 at 6:00 p.m.

#13…ITEMS OF INFORMATION

- Alderman Puhr announced he became a grandfather to a baby girl, born on Sunday, June 30th.
- Alderman Duncheon asked Mayor Williams when he plans to announce the Ward 1 Alderman and Mayor Williams responded hopefully the announcement will come by the end of the summer.
- Alderman Davis voiced appreciation on how well the Mayor and Aldermen handled the deliberation during the casino discussion.
- Mayor Williams thanked the bar owners for their attendance this evening to bring the attention of the video gaming revenue being higher than the liquor sales revenue.

#14…CLOSED SESSION
Alderman Pickering moved to go into Closed Session under Section 2(c)(11) of the Open Meetings Act to discuss Pending Litigation, seconded by Alderman McMahon. The roll call vote being:
Ayes: Aldermen Duncheon, Nichols, Stone, Troglia, Pickering, O'Kane, Iverson, Strebing, Puhr, Foster, McMahon, Brown, Davis
Nays: None
Motion carried 13 to 0 with 1 absent and one vacancy. TIME: 8:30 p.m.

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

Alderman McMahon moved to return to Open Session, seconded by Alderman Troglia. On the voice vote, all ayes, no nays; the motion so ordered. Mayor Williams called the meeting back to order at 8:45 p.m.

#15...ADJOURNMENT
There being no further business to discuss, the meeting was adjourned by acclamation at 8:45 p.m. following a motion by Alderman McMahon and a second by Alderman Pickering.

Lisa K. Monson
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 July 2, 2019, as the same appears on the records of the City now in my custody and keeping.

Lisa K. Monson, City Clerk

Approved: 07/16/19
Posted Publicly: 07/17/19