

DANVILLE CITY COUNCIL
AUGUST 18, 2020

#1....THE REGULAR MEETING of the City Council of the City of Danville was called to order at 6:05 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, Steve Foster, Sharon McMahon, Michael O’Kane, Sherry Pickering, James Poshard, Michael Puhr Tom Stone, Rick Strebing, Aaron Troglia, and Robert Williams. Alderman Dan Duncheon was absent. A quorum was present.

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

There were 19 audience members and two news media in attendance.

#2....INVOCATION was given by Alderman Brenda Brown, followed by
#3....THE PLEDGE OF ALLEGIANCE led by Alderman Puhr.

#4....THE MINUTES of the regular meetings held, July 21, 2020 and August 4, 2020 having been published and distributed, were presented. Alderman McMahon 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 Strebing moved for approval, seconded by Alderman Brown. 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 reported he has received unofficial notice that Ameren will be moving from the Public Works facility building at the 1155 E. Voorhees Street location to the old Gaudio Budweiser building in Tilton. At this time, he understands they will honor their lease through the end of the term with the City, which will carry the City through the current fiscal year and next fiscal year’s budget. The City will have to figure out power costs for a year and a half. Mr. Ruwe received estimates for the City as to how much the power will be at the time the City has to start paying it and he believes it will be around \$80,000.00 per year.

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

#7-A..Mayor Williams opened the Public Hearing for Certification of Casino Development and Applicant at 6:09 p.m. and asked for comments from the audience. There were no public comments from the audience in support of the casino applicant. Mayor Williams asked if there were any public comments in opposition of the applicant. Joseph Uram of Edwardsville IL voiced concern the City was not reconsidering entering into negotiations with his firm Cadence Capital Corporation on a

development agreement for a Danville casino license as he feels the City has significant potential economic upside by inviting additional applications. He also spoke concern of multiple applications not being filed with the Illinois Gaming Board (IGB) as the IGB is in the best position to select an applicant for a community. There being no further comments from the audience, Mayor Williams closed the Hearing at 6:13 p.m.

Mayor Williams addressed a few comments made by Mr. Uram. The first being Mr. Uram stated there is nothing to risk by submitting multiple applications. Mayor Williams stated that is not true. The only two applicants the City received had offered host community agreements and this one gives the City millions of dollars not only up front, but continues to make investments in the community not only in the City of Danville directly each year, but to other entities as well. In fact, it gives the City an additional \$2.5 million dollars a year. The other entity that bid offered to sponsor some games and concerts so he asked which is better. Mayor Williams stated Mr. Uram said the IGB was an unparalleled expert and that is not true at all. The IGB board members have been recently appointed and are lawyers and other various positions throughout and while they are very good at being thorough and assessing suitability, to say they are experts is not true. Mayor Williams stated no disrespect to the IGB board as they are fantastic and smart people, but they do not necessarily have expertise in the gaming area, but they do have expertise in determining whether or not people have the character and the resources to complete a project, which Wilmorite does. Mayor Williams also addressed Mr. Uram's comment eliminating a site due to the sewer capacity. There were sites that were very limited by the City's sewer capacity previously; however, the good news is the City's preferred gaming partner has offered to pay the \$600,000.00, which is the City's portion to repair the issue, so not only will this allow them to use their preferred site, but it will allow that entire swath of parcel of area between I-74 and Main Street to be developable once again.

#8. PRESENTATION BY DANVILLE DEVELOPMENT, LLC

Mayor Williams introduced Jimmy Wilmot, Vice President, Gaming with Wilmorite, a commercial real estate development and management company. Mr. Wilmot stated his family is a third generation developer out of western New York. Wilmorite does casino developments and is the sole owner of Danville Development, LLC as well as the construction manager, developer and operator for the Danville Casino application. The application is a new application. Mr. Wilmot introduced Mr. Lou Lang, former Illinois State Representative. Mr. Lang stated he has gladly moved forward with Danville Development as they have built casinos all over the country and have been vetted in other states. The legislature passed an amendment to the law they passed last year allowing Danville to have a casino. This year, with his urging and the help of the local legislators, they passed a law that allowed any community whose license had not been yet approved to start over; subsequent to that the IGB suggested that the earlier application be withdrawn and that Danville starts over so that is what is taking place. The group is similar, but not the same. There is accountable leadership that has been successful in other states and other venues and leadership that is going to build what is promised from start to finish. The plan put together was ours, but Mayor Williams has been a strong and stalwart supporter of this board and of the citizens of Danville. He insisted on many things and each and every one of the things Mayor Williams insisted on got their way to the proposal. He is a man of strong and many talents and very persuasive and the plan put before you is a product of our work, but also the leadership of the Mayor. The plan is a great concept for today and the future of Danville. It has benchmarks for how and when the process will grow. The benchmarks will be part of the application given to the IGB so when the gaming board approves the application those agreements become part of the application and can assure the citizens of Danville that we must abide by them to protect the license that we will dearly hold. The plan was well thought out and put together. Mr. Jimmy Wilmot introduced Tom Wilmot Sr., Chairman of the Board with Wilmorite since 1980, who provided history on Wilmorite. Wilmorite Construction was started by his father in the 1940's and built single-

family homes, then evolved from residential into commercial construction as well as one of the nation's leaders in selling and servicing aircraft, leader in urbanization by reclaiming downtown sites, opening major shopping malls, building, acquiring and developing shopping centers. Wilmorite built their first casino in 2008 leading up to today with Wilmorite managed by the second and third generation of the Wilmot family. The company is a real estate management company, developer, builder, and construction manager. Mr. Wilmot, Sr. introduced the rest of the team. Tommy Wilmot, Jr., President Resort and Gaming Development & Management with Wilmorite who handles financing; Shawn Griffin, attorney; Juris Basens, Gaming Development with Wilmorite is responsible for overseeing and directing casino operations including staffing, budgeting, capital planning, operating policies, marketing, and local, state and federal regulatory compliance. The architects from KdG are Peter Maruska, President and CEO and Linda Ellsworth, Executive Vice President. Mr. Maruska stated KdG is a professional design firm specializing in architectural and interior design based in St. Louis, Missouri. KdG was founded in 1974. In 1990, they started focusing on gaming projects and have worked with Wilmorite for the last 15 years. They are nationally recognized as experts in the Gaming and Hospitality Design industry. Mr. Masruska stated he will be involved with the Danville Casino project from beginning to end. Ms. Ellsworth stated she looks forward to working with everyone on this project. Mr. Jimmy Wilmot continued the presentation by highlighting other casinos Wilmorite developed and built. He then spoke about the new casino site location, which is 204 Eastgate Drive and stated the first phase would not include a hotel so having several hotels next to the casino is advantageous. Also, the parcel is predominantly level, having all public utilities and municipal services available. He also spoke about the site having an existing weather tight structure and site work required would be minimal. Another benefit of the 204 Eastgate Drive site is expanding sooner if the market demands it means we would create more construction jobs, more operating jobs, and more revenue to the City and State. The investors will invest \$100 million dollars in the first phase which includes 41,500 square feet, 500 total slots, 10 tables, a steakhouse and food court. The presentation also included the site plans and renderings for Phase 2 and 3. Construction on Phase I could start in spring 2021 and be completed by the end of 2021. Tinisha Spade, Interim President & CEO of Vermilion Advantage spoke on the economic impact the casino project has to offer Danville and Vermilion County. When you think of a project of this magnitude we have to think in terms of the big picture and where all of these dollars will come from so the very first step to think about before the doors are even opened is there will be pre-engineering jobs and construction jobs which mean more hotel stays in the 550 rooms in the Eastgate Drive area. The hotels will begin to see some relief they have experienced from COVID-19 from the work crews coming into town and eating at the local restaurants. There will also be additional programs at DACC such as hospitality programs. The farm to table is a huge topic right now so how great would it be to use a local cut for the steakhouse. We have a winery and microbreweries so we can spread the dollars around in the community. The river walk and Boys and Girls Club are high priority items and you can improve your city when you have additional dollars moving through. Another item to think about is ancillary developments. People are going to say "Hey if you have this coming, I would like to come". Retail will spur from development and from large investments like this. I have spent the last five years or more trying to get food options in that area, but they will not come because there are no rooftops. We have 3,000 people that work in that corridor and 25,000 to 30,000 a day that come by on I-74. It is the rooftops they are after so if we get this development out there it will change their mind. Any project of this scale, we will have change. Our world is a completely different world than we lived in when we submitted the application in October, so I can honestly say this is a blessing that we have had the opportunity to catch our breath and re-plan and come forward with something that the IGB will think is reflective of our current situation. She thanked Mayor Williams for his diligence as the application was 2-1/2" to 3" thick front to back and he read every single page. She took some notes because he did have some uncomfortable conversations, but he did it for the City of Danville to get us the very best offer, the very best deal and the most money to flow through the City of Danville.

Presentation:

Benefits of 204 Eastgate Drive

- Parcel is predominantly level, having all public utilities and municipal services available.
- Propose constructing a new connection/crossroad between Eastgate Drive and Lynch Road at the front of the parcel. This will facilitate direct access from Lynch Road to and from the proposed gaming facility.
- The reduction in construction schedule by approximately 3-6 months equates to a significant cost savings in construction general conditions/general requirements. In addition, savings in interest reserves would be realized given the reduced construction period.
- Any typical/potential schedule impacts related to inclement weather will be mitigated given the existing weather tight structure. The site work required would be minimal and unlike a greenfield site, it would be minimally impacted by weather.
- With a lower leverage ratio and reserved space in the existing building we should be able to expand sooner if the market demands it. We are reserving +/- 20,000 square feet of the existing structure for meeting, multipurpose, additional dining, and gaming space.
- Expanding sooner means we would create more construction jobs, more operating jobs, and more revenue to the City and State.

Benefits to Danville

- \$3 Million in upfront payments at licensing award from the Illinois Gaming Board.
 - \$1 Million to Riverfront Development Project
 - \$1 Million to the Boys and Girls Club
 - \$1 Million in Municipal Improvements
- \$300k Annual (non-gaming related)
- Annual 4% of EBITDA (Earnings before Interest, Taxes, Depreciation and Amortization)
- Up to 600 Construction Jobs
- Up to 600 Permanent Jobs
 - 40% Women
 - 30% Minority
 - 5% Vets
- 50% of annual procurement from Vermilion County
 - 15% Women Owned
 - 15% Minority Owned
 - 5% Veteran Owned

Comparing Base Case Forecasts

- 300 Slots and 0 table Games Forecast
Total Tax and Fee Benefit to Danville at the end of Year 1: \$2,525,981.00
- Union Gaming Base Case
Total Tax and Fee Benefit to Danville at the end of Year 1: \$6,236,746.00

Additional Commitments to Danville

1. \$600,000 towards sewer improvements
2. Up to 100 million in Phase 1 Development on 204 Eastgate Dr. to include 500 slots, ten tables, a steakhouse, and food court.
3. 8% of EBITDA, this is double the original commitment of 4%
4. Weekly updates to the Mayor and a monthly in-person meeting after the initial suitability has been given.
5. Twenty-four months after opening Phase 1 if we generate 80 million of GGR and 30 plus millions of EBITDA, then we will commit to investing between 20 and 60 million in additional capital into the project. The investment will be a mix of the following amenities:

- Move the project to a location along I-74
- Additional dining outlets including buffet, and café
- Additional gaming floor increasing our slot position and table position
- Hotel/Overnight accommodations
- Meeting Space
- Entertainment Space

6. Twenty-four months after opening Phase 2 of the Resort Casino if we generate 100 million of GGR (Gross Gaming Revenue) and 40 plus millions of EBITDA, then we will commit to investing an additional 40-100 million of capital into the project. The investment will be a mix of the following amenities:

- Move the project to a location along I-74
- Additional dining outlets including hotel dining
- Additional gaming floor increasing our slot position and table position
- Hotel/Overnight accommodations
- Meeting Space
- Entertainment Space

7. If at any point during a 12 months rolling calendar, the project generates 130 million in GGR and 50 million in EBITDA, then we will immediately start the planning and expedite the moving process to a location along I-74.

Mr. Jimmy Wilmot highlighted the Host Community Agreement Items.

Economic Terms:

1. One-Time, Upfront Payments

- Improvements to the River Front - \$1,000,000.00 to be planned with Mayor and paid to the City after the written issuance of the casino license by the IGB;
- Expansion of Boys and Girls Club - \$1,000,000.00 to be planned with Mayor/ Executive Director of Boys & Girls Club and paid to the Club after the written issuance of the casino license by the IGB;
- Municipal Improvements - \$1,000,000.00 to be planned with Mayor and paid to the City after the written issuance of the casino license by the IGB.
- Sewer Contribution – Upon receipt of all necessary approvals to commence construction and a closing on the financing for the construction of the Project, Danville Development will contribute \$600,000 to the City for municipal sewer improvements.

2. Fixed Annual Payments

- United Way Contributions - \$100,000.00 to be planned & paid annually at mutually agreed times;
- Vermilion Advantage - \$50,000.00 to be planned & paid annually at mutually agreed times;
- Vermilion Heritage Foundation (Fischer Theater) - \$50,000.00 to be planned & paid annually at mutually agreed times;
- Scholarships to DACC \$50,000.00 to be planned & paid annually at mutually agreed times;
- Public Safety and Other Municipal Service Payments - \$50,000.00 to be planned & paid annually to the City at mutually agreed times.

3. Variable Annual Payments

- Variable Annual Payments shall consist of 8% of EBITDA (Earnings before Interest, Depreciation, Taxes & Amortization) converted to 4% of EBITDA from the first dollar if EBITDA is less than \$25mm per annum; minus any and all taxes and government fees. This shall be paid annually at mutually agreed upon times.

4. Liquidated Damages That are Unequivocally Subject to Force Majeure

a. Failure to Open by Mutually Agreed Date/ Date Prescribed by IGB - \$20,000.00/day subject to force majeure;

b. Failure to Continuously Operate - \$20,000.00/ day subject to force majeure.

5. Operator agrees to forego the Local Portion of the Enterprise Zone benefits.

Employment:

1. Construction Jobs

a. Operator will use commercially reasonable efforts to create no fewer than 400 construction jobs at the Project; participation targets of 10% work-qualified minorities; 5% work-qualified women and 5% work-qualified veterans.

2. Permanent Jobs

a. When all phases are developed, Operator will use commercially reasonable efforts to employ no fewer than 600 persons; no fewer than 400 persons to be Full Time Equivalents (FTE's).

3. Employment of County Residents

a. After opening, Operator will use commercially reasonable efforts to achieve labor participation of 75% of work-qualified Vermilion County residents.

4. Employment of Minorities; Women; Veterans

a. After opening, Operator will use commercially reasonable efforts to achieve labor participation so that no less than 30% of the workforce are qualified minority persons; 40% are qualified women; and 5% are qualified veterans.

Business Utilization:

1. Use of Local Businesses

a. At least 50% of annual biddable goods and services will be prioritized for local procurement from Danville or Vermilion County, if commercially reasonable.

2. Use of MBE/WBE/VBE Businesses for Construction and Design

a. Operator will use commercially reasonable efforts to award contracts for the design and construction of the project utilizing 15% MBE; 15% WBE; and 5% VBE business.

3. Use of MBE/WBENBE Businesses for Operations

a. Operator will use commercially reasonable efforts to purchase goods and services for the Project from at least 10% MBE; 10% WBE; and 5% VBE.

Infrastructure Improvements:

1. Traffic

a. Operator will fully implement and fund all traffic improvements deemed necessary by Project Engineer as reviewed and approved by the City Engineer, specific to the proposed casino site.

2. Other Infrastructure

a. Operator will fully implement and fund all other infrastructure improvements deemed necessary by Project Engineer as reviewed and approved by the City Engineer, specific to the proposed casino site.

After the presentation, lengthy discussion ensued and the Aldermen asked questions.

Questions from Aldermen:

Vice Mayor Iverson: When will the application be submitted to IGB?

J. Wilmot: As soon as possible. We have a couple of boxes to check including zoning and once those are completed we plan on having an application in front of the Mayor for his review.

Vice Mayor Iverson: So Phase I construction could start theoretically by October or when?

J. Wilmot: It depends on the timing with the IGB. We would like to think they are doing due diligence and they have put a lot of time into these casino applications so far. They mentioned in their last IGB meeting they wanted Danville to have a casino license so we believe Spring 2021 is likely for an

application to have the full review and approval and we have a nine month construction schedule so it could be as early as the end of 2021 or call it within a year of receiving a license from the IGB

Vice Mayor Iverson: How many slots and tables in Phase I?

J. Wilmot: 500 slots and 10 tables, which includes a crap table.

Vice Mayor Iverson: How long for all three phases?

J. Wilmot: So as we committed in the HCA if we were to hit our numbers within 24 months of opening we would start planning and constructing Phase 2 and if we were to hit our second set of goals we would start plans and construction on Phase 3 so this could all come together if we are so successful to have all phases done within the next six years.

Vice Mayor Iverson: This is obviously a big project. What is your company's investment on getting this going? What is this costing you to pay for the license, have to buy land, etc.

J. Wilmot: By the time we break ground we have spent probably close to \$30 million dollars because of the license fees and the timing on them and the commitments to the City. The investment will be \$100 million dollars by the time we are open.

Vice Mayor Iverson: I have nothing against your proposal. I just have a fear of seeing it go forward.

[Alderman Davis left the meeting at 7:07 p.m. during discussion of the next item.]

#9...Mayor Williams presented RESOLUTION NO. 2020-64 affirming Acceptance of Casino Operating Partner Danville Development, LLC as its casino operating partner to pursue development of a Casino at 204 Eastgate Drive as contemplated by the presentation and approving the Host Community Agreement as detailed in the presentation. Alderman Puhr moved to dispense with the reading and asked for approval as presented, seconded by Alderman Pickering.

Questions and Comments from the Aldermen:

Alderman Williams stated he is concerned about the project itself as far as the hiring.

How is that hired as far as the minorities being employed in these areas?

Mayor Williams: One of the things you will see in the HCA is that they have committed to a percentage of minority hiring. You'll see under the HCA agreement

Juras Basens: If you look at the slide on the board and is a part of the HCA, we have a firm commitment to minority hiring. These are firm numbers: 15% Women Owned, 15% Minority Owned, 5% Veteran Owned. To achieve those such as we have in other communities we will very early in the process during the construction process and even prior to that we reach out to the local workforce groups and other agencies that we have in the community to help us source, meet, and exceed these numbers.

Alderman McMahon: She likes the idea of using an existing property. She likes that they have been diligent in their work in how much money they were able to borrow due to COVID-19 and putting it to good use and taking out one of the abandoned properties in that area so she like the way they think. She thinks they will be very successful.

Alderman Davis: Recently this Council voted to an organization that wanted to come to Danville to make a lot of money. This Council thought we were complete on how they would operate with the company and somehow there were some discrepancies that relates to them as far as them doing what they said they would do. Regarding the one time up front payments you can say a lot of things and put it down on paper, but he would hope these one time payments we wouldn't have to go through any type of crazy stuff. He hopes we will not have to go through what we went through with the other organization as they wanted to renege on some things. He stated "stick to your word".

Mayor Williams: Recently we had a marijuana dispensary open and it was the understanding of some that they would also sell medicinal marijuana; however that is not the case. They sell it, but they are not able to give the discounted price because of state regulations so that has been a problem for Alderman Davis and others for them not meeting what their obligation was supposed to be. I believe

Alderman Davis is asking Mr. Wilmot how can we be assured that you will keep our commitments to us?

Mr. Wilmot Sr.: I can give you the names of ten supervisors or mayors that we have been doing business with for a number of years. He will send an e-mail with their telephone numbers and let them know you may be calling and I'm sure they would be happy to speak to you and give you the assurances. For many years, we have lived up to any commitments we made and we are really proud of the reputation of the company and he thinks that is why we've been approved in many communities and why we've been able to be licensed in a number of states.

Mayor Williams: Although I certainly trust and have a great deal of respect for the Wilmot family, Wilmorite and Danville Development, we have had some things that provide us with assurance we did not have the first time. #1) Mayor has to review and approve the final document before it is submitted to insure whatever we approve tonight that is exactly what they submit to the Illinois Gaming Board for approval and the other thing we have in our pocket, is God forbid, let's say they are dishonest even though he does not believe that for a moment. If they do not meet the commitments they make to us, the IGB has the ability to revoke their license and quite frankly they don't think they would be willing to gamble hundreds of millions of dollars over a \$3 million dollar commitment up front.

Alderman Puhr: The whole steering committee has been going around for about 15 months now interviewing, meeting with people, going through ups and downs and promises that weren't fulfilled. He feels very strongly about the Wilmot family and what Wilmorite proposed. We've been meeting with them since February to March and what they proposed, their family beliefs, and the way they work together, he thinks having that character and the morals they bring is going to be very beneficial to this project. We know with the first application there were too many name changes. The application Haven submitted to the IGB could not be amended. To have them step up and take this on as one company and still be willing to more than match what we had in our original agreement is phenomenal and encouraged everyone to vote in the affirmative on this resolution. Once we pass the resolution, it will have to go to zoning, then be a part of the application Mayor approves to be submitted to the IGB. It is still going to be a process, but a process he is proud of being a part of.

Alderman McMahon: When is it scheduled to go to zoning. Manager Cronk responded September 3rd.

Alderman Foster: Looking back he felt when we voted on the first group that we should have an unanimous vote particularly that anything other than unanimous might cause the state to have concerns why and things like that so the presentation the other people made were very good. The practicality of how you presented this is based on what good logic would seem to be for anybody. Every time any of you go to the grocery store, you can read the label and you have to trust the label. We really have to trust these people that they will do what they say they will do. They certainly have a record. I have only received one e-mail and four or five phone calls and all of those were questions he already had. One of the questions was if State had legislated a cut-off date or if it was the case should we consider applications for everyone? We did pass an ordinance, which could be revised, that we had a cutoff date for all applicants here, but the point is he liked the presentation, regardless of whether or not if for any reason we have to go back it is allowable. It might be pretty difficult for any applicant to meet their match.

Mayor Williams: Please discuss the conservative estimate.

Juras Basens: If you look at the performance, it is a ten-year projection and this takes into consideration several things. It takes into consideration the new casino in Terre Haute, Indiana; takes into consideration table games being added to the Indianapolis casinos and it takes into consideration only a 3% growth across. We wanted to come here and not promise the world, but something that we can and will deliver.

Mayor Williams: This does not include sportbook either?

Juras Basens: This does not include any mobile or retail sports wagering.

Alderman Foster: how has the Coronavirus been factored into this because nobody knows how long it will last and he knows some casinos are not doing well because of that?

Juras Basens: It's factored in our construction plan is that operating as regional casinos are operating now under the same conditions the casino will be built take for instance we have added additional 10,000 square feet to our original plan which will give them more spacing. We have more spacing to reach out into the reserved area if we need that. COVID is taken into the consideration of the plan is that there will be improvements, but it is likely regional casinos are performing today and if you look across the country today regional casinos are doing much better than destination casinos. The gambling dollars are staying local and are staying regional. Las Vegas is not recovering as quickly as regional casinos. There would be cleaning protocols, air filtration and screening.

Alderman Foster: After I determined that you did, in fact, factor this in very carefully I thought there is a very good chance that conservative we will do better, so what can we expect in the near future? If exceeded in any certain period of time a certain amount of money will start on next phase plans?

J. Wilmot: The last provision before the Mayor's review of our application is that if we were to exceed \$130 million dollars AGR, EBITDA we would be chased off our site and find a bigger location and to design quicker than that. We are built to accommodate more than what we are projecting. We certainly are not built to accommodate 3 million guests a year. We would need more parking, more square footage, need to have more infrastructure, more amenities to serve those guests so if we hit that in any one year, we would be forced to, not only a condition of our license, but also an ability to serve our guests, to go bigger at any time, any rolling twelve months.

Alderman McMahon: You came on when Haven withdrew? You came on with them, right?

J. Wilmot: That is correct.

Alderman McMahon: Then they dropped off and you continued?

J. Wilmot: Yes.

Alderman Troglia: *[inaudible question]*

There being no further questions or discussion, the roll call vote being:

Ayes: Aldermen Iverson, Strebing, Puhr, Foster, McMahon, Brown, Poshard, Stone, Williams, Troglia, Pickering, O'Kane

Nays: None

Absent: Aldermen Davis, Dunccheon

Motion carried 12 to 0 with 2 absent.

#10..ZONING PETITIONS

Mayor Williams presented Items A and B together. There being no objections to taking Items A and B together, Alderman Puhr moved to concur with the Planning & Zoning Commission's recommendation to grant approval on Item 10-A and to dispense with the reading and asked for approval on Item 10-B, seconded by Alderman Strebing. Those items being:

#10-A...RESOLUTION NO. 2020-65 approving the Semi-Final Subdivision Plat Named GMX Danville Subdivision for GMX REGA I, LLC relating to Lot 2 at 3641-3653 N. Vermilion St. to divide one lot into three lots tied into one declaration to allow cross access and cross parking. After hearing testimony during the Public Hearing on August 6, 2020, the Planning & Zoning Commission voted 7 to 0 to recommended approval; and

#10-B...RESOLUTION NO. 2020-66 approving the Final Subdivision Plat Named GMX Danville Subdivision for GMX REGA I, LLC relating to Lot 2 at 3641-3653 N. Vermilion St. for improvements necessary to serve the lots in the subdivision already in place or are in agreement to be completed to assure the service of said improvements to the lots in the subdivision.

Alderman McMahon asked if this was one lot being split into three lots and Manager Cronk responded currently it has one address and it is going to be split into three buildings with three different addresses. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Strebing, Puhr, Foster, McMahon, Brown, Poshard, Stone, Williams, Troglia, Pickering, O'Kane, Iverson

Nays: None

Absent: Aldermen Davis, Duncheon
Motion carried 12 to 0 with 2 absent.

#10-C.. Mayor Williams presented Zoning Petition #278, ORDINANCE NO. 9277, amending the Zoning Ordinance and Map and Approve Rezoning Petition #278 for Petitioner Adam M. Crutchley by changing the classification of 1022 N. Michigan Avenue from I1-Light Industrial to R2-Residential Medium Density to allow for continuation of current use as a residential property. During a Public Hearing on August 6, 2020, the Planning & Zoning Commission voted 7 to 0 to recommend approval. Alderman McMahon moved to concur with the recommendation, seconded by Alderman Pickering. Alderman Troglia questioned if a business wanted the zoning to go back to I1-Light Industrial, would it have to be rezoned again and Manager Cronk responded the person or developer could rezone it or it could be an administered change by the City. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Puhr, Foster, McMahon, Brown, Poshard, Stone, Williams, Troglia, Pickering, O'Kane, Iverson, Strebing

Nays: None

Absent: Aldermen Davis, Duncheon
Motion carried 12 to 0 with 2 absent.

#11....PAYROLL

Mayor Williams presented the Payrolls, having been published, posted, and distributed, for run of August 7, 2020, of \$87,380.73, and for run of August 14, 2020, of \$579,018.24. Alderman Strebing moved to dispense with the readings and asked for approval as presented, seconded by Alderman Troglia. There being no questions or discussion, the roll call vote being:

Ayes: Aldermen Foster, McMahon, Brown, Poshard, Stone, Williams, Troglia, Pickering, O'Kane, Iverson, Strebing, Puhr

Nays: None

Absent: Aldermen Davis, Duncheon
Motion carried 12 to 0 with 2 absent.

#12...SCHEDULE OF VOUCHERS PAYABLE

Mayor Williams presented the Schedule of Vouchers Payable, having been published, posted, and distributed, for the special run of August 6, 2020, of \$7,695.00, for run of August 11, 2020, of \$121,496.32, and for run of August 18, 2020, of \$714,818.69. Alderman Strebing moved to dispense with the readings and asked for approval as presented, seconded by Alderman Stone. After all questions were addressed, the roll call vote being:

Ayes: Aldermen McMahon, Brown, Poshard, Stone, Williams, Troglia, Pickering, O'Kane, Iverson, Strebing, Puhr, Foster

Nays: None

Absent: Aldermen Davis, Duncheon
Motion carried 12 to 0 with 2 absent.

#13... PUBLIC WORKS COMMITTEE REPORT

#13-A... Chairman Puhr presented RESOLUTION NO. 2020-67 awarding the contract for Bid #659 2020 Overlay to the sole bidder Cross Construction, Inc. in the amount of \$667,891.10 to be paid from Motor Fuel Tax fund-General Maintenance budget, line item 103-103-00-600GM, moved to dispense with the reading and asked for approval as presented, seconded by Alderman Pickering. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Brown, Poshard, Stone, Williams, Troglia, Pickering, O'Kane, Iverson, Strebing, Puhr, Foster, McMahon

Nays: None

Absent: Aldermen Davis, Dunccheon

Motion carried 12 to 0 with 2 absent.

#13-B... Items of Information

Director Carpenter stated the sealcoat program is tentatively scheduled to begin next week and the final pavement application is scheduled for tomorrow [08/19/20] for the Edwards Street reconstruction. He thanked the Engineering staff for seeing the project through and thanked the Aldermen for approving the project. Alderman Brown stated she has received comments from citizens in the Edwards Street area and were very excited to see the reconstruction work done.

[As previously announced the next Public Works Committee meeting scheduled for Tuesday, September 8, 2020 at 6:00 p.m. is cancelled.]

[Chairman Foster was excused from the meeting at 7:33 p.m. before presentation of the next item.]

#14... PUBLIC SERVICES COMMITTEE REPORT

#14-A..In the absence of Chairman Foster, Vice Chairman McMahon presented the City Clerk's Report of Licenses, moved to dispense with the report and asked for approval, seconded by Alderman Brown. The report being:

BUSINESS LICENSES:

TOBACCO DEALERS:

Sunrise Liquors III, Inc. – 2013 E Main St

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

#14-B...Vice Chairman McMahon presented the City Treasurer's Statement of Receipts and Disbursements for June 2020 (unaudited) stating a Beginning Balance on June 1, 2020, of \$25,460,551.70, Receipts of \$3,885,104.51, Disbursements of \$3,553,291.70, an Ending Balance on June 30, 2020, of \$25,792,364.51 and a Cash Balance of \$19,055,664.08, moved to dispense with the reading and asked for approval and placement on file, seconded by Alderman Stone. There being no questions or discussion, on the voice vote, all ayes, no nays; the motion so ordered.

#14-C...Vice Chairman McMahon presented RESOLUTION NO. 2020-68 approving Submission of a Grant Application for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$36,101.00, with the City portion being \$20,217.00 and the County portion being \$15,884.00 for Overtime Project to be used toward the Police Division's concerted effort to reduce and eliminate gang violence and gun violence in the City of Danville, moved to dispense with the reading and asked for approval as presented, seconded by Alderman Stone. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Poshard, Stone, Williams, Troglia, Pickering, O'Kane, Iverson, Strebing, Puhr, McMahon, Brown

Nays: None

Absent: Aldermen Davis, Dunccheon, Foster

Motion carried 11 to 0 with 3 absent.

#14-D...Vice Chairman McMahon presented ORDINANCE NO. 9278 accepting Transfer Part of Real Property Located at 210 Walnut Street from Aaron R. Troglia for the purposes of development of downtown Danville and waiving the requirements of Section 30.07(A) of the Code of Ordinances not applicable to the donation of real property, moved to dispense with the reading and asked for approval as presented, seconded by Alderman Brown. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Poshard, Stone, Williams, Pickering, O'Kane, Iverson, Strebing, Puhr, McMahon, Brown

Nays: None

Abstention: Alderman Troglia

Absent: Aldermen Davis, Duncheon, Foster

Motion carried 10 to 0 with 3 absent and 1 abstention.

#14-E...Vice Chairman McMahon presented ORDINANCE NO. 9279 authorizing Purchase of Real Property Known as 515 Harmon St, PIN: 23-05-306-022 from Vermilion County Trustee in the amount of \$800.00 to be paid for from line item 107-107-00-52058 for the Williams Street Realignment Project and waiving the requirements of Section 30.07(A) of the Code of Ordinances, moved to dispense with the reading and asked for approval as presented, seconded by Alderman Strebing. After all questions were addressed, the roll call vote being:

Ayes: Aldermen Poshard, Stone, Williams, Troglia, Pickering, O'Kane, Iverson, Strebing, Puhr, McMahon, Brown

Nays: None

Absent: Aldermen Davis, Duncheon, Foster

Motion carried 11 to 0 with 3 absent.

#14-F... Items of Information - None

[As previously announced the next Public Services Committee meeting scheduled for Tuesday, August 25, 2020 at 6:00 p.m. is cancelled.]

#15... ITEMS OF INFORMATION

- Mayor Williams reported the laptops and I-Pads for the Aldermen have arrived and the Information Technology staff is working diligently to get them ready for training and use for the Zoom audio meetings.
- Alderman Troglia questioned a plan moving forward with in-person meetings. Mayor Williams stated the item will be placed on the next meeting's agenda for an official vote or we can have an unofficial straw vote. Vice Mayor Iverson feels the Committee meetings could be in-person due to fewer people in attendance.
- Alderman Puhr asked when the tax levy discussions begin and Mayor Williams responded they will begin in September.
- Mayor Williams stated there have been many questions regarding \$2 million dollars budgeted for revenue from the casino and concerns since it will not be received. The City allocated that money to pay off debts earlier so we could save ourselves interest. He asked Comptroller Massey to give a brief update regarding the casino revenue concerns. Comptroller Massey stated last year's budget showed a general fund revenue of \$2 million dollars for casino tax money and stated \$800,000.00 was budgeted as part of a \$900,000.00 inter-fund transfer to capital improvements; \$800,000.00 was casino and \$100,000.00 was cannabis, which was to make early loan payments on three of the City's loans (HVAC, 2016 Ferrara Fire Truck, and the 2002 Pierce Fire Truck Refurbishment). The remainder \$1.1 million dollars was to go to the Fire and Police Pension Funds so \$670,000.00 was supposed to go to the Fire Pension Fund and \$529,000.00 was supposed to go to the Police Pension Fund for extra payments. Mayor Williams clarified the City would not budget prospective money for things that we for certain would have to pay.
- Alderman McMahon asked if the owner of Sunnyside Marijuana Dispensary being able to apply to sell medical marijuana in Danville. Mayor Williams responded "we have not" because it is going to take State legislation in order to make that happen and our representatives and senators are aware of this and have been advocating on our behalf.

- Mayor Williams thanked Administrator Finch, folks at United Way and Love, Inc. for all of the work they have done to help people get back on track with rent, other payments and to keep people in their homes. He also thanked Manager Cronk, Natasha Elliott, Christina Turner and their staff in the Grants & Planning Division for all of the work to help get money in the hands of Danville businesses and residents during this time.

#16...CLOSED SESSION was not needed.

#17...ADJOURNMENT

There being no further business to discuss, the meeting was adjourned by acclamation at 7:46 p.m. following a motion by Alderman Pickering and a second by Alderman Brown.



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

Lisa K. Monson, City Clerk

Approved: 09/15/20
Posted Publicly: 09/16/20