

DANVILLE CITY COUNCIL
OCTOBER 15, 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., 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, Aaron Troglia, and Robert Williams. Vice Mayor Steve Nichols was absent. A quorum was present. Mayor Williams announced Vice Mayor Nichols was excused for a work commitment.

Staff Members Present: City Clerk Lisa Monson, City Comptroller Shelley Scott, City Engineer Sam Cole, Finance Manager Denise Ahrens, Grants and Planning Manager Logan Cronk, Senior Planner Tyson Terhune, Human Relations Administrator Sandra Finch, Information Technology Administrator Agnel DSilva, Interim Fire Chief Don McMasters, Police Chief Chris Yates, Public Transportation Director Lisa Beith, and Public Works Director Carl Carpenter. There were also 21 audience members and 3 news media in attendance.

#2....INVOCATION was given by Rev. Patti Wise, Pastor, Batestown United Methodist Church, followed by

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

#4....THE MINUTES of the regular meeting held, October 1, 2019, having been published and distributed, were presented. Alderman Brown 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. Alderman Pickering moved for approval as presented, seconded by Alderman Stone. 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 announced former City employee, Jim Pope, recently lost his grandson and great-grandson from a traffic accident and asked for thoughts and prayers for Mr. Pope and his family.
- Alderman Puhr announced former Mayor Bob Jones was admitted to Colonial Manor for strengthening rehabilitation and asked for thoughts and prayers for his recovery.
- Mayor Williams recognized Bill Wear, Public Works Lead Worker, who is retiring with over 40 years of service and presented a plaque to Mr. Wear. Mr. Wear thanked everyone he has ever worked with as it has been a privilege. Mayor Williams voiced appreciation to Mr. Wear for giving sufficient notice to train and hire his successor before he left.

#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. There were no comments. Mayor Williams closed the Public Hearing at 6:09 p.m.

#7...AUDIENCE COMMENTS

- Pastor Phil Jackson of Danville and Chaplain of OSF Hospital voiced concern of the partial closure of Logan Avenue for the Carle project. He feels traumas do not wait and minutes count. Mayor Williams stated Carle did a study that showed an additional drive time of 16 to 30 seconds with the Logan Avenue closure.
- Jerry Hawker of Danville voiced concern of eminent domain and the property at 118 N. Logan Avenue where negotiations have occurred and the owner does not want to move for the partial closure of Logan Avenue for the Carle redevelopment project. He feels the City does not have the legal ground to take the land as it is not going to a governmental agency.

Mayor Williams clarified the City can legally pursue eminent domain because of it being in the public good as it is in the public good in terms of removing blight and also providing additional services for the community.

#8...Mayor Williams presented RESOLUTION NO. 2019-102 memorializing Agreements Regarding Casino and Casino Applicant. Alderman Strebing moved to dispense with the reading and asked for approval as presented, seconded by Alderman Puhr. The resolution states the following: Haven Gaming LLC has negotiated in good faith with the corporate authority of the City of Danville. Haven Gaming LLC and the City have mutually agreed on the temporary and permanent location of the casino, being property at the I-74/Lynch Road interchange. The proposed development is reflected in the conceptual drawings and other documents attached hereto and incorporated herein. Haven Gaming LLC and the City have mutually agreed on the percentage of revenues that will be shared with the City, as well as other benefits for the City and local entities contained in a host community agreement set forth in the letter attached hereto and incorporated by reference herein. Haven Gaming LLC and the City have mutually agreed on creating a planned development zoning overlay to address any potential zoning issues regarding the casino development on the property identified for the development. No public health, licensing or other issues have been identified that may impact the casino development. If any licensing or other issues arise, the Mayor and legal counsel are authorized to work with Haven Gaming LLC to reach mutual agreement as to those issues. There being no questions, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#9.....ZONING PETITIONS

#9-A..Mayor Williams presented Planned Unit Development #4 for Danville Casino Acquisition, LLC, ORDINANCE 9223, requesting the property at Parcel 24-18-400-004, and portions of Parcel 24-18-200-003, and Parcel 24-19-100-010 located east of Southgate Drive ROW be classified as a Planned Unit Development site to allow for construction of a gaming entertainment district. After hearing testimony during a hearing on October 3, 2019, the Planning & Zoning Commission recommended approval of the petition by a vote of 4-0 with one recusal. Alderman Strebing moved to concur with the recommendation from the Planning & Zoning Commission, seconded by Alderman Puhr. There being no questions, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#9-B..Mayor Williams presented Zoning Petition #271, ORDINANCE NO. 9224, Amending the Zoning Ordinance and Map for Petitioner Trinity Evangelical Lutheran Church to change the zoning of the real estate commonly known as 826 East Main Street to allow a larger sign on the property, by changing the classification of the subject tract from R2-Single Family Residential, to B2-Highway Business, on condition that in addition to 826 E. Main, all Trinity Evangelical Lutheran properties located along that corridor (816 E. Main, 818 E. Main, 824 E. Main, 838 E. Main, and 830 E. Main be rezoned to B2 in order to create contiguous zoning. After hearing testimony during a hearing on October 3, 2019, the Planning & Zoning Commission recommended approval of the petition by a vote of 5-0. Alderman Strebing moved to concur with the recommendation from the Planning & Zoning Commission, seconded by Alderman McMahon. After all questions were addressed, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#10....PAYROLL

Mayor Williams presented the Payrolls, having been published, posted, and distributed, for run of October 04, 2019, of \$74,196.93, and for run of October 11, 2019, of \$547,585.72. Alderman Strebing moved to dispense with the readings and asked for approval as presented, seconded by Alderman Stone. There being no questions or discussion, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#11...SCHEDULE OF VOUCHERS PAYABLE

Mayor Williams presented the Schedule of Vouchers Payable, having been published, posted, and distributed, for run of October 08, 2019, of \$2,322,258.11, and for run of October 15, 2019, of \$849,112.41. Alderman Strebing moved to dispense with the readings and asked for approval as presented, seconded by Alderman Stone. There being no questions or discussion, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#12... PUBLIC WORKS COMMITTEE REPORT

#12-A...Chairman Puhr presented RESOLUTION NO. 2019-103 authorizing Eminent Domain to Acquire Fee Simple Titles to Certain Real Estate, in order to eliminate blight and provide for the

redevelopment project to rehabilitate the area, the City must acquire title to and possession of property commonly known as: 118 N. Logan, owned by Tamera Lopez; and, 201 N. Logan and 606 W. Madison, both owned by Allen Dixon; pursuant to 65 ILCS 5/11-11-1, the City has the power to acquire property through condemnation where necessary for the rehabilitation or redevelopment of a blighted area which contains buildings that are dilapidated or contains deleterious uses that are a detriment to the public health and safety, moved to dispense with the reading and asked for approval without recommendation by Committee, seconded by Alderman Stone. After all questions were addressed, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#12-B...Chairman Puhr presented RESOLUTION NO. 2019-104 amending Bid 617 Contract for 2019 Storm Drainage Improvements to Big-O Services for additional asphalt quantities and pipe underdrains required to complete the work on the Harrison Park Golf Course Driveway as well as a storm drainage tile under Logan Avenue was determined to be failing and in need of complete replacement, in the amount of \$30,661.22, with the funds to come from the Sewer Enterprise Fund-Storm Infrastructure Improvement, to bring the total purchase order Bid amount to \$111,509.22, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Strebing. After all questions were addressed, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#12-C...Chairman Puhr presented RESOLUTION NO. 2019-105 awarding Bid 634 for Proposed Griffin Street & CSX Railroad Crossing Improvements to Cross Construction, Inc. in the amount of \$108,717.64, to construct sidewalks extensions and the installation of pedestrian gates across CSXT, Inc. (CSX Transportation, Inc.) tracks and right-of-way on Griffin Street, with the work to be paid from Community Development Block Grant budget line item 106-106-18-54090, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Strebing. After all questions were addressed, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#12-D...Chairman Puhr presented RESOLUTION NO. 2019-106 funding Additional Improvements to the English Jackson Intersection such as conduits, sidewalks, pavement, and curbing, in the amount of \$24,140.35 which were ineligible to be funded with the previously allocated funds with the work to be paid from Infrastructure Development and Improvement Program budget line item 107-107-00-52058, moved to dispense with the reading and asked for approval as recommended by Committee, seconded by Alderman Strebing. After all questions were addressed, the roll call vote being:

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

Nays: Alderman Iverson
Absent: Alderman Nichols
Motion carried 12 to 1 with 1 absent.

#12-E... Items of Information

- Director Carpenter announced the fall sweeping season will begin Monday, October 21st with three sweepers out for ten-hours a day as long as the sweepers withstand the rigorous movements.
- Director Carpenter stated he was contacted by IDOT that in 2021, Tilton has approved IDOT to do a bridge repair over I-74 on the Tilton Road, which only ties into South Danville off of Forrest Street, but they have requested to use Forrest St., Fourth St., and part of South Gilbert St. as part of a detour. The detour will not really affect that neighborhood at all.
- Director Carpenter also announced the Yard Waste program is in full swing with bags and toters.

[The next Public Works Committee meeting is scheduled for Tuesday, November 12, 2019 at 6:00 p.m.]

#13... PUBLIC SERVICES COMMITTEE REPORT

#13-A... Chairman Foster presented RESOLUTION NO. 2019-107 authorizing Baird Public Finance to Serve as Managing Underwriter in Issuance of Series 2019 Bonds and the Refunding of Series 2009 General Obligation Bonds that offers a potential \$79,660 present value savings, moved to dispense with the reading and asked for approval without recommendation by Committee, seconded by Alderman Stone. After all questions were addressed, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#13-B... Items of Information

Chairman Foster announced the next Public Services Committee meeting is scheduled for Tuesday, October 22, 2019 at 6:00 p.m.

#14... STUDY SESSION ON PROPOSED 2019 TAX LEVY AND FISCAL YEAR 2020-2021 BUDGET

Comptroller Scott clarified labeling casino tax transfer from General Fund and that label is just for the 2019 Tax Levy as we have never had casino tax revenue in any previous year. She also explained should there be no local casino tax revenue coming in these transfers will still need to be made from General Fund revenues. She stated the total dollar tax amount in the proposed Levy is \$6,820,628.00 with a marginally less than 2018 tax rate of \$2.264. Mayor Williams stated Mr. Long has said we could have a minor increase in our assessed value, but we choose not to rely on that as he was not sure and if the assessed value goes up, the tax rate would go down. Alderman Strebing asked for the reason why the Library is up 1.48% and Mayor Williams explained the changes in minimum wage will take effect during this budget. Alderman Troglia questioned the amount given to the Library as it seems high to him. Mayor Williams stated there have been some discussions about that over the years, but if we chose not to give them this amount, they would have to make some hard choices. Mayor Williams stated he appreciates the efficiency and effectiveness with which they have operated and if our library is compared with other cities our size, we have less staff than others. Alderman Puhr stated most libraries have a taxing district and Alderman Strebing stated if the library had their own

taxing district, the taxes would be higher. Alderman Foster stated he would like for the City to consider chopping down the Public Safety Pension Fee and reducing the levy rate once we start receiving casino revenue. Mayor Williams stated the City has to be careful to not do this prematurely. After further discussion, the consensus of the Council is to approve the Tax Levy as is currently proposed.

#15...ITEMS OF INFORMATION

- Alderman McMahon reminded everyone there is a Fire Ops Class to be held November 23rd from 8:00 a.m. to 4:00 p.m. in Champaign. She highly recommends any Aldermen who has not attended, to try to attend.
- Alderman Iverson announced Sunday, October 20th will mark the 190th Birthday for the First Presbyterian Church, which was the first church in Danville.
- Alderman Pickering announced the Owen Nelson Community Center is in need of a refrigerator.
- Alderman Strebing reminded everyone of the Electronics Recycling event that will be held at DACC on Saturday, October 18th from 8:00 a.m. to 11:00 a.m. Seven items are allowed per resident.
- Alderman Foster inquired about the Northwest Sanitary Sewer Project. Mayor Williams stated the project should resume next summer (2020). Engineer Cole stated he is evaluating the project and filing paperwork with the Illinois EPA for the loan. When the loan funds are available, we will move forward with the bidding process. We cannot control the timeline as it depends on the IEPA loan, but we are anticipating their funds will be released next summer. Mayor Williams thanked Engineer Cole and his team as they have worked diligently to eliminate unnecessary costs.
- Alderman Pickering asked Director Carpenter if Sprague Lawn Care is supposed to be picking up paper and debris when they mow for the City. Director Carpenter responded "yes" and he will talk to Mr. Sprague.
- Mayor Williams thanked Comptroller Scott for everything she has done for the City and wished her well on her new journey as this will be her last City Council meeting.

#16...CLOSED SESSION

Alderman Strebing moved to go into Closed Session under Section 2(c)(5) of the Open Meetings Act to discuss Purchase of Property, seconded by Alderman Duncheon. The roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

TIME: 7:05 p.m.

Mayor Williams announced there will be action taken after closed session.

Alderman McMahon moved to return to Open Session, seconded by Alderman Brown. On the voice vote, all ayes, no nays; the motion so ordered. Mayor Williams called the meeting back to order at 7:24 p.m.

#16-A..Mayor Williams presented ORDINANCE NO. 9225 waiving the requirements of Section 30.07 and approving Purchase of Real Property from the Vermilion County Trustee, the minimum bid price for the purchase of any property included in the auction is \$800.00, which together with a recording fee of \$50.00, represents an amount that reimburses the Trustee for the closing costs to place the property in the auction, as follows: Parcel 1: Edgewood 14th Add., Lts 49, 50, 54 and 66 except part

taken for public highway, PIN: 23-16-400-008, Edgewood Park Circle, Blighted area; road closure; Parcel 2: Oaklawn Sub Lts 10 & Ex N 6.75' L11 B35, Ex ROW, PIN: 23-02-306-044-0040 (23-03-359-022), 2709 E. Main, Property/dangerous structure on main thoroughfare/redevelopment; Parcel 3: Cyrus Meade 1st Addition to Danville, PIN: 23-11-101-029-0030/23-11-101-005, E. Main 3 Corner Lots (W of S. Minnesota), Meade Park frontage development; Parcel 4: Baumgarts 1st Addition to Danville, PIN: 23-10-201-054-0030/23-10-226-042, E. Main - Lot (3 E of Home, W of Tillman), Neighborhood redevelopment, Parcel 5: Louisa Rusts 1st Addition, PIN: 23-09-206-036-0040/23-09-208-014, 1001 E. Main- Lot, neighborhood redevelopment; Parcel 6: Geo W Hootons Addition to Danville, PIN: 23-09-121-008/23-09-158-012, 742 E. Main - 1 story brick (laundromat by O'Brien's), Blighted property/dangerous structure on main thoroughfare/redevelopment; Parcel 7: Hezekiah Cunninghams Addition, PIN: 23-08-210-015-0060/23-08-210-012, 129 N. Vermilion - 1 story commercial, Blighted property/dangerous structure on main thoroughfare/redevelopment; Parcel 8: Woodburys Addition to Danville, PIN: 23-08-111-027/23-08-133-006, 105 W. Harrison – lot (W between Harwal & Lincoln Lanes), Create parking for Downtown & Fischer Theatre; Parcel 9: Tincher & English Subdivision, PIN: 23-05-307-019-0030/23-05-352-016, 420 Harmon – lot, Road reconfiguration/safety improvement; Parcel 10: Tincher & English Addition to Danville, PIN: 23-05-309-003-0030/23-05-357-001, 425 Chandler – lot, Road reconfiguration/safety improvement; Parcel 11: Tincher & English Subdivision, PIN: 23-05-307-022-0030/23-05-352-009, 503 Chandler – lot, Road reconfiguration/safety improvement; Parcel 12: Tincher & English Subdivision, PIN: 23-05-307-018-0040/23-05-352-008, 507 Chandler – 1.5 story home, Road reconfiguration/safety improvement. Alderman Strebing moved to dispense with the reading and asked for approval as discussed in Closed Session, seconded by Alderman Puhr. There being no questions or discussion, the roll call vote being:

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

Nays: None

Absent: Alderman Nichols

Motion carried 13 to 0 with 1 absent.

#17...ADJOURNMENT

There being no further business to discuss, the meeting was adjourned by acclamation at 7:35 p.m. following a motion by Alderman Brown and a second by Alderman McMahon.



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 October 15, 2019, as the same appears on the records of the City now in my custody and keeping.

Lisa K. Monson, City Clerk

Approved: 11/19/19

Posted Publicly: 11/20/19