

# UNAPPROVED MINUTES

DELAVAN CITY COUNCIL MEETING MINUTES

FEBRUARY 2, 2010

The Delavan City Council met in regular session on Tuesday, February 2, 2010, at 6:30 p.m. in the City Council Room, 219 Locust Street, Delavan, Illinois. Mayor Elizabeth Skinner presided. The following aldermen were present: Jere Braden, David Holland, Dan Kentner, George Mitchell and Sally Shoultz. Alderman Lou A. McCoy was absent. Other city officials present were City Administrator Joe Woith, City Attorney Sue Bosich (who entered the meeting late), City Clerk Penny Bright, Police Chief Colin Suprunowski, Public Services Superintendent Bob Beard, and ESDA Director Chuck Ostrom. Others in attendance were Steve Rush and Mike Burris.

The meeting notice and agenda were posted at least forty-eight hours in advance of the meeting on the door of the City Council Room and on the bulletin board in the City Clerk's Office. A copy of the meeting notice and agenda is attached to and made a part of the minutes.

The Pledge of Allegiance was recited.

## CONSENT AGENDA

The following items were presented for vote under the Consent Agenda:

- A. Approval of minutes of the January 19, 2010, regular meeting
- B. Approval of Resolution #2010-4 for payment of bills
- C. Ordinance #2010-1 approving an intergovernmental agreement with Tazewell County for recycling grant
- D. Ordinance #2010-2 approving a contract with Midland Davis Corporation for recycling
- E. Ordinance #2010-3 approving an intergovernmental agreement with Delavan Township for recycling
- F. Ordinance #2010-4 approving an intergovernmental agreement with Dillon Township for recycling

A motion was made by Alderman Kentner, seconded by Alderman Holland, to approve Agenda Item A, minutes of the January 19, 2010, regular meeting as presented; Agenda Item B, RESOLUTION #2010-4 A RESOLUTION APPROVING AND DIRECTING THE PAYMENT OF CERTAIN BILLS OF THE CITY OF DELAVAN; Agenda Item C, ORDINANCE #2010-1, AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF DELAVAN AND COUNTY OF TAZEWELL; Agenda Item D, ORDINANCE #2010-2, AN ORDINANCE APPROVING A CONTRACT BY AND BETWEEN THE CITY OF DELAVAN AND MIDLAND DAVIS CORPORATION; Agenda Item E, ORDINANCE #2010-3, AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF DELAVAN AND TOWNSHIP OF DELAVAN; and Agenda Item F, ORDINANCE #2010-4, AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF DELAVAN AND TOWNSHIP OF DILLON. The vote on this motion was as follows: Ayes: Braden, Kentner, Mitchell, Shoultz, Holland; Nays: none; Absent: McCoy. Motion carried.

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## MAYOR'S REPORT

Mayor Skinner distributed copies of the proposed newsletter to the members of the council for review. She asked the council to give to her any suggestions or changes before printing.

Mayor Skinner announced that the Drug Abuse Prevention Task Force will meet next Tuesday, February 9, 2010.

Mayor Skinner announced that there will be a benefit dinner for Larry McCoy on Saturday, March 13, at the American Legion from 4-7 p.m. and an auction at 7:00 p.m. It was reported that Larry has returned to the hospital with a possible fracture to his hip.

## CITY ADMINISTRATOR'S REPORT

City Administrator Woith reported that he is working on the budget and has met with Police Chief Suprunowski and Public Services Superintendent Beard. He gave an update on the revenues for this fiscal year. It is projected that the State income tax will be down \$50,000, utility tax down \$10,000 and State sales tax down about \$5,000. He asked for support from the council for his plan of action. Woith is proposing that the budget for the next fiscal year be kept at the same level as this year except for personnel. There are many needs which include several vehicles but they can wait another year until the finances are better. Woith reported that he will have a proposed first draft of the budget for review at the next meeting.

## NEW BUSINESS

### **A. Approve fund balance transfer from Medicare Fund to Social Security/Medicare Fund.**

City Administrator Woith explained to the council that at the beginning of the fiscal year the Medicare Fund was no longer being used separately from the Social Security Fund and that both funds were combined to make the Social Security/Medicare Fund. It is necessary to transfer the fund balance of \$14,639.68 from the Medicare Fund to the Social Security/Medicare Fund. A motion was made by Alderman Shoultz, seconded by Alderman Mitchell, to transfer the fund balance of \$14,639.68 from the Medicare Fund to the Social Security/Medicare Fund. The vote on this motion was as follows: Ayes: Kentner, Mitchell, Shoultz, Holland, Braden; Nays: none; Absent: McCoy. Motion carried.

### **B. Ordinance approving an amendment to Chapter XXII, Other Regulations, by adding language prohibiting the use of exhaust brakes.**

A motion was made by Alderman Kentner, seconded by Alderman Mitchell, to approve ORDINANCE #2010-5, AN ORDINANCE APPROVING AN AMENDMENT TO CHAPTER XXII, OTHER REGULATIONS, OF THE CITY CODE OF THE CITY OF DELAVAN. After discussion, Alderman Kentner rescinded the motion until clarification is made on the ordinance as to the chapter placement.

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**C. Ordinance approving an amendment to Chapter XIII, Zoning, by adding Article XXII, Home Occupation.**

City Administrator Woith explained that this ordinance was a result to changes that the Board of Zoning Appeals had made to the special use permits which eliminated the prior home occupation provisions. A motion was made by Alderman Mitchell, seconded by Alderman Shoultz, to approve ORDINANCE #2010-6, AN ORDINANCE APPROVING AN AMENDMENT TO CHAPTER XIII, ZONING, OF THE CITY CODE OF THE CITY OF DELAVAN, and to add to the ordinance Sec. 13.2208, Fees, setting permit fees for home occupation at \$25.00. The vote on this motion was as follows: Ayes: Mitchell, Shoultz, Holland, Braden, Kentner; Nays: none; Absent: McCoy. Motion carried.

**B. Ordinance approving an amendment to Chapter XXII, Other Regulations, by adding language prohibiting the use of exhaust brakes.**

A motion was made by Alderman Kentner, seconded by Alderman Mitchell, to postpone until a further time action on the ordinance approving an amendment to Chapter XXII, Other Regulations, by adding language prohibiting the use of exhaust brakes so that a determination can be made as to the appropriate chapter to place the ordinance. The vote on this motion was as follows: Ayes: Shoultz, Holland, Braden, Kentner, Mitchell; Nays: none; Absent: McCoy. Motion carried.

**D. Supplemental Resolution for 2002 MFT expenditures.**

A motion was made by Alderman Kentner, seconded by Alderman Braden, approving RESOLUTION #2010-5, A SUPPLEMENTAL RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE for 2002 MFT expenditures. The vote on this motion was as follows: Ayes: Holland, Braden, Kentner, Mitchell, Shoultz; Nays: none; Absent: McCoy. Motion carried.

**E. Discussion. Limit number of animals per residence.**

Discussion was heard with regards to limiting the number of animals per residence. Several reasons were given to consider making the change to limit the number of animals per residence. Police Chief Suprunowski was asked to research what other cities are doing to limit and enforce such a regulation.

## **UNFINISHED BUSINESS**

**A. City Logo.**

Discussion was heard with regard to the city logo and several alderman reported that they had make contacts with person who were interested in providing a sample logo and also agreed that a contest for the city logo with a good idea.

(City Attorney Bosich entered the meeting.)

After discussion, it was agreed that Gail Mitchell would be assigned the duty of working on a plan for the city logo contest.

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## B. City web site.

No additional information was provided with regards to the city web site changes. This will be included in the city's budget for the next fiscal year.

### **Ordinance approving an amendment to Chapter XXII, Other Regulations, by adding language prohibiting the use of exhaust brakes.**

A question was directed to the City Attorney as to the appropriate chapter to add the language prohibiting the use of exhaust brakes. She felt the chapter, Other Regulations, was the correct one to use because the exhaust brakes is a nuisance and noise concern and the penalty was greater than in the traffic section. A motion was made by Alderman Mitchell, seconded by Alderman Holland, to approve ORDINANCE #2010-5, AN ORDINANCE APPROVING AN AMENDMENT TO CHAPTER XXII, OTHER REGULATIONS, OF THE CITY CODE OF THE CITY OF DELAVAN. The vote on this motion was as follows: Ayes: Braden, Kentner, Mitchell, Shoultz, Holland; Nays: none; Absent: McCoy. Motion carried.

Alderman Braden reported that he had attended Rotary Club the previous week and heard a presentation by Libby Mathers regarding her new business opening at 317 Locust Street with a target date of mid-March. He toured the building with Libby Mathers and said that there is extensive remodeling being done to prepare the building for a new restaurant. Braden also toured another building downtown that is being considered for renovation.

No further business was presented to the council. The meeting was adjourned by Mayor Skinner.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk