

APPROVED MINUTES

DELAVAN CITY COUNCIL MEETING MINUTES

OCTOBER 20, 2009

The Delavan City Council met in regular session on Tuesday, October 20, 2009, 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 (entered the meeting late), Lou A. McCoy, George Mitchell, and Sally Shoultz. Other city officials in attendance were City Administrator Joe Woith, City Attorney Sue Bosich, City Clerk Penny Bright, Police Chief Colin Suprunowski, and ESDA Director Chuck Ostrom. Others in attendance were: Diane Flatley, Steve Rush, Lois Bale, Rick Bright, Melvin Clauser, Larry Moreau, Alisha Tate-Nadeau, Debbie Anello, and Pekin Times reporter Linda Robinson.

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 October 6, 2009, regular meeting
- B. Approval of Resolution #2009-26 for payment of bills

A motion was made by Alderman Holland, seconded by Alderman Braden, to approve Consent Agenda Item A, minutes of the October 6, 2009, regular meeting, and Consent Agenda Item B, RESOLUTION #2009-26, A RESOLUTION APPROVING AND DIRECTING THE PAYMENT OF CERTAIN BILLS OF THE CITY OF DELAVAN, ILLINOIS. The vote on this motion was as follows: Ayes: Braden, McCoy, Mitchell, Shoultz, Holland; Nays: none; Absent: Kentner. Motion carried.

MAYOR'S REPORT

Mayor Skinner reported that the laborers from the Illinois Laborers' and Contractors' Joint Apprenticeship Training Program will begin their volunteer work in Veterans Memorial Park the week of October 26th. City Administrator Woith explained that the work to be done will be to place a new pad under the cannon, with a new walkway around the cannon linked to the existing sidewalk. Also the laborers will be putting in sidewalk from the shelter to the gazebo and from the shelter to the street. The American Legion removed the cannon and is having it refurbished before placing it back on the new concrete

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pad. Plans for next year will be to refurbish the area around the Civil War monument.

Mayor Skinner reported that the newsletter committee met and will be putting together the first newsletter right after the town hall meeting. The format of the newsletter will be similar to the one that Alderman Braden uses for Ward 2 residents. The City Clerk was asked to check on postage costs. The newsletter will be named the Delavan City Quarterly Progress Report.

Mayor Skinner reported that the Town Hall meeting has been rescheduled for Thursday, November 19 at 6:30 p.m. at the Delavan American Legion Hall. Letters will be sent to the organizations and business owners, as well as flyers put out around town and a notice placed in The Delavan Times.

Mayor Skinner reported that the Drug Abuse Prevention Task Force had a meeting on October 13th where they heard a presentation by the Tazewell County Sheriff's Department Crime Prevention Officers. There were approximately twenty-five in attendance. The next Drug Abuse Prevention Task Force meeting will be Thursday, October 22, 2009, at 5:30 p.m.

Mayor Skinner reported that the Board of Zoning Appeals will meet on the 4th Monday of October, October 26, at 6:00 p.m. to continue their work on updates to the zoning ordinance.

Mayor Skinner reported that she had met with Bill Wiemer, owner and pharmacist at the Delavan Family Pharmacy, regarding recent changes to Caterpillar's prescription drug benefit plan to move their prescriptions to Wal-Mart or Walgreens. This change will have an adverse affect on the local pharmacy since he has approximately 23% of his prescriptions as Caterpillar employees/retirees. Mayor Skinner also reported that she, along with City Administrator Woith and Alderman Braden, will be attending the Heart of Illinois Mayor's Association meeting where she will ask for a resolution from the association to ask Caterpillar to reconsider their decision on the prescription drug plan. She will also be contacting Congressman Schock's office, as well as members of the Tazewell County Board.

(Alderman Kentner entered the meeting at 6:45 p.m.)

CITY ADMINISTRATOR'S REPORT

City Administrator Woith reported the following:

- A Street, Walnut and Fifth Street, First Street, Oak Street, and Spruce Street watermain projects are complete except for items on the punch list. When the work is done on the punch list, he will

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meet with K & N Excavating to review work. K & N is past the final completion date of September 13, 2009, and has \$5300 of penalties so far.

- Request for additional information had been sent to Crawford, Murphy & Tilley from the EPA for the EPA Grant. This information was sent to EPA in October. The funding for this project will be coming soon.
- Locust Street overlay - Cullinan is waiting for approval from the railroad on insurance. This may not be a project this year since it is getting late and asphalt will not be produced after the weather turns cold.
- Heritage I&I Study - the final report of the I&I Study in Heritage Estates will be coming from Crawford, Murphy & Tilly by the end of the week. The flow meter in the sewer going to the lift station will be installed as soon as the crops are harvested.
- First Street overlay - the project is complete and the work was very satisfactory. Invoice for payment of the work will be received at the November 3, 2009, meeting.
- The Street Department truck was involved in an incident on Monday when the transmission locked up and the driver slid into the ditch. The transmission is being fixed.

PUBLIC COMMENTS

A. Melvin Clauser - comments on video gaming.

Melvin Clauser addressed the council and presented a proposed resolution, and a list of Delavan residents who signed a petition in support of his proposed resolution in opposition of video gaming in Delavan.

B. Diana Flatley - comments on video gaming.

Diana Flatley addressed the council in support of video gaming in Delavan. She is an owner of a business in Delavan that would be allowing video gaming.

Mayor Skinner informed the council that Mr. Derrick Martin, who also owns a business in Delavan that would be allowing video gaming, has requested to speak at the next City Council meeting.

NEW BUSINESS

A. Approval of pay request #3 for K & N Excavating.

A pay request for K & N Excavating for watermain improvements in the amount of \$26,424.00 was presented for action by the council. City Administrator Woith recommended to approve the pay request as

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presented. A motion was made by Alderman Kentner, seconded by Alderman Shoultz, to approve pay request #3 for K & N Excavating in the amount of \$26,424.00. The vote on this motion was as follows: Ayes: McCoy, Kentner, Mitchell, Shoultz, Holland, Braden; Nays: None; Absent: None. Motion carried.

B. Video gaming.

A motion was made by Aldermen Kentner, seconded by Alderman McCoy, to postpone until a further time any action to be taken regarding video gaming in Delavan. Discussion followed regarding the new law addressing video gaming in Illinois. State law allows for video gaming but also gives counties and municipalities the option of not allowing video gaming in their counties or communities. Concerns were raised that some businesses may have to close their doors if the video gaming is not allowed. The city may also lose funds from the state's capital project fund if they do not allow video gaming. The vote on this motion was follows: Ayes: Kentner, Shoultz, McCoy; Nays: Mitchell, Holland, Braden. The vote being tied, the mayor cast her vote as an Aye and the motion carried.

C. Agreement for services.

A motion was made by Alderman Holland, seconded by Alderman Kentner, to go into executive session to discuss the purchase or lease of real property for the use of the public body pursuant to 5 ILCS 120/2(c)5. The vote on this motion was as follows: Ayes: Mitchell, Shoultz, Holland, Braden, McCoy, Kentner; Nays: none; Absent: none. Motion carried.

The Delavan City Council reconvened in regular session on Tuesday, October 20, 2009, at 8:10 p.m. Mayor Elizabeth Skinner presided. The following aldermen were present: Jere Braden, David Holland, Dan Kentner, Lou A. McCoy, George Mitchell, and Sally Shoultz. Also in attendance were City Administrator Joe Woith, City Attorney Sue Bosich and City Clerk Penny Bright.

C. Agreement for services.

A Professional Services Agreement between the City of Delavan and Fredi Beth Schmutte for downtown development was presented. A motion was made by Alderman Kentner, seconded by Alderman Holland, to enter into a Professional Services Agreement with Fredi Beth Schmutte, hereinafter called the CONSULTANT dated October 20, 2009. The vote on this motion was as follows: Ayes: Holland, Braden, McCoy, Kentner, Mitchell; Nays: Shoultz; Absent: none. Motion carried.

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No further business was presented to the council. The meeting was adjourned at 8:20 p.m. by Mayor Skinner.

Approved this _____ day of _____, 2009.

Mayor

ATTEST:

City Clerk