

UNAPPROVED MINUTES

DELAVAN CITY COUNCIL MEETING MINUTES

NOVEMBER 3, 2009

The Delavan City Council met in regular session on Tuesday, November 3, 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 (attended electronically), 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: Derrick Martin, Diane Flatley, Linda Clauser, Melvin Clauser, Lynnae Bessler, Paul Bessler, Rick Bright, Josie Bolen, Steve Rush, Lois Bale, Ernie Garber, Larry Moreau, 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.

Mayor Skinner asked all present to observe a moment of silence in remembrance and honor of Jeff Larimore, the city's dedicated and hard-working employee who passed away on October 21, 2009.

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 20, 2009, regular meeting
- B. Approval of Resolution #2009-27 for payment of bills

A motion was made by Alderman Mitchell, seconded by Alderman Shoultz, to approve Consent Agenda Item A, minutes of the October 20, 2009, regular meeting, and Consent Agenda Item B, RESOLUTION #2009-27, 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.

PUBLIC COMMENTS

A. Paul Bessler - comments on 2009 Cruise-In.

Paul Bessler addressed the council and thanked the city for their cooperation and support for the 2009 Cruise-In events. He made copies available to the council of the *American Motorhead Magazine* October 2009 issue that highlighted the Delavan Fall Festival car show. Mayor

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Skinner thanked Paul for all his work and said that the city will look forward to working with him again next year.

B. Derrick Martin - comments on video gaming.

Derrick addressed the council with regard to the gaming license. He said that his business depends on the video gaming proceeds and that this year he had a profit of \$9,000 on the gaming machines. With these proceeds he is able to keep his costs down for food and beverage and insures that people continue to come into his business, both from in town and out of town.

C. Diane Flatley - comments on video gaming.

Diane addressed the council with regard to the video gaming. She informed the council that she employees ten people in her business, nine of them from in town. She feels that her business is just as important to the community as any other business. She and John make numerous donations to clubs and organizations in town and supports other groups and benefits.

(Alderman Kentner entered the meeting at 6:40 p.m.)

D. Melvin Clauser - comments on video gaming.

Melvin Clauser addressed the council with regard to the video gaming. He read a prepared statement in which he highlighted the effects of gambling on society and the direct impact gambling has on the local community. He quoted statistics from the Illinois Lottery for zip code 61734. He also addressed comments at the last council meeting that seemed to be reasons for not banning video gaming in Delavan.

MAYOR'S REPORT

Mayor Skinner reported to the council that she and Alderman Braden attended the Heart of Illinois Mayor's Association meeting where she asked the group to consider a resolution to CAT to rethink their directive to move their prescriptions for employees, retirees, and dependents to Walgreens and Wal-Mart. She reported that the mayor's association did send a letter to CAT asking them to reconsider their decision. Mayor Skinner reported that the next meeting of the Heart of Illinois Mayor's Association will be December 16th and asked any council member to join her if they wanted. While at the meeting she also spoke with Carol Merna from Congressman Schock's office.

Mayor Skinner told the council that she will be speaking before the Tazewell County Board executive committee and asking for a

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resolution from the Tazewell County Board to CAT with regard to the prescription drug decision.

Mayor Skinner also reported the following:

- The Board of Zoning Appeals met on October 26th and had a very productive meeting. Two issues that were recommended from the board are on the agenda. They will meet again in January 2010.
- Asked if the council objected to the city purchasing live greenery for the light poles in the downtown area for Christmas again this year. The Historical Society will again provide the bows. No objection was heard.
- Reported that she attended a tribute to Scott Altman in Pekin. Morgan Elser unveiled a bust of Altman's head at the function. Morgan has been commissioned to do a life-size bronze statue of Scott Altman.
- Work continues at Veteran's Memorial Park. The laborers have started on the pad while the cannon is being refurbished. All the labor has been donated by the Illinois Laborers and Contractors Apprenticeship Training Center.
- Reminded the council of the Town Hall meeting on Thursday, November 19, 2009, at 6:30 p.m. in the Delavan American Legion Hall.
- Announced that a special Veteran's Day program will be held at the school on Tuesday, November 10th.
- Announced that the Drug Abuse Task Force meeting was postponed in October and will be held on Thursday, November 12, at 5:30 p.m.
- Received an invitation from the Historical Society to be a part of the planning for the 175th anniversary of the City of Delavan at a meeting on Friday, November 6th. Mayor Skinner appointed George Mitchell to serve as a liaison from the council.

CITY ADMINISTRATOR'S REPORT

City Administrator Woith made the following report:

- Water main project is done except for punch list items. No further pay requests will be submitted until all work is complete.

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- Has received word that an award letter should be received by the end of the month for the EPA grant money.
- Aware of the vacancy due to the death of Jeff Larimore. Requirements for the position are for a Class B water license and a Class 4 sewer license. Advertisements for the position have been made to the Journal Star, Pantagraph and the Decatur Herald & Review. Woith proposed that the city enlist the services of Melvin Pleines. He works as an independent water operator and provides services to communities. His fee would be \$30/hour and would be needed at this time for approximately 5 hours per week. He would sign off on any paper work needed for EPA.
- Reported that there have been 5 inquiries to the position of Public Services Superintendent. Packets are available for interested persons with information about the position and an employment application. A salary amount has not been determined at this time. Jeff was presently making \$43,600 a year. Woith explained that a water only operator in a neighboring town makes \$40,000. A salary for the position would be determined by experience and qualifications.

NEW BUSINESS

A. Ordinance making amendments to Chapter XIII-Zoning, Subchapter C-Additional General Provisions, Article XXI-Signs, Ordinance #2009-25.

An ordinance making amendments to Chapter XIII-Zoning by adding Subchapter C-Additional General Provisions, Article XXI-Signs was presented. A motion was made by Alderman Kentner, seconded by Alderman Shoultz, to suspend the rules for discussion. The vote on this motion was as follows: Ayes: McCoy, Kentner, Mitchell, Shoultz, Holland, Braden; Nays: none; Absent: none. Motion carried.

Discussion was heard with regard to wording in Sec. 13.2111-Signs Accessory to Business, Commercial, or Industrial Uses, A. 6 and B. 5. Suggestion was to delete the wording in the last sentence of Sec. 13.311 A. 6 and B. 5 "said structure of fixture is also grounded by being bonded to a grounding electrode at the sign site" as this conflicts with the National Electrical Code. The wording should be "protected by a ground fault circuit interrupter (GFCI)". The wording in Sec. 13.311 A. 6 and B. 5 was changed on the ordinance.

A motion was made by Alderman Kentner, seconded by Alderman Mitchell, to reinstate the rules. The vote on this motion was as follows: Ayes: Kentner, Mitchell, Shoultz, Holland, Braden, McCoy; Nays: None; Absent: none. Motion carried.

A motion was made by Alderman Kentner, seconded by Alderman Mitchell, to approve ORDINANCE #2009-25, AN ORDINANCE APPROVING AN

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AMENDMENT TO CHAPTER XIII, ZONING, BY ADDING SUBCHAPTER C - ADDITIONAL GENERAL PROVISIONS, ARTICLE XXI - SIGNS, OF THE CITY CODE OF THE CITY OF DELAVAN as amended. The vote on this motion was as follows: Ayes: Mitchell, Shoultz, Holland, Braden, McCoy, Kentner; Nays: none; Absent: none. Motion carried.

B. Ordinance making amendments to Chapter XIII-Zoning, Article XIII-Special Uses, Ordinance #2009-26.

An ordinance making amendments to Chapter XIII-Zoning, Article XIII- Special Uses was presented. This change to the code was a recommendation from the Board of Zoning Appeals in order to streamline the process of applying for a special use. The present ordinance was cumbersome for the applicant and the time period would be 60-90 days, which included a hearing before the zoning board and if the special use was not included in the list of special uses, a change to the ordinance would have to be recommended to the council, an ordinance drawn and approved to make amendments to the special uses, and then another hearing before the zoning board for recommendation for approval to the council. The proposed changes would be that the zoning board and council would approve or deny special uses on a case by case basis.

A motion was made by Alderman Mitchell, seconded by Alderman Shoultz, to approve ORDINANCE #2009-26, AN ORDINANCE APPROVING AN AMENDMENT TO CHAPTER XIII, ZONING, ARTICLE XIII, SPECIAL USES OF THE CITY CODE OF THE CITY OF DELAVAN, ILLINOIS. The vote on this motion was as follows: Ayes: Shoultz, Holland, Braden, McCoy, Kentner, Mitchell; Nays: none; Absent: none. Motion carried.

C. Contract for Water/Sewer Services.

The contract for water/sewer services was not available for action. It will be on the agenda for the next meeting.

UNFINISHED BUSINESS

A. Video gaming.

A motion was made by Alderman Mitchell, seconded by Alderman Kentner, to postpone any further action on subject of video gaming until the council meeting in December. The vote on this motion was as follows: Ayes: Holland, Braden, McCoy, Kentner, Mitchell, Shoultz; Nays: none; Absent: none. Motion carried.

B. Resolution re: CAT pharmacy choice

Mayor Skinner asked that the council approve sending a letter to CAT asking them to rethink their decision on the choice of pharmacies,

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noting that it is detrimental to local communities and pharmacies. A motion was made by Alderman Shoultz, seconded by Alderman Holland, to send a letter to CAT asking them to rethink their decision on the choice of pharmacies noting that it is detrimental to local communities and pharmacies. The vote on this motion was as follows: Ayes: Braden, McCoy, Kentner, Mitchell, Shoultz, Holland; Nays: none; Absent: none. Motion carried.

OTHER ITEMS FOR CONSIDERATION

Alderman Mitchell presented for discussion the idea of adding holidays for city employees in the time period from January 1 to May 31 and to look at cost savings if additional holidays are added.

A motion was made by Alderman Mitchell, seconded by Alderman McCoy, to go into executive session to consider collective negotiating matters between the public body and its employees or their representatives pursuant to 5 ILCS 120/2(c)(2). The vote on this motion was as follows: Ayes: McCoy, Kentner, Mitchell, Shoultz, Holland, Braden; Nays: none; Absent: none. Motion carried.

The Delavan City Council reconvened in regular session at 7:45 p.m. in the Delavan City Council Room, 219 Locust Street, Delavan, Illinois. Mayor Elizabeth Skinner presided. The following aldermen were present: Jere Braden, David Holland (attending electronically), Dan Kentner, Lou A. McCoy, George Mitchell, and Sally Shoultz. Others in attendance were City Administrator Joe Woith, City Attorney Sue Bosich, and City Clerk Penny Bright.

Additional discussion was heard with regard to the work being done in Veterans Memorial Park for the benefit of Alderman Kentner.

Alderman Kentner presented additional information on the progress of the electrical work for the Locust Street GAR triangle. It has not been presented to the IBEW board for approval, but he anticipates that it will be soon. If the work cannot be done by the IBEW, the city can include it in the budget for next year.

It was reported that the Delavan directional sign on Route 29 has the city's name misspelled. The city clerk will contact IDOT to have it replaced.

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

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Approved this _____ day of _____, 2009.

Mayor

ATTEST:

City Clerk