

At the regular meeting held in the Council Chambers by the City Council, July 6, 2021, the following proceedings were held and entered in this record in the following words and figures to wit:

City Clerk

Mayor

The Mayor called the meeting to order at 7:00 P.M.

The Invocation was given by Alderman Driskell. Mayor Barry led the Council and the assembled group in the Pledge of Allegiance.

Roll Call - Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson were present. Alderman Skultety was absent.

YOUTH OF THE MONTH

Mayor Barry presented the Youth of the Month award to Alivia Foraker for her success in being named the 2021 USTA National Champion in Tumbling, Trampoline and Double-Mini Trampoline by placing first in her age group at the USTA National Championship.

APPROVAL OF MINUTES

Motion by Alderman Bryant and seconded by Alderman Driskell to utilize the Omnibus Vote Designation for various meetings. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

Motion by Alderman Bryant and seconded by Alderman Wilson to approve the minutes of the Regular City Council Meeting held June 21, 2021; the Street and Sewer Committee Meeting held June 24, 2021; the Personnel Committee Meeting held July 1, 2021; and the Emergency Services Committee Meeting held July 1, 2021. OMNIBUS VOTE

ORDINANCE NO. 4048 – AUTHORIZING THE EXECUTION OF A BUSINESS DEVELOPMENT DISTRICT NO. 1 REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TAYLORVILLE, ILLINOIS AND M & B INVESTMENT HOLDINGS, LLC

Motion by Alderman Wilson and seconded by Alderman Budd to approve Ordinance No. 4048 – Authorizing the Execution of a Business Development District No. 1 Redevelopment Agreement by and between the City of Taylorville, Illinois and M & B Investment Holdings, LLC. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Wilson, and Mayor Barry voted YEA. The Mayor announced the motion carried.

ORDINANCE NO. 4049 - AMENDING PARAGRAPH D. OF SECTION 3-3-13 OF CHAPTER 3 OF TITLE 3 OF THE TAYLORVILLE CITY CODE (RE: ALLOWING DESIGNATED DRIVE-UP FACILITIES FOR THE SALE AND DELIVERY OF ALCOHOLIC LIQUORS IN THEIR ORIGINAL UNOPENED CONTAINERS)

Motion by Alderman Bryant and seconded by Alderman Wilson to rescind the previous motion to approve An Ordinance Amending Paragraph D. of Section 3-3-13 of Chapter 3 of Title 3 of the Taylorville City Code (re: allowing designated drive-up facilities for the sale and delivery of alcoholic liquors in their original unopened containers, which failed. Alderman Budd expressed concerns over this returning to Council for a vote after being voted down in a previous City Council Meeting. Roll Call – Aldermen Brown, Bryant, Olive, and Wilson voted YEA. Aldermen Budd, Dorchinecz, and Driskell voted NAY. The Mayor announced the motion carried.

Motion by Alderman Bryant and seconded by Alderman Wilson to approve Ordinance No. 4049 – An Ordinance Amending Paragraph D. of Section 3-3-13 of Chapter 3 of Title 3 of the Taylorville City Code (re: Allowing Designated Drive-up Facilities for the Sale and Delivery of Alcoholic Liquors in their Original Unopened Containers). Roll Call – Alderman Brown, Bryant, Olive, and Wilson voted YEA. Aldermen Budd, Dorchinecz, and Driskell voted NAY. The Mayor announced the motion carried.

ORDINANCE NO. 4050 – AMENDING PARAGRAPH I. OF SECTION 8-5-4 OF CHAPTER 5, TITLE 8 OF THE TAYLORVILLE CITY CODE (RE: LIABILITY OF PROPERTY OWNER FOR BUILDING SEWER REPAIRS)

Motion by Alderman Driskell and seconded by Alderman Olive to approve Ordinance No. 4050 – An Ordinance Amending Paragraph I of Section 8-5-4 of Chapter 5, Title 8 of the Taylorville City Code (re: liability of property owner for building sewer repairs). Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Wilson, and Mayor Barry voted YEA. The Mayor announced the motion carried.

RESOLUTION NO. 1470 – RE: CONVEYANCE OF 828 W. VANDEVEER ST PROPERTY TO TAYLORVILLE TCUSD#3

Motion by Alderman Budd and seconded by Alderman Dorchinecz to approve Resolution No. 1470 – re:

Conveyance of 828 W. Vandevceer St Property to Taylorville TCUSD #3. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Wilson, and Mayor Barry voted YEA. The Mayor announced the motion carried.

RESOLUTION NO. 1471 – RE: AMEREN UNDERGROUND ELECTRIC EASEMENT – SERVICE TO 1935 EASTWOOD DRIVE

Motion by Alderman Bryant and seconded by Alderman Brown to approve Resolution No. 1471 – re: Ameren Underground Easement – service to 1935 Eastwood Drive. This will service the new Veteran’s Memorial at Lake Taylorville. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

RESOLUTION NO. 1472 – RE: MASTER LEASE AGREEMENT WITH TFPD

Motion by Alderman Budd and seconded by Alderman Wilson to approve Resolution No. 1472 – re: Master Lease Agreement with TFPD. City Attorney Romano stated that the agreement will encompass all vehicles/apparatus in one agreement. As per previous individual lease agreements, the City is responsible to maintain and repair all equipment. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

FOUR-WAY STOP SIGN AT 1100 NORTH 1500 EAST ROAD

Motion by Alderman Bryant and seconded by Alderman Wilson to direct the City Attorney to prepare an Ordinance to amend the City Code to place a four-way stop sign at 1100 North 1500 East Road with the approval of the Locust Township Commissioner. It was noted that only the North/South road is located within the City; East/West road is located in Locust Township. It is unclear how enforcement would be handled. A motion was made by Aldermen Driskell and seconded by Alderman Brown to table until determination could be made regarding the City’s responsibility. Roll Call – Aldermen Brown, Budd, Dorchinecz, Driskell, and Olive voted YEA. Aldermen Bryant and Wilson voted NAY. The Mayor announced the motion to **table** carried.

ENGINEERING SERVICES – DCEO REBUILD ILLINOIS PUBLIC INFRASTRUCTURE GRANT PROGRAM

Motion by Alderman Budd and seconded by Alderman Olive to approve Benton and Associates, Inc. for Engineering Services for DCEO Rebuild Illinois Public Infrastructure Grant Program for East Main Cross Street Improvement Project. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

WARD III-FRANKLIN STREET STORM SEWER PROJECT CONTRACT MODIFICATION

Motion by Alderman Brown and seconded by Alderman Bryant to modify and terminate the bid contract for Ward III Storm Sewer Project between the City of Taylorville, Greene and Bradford, and Phil Tullis Excavating, removing \$10,500.00 for Bituminous Treatment of Franklin Street. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

BOND RESTRUCTURING PAYMENT TERMS

Motion by Alderman Bryant and seconded by Alderman Brown to approve the restructuring of bonds. The Mayor discussed the various options as presented by First Midstate, Inc. and informed the Council that one option must be selected in order to proceed. Motion by Alderman Budd and seconded by Alderman Driskell to approve the following bond restructuring and payment terms: 13-year Amortization to reach Final Maturity in 12/01/2033 with an estimated payment of \$227,00 for the first 5 years and \$175,000 for the remaining years. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

ILLINOIS MUNICIPAL LEAGUE CONFERENCE – CITY ATTORNEY

Motion by Alderman Bryant and seconded by Alderman Dorchinecz to approve the payment of one-half of the City Attorney expenses in attending the Illinois Municipal League Conference. This will include conference registration, hotel, and travel expenses. The City of Edinburg will also pay one-half of the expenses for the City Attorney. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

BID AND/OR ADVERTISE WORKING FOREMAN – CEMETERY

Motion by Alderman Bryant and seconded by Alderman Wilson to approve to bid and/or advertise the Working Foreman position in the Cemetery Department. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

COMMITTEE REPORTS

STREET & SEWER

WAL MART LIFT STATION PUMP UPGRADE ENGINEERING STUDY/BENTON & ASSOCIATES

Motion by Alderman Wilson and seconded by Alderman Driskell to approve the engineering study to be

done by Benton & Associates for the Wal Mart Lift Station pump upgrade. BDD Funds will be utilized for this expense. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

PERSONNEL

RESIGNATION OF ASSISTANT FIRE CHIEF ROGERS

Motion by Alderman Driskell and seconded by Alderman Dorchinecz to accept the resignation of Assistant Fire Chief Cody Rogers. The motion carried (7-0).

NON-BARGAINING RESIDENCY REQUIREMENTS

Motion by Alderman Driskell and seconded by Alderman Bryant to direct the City Attorney to amend the City Code to allow an exception to the Non-Bargaining Ordinance to allow the Assistant Fire Chief to live within 6.5 mile radius of the Courthouse. This is a tested position requiring technical knowledge and is therefore eligible for this exception. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

BID AND/OR ADVERTISE FULL-TIME DISPATCHER

Motion by Alderman Driskell and seconded by Alderman Wilson to bid and/or advertise a Full-time Dispatcher in the Police Department. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

HIRING OF TWO POLICE OFFICERS FOR ACADEMY

Motion by Alderman Driskell and seconded by Alderman Brown to hire two (2) police officers for Academy. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

STREET AND SEWER SUPERINTENDENT SALARY INCREASE

Motion by Alderman Driskell and seconded by Alderman Wilson to raise the salary of the Street and Sewer Superintendent by 5%. Alderman Dorchinecz stated that City Code specifies the process for increases to include a yearly evaluation, with merit increase based on the results of said evaluation. Personnel Committee Chairman Driskell stated that an evaluation form will be created and process will be followed once a year for all Non-Bargaining Employees/Superintendents. Roll Call – Aldermen Brown, Driskell, and Wilson voted YEA. Aldermen Bryant, Budd, Dorchinecz, and Olive voted NAY. The Mayor announced the motion **failed**.

BID AND/OR ADVERTISE THREE LABORERS – STREET DEPARTMENT

Motion by Alderman Driskell and seconded by Alderman Wilson to bid and/or advertise three (3) Laborers in the Street Department. The motion carried (7-0).

EMPLOYEE HANDBOOK POLICY REVISION

Motion by Alderman Driskell and seconded by Alderman Bryant to amend the Employee Handbook Policy for return of all City Property upon severance within set guidelines. The motion carried (7-0).

EMERGENCY SERVICES

PURCHASE OF NEW FIRE HOSE

Motion by Alderman Brown and seconded by Alderman Olive to allow Fire Chief Adermann to purchase a new fire hose at a cost not to exceed \$2,000.00. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

POLICE ADMINISTRATION VEHICLES TO FLEET VEHICLES

Motion by Alderman Brown and seconded by Alderman Driskell to allow Police Chief Wheeler to complete required upgrades to transition the two administration vehicles to fleet vehicles at a cost not to exceed \$12,000.00. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

PURCHASE OF TWO NEW POLICE VEHICLES AND EQUIPMENT

Motion by Alderman Brown and seconded by Alderman Wilson to direct the City Attorney to prepare an Ordinance to allow for the purchase of two new vehicles and basic stop equipment at a cost not to exceed \$49,100.00, and to waive all statutory bidding requirements. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

FINANCE -

FY 2021/2022 BUDGETS/APPROPRIATIONS

Motion by Alderman Dorchinecz and seconded by Alderman Budd to approve the Fiscal Year 5/1/2021 through 4/30/2022 Budget in the amount of \$26,366,254.00. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

Motion by Alderman Dorchinecz and seconded by Alderman Budd to approve the Fiscal Year 5/1/2021 through 4/30/2022 Appropriations in the amount of \$33,108,204.00. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

Motion by Alderman Dorchinecz and seconded by Alderman Budd to direct the City Clerk's Office to prepare the Appropriation Ordinance for the Fiscal Year 2021-2022 in the amount of \$33,108,204.00 and that the document be available for public inspection in the City Clerk's office beginning July 8, 2021, and that a Public Hearing be set for 6:45 P.M. on Monday, July 19, 2021. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

PAYMENT OF BILLS

Motion by Alderman Bryant and seconded by Alderman Brown to approve payment of the bills. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. The Mayor announced the motion carried.

BUSINESS FROM THE PUBLIC

Mr. Joe Hauser presented the recommendations of the Plan Commission. The Commission voted unanimously to recommend to the City Council to approve the Site Plan and Construction Plan for Farm Credit Services, based on sidewalk determination. The Commission also voted unanimously to approve the Site and Construction Plans for Midtowne Plaza and Scooters Coffee.

Ms. Carol Miller presented her concerns regarding a neighboring property to her home on Bidwell. The home is rundown and used as storage. There are rodents, cats, possums, excess cars, and overgrown weeds. The Mayor stated that the City will address as allowed by law.

Alderman Olive stated that the Municipal Building roof bids have been put on hold due to lack of construction materials. It is not currently leaking. This bid will take place in fall or winter.

CLOSED SESSION

Motion to go into closed session, pursuant to 5 ILCS 120/2 (c)(11) to discuss the *pending litigation, i.e. "Jamal Shehadeh v. City of Taylorville, Cause No. 2021-MR-21, Circuit Court 4th Judicial Circuit, Taylorville, Illinois; and the two Interlocutory Appeals filed by Jamal Shehadeh with the 5th District Appellate Court in General Nos. 5-21-0105 and 5-21-0128"* and any and all subject matters relating thereto including, but not limited to, subject matters relating to investigation, attorney-client reports, consultant reports, discovery, settlement negotiation, offers, issues and strategy, and insurance coverage, and to include the following persons to be present during all or part of such closed session, namely: the Mayor, Aldermen, City Clerk, City Treasurer, City Attorney, Police Chief, and such other person or persons as the Mayor may decide during this City Council meeting and/or during such closed session.

The City Council recessed at 8:03 P.M. and went into Closed Session at 8:07 P.M. The City Council returned to Open Session at 8:20 P.M.

Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson reported present.

Motion by Alderman Bryant and seconded by Alderman Brown to adjourn the meeting. Motion carried (7-0).

The meeting adjourned at 8:21 P.M.