

At the regular meeting held in the Council Chambers by the City Council, October 21, 2019, 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 Pastor James Jones of Taylorville Christian Church. Mayor Barry led the Council and the assembled group in the Pledge of Allegiance.

Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety reported present.

VOLUNTEER OF THE MONTH

Mayor Barry awarded the Volunteer of the Month to Tommy O'Brien for his dedication to youth sports. He has coached the Taylorville Junior High Cross Country team for three years and has produced state qualifiers. He created the Youth Sports Camp which attracts kids interested in all sports. He is currently attending Milliken University where he is studying to be a Physical Education teacher.

PRESENTATION TO FIRE CHIEF CREWS

Mayor Barry announced the retirement and resignation of Fire Chief Mike Crews. He was presented with a plaque honoring his 27 years of service to the City of Taylorville.

APPOINTMENT OF ACTING FIRE CHIEF - MATT ADERMANN

Mayor Barry announced the appointment of Acting Fire Chief Matt Adermann, with the plan to announce a permanent Fire Chief appointment on November 4, 2019. Motion by Alderman Dorchinecz and seconded by Alderman Budd to accept Mayor Barry's appointment of Captain Matt Adermann as Acting Fire Chief. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Olive and Skultety voted YEA. Alderman Lanzotti voted NAY. The Mayor announced the motion carried.

APPROVAL OF MINUTES

Motion by Alderman Dorchinecz and seconded by Alderman Olive to utilize the Omnibus Vote Designation to approve the minutes of various meetings. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

Motion by Alderman Skultety and seconded by Alderman Burtle to approve the minutes of the Regular City Council Meeting held October 7, 2019; the Water/Environmental Committee Meeting held October 10, 2019; the Lake/Airport Committee Meeting held October 10, 2019; the Ordinance Committee Meeting held October 17, 2019; and the Finance Committee Meeting held October 17, 2019. OMNIBUS VOTE

PLAN COMMISSION RECOMMENDATIONS

Chairman Joe Hauser informed the Council that the Plan Commission met prior to the City Council to discuss three separate issues as follows:

WEST SCHOOL INVESTMENTS RE-ZONE: No action was taken on this matter. The Plan Commission requested additional information prior to making a decision to approve the Re-zone of the West School Investments property from Residential-1(R-1) to Commercial-1(C-1). A motion was made by the Plan Commission to continue to the next scheduled meeting.

HATHAWAY HOMES LOCATION/SKETCH MAP/PRELIMINARY PLAN: A motion was made by the Plan Commission to recommend to the City Council to approve the Location, Sketch Map and Preliminary Plan for the Hathaway Homes of Taylorville 2. It was noted that the Fire Chief, TCUSD#3, and the Taylorville Ministerial Association provided letters of support for this project.

Motion by Alderman Budd and seconded by Alderman Bryant to accept the Plan Commission recommendations and approve the Location, Sketch Map and Preliminary Plan for the Hathaway Homes of Taylorville 2. Roll Call - Aldermen Bryant, Budd, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. Alderman Burtle voted NAY. The Mayor announced the motion carried.

ATTEBERRY ESTATES FIRST ADDITION FINAL PLAT: A motion was made by the Plan Commission to recommend to the City Council to approve the Final Plat and Restricted Covenants for Atteberry Estates First Addition. Water Main extension and Water Annexation Ordinances will be another step in the project.

Motion by Alderman Bryant and seconded by Alderman Olive to accept the Plan Commission recommendations and approve the Final Plat and Restricted Covenants for Atteberry Estates First Addition. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

RESOLUTION NO. 1432 - REVISED IDOT ESTIMATE OF MAINTENANCE COSTS 19-00000-00-GM

Motion by Alderman Olive and seconded by Alderman Bryant to approve Resolution No. 1432 - Revised IDOT Estimate of Maintenance Costs 19-00000-00-GM and Maintenance Engineering to be Performed by a Consulting Engineer. Per instruction from Benton & Associates, the Engineer now responsible for filing the City of Taylorville Motor Fuel Tax paperwork, the 2019 Estimate of Maintenance Costs was revised and will allow for the purchase of salt and road materials prior to the end of the year. Roll Call - Aldermen Bryant, Budd, Burtle, Driskell, Dorchinecz, Lanzotti, Olive, Skultety, and Mayor Barry voted YEA. The Mayor announced the motion carried.

RESOLUTION NO. 1433 - RE: AZAVAR AUDIT SOLUTIONS, INCORPORATED CONTINGENT PROFESSIONAL SERVICES AGREEMENT

Motion by Alderman Skultety and seconded by Alderman Dorchinecz to approve Resolution No. 1433 - Re: Azavar Audit Solutions, Incorporated Contingent Professional Services Agreement. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, Skultety, and Mayor Barry voted YEA. The Mayor announced the motion carried.

POGGENPOHL LLC - FIRST NATIONAL BANK SIDEWALK CONCRETE

Motion by Alderman Olive and seconded by Alderman Burtle to approve payment to Poggenpohl LLC in the amount of \$9,171.75 for the concrete used at the First National Bank Sidewalk Project from the Fifth Fund Utility Tax Ward money, subject to receipt of certified payroll from the contractor that prevailing wages were paid for the project. The Council felt it was a great improvement for the downtown area for a minimal investment. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

SALE OF RECREATIONAL USE CANNABIS

Motion by Alderman Burtle and seconded by Alderman Driskell to disallow the sale of recreational use cannabis in the City of Taylorville. City Attorney Romano recommended that this vote be tabled due to previous Ordinance passed regarding the 3% sales tax on the sale of Recreational Use Cannabis. Motion to table was made by Alderman Dorchinecz and seconded by Alderman Lanzotti. Roll Call - Aldermen Bryant, Budd, Dorchinecz, Lanzotti, and Olive voted YEA. Aldermen Burtle, Driskell, and Skultety voted NAY. The Mayor announced that the motion to table carried.

TORNADO SIREN RELOCATION

Motion by Alderman Budd and seconded by Alderman Bryant to approve the relocation of tornado siren T-1, located off of 1400 East Road. The current location is too close to the power lines. It will be moved to another location on City property, approximately 2650 feet in a straight line to the Northeast, near the boat ramp off the Owaneco Blacktop. The approximate cost to move the siren/pole is \$866.53 to Shelby Electric and \$500.00 to Ramsey's. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

INCREASE OF LAKE LOT AND CAMPGROUND LEASE FEES

Motion by Alderman Skultety and seconded by Alderman Dorchinecz to increase the Lake Lot Lease Fees in the amount of \$50.00 for a total of \$550.00 per season, and Campground Lease Fees in the amount of \$70.00 for a total of \$805.00 per season or \$115.00 per month, and direct the City Attorney to amend the Ordinance and City Code to reflect such changes. Alderman Skultety felt this increase should have been \$100.00. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

COMMITTEE REPORTS

WATER/ENVIRONMENTAL

PAY REQUEST #27 PLOCHER CONSTRUCTION - NEW WATER TREATMENT PLANT

Motion by Alderman Burtle and seconded by Alderman Skultety to authorize and direct the Mayor to sign Pay Request #27 from Plocher Construction in the amount of \$66,626.25 for work on the New Water Treatment Plant and forward the request to IEPA Low Interest Loan Program for disbursement and approve payment of same pending receipt of disbursement from IEPA, this conditioned upon receipt of signed mechanics lien waivers in this amount and recommendation by the Project Engineer that the work has been satisfactorily performed. City Attorney Romano stated that Plocher Construction had agreed to pay for all engineering costs incurred for the extension of the construction date. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

BENTON & ASSOCIATES - NEW WATER TREATMENT PLANT

Motion by Alderman Burtle and seconded by Alderman Skultety to pay Benton & Associates \$24,385.48 for work performed related to the construction of the New Water Treatment Plant from September 1, 2019 through September 14, 2019. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

CLARK-DIETZ - NEW WATER TREATMENT PLANT

Motion by Alderman Burtle and seconded by Alderman Driskell to pay Clark-Dietz in the amount of \$3,640.00 for work performed related to the construction of the New Water Treatment Plant

from August 30, 2019 through September 27, 2019. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

DICKINSON-HUSSMAN - NEW WATER TREATMENT PLANT

Motion by Alderman Burtle and seconded by Alderman Skutety to pay Dickinson-Hussman in the amount of \$5,072.96 for work performed related to the construction of the new Water Treatment Plant from July 1, 2019 through September 20, 2019. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

PLOCHER CHANGE ORDER #4 - NEW WATER TREATMENT PLANT

Motion by Alderman Burtle and seconded by Alderman Olive to direct Mayor Barry to sign Plocher Change Order #4 in the amount of \$48,475.98. This Change Order reflects a reduction in engineering fees. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

LAKE/AIRPORT

RESOLUTION NO. 1434 - REAL ESTATE LEASE AGREEMENT WITH RICK AND LISA CHAMPLEY

Motion by Alderman Dorchinecz and seconded by Alderman Bryant to approve Resolution No. 1434 Real Estate Lease Agreement with Rick and Lisa Champley. This two-year lease agreement is in the amount of \$2,480.00. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

RESOLUTION NO. 1435 - REAL ESTATE LEASE AGREEMENT WITH CLINT BARLOW

Motion by Alderman Dorchinecz and seconded by Alderman Bryant to approve Resolution No. 1435 Real Estate Lease Agreement with Clint Barlow. This two-year lease agreement is in the amount of \$2,026.00. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

CABIN REPAIR INSPECTION

Motion by Alderman Dorchinecz and seconded by Alderman Olive to allow Mayor Barry to have someone inspect the cabins for repairs needed. Initially Lincoln Land Community College was to provide the labor for cabin repairs, but the program has since been discontinued. The motion carried (8-0).

APPLICATION FOR BOAT DOCKS AND JET SKI LIFTS

Motion by Alderman Dorchinecz and seconded by Alderman Bryant to approve the application for boat dock and jet ski lifts. The Ordinance addressing this was previously distributed, but it will be revised to include language changes regarding liability insurance requirements and process for the application permit. The motion carried (8-0).

ORDINANCE

NO PARKING SIGNS - 100 BLOCK OF WEST FRANKLIN STREET

Motion by Alderman Bryant and seconded by Alderman Driskell to direct the City Attorney to prepare an Ordinance to amend the City Code to allow for No Parking signs located in the first three parking spaces of the 100 block of West Franklin Street from 8:00 A.M.-3:00 P.M. Monday - Friday. The motion carried (8-0).

TWO-WAY STOP SIGN - 800 BLOCK NORTH SILVER AND PAULINE

Motion by Alderman Bryant and seconded by Alderman Skultety to direct the City Attorney to prepare an Ordinance to amend the City Code to allow a two-way stop sign at the intersection of the 800 block of North Silver and Pauline streets. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

205 EAST MAIN CROSS - 0 SETBACK

Motion by Alderman Bryant and seconded by Alderman Budd to direct the City Attorney to prepare an Ordinance to amend City Code 10-5-6 allowing 0 setback of C-1/C-2 building with a Special Use. Once amended, the current owner of this specific property can request a Public Hearing with the Plan Commission to obtain the Special Use. The motion carried (8-0).

DEMOLITION OF 215 EAST PARK STREET

Motion by Alderman Bryant and seconded by Alderman Burtle to being the formal legal process for the demolition of 215 East Park Street. This will include title work, notification to lien holders and proper signage. The motion carried (8-0).

LIQUOR/GAMING LICENSE FEE

Motion by Alderman Bryant and seconded by Alderman Driskell to direct the City Attorney to prepare an Ordinance to amend the City Code to increase the fee for all liquor/gaming license holders to \$3,000.00 per year, with the exception of Clubs/Fraternal Organizations, effective with the May 1, 2020 renewal. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

FINANCE

RURAL ELECTRIC FRANCHISE AGREEMENT

Motion by Alderman Budd and seconded by Alderman Skultety to direct the City Attorney to prepare an Ordinance to approve the Rural Electric Franchise Agreement with the \$5,000.00 per

year franchise fee and proposed language changes as approved by the City Attorney. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

AMERICAN TOWER 99-YEAR LEASE AGREEMENT

Motion by Alderman Budd to accept the 99-year lease agreement from American Tower for a lump sum payment of \$310,445.00, with all the funds received to be placed in the Lake Restoration Fund. This motion was based on the presumption that American Tower would accept the lump sum rebuttal offer from the City of Taylorville. American Tower declined, and have countered with an offer of \$190,962.00 lump sum, along with other terms. This item will return to Committee for discussion.

BDD FUND REIMBURSEMENT - 205 EAST MAIN CROSS

Motion by Alderman Budd and seconded by Alderman Bryant to have an Ordinance prepared approving and authorizing the execution of a Business Redevelopment District No. 1 Redevelopment Agreement with Randy Mitchelson individually and d/b/a Mitchelson Properties, the owner of property located at 2015 East Main Cross, for reimbursement of \$12,250.00 from the BDD Fund, subject to the execution and terms and conditions of said Redevelopment Agreement. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, and Olive voted YEA. Alderman Skultety voted NAY. The Mayor announced the motion carried.

BDD FUND REIMBURSEMENT - 112 SOUTH MAIN

Motion by Alderman Budd and seconded by Alderman Driskell to have an Ordinance prepared approving and authorizing the execution of a Business Redevelopment District No. 1 Redevelopment Agreement with Tina Coash, individually and d/b/a Talia's Cookies, the tenant of the property located at 112 South Main, for reimbursement of \$4,401.00 from the BDD Fund, subject to the execution and terms and conditions of said Redevelopment Agreement. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

BDD FUND REIMBURSEMENT - 119 WEST MAIN CROSS

Motion by Alderman Budd and seconded by Alderman Bryant to have an Ordinance prepared approving and authorizing the execution of a Business Redevelopment Agreement District No. 1 Redevelopment Agreement with Cliff Mansfield, the owner of property located at 119 West Main, for reimbursement of \$3,955.00 from the BDD Fund subject to the execution and terms and conditions of said Redevelopment Agreement. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

TREASURER'S REPORT

Motion by Alderman Budd and seconded by Alderman Bryant to accept the Treasurer's Report as presented. The motion carried (8-0).

PAYMENT OF BILLS

Motion by Alderman Budd and seconded by Alderman Burtle to authorize payment of the bills. Roll Call - Aldermen Bryant, Budd, Burtle, Dorchinecz, Driskell, Lanzotti, Olive, and Skultety voted YEA. The Mayor announced the motion carried.

BUSINESS FROM THE PUBLIC

Mayor Barry asked if anyone in the audience would like to address the Council. Six dumpsters were filled at the clean-up day held October 12, 2019, according to Alderman Budd. Police, Fire, and AFSME Union Contracts have been distributed and Alderman Budd requested that all Aldermen review and submit any comments, recommendations, and concerns to Human Resource Manager Blakeman prior to negotiations beginning. He hopes to negotiate long term (3-4 year) contracts; Closed Session will be held at the November 4, 2019 City Council to discuss the contract terms. Alderman Burtle felt that the Cannabis Sales Tax Ordinance was passed prior to knowing if the City Council would approve the sale and therefore decisions were made without full information being presented. City Attorney Romano discussed State of Illinois and Illinois Municipal League recommendations for the sale of cannabis to include zoning, sales tax, and regulations for location of sales. If the City Council ultimately decides to disallow the sale, the City would be required to file an Opt-out Ordinance.

Motion by Alderman Bryant and seconded by Alderman Olive to adjourn. The motion carried (8-0).

The meeting adjourned at 8:11 P.M.