

At the regular meeting held in the Council Chambers by the City Council, September 7, 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 Mayor asked for a Moment of Silence to honor 100 year-old Alacoque Traynor.

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

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

YOUTH OF THE MONTH

Mayor Barry presented the Youth of the Month award to Luke Wemple for his volunteerism and participation in many activities such as the Autism and Movement Project, Meals on Wheels, and the Brew and Hope Coffee House.

DOG DAYS PROCLAMATION

Mayor Barry presented a proclamation to the collaboration of Animal Control and Downtown Taylorville for Dog Days on September 21, 2021.

APPROVAL OF MINUTES

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

Motion by Alderman Wilson and seconded by Alderman Olive to approve the Regular City Council Meeting held August 16, 2021; the Ordinance Committee Meeting held August 19, 2021; the Finance Committee Meeting held August 19, 2021; the Street and Sewer Committee Meeting held August 26, 2021; and the Public Facilities Committee Meeting held August 26, 2021. OMNIBUS VOTE

ORDINANCE NO. 4059 – APPROVING AND AUTHORIZING THE EXECUTION OF A BUSINESS DEVELOPMENT DISTRICT NO. 1 REDEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF TAYLORVILLE, ILLINOIS AND HECTOR LOPEZ AND LOS RANCHEROS OF TAYLORVILLE, INC.

Motion by Alderman Driskell and seconded by Alderman Bryant to approve Ordinance No. 4059 – An Ordinance Approving and Authorizing the Execution of a Business Development District No. 1 Redevelopment Agreement by and between City of Taylorville, Illinois and Hector Lopez and Los Rancheros of Taylorville, Inc. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, Wilson, and Mayor Barry voted YEA. The Mayor announced the motion carried.

ORDINANCE NO. 4060 – APPROVING AND AUTHORIZING THE EXECUTION OF A BUSINESS DEVELOPMENT DISTRICT NO. 1 REDEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF TAYLORVILLE, ILLINOIS AND LEE AND DYANNE SKINNER

Motion by Alderman Driskell and seconded by Alderman Dorchinecz to approve Ordinance No. 4060 – An Ordinance Approving and Authorizing the Execution of a Business Development District No. 1 Redevelopment Agreement by and between City of Taylorville, Illinois and Lee and Dyanne Skinner dba Dear Yesteryear (Phase 5 of 122 W. Market St. Project). Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, Wilson, and Mayor Barry voted YEA. The Mayor announced the motion carried.

ORDINANCE NO. 4061 – APPROVING AND AUTHORIZING THE EXECUTION OF A BUSINESS DEVELOPMENT DISTRICT NO. 1 REDEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF TAYLORVILLE, ILLINOIS AND ANDREW KINNEY

Motion by Alderman Budd and seconded by Alderman Brown to approve Ordinance No. 4061 – An Ordinance Approving and Authorizing the Execution of a Business Development District No. 1 Redevelopment Agreement by and between City of Taylorville, Illinois and Andrew Kinney. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, Wilson, and Mayor Barry voted YEA. The Mayor announced the motion carried.

ORDINANCE NO. 4062 – APPROVING AND AUTHORIZING THE EXECUTION OF A BUSINESS DEVELOPMENT DISTRICT NO. 1 REDEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF TAYLORVILLE, ILLINOIS AND SHAMSHER SARGODHIA

Motion by Alderman Wilson and seconded by Alderman Budd to approve Ordinance No. 4062 – An Ordinance Approving and Authorizing the Execution of a Business Development District No. 1

Redevelopment Agreement by and between City of Taylorville, Illinois and Shamsheer Sargodhia. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinez, Driskell, Olive, Skultety, Wilson, and Mayor Barry voted YEA. The Mayor announced the motion carried.

ORDINANCE NO. 4063 – APPROVING AND AUTHORIZING THE EXECUTION OF A BUSINESS DEVELOPMENT DISTRICT NO. 1 REDEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF TAYLORVILLE, ILLINOIS AND LAURA BRUNS LONG

Motion by Alderman Bryant and seconded by Alderman Brown to approve Ordinance No. 4063 – An Ordinance Approving and Authorizing the Execution of a Business Development District No. 1 Redevelopment Agreement by and between City of Taylorville, Illinois and Laura Bruns Long dba Little Luxuries. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinez, Driskell, Olive, Skultety, Wilson, and Mayor Barry voted YEA. The Mayor announced the motion carried.

RESOLUTION NO. 1475 – A RESOLUTION IN SUPPORT OF PARTICIPATING IN THE SAFE ROUTES TO SCHOOL PROGRAM WITHIN THE CITY OF TAYLORVILLE

Motion by Alderman Driskell and seconded by Alderman Wilson to approve Resolution No. 1475 – A Resolution in Support of Participating in the Safe Routes to School Program within the City of Taylorville. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinez, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

AIRPORT PROJECT TAZ-4308 – VENDOR INVOICE CMT

Motion by Alderman Budd and seconded by Alderman Skultety to authorize and direct the Mayor to sign Vendor invoice No. 201661 for Airport Project TAZ-4308 in the amount of \$1,613.28 for professional services rendered from CMT and forward the request to the Illinois Department of Transportation for disbursement. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinez, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

AIRPORT PROJECT TAZ-4308 – VENDOR INVOICE CMT

Motion by Alderman Budd and seconded by Alderman Brown to authorize and direct the Mayor to sign Vendor invoice No. 201869 for Airport Project TAZ-4308 in the amount of \$880.77 for professional services rendered from CMT and forward the request to the Illinois Department of Transportation for disbursement. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinez, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

AIRPORT PROJECT TAZ-4308 – VENDOR INVOICE CMT

Motion by Alderman Driskell and seconded by Alderman Skultety to authorize and direct the Mayor to sign Vendor invoice No. 209085 for Airport Project TAZ-4308 in the amount of \$888.76 for professional services rendered from CMT and forward the request to the Illinois Department of Transportation for disbursement. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinez, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

AIRPORT PROJECT TAZ-4308 – VENDOR INVOICE CMT

Motion by Alderman Skultety and seconded by Alderman Wilson to authorize and direct the Mayor to sign Vendor invoice No. 210391 for Airport Project TAZ-4308 in the amount of \$219.19 for professional services rendered from CMT and forward the request to the Illinois Department of Transportation for disbursement. Roll Call – Aldermen Bryant, Bryant, Budd, Dorchinez, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

HIRE REPLACEMENT FIREFIGHTER

Motion by Alderman Brown and seconded by Alderman Dorchinez to hire a replacement Firefighter. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinez, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

HIRE TWO POLICE OFFICERS FOR ACADEMY

Motion by Alderman Brown and seconded by Alderman Driskell to hire two new Police Officers for Academy. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinez, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

SPECIAL EVENTS PERMIT – GTCC CHILLIFEST

Motion by Alderman Bryant and seconded by Alderman Dorchinez to approve the Special Events Permit for the Greater Taylorville Chamber of Commerce for Chillifest to be held on October 2-3, 2021, with set up beginning on October 1, 2021 at 12:00 P.M. The motion carried (8-0).

SPECIAL EVENTS PERMIT – KNIGHTS OF COLUMBUS TOOTSIE ROLL DRIVE

Motion by Alderman Dorchinez and seconded by Alderman Wilson to approve the Special Events Permit for the Knights of Columbus Tootsie Roll Drive to be held on September 24 and 25, 2021. The motion carried (8-0).

APPOINTMENT OF DAVID BRUMMER TO BDD COMMITTEE

Motion by Alderman Dorchinecz and seconded by Alderman Brown to approve the Mayor's Appointment of David Brummer to the BDD Committee. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

AMEREN TAX DEPARTMENT INTEREST PAYMENT

Motion by Alderman Budd and seconded by Alderman Wilson to authorize and direct the City Clerk to issue a response to Ameren Tax Department in regards to \$1,746.07 interest payment due to the City as a result of the utility audit. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

2021 ALLEYS AND N CHEROKEE STREET IMPROVEMENTS – CHANGE ORDER #2 – P.H. BROUGHTON & SONS, INC.

Motion by Alderman Olive and seconded by Alderman Bryant to approve Change Order #2 for the 2021 Alleys and N. Cherokee Street Improvements from P.H. Broughton & Sons, Inc. for a decrease of \$21,379.35. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

2021 ALLEYS AND N CHEROKEE STREET IMPROVEMENTS – FINAL PAYMENT – P.H. BROUGHTON & SONS, INC.

Motion by Alderman Budd and seconded by Alderman Olive to approve final payment for the 2021 Alleys and N. Cherokee Street Improvements from P.H. Broughton & Sons, Inc. in the amount of \$12,869.68; lien waiver has been received and City Engineer has approved project completion. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

WAIVER OF CONFLICT OF INTEREST – ATTORNEY ROMANO – CTI

Motion by Alderman Budd and seconded by Alderman Bryant to confirm the waiver of any conflict of interest and consent to Attorney Rocci L. Romano representing the City and CTI concerning any and all matters in Case No. 2021-MR-47, which Case is now pending in the Circuit Court of the Fourth Judicial Circuit, Christian County, Illinois. The motion carried (8-0).

RESCIND PREVIOUS MOTION REGARDING PAYMENT FOR REMOVAL OF TREES ON PAWNEE STREET – WARD V

Motion by Alderman Budd and seconded by Alderman Olive to rescind previous motion to accept written quotes for the removal of 11 trees on Pawnee Street at a cost not to exceed \$5,000.00, to be paid out of Ward 5 Funds. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

PAYMENT FOR REMOVAL OF TREES ON PAWNEE STREET – WARD I

Motion by Alderman Budd and seconded by Alderman Olive to approve payment for the removal of 11 trees on Pawnee Street using Ward I funds. Roll Call – Aldermen Brown, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. Alderman Bryant voted PRESENT. The Mayor announced the motion carried.

RESCIND PREVIOUS MOTION REGARDING PAYMENT FOR SIDEWALKS ON PLEASANT STREET TO ESTHER STREET – WARD IV

Motion by Alderman Budd and seconded by Alderman Olive to rescind previous motion to allow R&B Peters Construction to repair the sidewalk from Pleasant Street to Esther Street with payment to be made using Ward 5 Funds. Roll Call – Alderman Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

PAYMENT FOR SIDEWALKS ON PLEASANT STREET TO ESTHER STREET – WARD I

Motion by Alderman Budd and seconded by Alderman Olive to approve payment to R&B Peters Construction for sidewalk repair from Pleasant Street to Esther Street using Ward I funds. Roll Call – Aldermen Brown, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. Alderman Bryant voted PRESENT. The Mayor announced the motion carried.

USE OF AND DISSOLUTION OF WARD V FUNDS

Motion by Alderman Budd and seconded by Alderman Skultety to require Ward 5 funds to be used for emergency use only with a 6-2 minimum vote. Mayor Barry suggested that the words "emergency use" be removed to allow for more option in utilizing these funds. There were no changes made to the

original motion. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

COMMITTEE REPORTS

ORDINANCE

AMEND SECTION 10-8-2 RE: OFF STREET COMMERCIAL PARKING

Motion by Alderman Skultety and seconded by Alderman Driskell to direct the City Attorney to prepare an Ordinance to amend City Code Section 10-8-2 to require all specifications as listed for commercial off-street parking lots to be met within twelve(12) month of issuance of building/construction permit, with any non-compliance to be fined per Ordinance Violation of \$250.00 per thirty(30) days following initial twelve(12) month permit period. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

NO PARKING SIGNS – 1600 BLOCK WEST PARK AVENUE

Motion by Alderman Skultety and seconded by Alderman Wilson to direct the City Attorney to prepare an Ordinance to allow for No Parking signs on the south side of the road on the 1600 block of West Park Avenue. The motion carried (8-0).

AMEND SECTION 1-9-14 RE: NON-BARGAINING PERSONNEL EVALUATIONS

Motion by Alderman Skultety and seconded by Alderman Driskell to direct the City Attorney to prepare an Ordinance to make the appropriate changes to Section 1-9-14 of the Taylorville City Code regarding Evaluations of Non-Bargaining Personnel to be completed yearly in October by the Mayor, Personnel Committee Chairman, and Human Resource Manager, forwarded to the Personnel Committee for approval, and to take effect January 1. The motion carried (7-1).

FINANCE

CONTRIBUTION TO GTCC CHILLIFEST – HOTEL/MOTEL TAX FUND

Motion by Alderman Dorchinecz and seconded by Alderman Bryant to provide an \$8,000.00 contribution to the Greater Taylorville Chamber of Commerce for Chillifest, to be paid out of the Hotel/Motel Tax Fund. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

TREASURER'S REPORT

Motion by Alderman Dorchinecz and seconded by Alderman Skultety to approve the Treasurer's Report as presented. The motion carried (8-0).

STREET & SEWER

BID DOCUMENTS – WEST FRANKLIN STREET PROJECT – BENTON & ASSOCIATES

Motion by Alderman Wilson and seconded by Alderman Bryant to direct Benton & Associates to prepare documents to bid out West Franklin Street project by itself with method of payment to be determined, and hold Illini Drive project until Spring to use MFT Funds. Chairman Wilson stated that the estimated cost is \$86,757.00, with a tentative Bid Opening date of September 24, 2021 and Special Meeting to approve bids on September 27, 2021. Alderman Budd inquired as to method of payment; Chairman Wilson stated payment will depend on bid price and availability of Ward funds. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, Skultety, and Wilson voted YEA. The Mayor announced the motion carried.

PUBLIC FACILITIES

BID FOR REAR PARKING LOT PROJECT – TULLIS EXCAVATING, INC

Motion by Alderman Olive and seconded by Alderman Brown to approve the low bid from Tullis Excavating, Inc. in the amount of \$59,800.00 for Concrete Parking Area for the Police Department to be paid out of the Public Facilities budget. Roll Call – Aldermen Brown, Bryant, Budd, Dorchinecz, Driskell, Olive, and Wilson voted YEA. Alderman Skultety voted NAY. The Mayor announced the motion carried.

PAYMENT OF BILLS

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

CLOSED SESSION

Motion by Alderman Dorchinecz and seconded by Alderman Budd to go into closed session, pursuant to 5 ILCS 120/2 (c)(11) to discuss the following pending litigation and mediation matters:

- (1) "*Jamal Shehadeh, Plaintiff v. City of Taylorville, Defendant*", Cause No. 2021-MR-47, Circuit Court 4th Judicial Circuit, Taylorville, Illinois; and
- (2) "*Jamal Shehadeh, Plaintiff v. Chief Dwayne Wheeler, Defendant*", Cause No. 2021-MR-104, Circuit Court 4th Judicial Circuit, Taylorville, Illinois; and
- (3) "*Jamal Shehadeh, Plaintiff v. Office of Chief of Police of the City of Taylorville, Defendant*", Cause No. 2021-MR-124, Circuit Court 4th Judicial Circuit, Taylorville, Illinois; and

- (4) the Interlocutory Appeal filed by Jamal Shehadeh with the 5th District Appellate Court entitled "Jamal Shehadeh, Plaintiff-Appellant vs. City of Taylorville, Defendant-Appellee", General No. 5-21-0105 concerning 2021-MR-47; and
- (5) the Interlocutory Appeal filed by Jamal Shehadeh with the 5th District Appellate Court entitled "Jamal Shehadeh, Plaintiff-Appellant vs. City of Taylorville, Defendant-Appellee, General No. 5-21-0128 concerning 2021-MR-47; and
- (6) "Jacque Nation, Complainant v. City of Taylorville, Respondent", IDHR Charge Number 2021SF1670 and EEOC No. 21BA10804; and
- (7) "Jacque Nation, Complainant v. Bruce Barry, c/o City of Taylorville, Respondent", IDHR Charge Number 2021SN1671; and
- (8) Jamal Shehadeh vs Named Defendant, 2021MR137; and

to include any and all subject matters relating to any one or more or all of the aforesaid cases including, but not limited to, subject matters relating to investigation, attorney-client reports and communications, consultant reports, discovery, settlement negotiations, settlement offers, Illinois Freedom of Information Act requests, status of cases, offers, issues, City's defense counsel opinions and recommendations, pre-trial and trial strategies, 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, Attorney Brian Smith (via phone), Human Resource Manager, Assistant 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 7:34 P.M. and went into Closed Session at 7:39 P.M. The City Council returned to Open Session at 9:18 P.M.

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

BUSINESS FROM THE PUBLIC

The Mayor asked if anyone wished to address the Council. Alderman Skultety addressed the camera that was installed in the HR Manager's Office in the Spring, prior to the election. It was stated that there was a concern the former Treasurer was accessing the office, yet the issue was not discussed in any meeting or addressed. The Mayor authorized a camera to be borrowed from Wareham's Security for temporary surveillance of this office. Alderman Skultety was concerned about this practice, stating that the former Treasurer had been employed with the City for many years, taking on full responsibility for finances and payroll with no deputy, and had been fully trusted to do this job with no questions prior to this. If there was an issue, the Police should have been brought in to investigate. It was noted that previously there had been a camera in the hallway, and if needed, it should have been hooked up to the surveillance in the building. Alderman Skultety further stated that he was concerned about the backhanded, secret nature in which this camera was installed and monitored. The HR Manager is the only one to access the camera DVR in her office; it is not hooked up to the building security system. Alderman Bryant questioned this fact and the fact that the HR Manager has an app on her City-issued cellphone to monitor all cameras in all departments. Alderman Bryant wants this app removed from the cell phone and only the police department to have that access. She also questioned if any evidence was found on the surveillance on the HR camera. HR Manager Conrath stated no, that she had not reviewed it. She also stated that the Mayor and Wareham's decided to install the camera and she was not included in the meeting. She further stated that it was installed to protect employee information that is confidential in her office, and that it was in place for any elected official that could have access to her office. Clerk Lilly stated that there are cameras in the lobby area and none are located inside the offices of the Clerk or Treasurer, and all files and personal information are locked up each day. Alderman Bryant stated that there are locked cabinets and all confidential information should be placed in those cabinets. She confirmed with City Attorney Romano that all cameras should be accounted for and monitored by the Police Department. Mayor Barry read a proposal from Wareham's for permanent installation and monitoring of this camera system at a cost of \$253.00. Alderman Driskell stated that the camera should be removed from the HR Office and placed back in the hallway, the app removed from her phone, and the police department to do all monitoring. This will be addressed at a future meeting as an agenda item to take action.

Motion by Alderman Olive and seconded by Alderman Driskell to adjourn the meeting. Motion carried (8-0).

The meeting adjourned at 9:38 P.M.