

Regular Council Meeting
of the City of Greenville
held in the Council Chambers
on Tuesday, December 8, 2009

Call to Order: The regular meeting of the City Council was called to order on Tuesday, December 8, 2009 at 7:38 p.m. by Mayor Alan Gaffner.

Roll Call: Present: Mayor Alan Gaffner, Councilman Kenny Hampton, Councilman Matt Roadman and Councilman Roger Sanders. Councilman Will Boyd joined the meeting at 7:41 p.m.

Also Present: City Manager David Willey and City Clerk Sue Ann Nelson. City Attorney Patrick Schaufelberger joined at the meeting at 7:50 p.m.

Pledge of Allegiance: The pledge of allegiance to the United States flag was recited.

Citizen Input: Mayor Gaffner opened the floor for citizen's input regarding any item that was not on the agenda. Jorge Casas addressed the council to see if a tree could be removed that was on city property but had roots that were causing problems with his sewer system. Further investigation and consultation from the City Attorney would be necessary. Marcia Carpenter, business owner on the square, addressed the council about the 2-hour maximum parking limit and the distance necessary to walk to the all-day parking lots. The council agreed to revisit again in New Business.

Consent Agenda:

- Approval of minutes of the November 10, 2009 regular council meeting, and November 23, 2009 special council meeting;
- Approval of minutes of the November 24, 2009 Zoning Board of Appeals;
- Financial Statements for November 2009;
- Approval of Accounts Payable totaling \$ 568,360.92;
- Approval of Administrative Reports of the Police, Public Works, Sewer and Water Departments, Building Permits and Code Enforcement Report.

Moved by Hampton, seconded by Roadman, to approve the consent agenda was presented.

Ayes: Hampton, Roadman, Boyd, Sanders, Gaffner

Nays: None
Motion carried.

Economic Development Certificate:

Mayor Gaffner reported that Assistant City Manager and Economic Development Director, Lisa Stephens had completed an extensive course and earned her Economic Development Certificate. The council commended her accomplishment.

2008-2009 Audit Presentation:

Alison Sears with West & Company presented the council with the annual audit for fiscal year ending April 30, 2009. Mrs. Sears reported that the City's finances were in good condition and reflect the growth of the City in the past year. The three major funds, General, Water and Sewer, all have the required six month operating reserve. Overall the financial statement is strong and the City is in good financial condition.

Public Works Building:

City Manager provided an overview of the proposal to purchase the Frueh Transportation building, make improvements to the building, construction of a new salt shed, and financing options. The facility would be used to relocate the Public Works department from the Municipal Building to the new facility. The City has a contract with Frueh Transportation for the purchase of the building that expires at the end of the year. Any funds received from the sale of the real estate from the current Public Works location could be used to reduce the debt obligation on the new facility. Motion made by Roadman, seconded by Boyd to purchase of the property per the contract and proceed with the improvements as outlined and secure financing from Midland States Bank for up to \$852,057 with a 10 year amortization and a fixed interest rate of 4.40%.

Ayes: Roadman, Boyd, Hampton, Sanders, Gaffner
Nays: None

Motion carried.

Leaf Burning Discussion:

Mrs. Zahnizer had sent a letter to the City requesting the council review the ordinance to ban leaf burning. Mrs. Zahnizer expressed concern for those with health issues and the affect of the smoke generated from leaf burning. The council discussed that the current ordinance allows only specific times which leaf burning is allowed. Council agreed that there was merit to review the leaf burning issue at a future meeting and for the City Manager to suggest possible

alternatives.

**Ordinance No. 2851
Designating The City of
Greenville a City-Wide
Recovery Zone:**

As part of the 2009 American Recovery and Reinvestment Act the County had already designated the entire county a recovery zone, the Ordinance before the council was to designate the City of Greenville a city-wide recovery zone. Doing so would allow City businesses, who qualified, to issue revenue bonds to assist in financing infrastructure needs. Motion made by Sanders, seconded by Hampton to designate the City of Greenville, Bond County, Illinois, as a city-wide recovery zone (see ordinance on file for full text).

Ayes: Sanders, Hampton, Boyd, Roadman, Gaffner

Nays: None

Motion carried.

**Resolution No. 2009-15
Intention to Issue
Revenue Bonds for
Donnewald
Distributing:**

Motion made by Hampton, seconded by Roadman to approve resolution of the intention to issue revenue bonds of the City of Greenville, on behalf of Donnewald Distributing, to finance all or a portion of the cost of acquiring land, constructing buildings and related improvements and acquiring machinery, equipment and related property.

Ayes: Hampton, Roadman, Boyd, Sanders, Gaffner

Nays: None

Motion carried.

**Memorandum of
Agreement:**

Motion by Roadman, seconded by Sanders, to approve Memorandum of Agreement between the City of Greenville and Donnewald to issue revenue bonds.

Ayes: Roadman, Sanders, Boyd, Hampton, Gaffner

Nays: None

Motion carried

**Ordinance No. 2852
Abatement of Tax Levy
for Bond Issue:**

It having been determined that the pledged revenues of the City are sufficient to cover the debt service for the \$5,390,000 G.O. Bonds, Alternate Revenue Source, original issue 1992, refinanced in 1995 and 2004, for water and sewer systems improvements. Therefore, the 2009 tax levy for the bonds should be abated.

Moved by Hampton, seconded by Boyd, to pass Ordinance No. 2852, an ordinance abating the tax levied for 2009 to pay principal and interest of the \$5,390,000 G.O. Revenue Bond (Alternate Revenue

Source) refinanced in 2004 (1992 issue, refinanced in 1995) (see ordinance on file for full text).

Ayes: Hampton, Boyd, Roadman, Sanders, Gaffner

Nays: None

Motion carried.

Ordinance No. 2853
Annual Tax Levy:

City Manager Willey presented the tax levy to the council containing a 5% increase in taxes to be levied, and a reallocation among the IMRF, Social Security, Unemployment, Police Pension, Liability and Audit categories to reflect actual anticipated expenditures. The projected tax rate for the City will be 1.1574%, with a decrease to the general fund from 2.768% to 2.283%.

Moved by Sanders, seconded by Roadman, to pass Ordinance No. 2853, an ordinance providing for the levy and collection of taxes for the purpose of defraying all the necessary expenses and liabilities of the City of Greenville for the 2010-2011 fiscal year, a total levy of \$699,828 (see ordinance on file for full text).

Ayes: Sanders, Roadman, Boyd, Hampton, Gaffner

Nays: None

Motion carried.

Ordinance No. 2854
Supplemental
Appropriations
Ordinance:

Subsequent to the completion and approval of the budget and appropriations ordinance for fiscal year beginning May 1, 2009 and ending April 30, 2010; an ED Capital Fund was set up on the City's books to represent the revenue and expenditures relating to the property at 1400 East City Route 40.

Motion made by Sanders, seconded by Roadman, to approve budget amendment and pass Ordinance No. 2854, Supplemental Appropriations Ordinance, amending Ordinance No. 2837, passed August 20, 2009 for total appropriations relating to the ED Capital Fund, and amending Administration and General Government to include Library tax disbursements.

Ayes: Sanders, Roadman, Boyd, Hampton, Gaffner

Nays: None

Motion carried.

St. Joseph's Hospital
Letter of Intent:

With St. Joseph's Hospital's recent change in management, the City Manager had requested a letter of intent regarding the temporary

structure being placed by the hospital for the Southern Obstetrics & Gynecologic Associates group. Originally it was thought that the letter would require council action, but the revised letter received was a more general in content and did not require council action.

**South Fourth Street –
Preliminary Site
Investigation
Approval:**

As a result of the preliminary environmental site assessment and identification of five sites on the EPA list, a preliminary site investigation study was required. Due to the time sensitivity of the project, the City Manager executed the proposal as an emergency expenditure. Moved by Roadman, seconded by Boyd to approve the proposal with SCI for the preliminary site investigation in regards to the South Fourth Street Improvement Project.

Ayes: Roadman, Boyd, Hampton, Sanders, Gaffner

Nays: None

Motion carried.

Starcom Radio System:

Mayor Gaffner acknowledged Councilman Roadman for his efforts regarding the Starcom system. This item was tabled, and should be an action item for approval of the Motorola lease at the January meeting.

**Resolution 2009-16
Appointment of FOIA
Officers:**

Effective January 1, 2010, the amended changes to the Freedom of Information and Open Meetings Act are effective. The Act requires the designation of a Freedom of Information Officer. To fulfill the requirements of this law the City must appoint Freedom of Information Officer(s). Motion made by Boyd, seconded by Sanders, to appoint Sue Ann Nelson and Dave Willey as the Freedom of Information Officers for the City of Greenville.

Ayes: Boyd, Sanders, Hampton, Roadman, Gaffner

Nays: None

Motion carried.

**Zoning Variance
Request 421 E. Main
Street:**

With a public hearing having been held at the October 20, 2009 Zoning Board of Appeals meeting, the Zoning Board of Appeals recommended to deny three zoning variance requests by Charlotte Seago to replace a garage at 421 E. Main Street, causing three separate setbacks to be altered. Motion made by Hampton, seconded by Sanders, to accept the Zoning Board of Appeals recommendation and deny the zoning variance request by Charlotte Seago for construction of garage as presented at 421 E. Main Street.

Ayes: Hampton, Sanders, Boyd, Roadman, Gaffner
Nays: None

Motion carried.

**Zoning Variance
Request 7
Whippoorwill Drive:**

With a public hearing having been held at the November 24, 2009 Zoning Board of Appeals meeting, the Zoning Board of Appeals recommended granting the request from Tom and Louanne Theiss for a zoning variance to exceed the maximum height limit of eighteen feet for a hand railing that would extend eighteen inches above the maximum height limit to ensure adequate railing is in place. Motion made by Roadman, seconded by Boyd, to approve the Zoning Board of Appeals recommendation for the zoning variance at 7 Whippoorwill Drive.

Ayes: Roadman, Boyd, Hampton, Sanders, Gaffner
Nays: None

Motion carried.

**Ordinance No. 2857
Vacate Portion of
South Locust Street:**

With a public hearing having been held at the October 26, 2009 Plan Commission meeting, Lester Harnetiaux is requesting the City to vacate a portion of South Locust Street where there currently is not a street, but a public right of way. Recommendation from the Planning Commission is to vacate a portion of South Locust Street. Motion made by Boyd, seconded by Sanders, to approve the Planning Commission recommendation and vacate a portion of South Locust Street.

Ayes: Boyd, Sanders, Hampton, Roadman, Gaffner
Nays: None

Motion carried.

**Recycling Subsidy
Program:**

City Manager Willey continues to work on developing a recycling subsidy program, however there is nothing to report at this time. Issue was tabled until next council meeting. Mayor Gaffner reported that he had several citizens ask if smaller recycling containers would be available. City Manager Willey to check Doty if this would be a viable option.

**Ordinance No. 2855
Repeal Closure of
Samuel Andrews
Drive:**

It was identified that in the City Municipal Code of Ordinances that Samuel Andrews Drive had been closed. With the additional industry in the Business Park this ordinance was no longer necessary. Motion made by Hampton, seconded by Boyd, to pass Ordinance No.

2855 to repeal previous ordinance which closed Samuel Andrews Drive (see ordinance on file for full text).

Ayes: Hampton, Boyd, Roadman, Sanders, Gaffner
Nays: None

Motion carried.

**Ordinance No. 2856
2-Hour Time Limit
Parking on North Side
of Summer Street:**

Council approved an ordinance in 1996 to establish a time limit for parking on the north side of Summer Street. While passed, the ordinance was not created. Motion made by Sanders, seconded by Roadman, to pass Ordinance No. 2856 to create a 2-hour time limit for parking on the north side of Summer Street in zone lying between alley and Third Street in the City of Greenville.

Ayes: Sanders, Roadman, Boyd, Hampton, Gaffner
Nays: None

Motion carried.

**Identity Theft
Prevention Program:**

Due to the extension of the deadline of the new law until June 2010, this item was tabled until a future date.

**Lake Committee
Recommendation:**

Due to the lack of a quorum, the Lake Committee did not meet in November. City Manager Willey addressed three issues before the Lake Committee that need to be addressed; consider granting 25 additional out-of-county boat permits, inability to complete the fall fish installation, and a request by SIUE for a bass tournament. City Manager Willey requested that the Lake Committee meet to address these issues to present their recommendations before the next council meeting.

**Proclamation:
December Drunk and
Drugged Driving
Prevention Month:**

Motion made by Gaffner, seconded by Boyd to declare December Drunk and Drugged Prevention Month in the City of Greenville. Greenville will join the State of Illinois in an effort to generate more awareness of the issue.

Ayes: Gaffner, Boyd, Hampton, Roadman
Nays: None
Absent: Sanders

Motion carried.

**Andrews Drive
Overpass – IDOT**

Motion made by Hampton, seconded by Boyd, to approve the change order requested by Illinois Department of Transportation for

Change Order: additional flaggers relating to the Andrews Drive Overpass project.
Ayes: Hampton, Boyd, Roadman, Gaffner
Nays: None
Absent: Sanders
Motion carried.

Andrews Drive Overpass – IDOT Pay Report: Motion made by Boyd, seconded by Roadman, to approve the pay request for work completed 9/30/09 through 11/30/09 from the Illinois Department of Transportation for the Andrews Drive Overpass project.
Ayes: Boyd, Roadman, Hampton, Gaffner
Nays: None
Abstain: Sanders
Motion carried.

Stop Sign at Chicago and Pecan: This item was tabled until a later council meeting.

Appointments to Boards and Commissions: This item was tabled until a later council meeting.

Old Business: Street Program – Mayor Gaffner offered Locust to Beaumont as a street for consideration for the street program. City Manager Willey will bring back a list at the January meeting.

Business Registration – City Manager Willey reported that more recent information has been compiled and provided to the council comparing the City of Greenville and surrounding communities. City Manager Willey to come back to the next council meeting with his recommendation.

Killarney Street Sewer Issue – City Manager Willey reported that he had asked HMG for a proposal for an engineering study and was waiting to receive it.

Tree Trimming – Council wanted to proceed to set up a meeting with public meeting with Ameren regarding tree trimming.

New Business: Councilman Boyd said he had an inquiry if the City owned property

near Laurel and Gun Club, and did the City have any future plans for the property.

Councilman Roadman addressed the parking issue brought up earlier by citizen input. Various possibilities were discussed, and the council will continue to consider this issue.

**Recess to Executive
Session and
Adjournment:**

At 10:50 p.m., moved by Boyd, seconded by Roadman, to recess to executive session for Purchase of Real Estate, Section 2 (c) (5); Sale of Real Estate, Section 2 (c) (6); Pending Litigation, Section 2 (c) (11); Personnel, Section 2 (c) (1) of the Open Meetings Act. The meeting was adjourned at 11:14 p.m. at the close of the executive session.

Ayes: Boyd, Roadman, Hampton, Sanders, Gaffner
Nays: None

Motion carried.

City Clerk