

Regular Council Meeting
of the City of Greenville
held in the Council Chambers
on Tuesday, July 12, 2011

Call to Order:

The regular meeting of the Greenville City Council was called to order on Tuesday, July 12, 2011 at 7:35 p.m. by Mayor Alan Gaffner.

Roll Call:

Present: Mayor Alan Gaffner, Councilman Will Boyd, Councilman Kenny Hampton, and Councilman Roger Sanders.

Absent: Councilman John Gillard

Also Present: City Attorney Patrick Schaufelberger, City Manager David Willey and City Clerk Sue Ann Nelson.

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. John Drannan addressed the council regarding concerns about the influx of synthetic pot in the community and specifically that synthetic drugs have been sold at the local tobacco shops. Mr. Drannan urged the community to take responsibility to do something to ban synthetic drug products. City Manager Willey provided some background on the issue indicating the sale of K2 has been banned and is illegal in Illinois. However, companies now have developed other refined synthetic products that are similar to K2 which are not illegal. City Manager Willey indicated that the city is working to develop an ordinance to ban legal sale of synthetic products within the city. In addition, he indicated that the sale of drug paraphernalia is already illegal in the state, and the city has an ordinance to control pornography. City staff needs to continue to work to enforce existing laws. City Manager suggested that the city work to provide education to the community regarding this issue.

Mike Schaub addressed the council regarding his concern over management of Governor Bond Lake. Mr. Schaub expressed concern over runoff and siltation filling in the Lake, and wanted to know what the city was doing to extend the life of the Lake. Mayor Gaffner and City Manager Willey responded that Lake studies have been completed and the city has utilized grants to build siltation ponds, dredging and shoreline programs. Mr. Schaub requested to

review the studies, which city staff will provide. Mayor Gaffner urged him to meet directly with himself or the City Manager to discuss further.

Consent Agenda:

- Approval of minutes of the June 14, 2011 Regular Council Meeting;
- Approval of minutes of the June 21, 2011 Zoning Board of Appeals Meeting, June 27, 2011 Plan Commission Meeting, and July 11, 2011 Band Board Meeting;
- Financial Statements for June 2011;
- Approval of Accounts Payable totaling \$536,566.56;
- Approval of Administrative Reports of the Police Department, Public Works, Sewer and Water Departments, Building Permits and Code Enforcement Report.

Moved by Hampton, seconded by Boyd, to approve the consent agenda as presented.

Ayes: Hampton, Boyd, Sanders Gaffner

Nays: None

Absent: Gillard

Motion carried.

**Ordinance No. 2908
Authorizing Issuance of
General Obligation
Waterworks and
Sewerage Refunding
Bond, Series 2011:**

Following the June council meeting where council authorized staff to pursue refunding of the water and sewer bonds; an Ordinance has been presented authorizing the issuance of the refunding bond. Motion made by Sanders, seconded by Hampton, to adopt an ordinance authorizing the issuance of general obligation waterworks and sewerage refunding bond (an alternate revenue source), series 2011, of the city of Greenville, Bond County, Illinois, providing the details of such bonds and for an alternate revenue source and the levy of direct annual taxes sufficient to pay the principal of and interest on such bonds and related matters (see ordinance on file for full details).

Ayes: Sanders, Hampton, Boyd, Gaffner

Nays: None

Absent: Gillard

Motion carried.

Annexation Discussion:

Following the postponement of the annexation ordinances at last month's council meeting, City Manager Willey had provided the council with specific tax figures by parcel as well as advantages of

annexation. Councilman Hampton inquired about projections to provide residents along Ridge Street water and sewer service. City Manager responded that a water line could be installed by the Public Works department for a cost between \$50,000-\$75,000. Additional research is necessary to determine the cost and feasibility of installing a sewer line. City Manager Willey provided clarification of nonconforming use. As it relates to zoning, nonconforming use is allowed to continue forever until there is a twelve month abandonment of that use. The city can grant nonconforming code enforcement issues for a maximum of twenty years. The nonconforming agreements that have been discussed with property owners have highlighted both zoning and code enforcement issues to memorialize the agreement for the property owner. Councilman Boyd indicated that he has been contacted by residents concerned why nonconforming agreements would be offered since they are contrary to the Unified Development Ordinance. Councilman Sanders stated that the council directed the City Manager to meet with the property owners to work out specific agreements, and what was brought back to the council was what the council had asked to be done. Councilman Sanders was in favor of moving forward on the annexations. Councilman Boyd reiterated that given the concerns of individuals, it is reasonable to slow down the process. Mayor Gaffner indicated the annexations will be on a future agenda and all parcel owners will be sufficiently notified.

**Ordinance No. 2909 -
Amend Liquor Control
Ordinance and
Increase Number of
Class C Licenses:**

With a Class C Liquor License application pending, there are no available Class C retail liquor licenses available. In order for the council to grant a Class C license, it first must take action and increase the number of Class C licenses from 3 to 4. Councilman Hampton asked about the status of the Class C license application that was not acted upon at the last council meeting and if there were in fact two applications. City Attorney Schaufelberger stated that the council can only act on the application on this agenda. Motion made by Sanders, seconded by Hampton, to adopt Ordinance No. 2909 and amend current Liquor control ordinance and increase the number of Class C retail liquor licenses from 3 to 4 to terminate immediately following action upon application from Stephanie Goodin if it is not granted (see ordinance on file for full details).

Ayes: Sanders, Hampton, Boyd
Nays: Gaffner

Absent: Gillard
Motion carried 3-1.

**Class C Liquor License
– Unlimited Tobacco
#2:**

Class C liquor license application before the council was from Stephanie Goodin and Tobacco Unlimited #2 for a new location being built on Illinois Route 127, effective September 1, 2011. The application has been reviewed, with a satisfactory background check and preliminary proof of insurance has been provided. Motion made by Sanders, seconded by Hampton, to approve Class C Liquor License for the Unlimited Tobacco #2 at their new location on IL Route 127.

Ayes: Sanders, Hampton, Boyd
Nays: Gaffner
Absent: Gillard
Motion carried 3-1.

Recess / Reconvene:

Council took a short recess at 9:15p.m., and reconvened at 9:26 p.m.

**Public Works Project
Funding:**

City Manager provided an update to the street condition and improvement study and discussion ensued regarding possible projects to use the half-cent sales tax. Council will review options prior to next meeting where recommendations are expected.

**MFT Oil and Chip
Program:**

Bid letting was held on July 7, 2011 and bids were received on only two of the three items placed for bid. IDOT has informed the city that all items must be bid, and a rebid is necessary. Motion by Hampton, seconded by Boyd, to reject all bids received at the July 7, 2011 bid letting for the 2011 MFT oil and chip program because all items were not sufficiently bid, and rebid the chip and oil program.

Ayes: Hampton, Boyd, Sanders, Gaffner
Nays: None
Absent: Gillard
Motion carried.

**Reschedule August
Regular Council
Meeting:**

The regularly scheduled August meeting of the Greenville city council falls on August 9th which is parade night at the Bond County Fair. In an effort to accommodate citizens and council, the August regular council meeting will be moved. After much discussion regarding possible dates, Mayor Gaffner set the August regular council meeting as Thursday, August 11, 2011.

**Villa Verde Subdivision
Re-plat:**

A request was presented by Davis & Head, LLC to enlarge lot #6 of the Villa Verde Subdivision by adding parcels shown as #7 and #8 for future development. By joining lot #6 with #7 and #8, it will create a larger lot that will allow construction of a duplex that will meet setback requirements. Plan commission unanimously recommended approving this request. Motions made by Boyd, seconded by Sanders, to accept Plan Commission recommendation to enlarge lot #6 by adding parcels shown as #7 and #8 of the Villa Verde subdivision and accept and record re-plat.

Ayes: Boyd, Sanders, Hampton, Gaffner

Nays: None

Absent: Gillard

Motion carried.

**Ordinance No. 2910
Granting Lesley Allen
Rear Yard Setback
Variance:**

Lesley Allen requested a rear yard setback at 525 Vine Street to allow for the construction of an unattached two-car garage. It was the unanimous recommendation of the Zoning Board of Appeals to approve the rear yard setback variance. Motion made by Hampton, seconded by Sanders, to approve Ordinance No. 2910 granting a variance to Lesley Allen to vary the rear yard setbacks at 525 Vine Street. (see ordinance on file for full text).

Ayes: Hampton, Sanders, Boyd, Gaffner

Nays: None

Absent: Gillard

Motion carried.

**Review of Tobacco
Ordinance:**

City Manager Willey addressed concerns that have been raised regarding the city's current inability to regulate where tobacco businesses can locate and the current process of obtaining a tobacco license. Willey spoke about including location of tobacco sales as part of uses identified within the UDO. City Manager indicated that he will come back to a future meeting with a recommendation regarding changes to the tobacco ordinance.

Old Business:

No old business was discussed.

New Business:

Councilman Will Boyd announced his resignation from the Greenville City Council effective August 1, 2011 or at a later date deemed necessary by the mayor and city council. Dr. Boyd highlighted his life journey and reflected upon his families' time in

Greenville. Mayor Gaffner and the city council expressed their appreciation for the contributions he has made to the city council and the community. Mayor Gaffner reviewed the process of filling the council vacancy, indicating an appointment would need to be made within 60 days of the effective date of Councilman Boyd's resignation.

**Recess to Executive
Session and
Adjournment:**

At 10:50 p.m., moved by Boyd, seconded by Sanders, 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 12:17 a.m. on July 13, 2011 at the close of the executive session.

Ayes: Boyd, Sanders, Hampton, Gaffner

Nays: None

Absent: Gillard

Motion carried.

City Clerk