

City of Geneseo, Henry County, Illinois
City Council
February 14, 2017
6:00 P.M.

Pledge of Allegiance

Roll Call

The City Council of the City of Geneseo met in a City Council meeting on Tuesday February 14, 2017 at the Council Chambers, 115 South Oakwood Avenue. Mayor Kathy Carroll-Duda called the meeting to order at 6:02pm. Aldermen Jason Robinson, Bob Wachtel, Martin Rothschild, Kent Anderson, James Roodhouse, Paula Simosky, Sue Garlick and Brenda Johnson were present. Others in attendance included, Administrator Lisa Kotter, Director of Electrical Operations Lewis Opsal, City Clerk Loree K. Phlypo, City Attorney Derke Price, Finance Director Kara Wiesemeyer, IT Manager Garrett Griswold, Chief Piotrowski, HR Generalist Brandon Maeglin, Inspector Rick Mills, John Loucks and Steve Welch. There was a quorum.

Chamber of Commerce Report

Rhonda Ludwig was not in attendance, handouts were given to the elected officials. For a complete list of Chamber sponsored events please visit their website at www.geneseo.org.

City Engineering Report

Greg Ryckaert was not in attendance.

Public Comment

Residents in attendance voiced their opposition to the turn lane, citing that it was taken to a referendum and the residents voted it down 2 to one. It was pointed out that the City has infrastructure that could use the money that is to be spent on the turn lane. Administrator Kotter asked for anyone with questions or concerns should come in and talk to her and get all the details so that there is a clearer picture of the project and how the turn lane is being financed.

Consent Agenda:

- a. City Council Minutes 1/10/17
- b. Committee of the Whole Minutes 01/24/17

City Attorney Derke Price was added to the City Council Minutes from 1/10/17 under Roll Call and corrected spelling of Geneseo under Ordinance O-17-02.

Motion by Wachtel, second by Roodhouse to approve Consent Agenda.

Voice Vote. 8 Ayes. 0 Nays.

Motion Carried.

Consideration to approve upon recommendation of the Plan Commission Case #17-002 a request for a building permit by Geneseo Food Pantry for an addition 7100 sq. ft. in size at 550 Dilenbeck Drive.

The Plan Commission held a Public Hearing and notified residents within 250' of the property. According to the zoning ordinance this size building would require 45 parking spaces but the Plan Commission included with the recommendation a minimum of 16 spaces due to this property not being able to accommodate 45 spaces and the nature of the business probably won't require that many. Any time that a Commercial property abuts a residential property there needs to be an adequate barrier between the two. The Food Pantry and the 2 property owners are going to meet and come to an agreement on an agreeable buffer. The Ordinance allows for several buffer options including a fence or bushes. Inspector Mills reported that there will be one change to the request and that is that the measurements were off from the front setback so the part of the addition that is closest to the existing building will be set back 4 feet to the south.

Motion by Rothschild, second by Garlick to approve the Highway Corridor Development Permit for the Geneseo Food Pantry at 550 Dilenbeck Drive and to reduce the parking spot requirement to a minimum of 16 spots and direct staff to enforce the buffer ordinance since this Commercial property abuts Residential Property.

ROLL CALL VOTE:

AYES: 8 Johnson, Wachtel, Anderson, Robinson, Rothschild, Roodhouse, Simosky, Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to adopt Ordinance O-17-05 An Ordinance Amending the Zoning Code of the City of Geneseo Zoning Ordinance – Text Amendment.

The wording in this ordinance references the Community Development Board which needed to be updated and it had a stipulation that if the Plan Commission and the City Council met in the same week then the Plan Commission item had to wait until the next Council meeting, which would set items out another several weeks, so we are asking that that be changed to accommodate the few times a year that it occurs.

Motion by Roodhouse, second by Robinson to adopt Ordinance O-17-05 An Ordinance Amending the Zoning Code of the City of Geneseo Zoning Ordinance – Text Amendment which changes all Community Development Board references to the Plan Commission and eliminate the restriction that the Board, now Commission cannot act in the same week as the City Council.

ROLL CALL VOTE:

AYES: 8 Johnson,Wachtel,Anderson,Robinson,Rothschild,Roodhouse,Simosky,Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to adopt Ordinance O-17-04 An Ordinance Amending Section 110.38 of the City Code of Ordinances concerning hours of operation for the sale of Alcoholic Beverages – Hours, Variance, Sunday.

At the Committee of the Whole it was discussed to allow the Liquor Commissioner to approve up to 2 variances per license and any after that would come back to Council for approval. The Sunday hours would change to starting at 9:00AM.

Motion by Johnson, second by Anderson to adopt Ordinance O-17-04 Amending Section 110.38 of the Code of Ordinances concerning hours of operation for the sale of alcoholic beverages specifically a 9am start time on Sundays and that the Liquor Commissioner is given permission to change the liquor serving hours for any license holder two times per year without Council approval.

ROLL CALL VOTE:

AYES: 8 Johnson,Wachtel,Anderson,Robinson,Rothschild,Roodhouse,Simosky,Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to adopt Ordinance O-17-01 An Ordinance Amending Section 52.16 of the City Code of Ordinances concerning Water and Electric Service – Utility Deposits.

Wording was added to the ordinance that if you receive a shut off notice in a 12 month period then you will have to pay a deposit equal to 2 months of your bill and you will have a 4 month period to pay it. Also the City or the customer have the ability to ask for their deposit to be recalculated after the initial calculation annually.

Motion by Rothschild, second by Wachtel to adopt Ordinance O-17-01 amending Section 52.16 of the City Code of Ordinances concerning Water and Electric Service – Commercial Utility Customer Deposits.

ROLL CALL VOTE:

AYES: 8 Johnson,Wachtel,Anderson,Robinson,Rothschild,Roodhouse,Simosky,Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to approve the renewal of Lexipol Policy Management Services for the Police Department in the amount of \$6,303.00.

This is software that is effective for the Police Department in managing required policy document that need to be reviewed by staff. Chief can keep track of which staff members need to review documents and who has already reviewed them.

Motion by Garlick, second by Johnson to approve the renewal by the Police Department of Lexipol Policy Management subscription.

ROLL CALL VOTE:

AYES: 8 Johnson,Wachtel,Anderson,Roodhouse,Robinson,Rothschild,Simosky,Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to adopt Ordinance O-17-06 An Ordinance repealing the Purchasing Policy guidelines set by Ordinance No. 1872 and 1913 providing for the establishment of a Purchasing Policy for the City of Geneseo, Henry County, Illinois and O-17-07 An Ordinance setting the parameters for the Purchasing Policy for all departments in the City of Geneseo, Henry County, Illinois.

This was discussed at the Committee of the Whole meeting and as requested the Auditors reviewed the proposed Ordinance. The Yellow changes are changes that the Council requested, Green are changes that the Auditors requested and Pink are changes from the City Attorney's review. This review from the auditors was verbal, Alderman Robinson asked that the minutes reflect that he requested that the Finance Director get something in writing that confirms their review and who reviewed it. Finance Director Weisemeyer reported that she will ask the auditors to send an email confirming the review and who reviewed it. Review was done by Jim Taylor and Dave Gusey of Carpentier Mitchell and Goddard. The City Council will receive a spreadsheet on the capital purchases starting in July.

Motion by Wachtel, second by Simosky to adopt Ordinance O-17-06 that repeals the purchasing policy guidelines set forth in Ordinances 1872 and 1913 providing for the Purchasing Policy for the City of Geneseo and to Adopt Ordinance O-17-07 An Ordinance setting parameters for the Purchasing Policy for all Departments in the City of Geneseo, Henry County, Illinois.

ROLL CALL VOTE:

AYES: 8 Johnson, Wachtel, Anderson, Robinson, Rothschild, Roodhouse, Simosky, Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to adopt Ordinance O-17-08 An Ordinance Amending Section 117.03, 117.04 and 117.06 of the City Code of Ordinances concerning Alarm Services and Permits.

The Police Department and the City Clerk will work together to process the Alarm Permits. Paperwork will be processed by the Clerk with approval and final oversight by the Police Department. Changes to this ordinance include a change in the time of the renewals, this will change from July 1 to May 1 of each year so that they coincide with liquor license renewals. City Attorney Price stated in Section 117.04 the last sentence will be struck and in Section 117.06 A 2 will read "in advance of May 1 of each year" and reference to the "General Citizens Fund wording was removed". Chief Piotrowski stated that a business that sells alarms has to pay the annual fee every year. This first year permits will not have to renew until 2018 because they just renewed last July.

Motion by Roodhouse, second by Rothschild to adopt Ordinance O-17-08 with amended changes.

ROLL CALL VOTE:

AYES: 8 Johnson, Wachtel, Anderson, Robinson, Rothschild, Roodhouse, Simosky, Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to approve the lowest qualified bid for Oakwood and First Street construction bid

Walter D. Laud Company won the bid at \$655,093.25, they did the concrete work on State Street in 2013 so we have work history with them. This bid came in under budget, the original budget was \$722,000. This will include ADA compliance at intersections and will start mid to end of March with a completion date of August 25th. The funds for this project will come out of Water/Sewer and the upcoming fiscal year General Fund.

Motion by Robinson, second by Johnson to approve the contract for the First Street Water, Sewer and Road Construction with Walter D Laud in the amount of \$655,093.25.

ROLL CALL VOTE:

AYES: 8 Johnson, Wachtel, Anderson, Robinson, Rothschild, Roodhouse, Simosky, Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to allow staff to have a budget for and start planning 2017 Fireworks activities for July 3rd.

The hospital has said that the City can borrow their tent so that the City doesn't have to rent one, this will be a big savings and local talent will be utilized for the beginning hours of the event and have one bigger name band to play later and during the fireworks.

Motion by Rothschild, second by Wachtel to approve a 2017 fireworks budget in the amount of \$21,350.00 and to proceed with making plans for the event.

ROLL CALL VOTE:

AYES: 8 Johnson, Wachtel, Anderson, Robinson, Rothschild, Roodhouse, Simosky, Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to approve the following addendum to the Save a lot development agreement, lower the parking lot reimbursement to \$100,000 and allow a pro-rated additional amount if additional paving is completed, to allow for flexible line items in the TIF eligible reimbursements as long as the total of \$1,911,000 is the maximum and to collect a utility deposit for the store according to the City Ordinance.

After the meeting with Save a lot representatives we would like the Council to review and provide final approval on amending the Development Agreement. The parking lot has only had a 1/3 of the surface paved and so we feel that the Sales Tax reimbursement amount agreed upon for paving the full parking lot should be reduced to \$100,000 of the \$300,000 for the full parking lot being paved. Also we would like flexible line items in the TIF eligible reimbursements with the total of \$1,911,000 being the maximum reimbursement. They also will pay a utility deposit as per our ordinance being reviewed. City Attorney Price will create a one page addendum to reflect these changes in the agreement.

Motion by Wachtel, second by Garlick to amend the Development Agreement with Save a lot (Beck Oil Company) dated September 12, 2013 to lower the parking lot reimbursement to \$100,000 and allow a pro-rated additional amount if additional paving is completed, to allow for flexible line items in the TIF eligible reimbursements as long as the total of \$1,911,000 is the maximum and to collect a utility deposit for the store according to City Ordinance.

AYES: 8 Johnson, Wachtel, Anderson, Robinson, Rothschild, Roodhouse, Simosky, Garlick
NAYS: 0
ABSTAIN: 0
ABSENT: 0

Motion Carried

Consideration to approve the addendum to the Maple Leaf Farms LLC Development Agreement, to allow for the removal of the “sunset clause” for the Park District final payment in the Intergovernmental Agreement and to continue negotiations with the Department of Transportation on the construction project with a final report back to the Council.

In 2010 when this was brought as a referendum question it was going to be financed through bonds, the residents voted it down. This agreement has a ceiling clause that in the event the bid comes back more than \$450,000 then it has to be brought back to Council for further review and final approval. All the taxing districts have voted in favor of this development agreement. All the residents and businesses will benefit from this development through increased property taxes to the City, retail business will increase, school volume will go up and more meters for the City Utility Department just to name a few benefits. Residents present feel that Mel Foster should pay for this themselves if they want to develop it they are the ones that are going to make money off of it, so residents were asked how this is any different than the City paying \$75,000 for the detention pond for the Pettit Subdivision. Residents present sited that there isn't any employment out here for people to work and afford to build a new house and Illinois has lost more residents than any other state due to Springfield's actions.

Alderman Wachtel called the question at 7:56PM.

Call for the question died due to lack of a second.

One correction to the agreement is under “Developer’s Obligations A. it should read “May 1” instead of “April 1”.

Motion by Rothschild, second by Wachtel to approve the Maple Leaf Farms LLC Development Agreement as proposed, to allow for the removal of the Sunset Clause for final payment in the Intergovernmental Agreement for the Park District and to continue negotiations with the Department of Transportation on the construction project with a final report back to the Council.

AYES: 7 Johnson, Wachtel, Robinson, Rothschild, Roodhouse, Simosky, Garlick
NAYS: 1 Anderson
ABSTAIN: 0
ABSENT: 0

Motion Carried

Payment of City and Utility Bills

Extra bills were handed out.

Motion by Robinson, second by Rothschild to approve payment of City and Utility bills as presented.

ROLL CALL VOTE:

AYES: 8 Johnson,Wachtel,Anderson,Robinson,Rothschild,Roodhouse,Simosky,Garlick

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Motion Carried

Public Comment

None

Motion by Wachtel, second by Johnson to enter into Executive Session at 8:18 PM under the following statutes:

RE: Vacant Position and Employee Benefits

Pursuant to personnel matter pursuant to: **5ILCS 120/2(c)(1)** The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

RE: Purchasing Land

Pursuant to the purchase or lease of real property for the use of the public body: **5ILCS 120/2 (c)(5)** The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

RE: Retirees

Pursuant to Litigation Matters pursuant to: **5ILCS 120/2(c)(11)** Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

ROLL CALL VOTE:

AYES: 8 Johnson,Wachtel,Anderson,Robinson,Rothschild,Roodhouse,Simosky,Garlick

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Motion Carried

Motion by Robinson, second by Wachtel to enter open meeting at 9:08 PM.

ROLL CALL VOTE:

AYES: 8 Johnson,Wachtel,Anderson,Robinson,Rothschild,Roodhouse,Simosky,Garlick

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Motion Carried

Motion by Rothschild, second by Robinson to adjourn the meeting at 9:09PM.

Voice Vote. 8 Ayes. 0 Nays.

Motion Carried.

Respectfully submitted,

Loree K Phlypo
City Clerk