



**CITY OF MONMOUTH
COUNCIL MEETING MINUTES**



Date: Monday, October 3, 2016

Time: 7:00 p.m.

Location: 100 East Broadway
Monmouth, Illinois

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Rod Davies called the meeting to order in the Council Chambers at City Hall, 100 East Broadway at 7:00 p.m. and led the audience in the Pledge of Allegiance to the Flag.

II. ROLL CALL

City Clerk Susan S. Trevor called the roll and those answering **Present were:** Alderwoman Dawn Johnson, Alderman Dave Rutledge, Alderwoman Susan Twomey, Aldermen Brian Daw, Bob Wells, Dennis Willhardt and Dan Heatherly **Also Present:** Mayor Rod Davies, City Administrator Lowell Crow, City Attorney Marcum Spears, City Clerk Susan Trevor, MFD Chief Casey Rexroat, MPD Chief Bill Feithen, Community Development Director Paul Schuytema and Director of Building and Zoning Wade Woodward

III. APPROVAL OF MINUTES

A. September 19, 2016 Council Meeting Minutes

It was moved by Alderman Wells and seconded by Alderman Willhardt to approve the September 19, 2016 minutes as presented. AYE: Alderwoman Johnson, Aldermen Daw, Wells, Willhardt and Heatherly **PASS:** Alderman Rutledge and Alderwoman Twomey **NAY:** none **MOTION CARRIED.**

IV. PRESENTATION TO THE COUNCIL

A. Presentations or Citizen Inquiries

B. Consent Agenda

1. Approval of Bills (Items on Consent Agenda will not be discussed unless a request is made to remove an item for discussion)

It was moved by Alderman Heatherly and seconded by Alderwoman Twomey to approve the Consent Agenda as presented with the approval of the bills being the only item to be considered. AYE: Alderman Rutledge, Alderwoman Twomey, Aldermen Daw, Wells, Willhardt, Heatherly and Alderwoman Johnson **NAY:** none **MOTION CARRIED.**

C. Committee of the Whole Discussion Items – possible action to follow

1. Community Development/Zoning September Report

a. Community Development – Director Schuytema

- ✚ A Business Retention and Expansion Survey through part of a grant that we're administering for the Work Force Investment Board is being developed.
- ✚ There have been five applications given out for the Façade Program with three having been submitted for consideration by the Façade Committee.
- ✚ The first milestone has been reached for the C.E.O. Program with the commitment of sponsors for the \$25,000 start-up funds. The next step will be to put together a Board. This program is designed for high school juniors and seniors, who will receive two high school credits and one college credit for participating and completing the program. The program

is set to begin in the Fall of 2017. Mayor Davies mentioned that John Shultz, the founder of the C.E.O. Program made the comment at the Trustee's meeting about the effectiveness of the program and the Mayor asked Paul to further explain Mr. Shultz's comment. Director Schuytema said that after the initial program in Effingham was completed a survey was given to the students who had participated in the program. Prior to the C.E.O. program about 4 graduating seniors had indicated that they would remain in the community, but after completing the C.E.O. program twenty-four seniors indicated that they would remain in the community.

b. Zoning – Director Woodward

- ✓ In September only 4 letters were sent out for mowing along with improvement in Junk and Debris violations.
- ✓ The Weichmann Pig Company Building construction has started with the forms having been stripped and construction on the loading docks set to begin.
- ✓ The roof has been set on the new addition to the Y.M.C.A. The projected completion date is estimated to be the end of November.

2. Woodard & Curran August Report – Director Jackson

- Both road projects are completed with North 6th Street coming in 2% under budget and the 40 blocks and 88 sidewalks in the MFT project coming in \$25,000 under bid. Alderman Willhardt stated that he thought the MFT program is great and hopes it can be done next year as well. Director Jackson explained that it will depend on the price of asphalt and construction costs in 2017.
- The well rig for drilling Well #10 is up and drilling is set to start tomorrow, October 4th and there will not be drilling on the weekends unless the drilling gets behind schedule.
- Phase I of the CSO permit application has been submitted to the IEPA for review.

3. M-R High School Volleyball 5K Request – Coach Laura Anton

Coach Laura Anton presented a request to hold a costume 5K run/walk to raise money for the M-R High School volleyball team. The money would be used for more balls, newer equipment and coaches training to improve the program. The event would be held on October 29, 2016 from 8:00 a.m. to 10:00 a.m. The route map and Certificate of Liability Insurance has been submitted to the City Clerk's office. Chief Feithen stated that he had no problems with the submitted route for the event. **It was moved by Alderman Daw and seconded by Alderman Rutledge to approve the request by M-R High School to hold a costume 5K run/walk on October 29th from 8:00 a.m. to 10:00 a.m. AYE:** Alderwoman Twomey, Aldermen Daw, Wells, Willhardt, Heatherly, Alderwoman Johnson and Alderman Rutledge **NAY:** none **MOTION CARRIED.**

4. Liquor License Request – Guadalajara Grocery – Juan Pinedo

Mr. Pinedo presented a request for a Class I liquor license for the Guadalajara Grocery located at 220 South Main Street. The previous owners had a liquor license at this location. City Attorney Spears explained that first an ordinance would have to be drawn up to allow for the addition of one more license in Class I. **It was moved by Alderman Heatherly and seconded by Alderman Rutledge to approve the request for a Class I liquor license for the Guadalajara Grocery based on the approval of adding one more license to Class I, which would bring the total to 13 licensee’s in Class I.** AYE: Aldermen Daw, Wells, Willhardt, Heatherly, Alderwoman Johnson, Alderman Rutledge and Alderwoman Twomey NAY: none **MOTION CARRIED.**

V. ORDINANCES

A. 1st Reading

1. 16-021, Amending “Restricting Parking” East and South of M.C. Campus

Mayor Davies explained that per the request of residents in some of the restricted parking areas around the college, this Ordinance is to amend and reduce the number of streets in the original Ordinance 12-024. The original intent was to protect the residents from having college students parking continually in front of their property and driveways. Alderman Willhardt expressed his gratitude for bringing this ordinance to Council to reduce the number of blocks in the restricted parking area, but he would like to add to the blocks and have it include removing the blocks on 7th, 8th and 9th down to 3rd Avenue. He said this parking of vehicles of college students has been one of the biggest issues in his Ward 3 that he has had to deal with since becoming an alderman. Mayor Davies responded that he was concerned with the building of the new sorority houses with no parking lots provided for at the present that it very well may push the parking down to 3rd Avenue, but to start with he would like to just include the streets listed and then re-visit the issue when the parking lots are built. **It was moved by Alderman Daw and seconded by Alderman Wells to approve Ordinance 16-021, amending Ordinance 12-024 that restricted parking East and South of the Monmouth College Campus.** AYE: Aldermen Wells, Willhardt, Heatherly, Alderwoman Johnson, Aldermen Rutledge and Daw NAY: Alderwoman Twomey **MOTION CARRIED.**

B. 2nd Reading

1. 16-017, Declaration of Surplus Property

It was moved by Alderman Daw and seconded by Alderman Rutledge to approve the disposal of the items listed in Exhibit A attached to this ordinance and declared as surplus property. AYE: Aldermen Willhardt, Heatherly, Alderwoman Johnson, Alderman Rutledge, Alderwoman Twomey, Aldermen Daw and Wells NAY: none **MOTION CARRIED.**

2. 16-018, Variance for Big River

It was moved by Alderman Wells and seconded by Alderman Rutledge to approve granting the variance for Big River Resources. AYE: Alderman Heatherly, Alderwoman Johnson, Alderman Rutledge, Alderwoman Twomey, Aldermen Daw, Wells and Willhardt NAY: none **MOTION CARRIED.**

3. 16-019, Variance for Animal Rescue Shelter, 303 W. Harlem

Mayor Davies explained that based upon the concerns of the neighbors to the proposed animal shelter and the concerns of Council he is asking the Council to postpone voting on the approval of the variance in order to allow City staff to work with the groups involved to find a reasonable solution or alternative site such as one near the current animal shelter or next to the Cemetery on East Jackson. **It was moved by Alderman Wells and seconded by Alderman Daw to postpone the vote on granting a Variance for the Animal Rescue Shelter until the second meeting in November, which is November 21st.** Alderman Heatherly asked Dan Porter, President of the Western Illinois Animal Rescue Organization if he was satisfied with postponing the vote to which Mr. Porter replied that he was not. Alderman Rutledge questioned as to why the Council should delay voting if the ZBA had already recommended approving the variance. Mayor Davies said that he is just trying to find a solution that would work for everyone as he is not sure that the majority of the Council want to follow the recommendation of the ZBA at this time. Aldermen Heatherly and Rutledge questioned as to why have a zoning board if the Council is not going to follow their recommendations. Mayor Davies said that most of the time the Council does follow the recommendations of the ZBA. Alderman Heatherly then asked members of the audience to address the Council with their view points.

Pam Van Kirk, a lifetime resident of Monmouth, said that she volunteers for the rescue shelter and has been so impressed with what a dedicated group of people the Western Illinois Animal Rescue Organization are. The dogs are walked at least six times per day, which includes night time. Many of the volunteers are single women and they would not feel safe walking the dogs at night time in the more remote areas previously mentioned. At the current site, there are businesses around and traffic coming and going, which makes the women feel safer. Alderman Willhardt thinks the group is doing good work, but at the present time is not ready to vote on the location.

Dan Porter, President of the Western Illinois Animal Rescue Organization, addressed the Council next. He said that he wanted the Council to be aware of the fact that the City's former Zoning Inspector Joe Miller assured the group that the zoning was appropriate to put the shelter in this area. Mr. Porter also pointed out that he would never have donated the property for this purpose if he had not been given the word that the zoning allowed for a shelter to be located there. Construction is already behind schedule due to the whole process of having to ask for a variance to receive approval from the ZBA and the City Council. He does not want any more delays and is asking the Council to vote on the Variance tonight.

Elaine Segal also addressed the Council to let them know that there should not be any concerns over barking dogs as the dogs are cared for 24 hours a day and in the last year there have not been any complaints about barking dogs at this site. She also stated that she would not be comfortable walking dogs at night in a more remote location.

City Attorney Spears pointed out that there was a motion and a second on the floor to postpone voting on the Variance and that someone should call the question. **The question was called by Alderman Wells to vote on postponing the vote on granting a Variance for the Western Illinois Animal Rescue Shelter until the November 21st Council meeting. AYE:** Aldermen Daw, Wells and Willhardt **NAY:** Alderwoman Johnson, Alderman Rutledge, Alderwoman Twomey and Alderman Heatherly **It then was moved by Alderman Heatherly and seconded by Alderman Rutledge to follow the recommendation of the ZBA and grant a Variance to construct a no-kill animal shelter located at 303 West Harlem in an M-1 Zone.**

AYE: Alderwoman Johnson, Alderman Rutledge, Alderwoman Twomey, Aldermen Daw, Willhardt and Heatherly **NAY:** Alderman Wells **MOTION CARRIED.**

4. 16-020, Amending Section 131.39 Entitled Possession of Cannabis Prohibited

Chief Feithen explained to the Council at the last meeting that the State Legislature recently passed a law with regards to the possession of a small amount of cannabis. They raised the amount from 2.5 grams to 10 grams or under and made it a civil penalty rather than a criminal offense. The MPD would like to match the State's law of 10 grams or under to be able to write an ordinance violation ticket that would be a civil penalty rather than a Class C misdemeanor. The City's fine would be bumped up to \$150 versus a minimum of \$100. The fine would also be increased for a second offense. At the last meeting, City Attorney Spears also explained that there is no requirement to do this, but if we do pass a local ordinance the fine money will go to the City rather than the State. **AYE:** Alderman Rutledge, Alderwoman Twomey, Aldermen Daw, Wells, Willhardt, Heatherly and Alderwoman Johnson **NAY:** none **MOTION CARRIED.**

VI. EXECUTIVE SESSION

1. Per Illinois Statute 5ILCS 120/2 to consider purchase of Real estate with possible action to follow upon return to Regular Session, it was moved by Alderman Heatherly and seconded by Alderman Rutledge to go into Executive Session at 7:50 p.m.

AYE: Alderwoman Twomey, Aldermen Daw, Wells, Willhardt, Heatherly, Alderwoman Johnson and Alderman Rutledge **NAY:** none **MOTION CARRIED.**

2. It was moved by Alderman Daw and seconded by Alderman Heatherly to return to Regular Session at 8:40 p.m. AYE: Aldermen Daw, Wells, Willhardt, Heatherly, Alderwoman Johnson, Alderman Rutledge and Alderwoman Twomey **NAY:** none **MOTION CARRIED.**

VII. OTHER BUSINESS

A. Real Estate Purchase – 200 and 202 South Main Street

It was moved by Alderman Wells and seconded by Alderman Willhardt to authorize Administrator Crow to negotiate with the owners of 200 and 202 South Main Street for the purchase of the afore-mentioned properties. AYE: Wells, Willhardt, Heatherly, Alderman Rutledge, Alderwoman Twomey and Alderman Daw **NAY:** Alderwoman Johnson **MOTION CARRIED.**

B. Administrator Crow Updates

Administrator Crow informed the Council that the City's custodian, Robin Furne, will be retiring as of this coming Thursday, October 6th.

VIII. ADJOURNMENT

It was moved by Alderman Heatherly and seconded by Alderwoman Twomey to adjourn the meeting at 8:43 p.m. MOTION CARRIED by unanimous voice vote.

Mayor Rod Davies

City Clerk Susan S. Trevor

