

CITY OF TROY
Regular City Council Meeting
September 15, 2008

The meeting was held in the Council Chambers at 116 E. Market Street, Troy, Illinois. Mayor Tom Caraker, Sr. called the meeting to order at 7:30 p.m. immediately following the Pledge of Allegiance.

ROLL CALL: Present; Mayor Tom Caraker, Sr.; Aldermen Adomite, Brannon, Davis, Evans, Italiano, Lanahan, Metcalf; Clerk Mitchell; Treasurer Roady

OTHER OFFICIALS PRESENT: Administrator Soland, Attorney Wigginton, Chief Rizzi, Director of Public Works Secret, Code Administrator Frey.

READING AND APPROVAL OF MINUTES: Minutes from the September 2, 2008 regular City Council meeting: Alderman Italiano moved, seconded by Alderman Metcalf to approve the regular City Council meeting Minutes as written. Roll call vote was taken: Aldermen Adomite yea, Brannon abstained, Davis yea, Evans abstained, Italiano yea, Lanahan abstained, Metcalf yea, 4 yeas, 3 abstentions, motion carries.

COMMUNICATIONS: Clerk Mitchell read a letter from Mrs. Millie Shaffer. Mrs. Shaffer wanted to thank the city for their prompt action on her request for the safety railings for the City Cemetery steps. She is very proud of the quick response the city gave in installing the rails without going to committee for study.

MAYOR'S/ADMINISTRATOR'S COMMENTS/CITY ATTORNEY'S COMMENTS:

Appointment & Ratification of Ward 1 Alderman: Mayor Caraker stated he is proud to bring tonight a very qualified individual and very dedicated individual. Her name is Regina Hendrickson her education is a Bachelor of Arts, Political Science, and Paralegal studies. In addition she is the President of the U.S. Paul Simon Museum a substitute teacher at in our Triad school district, and many other professional experiences. Mayor Caraker commented it is with great honor, that he recommends the appointment of Regina Dunbar Hendrickson for Ward 1 Alderman. Alderman Italiano moved, seconded by Alderman Davis to approve the Appointment of Regina Dunbar Hendrickson to the office of Alderman Ward 1. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Italiano, Lanahan, Metcalf yeas, 7 yeas, 0 nays, motion carried. City Clerk Tammy Mitchell swore in Mrs. Hendrickson and she took her seat on the Council. Mayor Caraker also has an appointment for the Planning Commission his name is Paul Kayser who is a Civil Engineer especially in transportation, and this will fill the last open spot on the Planning Commission. Alderman Italiano moved, seconded by Alderman Metcalf to appoint Paul Kayser to the Planning Commission. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carried.

PEOPLE REQUESTING TO BE ON THE AGENDA: Dawn Mushill, Executive Director of the Chamber of Commerce. Mrs. Mushill: Mrs. Dawn Mushill is here tonight to provide the City Council with an update the role of the Chamber within the community and the use of

the Tourism funds. Mrs. Mushill mentioned the Fall Fest and City wide garage sale was a huge success, Art under the stars Kelly Miller circus have very great turn-outs, and of course the Santa House where many children come from different towns to sit on Santa's lap. Mrs. Mushill stated they have 341 Chamber members from Troy, Maryville, and St. Jacob, 14 Board of Directors and 16 Chamber Ambassadors. They have new resident's packets, Chamber events, Chamber newsletters had over a 1,000 distributed. The Chamber works with the City on many projects and would like to work with the City on many future projects. With the Santa House they are working with the Tri-Township Park District on a Santa Village where it would be indoors. Mrs. Mushill asked if anyone had any questions. Mayor Caraker complimented Mrs. Mushill for such a great job she is doing, we had a very successful Fall Fest and City wide garage sale. Alderman Metcalf was at the Fall Fest and has gone to movie night at the Park. Alderman Davis commented he went to an event at Anderson hospital and it was a great event. Alderman Lanahan commented he wanted to thank her for the wonderful job she is doing. Alderman Adomite commented some things we are doing community wide in our advertising efforts he would like to see some branding for the City of Troy that would stand out a little more. We could work on that more for 2009. Clerk Mitchell commented she attends a lot of these events and has a great time. Alderman Italiano commented that Dawn does a great job and the business people really appreciate it. Alderman Evans commented keep up the good work and if there is anything the City can do to make things better for her, just let us know. Alderman Brannon commented good job. Alderwomen Hendrickson commented she must complement Dawn on helping us with the Paul Simon Museum and helping us get the word out about fundraisers and events. Helping us make them a big success and helping us with donations for our fundraisers. Alderwomen Hendrickson commented she is a big benefit to us. Mrs. Mushill thanked everybody for the complements and asked if they wanted to change anything or promote anything to let her know. Alderman Metcalf commented that with this EDR coming up that Dawn will make a great asset in helping us with that.

Mayor Caraker asked if anyone from the audience has a comment tonight due to the fact it will be a long meeting with closed session. A gentleman from the audience stood up and wanted to make a comment on the flooding on James Drive. He commented that his parents live in the house right behind the school and only moved there a couple of weeks ago. The water was coming from the school to their house and the drainage cannot seem to handle that much water and he was wondering what the City could do about that. Mayor Caraker commented that we are very aware of that situation and we are working on it and that, is all he can tell us at this time. Mayor Caraker commented he was there wading in their back yard, as was Alderman Adomite, and we do plan on doing something about it.

ADMINISTRATIVE SERVICES: *Alderman Evans*

Discussion of Bidding Procedures: Alderman Evans commented that we have an ordinance tonight for the bidding procedures and we have discussed this for several meeting. If there any questions we can discuss them further under Legislative

BUILDING AND ZONING COMMITTEE: *Alderman Adomite*

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Building Inspector's Report for August 2008: Alderman Adomite moved, seconded by Alderman Davis to approve the Inspector's report for August 2008 as presented: Estimated Value is \$1,031,160.87, Fees Collected was \$2,550.82, and Building Permits Retired were \$2,490,493.86.

There were 36 Rental Inspections with about 28 inspections in August. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries.

ECONOMIC DEVELOPMENT COMMITTEE: *Alderman Brannon*

Business Registrations for August 2008: Alderman Brannon commented there was one home Occupation this month for A&B firearms/Allen E. Brinker 18 Wildhorse Court. This is an online Firearms sale. Alderman Davis asked is he is going to store any of these weapons at home. Code Official Frey commented that he will have very few in his home under lock and key and most will be shipped directly to the costumer's home. Code Official Frey commented he has spoke with the ATF and they will give him approval as soon as he receives it from the Council. The ATF had no problem with this man and he has had extensive back ground checks. Alderman Evans commented he would like to approve this with the contingency of bringing in his license as he receives them so we can have them on file. Alderman Metcalf asked if we have an ordinance that would deny the sale of firearms in the City. Chief Rizzi commented no we do not. Alderman Brannon moved, seconded by Alderman Italiano to approve the Business Registration of August 2008, for a Home Occupation for A&B Firearms/Allan E. Brinker an internet sale of Firearms. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Hendrickson, Evans, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries. Alderman Brannon commented there were two sign permits issued.

FINANCE COMMITTEE: *Alderman Lanahan*

Treasurer's Report for August: Alderman Lanahan moved, seconded by Alderman Adomite to approve the Treasurer's Report for August 2008 as presented. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries.

Sales Tax Report from Illinois Department of Revenue for June/September 2008: Alderman Lanahan commented that the Sales Tax was \$102,094.68.

Bills to be Approved and Paid for the month of August/September: Alderman Lanahan presented the Aged Obligation Report Summery for August/September Total Computer Checks for the Month of September are \$201,718.53, Total Manual Checks \$25,878.00, and the Grand Total is \$227,596.53. Alderman Lanahan moved, seconded by Alderman Italiano to approve the Aged Obligation Report Summary and pay the bills. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries. Treasurer Roady commented for the last three months we have seen increases in our sales tax therefore, this may coincide with the increase of travel and tourism. Alderman Lanahan asked on Staunton road we are not changing the sewers but what about the lateral lines going to the main sewer are we going to change those. Director of Public Works Secrest commented if we new which one they were we could change it, so if they dig one up then we change it. Mayor Caraker

commented Alderman Lanahan has a point here maybe we should check the prints. Director of Public Works commented that it is not on the prints. Mayor Caraker commented he will get with the administrator and director of public works and see if we can't find something.

LAND USE COMMITTEE: *Alderman Metcalf*

Report on Planning Commission Meeting: Alderman Metcalf commented the Planning Commission discussed the Subdivision Ordinance which, they will finalize in October/November.

Result of Public Hearing Annexation and Re-zoning: Alderman Metcalf commented the ordinances and agreements are under legislative this evening.

Alderman Metcalf commented that the EDR discussed the goals and objectives based on session he mentioned last meeting with the intentions of going into the policy and procedures at future meetings. The consensus is that they did a fair job at representing the needs of all the groups and their goals and where to go in the city.

LAW ENFORCEMENT & EMERGENCY SERVICES: *Alderman Hendrickson*

Police Report for August 2008: Alderman Evans moved, seconded by Alderman Lanahan to approve the Police Report for August as presented. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries. Chief Rizzi, Jr. welcomed Alderwomen Hendrickson if there is anything he can do for her to let him know or if she has any questions don't hesitate to get a hold of him. Chief Rizzi, Jr. commented that the new police car is in and just finishing up the painting and hopefully by the end of next week we should have that one on the road. Chief Rizzi, Jr. commented that he spoke with the administrator and let him know that around November 1st the prices of the vehicles are going up \$1,500 a piece. But they are about four months out when you order them. Mayor Caraker commented you can go ahead and proceed with that we can save \$3,000 for something else.

PUBLIC WORKS COMMITTEE: *Alderman Italiano*

Water and Sewer Report for August 2008: Alderman Italiano moved, seconded by Alderman Adomite to approve the Water & Waste Water report for August 2008 as presented. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries. Director of Public Works: DOPW Secrest commented they oiled and chipped Summertree Subdivision and been patching holes. We are changing services over on Staunton Road, read meters, and last Sunday we had the whole street crew out on Sunday during the flood. Mayor Caraker commented that we had a 50 year flooding with five inches of rain on Sunday in a very short time and he had waded right down the middle of it. He wanted to thank Mr. Secrest and his crew for getting out there as fast as they did to block off some streets. Alderman Italiano commented Mr. Fred Giloman down by the school office on Staunton Road has the information on where those laterals are.

LEGISLATIVE COMMITTEE: *Alderman Davis*

Ordinance to Establish "No Parking" Marti Drive: Alderman Davis moved, seconded by Alderman Lanahan to pass *Ordinance 2008-14* for the purpose of no parking on Marti Drive from Main Street to Sherburne. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries.

Ordinance to Amend Bidding & Contract Procedures: Alderman Davis moved, seconded by Alderman Evans to pass *Ordinance 2008-15* for amending chapter 6.5 (Bidding and Contract Procedures of the City of Troy. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries.

Ordinance Authorizing the Execution of Annexation: Alderman Davis moved, seconded by Alderman Lanahan to pass *Ordinance 2008-16* authorizing the execution of an Annexation Agreement for the Annexation of 18.90 acres, more or less, of real estate owned by Windsor Way, LLC, Villas of Windsor Way, LLC, and Prime Development, INC. Locations in the County of Madison, State of Illinois. Mayor Caraker commented this requires at least two-thirds (2/3) of the corporate authorities holding office. Attorney Wigginton commented that the mayor is included in the roll call. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf, Mayor Caraker yeas, 9 yeas, 0 nays, motion carries.

Ordinance Annexing and Zoning Certain Territory to and in the City of Troy: Alderman Davis moved, seconded by Alderman Lanahan to pass *Ordinance 2008-17* annexing and zoning certain territory to and in the City of Troy. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries.

Ordinance Amending Ordinance No. 1996-12: Alderman Davis moved, seconded by Alderman Italiano to pass *Ordinance 2008-18* amending Ordinance 1996-12 of the Troy Municipal Code also known as the Troy Zoning Ordinance for the purpose of rezoning certain property commonly known as the Windsor Way Development Property. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries. Alderman Italiano moved, seconded by Alderman Adomite to go into Executive Session for the purpose of 5ILCS 120/2 (c) (11) Pending or Potential Litigation. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries, went into Executive Session at 8:25 p.m.

The Council reconvened at 9:34 p.m. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, and Metcalf all eight aldermen are present. Alderman Adomite moved, seconded by Alderman Brannon to approve \$49,678.12 for the material and labor which consist of L. & W. Contractors at \$29,988.80, BECO for material at \$13,782.32, and Klueter for material at \$5,897.00, for a solution on James & Kenneth Drive water problem. Roll call vote taken: Aldermen Adomite yea, Brannon yea, Davis yea, Evans yea, Hendrickson yea, Italiano yea, Lanahan nay, Metcalf yea, 7 yeas, 1 nay, motion carries.

Alderman Evans commented he would like to show in the record our engineering cost for these problem on James and Kenneth Drive at the cost of \$15,000.00. Alderman Evans moved, seconded by Alderman Davis to approve the engineering cost of \$15,000.00 for the flooding problems on James & Kenneth Drive. Roll call vote was taken: Aldermen Adomite, Brannon, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 8 yeas, 0 nays, motion carries. Alderman Adomite moved, seconded by Alderman Italiano to adjourn, all Aldermen present yeas, 0 nays, motion carries, meeting adjourned at 9:35 p.m.