

CITY OF TROY
Regular City Council Meeting
Monday May 3, 2010

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, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf; Clerk Mitchell; Treasurer Roady; Absent: Alderman Brannon

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

READING AND APPROVAL OF MINUTES: Minutes from the April 19, 2010 regular City Council Meeting: Alderman Adomite commented he had a correction on page 3 instead of (these) to state R-2 is more in demand. Alderman Adomite moved, seconded by Alderman Italiano to approve the regular City Council Meeting Minutes as corrected and written. Roll call vote was taken: Aldermen Adomite yea, Davis yea, Evans abstain, Hendrickson yea, Italiano yea, Metcalf abstain, 5 yeas, 2 abstentions, motion carried.

COMMUNICATIONS: Clerk Mitchell has nothing at this time.

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

Approval of Appointment and Standing Committees: Mayor Caraker stated in your packets you have recommended Standing Committees and the Appointment for 2010/2011 from the mayor, and asked if there are any comments. Alderman Metcalf moved, seconded by Alderman Adomite to approve Mayor Caraker's Annual Appointments with 2 amendments; the first being under the ESDA Coordinator the title for Dave Fults to read Assistant (to the) Disaster Coordinator, and the second being on page 4 under the Board of Fire and Police Commissioners the last sentence states (a member must reside within the corporate limits of the city). That is no longer needed and needs to be stricken. Roll call vote was taken: Aldermen Adomite, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 7 yeas, 0 nays, notion carried.

Discussion of Budget Approval: Administrator Soland commented it is already to be voted on tonight and if no one has any questions it will be under Finance Committee.

Appointment of FOIA Officer: Mayor Caraker commented he needs to appoint a FOIA Officer and an Assistant FOIA Officer but we have time for that. Mayor Caraker asked when the deadline is to get these appointments done. Administrator Soland commented June 1, 2010 but we could do this at the next meeting. Mayor Caraker commented that would be fine he needs to talk to our people first.

PEOPLE REQUESTING TO BE ON THE AGENDA: Andy McKellar- Jennifer Court Resident

Mr. McKellar commented he is a resident near Jennifer Court and he has a question first. A gentleman named Mike Tamburello came by his house and was asking questions about the lake, because he had discussions with the city about this. He has also received a certified letter from Barbara Sherer concerning Tammy and Sam Shafer and they would like a response in 10 days and he is here tonight to find out what has been discussed. Administrator Soland commented first we asked Mr. Tamburello to put his thoughts in writing and to submit it to Jim DeCarli and the Trout Lake owners. Administrator Soland said he has never met with Tammy Shafer and doesn't even know who she is, and has never talked to her. Mr. McKellar read part of the letter (attached).

Mayor Caraker referred this to legal counsel. Attorney Wigginton commented Mrs. Shafer is part of the developers group and Ms. Sherer is the attorney representing them. They came to us with a proposal and were interested in buying Jennifer Court for development. Attorney Wigginton told them to contact all the concerned people of Trout Lake and also he suggested sending a letter certified. Attorney Wigginton commented he has not even see the letter. Mr. McKellar called them immediately and asked what is this 10 days or what. He was not certain where all this came from. Attorney Wigginton commented he has spoke with Mr. Tamburello a few time but has never met the man. Mayor Caraker commented that is where we are and none of this has to do with the city. Mr. McKellar asked if the final plat will be issued before the lake is fixed.

Alderman Metcalf referred this question to Building and Zoning, asked if they are still not issuing building permits. Mayor Caraker commented this is under Health Safety and Welfare issue, there will be no Building Permits issued until this issue is resolved.

Mr. DeCarli commented that Mr. Tamburello showed up at his house late December/January and said he was interested in the property and Mr. DeCarli told him there is a lot of issue with that lake. He also told him this has been going on for years. Mr. DeCarli commented that he did call a few times and I was not home but the next day Mr. DeCarli did return the calls. Mr. DeCarli said since he called the next day that some how constitutes he did not return Mr. Tamburello calls. That rumor went around that I was not cooperative and not commutative. Mr. DeCarli commented that was not the case. Mayor Caraker commented the lot lines go into the center of the lake and is private property.

ADMINISTRATIVE SERVICES: *Alderman Adomite*

Alderman Adomite commented in your packets is a map for the Why Mail "Participation". This is the percentage of forms mailed back by households that received them. He is happy to report that Troy was the highest in Madison County with 85%. Now we will move to the next phase where they will come and knock on your door. Alderman Adomite commented the Census workers will have identification and such and we will have it in the paper for those who did not get their forms filled out that someone will be coming by up to 6 times. DPW Secrest commented that his daughter is one of the counters and she has a Census ID and they are supposed to carry a photo ID card. Alderman Adomite commented if one of the workers violates the confidentiality clause they could spend 5 year prison sentence and a 250 thousand dollar fine. If something like this happens you can call the City Clerks office and in turn contact Alderman Adomite.

BUILDING AND ZONING COMMITTEE: *Alderman Davis*

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Alderman Davis commented there is a street light out at Bluebird and Woodthrush, and he has a complaint on a dog barking at 306 Reed and he can say who it is after the meeting. Chief Rizzi asked if Alderman Davis could encourage these people to call the police and we could act on it at that time.

Chief Rizzi commented we can't do anything a week later.

Alderman Davis commented they didn't want the police to know they complained. Attorney Wigginton commented if this is aggravating them enough they need to participate in this process. Alderman Davis stated he told them he would pass the word along. Code Administrator Frey commented they can call his office as well.

Alderwoman Hendrickson asked if the City of Troy has a leash law. Mayor Caraker commented yes we do. Alderwoman Hendrickson asked if the dog litters what can be done. Alderwoman Hendrickson asked if we could put something in the news letter that goes out once a month. Chief Rizzi commented we can't do anything about a dog in its own yard.

ECONOMIC DEVELOPMENT COMMITTEE: *Alderman Brannon*

There is nothing to report at this time.

FINANCE COMMITTEE: *Alderman Lanahan*

Alderman Lanahan had a complaint about how many feet from the trailer and the shed. (Talked prior to the council meeting) Code Administrator Frey commented he agrees the gentleman is limited on where he can put the shed. We allowed him to put his shed in a spot we typically would not of. The reason it needed to be fire rated is because it sits so close to the house. The Building Code states if it closer than five feet it has to be fire rate. Alderman Lanahan commented if you are not going to put lawnmowers or hot grills in the shed why would you have to fire rate it, and as far as tools being in the shed he doesn't see any problem with fire there. Alderman Adomite commented that if this person move and the new people move in and want to store a hot lawnmower or whatever. Code Administrator Frey commented that there was a permit issued and he was told at that time he needed to do that.

Budget Approval 2010-2011: Alderman Italiano moved, seconded by Alderman Adomite to approve the 2010/2011 Budget for the City of Troy as discussed in the Public Workshop on April 19, 2010. Roll call vote was taken: Aldermen Adomite, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf yeas, 7 yeas, 0 nays, motion carried.

LAND USE COMMITTEE: *Alderman Evans*

Planning Commission Workshop for Zoning Changes: Alderman Evans commented there is a Workshop Meeting for the zoning changes in reference to the neighborhood zoning that the Planning Commission has put together. We are looking at about the last Monday in June, which would be June 28th at 7:00 p.m.

Public Hearing Main Street Phase II 5/13/2010 from 4-6 p.m.: Alderman Evans commented there is a Public Hearing for the Main Street Phase II on May 13, 2010 from 4-6 p.m. This is an informational meeting and Tom Cissell will be there to answer any questions. Mayor Caraker commented there will be no action taken and this will not start until next year. Alderman Adomite commented we are taking \$125,000 from this year's budget and \$125,000 from next years budget. Administrator Soland commented we have received about \$45,000 and this year we asked to set aside in our budget the \$125,000. As of now we have about \$350,000 to \$400,000 already committed to us

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and our part will be \$250,000. Alderman Metcalf asked what fund did this money come out of. Administrator Soland commented out of the T.I.F. Fund.

Alderman Evans commented the Planning Commission will have their regular meeting at 7:30 p.m. on May 13; prior to that meeting they will have a Public Hearing at 7:00 p.m. They are looking to get a special use permit to place a temporary building housing a seasonal Tropical Sno business.

LAW ENFORCEMENT & EMERGENCY SERVICES: *Alderman Hendrickson*

Chief Rizzi commented that the Police Board Meeting for tomorrow is cancelled and rescheduled for Friday just to finalize the eligibility list. Alderwoman Hendrickson and I met for about two and a half hours the other day and went through the ESDA Plan and we are going to have another meeting with Jeff and Lt. Shownes to go through it some more.

Alderwoman Hendrickson commented she would like to make note that appreciation from our community that Walgreens had on there marquee weather warnings. Alderwoman Hendrickson commented we should make note for other businesses to do this. Also, on Face book there is a nice write up on the THS CERT Team and you can see what all the kids done while in training.

PUBLIC WORKS COMMITTEE: *Alderman Italiano*

Director of Public Works Secrest: DPW Secrest commented since last meeting the Public Works Department has repaired streets on Reed and Canterbury, fixed catch basins on Carla Drive, patched holes on Spring Valley Road, cleaned and repaired culverts on Carla, mowed on the right-a-ways, swept streets, jetted storm sewers in Country Village, installed access lid at Anderson Hospital, read and repaired meters, flushed nearly all 800 hydrants and we have two days to finish. Bob Oberneufemann is back to work and feeling great.

LEGISLATIVE COMMITTEE: *Alderman Metcalf* has nothing at this time.

Executive Session: *Alderman Italiano* moved, seconded by *Alderman Metcalf* to go into Executive Session 5ILCS 120/2 (c) (1) Personnel, Roll call vote was taken: *Aldermen Adomite, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf* yeas, 7 yeas, 0 nays, motion carries, went into Executive Session at 8:10 p.m.

The Council reconvened at 8:35 p.m. Alderman Evans moved, seconded by *Alderman Italiano* to reconvene to regular meeting. Roll call vote was taken: *Aldermen Adomite, Davis, Evans, Hendrickson, Italiano, Lanahan, Metcalf* yeas, 7 yeas, 0 nays, motion carries.

Alderman Evans moved, seconded by *Alderman Italiano* to adjourn, voice vote was taken; all *aldermen present* yeas, 0 nays, motion carries, meeting adjourned at 8:35 p.m.

Tammy J Mitchell, RMC, CMC
City Clerk