

CITY OF TUSCOLA  
COUNTY OF DOUGLAS  
STATE OF ILLINOIS  
TUSCOLA CITY HALL  
January 23, 2017

The regular meeting of the City Council was called to order with Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop, and Mayor Kleiss in attendance. Alderwoman Truitt was absent. Mayor Kleiss led the Pledge of Allegiance.

Public Comment - None

Consent Agenda

Mayor Kleiss went over the items on the consent agenda:

- Minutes of the January 9, 2017 meeting
- Financial report for December 2016
- Payment of bills totaling \$78,498.50

Henderson moved to approve the items on the consent agenda. Cleland seconded. VOTE YEA\* Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop. Hoey moved to approve the consent agenda for January 23, 2017. Day seconded. VOTE YEA\* Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop.

Mayor

Mayor Kleiss thanked Alderman Henderson for sitting in for him at the last council meeting.

City Clerk – No Report

City Treasurer

Treasurer Long reported the TIF delinquencies are Eddie Boutilier, Red Barn Vet Services, and Rachel Puckett.

City Attorney – Nothing

City Administrator

Administrator Hoel stated he received a request from the Kiwanis and Rotary Clubs asking to reserve the north end of Ervin Park on April 8, 2017, for the Easter Egg Hunt. Council gave their okay for this event.

Ordinances

Mayor Kleiss presented a surplus property ordinance for disposal of a police department 2012 Impala. Henderson moved to approve ordinance 2017-0-1, an ordinance declaring the 2012 Impala squad car surplus property and authorizing the sale of same. Slaughter seconded. Chief Hastings asked if he was supposed to get rid of this vehicle and Administrator Hoel informed him he was authorized by this ordinance to sell the vehicle at the best price. VOTE YEA\* Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop.

Resolutions

Treasurer Long reported the Illinois Department of Transportation requires approval of an annual resolution that allows the city to use motor fuel tax funds to pay outstanding bonds. Cleland moved to

approve the obligation retirement resolution for motor fuel tax funds. Waldrop seconded. VOTE YEA\* Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop.

### Contracts and Agreements.

Council discussed a professional services agreement submitted by Clark Dietz for a study to look at the estimated costs and possible benefits of an upstream retention basin on the Scattering Forks. The Hill family may make some land available to us for this floodplain mitigation, Hoel reported. The potential site is located on the east side of route 45 across from the bulk plant. Hoel added a study needs to be done to determine if this is worth doing and the impact it would have on the floodplain. Hoel went on to say this would be a long range plan that could be used for grant applications. Right now we are looking for a concept level feasibility study and cost estimate to see if this is something we should even pursue. Hoey moved to approve the professional services agreement with Clark Dietz to perform a feasibility study to analyze potential channel improvements along the Scattering Forks within the Hill Family Property at a cost of \$6250. Shoemaker seconded. VOTE YEA\* Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop.

Waldrop moved to approve a contract in the amount of \$25,000, with Jamaica Pyrotechnics for the City's July 8, 2017, fireworks display. Day seconded. VOTE YEA\* Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop.

Administrator Hoel discussed an amendment to our operating agreement with Illinois American Water Company (IAWC). The amendment is the result of a recent Illinois EPA audit, Hoel stated. In the audit, the IEPA determined that the responsibilities for the operations, maintenance, repairs, funding needed to be more clearly laid out in the agreement. Hoel went on to say nothing will change with the agreement between the city and IAWC; the wording will be more precise. Henderson moved to approve the first amendment to the operating agreement between the Illinois American Water Company, the City of Tuscola, and the City of Arcola. Cleland seconded. VOTE YEA\* Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop.

### Requests for TIF Assistance

Mayor Kleiss asked for approval of the rescission of several unused TIF awards. Shoemaker moved to approve the following rescissions: TIF loan of \$433.04 and grant of \$1299.13 previously awarded to the Flesor Family Confectionary, Inc.; remaining grant funds in the amount of \$42.07 awarded to Kelley Englehardt; and TIF grant funds in the amount of \$3000 previously awarded to Bob Woodard. Day seconded. VOTE YEA\* Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop.

### Tabled Discussion Topics

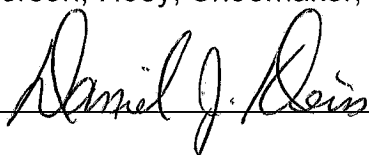
Mayor Kleiss opened discussion on the proposed ordinance to regulate parking and nuisance vehicles. Chief Hastings had several questions to address:

- How does the proposed ordinance affect auto repair shops? Hastings thinks this would not affect those businesses at all but would like clarification. Administrator Hoel believes there is a provision in our code that states parking ordinances do not apply to someone in the business of auto repair. Attorney Bequette stated he will check the code to be sure this is true. If so, this ordinance will not apply to auto repair businesses. Alderman Hoey and Mayor Kleiss both added the intention of the ordinance was to address residential areas, not businesses.
- Chief Hastings questioned the reference to a five day notice period for parking inoperable/unused vehicles. Hastings is not opposed to the five day notice; however, there

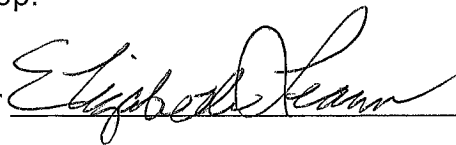
should be a limit because this is how the offenders play the game. Attorney Bequette stated he and Administrator Hoel discussed this at length. With the changes to the ordinance, Chief Hastings can now ticket offenders without going through a notice period. Hastings will also be able to use his discretion when ticketing offenders to the ordinance, Bequette added. This ordinance has points that are new, Bequette stated, and will agitate some people. The ultimate question will be is this something we want to get into.

- Hastings referred to the 72 hour parking. Will we continue to use the \$10 parking ticket when the 72 hour parking is violated or can he go right to the ordinance to address? Bequette answered this is perfectly fine, but every single case can be an ordinance violation. Hastings answered he would like to get rid of the \$10 ticket. Bequette answered this is fine; he is 100% comfortable with everything being an ordinance violation.
- Alderman Hoey asked about the portion of the ordinance that states parking in the front yard setback must be on concrete or asphalt and wondered if this is pretty common. Bequette answered a lot municipalities still allow yard parking on gravel, but are beginning to go to the hard surface. Day is concerned about the junk cars or inoperable cars on public or private property, stating the owners probably do not have the funds to fix them up. We go from 30 to five days and the vehicle will go into the yard. This requires the owners to have a concrete or asphalt slab for parking. This won't happen, Day added. Hoey does not feel people will move their inoperable cars into their yards if they have to put plates on them. The ordinance calls for licensing of all vehicles, whether front or back yard. Day then asked if it would be possible to handle junk cars by giving owners an 'out', similar to what we do with junk houses. Could they sign their vehicles over to the city and we would dispose of them? Chief Hastings answered Bryant's will buy junk vehicles if the owners take them to their site. Bryant's will also pick up junk vehicles without paying the owners. Day added he gets uneasy when we try to tell people what to do with their back yards. Henderson was asked by a resident if they could put road oil over six inches of gravel and comply with the concrete or asphaltic surface. Council discussed this scenario vs oil and chip as pertaining to asphaltic materials and decided to leave the wording of concrete or asphaltic materials in the proposed ordinance.
- Hastings pointed out there are a few residents around town that have drag race cars, which are usually sitting out on a trailer during spring, summer, and fall. Attorney Bequette would prefer Hastings not ticket these cars, rather than create a separate exemption. Hastings will use his discretion in these situations. We are not trying to get rid of the drag race cars that are not even driven on streets around town, Kleiss stated. Shoemaker asked if we should limit the number of vehicles a person is allowed to have. Bequette answered he has never been able to find an ordinance that regulates the number of vehicles. He is nervous about trying to tell people how many vehicles they can own. Hoey stated he looked over many ordinances and did not see an example of this either. Bequette will check to be sure our proposed ordinance to regulate parking does not pertain to auto repair businesses and action will be taken on the ordinance at the next council meeting.

The motion to adjourn was made by Henderson and seconded by Hoey. VOTE YEA\* Cleland, Day, Henderson, Hoey, Shoemaker, Slaughter, Waldrop.



Mayor



City Clerk