

CITY OF TUSCOLA
COUNTY OF DOUGLAS
STATE OF ILLINOIS
TUSCOLA CITY HALL
November 26, 2018

The regular meeting of the City Council was called to order with Cleland, Day, Hoey, Rund, Shoemaker, Slaughter, Truitt, Waldrop, and Mayor Kleiss in attendance. Paul Wisovaty, representing the Tuscola Salvation Army, led the Pledge of Allegiance.

Public Comment – City Attorney Bequette stated that the public comment period is not a dialogue, but simply a period for members of the public to provide statements to the city council for their consideration.

- Mike Woods stated that he had received a letter from a company saying they were requesting a special use permit for operating a business in a single-family residence they purchased in his neighborhood. He stated he is against a special use permit to establish a business, no matter what the business is, in his residential area.
- Fred McDonald addressed the special use permit for Raymond Drive. His concerns are traffic and property values. If the special use permit is approved, he would like taxes reduced.
- David Armbrust declined to comment.

Consent Agenda

Mayor Kleiss went over the items on the consent agenda:

- Minutes of the November 13, 2018, meeting
- Financial Report: October, 2018
- Payment of bills totaling \$115,824.14

Hoey moved to approve the items on the consent agenda. Waldrop seconded. VOTE YEA* Cleland, Day, Hoey, Rund, Shoemaker, Slaughter, Truitt, Waldrop. Cleland moved to approve the consent agenda for November 26, 2018. Shoemaker seconded. VOTE YEA* Cleland, Day, Hoey, Rund, Shoemaker, Slaughter, Truitt, Waldrop.

Time on the Agenda – Paul Wisovaty, representing Tuscola Salvation Army, requested permission for bell ringing/collecting November 24, 2018 (retroactive), November 30, 2018, December 1, 8, 15, and 22, 2018 at the corner of Main and Sale Streets, mall exits and the community building during Christmastown. No objections.

Mayor – Mayor Kleiss noted that he has received compliments on the Christmas lights, especially the swag on S. Main Street, and thanked the street department for putting them up.

City Clerk – Deputy Clerk Gordon stated the petition filing period for the April 2, 2019 consolidated election for open City Council seats is December 10-17, 2018.

City Treasurer - Treasurer Long reported Eddie Boutilier and Red Barn Veterinary Services are delinquent on their TIF loans. There have been payments made however they are still delinquent.

City Attorney – No report

City Administrator - No report

Ordinances

Mayor Kleiss noted the tax levy estimate was made at the October 22 meeting, so it has been available for public comment since then. Treasurer Long stated there have been no comments on the levy estimate. Hoey moved to approve Ordinance 2018-O-8 an Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2018 and Ending April 30, 2019 of the City of Tuscola, Douglas County, Illinois. Truitt seconded. VOTE YEA* Cleland, Day, Hoey, Rund, Shoemaker, Slaughter, Truitt, Waldrop.

Contracts and Agreements

Administrator Hoel discussed adding electronic door locks to both the senior center and the police station. SEICO Security, the same vendor who supplied the locks at city hall and the community building submitted a proposal in the amount of \$10,051.01. Slaughter moved to approve SEICO Security for installation of electronic door locks at the senior center and police station in the amount of \$10,051.01. Rund seconded. VOTE YEA* Cleland, Day, Hoey, Rund, Shoemaker, Slaughter, Truitt, Waldrop.

Other

Mayor Kleiss opened discussion on the Planning Commission recommendation for the Special Use Permits requested for 916 N. Center St. and 15 Raymond Dr. The Planning Commission report, and recommendation to deny the special use permits, was included in the agenda packet. Mayor Kleiss recommended conditions that a maximum of four residents with intellectual disabilities be allowed to reside in the homes and that the homes be staffed 24/7 should the special use permits be approved.

City Attorney Bequette stated that Council could accept, or reject, the recommendations of the Planning Commission, or grant special use permits with modifications.

Truitt asked Heather Houser if there are many police calls for disturbances or disputes with neighbors, at the current homes they have. Ms. Houser stated that she can't think of any instance where there have been issues with police. There are EMT calls on occasion, for the same medical reasons that they would be called to any residential home. Stated that many of their current neighbors love them.

Shoemaker asked Houser if there are ever any issues regarding parking, such as during holidays. Houser stated not any more than any other household has. Typically, residents are picked up by family members versus family staying to visit.

Day asked Houser if they receive any government subsidies to help fund the homes. Houser said the residents pay a portion of their own care with their social security payments, or for those who are employed, with their own funds. Medicaid subsidizes the rest. Day asked if they have any federal standards that need to be met to receive federal funds. Houser stated they have surveys they must complete; the fire marshal ensures houses are safe. The homes are subject to periodic inspections. Day also asked why they would purchase homes and begin remodeling without knowing how the City feels about it. Houser stated she did inquire at City Hall and was made aware that a special use permit was required, which is not unusual. She went on to say that they have never met the resistance in other towns that they have met in Tuscola. Day asked how much they paid for the properties. Armbrust stated around \$240,000-\$250,000 total. Day then asked what they would do if the special use permit were denied. Armbrust stated it would be a blow to the individuals who are hoping to move in, but hoped there would be a reasonable accommodation to the rules, practices and procedures of Tuscola zoning, asking under the fair housing act and the disabilities act. If there were still no

reasonable accommodation granted, they would ask for help from Equip for Equality, the agency that typically helps in cases like this.

Truitt asked what happens if the funding dries up for the people living there. Ambrust said that there would be bigger problems for other Medicaid funded programs before theirs would be affected.

Cleland asked Houser if the homes would be staffed 24/7. Houser assured that the homes are always staffed 24/7. House managers ensure there is always staff there. Residents are never left unsupervised.

Hoey asked City Attorney Bequette if the apartment building next to the home on Center Street would be considered a business. Bequette said the apartment next door would certainly be considered a business.

Truitt asked City Attorney Bequette if the special use permit is granted, would it stay with the property forever. Bequette stated it would unless it stops being used that way for a period of two years, then it would have to be applied for again. It could pass between owners as long as they kept using it continuously for that purpose.

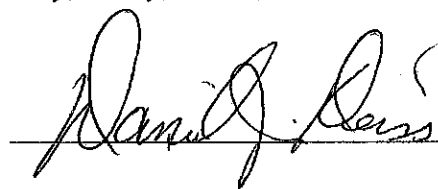
Mayor Kleiss said the ordinance may need to be looked at in the future. Bequette said if every new person would have to apply, you would have to prove why a property being used for a certain purpose for fifteen years was no longer able to be used for that purpose.

Attorney Bequette recommended voting on each property individually.

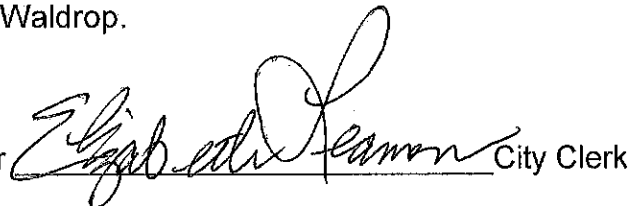
Hoey moved to reject the recommendation of the Planning Commission and to approve the special use permit for 916 N. Center with the conditions that no more than four individuals with intellectual disabilities reside there and with 24-hour supervision. Shoemaker seconded. VOTE YEA* Cleland, Hoey, Rund, Shoemaker, Waldrop. VOTE NAY* Day, Slaughter, Truitt. Motion carried.

Hoey moved to reject the recommendation of the Planning Commission and to approve the special use permit for 15 Raymond Dr. with the conditions that no more than four individuals with intellectual disabilities reside there and with 24- hour supervision. Shoemaker seconded. VOTE YEA* Cleland, Hoey, Rund, Shoemaker, Waldrop. VOTE NAY* Day, Slaughter, Truitt. Motion carried.

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



Mayor



City Clerk