

CITY OF TUSCOLA  
COUNTY OF DOUGLAS  
STATE OF ILLINOIS  
Tuscola City Hall  
September 8, 2014

In the absence of Mayor Kleiss, Hoey moved and Cleland seconded Alderman Henderson act as Mayor Pro-Tem for the September 8 council meeting. VOTE YEA\* Cleland, Hoey, Maxey, Slaughter, Truitt. Alderman Henderson abstained. Motion carried. The regular meeting of the City Council was called to order with Cleland, Henderson, Hoey, Maxey, Slaughter, and Truitt in attendance. Alderman Shoemaker and Mayor Kleiss were absent. Judge Frank Lincoln (retired) led the Pledge of Allegiance.

### Consent Agenda

Mayor Pro-Tem Henderson went over the items on the consent agenda:

- Minutes of the August 25, 2014 meeting
- Payment of bills totaling \$354,855.14
- Lion's Club fundraising request to hold their annual 'Candy Day' on October 10-11, 2014
- VFW Post 10009 fundraising request to sell poppies on October 3-4, 2014
- Request from the Tri-County Shriners for fundraising on October 18, 2015
- Rotary Club request to hold a SAM food pantry drive on October 18, 2014
- Community Building lease with alcohol request from Marci Shoemaker for the TCHS Alumni Association reunion on October 3, 2014, and a class reunion on October 4, 2014
- Approve Homecoming parade route for October 3 and Veteran's Day parade route for November 11

Hoey moved to approve the items on the consent agenda. Truitt seconded. VOTE YEA\* Cleland, Henderson, Hoey, Maxey, Slaughter, Truitt. Paul Wisovaty and Jim Harbaugh were present to speak to council about the Veteran's Day parade. Wisovaty stated he would like the City 'fathers' and employees to be part of the Veteran's Day parade on November 11.

Maxey then moved to approve the consent agenda for September 8, 2014. Cleland seconded. VOTE YEA\* Cleland, Henderson, Hoey, Maxey, Slaughter, Truitt.

### Mayor - Absent

### City Clerk

Clerk Leamon announced nominating petitions may be circulated beginning September 23, 2014. Packets will be ready for pick up by the next council meeting. The following council member's terms will end in April 2015: Cleland, Maxey, Slaughter, and Truitt.

### City Treasurer

Treasurer Long reported the following TIF delinquencies: Eddie Boutilier; and Bruce and Andrea Robinson.

### City Attorney – Nothing

### City Administrator

Administrator Hoel reported Tuscola Boulevard was paved today and Bodine has begun installing the traffic signals at route 36 and Prairie.

### Ordinances

Administrator Hoel opened discussion on a possible ordinance amendment to allow boating at Wimple Park. Now that a boat ramp has been installed, Hoel suggests an ordinance amendment to set boating hours, size of boat allowed, and motor restrictions. Hoel went on to say IDNR regulations apply to all boating and all public waters in Illinois and there is no need to create general boating rules. Maxey suggests not allowing house boats on Wimple pond but thinks bass boats are fine. Administrator Hoel will work on the ordinance allowing boats at Wimple.

### Contracts and Agreements

Mayor Pro-Tem Henderson asked for action on the amendment to the intergovernmental agreement between Tuscola and Arcola to operate a joint water agency. This amendment was discussed two weeks ago. Attorney Bequette noted he did not have anything to add to his comments at the last meeting. If Cronus is coming, we need to be sure they have a water source; and if Cronus is coming this will provide some redundancy for the city and possibly some increased capacity. Also, the agreement states this will be done at no cost to the city. Bequette added Arcola approved the agreement last week. Hoey moved to approve the intergovernmental agreement to establish a municipal joint action water agency, jointly improve and operate a common source of water supply, and construct, own and operate a water pipeline. Cleland seconded. VOTE YEA\* Cleland, Henderson, Hoey, Maxey, Slaughter, Truitt.

Seven proposals were received on the request for proposals for the Community Building remodel, Hoel stated. These proposals ranged from \$14,400 to \$35,000. Hoel went on to say the TIF committee recommendation would be to go with Farnsworth, who came in the middle at \$23,900. Also, the Farnsworth proposal includes three versions of each of the three options. Truitt moved to enter into a Professional Services Agreement with the Farnsworth Group for the Community Building remodel proposals (three versions of three options) at a cost of \$23,900. Maxey seconded. VOTE YEA\* Cleland, Henderson, Hoey, Maxey, Slaughter, Truitt.

### Requests for TIF Assistance

Administrator Hoel discussed the TIF loan write-off on the Hog Wrench building. The building has been foreclosed upon by First State Bank, Hoel reported, and we no longer have a collateral interest in the property. For accounting purposes, the TIF committee recommends writing off the remaining loan balance of \$46,854.06. Administrator Hoel and Attorney Bequette noted we are not forgiving the loan; we are only writing it off for accounting purposes. Truitt moved to approve the Bruce and Andrea Robinson TIF loan write-off in the amount of \$46,854.06, for accounting purposes. Henderson seconded. VOTE YEA\* Cleland, Henderson, Hoey, Maxey, Slaughter, Truitt.

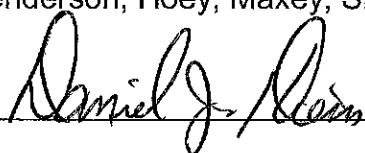
### Other

Blake Conklin, representing Verizon and Central States Tower, spoke to council about the Plan commission recommendation to allow a special use permit for a cell tower at 111 E. South Central Avenue. Conklin stated Verizon noticed a gap in coverage in this area and would like permission to construct a 120 foot tower. Also, there has been explosive cell phone use in the area during the past two years. Without proper coverage, customers experience dropped calls, no data service, and no phone service at all. Conklin then addressed two issues that came up during the Plan

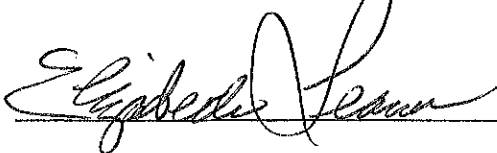
Commission hearing. The first question asked was if the 120 foot tower fell, what type of damage it would cause. Conklin stated if the tower fell, it would collapse on itself in a radius of 40 feet. The second question was why this site for the tower. Conklin explained the downtown area gets outdoor coverage and not great indoor or vehicle coverage. This area is lacking reception. A cell tower in this area will increase the coverage downtown. Truitt asked if this was the only fix. Could Verizon update their equipment? Conklin answered they always look at this first because it is a less costly option, but in order to increase capacity, you have to add a tower. Hoey asked if it was common to put cell towers right in the heart of a town. Conklin answered it is; so many people have smart phones and a lot of data service, it is necessary to have antennas closer to the users. Hoey moved to approve the Plan Commission recommendation and allow a special use permit for a cell tower at 111 E. South Central Avenue. Cleland seconded. VOTE YEA\* Cleland, Henderson, Hoey, Maxey, Slaughter. VOTE NAY\* Truitt. Motion carried.

Attorney Bequette reported on his research regarding the right of way abandonment for 200 West Barker. The first option would be to do nothing; continue to keep it as a public right of way. Option two would be to keep a buffer in the middle and take 10 feet at the top and 10 feet at the bottom and give those 10 feet to each landowner. We could also keep a buffer and vacate a larger portion to the north or south, Bequette stated; however, if we vacate the entire road, we would be required to give equal amounts to both landowners. Selling would also be an option, although Bequette does not recommend selling. Bequette does recommend a survey if council decides to vacate the property. He also thinks the landowner (s) should pay for the survey. Maxey asked about curbing the property if we were to split it. Truitt wonders why we would spend money to put in another curb. She does not see how that would help. Attorney Bequette stated he does not believe there is a legal problem with curbing our own property. Maxey stated he likes the buffer idea. Truitt does not see how the buffer will change anything. She does not think this will make the landowners happy. Administrator Hoel stated the landowners have buildings that are built on the right of way. The city could offer the landowners additional space for their buildings if they would agree to pay for a survey and hand it over to the city. The city could abandon whatever amount to the north and south of the buffer so each owner would get additional property for their buildings, driveways, etc., and still maintain the public access down the middle. Attorney Bequette thinks it would be very hard for either property owner to sell their properties right now since they theoretically do not own part of their outbuildings. The first step would be for the landowners to have a survey done. Jim Patton, property owner to the south of the right of way, was in attendance and spoke about the actual property lines as compared to the map on display. Patton added the property was recently surveyed. Bequette stated we could use the survey if the surveyor was willing to re-certify the survey and say nothing has changed. Patton asked Attorney Bequette if any thought had been given to dividing the right of way in the middle of the alley. Bequette answered if we divide the entire right of way, it will be divided 50/50. Mayor Pro-Tem Henderson would like to make the Mayor aware of this new information and take action at a later date. Hoey asked for an explanation on the buffer idea. Bequette answered if we maintain a buffer, we can vacate whatever we want above and below the buffer. The city can vacate as much or as little as we want, as long as we keep the buffer. Bequette stated - and several councilmen agreed - no matter what we do, the two parties will not get along.

The motion to adjourn was made by Hoey and seconded by Henderson. VOTE YEA\* Cleland, Henderson, Hoey, Maxey, Slaughter, Truitt.



Mayor



City Clerk