

## MONTICELLO CITY COUNCIL

August 28, 2017

Mayor Stoner led the Council in the Pledge of Allegiance, and Pastor Jeff Bealmear led the council in prayer.

Roll Call was taken by City Clerk, Pam Harlan.

ROLL CALL: Present: John Miller, Seth Melton, Cochran Keating, Jeremy Jones,  
Tom Reed, Wendall Brock, Joe Brown

Absent: Ian Clark

Also Present: City Administrator, Terry Summers, Callie McFarland, Jim Grabarczyk, Maura Metcalf, Pat Gleason

PUBLIC PARTICIPATION: NONE

CONSENT AGENDA:

- a) Claims Report – Claims dated August 15, 2017 through August 28, 2017
- b) Meeting Minutes – Planning & Zoning Board Meeting Minutes June 19, 2017  
Planning & Zoning Board Meeting Minutes July 17, 2017  
Planning & Zoning Board Meeting Minutes August 15, 2016  
City Council Special Meeting Minutes July 13, 2017  
City Council Meeting Minutes July 24, 2017
- c) Police Report – July 2017
- d) Treasurer's Report – June 2017
- e) Budget Report – July 2017

A motion was made by Alderman Miller and seconded by Alderman Keating to approve the Consent Agenda items. A voice vote was taken and motion carried with all present voting yes.

MAYOR'S REPORT:

Mayor Stoner reported that city staff had met with the owners of the former bus barn property. The owner stated, she was glad this issue of the property being in disarray was brought to her attention. She would take this matter to her board and see what can be done. Mayor Stoner also reminded the city that the fourth annual Ride for Recreation bicycle ride will be Saturday, Sept. 30, 2017. Proceeds will go toward the future paving of the second phase of the Sangamon River bike/walk trail.

OLD BUSINESS: NONE

NEW BUSINESS:

### **Ordinance 2017-62, Final Plat-Lot 5 of Bear Park**

Mayor Stoner ask City Administrator, Terry Summers and Capital Improvement Project Manager, Brett Baker to give the council an overview of this ordinance. Summers stated that Theodore Hartke, P.L.S. with Hartke Engineering and Surveying, Inc has submitted a Final Plat for property located at 1200 Bear Ln. and supporting documents to City staff for review of the Final Plat of a Subdivision of Lot 5 of Bear Park Subdivision, City of Monticello, Piatt County, IL. This subdivision meets the definition and requirements of the Municipal Code. This subdivision requires no preliminary plan nor public hearing or action of the Planning and Zoning Board but does require City Council approval by way of ordinance passage. Mayor Stoner ask the council to make a motion if they would like to wave the second reading of this ordinance. A motion was made by Alderman Brock and seconded by Alderman Reed to wave the second reading of Ordinance 2017-62. A voice vote was taken and the motion carried with 6 yes and 1 no votes. Alderman Jones voted no. A motion was made by Alderman Brock and seconded by Alderman Miller to approve Ordinance 2017-62, Final Plat-Lot 5 of Bear Park. A voice vote was taken and the motion carried with all present voting yes.

### **Resolution 2017-63, Conditional Use, 1752 North Market Street (single family)**

Mayor Stoner ask Building and Zoning Administrator, Pat Gleason to give the council an overview of this resolution. Gleason stated that Richard Ruthenberg of Fitness Center, Inc., desires to construct a dwelling unit within the existing Fitness Center building zoned Business (B). The dwelling would be constructed within the existing structure, and the petitioner would be required to construct the apartment in accordance with adopted building codes. Additionally, the project will create two main uses on one lot. In order to proceed, Mr. Ruthenberg has applied for a conditional use permit from the City to allow the construction of this single-family dwelling unit within the existing structure, and to allow two main uses on one lot. This project will include two separate egresses, and there will be sound proofing in place in the shared walls between dwelling and business. This dwelling will be occupied by Mr. and Mrs. Ruthenberg. A public hearing notice was published in the August 2, 2017 edition of the Piatt County Journal Republican, and notices were sent via certified mailing to all adjacent property owners, as per state statute. The Planning & Zoning Board held a public hearing at their scheduled meeting on August 21, 2017, where no comment was made. After discussion, the Planning & Zoning Board voted to recommend approval of this variance, 6 yes, 0 no, 1 absent. Alderman Brown inquired if the home will have sprinklers in place? Mr. Gleason answered no. A motion was made by Alderman Miller and seconded by Alderman Jones to approve Resolution 2017-63, Conditional Use, 1752 North Market (single-family) dwelling unit inside an existing structure and two main uses on a single lot. A voice vote was taken and the motion carried with all present voting yes.

### **Ordinance 2017-64, Variance, 215 East Main Street (fence)**

Mayor Stoner ask Building and Zoning Administrator, Pat Gleason to give an overview of the ordinance. Mr. Gleason stated that, Jacob Hicks of 215 E. Main Street, is requesting a variance

for the construction of a 6 foot privacy fence within the front yard setback to replace a formerly extant 4 foot fence that was removed last year. A public hearing notice was published in the August 2, 2017 edition of the Piatt County Journal Republican, and notices were sent via certified mailing to all adjacent property owners, as per state statute. The Planning & Zoning Board held a public hearing at their scheduled meeting on August 21, 2017, where no comment was made. After discussion, the Planning & Zoning Board voted to recommend approval of this variance, 6 yes, 0 no, 1 absent. Mayor Stoner ask the council to make a motion if they would like to wave the second reading of this ordinance. A motion was made by Alderman Miller and seconded by Alderman Reed to wave the second reading of Ordinance 2017-64. A voice vote was taken and the motion carried with 6 yes and 1 no votes. Alderman Jones voted no. A motion was made by Alderman Miller and seconded by Alderman Brock to approve Ordinance 2017-64, Variance, 215 East Main Street (fence). A voice vote was taken and the motion carried will all present voting yes.

**Ordinance 2017-65, Variance, 215 East Main Street (shed)**

Mayor Stoner ask Building and Zoning Administrator, Pat Gleason to give an overview of Ordinance 2017-65. Mr. Gleason stated that, Jacob Hicks of 215 E. Main Street, Mr. Hicks is requesting a variance for the placement of a shed within the backyard setback. In order to proceed, Mr. Hicks seeks a variance for shed location from the City to allow the placement of this structure within the side yard setback on the property. The shed has been in place since last year. A public hearing notice was published in the August 2, 2017 edition of the Piatt County Journal Republican, and notices were sent via certified mail to all adjacent property owners, as per state statute. The Planning & Zoning Board held a public hearing at their scheduled meeting on August 21, 2017, where no comment was made. After discussion, the Planning & Zoning Board voted to recommend approval of this variance, 6 yes, 0 no, 1 absent. Mayor Stoner ask the council to make a motion if they would like to wave the second reading of this ordinance. A motion was made by Alderman Reed and seconded by Alderman Melton to wave the second reading of Ordinance 2017-64. A voice vote was taken and the motion carried with 6 yes and 1 no votes. Alderman Jones voted no. Alderman Brock wanted to let Mr. Hicks know he is lucky if this ordinance passes, because the shed has been in this place for over a year. City Administrator, Terry Summers let the council know that these issues were not Mr. Hicks fault. He was told one thing by a former city employee and now he is being told the correct way. A motion was made by Alderman Melton and seconded by Alderman miller to approve Ordinance 2017-65, Variance, 215 East Main Street (shed). A voice vote was taken and the motion carried will all present voting yes.

**Resolution 2017-66, Conditional Use, 215 East Main Street (swimming pool)**

Mayor Stoner ask Building and Zoning Administrator to give an overview of the resolution. Pat stated that, Jacob Hicks of 215 E. Main Street, desires to construct a pool which would constitute a 2nd accessory structure-the first being a storage shed already on the property. In order to

proceed, Mr. Hicks has applied for a conditional use permit from the City to allow the construction of a second accessory structure. The pool would need to be placed no closer than 5 ft. from the property lines and 10 ft. from the main structure. A public hearing notice was published in the August 2, 2017 edition of the Piatt County Journal Republican, and notices were sent via certified mailing to all adjacent property owners, as per state statute. The Planning & Zoning Board held a public hearing at their scheduled meeting on August 21, 2017, where no comment was made. After discussion, the Planning & Zoning Board voted to recommend approval of this variance, 6 yes, 0 no, 1 absent. The only discussion that was brought up by the council is the fence height and Mr. Hicks is having a 6-foot fence that is more than adequate. A motion was made by Alderman Brock and seconded by Alderman Reed to approve Ordinance 2017-66, Variance, 215 East Main Street (swimming pool). A voice vote was taken and the motion carried will all present voting yes.

**Resolution 2017-67 and Ordinance 2017-68, 200 S. West Union Street**

These two items were pulled from the agenda by the petitioner.

**Ordinance 2017-69, Amendment to Redevelopment Agreement, Kirby Medical Center**

Mayor Stoner ask Community Development Director, Callie Jo McFarland to give an overview of this ordinance. McFarland stated that, the original redevelopment agreement drafted between the City of Monticello and the John and Mary E. Kirby Hospital, (2010-14) named the Economic Development Group, Ltd, a TIF consultant, as the TIF administrator. This redevelopment agreement included an 11% administrative fee that was shared by both the municipality and the developer, by being deducted from the total increment before the developer's share was considered. The City terminated services with this consultant in August of 2016. This amendment removes the affiliation and commitment to the specific consultant who prepared the agreement, and lowers the administrative fee from 11% to 5.5%, which staff is comfortable with. The details of the agreement in terms of percentage of revenue reimbursement remain the same. Mayor Stoner ask the council to make a motion if they would like to wave the second reading of this ordinance. A motion was made by Alderman Keating and seconded by Alderman Brock to wave the second reading of Ordinance 2017-69. A voice vote was taken and the motion carried with all present voting yes. A motion was made by Alderman Melton and seconded by Alderman Miller to approve Ordinance 2017-69, Amendment to Redevelopment Agreement, Kirby Medical Center. A voice vote was taken and the motion carried will all present voting yes.

**Ordinance 2017-70, Redevelopment Agreement, 777 Bridge Development LLC.**

Mayor Stoner ask Community Development Director, Callie Jo McFarland to give an overview of this ordinance. Ms. McFarland stated that at the previous council meeting, 777 Developments, LLC, has purchased the property at 777 W. Bridge Street (former Pizza Hut building), with the intention of demolishing the existing structure, and redeveloping the property to house a medical office building. Decatur Memorial Hospital has intentions of occupying the building with a 20-

year lease. The developers have requested 100% of the increment generated from this project, up front. City Staff and legal counsel advise against providing the increment up front. The developer would be interested in a pay-as-you-go reimbursed incentive, where the amount the project generates each year in the TIF is reimbursed to the developer after the property taxes for that year have been paid. This example is what the City Council has traditionally agreed to in the past. Based on preliminary numbers, the project is estimated to generate approximately \$44,000 of increment throughout the remaining life of the TIF. Based upon Council direction at the previous meeting, the redevelopment agreement takes into account a pay-as-you-go reimbursement of 50% of the TIF increment generated on an annual basis. Eligible expenses, which far-exceed the amount of increment generated and haven't been expended yet, include professional services, property assembly (demolition), and financing costs. McFarland also stated that the developers would like to see the second reading waved to expedite the results. Mayor Stoner ask the council to make a motion if they would like a second reading. There was not a motion to wave the second reading. This Ordinance will be voted on at the next council meeting. The council had some discussion before moving on. Alderman Melton inquired how long the city has known about this development? Callie Jo McFarland informed the council that she was contacted by 777 Developments on July 7, 2017 making it too late to get it on the July 10, 2017 council meeting. She had it on the agenda as soon as she could. Alderman Melton stated that a Springfield IL construction company will not creating jobs here in Monticello. Melton wanted to let other developers know that the Monticello City Council is setting a precedence for developers. Alderman Keating agreed with Melton and also does not think the DMH project fits the definition of "blighted area".

### **Ordinance 2017-71, Libation Area, Fieldhouse 219**

Mayor Stoner ask Community Development Director, Callie Jo McFarland to give an overview of this ordinance. Callie stated that, Michelle Murphy, owner of Fieldhouse 219, LLC, will again be hosting a fundraising event by the Blue Crew, a law enforcement based motorcycle club, to be held on September 30, 2017. Due to the success of last year's event, Ms. Murphy is requesting a libation area again for this event. The libation area is proposed to be on W. Washington Street, in front of Ms. Murphy's establishment and the adjacent property to the east. The Fieldhouse 219, LLC and the Blue Crew organization will provide the appropriate security, insurance, cleanup and other regulatory requirements outlined in the ordinance. She is requesting all ages to access the area, with those 21 and older being provided with wristbands, and minors will be accompanied by adults. There will be a band outside during a portion of the event. The requested duration of time for the libation area will be from 5:00pm to October 1st at 1:00am. This event is not anticipated to interfere with adjacent businesses. Alderman Melton ask City Administrator, Terry Summers if there is any way that libation and hold harness ordinances and resolutions could be streamlined. Summers informed the council that the city staff and the City Attorney are working on this issue. Alderman Brown stated that a Liquor Commissioner could take on some of this responsibility. Mayor Stoner ask the council to make a motion if they

would like to wave the second reading of this ordinance. A motion was made by Alderman Keating and seconded by Alderman Reed to wave the second reading of Ordinance 2017-71. A voice vote was taken and the motion carried with all present voting yes. A motion was made by Alderman Brock and seconded by Alderman Keating to approve Ordinance 2017-71, Libation Area, Fieldhouse 219. A voice vote was taken and the motion carried with all present voting yes.

**Resolution 2017-72, Hold Harmless Agreement, Fieldhouse 219**

Mayor Stoner ask Community Development Director, Callie Jo McFarland to give an overview of the resolution. McFarland stated that a requirement for the libation ordinance is that the licensee (Fieldhouse 219) must complete and agree to an agreement indemnifying and holding the City of Monticello and representatives harmless for the September 30, 2017 outdoor libation event. This protects the city from future claims that the city was not authorized to enter into the agreement. Ms. Murphy will likely be signing the agreement prior to the Council consideration of this resolution. A motion was made by Alderman Jones and seconded by Alderman Miller to approve Resolution 2017-72, Hold Harmless Agreement, Fieldhouse 219. A voice vote was taken and the motion carried with all present voting yes.

**Ordinance 2017-73, Libation Area, Monarch Brewing Company**

Mayor Stoner ask Community Development Director, Callie Jo McFarland to give an overview of the ordinance. McFarland stated that Monarch Brewing Company has requested a libation area during the Monticello libation event, September 16, 2017. The libation area, is proposed to be on West Main Street in front of the establishment, just on the sidewalk area. Monarch does not hold a class H liquor license (the outdoor dining area is on private property), and he would like his patrons to be served just drinks for this event, not just with a meal. Main Street will be closed to vehicular traffic because of the Monticello libation, and Mr. Miller has discussed his plans with Monticello Main Street to assure there are no conflicts. Monarch Brewing Company will provide the appropriate security, insurance, cleanup and other regulatory requirements outlined in the ordinance. Mr. Miller has requested the duration of time for the libation area to be 11:00am to 11:00pm. Mayor Stoner ask the council to make a motion if they would like to wave the second reading of this ordinance. A motion was made by Alderman Reed and seconded by Alderman Miller to wave the second reading of Ordinance 2017-73. A voice vote was taken and the motion carried with all present voting yes. A motion was made by Alderman Reed and seconded by Alderman Keating to approve Ordinance 2017-73, Libation Area, Monarch Brewing Company. A voice vote was taken and the motion carried with all present voting yes.

**Resolution 2017-74, Hold Harmless Agreement, Monarch Brewing Company**

Mayor Stoner ask Community Development Director, Callie Jo McFarland to give an overview of the resolution. Ms. McFarland stated that a requirement for the libation ordinance is that the licensee (Monarch Brewing Company) must complete and agree to an agreement indemnifying

and holding the City of Monticello and representatives harmless. This protects the city from future claims that the city was not authorized to enter into the agreement. A motion was made by Alderman Keating and seconded by Alderman Brock to approve Resolution 2017-74, Hold Harmless Agreement, Monarch Brewing Company. A voice vote was taken and the motion carried with all present voting yes.

**Ordinance 2017-75, Libation Area, Monarch Brewing Company (Octoberfest)**

Mayor Stoner ask Community Development Director, Callie Jo McFarland to give an overview of the ordinance. She stated that Monarch Brewing Company plans to host an Octoberfest event with outdoor bands on September 30, 2017. Monarch will also be providing a lunch stop for the Recreation Foundation's Ride for Recreation event that day and will be serving food outside as well. The libation area, is proposed to be on West Main Street in front of the establishment and to the west. Monarch Brewing Company will provide the appropriate security, insurance, cleanup and other regulatory requirements outlined in the ordinance. Mr. Miller has requested the duration of time for the libation area to be 11:00am to 11:00pm. Those 21 and older will be wearing wrist bands, and minors will be accompanied by adults. No discussion was had by the council. Mayor Stoner ask the council to make a motion if they would like to wave the second reading of this ordinance. A motion was made by Alderman Millerand seconded by Alderman Keating to wave the second reading of Ordinance 2017-71. A voice vote was taken and the motion carried with 6 yes and 1 no votes. Alderman Jones voted no. A motion was made by Alderman Reed and seconded by Alderman Miller to approve Ordinance 2017-75, Libation Area, Monarch Brewing Company (Octoberfest). A voice vote was taken and the motion carried will all present voting yes.

**Resolution 2017-76, Hold Harmless Agreement, Monarch Brewing Company (Octoberfest)**

Mayor Stoner ask Community Development Director, Callie Jo McFarland to give an overview of the resolution. She stated that a requirement for the libation ordinance is that the licensee (Monarch Brewing Company) must complete and agree to an agreement indemnifying and holding the City of Monticello and representatives harmless. This protects the city from future claims that the city was not authorized to enter into the agreement. A motion was made by Alderman Jones and seconded by Alderman Reed to approve Resolution 2017-76, Hold Harmless Agreement, Monarch Brewing Company, (Octoberfest). A voice vote was taken and the motion carried with all present voting yes.

**ALDERMAN'S REPORT:**

Alderman Melton stated that he is not pleased that the zoning issues have prompted Mr. Robinson to take his business elsewhere. He wanted the council to know that when trying to encourage growth and bring investors into the community the city is making it too hard for them to do so. Melton felt that this project on SW Union Street could have been a good thing for our community.

## POLICE CHIEF'S REPORT

Chief Carter reported that the City Police Department will be doing car seat checks again at the Monticellobration.

## CITY ADMINISTRATOR'S REPORT:

City Administrator, Terry Summers had the following items in his report:

- **Monticello Airport**  
City staff has recently met with the County Board Chairman, Randy Keith, representatives from the "ad hoc" committee, the Illini Glider Club, Brad Hamilton (Engineer with Crawford, Murphy & Tilly, Inc.) and Bob Duncan. The intent of these discussions is to gain additional information and present to the City Council at an upcoming Special City Council Meeting to be held in the City Council Chambers at 7:00 p.m. on Wednesday, September 27th, 2017
- **Utility Billing Clerk (formerly Water Billing Secretary)**  
The deadline for applications for the Utility Billing Clerk is September 1, 2017. We have received 10 applications for this position as of noon on Friday, August 25th. We anticipate conducting interviews during the week of September 11, 2017.
- **Nick's Park and Gaby's Gazebo**  
City personnel have completed the concrete sidewalks near the southwest corner of the site and installed the two vertical posts for the future Nick's Park sign. They have also removed all of the memorial pavers; power washed them and reinstalled all of them near Gaby's Gazebo. Tim Hayes will be installing the block and brick base columns around the posts. The Monticello High School shop class, under the direction of Ryan Woodham, will be fabricating the Nick's Park sign to be installed in the very near future. The City of Monticello would like to recognize and thank Mr. Hayes, Mr. Woodham and his high school students and the entire Galbo family for their efforts and assistance with this special piece of a truly great community park. There are very special footprints leading current, as well as future, generations into Gabby's Gazebo. A grand opening ribbon cutting will be scheduled for some time next month.
- **Rotary Club of Monticello**  
The Rotary Club is interested in donating and installing trees on the City property located East of Buchanan Street and south of the Monticello Railway Museum Tracks. This area was purchased by the City several years ago. The existing structures were all removed and a dry detention basin constructed to provide for flood relieve.

A motion was made by Alderman Brock and seconded by Alderman Miller to Adjourn the meeting.

Respectfully Submitted by:

Pamela Harlan