



Monday, May 18, 2020

City of Troy

City Council Meeting

Due to Special Circumstances regarding the spread of the COVID-19 virus, this regularly scheduled City Council Meeting took place at 7:30 pm online/via phone. Executive Order 2020-07 suspended the Open Meetings Act requirement for a physical quorum. (Participation information was included on the agenda posted both online and on City Hall doors.)

A. Call to Order and Pledge of Allegiance

The meeting was held online via Zoom.us and called to order by Mayor Allen Adomite at 7:30 p.m. All present were lead in the pledge of allegiance by Alderman Bonnie Levo.

B. Roll Call in Alphabetical Order

Present: Dan Dawson, Elizabeth Hellrung, Nathan Henderson, Sam Italiano, Debbie Knoll, Bonnie Levo, Tony Manley, and Troy Turner. **Other Officials Present:** Mayor Allen Adomite, City Administrator Doug Partney, City Treasurer David Roady, Building & Zoning Admin. Coordinator Linda Taake, City Attorney Fred Keck, City Engineer Tom Cissell, Chief of Police Brad Parsons, Public Works Director Rob Hancock, and City Clerk Andrea Lambert.

C. Reading and Approval of Minutes

1. *May 04, 2020 City Council Meeting Minutes*

Motion: To Approve May 04, 2020 City Council Minutes as Presented.

Moved by Italiano; **Seconded by** Manley. **Vote:** Motion passed (**summary:** Aye = 8, Nay = 0).

Aye: Dawson, Hellrung, Henderson, Italiano, Knoll, Levo, Manley, and Turner.

D. Communications, to be provided by the City Clerk

Clerk Lambert announced that the Mayor and Council Members had all received thank you notes from Emily Sauget expressing her thanks for the approval and investment in drainage work done at FairOaks. She mentioned the safety it offers and that the contractors involved were exceptional.

E. Citizen Participation - Limited to three (3) minutes per person. – None

F. Mayor's Comments

1. *Approval of Annual Appointments*

The Mayor presented the unchanged May 2020-April 30, 2021 Appointments as follows:

ANNUAL APPOINTMENTS FOR MAY 01, 2020 - APRIL 30, 2021

<u>MAYOR PRO TEM</u>	Nathan Henderson
<u>CITY ATTORNEY</u>	Fred Keck
<u>ASSOCIATE CITY ATTORNEY</u>	Andy Carruthers
<u>CITY ADMINISTRATOR</u>	Doug Partney
<u>DIRECTOR OF PUBLIC WORKS</u>	Rob Hancock
<u>DEPUTY CITY TREASURER</u>	Michele Colligan
<u>DEPUTY CITY CLERK</u>	Heather Klueter
<u>CHIEF OF POLICE</u>	Brad Parsons
<u>ASSISTANT CHIEF OF POLICE</u>	Brent Shownes
<u>CITY ENGINEER</u>	Tom Cissell
<u>FREEDOM OF INFORMATION (FOIA) OFFICER</u>	Andrea Lambert
<u>ASSISTANT FOIA OFFICER</u>	Michelle Schneider
<u>ASSISTANT TO MAYOR LIQUOR COMMISSIONER</u>	Linda Taake
<u>ESDA COORDINATOR</u>	Brent Shownes
<u>ASSISTANT ESDA COORDINATOR</u>	Dave Fults

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TRUSTEE POLICE PENSION

FUND BOARD:

Two serve 2-year terms

- David Roady (2023)
- Heather Sterling (2021)
- Brent Shownes---President
- Chris Wasser---Vice President
- Kevin Woodring---Retired Member

TROY HISTORIC PRESERVATION

COMMISSION:

All serve 3-year terms

- Dave Peverly, Chairman (2021)
- Mae Grapperhaus, Vice (2021)
- Marilyn Sulc(2022)
- Ruth Schmitt (2023)
- Gloria Manz (2023)

PLANNING COMMISSION

- Derek Delgado (Chair)
- Charles Lawrenz (Vice)
- Laura Boeren (Secr.)
- Robert Johnson Jr.
- John Nehrt
- Jack Burnett
- Matt Reiter
- Michael Niermann
- Aaron Adams

ZONING BOARD OF APPEALS:

All serve 5-year terms

- Dan Jackson (Chair) (2023)
- Jami Stone (2023)
- Rob Baker (2025)
- David Allsup (2024)
- Jeff Myers (2024)
- Dwayne Spangler (2021)
- Larry Talbert (2022)

BOARD OF POLICE COMMISSIONERS:

All serve 3-year terms

- Jim Hampton (2022)
- Donald Clark (2021)
- Ryan Metcalf (2023)

Motion: To Approve Annual Appointments as presented.

Moved by Italiano; **Seconded by** Turner. **Vote:** Motion passed (**summary:** Aye = 8, Nay = 0).

Aye: Dawson, Hellrung, Henderson, Italiano, Knoll, Levo, Manley, and Turner.

2. *Approval of Annual Appointments*

The Mayor presented the unchanged Council Committee Assignments for May 2020-April 30, 2021 as follows:

Council Committee Assignments

Administrative & Community Services

- Troy Turner, Chair
- Debbie Knoll, Vice Chair
- Dan Dawson
- Elizabeth Hellrung

Finance & Economic Development

- Nathan Henderson, Chair
- Bonnie Levo, Vice Chair
- Tony Manley
- Sam Italiano

Law Enforcement

- Sam Italiano, Chair
- Tony Manley, Vice Chair
- Bonnie Levo
- Nathan Henderson

Public Works

- Dan Dawson, Chair
- Elizabeth Hellrung, Vice Chair
- Troy Turner
- Debbie Knoll

Motion: To Approve Council Committee Assignments as presented. (A typographical error in this list has been corrected.)

Moved by Italiano; **Seconded by** Manley. **Vote:** Motion passed (**summary:** Aye = 8, Nay = 0).

Aye: Dawson, Hellrung, Henderson, Italiano, Knoll, Levo, Manley, and Turner.

3. *Update on COVID- 19*

Madison County Board of Health met to pass an alternative plan to the Governor’s Executive Orders regarding the Covid-19 pandemic. This competing set of plans immediately received social media response. Mayor Adomite released statements on May 13th and 14th urging citizens to comply with the Governor’s orders and encouraging businesses to reach out to their insurers and attorneys. Troy is a non home-rule municipality deriving its limited authority from State legislature, and none from the County. The City of Troy’s insurer issued a legal statement:

ICRMT members should be aware that claims arising from any such acts or omissions in connection with their decisions to enact, adopt, affirm or actively or implicitly promote a less restrictive reopening plan than that contained in the Governor’s Executive Order then in effect may jeopardize their ICRMT coverage. (Full statements can be found at

Mayor Adomite concluded with the following:

“I, personally, do not fully agree with every provision in the Governor’s Executive Orders. However, I am not willing to break the law, leave the City uninsured, and put at risk all of the tax dollars that support the water, sewer, police protection, and a host of other important and vital services. I urge citizens and businesses to continue consulting their own insurers as they make future decisions about their operations.”

City Attorney Keck said it is not our job to like or dislike the law. It is our job to follow the law. We cannot act willfully and wantonly in opposition to an executive order. The County board does not dictate above the State. As an employer, Troy would be jeopardizing insurance coverage if it acted in opposition of the law.

G. City Administrator and City Attorney Comments

1. City Administrator's Comments

2. Updated Rate Schedule for Republic Services

City Administrator Partney reported that Troy is in the last year of an agreement with Republic Services. On July 1st, there will be a rate increase: trash, recycling, and bulk pickup \$19.82/mo., and senior rate of \$16.71/mo. Yard waste rate will be \$13.49. Troy is nearing the end of our contract. The Mayor suggested researching for providers that offer alternative options for disposing of yard waste.

Alderman Turner and CA Partney would like to see an Administrative and Community Services Committee meeting in June to discuss City Hall phase reopening, and elected official compensation for the next term.

3. City Attorney's Comments - none

H. Consent Agenda

1. Treasurer's Report for April 2020

2. Building & Zoning Report for April 2020

3. Business Registrations for April 2020 - NONE

4. Police Report for April 2020

5. Water and Sewer Report for April 2020

6. Approval of the Consent Agenda as Presented

Motion: To Approve the Consent Agenda as Presented.

Moved by: Henderson; **Seconded by:** Turner. **Vote:** Motion passed (**summary:** Aye = 8, Nay = 0).

Aye: Dawson, Hellrung, Henderson, Italiano, Knoll, Levo, Manley, and Turner.

I. Administrative and Community Services Committee Report

1. Building and Zoning Administrative Coordinator's Report

Building & Zoning's Linda Taake stated that the Planning Commission did not meet in May and is hoping for a regular meeting in June. A potential City Council Workshop with the Planning Commission may be scheduled for June 1st to discuss changes to the Code of Ordinances. A Planning Commission Public Hearing will likely result in a recommendation and Ordinance being presented to the City Council on June 15th for approval. Attorney Keck added the law suggests that we provide an option for in-person participation at a public hearing.

J. Finance and Economic Development Committee Report

1. Bills to be Approved and Paid for the Month of May 2020

Alderman Henderson referred to the Aged Obligation report with expenses totaling: \$600,516.39. (Computer-run checks: \$261,034.00; Manual Checks: \$49,416.81; Payroll \$290,065.58.) (Two reports are presented this meeting for fiscal year end payment purposes.)

Motion: To Approve the Aged Obligation Report & Pay the Bills for the Months of April 2020 as Presented.

Moved by: Henderson; **Seconded by:** Italiano. **Vote:** Motion passed (**summary:** Aye = 8, Nay = 0).

Aye: Dawson, Hellrung, Henderson, Italiano, Knoll, Levo, Manley, and Turner.

Bills to be Approved and Paid from April in May 2020

Alderman Henderson referred to the Aged Obligation report with expenses totaling: \$146,765.16. (Computer-run checks: \$146,765.16; Manual Checks: \$0; Payroll \$0.)

Motion: To Approve the Aged Obligation Report & Pay the Bills from April in May as Presented.

Moved by: Henderson; **Seconded by:** Levo. **Vote:** Motion passed (**summary:** Aye = 8, Nay = 0).

Aye: Dawson, Hellrung, Henderson, Italiano, Knoll, Levo, Manley, and Turner.

2. Results of Finance & Economic Development Meeting – May 18, 2020

Alderman Henderson said Dawn Mushill from the Chamber of Commerce presented her report for businesses anticipating reopening. Also, there was a change to the bike trail which resulted in the following needed approval.

3. *Approval of Modified Engineering Agreement with Oates & Associates for Trail Design (TIF Funds)*

City Engineer Cissell outlined the park-recommended modification to shorten the proposed trail. The design change adds approximately \$46,200 in new engineering costs, an estimated savings of \$266,000 in construction costs, and a net savings of \$220,000 in TIF funds. If approved, an intergovernmental agreement with the park board, some vacation plans, and easement changes will follow. This change will better prepare our TIF fund for the future as we recover from the pandemic.

This change follows probable plans to postpone or cancel the Splashpad project. Alderman Dawson questioned the re-engineering of this trail after engineering the Splashpad twice. Engineer Cissell explained that the Splashpad was conceptually planned in two areas, but only engineered once. Alderman Hellrung asked about any commitment the City would have to extend a trail to the future Splashpad. Mayor Adomite explained that we aren't committed to connect the path. Cissell said the engineering for the unused portion of the trail would still be viable if the land remains the same.

Motion: To Approve the Modified Engineering Agreement with Oates & Associates for Trail Design, as Presented.

Moved by: Henderson; **Seconded by:** Turner. **Vote:** Motion passed (**summary:** Aye = 8, Nay = 0).

Aye: Dawson, Hellrung, Henderson, Italiano, Knoll, Levo, Manley, and Turner.

4. *City Treasurer Report - None*

K. Law Enforcement and Emergency Services Committee Report

1. *Chief of Police's Report*

Alderman Italiano commented that the Police Department is doing a great job. The Mayor agreed and complimented the department on Troy's 100% compliance during this time. He spoke of the trust and respect citizens have for the Department. He added that the Troy PD /citizen relationship started long before the pandemic. Police Chief Parsons attributed the relationship to the quality officers, and staff, and leadership. The Department has been in contact with businesses. He stressed the importance of contacting insurance providers and attorneys. He referred to expected legislation updates in the upcoming days, and will share that information afterwards. He reported that the quarantine period for 3 officers is now complete. Also, Officer Jader has left the SRO position and dept. as expected.

L. Public Works Committee Report

1. *Approval of Capital Expenditure Budgeted Item – Backhoe Trade-In for Mini Excavator*

CA Partney explained that this budgeted expenditure is being brought to the Council for approval following the Mayor's Covid-19 statements. The approximate \$2500 will be divided between street and water funds. Public Works Director Hancock explained that the department has 2 backhoes and find the one mini excavator that they now have much more valuable and versatile piece of equipment. Market comparables were included for reference.

Motion: To Approve the Capital Expenditure Budgeted Item- Backhoe Trade-In for Mini Excavator, as Presented.

Moved by: Dawson; **Seconded by:** Turner. **Vote:** Motion passed (**summary:** Aye = 7, Nay = 1).

Aye: Dawson, Hellrung, Henderson, Knoll, Levo, Manley, and Turner. **Nay:** Italiano.

1. *City Engineer's Report*

Engineer Cissell referred to his report. Corrective work on Market St. and Ash St. has been completed again. It now drains properly. Lerch Properties / Retail Place has come to an agreement on parking calculations. Shadow Woods Subdivision drainage plan comments has been forwarded to the developer. Madison County will hold this public hearing as the subdivision is not in City limits. MCT/ Troy O'Fallon (to Turtle Creek) sidewalk work will begin hopefully June 1st. Cissell reported that the STP grants for Formosa and Bouse were not approved for funding.

2. *Public Works Schedule and Report*

3. *Public Works Director's Report*

Public Works Director Hancock reported the flushing of hydrants in the month of May. He reported West Clay construction is waiting on sign installations and walk through inspections. He reports one area found to be cracking has been corrected and repaved. He expects striping to be completed by the end of the week. Hampton Glen Phase 4 continues. Sewer manholes and mains have all been tested. At Winding Rose subdivision, 400 feet of main were replaced by contractor due to joints leaking under pressure. He reports MFT Notice to Bidders will be available March 21st, and the bid opening to be on June 4th via Zoom.us. Mayor Adomite announced the placement of a bench at the Wedge (Paul Simon Memorial Park) dedicated to former Mayor Caraker as a tribute to his passion to transform that area.

M. Reports of Special Committees (as needed)

N. Ordinances and Resolutions called by the City Clerk, with Citizen Participation

1. Resolution 2020-09 – A Resolution of the City of Troy, Illinois Urging the Governor and Illinois General Assembly to Support the Illinois Municipal League and SouthWestern Illinois Council of Mayors Positions on Covid-19 Reopening

The Mayor explained this resolution as a method of codifying suggestions as well as sharing our City's opinion with the Governor and Illinois General Assembly in terms of reopening our state. He pointed out that we are not suggesting a separate plan from the state. We understand our existence as a non-home-rule municipality that derives our limited authority solely from the state. He reiterated that everyone should comply with the current executive orders.

However, Troy is suggesting a change to the reopening phase terms for Southern Illinois from 28 to 14 days. This would allow for recognition and individualized recovery of each region of Illinois. He also urged the Illinois General Assembly to resume session. Included with the resolution:

- The legal opinion stating that if the municipality should enact a less restrictive opening plan it would jeopardize insurance coverage;
- The Illinois Municipal League / IL Department of Public Health statement requesting phase period modifications, along with a request to maintain regions as depicted on the attached Emergency Medical Services Region map;
- Southwestern Council of Mayors position statement; and
- Madison County's Resolution to Recommend Guidelines for the Responsible Reopening the County.

Alderman Manley commented that he supports this resolution. His research has revealed the Department of Health's approved early release of 3000 convicted felons this past March/April including 64 felons convicted of murder. Now Governor Pritzker is threatening new enforcement to jail productive people (business owners violating the Governor's executive stay-at-home orders) for up to a year. His thought is that the Governor wants to reward convicted felons and harm productive people. He is extremely disappointed in our Governor and cannot support that activity as an Alderman, Citizen, or Law Enforcement Officer.

Motion: To Accept Resolution 2020-09 as Presented.

Moved by: Turner; **Seconded by:** Knoll. **Vote:** Motion passed (**summary:** Aye = 8, Nay = 0).

Aye: Dawson, Hellrung, Henderson, Italiano, Knoll, Levo, Manley, and Turner.

O. Closed Session (as needed)

P. Adjournment, no later than 10:00 p.m.

Motion: To Adjourn the Meeting at 9:33 p.m.

Moved by: Turner; **Seconded by:** Levo. **Vote:** Motion passed (**summary:** Aye = 7, Nay = 1).

Aye: Dawson, Hellrung, Henderson, Knoll, Levo, Manley, and Turner. **Nay:** Italiano.

X

Andrea D. Lambert
City Clerk