

June 5, 2023

AGENDA

A regular meeting of the Wood River City Council was called to order by Mayor Tom Stalcup at 7:00 p.m. on Monday, June 5, 2023, in the Council Chambers at City Hall, 111 N. Wood River Avenue, with the recital of the Pledge of Allegiance. The Clerk called the roll and reported that the following members were:

PRESENT: David Ayres
Bill Dettmers
Jeremy Plank
Scott Tweedy
Tom Stalcup

and that a quorum was present and in attendance.

APPROVAL OF MINUTES:

Councilman Ayres moved to approve the minutes of the regular meeting of May 15, 2023, as printed, seconded by Councilman Tweedy, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

APPROVAL OF MINUTES:

Councilman Dettmers moved to approve the minutes of the special meeting of May 17, 2023, as printed, seconded by Councilman Ayres, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

APPROVAL OF BILLS:

Councilman Dettmers moved for approval of the bills submitted for payment for the period May 12, 2023, to May 31, 2023, as printed, seconded by Councilman Tweedy, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

PRESENTATIONS:

Mayor Stalcup presented Appearance Awards for the month of June to:
Donald Riley 256 Park Lane

Mayor Stalcup presented the Appearance Award for the month of May to:
1929 Pizza & Wine 7 N. Wood River Avenue

CITIZEN/OFFICIAL COMMENTS:

Bill Rodgers stated he is against the appointment of Kristen Burns to the Planning Commission. He stated she is a consultant for the City of Wood River and since her husband is a Police Officer, he feels it would be a conflict of interest. He stated his position on the dispensary has not changed. He stated the City does not need a dispensary.

Dave Landry stated citizens voiced their concerns and made their pleas at the special meeting to keep the cannabis dispensary moving forward. Committee members have worked hard to bring developers and businesses to the City and within two council meetings he feels three councilmembers have brought all of that down, scaring off investors and businesses. Collinsville, Edwardsville, and Alton have made the decision to have cannabis dispensaries. He feels the three councilmembers have knocked the City out of making millions of dollars and are a bad deal for Wood River.

Sonya Hagaman stated another item has been placed on the agenda that is intended to push through a close-minded ideology. Previous administrations have worked tirelessly to create the comfortable environment for small businesses in the City and with one vote, three councilmembers, erased all

June 5, 2023

the progress. She also stated that she had several questions for Mr. Ayres regarding his phone survey and questions the validity of the survey. She also stated that it is ludicrous to try and stop employees and employee's spouses from serving on volunteer advisory boards. The citizens are being let down.

Mary Roberts thanked everyone that was involved in the Memorial Day Service. She stated it was a fitting tribute to men and women who have served and died for our freedom.

Mayor Stalcup thanked Mary Roberts and all others involved in the Memorial Day Service. May 20th was the Wood River Police Department 5K Run with over 100 runners and walkers. It brought the community together and raised funds for the police memorial. Summer Kickoff Event was downtown with 15 food trucks and music entertainment. On May 24th the City of Wood River was awarded the Captain's Award by the Riverbend Growth Association. Wood River was chosen for their growth and economic development within the Riverbend area. He thanked the City of Wood River employees for all their efforts to grow the prosperity of our City. On May 29th the Memorial Day Service was held which brought a number of citizens to honor our military heroes who gave their lives to protect our country. On June 3rd the Annual Youth League Parade took place downtown. Congratulations to Kristen Burns for being chosen by the Masonic Lodge as Volunteer of the Year on June 4th. The Annual Bike Ramble will be at Central Park starting at 7:00 p.m. on June 9th.

City Manager Steve Palen discussed the Equalized Assessed Valuation (EAV) and reported that this is the highest it has ever been. He then further explained the impact of the higher EAV and the corresponding reduction in the tax rate which is the lowest it has been in decades.

Councilman Ayres commended the Wood River Police Department for being third in Madison County for raising revenues from traffic violations and DUI's.

ORDINANCE NO. 23-14: AMENDING THE CITY CODE 90-7, TITLE III: ADMINISTRATION, CHAPTER 32: CITY COUNCIL, SECTION 32.22 MANNER OF ADDRESSING COUNCIL; TIME LIMIT, INCREASING THE TIME LIMIT FOR CITIZEN COMMENTS FROM THREE MINUTES TO FIVE MINUTES:

Councilman Dettmers moved to approve an ordinance amending the City Code 90-7, Title III: Administration, Chapter 32: City Council, Section 32.22 Manner of Addressing Council; Time Limit, increasing the time limit for citizen comments from three minutes to five minutes, seconded by Councilman Ayres.

Mayor Stalcup stated the City has followed the state recommended time limit for years. He feels changing the time limit to five minutes will hinder and elongate the council meetings.

The ordinance was approved by the following vote:

AYES: Ayres, Dettmers, Plank, (3)
NAYS: Tweedy, Stalcup (2)

ORDINANCE NO. 2856: AUTHORIZING A SUBRECIPIENT AGREEMENT WITH MADISON COUNTY FOR A PARK ENHANCEMENT PROGRAM GRANT IN THE AMOUNT OF \$52,320.00 FOR PARTIAL REPAYMENT OF PEP LOAN, PURCHASE OF RECREATION SOFTWARE, AND LAKE AERATORS:

Councilman Tweedy moved to approve an ordinance authorizing a Subrecipient Agreement with Madison County for a Park Enhancement Program grant in the amount of \$52,320.00 for partial repayment of PEP loan, purchase of recreation software, and lake aerators as submitted by the Director of Parks & Recreation, seconded by Councilman Ayres, and approved by the following vote:

AYES: Ayres, Dettmers, Tweedy, Stalcup (4)
NAYS: None (0)
ABSTAIN: Plank (1)

June 5, 2023

ORDINANCE NO. 2857: AUTHORIZING EXECUTION OF THE SECOND AMENDMENT TO AGREEMENT NO. 1072 WATER PURCHASE CONTRACT WITH THE NORTHEAST CENTRAL COUNTY PUBLIC WATER DISTRICT:

Councilman Tweedy moved for approval of a resolution authorizing execution of the Second Amendment to Agreement No. 1072 Water Purchase Contract with the Northeast Central County Public Water District, as submitted by the City Manager, seconded by Councilman Dettmers, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

ORDINANCE NO. 2858: AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH 4MOST SPORT GROUP FOR THE EMERICK SPORTS COMPLEX BASEBALL FIELD PROJECT:

Councilman Ayres moved for approval of an ordinance authorizing the Mayor to execute a Professional Services Agreement with 4Most Sport Group for the Emerick Sports Complex Baseball Field Project, as submitted by the Director of Parks & Recreation, seconded by Councilman Tweedy.

Councilman Dettmers noticed the cost was between \$12,000-\$15,000 and questioned when a bid should be considered for these types of services.

City Manager Steve Palen stated it is considered Professional Services and therefore no bidding is required. They will put together the plan and specifications for the project.

The ordinance was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

TABLED: ORDINANCE AUTHORIZING THE CITY TO ACCEPT DONATED PROPERTY LOCATED AT PARCEL ID 19-2-08-28-08-205-011, COMMONLY KNOWN AS 2 E. FERGUSON, WOOD RIVER, ILLINOIS 62095 FROM WOOD RIVER REVIVAL LLC:

Councilman Tweedy moved for approval of an ordinance authorizing the City to accept donated property located at Parcel ID 19-2-08-28-08-205-011, commonly known as 2 E. Ferguson, Wood River, Illinois 62095 from Wood River Revival LLC, seconded by Mayor Stalcup.

Councilman Ayres asked for clarification as to why the owner is giving the property back to the City.

City Manager Steve Palen stated the cost of the redevelopment of the property is more than the owner anticipated and the owner is not willing to pay what it would cost to renovate the property. The City's intention would be to tear down the building and put in a common area.

Councilman Dettmers asked if there were any plans received prior to the City selling the property.

City Manager Palen stated there was a response to the Request for Proposal on what the plan was for the property.

Discussion ensued on the development or demolition of the property.

Councilman Dettmers made a motion to table the approval of the ordinance authorizing the City to accept donated property located at Parcel ID 19-2-08-28-08-205-011, commonly known as 2 E. Ferguson, Wood River, Illinois 62095 from Wood River Revival LLC, seconded by Councilman Plank.

Councilman Plank asked what it would cost for the demolition of the building.

City Manager Steve Palen stated the estimate was \$75,000.00.

Police Chief Brad Wells stated this property was placed as part of a \$300,000.00 grant.

June 5, 2023

Discussion ensued with the State approving the \$300,000.00 grant and its allocations.

City Manager Steve Palen stated the plan is to have the cost to demolish come out of the \$300,000 grant from the State.

The ordinance was tabled by the following vote:

AYES: Ayres, Dettmers, Plank (3)

NAYS: Tweedy, Stalcup (2)

RESOLUTION NO. 2013: TO APPLY FOR THE FY23 LAW ENFORCEMENT CAMERA GRANT:

Councilman Tweedy moved for approval of a resolution to apply for the FY23 Law Enforcement Camera Grant, as submitted by the Police Chief, seconded by Councilman Ayres, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)

NAYS: None (0)

TABLED: RESOLUTION APPROVING A TIF INDUCEMENT FOR REDEVELOPMENT OF CERTAIN PROPERTY BEING CONSIDERED FOR A TAX INCREMENT REDEVELOPMENT PROJECT AREA:

Councilman Ayres moved for approval of a resolution approving a TIF Inducement for redevelopment of certain property being considered for a tax increment redevelopment project area, seconded by Councilman Tweedy.

Councilman Dettmers stated he and Councilman Ayres spoke to the developer and the contractor regarding the properties at 1 & 87 E. Ferguson Avenue. Councilman Dettmers said the contractor is going to be spending more money rehabilitating the buildings than what they are going to be worth; therefore, the contractor will need TIF money upfront for it to be feasible. The problem is the TIF money needs to be accelerated and that puts the City in a precarious position as there is a lot of risk associated with that. For 1 E. Ferguson, the concern is property tax, and it doesn't look like there would be any anticipated sales tax revenue on top of the property tax. For 87 E. Ferguson, there is talk of some different types of businesses coming in there but there is nothing in concrete and no commitments and there is a hole in the roof. It's going to take almost half of the TIF money for these repairs. He asked the developer/contractor to consider a claw back provision that if they were to sell the property that the City would recover their TIF money, and they said no. He then stated he asked the developer/contractor for a written business plan that would include the development of the downtown area so that the City can see what the anticipated revenues would be from other businesses that are anticipating coming into town. He asked the contractor to give the business plan to Chris Sobrino to be analyzed before we move forward on this.

Councilman Dettmers made the motion to table the approval of a resolution approving a TIF Inducement for redevelopment of certain property being considered for a tax increment redevelopment project area, seconded by Councilman Ayres, and tabled by the following vote:

AYES: Ayres, Dettmers, Plank (3)

NAYS: Tweedy, Stalcup (2)

RESOLUTION NO: THAT NO OCCUPANCY PERMIT FOR ANY MARIJUANA DISPENSARY SHALL BE GRANTED UNTIL CERTIFICATION OF BINDING REFERENDUM OF WOOD RIVER VOTERS:

Councilman Plank moved for approval of a resolution that no occupancy permit for any marijuana dispensary shall be granted until certification of binding referendum of Wood River voters, seconded by Councilman Dettmers.

Mayor Stalcup asked City Attorney Rene Bassett Butler for her legal opinion regarding the procedure for carrying out the referendum.

The City Attorney stated she feels that not issuing an occupancy permit in the City of Wood River under a permitted use in that District would not be easily defensible in a court of law. To do away with dispensaries within the City would require a change in the Zoning Code. There is not a legal foundation for not issuing an occupancy permit under the Zoning Code's permitted uses.

June 5, 2023

Mayor Stalcup stated the process would be to go through the Planning Commission and then the Planning Commission would provide a recommendation to the City Council.

Discussion ensued on the correct process that should be taken through the Planning Commission.

Councilman Dettmers asked when the next Planning Commission meeting would be held and what the deadline for that meeting would have been.

City Clerk Danielle Sneed stated the next meeting for the Planning Commission is June 15, 2023, and the deadline for applications was May 25, 2023. The meeting in July is July 20, 2023, and the last day to accept applications is June 29, 2023.

Discussion ensued on the possibility of calling a special meeting of the Planning Commission.

Councilman Dettmers moved to amend the motion to recommend to the Planning Commission to not allow marijuana dispensaries until the referendum is complete, seconded by Councilman Plank. The City Attorney noted that the first vote must be with regard to allowing the amendment of the pending motion.

The amendment was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Stalcup (4)
NAYS: Tweedy (1)

APPROVED: AMENDED RESOLUTION: TO RECOMMEND TO THE PLANNING COMMISSION TO NOT ALLOW MARIJUANA DISPENSARIES UNTIL THE REFERENDUM IS COMPLETE:

Councilman Plank previously moved for approval, which was seconded by Councilman Dettmers, and the Resolution, with the amendment, was approved by the following vote:

AYES: Ayres, Dettmers, Plank, Stalcup (4)
NAYS: Tweedy (1)

APPROVED: REQUEST TO SEEK BIDS FOR THE STATE STREET PHASE II WATER MAIN IMPROVEMENTS FROM ELBLE TO HALLER:

Councilman Ayres moved to approve a request to seek bids for the State Street Phase II Water Main Improvements from Elble to Haller, as submitted by the City Manager, seconded by Councilman Tweedy, and approved by the following vote:

AYES: Ayres, Dettmers, Plank, Tweedy, Stalcup (5)
NAYS: None (0)

OLD BUSINESS:

TABLED: APPROVAL OF A RECOMMENDATION FROM MAYOR STALCUP TO APPOINT THE FOLLOWING INDIVIDUALS TO THE PLANNING COMMISSION:

Councilman Tweedy moved to approve a recommendation from Mayor Stalcup to appoint the following individuals to the Planning Commission, seconded by Mayor Stalcup.

PLANNING COMMISSION (5 years)

| | <u>Term Expires</u> | |
|--|---------------------|--------------------------------------|
| Sara Hall, 212 Shawnee | Re-appointment | May 2028 |
| Sheila Angel, 336 E. Edwardsville Rd. | Re-appointment | May 2028 |
| Shelly Fitzgerald, 270 10 th Street | Re-appointment | May 2028 |
| Kristen Burns, 1005 Cedar | New appointment | May 2024 (Replacing Terri Walker) |

Chairman: Jesse Daniels
Ex-Officio: Councilman Bill Dettmers

Councilman Ayres requested to table recommendation from Mayor Stalcup to appoint the following individuals to the Planning Commission, seconded by Councilman Dettmers.

June 5, 2023

Councilman Dettmers stated he would like more discussion regarding the number of individuals on the committees, the timeframe that volunteers can serve, how many committees each volunteer can be a part of and limiting the number of employees and their family members volunteering on the committees.

Mayor Stalcup and Councilman Tweedy voiced their concerns in lowering the number of committee members and limiting the timeframe for the volunteers.

The recommendation was tabled by the following vote:

AYES: Ayres, Dettmers, Plank (3)
NAYS: Tweedy, Stalcup (2)

NEW BUSINESS:


Councilman Plank requested that an ordinance be added to the next agenda for a purchasing threshold. A \$5,000 threshold for approval from City Council and \$25,000 threshold for bidding contracts including professional services.

Councilman Dettmers requested that ordinances be put in place for Open Meetings Act Training to be completed annually by all Board and Commission members and requested ethics training for all employees.

City Manager Steve Palen asked Tony from Gonzalez to make a presentation to the Council regarding the 9th Street Detention Pond.

Tony spoke to the Council regarding the expansion of the 6th Street Detention Pond and the 9th Street Detention Pond. The purpose of detention ponds would be to lower the flood plain elevation therefore removing housing from the flood plain.

ADJOURNMENT: There being no further business to come before the Council, the meeting was adjourned at 8:25 p.m.



Mayor



City Clerk