

The City Council met in Regular Session in Council Chambers. Mayor Stadsholt called the meeting to order at 7:00 p.m. City Clerk, Jesse Hall called the roll and the following Alderpersons answered to their names: Portia Brown, Bob Cooper, Dan Griffin, Ed Ray, James Stroh, Becky Chaney, Ross McDowell and Nick Urish.

A quorum was present. The minutes were recorded by City Clerk, Jesse Hall.

The pledge of Allegiance to the Flag of the United States of America was repeated by all City Officials and guests.

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**PUBLIC COMMENT #1**

**DISCUSSION:** Damon Brown, a citizen of Havana, addressed the council about adopting an ordinance that would allow golf carts and side-by-sides on city streets. Damon Brown speaking for supporters of the measure, presented the City Council with a petition carrying more than 300 signatures who were also in favor. Brown, argued the carts and side-by-sides would be used by people to get to the shopping districts downtown, which would increase foot traffic for shops and restaurants. Brown stated an ordinance could require a city inspection and annual sticker, which would produce revenue for the city. All vehicles would have to be street legal, with horns, lights, turn signals and seatbelts. Brown said some safety issues could be addressed if the city restricted operation of the vehicles to people over 21 and use of the vehicles was restricted to certain hours.

**ACTION TAKEN:** None

**DISCUSSION:** Resident Chris Rilea told the council the vehicles could benefit shops in the city that would sell and service them. He said the Havana Park District could make money by renting out carts and side-by-sides.

**ACTION TAKEN:** None

**DISCUSSION:** Danny Richards the owner of Patriotic Americana On The River, encouraged the City Council to approve an ordinance on the golf carts and side-by-sides.

**ACTION TAKEN:** None

**DISCUSSION:** Resident Dan Richards said the carts are common among the small cities he has visited along the river, and suggested golf cart lanes could be designated on certain streets. He claimed they would promote tourism, growth and be environmentally beneficial as the carts can be electric.

**ACTION TAKEN:** None

**DISCUSSION:** Zoe Rilea said she was a teenager and thought operation of the vehicles by teens could be restricted to periods already covered by curfews.

**ACTION TAKEN:** None

**DISCUSSION:** Resident John Lorek stated that they are going to be having a prom for individuals with disabilities on September 17, 2021. Guests, vans, and school buses are asked to park behind the New Central Elementary School on High Street anytime from 4:30 pm - 5:30 pm. We have some Illinois State Troopers, Local Law Enforcement officers, and some new car dealers that will be escorting our guests down Main Street Havana then back up Jefferson Street for the Red Carpet Entrance. Once arriving, the guests will get a crown or a tiara to wear inside. The inside of the Havana Park District Gym will be transformed into "An Evening in Paris" theme for all to enjoy that evening. We will be serving spaghetti, salad, and bottled water to our guests from 5:30 pm - 7:00 pm. Local Havana Residents will be baking Cupcakes for our guests for dessert.

**ACTION TAKEN:** None

**DISCUSSION:** Mac Swan, a Havana citizen, stated that the city wasn't following the law when it extended TIF financing project. Swan said the city passed ordinance 1441 extending its expected completion of a TIF financing project to December 31, 2022; without calling for a meeting of a JRB, without providing public notice, or without holding a public hearing. Swan explained the council was in error to pass the ordinance without a public hearing and without talking with the people from other taxing bodies, such as the Havana Park District,

that were impacted by the city's decision. Swan said the park district had to lay off employees while waiting for the city's TIF to end. The 35 year plan is slated to end in 2021 but impacts tax bills paid in 2022. He also said the city had never called for meetings of impacted taxing bodies in 2018, 2019 and 2020.

**ACTION TAKEN:** None

**APPROVAL OF MINUTES:**

**DISCUSSION:** Mayor Stadsholt asked if there were any questions or corrections to the Special Meeting minutes of June 29, 2021.

**ACTION TAKEN:** There being none, the minutes will stand as approved and submitted.

**DISCUSSION:** Mayor Stadsholt asked if there were any questions or corrections to the Regular Council Meeting minutes of July 6, 2021.

**ACTION TAKEN:** There being none, the minutes will stand as approved and submitted.

**FINANCE REPORT**

**DISCUSSION:** Mayor Stadsholt entertained a motion to approve the Finance Report as submitted. Alderperson Stroh made the motion, seconded by Alderperson Ray.

**ACTION TAKEN:** Mayor Stadsholt asked if there were any questions or corrections to the Finance Report. There being none, the motion passed by the following vote:

Voting Yes: Brown, Cooper, Griffin, Ray, Stroh, Chaney, McDowell and Urish

Voting No: None

**MAYOR'S REPORT**

**DISCUSSION:** Mayor Stadsholt reported on the following items:

Jacob and Klein Attorney at Law

- Section 65 ILCS 5/11-74.4-3.5(c)"provides that: *"the estimated date of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11- 74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35<sup>th</sup> calendar year after the year in which the ordinance approving the redevelopment project area was adopted:*

*(4)if the ordinance was adopted **before January 1, 1987** by a municipality*

*in*

**Mason County'**

The Havana TIF District was established in 1986, which is prior to January 1, 1987. The City of Havana is located in Mason County. Therefore, pursuant to the section of the act cited above, the final year the City shall receive tax increment receipts shall be in year 2022 which is the 35<sup>th</sup> year following the year in which the City established the TIF District.

Furthermore, pursuant to 11-74.4-3(n)(J)(3), a municipality may: *"by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted **without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area** (emphasis added)."*

This means that a municipality may amend its plan to conform to the estimated dates of completion limits set forth in the act without convening a joint review board and holding a public hearing. It can be done merely by the municipality

adopting an ordinance. The City was in compliance with the TIF Act by extending its estimated date of completion for TIF Projects to December 31, 2022 without providing for a meeting of the Joint Review Board, providing public notice, or holding a public hearing.

Section 11-74.4-5(c) of the TIF Act provides that a municipality may amend its plan. However only those changes which: (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan, or (6) increase the number of inhabited residential to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10, shall be made only after the municipality gives notice, convenes a joint review board, and conducts a public hearing pursuant to the procedures set forth in Section 11-74.4-5 and 11-74.4-6 of the Act. Changes which do not amend the plan to include any those 6 enumerated items do NOT require public notice, a meeting of the joint review board, or a public hearing.

Ordinance 1451, which was approved by the City Council did not (1) add additional parcels of property to the proposed redevelopment project area, (2) substantially affect the general land uses proposed in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan, or (6) increase the number of inhabited residential to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10, therefore, the City was not required to provide notice, convene a joint review board or hold a public hearing before its adoption.

Furthermore, Ordinance No. 1451 was included on the agenda for the regular City Council meeting scheduled for May 18, 2021. There was a quorum of the City council present who voted on the ordinance, and majority of that quorum voted to approve the ordinance. Therefore, there was no violation of the open meetings act.

With regard to the annual joint review board meeting, pursuant to Section 74.4-5(e), the joint review board shall "meet annually 180 days after the close of the municipal fiscal year or *as soon as the redevelopment project audit for that fiscal year becomes available* to review the effectiveness and status of the redevelopment project area up to that date". The FY 2019 annual report was completed in January of 2021, and the City plans to hold this joint review board meeting shortly.

- We had a request by the Mason County Hospital to sponsor the Polka Pace Race and Polka Dot Fun Run in the amount of \$100. We will have it on the agenda at the next council meeting.
- Also we will have on the agenda at the next council meeting under finance and purchasing FY 2021-2022 WIRC membership fee in the amount of \$1,980.60.

- WIRC is in the process of finishing the CDBG grant for the North West end target area. They have completed 3 projects and they have 7 left.

**ACTION TAKEN:** None

**DISCUSSION:** Mayor Stadsholt entertained a motion to accept the appointment of Matt Fliege as Fire Marshal/Zoning Officer. A motion was made by Alderperson McDowell and seconded by Alderperson Ray.

**ACTION TAKEN:** Mayor Stadsholt asked if there were any questions. There being none, the motion passed with the following vote:

Voting Yes: McDowell, Urish, Brown, Cooper, Ray, Stroh and Chaney

Voting No: None

Abstained: Griffin

#### **CITY CLERK'S REPORT**

**DISCUSSION:** No report

**ACTION TAKEN:** None

#### **CITY TREASURER'S REPORT**

**DISCUSSION:** No report

**ACTION TAKEN:** None

#### **CITY ATTORNEY'S REPORT**

**DISCUSSION:** No report

**ACTION TAKEN:** None

#### **ECONOMIC DEVELOPMENT REPORT**

**DISCUSSION:** Economic Development Coordinator Brenda Davenport-Fornoff reported on the following items:

- The Chamber of Commerce will be having their 18<sup>th</sup> annual car show August 14, 2021.
- Havana History Day will be Saturday, August 14 from 10 a.m. to 2 p.m. at the City Center. Six people are going to be setting up their memorabilia.
- The Third Tuesday Coffee for July was held earlier today and was very informative.

#### **PUBLIC WORKS REPORT**

**DISCUSSION:** Public Works Director Jewel Bucy, reported on the following items:

- Our MFT bid letting was held last Monday, July 12, 2021, at 10:00 a.m. IRC received the bid and it is on the agenda tonight.
- The last two weekends we have had lift stations plug up.
- I have taken two lift station pumps to Peoria to be rebuilt, so we can have some standbys.
- Last weekend I had two guys work 6 ½ hours Sunday on the chlorine injector at the Water Plant.
- We are pouring 6 yards of concrete tomorrow.
- Economic Development Coordinator, Brenda Davenport-Fornoff is going to help me put up downtown street signs Thursday.
- I did call Farnsworth and told them to check out the crack out front of City Hall.
- Mike Kane is doing a great job on the wall.
- Rick Noble has half the south facing wall finished and it looks really good.
- The guys have been mosquito fogging.
- We have been very busy mowing.
- Alderperson Urish asked Jewel about the water tower. Jewel stated he has not pursued that do to everything that is going on but he said we will be addressing that.
- Alderperson Cooper asked Jewel if he had any news on the truck. Jewel said that he asked Chad last month and it is still going to be July or August.

**ACTION TAKEN:** None

#### **POLICE CHIEF REPORT**

**DISCUSSION:** No report

**ACTION TAKEN:** None

**FIRE MARSHAL/ZONING OFFICER REPORT**

**DISCUSSION:** Fire Marshal, John Kachanuk reported on the following:

- If you haven't been up at the north end of the old do right laundry, the new owners have the property cleaned up well.

**ACTION TAKEN:** None

**FARNSWORTH ENGINEERING GROUP REPORT**

**DISCUSSION:** No report

**ACTION TAKEN:** None

**FINANCE AND PURCHASING**

**DISCUSSION:** No report

**ACTION TAKEN:** None

**HEALTH AND SANITATION**

**DISCUSSION:** No report

**ACTION TAKEN:** None

**LICENSES, ORDINANCE AND LEGAL**

**DISCUSSION:** Alderperson Ray stated that Alderperson Griffin gave him information on the golf carts and Side-by-sides and we are going to look at some things for the ordinance. I met with Chief Hindahl and Code Enforcer Officer, Jewel Ishmael about rearranging some things to give her more authority.

**ACTION TAKEN:** None

**PERSONNEL**

**DISCUSSION:** No report

**ACTION TAKEN:** None

**PLANNING**

**DISCUSSION:** No report

**ACTION TAKEN:** None

**PROPERTY AND ZONING**

**DISCUSSION:** Alderperson Chaney made a motion to approve a joint agreement with Havana National Bank to pave and repave the lots owned by the bank and by the city located next to the Riverside Club, seconded by Alderperson McDowell.

**ACTION TAKEN:** Mayor Stadsholt asked if there were any questions. There being none, the motion passed with the following vote:

Voting Yes: Griffin, Ray, Stroh, Chaney, McDowell, Urish, Brown and Cooper

Voting No: None

**DISCUSSION:** Alderperson Chaney made a motion to approve a building permit for the Mason County 911 board to erect a 125 foot emergency communications tower, seconded by Alderperson McDowell.

**ACTION TAKEN:** Mayor Stadsholt asked if there were any questions. There being none, the motion passed with the following vote:

Voting Yes: Chaney, McDowell, Urish, Brown, Cooper, Griffin, Ray and Stroh

Voting No: None

**PUBLIC SAFETY**

**DISCUSSION:** Alderperson Chaney made a motion to approve a request by John Lorek to use the city streets for prom for individuals with disabilities on September 17, 2021 at 4:30pm, seconded by Alderperson Griffin.

**ACTION TAKEN:** Mayor Stadsholt asked if there were any questions. There being none, the motion passed with the following vote:

Voting Yes: Ray, Stroh, Chaney, McDowell, Urish, Brown and Griffin

Voting No: None

**PUBLIC WORKS**

**DISCUSSION** Alderperson Brown made a motion to approve the bid from IRC for the 2021 MFT project for \$119,320.30, seconded by Alderperson Chaney.

**ACTION TAKEN:** Mayor Stadsholt asked if there were any questions. There being none, the motion passed with the following vote:

Voting Yes: Urish, Brown, Cooper, Griffin, Ray, Stroh, Chaney and McDowell

Voting No: None

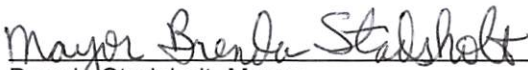
**PUBLIC COMMENT #2**

**DISCUSSION:** None

**ACTION TAKEN:** None

**DISCUSSION:** Mayor Stadsholt entertained a motion to adjourn the meeting. The motion was made by Alderperson McDowell, and seconded by Alderperson Chaney.

**ACTION TAKEN:** The meeting was adjourned at 7:59 p.m.

  
Brenda Stadsholt, Mayor

  
Jesse Hall / City Clerk

**Guests:** Brenda Davenport-Fornoff  
Jeremiah Hindahl  
John Kachanuk  
Jennifer Hindahl  
Gavin Maliska  
Alex Noble  
Dan Richards  
Mac Swan  
Chris Rilea  
Larry Smith  
Dan Richards  
Lori Fornoff  
Zoe Rilea  
Damon Brown  
Jewel Bucy