

**CITY OF KANKAKEE  
CITY COUNCIL MEETING  
SUMMARY OF MINUTES  
TUESDAY, SEPTEMBER 3RD, 2019  
7:00 P.M.**

*(Please Note: Alderman Carl Brown will chair the meeting as Mayor Pro Tem in the absence of Mayor Wells-Armstrong)*

**MAYOR PRO TEM:**

I would like to call the meeting to order. We will start with a prayer by Reverend Santos Castillo from St. John Paul II and go on to the pledge of allegiance by the Youth from St. John Paul II.

**PUBLIC COMMENTS**

**ROSE BAILEY:**

I am a teacher at Steuben Elementary School District 111. I am here representing Steuben regarding a Petition to add an honorary street sign in the name of Mr. Craig Blake to the 500 block of South Wildwood Avenue directly in front of Steuben school. We gather signatures far and wide collecting 400 signatures from those that knew and loved Mr. Blake, including signatures from neighbors in the 500 and 600 blocks. He passed away on April 15<sup>th</sup>, 2019...for 40 years he was a constant... in addition to his life as a teacher, he reached even more students as a Coach KSD 111. I was blessed to witness his spirit of team work, his willingness to help in and out of school, the love for his students and his coworkers. Every neighbor knew who I was talking about...An honorary street sign to honor his name, share his legacy and love for community...He left his mark on Kankakee, the school district and Steuben in particularly. Thank you for considering approval.

**MAYOR PRO TEM:**

This is already under consideration. Thank you.

**TIM NEHLS:**

I am here for a follow up on the River Stone Parkway drainage issue.

**RUTHANNA LOPEZ:**

I am here to thank the Kankakee Police Department and the Sheriff's Department for their presence in the community.

**BETH ROCKET:**

I am the Board Chair Outreach...here regarding the extension of the Conditional Use Permit for Immanuel Baptist Church. As a Shelter, we were able to assist seven regular shelter guests, two of which now have full time jobs. We have launched a Transitional Housing Program

We are teaching them how to budget...clean house, grocery shop and obtain a job. One of those four are about to get hired... Fortitude Smile, partnered with a local Dentist. We have taken over...Treasures in Bradley...teaching job skills...secure fulltime work...Thank you.

**MAYOR PRO TEM:** Thank you. Moving on to Roll Call...

**CLERK DUMAS:** **PRESENT:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall  
**ABSENT:** Prude  
(13) Present (1) Absent

**MAYOR PRO TEM:** Thank you. Department Heads.

**CLERK DUMAS:** **PRESENT:** Kosman, Schuldt, Kubal, McGrath, Dear, Piggush, Bertrand, Schmitz, Hoffman, Ellexson, Koehler, Brewer-Watson. Thank you.

### **MINUTES**

**MAYOR PRO TEM:** The Special City Council Meeting Minutes for Wednesday, August 14, 2019...

**ALDERMAN SWANSON:** Excuse me Carl, our mics are not working. I don't know if it will make a difference...

**MAYOR PRO TEM:** Yes, it will make a difference. Okay thank you Alderman. The Special City Council Meeting Minutes for Wednesday, August 14, 2019 and the City Council Meeting Minutes for Monday, August 19th, 2019, will be provided at a later date. Moving on to Petitions.

### **PETITIONS**

**ITEM 7A:** Motion to Continue the Conditional Use Permit for Immanuel Baptist Church to Operate a Temporary Emergency Shelter at 1300 West Hawkins Street Per the Terms of Ordinance Number 2019-03.

**MIKE HOFFMAN:** Earlier this year we amended the ordinance allowing temporary shelters and required a Conditional Use Permit in a residential area. Immanuel Baptist requested a Conditional Use Permit for in a residential area that was approved. We came back to see how it was operating and

to see how they were doing. Everything is going really well and there were no problems. Alderman Tall met with some of them earlier, so we are recommending that the Conditional to Use the Permit be continued for another year and let them continue to operate their shelter.

**MAYOR PRO TEM:** Thank you...Alderman Tall do you have any comments?

**ALD TALL:** No.

**MAYOR PRO TEM:** May I have a motion to approve the continued Conditional Use Permit at 1300 West Hawkins?

**ALD FAFORD:** So move.

**ALD SWANSON:** Second.

**MAYOR PRO TEM:** Motioned by Alderman Faford and Seconded by Alderwoman Swanson. Any questions?

**ALD O'BRIEN:** Are there any changes to this ordinance or is it the same as we approved 6 months ago?

**ALD TALL:** The ordinance is the same. One of the conditions...if there is any other amendments to be made that will have to come back to the Planning Committee then back to the General Council ...same ordinance, same as it was last year.

**MIKE HOFFMAN:** That is absolutely correct.

**MAYOR PRO TEM:** Okay, Roll Call vote...

**CLERK DUMAS:** **AYES:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall,  
**ABSENT:** Prude  
(13) Ayes (0) Nays (1) Absent

**MAYOR PRO TEM:** Motion passes. Moving on to Item 7B.

**ITEM 7B:** PB2019-7-1 Ordinance Approving A Zoning Map Amendment from R-1 to C-2 for the Property at 500 West Court Street (Amita Health St. Mary's) in the City of Kankakee, Illinois (Planning Board Minutes Will Be Distributed Separately).

**MIKE HOFFMAN:** When Amita took over the hospital they wanted to change their signs to reflect their branding and image. When we took a look at it, most of that campus was zoned R1; hospitals are not permitted. Secondly, they couldn't do the signs they would normally do. The obvious answer to me was to rezone it as Commercial so they could do the signs they want to do. We worked with them and they agreed to apply for a Rezoning. There was a Public Hearing on August 20<sup>th</sup> and the Board recommended approval and we are recommending approval here too.  
*(1<sup>st</sup> & 2<sup>nd</sup> Reading).*

**MAYOR PRO TEM:** May I have a motion to suspend the rules that interfere with the passing of the ordinance?

**ALD TALL:** I make a motion to accept the recommendation.

**ALD LEWIS:** Second.

**MAYOR PRO TEM:** Motioned by Alderman Tall and Seconded by Alderwoman Lewis. Any questions? This motion is to suspend the rules, okay? Roll Call...

**CLERK DUMAS:** **AYES:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall  
**ABSENT:** Prude  
(13) Ayes (0) Nays (1) Absent

**MAYOR PRO TEM:** Motion passes. May I have a motion to place the ordinance on final passage?

**ALD TALL:** So move.

**ALD LEWIS:** Second.

**MAYOR PRO TEM:** Motioned by Alderman Tall and Seconded by Alderwoman Lewis. Any questions? Roll Call...

**CLERK DUMAS:** **AYES:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall,  
**ABSENT:** Prude  
(13) Ayes (0) Nays (1) Absent

**MAYOR PRO TEM:** Motion carries. Moving on to Item 7C

**ITEM 7C:** PB2019-4-3 Ordinance Authorizing an Amendment to the City Zoning Ordinance Regarding Solar Energy Systems (*1<sup>st</sup> & 2<sup>nd</sup> Reading*).

**MIKE HOFFMAN:** As you recall, last year we had a rush of applications for Community Solar Gardens and our ordinance didn't really address that. We treated them as Conditional Uses and we had nothing in place to regulate that. This amendment to the Ordinance actually accommodates those type of uses and outlines rules & regulations, know what to expect and the process. It also allows existing business and industries to have solar panels instead of going through the Conditional Use Process. Finally, it also small provisions for small... they are all popular these days and a more modern code is business friendly. We will be able to address thing in our Ordinance and this meme will do that

**MAYOR PRO TEM:** Thank you Mike. Alderman Tall, any comments?

**ALD TALL:** No.

**MAYOR PRO TEM:** Any comments from you?

**UNKNOWN:** The Planning Committee supported this Ordinance, the need for renewable resource energy, meet the concerns of the neighborhood and a facility that may be proposed...

**MAYOR PRO TEM:** May I have a motion to suspend the rules that interfere with the passing of the ordinance?

**ALD SWANSON:** So move.

**ALD TALL:** Second.

**MAYOR PRO TEM:** Motioned by Alderwoman Swanson and Seconded by Alderman Tall. Roll Call...

**CLERK DUMAS:** **AYES:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall,  
**ABSENT:** Prude  
(13) Ayes (0) Nays (1) Absent

**MAYOR PRO TEM:** Motion carries. May I have a motion to place the ordinance on final passage?

**ALD SWANSON:** So move.

**ALD TALL:** Second.

**MAYOR PRO TEM:** Motioned by Alderwoman Swanson and Seconded by Alderman Tall. Any questions? Roll Call...

**CLERK DUMAS:** **AYES:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall,  
**ABSENT:** Prude  
(13) Ayes (0) Nays (1) Absent

**MAYOR PRO TEM:** Motion passes. Moving on to Communications. I would like to combine Item 8A through Item 8E.

**COMMUNICATIONS**

**ITEM 8A:** Kankakee Eastside Junior Football League is requesting permission to host their Annual "Homecoming Parade" on Saturday, September 28, 2019 beginning at 10:00 A.M.

**ITEM 8B:** One Direction Forward, Inc. is requesting a Noise Permit for Martin Luther King Jr. Park, to host an "Empowerment of Hope" on Sunday September 8, 2019, Sunday, September 15, 2019, Sunday, September 22, 2019 and Sunday, September 29, 2019 from 4:30 P.M. until 6:30 P.M.

**ITEM 8C:** Knights of Columbus Council 745 is requesting permission to host their Annual "Tootsie Roll Drive" Tag Day on Saturday, September 21, 2019

**ITEM 8D:** Kiwanis Club of Kankakee is requesting permission to Host their Annual "Peanut Day" Tag Day on Friday, September 27, 2019

**ITEM 8E:** The Association for the Preservation of St. Rose of Lima Chapel is requesting permission to host their "St. Rose of Lima Chapel Tag Day" on Saturday, September 28, 2019 with a rain date on Saturday, October 5, 2019

**MAYOR PRO TEM:** If there are no objections, may I have a motion to approve?

**ALD OSENGA:** So move.

**ALD TETTER:** Second.

**MAYOR PRO TEM:** Motioned by Alderman Osenga and Seconded by Alderman Tetter. All in favor?

**COUNCIL:** Aye.

**MAYOR PRO TEM:** Motion Carries. Moving on to Standing Committees.

### **STANDING COMMITTEES**

**ITEM 9A:** Budget – Alderman O’Brien  
The meeting was held August 12<sup>th</sup>, 2019.  
Highlights include: at the 25 percent mark and revenues are on track at 21 percent excluding the home rule sales tax. Expenditures are at 21 percent. We discussed the newly approved Legalization of Adult use of Cannabis...the law approved becomes legal January 1, 2020. Cities can opt out or allow it and regulate. We want to act quickly... talked about how we would roll out our regulations. Recognizing the urgency, there will be two follow up joint meetings for Budget and Ordinance Committees held on September 10<sup>th</sup> at 5:30 P.M. and September 24<sup>th</sup> at 5:30 P.M. in the Public Safety training room. Everyone is welcome to attend.

**ITEM 9B:** Building and Code – Alderwoman Malone Marshall  
The meeting was held on Thursday, August 15<sup>th</sup>, 2019.  
Highlights include: We has the ...present and we discussed the ICC Codes from 2013 to... We will complete by the next meeting and pass it on to Council.

### **REPORT OF OFFICERS**

**MAYOR PRO TEM:** Thank you. Moving on to the Report of Officers. May I have a motion to approve the Bills?

**ALD FAFORD:** I move that we approve the report of officers, place the money in the in the proper accounts and pay the bills in the amount of \$1,144,191.66.

**ALD LEWIS:** Second.

**MAYOR PRO TEM:** Motion made by Alderman Faford and Seconded by Alderwoman Lewis. Any discussion? Roll Call...

**CLERK DUMAS:** **AYES:** Tetter, Brown, Curtis, Cobbs, Lewis, Faford, Swanson, Osenga (abstain from check#1139), O'Brien, Gall (abstain on check #740), Malone Marshall  
**NAYS:** Crawford (*No*)  
**PRESENT:** Tall  
**ABSENT:** Prude  
(11) Ayes (1) Nays (1) Present (1) Absent

**MAYOR PRO TEM:** Motion Carries. We have no Unfinished Business. Moving on to Item 12A New Business.

**NEW BUSINESS**

**ITEM 12A:** Ordinance Amending Chapter 4 Section 4-13 of the City Code of the City of Kankakee by Adding Liquor License Number 95 at the Location of 907 South Washington Avenue, Kankakee, Illinois (*1<sup>st</sup> & 2<sup>nd</sup> Reading*).

**ELIZABETH KUBAL:** This Ordinance... Kris put together along with Legal...request for Crazy Joes to add Liquor...and Kris had it done...

**MAYOR PRO TEM:** Alderman Swanson would you like to make comment on this?

**ALD SWANSON:** He is an excellent business owner. He has been there for several years now. He has wanted this for a long time and I hope it is considered.

**MAYOR PRO TEM:** Thank you. May I have a motion to suspend the rules that will interfere with the passing of the Ordinance?

**ALD SWANSON:** So move.

**ALD FAFORD:** Second.

**MAYOR PRO TEM:** Motioned by Alderwoman Swanson and Seconded by Alderman Faford. Roll Call...

**CLERK DUMAS:** **AYES:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall  
**ABSENT:** Prude  
(13) Ayes (0) Nays (1) Absent

**MAYOR PRO TEM:** Motion passes. May I have a motion to place the Ordinance on final passage?

**ALD SWANSON:** So move.

**ALD FAFORD:** Second.

**MAYOR WELLS-ARMSTRONG:** Motioned by Alderwoman Swanson and Seconded by Alderman Faford. Any discussions?

**ALD TALL:** How many Liquor License are presently out?

**MAYOR PRO TEM:** I cannot tell you that but this is listed 95 so there must be...

**ALD TALL:** The reason why I asked is because there are others who have been trying to establish a Liquor License in the City of Kankakee for last 3 to 4 years. We have not seen those License come across the Council floor yet. If the Comptroller's Office can find that number for us we would be happy to...at the next meeting.

**ELIZABETH KUBAL:** Yes...absolutely.

**MAYOR TEM PRO:** We have a motion and a second to accept Liquor License #95. Roll Call...

**CLERK DUMAS:** **AYES:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall  
**ABSENT:** Prude  
(13) Ayes (0) Nays (1) Absent

**MAYOR PRO TEM:** Motion carries. There are no Appointments. Moving on to Items 13A.

### **MOTIONS AND RESOLUTIONS**

**ITEM 13A:** Resolution Authorizing A Master Lease Purchase Agreement Between Tax-Exempt Leasing Corporation (Lessor) and the City of Kankakee (Lessee) for the Purchase of one 2019 Vactor Model 2100I Single Engine, Tandem Axle Combination Sewer Cleaner.

**ELIZABETH KUBAL:** As you all recall on April 15<sup>th</sup>, 2019 you approved a purchase of the Vactor after discussion at ESU and that vote went to 13 to 0 that night...Now this is a formality to

solidify the lease purchase that was agreed upon that night. All of the dollars are the same. Everything is identical, this is the final contract resolution we put together so we can go into the contract with the lessor which is tax exempt...this is now a contract to enter into with the leasing company.

**MAYOR PRO TEM:** This was also discussed in the Environmental Services Utility Board Meetings. May I have a motion to approve?

**ALD SWANSON:** So move Mayor.

**ALD OSENGA:** Second.

**MAYOR PRO TEM:** Motioned by Alderwoman Swanson and Seconded by Alderman Osenga. Any questions? Roll Call.

**CLERK DUMAS:** **AYES:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall  
**ABSENT:** Prude  
(13) Ayes (0) Nays (1) Absent

**MAYOR PRO TEM:** Motion carries. We have a need for Executive Session. Under what statue are going into Executive Session?

**MIKE MCGRATH:** Under the Open Meeting Act we will go into Executive Session to discuss Personnel and Litigation both are which under Section 120/2 ...C 1-11...

#### **EXECUTIVE SESSION**

*(began at 7:39 P.M.)*

**MAYOR PRO TEM:** May I have a motion to go into Executive Session?

**ALD TETTER:** Motion to go into Executive Session.

**ALD COBBS:** Second

**MAYOR PRO TEM:** Motioned by Alderman Tetter and Seconded by Alderman Cobbs. Roll Call...

**CLERK DUMAS:** **PRESENT:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall  
**ABSENT:** Prude  
(13) Present (1) Absent

**DEPARTMENT HEADS PRESENT:**HR Director-James Ellexson, Fire Chief-Damon Schuldt and Comptroller-Elizabeth Kubal.

**MAYOR PRO TEM:** Motion carries we are under Executive Session.

### **RETURN TO OPEN SESSION**

**MAYOR PRO TEM:** Motion to leave Executive Session and Return to Open Session...

**ALD TETTER:** So move.

**ALD COBBS:** Second.

**MAYOR PRO TEM:** Motioned by Alderman Tetter and Seconded by Alderman Cobbs. We are now back in Open Session. Roll Call please.

**CLERK DUMAS:** **PRESENT:** Tetter, Brown, Curtis, Cobbs, Lewis, Tall, Faford, Swanson, Crawford, Osenga, O'Brien, Gall, Malone Marshall  
**ABSENT:** Prude  
(13) Present (1) Absent

### **ACTION RESULTING FROM EXECUTIVE SESSION**

**MAYOR PRO TEM:** Thank you. There is no action resulting from Executive Session. Moving on to Item 16.

### **ALDERMEN & ALDERWOMEN COMMENTS**

**ALD CRAWFORD:** On September 25<sup>th</sup> there will be a West Side Community Meeting at 7:00 P.M. at...Church on Calista. I would like to thank the Alderman and Alderwoman that participated some of us put out for 8 bikes...for Night Out for Kids...

**ALD O'BRIEN:** Thank you Rosie Bailey that spoke earlier tonight regarding the possible honorary street sign in the 500 block of South Wildwood for Craig Blake. Also, Alderwoman Gall and I have worked with the Steuben Staff and Neighbors to accomplish this...submitted ...we ask all of you to support

it...

**DEPARTMENT HEAD COMMENTS**

**ELIZABETH KUBAL:** To that earlier question with the Liquor License...you may get that information faster through the Mayor's Office or Kris Schmitz...

**ADJOURNMENT**

**MAYOR PRO TEM:** May I have a motion to adjourn?

**ALD GALL:** So move.

**COUNCIL:** Second.

**MAYOR PRO TEM:** Motioned by Alderwoman Gall. Seconded by The entire Council. All in favor aye?

**COUNCIL:** Aye.

**MAYOR PRO TEM:** Opposed same sign. We are adjourned.