

# Mascoutah City Council

April 7, 2014

## REGULAR MEETING AGENDA

### City Council Meeting - 7:00 pm

**1. PRAYER & PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER**

**3. ROLL CALL**

**4. AMEND AGENDA** – consideration of items to be added/ deleted to /from the meeting agenda. *No action can be taken on added items, but may be discussed only. Exceptions – emergency items as authorized by law.*

**5. MINUTES**, March 17, 2014 City Council Meeting (Page 1 to Page 6)  
**MINUTES**, March 17, 2014 Executive Session Meeting (Confidential, see City Clerk)

**6. PUBLIC COMMENTS (3 minutes)** – opportunity for the public to comment.

**7. REPORTS AND COMMUNICATIONS**

- A. Mayor - Proclamation
- B. City Council
- C. City Manager
- D. City Attorney
- E. City Clerk

**8. COUNCIL BUSINESS**

**A. Council Items for Action:**

**1. Budget 14/15 Ordinance** (second reading) (Page 7 to Page 9)  
Description: Council approval and adoption of the City's 14/15 Budget.

Recommendation: Council Approval and Adoption of Ordinance.

**2. Code Change – Electric, Water & Sewer Rates** (second reading) (Page 10 to Page 18)

Description: Approval of revisions to Chapter 11 – Electric System and Chapter 38 – Water and Sewer Rates of the City Code by adoption of ordinance.

Staff Recommendation: Council Approval and Adoption of Ordinance.

**3. Adoption of Weapons Policy** (second reading) (Page 19 to Page 23)  
Description: Approval of revisions to Chapter 28 – Personnel Code of the City Code establishing a Weapons Policy by adoption of ordinance.

Staff Recommendation: Council Approval and Adoption of Ordinance.

**4. St. Clair County Contracts for Dispatching Services**

(Page 24 to Page 24)

Description: Council approval of three contracts with St. Clair County, Illinois for Coordinated Communications Services (dispatching services) provided for the year of 2014 for the Police, EMS, and Fire Departments.

Recommendation: Council Approval.

**5. PC 14-02 Rezoning of property at 751 N. Jefferson Street from RM, Multiple-Family Residential, to GC, General Commercial (first reading)**

(Page 25 to Page 42)

Description: Approval of rezoning of property at 751 N. Jefferson Street from RM, Multiple-Family Residential to GC, General Commercial, by adoption of ordinance.

Recommendation: First Reading.

**6. PC 14-03 – Redevelopment Plan for property at 300 S. Independence Street, Mascoutah Acres Mobile Home Park**

(Page 43 to Page 56)

Description: Approval of a redevelopment plan for property at 300 S. Independence Street, also known as Mascoutah Acres Mobile Home Park.

Recommendation: Council Approval.

**7. City Hall Generator Installation – Bid Award**

(Page 57 to Page 60)

Description: Approval and authorization of bid for furnishing all labor, equipment and materials for the generator installation of an emergency backup generator for City Hall.

Recommendation: Council Approval.

**8. Asbestos Removal and Disposal – Bid Award**

(Page 61 to Page 62)

Description: Approval and authorization of bids for furnishing all labor, equipment and means for the Asbestos Removal and Disposal at 315 East Main Street and 40 West Union.

Recommendation: Council Approval.

**9. Concrete Pad for Park Bleachers – Bid Award**

(Page 63 to Page 64)

Description: Approval and authorization of bids for furnishing all labor, equipment and means for the Concrete Pad for Park Bleachers in Scheve Park.

Recommendation: Council Approval.

**10. City Hall Sidewalk and Step Replacement – Bid Award**

(Page 65 to Page 66)

Description: Approval and authorization of bids for furnishing all labor, equipment and means for the Sidewalk and Step replacement Project at City Hall.

Recommendation: Council Approval.

**11. Cemetery Mowing Agreement**

(Page 67 to Page 70)

Description: Approval and authorization of agreement for furnishing all labor, equipment and means for the mowing of the Mascoutah City Cemetery.

Recommendation: Council Approval.

**B. Council – Miscellaneous Items**

**C. City Manager**

**9. PUBLIC COMMENTS (3 MINUTES)**

**10. ADJOURNMENT TO EXECUTIVE SESSION**

- A. Sale / Lease of Public Property – Section 2(c)(6)
- B. Collective Bargaining – Section 2(c)(2)

**11. MISCELLANEOUS OR FINAL ACTIONS**

**12. ADJOURNMENT**

***POSTED 4/4/14 at 5:00 PM***

**CITY OF MASCOUTAH  
CITY COUNCIL MINUTES  
#3 WEST MAIN STREET  
MASCOUTAH, IL 62258-2030**

**MARCH 17, 2014**

The minutes of the regular meeting of the City Council of the City of Mascoutah.

**BUDGET WORKSHOP**

Mayor Gerald Daugherty called the budget workshop to order at 6:04 p.m.

*Present:*

Mayor Gerald Daugherty and Council members Ben Grodeon, Paul Schorr, and John Weyant. Council member Pat McMahan entered the meeting at 6:07 p.m.

*Absent:*

None.

*Other Staff Present:*

City Manager Cody Hawkins, City Clerk Kari Haas, Finance Coordinator Lynn Weidenbenner, Assistant City Manager Lisa Koerkenmeier, and City Engineer Ron Yeager.

City Manager and Finance Coordinator provided an overview of the proposed FY14/15 budget. Council discussed the proposed FY14/15 budget assumptions, revenues, expenditures, and ending fund balances.

Mayor Gerald Daugherty closed the budget workshop at 6:53 p.m.

**PUBLIC HEARING**

Mayor Gerald Daugherty called the public hearing to order at 6:53 p.m.

*Present:*

Mayor Gerald Daugherty and Council members Ben Grodeon, Paul Schorr, John Weyant and Pat McMahan.

*Absent:*

None.

*Other Staff Present:*

City Manager Cody Hawkins, City Clerk Kari Haas, City Engineer Ron Yeager, Assistant City Manager Lisa Koerkenmeier, and Finance Coordinator Lynn Weidenbenner

Mayor Gerald Daugherty stated that this public hearing is to consider and review the proposed Fiscal Year 2014/2015 budget for the City of Mascoutah.

City Manager provided an overview of the proposed budget.

Public Comments:

None.

Council Discussion:

None.

There being no further questions or comments from the Council, Mayor Gerald Daugherty closed the public hearing at 6:55 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE**

City prayer was delivered by City Clerk Kari Haas. The Council remained standing and recited the Pledge of Allegiance.

**CALL TO ORDER**

Mayor Gerald Daugherty called the meeting to order at 7:01 p.m.

**ROLL CALL**

*Present:*

Mayor Gerald Daugherty and Council members Ben Grodeon, Paul Schorr, John Weyant, and Pat McMahan.

*Absent:*

None.

*Other Staff Present:*

City Manager Cody Hawkins, City Clerk Kari Haas, City Attorney Al Paulson, Finance Coordinator Lynn Weidenbenner, City Engineer Ron Yeager, and Assistant City Manager Lisa Koerkenmeier.

*Establishment of a Quorum:* A quorum of City Council members was present.

**AMEND AGENDA**

None.

**MINUTES**

The minutes of the March 3, 2014 regular City Council meeting were presented and stood as corrected. The minutes of the March 3, 2014 Executive Session meeting were presented and stood as presented.

*Motion passed.* Passed by unanimous yes voice vote.

**PUBLIC COMMENTS**

Shane Wilson – Commented on the road conditions. Asked about potholes on his street at 8<sup>th</sup> and Church and if he needs to fix them or if they are going to be fixed by the Street

Department. Asked about the citations he was issued for parking violations and if he was going to have to go to court for that. City Manager stated that he knows he was working on some resolutions with the Assistant City Manager. City Attorney stated that they can file for a continuance. City Manager stated that he can have the City Attorney file for a continuance but will need to see some movement on an improvement to the area beforehand.

## **DEPARTMENT REPORTS**

*Fire Chief Joe Zinck* – absent – February 2014 report was provided.

*Public Safety Director Bruce Fleshren* – absent – Police Detective Jared Lambert was present for questions. February 2014 report was provided.

*Finance Coordinator Lynn Weidenbenner* – Monthly financials provided. Mayor asked about the Gas Co (Ameren) line item being over. Finance Coordinator stated that this is the first year the gas bills were booked this way since the franchise agreement was revised a couple years ago, so we only had an estimate to go by on what would be used.

*City Engineer/Director of Public Works Ron Yeager* – Status report on public projects and monthly building permits report provided. Councilman Schorr asked about having Harnett Street back open soon. City Engineer stated that they are planning to start working on Harnett Street tomorrow to do what repairs we can to hopefully open the street back up. Councilman Schorr asked about the 2013 roads program and what punch items are still being waited on. City Engineer stated that there is still some backfilling to do and some removal of plastic from the handicap ramps and still waiting for the change orders documentation. Councilman Schorr asked about Fuesser Road project and the sidewalk and if there was enough right-of-way to do the sidewalk from Townsend Square to 6<sup>th</sup> Street. City Engineer stated that there shouldn't be an issue but is still waiting for more information from the engineer. Councilman Weyant asked about Perrin Road and if it was started today. City Engineer stated that the work has been pushed back a week until the asphalt plants open.

*Assistant City Manager Lisa Koerkenmeier* – Monthly report was provided. Councilman Grodeon asked about the rezoning hearing. Assistant City Manager stated that there is no development proposal for the property to be rezoned but the property is between two other commercial properties so it will help with marketing of the property. Councilman Schorr asked about the independent party sales projections for the Huddle House project. Assistant City Manager stated that with working on the bond issuance, there needed to be a third-party, or independent, sales projections analysis which was received last week.

## **REPORTS AND COMMUNICATIONS**

*Mayor*

Attended the following meetings and functions: Chamber meeting, spoke with the Boy Scout Troop 44, SWIC Liberal Arts building ribbon cutting, reception with SWIL Realtors Association, participated in National Meals on Wheels day, retirement ceremony for Sgt Chris Kalen at Scott AFB.

*City Council*

Grodeon – Attended the following meetings and functions: St. John's trivia night.

Schorr – Nothing to report.

Weyant – Attended the following meetings and functions: Chamber meeting, MIA meetings for rodeo, St. John's trivia night, play at High School.

McMahan – Attended the following meetings and functions: MIA meetings for rodeo.

*City Manager* – Nothing to report.

*City Attorney* – Nothing to report.

*City Clerk* – Nothing to report.

## **COUNCIL BUSINESS**

### **CONSENT CALENDAR (OMNIBUS)**

The February 2014 Fund Balance Report and Claims & Salaries Report were provided under the omnibus consideration.

Councilman Schorr asked about the asbestos survey on 315 W Main and if we are going to own that property after the demolition. City Manager stated that we will place a lien on that property and there is a process to foreclose on that lien to take over the property.

Councilman Weyant asked about the tires purchased from Gary's Tire Center and if we had checked in town prior to purchasing. City Manager stated that he will double check but they almost always do check in town before purchasing out of town.

Weyant moved, seconded by Grodeon, to accept all items under Omnibus consideration.

***Motion passed.*** AYE's – Grodeon, Schorr, Weyant, McMahan, Daugherty. NAY's – none.

### **BUDGET 14/15 – PUBLIC HEARING AND ADOPTION OF ORDINANCE (FIRST READING)**

City Manager presented report for Council consideration of approval and adoption of the City's FY14/15 Budget.

No action required. First reading.

### **CODE CHANGE – ELECTRIC, WATER & SEWER RATES (FIRST READING)**

City Manager presented report for Council consideration of approval of revisions to Chapter 11 – Electric System and Chapter 38 – Water and Sewer Rates of the City Code by adoption of ordinance.

Councilman Schorr commented on the increases and stated that he does agree to capture the increases from suppliers.

Council discussed holding off on the electric rate increases until the rate study is done. City Manager will review the increases and have a recommendation at the next meeting.

No action required. First reading.

#### **ADOPTION OF WEAPONS POLICY (FIRST READING)**

City Manager presented report for Council consideration of approval of revisions to Chapter 28 – Personnel Code of the City Code establishing a Weapons Policy by adoption of ordinance.

Councilman Schorr asked if this policy would apply to the library even though the City does not own the property anymore. City Attorney stated that this policy would not but they would be governed by the state statutes.

Councilman Schorr asked about the use of private vehicle prohibition. City Attorney and City Manager will revisit that prohibition before the next meeting.

No action required. First reading.

#### **COUNCIL – MISCELLANEOUS ITEMS**

Councilman Schorr asked if a decision had been made on the mowing for the cemetery. City Manager stated that he received a couple proposals but is still reviewing them.

Councilman Schorr asked about the utilities for the Chapel and if there are events still happening there. City Manager stated that he knows they have a few weddings a year and some other small events throughout the year.

Councilman Schorr asked about progress on the money owed by Murphy for the SSA. City Manager stated that staff is still working on it.

Councilman Grodeon asked about cell phones. Finance Coordinator stated that the cell phone bill includes the wireless cards for the Ambulances, building iPad, and electric and water/sewer laptops.

#### **CITY MANAGER – MISCELLANEOUS ITEMS**

City Manager provided information regarding the electric utility rates. Stated that he did have IMEA look at a couple of commercial bills and we were higher than Ameren. Stated that he would like to have a professional come in and do a comprehensive rate study on our system to let us know what we should be charging to provide the electric service. Council was in consensus to have the City Manager get pricing on what a study would cost.



## **PUBLIC COMMENTS**

None.

## **ADJOURNMENT TO EXECUTIVE SESSION**

Schorr moved, seconded by Grodeon, to adjourn to Executive Session to discuss Personnel – Section 2(c)(1) at 8:02 p.m.

*Motion passed.* AYE's – Grodeon, Schorr, Weyant, McMahan, Daugherty. NAY's – none.

## **RETURN TO REGULAR SESSION**

Grodeon moved, seconded by Schorr, to return to Regular Session at 8:37 p.m.

*Motion passed.* Motion passed by unanimous yes voice vote.

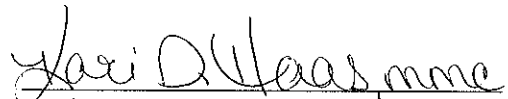
## **MISCELLANEOUS OR FINAL ACTIONS**

None.

## **ADJOURNMENT**

McMahan moved, seconded by Schorr, to **adjourn at 8:40 p.m.**

*Motion passed.* Motion passed by unanimous yes voice vote.

  
Kari D. Haas, City Clerk

## CITY OF MASCOUTAH

### Staff Report

**TO:** Honorable Mayor & Council  
**FROM:** Cody Hawkins – City Manager  
**SUBJECT:** Budget 14/15 – Adoption of Ordinance (second reading)  
**MEETING DATE:** April 7, 2014

**REQUESTED ACTION:**

Council approval and adoption of the City's FY14/15 Budget.

**BACKGROUND & STAFF COMMENTS:**

The City has completed several months of work establishing its FY14/15 Budget. After many work sessions by staff and Finance Committee, we believe that the current draft budget meets the requirements for this years annual Budget. This Budget assures adequate revenues/ fund sources, provides for appropriate expenditures, and provides a fiscal strategy to accommodate the needs of the community this year.

**FUNDING:**


There is no cost involved in the Budget approval process.

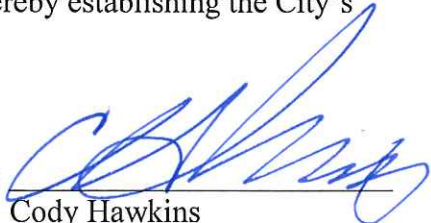
**RECOMMENDATION:**

The City Manager recommends that the Council approve and adopt an Ordinance thereby establishing the City's FY 14/15 Budget.

**SUGGESTED MOTION:**

I move that the Council approve and adopt Ordinance 14-\_\_\_\_, thereby establishing the City's FY 14/15 Budget.

Prepared By:   
Kari D. Haas  
City Clerk

Approved By:   
Cody Hawkins  
City Manager

Attachments: A – Snap Shot Revenues/Expenses  
B – Ordinance

**CITY OF MASCOUTAH**  
**SNAP SHOT REVENUES/EXPENSES TOTAL NET**

**REVENUES**

OPERATING REVENUES	Budget 14	Dec-13	Summary of	Proposed Budget15	% change FY14 to 15
		YTD Actual 14	all depts 12/12's		
FUND 100 - GEN FUND	3,213,173	2,320,248	3,121,577	3,299,752	
FUND 110 - R CEM TRUST	5,775	2,362	3,544	4,500	
FUND 200 - LIGHT FUND	7,735,828	5,191,230	7,786,845	8,058,990	
FUND 250 - W&S FUND	3,400,853	2,040,097	3,303,109	3,400,930	
FUND 300 - AMB FUND	668,630	480,573	652,528	711,389	
FUND 330 - P&R (park/city/leu/pool)	358,240	331,701	343,091	361,515	
FUND 360 - FIRE DEPT FUND	137,770	132,562	134,076	143,400	
FUND 400 - IMRF FUND	400,995	316,751	415,850	421,012	
FUND 450 - POLICE PENSION FUND	397,566	397,312	458,280	414,374	
<b>TOTAL OPERATING REV NO LIBR</b>	<b>16,318,830</b>	<b>11,212,836</b>	<b>16,218,900</b>	<b>16,815,861</b>	3.05%
<b>TOTAL LIBRARY REVENUES</b>	<b>348,138</b>	<b>348,138</b>	<b>348,138</b>	<b>373,518</b>	
<b>TOTAL OPERATING REV WITH LIBRARY</b>	<b>16,666,968</b>	<b>11,560,974</b>	<b>16,567,038</b>	<b>17,189,379</b>	3.13%

**NON-OPERATING REVENUES**

FUND 100 - GF GRANTS/LOAN PROCEEDS	0	0	0	2,750,000	
FUND 250 - WATER/SEWER IEPA	0	0	0	0	
FUND 500 - MFT FUND	180,790	161,510	217,265	203,921	
FUND 540 - TIF1 FUND	152,710	154,207	154,212	157,300	
FUND 560 - TIF2B FUND	668,385	710,290	711,312	720,250	
FUND 560 - TIF2B CDBG PORTION	0	0	0	0	
FUND 595 - BUSINESS DISTRICT	0	0	0	129,000	
FUND 590 - SPECIAL SVC AREA (SSA)	25,000	38,770	38,771	25,000	
FUND 600 - R DEBT SVC FUND	200,907	208,047	208,327	201,758	
<b>TOTAL NON OPERATING REVENUES</b>	<b>1,227,792</b>	<b>1,272,824</b>	<b>1,329,888</b>	<b>4,187,229</b>	
<b>TOTAL ALL REVENUES NO LIBRARY</b>	<b>17,546,622</b>	<b>12,485,661</b>	<b>17,548,788</b>	<b>21,003,090</b>	
<b>TOTAL ALL REVENUES WITH LIBRARY</b>	<b>17,894,760</b>	<b>12,833,799</b>	<b>17,896,926</b>	<b>21,376,608</b>	19.46%

**EXPENSES**

**OPERATING EXPENSES**

TOTAL PERSONNEL EXPENSES	5,144,880	3,528,786	4,976,335	5,352,776	
TOTAL NON-PERSONNEL EXPENSES	2,915,620	1,745,776	2,884,169	2,804,287	
TOTAL WHOLESALE/RETAIL/OTHER EXP	5,192,417	2,930,910	4,477,635	5,151,690	
<b>TOTAL OPERATING EXPENSES NO LIBRARY</b>	<b>13,252,917</b>	<b>8,205,472</b>	<b>12,338,139</b>	<b>13,308,753</b>	
<b>TOTAL LIBRARY EXPENSES</b>	<b>348,138</b>	<b>348,138</b>	<b>348,138</b>	<b>373,518</b>	
<b>TOTAL OPERATING EXPENSES WITH LIBRARY</b>	<b>13,601,055</b>	<b>8,553,610</b>	<b>12,686,277</b>	<b>13,682,271</b>	0.60%

**NON-OPERATING EXPENSES**

TOTAL CIP EXPENSES	539,000	166,952	592,150	726,100	
TOTAL FAR EXPENSES	166,700	139,865	166,081	149,500	
TOTAL PROJECT EXPENSES	2,409,000	1,564,355	2,209,751	3,917,980	
TOTAL DEBT EXPENSES	1,372,959	702,380	1,363,337	1,751,324	
<b>TOTAL NON-OPERATING EXPENSES</b>	<b>4,487,659</b>	<b>2,573,553</b>	<b>4,331,319</b>	<b>6,544,904</b>	
<b>GRAND TOTAL ALL EXPENSES NO LIBRARY</b>	<b>17,740,576</b>	<b>10,779,024</b>	<b>16,669,458</b>	<b>19,853,657</b>	11.91%
<b>GRAND TOTAL ALL EXPENSES WITH LIBRARY</b>	<b>18,088,714</b>	<b>11,127,162</b>	<b>17,017,596</b>	<b>20,227,175</b>	11.82%
<b>NET OPERATING REV MINUS EXP</b>	<b>3,065,913</b>	<b>3,007,365</b>	<b>3,880,761</b>	<b>3,507,108</b>	14.39%
<b>NET NON-OPERATING REV MINUS EXP</b>	<b>(3,259,867)</b>	<b>(1,300,728)</b>	<b>(3,001,431)</b>	<b>(2,357,675)</b>	-27.68%
<b>NET REV MINUS EXP EXCLUDING PROJECTS</b>	<b>2,215,046</b>	<b>3,270,992</b>	<b>3,089,081</b>	<b>2,317,413</b>	4.62%
<b>NET ALL REVENUES MINUS ALL EXPENSES</b>	<b>(193,955)</b>	<b>1,706,637</b>	<b>879,330</b>	<b>1,149,433</b>	

Attachment A

ORDINANCE NO. 14-\_\_

ANNUAL BUDGET ORDINANCE FOR THE FISCAL YEAR  
2014 ----- 2015

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MASCOUTAH, AT ST. CLAIR COUNTY, ILLINOIS:

**SECTION 1:** That there be and is hereby budgeted for Municipal purposes for the City of Mascoutah, in the County of St. Clair, State of Illinois, for the fiscal year commencing on the first day of May 2014, and ending on the thirtieth day of April 2015, **the sum of twenty million, two hundred twenty-seven thousand, one hundred seventy-five dollars (\$20,227,175)** distributed for purposes as described in *Attachment "A"* to this ordinance. This budget is adopted under the State of Illinois' Budgeting System.

**SECTION 2:** That the balance on hand in the various funds budgeted for the fiscal year ending on the thirtieth day of April 2014 are hereby returned to the respective funds for redistribution.

**SECTION 3:** This Ordinance is effective immediately and shall go into full force May 1<sup>st</sup>, 2014, or at the earliest time as may be legal under state law.

Passed this \_\_\_\_ day of April, 2014, on the following roll call vote:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Gerald Daugherty	_____	_____	_____	_____
Benjamin Grodeon	_____	_____	_____	_____
Paul Schorr	_____	_____	_____	_____
John Weyant	_____	_____	_____	_____
Pat McMahan	_____	_____	_____	_____

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk  
(Seal)

Attachment B

## CITY OF MASCOUTAH

### Staff Report

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** Code Change – Electric, Water & Sewer Rates (second reading)

**MEETING DATE:** April 7, 2014

#### REQUESTED ACTION:

Approval of revisions to Chapter 11 – Electric System and Chapter 38 – Water and Sewer Rates of the City Code by adoption of ordinance.

#### BACKGROUND & STAFF COMMENTS:

For the upcoming Fiscal Year 2014-2015, the Finance Committee and staff has recommended to increase the rates for electric, water, and sewer by the current CPI rate of 1.30%. The last time the utility rates were increased was in 2011.

At the last City Council meeting, Council discussed holding off on increasing the electric rates until the rate study is complete. Even though there is no increase to the electric rates, the ordinance and City Code reference the fiscal year that the rates belong to. The attached ordinance keeps the electric rates the same as the previous fiscal year, but changes the reference to the fiscal year to the upcoming FY14-15.

The water and sewer rates are still being increase by the current CPI rate. The attached ordinance reflect these increases and these increases are reflected in the FY14/15 budget.


#### RECOMMENDATION:

Council approval of Ordinance, as attached.

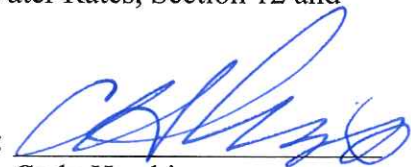
#### SUGGESTED MOTION:

I move that the City Council approve and adopt Ordinance 14-\_\_\_\_, thereby modifying Chapter 11, Electric System, Article 1, General Regulations, Section 1; and approve and adopt Ordinance No. 14-\_\_\_\_, thereby modifying Chapter 38, Article 4 Division 2 Water Rates, Section 12 and Division 3 Sewer Rates, Section 31.

Prepared By:

  
Kari D. Haas  
City Clerk

Approved By:

  
Cody Hawkins  
City Manager

Attachments: A – Ordinance – Electric Rates  
B – Ordinance – Water/Sewer Rates

**ORDINANCE NO. 14-\_\_**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES,  
CHAPTER 11, ELECTRIC SYSTEM, ARTICLE 1, GENERAL REGULATIONS  
SECTION 1 OF THE CITY OF MASCOUTAH, ILLINOIS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MASCOUTAH, IN  
ST. CLAIR COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** Amending CHAPTER 11, ELECTRIC SYSTEM, ARTICLE 1,  
GENERAL REGULATIONS, SECTION 1, to amend the ELECTRIC RATES as attached.

**SECTION 2:** This ordinance shall be in full force and effect May 1, 2014, after passage,  
approval and publication as required by law.

**PASSED** by the Mayor and the City Council of the City of Mascoutah, County of St.  
Clair, State of Illinois, upon motion by Councilman \_\_\_\_\_, seconded by Councilman  
\_\_\_\_\_, adopted on the following roll call vote on the \_\_\_\_\_ day of April, 2014, and  
deposited and filed in the Office of the City Clerk in said City on that date.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Benjamin Grodeon	_____	_____	_____
Paul Schorr	_____	_____	_____
John Weyant	_____	_____	_____
Pat McMahan	_____	_____	_____
Gerald Daugherty	_____	_____	_____

**APPROVED AND SIGNED** by the Mayor of the City of Mascoutah, Illinois, this \_\_\_\_\_  
day of May, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk  
(SEAL)

Attachment A

## ELECTRIC SYSTEM

### ARTICLE I. GENERAL REGULATIONS

#### Sec. 11-1-1. Classification of uses.

The following classification of electric service, at the rates and on the qualifications, conditions and terms as respectfully set forth be and hereby are established for the sale of electric energy, by the municipal electric utility, to customers located within the corporate limits or adjacent to the distribution lines of the municipal electric utility.

(a) *Residential rate—Rate 1.* The gross charges shall equal the sum of the charges below.

(1) Facilities Charge \$8.32 per month in FY ~~13-14~~**14-15**.

(2) Energy Charge For all KW-HR – 6.78 cents per KW-HR in FY ~~13-14~~**14-15**.

The minimum monthly bill shall be the facilities charge. This rate is applicable to residences and for those purposes that are predominantly domestic.

(b) *Commercial and small power rate—Rate 2.*

First 1,800 KW hrs. used per month – 7.87 cents per KW hr. in FY ~~13-14~~**14-15**.

Next 2,700 KW hrs. used per month – 7.82 cents per KW hr. in FY ~~13-14~~**14-15**.

Next 13,500 KW hrs. used per month – 7.05 cents per KW hr. in FY ~~13-14~~**14-15**.

Over 18,000 KW hrs. used per month – 6.66 cents per KW hr. in FY ~~13-14~~**14-15**.

The minimum charge shall be \$1.00 per kilowatt for each kilowatt of distribution capacity or \$10.95 per month, whichever is less. This rate is applicable to stores, shops, garages, depots, public halls, hospitals, mills, factories, pool rooms, taverns, soft drink parlors and other places of business, public resort or amusement.

Transformer charge. If the city owns and operates transformers to convert the voltage from the main supply line to the voltage required by the customer, the customer shall be billed a charge of \$1.00 per KW for each KW of distribution capacity for each billing period.

(c) *Large power rate—Rate 3.*

First 1,800 KW hrs. used per month – 7.96 cents per KW hr. in FY ~~13-14~~**14-15**.

Next 2,700 KW hrs. used per month – 7.79 cents per KW hr. in FY ~~13-14~~**14-15**.

Next 13,500 KW hrs. used per month – 7.01 cents per KW hr. in FY ~~13-14~~**14-15**.

Over 18,000 KW hrs. used per month – 6.90 cents per KW hr. in FY ~~13-14~~**14-15**.

The minimum monthly charge shall be \$10.95 per month or \$1.25 per connected horsepower of motor load, per month, whichever is the greater amount.

Rate 3 shall apply to all customers having a monthly demand of 75 kilowatts or greater with a non-lighting or heat load of more than 25 percent of the total demand, and to customers presently being served under a contract which provides for billing under this rate.

Transformer charge. If the city owns and operates transformers to convert the voltage from the main supply line to the voltage required by the customer, the customer shall be

billed a charge of \$1.00 per KW for each KW of distribution capacity for each billing period.

Larger power rate: Rate 3a. For commercial customers with at least 30,000 KWH/ month.

- First 200 KWH per KW of billing demand— \$.0468 per KWH in FY 13-14 ~~14-15~~.
- Over 200 KWH per KW of billing demand— \$.0146 per KWH in FY 13-14 ~~14-15~~.
- Customer charge—\$29.12 in FY 13-14 ~~14-15~~.
- Demand charge per KW—\$8.15 in FY 13-14 ~~14-15~~

Minimum charge shall be \$1.00 per KW for each KW of distribution capacity or \$29.12 per month in FY 10-11, whichever is less.

(d) *Residential and Commercial Space heating—Rate 4.*

- First 100 KW hrs. used per month – 8.96 cents per KW hr. in FY 13-14 ~~14-15~~.
- Next 200 KW hrs. used per month – 7.17 cents per KW hr. in FY 13-14 ~~14-15~~.
- Next 500 KW hrs. used per month – 6.65 cents per KW hr. in FY 13-14 ~~14-15~~.
- Over 800 KW hrs. used per month – 5.77 cents per KW hr. in FY 13-14 ~~14-15~~.

The electric space heating rate is to apply to energy used during the seven month period October to April, inclusive, and where no other source of fuel for space heating is being used.

Minimum bill - \$10.95 per month.

(e) *Miscellaneous municipal electric service—Rate 5.*

- First 5,000 KW hrs. used per month – 7.64 cents per KW hr. in FY 13-14 ~~14-15~~.
- Next 20,000 KW hrs. used per month – 6.57 cents per KW hr. in FY 13-14 ~~14-15~~.
- All over 25,000 KW hrs. used per month – 5.78 cents per KW hr. in FY 13-14 ~~14-15~~.

(f) *Municipal street lighting service—Rate 6.*

(1) *Class of service.* Utility will furnish the classes of service described below each at the corresponding base rates per lamp per month, as indicated in the table of base rates per lamp per month set forth below, including maintenance, depreciation, electric energy requirements, and replacements of lamps and other glassware as required on systems owned and operated by utility, but only including electric energy requirements and lamp replacements on system owned and operated by municipality.

- (a) *Class A.* Sodium vapor or mercury vapor lamps, owned and operated by Municipality.
- (b) *Class B.* Mercury vapor lamps or sodium vapor lamps on standard overhead wood pole construction, owned and operated by utility.
- (c) *Class C.* Mercury vapor lamps or sodium vapor lamps on standard overhead concrete pole construction or on existing metal pole construction, owned and operated by utility.



(2) *Rates.*

(a) Base rates per lamp per month. The following rates based on 4,000 hours per year burning, including all hours of darkness:

FY 13-14 14-15

<u>Size</u>	<u>Class A</u>	<u>Class B</u>	<u>Class C</u>
Mercury Vapor			
7200 Lumen, 175 watts	\$3.80	\$10.96	\$17.30
11000 Lumen, 250 watts	5.11	12.47	19.36
17000 Lumen, 400 watts	7.25	16.20	19.77
30000 Lumen, 700 watts	12.68	24.04	35.82
46000 Lumen, 1,000 watts	15.37	27.41	41.42
Sodium Vapor			
8700 Lumen, 100 watts	\$4.54	\$14.47	\$23.53
15000 Lumen, 150 watts	7.30	15.23	24.19
23000 Lumen, 250 watts	10.47	18.67	28.52
46500 Lumen, 400 watts	15.37	24.80	33.76

(g) *Customer area lighting service—Rate 7.*

(1) *Availability.* Any customer located in territory served by utility may take service under this service classification for lighting outdoor areas, where the period of lighting is limited from dusk to dawn, subject to the following conditions:

- (a) That customer is located adjacent to utility lines from which such service can be rendered, and
- (b) That customer enters into a written contract with utility for service, for a period of one year.

(2) *Rates.* The gross charge shall equal the sum of the charges below and other applicable charges.

(a) *Lamp charges.* If the lighting fixtures can be installed on an existing distribution type wood pole and service can be supplied from an existing overhead secondary circuit on the pole, the monthly charges applicable to such installation shall be as follows:

FY 13-14 14-15

<u>Type of Lamp</u>	<u>Lumen Rating</u>	<u>Wattage Rating</u>	<u>\$Charges Per Month</u>
Area Lighting			
Mercury Vapor	6,400	175	\$6.90
Mercury Vapor	9,400	250	6.80
Mercury Vapor	16,000	400	13.81
Mercury Vapor	45,200	1,000	19.00
Sodium Vapor	8,500	100	7.71

Sodium Vapor	15,000	150	8.28
Sodium Vapor	22,000	250	13.81
Sodium Vapor	45,000	400	25.32
Pole Rental		\$1.00 per month	
<u>Directional Lighting</u>			
Sodium Vapor	22,000	250	\$15.83
Sodium Vapor	45,000	400	19.00
Metal Halide	20,000	250	25.32
Metal Halide	40,000	400	25.32
Metal Halide	117,000	1,000	40.29
Metal Halide		1,500	
Quartz		500	5.76

(b) *Additional charges.* If additional facilities or fixtures other than utility's standard type of rearrangement of existing facilities shall be required to serve customer, utility shall install, operate and maintain such facilities for an additional monthly charge. These charges shall be in addition to the lamp charges.

#### **Sec. 11-1-6. Consumer Price Index (CPI)**

Effective for customer bills rendered after April 30, 2008, each year, at the beginning of the City's fiscal year, the unit charges for electric rates will be adjusted to reflect no more than the percentage increase of change, if any, in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W): Midwest Urban Region, All Items Index, as published by the Bureau of Labor Statistics of the U.S. Department of Labor, on the first published date after the beginning of the most recent calendar year, to the average comparable index for the previous year (12 months).

Note: This index can be found at [www.bls.gov/cpi/](http://www.bls.gov/cpi/)

ORDINANCE NO. 14-\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES,  
CHAPTER 38, ARTICLE 4, DIVISION 2 WATER RATES, SECTION 12; DIVISION 3  
SEWER RATES, SECTION 31; AND DIVISION 4  
OF THE CITY OF MASCOUTAH, ILLINOIS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MASCOUTAH, IN  
ST. CLAIR COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** Amending CHAPTER 38, ARTICLE 4, DIVISION 2 WATER RATES,  
SECTION 12; DIVISION 3 SEWER RATES, SECTION 31; AND DIVISION 4, to amend the  
WATER AND SEWER RATES as attached.

**SECTION 2:** This ordinance shall be in full force and effect May 1, 2014, after passage,  
approval and publication as required by law.

**PASSED** by the Mayor and the City Council of the City of Mascoutah, County of St.  
Clair, State of Illinois, upon motion by Councilman \_\_\_\_\_, seconded by Councilman  
\_\_\_\_\_, adopted on the following roll call vote on the \_\_\_\_ day of April, 2014, and  
deposited and filed in the Office of the City Clerk in said City on that date.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Benjamin Grodeon	_____	_____	_____
Paul Schorr	_____	_____	_____
John Weyant	_____	_____	_____
Pat McMahan	_____	_____	_____
Gerald Daugherty	_____	_____	_____

**APPROVED AND SIGNED** by the Mayor of the City of Mascoutah, Illinois, this \_\_\_\_  
day of April, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk  
(SEAL)

Attachment 'B'

## **DIVISION 2. WATER RATES**

### **Sec. 38-4-12. Water rates.**

There shall be established the following rates and charges for the use of the water system of the city, based upon the amount of water consumed as follows:

- (a) Water rates inside city.
  - i. ~~FY 13-14~~**14-15**  
~~\$7.97~~ **\$8.08** per month facilities charge (base charge)  
~~\$5.67~~ **\$5.75** per 1,000 gallons per month usage fee
- (b) Water rates outside city. (Calculated as twice the in-town rate)
  - i. ~~FY 13-14~~**14-15**  
~~\$15.94~~ **\$16.15** per month facilities charge (base charge)  
~~\$11.35~~ **\$11.50** per 1,000 gallons per month usage fee

## **DIVISION 3. SEWER RATES**

### **Sec. 38-4-31. User charge system.**

Every person whose premises are served by the authority will be charged for the sewer services provided through a facility charge and service charges.

Facility charges are directed at wastewater plant and collection facility hardware. Service charges are directed at a basic charge based on the water meter readings, or if available, a discharge metering device approved by the authority, and said basic charges shall be as follows and are levied to defray the cost of operation and maintenance and replacement of the treatment works:

#### **Sewer Rates inside City**

- (a) Facility charge.
  - i. ~~FY 13-14~~**14-15**. The total facility charge rate shall be ~~\$16.34~~ **\$16.56** per month.
- (b) Service charge.
  - i. ~~FY 13-14~~**14-15**. The service charge shall be ~~\$5.92~~ **\$6.00** per 1,000 gallons metered.
  - ii. Service charges shall be for operation, maintenance, replacement costs, and may be used for debt service recovery.
- (c) Sewer service outside the city. All charges for use of sewer connections where water is supplied thereto by the authority subject to the special provisions herein shall be as follows:
  - a. A facility charge for users outside of the city shall be:
    - i. ~~\$32.68~~ **\$33.11** per month in ~~FY 13-14~~**14-15**.

- ii. This rate shall apply as a facility charge so long as the sewer connection is in service and regardless whether or not water is used during said period, and which facility charge shall entitle the user to continue use.
- b. Service charges shall be at the rate of:
  - i. ~~\$11.83~~ **\$11.99** in FY ~~13-14~~ **14-15** plus a surcharge of the same amount per 1,000 gallons of water metered.
- c. The rate in subsection (b) above shall apply to the amount of water passing through the water meter except when an approved discharge metering system is utilized. In this case the rate shall apply to that water discharged to the system.
- d. When the user (outside the city) does not receive water provided by the city, provisions for accurate sewer metering will be required.

#### **DIVISION 4. WATER AND SEWER RATES INCREASES BEYOND FY 07-08**

##### **Sec. 38-4-40. Consumer Price Index (CPI)**

Effective for customer bills rendered after April 30, 2008, each year, at the beginning of the City's fiscal year, the unit charges for all water and sewer rates will be adjusted to reflect no more than the percentage increase of change, if any, in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W): Midwest Urban Region, All Items Index, as published by the Bureau of Labor Statistics of the U.S. Department of Labor, on the first published date after the beginning of the most recent calendar year, to the average comparable index for the previous year (12 months).

Note: This index can be found at [www.bls.gov/cpi/](http://www.bls.gov/cpi/)

## CITY OF MASCOUTAH

### Staff Report

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** Adoption of Weapons Policy (second reading)

**MEETING DATE:** April 7, 2014

**REQUESTED ACTION:**

Approval of revisions to Chapter 28 – Personnel Code of the City Code establishing a Weapons Policy by adoption of ordinance.

**BACKGROUND & STAFF COMMENTS:**

With the new Firearm Concealed Carry Act (430 ILCS 66) a Weapons Policy is needed to be adopted governing concealed carry by employees and visitors on City property. These rules and regulations are included in the attached ordinance and will be incorporated into the City Employee Handbook.

Council discussed the private vehicle prohibition at the previous City Council meeting especially as it pertained to the City Manager's use of his private vehicle. The City Attorney reviewed the ordinance and recommended removing that section instead of creating an exemption for the City Manager. This has been incorporated into the attached ordinance.

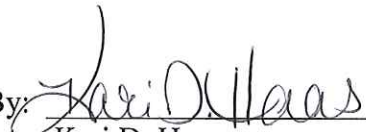
**RECOMMENDATION:**

Council approval of Ordinance, as attached.

**SUGGESTED MOTION:**

I move that the City Council approve and adopt Ordinance 14-\_\_\_\_, thereby modifying Chapter 28 – Personnel Code establishing a Weapons Policy.

Prepared By:

  
Kari D. Haas  
City Clerk

Approved By:

  
Cody Hawkins  
City Manager

Attachments: A – Ordinance

**ORDINANCE NO. 14-\_\_**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES,  
CHAPTER 28 – PERSONNEL CODE  
ADOPTED OF THE CITY OF MASCOUTAH, ILLINOIS.**

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MASCOUTAH, IN ST. CLAIR COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** Amending CHAPTER 28 – PERSONNEL CODE, as attached.

**SECTION 2:** This ordinance shall be in full force and effect after passage, approval and publication as required by law.

**PASSED** by the Mayor and the City Council of the City of Mascoutah, County of St. Clair, State of Illinois, upon motion by Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_, adopted on the following roll call vote on the \_\_\_\_ day of April, 2014, and deposited and filed in the Office of the City Clerk in said City on that date.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Benjamin Grodeon	_____	_____	_____
Paul Schorr	_____	_____	_____
John Weyant	_____	_____	_____
Pat McMahan	_____	_____	_____
Gerald Daugherty	_____	_____	_____

**APPROVED AND SIGNED** by the Mayor of the City of Mascoutah, Illinois, this \_\_\_\_ day of April, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk  
(SEAL)

Attachment A

## **CHAPTER 28 – PERSONNEL CODE**

### **ARTICLE X – WEAPONS POLICY**

#### **28-10-1. Purpose**

The City of Mascoutah strives to maintain a safe workplace environment for its employees and visitors. Workplace safety is enhanced by adopting this “No-Weapons” Policy.

#### **28-10-2. Applicability**

This Policy applies to (a) all officials and employees at all times while on or in City Property, whether on duty or off duty, or while performing any duties for or on behalf of the City, except as provided for in Sec. 28-10-5 (“City Officials”); and (b) all clients, guests, and other persons who are not City Officials, including contractors and vendors, and their personnel at all times while on or in City Property. See the definitions of “City Officials”, “City Property”, and “Visitor” under Sec. 28-10-3.

#### **28-10-3. Definitions**

“City Officials” mean all officials and employees at all times while on or in City Property, whether on duty or off duty, or while performing any duties for or on behalf of the City.

“City Property” means every building and property, or portion of a building or property, owned or leased by or other under the control of, the City. “City Property” also means every City-owned or leased vehicle.

“Tools” means devices commonly recognized as tools useful for City purposes, when being used for City purposes or kept in their usual storage location.

“Visitor” means every person other than a City Official, as described in phrase (B) under Sec. 28-10-4.

“Weapon” means:

(a) Knives, except that the following knives are not prohibited: (i) common kitchen knives such as dinner knives, steak knives, and carving knives, but only in kitchen and break room areas; and (ii) common folding pocket knives with no blade longer than three (3”) inches.

(b) Devices from which a projectile can be fired, but not including Tools as defined in this Policy.

(c) Electronic devices such as Tasers, stun guns and other conducted electrical weapons.

(d) Firearms of all types and sizes, whether loaded or unloaded.



(e) Clubs and any other instrument or object that can be used in a club-like manner and the presence of which poses a reasonable risk to others, but not including Tools as defined in this Policy.

(f) Any device designed primarily for a destructive purpose, but not including Tools as defined in this Policy.

#### **28-10-4. Weapons Prohibited**

(a) City Officials. Except as provided under Sec. 28-10-5, no City Official may wear, carry, store, transport, or otherwise possess a Weapon at any time in or on City Property or while performing any duties for or on behalf of the City.

Examples of prohibited times and places include, but are not limited to, the following:

(1) performing work for the City at any location including private residences (excluding the City Official's residence) and commercial establishments and other customer or client locations;

(2) driving or riding as a passenger in a City vehicle;

(3) attending trade shows, conferences, or training on behalf of the City;

(4) attending City directed or sponsored activities or events (intended for City employees only and not the general public) independent of venue;

(5) riding any type of mass transit while on City business;

(6) working off-site on behalf of the City (excluding the City Official's residence); and

(7) performing emergency or on-call work for the City after normal business hours and on weekends.

(b) Visitors. Except as provided under Sec. 28-10-5, no Visitor may wear, carry, store, transport, or otherwise possess a Weapon in or on City Property at any time (see Parking Lots below for further information).

#### **28-10-5. Exceptions**

(a) Police Officers and Other Designated Personnel. City police officers and other City employees who have been specifically designated or deputized may possess their work-authorized Weapons. Police officers or similar law enforcement officers from other departments or agencies may possess their work-authorized Weapons while engaged in official duties.

(b) Governmental. A state or federal governmental employee may possess his or her work-authorized Weapons if engaged in official duties and required by law or regulation to possess a Weapon.

(c) Parking Lots. A City Official or Visitor may keep a Weapon in his or her personal vehicle properly parked and locked in a City parking lot or parking area, so long as the Weapon is kept in compliance with all applicable federal and State laws and regulations.

#### **28-10-6. Inspections**

City representatives may inspect or search any workplace area and any City Property, at any time, for the presence of a Weapon.

#### **28-10-7. Violations**

Any violation of this Policy by a City Official will subject a City employee to discipline, up to and including termination, and subject to arrest for any applicable state statutes.

Any violation of this Policy by a Visitor will subject the Visitor to removal from City Property, prohibition from returning to any City Property, and subject to arrest for any applicable state statutes.

#### **28-10-8. Concealed Carrying Prohibited**

All City Property is a "prohibited area" under Section 65 of the Illinois Firearms Concealed Carry Act and thus, concealed carrying in or on any City Property is not authorized by Illinois law. Accordingly, and in all events, concealed carrying is not an exception to this Policy.

#### **28-10-9. Responsibility**

All City employees shall have the responsibility of familiarizing themselves with this Policy and adhering to it.

Any City Official who sees or perceives a violation of this Policy must report that violation to his or her supervisor or, in the supervisor's absence, to the City Manager or, in an emergency, to the Police Department.

No person should take any action that will risk his or her safety or the safety of others. No person should attempt to restrain or forcibly evict an individual with a Weapon from City premises. Instead, a person may inform that individual of this Policy and ask for compliance. If that individual does not comply, then the person should contact the Police Department immediately.

## CITY OF MASCOUTAH

### Staff Report

**TO:** Honorable Mayor & City Council  
**FROM:** Cody Hawkins – City Manager  
**SUBJECT:** St. Clair County Contracts for Dispatching Services  
**MEETING DATE:** April 7, 2014

#### REQUESTED ACTION:

Council approval of three contracts with St. Clair County, Illinois for Coordinated Communications Services (dispatching services) provided for the year of 2014 for the Police, EMS, and Fire Departments.

#### BACKGROUND & STAFF COMMENTS:

These contracts are for dispatching services with St. Clair County and are prepared every year. They allow for the County to provide 911 and non-emergency telephone call processing, radio dispatching, and paging services to and from the City's telephones, radios, and pagers for our Police, EMS, and Fire Department personnel. There are three contracts (one for each Department/ Service), which are available for review, but not attached.

#### FUNDING:

The dispatching cost increased from \$14.08 to \$14.36 per transaction this year. Funding for the services are included in the Police Department, EMS Department, and the Fire Department Budgets under Contractual Services, account #7500. Amounts equal \$49,711.19 for the Police Department, \$11,330.04 for the EMS Department, and \$2,714.04 for the Fire Department (Mascoutah Rural Fire Protection District will be reimbursing \$1,058.48 which is 39% of the Fire Department calls made during 2013 making the City's expense \$1,655.56). This expense will be covered in the FY14/15 budget.

#### RECOMMENDATION:

City Manager recommends that the Council approve and authorize the appropriate City officials to execute the required documents.

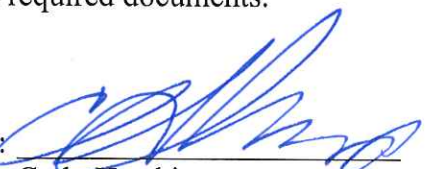
#### SUGGESTED MOTION:

I move that the Council approve the three contracts with St. Clair County for dispatching services and authorize the appropriate City officials to execute the required documents.

Prepared By:

  
Kari D. Haas  
City Clerk

Approved By:

  
Cody Hawkins  
City Manager

CITY OF MASCOUTAH

**Staff Report**

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** **PC 14-02 – Rezoning of property at 751 N. Jefferson Street from RM, Multiple-Family Residential, to GC, General Commercial (First Reading)**

**MEETING DATE:** April 7, 2014

**REQUESTED ACTION:**

Approval of rezoning of property at 751 N. Jefferson Street from RM, Multiple-Family Residential, to GC, General Commercial, by adoption of ordinance.

**BACKGROUND & STAFF COMMENTS:**

On March 19, 2014, the Planning Commission held a public hearing for PC 14-02, a request to rezone a 1.5 acre parcel located at 751 N. Jefferson Street from RM, Multiple-Family Residential, to GC, General Commercial. The property is located west of N. Jefferson Street (Illinois Route 4) north of Mascoutah Plaza Drive and is situated between St. Elizabeth Medical Plaza and Mascoutah Spot Free Car Wash. Following the public hearing, the Planning Commission voted 6-ayes and 0-nays to approve the rezoning.

The Planning Commission meeting minutes are attached. No one spoke in favor or opposition to the rezoning request. The subject property is designated as Commercial on the Land Use map in the City's Comprehensive Plan. The Commercial land use designation was assigned to the subject property given its location and frontage along Jefferson Street and the City's desire that the property be developed for commercial use. There is no development proposed for the subject property at this time. The property is listed for sale and has been marketed for commercial use contingent upon rezoning approval.


In accordance with Section 34-15-7 of the Unified Land Development Code, an affirmative vote of two-thirds of the members of the City Council shall be required to approve any rezoning request or to adopt any amendment to the Code.

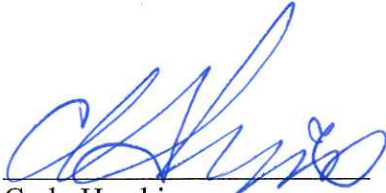
**STAFF RECOMMENDATION:**

Staff recommends approval of the rezoning of property at 751 N. Jefferson Street from RM, Multiple-Family Residential, to GC, General Commercial.

**SUGGESTED MOTION:**

I move that the City Council approve and adopt Ordinance 14-\_\_\_\_, approving the rezoning of property at 751 N. Jefferson Street from RM, Multiple-Family Residential, to GC, General Commercial, subject to the Findings for Approval attached.

Prepared By:   
Lisa Koerkenmeier, AICP  
Assistant City Manager

Approved By:   
Cody Hawkins  
City Manager

Attachments: A – Ordinance, Findings for Approval  
B – Planning Commission Staff Report  
C – Minutes from the Planning Commission Meeting and Public Hearing of  
March 19, 2014

**ORDINANCE NO. 14-\_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 34, ARTICLE IV, OFFICIAL CHANGE TO THE ZONING MAP PER ARTICLE XV OF THE CITY OF MASCOUTAH CODES, COMMONLY REFERRED TO AS THE UNIFIED LAND DEVELOPMENT CODE.**

**WHEREAS**, The City now desires to officially change the City's Zoning Map from Multiple-Family Residential (RM) to General Commercial (GC) for subject property described as part of the Southwest Quarter, of the Southwest Quarter of Section 29, Township 1 North, Range 6 West of the Third Principal Meridian as recorded in Book 1769, page 18, of St. Clair County Records, and known as Parcel No. 10-29.0-300-027; commonly referred to as 751 North Jefferson Street; and

**WHEREAS**, City staff and the Planning Commission have processed and recommended approval for this Zone Map change per City regulations; and

**WHEREAS**, the Planning Commission's official "Report to Council" is represented by a complete report attached hereto and has been forwarded to the City Council for deliberation, approval and adoption of this Zone Map change.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MASCOUTAH, IN ST. CLAIR COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** That Chapter 34 "Unified Land Development Code," Article IV – Official Map, is hereby amended to officially change the property described as part of the Southwest Quarter, of the Southwest Quarter of Section 29, Township 1 North, Range 6 West of the Third Principal Meridian as recorded in Book 1769, page 18, of St. Clair County Records, and known as Parcel No. 10-29.0-300-027; commonly referred to as 751 North Jefferson Street; from Multiple-Family Residential (RM) to General Commercial (GC).

**SECTION 2:** That the Ordinance shall be in full force and effect from after its passage and approval as provided by law.

**PASSED** by the Mayor and the City Council of the City of Mascoutah, County of St. Clair, State of Illinois, upon motion by Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_, adopted on the following roll call vote on the \_\_\_\_ day of April, 2014, and deposited and filed in the Office of the City Clerk in said City on that date.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Benjamin Grodeon	_____	_____	_____	_____
Paul Schorr	_____	_____	_____	_____
John Weyant	_____	_____	_____	_____
Pat McMahan	_____	_____	_____	_____
Gerald Daugherty	_____	_____	_____	_____

**APPROVED** by the Mayor of the City of Mascoutah, Illinois, this \_\_\_\_ day of April, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

## **FINDINGS FOR APPROVAL – City Council Version**

**ZONE CHANGE:** 751 N. Jefferson Street

**DATE:** April \_\_, 2014

***FINDINGS:*** The Mascoutah City Council, pursuant to the applicants initiated Zone Change for the tract of land described, and after considering the effect of the requested use on the health, safety, morals and general welfare of the residents in the City, specifically finds:

1. The proposed zone change of the site is appropriate, in terms of land patterns in the entire City and its comprehensive plan.
2. The proposed zone change is compatible with surrounding uses and the zoning of nearby property.
3. The land is suitable for the uses permitted in the General Commercial Zoning District.
4. The rezoning application is consistent with good general planning.



**CITY OF MASCOUTAH**  
Mascoutah, Illinois

**TO:** Planning Commission

**FROM:** Cody Hawkins, City Manager

**SUBJECT:** PC 14-02 – Rezoning of property at 751 N. Jefferson Street from RM, Multiple-Family Residential, to GC, General Commercial

**MEETING DATE:** March 19, 2014

**REQUESTED ACTION:**

Public hearing by the Planning Commission and review of a Rezoning Application for a 1.5 acre parcel located at 751 N. Jefferson Street from RM, Multiple-Residential, to GC, General Commercial.

**BACKGROUND & STAFF COMMENTS:**

The applicant, Jacquelyn McDonough, is the property owner of 751 N. Jefferson Street and is requesting the property be rezoned from RM, Multiple-Family Residential, to GC, General Commercial. The subject property is approximately 240' x 260' and 65,000 square feet in size. The property is located west of N. Jefferson Street (Illinois Route 4) north of Mascoutah Plaza Drive and is situated between the St. Elizabeth Medical Plaza and Mascoutah Spot Free Car Wash. The subject property includes approximately 240 feet of frontage along N. Jefferson (IL RT 4). The property is located in a Tax Increment Financing District (TIF 2B) and the St. Clair County MidAmerica Enterprise Zone.

There is no development proposed for the subject property at this time. However, the property is listed for sale and has been marketed for commercial use contingent upon rezoning approval.

**Land Use/ Zoning:**

<u>Property</u>	<u>Comprehensive Plan</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Site	Commercial	RM, Multiple-Family Res.	Single-Family Res.
South:	Commercial	GC, General Commercial	Commercial
North:	Commercial	GC, General Commercial	Commercial
East:	Commercial	County, AG, Agricultural	Agricultural
West:	Medium Density Res.	RM, Multiple-Family Res.	Multi-Family Res.

**Public Notice:** A request to rezone property requires a public hearing before the Planning Commission. The legal notice for the public hearing was published and notices were sent to 7 property owners within 250' of the subject property. As of the date of this report, staff has not received any inquiries about the rezoning application.

## **DISCUSSION POINTS / ISSUES:**

**Land Use and Zoning Requirements:** Presently the subject property is zoned RM. Multiple-Family Residential and may be used for various residential uses including single-family dwellings, duplexes and multiple-family dwellings. The RM District also permits elementary and secondary schools. The present RM District does not allow for commercial uses. The subject property is designated as Commercial on the Land Use Map in the City's Comprehensive Plan as is land within the immediate area with frontage along Jefferson Street (Illinois Route 4). The Commercial land use designation was assigned to the subject property given its location and Jefferson Street (IL RT 4) frontage and the City's desire that the property be developed for commercial use.

**Utilities:** The subject property is connected to the municipal water service and a 10" water main is located in the public right-of-way along Jefferson Street (IL RT 4). The property is not presently connected to the municipal sewer and is served by an on-site sewer system. An 8" gravity sewer main is also located in the public right-of-way along Jefferson Street. These City utilities would be adequate if the property was developed for commercial purposes.

**Zoning Conditional Use Permit Review:** In accordance with Sections 34-15-4 and 34-15-7, any proposed rezoning/map amendment shall be reviewed by the Planning Commission and a public hearing held to review the application. An affirmative vote of two-thirds of the members of the City Council shall be required to approve any rezoning request.

**REVIEW AND APPROVAL CRITERIA:** The current Unified Land Development Code does not list specific review criteria to consider for rezoning requests. However the following criteria are typically the key factors used by the courts when considering whether a property should be rezoned.

- The existing use and zoning of nearby property.
- The extent to which property values are diminished by the particular zoning restriction.
- The extent to which the diminution of property values of the subject property promotes the health, safety, morals and general welfare of the public.
- The relative gain to the public vis-à-vis the hardship imposed upon the individual property owner.
- The suitability of the subject property for zoned purposes.
- The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the subject property.
- The care with the City has undertaken to plan its land use development.
- The evidence or lack thereof of the City's need for the proposed use.

**RECOMMENDATION:**

Staff recommends approval of the rezoning request for property at 751 N. Jefferson Street from RM, Multiple-Family Residential to GC, General Commercial, subject to the Findings for Approval attached.

**MOTION:**

I move that the Planning Commission approve the rezoning request for property located at 751 N. Jefferson Street from RM Multiple-Family Residential, to GC, General Commercial, subject to the attached Findings for Approval.

**MOTION** \_\_\_\_\_ **SECOND** \_\_\_\_\_

Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstentions \_\_\_\_\_

Approved By: \_\_\_\_\_

Cody Hawkins  
City Manager

Prepared By: \_\_\_\_\_

Lisa Koerke  
Lisa Koerke, AICP  
Assistant City Manager

Attachments: A – Findings of Approval  
B – Location/Zoning Map  
C – Aerial/Parcel Map of Site  
D- Photos of Subject Property  
E – Public Hearing Notice

## **FINDINGS FOR APPROVAL – Planning Commission Version**

**ZONE CHANGE:** 751 N. Jefferson Street

**DATE:** March 19, 2014

**FINDINGS:** The Mascoutah Planning Commission, pursuant to the applicants initiated Zone Change for the tract of land described, and after considering the effect of the requested use on the health, safety, morals and general welfare of the residents in the City, specifically finds:

1. The proposed zone change of the site is appropriate, in terms of land patterns in the entire City and its comprehensive plan.
2. The proposed zone change is compatible with surrounding uses and the zoning of nearby property.
3. The land is suitable for the uses permitted in the General Commercial Zoning District.
4. The rezoning application is consistent with good general planning.

Attachment A



















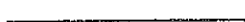


# ZONING MAP

## CITY OF MASCOUTAH

### ST. CLAIR COUNTY, ILLINOIS

JANUARY 2011

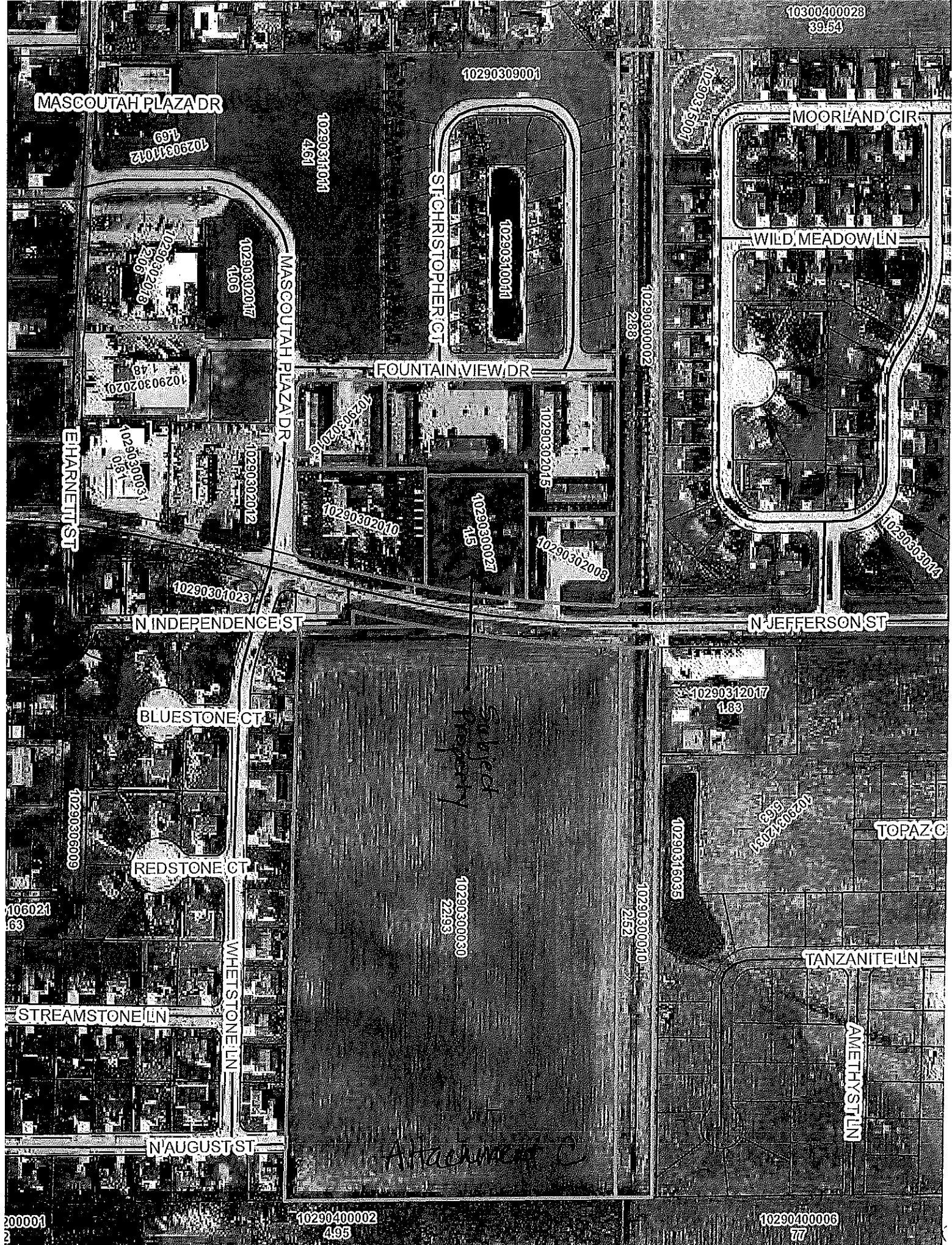
#### LEGEND

	AG, AGRICULTURAL
	RS-10, SINGLE-FAMILY RESIDENTIAL
	RS-8, SINGLE-FAMILY RESIDENTIAL
	RS-5, SINGLE-FAMILY RESIDENTIAL
	RT, TWO-FAMILY RESIDENTIAL
	RM, MULTIPLE-FAMILY RESIDENTIAL
	RMH, MOBILE HOME RESIDENTIAL
	O, OFFICE
	NC, NEIGHBORHOOD COMMERCIAL
	DC, DOWNTOWN COMMERCIAL
	GC, GENERAL COMMERCIAL
	LI, LIGHT INDUSTRIAL
	GI, GENERAL INDUSTRIAL
	AP, AIRPORT
	AIRPORT OVERLAY DISTRICT
	COMMUNITY FACILITY DISTRICT
	NOISE IMPACT ZONE
	HEIGHT HAZARD ZONE
	CITY BOUNDARY
	ENTERPRISE ZONE
	TIFF BOUNDARY

PAVEMENT LENGTHS = 100 MILES  
CORPORATE LIMITS AREA = 6,202 ACRES

P:\MASCOUTAH\dwg\Zoning\MASCOUTAH\_ZONING\_MAP2011.dwg 2/2/2011 10:45:50 AM CST

Attachment B





### Subject Photos

PC 14-02, 751 N. Jefferson, Rezoning from RM to GC

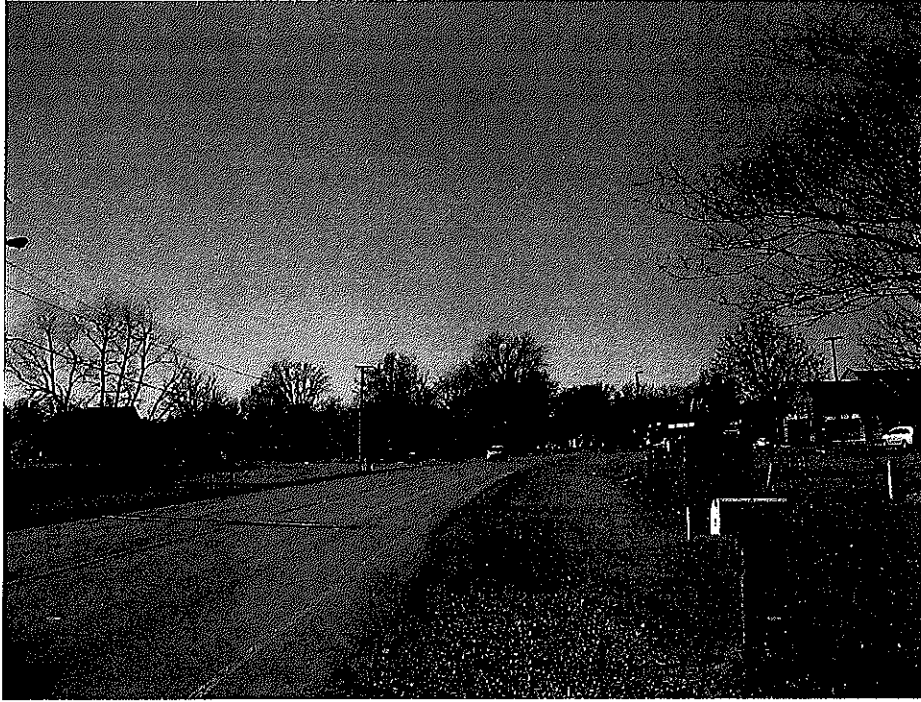


Front View of Subject Property



South Side and Rear View

Attachment D



Jefferson Street, looking south



Jefferson Street, looking north



CITY OF MASCOUTAH  
# 3 WEST MAIN ST.  
MASCOUTAH IL. 62258  
618-566-2964 EXT. 122

## NOTICE OF PUBLIC HEARING

The City of Mascoutah Planning Commission will conduct a Public Hearing on **Wednesday, March 19, 2014, at 7:00 PM** in the City Council Chambers at City Hall, #3 West Main Street, Mascoutah, IL 62258.

The purpose of this hearing is to consider rezoning of property located at 751 North Jefferson from RM, Multiple-Family Residential, to GC, General Commercial.

Anyone interested in this hearing may appear and be heard for or against. The regular meeting of the Planning Commission shall follow this hearing wherein the Commission shall make a recommendation on this request.

Questions or requests for further details can be directed to the City Manager's Office, City Hall, 618- 566-2964, ext. 122. Comments in writing may be forwarded to the City Manager's Office, 3 West Main St., Mascoutah, IL 62258.

Posting Date: February 25, 2014

MASCOUTAH PLANNING COMMISSION  
Ken Zacharski, Chairman

*Attachment E*

**CITY OF MASCOUTAH  
PLANNING COMMISSION  
#3 WEST MAIN STREET  
MASCOUTAH, IL 62258-2030**

**MARCH 19, 2014 (DRAFT)**

The minutes of the Regular Meeting of the Planning Commission of the City of Mascoutah.

**PUBLIC HEARING – 7:00PM**

**REZONING APPLICATION FOR PROPERTY AT 751 N. JEFFERSON STREET  
FROM RM, MULTIPLE-FAMILY RESIDENTIAL, TO GC, GENERAL  
COMMERCIAL**

Chairman opened the hearing and gave the floor to staff for their report.

Assistant City Manager Lisa Koerkenmeier stated that the rezoning process requires a public hearing before the Planning Commission. The legal notice was published and notices were sent to property owners within 250' of the subject property. As of date of the meeting, staff has not received any inquiries about the rezoning application.

Koerkenmeier stated that the applicant, Jacquelyn McDonough, is the property owner of 751 N. Jefferson Street and is requesting the property be rezoned from RM, Multiple-Family Residential, to GC, General Commercial. The property is located on the west side of N. Jefferson Street (Illinois Route 4), north of Mascoutah Plaza Drive and is situated between the St. Elizabeth Medical Plaza and Mascoutah Spot Free Card Wash. The subject property is approximately 1.5 acres and includes 240' of frontage along IL Route 4. The property is located in the Tax Increment Financing District (TIF 2B) and the Enterprise Zone which are programs that may offer incentives to commercial development. The property is designated as Commercial on the Land Use Map in the City's Comprehensive Plan. The property is presently connected to City water and has an on-site septic system. Any development of the property would be required to connect to City sewer. A development proposal for the property in the future would require site plan and architectural review by the Planning Commission and City Council. Koerkenmeier explained that there is no development proposed for the subject property at this time, however, the property is listed for sale and has been marketed for commercial use contingent upon rezoning approval by the City.

Commissioners asked about the Welcome to Mascoutah sign. City Manager Cody Hawkins stated he believes the existing sign is located on the private property. He indicated that the Chamber is interested in constructing a new welcome signs further north on IL Route 4 and this sign could be removed.

Commissioners inquired about the berm and fence on the car wash property and would the berm and fence be removed if the property at 751 N. Jefferson would be rezoned to commercial. Hawkins stated that staff is aware of the suit between the adjoining property owners that resulted in an order from the IL Pollution Control Board for the car wash owners to erect the berm and fence. He explained that the suit documents were in the hands of the City Attorney to review.

At this time, it is unknown if the rezoning of the property or the sale of the property would impact the direction of the court order.

The applicant was present and verified that the rezoning request was to assist with marketing the property and that due to the construction of the medical complex and car wash, the property is not desirable for residential use.

There was no further discussion.

**PUBLIC HEARING ADJOURNED at 7:11 PM**

**CALL TO ORDER at 7:12 PM**

Chairman Ken Zacharski called the meeting to order.

**PRESENT**

Commission members Charles Lee, Jack Klopmeier, Glenn Shelley, Bruce Jung, Darren Goodlin, and Chairman Ken Zacharski were present.

**ABSENT**

Commission members absent – Rich Thompson.

**ALSO PRESENT**

Assistant City Manager Lisa Koerkenmeier, City Manager Cody Hawkins and Code Enforcement Official Danny Schrempp.

**ESTABLISHMENT OF A QUORUM**

A quorum of Planning Commission members was present.

**GENERAL PUBLIC COMMENT**

None.

**AMEND AGENDA**

There was no need to amend Agenda

**MINUTES**

Lee moved, seconded by Klopmeier, to approve the minutes of the January 29, 2014 Planning Commission Meeting.

**PC 14-02 – REZONING OF PROPERTY AT 751 N. JEFFERSON STREET FROM RM, MULTIPLE-FAMILY RESIDENTIAL, TO GC, GENERAL COMMERCIAL**

Discussion was held during the Public Hearing Process. Please see Public Hearing section of these minutes for details.

**MOTION**

Lee moved, seconded by Goodlin, that the Planning Commission approve the rezoning request for property located at 751 N. Jefferson Street from RM Multiple-Family Residential to GC General Commercial subject to the attached Findings for Approval.

**THE MOTION BY ROLL CALL**

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Bruce Jung aye, Darren Goodlin aye and Chairman Ken Zacharski aye

**PC 14-03 – REDEVELOPMENT PLAN FOR PROPERTY AT 300 S. INDEPENDENCE STREET, MASCOUTAH ACRES MOBILE HOME PARK**

Koerkenmeier stated that Chapter 23, Mobile Housing Code, requires any person seeking to alter a mobile home park to obtain a permit and submit a redevelopment plan (site plan) which is to be reviewed by the Planning Commission and Council. The applicant is Rick Brown, a partner and property owner of the Mascoutah Acres Mobile Home Park located at 300 S. Independence Street. The property will remain a single, 5.54 acre parcel and one zoning lot. The parcel will not be subdivided. The partners desire to reduce the density of the mobile home park by providing a total 26 lots, a reduction of 39 lots. The lots measure 75' x 90', or 6,750 square feet, to accommodate a double-wide mobile home with a single or double attached garage. The owners will continue to operate it as a mobile home park and the lots will be leased.

Koerkenmeier reviewed the regulations and zoning requirements of Chapter 23, Mobile Housing Code and Chapter 34, the RMH, Mobile Home Residential zoning requirements and mobile home park standards. The project provides 6,750 SF lots, 20' front yards, 5' side yards, 10' rear yard, maximum 40% lot coverage or less, 10' separation between units, and a 5' setback from the east property line, 10' setback from the north property line and 25' from the west and south property lines. The streets and utilities within the mobile home park will remain private. The owners have granted the City and the other utility providers an easement over the entire property should the City need to access utility connections in cases of emergency. The green space and trees along the west property line by the entryway will remain. The owners will install a 6' privacy fence along the north and east property lines.

Discussion followed regarding any exceptions to the Code that the development would require. Chapter 23 requires the streets be a minimum 50' ROW and minimum 32' pavement width and driveways of two spaces along the streets. Staff is recommending the owners be allowed to use existing streets with an upgrade to 25' pavement width since the streets will remain private and no more than 10 units would be placed along any private street. The owner stated that they will be prohibiting on-street parking in the community and it will be written in the lease. Additionally, the owner stated that each lot will have a minimum of two, off-street parking spaces and one or two-car attached garages.

Commissioners discussed the 6,750 SF lot size. Koerkenmeier explained that Chapter 23 and 34 require different minimum lot sizes, 7,000 SF and 4,000 SF respectively. Koerkenmeier stated that the IL Department of Public Health which regulates mobile home parks in the State permits 2,500 SF lots.

Commissioners discussed the 20' separation requirement between units and the development providing 10'. Koerkenmeier stated that the IL Department of Public Health permits 10'. She explained that mobile homes are constructed much better to meet HUD guidelines and are safer which allows mobile homes to have a 10' separation. Also, with the required 5' side yard setback in the Code, some units could potentially have a 10' spacing between units.

Commissioners discussed the minimum 25' setback from the park property line and the development providing 25' from the west and south property lines but only 10' from the north line and 5' from the east line. The owner stated that the setbacks presented on the site plan

would allow for the larger 6,750 SF lots which would accommodate a double-wide and an attached garage. He added that a privacy fence would be installed on the north and east lines which would serve as a buffer and would also reduce pedestrian cross-through traffic from the mobile home park to the east. This would allow for a “gated community” effect and his tenants would not have to look at the mobile home park and property conditions to the north and east.

Commissioners concluded discussion. Chairman Zacharski asked why staff did not prepare a list of conditions to incorporate into the motion. Koerkenmeier agreed to include a list of conditions with their motion to be forwarded to the Council. She summarized the following conditions with the Commissioners:

1. The existing private streets are allowed with an upgrade to a 25’ foot pavement width and a minimum of two off-street parking spaces (hard surface) are required for each lot.
2. The lot size of 6,750 is allowed.
3. The minimum separation between units of 10’ is allowed.
4. The minimum side yard setback of 5’ is allowed for each side yard.
5. The following minimum setbacks from the park property line are allowed; 10’ from the north, 5’ from the east, 25’ from the south and 25’ from the west and a 6’ white PVC privacy fence is required along the north and east property lines.

#### **MOTION**

Goodlin moved, seconded by Lee, that the Planning Commission approve the site plan for property at 300 S. Independence for the redevelopment of the Mascoutah Acres Mobile Home Park with the following conditions as summarized by staff.

#### **THE MOTION BY ROLL CALL**

Charles Lee aye, Jack Klopmeier nay, Glenn Shelley aye, Bruce Jung aye, Darren Goodlin aye and Chairman Ken Zacharski aye

#### **MISCELLANEOUS**

None.

#### **ADJOURNMENT**

Klopmeier moved, seconded by Lee, to adjourn at 7:58 p.m.

All in favor – 6

Opposed - 0

CITY OF MASCOUTAH

**Staff Report**

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** **PC 14-03 – Redevelopment Plan for property at 300 S. Independence Street, Mascoutah Acres Mobile Home Park**

**MEETING DATE:** April 7, 2014

**REQUESTED ACTION:**

Approval by motion of a redevelopment plan for property at 300 S. Independence Street, also known as Mascoutah Acres Mobile Home Park.

**BACKGROUND & STAFF COMMENTS:**

On March 19, 2014, the Planning Commission reviewed the site plan to alter the Mascoutah Acres Mobile Home Park. The partners desire to reduce the density of the mobile home park by providing a total 26 lots, a reduction of 39 lots, and provide lots measuring 75' x 90,' or 6,750 square feet, to accommodate a double-wide mobile home with a single or double attached garage. The property will remain a single, 5.54 acre parcel and one zoning lot. The Planning Commission meeting minutes are attached. The Planning Commission voted 6-ayes and 0-nays to approve the redevelopment plan with the following conditions:

1. The existing private streets are allowed with an upgrade to a 25' foot pavement width and a minimum of two off-street parking spaces (hard surface) are required for each lot.
2. The lot size of 6,750 is allowed.
3. The minimum separation between units of 10' is allowed.
4. The minimum side yard setback of 5' is allowed for each side yard.
5. The following minimum setbacks from the park property line are allowed; 10' from the north, 5' from the east, 25' from the south and 25' from the west and a 6' white PVC privacy fence is required along the north and east property lines.

**STAFF RECOMMENDATION:**

Staff recommends approval of the redevelopment plan for property at 300 S. Independence Street with the conditions as applied by the Planning Commission.


**SUGGESTED MOTION:**

I move that the City Council approve the redevelopment plan for property at 300 S. Independence Street with the following conditions:

1. The existing private streets are allowed with an upgrade to a 25' foot pavement width and a minimum of two off-street parking spaces (hard surface) are required for each lot.
2. The lot size of 6,750 is allowed.
3. The minimum separation between units of 10' is allowed.
4. The minimum side yard setback of 5' is allowed for each side yard.

5. The following minimum setbacks from the park property line are allowed; 10' from the north, 5' from the east, 25' from the south and 25' from the west and a 6' white PVC privacy fence is required along the north and east property lines.

Prepared By:   
Lisa Koerkenmeier, AICP  
Assistant City Manager

Approved By:   
Cody Hawkins  
City Manager

Attachments: A –Planning Commission Staff Report  
B – Minutes from the Planning Commission Meeting of March 19, 2014

**CITY OF MASCOUTAH**  
Mascoutah, Illinois

**TO:** Planning Commission

**FROM:** Cody Hawkins, City Manager

**SUBJECT:** **PC 14-03 – Redevelopment Plan for property at 300 S. Independence Street, Mascoutah Acres Mobile Home Park**

**MEETING DATE:** March 19, 2014

**REQUESTED ACTION:**

Planning Commission review of a Redevelopment Plan for a 5.54 acre parcel located at 300 S. Independence Street. (a.k.a. Mascoutah Acres Mobile Home Park)

**BACKGROUND & STAFF COMMENTS:**

The applicant, Rick Brown, is a partner and property owner of the Mascoutah Acres Mobile Home Park located at 300 S. Independence Street. Partners of the Mascoutah Acres Land Trust purchased the mobile home park in 2004. The mobile home park has continued to be annually registered with the City in accordance with Chapter 23, the Mobile Housing Code. The 5.54 acre parcel was established as a mobile home park in 1963 and was originally designed to include 66 lots of which 65 lots could be leased and accommodate the placement of a single-wide mobile home. Since 2004 the partners have removed most of the single-wide mobile homes. The partners desire to reduce the density of the mobile home park by providing a total 26 lots, a reduction of 39 lots, and provide lots measuring 75' x 90,' or 6,750 square feet, to accommodate a double-wide mobile home with a single or double attached garage. The property will remain a single, 5.54 acre parcel and one zoning lot. The parcel will not be subdivided. Any future subdivision of the land would require approval of a subdivision plat and would have to meet the subdivision requirements of the Unified Land Development Code.

There are primarily three sections of the municipal code which pertain to mobile homes and mobile home parks: Chapter 23, Mobile Housing Code; Chapter 34, Division 7, "RMH" Mobile Home Residential District; and Chapter 34, Division 2, Section 34-7-11, Standards for mobile home parks. There are inconsistencies in some of the development requirements of these three sections as it pertains to mobile home parks. However, each section implies that if there are differences in requirements, the stricter of the two shall apply. Additionally, the State of Illinois Department of Public Health requires approval of a site plan for new, or alterations to, mobile home parks, but home rule municipalities such as Mascoutah, are exempted from this state permit requirement. Chapter 23 of the municipal code has a similar requirement that a new mobile home park or alterations to existing mobile home parks requires review and approval of a redevelopment plan or site plan. Attached for the Planning Commission's review is the site plan prepared by the applicant's engineer.



**Land Use/ Zoning:**

<u>Property</u>	<u>Comprehensive Plan</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Site	Low Density Residential	RMH, Mobile Home Res.	Mobile Home Park
South:	Medium Density Res.	RM, Multiple-Family Res.	Vacant Land
Further South:	Medium Density Res.	GC, General Commercial	Storage
North:	Low Density Residential	RMH, Mobile Home Res.	Single-Family Res.
East:	Low Density Residential	RMH, Mobile Home Res.	Mobile Home Park
West:	Low Density Residential	RS-8, Single-Family Res.	Single-Family Res.

**DISCUSSION POINTS / ISSUES:**

**Land Use and Zoning Requirements:** Chapter 23 and 34 refer to different minimum lot sizes; 7,000 square feet and 4,000 square feet respectively. The redevelopment plan will provide 6,750 square foot lots. Chapter 23 and 34 refer to different minimum lot widths; 50 feet and 40 feet respectively. The plan provides for lot widths of 90 feet. Both codes restrict maximum lot coverage of 40%, which is the maximum lot coverage provided by the applicant. The RMH District dimensional regulations include a 5' side yard (15' feet combined), but additionally requires a minimum separation of 20 feet between mobile homes, which is also the standard cited in section 34-7-11. The redevelopment plan includes a minimum separation of 10 feet between mobile homes, which is permissible by the RMH Zoning District minimum side yard requirements. To sift through what would be reasonable requirements, staff referred to the State Administrative Code which requires a minimum separation of 10 feet between mobile homes. It is staff's opinion that the 10' separation between mobile homes is reasonable

**Utilities:** The subject property is connected to the municipal water service by a 4" water main along South Independence and connected to the municipal sewer service by a 10" gravity sanitary sewer which is located along South Independence and terminates at George Street. It is the City's responsibility to maintain the water and sewer mains to the applicant's property. All utilities located on private property will be the responsibility of the property owners. The property owners have granted a blanket easement on the property to the City should utility employees need to respond to emergencies and shut off utilities.

As noted, the site plan includes a typical home site layout which depicts a 10 foot setback line on each lot along the rear property line to provide a total distance of 20 feet for the location of all private utilities in the development.

**Streets and Parking:** The streets within the development will remain private and will be improved to a width of 25 feet. Although Chapter 23 cites providing street widths of 32 feet, which is the City's typical local street width specification, it is staff's opinion that the narrower street width will function at an acceptable level given the low number of total housing units along each street. Additionally, the owners will continue to restrict parking along the private streets and will state the parking restriction in the lease agreements. All leasees will also be required to have a minimum of two off-street parking spaces and will be permitted to construct either a single or double attached garage.

**Additional Amenities:** The property owners will be constructing a 6' white PVC fence along the north and east property lines and maintaining the greenspace and landscaping at the development's entryway.

**RECOMMENDATION:**

Staff recommends approval of the site plan for property at 300 S. Independence for the redevelopment of the Mascoutah Acres Mobile Home Park.

**MOTION:**

I move that the Planning Commission approve the site plan for property at 300 S. Independence for the redevelopment of the Mascoutah Acres Mobile Home Park.

**MOTION** \_\_\_\_\_ **SECOND** \_\_\_\_\_

Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstentions \_\_\_\_\_

Approved By: \_\_\_\_\_

Cody Hawkins  
City Manager

Prepared By: \_\_\_\_\_

Lisa Koerzenmeier, AICP  
Assistant City Manager

Attachments: A – Location/Zoning Map  
B – Aerial/Parcel Map of Site  
C – Site Plan  
D- Photos of Subject Property


















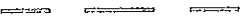



# ZONING MAP

## CITY OF MASCOUTAH

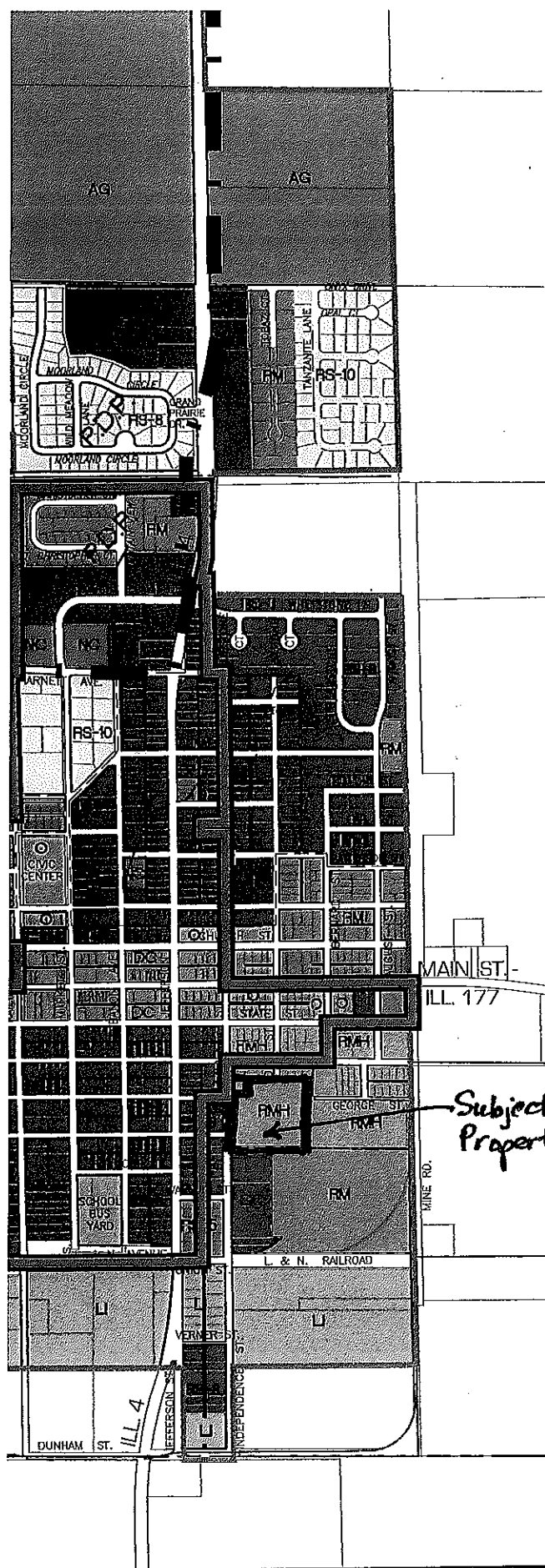
### ST. CLAIR COUNTY, ILLINOIS

JANUARY 2011

#### LEGEND

-  AG, AGRICULTURAL
-  RS-10, SINGLE-FAMILY RESIDENTIAL
-  RS-8, SINGLE-FAMILY RESIDENTIAL
-  RS-5, SINGLE-FAMILY RESIDENTIAL
-  RT, TWO-FAMILY RESIDENTIAL
-  RM, MULTIPLE-FAMILY RESIDENTIAL
-  RMH, MOBILE HOME RESIDENTIAL
-  O, OFFICE
-  NC, NEIGHBORHOOD COMMERCIAL
-  DC, DOWNTOWN COMMERCIAL
-  GC, GENERAL COMMERCIAL
-  LI, LIGHT INDUSTRIAL
-  GI, GENERAL INDUSTRIAL
-  AP, AIRPORT
-  AIRPORT OVERLAY DISTRICT
-  COMMUNITY FACILITY DISTRICT
-  NOISE IMPACT ZONE
-  HEIGHT HAZARD ZONE
-  CITY BOUNDARY
-  ENTERPRISE ZONE
-  TIFF BOUNDARY

PAVEMENT LENGTHS = 100 MILES  
CORPORATE LIMITS AREA = 6,202 ACRES



P:\VASCOUTAH\dwg\Zoning\MASCOUTAH ZONING MAP2011.dwg 2/2/2011 10:45:50 AM CST

Attachment A

# My Map

300 S. Independence



Copyright 2011 Esri. All rights reserved. Fri Mar 14 2014 04:21:53 PM.

Subject Property

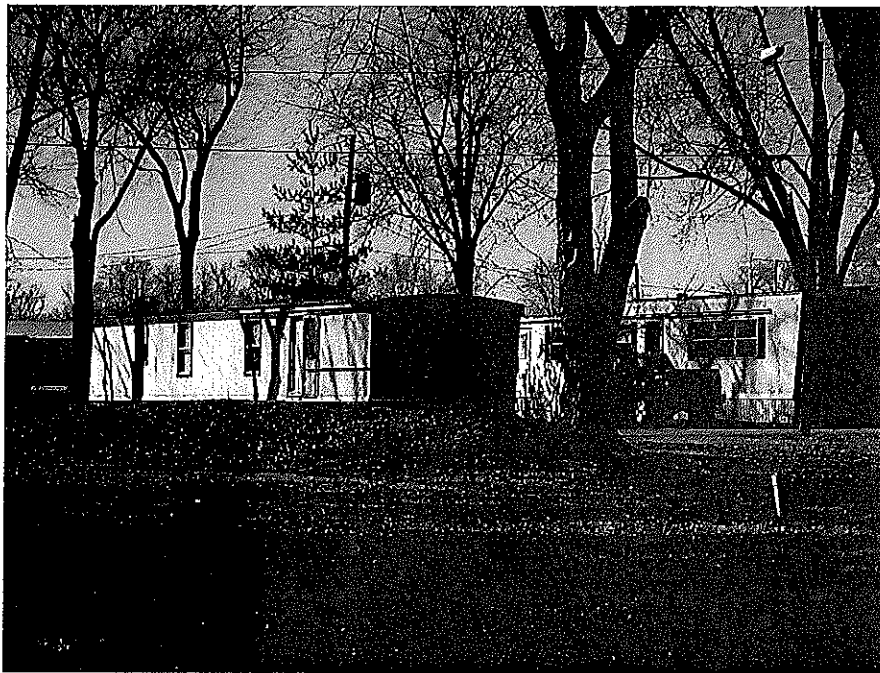
Attachment B

## Subject Photos

PC 14-03, 300 S. Independence, Mascoutah Acres Mobile Home Park



Subject property looking east

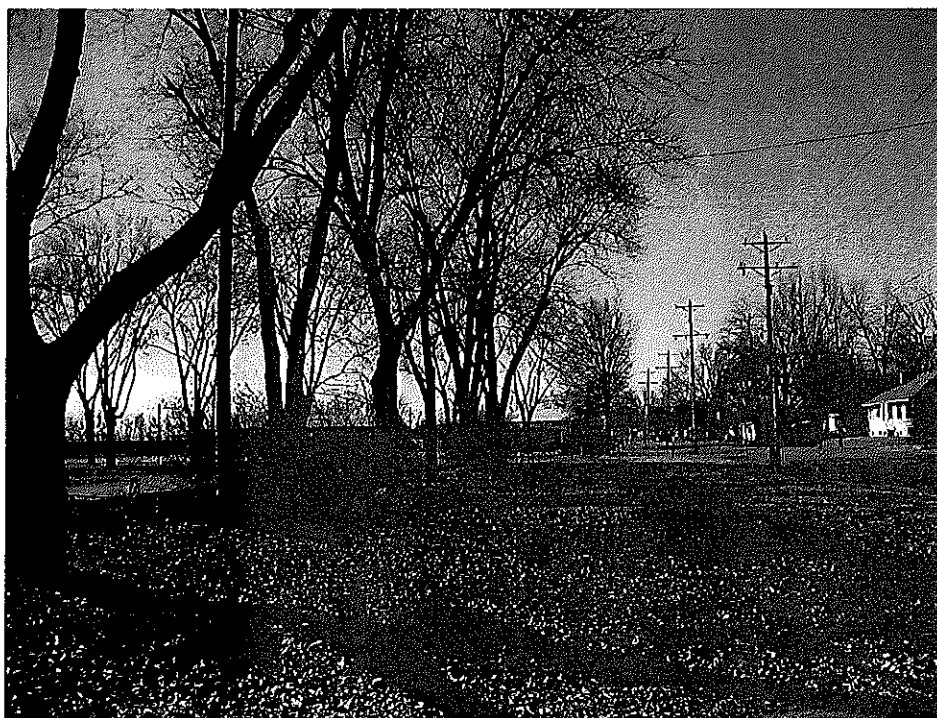


Existing homes

Attachment D



Existing street to remain private



Looking south

**CITY OF MASCOUTAH  
PLANNING COMMISSION  
#3 WEST MAIN STREET  
MASCOUTAH, IL 62258-2030**

**MARCH 19, 2014 (DRAFT)**

The minutes of the Regular Meeting of the Planning Commission of the City of Mascoutah.

**PUBLIC HEARING – 7:00PM**

**REZONING APPLICATION FOR PROPERTY AT 751 N. JEFFERSON STREET  
FROM RM, MULTIPLE-FAMILY RESIDENTIAL, TO GC, GENERAL  
COMMERCIAL**

Chairman opened the hearing and gave the floor to staff for their report.

Assistant City Manager Lisa Koerkenmeier stated that the rezoning process requires a public hearing before the Planning Commission. The legal notice was published and notices were sent to property owners within 250' of the subject property. As of date of the meeting, staff has not received any inquiries about the rezoning application.

Koerkenmeier stated that the applicant, Jacquelyn McDonough, is the property owner of 751 N. Jefferson Street and is requesting the property be rezoned from RM, Multiple-Family Residential, to GC, General Commercial. The property is located on the west side of N. Jefferson Street (Illinois Route 4), north of Mascoutah Plaza Drive and is situated between the St. Elizabeth Medical Plaza and Mascoutah Spot Free Card Wash. The subject property is approximately 1.5 acres and includes 240' of frontage along IL Route 4. The property is located in the Tax Increment Financing District (TIF 2B) and the Enterprise Zone which are programs that may offer incentives to commercial development. The property is designated as Commercial on the Land Use Map in the City's Comprehensive Plan. The property is presently connected to City water and has an on-site septic system. Any development of the property would be required to connect to City sewer. A development proposal for the property in the future would require site plan and architectural review by the Planning Commission and City Council. Koerkenmeier explained that there is no development proposed for the subject property at this time, however, the property is listed for sale and has been marketed for commercial use contingent upon rezoning approval by the City.

Commissioners asked about the Welcome to Mascoutah sign. City Manager Cody Hawkins stated he believes the existing sign is located on the private property. He indicated that the Chamber is interested in constructing a new welcome signs further north on IL Route 4 and this sign could be removed.

Commissioners inquired about the berm and fence on the car wash property and would the berm and fence be removed if the property at 751 N. Jefferson would be rezoned to commercial. Hawkins stated that staff is aware of the suit between the adjoining property owners that resulted in an order from the IL Pollution Control Board for the car wash owners to erect the berm and fence. He explained that the suit documents were in the hands of the City Attorney to review.

At this time, it is unknown if the rezoning of the property or the sale of the property would impact the direction of the court order.

The applicant was present and verified that the rezoning request was to assist with marketing the property and that due to the construction of the medical complex and car wash, the property is not desirable for residential use.

There was no further discussion.

**PUBLIC HEARING ADJOURNED at 7:11 PM**

**CALL TO ORDER at 7:12 PM**

Chairman Ken Zacharski called the meeting to order.

**PRESENT**

Commission members Charles Lee, Jack Klopmeier, Glenn Shelley, Bruce Jung, Darren Goodlin, and Chairman Ken Zacharski were present.

**ABSENT**

Commission members absent – Rich Thompson.

**ALSO PRESENT**

Assistant City Manager Lisa Koerkenmeier, City Manager Cody Hawkins and Code Enforcement Official Danny Schrempp.

**ESTABLISHMENT OF A QUORUM**

A quorum of Planning Commission members was present.

**GENERAL PUBLIC COMMENT**

None.

**AMEND AGENDA**

There was no need to amend Agenda

**MINUTES**

Lee moved, seconded by Klopmeier, to approve the minutes of the January 29, 2014 Planning Commission Meeting.

**PC 14-02 – REZONING OF PROPERTY AT 751 N. JEFFERSON STREET FROM RM, MULTIPLE-FAMILY RESIDENTIAL, TO GC, GENERAL COMMERCIAL**

Discussion was held during the Public Hearing Process. Please see Public Hearing section of these minutes for details.

**MOTION**

Lee moved, seconded by Goodlin, that the Planning Commission approve the rezoning request for property located at 751 N. Jefferson Street from RM Multiple-Family Residential to GC General Commercial subject to the attached Findings for Approval.

**THE MOTION BY ROLL CALL**



Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Bruce Jung aye, Darren Goodlin aye and Chairman Ken Zacharski aye

**PC 14-03 – REDEVELOPMENT PLAN FOR PROPERTY AT 300 S. INDEPENDENCE STREET, MASCOUTAH ACRES MOBILE HOME PARK**

Koerkenmeier stated that Chapter 23, Mobile Housing Code, requires any person seeking to alter a mobile home park to obtain a permit and submit a redevelopment plan (site plan) which is to be reviewed by the Planning Commission and Council. The applicant is Rick Brown, a partner and property owner of the Mascoutah Acres Mobile Home Park located at 300 S. Independence Street. The property will remain a single, 5.54 acre parcel and one zoning lot. The parcel will not be subdivided. The partners desire to reduce the density of the mobile home park by providing a total 26 lots, a reduction of 39 lots. The lots measure 75' x 90', or 6,750 square feet, to accommodate a double-wide mobile home with a single or double attached garage. The owners will continue to operate it as a mobile home park and the lots will be leased.

Koerkenmeier reviewed the regulations and zoning requirements of Chapter 23, Mobile Housing Code and Chapter 34, the RMH, Mobile Home Residential zoning requirements and mobile home park standards. The project provides 6,750 SF lots, 20' front yards, 5' side yards, 10' rear yard, maximum 40% lot coverage or less, 10' separation between units, and a 5' setback from the east property line, 10' setback from the north property line and 25' from the west and south property lines. The streets and utilities within the mobile home park will remain private. The owners have granted the City and the other utility providers an easement over the entire property should the City need to access utility connections in cases of emergency. The green space and trees along the west property line by the entryway will remain. The owners will install a 6' privacy fence along the north and east property lines.

Discussion followed regarding any exceptions to the Code that the development would require. Chapter 23 requires the streets be a minimum 50' ROW and minimum 32' pavement width and driveways of two spaces along the streets. Staff is recommending the owners be allowed to use existing streets with an upgrade to 25' pavement width since the streets will remain private and no more than 10 units would be placed along any private street. The owner stated that they will be prohibiting on-street parking in the community and it will be written in the lease. Additionally, the owner stated that each lot will have a minimum of two, off-street parking spaces and one or two-car attached garages.

Commissioners discussed the 6,750 SF lot size. Koerkenmeier explained that Chapter 23 and 34 require different minimum lot sizes, 7,000 SF and 4,000 SF respectively. Koerkenmeier stated that the IL Department of Public Health which regulates mobile home parks in the State permits 2,500 SF lots.

Commissioners discussed the 20' separation requirement between units and the development providing 10'. Koerkenmeier stated that the IL Department of Public Health permits 10'. She explained that mobile homes are constructed much better to meet HUD guidelines and are safer which allows mobile homes to have a 10' separation. Also, with the required 5' side yard setback in the Code, some units could potentially have a 10' spacing between units.

Commissioners discussed the minimum 25' setback from the park property line and the development providing 25' from the west and south property lines but only 10' from the north line and 5' from the east line. The owner stated that the setbacks presented on the site plan

would allow for the larger 6,750 SF lots which would accommodate a double-wide and an attached garage. He added that a privacy fence would be installed on the north and east lines which would serve as a buffer and would also reduce pedestrian cross-through traffic from the mobile home park to the east. This would allow for a “gated community” effect and his tenants would not have to look at the mobile home park and property conditions to the north and east.

Commissioners concluded discussion. Chairman Zacharski asked why staff did not prepare a list of conditions to incorporate into the motion. Koerkenmeier agreed to include a list of conditions with their motion to be forwarded to the Council. She summarized the following conditions with the Commissioners:

1. The existing private streets are allowed with an upgrade to a 25’ foot pavement width and a minimum of two off-street parking spaces (hard surface) are required for each lot.
2. The lot size of 6,750 is allowed.
3. The minimum separation between units of 10’ is allowed.
4. The minimum side yard setback of 5’ is allowed for each side yard.
5. The following minimum setbacks from the park property line are allowed; 10’ from the north, 5’ from the east, 25’ from the south and 25’ from the west and a 6’ white PVC privacy fence is required along the north and east property lines.

#### **MOTION**

Goodlin moved, seconded by Lee, that the Planning Commission approve the site plan for property at 300 S. Independence for the redevelopment of the Mascoutah Acres Mobile Home Park with the following conditions as summarized by staff.

#### **THE MOTION BY ROLL CALL**

Charles Lee aye, Jack Klopmeier nay, Glenn Shelley aye, Bruce Jung aye, Darren Goodlin aye and Chairman Ken Zacharski aye

#### **MISCELLANEOUS**

None.

#### **ADJOURNMENT**

Klopmeier moved, seconded by Lee, to adjourn at 7:58 p.m.

All in favor – 6

Opposed - 0

**CITY OF MASCOUTAH**  
**Staff Report**

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** City Hall Generator Installation – Bid Award

**MEETING DATE:** April 7, 2014

**REQUESTED ACTION:**

Approval and authorization of bids for furnishing all labor, equipment and materials for the installation of an emergency backup generator for City Hall.

**BACKGROUND & STAFF COMMENTS:**

The bid for furnishing and installing a diesel engine driven backup generator for City Hall was awarded to CK Power Systems in the amount of \$52,160.00 at the February 18, 2014 City Council meeting.

Bids for furnishing all labor, equipment and materials for the generator installation for City Hall were opened at City Hall by BHMG at 2:00 pm on March 28, 2014. A total of 3 bids were received, the lowest qualified base bid was submitted by Guarantee Electric Construction Co. in the amount of \$74,352.00. See Attachment A – Bid Tab.

**FUNDING:**

This project will be paid for with Electric Funds.


**RECOMMENDATION:**

Approval of low bid for furnishing all labor, equipment and materials for the generator installation for City Hall to Guarantee Electric Construction Co. in the amount of \$74,352.00.

**SUGGESTED MOTION:**

I move that the Council approve the bid of \$74,352.00 to Guarantee Electric Construction Co. of Granite City, IL for furnishing all labor, equipment and materials for the generator installation for City Hall and authorize appropriate officials to execute the necessary documents.

Prepared By:

  
Ron Yeager  
City Engineer

Approved By:

  
Cody Hawkins  
City Manager

Attachments: A – Bid Tab  
B – Letter of Bid Recommendation from BHMG

# B1531 K001 - MASCOUTAH, IL - CITY HALL GENERATOR INSTALLATION

BIDDERS/PROPOSALS	Wissel Electrical Contractors 5801 W. State Rte. 161 Belleville, IL 62223 Jeff Nester 618-398-7575	Guarantee Electric 1500 Grand Avenue Gow. Tel. 41, IL 62040		
BID SECURITY	5% Bid Bond	5% Bid Bond		
PROPOSAL 1 -	\$ 82,740.00	\$ 74,352.00	\$ NO Bid	\$ NO Bid
COMPLETION (CALENDAR DAYS)	4/30/14			
	<input checked="" type="checkbox"/> Purchase bid documents <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specifications	<input checked="" type="checkbox"/> Purchase bid documents <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specifications	<input type="checkbox"/> Purchase bid documents <input type="checkbox"/> Non-Collusion Affidavit <input type="checkbox"/> Bid Bond <input type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specifications	<input type="checkbox"/> Purchase bid documents <input type="checkbox"/> Non-Collusion Affidavit <input type="checkbox"/> Bid Bond <input type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specifications
<b>BHMG Engineers, Inc.</b> Consulting Engineers 630 Jeffco Blvd. Arnold, MO 63010	CITY OF MASCOUTAH MUNICIPAL ELECTRIC SYSTEM CITY HALL GENERATOR INSTALLATION Bids Received 2:00 p.m. 3/28/2014	BID OPENING WITNESSES: City: <u>Melissa A. Schanz</u> BHMG: <u>[Signature]</u>		

Attachment 'A'

# B1531 K001 - MASCOUTAH, IL - CITY HALL GENERATOR INSTALLATION

BIDDERS/PROPOSALS	Pyramid Electrical Contractors 300 Monticello Place Fairview Heights, IL 62208 Seth Malcolm 618-632-1180, Ext. 210	K & F Electric, Inc. 2622 West Boulevard Belleville, IL 62221 Tom Siddall 618-277-5781	Korte & Luijohan 12052 Highland Rd. Highland, IL 62249 Gregg Korte 618-654-9877	Barton Electric 247 State Rte. 160 Trenton, IL 62293 Craig Lampe 618-654-6626
BID SECURITY	5% Bid Bond			
PROPOSAL 1 -	\$77,850.00	\$ NO Bid	\$ NO Bid	\$ NO Bid
COMPLETION (CALENDAR DAYS)	6/27/14			
	<input checked="" type="checkbox"/> Purchase bid documents <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specifications	<input checked="" type="checkbox"/> Purchase bid documents <input type="checkbox"/> Non-Collusion Affidavit <input type="checkbox"/> Bid Bond <input type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specifications	<input checked="" type="checkbox"/> Purchase bid documents <input type="checkbox"/> Non-Collusion Affidavit <input type="checkbox"/> Bid Bond <input type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specifications	<input checked="" type="checkbox"/> Purchase bid documents <input type="checkbox"/> Non-Collusion Affidavit <input type="checkbox"/> Bid Bond <input type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specifications
<b>BHMG Engineers, Inc.</b> Consulting Engineers 630 Jeffco Blvd. Arnold, MO 63010	<b>CITY OF MASCOUTAH</b> <b>MUNICIPAL ELECTRIC SYSTEM</b> <b>CITY HALL GENERATOR INSTALLATION</b> Bids Received 2:00 p.m. 3/28/2014	<b>BID OPENING WITNESSES:</b> City: <u>Yvonne A. Schanz</u> BHMG: <u>[Signature]</u>		



**BHMG ENGINEERS, INC.**  
Consulting Engineers

March 31, 2014

Mr. Cody Hawkins, City Manager  
City of Mascoutah, IL  
3 West Main Street  
Mascoutah, IL 62258-2030

Ref: City Hall Generator Installation  
B1531\_K001 – Letter of Recommendation

Dear Mr. Hawkins:

The City received and opened bids on March 28, 2014 for the Generator Installation, a part of the City Hall Generator Installation project. A total of three (3) bids were received and have been reviewed for completeness and ability to meet specification requirements.

The bid from Guarantee Electric Construction Co. was the apparent low bid at \$74,352.00, for the Specification B1531K001. The bid's time of completion is detailed in calendar work days following notice to proceed and generator/ATS delivery, versus the requested calendar date. Guarantee has a good list of reference completed projects. The company appears to be in good standing and employs certified and trained craftsmen.

The low bid for the project is in line with the Engineer's estimate for the contract. Therefore, it is the recommendation of BHMG to award the contract to Guarantee Electric for the installation of the new City Hall generator.

With the City's approval, release, and financial approval; BHMG will prepare the necessary contract documents for process and execution.

Should you have any questions concerning the bids or the project, please do not hesitate to contact me.

Sincerely:

**BHMG Engineers, Inc.**

A handwritten signature in black ink, appearing to read 'Jason F. Jackson'.

Jason F. Jackson, P.E.  
Project Engineer

Enclosures: (2)  
Bid tab, and copies of proposals

630 Jeffco Boulevard, Arnold, Missouri 63010 \* Phone 636-296-8600 \* Fax 636-296-8611

Attachment 'B'

60

**CITY OF MASCOUTAH  
Staff Report**

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** Asbestos Removal and Disposal – Bid Award

**MEETING DATE:** April 7, 2014

**REQUESTED ACTION:**

Approval and authorization of bids for furnishing all labor, equipment and means for the Asbestos Removal and Disposal at 315 East Main Street and 40 West Union.

**BACKGROUND & STAFF COMMENTS:**

Bids for the Asbestos Removal and Disposal Project were opened at 10:00 a.m. on Thursday, April 3, 2014. This project includes removal and disposal of linoleum flooring located in the kitchen/dining room of the 2-story single family residential building at 315 East Main Street and ceiling tiles located in the engine room of the City Power Plant at 40 West Union Street. There were 3 bidders total (see attached bid tab).

**FUNDING:**

The asbestos removal at 315 East Main Street will be paid for with General Funds, after which a lien will be placed on the property for the full cost of the demolition. The asbestos removal at 40 West Union will be paid for with Light Funds.

**RECOMMENDATION:**

Approval of low bid for furnishing all labor, equipment and means for the Asbestos Removal and Disposal at 315 East Main Street and 40 West Union in the amount of \$24,067.00 to Midwest Services Co.

**SUGGESTED MOTION:**

I move that the Council approve the low bid for furnishing all labor, equipment and means for the Asbestos Removal and Disposal at 315 East Main Street and 40 West Union awarding it to Midwest Services Co. of St. Peters, MO in the amount of \$24,067.00 and authorize appropriate officials to execute the necessary documents.

Prepared By:

  
Ron Yeager  
City Engineer

Approved By:

  
Cody Hawkins  
City Manager

Attachments: A – Bid Tab

**Project:** Asbestos Removal and Disposal, 315 East Main & 40 West Union  
**Date of Bid:** 10:00 a.m., April 3, 2014

Description	Envirotech Inc. 2737 Papin Street St. Louis, MO 63103	EMA 10627 Midwest Industrial St. Louis, MO 63132	Midwest Services Co. 560 Turner Blvd St. Peters, MO 63376	Cenpro Services Inc. 18 Fox Industrial Dr. Madison, IL 62060	Abatement Mgmt Inc 6990 State Rt 111 South Roxana, IL 62087
315 E Main	\$10,350.00		\$3,600.00	\$7,000.00	
40 W Union	\$21,600.00		\$20,467.00	\$18,700.00	
Base Bid	\$31,950.00	no bid	\$24,067.00	\$25,700.00	no bid
Completion Date	Apr. 30, 2014		13 days	Aug. 31, 2014	

Description	Freeman Environmental 307 Wastena Benton, IL 62812	KAM Services 2417 Marshall Ave Mattoon, IL 61938			
315 E Main					
40 W Union					
Base Bid	no bid	no bid			
Completion Date					



**CITY OF MASCOUTAH**  
**Staff Report**

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** Concrete Pad for Park Bleachers – Bid Award

**MEETING DATE:** April 7, 2014

**REQUESTED ACTION:**

Approval and authorization of bids for furnishing all labor, equipment and means for the Concrete Pad for Park Bleachers in Scheve Park.

**BACKGROUND & STAFF COMMENTS:**

Bids for the Concrete Pad for Park Bleachers in Scheve Park were opened at 10:00 a.m. on Thursday, April 3, 2014. This project includes furnishing, grading and compacting approximately 4" of clean stone sub-base and pouring a 30' x 250' x 6" reinforced Portland Cement Concrete pad. There were 7 bidders total (see attached bid tab).

**FUNDING:**

This project will be paid for by St. Clair County MEPRD grant funds covering the concrete pad and bleachers with the remaining 75% of costs being reimbursed by the MIA.

**RECOMMENDATION:**

Approval of low bid for furnishing all labor, equipment and means for the Concrete Pad for Park Bleachers in Scheve Park in the amount of \$28,900.00 to KRB Excavating.

**SUGGESTED MOTION:**

I move that the Council approve the low bid for furnishing all labor, equipment and means for the Concrete Pad for Park Bleachers in Scheve Park awarding it to KRB Excavating of Trenton, IL in the amount of \$28,900.00 and authorize appropriate officials to execute the necessary documents.

Prepared By:

  
Ron Yeager  
City Engineer

Approved By:

  
Cody Hawkins  
City Manager

Attachments: A – Bid Tab

**Project:** Concrete Pad for Park Bleachers in Scheve Park

**Date of Bid:** 9:00 a.m., April 3, 2014

Description	Louco Construction 2359 Emert Ave Granite City, IL 62040	Hank's Excavating 5825 W State Rt 161 Belleville, IL 62223	KRB Excavating 789 W Broadway Trenton, IL 62293	Surmeier & Surmeier 339 S 6th Mascoutah, IL 62258	Beckmann Construction 15020 Jamestown Rd Breese, IL 62230
Base Bid	\$47,712.00	\$35,000.00	\$28,900.00	\$40,238.00	\$33,750.00
Completion Date	Apr. 30, 2014	Apr. 30, 2014	Apr. 25, 2014	Apr. 30, 2014	Apr. 30, 2014

Description	DMS Contracting PO Box 122 Mascoutah, IL 62258	Pence Const. Co. 10965 Town Hall Rd Mascoutah, IL 62258	Bruce Concrete Const. 4401 Highway 162 Granite City, IL 62040		
Base Bid	\$39,129.00	no bid	\$31,932.00		
Completion Date	Apr. 25, 2014		Apr. 30, 2014		

**CITY OF MASCOUTAH**  
**Staff Report**

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** City Hall Sidewalk and Step Replacement – Bid Award

**MEETING DATE:** April 7, 2014

**REQUESTED ACTION:**

Approval and authorization of bids for furnishing all labor, equipment and means for the Sidewalk and Step Replacement Project at City Hall.

**BACKGROUND & STAFF COMMENTS:**

Bids for the City Hall Sidewalk and Step Replacement Project were opened at 10:00 a.m. on Thursday, April 3, 2014. This project includes removal of existing concrete steps, hand rails, sidewalk, ADA ramp, curb & gutter and reconstructing reinforced Portland Cement Concrete steps, 4" PCC sidewalk, ADA ramp, concrete gutter and installing hand rails. There were 7 bidders total (see attached bid tab).

**FUNDING:**

This project will be paid for with General Funds (Maintenance Department) in the current FY13/14 budget.

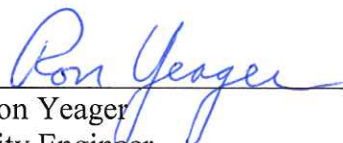
**RECOMMENDATION:**

Approval of low bid for furnishing all labor, equipment and means for the City Hall Sidewalk and Step Replacement in the amount of \$16,000.00 to KRB Excavating.

**SUGGESTED MOTION:**

I move that the Council approve the low bid for furnishing all labor, equipment and means for the Sidewalk and Step Replacement Project at City Hall awarding it to KRB Excavating of Trenton, IL in the amount of \$16,000.00 and authorize appropriate officials to execute the necessary documents.

Prepared By:

  
Ron Yeager  
City Engineer

Approved By:

  
Cody Hawkins  
City Manager

Attachments: A – Bid Tab

**Project:** City Hall Sidewalk and Step Replacement

**Date of Bid:** 9:30 a.m., April 3, 2014

Description	KRB Excavating 789 W Broadway Trenton, IL 62293	Hank's Excavating 5825 W State Rt 161 Belleville, IL 62223	Surmeier & Surmeier 339 S 6th Mascoutah, IL 62258	Beckmann Construction 15020 Jamestown Rd Breese, IL 62230	Louco Construction 2359 Emert Ave Granite City, IL 62040
Lump Sum - Reconstruction of Sidewalk & Steps	\$16,000.00	\$26,800.00	\$34,683.00	\$16,785.00	\$27,400.00
Unit Price per sq ft for 4" concrete sidewalk	\$6.00	\$8.00	\$6.00	\$6.00	\$6.00
Base Bid	\$16,000.00	\$26,800.00	\$34,683.00	\$16,785.00	\$27,400.00
Completion Date	Apr. 30, 2014	Apr. 30, 2014	Apr. 30 - May 9, 2014	Apr. 30, 2014	Apr. 30, 2014

Description	DMS Contracting PO Box 122 Mascoutah, IL 62258	Bruce Concrete Const. 4401 Highway 162 Granite City, IL 62040			
Lump Sum - Reconstruction of Sidewalk & Steps	\$29,129.00	\$27,885.00			
Unit Price per sq ft for 4" concrete sidewalk	\$5.00	\$6.50			
Base Bid	\$29,129.00	\$27,885.00			
Completion Date	Apr. 25, 2014	Apr. 30, 2014			

**CITY OF MASCOUTAH  
Staff Report**

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** Cemetery Mowing Agreement

**MEETING DATE:** April 7, 2014

**REQUESTED ACTION:**

Approval and authorization of agreement for furnishing all labor, equipment and means for the mowing of the Mascoutah City Cemetery.

**BACKGROUND & STAFF COMMENTS:**

The agreement for mowing of the Mascoutah City Cemetery includes mowing (3 inches in height), trimming around all landscape and headstones, removal of grass clippings from headstone and paved areas and trash removal from grass before cutting in connection with the maintenance of the City Cemetery. The amount to be paid will be \$850.00 per grass cut for the time period of April 1, 2014 through October 31, 2014.

**FUNDING:**

This project will be paid for by funds budgeted in the 14/15 budget in the amount of \$25,000.00.

**RECOMMENDATION:**

Approval of agreement with Nelson Tree Service for furnishing all labor, equipment and means for the mowing of the City Cemetery in the amount of \$850.00 per grass cutting for the time period of April 1, 2014 to October 31, 2014.

**SUGGESTED MOTION:**

I move that the Council approve the agreement with Dan Nelson dba Nelson Tree Service for furnishing all labor, equipment and means for the mowing of the City Cemetery in the amount of \$850.00 per grass cutting for the time period of April 1, 2014 to October 31, 2014 and authorize appropriate officials to execute the necessary documents.

Prepared By: Melissa A. Schanz Approved By: Cody Hawkins  
Melissa Schanz  
Executive Assistant  
Cody Hawkins  
City Manager

Attachment: A – Agreement



## City of Mascoutah Cemetery Mowing

### Agreement

**This Agreement**, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the City of Mascoutah with principal offices at 3 W. Main Street, Mascoutah, IL, 62258 hereinafter referred to as the **Owner**, and Dan Nelson d/b/a Nelson Tree Service hereinafter referred to as the **Contract Grantee**.

### Witnessed:

**Whereas, Owner** has taken the necessary steps towards creating, owning and maintaining a municipal cemetery; and

**Whereas, Owner** is and will be in need of a qualified and insured lawn maintenance provider for said such cemetery,

**Whereas, Contract Grantee** is so qualified and insured, able and experienced at such maintenance; and,

**Whereas**, the parties have entered into a verbal agreement for the rendering of certain services for the maintenance of said cemetery; and,

**Whereas**, it is the desire of the parties to have such verbal agreement reduced in writing:

IT IS THEREFORE AGREED BY THE PARTIS HERETO AS FOLLOWS:

1. That this Agreement shall be in effect commencing on the above date and shall include mowing (3 inches in height), trimming around all landscape and headstones, removal of grass clippings from headstone and paved areas and trash removal from grass before cutting in connection with the maintenance of the Mascoutah Municipal Cemetery. The above named services shall terminate October 31, 2014 or when the **Owner** gives written notice at least Thirty (30) days in advance notice. Duration of the Contract shall be from the date commencing above to October 31, 2014.
2. Nelson Landscape and Tree Services shall be employed as an Independent **Contract Grantee** and as such **Contract Grantee** shall be responsible for conducting said maintenance operations to insure continuous operation of the cemetery. **Contractor Grantee's** duties and responsibilities shall be as follows:
  - A) Mow the grass of Municipal Cemetery (approximately 21.5 acres) at a height of Three (3) inches unless otherwise directed by the City Manager.
  - B) Trim grass around all landscaping and headstones
  - C) Remove grass clipping from all headstones and paved areas
  - D) Remove any trash from grass areas before cutting grass.

Attachment 'A'

- E) Provide the Owner with a Certificate of Insurance indicating that the Contract Grantee has insurance in the amount of at least \$500,000 against bodily injury and \$500,000 of property damage.
- F) Provide the Owner with a Performance Bond or Letter of Credit in the amount of \$22,000 to insure quality of work and performance of contract terms.
- G) Conform to Illinois Prevailing Wage law.

### **Owner's Duties and Responsibilities**

1. The **Owner** shall be responsible for:

- A) Payment to Nelson Landscape and Tree Services (**Contract Grantee**) in the amount of Eight Hundred-fifty Dollars and No Cents (\$850.00) per grass cutting for the year April 1, 2014 to October 31, 2014. Said payment to be due and payable within thirty (30) days of invoice.

**Hold Harmless.** **Contract Grantee** agrees to hold the **Owner**, its elected and appointed officers, and its employees harmless from any liabilities for claims of damages, or fines including attorney fees, for personal injury or property damage which is caused by, or arises from the negligence of **Contract Grantee**. The obligation of **Contract Grantee** to hold harmless the **Owner** is subject to the Limitation of Liability provision of this agreement.

**Corporate Protection.** It is intended by the parties to the Agreement that **Contract Grantee's** services in connection with the project shall not subject **Contract Grantee's** individual employees, officers, or directors to any personal legal exposure for the risks associated with this project. Therefore, and notwithstanding anything to the contrary contained herein, the **Owner** agrees that as the **Owner's** sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against **Contract Grantee** and not against any of **Contract Grantee's** employees, officers or directors.

**Nondiscrimination.** **Contract Grantee** shall refrain from unlawful discrimination in employment and undertakes affirmative action to ensure a quality of employment opportunity; shall comply with procedures and requirements of the State Human Rights Department's regulations concerning equal employment opportunity and Affirmative action; and shall provide such information, with respect to its employees and applicants for employment and assistance as the department may reasonably request.

**Force Majeure.** Each party's performance under this Agreement shall be excused if the party is unable to perform because of actions due to causes beyond its reasonable control, including but not limited to Acts of God, the acts of civil or military authority, floods, epidemics, quarantine restrictions, riots, strikes and commercial impossibility.

**Notices.** All notices shall be in writing and shall be delivered in person or transmitted by mail.

Notices required to be given to the **Contract Grantee** shall be addressed to:

Nelson Tree Services  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notices required to be given to the **Owner** shall be addressed to:

City of Mascoutah  
c/o City Manager  
3 W. Main Street  
Mascoutah, IL 62258

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in duplicate on the respective dates indicated below:

Attest: \_\_\_\_\_

Owner: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Contract Grantee: Nelson Tree Services

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_