

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

JULY 5, 2016

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

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 7:00 p.m.

ROLL CALL

Present: Mayor Gerald Daugherty, 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, City Engineer Tom Quirk, and City Attorney Al Paulson.

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

AMEND AGENDA

None.

MINUTES

The minutes of the June 20, 2016 regular City Council meeting were presented and approved as presented.

Motion passed. Passed by unanimous yes voice vote.

PUBLIC COMMENTS

None.

REPORTS AND COMMUNICATIONS

Mayor

Attended the following meetings and functions: IML Executive Board meeting, SWIL Council of Mayors meeting, meeting with City Manager with Tim Kappert regarding drainage behind Hunters Creek, meeting with residents of Hunters Creek regarding drainage, meeting with Chairman Kern regarding the old Ralston-Purina building, July 4th celebration, Chamber meeting.

City Council

Grodeon – Attended the following meetings and functions: Mascoutah Meltdown 5K, July 4th celebration.

Schorr – Attended the following meetings and functions: Library reading program, Tree Sub-committee meeting, July 4th celebration, Chamber meeting.

Weyant – Attended the following meetings and functions: Bergheger golf tournament, July 4th celebration.

McMahan – Attended the following meetings and functions: Bergheger golf tournament, July 4th celebration.

City Manager – Introduced new City Engineer Tom Quirk.

City Attorney – Nothing to report.

City Clerk – July 4th celebration.

COUNCIL BUSINESS

INDUCEMENT RESOLUTION – TIF 3

City Manager presented report for Council consideration of approval of an inducement resolution for the redevelopment plan (TIF 3).

Councilman Schorr asked about the list of TIF eligible costs. Keith Moran from Moran Economic Development stated that this resolution allows the City to recoup any costs it incurs during the setup of the TIF such as plan creation, study fees, and engineering costs.

McMahan moved, seconded by Grodeon, to approve and adopt Resolution No. 16-17-03, Inducement Resolution.

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

ADOPTION OF RESOLUTION PROVIDING FOR A FEASIBILITY STUDY ON THE DESIGNATION OF AREAS AS REDEVELOPMENT PROJECT AREAS

City Manager presented report for Council consideration of approval of a resolution providing for a feasibility study on the designation of areas as redevelopment project areas (proposed TIF 3).

Weyant moved, seconded by McMahan, to approve and adopt Resolution No. 16-17-04, a resolution providing for a feasibility study on the designation of areas as redevelopment project areas.

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

TIF III PLAN PRESENTATION BY MORAN ECONOMIC DEVELOPMENT

City Manager presented report for Council consideration of motion to proceed with the TIF III Plan and motion to place the TIF III Plan and Feasibility Study on file and send the TIF III Plan and Feasibility Study to all affected taxing districts.

Keith Moran from Moran Economic Development presented the Tax Increment Financing Plan and Project and provided an overview of the property to be located in the new TIF.

Councilman Grodeon asked about the newer property not being included in the new area but that the property with Jung Warehouse and Cablofil are included. Keith Moran explained that there are many eligibility criteria looked at and some parcels meet the criteria and some do not. City Manager explained that these two properties were included to provide for the contiguous line needed to continue north on Route 4.

Councilman Weyant asked about the large parcel not included just south of the airport. City Manager stated that it is located at the end of the runway so it is undevelopable. Councilman Weyant asked if there would be any problem with running a water line or other infrastructure through that property not included to get to the other properties. Keith Moran stated that property not being included will not hinder any infrastructure improvements needed.

Councilman Schorr asked about the County owning the majority of this property and why should we be helping to fix their problem with drainage. Council discussed how getting this land developed benefits the City by property tax being generated which there is none now. City Manager stated that only cities can create TIF's, counties cannot create TIF's to help with development.

McMahan moved, seconded by Weyant, to proceed with the TIF III Plan.

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

Grodeon moved, seconded by Weyant, to approve placement of the TIF III Plan and Feasibility Study on file and approve sending the TIF III Plan and Feasibility Study to all affected taxing districts.

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

ORDINANCE TO SET DATE FOR PUBLIC HEARING FOR TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND PROJECT AREA (TIF 3) (FIRST READING)

City Manager presented report for Council consideration of approval and adoption of an Ordinance to set date for a public hearing for the City of Mascoutah Tax Increment Financing Redevelopment Plan and Project Area (TIF 3).

First reading. No action required.

ENGINEERING SERVICES – 138kV TRANSMISSION LINE

City Manager presented report for Council consideration of approval of Engineering Services Agreement with BHMG Engineers, Inc. for design, preparing construction documents, bidding and construction observation for the 138kV Transmission Lines Project to be constructed as part of the Major Electric Phase 2 Project.

Councilman Grodeon asked if legal had reviewed the contract with regards to if the City is protected such as if the design was done incorrectly and if the City can go back to BHMG to recoup any costs. City Attorney stated that so long as the City is additional insured, the City would be fine. City Attorney stated that if there was something wrong with the design, the City would have an avenue to go back to the engineer.

Councilman Grodeon asked what type of requirements was given to BHMG and why this contract was done as a not to exceed instead of a fixed cost. City Manager stated that a lot of the design projects we have done in the past have been done with a not to exceed. City Manager stated that if a fixed cost contract was done, the cost would probably be more, and with a not to exceed, the City could save funds in the end. Councilman Grodeon asked what was provided to BHMG to generate this type of contract. City Engineer explained how this project has been in the work for the past 3 years and BHMG has been working with the City on the project during that time. City Engineer explained that they asked BHMG to come up with an engineering contract to complete the project as presented and reviewed by Council.

Councilman Grodeon asked about the hourly report provided and the evaluation done on the hours provided. City Engineer explained the man hour estimate report provided and his review of the report provided.

Councilman Schorr commented on the services regarding the easement acquisitions and Ameren's final ring bus design. City Manager stated that we have a concept design of Ameren's ring bus design and will not be constructing anything until Ameren has finalized their plan and placement of the ring bus.

McMahan moved, seconded by Schorr, to accept the City Manager's engineering recommendation to approve BHMG Engineers, Inc. for engineering services not to exceed \$781,000.00 for the 138kV Transmission Lines Project and authorize appropriate City officials to execute the necessary documents.

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

ENGINEERING SERVICES – 138kV NORTH SUBSTATION UPGRADES

City Manager presented report for Council consideration of approval of Engineering Services Agreement with BHMG Engineers, Inc. for design, preparing construction

documents, bidding and construction observation for the North Substation Upgrades Project to be constructed as part of the Major Electric Phase 2 Project.

Councilman Weyant asked about this project being partially TIF eligible since a portion of this project is within the new TIF area. City Manager stated that it is in the TIF, a portion of the project could be eligible for TIF funding but we will need a project in the TIF area to generate revenues for funding.

Weyant moved, seconded by McMahan, to accept the City Manager's engineering recommendation to approve BHMG Engineers, Inc. for engineering services not to exceed \$410,000.00 for the 138kV North Substation Upgrades Project and authorize appropriate City officials to execute the necessary documents.

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

STREET CLOSING – HOMECOMING PARADE

City Manager presented report for Council consideration of approval of request from the Mascoutah Improvement Association for street closings for the annual Homecoming Parade.

Schorr moved, seconded by Grodeon, to approve and adopt Resolution No. 16-17-05, to authorize the closing of Main Street from Lebanon Street to Sixth Street and Sixth Street from Main Street to Park Drive, from 4:45 p.m. to 7:00 p.m. on August 6th and from 4:45 p.m. to 7:00 p.m. on August 7th for the annual Mascoutah Homecoming Parade.

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

REQUEST FOR ECONOMIC DEVELOPMENT INCENTIVES FROM DAVE KUNKEL, MASCOUTAH DEVELOPMENT GROUP, LLC FOR PROPERTY LOCATED NORTH OF MOORLAND CIRCLE DRIVE

City Manager presented report for Council consideration of approval of a resolution to induce economic development incentives for Dave Kunkel, Mascoutah Development Group, LLC.

Councilman Schorr asked if the developer will not be moving forward until the TIF is approved. City Manager stated that all depends on his comfort level with whether he starts the project now or waits.

Councilman Grodeon commented on the incentives that could be offered since this development will not be generating sales tax and cautioned the incentive package to be negotiated to not incentivize away the property taxes which are needed for public safety purposes and road improvements.

Weyant moved, seconded by Schorr, to approve and adopt Resolution No. 16-17-06, inducing economic development incentives for Dave Kunkel, Mascoutah Development Group, LLC for property located north of Moorland Circle Drive.

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

PC 16-06, CONDITIONAL USE PERMIT FOR OUTDOOR STORAGE IN A GC, GENERAL COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT EAST CHURCH AND NORTH LEBANON STREETS

City Manager presented report for Council consideration of approval of a Conditional Use Permit (CUP) for Outdoor Storage in a GC, General Commercial District for property located at East Church and North Lebanon Streets.

Councilman Schorr commented on the clean-up on the property. Councilman Schorr stated that he would like to suggest additional conditions: material on pallets and used pallets shall not exceed 7 feet in height; remove condition #4 since Millikin will not be having any bulk material.

Councilman Grodeon asked about the noise level being addressed. City Manager stated that it will be addressed as needed, but now that there is no bulk material being stored on the property, the noise issue should be alleviated.

Grodeon moved, seconded by Schorr, to approve the Conditional Use Permit (CUP) for outdoor storage for property zoned GC, General Commercial and located at the northwest corner of East Church and North Lebanon Streets, subject to the Findings and Conditions of Approval attached, as amended.

Findings for Approval: The Mascoutah City Council, pursuant to the applicant's proposed Conditional Use Permit for the property 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 Conditional Use Permit is appropriate, in terms of land patterns in the entire City and its comprehensive plan.
2. The proposed Conditional Use Permit is compatible with surrounding uses and the zoning of nearby property.
3. The land is suitable for the use proposed in the GC, General Commercial Zoning District.
4. The proposed Conditional Use Permit is consistent with good general planning.

Conditions of Approval:

1. The Conditional Use Permit for outdoor storage shall be granted to Millikin LLC and is transferrable to subsequent owners of the property if accessory to a hardware business conducted at 101 East Main Street.

2. Concrete bumpers (or a similar material) shall be installed to identify the easement boundaries. The drainage easement and alley right-of-way shall be kept free from any encumbrances.
3. Landscape planters and/or plantings, at a height not to interfere with lateral vision between 30 inches and ten feet, shall be installed within the site distance triangle at the northwest corner of East Church and North Lebanon Streets to discourage any materials or vehicles from encroaching into this area and creating an obstruction.
4. Stacked material on pallets and stacked used pallets shall not exceed seven feet in height.
5. During the period of the Conditional Use Permit, if safety concerns arise, the City shall reserve the right to review the need to require the applicant to install curb cuts and make sidewalk repairs along East Church and North Lebanon Streets to address concerns.
6. Outdoor storage/display of materials in public right-of-way in conjunction with Ace Hardware / Millikin LLC shall not be permitted.
7. A plan to create a visual barrier around the perimeter of the property shall be approved by staff and adjoining property owners and shall be installed within 6 months of Conditional Use Permit approval.

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

BID AWARD – BALL FIELD PARKING LOT NO. 1

City Manager presented report for Council consideration of approval and authorization of bids for furnishing all labor, materials and equipment for the Ball Field Parking Lot No. 1 Project.

Councilman Schorr asked when we would find out about the grant. City Manager stated that he has the application now and the grants are normally awarded in August.

McMahan moved, seconded by Weyant, to approve the low bid of \$48,269.50 to Christ Bros. Asphalt, Inc. of Lebanon, IL for furnishing all labor, materials and equipment for the Ball Field Parking Lot No. 1 Project and authorize appropriate officials to execute the necessary documents, contingent upon receipt of a St. Clair County Park Grant.

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

BID AWARD – ESPENSCHIED CHAPEL PARKING LOT

City Manager presented report for Council consideration of approval and authorization of bids for furnishing all labor, materials and equipment for the Espenschied Chapel Parking Lot Project.

Councilman Schorr asked where the parking lot is in relation to the oak tree that needs to be removed. City Manager stated that the oak tree is in the middle of a proposed parking

lane. City Manager stated that they will use the stump grinder to remove as much tree root as possible and this portion of the parking lot will be filled about an extra foot to get the grade needed.

Weyant moved, seconded by Schorr, to approve the low bid of \$43,099.26 to Christ Bros. Asphalt, Inc. of Lebanon, IL for furnishing all labor, materials and equipment for the Espenschied Chapel Parking Lot Project and authorize appropriate officials to execute the necessary documents.

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

COUNCIL – MISCELLANEOUS ITEMS

Councilman Schorr asked for an update on derelict properties currently being worked on and also current litigation still ongoing.

Mayor stated that Mascoutah will be hosting this month's SWIL Council of Mayors meeting.

CITY MANAGER – MISCELLANEOUS ITEMS

City Manager provided information to Council regarding short term rentals, or air bnbs and some criteria to look into if the Council wishes to allow them or not allow them. Council discussed the possibility of allowing short term rentals and what zoning districts to allow them in. City Manager will draft an ordinance on the stricter side and let Council decide if they want to lessen the restrictions or not.

PUBLIC COMMENTS

Alison Gauch – Commented on the discussion of allowing short term rentals and voiced concerns over the allowance of them.

Carrie Kunkel – Provided information on the guests that have stayed at her air bnb and who have requested to stay at her air bnb.

MISCELLANEOUS OR FINAL ACTIONS

None.

ADJOURNMENT

McMahan moved, seconded by Schorr, to **adjourn at 8:35 p.m.**

Motion passed. Motion passed by unanimous yes voice vote.

Kari D. Haas, City Clerk