

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

JULY 7, 2014

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 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, Assistant City Manager Lisa Koerkenmeier, and City Engineer Ron Yeager.

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

AMEND AGENDA

None.

MINUTES

The minutes of the June 16, 2014 regular City Council meeting were presented and stood as presented.

Motion passed. Passed by unanimous yes voice vote.

PUBLIC COMMENTS

Jason Holtman, resident, Crown Pointe subdivision – Spoke regarding the SSA tax on their property tax bills. Stated that he is disappointed that there is no item on the agenda regarding the SSA tax. Stated that they have a petition of the residents within the Crown Pointe subdivision stating that the SSA tax was not disclosed to them and another petition asking for the Council to reverse the tax or share with the community. Stated that they would like to receive a summary of how the tax came about and asked what type of time frame they could expect to obtain information regarding the tax. Assistant City Manager stated that a summary can be provided to the residents regarding how the tax was formed and should have that information together for distribution by early next week.

Jerry Gravitt, resident, Crown Pointe subdivision – Spoke regarding the SSA tax and the fact that the developer did not disclose the tax information to the residents of that subdivision.

Preston Knobeloch – Spoke regarding the rezoning of the 8.8 acres listed on the agenda. Spoke in favor of the apartments.

REPORTS AND COMMUNICATIONS

Mayor

Attended the following meetings and functions: IML Executive Committee meeting, SLM Water Commission meeting, National Council of Mayors Conference in Dallas, TX, SWIL Council of Mayors meeting, visit with the Governor, ribbon cutting for Elite HR, Chamber meeting, volunteered at the Visitor's Center, July 4th celebration.

City Council

Grodeon – Attended the following meetings and functions: Habitat for Humanity meeting, July 4th celebration.

Schorr – Attended the following meetings and functions: Helped Tree Sub-Committee meeting trim trees in Scheve Park, Planning Commission meeting, Library summer reading program, July 4th celebration.

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

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

City Manager – Nothing to report.

City Attorney – Nothing to report.

City Clerk – Nothing to report.

COUNCIL BUSINESS

PC14-04 – REZONING OF 8.8 ACRES NORTH OF INTERSTATE 64 AND WEST OF IL ROUTE 4 FROM GC, GENERAL COMMERCIAL, TO RM, MULTIPLE-FAMILY RESIDENTIAL (FIRST READING)

City Manager presented report for Council consideration of rezoning of 8.8 acres north of Interstate 64 and west of IL Route 4 from GC, General Commercial, to RM, Multiple-Family Residential, by adoption of ordinance to approve or adoption of resolution to deny.

Councilman Schorr commented that the property is zoned General Commercial and that it was zoned General Commercial when the applicant originally purchased the property. Councilman Schorr commented on how this rezoning would be spot zoning. Councilman

Schorr stated that he is having problems following and understanding some of the findings that the Planning Commission included in their motion to approve.

Councilman Weyant commented on the business district that is there now and that it would affect the amount of funds possible to be generated in the future by rezoning this piece of property. Councilman Weyant stated that he does not agree with the rezoning.

Mayor commented on the City's Comprehensive Plan and how it is not a static plan and how it is a dynamic plan that changes over time. Mayor stated that he is not basing his decision of approval or denial on the City's Comprehensive Plan. Mayor stated that this area is the City's primary commercial area and because of that is not in favor of the rezoning.

Councilman Grodeon commented on the Planning Commission meeting minutes and stated that he is having a hard time understanding or finding justification for their approval of the rezoning. City Manager stated that he does not believe there is more justification other than personal opinion. Assistant City Manager stated that staff did not provide findings for approval and stated that the Planning Commission basically reversed the findings for denial that were provided by staff as their justification for approval. Assistant City Manager stated that at the Planning Commission meeting there were two members of the public who spoke in favor of the rezoning and no one was present to speak in opposition which may have aided in their favorable vote. Councilman Grodeon stated that he agrees with the previous Council members comments and stated that he would not be in favor of the rezoning.

Councilman McMahan stated that he would not be in favor of approving the request.

First reading. No action required.

ST. CLAIR COUNTY MIDAMERICA ENTERPRISE ZONE – INTERGOVERNMENTAL AGREEMENT AMENDMENT AND AN ORDINANCE TO ADD TERRITORY

City Manager presented report for Council consideration of approval to amend St. Clair County MidAmerica Enterprise Zone Intergovernmental Agreement and approval of an Ordinance to add territory.

Councilman Schorr asked if a parcel wanted to be added in the future if this process had to be done again. City Manager stated that each time a new parcel wants to be added, a new ordinance and intergovernmental agreement has to be approved by all parties involved.

Councilman Schorr asked about the section regarding Urban Homestead Program. Assistant City Manager stated that it is straight from the state statute for the enterprise zone that could be used as an incentive but is not something that would be used in this area. City Attorney stated that this would be more applicable to urban renewal projects and inner-city areas.

Councilman Schorr commented on how he is not in favor of waiving first reading. Assistant City Manager stated that all communities are under a time table to have these approved by the end of the month and sent to IDCEO as soon as possible since IDCEO review and approval can take up to 90 days.

Weyant moved, seconded by McMahan, to waive the first reading of the ordinance.

Motion passed. AYE's – Weyant, McMahan, Daugherty. NAY's – Grodeon, Schorr.

McMahan moved, seconded by Weyant, to amend the St. Clair County MidAmerica Enterprise Zone Intergovernmental Agreement and approve Ordinance No. 14-09 amending Ordinance No. 99-125 to add territory to St. Clair County MidAmerica Enterprise Zone and authorize the appropriate city officials to execute and implement the appropriate documents.

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

MAIN STREET CLOSING – FALL FEST

City Manager presented report for Council consideration of approval of request from the Mascoutah Chamber of Commerce to close Main Street (IL 177) on October 18, 2014 for the Fall Fest.

Councilman Schorr stated that the Chamber needs to notify all the businesses that this closure will be occurring for this amount of time. City Manager stated that they have worked with the Chamber on this in the past and will make sure it is done again.

Councilman Weyant asked about the closure to Second Street instead of First Street and if the businesses within that extra block have been contacted. City Manager stated that the additional closure is for the car show and stated that they will work with the Chamber on this.

Weyant moved, seconded by Schorr, to authorize the closing of Main Street (IL 177) from Second Street to Route 4 on October 18, 2014 from 7 a.m. to 5 p.m. for the annual Fall Fest by adopting Resolution No. 14-15-06.

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

MAIN STREET CLOSING – CHRISTMAS PARADE

City Manager presented report for Council consideration of approval of request from the Mascoutah Chamber of Commerce to close Main Street (IL 177) on December 5, 2014 for the annual Miracle on Main Christmas Parade.

Grodeon moved, seconded by Schorr, to authorize the closing of Main Street (IL 177) from Jefferson Street to Second Street on December 5, 2014 from 5 p.m. to 8 p.m. for the annual Miracle on Main Christmas Parade by adopting Resolution No. 14-15-07.

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

RESOLUTION OPPOSING SB3507 REGARDING RESTRICTION ON COLLECTION OF CONNECTION FEES

City Manager presented report for Council consideration of approval of a resolution urging the Governor to veto Senate Bill 3507 which restricts the collection of connection fees charged by municipalities.

Schorr moved, seconded by Weyant, to approve and adopt Resolution No. 14-15-08, a resolution advocating a gubernatorial veto or amendatory veto of Senate Bill 3507, which amends 65 ILCS 5/11-150-1 to restrict the collection of connection fees charged by municipalities.

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

BID AWARD – HARNETT STREET IMPROVEMENTS, PHASE II

City Manager presented report for Council consideration of approval and authorization of bids for furnishing all labor, materials, and equipment to reconstruct Harnett Street from Route 4 to North 6th Street and from North 10th Street to County Road. This project will also include re-striping Harnett Street from 6th Street to 10th Street.

Councilman Weyant asked what type of assurances we have that this project will be completed on time. City Manager stated that they have a project completion date set in the contract as December 31st, 2014. City Manager stated that this project does have to go by IDOT's standard procedures manual and so there will be penalties if it goes past the deadline date.

Councilman Grodeon asked if the City planned to do the project oversight. City Engineer stated that he will be involved as much as possible for the day to day activity but there are some construction items that will have to be paid by the City to have done. City Engineer stated that his project oversight will also depend on if Fuesser Road starts up during this time.

Councilman Grodeon asked if the road would be closed down or done in phases. City Manager stated that it will be phased because certain streets only have access from Harnett. City Manager stated that they will be starting on the west side of Harnett Street to have that portion mostly completed prior to school starting and will start on the east side after Homecoming.

Grodeon moved, seconded by Schorr, to approve the low bid of \$1,339,663.45 to DMS Contracting of Mascoutah, IL for furnishing all labor, materials and equipment for the Harnett Street Improvements, Phase II Project and authorize appropriate officials to execute the necessary documents.

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

IDOT RESOLUTIONS / ACCESS PERMITS – HARNETT STREET

City Manager presented report for Council consideration of approval and adoption of resolution requesting permission and authorization to do certain work within the Illinois Department of Transportation (IDOT) right-of-way on State Highways 6th Street and IL Route 4 for the reconstruction of Harnett Street.

Councilman Weyant asked if a turn lane was going to be required at Route 4. City Manager stated that they have not received any indication from IDOT that turn lanes will be required at Route 4 or 6th Street.

Schorr moved, seconded by McMahan, to approve and adopt IDOT Permit Resolutions No. 14-15-09 and No. 14-15-10, and authorize appropriate City officials to execute appropriate documents.

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

COUNCIL – MISCELLANEOUS ITEMS

Councilman Grodeon asked about the electric rate study. City Manager stated that staff is working on gathering the information required and they are waiting for the most current audit in order to provide the company with the most current financials rather than being a year off on the financial projections.

Mayor stated that he did have a chance to speak with the Governor and other representatives regarding SB3507.

Councilman Weyant stated that a resident asked him about having the no parking on Jackson Street removed since the high school now has enough parking. Council discussed removing the no parking and stated that if those residents want them removed, then they can get together a petition to ask the Council to remove them.

CITY MANAGER – MISCELLANEOUS ITEMS

None.

PUBLIC COMMENTS

None.

MISCELLANEOUS OR FINAL ACTIONS

None.

ADJOURNMENT

McMahan moved, seconded by Grodeon, to **adjourn at 8:07 p.m.**

Motion passed. Motion passed by unanimous yes voice vote.

Kari D. Haas, City Clerk