

# Mascoutah City Council

October 3, 2016

## 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**, September 19, 2016 City Council Meeting (Page 1 to Page 6)

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

**7. REPORTS AND COMMUNICATIONS**

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

**8. COUNCIL BUSINESS**

**A. Council Items for Action:**

**1. 6<sup>th</sup> Street Circuit Upgrade, Phase 2 – Bid Award** (Page 7 to Page 15)

Description: Approval and authorization of bids for furnishing all labor, materials and equipment for the 6<sup>th</sup> Street Circuit Upgrade, Phase 2 Project.

Recommendation: Council Approval.

**2. PC16-08 – Rezoning of 515 W. Church Street from RS-5, Single-Family Residential (RS-5), to General Commercial (GC) (First Reading)**

(Page 16 to Page 30)

Description: Review and approval or denial of a rezoning application for 515 W. Church Street from RS-5, Single-Family Residential, to GC, General Commercial

Recommendation: First Reading.

**3. PC16-10 – Final Plat for Legacy Place (First Reading)**

*(Page 31 to Page 36)*

Description: Adoption of an Ordinance approving the Final Plat for Legacy Place, a three (3) lot development consisting of one (1) RS-8 single family lot and two (2) General Commercial lots located west of Rt. 4 and north of Grand Prairie Drive.

Recommendation: First Reading.

**B. Council Miscellaneous Items**

**C. City Manager**

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

**10. ADJOURNMENT TO EXECUTIVE SESSION**

**11. MISCELLANEOUS OR FINAL ACTIONS**

**12. ADJOURNMENT**

***POSTED 9/30/16 at 5:00 PM***

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

**SEPTEMBER 19, 2016**

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

**AUDIT PRESENTATION**

Mayor Gerald Daugherty called the discussion to order at 6:30 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, Finance Coordinator Lynn Weidenbenner, City Engineer Ron Yeager, and Assistant City Manager Mike Bolt.

*Discussion:*

Kevin Tepen with C.J. Schlosser & Company, LLC presented the audit and financial statements for Fiscal Year ended April 30, 2016.

Mayor Gerald Daugherty closed the discussion at 6:59 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 7:06 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 Mike Bolt, City Engineer Ron Yeager, City Engineer Tom Quirk, Finance Coordinator Lynn Weidenbenner and Assistant Fire Chief Rob Stookey.

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

## **AMEND AGENDA**

None.

## **MINUTES**

The minutes of the September 6, 2016 regular City Council meeting were presented and approved as presented. The minutes of the September 6, 2016 Executive Session meeting were presented and approved as presented.

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

## **PUBLIC COMMENTS**

None.

## **DEPARTMENT REPORTS**

*Assistant Fire Chief Rob Stookey* – August 2016 report was provided. Councilman Weyant asked about testing fire hydrants. City Manager stated that the Water Department has been working on testing and flushing the fire hydrants.

*Police Chief Bruce Fleshren* – absent – Sergeant Kevin McGinnis presented the August 2016 report.

*Finance Coordinator Lynn Weidenbenner* – Monthly financials provided.

*City Engineer/Director of Public Works Ron Yeager* – Status report on public projects and monthly building permits report provided. Councilman Schorr asked about the Main St. and Jefferson St. intersection. City Engineer stated that they are wrapping up the project report and then will start working on easements and right-of-ways needed; will be bidding the project next year. Councilman Schorr asked about the East West Berm Trail, Phase 1 and the next steps from the input received during the public information meeting. City Engineer stated that the consultant is putting together letters addressing the issues and questions raised at the public meeting which will be sent to those residents.

## **REPORTS AND COMMUNICATIONS**

### *Mayor*

Attended the following meetings and functions: United Way golf tournament, Leu Civic Center's 9/11 event, viewed recycling plant at Republic Services in Hazelwood, assisted the Chamber at the Scott AFB spouses newcomer orientation at the Scott Club.

### *City Council*

Grodeon – Attended the following meetings and functions: Meeting with resident regarding TIF 3.

Schorr – Attended the following meetings and functions: Contacted by residents regarding TIF 3.

Weyant – Nothing to report.

McMahan – Attended the following meetings and functions: Helped put a new roof on the pool pavilion.

*City Manager* – Introduced the new Assistant City Manager Mike Bolt.

*City Attorney* – Nothing to report.

*City Clerk* – Nothing to report.

## **COUNCIL BUSINESS**

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

The August 2016 Fund Balance Report and Claims & Salaries Report were provided under the omnibus consideration.

Schorr moved, seconded by McMahan, to accept all items under Omnibus consideration.

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

### **CODE CHANGE – NO PARKING, POPLAR STREET (SECOND READING)**

City Manager report for Council consideration of approval of an Ordinance to amend Schedule E – No Parking Streets to add no parking on sections of West Poplar Street.

Grodeon moved, seconded by Schorr, to approve and adopt Ordinance No. 16-19, amending Chapter 24, Schedule "E" – No Parking Streets to add no parking on sections of West Poplar Street.

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

### **VACATION OF DRAINAGE EASEMENT – STONEMILL ESTATES (SECOND READING)**

City Manager report for Council consideration of approval for vacation of a portion of an existing drainage easement at Stonemill Estates by adoption of ordinance.

Weyant moved, seconded by McMahan, to approve and adopt Ordinance No. 16-20, Easement Vacation for vacation of a portion of the drainage easement along the north side of Stonemill Estates.

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

### **RESOLUTION AUTHORIZING THE SALE OF PROPERTY**

City Manager report for Council consideration of approval of resolution authorizing the sale of a portion of land located at 1000 West Main Street, Mascoutah, IL.

Councilman Grodeon asked if this was advertised or appraised. City Manager stated that the price was based on the normal price per square foot the City receives for easements. City Attorney stated the City is okay with not advertising the land because the land has no value to another person except the adjoining property owner.

McMahan moved, seconded by Schorr, to approve and adopt Resolution No. 16-17-14, authorizing the sale of approximately 2,724 square feet located at 1000 West Main Street, Mascoutah, IL in the amount of \$1,750.00 and authorize appropriate officials to execute the required documents.

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

### **SOUTH 10<sup>TH</sup> STREET RECONSTRUCTION – BID AWARD**

City Manager report for Council consideration of approval and authorization of bids for furnishing all labor, materials and equipment for the South 10<sup>th</sup> Street Reconstruction Project.

Mayor asked about the IDOT approval needed. City Engineer stated that the variances for the parking spots took awhile to get the justifications needed from IDOT which did cause about a 6 month delay. City Engineer stated that IDOT will have to approve the awarding of the project which shouldn't be a problem since it is being funded by the City; there should not be any further delay from IDOT for this project.

Councilman Grodeon asked what the schedule was. City Engineer stated that the project will be completed by the end of the year. Councilman Grodeon asked if there are any LD's. City Engineer answered no.

Councilman Schorr asked about the configuration on parking in front of MarKa. City Manager stated that it will pretty much remain the same but will be longer in length. City Engineer stated that the parking lot was moved about 7' closer to the building; will remain straight back out parking stalls.

Councilman Weyant asked about the parking lot being moved to the side of the building. City Manager stated that the apartment complex on the will have the parking lot moved to the north side of the building.

Grodeon moved, seconded by Schorr, to approve the low bid of \$454,672.55 to DMS Contracting, Inc. of Mascoutah, IL for furnishing all labor, materials and equipment for the South 10<sup>th</sup> Street Reconstruction Project, pending IDOT approval, and authorize appropriate officials to execute the necessary documents.

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

## **EXPRESS CIRCUIT – BID APPROVAL**

City Manager report for Council consideration of approval of bids for furnishing all labor, materials and equipment for the Express Circuit Project.

City Manager stated that when this project was originally cost estimated, we were planning to use a portion of the existing Park Circuit. City Manager stated that when the bids were put out, the bids were done using a dedicated stand-alone circuit instead of using a portion of the Park Circuit. City Manager stated that the Council will need to decide if they want to build the new circuit now, or save some money and use part of the Park Circuit keeping in mind that eventually the City will need to come off the Park Circuit when the load increases. City Manager stated that it will cost more in the future if we were to wait to build the new circuit. Council discussed the options and were in favor of doing the stand-alone circuit now instead of waiting.

Councilman Grodeon asked what the BHMG estimate was. City Engineer stated that the original estimate was around \$500,000 for the project which included \$75,000 for engineering. Councilman Grodeon asked about the 6<sup>th</sup> Street circuit being bid tomorrow and why weren't the two projects bid together. City Engineer stated that they are two totally different projects and located within two separate portions of town. City Manager stated that the 6<sup>th</sup> Street circuit was budgeted and the Phase 2 project was added later since we obtained funding from the bank; was a coincidence that they ended up bidding around the same time.

Councilman Grodeon asked what the pros are for this project. City Manager stated that this new dedicated circuit will reduce redundancy and allow the City the ability improve reliability.

Weyant moved, seconded by McMahan, to approve the low bid of \$736,265.00 to L.E. Meyers of Decatur, IL for furnishing all labor, materials and equipment for the Express Circuit 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 Grodeon asked for an update on the aerial spraying. City Attorney stated that based on his research he believes the City can pass an ordinance. City Attorney stated that there is a possible argument that could be made but believes the City has a stronger argument to pass an ordinance to restrict the aerial spraying within the City limits. Council discussed the areas of town under most concern. City Manager will work on the wording for a possible ordinance.

Councilman Schorr asked about the water loss at the pool this year. City Manager stated that it was minimal this year and the pipes and pumps held up for this year.

## **CITY MANAGER – MISCELLANEOUS ITEMS**

City Manager provided an update to the Council regarding Legacy Place and the expenditures related to only infrastructure improvements. City Manager stated that he is just looking for guidance from Council to start drafting a document for if the TIF 3 is approved in the future and provide the developer with what he needs to start working on the project. Council discussed the funding of infrastructure improvements. Councilman Grodeon stated that he likes the project and the possible incentive funding, but does not like discussing an agreement before the TIF has actually been approved; damages the City's credibility and harms negotiating with IGA's that we don't have yet. City Manager stated that he sees that point but there are project based TIFs in which agreements are in place with developers before the TIF is approved so it is not unusual for discussions like these to occur.

Councilman Schorr asked for an estimation on the timeframe for approval of the TIF 3. City Manager stated that right now the first reading of the approval ordinance could be the 2<sup>nd</sup> meeting in October so final approval won't happen until November. City Manager stated that they are working to get the intergovernmental agreements in place prior to the approval of the TIF 3 ordinance.

## **PUBLIC COMMENTS**

Dave Kunkel – Thanked the Council for helping to move this forward. Dave Kunkel stated that their anticipation was that the TIF would have been passed already; are anxious to get the project moving. Dave Kunkel stated that he does understand that this agreement is contingent upon the approval of the TIF 3 and was driven here and to this location by the possibility of a TIF being created.

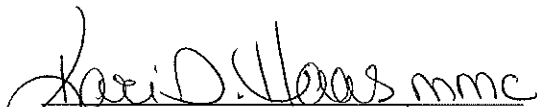
## **MISCELLANEOUS OR FINAL ACTIONS**

None.

## **ADJOURNMENT**

McMahan moved, seconded by Schorr, to **adjourn at 7:56 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:** 6<sup>th</sup> Street Circuit Upgrade, Phase 2 - Bid Award

**MEETING DATE:** October 3, 2016

**REQUESTED ACTION:**

Approval and authorization of bids for furnishing all labor, materials and equipment for the 6<sup>th</sup> Street Circuit Upgrade, Phase 2 Project.

**BACKGROUND & STAFF COMMENTS:**

Bids for the *6th Street Circuit Upgrade, Phase 2 Project* were opened on Tuesday, September 20, 2016. There were 3 bidders total. Lowest qualified bid was submitted by J.F. Electric Contractors of Edwardsville, IL. for a total base bid amount of \$209,333.00. This project is a continuation of the 6<sup>th</sup> Street Circuit Upgrade, Phase 1 Project that was awarded to J.F. Electric on October 6, 2014 for \$208,835.00. This project will complete the upgrade from Anna Street south to the abandoned L&N Railroad the east to the Union St. Substation. The total length of the circuit is approximately 3,400 feet or 0.75 miles and will be located on existing right-of-way. See Bid Tab, Attachment A and recommendation letter, Attachment B.

**FUNDING:**

This project will be paid for with City Electric Funds.

**RECOMMENDATION:**

Approval of low bid for furnishing all labor, materials and equipment for the *6th Street Circuit Upgrade, Phase 2 Project* to for a total amount of \$209,333.00.

**SUGGESTED MOTION:**

I move that the Council approve the low bid of \$209,333.00 to J.F. Electric Contractors of Edwardsville, IL for furnishing all labor, materials and equipment for the *6th Street Circuit Upgrade, Phase 2 Project* and authorize appropriate officials to execute the necessary documents.

Prepared By:

  
Ron Yeager  
City Engineer



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

Cody Hawkins  
City Manager

Attachment: A – Bid Tab

Attachment : B – Recommendation Letter from BHMG

# CITY OF MASCOUTAH, IL PROJECT NO. B1681 K001 – RECONSTRUCTION OF 4KV SIXTH ST. CIRCUIT, PH. 2

BIDDERS/PROPOSALS	PAR Electrical Contractors 4770 Bellevue Ave., Ste. 300 Kansas City, MO 64116 Keith Cange 618-407-1098	L. E. Myers 1655 Hubbard Ave. Decatur, IL 62526 Quinn Huber 217-877-0430	J. F. Electric 100 Lakefront Parkway Edwardsville, IL 62025 Darran Ayres 618-797-5353	Oil Field Electric 10878 Mark Twain Rd. West Frankfort, IL 62896 Mike Kinkade 618-937-4606
BID SECURITY	5% of bond	5% bid	5% bid	5% bid
PROPOSAL 1	\$ 394,429.00	\$ 244,195.00	\$ 209,333.00	\$
COMPLETION DATE	Specified in bid	Specified in bid	Specified in bid	Specified in bid
	<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 checked="" type="checkbox"/> Section 00420 Qualifications <input checked="" type="checkbox"/> Schedule of Hourly Rates for all Employee Classifications and Equipment	<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 checked="" type="checkbox"/> Section 00420 Qualifications <input checked="" type="checkbox"/> Schedule of Hourly Rates for all Employee Classifications and Equipment	<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 checked="" type="checkbox"/> Section 00420 Qualifications <input checked="" type="checkbox"/> Schedule of Hourly Rates for all Employee Classifications and Equipment	<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 checked="" type="checkbox"/> Section 00420 Qualifications <input checked="" type="checkbox"/> Schedule of Hourly Rates for all Employee Classifications and Equipment
<b>BHMG Engineers, Inc.</b> Consulting Engineers 630 Jeffco Blvd. Arnold, MO 63010	<b>CITY OF MASCOUTAH, IL</b> <b>MUNICIPAL ELECTRIC SYSTEM</b> <b>RECONSTRUCTION OF 4KV SIXTH ST. CIRCUIT, PHASE 2</b> Bids Received 2:00 p.m. 09/20/16	<b>BID OPENING WITNESSES:</b> City:  BHM: 		



September 23, 2016

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

Ref: City of Mascoutah  
Reconstruction of 4kV Sixth Street Circuit, Phase 2  
B1681 K001

Subject: Recommendation for Award of Bid

Dear Mr. Hawkins:

The City received the following bids for the referenced project:

<u>Bidder</u>	<u>Bid Amount</u>
J. F. Electric Incorporated	\$209,333.00
L. E. Myers Co.	\$244,195.00
PAR Electrical Contractors	\$394,429.00

The City reviewed the low bidder's Project Clarifications portion of their bid, and responded to each clarification in a letter dated September 22. J. F. Electric accepted the City's responses to its clarifications in a letter dated September 23. All referenced correspondence is attached hereto and made a part of this letter of recommendation.

It is therefore the recommendation of BHM that the City accept the bid of J. F. Electric in the amount of \$209,333.00.

If you have any questions, please contact me.

Sincerely,  
**BHM Engineers, Inc.**

A handwritten signature in black ink, appearing to read "Verbal J. Blakey".

Verbal J. Blakey, P.E.  
Vice President

VJB/mwn





100 Lakefront Parkway / P.O. Box 570  
Edwardsville, Illinois 62025  
Phone 618.797.5353  
Fax 618.797.5391  
[www.jfelectric.com](http://www.jfelectric.com)

September 23, 2016

Verbal J. Blakey, P.E.  
BHMG Engineers, Inc.  
630 Jeffco Boulevard  
Arnold, MO 63010

RE: **City of Mascoutah**  
**Municipal Electric Utility**  
*Reconstruction of 4kV Sixth Street Circuit*  
*B1681 K001*

Dear Verbal:

The JF Electric management team has reviewed the City of Mascoutah's responses to our clarifications on the above referenced project. Moving forward, JF Electric has decided to accept the City of Mascoutah's responses to our clarifications to allow the bid review process to continue.

If you have any questions or need additional information please do not hesitate to contact me.

Respectfully submitted,

J. F. ELECTRIC, INCORPORATED

A handwritten signature in black ink, appearing to read 'Darran V. Ayres'.

Darran V. Ayres  
*Vice President Utility Department*

DVA/tp



September 22, 2016

J.F. Electric, Inc.  
100 Lakefront Parkway  
P.O. Box 570  
Edwardsville, IL 62025

Ref: City of Mascoutah  
Municipal Electric Utility  
Reconstruction of 4kV Sixth Street Circuit  
B1681 K001

The City of Mascoutah (COM) has reviewed the Project Clarifications included with the J.F. Electric (JFE) bid for the above-referenced project (attached). The JFE clarifications and COM responses are listed below. The COM requires a response from JFE accepting their responses for the bid to proceed in review. The JFE response is due no later than the close of business on Friday, September 22, 2016.

1. This proposal is subject to change after thirty (30) days due to material escalations beyond our control.

Section 2.01 of the bid form requires the bid to be valid for 60 days. The project is expected to be awarded within 30 days. If for some reason that it is not awarded in 30 days, and JFE chooses to increase the bid due to verifiable material escalations, the COM reserves the right to reject the bid for non-responsiveness.

2. Our invoices are net 30 days with 1.5% per month late charge.

The City has vendor payment procedures that are dependent upon City Council meeting dates which are generally the first and third Mondays of the month. In order to be paid net 30, JFE will have to meet the invoice submittal requirements. Should JFE miss the invoice submittal deadline to be paid within 30 days, the COM will not pay a late fee.

3. Our labor is based on IBEW Local Union #309 wage rates that are effective through December 1, 2017. Please note that labor escalations may occur if project is not completed prior to this date.

This project is required to be substantially complete by 2/28/17 and final completion is due by 3/31/17. Should JFE not meet these deadlines, liquidated damages apply.

4. Our proposal is based on equipment used from our own fleet; therefore, rental equipment or subcontractor costs have not been included.

JFE is in complete control of the source of equipment used on this project. Should JFE choose to rent equipment for this project, the rental cost shall be considered to be included in the lump sum bid.

Any subcontractor JFE chooses to use on this project is subject to approval by the COM. Should the scope of work for which JFE chooses to use a subcontractor is in the project scope, the subcontractor cost shall be considered to be included in the lump sum bid.

5. Cost of supervision is included.

No comment.

6. All primary conductors will be energized when work is being done.

No comment.

7. All final primary connections will be installed by JF Electric.

No comment.

8. Electrical permit and inspection fees are not included.

No comment.

9. Illinois state sales tax is not included.

The COM is a municipal and therefore state sales tax exempt. A copy of the exemption form was provided in the bid documents.

10. Location of work is assumed to be in dirt, if any foreign obstruction, such as rock, is encountered then work will be billed at cost plus rates.

In order for extra work to be approved for payment, it must be approved and verified by the COM or its representative before the work commences.

11. J.F. Electric will not be responsible for locating of or damage to any foreign underground utilities that are not marked by JULIE (damage prevention service), or by the property owner(s).

No comment.



12. Property owner(s) will be responsible to contact a private locating service to have all privately owned underground utilities marked in the work area prior to the start of this project.

No comment.

13. Tree trimming is not included.

Insignificant tree trimming required to appropriately locate equipment for the construction shall be the responsibility of JFE.

14. Landscaping/Restoration of work area is included.

No comment.

15. Removal or patching of concrete/asphalt is not included.

Repair of damage caused by JFE shall be the responsibility of JFE regardless of the location, ie, soil, concrete, asphalt, etc.

16. Demolition of existing facilities will be by JF Electric.

No comment.

17. Excess spoil is to be lost on site.

No comment.

18. Design, engineering and submittal time is not included.

No design or engineering has been or is expected to be included in this scope of work. The COM has the right to request submittals for supplied material, at no cost to the COM.

19. This proposal is conditioned upon the usage of a standard AIA document or some other contract (or purchase order) acceptable to JF Electric.

The Form of Contract was included in the bid document and will be the only contract document accepted by the COM.

20. In the Standard General Conditions of the Construction Contract, JF Electric would like the following changes made:

- a. In section 4.06 Hazardous Environmental Condition at Site, Item H, first paragraph: "...of each and any of them from and against ~~all~~ claims, costs, losses, and damages (including but not limited to all fees and charges of..."
- b. In Section 4.6 Hazardous Environmental Condition at Site, Item H, first paragraph: "...and any of them from and against ~~all all~~ claims, costs, losses, and damages..."
- c. In Section 5.04 (Contractor's Liability Insurance, Item B: "1. with respect to GL Coverage only insurance required by Paragraphs 5.04.A.3 through 5.04.A.6 inclusive insurance required by Paragraphs 5.04.A.3. through 5.04.A.6 inclusive, include as additional insured..."
- d. In Section 5.04 Contractor's Liability Insurance, Item B: "4. Include contractual liability insurance coverage for insured contracts per the terms and conditions of the GL policy covering Contractor's indemnity obligations under Paragraphs 6.11 and 6.20;"
- e. In Section 5.04 Contractor's Liability insurance, Item B: "5. Contractor will provide notification of cancellation for reasons other than nonpayment contain a provision or endorsement that the coverage afforded will not be cancelled, materially changed or renewal refused until at least 30 days' prior written notice has been given to Owner and Contractor and to each other additional insured..."

The COM does not accept any proposed changes to the General Conditions from JFE listed in item no. 20 above.

Should you have any questions, please call me.

Sincerely,  
BHMG Engineers, Inc.



Verbal J. Blakey, P.E.  
Vice President

Enclosure





100 Lakefront Parkway / P.O. Box 570  
Edwardsville, Illinois 62025  
Phone 618.797.5353  
Fax 618.797.5391  
www.jfelectric.com

**City of Mascoutah, Illinois**  
Reconstruction of 4kV Sixth Street Circuit  
Specification B1681 K001  
**PROJECT CLARIFICATIONS**  
September 20, 2016

1. This proposal is subject to change after thirty (30) days due to material escalations beyond our control.
2. Our invoices are net 30 days with 1.5% per month late charge.
3. Our labor is based on IBEW Local Union #309 wage rates that are effective through December 1, 2017. Please note that labor escalations may occur if project is not completed prior to this date.
4. Our proposal is based on equipment used from our own fleet; therefore rental equipment or subcontractor costs have not been included.
5. Cost of supervision is included.
6. All primary conductors will be energized when work is being done.
7. All final primary connections will be installed by JF Electric.
8. Electrical permit and inspection fees are not included.
9. Illinois state sales tax is not included.
10. Location of work is assumed to be in dirt, if any foreign obstruction, such as rock, is encountered then work will be billed at cost plus rates.
11. J.F. Electric will not be responsible for locating of or damage to any foreign underground utilities that are not marked by JULIE (damage prevention service), or by the property owner(s).
12. Property owner(s) will be responsible to contact a private locating service to have all privately owned underground utilities marked in the work area prior to the start of this project.
13. Tree trimming is not included.
14. Landscaping/Restoration of work area is included.
15. Removal or patching of concrete/asphalt is not included.
16. Demolition of existing facilities will be by JF Electric.
17. Excess spoil is to be lost on site.
18. Design, engineering and submittal time is not included.
19. This proposal is conditioned upon the usage of a standard AIA document or some other contract (or purchase order) acceptable to JF Electric.
20. In the Standard General Conditions of the Construction Contract, JF Electric would like the following changes made.
  - a. In Section 4.06 Hazardous Environmental Condition at Site, Item G., first paragraph:  
"...of each and any of them from and against **all** claims, costs, losses, and damages (including but not limited to all fees and charges of..."
  - b. In Section 4.06 Hazardous Environmental Condition at Site, Item H., first paragraph:  
"...and any of them from and against **all** claims, costs, losses, and damages..."
  - c. In Section 5.04 Contractor's Liability Insurance, Item B.:  
"1. with respect to **GL Coverage only insurance required by Paragraphs 5.04.A.3 through 5.04.A.6 inclusive**, include as additional insured..."
  - d. In Section 5.04 Contractor's Liability Insurance, Item B.:  
"4. include contractual liability insurance **coverage for insured contracts per the terms and conditions of the GL policy. covering Contractor's indemnity obligations under Paragraphs 6.11 and 6.20;**"
  - e. In Section 5.04 Contractor's Liability Insurance, Item B.:  
"5. **Contractor will provide notification of cancellation for reasons other than nonpayment contain a provision or endorsement that the coverage afforded will not be canceled, materially changed or renewal refused until at least 30 days prior written notice has been given** to Owner and Contractor and to each other additional insured..."

CITY OF MASCOUTAH  
**Staff Report**

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** **PC 16-08 - Rezoning of 515 W. Church Street from RS-5, Single-Family Residential (RS-5), to General Commercial (GC) (First Reading)**

**MEETING DATE:** October 3<sup>rd</sup>, 2016

**REQUESTED ACTION:**

Review and approval or denial of a rezoning application for 515 W. Church Street from RS-5, Single-Family Residential, to GC, General Commercial.

**BACKGROUND & STAFF COMMENTS:**

The applicant, Jessica Iler-Smith, is under contract for the property at 515 W. Church Street. The property includes a single-family dwelling, the property is two lots (35'X90" and 50'X100') with frontage on W. Church and N. 6<sup>th</sup> Street. The applicant desires to use the structure for a beauty shop/salon and use both lots for future access and parking for the property.

The City's Zoning Code does not allow requests for use variances or exceptions. The only option the applicants may pursue is to request rezoning the property to a zoning district which allows for a beauty shop/salon. Therefore, the applicants are requesting to rezone the property from RS-5, Single-Family Residential, to GC, General Commercial. The GC zoning district would allow the property to be used as a beauty shop/salon.

**DISCUSSION POINTS / ISSUES:**

**Land Use and Zoning Requirements:** The subject property is depicted as Medium Density Residential on the Land Use Map in the City's Comprehensive Plan. Land to the north, east and west of the subject property is zoned RS-5, RS-10, Single-Family Residential and is currently used for single-family housing. Land to the south is zoned General Commercial and is used by Quick Stop (Gas Station).

**Utilities:** The subject property is served by municipal water, sanitary sewer and electric services and Ameren natural gas services. The present utilities would be adequate if the property was used for single-family or commercial use.

**Traffic Impact:** The use of the subject property for commercial purposes will likely increase traffic on W. Church Street. Parking is not restricted on W. Church, so limited on-street parking is available for the subject property.

**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 27

property owners within 250' of the subject property. As of the date of this report, staff received one call about this request, with no opposition.

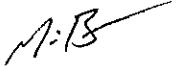
These plans were approved by the Planning Commission on September 21<sup>st</sup>, 2016.

**STAFF RECOMMENDATION:**

Staff recommends approval of the rezoning request for 515 W. Church Street from RS-5, Single-Family Residential, to GC, General Commercial, subject to the Findings attached.

**SUGGESTED MOTION:**

I move that the City Council adopt Ordinance 16- \_\_\_, approving the rezoning request of 515 W. Church Street from RS-5, Single-Family Residential, to GC, General Commercial, subject to the Findings attached.

Prepared By:   
Mike Bolt  
Assistant City Manager

Approved By: \_\_\_\_\_  
Cody Hawkins  
City Manager

Attachments: A-Findings  
B-Location/Zoning Map  
C-Aerial/Parcel Map of Site  
D-Photos of Subject Property  
E-Narrative Provided by the Applicant  
F-Public Hearing Notice  
G-Minutes  
H-Ordinance

**Attachment A**  
**FINDINGS FOR APPROVAL – Planning Commission Version**

**ZONE CHANGE:** 515 W. Church Street  
from RS-5 TO GC

**DATE:** October 3<sup>rd</sup>, 2016

***FINDINGS:*** The Mascoutah Planning Commission, pursuant to the applicant's 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 the City's Zoning Code requirements.
2. The proposed zone change is compatible with surrounding commercial and residential uses nearby property.
3. The rezoning application is consistent with good general planning.
4. The proposed zone change does encourage land use compatibility with adjacent uses.
5. The proposed zone change is deemed desirable to promote the general welfare of the City.



THOUVENOT,  
WADE &  
MOERCHEN, INC.  
ENGINEERS & PLANNERS

**TWM**

■ CORPORATE OFFICE  
4845 E. COLLETSVILLE RD.  
MARIETTA, ALABAMA 35728  
TEL: (256) 831-1544  
FAX: (256) 831-1444  
info@twm-inc.com

■ WATERLOO OFFICE  
113 SOUTH MAIN STREET  
WATERLOO, ILLINOIS 62298  
TEL: (314) 436-8200  
FAX: (314) 436-3838  
info@twm-inc.com

■ EDWARDSVILLE OFFICE  
800 COUNTY CLERK VIEW, SUITE 1  
EDWARDSVILLE, ILLINOIS 62025  
TEL: (618) 808-8000  
FAX: (618) 808-6143  
info@twm-inc.com

■ ST. LOUIS OFFICE  
720 OLIVE ST., SUITE 200 A  
ST. LOUIS, MISSOURI 63101  
TEL: (314) 241-8200  
info@twm-inc.com

SCALE: 1"=800'

## ZONING MAP CITY OF MASCOUTAH ST. CLAIR COUNTY, ILLINOIS

MARCH 2015

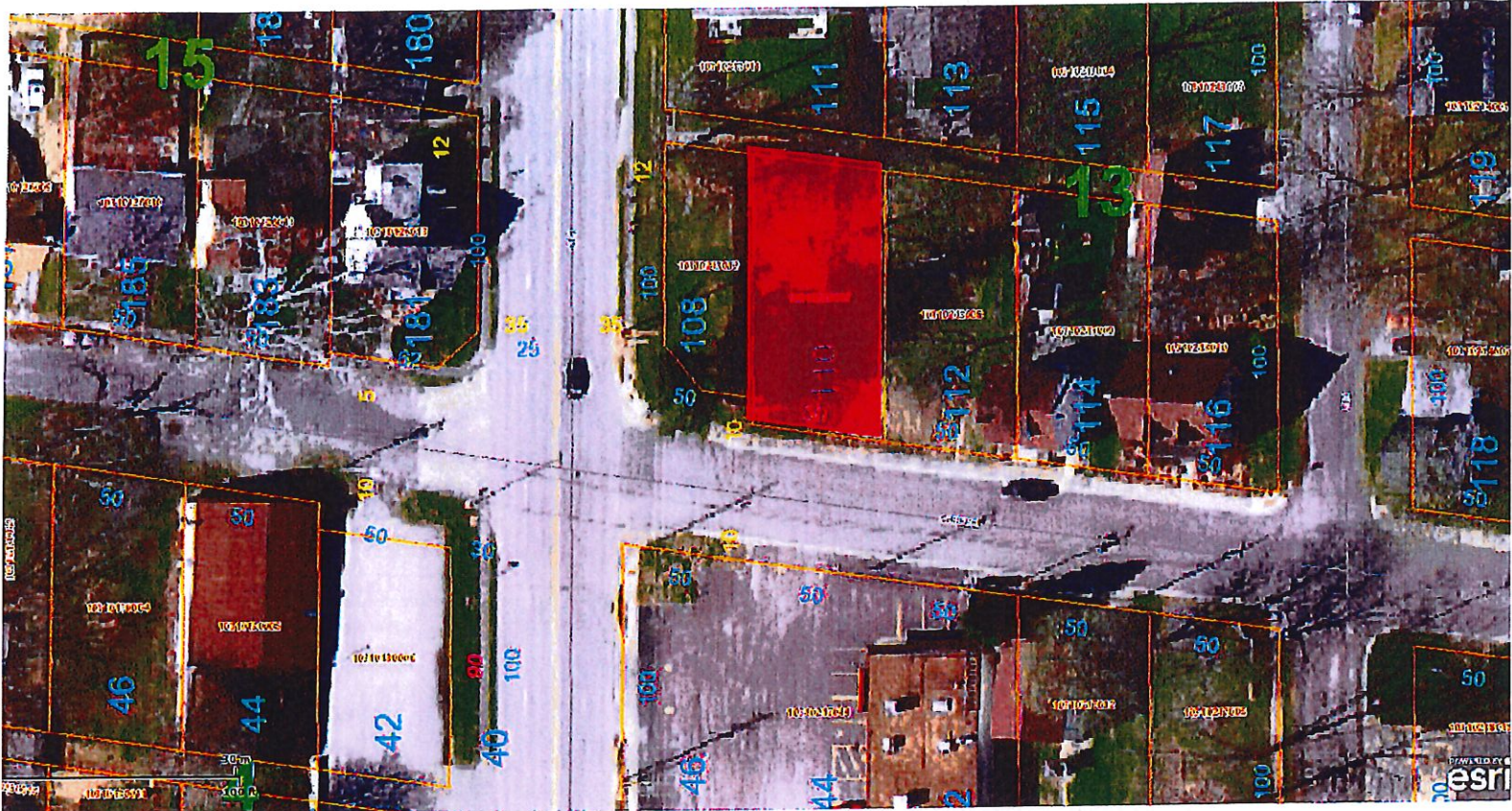
### LEGEND

- AG, AGRICULTURAL
- RS-10, SINGLE-FAMILY RESIDENTIAL
- RS-B, 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
- TIF BOUNDARY
- MBD, MASCOUTAH BUSINESS DISTRICT

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



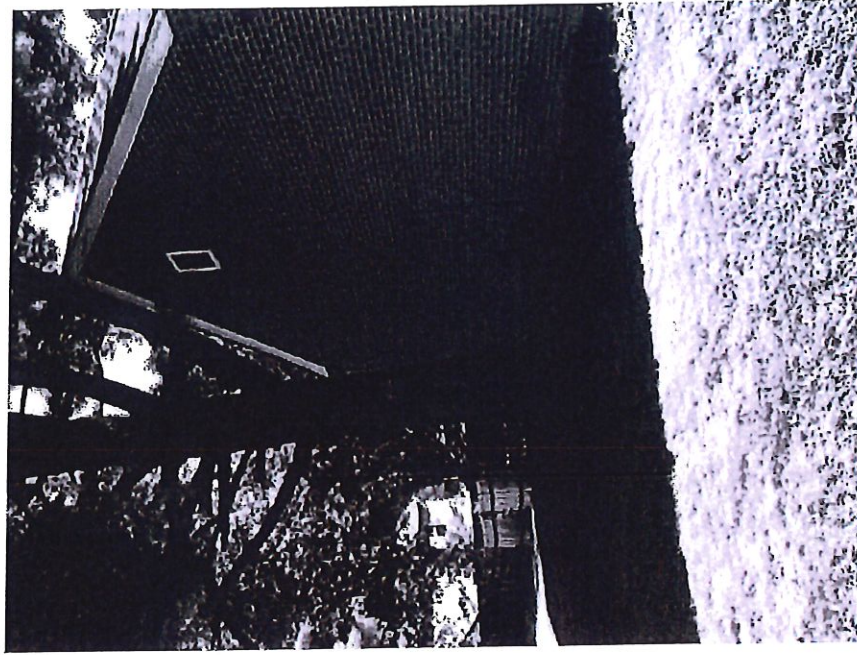
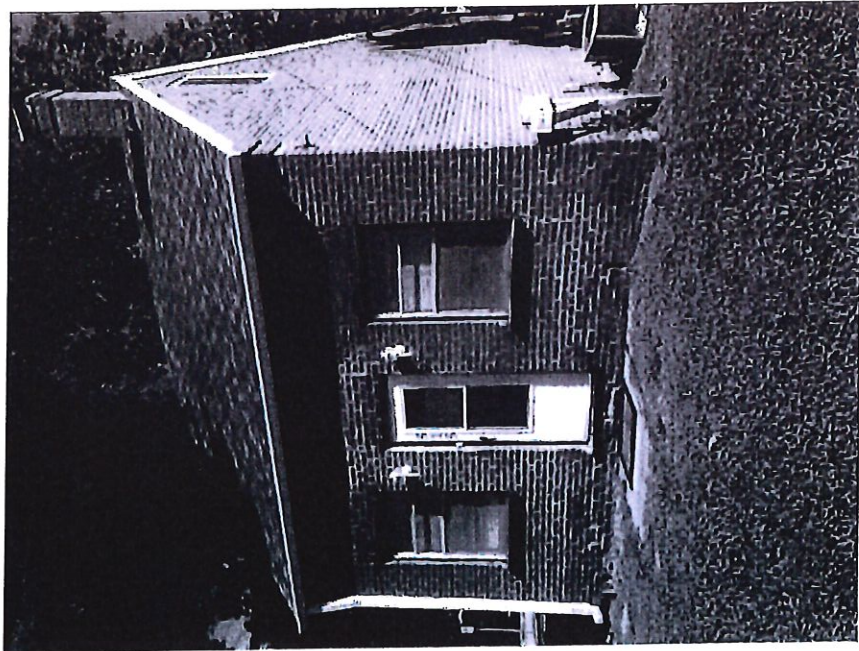
115 W. CHURCH



right 2011 Esri. All rights reserved. Tue Sep 13 2016 11:10:05 AM.



# 515 W. Church



## Cody Hawkins

---

**From:** Jessica Iler <iler\_jessica@yahoo.com>  
**Sent:** Tuesday, September 13, 2016 11:12 AM  
**To:** chawkins@mascoutah.com  
**Subject:** 515 w church st mascoutah il 62258

I plan on making this property a hair salon. It will only have one stylist (myself) working there for now. So traffic flow will be minimum. With that said I'm truly excited to have this opportunity to have a hair salon in my home town!  
Thank you for that opportunity,  
Jessica Iler smith

Sent from my iPhone

Attachment E



**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, September 21, 2016***, 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 515 W. Church from RS-5, Single-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. 108. Comments in writing may be forwarded to the City Manager's Office, 3 West Main St., Mascoutah, IL 62258.

Posting Date: **September 6, 2016**

MASCOUTAH PLANNING COMMISSION  
Ken Zacharski, Chairman

Attachment F

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

**SEPTEMBER 21, 2016**

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

**PUBLIC HEARING – 7:00PM**

**PC 16-08 –Rezoning of 608 S. Jefferson Street from Light Industrial (LI) to General Commercial (GC).**

Building Commissioner Danny Schrempp explained that the applicant, Jessica Iler-Smith, is under contract for the property at 515 W. Church Street. The property includes a single-family dwelling, the property is two lots (35'X90" and 50'X100') with frontage on W. Church and N. 6<sup>th</sup> Street. The applicant desires to use the structure for a beauty shop/salon and use both lots for future access and parking for the property.

Schrempp stated that the City's Zoning Code does not allow requests for use variances or exceptions. The only option the applicants may pursue is to request rezoning the property to a zoning district which allows for a beauty shop/salon. Therefore, the applicant is requesting to rezone the property from RS-5, Single-Family Residential, to GC, General Commercial. The GC zoning district would allow the property to be used as a beauty shop/salon.

The applicant explained that she is planning on making the outside appearance better and does not see a problem with parking. She stated that she will only have at the most three cars on the street outside the shop at one time.

The subject property is depicted as Medium Density Residential on the Land Use Map in the City's Comprehensive Plan. Land to the north, east and west of the subject property is zoned RS-5, RS-10, Single-Family Residential and is currently used for single-family housing. Land to the south is zoned General Commercial and is used by Quick Stop (Gas Station).

Spot zoning has been raised and what constitutes "spot zoning." The courts have stated in defining spot zoning the following:

*"For an ordinance to constitute spot zoning, two requisites must coexist: First, a change of zone applicable only to a small area and, second, a change which is out of harmony with comprehensive planning for the good of the community."*

Review of case law is clear that the important factors to be considered are the surrounding uses and the relationship of the change of zoning to the comprehensive plan for the community. Rezoning the subject property to a commercial zoning district would not conflict with surrounding land use and single-family residential zoning. Land zoned General Commercial is directly south of the property so "spot zoning" is not as issue. The City's present code does not include a minimum district size in the GC zoning district.

The use of the subject property for commercial purposes will likely increase traffic on W. Church Street. Parking is not restricted on W. Church, so limited on-street parking is available for the subject property.

Staff sent notices to 27 property owners within 250' of the subject property. As of the date of this report, staff received no calls about this request.

Chairman Zacharski had concerns about parking, but after some discussion with the Commission and applicant they felt that the parking would not be a problem and if it ever would the owner could add a parking lot.

Planning Commission thought that the beauty shop/salon would be a welcome addition to that location.

There was no further discussion.

#### **PUBLIC HEARING ADJOURNED at 7:17 PM**

#### **CALL TO ORDER at 7:18PM**

Chairman Ken Zacharski called the meeting to order.

#### **PRESENT**

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

**ABSENT** – Rich Thompson

#### **ALSO PRESENT**

Administrative Assistant Melissa Schanz, Building Commissioner Danny Schrempp, Assistant City Manager Mike Bolt and applicant Jessica Iler Smith.

#### **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 Conner, to approve the minutes of the June 15, 2016 Planning Commission Meeting.

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

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Bruce Jung aye, Jim Connor aye and Chairman Ken Zacharski aye

6-ayes, 0-nays

**PC 16-08 –Rezoning of 515 West Church Street from RS-5, Single-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 Klopmeier that the Planning Commission approves the rezoning request for 515 W. Church Street from RS-5, Single-Family Residential, to GC, General Commercial, subject to the Findings Attached.

**FINDINGS FOR APPROVAL – Planning Commission Version**

**ZONE CHANGE:** 515 W. Church Street  
from RS-5 TO GC

**DATE:** September 21, 2016

**FINDINGS:** The Mascoutah Planning Commission, pursuant to the applicant's 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 the City's Zoning Code requirements.
2. The proposed zone change is compatible with surrounding commercial and residential uses nearby property.
3. The rezoning application is consistent with good general planning.
4. The proposed zone change does encourage land use compatibility with adjacent uses.
5. The proposed zone change is deemed desirable to promote the general welfare of the City.

**THE MOTION BY ROLL CALL**

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Bruce Jung aye, Jim Connor aye and Chairman Ken Zacharski aye  
6-ayes, 0-nays

**PC 16-10 – Final Plat for Legacy Place.**

Building Commissioner Danny Schrempp presented report explaining that the applicant, Mascoutah Development LLC, represented by Dave Kunkel, has submitted a final plat for Legacy Place an assisted living and memory care center operated on 8.32 acres located north of Moorland Circle Drive and Prairie View Estates residential development.

Chairman Zacharski stated that this development has been reviewed during previous Planning Commission meetings and if there were no questions by the Commission he would entertain a motion.

**MOTION:**

Klopmeier moved, seconded by Lee that the Planning Commission approves the Final Plat for Legacy Place Subdivision, subject to attached Findings and forward to the City Council with a recommendation of approval.

**MISCELLANEOUS** – None

**ADJOURNMENT**

Lee moved, seconded by Conner, to adjourn at 7:30 p.m. All were in favor.

DRAFT

**ORDINANCE NO. 16-\_\_**

**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 RS-5 Single-Family Residential (RS-5) to General Commercial (GC) for subject property described as:

Parcel I: Lot No. 108 in Block No. 13 of "Dietz's III Addition to Mascoutah"; reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois, in Book of Plats "A" on Page 40. Excepting therefrom that part conveyed to the county of St. Clair, State of Illinois for right of way purposes, dated February 19, 1968 and recorded February 26, 1968 in Book 2106 on Page 394 and 395, for County Highway 93, reference being had to the plat thereof recorded in Recorder's Office of St. Clair County, Illinois, Plat Book "60" on Page 86. Except coal, gas and other mineral rights excepted or reserved in prior conveyances. Situated in County of St. Clair, State of Illinois. Permanent Parcel No. 10-31-0-213-012.

Parcel II: Lot numbered On Hundred Ten (110) in Block 13 of "Dietz's Third Addition to the Town, now City of Mascoutah"; reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois, in Book of Deeds "L-2" on Page 456. Excepting, therefrom that part conveyed in the Deed of Right-of-Way for Public Road Purposes, dated January 27, 1968 and recorded February 26, 1968 in Book 2106 on Page 400, for County Highway 93. Except coal, gas and other mineral rights excepted or reserved in prior conveyances. Situated in the County of St. Clair, State of Illinois. Permanent Parcel No. 10-31-0-213-007.

commonly known as 515 West Church Street, Mascoutah, IL; 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:

Parcel I: Lot No. 108 in Block No. 13 of "Dietz's III Addition to Mascoutah"; reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois, in Book of Plats "A" on Page 40. Excepting therefrom that part conveyed to the county of St. Clair, State of Illinois for right of way purposes, dated February 19, 1968 and recorded February 26, 1968 in Book 2106 on Page 394 and 395, for County Highway 93, reference being had to the plat thereof recorded in Recorder's Office of St. Clair County, Illinois, Plat Book "60" on Page 86. Except coal, gas and other mineral rights excepted or reserved in prior conveyances. Situated in County of St. Clair, State of Illinois. Permanent Parcel No. 10-31-0-213-012.

Parcel II: Lot numbered On Hundred Ten (110) in Block 13 of "Dietz's Third Addition to the Town, now City of Mascoutah"; reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois, in Book of Deeds "L-2" on Page 456. Excepting, therefrom that part conveyed in the Deed of Right-of-Way for Public Road Purposes, dated January 27, 1968 and recorded February 26, 1968 in Book 2106 on Page 400, for County Highway 93. Except coal, gas and other mineral rights excepted or reserved in prior conveyances. Situated in the County of St. Clair, State of Illinois. Permanent Parcel No. 10-31-0-213-007.

and commonly known as 515 West Church Street, Mascoutah, IL, as depicted in Exhibit A, from RS-5 Single-Family Residential (RS-5) 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 October, 2016, 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 October, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

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

(SEAL)



CITY OF MASCOUTAH  
Staff Report

**TO:** Honorable Mayor & Council

**FROM:** Cody Hawkins – City Manager

**SUBJECT:** PC 16-10 – Final Plat for Legacy Place (First Reading)

**MEETING DATE:** October 3<sup>rd</sup>, 2016

**REQUESTED ACTION:**

Adoption of an Ordinance approving the Final Plat for Legacy Place, a three (3) lot development consisting of one (1) RS-8 single family lot and two (2) General Commercial lots located west of Rt. 4 and north of Grand Prairie Drive.

**BACKGROUND & STAFF COMMENTS:**

The applicant is Mascoutah Development Group, represented by Dave Kunkel, part owner of the 11.83 acre parcel. In May 16, 2016 the parcel was rezoned RS-8, Single-Family Residential, and General Commercial on the two frontage lots. On May 16, 2016, the City Council approved the Conditional Use Permit for the Legacy Place Residential Care Facility. The final plat depicts the land to be subdivided into three (3) lots, one 5.25 acres lot for the Residential Care Facility and two (2) General Commercial lots (1.80 acres and 1.04 acres).

**DISCUSSION POINTS / ISSUES:**

**Land Use:** The subject property is designated Single-Family Residential (RS-8) and General Commercial (GC). The land to the north is zoned Agricultural (AG), south Single Family Residential (RS-8), east General Commercial and west is unincorporated.

**Circulation:** Access to the development is via N. Rt. 4 and an access permit will be required from Illinois Department of Transportation (IDOT). The new access will be across from Farmer Merchants Bank parking lot. A second delivery access will be provided on the northern edge of the property and an access permit will be required from IDOT. The second access will align with Onyx Drive. The internal access street will be private, but the access street will be thirty-six (36) wide (three, twelve foot lanes) and the ROW is sixty (60) feet. The second access will be public and the street will be twenty-two (22) feet wide (two, eleven foot lanes) and the ROW thirty (30) feet.

**Utilities:** The subject property is served by a municipal 10” water main located along Rt. 4 and municipal 18” gravity sanitary sewer mains that run along Rt. 4. These City utilities are adequate for the developments purposes.

**Drainage:** The subject property will drain into the storm sewer collection/detention system that is on sight (Prairie View detention system) and in to the storm sewer collection system along Rt. 4.

**Landscape Plan:** A twenty-five (25) foot landscape buffer is required along property lines bordering Prairie View Estates. This was a required to be completed as part Phase 3 of Prairie View Estates (commercial component) conditions of approval. Since this time the parcel of land

is under contract to be sold for this project, but the landscape buffer is still required to be completed. In addition, a twenty-five (25) foot landscape buffer will be required along the out lots by Rt. 4.

These plans were approved by the Planning Commission on September 21<sup>st</sup>, 2016.

**STAFF RECOMMENDATION:**

Staff recommends approval of the Final Plat for Legacy Place, subject to the attached Findings of Approval.

**SUGGESTED MOTION:**

I move that the City Council adopt Ordinance 16-\_\_\_, approving the Final Plat for Legacy Place, subject to the attached Findings for Approval.

Prepared By:   
Mike Bolt  
Assistant City Manager

Approved By: \_\_\_\_\_  
Cody Hawkins  
City Manager

Attachments:       A - Final Plat  
                          B - Findings  
                          C - Ordinance

**FINDINGS FOR APPROVAL**  
**Attachment B**

PC 16-10, Legacy Place Final Plat

Date: October 3<sup>rd</sup>, 2016

***FINDINGS:*** The Mascoutah Planning Commission, pursuant to the final plat review process, and after considering the effect of the request to approve the final plat on the health, safety, morals and general welfare of the residents in the City, specifically finds:

1. The proposed final plat meets all the requirements of the Unified Land Development Code and other applicable City ordinances, and state and federal laws and statutes.
2. Adequate provisions have been made for a sufficient water supply system and public sewage system.
3. The proposed subdivision will not result in the scattered subdivision of land that leaves undeveloped parcels of land lacking infrastructure between developed parcels.
4. The subdivider has taken every effort to mitigate the impact of the proposed subdivision on public health, safety, and welfare.
5. Land Use guidelines regarding residential development in the APZ-2.

**ORDINANCE NO. 16-\_\_**

**FINAL PLAT, LEGACY PLACE**

An Ordinance approving the Final Plat of Legacy Place, a three lot development consisting of one RS-8 Single-Family lot and two General Commercial lots generally located west of Route 4 and north of Prairie View Estates.

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MASCOUTAH, IN ST. CLAIR COUNTY, ILLINOIS**, pursuant to the recommendation of the Planning Commission and in accordance with the powers of the City of Mascoutah as a "Home Rule Unit" as granted by the Illinois Constitution, 1970, Article 7, Section 6 and in accordance with the Subdivision Ordinance of the City of Mascoutah, the final subdivision Ordinance of the City of Mascoutah, the final subdivision plat of Legacy Place, generally located west of Route 4 and north of Prairie View Estates. Being a subdivision of part of the City of Mascoutah, St. Clair County, Illinois as prepared by Thouvenot, Wade & Moerchen, Inc. is hereby approved.

This Ordinance shall be subject to the attached Conditions and Findings, and shall go into full force and effect from and after its passage and approval all 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 October, 2016, and deposited and filed in the Office of the City Clerk in said City on that date.

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

**APPROVED** by the Mayor of the City of Mascoutah, Illinois, this \_\_\_\_ day of October, 2016.

ATTEST:

\_\_\_\_\_  
Mayor

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

Attachment C