

Mascoutah City Council

February 5, 2024

REGULAR MEETING AGENDA

IN-PERSON MEETING with combined IN-PERSON and optional VIRTUAL PUBLIC PARTICIPATION – see below for instructions on attending virtually

7:00 pm – City Council Meeting

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, January 16, 2024 City Council Meeting (Page 1 to Page 3)

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 – Swearing in Ceremony – Sergeant Sirtak

8. COUNCIL BUSINESS

A. Council Items for Action

1. Code Change – Chapter 31, Recreation and Parks (second reading)

(Page 4 to Page 8)

Description: Council approval and adoption of amendments to Chapter 31, Recreation and Parks, Article II, Sec. 31-2-1.

Recommendation: Council Approval and Adoption of Ordinance

2. Resolution - Surface Transportation Block Grant Application

(Page 9 to Page 11)

Description: Council approval of a resolution authorizing and directing application to the 2024 Surface Transportation Block Grant Program (STP) for the purpose of reconstructing 10th Street from Daniel Drive to Brickyard Road.

Recommendation: Council Approval and Adoption of Resolution.

3. **Code Change – Chapter 3, Animals (first reading)** (Page 12 to Page 14)
Description: Council approval and adoption of amendments to Chapter 3, Animals, Article II, Sec. 3-2-2.

Recommendation: First Reading.

4. **Agreement with Contegra Pools, LLC - Splash Pad** (Page 15 to Page 15)
Description: Approval of an Agreement between the City of Mascoutah and Contegra Pools, LLC, for the construction of a new splash pad at Scheve Park.

Recommendation: Council Approval.

5. **Agreement with the St. Clair County Transit District** (Page 16 to Page 18)
Description: Approval of an Agreement between the City of Mascoutah and the St. Clair County Transit District for electrical service to the Metrolink Station and Platform at the MidAmerica Airport.

Recommendation: Council Approval.

6. **Bid Award – Residential Waste Collection** (Page 19 to Page 22)
Description: Council approval of Bid for Residential Waste Collection.

Recommendation: Council Approval

7. **PC – 24-01 – DG Market – Site Plan and Architectural Review**
(Page 23 to Page 59)
Description: Council review of a site plan and architectural elevations for proposed Dollar General Market, located at 845 N Jefferson Street.

Recommendation: Council Approval

B. Council Miscellaneous Items

- Leu Civic Center
- August Street Right-of-Way
- Parking Restrictions/Mailboxes
- Park Ground (Behind Trinity)

C. City Manager

9. ADJOURNMENT TO EXECUTIVE SESSION

10. MISCELLANEOUS OR FINAL ACTIONS

11. ADJOURNMENT

POSTED 2/1/24 at 4:00 PM

OPTIONAL VIRTUAL PUBLIC PARTICIPATION – see below for instructions on attending virtually

In-person public attendance is allowed. Optional virtual public attendance is also being provided virtually through Zoom Meeting (<https://zoom.us>).

Please join my meeting from your computer, tablet or smartphone.

<https://us02web.zoom.us/j/86343603533>=[]?
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You can also dial in using your phone.

United States: +1 (312) 626-6799

Access Code: 863-4360-3533

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

JANUARY 16, 2024

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 Planning and Zoning Administrator Tiffany Barrows. The Council remained standing and recited the Pledge of Allegiance.

CALL TO ORDER

Mayor Pat McMahan called the meeting to order at 7:00p.m.

ROLL CALL

Mayor Pat McMahan and Council members John Weyant, Walter Battas, Nick Seibert and Mike Baker.

Absent: None.

Other Staff Present: City Manager Cody Hawkins, Planning and Zoning Administrator Tiffany Barrows, City Attorney Al Paulson and Police Chief Scott Waldrup.

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

AMEND AGENDA – There was no reason to amend agenda.

MINUTES

The minutes of the December 13, 2023 Special City Council meeting were presented and approved as presented. The minutes of the December 18, 2023 Regular City Council meeting were presented and approved as presented.

Motion passed. Passed by unanimous yes voice vote.

PUBLIC COMMENTS

Eric Mercer, a resident of Mascoutah, voiced his concerns.

MONTHLY DEPARTMENT REPORTS FOR OCTOBER WERE PROVIDED

REPORTS AND COMMUNICATIONS

Mayor – Attended the MIA appreciation dinner.

City Council

Weyant – Attended the MIA appreciation dinner.

Battas –Nothing to report.

Seibert –Nothing to report.

Baker –Nothing to report.

City Manager – Nothing to report

City Attorney –Nothing to report.

City Clerk – Nothing to report.

COUNCIL BUSINESS

CONSENT CALENDAR (OMNIBUS)

The December 2023 Fund Balance Report and Claims & Salaries Report were provided under the omnibus consideration.

Councilman Battas stated that the asphalt project bids in town lately start out under the local bidder but in the end become over the local bidder's price. He stated that this needs to be looked at. Staff noted his concerns.

Seibert moved, seconded by Battas, to accept all items under Omnibus consideration.

Motion passed. AYE's – Weyant, Battas, Seibert, Baker, McMahan. NAY's – none.
ABSENT – none.

RESOLUTION APPROPRIATING RBI FUNDS FOR SOUTH COUNTY RD/MCKINLEY

City Manager Cody Hawkins presented a report for Council approval of a Supplemental Services agreement with Oats Associates to add water main and sanitary sewer main to the plans, plus the preparation of ROW, and ROW negotiations in the amount of \$40,502.00 for the South County/McKinley Reconstruction Project. Further action requested is for Council approval of the respective Resolution for the agreement allocating RBI funds in the amount of \$40,502.00

There was no further discussion.

Baker moved, seconded by Weyant to (1) approve and adopt Resolution No. 23-24-13, a Resolution for Improvement Under the Illinois Highway Code; (2) approve a Request for Expenditure/Authorization of RBI Funds; (3) approve an Engineering Services Agreement with Oats Associates.; all in the amount of \$40,502.00 for supplemental engineering services for the South County/McKinley Project and authorize appropriate City officials to execute the necessary documents.

Motion passed. AYE's – Weyant, Battas, Seibert, Baker, McMahan. NAY's – none.
ABSENT –none

CODE CHANGE – CHAPTER 31, RECREATION AND PARKS (FIRST READING).

City Manager Cody Hawkins presented a report for Council approval and adoption of an ordinance regarding animals/pets on the ball field areas of the park.

There was no further discussion.

First Reading.

COUNCIL – MISCELLANEOUS ITEMS

Councilman Weyant would like staff to research and get council approval to change the city code addressing pets/animals in extreme weather conditions.

Councilman Baker expressed his thoughts on canceling a city council meeting. He stated he personally thinks we would always have things to talk about and should not cancel due to no action items. He also stated that he would like to see sewer projects done at the same time as road projects. This would alleviate tearing up a brand-new road.

CITY MANAGER – MISCELLANEOUS ITEMS

None.

ADJOURNMENT TO EXECUTIVE SESSION

None.

MISCELLANEOUS OR FINAL ACTIONS

None

ADJOURNMENT

Weyant moved, seconded by Battas, to adjourn at 7:26 p.m.

Motion passed. Motion passed by unanimous yes voice vote.

Melissa Schanz, City Clerk

**CITY OF MASCOUTAH
Staff Report**

TO: Honorable Mayor & City Council
FROM: Cody Hawkins – City Manager
SUBJECT: Code Change – Chapter 31, Recreation and Parks (second reading)
MEETING DATE: February 5, 2024

REQUESTED ACTION:
Council approval and adoption of amendments to Chapter 31, Recreation and Parks, Article II, Sec. 31-2-1.

BACKGROUND & STAFF COMMENTS:
City staff have had complaints from residents and park volunteers concerning animals /pets on the ball field areas of the park. This amendment to Chapter 31 should provide a much more enjoyable environment for all who use the ball fields.

RECOMMENDATION:
Council approval and adoption of Ordinance.

SUGGESTED MOTION:
Council approval and adoption of Ordinance No. 24-___, an ordinance amending Chapter 31, Recreation and Parks of the City Code.

Prepared By: Melissa A. Schanz
Melissa A Schanz, City Clerk

Approved By: Cody Hawkins
Cody Hawkins, City Manager

Attachments: A – Ordinance

ORDINANCE NO. 24-__

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 31 –
RECREATION AND PARKS, BY AMENDING ARTICLE II, PARK REGULATIONS:
SECTION 31-2-1, RULES GOVERNING PARK AREAS
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 31, AMENDING ARTICLE II, PARK REGULATIONS, SEC. 31-2-1, RULES GOVERNING PARK AREAS, 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 5th day of February, 2024, 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>
John Weyant	___	___	___
Walter Battas	___	___	___
Nick Seibert	___	___	___
Michael Baker	___	___	___
Pat McMahan	___	___	___

APPROVED AND SIGNED by the Mayor of the City of Mascoutah, Illinois, this 5th day of February, 2024.

ATTEST:

Mayor

City Clerk
(SEAL)

Sec. 31-2-1. Rules governing park areas.

The term "parks" refers to Scheve Park, Maple Park, the Reservoir, the Civic Center, and any other mini-parks so designated by the city. The parks are officially open for use by the public year round. Certain facilities utilizing domestic water will be closed because of freeze conditions as weather conditions dictate. Typically, this closure period will be from October 25th to April 15th each year. Typical park hours are from 6:00 a.m. to 11:00 p.m. The following rules are hereby adopted for the Mascoutah parks. Any exceptions from these rules require written permission from the city.

- (a) No person shall discharge any fireworks or firearms in the city parks.
- (b) No person shall write upon, mark, deface, or improperly use any property or equipment in any city park.
- (c) No person shall drive or ride upon the grass or footways; vehicles are restricted to roadways and parking areas except during special events; e.g., homecoming. Only loading and unloading shall be permitted. No person shall drive a motor vehicle faster than fifteen miles per hour in any of the parks. All heavy traffic, farm vehicles, and delivery trucks of all kinds are prohibited from roads, walks, and driveways of all parks, and prohibited from the use thereof, except in the case of participating in a show or display; e.g., homecoming. All Illinois Rules of the Road apply to all traffic in the parks.
- (d) No person shall break, cut, mutilate, injure, or remove any tree, plant, shrub, fence, or any property in the parks.
- (e) No person shall commit a nuisance or offense against decency, including cursing, swearing, using abusive language, fighting, or behaving in a riotous or disorderly manner.
- (f) No person shall chase, kill, attempt to snare, or catch any rabbits, squirrels, birds, or any other animal within the city parks, except that fishing is permitted in the reservoir.
- (g) No person shall paste, affix, or inscribe any handbill or poster on park property. No person shall parade, exhibit, or distribute any advertisement, circular, or handbill, nor be permitted to sell or dispose of any article in any park.
- (h) Trash, garbage, or rubbish shall be disposed of by depositing it in appropriate receptacles.
- (i) No person shall bring any animals/pets into any city park except when leashed and controlled. No animals shall be allowed in the children's playground areas **or any ball field**. All animals/pets are banned from city-approved public events, except in the case of pet shows, animal displays, or guide dogs.
- (j) Pavilions in the city parks are available on a first come basis after 8:30 a.m., except those which are reserved. Anyone wanting to reserve a pavilion shall make reservations with the appropriate officials as designated by the city. Reservation signs are posted on the pavilion by 8:00 a.m. on the day of the reservation. Rental charges shall be paid in advance as provided in a fee list maintained at City Hall. In addition to the rental fee, the renter is required to pay a \$25.00 deposit. The renter will make sure that any picnic tables removed from the pavilion are returned to the pavilion, that all trash and rubbish are deposited in receptacles, and that no damage is done to the pavilion. Failure to do so will result in forfeiture of the deposit. City staff will be responsible for enforcement and sign off on returned deposits.

Local organizations may reserve a pavilion free of charge, provided they have made an advance written request to the city manager. Local church organizations may reserve a pavilion free of charge for one event per year.

Small family picnics (under 25 people) may be held throughout the picnic areas. Larger groups (25 people or more) are restricted to the pavilions and the area immediately surrounding the pavilions, and shall not be extended beyond two consecutive days.

No person shall disturb any picnic or intrude upon it without the consent of those composing it.

The railroad car facility is also available for rentals with arrangements made through the Mascoutah Improvement Association.

- (k) No person shall swim in the pool except at those times allotted for public swimming, or at time set aside for programs and special events by the pool manager.
- (l) No glass beverage containers are permitted in the park at any time. No open fire, with the exception of BBQ grills and pits, are permitted.
- (m) Children under ten years of age must be accompanied by an adult. No person over the age of ten years may use the playground equipment in the Scheve Park kiddie playground, except the lawn swing.
- (n) No unauthorized ATVs (all terrain vehicles) are permitted in the parks.
- (o) No bicycles, skates, or skateboards are permitted under the pavilions, on the stage area of the Scheve Park Depot, on the tennis courts, or improved facilities. Skateboards are permitted on the concrete pad, within up to ten feet of the Scheve Park Depot/Stage area, and the gated Park Drive area. This drive area will be closed for park pedestrians and skateboarding/skating/bicycling as seasonally appropriate. Policy of hours will be provided.
- (p) Alcoholic beverages not contained in glass bottles are allowed for private functions, provided that all state and local laws are followed. Alcoholic beverages may not be sold or transferred without obtaining the proper licensing from the City of Mascoutah, City Clerk's office.
- (q) No person or group shall be allowed to play either pre-recorded or live music which is found to be disruptive to park patrons or park neighbors and can be heard more than 200 feet from the source. In this case, the administrative citation referenced below will be issued. In addition, law enforcement will be empowered to cause the cessation of activities after the first warning.
- (r) An administrative citation is the penalty for violations of these rules. This does not limit the city from resorting to other remedies legally available.
- (s) Additional rules and regulations for the Mascoutah Dog Park are as follows:
 - (1) Hours of operation are dawn to dusk.
 - (2) Use park at your own risk.
 - (3) Owners are legally responsible for the behavior of their dog(s) at all times.
 - (4) Dogs must be leashed while entering and exiting the park.
 - (5) Dog waste must be cleaned up by their owners immediately.
 - (6) Owners must be within the dog park and supervising their dog with leash readily available.
 - (7) Dog handlers must be at least 16 years of age.
 - (8) Children under 13 must be accompanied by an adult and supervised at all times.
 - (9) Aggressive dogs must be removed immediately.
 - (10) Dogs should be under voice control.
 - (11) The following are prohibited from entering the Mascoutah Dog Park:
 - (i) Human and dog food/treats.
 - (ii) Glass containers.
 - (iii) Dogs in heat.
 - (iv) Sick dogs.

(v) Aggressive dogs.

(vi) Puppies (under four months).

(Ord. No. 05-11, § 1, 6-6-05; Ord. No. 13-13, § 1, 10-7-13)

CITY OF MASCOUTAH

Staff Report

TO: Honorable Mayor & Council
FROM: Cody Hawkins – City Manager
SUBJECT: **Surface Transportation Block Grant Application**
MEETING DATE: February 5, 2024

REQUESTED ACTION:

Council approval of a resolution authorizing and directing application to the 2024 Surface Transportation Block Grant Program (STP) for the purpose of reconstructing 10th Street from Daniel Drive to Brickyard Road.

BACKGROUND & STAFF COMMENTS:

The proposed improvement will reduce future maintenance on the roadway and extend the service life of the pavement and connect the community with a shared use path that will provide safe and convenient accommodations for all pedestrians to navigate this critical north south route.

This grant would include improvements to the roadway, construction of storm sewers, construction of a new shared use path with ADA compliant curb ramps, new pavement markings, and all other miscellaneous work.

RECOMMENDATION:

Council approval and adoption of Resolution.

SUGGESTED MOTION:

Council approval and adoption of Resolution No. ____, a resolution authorizing and directing application to the 2024 Surface Transportation Block Grant Program (STP) for the purpose of reconstructing 10th Street from Daniel Drive to Brickyard Road.

Prepared By: Melissa A. Schanz
Melissa A Schanz, City Clerk

Approved By: Cody Hawkins
Cody Hawkins, City Manager

Attachments: A – Resolution

RESOLUTION NO.

A RESOLUTION AUTHORIZING AND DIRECTING APPLICATION TO THE 2024 SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STP) FOR THE PURPOSE OF RECONSTRUCTING 10TH STREET FROM DANIEL DRIVE TO BRICKYARD ROAD

WHEREAS, the City of Mascoutah, St. Clair County, Illinois (hereinafter "City"), is a municipality duly established, existing and operating in accordance with the provisions of the Illinois Municipal Code (Section 5/1-1-1 et seq. of Chapter 65 of the Illinois Compiled Statutes); and

WHEREAS, the City proposes to apply for assistance from the Surface Transportation Block Grant Program (STP) for the purpose of reconstructing 10th Street from Daniel Drive to Brickyard Road; and

WHEREAS, the proposed improvement will consist of reconstructing the roadway, construction of storm sewer, construction of a new shared use path with ADA compliant curb ramps, new pavement markings, and all other miscellaneous work; and

WHEREAS, the proposed improvements will reduce future maintenance on the roadway and extend the service life of the pavement, and connect the community with a shared use path that will provide safe and convenient accommodations for all pedestrians to navigate this critical north south route; and

WHEREAS, the City has available funds to finance the activity until reimbursed by STP, and the financial capability to operate, maintain, and manage the completed project in a safe manner for public use; and

WHEREAS, the City has determined it to be in the best interest of the public health, safety, general welfare and economic welfare to reconstruct 10th Street from Daniel Drive to Brickyard Road; and

WHEREAS, the City has determined City Engineer should be authorized and directed to execute any contracts or requisite documents required to apply to STP for funding to reimburse City for reconstruction of 10th Street from Daniel Drive to Brickyard Road; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mascoutah as follows:

Section 1. The foregoing recitals are incorporated herein as findings of the City Council of the City of Mascoutah, Illinois.

Section 2. the City shall apply to the STP for financial assistance for the purposes of reconstructing 10th Street from Daniel Drive to Brickyard Road including full pavement replacement, new shared use path and compliant ADA curb ramps, new pavement markings, and all other miscellaneous work.

Section 3. This Resolution shall be known as Resolution No. _____ and shall be effective upon its passage and approval in accordance with law.

Passed by the City Council of the City of Mascoutah, Illinois, and deposited and filed in the Office of the City Clerk, on the _____ day of _____, the vote being taken by ayes and noes, and entered upon the legislative records, as follows:

AYES:

NOES:

APPROVED:

Pat McMahan
Mayor
City of Mascoutah
St. Clair County, Illinois

ATTEST:

Melissa Schanz
City Clerk
City of Mascoutah
St. Clair County, Illinois

**CITY OF MASCOUTAH
Staff Report**

TO: Honorable Mayor & City Council
FROM: Cody Hawkins – City Manager
SUBJECT: Code Change – Chapter 3, Animals (first reading)
MEETING DATE: February 5, 2024

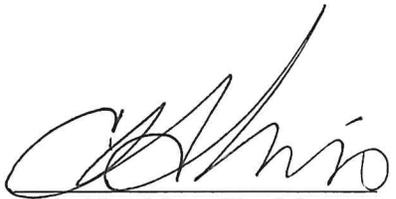
REQUESTED ACTION:
Council approval and adoption of amendments to Chapter 3, Animals, Article II, Sec. 3-2-2.

BACKGROUND & STAFF COMMENTS:
A few of our Council members asked city staff to look at our code and make amendments to the cruelty section. This amendment to Chapter 3 should protect the animals of our community from extreme weather conditions.

RECOMMENDATION:
Council approval and adoption of Ordinance.

SUGGESTED MOTION:
Council approval and adoption of Ordinance No. 24-___, an ordinance amending Chapter 3, Animals of the City Code.

Prepared By: 
Melissa A Schanz, City Clerk

Approved By: 
Cody Hawkins, City Manager

Attachments: A – Ordinance

ORDINANCE NO. 24-__

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 3 –
ANIMALS: ARTICLE II, GENERAL: SECTION 3-2-2, CRUELTY
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 3, AMENDING ARTICLE II, GENERAL, SEC. 3-2-2, CRUELTY, 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 20th day of February, 2024, 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>
John Weyant	—	—	—
Walter Battas	—	—	—
Nick Seibert	—	—	—
Michael Baker	—	—	—
Pat McMahan	—	—	—

APPROVED AND SIGNED by the Mayor of the City of Mascoutah, Illinois, this 20th day of February, 2024.

ATTEST:

Mayor

City Clerk
(SEAL)

Sec. 3-2-2. Cruelty.

No person shall treat cruelly any animal in the city in any way. Any person who inhumanely beats, underfeeds, overloads, or abandons any animal shall be deemed guilty of a violation of this section. ***It shall be unlawful for any person responsible for an animal to leave a dog or cat tethered outdoors or unattended during extreme weather conditions, including when the actual or effective outdoor temperature is 32 degrees Fahrenheit or lower or when the actual or effective temperature is 90 degrees Fahrenheit or higher. ("Unattended" shall mean at any residence or on any property where there is no permanent resident, or where the property is a vacant house, undeveloped parcel, or a residence that has been deemed uninhabitable by the city.)***

**CITY OF MASCOUTAH
Staff Report**

TO: Honorable Mayor & Council
FROM: Cody Hawkins, City Manager
SUBJECT: Agreement with Contegra Pools, LLC – Splash Pad
MEETING DATE: February 5, 2024

REQUESTED ACTION:

Approval of an Agreement between the City of Mascoutah and Contegra Pools, LLC, (d/b/a Capri Pools & Aquatics) for the construction of a new splash pad at Scheve Park.

BACKGROUND & STAFF COMMENTS:

The City of Mascoutah and the Mascoutah Improvement Association have been working on a splash pad project for many months. The City and MIA are ready to move forward with the project and approve an agreement with Contegra Pools, LLC to proceed with construction. Staff is recommending approval of a base budget for design-build drain away splash pad in the amount of \$199,905.00.

FUNDING:

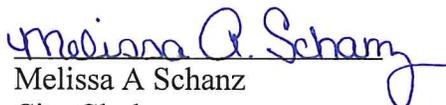
Funding will be provided by the City of Mascoutah, Mascoutah Improvement Association and a MEPRD Grant.

RECOMMENDATION:

Approval of an Agreement between the City of Mascoutah and Contegra Pools, LLC, (d/b/a Capri Pools & Aquatics) for the construction of a new splash pad at Scheve Park.

SUGGESTED MOTION:

I move that the Council approve an agreement with Contegra Pools, LLC for all labor, materials, equipment and services necessary to complete the construction of a new splash pad at Scheve Park in the amount of \$199,905.00 and authorize appropriate officials to execute the necessary documents.

Prepared By: 
Melissa A Schanz
City Clerk

Approved By: 
Cody Hawkins
City Manager

Attachment: A – Agreement – pending legal review by city attorney – will be presented at meeting.

**CITY OF MASCOUTAH
Staff Report**

TO: Honorable Mayor & Council
FROM: Cody Hawkins, City Manager
SUBJECT: **Agreement with the St. Clair County Transit District**
MEETING DATE: February 5, 2024

REQUESTED ACTION:

Approval of an Agreement between the City of Mascoutah and the St. Clair County Transit District for electrical service to the Metrolink Station and Platform at the MidAmerica Airport.

BACKGROUND & STAFF COMMENTS:

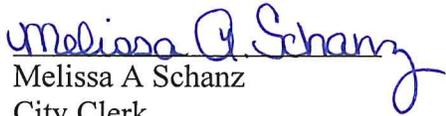
The St. Clair County Transit District and the City of Mascoutah desire to complete the electric power to the Metrolink Station and Platform in the amount of \$477,016.00. The City will purchase and install the necessary electrical equipment upon payment by the District of the cost of such equipment. Installation should begin by the City within (4) weeks of delivery of equipment and payment for installation of equipment will be the responsibility of the District. Maintenance after installation shall be the sole responsibility of the City.

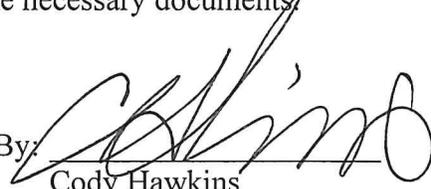
RECOMMENDATION:

Approval of an Agreement between the City of Mascoutah and the St. Clair County Transit District for electrical service to the Metrolink Station and Platform at the MidAmerica Airport.

SUGGESTED MOTION:

I move that the Council approve an agreement with the St. Clair County Transit District for electrical power to the Metrolink Station and Platform at the MidAmerica Airport in the amount of \$477,016.00 and authorize appropriate officials to execute the necessary documents.

Prepared By: 
Melissa A Schanz
City Clerk

Approved By: 
Cody Hawkins
City Manager

Attachment: A – Agreement

Agreement Between the City of Mascoutah and the St. Clair County Transit District

RE: MidAmerica Airport Metrolink Station

This Agreement is entered into on February 1, 2024, by and between St. Clair County Transit District (District) and the City of Mascoutah, Illinois (City).

WHEREAS, the District is constructing a Metrolink station and Platform at the MidAmerica Airport;

WHEREAS, said Metrolink station and platform require the provision of electric power.

WHEREAS, the District and the City desire to complete the aforementioned provision of electric power to the Metrolink station and platform. The City will purchase and install the necessary electrical equipment upon payment by the District of the cost of such equipment detailed in Exhibit "A" and the cost of installation of such equipment. Maintenance of such equipment after installation shall be the sole responsibility of the City. Installation shall begin by the City within four (4) weeks of taking delivery of equipment.

Now, therefore, in order to provide electric service to the Metrolink station at MidAmerica Airport, the City and District agree as follows:

1. That the cost of design, procurement, installation, and labor is estimated at \$477,016. The parties agree that this amount shall be paid to the City by the District as follows:
 - A. 40% of the total upon signing of this agreement;
 - B. 30% upon substantial completion of work as determined by the City Engineer;
 - C. 30% upon energizing the facility.
2. Parties understand and acknowledge that the amount set forth above is an estimate and the actual cost could be more or less than the estimated cost. At the completion of the project, a refund shall be made by the City to the District should the actual costs be less than the estimate. Should the actual costs exceed the estimate, the District shall pay the City the actual costs of the project. Exhibit A, attached and incorporated herein, lists the equipment anticipated for the project.
3. That this agreement is entered into pursuant to Ordinance No. 23-13 and Chapter II of the City of Mascoutah's Code, and all provisions of Chapter II shall be controlling. A copy of Chapter II has been attached to this agreement, marked Exhibit A and incorporated herein.
4. The installation of this project shall begin within 4 weeks of the delivery of the equipment necessary to construct this project.
5. The parties agree to openly and timely communicate with each other during the construction phase to ensure the efficient and timely completion of the project.
6. All equipment installed shall remain the property of the City of Mascoutah and the City shall then become responsible for the maintenance, repair, or replacement of said equipment pursuant to Chapter II of the City's Code.
7. District acknowledges that it has read Chapter II of the City's Code and specifically agrees to be bound by the terms and provisions therein.

In witness whereof, the parties have executed this Agreement on February 1, 2024

St. Clair County Transit District

By: _____
[SCCTD Signatory's Name]

STATE OF ILLINOIS)

) **SS.**

COUNTY OF ST. CLAIR)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT _____ (SCCTD signatory's Name), personally known to me to be the same person whose name is subscribed to the foregoing instrument, as having executed the same, appeared before me on this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this ____ day of _____, 2024.

Notary Public

City of Mascoutah, Illinois

By: _____
[Pat McMahan, Mayor]

STATE OF ILLINOIS)

) **SS.**

COUNTY OF ST. CLAIR)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT _____ (SCCTD signatory's Name), personally known to me to be the same person whose name is subscribed to the foregoing instrument, as having executed the same, appeared before me on this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this ____ day of _____, 2024.

Notary Public

CITY OF MASCOUTAH
Staff Report

TO: Honorable Mayor & Council
FROM: Cody Hawkins, City Manager
SUBJECT: **Bid Award - Residential Waste Collection**
MEETING DATE: February 5, 2024

REQUESTED ACTION:
Approval of bid for Residential Waste Collection.

BACKGROUND & STAFF COMMENTS:

In January 2024, the City completed a competitive bid process for waste collection services. Waste Management of Missouri Inc. and Aspen Waste Systems of Missouri, Inc. were the two bidders. As of March 31, 2024 our current three year contract with Waste Management will end.

Below is a breakdown of the options the two companies provided the City.

Aspen Waste Systems of Missouri, Inc.

- Option #1, once per week trash & recycling, bulky item pick up twice per year = \$27.75 (yr.1) year 2,3,4 & 5 = CPI Index Cap of 5% increase per year, yard waste optional for an additional charge.
- Option #2, once per week trash, recycling every other week, bulky item pick up twice per year = \$19.75 (yr.1) year 2,3,4 & 5 = CPI Index Cap of 5% increase per year, yard waste optional for an additional charge.
- Option #3, No Bid, once per week trash, recycling every other week, bulky item pick up twice per year, city wide yard waste pick up twice per year.

Waste Management of Missouri, Inc.

- Option #1, No Bid, once per week trash/recycling, bulky item pick up twice per year.
- Option #2, once per week trash, recycling every other week, bulky item pick up twice per year = \$29.00 (yr.1) \$30.45 (yr.2) \$31.97 (yr.3) \$33.57 (yr.4) \$35.25 (yr.5), yard waste optional for an additional charge.
- Option #3, No Bid, once per week trash, recycling every other week, bulky item pick up twice per year, city wide yard waste pick up twice per year.

RECOMMENDATION:

Approval of the lowest qualified bidder, Aspen Waste Systems of Missouri, Inc. for residential waste collection.

SUGGESTED MOTION:

I move that the Council approve the bid for residential waste collection with _____, option #____ and authorize appropriate officials to execute the necessary documents.

Prepared By:

Melissa G. Schanz
Melissa Schanz
City Clerk

Approved By:

Cody Hawkins
Cody Hawkins
City Manager

Attachment A – Bid Tab

	Waste Management	Aspen	
Attachment G	x	x	
Attachment J	x	x	
Bid Bond	x	x	
Option 1: once per week trash & recycling with twice per year bulk pick up and hauler provided containers			
Year 1	No Bid	\$ 27.75	\$ -
Year 2	\$ -	\$ 29.14	\$ -
Year 3	\$ -	\$ 30.60	\$ -
Option 2: once per week trash, every other week recycling with twice per year bulk pick up and hauler provided containers			
Year 1	\$ 29.00	\$ 19.75	\$ -
Year 2	\$ 30.45	\$ 20.74	\$ -
Year 3	\$ 31.97	\$ 21.78	\$ -
Option 3: once per week trash, every other week recycling, twice per year bulk pick up with city wide yard waste pick up twice per year and hauler provided containers			
Year 1	No Bid	No Bid	\$ -
Year 2	\$ -	\$ -	\$ -
Year 3	\$ -	\$ -	\$ -
add yard waste every other week(year round)			
Year 1	\$ 19.28	\$ 11.50	\$ -
Year 2	\$ 20.24	\$ 12.10	\$ -
Year 3	\$ 21.25	\$ 12.71	\$ -
add yard waste every other week(seasonal May-November)			
Year 1	\$ 13.77	\$ -	\$ -
Year 2	\$ 14.46	\$ -	\$ -
Year 3	\$ 15.18	\$ -	\$ -

add yard waste once per week (year round)				
Year 1	\$ -	\$ 13.50	\$ -	
Year 2	\$ -	\$ 14.18	\$ -	
Year 3	\$ -	\$ 14.89	\$ -	
Additional Containers:				
Year 1	\$ 16.00	\$ 4.50	\$ -	
Year 2	\$ 16.80	\$ 4.73	\$ -	
Year 3	\$ 17.64	\$ 4.97	\$ -	
Special Pick Up:	\$ 35.00	\$ 35.00	\$ -	
Senior Citizens Discount	10%	10%	0%	

CITY OF MASCOUTAH
Staff Report

TO: City Council

FROM: Cody Hawkins, City Manager

SUBJECT: PC 24-01 – DG Market – Site Plan and Architectural Review

MEETING DATE: February 5, 2024

REQUESTED ACTION:

Council review Site Plan and Architectural Elevations for proposed Dollar General Market, located at 845 N Jefferson Street (also identified as parcel 10290303026 per St. Clair County records).

In conjunction with the Site Plan, the applicant has requested a variation from Section 34-9-33 (q) (4) (Parking requirements for specific uses) to reduce required parking from 63 to 40 spaces. On January 17, 2024, the Planning Commission recommended approval to reduce the required parking from 63 to 40 spaces.

The applicant has also requested a variation from Section 34-11-6 (a) (6) (Commercial and institutional building roof design standards) to allow a flat roof with parapet on proposed one-story building.

On January 17, 2024, the Planning Commission recommended approval to allow a flat roof with parapet on proposed one-story building.

BACKGROUND & STAFF COMMENTS:

Dollar General Market is a retailer that sells fresh produce, meats, and other food-related grocery items. Its products differentiate from the traditional Dollar General stores (which is located across the street) in that it focuses on grocery-related items in a smaller building footprint (approximately 12,500 square feet) compared to other grocery stores in the St. Louis area that commonly have building footprints of 20,000 to 80,000 square feet.

The applicant proposes one primary structure which will consist of a Dollar General Market retail store comprised of 12,480 square feet on a 1.81-acre parcel. In accordance with Section 34-13-11 of the City Code, a major site plan is required for any development that is adding more than 5,000 sq. ft. of new impermeable surface to a site. The site plan requires approval by the City Council.

Land Use and Zoning Requirements: The parcel is zoned GC (General Commercial). The proposed use on the subject tract is consistent with the allowed-by-right uses identified in the Zoning Code. Specifically, Neighborhood Commercial (NC) uses are “tiered” into General

Commercial uses per Section 34-5-101. Section 34-5-81 (NC Permitted Uses) identifies “Commercial/retail” as a permitted use.

There is no maximum building coverage provision in the GC District. The total proposed building footprint is 12,480 square feet. The maximum building height for buildings in the GC District is 35 feet. The proposed building height is 21 feet.

As depicted in the site plan, the building will meet the front and side requirements of the GC District. The property is surrounded by GC zoning to the north, south and east, and RS-8 zoning (Single Family Residential) to the west.

The GC District rear building set back line requirement is 20 ft. The current proposed placement of the building does not comply with this dimensional requirement of the code.

On January 24, 2024, the DG Market development was granted approval by the Zoning Board of Appeals a variance to allow a 15 ft. rear building setback line.

SUBJECT TRACT

DISCUSSION POINTS / ISSUES:

Off Street Parking: In conjunction with the Site Plan, the applicant has requested a variation from Section 34-9-33 (q) (4) (Parking requirements for specific uses) which provides that “General retail establishments”, including food stores, are to provide 5 parking spaces per 1,000 square feet of floor area, or 63 parking spaces. The applicant has requested that this amount be reduced to 40 parking spaces.

In the Parking Variation request, the applicant notes that that lot is too small to accommodate 63 parking spaces. Additionally, they are confident that as the developer of Dollar General locations for 24 years and based on their experiences in other communities, 40 spaces is within range for high volume days at Dollar General overall and for DG Market in particular.

Staff has no objection to the parking variation request for several reasons:

- 1) If the applicant provides sufficient evidence to support a parking reduction based on other development experiences/examples, it is in the City’s best interest to not “overpark” and instead allow for a reduced area of impervious surface parking.
- 2) The Dollar General Market location is near residential uses within walking distance, which potentially allows pedestrian trips to offset automobile parking needs.
- 3) With the emergence of on-line retail, it is not unusual for a reduced need for a “brink and mortar” retailer to need less parking in the 10-20% range.

Off-Street Parking Lot Lighting: Sec. 34-9-18, “Any off-street parking or loading area used between 6:00 p.m. and 6:00 a.m. shall contain a system of lighting to provide an adequate standard of at least one foot-candle of illumination over the area of the parking area to be used. All lighting shall be arranged to deflect, shade and focus lights away from adjacent properties and shall be designed so as not to create more than one foot-candle of illumination at any property boundary abutting a residential zoning district. Any land use which utilizes an off-street

parking or loading area between 6:00 p.m. and 6:00 a.m. an average of less than four days per month may be exempted from this requirement by the planning commission.”

As of this writing, staff has not received a lighting plan that shows proposed light poles and attached lighting wall packs to verify that not more than one foot-candle of illumination is occurring along the west property boundary line abutting the RS-8 a residential zoning district and that the minimum 1.0 foot-candle standard has been met for the parking area.

Access/Circulation: As noted, access for the building will be served by an off-street parking lot that flows onto collector streets, Legacy Place and Onyx Drive. The aisle widths per Section 34-9-14 of the City Code for the directional flow shown on the site plan are adequate. No additional drives are proposed. The aisle width to the subject tract is adequate.

Utilities:

Water: Water will be provided by the city.

Sewer: Sanitary sewer services will be provided by the city.

Storm Drainage: Submittal of a drainage plan is required and will be approved by staff.

Electric: Electric will be provided by the city.

Natural Gas: Natural gas provided by Ameren.

Trash Receptacles: Section 34-3-9 states that “All refuse generated by any commercial or industrial establishment located within any district shall be stored in tightly covered containers and placed in a visually screened area. For such uses, trash containers or dumpsters shall be located within a building or within an enclosed structure surrounded by six-foot high walls. Such trash enclosures shall not be located in the front yard of any lot and shall be located next to a parking lot rather than within a parking lot.”

The applicant has indicated that dumpsters will be placed on the southwest corner of the off-street parking lot. As of this writing, the site plan does not detail how the two proposed dumpsters will be enclosed. However, Section 34-3-9 (Trash Enclosures) states that, if dumpsters are used, they must be surrounded by six-foot walls.

Architectural/Design Review:

Code Requirements: Article XI, Architectural Review of the Zoning Code, provides design standards. This article applies to all new construction in the GC (and several other non-residential zoning districts) and instances where a major site plan review is required. Specifically for each building, the following are permitted building materials: Brick, stucco, textured masonite, stone masonry, tilt-up concrete, pre-painted steel siding, concrete brick, permastone, or glass. Other metal materials may be approved by the architectural review board provided that other materials are used for part of the building. Glass block may be used as an accent material. Other similar building materials may be approved by the architectural review board.

It should be noted that Section 34-11-6 (Design Standards), subsection (a) (6) states, in part, that “Roofs on one story buildings shall not be flat or nearly flat except at the center portion of the roof that is not visible from ground level. At least 60 percent of the roof area on a one-story building, when seen in plain view, must be pitched. The pitch of such roof shall have at least a

4-foot rise to 12-foot horizontal run...” The proposed building does not meet this standard based on the Building Exterior Elevations provided by the developer.

Other than this issue, the building elevation renderings comply with design standards. The applicant has indicated on the Site Plan that none of the following prohibited materials will be used on the building: smooth masonite, concrete cinder block, vinyl, or wood.

REVIEW AND APPROVAL CRITERIA: Section 34-13-12(b)(2)(c) of the City Code addresses site plan and architectural review by the Planning Commission. The Commission may recommend approval, disapproval, or approval with conditions. This section lists the following criteria for evaluating site plan applications:

- The site plan’s consistency with good planning practices.

As described above, as of this writing the Site Plan lacks details about the following:

- Screening of dumpster / recycling receptacles.
- Meeting the requirement for a pitched roof on the proposed structure.
- A parking lot lighting plan that shows exterior light locations and adherence with requirement to not exceed one foot-candle of illumination at any property boundary abutting the residential zoning district to the west.

If these issues are addressed, the Site Plan is consistent with Mascoutah’s planning practices.

- The site plan’s compatibility with adjacent developments and uses.

The Site Plan is consistent with adjacent uses or potential future uses zoned GC General Commercial. Its proximity to the RS-8 uses to the west will offer the convenience of a grocery store within walking distance for many residents. An exterior lighting plan to confirm that light spillover onto residential uses will meet existing Mascoutah standards is needed.

- The site plan’s effect on the health, safety, morals and general welfare of the community.

Staff’s opinion is that the Site Plan will not negatively affect any of these considerations.

- The site plan’s likely effects on vehicular or pedestrian traffic, fire hazards, fire, police and utility services, municipal expenditures, surface water drainage facilities and environmental aspects.

The Site Plan is compatible with adjacent developments and uses.

PLANNING COMMISSION:

The Planning Commission held a public hearing for the Site Plan and Architectural Review on January 17, 2024. The Planning Commission recommends approval of this Site Plan and Architectural Review, with approval of (2) variances which will allow for a flat roof with parapet on the proposed one-story building and reduced parking from 63 spaces to 40 spaces.

RECOMMENDATION:

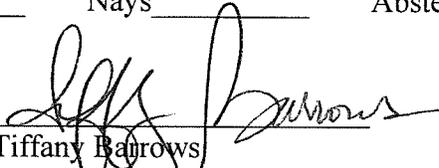
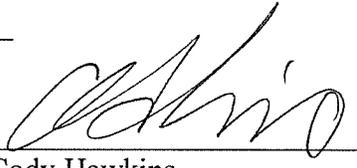
Staff recommends approval of this Site Plan and Architectural Review.

SUGGESTED MOTION:

I move that the City Council approve/deny the Site Plan and Architectural Elevations for proposed Dollar General Market, located at 845 North Jefferson Street (also identified as parcel 10290303026), with approval of the (2) variances which will allow a flat roof with parapet on the proposed one-story building and reduced parking from 63 spaces to 40 spaces.

MOTION _____ **SECOND** _____

Ayes _____ Nays _____ Abstentions _____

Prepared By:  Approved By: 

Tiffany Barrows
Planning and Zoning Administrator

Cody Hawkins
City Manager

- Attachments:
- A – Findings of Approval
 - B – Conditions of Approval
 - C – Planning Commission Meeting Minutes, January 17, 2024
 - D – Project Area Map and Overall Site Plan(s)
 - E – Public Hearing Notice
 - F – Architectural Elevations Landscape Plan and Exterior Building Renderings
 - G – Variance Application(s)

FINDINGS FOR APPROVAL

SITE PLAN REVIEW

DATE: February 5, 2024

PC 24-01 DG Market – Site Plan and Architectural Review

FINDINGS: The Mascoutah Planning Commission, pursuant to the applicant's-initiated request for site plan approval for the 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 site plan addresses the provision of municipal sanitary sewer and water to limit its effect on the health, safety, morals, and general welfare of the community.
2. The proposed use of the site is appropriate in terms of land patterns in the entire City.
3. The project is compatible with surrounding uses and the surrounding neighborhood.
4. The application is consistent with good general planning and site planning.
5. The project can be constructed and operated in a manner that is not detrimental to the permitted uses in the GC, General Commercial Zoning District.

CONDITIONS OF APPROVAL

SITE PLAN REVIEW

DATE: February 5, 2024

PC 24-01 – DG Market – Site Plan and Architectural Review

1. Street and Parking Lighting Plan shall be submitted and approved by staff.
2. Trash enclosure required so that all refuse generated shall be stored in tightly covered containers and placed in a visually screened area. The enclosed trash containers or dumpsters shall be located within a building or within an enclosed structure surrounded by six-foot high walls. Such trash enclosures shall not be located in the front yard of any lot and shall be located next to a parking lot rather than within a parking lot.
3. Engineering comments illustrated in the attached plans.

Attachment B

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

January 17, 2024

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

PUBLIC HEARING – 7:00 PM

PC 24-01 – DG Market – Site Plan and Architectural Review

Commission Chairman, Ken Zacharski, reported on the Planning Commission Hearing process.

The City Manager, Cody Hawkins, reviewed the staff report's requested action, background and staff comments, and variation requests on roof design and parking.

Hawkins continued, reporting that the variation request for parking spaces from 63 to 40. The applicant notes that the lot is too small to accommodate 63 parking spaces. The developer's 24 years of experience with Dollar General gave evidence to support the request in that the 40 spaces are well within range of their high-volume demands. The location is also surrounded by general commercial and with the emergence of online shopping, reduced parking is supported.

Commission member, Rich Thompson, asked if the evidence or study to support the parking variance came from Dollar General Corporate.

Hawkins stated that the supporting information was provided by the development firm that has designed and built most of the surrounding Dollar General structures in the Metro-east area. The study was not conducted by the city but from the experience of the development firm.

Commission member Karen Wobbe questioned the abutting partial listed on the zoning map image as RS-8.

Planning and Zoning Administrator, Tiffany Barrows confirmed that Brightly Senior Living Development is zoned RS-8.

Commission member Jim Connor stated that when the Brightly development began, stated that there is a state statute stating you cannot have that kind of facility on a general commercial lot, so it was rezoned to RS-8.

Commission member, Bill Millikin, stated that the truck space/required loading dock space takes up the parking.

Hawkins also stated that due to the orientation and placement of the building the development will also go before the Zoning Board of Appeals for the rear building setback of 15ft before the recommendation will go before the City Council. There was no other way to orientate the

Attachment - C

building so that the front entrance will face Route 4. The building could be moved towards Route 4 by 5 ft. but that would negatively affect the driving aisle.

Wobbe asked if the current Dollar General would remain open.

David Elkan of Glenwood Equities stated that this project is a relocation plan. Expects the current store to close. The current, existing store is approximately 9,100 sf.

Thompson asked if the store will be managed locally.

Elkan stated that most Dollar Generals are managed locally.

Thompson continued and asked Elkan if the store would be authorized to contribute to local organizations and charities or would those decisions be dictated by the corporation elsewhere.

Elkan stated he believes that the district management or local management would be authorized to make such decisions.

Zacharski asked about the goods to be sold at this location.

Elkan responded, stating that it is a balance of what Dollar General carries, just more groceries such as fresh produce, milk, and freezer items.

Millikin asked if Glenwood Equities was the landowner and property manager.

Elkan confirmed that Glenwood Equities was the landowner, developer, store owner, and property manager. These projects are triple net developments.

Elkan expects that this development will begin approximately Fall 2024.

Thompson asked about staffing levels.

Bob Elkan of Glenwood Equities stated that the market stores have a larger staff due to the store size and traffic levels. He could not give the exact number of staff members. Normal staff level is approximately 3 people, 1-2 managers, and 2 other employees per shift.

David Elkan stated this would be similar to the Freeburg store.

Thompson asked why the design does not include a pitched roof.

Pat Boehler, of Westmore Group, explained the process of project design is based on the budget. The budget did not include a pitched roof. The cost to add the pitch roof could be provided but they would have to start over in the design process, including bid process.

Bob Elkan stated that the pitched roof would be designed if it is a requirement, but it could result in change of structure and all over design.

Hawkins continued with the staff report, reporting on lighting plan, access and traffic is compliant with code. He reported on the architectural review and design standards. He reviewed the code standards and that it is up to the planning commission to make a recommendation for the roof variance. He also reported that there are many one-story commercial buildings in town with a flat roof design. It is an architectural standard so must be reviewed and recommended by the planning commission.

Millikin pointed out the brick façade design and how it exceeds the code in that aspect. He believes that the design is much more attractive and includes a parapet so the roof would not appear to be completely flat in the front of the building. The parapet would hide the appearance of the flat roof.

Hawkins stated that he believes the reason for the architectural standard is to mirror the surrounding structures. He stated that there are surrounding commercial structures such as McDonalds, O'Reily's, they have flat roofs.

Wobbe asked if the standard should be changed.

Hawkins stated the code standard is circumstantial, case by case because once such a variance is granted can be hard to deny the same standard request in the same area. That is why a variance comes before the planning commission to have this hearing and base recommendation on individual project needs. He continued, stating that granting a variance does not mean changing the code.

Zacharski stated that the commission should be following the code.

Millikin stated that the developer is trying to stay within a budget, and they have already upgraded the exterior, changing the roof will most likely result in adjusting the exterior or the design, reduce quality somewhere else.

Thompson stated that fact is an assumption. He is not willing to make that assumption for them and the commission should ensure any development that comes to this community follows the code.

Hawkins stated that the commission can construct the recommendation to council however they would like it to be.

Zacharski pointed out that the recommendation to council does not mean the council will follow the recommendations of the planning commission.

Millikin stated that if the planning commission denies the variance request, it could result in a structure that is steel on three sides which is approvable. He asked if the commission denies the flat roof, can it be required to keep the proposed design with all around brick facade.

Thompson stated that Millikin makes a good argument, but the commission should follow the code or change it.

Tiffany Barrows stated that Brightly has not reached out to the city.

Hawkins stated that Kunkle, the developer of Brightly, knew that the abutting lots to Brightly, were commercial lots and would eventually be developed.

Barrows also stated that she has not received any comments from those within the buffer zone.

Residents stated that they received a public notice for the Dollar Tree but nothing for the DG Market.

Barrows stated that there were two separate public notices sent out at the same time for the two separate projects within two separate buffer zones. If the residents did not receive the DG Market notice, they must not have been within that buffer zone. There were only 8 parcel owners listed on the St. Clair County provided buffer report for DG Market project. Barrows continued stated the Dollar Tree Site Plan was postponed.

Wobbe stated that during the Brightly development, a turning lane off of Route 4 was discussed and agreed that one would be put in.

Hawkins stated that a turn lane off Route 4 would be determined by IDOT.

Wobbe questioned how the turn lane does not get constructed when there is going to be more traffic. She asked where the disconnect was and stated there are a lot of accidents in that area already.

Hawkins responded, stating that it is based on traffic volume. The second commercial lot development may result in that expected traffic volume to change.

Connor stated that the turn lane was discussed a lot when the Brightly development was in the planning stage. He does not recall that it was determined that there was going to be a turn lane out in.

Hawkins stated that there is a lot happening on Route 4 where Mascoutah will see a lot of improvements to Route 4. There is a lot of commercial activity happening in the city, more activity than he has ever seen.

Zacharski stated that IDOT recently approved an entrance across from the subdivision without a turn lane.

More discussion on the turn lane and IDOT among the commission members.

Millikin asked if Onyx drive can accommodate the DG Market entrance and traffic.

Hawkins stated that Onyx drive will be expanded when the north lot develops.

Millikin asked if the street is wide since it is not a feeder street and consider a driveway for Brightly.

Resident, McKenzie Sirtak, stated that the street is a two-lane street, not half of a street.

Discussion of Onyx Drive among the commission members.

Sal Elkott, the city engineer, stated that the aerial view shows that Onyx Drive is as wide as the Onyx Drive on the east side of Route 4.

David Elkan and Pat Boehler confirmed the materials that will be used is masonry but is not full brick.

Commission discussed buffer along rear, side, and front.

Rear setback will be addressed at the January 24th Zoning Board of Appeals Hearing.

David Elkan also confirmed there will be a sprinkler system installed for the landscaping.

Thompson asked if there is any consideration to use vinyl instead of wood. He believes the wood will be a maintenance issue.

David Elkan stated that they planned to use the same fence materials as other projects. The material is good quality, pretreated, and held up for years. The proposed fence meets the city's requirements.

Pat Boehler stated that they can install vinyl fencing.

Barrows was asked to put the Freeburg location on the tv screens to show the commission.

Discussion of elevations and design among the commission members.

Discussion of updating the design code among the commission members.

Dan Kelly, resident of Prairieview Estates, stated that the residents of their subdivision were led to believe that the developer would put in a natural barrier around the subdivision to block it off from Route 4. The natural barrier was never put in. He continued, stating that when Brightly was developed, the residents were led to believe the same thing. That also did not happen. He stated that if this commercial property is developed the lights will shine inside of their properties like the Brightly development does. He asks that this development be required to put in a natural barrier on the subdivision berm to divide the commercial properties from the subdivision.

Pat Boehler stated that the DG Market lighting design will not bleed from its parcel. There is also a shield on the lights, and they can be dimmed if necessary. On the residential side of the project, there will be a privacy fence installed.

Dan Kelly stated that there is light that comes into his house now, through the back windows.

Sal Elkott commented, stating that photometrics are the most effective way to deter lighting and protecting the residents from light bleeding onto their properties. The city will review the photometrics and will have the development adjust the shielding. Photometric adjustments are more effective than berms.

Barrows referenced Sec. 34-9-18, to the commission which is the lighting requirements found in the code.

Dan Kelly stated that the natural barrier was not put in and now he has a clear view of Brightly from his backyard.

Hawkins stated that he would research the Brightly Development Agreement to see what the specifics were. He stated that it is possible that Brightly, being zoned residential, might not require a buffer zone but he is going to investigate it to see if something was missed. He is also going to investigate the landscape barrier for Route 4. He stated that if it is on the plans, it should be followed.

Dan Kelly stated that the residents have put in their own landscape buffer, but trees were cut down for the new electric line. He said that he would appreciate the city to do something about it.

Jessica Silvia, resident attending virtually, stated that Brightly has a special use permit to be zoned residential. That is why there was supposed to be a barrier put in. She also stated that a 6ft. privacy fence will not block lighting. She stated that the city and its boards do not follow or enforce the code and ordinances. She questions why the city would want another building developed that already exists across the street. She stated that the development is going to negatively affect the residential lots like the current Dollar General does. She also stated that there are a lot of wrecks there. She believes that Mascoutah needs to look at the benefit and the costs because we don't have the infrastructure to support these developments. She continued and stated there isn't a safe walking path or turn lane in that area. She stated she can see the current Dollar General lights can be seen by Jung Trucking and so she believes that the new Dollar General will shine in the subdivision lots as well as in the Brightly residents' windows.

Pat Boehler stated that the lighting for this Dollar General does have proper shields that can be adjusted, and it is in writing. She cannot speak on what is installed at the other Dollar General.

Dan Kelly requests that someone install natural barriers such as trees and shrubs.

Wobbe stated that when the BBQ place was approved it was required to have barrier.

Pat Boehler discussed Brightly lot and the orientation of their lot and the subdivision.

Dan Kelly asks that the city enforce the lighting requirements.

Thompson asked if they had enough room on their lots to plant their own trees.

Kelly stated they do but then it would be at their own expense which he believes they should not have to because the residents were led to believe that the developers were responsible for planting trees and bushes for the natural barrier. He said that the subdivision infrastructure was not built to code, so the barrier was cut from the developer's budget to fix all the infrastructure that had to be repaired or replaced. The builder was not held accountable before the project was signed off on and accepted. He reported that when Brightly was developed, it was promised again but there was no follow through before it was signed off on and accepted by the city.

Zacharski pointed out that this project has nothing to do with the commercial lot that is along the subdivision so there isn't anything the commission can do.

Kelly stated that there is going to be an additional line of sight.

Thompson stated that the city manager is going to look into this matter to enforce what was on the plans and agreements.

There was no further discussion.

PUBLIC HEARING – 8:18 PM

PUBLIC HEARING ADJOURNED at 8:18 PM

CALL TO ORDER at 8:19 PM

Chairman Ken Zacharski called the meeting to order.

PRESENT

Commission members Jack Klopmeyer, Jim Connor, Bill Millikin, Rich Thompson, Karen Wobbe, and Chairman Ken Zacharski were present.

ABSENT – Bruce Jung.

ALSO PRESENT

City Manager Cody Hawkins, Planning and Zoning Administrator Tiffany Barrows, City Engineer Sal Elkott, David Elkan with Glenwood Equities. Present virtual is Bob Elkan with Glenwood Equities and Pat Boehler with Westmore Group.

ESTABLISHMENT OF A QUORUM

A quorum of Planning Commission members was present.

GENERAL PUBLIC COMMENT

AMEND AGENDA – NONE

MINUTES FROM December 20, 2023

Wobbe moved, seconded by Connor to approve the minutes from the December 20, 2023, Planning Commission Meeting.

THE MOTION BY ROLL CALL

Jack Klopmeier aye, Jim Connor aye, Bill Millikin aye, Rich Thompson aye, Karen Wobbe aye, and Chairman Ken Zacharski aye.
6-ayes, 0-nays, 1-absent

PC 24-01 – DG Market – Site Plan and Architectural Review

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

MOTION:

Wobbe moved, seconded by Millikin, that the Planning Commission recommends approval to the City Council of the Site Plan and Architectural Elevations for a proposed Dollar General Market, located at 845 North Jefferson Street (also identified as parcel 10290303026), with approval of the (2) variances which will allow a flat roof with parapet on one-story building and reduced parking from 63 spaces to 40 spaces.

THE MOTION BY ROLL CALL

Jack Klopmeier aye, Jim Connor aye, Bill Millikin aye, Rich Thompson nay, Karen Wobbe aye, and Chairman Ken Zacharski aye.
5-ayes, 1-nays, 1-absent

MISCELLANEOUS

None.

ADJOURNMENT

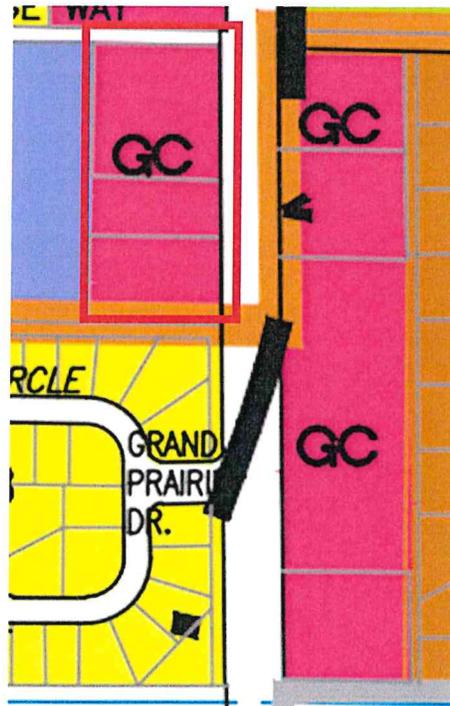
Wobbe moved, seconded by Millikin to adjourn at 8:22 p.m. All were in favor.

Tiffany M Barrows, Planning and Zoning Administrator

St. Clair County Parcel Map Viewer



City of Mascoutah Zoning Map Image



Attachment D.

**CITY OF MASCOUTAH
3 WEST MAIN ST.
MASCOUTAH, IL 62258
(618) 566-2964**

NOTICE OF PUBLIC HEARING

The City of Mascoutah Planning Commission will conduct a Public Hearing on *Wednesday, January 17, 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 a site plan and architectural review of a proposed DG Market on property located at 641 Legacy Place (parcel no. 10-29.0-303-026) in a GC, General Commercial Zoning District.

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 Planning and Zoning Administrator's Office at (618) 566-2964, ext. 107. Comments in writing may be forwarded to the Planning and Zoning Administrator's Office, 3 West Main St., Mascoutah, IL 62258.

Posting Date: December 28, 2023

MASCOUTAH PLANNING COMMISSION
Ken Zacharski, Chairman

Attachment E

CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS
COUNTY OF ST. CLAIR

THIS IS TO CERTIFY, that the not
weeks in the THE HERALD, a new
in said County and State, by Greg A. Hoskins, its publisher, and that the first insertion was made in the paper
published on the 4 day of January, A.D., 2024 and the last paper published
on the 4 day of January, A.D., 2024, and said newspaper was regularly published for six months prior to date of first
publication of said notice.

NOTICE OF PUBLIC HEARING

The City of Mascoutah Planning Commission will conduct a Public Hearing on Wednesday, January 17, 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 a site plan and architectural review of a proposed DG Market on property located at 641 Legacy Place (parcel no. 10-29.0-303-026) in a GC, General Commercial Zoning District.

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 Planning and Zoning Administrator's Office at (618) 566-2964, ext. 107. Comments in writing may be forwarded to the Planning and Zoning Administrator's Office, 3 West Main St., Mascoutah, IL 62258.

Posting Date: December 28, 2023
MASCOUTAH PLANNING COMMISSION
Ken Zacharski, Chairman
(1/4)

Subscribed and sworn before me, this date



1-4-24



MASCOUTAH, IL 1-4 A.D. 2024

CITY OF MASCOUTAH, ILLINOIS
OFFICE OF THE ZONING BOARD OF APPEALS

APPLICATION FOR VARIATION

Instructions to Applicant: All information requested must be completed on this application. Applicants are encouraged to visit this office and every assistance will be given in filling out this form.

A variation is requested in conformity with the powers vested in the Board on the property herein described.

1. DATA ON APPLICANT AND OWNER

Name of Applicant(s) Glenwood Equities LLC
Address of Applicant(s) 1415 Elbridge Payne Rd STE 285 Chesterfield MO 63017
Property Interest of Applicant(s) Purchaser
(owner, tenant, etc.)
Name of Owner(s) David Kunkel
Address of Owner(s) 784 Wall St Ste 150 O'Fallon, IL 62269

2. DESCRIPTION, USE, AND ZONING OF PROPERTY

Address 845 N Jefferson St Mascoutah, IL 62258
Legal Description See attached

Lot Size 310 feet x 250 feet = 77,500 square feet.

Present Use vacant
(vacant, residence, grocery, etc.)

Property Located in General Commercial Zoning District.

3. VARIATION REQUESTED

State what variation is requested, that is, a variation in the purpose for which the premises may be used, such as multi-family, grocery, filling station, etc., and/or a variation of building height, set-back requirements, lot coverage, etc., giving distances when appropriate.

We are requesting a variance for parking. Per ordinance we are required to have 63 spaces. We are requesting a variance to 40 spaces.

4. REASONS FOR REQUEST FOR VARIATION

Note: The following questions must be answered completely. If additional space is needed, attach extra pages to application. Before answering, read the NOTICE TO APPLICANTS on the attached page.

a) What characteristics of your property prevent its being used for any of the uses permitted in your zone?

Too narrow _____ Too shallow _____ Soil _____

Too small X Elevation _____ Subsurface _____

Shape _____ Slope _____

Other _____

APPLICATION NO. PC 24-01 - Parking

Attachment G.

b) Describe the items checked, giving dimensions where appropriate. The lot is too small to accommodate 83 spaces. We have been DG developers for 24yrs and based on Dollar General's experience & knowledge for high traffic times 40 is well within range for high volume days

c) How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance?

d) To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance, or applicable part thereof, became law? Yes No _____ If "No", please why the hardship should not be regarded as self-imposed. (Self-imposed hardships are not entitled to variation.) _____

e) Are the conditions on your property the result of other man-made changes (such as relocation of a road or high-way)? NO If so, describe _____

f) Which of the following types of modifications will allow you a reasonable use of your land?

Change in set-back requirement _____ Change in off-street parking requirement X _____

Change in side yard restrictions _____ Other (describe) _____

Change in area requirement _____

Change in lot coverage requirement _____

g) Are the conditions of hardship for which you request a variation true only of your property? yes If not, how many other properties are similarly affected? _____

h) Will the grant of a variation in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance? yes Elaborate _____

5. NAMES OF SURROUNDING PROPERTY OWNERS

Following are the names and addresses of surrounding property owners from the property in question for a distance of one-hundred-fifty (150) feet in all directions, and the number of feet occupied by all public roads, streets, alleys, and public ways have been excluded in computing the 150 feet requirements. Said names are as recorded in the Office of the County Recorder of Deeds and as appear from the authentic tax records of this County.

***City staff will obtain mailing address for all property owners within 150 feet of requester.

6. ACTIONS BY APPLICANT ON PROPERTY

Certificate of Occupancy Applied for and Denied _____

Certificate Application Number _____

An Appeal was _____ was not _____ made with respect to these premises;

Appeal Application Number _____

Appeal Denied _____ Appeal Application Accompanies This Request for Variation _____

I (we) certify that all of the above statements, and the statements contained in any papers or plans submitted herewith, are true to the best of my (our) knowledge and belief.

Date: 11-29-23



DocuSigned by:
Applicant
David Kunkel
BB2FA6A1A436492...

Owner

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Filed 11-29-23 Variation Request No. PC 24-01 - Parking

Date Set for Hearing 1-17-24 Date Hearing Held 1-17-24

Published Notice Made 1-4-24 Newspaper The Herald
(Date) (Name of Newspaper)

Name of Municipality Where Published Mascoutah

Date Adjacent Property Owners Notified 1-4-24

Fee Paid - Receipt No. Yes Amount 700.00 Date _____

Comments (indicate other actions such as continuances):

Per Sec. 34-11-2 Architectural review board, Planning Commission shall provide such functions for the city.

Action By Board on Request for Variation: approval by Planning Commission recommended approval to City Council.

CITY OF MASCOUTAH, ILLINOIS
OFFICE OF THE ZONING BOARD OF APPEALS

APPLICATION FOR VARIATION

Instructions to Applicant: All information requested must be completed on this application. Applicants are encouraged to visit this office and every assistance will be given in filling out this form.

A variation is requested in conformity with the powers vested in the Board on the property herein described.

1. DATA ON APPLICANT AND OWNER

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Address of Applicant(s) 1415 Elbridge Payne Rd STE 2B5 Chesterfield MO 63017
Property Interest of Applicant(s) Purchaser
(owner, tenant, etc.)
Name of Owner(s) David Kunkel
Address of Owner(s) 784 Wau ST STE 150 Ofallon IL 62269

2. DESCRIPTION, USE, AND ZONING OF PROPERTY

Address 845 N Jefferson St Mascoutah IL 62258
Legal Description See attached

Lot Size 310 feet x 250 feet = 77,500 square feet.

Present Use _____
(vacant, residence, grocery, etc.)

Property Located in General Commercial Zoning District.

3. VARIATION REQUESTED

State what variation is requested, that is, a variation in the purpose for which the premises may be used, such as multi-family, grocery, filling station, etc., and/or a variation of building height, set-back requirements, lot coverage, etc., giving distances when appropriate.

Pitch of roof

4. REASONS FOR REQUEST FOR VARIATION

Note: The following questions must be answered completely. If additional space is needed, attach extra pages to application. Before answering, read the NOTICE TO APPLICANTS on the attached page.

a) What characteristics of your property prevent its being used for any of the uses permitted in your zone?

Too narrow _____ Too shallow _____ Soil _____

Too small _____ Elevation _____ Subsurface _____

Shape _____ Slope Slope of roof

Other _____

APPLICATION NO. PC-24-01-Roof Pitch

b) Describe the items checked, giving dimensions where appropriate. The slope of the Dollar General roof does not meet the city specifications

c) How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance? At the time Dollar General approved the project, the budget would not support the required sloped roof. We felt a variance would be granted because the parapet would hide the roof.

d) To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance, or applicable part thereof, became law? Yes No If "No", please why the hardship should not be regarded as self-imposed. (Self-imposed hardships are not entitled to variation.) _____

e) Are the conditions on your property the result of other man-made changes (such as relocation of a road or high-way)? NO If so, describe _____

f) Which of the following types of modifications will allow you a reasonable use of your land?
Change in set-back requirement _____ Change in off-street parking requirement _____
Change in side yard restrictions _____ Other (describe) N/A
Change in area requirement _____
Change in lot coverage requirement _____

g) Are the conditions of hardship for which you request a variation true only of your property? yes If not, how many other properties are similarly affected? _____

h) Will the grant of a variation in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance? yes Elaborate We are building an upgraded store with quality esthetics including 4-sided masonry.

5. NAMES OF SURROUNDING PROPERTY OWNERS

Following are the names and addresses of surrounding property owners from the property in question for a distance of one-hundred-fifty (150) feet in all directions, and the number of feet occupied by all public roads, streets, alleys, and public ways have been excluded in computing the 150 feet requirements. Said names are as recorded in the Office of the County Recorder of Deeds and as appear from the authentic tax records of this County.

***City staff will obtain mailing address for all property owners within 150 feet of requester.

6. ACTIONS BY APPLICANT ON PROPERTY

Certificate of Occupancy Applied for and Denied _____

Certificate Application Number _____

An Appeal was _____ was not _____ made with respect to these premises;

Appeal Application Number _____

Appeal Denied _____ Appeal Application Accompanies This Request for Variation _____

I (we) certify that all of the above statements, and the statements contained in any papers or plans submitted herewith, are true to the best of my (our) knowledge and belief.

Date: 1-10-24

D. EA
Applicant

Daniel Kuncel
Owner

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed 1-10-24 Variation Request No. PC 24-01 - Roof

Date Set for Hearing 1-17-24 Date Hearing Held 1-17-24

Published Notice Made 1-4-24 Newspaper The Herald
(Date) (Name of Newspaper)

Name of Municipality Where Published Mascoutch

Date Adjacent Property Owners Notified 1-4-24

Fee Paid – Receipt No. / Amount \$200.00 Date _____

Comments (indicate other actions such as continuances):

Per. Sec. 34-11-2 - Architectural review board

P.C. shall provide such functions for the city.

Action By Board on Request for Variation: approval by Planning Commission.

Recommend approval to City Council.

CITY OF MASCOUTAH, ILLINOIS
OFFICE OF THE ZONING BOARD OF APPEALS

APPLICATION FOR VARIATION

Instructions to Applicant: All information requested must be completed on this application. Applicants are encouraged to visit this office and every assistance will be given in filling out this form.

A variation is requested in conformity with the powers vested in the Board on the property herein described.

1. DATA ON APPLICANT AND OWNER

Name of Applicant(s) Glennwood Equities LLC
Address of Applicant(s) 1415 Elbridge Payne Rd STE 285 Cheshierfield MO 63017
Property Interest of Applicant(s) Purchaser
(owner, tenant, etc.)
Name of Owner(s) David Kunkel
Address of Owner(s) 784 Wall ST STE 150 O'Fallon IL 62258

2. DESCRIPTION, USE, AND ZONING OF PROPERTY

Address 845 N Jefferson St Mascoutah, IL 62258
Legal Description See Attached

Lot Size 310 feet x 250 feet = 77,500 square feet.

Present Use _____
(vacant, residence, grocery, etc.)

Property Located in General Commercial Zoning District.

3. VARIATION REQUESTED

State what variation is requested, that is, a variation in the purpose for which the premises may be used, such as multi-family, grocery, filling station, etc., and/or a variation of building height, set-back requirements, lot coverage, etc., giving distances when appropriate.

5ft discrepancy in recorded subdivision plat
See Exhibit A for explanation

4. REASONS FOR REQUEST FOR VARIATION

Note: The following questions must be answered completely. If additional space is needed, attach extra pages to application. Before answering, read the NOTICE TO APPLICANTS on the attached page.

a) What characteristics of your property prevent its being used for any of the uses permitted in your zone?

Too narrow _____ Too shallow _____ Soil _____

Too small _____ Elevation _____ Subsurface _____

Shape _____ Slope _____

Other rear setback

APPLICATION NO. ZBA 2402

b) Describe the items checked, giving dimensions where appropriate. See civils

c) How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance?
Per IDOT we cannot move the building forward

d) To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance, or applicable part thereof, became law? (Yes)
_____ No _____ If "No", please why the hardship should not be regarded as self-imposed. (Self-imposed hardships are not entitled to variation.) _____

e) Are the conditions on your property the result of other man-made changes (such as relocation of a road or high-way)?
_____ If so, describe _____

f) Which of the following types of modifications will allow you a reasonable use of your land?
Change in set-back requirement X Change in off-street parking requirement _____
Change in side yard restrictions _____ Other (describe) _____
Change in area requirement _____
Change in lot coverage requirement _____

g) Are the conditions of hardship for which you request a variation true only of your property? yes If not, how many other properties are similarly affected? _____

h) Will the grant of a variation in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance? yes Elaborate _____

5. NAMES OF SURROUNDING PROPERTY OWNERS

Following are the names and addresses of surrounding property owners from the property in question for a distance of one-hundred-fifty (150) feet in all directions, and the number of feet occupied by all public roads, streets, alleys, and public ways have been excluded in computing the 150 feet requirements. Said names are as recorded in the Office of the County Recorder of Deeds and as appear from the authentic tax records of this County.

***City staff will obtain mailing address for all property owners within 150 feet of requester.

6. ACTIONS BY APPLICANT ON PROPERTY

Certificate of Occupancy Applied for and Denied _____

Certificate Application Number _____

An Appeal was _____ was not _____ made with respect to these premises;

Appeal Application Number _____

Appeal Denied _____ Appeal Application Accompanies This Request for Variation _____

I (we) certify that all of the above statements, and the statements contained in any papers or plans submitted herewith, are true to the best of my (our) knowledge and belief.

Date: 1-16-24

D. ELL
Applicant

Daniel Kimmel
Owner

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Filed 1-16-24 Variation Request No. ZBA 24-02

Date Set for Hearing Jan 24, 2024 Date Hearing Held 1/24/24

Published Notice Made PC 2401: 1/14/24 Newspaper Herald
(Date) (Name of Newspaper)

Name of Municipality Where Published Mascoutah

Date Adjacent Property Owners Notified 8

Fee Paid - Receipt No. ✓ Amount 150.00 Date 1/16/24

Comments (indicate other actions such as continuances):

PC approved parking in roof
variances 1/17/24

Action By Board on Request for Variation:

ZBA approve 15 ft. build setback
line variance.