

Mascoutah City Council

September 7, 2021

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, August 16, 2021 City Council Meeting (Page 1 to Page 5) **MINUTES**, August 16, 2021 Executive Session Meeting (Confidential, see City Clerk)

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. Code Change – Gambling and Video Gaming (second reading)

(Page 6 to Page 10)

Description: Council approval of revisions to Chapter 7, Article XI, adding Sec. 7-11-9 Establishment Revenue Requirements by adoption of ordinance.

Recommendation: Council Approval and Adoption of Ordinance.

2. Bid Award – Pick-Up Truck

(Page 11 to Page 12)

Description: Approval and authorization of bid for the purchase of a pick-up truck for the Building Maintenance/Parks Department.

Recommendation: Council Approval.

3. Resolution of Support for the Illinois Safe Routes to School Program for New Sidewalk along N 6th Street (Page 13 to Page 15)

Description: Adoption of a Resolution of Support for the Illinois Safe Routes to School (SRTS) Program for the construction of new sidewalk along 6th Street and authorization to apply for a SRTS grant and to enter into an agreement with the State of Illinois Department of Transportation (IDOT).

Recommendation: Council Approval and Adoption of Resolution.

B. Council Miscellaneous Items

- **ARPA Discussion**

C. City Manager

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

10. ADJOURNMENT TO EXECUTIVE SESSION - NONE

11. MISCELLANEOUS OR FINAL ACTIONS

12. ADJOURNMENT

POSTED 9/2/21 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/86903144105>

You can also dial in using your phone.

United States: +1 312 626 6799 US

Access Code: 869 0314 4105

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

AUGUST 16, 2021

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

PRAYER AND PLEDGE OF ALLEGIANCE

City prayer was delivered by City Clerk Melissa Schanz. 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 Doug Elbe (via zoom).

Absent: None.

Other Staff Present: City Manager Brad Myers, Assistant City Manager Kari Speir, City Clerk Melissa Schanz, Administrative Assistant Tiffany Barrows, City Attorney Al Paulson, Public Works Director Jesse Carlton, City Engineer Tom Quirk, Fire Chief Joe Zinck, EMS Supervisor Jeremy Gottschammer and Police Chief Scott Waldrup.

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

AMEND AGENDA

None.

MINUTES

The minutes of the August 2, 2021 regular City Council meeting were presented and approved as presented.

Motion passed. Passed by unanimous yes voice vote.

PUBLIC COMMENTS

Representatives from J&J Ventures FKG expressed concerns about the Gambling and Video Gaming Ordinance that was being brought to the Council for a second reading.

DEPARTMENT REPORTS

Fire Chief Joe Zinck – July 2021 monthly report was provided.

Police Chief Scott Waldrup – July 2021 monthly report was provided.

Finance Coordinator Lynn Weidenbenner – July 2021 monthly financials were provided by City Manager Brad Myers.

Public Works Director Jesse Carlton – July 2021 building and status report was provided.

City Engineer Tom Quirk – July 2021 status report on public projects was provided.

REPORTS AND COMMUNICATIONS

Mayor

Attended the following meetings and functions: Preparing for and working the Homecoming.

City Council

Weyant – Attended the following meetings and functions: Preparing for and working the Homecoming.

Battas – Attended the following meetings and functions: Preparing for and working the Homecoming

Seibert – Attended the following meetings and functions: Chamber meeting, Homecoming, Thanked city staff for a job well done with the latest storms.

Elbe – Attended the following meetings and functions: Homecoming, Thanked city staff for a job well done with the latest storms.

City Manager

Attended the following meetings and functions: Homecoming, Stated chip and seal started.

City Attorney – Nothing to report.

City Clerk – Attended the following meetings and functions: Homecoming.

COUNCIL BUSINESS

CONSENT CALENDAR (OMNIBUS)

The July 2021 Fund Balance Report and Claims & Salaries Report were provided under the omnibus consideration.

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

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

CODE CHANGE – GAMBLING AND VIDEO GAMING (SECOND READING)

City Manager presented report for Council approval of revisions to Chapter 7, Article XI, adding Sec. 7-11-9 Establishment Revenue Requirements by adoption of ordinance.

Mayor and Council discussed the intent behind the ordinance with questions and concerns about the revenues from other sources besides gaming.

There was no further discussion.

Seibert moved, seconded by Battas to table item for further review.

Motion passed. Passed by unanimous yes voice vote.

CODE CHANGE – MOBILE HOUSING CODE (SECOND READING)

City Manager presented report for Council approval of changes to update the Mobile Housing Code.

- Changing the language so that homes not older than seven years of age can be placed within a mobile home park.
- Increasing Permit Fees from the \$25.00 permit fee to \$500.00 permit fee.
- Adding language that states: In the event that either water or electric service to any mobile home has been disconnected, discontinued or terminated for a period in excess of six (6) consecutive months, said mobile home shall thereby be declared abandoned and shall immediately, after the expiration of said period, be removed from said location at owner's expense. The owner of said mobile home may request an extension for up to an additional six (6) months, from the City Manager, that said extension be granted only upon proof of hardship, that said extension shall be granted solely at the discretion of the City Manager.

There was no further discussion.

Battas moved, seconded by Seibert to approve and adopt Ordinance 21-12, thereby modifying Chapter 23-Mobile Housing Code.

Motion passed. Passed by unanimous yes voice vote.

2021/2022 MFT ADA SIDEWALK IMPROVEMENTS PROGRAM – BID AWARD

City Manager presented report for Council approval of bid and authorization for ADA Sidewalk Improvements at various locations in the City Limits as identified for the 2021/2022 MFT ADA Sidewalk Improvements Program.

City Manager explained that in order to proceed with this work, the City will need to submit the bids to IDOT for approval prior to awarding a contract and that the work will be paid for with city MFT funds.

There was no further discussion.

Battas moved, seconded by Seibert to approve the low bid for ADA Sidewalk Improvements to be completed at various locations in the City Limits as identified for the 2021/2022 MFT ADA Sidewalk Improvements Program, and to award a contract to Hank's Excavating and Landscaping, Inc. of Belleville, IL in the amount of \$77,512.50, contingent upon IDOT approval.

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

RESOLUTION OF AUTHORIZATION – MEPRD PROJECT AGREEMENT FY22

City Manager presented report for Council approval of a Resolution authorizing execution of the Metro East Park and Recreation District Project Agreement for FY22 for the project titled L&N Railway Trail and Trailhead.

City Manager explained how the project will begin on the east side of Brickyard Road and end on the east side of IL Route 4. City Manager also stated that the City applied for and was awarded an ITEP grant in the amount of \$918,000.00 for this project, which will cover approximately 90% of the total project cost.

There was no further discussion.

Weyant moved, seconded by Seibert to approve and adopt Resolution No. 21-22-10, a Resolution authorizing execution of the Metro East Park and Recreation District Project Agreement for FY22 for the project titled L&N Railway Trail and Trailhead.

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

COUNCIL – MISCELLANEOUS ITEMS

Mayor McMahan explained how he has received some negative feedback on the placement of some of the Main Street planters. Mayor McMahan asked City Manager to get with him on the planter locations.

CITY MANAGER – MISCELLANEOUS ITEMS

City Manager explained that the planters on Main Street will be adjust as needed. City Manager also thanked the entire City Staff for work put in to make the Homecoming a success along with all the hard work after the storm damage.

PUBLIC COMMENTS

None.

ADJOURNMENT TO EXECUTIVE SESSION

Weyant moved, seconded by Battas, to adjourn to Executive Session to discuss Purchase/Lease of Property – Section 2(c)(5) and Litigation – Section 2(c)(11) at 7:32 p.m.

Motion passed. Passed by unanimous yes voice vote.

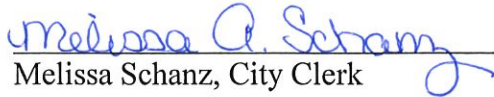
MISCELLANEOUS OR FINAL ACTIONS

None.

ADJOURNMENT

Weyant moved, seconded by Seibert, to adjourn at 8:50 p.m.

Motion passed. Motion passed by unanimous yes voice vote.


Melissa Schanz, City Clerk

CITY OF MASCOUTAH
Staff Report

TO: Honorable Mayor & Council

FROM: Brad Myers – City Manager

SUBJECT: Code Change – Gambling and Video Gaming (second reading)

MEETING DATE: September 7, 2021

REQUESTED ACTION:

Approval of revisions to Chapter 7, Article XI, adding Sec. 7-11-9 Establishment Revenue Requirements by adoption of ordinance.

BACKGROUND & STAFF COMMENTS:

Review of the Gambling and Video Gaming Code was done and a recommendation to revisit the revenues from other sources was suggested. Attached are changes/recommendations from the Mayor and Council for review and consideration.

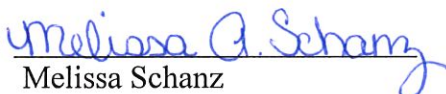
RECOMMENDATION:

Council approval of Ordinance, as attached.


SUGGESTED MOTION:

I move that the Council approve and adopt Ordinance No. 21-__, thereby modifying Chapter 7 – Business Code, Article XI – Gambling and Video Gaming.

Prepared By:


Melissa Schanz
City Clerk

Approved By:


Kari Speir
Assistant City Manager

Attachments: A – Ordinance

ORDINANCE NO. 21-__

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES,
CHAPTER 7 – BUSINESS CODE, ARTICLE XI – GAMBLING AND VIDEO GAMING,
ADDING SEC. 7-11-9, ADOPTED OF THE CITY OF MASCOUTAH, ILLINOIS.**

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

SECTION 1: Amending CHAPTER 7, ARTICLE XI – GAMBLING AND VIDEO GAMING, adding SEC.7-11-9 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 7th day of September, 2021, 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	___	___	___
Doug Elbe	___	___	___
Pat McMahan	___	___	___

APPROVED AND SIGNED by the Mayor of the City of Mascoutah, Illinois, this 7th day of September, 2021.

ATTEST:

Mayor

City Clerk
(SEAL)

Attachment A

CHAPTER 7 – BUSINESS CODE
ARTICLE XI – GAMBLING & VIDEO GAMING TERMINALS

Sec. 7-11-1. Definitions.

For the purposes of this chapter, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

Board. The Illinois Gaming Board

Licensed Establishment. Any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises, which possesses a City Class **B, C or F** liquor license. **Any licensed retail establishment that sells alcoholic liquor or other alcoholic beverages, where the majority of the alcoholic liquor or beverages sold are not consumed on the premises, which possesses a City Class A liquor license.**

Licensed Fraternal Establishment. The location where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets which possesses a City Class C liquor license.

Licensed Veterans Establishment. The location where a qualified veteran's organization that derives its charter from a national veteran's organization regularly meets which possesses a City Class C liquor license.

Terminal Operator. An individual, partnership, corporation, or limited liability company, licensed to own, service, and maintain video gaming terminals for placement in licensed establishments, licensed fraternal establishments, or licensed veterans establishments.

Video Gaming Act. Gaming (230 ILCS 40/)

Video Gaming Terminal. Any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

Sec. 7-11-2. Video Gaming Terminals Allowed.

Video gaming terminals are permitted within the corporate limits of the City of Mascoutah only if licensed and registered by the Illinois Gaming Board under the Video Gaming Act.

The number of video gaming terminals permitted to be operated in each establishment licensed by the Illinois Gaming Board at any time is the number established by the Video Gaming Act.

Sec. 7-11-3. Permit Required.

It shall be unlawful to operate any video gaming terminal in any licensed establishment, licensed veterans establishment, or licensed fraternal establishment within the corporate limits of the City of Mascoutah without having first obtained a video gaming terminal permit issued by the City, and are otherwise compliant with Illinois Gaming Board regulations.

Each video gaming terminal shall require a separate permit. No permit issued pursuant to the provisions of this Article shall be transferable or assignable.

Sec. 7-11-4. Filing of Application and Fee Provisions.

(a) Every applicant for a permit to place a video gaming terminal in a licensed establishment, licensed veterans establishment, or licensed fraternal establishment shall file an application with the City Clerk upon a form provided by the Clerk annually.

(b) The annual fee for each permit shall be \$50.00 per video gaming terminal. In no case shall any portion of said permit fee be refunded. The annual fee shall not be prorated for periods of less than twelve (12) months.

(c) Each video gaming terminal permit issued pursuant to Sections 7-11-3 and 7-11-4 shall run from the 1st day of May through the 30th day of April in the following year. Each license issued later than May 1st shall terminate on the 30th day of April. The annual license fee shall be paid in advance of the ensuing license year.

Sec. 7-11-5. Display of Permit.

Every permit issued shall be framed and hung in a conspicuous place in the permitted premises.

Sec. 7-11-6. Right of Entry.

The Chief of Police, or his designee, has to the power to and shall inspect any licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment within the corporate limits of the City of Mascoutah at such times and intervals as he may deem necessary for the proper enforcement of this Article.

Sec. 7-11-7. Violations and Penalty.

Any person who shall violate or fail to comply with any provision of this code shall be subject to the General Penalty described in Division 4 of Chapter 1 of this Code of Ordinances.

Sec. 7-11-8. Distribution of Revenue.

Permit fees and revenue received by the City of Mascoutah pursuant to 230 ILCS 40/75, Revenue sharing; Local Government Video Gaming Distributive Fund, less costs of issuing video gaming terminal permits, shall be applied to the General Fund.

Sec. 7-11-9. Establishment Revenue Requirements.

(a) **No more than fifty percent (50%) of the gross revenue to any licensee having supplemental video gaming license shall be derived from gaming revenues. At any time during the video gaming license period or prior to the renewal of a video gaming license,**

the Mayor or designee as pertaining to this ordinance shall order the licensee to produce his, her or its accounting records to determine if the licensee remains eligible for a video gaming license under this section.

(b.) Licensed establishment holding an existing Class A, B, C or F Liquor License in good standing are exempt from the requirements set forth in Sec. 7-11-9 (a) and shall need only comply with the general licensing requirements. As of this Ordinance dated September 7, 2021 all future Class A, B, C or F Liquor Licensee must comply with the requirements set forth in Sec. 7-11-9 (a) as required under this Code.

CITY OF MASCOUTAH
Staff Report

TO: Honorable Mayor & Council
FROM: Brad Myers, City Manager
SUBJECT: Bid Award – Pick-Up Truck

MEETING DATE: September 7, 2021

REQUESTED ACTION:

Approval and authorization of bid for the purchase of a pick-up truck for the Building Maintenance/Parks Department.

BACKGROUND & STAFF COMMENTS:

Bid was received through the state bidding process for a truck from Morrow Brothers Ford for a new 2021 Ford F150 Regular Cab 4x4 with 8' Bed in the amount of \$30,970.00 plus the 4 corner LED warning lights in the amount of \$690.00. This vehicle will replace the 2003 Chevrolet Astro Van used by the Building Maintenance/Parks Department over the past 9 years. The van's engine has a leaking block with 131,297 miles on it and will need to be taken out of service.

FUNDING:

This purchase is budgeted in the FY21/22 budget.

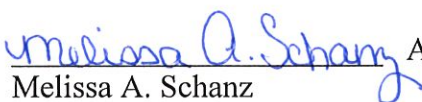
RECOMMENDATION:

City staff is recommending approval of the purchase of a new 2021 Pick-Up Truck from Morrow Brothers Ford of Greenfield, IL in the amount of \$31,660.00.

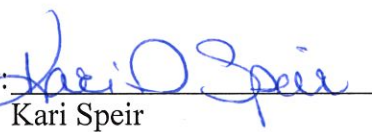
SUGGESTED MOTION:

I move that the Council approve the bid for a new 2021 Ford F150 Truck to Morrow Brothers Ford of Greenfield, IL in the amount of \$31,660.00 and authorize appropriate officials to execute the necessary documents.

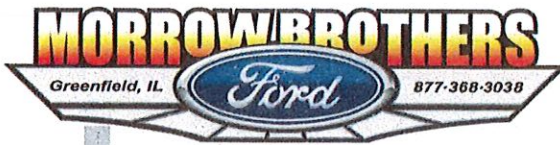
Prepared By:


Melissa A. Schanz
City Clerk

Approved By:


Kari Speir
Assistant City Manager

Attachments: A – Bid Specifications



WWW.MORROWBROTHERSFORDINC.COM

1242 Main Street • GREENFIELD IL 62044

(217) 368-3037 • Fax (217) 368-3517 • Toll free 1-877-368-3038

August 18, 2021

City of Mascoutah Illinois

We have figured the following truck for your consideration.

1-NEW 2021 FORD F150 Regular Cab 4x4 8' Bed

To include the following optional equipment:

Exterior Color White, 40/20/40 Vinyl Seating

5.0L V8 Engine, 10 Speed Automatic

E-Locking Rear Axle, Cruise Control

Bluetooth SYNC, Back-Up Camera

Power Windows and Door Locks

Power Mirrors, Remote Keyless Entry

Air Conditioning, AM/FM Stereo

Tow Package/Hitch Receiver

Reverse Sensing System

XL Appearance Package

New License/Title

All other standard equipment Illinois Government Price \$30,970.00*

Options:

4 Corner LED Warning Add \$690.00 Rear Traffic Director Add \$1,390.00

54" LED Lightbar Add \$2,480.00 Decker Drawer System Add \$1,770.00
Inc: Traffic Direction

Units are **in stock*** at the time of this quote and are available first come first serve. Additional options can be added as required. Any and all trade in vehicles are welcome regardless of miles or condition. Let me know if you have any questions.

Thank you,

Richie Morrow Wellenkamp
Government Sales Manager
Morrow Brothers Ford, Inc.

Attachment A

CITY OF MASCOUTAH

Staff Report

TO: Honorable Mayor & Council

FROM: Tom Quirk, City Engineer

SUBJECT: **Resolution of Support for the Illinois Safe Routes to School Program for New Sidewalk along N 6th Street**

MEETING DATE: September 7, 2021

REQUESTED ACTION:

Adoption of a Resolution of Support for the Illinois Safe Routes to School (SRTS) Program for the construction of new sidewalk along N 6th Street and authorization to apply for a SRTS grant and to enter into an agreement with the State of Illinois Department of Transportation (IDOT).

BACKGROUND & STAFF COMMENTS:

SRTS projects focus on making bicycling and walking to school a safer and more appealing transportation alternative. Additionally they assist with projects that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity (within 2 miles) of both public and private primary and middle schools (grades K-8).

City Council authorization is required for the City to sponsor a SRTS infrastructure improvement project consisting of the construction of a new sidewalk along N 6th Street. The new sidewalk would begin on the east side of N 6th Street at the Multi-Use Berm Trail located on the north side of Mascoutah Middle School and extend north to Fuesser Road. This project would provide a safe pedestrian route from the Windshire, North Towne and Townsend Square subdivisions to the middle school and elementary school. The City of Mascoutah, as project sponsor, would be required to pay for the construction and construction inspection costs not to exceed \$250,000.00 which would be reimbursed by IDOT. The City would also be required to fund a 20% local match and a preliminary engineering study that would not be reimbursed by IDOT. Preliminary engineering would begin in 2022, if the City is awarded an SRTS grant. Construction would be completed in 2024.

A letter will be sent to IDOT requesting allowance to apply for the SRTS grant for construction on IDOT right-of-way. If the City of Mascoutah is awarded an SRTS Grant, the City would be required to enter into a Joint Funding Agreement with IDOT.

The services of a consulting engineering firm at a cost not to exceed \$4,500.00 is required to complete the application process along with City staff.

The Resolution is attached.

FUNDING:

Funding for the application process in the amount not to exceed \$4,500.00 would be paid from the General Fund.

RECOMMENDATION:

Council approval and adoption of a Resolution of Support for the Illinois Safe Routes to School (SRTS) Program for the construction of a new sidewalk along N 6th Street and authorization to apply for a SRTS grant and to enter into an agreement with the State of Illinois Department of Transportation (IDOT).

SUGGESTED MOTION:

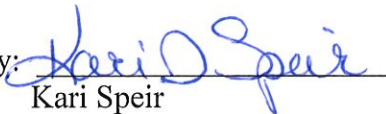
I move that the Council approve and adopt Resolution No. 21-22-____, a Resolution of Support for the Illinois Safe Routes to School (SRTS) Program for the construction of a new sidewalk along N 6th Street and authorization to apply for a SRTS grant and to enter into an agreement with the State of Illinois Department of Transportation (IDOT).

Prepared By:



Tom Quirk
City Engineer

Approved By:



Kari Speir
Assistant City Manager

Attachments: A – Resolution

RESOLUTION NO. 21-22-

**A RESOLUTION OF SUPPORT FOR THE ILLINOIS SAFE ROUTES TO
SCHOOL PROGRAM FOR NEW SIDEWALK INSTALLATION ALONG N 6th
STREET**

WHEREAS, The City of Mascoutah is applying to the State of Illinois, for the Illinois Safe Routes to School Program; and

WHEREAS, It is necessary that an application be made and agreements entered into with the State of Illinois Department of Transportation (IDOT).

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the City of Mascoutah apply for a grant under the terms and conditions of the Illinois Department of Transportation and shall enter into and agree to the understanding and assurance in said applications; and
2. The application shall be for new sidewalk along the east side of N 6th Street; and
3. That the chief municipal officials on behalf of the city execute such documents and all other documents necessary for the carrying out of said application; and
4. That the City of Mascoutah, as the project's sponsor, shall pay the project construction and documentation costs not to exceed \$250,000 and then shall be reimbursed by IDOT in accordance with the Joint Funding Agreement; and
5. That the chief municipal officials are authorized to provide such additional information as may be required to accomplish the obtaining of such grant.

PASSED and APPROVED this 7th day of September 2021

Pat McMahan
Mayor

Attest:

Melissa Schanz, City Clerk
(SEAL)

Attachment A