

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

FEBRUARY 5, 2023

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

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

Absent: None.

Other Staff Present: City Manager Cody Hawkins, City Clerk Melissa Schanz, City Attorney Al Paulson, Police Chief Scott Waldrup, and Executive Assistant Emily Quellmalz

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

AMEND AGENDA - NONE

MINUTES

The minutes of the January 16, 2024, City Council meeting was presented and approved as presented.

Motion passed. Passed by unanimous yes voice vote.

PUBLIC COMMENTS

James Shanks, a resident of Mascoutah, voiced his concerns with the city.

Eric Mercer, a resident of Mascoutah, voiced his concerns with the city and after a scuddle with the Mayor and police was asked to leave. He refused so Mr. Mercer was arrested.

Evon Jackson-Taylor, a resident of Mascoutah voiced her concerns about Brightly never putting in a natural barrier which the residents of Prairie View Estates would really like to see get done. She also asked if a new turning lane off of Route 4 would be put in with the new proposed development next to Brightly. Mayor McMahan asked Evon to give the City

Manager a call and he will discuss the Brightly natural barrier and explained that IDOT will be the one to decide if a turning lane is necessary for Route 4.

REPORTS AND COMMUNICATIONS

Mayor – Nothing to report.

City Council

Weyant – Attended the Best Western Open House.

Battas – Nothing to report.

Seibert – Attended the Best Western Open House and thanked everyone who participated in the Taste of Mascoutah hosted by the Mascoutah Athletic Commission.

Mike Baker – Nothing to report.

City Manager – Nothing to report.

City Attorney – Nothing to report.

City Clerk – Swore in Sergeant Sirtak.

COUNCIL BUSINESS

Code Change – Chapter 31, Recreation and Parks (Second Reading)

The City Manager presented a report for Council approval of an amendment to Chapter 31, Recreation and Parks, Article II, Sec. 31-2-1. Adding that no person shall bring any animals/pets onto any city ball fields.

There was no further discussion.

Seibert moved, seconded by Battas, to approve and adopt Ordinance No. 24-01, an ordinance amending Chapter 31, Recreation and Parks of the City Code.

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

Surface Transportation Block Grant Application

The City Manager presented a report for 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.

There was no further discussion.

Baker moved, seconded by Weyant to approve and adopt Resolution No. 23-24-14, 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.

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

Code Change – Chapter 3, Animals (First Reading)

The City Manager presented a report for Council approval and adoption of amendments to Chapter 3, Animals, article II, Sec. 3-2-2.

There was no further discussion.

First Reading.

Agreement with Contegra Pools, LLC – Splash Pad

The City Manager presented a report for Council 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.

City Attorney Al Paulson stated that he has some changes to the agreement that he has sent back to Contegra Pools for approval and has not received a response yet.

It was explained by the Mayor that volunteers will be doing a lot of the work for this project so it will be hard to put a timeline on Contegra. It was then stated by the City Attorney that due to this agreement between MIA and Contegra the process of who is doing what work and when the contract will not have a liquidated damages provision in it.

Councilman Weyant stated that he would like to look through this revised contract before approving.

City Engineer stated that it would be fine to wait till the next meeting without effecting timeline to much.

Councilman Seibert asked if ARPA funds are being used for this project and asked if the amount is just for Phase I. The city Manager said yes, the city's portion is being funded with ARPA funds and that this is only for phase I, phase II is a recirculation system with a bathroom/shower which is not being proposed at this time.

Councilman Baker asked for exact location. The City Manager stated that it is proposed to be in front of the playground in Scheve Park off Harnett. Baker explained that he does not agree with this location and has spoken to many in the community that also disagree with that location. Baker provided his input by stating that the most logical location would be by the pool which would provide parking and be more secure. He said we have no idea the overall cost of this project for the future phase and would have to have a bathroom facility and parking if we would put it over by the playground. If it was by the pool, we could use the pool facilities and parking area. Baker also stated that if we are going to do the project, he would rather see the entire project done at once with a total cost involved with all expenses.

Mayor McMahan stated that he toured every splashpad in the area, he said Millstadt wished they did not have theirs by the pool. Mayor made the comment that we have gone over this extensively.

Councilman Battas stated that we have a lot of ball fields being used in the summer and parking is a premium, we would need a parking lot put in for the splash pad. Battas said he agrees that we need to know where the funding will come from for Phase II right away, explaining that he has spoken to many people with MIA and no one wants to commit past this year for funding, because you never know what will happen in the future with homecoming and weather along with other issues in the park that need addressed. He begs to differ with Mayor McMahan on Millstadt, he was there a lot over the past summer and seen that get used a lot. Battas explained how we should slow down with this project and think through it thoroughly. He also stated that this project is a want, it's not a need we have so many other needs in the community like sidewalks, roads, etc. Battas agrees it needs to be in a different location and wants it handicap accessible and done correctly so no one gets hurt. He stated that we have a swimming pool that we take a loss on every year; is this going to be another loss every year.

Mayor McMahan explained how we have worked on this for 3 or 4 years; we have voted on this with ARPA funds, and he does not understand why everyone wants to delay this project.

Councilman Seibert asked if we could come up with a list of questions that need answered so staff can get us answers and we can vote on it at the next meeting.

Items discussed by Council that they would like answered to is an average cost of running a splash pad and a total estimated cost of phase II. Staff stated they will work on providing additional information.

There was no further discussion.

Seibert moved, seconded by Baker to table action item number 4, an agreement with Contegra Pools, LLC – Splash Pad.

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

Agreement with the St. Clair County Transit District

The City Manager presented a report for Council 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.

There was no further discussion.

Weyant moved, seconded by Battas to 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.

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

Bid Award – Residential Waste Collection

The City Manager presented a report for Council approval of a bid for Residential Waste Collection.

Mayor McMahan stated comparing apples to apples I would choose to change services to Aspen.

Councilman Weyant made sure the weight restrictions would still be in place. City Manager stated that the weight restrictions would stay in place.

Councilman Battas questioned if the council even needs to vote on this item. City Attorney stated that this is a contract for the City as a whole so yes it needs to be voted on by the city council. Battas also stated that the local customer service the past couple years with Waste Management has gone down hill in my opinion from four years ago.

There was no further discussion.

Seibert moved, seconded by Weyant to approve the bid for residential waste collection with Aspen Waste Systems of Missouri, Inc., option #2 and authorize appropriate officials to execute the necessary documents.

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

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

The City Manager presented a report for Council approval of a Site Plan and Architectural Elevations for a proposed Dollar General Market, located at 845 N Jefferson Street (parcel 10290303026).

Mayor McMahan asked about the effect of the adjacent neighborhood. City Manager stated that the lighting will be shaded or downward facing and will be addressed along with the landscape screening before the project moves forward. City Manager also explained that the past issues with Brightly will be reviewed and fixed.

Councilman Seibert stated that he would like to see that we make the Brightly landscape buffer right for our residents. Seibert also asked if we could require the builder to use something other than wood for the privacy fence in the rear of the building. City Manager explained that this was already discussed with the developer and will be a material other than wood.

Councilman Weyant confirmed the traffic flow and stated again that IDOT will dictate a turning lane in the future on Rt 4.

Councilman Battas asked if we could have provisions to truck parking if they are coming in after hours. City Manager stated that he will make sure that the provisions are in our code for General Commercial zoning.

Councilman Baker asked about sidewalks. City Manager stated that we are not requiring sidewalks because we have already received a grant from Onyx drive to the berm. He explained how we already have the money to put in a 10ft trail, which will be better than the basic sidewalk. It just may take a little more time to get it in.

There was no further discussion.

Weyant moved, seconded by Baker to approve a Site Plan and Architectural Elevations for a proposed Dollar General Market, located at 845 N Jefferson Street (parcel 10290303026), with approval of two 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 passed. AYE's – Weyant, Battas, Seibert, Baker, McMahan. NAY's – none.
ABSENT – none

COUNCIL – MISCELLANEOUS ITEMS

- Leu Civic Center – City Manager stated that he met with the Leu Civic Center director and would like to reaffirm with the Council on where we stand as a City. City Manager explained how they have become a Home School Hub with a lot of programs doubling their attendance, but with a lot of out-of-town families. The Leu has been renting out rooms on the weekends and a church also uses the facility. City Manager asked if the Council would be interested in selling the property.
Mayor McMahan stated that it sounds like they are turning the Leu into a Private Enterprise, they are making money and renting it out making it seem like a business. Mayor McMahan also said he would possibly be interested in selling only the building not the ground around it or the major parking lot.
Councilman Weyant stated that we need the after-school program. City Manager explained he does not think the old after school program that we all knew exists anymore. Councilman Weyant replied that he is for the upkeep of the building and making it handicap accessible and is not in favor of selling the building.
Councilman Battas stated that he feels we need to keep it open for the kids, whether it's the city or the United Way. Batta explained how they have a good group working there now and can see a bright future.
Councilman Seibert explained he is not in favor of selling the Leu property. Seibert stated that he would not like to see any more money put into that facility but would like to see new programs at different facilities.
Councilman Baker gave background on his experience with the Leu Civic Center from years ago. Baker stated that if the city is going to be in the business of owning buildings, then we should maintain them and keep them up to code, which they are not. They are not ADA compliant, and all City Properties are supposed to be, so we are currently in violation.
City Attorney stated that one ADA complaint will shut it down. If the city is going to commit to this building, then it will come at an extreme cost.
- August Street Right-of-Way – City Manager stated that a property owner on August Street came to him with information about their property lines. The City Street runs through their property. The Property owner would like to sell the right-of-way back to the city. City Attorney stated that the city has no obligation to pay for this right-of-way due to adverse possession. Mayor and Council sided with the attorney.

- Parking Regulations/Mailboxes – City Manager stated that parking on County Road by high school students have created a mail delivery problem for residents. It was decided after some discussion to amend our code to mirror the federal law which does not allow parking within 30ft of a mailbox. Staff will bring the code change back to Council at the next City Council Meeting.
- Park Ground (Behind Trinity) – City Manager stated that someone has approached him to purchase the property behind Trinity owned by the city for an indoor soccer skills facility with some outdoor soccer skills areas. Mayor McMahan stated that he is only willing to look at selling the northern piece, but not the piece to the west. Councilman Weyant & Councilman Seibert are not in favor of selling any park ground. Councilman Battas is ok with it going either way stating if we sold it we could put the money into something else in the park. Councilman Baker has concerns about if or when they would no longer need the facility and it would get sold. Many of the Councilman agreed they would look at the possibility of leasing the property with first choice to purchase building if every sold. City Manager will take information back to the person inquiring.

CITY MANAGER – MISCELLANEOUS ITEMS - NONE

ADJOURNMENT TO EXECUTIVE SESSION - NONE

MISCELLANEOUS OR FINAL ACTIONS - NONE

ADJOURNMENT

Baker moved, seconded by Weyant, to adjourn at 9:13 p.m.

Motion passed. Motion passed by unanimous yes voice vote.

Melissa Schanz, City Clerk