

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

NOVEMBER 1, 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 7:00 p.m.

ROLL CALL

Present: Mayor Pat McMahan and Council members John Weyant, Walter Battas, Nick Seibert and Doug Elbe.

Absent: None.

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

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

AMEND AGENDA

None.

MINUTES

The minutes of the October 18, 2021 regular City Council meeting were presented and approved as presented.

Motion passed. Passed by unanimous yes voice vote.

PUBLIC COMMENTS

None.

REPORTS AND COMMUNICATIONS

Mayor – Nothing to report.

City Council

Weyant – Nothing to report.

Battas – Nothing to report.

Seibert – Nothing to report

Elbe – Nothing to report.

City Manager – Nothing to report.

City Attorney – Nothing to report.

City Clerk – Nothing to report.

COUNCIL BUSINESS

PC 21-05 – CONDITIONAL USE PERMIT, 14 SOUTH MARKET STREET

City Manager presented report for Council review and consideration of approval of a Conditional Use Permit (CUP) for a multiple-family residence in a Downtown Commercial Zoning District located at 14 South Market Street.

Mayor stated that it looks like a great project and is much needed. Councilman Battas questioned the pre-engineered steel structured covered parking. Staff stated that they have no problem with the steel structures which will be placed on the side and rear of the property.

There was no further discussion.

Weyant moved, seconded by Seibert, to approve the Conditional Use Permit for a multiple-family residence in a Downtown Commercial Zoning District located at 14 South Market Street, subject to the Conditions and Findings.

FINDINGS: The Mascoutah City Council, pursuant to the applicant's proposed Conditional Use Permit for the property described, and after considering the effect of the requested use on the health, safety, morals and general welfare of the residents in the City, specifically finds:

1. The proposed conditional use permit is appropriate, in terms of land patterns in the entire City and its comprehensive plan.
2. The proposed conditional use permit is compatible with surrounding uses and the zoning of nearby property.
3. The land is suitable for the use proposed in the Downtown Commercial Zoning District.
4. The proposed conditional use permit is consistent with good general planning.

CONDITIONS:

1. The conditional use permit may be transferred or conveyed to another entity to continue operating as a multiple-family residence following remodeling.
2. Material variance shall be granted to allow for pre-engineered steel structure for covered parking. Carport structure shall be no closer to the road than the principle structure.
3. Rear yard setback variance from 10 feet to 5 feet shall be granted to allow for covered parking.
4. Side yard setback variance from 5 feet to 1 foot shall be granted to allow for covered parking.
5. Each dwelling unit is required to have separate electric and water meters for each unit.

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

PC 21-06 – FALCON PLACE TOWNHOMES – SITE PLAN AND ARCHITECTURAL REVIEW

Assistant City Manager presented report for Council review and consideration of approval of Site Plan and Architectural Elevations for a proposed 18 building (144 units) townhome complex named Falcon Place on property located on the northern 9.072 acres generally located north of Hayden Drive and west of Beller Drive in RM, Multi-Family Residential Zoning District.

Barry Hayden is proposing this project which will include the construction of 18 buildings, each 3,816 square feet in size, containing 8 units each. In addition, there will be a clubhouse building totaling 600 square feet.

Assistant City Manager explained how the site plan includes 363 parking spaces (including 18 ADA parking spaces) with entrance to be located on Beller Drive. The site plan also depicts the 14 parking spaces (including 1 ADA parking space) for the clubhouse building.

Staff stated that the Planning Commission held a public hearing meeting on October 20, 2021, recommending approval of this site plan and architectural elevations with the addition of two conditions:

1. Emergency connection access road to be provided on western side of Falcon Place property that will connect with the northern side of Hawkins Point townhomes access road (Hayden Drive).
2. No deep-rooted vegetation within 10 feet of northern property line, which includes the rear yards of the townhome units.

Mayor McMahan along with Councilman Weyant asked about green space requirements. Assistant City Manager explained that the applicant is planning on building a club house, indoor pool and playground. Assistant City Manager also stated that there are no green space requirements for Multi-Family Residential Zoning Districts.

Councilman Seibert asked if these units will be all electric utilities. Assistant City Manager stated that these units will include gas utilities.

Councilman Weyant asked if the applicant knows it will be a private parking lot and not the city's responsibility for items such as snow plowing. Staff stated that the applicant knows it is private and the City will not be responsible.

There was no further discussion.

Weyant moved, seconded by Battas, to approve the Site Plan and Architectural Elevations for a proposed 18 building (144 units) townhome complex named Falcon Place on property located at the northern 9.072 acres generally located north of Hayden Drive and west of Beller Drive in RM, Multi-Family Residential Zoning District, subject to the attached Findings and Conditions as amended.

FINDINGS: The Mascoutah City Council, 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 Multiple-Family Residential Zoning District.

CONDITIONS:

1. Parking lot / street lighting plan shall be submitted and approved by staff. All parking lot and street lighting shall be metered by a house meter.
2. Separate electric meters for each unit will be required.
3. Separate water meters for each unit will be required; water meters must be located on the outside of each building and located in the front yards. No more than two water meters per pit; pit must be 20" minimum if it includes two meters.
4. Sanitary sewer plan required to be submitted showing separate sewer lines for each unit and separate clean-out for each unit.
5. Engineering comments:
 - a. Sheet C500 through C503: Revise note regarding water mains crossing beneath sanitary and storm sewers to read "all water, sanitary sewer, and storm sewer shall be constructed of water main quality pipe".
 - b. Sheet C503: Add note in profile view for the sewer between MH#5 and MH#6 reading "Contractor to install water main quality pipe per IEPA standards".
6. Architectural plans need to be revised to show current codes followed by the City.
7. Emergency connection access road to be provided on western side of Falcon Place property to connect with northern side of Hawkins Point townhomes access road (Hayden Drive). Work with City staff on placement and width.
8. Sidewalk installation needs to be included along frontage of buildings, around common grounds, and along emergency connection access road.

9. No deep-rooted vegetation within 10 feet of northern property line, in the rear yards of townhome units.

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

ABSENT – none.

PC 21-07 – SCOOTER'S COFFEE – SITE PLAN AND ARCHITECTURAL REVIEW

Assistant City Manager presented report for Council review and consideration of approval of Site Plan and Architectural Elevations for a proposed drive-thru coffee shop for Scooter's Coffee on property located at 1300 West Main Street in a General Commercial Zoning District.

Assistant City Manager explained that Scooter's Coffee proposes to construct a new building for a drive-thru coffee shop at 1300 West Main St. This project will include demolition of the current building located at 1300 West Main St. as well as the current building located at 15 South County Rd; and construction of a new building, 627 square feet in size with drive-thru and parking lot. The drive-thru entrance/exit will be off of Main Street and a second entrance/exit on South County Road. The site plan includes 7 parking spaces which is the requirement for this project.

Mayor McMahan stated that this is another great project for the city. Councilman Seibert asked about a landscape buffer. Staff along with the Representative from Scooter's stated that they were putting a in a buffer. Councilman Seibert asked if we could look at editing the City Code to define landscape buffer in the future. City Manager said we would look into editing the code.

There was no further discussion.

Seibert moved, seconded by Elbe, to approve the Site Plan and Architectural Elevations for a proposed drive-thru coffee shop for Scooter's Coffee on property located at 1300 West Main Street in a General Commercial Zoning District, subject to the attached Findings and Conditions.

FINDINGS: The Mascoutah City Council, 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:

1. A landscape buffer will be required on the south side of the property abutting the multi-family residential development on South County Road.
2. Parking lot lighting plan shall be submitted and approved by staff.
3. A detail of the trash enclosure shall be submitted and approved by staff prior to installation.
4. A detailed drainage plan shall be submitted and approved by staff prior to start of construction.

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

RESOLUTION APPROVING REDEVELOPMENT AGREEMENT RELATING TO MASCOUTAH TIF#3

City Manager presented report for a Resolution approving and authorizing Tax Increment Financing Redevelopment Agreement for Aeronautical Production Facility and Campus Development with St. Clair County.

City Manager explained how the City has been working with our City Attorney, St. Clair County officials and attorneys, and TIF consultant Moran Economic Development, to draft and negotiate terms of the proposed Tax Increment Financing Redevelopment Agreement with St. Clair County for the Aeronautical Production Facility and Campus Development located within the City's TIF #3.

City Attorney stated that he has reviewed the Agreement and has approved it; he feels it is good for the city. Mayor McMahan along with the council asked about the school district being a party in this agreement. City Manager stated that the school district and the city have a separate agreement.

There was no further discussion.

Seibert moved, seconded by Battas, to approve and adopt Resolution No. 21-22-14, Resolution Approving and Authorizing Tax Increment Financing Redevelopment Agreement for Aeronautical Production Facility and Campus Development with St. Clair County and authorize appropriate officials to execute the necessary documents.

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

BID AWARD – DESIGN BUILD CONTRACT – DISTRIBUTION SYSTEM UPGRADE

City Manager presented report for council approval of a Design Build Contract with BHMG Engineers, Inc. for the Mascoutah 13.8 kV Distribution System Upgrades.

City Manager explained that this project consists of constructing a new distribution line and improving the current distribution line to increase the capacity and improve the reliability of the City's distribution system to serve new development along Route 4, at I-64, and for the

new Boeing development. Below is a brief synopsis of what the various upgrades, improvements, and new line extensions will provide:

- The upgrades and line extensions at Hog River, Onyx Drive extension, Fuesser Road, and Double Circuit will result in removing the load from the circuit along Route 4 to allow the City to provide the load needed at Boeing and provide additional load north of I-64.
- The duct bank will provide the second feed required for Boeing and will provide additional load for any new development at I-64. One-third of the cost of the duct bank will be reimbursed by the Boeing development.
- The Boeing service is directly related to Boeing and will be 100% reimbursed by the development.
- The I-64 underground circuit will provide a second feed and loop for all current and future development north of I-64 which will increase reliability in that area since it is now only served by one feed.

Verbal Blakey with BHMGE Engineers was present and explained that this type of design build contract will aid the City in saving time and money; do not have to put together separate bid documents which saves on engineering, and will save money on construction engineering since Big D Electrical Contractors and BHMGE work very closely together on various projects.

Verbal Blakey also stated that to put this contract together, BHMGE has been working for the past month in efforts to obtain pricing from various suppliers. Unfortunately, in the times we are in now, pricing has escalated astronomically and lead times on even the simplest items, such as wire and connectors, are months instead of being in stock or only taking a couple days.

Staff explained that this project will be paid for with TIF 3 project funds and Electric funds.

Mayor McMahan asked if every bit is necessary for Boeing. Verbal Blakey stated that the I-64 portion could wait, but that would result in not having an electric circuit loop as well as not having enough power for upcoming development ready to go in north of Boeing. Verbal Blakey explained that not completing the entire project for circuit loop will cause additional power issues in the very near future.

Councilman Weyant expressed his disappointment in the lack of time he had to review such a large project. Mayor McMahan also stated he would have liked to have a workshop prior to this action item. Councilman Battas along with the rest of the council have concerns about a Design Build Contract. City Manager asked the Mayor and Council to put faith in BHMGE and do not compare them to our other Design Build projects.

There was no further discussion.

Battas moved, seconded by Elbe, to approve a Design Build Contract with BHMGE Engineers, Inc. for the Mascoutah 13.8 kV Distribution System Upgrades and authorize appropriate City officials to execute the necessary documents as amended per legal recommendation.

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

ABSENT – none

RESOLUTION OF AUTHORIZATION – EASEMENT AGREEMENT ROY A. WALLER ET AL

City Manager presented report for approval to rescind Resolution No. 21-22-04 and Council approval and adoption of resolution authorizing the execution of a settlement agreement, deed of easement and right-of-way for electrical utilities.

City Manager explained that the City is in the process of the Phase II Electric Utility Project and acquiring the needed utility easements. Settlement agreement was reached with Roy A. Waller et al on May 17, 2021, but now requires a settlement payment adjustment after further discussions. Council approval by resolution for the City to execute the required documents and authorize amended payment is required.

There was no further discussion.

Seibert moved, seconded by Battas, that the Council rescind Resolution No. 21-22-04 and approve and adopt Resolution No. 21-22-15, a resolution to authorize the Mayor or City Manager to execute any and all documents to procure settlement agreement, deed of easement and right-of-way for electrical utilities with Roy A. Waller et al in the amount of \$135,000.00 in conjunction with the 138KV Phase II Project.

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

ABSENT – none

ANNUAL MEETING SCHEDULE

City Manager presented report for Council approval of a resolution adopting the annual meeting schedule.

There was no further discussion.

Seibert moved, seconded by Elbe, to approve and adopt Resolution No. 21-22-16, a Resolution Adopting the Annual Meeting Schedule of the City of Mascoutah as amended.

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

ABSENT – none

FINAL PLAT, THOMAS ESTATES (FIRST READING)

City Manager presented report for Council consideration of approval on a final plat for a minor subdivision for Thomas Estates generally located north of Fuesser Road, east of 6th Street, and west of Progress Parkway and Airworld Centre Way by adoption of ordinance.

City Manager explained how the applicant, 5K LLC c/o Brandon Kruse through Joseph Langhauser of Abacus Professional Services, is desiring to subdivide four parcels as follows:

- Parent parcels identified as 10-19-0-200-006, 10-19-0-200-007, and 10-19-0-200-017 will be subdivided into three new parcels. All parcels are currently zoned General

Industrial and the new subdivided parcels will remain that zoning classification at this time.

- Parent parcel identified as 10-19-0-400-003 will be subdivided into three new parcels. This parcel is currently zoned Light Industrial and the new subdivided parcels will remain that zoning classification at this time.

This final plat is being completed under a minor subdivision since no earth will be moved and no utilities will be installed.

There was no further discussion.

First Reading.

COUNCIL – MISCELLANEOUS ITEMS

None.

CITY MANAGER – MISCELLANEOUS ITEMS

None.

PUBLIC COMMENTS

Jerry Daugherty thanked the Mayor and Council for the great in-depth discussion on the 13.8 kV Distribution System Upgrades explaining how important this project is and how he would recommend the Finance Committee being utilized for large spending like this project. Mayor McMahan agreed with Daugherty on the request to have the Finance Committee participation and recommendations in the future.

ADJOURNMENT TO EXECUTIVE SESSION

None.

MISCELLANEOUS OR FINAL ACTIONS

None.

ADJOURNMENT

Weyant moved, seconded by Battas, to adjourn at 8:53 p.m.

Motion passed. Motion passed by unanimous yes voice vote.

Melissa A Schanz, City Clerk