

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

MAY 2, 2016

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 Kari Haas. The Council remained standing and recited the Pledge of Allegiance.

CALL TO ORDER

Mayor Gerald Daugherty called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Mayor Gerald Daugherty, Council members Ben Grodeon, Paul Schorr, John Weyant and Pat McMahan.

Absent: None.

Other Staff Present: City Manager Cody Hawkins, City Clerk Kari Haas, City Attorney Al Paulson, and City Engineer Ron Yeager.

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

AMEND AGENDA

Schorr moved, seconded by Weyant, to remove item number 8-A-6 until the next City Council meeting.

Motion passed. Passed by unanimous yes voice vote.

MINUTES

The minutes of the April 18, 2016 regular City Council meeting were presented and approved as presented.

Motion passed. Passed by unanimous yes voice vote.

PUBLIC COMMENTS

John Hinkle – Presented a petition signed by 137 residents to the Mayor who do not support allowing an outdoor storage site at Lebanon/Church Streets. Spoke regarding his opposition to the conditional use permit proposed for the property at the corner of East Church and North Lebanon. Voiced concerns over the property looking industrial and very unsightly. Provided some citizen comments and recommendations to Council. Voiced concerns over

storage of pallets and concerns over storage of mulch not being removed of pesticides and being placed so close to a water table. Stated that he would encourage Council to vote no.

Rich Fuess – Thanked the Council for extending 10th Street. Voiced concerns over the parking restriction designations on North 10th Street and how it is not making the parking a unified cohesive unit and would like that to be considered by Council when voting on the parking restrictions on the agenda tonight.

Michael Palmer – Voiced concerns over the horrid road conditions on Bel Air Drive and other roads in that neighborhood and explained how those roads are deteriorating after the oil and chip last year.

Joseph Gillespie – Stated that he lives on Biscayne Drive and voiced concerns over the road conditions in his neighborhood. Asked if the residents in that area should send repair bills to the City for misalignment of their cars.

Amy Komrska – Spoke regarding changing the City ordinance to allow the raising of backyard hens by residents within the city limits. Presented a ‘Petition to Make Mascoutah Eggcellent’ signed by 273 residents to the Mayor of those residents in favor of allowing backyard hens. Provided information regarding the benefits of allowing backyard hens.

Kelly Ridgway – Presented information to Council regarding changing the City ordinance to allow the raising of hens in the city limits and presented proposed regulations for the allowance of backyard chickens (hens).

Craig Ridgway – Spoke regarding the allowance of free range backyard chickens and spoke regarding the organic opportunities and benefits this would allow residents.

Stacy Stein – Voiced concerns regarding the conditional use permit being proposed at East Church and North Lebanon Streets. Voiced concerns over the building of a propane storage tank. Voiced concerns over the impact to her business in which she provides mental health and substance abuse counseling and purchased the location because of the location in a quiet neighborhood which had been achievable until the building of the new warehouse and issuance of the conditional use permit will hinder the calm and quiet atmosphere she needs to have for her clients. Voiced concerns over the unsightly appearance of the location. Voiced concerns over potential parking issues for her business as street parking could become hindered on Church Street which she relies on for parking of her clients. Stated that if the conditional use permit is approved would request Council to add landscaping and/or a fence to block the side of the property and potentially block some of the sound as a condition of approval. Stated that if the permit is approved would request the City consider providing two parking spots on Church Street so that her clients would have a place to park.

Eric Mercer – Spoke in favor of allowing residents to raise chicken. Presented the citation from 2010 that was issued to him for having chickens and spoke regarding his court date and having a warrant for his arrest over the issue. Voiced concerns over trust with the food supply chain to provide edible food.

Dave Kunkel – Spoke on behalf of Legacy Place and the assisted living center proposal on the agenda. Addressed some of the concerns voiced by Prairie View Estates residents at the Planning Commission meeting.

Bill Millikin – Spoke regarding the proposed chicken regulations and stated that Ace Hardware was asked and would provide the materials and supplies to those residents who wanted to house backyard chickens. Addressed some of the concerns voiced regarding the proposed conditional use permit for the outdoor storage for his business. Explained that this area will be used for retail space of those outdoor items that will not fit inside the store or on the store property, not an outdoor storage area or a dumping ground. Stated that the goal is to make it a beautiful retail space.

Josh Peterson – Spoke regarding allowing chickens and stated that he had asked about it in the past and asked the Council to decide what is best for the City and what the residents want, not what they would or would not want personally. Asked the Council to be wise and not emotional in their consideration.

REPORTS AND COMMUNICATIONS

Mayor

Attended the following meetings and functions: SLM Water Commission meeting, Air Force reunion in San Antonio, TX.

City Council

Grodeon – Attended the following meetings and functions: Law Day run.

Schorr – Attended the following meetings and functions: Planning Commission meeting, Congressional Prayer Breakfast in Collinsville.

Weyant – Attended the following meetings and functions: Rotary Club circus.

McMahan – Attended the following meetings and functions: SWIL Council of Mayors meeting, helped with installation of a mommy-child swing at Scheve Park.

City Manager – Nothing to report.

City Attorney – Nothing to report.

City Clerk – Nothing to report.

COUNCIL BUSINESS

APPOINTMENTS, REAPPOINTMENTS, AND RATIFICATIONS

City Manager presented report for Council consideration of acceptance of various appointments, reappointments and ratifications.

Staff and Professional Services appointments/reappointments:

City Attorney – Al Paulson (Alvin C. Paulson, Attorney at Law), 1 year

Engineer Services – Thouvenot, Wade & Moerchen, Inc., 1 year

Engineer Services (Electric) – Barnes, Henry, Meisenheimer, & Gende, Inc., 1 year

Boards and Commission appointments/reappointments:

Planning Commission – Rich Thompson (reappointment – 4 years)

Parks & Recreation Commission – Adam Kasper (reappointment – 4 years)

Fire and Police Commission – Gene Isbell (reappointment – 3 years)

Finance Committee – Terry Twenhafel (reappointment – 4 years)

Police Pension Board – Becky Douglas (appointment – 2 years, replaces Dave Lembke)

Library Board – Linda Tribout (reappointment – 3 years), Roger Grodeon (reappointment – 3 years), Nancy Larson (reappointment – 3 years)

Economic Development Commission – Ken McQuiston (reappointment – 4 years), Donna Mae Schlueter (reappointment – 4 years), Mike Baker (reappointment – 4 years)

Cemetery Board – Bob Moll (reappointment – 4 years)

Zoning Board of Appeals – Robert Scott (reappointment – 5 years), Timothy Friederich (appointment – 5 years, replace Gene Haege)

Board Ratifications: Must be done each year in order for the City to provide property and liability insurance to the City-owned buildings.

Leu Civic Center: Trisha Petroskus (President), Greg Scharine (Vice President), Marty Stout (Secretary), Erica Hodge (Treasurer), Patricia Peek (Executive Director), Board members: Elizabeth Peterson, Charles Carnahan, Mike Hoercher, Mark Laquet, Gretchen Morio, Mildred Bass, Tricia Vineyard, Mary Alice Koriath, and Patrick Miller

Senior Center: Lloyd Cauley (President), Lionel Timmerman (Parliamentarian), Sandra Hakanson (Director), Mary Erwin (Secretary), Ray Kueker (Treasurer), Board members: Alvin Renth and Rosemary Cooper

Mascoutah Improvement Association: Harold Knoth (President), Steve Heizer (Vice President), Pat McMahan (Treasurer), Kathy LaQuet (Secretary), Board members: Herb Knobloch, Jack Weyant, Greg Hoskins, and Don Karpel

Mascoutah Cemetery Chapel Committee: Jeanne Bullard (President), Leanne Funk (Vice President), Shirley Hausmann (Treasurer), Amy Sand (Secretary), Board members: Keith Hinton, Marian Krausz, Clarence Richards, Marjorie Worms, Opal Riely, Troy Bullard, Nathan Bullard, Clyde Lembke, Carol Lembke, and Dave Hausmann

Mascoutah Historical Society: Jack Klopmeier (President), Kathy Bell (Vice President/Curator), Colleen Hoercher (Secretary), Dorris Mays (Treasurer), Board members: Eugene Schnurr, Roger Grodeon, and Marilyn Welch

Grodeon moved, seconded by Schorr, to approve and accept the appointments, reappointments, and ratifications as identified.

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

CODE CHANGE – NO PARKING, TENTH STREET (SECOND READING)

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

City Manager stated that he and the City Engineer did review the street and the parking restriction designations already in place and proposed and stated that elimination of parking on certain sections has to do with street width and traffic patterns, neighboring properties such as Scheve Park and the nursing home, and type of curbing.

Councilman Schorr commented on the section of street being considered and stated that parking in this section makes two-way traffic almost impassable.

McMahan moved, seconded by Weyant, to approve and adopt Ordinance No. 16-10, amending Chapter 24, Schedule “E” – No Parking Streets to add no parking on sections of North Tenth Street.

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

POPLAR STREET RECONSTRUCTION – BID AWARD

City Manager presented report for Council consideration of approval and authorization of bids for furnishing all labor, materials and equipment for the Poplar Street Reconstruction Project.

Councilman Grodeon asked if the base specification was done correctly regarding how much asphalt is going to be required. City Engineer stated that it is the same as needed on Harnett Street.

Councilman Grodeon asked what the date for completion is. City Engineer stated that the substantial completion is August 26th to be open for traffic prior to school starting. City Engineer stated that the project should start in 2-3 weeks but the road cannot be ripped out until after school is out.

Councilman Schorr asked if the City had all of its items completed, i.e. utility relocations and sidewalk easements. City Engineer stated that Ameren has been working on fixing the two conflicts with a gas line and the proposed storm drainage and should have that done within 2-4 weeks. City Engineer stated that all sidewalk easements are done but one. City Manager stated that he has reached out to that property owner and will do so again if they do not hear from them in the next day or two.

Weyant moved, seconded by McMahan, to approve the low bid of \$418,686.25 to DMS Contracting Inc. of Mascoutah, IL for furnishing all labor, materials and equipment for the Poplar Street Reconstruction Project and authorize appropriate officials to execute the necessary documents.

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

PC 16-03 – REZONING OF 608 S. JEFFERSON STREET FROM LIGHT INDUSTRIAL (LI) TO GENERAL COMMERCIAL (GC) (FIRST READING)

City Manager presented report for Council consideration of approval of a rezoning application for 608 S. Jefferson Street from LI, Light Industrial, to GC, General Commercial.

Councilman Grodeon asked if there was any interest in the building. City Manager stated that the owner does have a medical facility (physical therapy business) interested pending the rezoning approval.

First reading. No action required.

PC 16-04 – REZONING OF 8.32 ACRES +/-, NORTH OF MOORLAND CIRCLE DRIVE FROM GENERAL COMMERCIAL (GC) TO RS-8, SINGLE-FAMILY RESIDENTIAL (RS-8) (FIRST READING)

City Manager presented report for Council consideration of approval of a rezoning application for 8.32 acres +/-, north of Moorland Circle Drive from GC, General Commercial, to RS-8, Single-Family Residential.

Councilman Weyant stated that his only concern was the access on the north end of the property being done at a later date. City Attorney stated that will be addressed when the site plan is being considered for approval; only need to focus on the proposed zoning change at this time.

Councilman Schorr commented on how general commercial does not allow for this type of facility and may need to be revisited when looking at future zoning code revisions.

Councilman Grodeon commented on the remaining commercial out lots. City Manager stated that the commercial would be two separate commercial buildings.

First reading. No action required.

PC 16-06 – CONDITIONAL USE PERMIT FOR OUTDOOR STORAGE IN A GC, GENERAL COMMERCIAL DISTRICT, FOR PROPERTY LOCATED AT EAST CHURCH AND NORTH LEBANON STREETS

City Manager presented report for Council consideration of approval of a Conditional Use Permit (CUP) for outdoor storage in a GC, General Commercial District, for property located at East Church and North Lebanon Streets.

Mayor asked if this includes the area with the dirt piles currently. City Manager stated that that area is included.

Councilman Schorr spoke regarding the outdoor storage proposed. Councilman Schorr commented on how the site has looked for the last year. Councilman Schorr spoke regarding the propane tank and stated that he did go and look at a unit and commented on the size of the unit in comparison to the size of the lot. Councilman Schorr commented on the amount of pallets already at the location and the additional pallets that need to be put back there in comparison to the size of the lot. Councilman Schorr commenting on the allowing of storage bins and stated that if storage bins are allowed he would recommend that they have a concrete bottom, the sides be no higher than 6 feet, and be made of some type of material such as concrete, no railroad timber. Councilman Schorr stated that he would suggest a 7 foot height limit on material storage. Councilman Schorr commented on the unsightliness of the “green monster” and how it needs to be removed. Councilman Schorr suggested that any landscape barrier be evergreen and the minimum plant size be 6 foot. Councilman Schorr recommended having a stipulation that left over pallets be stored in an orderly fashion. Councilman Schorr commented on the handling of bulk items and how those are going to be weighed or removed from the site.

Mayor stated that he has received lots of complaints about the current state of the site. Mayor stated that he is not at a point to vote on this tonight. Mayor stated that he would like to see a plan/drawing of what the site is going to look like and more detail of what is going to be stored and placed at the location.

Councilman Grodeon stated that further review needs to be taken on the potential noise from any vehicles and equipment used on this site and possible solutions to noise abatement.

McMahan moved, seconded by Grodeon, to table item subject to submittal of a more detailed site plan.

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

COUNCIL – MISCELLANEOUS ITEMS

Councilman Grodeon asked to have the zoning map copies in color in the future.

CITY MANAGER – MISCELLANEOUS ITEMS

City Manager provided information to Council regarding the sign located just north of the water tower in Scheve Park that has church signs on it and has a request for an additional sign from another church and voiced concerns over possible “church and state” issues. City Attorney voiced concerns over any future organizations being able to place signs if the City continues to allow these types of signs on its property. Councilman Schorr commented on how the current code does not allow these types of signs. Staff will review the current sign regulations in the City Code and bring back a recommendation at a future meeting.

PUBLIC COMMENTS

Kay Connolly – Voiced concerns over safety and environmental hazards with the placement of a propane tank at the corner of Church and Lebanon.

John Hinkle – Spoke regarding a resident whose house abuts the property at the corner of Church and Lebanon and commented on the emotional undercurrent from neighboring residents.

ADJOURNMENT TO EXECUTIVE SESSION

Schorr moved, seconded by Grodeon, to adjourn to Executive Session to discuss Sale/Lease of Public Property – Section 2(c)(6) at 8:40 p.m.

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

RETURN TO REGULAR SESSION

McMahan moved, seconded by Schorr, to return to Regular Session at 8:50 p.m.

Motion passed. Motion passed by unanimous yes voice vote.

MISCELLANEOUS OR FINAL ACTIONS

Councilman Schorr asked to find out how many HOA's would not allow chickens in their subdivisions. Council discussed possibly putting an unbinding advisory referendum on the next election ballot and letting the voters decide.

ADJOURNMENT

McMahan moved, seconded by Schorr, to **adjourn at 8:56 p.m.**

Motion passed. Motion passed by unanimous yes voice vote.

Kari D. Haas, City Clerk