

**CITY OF BELLEVILLE, ILLINOIS
ORDINANCE AND LEGAL REVIEW COMMITTEE
CITY HALL COUNCIL CHAMBERS
JUNE 27, 2016 5:30 PM**

Alderman Wigginton called the meeting to order.

Members present on roll call: Alderman Kinsella, Alderman Pusa, Alderman White and Alderman Wigginton.

Members absent on roll call: Alderman Galetti.

Members Present: City Attorney Hoerner and Mayor Eckert.

PUBLIC PARTICIPATION

Michael Hagberg

To reiterate last month regarding codification there will be ample time for the public to review before it is adopted.

Scott Schmelzel

He owns Big Daddy's 618 in downtown Belleville and is president of Belleville Main Street Committee. He stated he read over documents pertaining to outdoor restaurants i.e. seating. He stated it has been mentioned that the television at Tavern on Main has been a problem and he knows they are the only business on Main Street that has a television and he has not received any complaints regarding the televisions. The television is not visible as you enter from the west or east.

Regarding the outdoor seating the following has outdoor seating: Tavern on Main, Wine Tap, Seven and they are all ADA compliant.

Mr. Schmelzel asked what is the agenda...is there a problem with Tavern on Main or policing downtown. Alderman Wigginton stated he is not sure what the agenda is either and that is why there is a meeting.

MINUTES

Alderman White made a motion seconded by Alderman Kinsella to accept the minutes of May 10, 2016.

All members present voted aye.

UNFINISHED BUSINESS

Status of Codification

Alderman Wigginton stated the city is in the process of re-codifying. City Attorney Hoerner stated the aldermen received the approval draft a couple weeks ago from American Legal. American Legal requested responses to the draft by July 20, 2016.

Mayor Eckert stated at the July ordinance meeting and the council meeting following there will be a final review and requesting a motion to accept. That will give everyone three weeks to review.

Mayor Eckert stated he will request Sharon Strausbaugh to place the draft code on the city's website. Alderman Wigginton stated the staff is currently working on fees.

MISCELLANEOUS & NEW BUSINESS

Consideration of AN ORDINANCE AMENDING CHAPTER 30 (OFFENSES), SECTION 30-1-44 (TRUANCY) OF THE REVISED CODE OF ORDINANCES OF BELLEVILLE, ILLINOIS, AS AMENDED, BY AMENDING PORTIONS OF SECTIONS THEREOF

Alderman Wigginton stated there is only one part that is being changed:

“Chronic or habitual truant” shall be defined as a child subject to compulsory school attendance and who is absent without valid cause from such attendance for **ten five percent (105%)** or more of the previous **one hundred eighty (180)** regular attendance days.

The reason this is being changed is it is being mandated by the State of Illinois.

Alderman Kinsella made a motion seconded by Alderman Pusa to approve an ordinance amending Chapter 30 (Offenses), Section 30-1-44 (Truancy) of the revised code of ordinances of Belleville, Illinois as amended, by amending portions of sections thereof.

Members voting aye on roll call: Alderman Kinsella, Alderman Pusa, Alderman White, Alderman Wigginton and Mayor Eckert. (5)

Consideration of AN ORDINANCE AMENDING CHAPTER 60 (ZONING CODE), SECTION 60-7-11 (OUTDOOR RESTAURANTS AND DINING ESTABLISHMENTS) OF THE REVISED CODE OF ORDINANCES OF BELLEVILLE, ILLINOIS, AS AMENDED

Mayor Eckert stated with the recommended changes the city will be following IDOT and the Federal Highway Authority.

Alderman Pusa made a motion seconded by Alderman Kinsella to adopt the following changes:

(1) Tables and seating shall be portable and must be **removed secured** at the end of each business day. The outdoor seating area shall be permitted only during the normal hours of operation of the restaurant. (2) Placement of tables, seating and equipment shall be restricted to the front of the business and contiguous property and

shall not obstruct or impede pedestrian traffic. An unobstructed walkway ~~of at least five (5) feet wide~~ in conformance with the U.S. Access Board's Public Right-of-Way Accessibility Guidelines shall be maintained at all times. (3) No signs or other graphics shall be displayed other than what is permitted under the Street Graphics/Sign Code Ordinance; provided, however, that this subsection (3) shall not apply to table umbrellas containing graphics. (4) The outside installation and use of a television and/or other video equipment shall be permitted only with the prior written approval of the Zoning Administrator. (5) The outside installation and use of floral or other temporary decorative pieces on City property shall be permitted only with the prior written approval of the Zoning Administrator.

(46) Provisions shall be made for adequate litter and trash control including providing for and maintaining of trash receptacles. The outdoor seating area shall be kept clean and free of debris at all times.

(57) The seating shall not obstruct any entryway or exit of the building or adjacent building(s).

(68) Alcoholic beverages shall only be permitted to be served or consumed in the designated outdoor seating area in accordance with the Outdoor Areas provisions in **Section 21 -1-14(A)** of the Liquor Code (Location, Outdoor Areas).

(79) The business shall maintain liability insurance in the required amounts naming the City of Belleville as co-insured.

(810) All pertinent permits and licenses as required by the City, County and State have been secured for the operation.

Members voting aye on roll call: Alderman Kinsella, Alderman Pusa, Alderman White, Alderman Wigginton and Mayor Eckert. (5)

ADJOURNMENT

Alderman Pusa made a motion seconded by Alderman White to adjourn the meeting at 6:10 p.m.

All members present voted aye.

/s/ Roger Wigginton
Alderman Roger Wigginton, Chairman