

**CITY OF BELLEVILLE, ILLINOIS
REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
JANUARY 3, 2017 – 7:00 PM**

Mayor Mark Eckert called this meeting to order.

Mayor Eckert explained the disaster procedures. Mayor Eckert reminded anyone speaking this evening to step up to a microphone because the meetings are being taped and posted the next day on the website.

Mayor Eckert requested City Clerk Dallas B. Cook to call roll. Members present on roll call: City Clerk, Dallas B. Cook, City Treasurer Hardt and City Attorney Garrett Hoerner. Aldermen: Joe Hazel, Ken Kinsella, Jane Pusa, Mike Buettner, Kent Randle, Scott Tyler, Johnny Anthony, Raffi Ovian, Ed Dintelman, Paul Seibert, Phil Silsby, Bob White, Trent Galetti, Roger Wigginton, Phil Elmore, Roger Wigginton and Jim Musgrove.

ROLL CALL DEPARTMENT HEADS

Roll Call Department Heads: Fire Chief Pour; Director of Maintenance, Ken Vaughn; Director of Wastewater, Royce Carlisle; Finance Director, Jamie Maitret; City Engineer, Tim Gregowicz; Human Resource Director, Sherry Favre; Director of Library, Leander Spearman; Director of Economic Development, Annissa McCaskill and Health and Housing Director, Bob Sabo.

Department Heads Excused: Police Chief, Bill Clay; Director of Parks; Recreation, Debbie Belleville and Director of Public Works, Chuck Schaeffer.

PLEDGE

Mayor Eckert led the Pledge of Allegiance.

PUBLIC HEARING

None.

PUBLIC PARTICIPATION

Stewart Lannert

Belleville has plenty of scammers ripping off the taxpayers. Go North and East of Belleville and there is billions in construction going on. The only thing going on in Belleville is the beer hall at the Shrine.

Luke Rompel

Mr. Rompel stated he has a petition for 8 Dexter Lane which they are requesting to make it a commercial variance. Of 16 families that touch that property 13 have signed the petition, one is out of town (she would like to sign the petition) and the other two were not home. The homeowners are worried about their property value going down and they are sure their taxes will not go down. The neighbors have questioned if there is a bathroom in the facility, sewer, water etc.

Joe Sternau

Regarding 631 Mascoutah Avenue...everyone knows this request has gone through zoning. If you are going to agree with what the Zoning Board recommended why have a zoning board. There is ample parking for any size church in Belleville. Anywhere from \$5,000 to \$70,000; however, they are considering a church in a residential area where there are no sidewalks, no curbs and no parking other than six parking spots on the property. If the City grants an okay for this church does it mean the City will come to Cathy Ann and East McKinley and repair the curbs that are falling apart, install sidewalks so they can accommodate extra traffic. He does not think that would be well spent on his taxpayers money.

Kevin Kubitschek

Mr. Kubitschek stated he has a petition with signatures from the direct neighborhood where the building is located for a proposed church and suggests to council not only was this turned down by the zoning board but the real problem is lack of parking, a lot of traffic and safety issues.

Tammy Dasech

For all of the reasons previously stated the residents do not want the church because of traffic, lack of parking. Ms. Dasech stated Rev. Lewis would like to put in a food pantry and clothing. Aldermen Seibert and White voted it down and so did the zoning board. She does not know what else to do other than stick to their guns. The lady that owns the property told the reverend that she was very welcomed to the neighborhood and cars were parked everywhere and that is not true. At most, there were no more than 4 cars in the parking lot.

Sindy Kubitschek

This property cannot accommodate this type of organization. This is like trying to put a drive thru somewhere that cannot accommodate bulk traffic. This should be located on the outskirts of town.

PRESENTATIONS, RECOGNITIONS & APPOINTMENTS

Mayor Eckert recognized the character word of the month "INTEGRITY"; doing what is right even if it's difficult.

APPROVAL OF MINUTES

Alderman Seibert made a motion seconded by Alderman Dintelman to accept and file the minutes of City Council December 19, 2016.

All members voted aye.

CLAIMS, PAYROLL, AND DISBURSEMENTS

Alderman Wigginton made a motion seconded by Alderman Ovia to approve claims and disbursements in the amount of **\$1,311,056.85** and payroll in the amount of **\$845,433.00**.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Tyler, Anthony, Ovian, Dintelman, Seibert, Silsby, White, Galetti, Elmore, Wigginton and Musgrove. (16)

REPORTS

None.

ORAL REPORTS

Alderman Wigginton requested to make a statement and then a motion; Mayor Eckert allowed.

Alderman Wigginton: Will a food pantry be added?

Rev. Lewis: They are not going to add a food pantry due to the size of the facility.

Alderman Wigginton: How many people are in the congregation?

Rev. Lewis: There are 10 on the roll, seven in attendance every Sunday.

Alderman Wigginton: When do you meet?

Rev. Lewis: Sunday and Wednesday.

Alderman Wigginton: Has the building been inspected?

Rev. Lewis: Yes; however, not by the city.

Alderman Wigginton: Are you able to put an investment in the property?

Rev. Lewis: Yes, that is the responsibility of the church.

Alderman Wigginton: Do you have the financial where-with-all up to \$20,000 to bring the building up to code?

Rev. Lewis: Yes.

Alderman Wigginton: What is your plan of action if the congregation grows to 25. Will you have the where with all to move in a short period of time to another building?

Rev. Lewis: They will search for other property if the church grows. Rev. Lewis stated they cannot say who can come and who can't. They will operate on the side of safety and make sure they are in the legal ram of code. As of now, the amount of people in their congregation is suitable for the building. If they grow out of the building they will look for another location.

Alderman Wigginton made a motion seconded by Alderman Anthony to approve **36-OCT16 - Lovell Lewis** - A request for a Use variance in order to operate a church at 631 Mascoutah Ave. (in the name of the applicant only with the stipulation there will no food pantry or clothing store)

(Parcel: 08-27.0-211-029) located in an "A-1" Single Family Residence Zoning District. (Applicable portion of zoning code: 60-6-4, 60-12-24.) Ward 6

The Zoning Board recommended DENIAL of the request for the Use Variance by a vote of 4-2. At the November 21, 2016 City Council Meeting, the Council voted unanimously to postpone this agenda item to longer than the second January meeting.

Discussion...

Alderman Ovian asked the following questions:

Alderman Ovian: How many employees does the church have at the present time?

Rev. Lewis: Zero, I am the only one.

Alderman Ovian: Are you being paid by the church or do you have another full time position?

Rev. Lewis: I have a job and do not get paid from the church.

Alderman Ovian: Who pays the fringe benefits for you i.e. automobile allowance, insurance for the vehicle?

Rev. Lewis: I do.

Alderman Ovian: Who pays for your health insurance?

Rev. Lewis: I do.

Alderman Ovian: Who pays for your housing allowance?

Mayor Eckert asked that the questions to be kept to the zoning issue. Alderman Ovian stated he has a problem with the parking issue.

Alderman White requested Director of Economic Development, Annissa McCaskill, to address council regarding **36-OCT16 - Lovell Lewis.**

Ms. McCaskill stated the comprehensive plan calls for this area to be neighborhood conversation. The development types that are found in the neighborhood conversation are residential dwellings, attached multi-family dwelling, public or institutional uses i.e. churches, schools, parks and public spaces.

Mayor Eckert stated this is zoned A-1; Ms. McCaskill stated this is zone A-1 and if it were zoned A-2 it would not be in front of the council.

Alderman White asked if the comprehensive plan has been fully adopted; Ms. McCaskill stated the comprehensive plan is not a matter of zoning it is a matter of vision. It is a flexible document that should be reviewed every five years. It is a vision, it is not code, it is not zoning.

The current comprehensive plan for this area does allow for institutional uses which the church qualifies.

Alderman Hazel stated there is currently on street parking and asked if those spaces are currently being used by the residents; *inaudible*; Alderman Hazel stated then they would not be inferring with someone else's parking.

Alderman Galetti asked how long the services last; Rev. King stated 1 to 1.5 hours.

Alderman Randle ask if someone handed the clerk a petition during public participation; Mayor Eckert stated yes. Alderman Randle stated there were twenty-five signatures on the petition.

Alderman Seibert stated parking is an issue and does not agrees with on street parking and this is a bus route. Mayor Eckert stated this has always been a commercial building.

Alderman Kinsella recommended removing the days of worship.

Alderman Randle stated the main issue in front of council is not being addressed (Request for a Zoning Variance) to operate as a church from that location. The City is not in the business of dictating the hours of operations for any religious community.

Alderman Anthony stated he is at church in a residential area i.e. Thursday, Wednesday, Friday. His only issue is the zoning issue with parking. Alderman Anthony stated the reverend will be respectful of the neighborhood.

Alderman Tyler asked the city attorney if every time a motion is amended shouldn't there be a vote; City Attorney Hoerner stated the person that made the motion should make the amendment.

Alderman Tyler state he can remember when this place was a bar for twenty plus years and there were cars parked up and down the street 7 days a week until midnight. Was this addressed by traffic; Alderman Seibert stated it was rezoned residential.

Alderman Elmore stated there are six parking spots on the lot and no one is saying no to the church; however, some are saying no to the location.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Tyler, Anthony, Silsby, Dintelman, Silsby, Galetti, Wigginton and Musgrove. (10)

Members voting nay on roll call: Buettner, Randle, Ovian, Seibert, White and Elmore. (6)

Alderman Silsby made a motion seconded by Alderman Dintelman to approve **41-Dec16 – Ben & Yvette Pete** – A request for a Use Variance in order to operate a church at 621 South Belt West (Parcel number: 08-28.0-306-013.) located in an "C-2" Heavy Commercial Zoning District. (Applicable portion of zoning code: 60-6-49, 60-12-14.) Ward 5

The Zoning Board recommended APPROVAL of the Use Variance request by a vote of 7-0.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Tyler, Anthony, Ovian, Dintelman, Seibert, Silsby, White, Galetti, Elmore, Wigginton and Musgrove. (16)

Alderman Elmore made a motion seconded by Alderman Galetti to approve **42-Dec16 - Arthur & Joyce Boze** - A request for a Use variance in order to operate a storage building for a landscaping business at 8 Dexter Lane (Parcel: 08-23.0-303-072.) located in an "B-1" Multi-Family Residence Zoning District with the following stipulations: All equipment be contained within the structure. Whenever temporary, open storage of any type of materials, goods, or supplies is necessary, such open storage shall be contained within a fenced area at least six (6) feet in height, and/or a 4 foot concrete bin so constructed to prevent the storage items from being seen from any public road. (Applicable portion of zoning code: 60-6-24, 60-12-14.) Ward 7

The Zoning Board recommended APPROVAL of the request for a Use Variance with the following stipulation: (1.) All storage be contained within the structure. Whenever temporary, open storage of any type of material, goods, equipment, or supplies is necessary, such open storage shall be contained within a fenced area at least six (6) feet in height, and so constructed to prevent the storage items from being seen from any public road by a vote of 7-0.

Discussion...

Alderman Hazel questioned the stipulations. Stipulation No. 1 (all storage must be contained within the structure). Alderman Elmore changed verbiage regarding equipment.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Randle, Anthony, Ovian, Dintelman, Seibert, Silsby, White, Galetti, Elmore, Wigginton and Musgrove. (14)

Members voting nay on roll call: Buettner, Tyler. (2)

Alderman Kinsella made a motion seconded by Alderman Hazel to approve **43-Dec16 – Sylvia Prothro** – A request for a Use Variance in order to operate a church at 1646 Lebanon Ave. (Parcel number: 08-14.0-105-023.) located in an "C-2" Heavy Commercial Zoning District. (Applicable portion of zoning code: 60-6-49, 60-12-14.) Ward 1

The Zoning Board recommended APPROVAL of the request for a Use Variance by a vote of 7-0.

All members voted aye.

Alderman Ovian made a motion seconded by Alderman Anthony to approve **44-Dec16 – Sikorski Sign** – A request for a Use Variance in order to operate a sign manufacturing company at 4407 North Belt West (Parcel number: 08-07.0-424-010.) located in an "C-2" Heavy Commercial Zoning District. (Applicable portion of zoning code: 60-6-49, 60-12-24.) Ward 4 **The Zoning Board recommended APPROVAL of the request for a Use Variance by a vote of 7-0.**

All members voted aye.

ADMINISTRATION

Alderman Seibert made a motion seconded by Alderman Kinsella to receive and file MFT audit.

Discussion...

Alderman Buettner asked if the \$99,800 that has to be transferred back was for 2013 audit is there a possibility that will happen for future years; Finance Director, Jamie Maitret stated each year the city budgets a transfer from MFT to the General fund to help cover the street department salaries. Each year that expense is approximately \$400,000 which needed to cover the street department salaries and the city only moves \$300,000 to cover the salaries. Alderman Buettner asked if this happened in 2014-2015; Mayor Eckert stated no.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Tyler, Anthony, Ovian, Dintelman, Seibert, Silsby, White, Galetti, Elmore, Wigginton and Musgrove. (16)

PETITIONS

None.

RESOLUTIONS

Alderman Pusa made a motion seconded by Alderman Kinsella to read by title only Resolution 3285.

All members voted aye.

Alderman Silsby made a motion seconded by Alderman Pusa to approve **RESOLUTION 3285** A Resolution authorizing execution of a purchase contract with the St. Clair County Tax Agent for 314 North Church and 818 West Washington.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Tyler, Anthony, Ovian, Dintelman, Seibert, Silsby, White, Galetti, Elmore, Wigginton and Musgrove. (16)

ORDINANCES

Alderman Silsby made a motion seconded by Alderman Hazel to read by title only and as a group Ordinance 8006-2016, 8008-2016 and 8009-2016.

All members voted aye.

Alderman Silsby made a motion seconded by Alderman Hazel, as amended, to approve **ORDINANCE 8005-2016** A Zoning Ordinance - 36-OCT-16 Lovell Lewis.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Tyler, Anthony, Silsby, Dintelman, Silsby, Galetti, Wigginton and Musgrove. (10)

Members voting nay on roll call: Buettner, Randle, Ovian, Seibert, White and Elmore. (6)

Alderman Kinsella made a motion seconded by Alderman White to approve the below ordinances:

ORDINANCE 8006-2016

A Zoning Ordinance - 41-DEC-16 Ben & Yvette Pete.

ORDINANCE 8008-2016

A Zoning Ordinance - 43-DEC-16 Sylvia Prothro.

ORDINANCE 8009-2016

A Zoning Ordinance - 44-DEC-16 Sikorski Sign.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Tyler, Anthony, Ovian, Dintelman, Seibert, Silsby, White, Galetti, Elmore, Wigginton and Musgrove. (16)

Alderman Silsby made a motion seconded by Alderman Kinsella to approve **ORDINANCE 8007-2016**, as amended, A Zoning Ordinance - 42-DEC-16 Arthur and Joyce Boze.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Randle, Anthony, Ovian, Dintelman, Seibert, Silsby, White, Galetti, Elmore, Wigginton and Musgrove. (14)

Members voting nay on roll call: Buettner, Tyler. (2)

UNFINISHED BUSINESS

None.

JANUARY 3, 2017

MISCELLANEOUS & NEW BUSINESS

Alderman Seibert made a motion seconded by Alderman Kinsella to approve the Motor Fuel Claims in the Amount of **\$1,178.93**.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Tyler, Anthony, Ovian, Dintelman, Seibert, Silsby, White, Galetti, Elmore, Wigginton and Musgrove. (16)

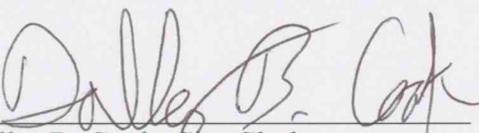
EXECUTIVE SESSION

None.

ADJOURNMENT

Alderman Galetti made a motion seconded by Alderman Wigginton to adjourn at 8:13 pm.

All members voted aye.



Dallas B. Cook, City Clerk