

**CITY OF BELLEVILLE, ILLINOIS
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
JANUARY 4, 2016 – 7:00 PM**

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

Alderman Randle made a motion seconded by Alderman Wigginton to appoint Alderman Silsby to chair the meeting.

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

ROLL CALL DEPARTMENT HEADS

Roll Call Department Heads: City Treasurer Hardt, City Attorney Hoerner; Fire Chief, Tom Pour; Director of Maintenance, Ken Vaughn; Director of Wastewater, Royce Carlisle; Finance Director, Jamie Maitret; City Engineer, Tim Gregowicz, Human Resource Director, Jim Schneider; Director of Library, Leander Spearman; Director of Parks and Recreation, Debbie Belleville; Police Chief, Bill Clay and Health and Housing Director, Bob Sabo and Director of Economic Development, Annissa McCaskill.

Roll Call Department Heads Excused: Director of Public Works, Chuck Schaeffer.

PLEDGE

Alderman Silsby led the pledge of allegiance.

PUBLIC HEARING

None.

PUBLIC PARTICIPATION

Ken Raesch

He is present for his mother who lives on High Street. He is concerned that his mother had 10 inches of water in her basement. There is debris in the alleys on South High Street due to storms. He has contacted the street department to remove the debris and engineering department about completing the sidewalk to the railroad so his house does not continue to get flooded. He said the railroad is willing to work to alleviate the problems.

Stewart Lannert

Someone needs to put a stop to the selling of narcotics next to Franklin Grade School and other illegal activities that go on across the street.

The new police station is running over budget; has anyone done any crunching of the numbers. When all is factored in he believes the city has lost money on the German market. What happened to buying Belleville...three judges are trying to flim flam the system and they are hiring a \$700/hr lawyer from Chicago? Here in Belleville there is a lawyer on every street corner. (*Alderman Silsby admonished Mr. Lannert to keep his comments to city business*).

The Shrine project like the movie Field of Dreams he guesses they believe if they build it they will come. He does not believe anyone has done an impact study as to where all of the customers for all of the projects will be coming from. As far as the rules for 2-3 minutes per person...he agrees with Part B "public comments are limited to three minutes"; however, he agrees with E too but F, D, C and A can be done without.

Sheekima Mixon

She is present in support for her home daycare and appreciates the council for giving her the opportunity to operate a home daycare.

PRESENTATIONS, RECOGNITIONS & APPOINTMENTS

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

APPROVAL OF MINUTES

Alderman Kinsella made a motion seconded by Alderman Wigginton to approve to accept and file the minutes of December 21, 2015.

All members voted aye.

Alderman Hazel made a motion seconded by Alderman White to release the executive session minutes from September 25, 2013 and October 5, 2015.

All members voted aye.

CLAIMS, PAYROLL, AND DISBURSEMENTS

Alderman Galetti made a motion seconded by Alderman Ovia to accept and pay the claims in the amount of **\$2,281,203.24** and payroll in the amount of **\$807,357.70**.

JANUARY 4, 2015

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

REPORTS

None.

ORAL REPORTS

ZONING BOARD OF APPEALS

Alderman Anthony made a motion seconded by Alderman Tyler to approve **41-Dec15 – Midwest Petroleum (M.P.C.)** – Request for a Special Use Permit for liquor license at 1291 Frank Scott Parkway located in a C-2 Heavy Commercial Zoning District (Applicable portion of zoning code: 60-6-50.) Ward 4

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

Alderman Wigginton made a motion seconded by Alderman Musgrove to approve **42-Dec15 – Phillip Weiss/Weiss Monuments** –Request for an Area/Bulk Variance for an addition onto the existing building at 9904 W. Main St. located in a B-1 Multi-Family Residence Zoning District. (Applicable portion of the Zoning Code: 60-6-23.) Ward 8

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

Alderman Anthony made a motion seconded by Alderman Galetti **43-Dec15 – Shakeema Mixon** – Request for a Use Variance in order to operate a children’s daycare for more than three children as a home occupation at 6901 W. Main St. located in a C-1 Light Commercial Zoning District. (Applicable portion of the zoning code 6-2-2, 60-6-43.) Ward 4 with the following stipulations:

Children should not be outdoors during the month of January or until the fence erected around the rear portion of the daycare and also the fence is at least 6 feet and has locked gates. Once she receives a copy of her license she makes the license available to the Economic Development department.

Discussion...

Alderman Ovian stated he does not want to see any children playing on the asphalt parking lot in front of the property. He stated he has had to stop there and request the children be supervised because they were out there on their own. Presently, the situation is she has been fined for operating without a license and he recommends that this be looked at based on issuing a license for 30 days with an opportunity

with asking for an extension to not exceed 60 days. The licensing needs to be in place, a metal fence needs to be in place and not have the children play in the neighboring properties.

Alderman Ovian would like the applicant to seek through her insurance agent professional liability coverage to make sure that she has childcare abuse, as well as, child molestation abuse coverage.

Annissa McCaskill requested clarification and reviewed the four conditions added within the ordinance. Would the motion include that there be no activity on the grass area for the month of January, the fence be in place within 60 days.

Alderman Ovian stated while operating without a license she has been cited and a fine should be assessed.

Alderman Elmore asked if the applicant is licensed with the State of Illinois; Annissa McCaskill stated she has completed the license process to allow for more children, she has passed her State Fire Marshall inspection; she is waiting for the final document to allow for more children on site. Alderman Elmore asked if the city requires proof of liability insurance; Annissa stated the zoning code does not require it for a daycare center.

Alderman Randle asked the maximum number of children; Annissa stated her new license would allow her have up to seven with two people supervising.

Alderman Galetti stated we have the advisory report, so why is none of the other requests included; Alderman Ovian stated at the zoning meeting it was stated the council would have to make the decision.

Alderman Kinsella asked for clarification: Annissa stated no outdoor activity in the month of January; the fencing required should be in place in 30 days.

City Attorney Hoerner stated daycares are regulated by the State and whether or not they have statutory insurance requirement he does not know; however, this type of requirement is not in the ordinance and has never been imposed.

Discussion...

Alderman Anthony stated he would like to see the fence erected within 30 days.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Tyler, Anthony, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (15)

Members voting nay on roll call: Elmore. (1)

POLICE AND FIRE COMMISSION

Alderman Seibert made a motion seconded by Alderman Anthony to approve the hiring two probationary firefighters: Timothy Spaulding II and Adam Meloan.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Anthony, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Elmore, Wigginton and Musgrove. (15)

Members abstaining on roll call: Tyler. (1)

COMMUNITCATION

None.

RESOLUTIONS

Alderman Wigginton made a motion seconded by Kinsella to read Resolutions 3248 and 3249 by title only.

All members voted aye.

Alderman Kinsella made a motion seconded by Alderman Galetti to approve the following resolutions:

RESOLUTION 3248

A Resolution approving the street closures for the Shriner's Parade 5k Run.

RESOLUTION 3249

A Resolution authorizing execution of a service agreement with the lowest responsible bidder for the supply of electricity for residential and small commercial retail customers who do not opt out of such a program.

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

ORDINANCES

Alderman Hazel made a motion seconded by Alderman Ovian to read Ordinances 7923, 7924, 7925 and 7926 by title only and as a group.

All members voted aye.

Alderman Kinsella made a motion seconded by Alderman Galetti to approve the Ordinances 7923, 7924, 7926.

ORDINANCE 7923-2015

A ZONING ORDINANCE IN RE CASE #41DEC15 Midwest Petroleum Company (M.P.C.).

ORDINANCE 7924-2015

A ZONING ORDINANCE IN RE CASE #42DEC15 Phillip Weiss/Weiss Monuments.

ORDINANCE 7926-2015

AN ORDINANCE VACATING A RIGHT OF WAY ADJACENT TO ST. CLAIR COUNTY PARCEL #07-12.0-417-020.

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

Alderman Anthony made a motion seconded by Alderman Galetti to approve **ORDINANCE 7925-2015** A ZONING ORDINANCE IN RE CASE #43DEC15 Shakeema Mixon.

Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Tyler, Anthony, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (15)

Members voting nay on roll call: Elmore. (1)

UNFINISHED BUSINESS

None.

MISCELLANEOUS & NEW BUSINESS

Alderman Seibert made a motion seconded by Alderman Dintelman to approve the Motor Fuel Claims in the Amount of **\$28,323.95**.

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

EXECUTIVE SESSION

Alderman Kinsella made a motion seconded by Alderman Hazel to go into executive session to discuss personnel, litigation, workers' compensation, property acquisition, police telecommunicators and secretaries' contract, transfer of property and six month review of executive session minutes.

All members voted aye.

Entered executive session at 7:32 p.m.

Resumed from Executive Session at 7:44 p.m.

JANUARY 4, 2015

Alderman Elmore made a motion seconded by Alderman Hazel to approve the police telecommunicators and secretaries' contract.

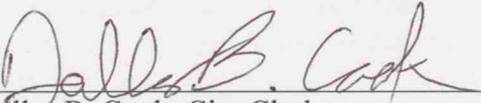
Members voting aye on roll call: Hazel, Kinsella, Pusa, Buettner, Randle, Tyler, Anthony, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Elmore, Wigginton and Musgrove. (16)

ADJOURNMENT

Alderman Galetti made a motion seconded by Alderman Dintelman to adjourn at 7:45 pm.

All members voted aye.

These minutes were approved on January 19, 2016.


Dallas B. Cook, City Clerk