

**CITY OF BELLEVILLE, ILLINOIS
REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
FEBRUARY 6, 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, Phil Silsby, Bob White, Trent Galetti, Roger Wigginton, Phil Elmore, Roger Wigginton and Jim Musgrove.

Paul Seibert excused.

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; Director of Parks; Recreation, Debbie Belleville and Housing Director, Bob Sabo.

Department Heads Excused: Police Chief, Bill Clay and Director of Public Works, Chuck Schaeffer.

PLEDGE

Mayor Eckert led the Pledge of Allegiance.

PUBLIC HEARING

None.

PUBLIC PARTICIPATION

Patrick Hickey

The parade policy has been changed to reflect there will be no political entries in the St. Patrick's Day parade i.e. no campaigning, no politicking, no wearing of t-shirts, no hanging of signs.

Carson Gambo

Belleville High School seniors from East, West and Althoff come together and visit businesses throughout Belleville to see how businesses work and how they work with the community. Part of the final assignment is to open one of their own business in Belleville. In order to get start up money for their personal business they have to do a class business which is an event.

On February 7, 2017 from 4:00 - 8:00 pm at the Scottish Rite there will be an event that consists of conference/trade show. They have a motivational speaker, Ben Glenn (chalk guy); Geri Boyer, Kaskaskia Engineering. Ticket are available at the event or eventbrite.com (around the fountain).

Inaudible

The residence next to his home is an assisted living center and they put a fire lane in front of the house located at Mascoutah Avenue meets McClintock. This has created a problem where everyone parks of the other side of the street. They are defeating their purpose. Requesting a fire lane on both sides.

Stewart Lannert

He does not think the Shrine Project has been thought out. He is wonder how long the Shrine across the road will be able to last. He does not think the upscale restaurant, hotels will want a truck stop. The workers at 6th and West Main are not wearing hazmats suits.

PRESENTATIONS, RECOGNITIONS & APPOINTMENTS

Jeremy Soehlin, from BASIC, and a student at Belleville West recognized the character word of the month "Trustworthiness" Truthfulness in Words and Actions. Being honest and reliable in words and actions.

APPROVAL OF MINUTES

Alderman Wigginton made a motion seconded by Alderman Pusa to accept and file the minutes of City Council January 17, 2017.

All members voted aye.

CLAIMS, PAYROLL, AND DISBURSEMENTS

Alderman Wigginton made a motion seconded by Alderman Anthony to approve claims and disbursements in the amount of **\$4,330,533.75** and payroll in the amount of **\$834,476.80**.

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

REPORTS

Alderman Kinsella made a motion seconded by Alderman Hazel to accept and file the City Attorney report dated February 3, 2017.

All members voted aye.

ORAL REPORTS

ORAL REPORTS FROM STANDING COMMITTEES, SPECIAL COMMITTEES AND ANY OTHER ORAL REPORTS FROM THE ELECTED OFFICIALS OR STAFF

Board of Fire and Police COMMISSION

Alderman Silsby made a motion seconded by Alderman Hazel to approve the hiring of probationary firefighter, Brian Schield, effective February 8, 2017 at 10:00 a.m.

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

Member abstaining on roll call: Tyler. (1)

ORDINANCE & LEGAL REVIEW COMMITTEE

Alderman Wigginton made a motion seconded by Alderman Kinsella to approve an ordinance amending Title XI (Business Regulations), Chapter 111 (General Provisions), Section 111.04 (Video Gaming), and Title XI (Business Regulations), Chapter 118 (Food and Beverage Businesses), Section 118.16 (Convenience Stores - Definitions) and Section 118.28 (Video Gaming Prohibited), and Chapter 121 (Alcoholic Beverages), Section 121.06 (License, Classifications, fees, numbers), of the revised ordinances of the City of Belleville, Illinois as amended, by amending portions of sections thereof.

Discussion...

City Attorney Hoerner stated in 2009 the General Assembly enacted the Illinois Video Gaming Act which allows video gaming machines in four types of establishments as identified in Section I:

"Licensed establishment" means any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises, whether the establishment operates on a nonprofit or for-profit basis.

"Licensed establishment" includes any such establishment that has a contractual relationship with an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975, provided any contractual relationship shall not include any transfer or offer of revenue from the operation of video gaming under this Act to any licensee licensed under the Illinois Horse Racing Act of 1975. Provided, however, that the licensed establishment that has such a contractual relationship with an inter-track wagering location licensee may not, itself, be (i) an inter-track wagering location licensee, (ii) the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975, or (iii) the corporate subsidiary of a corporation that is also the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975. "Licensed establishment" does not include a facility operated by an organization licensee, an inter-track wagering licensee, or an inter-track wagering location licensee licensed

under the Illinois Horse Racing Act of 1975 or a riverboat licensed under the Riverboat Gambling Act, except as provided in this paragraph. The changes made to this definition by Public Act 98-587 are declarative of existing law.

"Licensed fraternal establishment" means the location where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.

"Licensed veterans establishment" means the location where a qualified veterans organization that derives its charter from a national veterans organization regularly meets.

"Licensed truck stop establishment" means a facility (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles. "Commercial motor vehicles" has the same meaning as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 10,000 gallons per month.

The City does not currently have said ordinance; however, under 27 under the Act a municipality may prohibit video gaming by ordinance. In 2012, prior to considering there was a referendum submitted to the voters and video gaming was approved by the voters. The council enacted Ordinance 7649 which accepted from the city's general gambling prohibition which is now codified in Section 131-03.

In 2015 the development agreement that was entered into with Missionary Ventures contemplated Section 3.5 "identified as gas and diesel/convenience/fast food complex" which is what they are proposing. This is also contained in the depiction of the drawing attached as an exhibit i.e. parking stalls, canopies. The Oblates have confirmed this is a permissible use in their agreement as to the property.

Alderman Wigginton stated he visited Farmersville, Illinois and will fit into the site plan. This property will cater to the people coming on to the property.

Alderman Buettner asked if council passed prohibition in the City on gaming parlors; Mayor Eckert stated yes. Alderman Buettner asked how does this gambling in the convenience store differ from a gaming parlor; City Attorney Hoerner stated there was a restriction was you have to derive at least 50% of income from non-gaming revenues. Alderman Buettner asked when the gaming was discussed; Mayor Eckert stated within the last six months. The Kellers' will not pursue gaming at the Hofbräuhaus.

Alderman Tyler stated he visited Farmersville and the best way to describe it is a QT with a Cracker-Barrel inside. The City currently has 28 places that have video gaming. It is nearly impossible to go anywhere in the State and not find video gaming. There is a casino four mile away.

Alderman Randle stated he also visited Farmersville and requested City Attorney Hoerner to review "Licensed truck stop establishment".

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

Member abstaining on roll call: Buettner. (1)

ADMINISTRATION

Alderman Tyler made a motion seconded by Alderman Anthony to approve solicitor license requests from Jacob Welton and Gina Costello, Barcom Security.

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

Member abstaining on roll call: Tyler. (1)

ZONING BOARD OF APPEALS

Alderman Anthony made a motion seconded by Alderman Ovian to approve 01-Jan17 – Roundtable Restaurant – A request for a Special Use Permit for a liquor license at 11 North 64th Street (Parcel number: 07-12.0-213-019) located in a "C-2" Heavy Commercial Zoning District. (Applicable portion of zoning code: 162.248.) Ward 4

All members voted aye.

Alderman White made a motion seconded by Alderman Silsby to approve 02-Jan17 – Adam Jokisch/SCC Event Center – A request for a Special Use Permit for used motor vehicle sales at 1550 East State Route 15 (Parcel number: 13-01.0-400-028) located in a "C-4" Commercial Zoning District. (Applicable portion of zoning code: 162.278.) Ward 6

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

MASTER SEWER COMMITTEE

Alderman Dintelman made a motion seconded by Alderman White to approve St. Elizabeth's Hospital revised Easement.

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

COMMUNICATIONS

Alderman Pusa made a motion seconded by Alderman Wigginton approve the following Communications:

Communication from the Ainad Shriner's to hold their Circus Days Parade on Friday, June 4, 2017 commencing at 7:30 PM and assistance from the Belleville Police Department. Also, permission to locate their reviewing stand on the southeast quadrant of the Public Square and to be provided with barricades to be placed around the reviewing stand.

Communication from Shriner's Parade 5K Committee requesting to hold a 5k prior to the parade starting at 6:15 p.m. from Union United Methodist Church and also requesting street closures prior to the parade. The 5k Committee will be donating proceeds to the Shriner's Hospital and Belleville Parks and Recreation Summer Programs.

Communication from Trail Life USA Troop IL-0078 requesting to hold their 5K Run/Walk on Monday, May 29, 2017 from 9:00 a.m. – 10:00 a.m.

Communication from Belleville Area Humane Society to hold "Race for Rescues" 5K and one mile fun walk on April 23, 2017 at 8:45 p.m. until 10:15 a.m. Please consider this request to close Belleville West Parkway from Frank Scott Parkway to Rt 15 from 8:45 until 10:15 am. We are requesting a police officer to close the intersection from 8:45- 9:45.

Communication from Peggy Dohlke, of the Belleville Hockey Program, requesting permission to hold their Annual 5K run and half mile fun run on Thursday, November 23, 2017, which is Thanksgiving Day, beginning at 8:00 a.m.

Communication from Belleville Main Street to enhance the St. Patrick's Day Parade by holding their 2nd Annual Lucky Leprechaun 5K on Saturday, March 11, 2017 at 9 AM. Beginning at Union United Methodist Church.

Communication from BCEO/Belleville Christkindlmarkt to hold the Fourth Annual Belleville Christkindlmarkt from November 24 daily through December 23, 2017. They are requesting this

Market be set up on the quads previously used, Southeast and Northeast, adjacent to the Public Square, downtown Belleville, Illinois.

Communication from Belleville Fire Department to hold their 5th Annual open house at Firehouse No. 4 on April 1, 2017 from 10:00 a.m. – 2:00 p.m.

Belleville Main Street (BMS) would like to kick-off the 2017 summer in downtown Belleville with the “Fifth Annual Brew ‘n Que Challenge”. Together with Chick Fritz Distribution and the Belleville Main Street, Big Daddy’s 618 would like to co- sponsor a one-day “people’s choice” BBQ Challenge. The event would take place on Saturday, June 3, 2017 from 11:00 AM to 8:00 PM.

This event would require the closure of two-blocks on East Main Street placing barricades at Jackson Street and East Main Street, at Church Street and East Main Street, and at Charles Street and East Main Street (see attached map) between the hours of 6:00 AM and 10:00 PM. BMS is requesting the City’s assistance with the placement of barricades at the event location (noted on the attached map); use, delivery and set up/tear down of picnic tables; and the placement and pick up of trash receptacles.

The affected businesses in this Downtown Special Service Area have been notified and have signed off in approval that this event will have “no impact” on their business on the specified date and time.

St. Patrick's Day Block Party. Together with the Belleville Main Street Committee, Big Daddy's 618 and Seven Restaurant and Lounge would like to request that East Main Street between Illinois Street and High Street remain closed following the parade until 1:00 AM, as well as High Street between East Main Street and east Washington Street (see attached map for placement of barricades).

Belleville Main Street is requesting the City's assistance with the placement of barricades at the event locations (noted on the attached map); use, delivery and set up/tear down of picnic tables; and the placement and pick up of trash receptacles.

Communication from the Belleville Oktoberfest Committee requesting approval from the City Council to have the 2017 Festival on Friday & Saturday September 15th & 16th 2017 from 11:00 a.m. – 11:00 p.m. both days. The location of this year’s event will be held on the Belleville Public Square & extend West on Main St. through 1st St. into the middle of the block (Thomas

LeChein Bldg) on Friday & Saturday. On Saturday September 17th we would like to extend the Festival from High Street to Charles St. including N. & S. Jackson & Church Streets for the annual Car Show from 7:00 a.m. – 5:00 p.m.

They are asking to close the streets Thursday September 14th at 2:00 p.m., West Main Street from the Public Square to 2nd Street and 5pm for the additional Streets, as we have done in the past. All streets will re-open on Sunday September 17, 2017 at 12:00 a.m.

All members voted aye.

Alderman Pusa made a motion seconded by Alderman Kinsella to approve the request from Eckert Florist, Inc. to place a refrigerated cooler in one of their designated “loading zones” located in the first block of North Second Street, from February 10, 2017 and removed on or before, February 17, 2017. They will coordinate with the Street Department for cones and lighted barricades.

Discussion...

Alderman Buettner asked if Eckert's is still considering purchasing a cooler for the building; Mayor Eckert stated they are looking into the cooler and before leasing the property the council approved the loading zones.

Alderman Wigginton stated the cooler it is not obtrusive, does not break up traffic flow and refrigerator coolers is quite an investment.

Alderman Randle stated there were three requests last year and probably double digit requests since the flower shop has been in that location. As the council continues to make this accommodation at what point and time is there an incentive to actually make the investment in the cooler.

Alderman Pusa stated she contacted the business in the area and they do not have a problem with the cooler.

Alderman Randle requested a timeline of when the restoration of the coolers; Mayor Eckert stated hopefully by Mothers Day.

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

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

PETITIONS

None.

RESOLUTIONS

Alderman Silsby made a motion seconded by Alderman White to read by title only Resolutions 3289.

All members voted aye.

Alderman Silsby made a motion seconded by Alderman White to approve **RESOLUTION 3286** A resolution authorizing sewer easement. (St. Elizabeth) until 1:00 p.m.

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

ORDINANCES

Alderman Silsby made a motion seconded by Alderman White to read by title only and as a group Ordinances 8010-2017, 8012-2017 and 8013-2017.

All members voted aye.

Alderman Wigginton made a motion seconded by Alderman Silsby to approve **ORDINANCE NO. 8010-2017** An ordinance amending Title XI (Business Regulations), Chapter 111 (General Provisions), Section 111.04 (Video Gaming), and Title XI (Business Regulations), Chapter 118 (Food and Beverage Businesses), Section 118.16 (Convenience Stores - Definitions) and Section 118.28 (Video Gaming Prohibited), and Chapter 121 (Alcoholic Beverages), Section 121.06 (License, Classifications, fees, numbers), of the revised ordinances of the City of Belleville, Illinois as amended, by amending portions of sections thereof.

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

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

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

ORDINANCE NO. 8012-2017

A ZONING ORDINANCE IN RE CASE #01JAN17 Roundtable Restaurant.

ORDINANCE NO. 8013-2017

A ZONING ORDINANCE IN RE CASE #02JAN17 Adam Jokisch/SCC Event Center.

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

UNFINISHED BUSINESS

None.

MISCELLANEOUS & NEW BUSINESS

Alderman Galetti made a motion seconded by Alderman Elmore Motor Fuel Claims in the Amount of \$74,335.37.

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

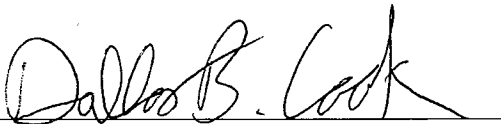
EXECUTIVE SESSION

None.

ADJOURNMENT

Alderman Galetti made a motion seconded by Alderman Elmore to adjourn at 7:55 pm.

All members voted aye.



Dallas B. Cook, City Clerk