

**CITY OF BELLEVILLE, ILLINOIS
REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
AUGUST 15, 2016 – 7:00 PM**

Mayor Pro Tem Silsby called this meeting to order.

Mayor Pro Tem Silsby explained the disaster procedures. Mayor Pro Tem Silsby 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 Pro Tem Silsby requested City Clerk Cook to call roll. Members present on roll call: City Clerk Dallas B. Cook, City Treasurer Hardt and City Attorney Hoerner. Aldermen: Joe Hazel, Ken Kinsella, Mike Buettner, Kent Randle, Scott Tyler, Raffi Ovian, Phil Silsby, Ed Dintelman, Paul Seibert, Bob White, Trent Galetti, Roger Wigginton and Jim Musgrove.

Member excused on roll call: Jane Pusa, Johnny Anthony and Phil Elmore.

ROLL CALL DEPARTMENT HEADS

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

Excused: Director of Public Works, Chuck Schaeffer.

PLEDGE

Mayor Pro Tem Silsby led the Pledge of Allegiance.

PUBLIC HEARING

Public Hearing regarding the vacation of a portion of the Right-of-Way of Tower Plaza Dr.

PUBLIC PARTICIPATION

Rick Brown

Mr. Brown disseminated copies of the United States Constitution to the aldermen. A month has gone by since he came and advised the city has a rouge employee that started issuing tickets and forcing people to consent to illegal searches of their homes. To this date nothing has been done. There was a Health and Housing and Aldermen Kinsella is to meet with the city attorney to get a legal opinion.

Mr. Brown recommended revising the ordinance. Mr. Brown stated the citizens of Belleville are afraid of this council as a group. His wife is afraid of what this council has allowed to be done to her. This is the definition of tiring...when people are afraid of their own government.

Mr. Brown stated the council should be afraid of him and the citizens of the community. He stated he has submitted another FOI and hopes the city attorney will allow the city to give him access.

The occupancy was changed by Mr. Sabo on his own. These are extra constitutional actives and on that point if someone litigates this and they litigate against the city and they name names they will have to get their own lawyers. Diane Rogge was awarded \$30k out of court for having sign at her business.

Let's say there are 100 people that Mr. Sabo did this too at \$30k...that is \$3,000,000. Let's say it's 1000 people that will be \$30,000,000. Defending that will not be cheap. Because this is the 4th and 5th Amendment the federal judge may say this is so egregious this is worth \$100,000 per person.

Katherine Ruocco

Stated she is present for an agenda item. She purchased 2940 West Main for an office building and she also purchased 3000 West Main. She stated the Zoning Board has recommended approval. When she purchased 2940 West Main Street it is to be used for an office building. When she purchased 3000 West Main Street and replaced the siding with steel siding. She stated both Alderman Tyler and Randle are in favor.

Michael Hagberg

Regarding the proposed business district at 70th Street and has come to the realization that in Belleville the citizens themselves no longer have a way of being able to make a decision when they shop of knowing what the sales tax is when they

go into the business. He recommended having the business districts to post a sign on their door stating "this establishment collects 9.1% sales tax" and that way the citizens will be able to make decisions on if they want to shop and support the tax incentives given out.

It seems the business plan in Belleville is let your property go to crap, create a business district and let the tax payers pay to have it fixed up. He would rather see business owners make a profit by maintaining their property throughout the years.

Patrick Linch

Representing the Operating Engineers Local 148 at the Wastewater plant. They recently wrapped up negotiations with Jim Schneider and his team. Both sides did not get everything on their lists. This was presented to the members and they voted to accept the negotiated contract. He is here asking for the councils consideration and approval. He stated this is a fair agreement for both parties.

Tom Gary

Mr. Gary stated he lives directly across from Grappa Growlers and would like to comment on a letter (a request submitted by Grappa Growlers) the council received from Grappa Growlers. He wishes Grappa Growlers success; however, he would appreciate the council not allowing outdoor music.

Stewart Lannert

Tom Holbrook seems proud that there may be an honest election in Belleville. Mayor Pro Tem Silsby admonished. *Inaudible.*

PRESENTATIONS, RECOGNITIONS & APPOINTMENTS

Carol Bartle & Laura Grandy (members of the Shriners Parade Run committee) presented a check for the amount of \$5,000 to the Belleville Parks & Recreation Dept. All of the proceeds are split to benefit the Shriners Hospital and the Belleville Children's Summer Programs.

APPROVAL OF MINUTES

Alderman Seibert made a motion seconded by Alderman Wigginton to approve to accept and file the minutes of August 1, 2016.

All members voted aye.

CLAIMS, PAYROLL, AND DISBURSEMENTS

Alderman Galetti made a motion seconded by Alderman Kinsella to approve claims and disbursements in the amount of **\$1,435,909.36** and payroll in the amount of **\$\$809,840.87**.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

REPORTS

Alderman Wigginton made a motion seconded by Alderman Ovian to accept the Treasurer Report – July 2016 and Statement of Cash Investments Report - July 2016.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

ORAL REPORTS

HEALTH AND HOUSING COMMITTEE

Alderman Kinsella made a motion seconded by Alderman Dintelman to approve Stutz's Excavating bid in the amount of \$ 63,040.00 for the demolition of 10608 West Main, 17 Holdener, 201 Portland, 111 North 18th St., 1124 S Church Street, 708 West Monroe, 723 West Monroe and 410. South 19th Street.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

FINANCE COMMITTEE

Alderman Hazel made a motion seconded by Alderman Seibert to approve low bid of \$13,900 from Erb Turf for 2 zero turn mowers.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

Alderman Galetti made a motion seconded by Alderman Tyler to approve lease of new fire alarm system for the Nichols Center from Tech Electronics for 3 years at \$531.58 per month (including monitoring).

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

Alderman Hazel made a motion seconded by Alderman Dintelman to approve the budget amendments as recommended by the Finance Director.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

ECONOMIC DEVELOPMENT & ANNEXATION COMMITTEE

Alderman Kinsella made a motion seconded by Alderman Wigginton to approve a professional services contract with Economic Development Resources, LLC for a proposed business district at West Main Street and 70th Street.

Members voting aye on roll call: Hazel, Kinsella, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (12)

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

Alderman Kinsella made a motion seconded by Alderman Randle to approve a Development Agreement with Dahm & Schell, Inc. for the remodeling and expansion of the existing facility at 701 South Belt West.

Discussion...

Alderman Buettner stated on the original agreement the total sales subject to retail sales tax was \$1,450,000 and the new agreement is \$600,000...why is this cut in half; Assistant Director of Economic Development, Eric Schauster, stated they included their movie ticket sales when they made their application and they didn't realize until after the fact that ticket sales are not subject to tax. The \$600,000 is subject to sales tax and in addition to that they will have their movie ticket sales which are not subject to sales tax.

Alderman Buettner asked what their total sale are subject to sales tax; Schauster didn't know. In the agreement, there was a 50% rebate on the property taxes; Schauster stated yes; Alderman Buettner asked why; Schauster stated this is a

\$3,000,000 project. Alderman Buettner asked if they do not get this agreement they will not go forward with the project; Schauster stated when they sign the application there is statement with signature that says without the incentive the project cannot happen.

Alderman Buettner stated the city's investment (property tax and building materials rebate) is approximately \$200,000; Schauster stated if they purchase all building materials in Belleville the total savings is approximately \$30,000 and the property taxes is approximately \$9,600 per year which will be less since the expansion will not kick in for two years.

Alderman Buettner asked to date have they met all of the requirements; Schauster stated yes.

Alderman Buettner stated he is in favor of The Edge and goes to The Edge a lot and is totally for their expansion; however, it is hard for him to believe on a \$3.5 million dollar investment if they do not get the \$200,000 they would not go forward with the project.

Alderman Ovian stated he would like to see the Certificate of Insurance.

Members voting aye on roll call: Hazel, Kinsella, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (12)

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

ZONING BOARD OF APPEALS AND ORDINANCES

Alderman Buettner made a motion seconded by Alderman Kinsella to approve **26-Jul16 – Ronald Bartlett & Michele Schifferdecker** –Requesting a Use Variance for a Liquor License for **Centerfield Tavern** at 1403 East 'A' Street (Parcel: 08-23.0-300-002) located in an A-1 Single Family Residence District.
(Applicable portions of zoning code: 60-6-4, 60-12-18) Ward 7

Discussion...

Alderman Ovian asked the hours of operation and if package liquor will be sold; Mr. Bartlett stated the hours will be from 11:00 am to 1:00 am and no package liquor.

Alderman Tyler asked how long has the business been closed and have any residents speak out against; Mr. Bartlett stated the previous owner died at the end of March and the family closed it down. Alderman Kinsella stated he has heard no complaints from the neighbors.

All members voted aye.

Alderman White made a motion seconded by Alderman Seibert to approve **27-Jul16 – Alka Patel** - Requesting a Liquor License for **BP Gas Station** at 1 South Belt East (Parcel: 08-27.0-306-008) located in a C-2 Heavy Commercial District. (Applicable portion of zoning code:60-5-50) Ward 6

Discussion...

Alderman Oviaan asked the hours of operation and if package liquor will be sold; Mr. Patel stated the hours will be 6:00 a.m. to 2:00 a.m. and no package liquor. (*Note: Discussion was held during the approval of Ordinance 7971-2016. Package liquor will be sold.*)

All members voted aye.

Alderman Hazel made a motion seconded by Alderman Wigginton to approve **28-Jul16 – Riverside Real Estate, LLC** – Requesting a Use variance in order to utilize the property at 9425 West Main Street (Parcel: 02-35.0-420-002) as a real estate office located in a B-1 Multi-Family Residence District.. (Applicable portion of zoning code: 60-6-24) Ward 4

Discussion...

Alderman Oviaan asked if this will be through a property management; Unknown person stated they are 75% property management. Alderman Oviaan asked what will they do for parking; inaudible.

Alderman Wigginton asked if they will receive rent payments; Unknown person stated they do not receive rent at the office. Alderman Wigginton asked where they are based from; Unknown person stated off of Camp Jackson Road in Cahokia, Illinois.

All members voted aye.

Alderman Wigginton made a motion seconded by Alderman Ovian to approve **29-Jul16 – Jasmine Brooks** – Requesting a Sign Installation permit for the Area of Special Control in order to erect a 12' x 3' awning for **Seafood by Crushed Velvet** restaurant at 121 East Main Street (Parcel: 08-22.0-333-031) Ward 2

All members voted aye.

Alderman Randle made a motion seconded by Alderman Tyler to approve **30-Jul16 – Katherine Ruocco/Elder Care Matters, LLC** – Requesting a Special Use permit in order to erect a metal building over 150 square feet at 2940 West Main Street (Parcel: 08-17.0-319-010) located in a C-1 Light Commercial District. (Applicable portion of zoning code: 60-4-44) Ward 3

All members voted aye.

ADMINISTRATION

Alderman Kinsella made a motion seconded by Alderman White to approve the Right-of-Way Vacation Plat for Tower Plaza Drive.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

COMMUNICATIONS

Alderman Tyler made a motion seconded by Alderman Randle to approve the request from Grappa Growlers to hold their 5 Year Anniversary event on Saturday, October 1, 2016 from 1:00 pm - 8:00 pm. Requesting permission to have yard games, tables and music.

Discussion...

Alderman Wigginton asked what type of music will they have; Mayor Pro Tem Silsby stated this can be addressed.

All members voted aye.

AUGUST 15, 2016

Alderman Buettner made a motion seconded by Alderman Tyler to approve the request from BlissFull Living Studio to have a fall festival at 1406 West Main Street on October 15, 2015 from 12:00 pm - 4:00 pm.

All members voted aye.

Alderman Dintelman made a motion seconded by Alderman Galetti to approve the request from Belleville Main Street Marathon to approve a 1-hour extension on Saturday, September 24, 2016 from 7:00 am - 2:00 pm.

All members voted aye.

Alderman Galetti made a motion seconded by Alderman Tyler to approve the request from Evidence Based Care for Everyone to have their annual Rally to Improve Birth & Baby Fair on Saturday, September 10, 2016 from 10:00 am - Noon at the northwest corner of the Public Square.

All members voted aye.

RESOLUTIONS

Alderman Randle made a motion seconded by Alderman Kinsella to read by title only and as a group Resolutions 3273 and 3274.

All members voted aye.

Alderman Kinsella made a motion seconded by Alderman Hazel to approve the following Resolutions:

RESOLUTION 3273

A Resolution amending the annual budget of the City of Belleville, Illinois for the fiscal year beginning on the first day of May 2016, and ending on the 30th day of April, 2017.

RESOLUTION 3274

Preserving the Mississippian Mound Culture by Elevating the National Status of Cahokia Mounds and Associated Mounds Complexes.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

ORDINANCES

Alderman Seibert made a motion seconded by Alderman Randle to read by title only and as a group Ordinances 7971, 7972, 7973, 7974, 7975, 7976 and 7977. All members voted aye.

Alderman Kinsella made a motion seconded by Alderman Seibert to approve the following Ordinances:

ORDINANCE 7971-2016

A ZONING ORDINANCE IN RE CASE #27JUL16 Alka Patel (*note: this will have packaged liquor*).

ORDINANCE 7972-2016

A ZONING ORDINANCE IN RE CASE #29JUL16 Jasmine Brooks

ORDINANCE 7973-2016

A ZONING ORDINANCE IN RE CASE #30JUL16 Katherine Ruocco / Elder Care Matters, LLC

ORDINANCE 7974-2016

A ZONING ORDINANCE IN RE CASE #28JUL16 Riverside Real Estate, LLC

ORDINANCE 7975-2016

A ZONING ORDINANCE IN RE CASE #26JUL16 Ronald Bartlett & Michele Schifferdecker

ORDINANCE 7976-2016

Ordinance for R-O-W Vacation for Tower Plaza Drive.

ORDINANCE 7977-2016

Ordinance prohibiting the use of groundwater as a potable water supply by the installation or use of potable water supply wells or by any other method.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

UNFINISHED BUSINESS

Alderman Buettner asked City Attorney Hoerner if he is going to give his opinion on the questions raised by Rick Brown; City Attorney Hoerner stated this will be referred to the ordinance and legal committee.

MISCELLANEOUS & NEW BUSINESS

Alderman Seibert made a motion seconded by Alderman Galetti to approve the Motor Fuel Claims in the Amount of **\$3,306.24**.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

EXECUTIVE SESSION

Alderman Tyler made a motion seconded by Alderman Randle to go into executive session to discuss Collective Bargaining. (5 ILCS 120/2(c)(2)).

All members voted aye.

Entered executive session at 7:40 p.m.

Resumed from Executive Session at 7:50 p.m.

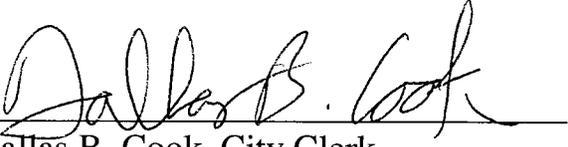
Alderman Wigginton made a motion seconded by Alderman Musgrove to approve the collective bargaining agreement between the City of Belleville and the Operating Engineers Local 148 for FY 2016-2020 with annual wage increase of 2%, 2%, 3%, 3% and other necessary terms and conditions.

Members voting aye on roll call: Hazel, Kinsella, Buettner, Randle, Tyler, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Wigginton and Musgrove. (13)

ADJOURNMENT

Alderman Galetti made a motion seconded by Alderman Ovian to adjourn at 7:52 pm.

All members voted aye.



Dallas B. Cook, City Clerk