

**CITY OF BELLEVILLE, ILLINOIS
ORDINANCE AND LEGAL REVIEW COMMITTEE
CITY HALL COUNCIL CHAMBERS
FEBRUARY 14, 2023 5:30 PM**

Chairwoman Stiehl called the meeting to order.

Members present on roll call: Alderman Whitaker, Alderman Randle, Alderman Anthony, Alderman Elmore, Alderwoman Osthoff and Chairwoman Stiehl.

Members excused: Alderman Dintelman

Members unexcused: Alderwoman Eros

Guest Alderman: Alderman Ovian

Department Heads Present: City Clerk Gain Meyer, City Treasurer Biermann, Fire Chief Stinson, Electrical Commissioner Tom Bell

Department Heads excused: City Attorney Hoerner

PUBLIC PARTICIPATION

None.

MINUTES

Alderman Elmore made a motion second by Alderman Whitaker to approve minutes of October 11, 2022.

All members voted aye.

UNFINISHED BUSINESS

MISCELLANEOUS & NEW BUSINESS

Motion to amend Title III (Administration), Chapter 33 (Public Safety; Law Enforcement) Sections 33.040 (Department Established) and 33.043 (Duties of Fire Chief).

Chief Stinson: The two changes that I would like to present for motion for possible change is the one on Establishment. The reason why I am going there is for the future of the Fire Department, current verbiage states that there has to be exact numbers and that kind of ties us for progression whether it is current date progression or future progression down the road. I would like to be more in line with the Police Department and then tie us in with National Standards saying that the Fire Chief will set up the resources; human resources, equipment resources that is in line to effectively use the resources. For the second one, the Fire Department shall perform the duties, this gets into more of a current day IMS, the command structure that has been Nationally recognized throughout the country. Basically, it says someone will be in command when they get on scene which in our verbiage is our Captains. As the BC finally gets there the BC will take over then depending upon

February 14, 2023

the size and the complexity of the incident the Asst. Chief, Deputy or myself will come. Right now it says Fire Chief will come, but that really doesn't get in line with our succession training that we are trying to do and basically pushing the responsibility down to tap into the assets of our lower firefighters, being the BC. So if the Battalion Chief decides to strike a second alarm the ICS is activated, or fully activated (inaudible) and then we start continuing on with the ICS. That is what the second one is.

Alderman Whitaker: Is there anything in your changes that you fill would be impacting the Collective Bargaining Agreement as it relates to manpower levels or some of the added duties that are mentioned in there. I noticed there was one part where it talked about some tasks that are currently overwhelming the Chief Administrators that will be passed on to lower level, is there anything Collective Bargaining wise that would be impacting?

Chief Stinson: The members that are identified in the CBA are the minimums, they do have minimums set in there we won't be impacting that.

Alderman Whitaker: And what about the duties that are being passed down to - -

Chief Stinson: Duties that I am talking about are ones that are expected of those personnel right now. It kind of happens job (inaudible) where the higher-ranking people come in and start pulling those duties. What I would like to do under my tenure is not engage in those duties and let the BCs do their jobs, that is what they are getting paid for (inaudible) to higher alarm situations (inaudible) the higher Chiefs. The tasks or anything like that is not changing.

Alderman Randle: Chief, I have several questions. I am going to go back and address something that Alderman Whitaker put out there, and I believe you said that the CBA agreement would not be impacted but those personnel aren't going to be impacted there, but in fact, the Battalion Chiefs are part of the CBA are they not, they are in the Union.

Chief Stinson: Yes, they are.

Alderman Randle: Could you talk a little bit then, I have several questions, could you talk a little bit about your vision of the structure of the department.

Chief Stinson: The initial term of the year, I don't think I am going to get back as in the one-to-three-year time frame. I am going to try to staff up the front office, so that means getting the Deputy Chief broken away from the Deputy Chief of Fire Prevention, adding a Health and Safety Officer and with the separation of duties of the Deputy Fire Chief there would be a Deputy of Fire Prevention.

Alderman Randle: Not being totally familiar with this right now, but the Assistant Chief is responsible partly for training?

Chief Stinson: Yes sir.

Alderman Randle: Where do we stand in terms of training personnel at this particular time?

February 14, 2023

Chief Stinson: Broke.

Alderman Randle: Broke, okay. And the Deputy Chief is responsible for construction plan review?

Chief Stinson: Yes sir, it is in his duties.

Alderman Randle: Where do we stand on that?

Chief Stinson: Broke.

Alderman Randle: Help me out here in terms of this Command Structure, is there any kind of like tree that you have created in terms of how these positions laid out and what their responsibilities are?

Chief Stinson: Each one, when you come to the Tactical Fire Command, that gets into the Captain and the BC when you are talking Tactical Command Incident. When you come into administrative it goes from the BC but when you get into discipline that gets into the CBA so that goes from the steward straight to me. When it comes to operational direction of communications, it goes up to the Deputy Chief and then over to me, otherwise anything else is almost a straight shot.

Alderman Randle: Can you tell us a little about the succession plan that you want to work on?

Chief Stinson: Right now, there isn't one. My goal is - -

Alderman Randle: I would agree with you based upon what you said about training and construction plans. Obviously, there are people in those positions that fell short.

Chief Stinson: Obviously, it is not going to happen overnight, but will happen within the year, two years is to get that plan lined up. One talks about what requirements that the Fire Chief wants, it does not exist right now. So, we set that up to say, one of my issues right now is a Firefighter that gets promoted to Engineer and then they sit in that Engineer then oh, by the way the Captain is off and they push right over into the Captain's position. Zero command control position, zero experience in that seat. That is a fact, we are setting them up for failure and we are setting the City up for failure. The idea is as they are in these traps, they need to hit training requirements, that are given by the State, you set it up to go to these trainings, they have it and then work them in that way through training and experience. (Inaudible) When we get up to the BC level, we really start looking at the matching, getting into how do you talk to the Union member, how do you talk to the Union, how do you deal with strategic planning, how do you deal with budgets. All four documents that are required that just aren't there right now.

Alderman Randle: It gets to be a little problematic does it not when you are talking about a skill set and one union member is trying to talk to another union member. With respect to your timeframe, I think that you said one to three years I want to move on to maintenance, expenses, and financing, I know that there are a number of vehicles that could use a little help if not something new coming on board. We are talking about a great deal of expense, and I don't know what you plan is, what your foresight is for how do you finance all of this.

February 14, 2023

Chief Stinson: Start some maintenance programs for one, that is the key thing because if you don't have them things are broken. Communication where trucks get written up is sketchy at best, it gets shot up to the front offices then it is basically who catches it. We are trying to get the data bases up and running, but it is failing us. There is a new one we are looking at to kind of get those communications going. Once we have a maintenance program then we look at those front-line people who take priority. Basically, the way I look at it is what is the risk factor, life safety issues and then you start trying to chip it down that way. There is going to come to a point where, it is an old piece, how do we reduce the wear and tear on the fading ones, shuffling them around, look for bargains like they have done in the past. A Fire Department mechanic would be huge, but they are expensive. Those are some of the things.

Alderman Randle: With respect to vehicles, we do have a new truck online do we not?

Chief Stinson: Yes sir.

Alderman Randle: I mean it has been delivered.

Chief Stinson: It is in service.

Alderman Randle: We have issues with that truck?

Chief Stinson: Yes, we do.

Alderman Randle: What kind of issues are we talking about there?

Chief Stinson: So far, we have had trouble with the alignment and steering, the steering wheel is a quarter turn off when it is going straight. We got that fixed, it is getting better, but it kind of pulls to one side, one of the write ups that has since been fixed is we lost electrical power to it in which case we dropped the pump. Lately the light tower jammed up on us and that is an electrical issue.

Alderman Randle: Where did that jam up at?

Chief Stinson: A big fire.

Alderman Randle: On the west end of town?

Chief Stinson: Yes.

Alderman Randle: I think there is probably a lot more information that you could provide me, but I believe I have exhausted my time here. I appreciate your responses.

Chief Stinson: If you need any information just let me know, I think I have to do it for everybody right?

Alderman Anthony: Isn't there a warranty on that truck and have those items been taken care of?

Chief Stinson: Yes sir.

February 14, 2023

Alderman Anthony: You have taken it back in and they have taken care of those items?

Chief Stinson: Yes, we have taken it up there once and twice they have come down. They actually brought a mechanic down on the fire.

Alderman Anthony: And duly, those new trucks a lot of times they do have problems, hopefully they will get them straightened out. We are working on getting that Ladder Truck 99 repurposed. Once the truck is back, because right now we using one from Banner, aren't we?

Chief Stinson: Edwardsville. That truck has its bumps too, we are taking the big stuff and getting it knocked out, can we get this on the road and operate it safely. As soon as that is done, 99 will go up to Banner, they will have it for at least three weeks.

Alderman Randle: I have one more question, you said a one-to-three-year time frame, but in terms of printing your structure for the department and everything like that together, if we were to make these changes here this evening, how quickly would you be able to put that into place?

Chief Stinson: Immediately.

Alderman Whitaker: Chief have you determined what the financial impact would be on your needs as far as the immediate new positions and is that something that you are looking to come to Finance and request basically more money in your budget in May or are you looking for restructuring within your current set up.

Chief Stinson: Unfortunately, the restructuring is a work in progress I have talked to Finance and the timeframe is pushed out a little bit farther understandably, I have a pretty big ask this year, I understand. It does not look like the budget is going to support it. I am going to keep on asking for a Health and Safety Officer, I need a Health and Safety Officer. As you are all aware, I am not sure if everyone is aware, but we had OSHA do an OSHA inspection a lot of those would have been taken care of if we would have had a Health and Safety Officer.

Alderman Elmore made a motion second by Alderman Anthony to amend Title III (Administration), Chapter 33 (Public Safety; Law Enforcement) Sections 33.040 (Department Established) and 33.043 (Duties of Fire Chief).

Members voting aye on roll call: Whitaker, Randle, Anthony, Elmore, Osthoff, Stiehl. (6)

Motion carries.

Motion to amend Title XV (Land Usage), Chapter 151 (Electrical Code), Section 150.38(L) (Permit Tables) (Electric Permit Table)

Electrical Commissioner Bell: I am the Chair of the City of Belleville Electrical Commission, one of the items that we have talked about for several years is to increase the fee schedule. I am going to increase for the City instead of spend money. The fee schedule has not been changed for years, we have fees that start out as cheap as \$15 and some around \$20-\$25. In 2021 the City took in for Electrical Permits roughly \$18,000 in revenue and the salary of the Electrical

February 14, 2023

Inspector is in round terms is \$50,000 so the electrical inspection cost just by his salary cost the City \$30,000. We have taken all the other local communities and looked at them and didn't try to overprice ourselves tried to get back in line with everybody else. We have come up with a new fee schedule that basically is easier to understand, easier to read and really it is \$75 for all inspections. I am here asking for approval to raise that fee schedule of the new proposal.

Chairwoman Stiehl: \$75

Electrical Commissioner Bell: Yes.

Alderman Elmore: This is the second time I have gotten to hear this from Finance. I asked somebody who I know very well on your board about the amount of insurance there at the very bottom that did not change from where it was before, and you commented that there wasn't even a requirement before this on electrical group of insurance from the electricians. Is that correct?

Electrical Commissioner Bell: There is now.

Alderman Elmore: And we are not changing, do you know what other departments plumbing, do you know what their requirement is, ours is \$100,000 for electrical.

Electrical Commissioner Bell: I do not know that. By the Ordinance - - -

City Clerk Gain Meyer: Standard insurance for us is \$100,000-\$200,000 aggregate, that is what we require. They are getting a bond, it is a \$10,000 bond (inaudible)

Alderman Elmore: Before and it says that there is no change in this, the amount of such insurance \$100,000 injury and property damage, you guys are looking at a lot of houses over \$100,000 in value.

Electrical Commissioner Bell: No doubt. If you take the Ordinance how it is written, it actually does not ask for insurance, at all. It asks for a bond but not insurance.

Alderman Elmore: But it is now.

Electrical Commissioner Bell: So, Joe says, here's what you want to do, so that is what we increased it to. If you wanted, could you raise that number? Absolutely, because some of the corporation insurance is much higher now.

Alderman Elmore: I asked him, and he said well, it's \$100,000 more than we had before.

Alderman Randle made a motion second by Alderman Whitaker to amend Title XV (Land Usage), Chapter 151 (Electrical Code), Section 150.38(L) (Permit Tables) (Electric Permit Table)

Members voting aye on roll call: Whitaker, Randle, Anthony, Elmore, Osthoff, Stiehl. (6)

Motion carries.

February 14, 2023

Motion to amend Title III (Administration), Chapter 34 (Finance and Revenue; Taxation)
Section 34.043 (Hotel and Motel Tax)

City Treasurer Biermann: You may or may not remember back in September this was brought, we're basically just wanting to add short-term rental to the Hotel/Motel Tax which is currently 8%. It was brought back in September there were very good lengthy discussions on issues such as removing the licensing, the standards that we set for them, this would include your Air BNB any of those short-term less than thirty days, anything over thirty days requires an inspection and an occupancy permit. It was tabled back in September for a committee to be formed to kind of discuss, if you will, and eliminate any of those standards, licensing fees everything like that. Why I am bringing it back is that committee has not formed, nor have they met, I want to bring it back, we are missing out on revenue. (Inaudible) Air BNBs, technically right now they are not required to pay us any taxes, we have some that have volunteered to come forward and pay them, because they know that it is pretty much the right thing to do. What I want to do is add, instead of it just saying Hotel/Motel we are going to add so it just says Hotel and Motel including Short-Term Rental added on there. The changes that are on there right now, is what you saw back in September, this information did not cause any of those questions to arise for the committee to be formed so that is why I would like to push this portion forward. I would suspect in the very near future, I hope that the committee does actually get formed and we can pursue as far as licenses issues (inaudible) taken care of as well. This is only for the tax portion.

Alderman Elmore: And the committee will get formed to discuss licensing, sometime.

City Treasurer Biermann: Yes.

Chairwoman Stiehl: It was supposed to be in September, and we had Air BNB owners that wanted to be on it, there were three or four of them.

City Treasurer Biermann: So, the committee back in September that got tabled, I think it was September 8th or something like that, it was on your Ordinance and Legal packet back in September. Like I said there were issues with the licensing fee, the standards, the specifics of having short-term rental with multiple platforms such as VRBO or if they use Air BNB. What is required of that platform, what kind of insurance are they required to have, that is not included on this. This is just strictly the taxes portion of it.

Alderman Elmore: I understand that you are the Treasurer, I would say, call the meeting.

Chairwoman Stiehl: Because how much are we missing?

City Treasurer Biermann: There is really no way of telling at this point because we don't have licensing that is required for them so we don't know for sure. Friday, within a ten-minute time frame I went on Belleville Air BNB and I found three properties that are within the City Limits that we would be missing out on that 8% tax. They had that booked for this past weekend even.

Alderman Anthony: How do you actually collect this tax once you add this language to the existing language?

City Treasurer Biermann: It is on the honor system.

Alderman Anthony: It's the honor system?

City Treasurer Biermann: Because there is no way for us to know if you have it rented or not. Now granted, we do reserve the right, you will see that noted in there, that we can ask for the books or what they have, because they have to report back to the State. If they use a platform such as Air BNB or VRBO, those platforms actually collect the State Tax currently, so what I can do, I wanted to make sure that I have the Ordinance I can try to reach out to them to see about collecting the City Tax as well. But without the Ordinance, I really didn't have any grounds.

Alderwoman Osthoff: I have a rental property that we own out of state, and the city in that instance makes you every year report from 1-30 then 30-60 or whatever, it is on the honor system, but you do have to include some receipts and some paperwork. Could we look into possibly doing that, because we have to turn that in by January 15th after the calendar year then you can verify that it was rented 80% of the time and you only gave us 10% of the tax.

City Treasurer Biermann: It is noted that we do reserve the right to inspect the books, right now we have nothing on short-term rentals, it is just Hotel/Motel.

Alderwoman Osthoff: I definitely think we need to do that. To do something like require them to report, would that be not at all, we are not going to add anything to this, and I don't think we should because I think we should probably pass this tonight. After this committee is formed then, if they had something like that, could you use that.

City Treasurer Biermann: I think that should be a requirement with the licensing, then when they obtain their license they are aware that they have to supply that information to us. Right now, it is basically saying that if we have an Air BNB or somebody that calls, like I said, I can go on Air BNB and you can just look up Belleville and you can kind of figure out, they don't give you an exact street address when you search for it until you actually book it. So you kind of have to do some investigation around it, in a short ten minute time frame I did find three of them. Once we get this added on there, I do believe that the committee should finalize and decide on the licensing structure, what is required of them.

Alderman Whitaker: On your definition that has added short-term rental I noticed it specifically spells out single-family residences. We recently had a case reviewed where there was a gentleman wanting to have a multi-family where each unit would be independently rented as short-term rentals. Is there a reason we are limiting this to only single-family or - - -

City Clerk Gain-Meyer: This is just the original proposal from Garrett that he got from other communities. This is all part of the one that came to you in August. I did take the taxation part of it to bring to you tonight. If you want to change it, like we added duplexes, I know that was a recommendation of Alderman Elmore.

February 14, 2023

Alderman Whitaker: I just feel we might be missing out if we limit ourselves to single-family because I know, I don't know how often it would happen that somebody would want to take their entire complex and say hey, let's make this Air BNB.

Alderwoman Osthoff: It is happening in other cities. They are actually building things that are buildings just for Air BNB.

City Clerk Gain Meyer: If you all remember, I think what we would, what my suggestion would be, is to leave this like this, knowing that we may change it, once Cliff gets his committee together and determine Zoning wise, if it is even allowable for multi-family complexes to have all Air BNBs. When I talked to Cliff tonight, he wants to make it based upon the Zoning. That may not be something that he is even willing to allow.

Alderman Whitaker: I just don't want to miss out on something that - -

City Clerk Gain Meyer: I think it is as simple as saying the definition changes with the licensing and Zoning, then we will just amend this.

Alderman Elmore: We were dealing with two units now we are up to four units, but - - -

City Clerk Gain Meyer: My thought would be to go with this, but if there is a change in the actual definition once that committee is completed, then we just amend this.

City Treasurer Biermann: I look at this like this is kind of baby steps, if you will, let's just get our feet wet and then we can make changes as we go because there is nothing that says this is set in stone.

Chairwoman Stiehl: So, should we amend this this evening? We are going to table it then?

City Clerk Gain Meyer: This is still presented as is, it is an Ordinance, it can always be amended once that other committee meets, but as Garrett had said back in August, really the taxation was separate from the licensing so that is why this is being brought here tonight, because we can move forward with this knowing that if we have to amend the definition, so be it, we will amend the definition at a later date. If you are voting on the taxation, this is what we should do.

Alderwoman Osthoff: What would be the soonest that you would be able to start collecting this?

City Treasurer Biermann: It still has to go to Council, so that is why we start April 1st. It will not be on this next meeting which put us now into March.

City Clerk Gain Meyer: Yes, it will, but you still have to have ten days and time to notify people.

Alderwoman Osthoff: Before the summer starts you would be able to start getting some of this.

City Treasurer Biermann: Yes, providing it passes at Council.

February 14, 2023

Alderman Elmore made motion second by Alderwoman Osthoff to amend Title III (Administration), Chapter 34 (Finance and Revenue; Taxation) Section 34.043 (Hotel and Motel Tax)

Members voting aye on roll call: Whitaker, Randle, Anthony, Elmore, Osthoff, Stiehl. (6)

Motion carries.

Alderman Elmore: I have one more thing for this section Miscellaneous and New Business before we adjourn. I would like to add to the next agenda, and I ran this by Cliff and he wants it to be on there, to have a presentation from Cliff Cross, he is also going to go to EDA with this to start some discussion on vacant commercial properties. He has some ideas about how to proceed with commercial properties that are vacant over a year. I am not even going to come close to attempting to explain it, that is for Cliff to do, but if we could just have it on the agenda.

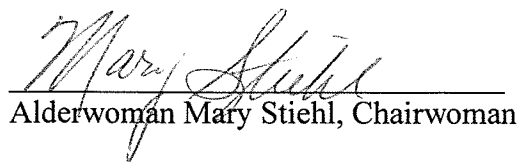
Chairwoman Stiehl: If you speak with him again, he will need to call the City Clerk.

City Clerk Gain Meyer: I will contact him.

Chairwoman Stiehl: Being City Clerk, many of our issues go through her first. Then they can be brought to the agenda.

Alderman Randle made a motion second by Alderman Whitaker to adjourn the meeting at 6:03 p.m.

All members present voted aye.


Alderwoman Mary Stiehl, Chairwoman