

CITY OF BELLEVILLE, ILLINOIS
ORDINANCE AND LEGAL REVIEW COMMITTEE
MAY 11, 2021 5:30 PM
VIA TELECONFERENCE

Alderman Wigginton called the meeting to order.

Aldermen present on roll call: Alderman Wigginton, Alderwoman Eros, Alderman Randle, Alderwoman Stiehl, Alderman Elmore.

Staff Present: Mayor Gregory, City Clerk Meyer, City Attorney Hoerner, Lt. Col. Eiskant.

PUBLIC PARTICIPATION

None.

MINUTES

Alderman Randle made a motion seconded by Alderwoman Stiehl to accept the minutes of March 9, 2021.

Members voting aye on roll call: Eros, Randle, Stiehl, Elmore, Wigginton. (5)

Mayor Gregory abstained. (1)

UNFINISHED BUSINESS

Mayor Gregory advised there are issues with mine subsidence in Ward 3 and there are other issues in Ward 8.

MISCELLANEOUS & NEW BUSINESS

Possible motion to amend Chapter 150 (Building Code; Building Regulations) Section 150.30 (Right of Entry) of the Code of Ordinances.

Lt. Col. Eiskant advised there is no language on (Right of Entry) Chapter 150.30 in the Code; therefore, he drafted new language that he would like the committee to review and adopt.

The old language states: The Building Official, in the discharge of his or her official duties and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

The new language should read: The Building Official, in the discharge of his or her duties and upon proper identification, shall have authority to enter the structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Building Official is authorized to pursue recourse as provided by law.

Alderman Wigginton asked if this must be done to rental property; Lt. Col. Eiskant advised all properties. Lt. Col. Eiskant advised he wanted to make sure the constitutional language is in the Code of Ordinances.

Alderman Randle referred to the Memo dated March 16, 2021 from Lt. Col. Eiskant to City Clerk Meyer contains the language “shall have authority” was struck; City Clerk Meyer advised this was a clerical error and will be corrected.

Alderman Randle made a motion seconded by Alderman Elmore to amend Chapter 150 (Building Code; Building Regulations) Section 150.30 (Right of Entry) of the Code of Ordinances to add the following language “The Building Official, in the discharge of his or her duties and upon proper identification, shall have authority to enter the structure or premises at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Building Official is authorized to pursue recourse as provided by law”.

Members voting aye on roll call: Eros, Randle, Stiehl, Elmore, Wigginton, Mayor Gregory. (6)

Possible motion to amend Chapter 30 (City Council) Section 30.19(B) (Standing Committees) of the Code of Ordinances.

City Attorney Hoerner advised Section 30.19(b) (Standing Committees) which identifies the composition of Standing Committees and list the eight person committees which requires one Alderman from each Ward; the Finance Committee was left out of the list.

Alderman Randle made a motion seconded by Alderman Elmore to amend Chapter 30 (City Council) Section 30.19(B) (Standing Committees) of the Code of Ordinances to include the Finance Committee as an eight (8) person committee to be comprised of an Alderman from each Ward.

Members voting aye on roll call: Eros, Randle, Stiehl, Elmore, Wigginton, Mayor Gregory. (6)

Discussion of possible Educational Aldermanic Committee.

Mayor Gregory stated she knows the importance of our relationship with our schools. First, schools help bring new development, new economic development, new housing and families move here for our good schools. Secondly, the schools also have a vote if the City will have a TIF District and help to get it extended.

This is a perfect opportunity to form a committee since we have three Alderwomen that are in the Educational field. We can promote one another by working together and relying on each other on improving our schools.

Alderwoman Stiehl stated she met with Marilyn Vise and outlined how school boards collaborate with municipalities and how they can work together.

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Mayor Gregory advised she will move forward with research and present a proposal for consideration to the Ordinance and Legal Committee.

City Attorney Hoerner advised this is the first time the County has asked for a portion of our TIF money. City Attorney Hoerner advised this has become normal over the last several years and is consistent with case law. If a surplus is declared, you must distribute it pro rata based upon the tax rather than picking and choosing taxing districts. The extension requires special legislation and the unwritten rule statewide is the General Assembly is needed to consider all the taxing districts. TIF 3 has several taxing districts due to its size.

Alderman Elmore stated as an insurance agent when he speaks with new people in the area, they often ask about the school districts.

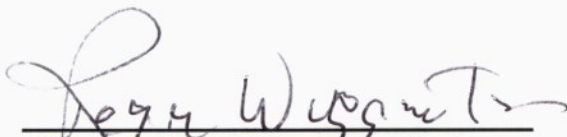
Alderwoman Stiehl advised she has received several noise complaints from downtown; City Attorney Hoerner advised this is being handled through the Police Department. If you would like to address this through home rule at Ordinance and Legal you can do so.

Alderman Wigginton recommended bringing this to the next Ordinance and Legal meeting. Mayor Gregory asked that a representative from the Police Department attend the meeting and bring their reports.

ADJOURNMENT

Alderman Randle made a motion seconded by Alderwoman Stiehl to adjourn the meeting at 6:02 p.m.

Members voting aye on roll call: Eros, Randle, Stiehl, Elmore, Wigginton, Mayor Gregory. (6)


Alderman Roger Wigginton, Chairman