

VILLAGE BOARD MEETING

Bethalto, IL

January 3, 2005

The Village Board of Trustees met on the above date at village hall in a regular meeting called to order by Mayor Bryant at 7:30 p.m. The meeting opened with the "Pledge of Allegiance". Roll call by Clerk Smith. Present: Trustees Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo. Also present: Attorney Balsters, Fire Chief Nolte, Lieutenant Winslow, Public Works Director Ricci, Assistant Public Works Director Piening, and Zoning Administrator Friedel.

Motion by Withers, seconded by Flack, to approve the village board minutes of December 6, 2004 as printed. All members present voted aye viva voce. Motion carried 6-0.

Fire Chief Nolte called the board's attention to the December report as well as the annual report for both fire and EMS calls. There were no questions concerning the reports. Nolte stated Fire Fighter II classes started and would meet two nights per week. Most of our men will sit in but as "refresher" status. In addition, a technical rescue class is being planned consisting of trench, rope, confined space and high angle rescue classes. Nolte invited the board to sit in on any of the training classes and also invited them to see the trench rescue equipment currently on display.

Lieutenant Winslow reviewed the December and year end reports for the police department with numbers remaining fairly steady. The only significant change was in 9-1-1 calls. Winslow stated the new 9-1-1 enhanced system routes all cell phone calls (previously routed to the sheriff's department) to the police agency nearest to the originating call tower. Winslow reported the new officer (Jeremy Crump) was in the second phase (of four) of field training.

Public Works Director Ricci stated there had been a bid opening that morning for a brush chipper. Of the four packets mailed, only one was returned. Since Madison County is financing 80% of the purchase, they had requested additional bids (three or more). The bid process would be resubmitted in order to comply with the county's request. Ricci reported the east side curb, gutter, and catch basins were near completion on the Circle Drive project. At the request of the contractor, weather conditions would be taken into consideration before doing any more extensive work on that project. Ricci stated brush cleanup was ongoing and most of the pickup had been completed before Christmas and once repairs were made to the leaf vac, pickup would resume for any remaining leaves and gumballs.

There were no resolutions.

Ordinance 2005-01 - Amend Chapter 24-Motor Vehicle Code (Williams Street). Mayor Bryant stated the Street Committee met on December 20, 2004 to discuss and amend a previous ordinance from "no parking at anytime" to "no parking daily from 8:00 a.m. to 4:00 p.m." on Williams Street. **Motion by Bourland, seconded by Wallace to approve Ordinance 2005-01 "Amend Chapter 24-Motor Vehicle Code (Williams Street).** Trustees Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo voted aye, nays-none. Motion carried 6-0.

Recommendation from the Zoning Board to grant the special use permit application of Donald and Elaine Withers to construct a storage lot for a towing business on property located at 511 E. Bethalto Drive. Mayor Bryant stated a public hearing was held with notice of the hearing published in *The Telegraph* on December 3, 2004, property owners abutting or fronting the property were properly notified by mail, Don and Elaine Withers were present in support of their request, and there were others present in opposition of the request. The Mayor called on Mr. Withers and also announced that Randall Bono requested to be put on the agenda to speak in opposition. Mr. Withers presented a site plan to the board members

and a picture of the building similar to what he wants to erect. Withers stated plans included a 6 thousand square foot auto repair building in addition to the proposed tow yard. The business would generate tax dollars for the village and jobs. Withers said the towing business was necessary in order to make the entire business profitable.

Randall Bono, husband of the trustee (JoAnne Bono) for the Josephine Meisenheimer Trust whose property abuts the proposed tow lot on the west side spoke in opposition to the proposed tow yard. Bono expressed concern over noise levels of trucks towing cars all hours of the night, increased lighting required at the tow lot, and property depreciation. Bono presented pictures of Withers' current lot showing slatted fencing and wrecked vehicles parked in front of the business and stated this would be the view of persons entering the village. Mayor Bryant asked if there were any questions for either Mr. Withers or Mr. Bono. There were no questions. Bryant called for a motion on the recommendation of the zoning board to grant a special use permit to Donald and Elaine Withers for the construction of a tow lot on property located at 511 E. Bethalto Drive. None was heard. Bryant again called for a motion. None was heard. Attorney Balsters stated the board must take action on the recommendation. Trustee Flack stated this was obviously a tough decision and much discussion had taken place between petitioner Withers and board members. Flack, former Plan Commission member, stated hours and hours of discussion took place in developing the Comprehensive Plan for this community which serves as a roadmap in setting the guidelines for proper use of property throughout the village and in his view stated this was not exactly what the committee had in mind for the use of this property. **Motion by Flack, seconded by DiPaolo that the recommendation from the Zoning Board of Appeals to grant the special use permit application of Donald and Elaine Withers be denied.** Trustees Bourland, Oldendorph, Flack, and DiPaolo voted aye. Withers abstained and Wallace voted nay. Motion carried 4-0.

Mayor Bryant stated the next item on the agenda, the recommendation of the Zoning Board on the variance request of Daniel C. Buller for property located at 212 Mine Street, at the written request of Mr. Buller received this date be tabled until the February 7, 2005 village board meeting in order for Buller to obtain additional information from AmerenIP.

REPORTS FROM THE MAYOR AND OTHER OFFICERS:

1. Mayor Bryant stated the preliminary Phase II of Road A (remainder of West Corbin and Veteran's Court) was given to Ricci and Piening for their review. Bryant requested board approval to let project out for bid. **Motion by Bourland, seconded by Wallace to let bids for the Road A, Phase II (remainder of West Corbin and Veteran's Court) improvement project.** Trustees Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo voted aye, nays-none. Motion carried 6-0.
2. Bryant stated he signed a proclamation declaring January 17, 2005 Dr. Martin Luther King, Jr. Day.
3. Bryant also had the pleasure of speaking at the funeral of Dr. Jesse Wiggins, former pastor at Bethalto Church of God, and presented his wife with a proclamation.
4. Mayor Bryant stated a court order for a declaration of nuisance was issued for property at 75 N. Lincoln stating if property was not cleaned to the village's satisfaction within thirty days a lien would be filed. This was the third offense for this property. Also, judgement had been received for property at 78 N. Lincoln stating if lien monies are not received by January 27, 2005 in the amount \$6,478.91 that property owner would be subject to jail time.
5. The purchase of a new vacuum truck was covered in the Water Board meeting. Discussions would continue with the company and he report back to the board at a later date on financing rates and terms.

The zoning administrator's report was reviewed. Three single-family home permits were issued during the month of December. The annual report showed twenty-three single-family

homes were constructed along with one duplex and twelve condominium units. Mayor Bryant stated the preliminary plat for Sportsmen's Park, the new RLP development, would be presented at the next Plan Commission meeting.

Motion by Bourland, seconded by Wallace to approve the Treasurer's Report for the month of November. Trustees, Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo voted aye, nays-none. Motion carried 6-0.

COMMITTEE REPORTS:

An ordinance committee meeting was called for January 18, 2005 at 7:00 p.m. to discuss street graphics.

WATER DEPARTMENT BILLS:

Motion by Withers, seconded by DiPaolo, authorizing payment of bills in the amount of \$114,291.52. Trustees, Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo voted aye, nays-none. Motion carried 6-0.

AUDIT ACCOUNT:

Motion by Withers, seconded by Bourland, authorizing payment of bills in the amount Of \$3,000.00. Trustees, Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo voted aye, nays-none. Motion carried 6-0.

GARBAGE ACCOUNT:

Motion by Oldendorph, seconded by Withers, authorizing payment of bills in the amount of \$40,778.92. Trustees, Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo voted aye, nays-none. Motion carried 6-0.

MFT FUND:

Motion by Bourland, seconded by Oldendorph, authorizing payment of bills in the amount of \$4,946.78. Trustees, Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo voted aye, nays-none. Motion carried 6-0.

TIF FUND

Motion by Withers, seconded by Wallace, authorizing payment of bills in the amount of \$20,692.00. Trustees, Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo voted aye, nays-none. Motion carried 6-0.

GENERAL FUND:

Motion by DiPaolo, seconded by Oldendorph, authorizing payment of bills in the amount of \$84,836.67. Trustees, Bourland, Oldendorph, Withers, Wallace, Flack, and DiPaolo voted aye, nays-none. Motion carried 6-0.

Mayor Bryant said the next scheduled meeting would be **Monday, February 7, 2005** at 7:30 p.m. The Water Board will meet prior to the board meeting at 7:00 p.m.

Motion by Withers, seconded by Flack at 8:10 p.m. All members present voted aye viva voce. Motion carried 6-0.

Martha L. Smith, Village Clerk

Steve A. Bryant, Mayor