

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL IN THE CITY OF SAVANNA, CARROLL COUNTY, ILLINOIS, HELD ON TUESDAY, MAY 26, 2015 AT 7:30 P.M. IN THE COUNCIL CHAMBERS AT 333 CHICAGO AVENUE, SAVANNA, ILLINOIS 61074

CALL TO ORDER:

Mayor McCombie called the City Council meeting to order on said date at 7:30 P.M. Notice of the meeting was delivered to all Council members and posted in accordance with the State of Illinois Open Meetings Act.

Mayor McCombie recited and led the Pledge of Allegiance.

ROLL CALL ESTABLISHMENT OF QUORUM:

Mayor McCombie asked the Clerk to call the roll with Mayor McCombie, Bill Robinson - absent, Peg Haffey, Christine Lee, John Peterson, Jeff Griswold, Lisa Robinson - absent, and Scott Law present establishing a quorum. Also in attendance were City Clerk, Paul Hartman, City Attorney - Phil Jensen, Comptroller/Treasurer Sheryl Sipe, Wayne Larky, Mike Miller, and Mike Nester - News Media, Mike Moon Police Chief, Kathy Christensen, Bryan Sullivan, Chris Sullivan, Kent Dauphin, Susan Sullivan/Dauphin, Mike Sullivan, Scott Sullivan, John Sullivan June Sullivan and Brian Busser.

APPROVAL OF AGENDA:

Mayor McCombie asked for discussion and consideration of the agenda. **Peg Haffey motioned, seconded by Christine Lee, to approve the agenda and by adding to new business "EPA WWTP Bid Notification"**. Mayor McCombie asked for discussion on the motion and hearing none asked for a voice roll call on the motion with all members present voting in favor. Mayor McCombie declared the motion carried, passed and approved.

APPROVAL OF MINUTES:

Consideration of the Minutes of the May 12, 2015 Regular Meeting Mayor McCombie asked for discussion and consideration of the referenced minutes. **Scott Law motioned, seconded by Peg Haffey, to approve said minutes as presented.** Mayor McCombie asked for discussion on the motion and hearing none called for a voice roll call on the motion, with all members present voting in favor. Mayor McCombie declared the motion passed, carried, and said motion approved.

COMMITTEE REPORTS:

Finance Committee 05-19-15 Mayor McCombie asked for discussion and consideration of said report noting the Chair is not in attendance and Mayor McCombie reported the Finance Committee reviewed specific line items of the Comptroller/Treasurer Sheryl Sipe Budget Report for April 2015, recommending approval by the City Council. **Peg Haffey motioned, seconded by Christine Lee to approve said report, as presented.** Mayor McCombie asked for a discussion on the

motion and hearing none asked for a voice roll call on the motion with all members present voting in favor. Mayor McCombie declared the motion carried, passed and approved.

WARRANT #1A:

Additional Bills Totaling \$1,500.00 Mayor McCombie asked for discussion and disposition of a supplemental Agreement BNSF Outfall and Service Line Agreement the BNSF Railroad to allow a sewer line and an outfall to the river related to the new WWTP at a cost of \$750.00 each of two locations. **Peg Haffey motioned, seconded by Jeff Griswold, to approve said warrant #1, as presented.** Mayor McCombie asked for a called roll on the motion with Peg Haffey, Christine Lee, John Peterson, Jeff Griswold, Scott Law and Mayor McCombie voting in favor. Mayor McCombie declared the motion carried, passed and approved.

COMMUNICATIONS:

Mayor McCombie affirmed no communications submitted for consideration.

APPOINTMENTS:

Ward III Alderperson, 04-30-17 Mayor McCombie advised to postpone consideration of this appointment to the next Council meeting.

Water, Sewer, Refuse, Street, & Alley Committee Member Mayor McCombie advised to postpone this consideration to the next meeting of the City Council.

Hotel/Motel Committee: Kathy Christensen Mayor McCombie asked for discussion and consideration of appointing Kathy Christenson to the Hotel/Motel Committee. **Christine Lee motioned, seconded by Scott Law, to ratify said appointment, as presented.** Mayor McCombie asked for discussion on the motion and hearing none asked for a voice roll call on the motion with all members present voting in favor. Mayor declared the motion carried, passed and approved.

Zoning Board of Appeals: 5 Year Term 5/22/20, Roger Husband/ Zoning Board of Appeals/5 Year Term 5/22/20, William Grummitt Mayor McCombie asked for discussion and consideration of said appointments, as presented. **Peg Haffey motioned, seconded by Scott Law, to ratify said appointments, as presented.** Mayor McCombie declared the motion carried, passed and approved.

MONTHLY REPORTS:

Financial for April 2015 Mayor McCombie asked for discussion and consideration of said report. **Peg Haffey motioned, seconded by Christine Lee, to approve said reports, as presented.** Mayor McCombie asked for discussion on the motion and hearing none asked for a voice roll call on the motion with all members present voting in favor. Mayor McCombie declared the motion carried, passed and approved.

UNFINISHED BUSINESS: Mayor McCombie affirmed no unfinished business submitted for consideration.

NEW BUSINESS:

Resolution, Independence Day Parade Mayor McCombie referred to a proposed resolution #1091 resolving the City Council of the City of Savanna that permission to close off Illinois Route 64 from Division Street to Chicago Avenue as above designated be requested of the Department of Transportation. This closure shall occur during the approximate time period between 5:00 p.m. and 6:00 p.m. on Sunday, July 5, 2015. This closure is for the public purpose of an Independence Day Parade. Traffic from that closed portion of highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway. (The parking of vehicles shall be prohibited on the detour routes to allow an uninterrupted flow of two-way traffic). The detour route shall be as follows: North on Third Street to Webster Street, West on Webster to Main Street to be used when appropriate and that the City of Savanna assumes full responsibility for the direction, protection, and regulation of the traffic during the time the detour is in effect. The police officers or authorized flaggers shall, at the expense of the City of Savanna and be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist *in* directing traffic through the detour. Police officers, flaggers, and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned. **Scott Law motioned, seconded by Christine Lee, to approve Resolution #1091, as presented.** Mayor McCombie asked for discussion on the motion and hearing none asked for a voice roll call on the motion with all members present voting in favor. Mayor McCombie declared the motion carried, passed and approved.

Ordinance, Zoning Map Amendment Request, Fund #01235, LLC Mayor McCombie referred to a prepared Ordinance Of The City Council Of The City Of Savanna Approving A Certain Request For Re-Zoning And Amending The Official Zoning Map Of The City Of Savanna Accordingly. from Fund 01235, LLC, petitioned for re-zoning of property described below from R-1, Single-Family Residential District, to B-2, General Business District and after a public hearing **before the Plan Commission on May 11, 2015**, conducted in accordance with applicable Statutes, the Plan Commission recommended approval of the petition and the re-zoning of the aforesaid land is in accordance with the petition, The approval will not conflict with existing uses of nearby property, is consistent with the orderly development of the City of Savanna, will serve the public health, safety and general welfare and should be allowed. The land described below is hereby re-zoned from R-1, Single-Family District to B-2, General Business District and the official zoning map of the City of Savanna is hereby amended in conformance therewith: Part of the Northeast Quarter of Section 10 and part of the Northwest Quarter of Section 11, Township 24 North, Range 3 East of the Fourth Principal Meridian, Carroll County, Illinois, described as follows: Beginning at a point South 00 degrees 58 minutes 30 seconds West (assumed bearing) on the West line of said Section 11, a distance of 386.54 feet from the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section; thence South 00 degrees 58 minutes 30 seconds West on said West line of Section 11, a distance of 344.42 feet, more or less, to the North line of Bench Street; thence South 84 degrees 58 minutes 30 seconds West on and along last named line a distance of 100.54 feet, more or less, to a line 100 feet perpendicular and normally distant to said West line of Section 11; thence North 00 degrees 58 minutes 30 seconds East on and along a line parallel to last named line a distance of 391.67 feet, more or less, to a point 348.05 feet South and 105.92 feet West of said Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 11; thence North 37 degrees 51 minutes 46 seconds East a distance of 54.15 feet; thence North 66 degrees 05 minutes 55 seconds East a distance of 74.38 feet to a point on said West line of Section 11; thence North 67 degrees 55 minutes 51 seconds East a distance of 257.80 feet; thence South 70 degrees 39 minutes 54 seconds East a distance of 147.57 feet, more or less, to the Southwest corner of Block 7 in Jenk's First Addition; thence South 66 degrees 00 minutes 16 seconds West a distance of 158.32 feet; thence South 67 degrees 15 minutes 20 seconds West a distance of 253.84 feet to the Point Beginning, containing 1.78 acres, more or less. **Peg Haffey**

motioned, seconded by John Peterson, to approve Ordinance #2130, by waiving the first reading, read by title only, and adopt said ordinance #2130, as presented hereinabove. Mayor McCombie asked for discussion on the motion and hearing none asked for a voice roll call on the motion with all members present voting in favor. Mayor McCombie declared the motion carried, passed and approved.

Zoning Board of Appeals, Finding of Facts, Variation Request by Fund #01235, 101 Valley View Drive

Mayor McCombie referred to a finding of fact Variation from Section 10-8-6(H) – 1 ½ spaces required per lodging unit reduced to 1 parking space per lodging unit requested by Fund 01235, LLC, for property located at 101 Valley View Drive. The ZBA recommends, as follows: 1. The variation will not contaminate the air, nor impair the light supply to adjacent property. The consensus of all members was that the proposed variation would not be detrimental. 2. The variation will not increase the congestion in public streets. The consensus of all members was that the variation would not have any effect on the traffic in the area. 3. The variation will not increase the danger of fire. The majority of the ZBA felt it would not increase the danger of fire. However, Eric Arno felt that the site would be congested and could contribute to the increased danger of fire by not allowing the Fire Department access around the property. Roger Husband agreed that it could hinder the Fire Department, but said it wouldn't increase the danger of fire. 4. The variation will not impair or diminish property values. The consensus of all members was that the variation would not be detrimental to the adjacent properties. 5. The variation will not be contrary to the general health, safety and welfare of the people of the City. The majority consensus of the ZBA was that it would not be contrary to the health of the people of the City. Roger Husband and Eric Arno felt that the congestion of the site could be contrary to the health of the people of the City.

The ZBA Board recommends to the City Council that the variation be approved with the condition that they add an additional 12 parking spaces for a total of 90 spaces, with all members voting in favor.

Mayor McCombie asked for consideration of this recommendation and asked City Attorney Phil Jensen for legal options the City Council has in this matter. The Attorney advises that the Council has three options “Accept the ZBA recommendation”, “Send the FOF back to the ZBA for further FOF” or “deny the recommendation.” The Attorney advised the City Council does not have the authority to approve the petitioner’s request to reduce the number of parking places required by the City Codes. A mixture of exchange of ideas was entered into concluding with **Peg Haffey motioning, seconded by Christine Lee, to send this variation request back to the ZBA for further finding of fact with Fire Chief Shawn Picolotti and John Lindeman Public Works Superintendent in attendance to respond to the health and safety issues related to a reduction on parking spaces issues constituting health or safety issues.** Mayor McCombie asked for discussion on the motion and hearing none asked for a voice roll call on the motion with all members present voting in favor. Mayor McCombie declared the motion carried, passed and approved.

Ordinance, Variation Request, Reduce Parking Spaces Fund #01235, LLC Mayor McCombie referred to the hereinabove FOF on the matter affirming postponement of consideration of this proposed ordinance pending the ZBA re-evaluation of the terms of denial stated above. The City Council accepted this report by consensus of the members present.

Zoning Board of Appeals, Finding of Facts, Variation Request by William

Edwards, 1621 Superior Avenue Mayor McCombie referred to said FOF stipulating, as follows: William and Tonya Edwards 1621 Superior Avenue Variation Request from Section 10-2-8(F) of the Savanna City Code. The matter coming before the Savanna Zoning Board of Appeals on the application to allow an accessory structure to be built with a footprint larger than the ground floor area of the principal structure. This matter having been heard by the Zoning Board of Appeals on the 11th day of May 2015, at 6:30PM in the Savanna City Council Chambers, 333 Chicago Avenue, Savanna, Illinois, and the Zoning Board of Appeals having heard sworn evidence introduced at the hearing and having considered the same and the arguments of all interested parties appearing at this hearing, finds William and Tonya Edwards 1621 Superior Avenue Variation Request from Section 10-2-8(F) to allow an accessory structure to be built with a footprint larger than the ground floor area of the principal structure. This matter having been heard by the Zoning Board of Appeals on the 11th day of May 2015, at 6:30PM in the Savanna City Council Chambers, 333 Chicago Avenue, Savanna, Illinois, and the Zoning Board of Appeals having heard sworn evidence introduced at the hearing and having considered the same and the arguments of all interested parties appearing at this hearing, finds the proposed Variation should not contaminate the air, nor should it significantly impact the congestion of the streets. The Variation should not impair light to the adjacent properties. The danger of fire should not be increased. The proposed detached accessory structure should not diminish adjacent property values. The requested Variation should not be contrary to the general health, safety and welfare of the people of the City. The ZBA recommends approval of this variation request, as presented. The City Council accepted this report by consensus of the members present.

Ordinance, Variation Request, Allow Larger Footprint than Principal William Edwards Mayor McCombie referred to a proposed Ordinance Of The City Council Of The City Of Savanna Authorizing Variations From The Provisions Of The City Code -Title 10 - Entitled "The Savanna Zoning Ordinance". The Zoning Board of Appeals of the City of Savanna held a public hearing on May 11, 2015, at 6:30PM in the Savanna City Council Chambers, 333 Chicago Avenue, Savanna, Illinois to hear a zoning variation request by William and Tonya Edwards for property located at 1621 Superior Avenue, Savanna, Illinois the applicant be granted a Variation from the following Section of the Zoning Ordinance: Section 10-2-8(F) to allow an accessory structure to have a footprint larger than the ground floor area of the principal structure on property described as: 1621 Superior Ave, Savanna, IL 61074, with P.I.N. 08-07-11-109-004. William and Tonya and Edwards is hereby authorized to build in conformance with the variation hereinabove written. **Scott Law motioned, seconded by John Peterson, to waive the first reading of proposed Ordinance #2031, read by title only and adopt Ordinance #2031.** Mayor McCombie asked for discussion on the motion and hearing none asked for a voice roll call on the motion with all members present voting in favor. Mayor McCombie declared the motion carried, passed and

approved.

(Added Item) EPA WWTP Bid Notification Mayor McCombie reported information has been received regarding the WWTF that easements have been cleared by the EPA officials will require publishing a bidding document to build the WWTP in a Rockford newspaper at a cost of approximately \$5,500.00. Mayor McCombie requested City Council authorization to pay this publishing fee. **Christine Lee motioned, seconded by Peg Haffey, to approve said expenditure up to \$5,500.00 and placed on the next warrant for endorsement.** Mayor McCombie asked for a called roll on the motion with Peg Haffey, Christine Lee, John Peterson, Jeff Griswold, Scott Law and Mayor McCombie voting in favor. Mayor McCombie declared the motion carried, passed and approved.

CITIZENS, COUNCIL MEMBERS: Mayor McCombie asked for said comments, resulting in the following presentations:

Scott Law was recognized from the elected officials table and commented on the Infrastructure Project Update from Community Funding and Planning Services, Sharon Pepin.

Christine Lee was recognized from the elected officials table and commented on complaints received via phone on the Iron Horse Music Festival May 22, 23, 24, 2015 with the City Council concluding to ignore said complaints since said festival is once a year.

Mayor McCombie submitted a update on the housing noting letters were received from home owners on Chicago Avenue and Gilbert Street with Christine Lee asking about placing liens on houses torn down with Mayor McCombie responding is will be about a year with the plan to place liens on all the affected housing demotion projects as the same time.

EXECUTIVE SESSION: 5ILCS 120/2(c)(11) Consideration and Discussion of Pending, Probable or Imminent Litigation Involving the City & 5ILCS 120/2 (c)(1) Consideration and Discussion of the Appointment Employment, Compensation, Discipline, Performance, Dismissal of Specific Employees or to Hear Testimony on a Complaint Lodged Against an Employee Mayor McCombie affirmed no executive session required.

ADJOURNMENT:

Mayor McCombie asked for a motion to adjourn the meeting. Christine Lee motioned, seconded by John Peterson to adjourn the meeting at 8:39 PM. Mayor McCombie asked for discussion and hearing none asked for a called roll on the motion with John Peterson, Jeff Griswold, Peg Haffey, Scott Law, Christine Lee and Mayor McCombie voting in favor. Mayor McCombie declared the motion passed, carried, and approved, as presented.

Composed By Paul Hartman, City Clerk

COUNCIL MEETING FOR JUNE 09, 2015 CANCELED