

BREESE CITY COUNCIL MEETING * APRIL 19, 2016

AGENDA

1. HMG ENGINEERS, INC – Modifications to services relative to the Jamestown Road and Holy Cross Lane Roundabout & Drainage Project. Amendment #1 to Task Order #1. The amendment increases the design engineering fee by \$215,000. Increases the original amount from \$589,687 to \$804,687.
2. RESOLUTION TIF ASSIGNMENT – Bruegge and Co., D/B/A Bruegge Furniture to Lappe Properties LLC.
3. FINAL PLAT – Lincoln Village Phase 5.
4. DENNIS BOOK – Re-appointment to Zoning Board.
5. TIMMERMANN PROPERTIES VARIANCE REQUEST – Findings of Fact and Conclusions of the City Council relative to the Petition for Zoning Variance filed by Timmermann Properties.
6. ZONING ORDINANCE – Consider an Ordinance granting the request for Variance filed by Timmermann Properties.
7. SPRING CLEANUP DAY – April 23rd from 9 a.m. – 3 p.m. at the street department located on S. Broadway. E-waste (including televisions) will be accepted. NOTE: The Boy Scouts take E-waste (except televisions) as a fundraiser. They are located on Old Rt. 50 & Chestnut.

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Minutes of the proceeding of the 24th Regular Meeting of the Breese City Council held in City Hall on the above date.

Mayor Charles E. Hilmes called the meeting to order at 7:30 p.m.

Aldermen in attendance: Robert Berndsen, Bill Fischer, Chris Hamilton, Debbie Koetting, Carl Ratermann, Paul Steinman, Kevin Timmermann. Absent: Gary Usselmann.

City Officials: Utility Plant Operations Manager Dale Detmer, City Business Administrator Tim Schleper, Zoning Administrator John Becker, Police Chief Bob Fix.

Press: Vicky Albers, Breese Journal.

Visitors: Richard Kuiken, Eric Timmermann, Jack Richter, Marsha Maller, Yvonne Williams, Stephanie Williams, Emily Williams, Haley Tebbe, Kaylee Schrand, Ali Mahan, Ryan Bobik, Brock Nunn, Bailey Stewart, Tarik Tibbs, Alex Neumann, Ryan Hall, Taylor Douglas.

GENERAL BUSINESS

Motion by Steinman seconded by Berndsen to approve the minutes of the meeting held on April 5, 2016 and place on file. Motion Carried by unanimous voice vote.

Motion by Timmermann seconded by Koetting to authorize payment of the bills submitted at the finance and regular meetings. Further, to approve the city clerk and city treasurer reports for March. On Roll Call Voting "aye": Berndsen, Fischer, Hamilton, Koetting, Ratermann, Steinman, Timmermann. Absent: Usselmann. Motion Carried.

Mayor Hilmes acknowledged a group of high school students who were attending for their government class at Central High School taught by Kurt Peters.

Jack Richter asked some TIF related questions. In response, he was informed the life of a TIF is 23 years and upon approval from the state legislators can be extended to 35 years. A link will be placed on the City's website so interested parties can view the annual TIF report via the State Comptrollers Office.

ZONING/BUILDING INSPECTION:

Mayor Hilmes noted there were two parties in attendance relative to the Variance request filed by Timmermann Properties. The Variance was tabled last meeting for further review.

Attorney Richard Kuiken, representing Lynn Wedekemper who owns adjoining property, addressed the Council. He said would not go into the details from what was said at the April 5th Council meeting, although everything he stated then still applied. He said he still believes there was not enough evidence to justify granting the variance per the requirements in the zoning code and state law.

Eric Timmermann of Timmermann Properties cited the some of the hardships to justify granting the variance. He said a new business, which he wants to build a third structure for, would have no storefront if he had to put an addition to his present auto detailing building. Also, there would not be adequate parking if he added an addition to the grocery building located on the same lot. He said essentially the zoning code is limiting his return on his investment on his property.

Motion by Steinman seconded by Fischer to approve the Findings of Fact and Conclusions of the City Council relative to the Petition for Zoning Variance filed by Timmermann Properties. On Roll Call Voting "aye": Fischer, Hamilton, Koetting, Ratermann, Steinman, Timmermann, Berndsen. Absent: Usselmann. Motion Carried.

Motion by Steinman seconded by Fischer to pass Ordinance #1440 as presented. It grants the request for a Variance filed by Timmermann Properties. It allows for the construction of an additional building on his lot located at 8727 Old Rt. 50. This modifies the "one principal building per lot" requirement of the zoning code. On Roll Call Voting "aye": Hamilton, Koetting, Ratermann, Steinman, Timmermann, Berndsen, Fischer. Absent: Usselmann. Motion Carried.

Mayor Hilmes re-appointed Dennis Book to the zoning board.

Motion by Berndsen seconded by Hamilton to approve the Book appointment. Motion Carried by unanimous voice vote.

FINANCE:

Motion by Koetting seconded by Berndsen to pass Resolution #2016-8 as presented. It assigns the TIF Agreement dated April 5, 2005 from Bruegge and Co., d/b/a Bruegge Furniture to Lappe Properties, LLC. On Roll Call Voting "aye": Koetting, Ratermann, Steinman, Timmermann, Berndsen, Fischer, Hamilton. Absent: Usselmann. Motion Carried.

Alderwoman Koetting noted proposed FY'17 budgets due by May 1.

PUBLIC WORKS – STREET/DRAINAGE:

Motion by Timmermann seconded by Berndsen to approve Amendment #1 to Task Order #1 of the Agreement between the City of Breese and HMG Engineers dated January 3, 2012. It modifies the services and payment to HMG relative to the Jamestown Road and Holy Cross Lane Roundabout & Drainage Project. The amendment increases the design fee by \$215,000. It increases the original amount from \$589,687 to \$804,687. On Roll Call Voting "aye": Ratermann, Steinman, Timmermann, Berndsen, Fischer, Hamilton, Koetting. Absent: Usselmann. Motion Carried.

Motion by Timmermann seconded by Steinman to approve the Final Plat of Lincoln Village Phase 5. This is a 2-lot subdivision consisting of 11.56 acres. On Roll Call Voting "aye": Steinman, Timmermann, Berndsen, Fischer, Hamilton, Koetting, Ratermann. Absent: Usselmann.

RECREATION:

Alderman Ratermann commented that Barb Jansen is training her replacement, Eddie Greer, for clubhouse manager at Bent Oak Golf Course.

HEALTH & WELFARE:

Alderman Hamilton stated the Spring Cleanup is scheduled for April 23rd from 9 a.m. – 3 p.m. at the street department. E-waste (including televisions) will be accepted. He noted that the Boy Scouts take e-waste (except televisions) as a fundraiser.

OLD/NEW BUSINESS:

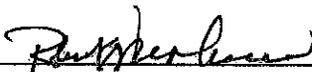
Mayor Hilmes commented on the Letter to the Editor that was in the Breese Journal last week regarding TIF Districts. He said there were many half truths and many misrepresentations and found about 9 of them. He said if anybody has a question regarding TIF to contact him.

Mayor Hilmes stated there was a public hearing prior to the meeting on the proposed Route 50/Holy Cross Lane East TIF District. There were objections. The Joint Review Board met on the new TIF on March 18 and voted to approve it.

ADJOURNMENT:

Motion by Steinman seconded by Koetting to adjourn at 8 p.m. after no further business was brought before the Council. Motion Carried by unanimous voice vote.

Non-verbatim minutes taken by:


Robert J. Venhaus, City Clerk