

BREESE CITY COUNCIL MEETING \* OCTOBER 4, 2016

AGENDA

1. FIREWORKS PERMIT – Optimist Club of Breese on October 8<sup>th</sup> at 8:15 p.m. at Northside Park in conjunction with their Fall Festival.
2. RESOLUTION – Authorizing the execution of a Right-Of-Way Purchase Agreement with Rita Ratermann Declaration of Trust.
3. LEAF DUMP – Opens on October 19<sup>th</sup> and each Saturday, Sunday and Wednesday thereafter until December 4. Wednesdays and Sundays from Noon – 4 p.m.; Saturdays from 10 a.m. – 4 p.m. The location is the Jansen Farm located south of town on Breese Road.
4. ZONING:
  - a. Brian Pierce request for a special use permit for a home occupation. The Zoning Board considered the request on September 22<sup>nd</sup> and of the 6 members in attendance, 3 voted in favor and 3 voted against it. The motion failed to pass as a minimum of 4 affirmative votes was not obtained.
  - b. Zoning hearing on October 6<sup>th</sup> at 7:30 p.m. in City Hall. Dylan Bøeckman request a Variance to build a 36' x 36' garage on his back lot with ingress and egress onto Huelshire Drive. This would require a change of the rear setback from 25' to 15'. Property located at 193 S. Cherry St.
  - c. Zoning hearing on October 20<sup>th</sup> at 7:30 p.m. in City Hall. Don Voss request a Special Use Permit for a Home Occupation. He would like to build a 1,536 sq. ft. addition onto the current free standing garage to use as a custom wood shop/cabinet shop business. Property located at 1071 Lakeview Drive.

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Minutes of the proceeding of the 35<sup>th</sup> 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, Gary Usselmann.

City Officials: Utility Plant Operations Manager Dale Detmer, Public Works Manager Don Voss, Police Chief Bob Fix, City Attorney Joanne Stevenson, Zoning Administrator John Becker.

Press: Vicky Albers, Breese Journal.

Liz Dowell, Centralia Sentinel/Carlyle Union Banner.

Visitors: Brian Pierce, Eric Johnson, Rachel Deien, Christy Giller.

GENERAL BUSINESS

Motion by Usselmann seconded by Steinman to approve the minutes of the meetings held on September 19<sup>th</sup> & 20<sup>th</sup> and place on file. Motion Carried by unanimous voice vote.

Motion by Hamilton seconded by Koetting to authorize payment of the bill submitted. On Roll Call Voting "aye": Koetting, Ratermann, Steinman, Timmermann, Usselmann, Berndsen, Fischer, Hamilton. Motion Carried.

Mayor Hilmes acknowledged two students from Central High School who were attending for their government class.

Motion by Fischer seconded by Berndsen to approve the Fireworks Permit requested by the Optimist Club of Breese. The fireworks will be held on October 8<sup>th</sup> at the Northside Park in conjunction with their Fall Festival. Motion Carried by unanimous voice vote.

COMMITTEE REPORTS

ZONING/BUILDING INSPECTION:

Alderman Steinman reported the Zoning Board considered the request of Brian Pierce for special use permit for a home occupation on September 22. There were 6 members in attendance and 3 voted in favor and 3 voted against it. The motion failed to pass as a minimum of 4 affirmative votes was not obtained.

ZONING (continued):

Zoning Administrator John Becker stated it was brought to the attention of the zoning board that a part of the Illinois Plumbing Code states that any building intended for human habitation or occupancy shall have connection to a public water system. Pierce stated in his application that the work would be done in his shed, which does not have water. Becker felt it was not applicable in this case and Pierce met the criteria in the zoning code. There also were no objections from any of his neighbors.

Brian Pierce explained that the home occupation is the repair of computers, which in 99% of the time, he goes to the customer and picks them up and repairs them in his shed. No customers come to the shed. Upon questioning, he said there would be no items outside the shed, very little noise and no signage.

City Attorney Joanne Stevenson noted that there are sheds throughout the town without water. She felt the Plumbing Code was misapplied in this case and more drafted toward a building code. She felt that the Council could pass the Findings of Fact and the Ordinance granting the special use permit.

Motion by Steinman seconded by Usselman to approve the Findings of Fact and Conclusions of the City Council relative to the application for a special use permit filed by Brian Pierce. On Roll Call Voting "aye": Ratermann, Steinman, Timmermann, Usselman, Berndsen, Fischer, Hamilton, Koetting. Motion Carried.

Motion by Hamilton seconded by Berndsen to pass Ordinance #1352 as presented. It grants the application for a special use permit filed by Brian Pierce. On Roll Call Voting "aye": Steinman, Timmermann, Usselman, Berndsen, Fischer, Hamilton, Koetting, Ratermann. Motion Carried.

Alderman Steinman stated there are two zoning hearings scheduled:

- October 6<sup>th</sup> at 7:30 p.m. in City Hall. Dylan Boeckman requests a Variance to build a 36' x 36' garage on his back lot with ingress and egress onto Huelshire Drive. This would require a change of the rear setback from 25' to 15'. Property located at 193 S. Cherry St.
- October 20<sup>th</sup> at 7:30 p.m. in City Hall. Don Voss requests a Special Use Permit for a Home Occupation. He would like to build a 1,536 sq. ft. addition onto the current free standing garage to use as a custom wood shop/cabinet shop business. Property located at 1071 Lakeview Drive.

PUBLIC WORKS – UTILITIES:

Alderman Berndsen stated the water department will be using free chlorine for the next couple weeks and then will be flushing hydrants.

PUBLIC WORKS – STREET/DRAINAGE:

Motion by Timmermann seconded by Usselmann to pass Resolution #2016-11 as presented. It authorizes the execution of a Right-Of-Way Purchase Agreement with Rita Ratermann Declaration of Trust. The purpose of the purchase is for improvements to Holy Cross Lane East and the drainage connected therewith. On Roll Call Voting “aye”: Timmermann, Usselmann, Berndsen, Fischer, Hamilton, Koetting. Voting “abstain”: Ratermann. Voting “nay”: Steinman. Motion Carried.

RECREATION:

Alderman Ratermann stated there is a golf board meeting on Wednesday starting at 7 p.m. in the clubhouse.

HEALTH & WELFARE:

Alderman Hamilton stated the Leaf Dump opens on October 19<sup>th</sup> and runs thru December 4<sup>th</sup> on the following days: Wednesdays and Sundays from Noon – 4 p.m.; Saturdays from 10 a.m. – 4 p.m. The location is again the Jansen Farm located south of town on Breese Road.

Fall Cleanup is scheduled for October 15<sup>th</sup> from 9 a.m. – 3 p.m. at the street department located on South Broadway.

OLD/NEW BUSINESS:

Mayor Hilmes stated the 2017 Consolidated Election is scheduled for April 4, 2017. Petitions can now be circulated for Mayor, City Treasurer, City Clerk and 4 Alderman Positions. The filing period is December 12-19, 2016.

ADJOURNMENT:

Motion by Steinman seconded by Ratermann to adjourn after no further business was brought before the Council. Motion Carried by unanimous voice vote.

The meeting adjourned at 7:58 p.m.

Non-verbatim minutes taken by:



Robert J. Venhaus, City Clerk