

**COUNCIL MEETING 16-12**  
**JUNE 27, 2016**

The City Council met in Council Chambers at 7:00 PM with the Mayor calling the meeting to order and the following answering to roll call:

Andy Koehler	Council Member
Mike Yaklich	Council Member
Kellie Wallace-McKenna	Council Member
Deann Schweitzer	Council Member
Steve Looney	Mayor

News media present were as follows:

Mike Berry	Star Courier
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The Pledge of Allegiance was said.

Mayor Looney asked for a moment of silence for our troops still fighting overseas.

Mayor Looney explained that the next items were placed on the consent agenda and were considered to be routine in nature to be passed as a whole with one vote of the Council. Mayor Looney requested that any member of the Council or the audience wishing to have an item removed from the consent agenda for individual consideration to make the request and the item would be removed and considered following the approval of the remaining consent items. The consent agenda included minutes from the June 13, 2016 Council Meeting, payroll for the pay period ending June 11, 2016 of \$202,839.61, department head reports from Finance & Administrative Services, and Bock, Inc. The consent agenda items were approved on a motion made by Council Member Yaklich and seconded by Council Member Wallace-McKenna. Roll call showed 5 ayes, no nays. The motion passed.

Bills submitted for approval totaling \$168,292.79 were approved on a motion made by Council Member Wallace-McKenna and seconded by Council Member Schweitzer. Council Member Koehler asked about the chloride issue. City Manager Bradley reported that the work was progressing, noting that we are hoping to reduce leaks to avoid the need for the exclusion. The invoice to Brown, Hays was for a short phone call. He further verified that the pressure reducing valves had been in place, but are still being calibrated. Roll call showed 5 ayes, no nays. The motion passed.

**PUBLIC HEARING**

A public hearing on the Appropriations Ordinance for the municipal fiscal year from May 1, 2016 through April 30, 2017 was opened at 7:05 pm. Mayor Looney stated that it was an opportunity for the public to provide input on the appropriations ordinance as required by State Statute 65 ILCS 5/8-2-9. He invited anyone who wanted to make comments to do so. There were no such requests. He asked the Council for any comments. City Manager Bradley explained at the request of Council Member Yaklich that the appropriations ordinance was required by state statute. The appropriations

ordinance allows us to expend funds should an emergency arise, but the purchasing policy limits expenditures to those that are budgeted. There is no direct correlation to taxes.

## **CITIZEN PARTICIPATION**

Mayor Looney asked if anyone wished to speak. Constance from Braveheart gave a presentation to the Council about the service they provide to children who have been sexually or physically abused and the numbers of children from Kewanee that they serve. She also requested that the City of Kewanee consider assisting with funding of the programs offered.

Steve Faber asked when potholes would be filled. Public Works Operations Manager Johnson reported that the street department was working in quadrants for filling potholes. Mr. Faber also questioned the property across from the Shamrock that had some demolition work done, but not completed.

Jeff Daniels requested the alley between Grove & Ross Streets be vacated. City Manager Bradley explained that the city would review the area for underground utilities and other uses. If none existed, the paperwork would be prepared to vacate it. Mr. Daniels also asked about loud stereo systems and if there is anything further that can be done. Police Chief Dison explained that the Illinois Vehicle Code specified the fines for illegal amplification.

## **NEW BUSINESS**

Minutes from the Zoning Board of Appeals for its meeting on June 22, 2016 were accepted on a motion made by Council Member Koehler and seconded by Council Member Wallace-McKenna. Council Member Yaklich noted that he had received correspondence from other neighbors regarding concerns about the building project. City Attorney Blachinsky noted that the Public Hearing conducted at the Zoning Board of Appeals was the time for testimony from the neighbors. Council Member Yaklich stated that his concern was that the work had begun prior to having final approval for the variance or the purchase of the 50 feet behind the lot. City Manager Bradley reported that the City was trying to work with a future homeowner and the discussion regarding the extra 50 feet would alleviate ground for the city to mow and maintain. The reasoning was to facilitate the housing being equal to the front of the other houses in the area, but the owner was planning to ask for a variance for the third stall of the garage. Roll call showed 5 ayes, no nays. The motion passed.

An ordinance granting a request for variance to Kurt Gustafson at 531 East Division Street was denied on a motion made by Council Member Koehler and seconded by Council Member Schweitzer. A lengthy discussion was held regarding the process and pitfalls encountered along the way. Council Member Yaklich acknowledged that the City had dialog with the owner and made arrangements with to add property to the back of the property to allow the appropriate setbacks. Mr. Kurt Gustafson addressed the Council acknowledging that mistakes had been made and he apologized for them. He also reported that the builder would not stand behind the construction if he did not receive the variance, which would mean that he would have to abandon the project. City Manager Bradley noted a common complaint from realtors regarding the small lot size. Keith Edwards, Building & Zoning Officer testified as to the process that was followed. Roll call showed 2 ayes, 3 nays, with Council Members Yaklich, Wallace-McKenna and Schweitzer casting the dissenting votes. The motion failed.

City Manager Bradley stated that any person on the prevailing side could make a motion to reconsider the ordinance if they were not sure or were wavering on their vote. Council Member Yaklich stated that he was wavering and would really like additional information. Council Member Yaklich made a motion to reconsider, which was seconded by Council Member Koehler. Roll call vote showed 3 ayes, 2 nays, with Council Members Wallace-McKenna and Schweitzer casting the dissenting votes. The motion passed.

The ordinances granting a request for variance to Kurt Gustafson at 531 E Division Street and authorizing the sale of a part of Outlot 1 in Mill Creek Subdivision immediately behind 531 E Division Street to Kurt Gustafson were tabled on a motion made by Council Member Yaklich and seconded by Council Member Koehler. Council Member Yaklich requested additional information, including aerial views of the area for the next meeting. Roll call showed 5 ayes, no nays. The motion passed.

Minutes of the Plan Commission for its meeting on June 23, 2016 were accepted on a motion made by Council Member Wallace-McKenna and seconded by Council Member Yaklich. Roll call showed 5 ayes, no nays. The motion passed.

Ordinance #3836 granting a special use permit to Anthony and Abigail Segura for property located at 200-202-204 North Chestnut Street was approved on a motion made by Council Member Wallace-McKenna and seconded by Council Member Yaklich. Council Member Koehler noted the limitation on the hours of operation. Roll call showed 5 ayes, no nays. The motion passed.

Ordinance #3837 granting a special use permit to James Liichow for property located at 200 South Boss Street for operation of a beer garden was approved on a motion made by Council Member Wallace-McKenna and seconded by Council Member Schweitzer. Roll call showed 5 ayes, no nays. The motion passed.

An ordinance granting a Special Use permit to Kim Cernovich for excavation and sale of material at parcel #20-29-300-012 (Route 81 and Union Street) was amended to change the time frame to 24 months and include a performance bond on a motion made by Council Member Wallace-McKenna and seconded by Council Member Yaklich. Council Member Koehler noted that all Council Members were in attendance of the Plan Commission meeting. He thanked the Plan Commission and the City Engineer for their work at the meeting. Council Member Yaklich noted that the neighbors did a very good job of expressing their concerns at the public meeting. Council Member Schweitzer noted her concerns with the project including that there had been no excavating within city limits for many years. City Engineer Nobel noted that he was familiar with borrow projects. City Manager Bradley advised the Council that they were able to make any amendments they felt were needed to the proposed ordinance, including a performance bond. City Engineer Nobel stated that in a borrow project there would not be concerns with the ground settling, as the ground that remains is undisturbed. He also advised that he would receive a set of plans for the project that would lay out all of the topography before and after the project. The top soil would be replaced after the excavation. Roll call showed 4 ayes, 1 nay, with Council Member Schweitzer casting the dissenting vote. The motion passed.

Ordinance #3838 granting a Special Use Permit to Kim Cernovich for excavation and slae of material at parcel #20-29-300-012 (Route 81 and Union Street) was approved as amended on a motion made by Council Member Wallace-McKenna and seconded by Council Member Yaklich. Roll call showed 4 ayes, 1 nay, with Council Member Schweitzer casting the dissenting vote. The motion passed.

Ordinance #3839 directing the sale of excess real estate at 517 Roosevelt Avenue was approved on a motion made by Council Member Yaklich and seconded by Council Member Wallace-McKenna. Council Member Yaklich thanked City Manager Bradley for the additional information. Roll call showed 5 ayes, no nays. The motion passed.

~~Ordinance #3840 directing the sale of excess real estate at 603 East Third Street was approved on a motion made by Council Member Wallace-McKenna and seconded by Council Member Koehler. Roll call showed 5 ayes, no nays. The motion passed.~~

Ordinance #3841 providing for a Stop sign on Morton Avenue at its intersection with McKinley Street was approved on a motion made by Council Member Wallace-McKenna and seconded by Council Member Schweitzer. Roll call showed 5 ayes, no nays. The motion passed.

Ordinance #3842 establishing the posted speed limit on O'Dea Street to be 15 mph was approved on a motion made by Council Member Schweitzer and seconded by Council Member Yaklich. Roll call showed 5 ayes, no nays. The motion passed.

Ordinance #3843 fixing Appropriations for the fiscal year beginning May 1, 2016 and ending April 30, 2017 was approved on a motion made by Council Member Wallace-McKenna and seconded by Council Member Yaklich. Roll call showed 5 ayes, no nays. The motion passed.

#### OTHER BUSINESS

Council Member Yaklich wished everyone a good 4<sup>th</sup> of July.

Council Member Wallace –McKenna expressed her sympathies to the family of Rosemary Paxton. She also wished everyone a happy and safe 4<sup>th</sup> of July, them to watch out for their pets.

Council Member Schweitzer wished everyone a happy & safe 4<sup>th</sup>.

Council Member Koehler noted that the Council had discussed the down tree in West Park at the previous meeting and the next day the tree was removed. He also commented on a property in the 600 block of Payson Street.

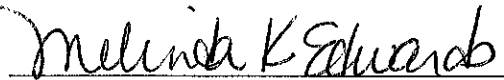
Mayor Looney wished everyone a happy 4<sup>th</sup> of July and thanked the public for their comments.

#### ANNOUNCEMENTS

The Mayor then announced public meetings regarding the Economic Development and Community Development and Neighborhood Revitalization plans would be held on June 28, 2016 at 6 PM at City Hall. ~~City Hall offices would be closed on Monday, July 4 in observance of Independence Day. There would be no landscape waste collection that week, with no other~~

changed planned to the trash collection schedule. The Transfer Station would be closed on Saturday, July 2. The Transfer Station would be open for the final Saturday of the season on July 9 from 7 am to noon. Also, residents were reminded, that trash could not be set out for collection until noon the day before the scheduled collection date, at the earliest.

There being no further business, Council Member Schweitzer moved to adjourn the meeting and Council Member Yaklich seconded the motion. Roll call showed 5 ayes, no nays. The meeting adjourned at 9:11 PM.

  
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MELINDA EDWARDS, CITY CLERK

  
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DATE APPROVED