

ORDINANCE COMMITTEE

September 19, 2013

MEMBERS

Chairman Jones
Alderman Budd
Alderman Burtle
Mayor Brotherton

ABSENT

Alderman Vota

ALSO PRESENT

Treasurer Nation
Superintendent Wiseman
Alderman Walters
Alderman Dorchinecz
Alderman Koonce
Alderman Heberling
Cindy Dey

Chairman Jones called the meeting to order at 8:04 P.M.

Use of Ward Money/Utility Tax

The Committee had a lengthy discussion regarding the allocation of funds to spend in the respective Wards. Currently 2% of the 3% Utility Tax is transferred to the Street Maintenance Fund which is an interest bearing bank account. The Street Department Secretary tracks the expenditures allotted per Ward.

Motion by Alderman Budd and seconded by Alderman Jones to recommend to the City Council to preplan each Spring the Ward Projects and preapprove the projects by the Street and Sewer Committee and to have other projects over \$1,000.00 approved by the Street and Sewer Committee from time to time effective January 1, 2014. Motion carried 3-0.

Change Language and Procedure to Implement Public Act 96-1473

Motion by Alderman Burtle and seconded by Alderman Budd to recommend to the City Council to direct the City Attorney to amend Section 1-6-6 of the Taylorville City Code as follows:

1. This following notice shall appear at the end of the respective agendas for all City Council and Committee Meetings:

Per subparagraph (g) of 5 ILCS 120/2.06, this portion of the City Council (or Committee) Meeting is reserved for any person wishing to address the Council (or Committee) on any relevant subject matters concerning the City. The Illinois Open Meetings Act (5 ILCS et seq.) mandates NO action shall be taken on subject matters not listed on the agenda, but the Council (or Committee) may direct staff to address the topic or refer the subject matter to a future Council and/or Committee Meeting. If anyone wishes to address the Council (or Committee) please provide your name and address, limit your comments or presentation to three (3) minutes, and avoid repetitious comments. Thank You.

2. At Committee Meetings when members of the public are present and ask to address the Committee before any decisive action is taken on a pending subject matter, then it can be handled either by (a) the Chairman opening the floor to the public for discussion or (b) a motion can and should be made and seconded by Committee members to suspend the rules and order of business and allow such persons to address the Committee during the discussion of that pending subject matter agenda item. If such motion is made and approved by a majority vote of Committee members present, the Committee Chairman is obligated to comply with that motion.

3. That same procedure can be implemented on the Council Meeting level, with the Mayor as the presiding officer that can open the floor to the public for discussion on his own or an aforesaid motion can be made and approved, but its use in most circumstances is probably more appropriate during Committee Meetings where the custom is to utilize the Committee environment for extensive discussion and debate on pending subject matters.
4. Those persons who you know will be addressing the Council or Committee by invitation or otherwise at or prior to the meeting (e.g. the City Attorney, City Engineer, Superintendents, persons who ask to be put on the agenda to speak about a particular subject matter agenda item, insurance personnel, auditors, etc.) should simply be identified in the respective agenda items as persons who may address the Council or Committee. In any event, the Mayor or any Alderman or City Official can ask at any time during any meeting that any City Employee, official, or Superintendent address the Council or Committee concerning any subject matter relevant to the City or to the discussion at hand. Thus, in those events, no motion need be made to divert from the City's rules and order of business.

Motion Carried 3-0.

Motion by Alderman Burtle and seconded by Alderman Budd to recommend to the City Council to direct the City Clerk to print the following notice at the end of the respective agendas for all City Council and Committee Meetings:

Per subparagraph (g) of 5 ILCS 120/2.06, this portion of the City Council (or Committee) Meeting is reserved for any person wishing to address the Council (or Committee) on any relevant subject matters concerning the City. The Illinois Open Meetings Act (5 ILCS et seq.) mandates NO action shall be taken on subject matters not listed on the agenda, but the Council (or Committee) may direct staff to address the topic or refer the subject matter to a future Council and/or Committee Meeting. If anyone wishes to address the Council (or Committee) please provide your name and address, limit your comments or presentation to three (3) minutes, and avoid repetitious comments. Thank You.

Motion carried 3-0.

Private Sewer Excavations Under City Streets

Alderman Dorchinecz again requested the Committee to review the current ordinance pertaining to the total costs and expense of installation, maintenance and repair of the sewer lines being paid solely by property owners. He feels that the City should be responsible for expenses, maintenance and repair of the sewer line up to the City right-of-way, or possibly setting a fixed dollar amount.

Street and Sewer Superintendent, Dick Wiseman updated the Committee that the number of sewer excavation permits from January 1, 2013 through June 11, 2013 was 15 permits. The estimate of 15 sewer repairs by plumbers at \$2,500.00 each is \$37,500.00 that was paid by property owners. Mr. Wiseman also researched other area communities regarding who is responsible for the expenses of maintenance and repair of the sewer lines and all eight (8) communities have ordinances confirming that property owners shall bear all costs and expenses of installation, maintenance and repair of the sewer lines.

Motion by Alderman Budd and seconded by Alderman Burtle to recommend to the City Council to consider the concept of “shared sewer” with the property owner being responsible for up to \$2,500.00 and/or \$3,000.00 for sewer installation, maintenance and repair of the sewer lines and direct the City Attorney to research legality of such a program. Motion carried 3-0.

HBO Updates

Chairman Jones gave the Health and Building Officer’s Report and presented pictures of violations and property cleanups.

Motion by Alderman Burtle and seconded by Alderman Budd to adjourn. Motion carried 3-0.

Meeting adjourned at 9:49 P.M.

Bruce Jones, Chairman
Ordinance Committee