

ORDINANCE COMMITTEE

January 17, 2013

MEMBERS

Chairman Jones  
Alderman Lawrence  
Alderman Burtle  
Mayor Brotherton

ABSENT

Alderman Vota

ALSO PRESENT

Alderman Walters  
Alderman Heberling  
Terri France  
Jacque Nation  
Laura Wolf

Becky Edwards  
Larry Budd  
Gerry Mahr  
Susan Barnett  
Cindy Dey

Chairman Jones called the meeting to order at 6:00 P.M.

Modification to the City Electric Power Aggregation Plan

Alderman Walters has meticulously reviewed the Electric Power Aggregation Plan of Operation and Governance as adopted by Ordinance No. 3594 on December 3, 2012 City Council Meeting. Alderman Walters and Mayor Brotherton contacted Mr. Dave Titus with SIMEC Energy, LLC regarding questions about the Electric Power Aggregation Plan. It was suggested that the following changes be made:

Page 7 Delete: Assist the City in developing a smart-meter program.

Page 10 VII. Replace City of Taylorville with FirstEnergy Solutions (FES) and delete Taylorville City Hall at 824-2101 and replace with FirstEnergy Solutions (FES) for a copy of the Plan or more information.

Motion by Alderman Burtle and seconded by Alderman Lawrence to recommend to the City Council to direct the City Attorney to amend Ordinance No. 3594 with the above changes to the Electric Power Aggregation Plan of Operation and Governance Plan. Motion carried 3-0.

Amend City Code Regarding Residency for Police Sergeants and Investigator

Sterling Codifiers suggested that Chapter 9, Section 1-9-2b of the City Code be changed by placing police sergeants and police investigator after the word attorneys and putting a period after lieutenants.

Motion by Alderman Burtle and seconded by Alderman Lawrence to table amending the City Code regarding residency for Police Sergeants and Investigator until the next Ordinance Committee Meeting. Motion carried 3-0.

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

Meeting adjourned at 6:45 P.M.

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Bruce Jones, Chairman  
Ordinance Committee

## ORDINANCE COMMITTEE

March 6, 2013

### MEMBERS

Chairman Jones  
Alderman Lawrence  
Alderman Vota  
Alderman Burtle  
Mayor Brotherton

### ALSO PRESENT

George Calvert  
Alderman Walters  
Alderman Heberling  
Larry Budd  
Bob & Debbie Wells  
Andy Lasswell  
Chris Biondolino  
Jim Lindsey  
Cindy Dey

Chairman Jones called the meeting to order at 7:05 P.M.

### Liquor License Classifications Regarding Video Gaming

Mayor Brotherton explained with the implementation of the video gaming terminals, the City should review the current Liquor License Classifications. The Illinois Gaming Board has authorized the placement and operation of video gaming terminals in certain Liquor Classifications. The Committee discussed creating new classifications that would allow for the video gaming terminals. The proposal will separate establishments with gaming machines to pay an increased fee of \$200.00 annually and caps will be placed on the number of licenses to be issued.

Motion by Alderman Vota and seconded by Alderman Lawrence to recommend to the City Council to direct the City Attorney to amend the City Code 3-3-5 with the additions as follows:

**CLASS A-1 LICENSE:** Licenses issued pursuant to this classification shall permit taverns or lounges to sell alcoholic liquor at retail for consumption on and off the premises where more than eighty percent (80%) of the gross sales at the premises are the sales of alcoholic liquor and where the Illinois Gaming Board has authorized the placement and operation of video gaming terminals. The fee for such license shall be one thousand fifty dollars (\$1050.00) annually. Notwithstanding the above, no Class A-1 Liquor License shall be issued for any premises associated with or primarily used as a sports facility, recreational facility, or public park.

The total number of Class A and Class A-1 Liquor Licenses to be issued to establishments located within the city limits of Taylorville shall initially be limited to eleven (11) as of the passage date hereof.

**CLASS C-1 LICENSE:** Licenses issued pursuant to this classification shall permit restaurants to sell alcoholic liquor and allows for the placement and operation of video gaming terminals authorized by the Illinois Gaming Board. Gross revenue realized from the sale of alcoholic liquor shall not exceed thirty percent (30%) of all revenues derived from the premises. Licensees shall not permit signs advertising alcoholic liquor on or about the outside of any building or other structure on the premises. The fee for such license shall be nine hundred fifty dollars (\$950.00) annually.

The number of Class C and Class C-1 Liquor Licenses to be issued to establishments located within the city limits of Taylorville shall initially be limited to ten (10) as of the passage date hereof.

**CLASS D-1 LICENSE:** Licenses issued pursuant to this classification shall permit clubs, as defined in Section [3-3-1](#) of this chapter, to sell alcoholic liquor at retail for consumption on the premises where sold and allows for the placement and operation of video gaming terminals authorized by the Illinois Gaming Board. The fee for such license shall be nine hundred fifty dollars (\$950.00) annually.

The number of Class D and Class D-1 Liquor Licenses to be issued to establishments located within the city limits of Taylorville shall initially be limited to six (6) as of the passage date hereof and

also direct the City Attorney to amend 3-3-15 of the City Code relating annexation of establishments selling alcoholic liquor. Motion carried 4-0.

Motion by Alderman Vota and seconded by Alderman Lawrence to recommend to the City Council to direct the City Attorney to create a new Chapter 15 in Title 3 of the City Code pertaining to Video Gaming Terminals relating to the Video Gaming Act. Motion carried 4-0.

Lot Widths in Residential-2 Regarding Duplexes

The Committee discussed Title 10, Chapter 4, Section 4-2 regarding the minimum lot width per structure and minimum lot area per family or rental unit in a Residential-2 District. The Committee is referring to the Plan Commission the following changes:

	Minimum Lot Area Per Family Or Rental Unit (Square Feet)	Minimum Lot Width Per Structure (Feet)
Single-family dwelling	6,000 (No Change)	50 (No Change)
Two-family dwelling	3,000 (Change to 4500)	50 (Change to 75)
Multiple-family dwelling	2,500 (No Change)	50 (Change to 75)
Rooming or lodging house	1,500 (No Change)	50 (Change to 75)

Amend City Code Regarding Residency for Police Sergeants and Investigator

Motion by Alderman Burtle and seconded by Alderman Vota to recommend to the City Council to approve the Ordinance amending Title 1, Chapter 9, Section 2-A-2(b) of the Taylorville City Code Regarding Residency Requirements as presented. Motion carried 4-0.

HBO Updates

Health and Building Officer, George Calvert updated the Committee and presented pictures of various property cleanups and violations.

Motion by Alderman Burtle and seconded by Alderman Lawrence to adjourn. Motion carried 4-0.

Meeting adjourned at 8:34 P.M.

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Bruce Jones, Chairman  
Ordinance Committee

ORDINANCE COMMITTEE  
MARCH 21, 2013

MEMBERS

Chairman Jones  
Alderman Burtle  
Alderman Vota  
Alderman Lawrence  
Mayor Brotherton

ALSO PRESENT

George Calvert  
Alderman Walters  
Alderman Heberling  
Alderman Koonce  
Jacque Nation  
Cindy Dey  
Ted Bailey  
Jeff Hackney  
Mike Crews  
Jon Wamsley  
Steve Milling  
Ted Merrinan  
Larry Budd

Chairman Jones called the meeting to order at 6:00 P.M.

Enterprise Zone Certification Fee Schedule

Mayor Brotherton is in receipt of a letter dated February 1, 2013 from Mr. Mark C. Gauss, Illinois Department of Commerce and Economic Opportunity (ILDCEO) explaining that pursuant to Public Act 97-905, by April 1 of each year, each Zone Administrator must file a fee schedule of their Enterprise Zone, and the ILDCEO must review and approve it. Specifically the Act requires:

(20 ILCS 655/8.2 new)      Sec. 8.2 Zone Administrator

c) By April 1 of each year, each Zone Administrator shall file a copy of its fee schedule with the Department, and the Department shall review and approve the fee schedule. Zone Administrators shall charge no more than 0.5% of the cost of building materials of the project associated with the specific Enterprise Zone, with a maximum fee of no more than \$50,000.00.

Mayor Brotherton explained that according to the current Ordinance the fee maximum had been set at \$200,000.00 per qualified project and is requesting that amount be reduced to a maximum of \$50,000.00 per qualified project thereby making the fee compliant with the 20 ILCS 655/8.2 (c) requirement.

Motion by Alderman Burtle and seconded by Alderman Vota to recommend to the City Council to direct the City Attorney to amend Ordinance No. 3537 reducing the maximum fee to \$50,000.00 per qualified project. Motion carried 4-0.

HBO Updates

Health and Building Officer, George Calvert explained to the Committee the owner of property of 803 East Franklin indicated that he does not have the money to tear down the building and has verbally agreed to deed this property to the City. Mr. Calvert is seeking permission to begin the title search to verify if the property is free of any liens.

The Committee directed George Calvert, Health and Building Officer to proceed with a Title Search on property located at 803 East Franklin.

Mr. Calvert updated the Committee and presented pictures of other property cleanups and violations.

Motion by Alderman Burtle and seconded by Alderman Vota to adjourn. Motion carried 4-0. Meeting adjourned at 6:15 P.M.

## ORDINANCE COMMITTEE

April 17, 2013

### MEMBERS

Chairman Jones  
Alderman Vota  
Alderman Burtle  
Alderman Lawrence  
Mayor Brotherton

### ALSO PRESENT

George Calvert  
Alderman Heberling  
Cindy Dey

Larry Budd  
Jacque Nation  
Gwen Podeschi  
John Podeschi

Chairman Jones called the meeting to order at 8:05 P.M.

### Demolition Derby Car Regulation

The Committee discussed with a concerned citizen the damage that was done to the fence on their back property line. Pictures were presented to the Committee for their review of the damage. The Ordinance pertaining to Demolition Derby Cars was discussed. Health and Building Officer, George Calvert will research regulations pertaining to Demolition Derby Cars and bring to the next Ordinance Committee Meeting.

### FY 2013/2014 HBO Budget

Motion by Alderman Vota and seconded by Alderman Burtle to forward the proposed FY 2013/2014 HBO Budget to the Finance Committee. Motion carried 4-0.

### HBO Updates

Mr. Calvert updated the Committee and presented pictures of property cleanups and violations.

The Committee granted permission to George Calvert, Health and Building Officer to contact the City Attorney pertaining to property located at 816 East Franklin if necessary.

Motion by Alderman Vota and seconded by Alderman Burtle to adjourn. Motion carried 4-0.

Meeting adjourned at 8:48 P.M.

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Bruce Jones, Chairman  
Ordinance Committee

## ORDINANCE COMMITTEE

May 16, 2013

### MEMBERS

Chairman Jones  
Alderman Burtle  
Alderman Vota  
Alderman Budd  
Mayor Brotherton

### ALSO PRESENT

George Calvert	Attorney Romano
Alderman Walters	Cindy Dey
Alderman Heberling	Brian Jablonski
Alderman Koonce	Jacque Nation
Alderman Dorchinecz	

Chairman Jones called the meeting to order at 6:00 P.M.

### Demolition Derby Car Regulation

The Ordinance pertaining to Demolition Derby Cars was discussed. Health and Building Officer, George Calvert researched regulations pertaining to Demolition Derby Cars and the Committee decided that this item would be removed from the agenda.

### HBO Updates

Mr. Calvert updated the Committee and presented pictures of property cleanups and violations.

The Committee granted permission to George Calvert, Health and Building Officer to contact the City Attorney pertaining to several properties if necessary.

### Any Other Matters

Attorney Romano was requested to attend the Ordinance Committee Meeting by the Mayor as per the Memo of May 8, 2013 to address any issues and/or concerns that the Aldermen may have. There were several issues brought forward to be discussed such as: Vehicles parked on boulevards, the responsibility for replacement of sewer lines that run under the road to a property line, an ordinance pertaining to an empty house and the Open Meetings Act.

Mr. Brian Jablonski with the Linden Group Health Services presented a Healthcare Reform Outline for the City of Taylorville explaining 2013 and 2014 key points of the Obama Affordable Care Act and he also presented the preliminary renewal rates for the City's health insurance with BlueCross BlueShield.

Motion by Alderman Burtle and seconded by Alderman Vota to adjourn. Motion carried 4-0.

Meeting adjourned at 7:53 P.M.

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Bruce Jones, Chairman  
Ordinance Committee

## ORDINANCE COMMITTEE

June 20, 2013

### MEMBERS

Chairman Jones  
Alderman Burtle  
Alderman Budd  
Mayor Brotherton

### ABSENT

Alderman Vota

### ALSO PRESENT

George Calvert	Rick Bonitzer
Pam Peabody	Alderman Koonce
Attorney Romano	Andy Lasswell
Alderman Walters	Steve Milling
Alderman Heberling	Cindy Dey

Chairman Jones called the meeting to order at 7:11 P.M.

### Ordinance Violations-Status, Procedure, and Collection

Chairman Jones introduced Mr. Rick Bonitzer, President of Credit Collection Partners. He explained that his company is a debt recovery company and is interested in working with the City of Taylorville in collecting ordinance violations. Credit Collection Partners has been working with the Christian County Circuit Clerk's Office in collecting fines and court costs and the County is very satisfied with the results of recovering the outstanding debts.

Attorney Romano presented a flow chart showing the process of an Ordinance Violation and how a collection agency could assist the City of Taylorville. He received a report showing the Ordinance Violations on file with the County with approximately \$125,000.00 outstanding. The City Attorney will continue researching the procedure and collection of Ordinance Violations.

### Agricultural Crops in City Limits

The Committee discussed uses permitted in a Residential 1 (R-1) District. Mr. Bernie Curvey and Mr. Joe Curvey have purchased property (formerly known as West School Property) located at 300 North Elevator Street. They have planted approximately seven (7) acres of soybeans on this property which is zoned as R-1 District. There have been many questions and inquiries if agricultural crops can be planted in the heart of the City Limits.

Section 10-4-2 of the Taylorville City Code states uses permitted in R-1 District can be "light agricultural including nurseries and raising of farm products (not to include livestock or sale of products on premises)". It was the consensus of the Committee that light agricultural permitted in R-1 District should be reviewed. The City Attorney will research this matter further and bring back to the Committee his recommendations.

### Amend Section 4-5-5-A of the Taylorville City Code Regarding Liens

The Committee discussed City mowing of non-City property and the bills, liens, and the penalties that come of it. In many cases both the Health and Building Officer and the City Clerk's Office have difficulty in finding the responsible parties of the property in question. Sections in the City Code need to be updated to assist in contacting the responsible parties.

Motion by Alderman Burtle and seconded by Alderman Budd to recommend to the City Council to direct the City Attorney to amend Section 4-5-5-A of the Taylorville City Code to re-define the persons or entities liable for mowing, cutting and trimming of weeds, grass, or plants. Motion carried 3-0.

Amend Section 4-5-6 of the Taylorville City Code Regarding Penalties for Mowing

Motion by Alderman Burtle and seconded by Alderman Budd to recommend to the City Council to direct the City Attorney to amend Section 4-5-6 of the Taylorville City Code to increase the penalties for mowing, cutting and trimming of weeds, grass, or plants to \$250.00 for the first offense; \$300.00 for the second offense; and \$350.00 for the third offense. Motion carried 3-0.

Amend Section 9-8-3-B of the Taylorville City Code Regarding Sign Permit-Insurance

The Committee discussed Section 9-8-3-B of the Taylorville City Code regarding the Sign Permit Insurance language to include “or other tangible property”.

Motion by Alderman Burtle and seconded by Alderman Budd to recommend to the City Council to direct the City Attorney to amend Section 9-8-3-B of the Taylorville City Code to include “or other tangible property” to the insurance section regarding signs etc. Motion carried 3-0.

HBO Updates

Health and Building Officer, George Calvert updated the Committee and presented pictures of property cleanups and violations.

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

Meeting adjourned at 9:28 P.M.

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Bruce Jones, Chairman  
Ordinance Committee

## ORDINANCE COMMITTEE

July 18, 2013

### MEMBERS

Chairman Jones  
Alderman Burtle  
Alderman Budd  
Alderman Vota  
Mayor Brotherton

### ALSO PRESENT

George Calvert	Alan Jackson
Treasurer Nation	Bernie Curvey
Alderman Walters	Joe Curvey
Alderman Dorchinecz	Joe Hauser
Alderman Koonce	Alan Collebrusco
Andy Lasswell	Tom Bellegante
Pat Kretzer	Michael Welge
Residents of West School Area	Cindy Dey

Chairman Jones called the meeting to order at 6:00 P.M.

Chairman Jones explained to the people in attendance that the Ordinance Committee Meeting is meeting in conjunction with the Plan Commission to discussed Special Uses in a Residential-1 (R-1) Zone.

### Special Use in a Residential-1 (R-1)

Chairman Jones read a letter from Mr. Bill Harryman, a member of the Plan Commission relaying his thoughts pertaining to the proposed zoning change and Special Uses.

Mr. Bernie Curvey and Mr. Joe Curvey purchased property located at 300 North Elevator Street (formerly known as West School Property). The West School Building is currently zoned R-1 and Mr. Curvey stated that he has had numerous inquiries in renting portions of the building to various businesses which would create a mini mall effect. The Taylorville City Code only allows for specific special uses and does not refer to multi uses in R-1.

The Ordinance Committee, the Plan Commission and residents of this area had many comments and questions pertaining to the proper use of the West School Property such as R-1 Multi Special Use vs. C-1, traffic flow, value of West School Building, and a buffer zone between R-1 and C-1.

The Committee will pursue more information pertaining to Multi Special Uses by researching with other communities and will review this information at the next Ordinance Committee Meeting.

### Sewer Tapping Fees under City Streets

Alderman Dorchinecz requested the Committee review the current ordinance pertaining to sewer tapping fees. He voiced his concerns that all costs and expense of installation and connection of the sewer shall be paid by the property owners. He is suggesting that the property owner only be responsible for the expenses, maintenance and repair of the sewer line up to the City right-of-way, or possibly setting a fixed dollar amount.

The Committee will review this item at the next Ordinance Committee Meeting.

### Vacant House Ordinance

The Committee briefly glimpsed at the Springfield Vacant House Ordinance and suggested that the City Attorney attend the next Ordinance Committee Meeting to discuss and review this Ordinance. It was noted that Springfield is a Home Rule Community and Taylorville is a Non-Home Rule Community.

Amend Section 7-1-4K of the Taylorville City Code-Regarding Storage Sheds on Lake Lots & Campgrounds

The Committee discussed amending the Taylorville City Code to allow Lake Lots and Campgrounds to construct one, “no larger than” an eight by ten (8x10) vinyl storage shed on their lake lot and/or campground lot with the approval of the Lake Superintendent and applying for a shed permit.

Motion by Alderman Vota and seconded by Alderman Budd to recommend to the City Council to direct the City Attorney to amend the Taylorville City Code Section 7-1-4K and amend the Lake Lot and Campground Leases beginning with the 2014 camping season; to construct one, “no larger than” an eight by ten (8x10) vinyl storage shed on the lake lot and/or campground lot with the approval of the Lake Superintendent and applying for a shed permit. Motion carried 4-0.

HBO Updates

Mr. George Calvert, Health and Building Officer, updated the Committee and presented pictures of violations and cleanups.

The Committee granted permission for Mr. Calvert to bid the starting bid of \$660.00 at the County Tax Auction to be held in August for property located at 231 East Park Street. It would be cheaper for the City to acquire this property and tear it down, than going through the court system.

Motion by Alderman Burtle and seconded by Alderman Jones to adjourn. Motion carried 4-0.

Meeting adjourned at 8:25 P.M.

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Bruce Jones, Chairman  
Ordinance Committee

ORDINANCE COMMITTEE

August 15, 2013

MEMBERS

Chairman Jones  
Alderman Budd  
Alderman Burtle  
Alderman Vota  
Mayor Brotherton

ALSO PRESENT

George Calvert  
Alan Jackson  
Dave Herpstreith  
Alderman Walters  
Alderman Dorchinecz

Alderman Koonce  
Attorney Romano  
Gary McNeely  
Mike Gianasi  
Kristine Bucher  
Cindy Dey

Chairman Jones called the meeting to order at 6:00 P.M.

Insurance Liability/Hold Harmless & Indemnity Requirements for Special Events and/or Use of City Property

Attorney Romano presented a draft amendment to Title 8 of the Taylorville City Code pertaining to Insurance Liability/Hold Harmless and Indemnity requirements for Special Events. Mr. Gary McNeely, with KMRM informed the Committee that most entities, clubs, organizations will have general liability insurance and the City should request a Certificate of Insurance. In most cases it will not cost the sponsored group additional money to add the City of Taylorville as additional insured. He also informed the Committee that there are different stages of risk and it is up to the City to determine what stage of risk they want to take.

City Attorney Romano will make several changes to the draft amendment and bring to the Ordinance Committee for their review.

Changes to City's Municipal Code Regarding the Following Violations:

Attorney Romano presented to the Committee amendments to the City's Municipal Code regarding Disorderly House, Solicitations, Public Intoxication, and requirements of annexations of properties adjacent to City property and split zoning.

Motion by Alderman Burtle and seconded by Alderman Vota to recommend to the City Council to direct the City Attorney to amend Section 5-4-4-8 of the City Municipal Code pertaining to Disorderly House with the appropriate changes as discussed. Motion carried 4-0.

Motion by Alderman Vota and seconded by Alderman Budd to recommend to the City Council to direct the City Attorney to amend Section 4-12-1 and 2 of the City Municipal Code pertaining to Solicitations with the appropriate changes as discussed. Motion carried 4-0.

Motion by Alderman Burtle and seconded by Alderman Vota to recommend to the City Council to direct the City Attorney to amend Section 5-4-5-3 of the City Municipal Code pertaining to Public Intoxication with the appropriate changes as discussed. Motion carried 4-0.

Motion by Alderman Budd and seconded by Alderman Vota to recommend to the City Council to direct the City Attorney to amend Section 11-2-3 of the City Municipal Code pertaining to Annexations of properties adjacent to City property and Split Zoning as discussed and to set a Public Hearing. Motion carried 4-0.

### Light Agriculture in R-1/Multi-Use Concerning Special Use

The Committee reviewed and discussed Light Agriculture Uses in R-1 as presented by the City Attorney and Multi-Use concerning Special Use. It was the consensus of the Committee not to allow multi uses in a Special Use.

Attorney Romano will incorporate the Committee's suggestions pertaining to the definitions of light agriculture and the possibility of allowing certain crops to be planted with a majority vote of neighbors. The City Attorney will prepare a new draft of Light Agriculture/Special Use and bring back to the Committee for review.

### Vacant House Ordinance

Attorney Romano briefly explained the Village of Northfield case and the nuisance statute that provides the City with sufficient authority as a non-home rule municipality to create an ordinance to better address vacant buildings within the City. He will prepare a draft ordinance and present to the Committee for their review.

### Mowing & Lien Bill/18 Elm Tree Court

Motion by Alderman Vota and seconded by Alderman Budd to recommend to the City Council to release the Lien on property located at 18 Elm Tree Court. Motion carried 4-0.

### HBO Updates

Mr. George Calvert, Health and Building Officer updated the Committee and presented pictures of violations and property cleanups.

### Any Other Matters

The Committee is requesting the City Attorney update them on the status of the old ordinance violations and possible collections at the August 19, 2013 City Council Meeting.

Alderman Dorchinecz requested the status of Sewer Tapping Fees under City Streets. Mr. Dorchinecz was advised that at the last Ordinance Committee Meeting the majority of the Aldermen present were not in favor of changing the current policy.

Motion by Alderman Vota and seconded by Alderman Budd to adjourn. Motion carried 4-0.

Meeting adjourned at 8:59 P.M.

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Bruce Jones, Chairman  
Ordinance Committee

## 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.

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Bruce Jones, Chairman  
Ordinance Committee

ORDINANCE COMMITTEE

October 16, 2013

MEMBERS

Chairman Jones  
Alderman Budd  
Alderman Vota  
Mayor Brotherton

ABSENT

Alderman Burtle

ALSO PRESENT

George Calvert  
Dave Speagle  
Treasurer Nation  
Alderman Heberling  
Alderman Dorchinecz

Rich Hooper  
Jason Gowin  
Cindy Dey

Chairman Jones called the meeting to order at 6:10 P.M.

Fire Hydrant Installation Cost in City Limits

Chairman Jones tabled the fire hydrant installation cost in City limits until further clarification from the City Attorney.

Amend Section 3-3-3B-1 of the City Code Pertaining to BASSET Training for Special Events

Mayor Brotherton suggested that the current Liquor Control Ordinance be amended to include language that allows for servers of alcoholic beverages at fairs, festivals, church picnics, etc. to be in compliance regarding the BASSET Training Program.

Motion by Alderman Vota and seconded by Alderman Budd to recommend to the City Council to direct the City Attorney to add to the City Code Section 3-3-3B-1a as follows:

- a. All original license applications and renewals for a liquor license after January 1, 2013, by any governmental, not-for-profit, service club, or religious organizations who utilize unpaid volunteers for the activities described in Section 1 are subject to the following rules:

Unpaid volunteers are not required to have completed a state certified beverage alcohol sellers and servers education and training (BASSET) program or other State of Illinois Liquor Control Commission (ILCC) approved program as long as their activities at all times are within the presence of another person who has completed BASSET or other approved seller and server training.

Compliance is required with all other provisions of this Ordinance and, further, the production requirement in Section 4a shall be construed to require any governmental, not-for-profit, service club, or religious organization to maintain on the premises or at the function in question a photocopy of all certificates of completion of BASSET or other approved seller and server training, including certificates of those individuals under which unpaid volunteers are claimed to be lawfully acting.

Motion carried 3-0.

HBO Updates

Mr. George Calvert, Health and Building Officer updated the Committee and presented pictures of violations and property cleanups.

Mr. Calvert requested permission to place on the October 21, 2013 City Council Meeting Agenda the purchase of Real Estate Taxes on property located at 717 East Vine at the County Tax Sale to be held on October 29, 2013 at 9:00 A.M.

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

Meeting adjourned at 6:23 P.M.

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Bruce Jones, Chairman  
Ordinance Committee

## ORDINANCE COMMITTEE

November 20, 2013

### MEMBERS

Chairman Jones  
Alderman Budd  
Alderman Vota  
Alderman Burtle  
Mayor Brotherton

### ALSO PRESENT

George Calvert  
Alderman Walters  
Alderman Koonce  
Alderman Heberling  
Cindy Dey

Chairman Jones called the meeting to order at 7:30 P.M.

### BYOB Ordinance

Mayor Brotherton explained to Committee Members that an owner of a local restaurant had asked him if he would be allowed to implement a Bring Your Own Bottle (BYOB) Program at his restaurant. The Mayor informed the Committee that based upon his initial research it appeared that the practice was not illegal in Illinois but that each municipality could prohibit or highly restrict the practice if the proper ordinance was passed.

Several of the Committee Members and Aldermen in attendance shared their concerns. The issue will be discussed with the City Attorney and placed on the next Ordinance Committee Meeting Agenda.

### Annexing Spresser Street, Cheney Street & Water Street

Currently the City of Taylorville has jurisdiction and maintenance of Spresser, Cheney and Water Streets that are within the City limits but they have not been annexed.

Motion by Alderman Burtle and seconded by Alderman Budd to recommend to the City Council to direct the City Attorney to prepare an Ordinance annexing Spresser Street, Cheney Street and Water Street in the City. Motion carried 4-0.

### Fire Hydrant Installation Cost Inside City Limits

The Committee reviewed the proposed Ordinance regarding fire hydrants inside City Limits.

Motion by Alderman Budd and seconded by Alderman Burtle to recommend to the City Council to approve the proposed Ordinance regarding fire hydrants inside City Limits with the additional wording of "at the City's expense" to Section 8-4-6B(A) as follows: Any City water customer whose property is furnished City water inside of the corporate limits of the City may apply for a Fire Hydrant Permit for the installation of a fire hydrant to be provided and installed by the City, "**at the City's expense,**" and located at or near the applicant's property. Motion carried 4-0.

### Vacant House Ordinance

The proposed Vacant House Ordinance was distributed to Committee Members and Aldermen in attendance to review. This Ordinance will be discussed at the next Ordinance Committee Meeting.

HBO Updates

Mr. George Calvert, Health and Building Officer updated the Committee and presented pictures of violations and property cleanups.

Any Other Matters

Alderman Burtle presented information regarding the collection of past due traffic fines by Credit Collection Partners, a company that is a debt recovery company and is interested in working with the City of Taylorville in collecting ordinance violations. He also is inquiring as to the status of the collection of ordinance violations from the City Attorney.

Alderman Heberling informed the Aldermen that he will be changing the date of the Personnel Committee Meeting to Tuesday, December 3, 2013 and the Special Events Ordinance was distributed for all Aldermen to review.

Motion by Alderman Burtle and seconded by Alderman Vota to adjourn. Motion carried 4-0.

Meeting adjourned at 8:21 P.M.

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Bruce Jones, Chairman  
Ordinance Committee

## ORDINANCE COMMITTEE

December 19, 2013

### MEMBERS

Chairman Jones  
Alderman Budd  
Alderman Vota  
Alderman Burtle  
Mayor Brotherton

### ALSO PRESENT

See attached list for Ahlstrom Issue  
Alderman Walters  
Alderman Koonce  
Alderman Heberling  
Alderman Dorchinecz  
George Calvert  
Shirley Sams

Chairman Jones called the meeting to order at 6:00 P.M.

### Industrial Noise

Residents in the vicinity of the Ahlstrom Filtration Plant located at 1200 E. Elm Street filed a petition in the City Clerk's Office regarding the noise level around the plant. There were several residents present to voice their concerns. Also in attendance were Mr. Michael Hady, Plant Manager and J.C. Olive to represent Ahlstrom's, and representatives for the County consisting of members of the County Board and States Attorney Mike Havera. The residents were informed the plant is actually located in the County not the City but the residents are in the City so both parties were invited to attend in hopes that a solution could be reached.

Mr. Hady advised that in March of this year they began the process of installing a Regenerative Thermal Oxidizer (RTO) to remain compliant with regulations mandated by the IEPA; the project was finished in October and began operation in November. A different product line made the original unit from 1997 insufficient. An analysis was done to decide which would be the most beneficial, the cost to make necessary modifications to the original unit to continue with the process they were using or to replace the unit. They found it would be more efficient to replace the unit. He explained when they started the new unit and heard the difference in the noise levels they contacted the manufacturer to find out what could be done. They have had engineers checking the unit trying to determine what can be modified to correct the problem; they tried changing the air flow and making modifications to the duct work which didn't work; they are waiting for a solution from the engineers. He also stated they are committed to fixing the problem as Ahlstrom desires to continue to support and work with the City.

Chairman Jones asked the residents if they had a spokesperson or did they want to speak individually which they would be allowed to do as long as it didn't become repetitious. Sherri Newton began by saying they support Ahlstrom's being here and they want to work together for a resolution to the noise. Frank Mathon advised he was asked to be the spokesman for the neighbors. He repeated that the neighbors are wanting to work with Ahlstrom's for a resolution; he and his wife have lived there for 37 years and there has never been a problem with the plant being there until now due to the new equipment installed for the emissions. He thanked them for addressing the problem and stated they don't want the plant to lose employees or shut down but the noise is constant; he would welcome them to his home if they would like to come so they can hear the humming as the sound carries. Mr. McConnell has lived in his home for 66 years and never had a problem with Georgia Pacific or Ahlstrom's until now; he asked if they can turn the equipment off during sleeping hours. Mr. Hady advised they can't turn the machine off, if they did they wouldn't be in compliance with the EPA mandates. Alderman Dorchinecz asked what would happen to the plant if the equipment was turned down at night; he was advised they would have to shut down the plant. They did advise the equipment would be shut down starting December 20<sup>th</sup> until January 8<sup>th</sup> or 9<sup>th</sup>.

Alderman Jones pointed out that Ahlstrom's has an impeccable safety record, when something is wrong the company does not spare funds for safety and environmental concerns and advised the residents that some changes are mandated by EPA which costs the company money to become compliant. Mr. Jones asked Mr. Hady how long they have had an accident free safety record; it has been between 8 ½ to 9 years.

Mr. Havera advised that in the past there was an Illinois Pollution Board that set regulations for counties for instances like this, they would have someone go to the plant and measure the decibel levels in residential areas, but due to budget cuts that department was eliminated and since there is no longer a legal division with the State it would fall on the County. The County doesn't have a Noise Ordinance but if they were to implement one now Ahlstrom's would be grandfathered in. He recommended to the residents that they try to be patient and allow them some time to correct the problem rather than taking legal action at this time as Ahlstrom's immediately took action to try to correct the problem; they were not forced to do so.

The neighbors asked Mr. Hady for a time frame for the repairs; he stated he didn't know how long it would take for the problem to get corrected. The representatives from Ahlstrom's were asked to notify Mayor Brotherton every couple of weeks while they are working on a solution to keep the neighbors informed; Mayor Brotherton advised he would include the Ahlstrom Updates under his Mayor's Updates at the City Council Meetings.

#### Permit, Insurance Requirements, Hold Harmless and Indemnity Agreements and Liability

The Committee reviewed information prepared by City Attorney Romano regarding "Special Events". A "Special Event" as used herein shall mean and include a for profit or not-for-profit or charitable event or activity of any kind, nature or extent whatsoever that takes place on City Property. Attorney Romano advised Gary McNeely was contacted as the City's Insurance Agent for his recommendations.

Motion by Alderman Vota and seconded by Alderman Budd to recommend to the City Council to approve the proposed Ordinance as presented by City Attorney Romano adding Chapter 1- Special Events -Article F. Permit, Insurance Requirements, Hold Harmless and Indemnity Agreements and Liability to Section 8 Public Ways and Property of the Taylorville City Code. Motion carried 4-0.

#### BYOB Ordinance

At last month's meeting Mayor Brotherton explained that an owner of a local restaurant had asked him if he would be allowed to implement a Bring Your Own Bottle (BYOB) Program at his restaurant. He stated that based upon his initial research it appeared that the practice was not illegal in Illinois but that each municipality could prohibit or highly restrict the practice if the proper ordinance was passed.

City Attorney Romano was asked to attend this meeting as some of the Aldermen had concerns regarding bringing your own liquor into an establishment that does not have a liquor license. The majority of the Aldermen in attendance were against implementing this.

Motion by Alderman Budd and seconded by Alderman Vota to recommend to the City Council to direct City Attorney Romano to prepare an Ordinance that would prohibit a liquor license for a "Bring Your Own Bottle". Motion carried 4-0.

#### Abandoned Building-Public Nuisance Ordinance

HBO Officer George Calvert advised he did some research as to how the City of Springfield enforces an Abandoned Building-Public Nuisance Ordinance. They have a full-time secretary that keeps track of the time frames, an inspector and a lawyer that takes care of just these types of issues. They informed him that property owned by the State or a school district is exempt.

He stated there are a lot of abandoned houses due to foreclosures etc. and there are homes where the elderly may have had to be moved to a nursing home for recovery times or permanently and the houses are left empty for long periods of time. One suggestion was for the City to purchase the real estate taxes on these properties for three years, then have the deed changed to the City, then demolish. George advised that is an option but you have to be careful as some of these properties have liens against them. His main concerns are the properties that are damaged such as one he is working with that had a fire; the owner is deceased and there are several relatives involved, the whereabouts of some are unknown.

Another concern are houses being used for storage only; he advised there are several in town but neighbors don't know because the yards are kept clean and there are curtains on the windows. The Aldermen in attendance advised their intention is not to go after all abandoned building owners but the ones that have things stacked up in front of windows and the house or yard are not being kept clean and animals are seen going in and out. There was discussion regarding empty commercial buildings; HBO Officer Calvert advised these are not a problem as the areas are maintained.

City Attorney Romano had a list of concerns he received from Mr. Calvert; he has addressed these concerns in the draft he prepared for the Committee. The Committee and other Aldermen in attendance were asked to review the draft and bring any questions to next month's meeting as Attorney Romano advised the draft presented is not complete at this time.

#### Public Works Construction Contracts

The Committee discussed amendments to Section 1-10-1-1 of the Taylorville City Code regarding Public Works Construction Contracts. There have been changes made per State Statute for Performance and Payment Bonds stating it shall be required in all public works contracts of any kind costing over \$50,000.00. The City Council by majority vote may from time to time require Performance and Payment Bonds for any public works contract or contracts of any kind costing under \$50,000.00.

Motion by Alderman Burtle and seconded by Alderman Vota to recommend to the City Council to direct the City Attorney to prepare an Ordinance to adopt amendments to Section 1-10-1-1 of the Taylorville City Code regarding Public Works Construction Contracts as presented. Motion carried 4-0.

#### HBO Updates

Mr. George Calvert, Health and Building Officer, updated the Committee of violations and property cleanups.

#### Any Other Matters

The Committee will address updating the City Comprehensive Plan and Subdivision Plans in the future.

Motion by Alderman Burtle and seconded by Alderman Budd to adjourn. Motion carried 4-0.

Meeting adjourned at 8:02 P.M.

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Bruce Jones, Chairman  
Ordinance Committee