



City of Troy

City Council Meeting

Monday, June 7, 2021 at 7:30pm

Location: Council Chambers, City Municipal Building, 116 East Market Street, Troy, Illinois 62294

A. Call to Order and Pledge of Allegiance

Mayor David Nonn called the meeting to order at 7:30pm, and led the aldermen and meeting attendees in the Pledge of Allegiance. Mayor Nonn asked for a moment of silence to honor Mary “Mae” Grapperhaus, of rural Troy, who passed away on Saturday, June 5, 2021.

B. Roll Call in Alphabetical Order

Present: Dan Dawson, Tim Flint, Elizabeth Hellrung, Nathan Henderson, Sam Italiano, Tony Manley and Troy Turner. **Absent:** Debbie Knoll. **Other Officials Present:** Mayor David Nonn, City Treasurer Kelly Huelsmann, City Engineer Tom Cissell, City Attorney Fred Keck, Chief of Police Brent Shownes, Building and Zoning Administrative Coordinator Linda Taake, Deputy Clerk Andrea Lambert, and City Clerk Kim Thomas.

C. Reading and Approval of Minutes

The May 17, 2021 City Council Meeting Minutes were approved as presented. **Moved by** Manley. **Second by** Henderson. **Vote:** Unanimous - by voice vote of the council aldermen.

D. Communications, to be provided by the City Clerk - none

E. Citizen Participation - Limited to three (3) minutes per person - none

F. Mayor's Comments

1. Approval of Appointments

The following appointments were presented to the council for approval:

Mayor Pro-Tem	Nathan Henderson
City Attorney	Fred Keck
Associate City Attorney	Justin Mattea
Director of Public Works	Rob Hancock
Deputy City Treasurer	Michele Colligan
Deputy City Clerk	Andrea Lambert
Chief of Police	Brent Shownes
Assistant Chief of Police	Chris Wasser
City Engineer	Tom Cissell
FOIA Officer	Andrea Lambert
Assistant FOIA Officer	Michelle Schneider
Assistant to Liquor Commissioner	Linda Taake
ESDA Coordinator	Chris Wasser
Assistant ESDA Coordinator	Tony Luther
Planning Commissioner (vacant seat)	Jami Stone

Motion: To approve appointments as presented.

Moved by Manley. **Second by** Turner. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

2. *City Council Public Hearing, 7:00 p.m., Monday, June 21, 2021.*

Mayor Nonn announced that this hearing, held immediately before the next city council meeting, will address a pre-annexation agreement between the city council and the developer for a potential six-lot development on the south side of Schmalz Road.

G. City Administrator and City Attorney Comments

1. *City Administrator's Comments - none*
2. *City Attorney's Comments*

Attorney Keck said he will have comments during the discussion of ordinances and resolutions (Block N).

H. Consent Agenda - none

I. Administrative and Community Services Committee Report

1. *Results of the Administrative & Community Services Committee Meeting – Monday, May 24, 2021*

Alderman Hellrung stated the committee discussed the limitation on Class E liquor licenses, which is currently set at thirteen. The committee voted to either lift the limit on Class E licenses or raise the limit to fifteen. The ordinance amendment, slated for later in the meeting, states that the limit will be raised from thirteen to fifteen. This ordinance amendment and the decision to lift or raise the limit will be discussed during Block N of tonight's meeting.

The committee also voted to restructure the Zoning Board of Appeals. This will also be discussed in Block N of the meeting.

2. *Results of Planning Commission Public Hearing and Meeting, Thursday, June 3, 2021.*

Linda Taake announced that the Planning Commission met on June 3, 2021. There was a public hearing before the meeting to rezone Phases 3-6 of The Homes at Liberty Place. The commission recommended rezoning from R-1 to R-1A. They also reviewed preliminary plats for Schmalz Road and Stonebriar Manors Phase 2, recommending approval for Schmalz Road. More information is needed on Stonebriar Manors.

3. *Planning Commission Meeting, 7:30 p.m., June 10, 2021.*

The next Planning Commission meeting is scheduled for June 10, 2021. They will review the preliminary plats for The Homes at Liberty Place and Stonebriar Manor Phase 2.

J. Finance and Economic Development Committee Report

1. *Results of the Finance & Economic Development Committee Meeting, Wednesday, June 2, 2021.*

Per Alderman Henderson, this meeting was closed session.

2. *City Treasurer Report - none*

K. Law Enforcement and Emergency Services Committee Report

1. *Chief of Police Report*

Chief Shownes stated that Troy PD arrested two felons with weapons in the last 1 ½ weeks, coming into our community from the highway; one had a sawed-off shotgun in his car. Several weeks ago they dealt with a "kid" who was shooting rounds at vehicles on Route 40 from the Casey's parking lot with what appeared to be a short barreled rifle. There are bad people out there who are making real firearms look like fake ones. He presented a slide show, illustrating some examples. He wanted the council to understand that law enforcement personnel have to make a split-second decision on whether the firearm is real or fake. LE is having to deal with these situations more and more.

On a good note, Troy Police Department received an award for raising the most funds in Southern Illinois for Special Olympics. They raised \$48,168.00, primarily due to the diligence of Officer Jennifer Hautly who is the liaison for Special Olympics.

L. Public Works Committee Report

1. *City Engineer's Report*

City Engineer Cissell stated that, on the Schmalz Road subdivision proposal, we are just a review agency. The county has approval authority.

Before Rob Hancock, Public Works Director, left on vacation, he told Mr. Cissell that we received our Highway Safety Improvement Program Agreement from IDOT. We will now be able to start the design work to add a left turn lane into Country Lane off of Troy-O'Fallon Road for safety.

They are continuing to work on the Zenk Road culvert. Mayor Nonn said that, after the last heavy rain, he went out to the area with Public Works Director Hancock. They took some videos to aid in determining a solution to the problem. There is still a lot of water coming off the fields. Per Engineer Cissell, the detention pond only releases 15-20% of the water that goes into the culvert. Modifying the detention pond will not totally solve the problem. They will have a Public Works meeting to review the project. Alderman Turner suggested reaching out to the new Madison County Administrator, Dave Tanzyus. The county recently received \$50M from the federal government for sanitary sewer projects.

We have \$300K proposed in the budget from the DCEO Grant. We have to apply for these funds by July 1, but the funds must be applied to projects up to two years in the future. Items in the budget may have to be shuffled between fiscal years.

Keller Construction is finishing the intersection of Old Collinsville Road and Spring Valley Road tomorrow and is starting work on the north side of Old Collinsville Road into the Park. They are also making good progress on the trail. They are about halfway down Spring Valley Road with the concrete work.

The city brought in more than expected on the TIF budget. That will help with the five TIF projects currently in the budget. He will have something to present to the council next meeting on one of the TIF projects (the trail extension to SrA Bradley Smith Boulevard). He started work on the SrA Bradley Smith Boulevard resurfacing project today.

2. Results of Bid Letting, June 3, 2021.

No one bid on the project for crack seal and routing for city streets. This is the second time we received no bids, so the city can go to whoever they want and negotiate a fair price. The provision of concrete only received one bid, from Concrete Supply of Illinois (CSI) for \$36,200.00. This is a good price.

Motion: To Approve \$36,200.00 Bid from Concrete Supply of Illinois

Moved by Dawson. **Second by** Turner. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

3. Public Works Schedule and Report – reports provided

Alderman Dawson has reviewed the reports. There is nothing out of the ordinary that needs to be addressed.

4. Public Works Director's Report - none

M. Reports of Special Committees (as needed) – none

N. Ordinances and Resolutions called by the City Clerk, with Citizen Participation

1. Ordinance 2021-07 - Amendment to Chapter 111 of the Code of Ordinances (Solicitors, Transient Vendors and Peddlers)

Language has been added to the ordinance, requiring solicitors to follow CDC guidelines. Procedures on background checks, cost/duration of permits and maximum number of vendors going door-to-door have also been revised. This chapter of the code of ordinances has not been revised since 1986. The changes to the code will reflect our current procedures.

Motion: To approve Ordinance 2021-07 as presented.

Moved by Henderson. **Second by** Turner. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

2. Ordinance 2021-08 - Amendment to Chapter 154 of the Code of Ordinances (Zoning Ordinance) Establishing the Office of Zoning Hearing Officer

This change is being made because there have been several resignations and members who no longer wish to serve on the Zoning Board of Appeals. Many other municipalities have transitioned from a Zoning Board to a Zoning Hearing Officer. There are now more municipalities, particularly non-home rule government units,

with a hearing officer rather than a board. Troy has very few zoning appeals, less than five in the past ten years. Fees will be studied and revised at a future date, to align them with associated administrative costs.

Motion: To approve Ordinance 2021-08 as presented.

Moved by Manley. **Second by** Henderson. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

3. Ordinance 2021-09 - Amendment to Chapter 116 of the Code of Ordinances (Alcoholic Beverages) Increase in Class E Liquor License Limit

Motion: To amend Ordinance 2021-09, changing “fifteen” to “unlimited” for Class E licenses.

Moved by Dawson. **Second by** Italiano. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

Motion: To approve Ordinance 2021-10 as amended.

Moved by Hellrung. **Second by** Manley. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

4. Ordinance 2021-10 - Approval to Amend the Official Zoning Map - Homes of Liberty Place Phases 3-6 from R-1 to R-1A

City Engineer Cissell explained that 15-20 years ago, when Homes of Liberty Place were platted, the city ordinance specified the minimum width for R-1 residential was 80 feet. In 2008, the ordinance changed the minimum width to 90 feet. A few years ago, the city added an R-1A designation for 80 foot lot widths. The Homes of Liberty Place developers want to continue to lay out their development using the 80 foot lots. The only way they can do that is if the city approves rezoning their property to R-1A. The Planning Commission recommends approval of this rezoning.

Motion: To approve Ordinance 2021-10 as presented.

Moved by Turner. **Second by** Italiano. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

5. Resolution 2021-07 - Accept Preliminary Plat - Schmalz Road Subdivision

Osborn Properties is laying out six two-acre lots on the south side of Schmalz Road, just west of Kensington Parque. A pre-annexation agreement to obtain city water is being prepared by Building and Zoning. City sewer cannot be provided, so the lots will have septic tanks. When the development is annexed into the city, the lots will be zoned as R-1E, Estate Lots, a recently created zoning designation for two-acre and larger lots. Ten feet of right-of-way is provided for potential upgrade of Schmalz Road. The Planning Commission recommends approval of the preliminary plat.

Motion: To approve Resolution 2021-07 as presented.

Moved by Turner. **Second by** Italiano. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

6. Resolution 2021-08 - Accept Plat Consolidation - Troy United Methodist Church

Troy United Methodist Church bought land (the softball fields behind the church). They now own four parcels and want to consolidate them into one plat. They have agreed to vacate the necessary easements. There are different zoning designations for the plats, so this will need to be addressed after the consolidation is approved. Building and Zoning Coordinator Taake recommends the council agree to the consolidation. Rezoning can be addressed once this is approved.

Motion: To approve Resolution 2021-08 as presented.

Moved by Italiano. **Second by** Flint. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

O. Closed Session (as needed)

Motion: To enter closed session in accordance with 5 ILCS 120/2(c)1, 5, and 6.

Moved by Italiano. **Second by** Turner. **Vote:** Motion passed (Aye – 7; Nay – 0; Absent – 1)

Aye: Dawson, Flint, Hellrung, Henderson, Italiano, Manley, and Turner.

Mayor Nonn then called for a short recess prior to the closed session.

CLOSED SESSION (8:40 p.m – 9:41 p.m.)

1. *Closed Session IAW 5 ILCS 120/2(c)1 - Appointment, Employment, and Performance of Specific Employees*
1. *Closed Session IAW 5 ILCS 120/2(c)5 - Purchase or Lease of Real Property for the Use of the Public Body*
1. *Closed Session IAW 5 ILCS 120/2(c)6 - Setting of a Price for Sale or Lease of Property Owned by the Public Body*

P. Adjournment, no later than 10:00 p.m.

Adjournment of the Meeting

Moved by Turner. **Second by** Italiano. **Vote:** Motion passed by unanimous voice vote

Meeting adjourned at 9:42 p.m.

Kimberly Thomas
City Clerk