

VILLAGE BOARD MEETING

Bethalto, IL

November 14, 2022

7:00pm

Council Chambers

The Village Board of Trustees met on the above date in the Council Chambers of Village Hall in a regular meeting called to order by Mayor Bost at 7:00 p.m. The meeting opened with the “Pledge of Allegiance”. Roll call was taken by Village Clerk Sue Lowrance. Present: Trustees Dugger, Lowrance, Tweedy, and Keister. Trustees Perkhiser and Mull were absent. Also present: Police Chief Mike Dixon, Village Attorney Ken Balsters, Fire Chief Brian Buhs, Public Works Director Rod Cheatham, Joseph Hughes and Attorney Amy Gabriel.

Motion made by Tweedy, seconded by Lowrance, to approve Village Board meeting minutes of October 10, 2022, as printed. All members voted aye viva voce. Motion carried 4-0.

REPORTS FROM DEPARTMENTAL SUPERVISORS:

Police Chief Mike Dixon presented the monthly activity report for October, and reviewed some of the more significant cases for the month. The Rotary Club Halloween parade went smoothly with no incidents or accidents; there are several upcoming events that the PD will be coordinating with organizers and the Public Works Department to try to insure the safety of all participants. The department is once again fundraising for their Christmas for All event, and \$3000 has been raised so far. Dixon added that he is about 75% done with the new Lexipol policy manual. There were no questions.

Fire Chief Brian Buhs presented his report for October, noting 152 calls for the month and 1370 year-to-date, which already surpasses the total number of calls in 2021. Buhs anticipates the department to run between 1650-1700 calls in 2022. There were no questions.

Public Works Director Cheatham presented his monthly report by department. Clear Wave is installing fiber optic lines throughout town in order to offer residents another option for high-speed internet services; Cheatham wanted the board to know that they're permitted in case they get calls about it. There were no questions.

Zoning Administrator Randy Reddick was unable to attend the meeting, so Mayor Bost reviewed the monthly zoning activity. O'Reilly Auto Parts has submitted the drawings for their new construction. Other projects throughout town are progressing. Bost added that Weathervane was awarded their \$25,000 façade grant check from March, 2021. Construction has been slow there but is still progressing. There were no questions.

GUESTS/PUBLIC COMMENT:

Krystle Meyers, representing Our Lady Queen of Peace Church, was in attendance to present her request for use of Central Park for a fundraising car show for the Church. They are planning the event for either October 8 or 15, 2023 from 9am-4pm. She stated she has been in contact with the Farmers Market and there won't be a conflict there; she also has insurance in place for the event. Mayor asked her to get in touch with us next summer to touch base and details could be ironed out then.

RESOLUTIONS

Resolution 2022-13 A Resolution Authorizing Execution of Acceptance of Water Line in Fulfillment of Intergovernmental Agreement of Date of November 13, 2020 Between the Village of Bethalto and Moro Public Water District was presented. This authorizes the Mayor to accept the conveyance of water line, metering pit, & meter from Moro Public Water District. **Motion made by Keister, seconded by Dugger, to approve Resolution 2022-13 A Resolution Authorizing Execution of Acceptance of Water Line in Fulfillment of Intergovernmental Agreement of Date of November 13, 2020 Between the**

Village of Bethalto and Moro Public Water District. Trustees Dugger, Lowrance, Tweedy, and Keister voted aye; nays none. Motion carried 4-0.

ORDINANCES

There were no ordinances presented for consideration.

REPORTS FROM THE MAYOR:

Village offices will be closed November 24 & 25 for Thanksgiving. The Inaugural Christmas Parade is scheduled for November 26 at 4pm, with Christmas Village set to open after the parade. The Bethalto Spirit Christmas Walk is scheduled for December 11.

Mayor Bost presented a recommendation from the PC/ZBA regarding an appeal for property located at 781 Roosevelt Drive. Bost noted that Village Attorney Balsters had recused himself from this matter; Attorney Amy Gabriel represented the PC/ZBA at the hearing and meeting. The PC/ZBA recommendation is to deny the petitioner's request to allow livestock on the property because the document written July 9, 1987 used to make the appeal is no longer valid as it was issued on the original 38.35 acres, so would not apply to the current 4 acres.

Resident Ryan Payne, 125 Crestmoor Ct, addressed the board in opposition of the appeal, citing he's lived there just over a year and there have been no cows or horses until the cows arrived a couple of months ago. He added that there are no residents in the house now, so the cows are unattended. Payne said that when he purchased the house he lives in there were no livestock on site. He then "did his research" and discovered that the surrounding area is zoned residential, so he didn't feel he needed to be concerned with livestock coming onto the property. Payne summarized his concerns as (1) setting a precedence, (2) the nuisance caused by the flies and odor of livestock, (3) the electric fence on the property being located

close to a public sidewalk, (4) the valuation of property in the area if livestock is allowed. Payne added that if the property values decline, tax revenue will be affected. Payne further stated that the board took an oath to uphold the Village code, and asked that they do that in this situation.

Dr. Edmar Schreiber addressed the board and presented his case for his appeal. Schreiber stated that the cows were brought in because people were trespassing onto the property to feed the horses; one horse became ill and died from being fed improperly, so Schreiber brought in cows that are more tolerant of other foods than horses. Schreiber stated that the intention of the non-conforming certificate when issued was clear, and that the board at that time agreed to allow up to 37 livestock on the property. He further stated that he never had any intention of bringing 37 cows or horses in, but that there is nice pasture area there, some fenced in and some not. Schreiber added that most of his interaction with residents regarding the livestock has been positive. Schreiber stated that he appreciates the board's consideration, and added that if there is a future need, he would consider whatever it takes to allow livestock on the site.

Ed Slayden, member of the PC/ZBA, addressed the board from the committee's perspective, stating that the original agreement was based on 38+ acres and that it no longer applies to the 4 acre parcel in existence currently. Slayden stated that in his opinion it would have been the property owner's responsibility to restructure the agreement when the property was scaled down to 4 acres, that it was a binding agreement based on acreage in 1987. Slayden also noted that the Schreibers would have other options for a variance should it come down to that. Slayden added that it would be disappointing for the Village Board to give the PC/ZBA the authority to make a recommendation and then vote against it based on a piece of paper. Trustee Keister clarified that the petitioner could request a new non-conforming certificate if

necessary; Slayden stated there are several options available, but that the petitioner would need to take that step,

Bill Simonds, 159 Heatherland, stated he has a clear view of the pasture. He built his home in 1993 and stated for 10 years or so there were 2 horses, no cows. After that, cows were brought in and removed, then for 20 years there were no cows. He said there haven't been horses for a year, but cows were moved in during the last couple of months. Simonds has an issue with odors and flies when cows are present.

There were no other comments or questions. Mayor Bost reminded the board that the recommendation of the ZBA is to deny the petitioner's request, so that a YES vote means you support the decision of the ZBA, a NO vote means you do not support the decision of the ZBA. Mayor asked for a motion to move forward. **Motion made by Keister, seconded by Lowrance, to accept the recommendation of the PC/ZBA RE: 781 Roosevelt and deny the petitioner's appeal.** Trustees Dugger, Lowrance, and Tweedy voted nay, Trustee Keister voted aye, resulting in a 3 no votes, 1 yes vote. Pursuant to Zoning Code section 40-12-4 (D), 4 votes are required to overturn the decision, therefore the recommendation is upheld and the appeal denied. Mayor Bost told Dr. Schreiber that the Zoning Administrator would be in touch with him in the next couple of days.

MONTHLY TREASURER'S REPORT:

The October Treasurer's report was presented with revenues and expenses reviewed. The Village's ending cash balance was up approximately \$200k from the previous month. There were no questions. **Motion made by Lowrance, seconded by Tweedy, to approve the Treasurer's Report for October, 2022.** Trustees Dugger, Lowrance, Tweedy, and Keister voted aye, nays none. Motion carried 4-0.

COMMITTEE MEETING

Committee meetings will be held on November 28 at 6pm.

BILLS

GENERAL FUND

Motion made by Lowrance, seconded by Dugger, authorizing payment of bills in the amount of \$123,889.80. Trustees Dugger, Lowrance, Tweedy, and Keister voted aye; nays none. Motion carried 4-0.

WATER & SEWER FUND

Motion by Lowrance, seconded by Tweedy, authorizing payment of bills in the amount of \$170,698.83. Trustees Dugger, Lowrance, Tweedy, and Keister voted aye; nays none. Motion carried 4-0.

GARBAGE FUND

Motion by Lowrance, seconded by Tweedy, authorizing payment of bills in the amount of \$54,210.24. Trustees Dugger, Lowrance, Tweedy, and Keister voted aye; nays none. Motion carried 4-0.

The next regularly scheduled meeting will be held on December 12, 2022 at 7:00pm in the Council Room of Village Hall.

Having no further business, **a motion was made by Lowrance, seconded by Dugger, to adjourn the meeting.** All trustees voted aye viva voce. Meeting adjourned at 7:35pm.

Sue Lowrance, Village Clerk

Gary Bost, Mayor