

City Council Minutes: September 8, 2009

CITY OF FULTON

REGULAR COUNCIL MEETING MINUTES

SEPTEMBER 8, 2009

5:30 PM

The Mayor called the meeting to order and directed the clerk to call the roll. On roll call, Mayor Larry Russell, Aldermen, Charles Dykstra, Gene Field, Merle Sterenberg, Charlie Letcher, Warren Juist, Wes Letcher, Bill Loerop and Ron Roels answered present. Also in attendance were Bill Shirk - City Attorney, Randy Balk - City Administrator, Heather Bennett-Tourism Director, Clink Kettler - Zoning Officer and Jim Rhoades - Chief of Police.

The pledge of allegiance was recited. The invocation was given by Pastor Tom Merchant from Trinity Reformed Church.

Communication from visitors. Fulton resident Bud Berzinski addressed the council regarding Sauk Valley Community College. He stated that the college's brochures offers programs and courses that Fulton citizens would be interested in but the college is 45 miles away. Berzinski said Fulton residents pay taxes to the Sauk Valley College district and we should get them to offer courses here through an outreach program. He urged the council to meet with the school board. Ald. Roels said the college had offered courses in the past at Morrison High School and they were not well attended. Mayor Russell said the Tri-County Development Group has the same concern regarding the college and said it is worth looking into and thanked Mr. Berzinski for speaking to the council on the matter.

Ald. Field moved, seconded by Ald. C. Letcher to approve the August 17, 2009 regular council meeting minutes. Roll call vote/all yes/motion carried.

Ald. C. Letcher moved, seconded by Ald. Roels to approve the Fall Festival street closure request for the run/walk on Saturday, October 10, 2009. Roll call vote/all yes/motion carried.

Zoning board chairman Ron Shear explained to the council the first rezoning request that the zoning board of appeals heard at their last meeting. It was a request from Tadd and Shelby Tiesman of 808 19th Avenue to have their property rezoned from single family district to industry district. They requested the change so they could build a 2,640 square foot garage for their gutter business equipment and materials. The zoning board unanimously voted to approve the request.

Ald. Dykstra moved, seconded by Ald. Field to pass Ordinance No. 1394 Rezoning 808 19th Avenue (Blake's Addition, Block 12, Lots 1, 4, 5, 8, 9) from single family district to industry district. Roll call vote/all yes/motion carried.

The second hearing of the zoning board of appeals was a request from Fulton Mobile Home Park, LLC to rezone that part of the park currently zoned single family district to industry district. A portion of the park is already zoned industry. The zoning board approved the request by a 4-2 vote and recommended the council approve the request.

John McNerney, owner of the Mobile Home Park addressed the council with their goals for rehabilitating the park. He said rehabilitation could take 3 to 4 years and they have had the park for 14 months. He said that if they had some of the unused land rezoned to industry they could sell it and use the proceeds to speed up the rehab process.

Myra Houzenga and Melanie Shaffer, Fulton residents who live near the mobile home park spoke to the council, asking them not to rezone the single family district area of the park to industry. They have concerns for the safety of children living in the area if an industry were built in the middle of the park. Houzenga said there is no one managing the park

during the day. Houzenga gave the Mayor a petition signed by over thirty residents who were not in favor the rezoning.

The council expressed concern over what kind of industry would locate on the property if it is rezoned. If the owner has an interested buyer, they might consider rezoning contingent upon what the buyer intends to do with the property.

Ald. Roels moved, seconded by Ald. Sterenberg to deny the Fulton Mobile Home Park request for rezoning. Roll call vote/all yes/motion carried.

The Zoning Board of Appeals third hearing was a request to rezone 2 lots on 4th Street owned by Art Sikkema. Len Janis, of Windmill Realty, said Sikkema has a buyer for the property who wants to put up a building with an awning, window and a service door for the purpose of storage. The buyer would not be operating a repair business and has a full time job in Clinton.

Ald. C. Letcher moved, seconded by Ald. Loerop to pass Ordinance No. 1395 Rezoning lots 5 & 6, Block 9 in the Southside Addition from single family district to industry district. Roll call vote/all yes/motion carried.

Mike Ottens, who owns a business at 800 20th Avenue, asked the council to consider prohibiting parking on the south side of 20th Avenue from 8th Street to 9th Street. He said the street is very narrow and with cars parked on both sides, it becomes a safety issue when kids are playing and barely passable for a truck or larger vehicle. In the winter time with snow on the ground it becomes a one way street. The vehicles parking on the south side destroy the grass and create mud holes. He said he didn't want the council to vote on it tonight because the residents of 20th Avenue should have a chance to know about it.

Ald. C. Letcher moved, seconded by Ald. Roels to pass Ordinance No. 1396

Temporarily Amending Outdoor Liquor Sales for 90 days. Roll call vote/all yes/motion carried. This will allow Denny O's Tavern to continue beer garden hours until midnight (extended from 10:00pm), as been permitted by ordinance for the previous 60 days. There have been no complaints from neighbors.

Ald. W. Letcher moved, seconded by Ald. C. Letcher to pass Ordinance No. 1397 Amending Chapter 113 Entitled Raffles. Roll call vote/Ald. Loerop, W. Letcher, Juist, C. Letcher, Sterenberg, Field and Dykstra voted yes/Ald. Roels voted no/motion carried. The changes in the city ordinance are due to changes in Illinois law regarding raffles. The changes will allow a raffle permit to be issued to a non profit group whose sole purpose is to provide financial assistance to an identified individual or group of individuals suffering extreme financial hardship as the result of an illness, disability, accident or disaster. Previously, only those non profit groups in existence for at least 5 years were eligible for a raffle permit.

Ald. Roels moved, seconded by Ald. W. Letcher to set Trick or Treat hours from 5:00pm to 7:00pm on Saturday, October 31, 2009. Roll call vote/all yes/motion carried.

Ald. C. Letcher moved, seconded by Ald. Roels to approve changes to Heritage Canyon chapel wedding guidelines to allow a reception to be held at the Canyon. Roll call vote/all yes/motion carried. The fee will increase from \$100.00 to \$150.00 if a reception is held at the Canyon after the wedding. The janitorial fees will increase from \$35.00 to \$70.00 and the deposit of \$50.00 remains the same. If a tent is used for the reception it may only be placed on the flat area between the caretaker's home and the town hall building. There is no smoking or alcohol permitted in the Canyon and the premises must be vacated by 8:00pm.

Ald. Dykstra moved, seconded by Ald. C. Letcher to approve the Illinois Water and Wastewater Mutual Aid and Assistance agreement. Roll call vote/all yes/motion carried. The agreement would always allow the participating

municipality to choose whether or not they could offer mutual aid at the time of a request.

Ald. Roels moved, seconded by Ald. Sterenberg at 7:00pm to adjourn to executive session on Wednesday, September 9, 2009 at 5:00pm to discuss the purchase or lease of real property. Roll call vote/all yes/motion carried.

Minutes recorded by,

Linda Hollis

City Clerk