

**MINUTES OF REGULAR SESSION  
HIGHLAND CITY COUNCIL  
MONDAY, MARCH 16, 2020**

Mayor Michaelis called the Regular Session to order at 7:00pm. Councilmembers Sloan, Frey, Bellm and Hipskind were present. Others in attendance were City Manager Latham, City Attorney McGinley, Directors Conrad, Gillespie, Imming, Korte, Rosen, Slover, and Speraneo; Coordinator Hubbard, Fire/EMS Chief Wilson, Deputy City Clerk Hediger, City Clerk Bellm, twelve citizens and one member of the news media.

**MINUTES**

Councilman Frey made a motion to approve the minutes of the March 2, 2020 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

**PUBLIC FORUM**

Citizens' Requests and Comments:

2020 Schweizerfest Square Use Request – Matthew Stallard, 2020 Schweizerfest Event Chairman and Adam Vosholler, 2022 Event Chairman were present to request permission for this year's Schweizerfest, which will be held June 12-14, 2020. Setup will begin June 8 and continue to the start of the event, which will be Friday night, June 12 at 6:00pm. The event runs through Sunday at 10:00pm. Parades are at 5:00pm both Saturday and Sunday. We are requesting the same closures as the past few years with the closure of Broadway at 9:00am on Friday, June 12, to allow for the rides to setup, and closure of Laurel, Washington and Main Streets at 3:00pm to get vendors setup. We realize this will have to be very fluid with the health scare going around. Councilwoman Bellm made a motion to approve the Highland Jaycees' request to hold the 2020 Schweizerfest as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Noah Bauer, Vulliet Road, stated my family could not make it tonight due to the recent health scare. On March 10, 2020, we receive notice from the city that we must remove our mini pet pig, Boomer, because it is unlawful to keep him within city limits. We got Boomer in May 2018 when my wife was fighting cancer, which while slow to spread in a specific region it was in her blood stream as well. There is a sixty-percent chance of the cancer returning. Mr. Bauer explained the doctor recommended we get an emotional support animal, to help with her recovery. We got Boomer from the vice president of the Mini Pig Association. He is trained and fully integrated into our family. He assists my wife with her anxiety due to the effects of the cancer and has become a part of our family. He is not a farm animal. He is always inside, unless he needs to go outside. He is not left out there by himself. I am asking for exception, based on him being an emotional support animal; if not, we would ask for an extension to re-home him. We feel it would be detrimental for Boomer to put him up for adoption again. I have letters from two adjoining neighbors stating they have no issues with us having him. We also have a petition signed by over 800 that state they are in favor of changing ordinance to allow for these

animals, with stipulations that they be vaccinated, trained and with specific care needs met. I also have for the council to review, facts on mini pigs and a list of cities that allow mini pigs through their ordinances.

Mayor Michaelis stated I knew this was an issue. How much does he weigh? Mr. Bauer replied eighty pounds. Mayor Michaelis stated I never raised them, but I know they are intelligent. Is he trained? Mr. Bauer replied yes. He has made appearances at school and works with kids that have social disorders. Councilman Hipskind stated I know Boomer. They live down the street from me. It is quite impressive, the tricks he can do. Can he be registered as support animal? Mr. Bauer stated we have a letter from our family doctor. However, when we dig into federal laws, there does not seem to be a means that we can find to do register him as an emotional support animal. Councilman Hipskind noted he is not that big. Mr. Bauer replied no, he is about 1.5-feet tall and maybe 3-feet in length. We have had him for about eight months. Mayor Michaelis asked what keeps him that small. Mr. Bauer explained we bought him through the Mini Pig Association of America. They are not a potbelly pig. He is not going to turn into large pig, like a farm animal. Mayor Michaelis noted we received concern from one adjoining neighbors. Mayor Michaelis asked for recommendation from council. Councilman Frey expressed I am glad your wife is in remission. When I first got on the council, there was discussion of allowing pigs as pets and then there was a discussion about chickens. The first time we okay one, it is going to open doors for others. Now, if this was registered support pig, it may be a different thing. Councilman Hipskind agreed it can become a slippery slope; however, if they can provide documentation from the doctor and if they get it registered as a support animal, it would be different. Councilwoman Sloan agreed, there was documentation as it being an emotion support animal it would be best. I would like to see more letters from other neighbors as well. Mr. Bauer explained, in the area we live, we only have two direct neighbors.

I talked to both of the closest neighbors. Councilwoman Bellm asked was there a particular incident that filed the complaint. Mr. Bauer stated, not that I am aware. Every time Boomer goes out, he goes into his pen. Mayor Michaelis asked City Attorney McGinley to comment on where need to go from here. City Attorney McGinley explained we have an ordinance on the agenda, tonight, that we are amending, to eliminate all the fees to register dogs and cats for the city. This will help citizens not have to pay to register. Other than domesticated animals, I do not believe other support animals are allowed in the city limits. We would need to amend ordinance and detail in it what is needed as far as documentation to meet standards. Mayor Michaelis asked what agency would help you get that documentation. City Attorney McGinley replied I do not know. I know a service animal is allowed. Support animals are different from anything looked at in the past. Mayor Michaelis pointed out, no matter what; the council would need to amend the ordinance. City Attorney McGinley replied yes, to be clean and clear to anyone that wants to bring in an animal that is recognized as okay within the city limits. I cannot speak to what qualifies an animal as a support animal. Mayor Michaelis asked what agency would be able to assist with that. City Attorney McGinley stated he would need to investigate this more. Councilwoman Bellm stated there has to be some criteria. If someone has a snake, then someone needs to have that designated. I know people that have mini pigs as pets. They are very intelligent. City Attorney McGinley pointed out, you may have neighbors now that are okay with this; however, neighbors come and go. Sometimes exceptions swallow the rule, so we need to look into this more. Councilwoman Bellm requested we look into what designates a support animal. I do not believe this is going to be the last request. She asked how long this will take. What length of extension we are going to give on this matter with this family? City Attorney McGinley stated he would need 30-60 days based on the climate right now. Councilwoman Bellm suggested a sixty-day extension for the family. It was the consensus of the council. Councilwoman Sloan suggested Mr. Bauer talk to the doctors to see if they know what agency to get with.

Request of Council:

No comments or requests were presented.

Staff Reports:

City Manager Latham reported, as of now, the primary election is still going to happen tomorrow. He reminded everyone that the advisory question regarding the permitting for a cannabis dispensary is on the ballot. It asks: "Should the City Of Highland license and permit a cannabis dispensary to operate within the corporate boundaries of the City of Highland?"

City Manager Latham noted some changes to tonight's agenda have been requested: Item A – Bill #20-35/Resolution Authorizing Allocation of Hotel/Motel Tax Funding for 2020 Highland Swap Meet. Applicant, Gina Kuhn, has requested withdrawal of the request, as the event has been postponed. Also, Item F - Bill #20-40/Resolution approving the Revised Preliminary Plat of Carbay Crest Subdivision, Phase II, was requested to be postponed, as the owner of the property is on vacation.

City Manager Latham reported we are requesting rescheduling the budget discussion for Monday, March 30, 2020 at 6:00pm.

Mayor Michaelis provided an update on the Coronavirus / COVID 19. He urged we need to stay on top of this. A number of city officials and staff met with the hospital today. We do have plans in place at the city level, in the event that someone is diagnosed with the virus, and what steps we can take to minimize the spread in Highland. It is not a matter of if, but when, patients going through their emergency room have the virus. Mayor Michaelis brought two headlines from the St. Louis Post Dispatch to people's attention. First one: social gatherings of more than 50 people is banned in St. Clair County, Madison County, and St. Louis County. Each restaurant and liquor establishments are closed for consumption starting at 9:00pm. City Attorney McGinley provided an update with clarification received at about 4:00pm, today, by Governor Pritzker. Effective March 16, 2020 at 9:00pm, all businesses that serve food and/or alcohol suspend service for consumption on premise. Drive-thru and curbside service are allowed. Establishments may permit patrons in for carryout. However, those offering carryout must have an environment where patrons must maintain social distance. Our initial impression of order was that no one could come in. However, it is allowing carryout. You have to have social distancing. He emphasized this allows for drive thru, curbside, and carry out. However, if let people into restaurant, you have to keep them at a six-foot distance from each other.

Another thing that has changed is the Illinois Open Meeting Act as to the requirement of members of a public entity being physically present. We will work through whether this body will meet physically or through remote access. Councilwoman Sloan asked if the businesses will be able to continue to operate. City Attorney McGinley replied yes, people cannot eat or drink inside, but they can continue offer curbside, delivery, or carryout. Chief Conrad stated we will put that information out on all of our city pages.

**NEW BUSINESS**

Bill #20-35/RESOLUTION Authorizing Allocation of Hotel/Motel Tax Funding for 2020 Highland Swap Meet – Councilwoman Bellm made a motion to withdraw; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried. Item withdrawn.

Bill #20-36/ORDINANCE Abating Taxes Levied for 2010 GO Street Bonds – Councilwoman Bellm made a motion to approve Bill #20-36/Ordinance #3003 abating taxes levied for 2010 General

Obligation Street Bonds as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-37/ORDINANCE Repealing and Replacing Chapter 14 – Animals, Article II – Sections 14-37, 14-38, and 14-39, Removing Pet Tag Fees – Councilman Frey made a motion to approve Bill #20-37/Ordinance #3004 repealing and replacing Chapter 14 – Animals, Article II – Sections 14-37, 14-38, and 14-39, removing pet tag fees as attached; seconded by Councilwoman Bellm. Director Conrad reported, the last few years, we probably get less than \$200 in registration of animals. Our hope is this will coincide with social media to reunite animals with their owners. We will have pictures, owner information, and be able to provide pet tags that will help with reuniting pets with owners, along with official documentation filed with county requirements and paperwork. This would be just a registration requirement for public service. Councilwoman Bellm asked if they have the ability to microchip. Director Conrad stated we do have readers, but cannot install microchips. We can guide people to those resources. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-38/RESOLUTION Making Separate Statement of Findings of Fact in Connection with Ordinance Granting Special Use Permit for Self-Storage Within the C-3 Zoning District at 2650 Plaza Drive – Councilwoman Bellm made a motion to approve Bill #20-38/Resolution #20-03-2703 making separate statement of findings of fact in connection with ordinance granting special use permit for self-storage within the C-3 Zoning District at 2650 Plaza Drive as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-39/ORDINANCE Granting a Special Use Permit to Dwight Rutz for Self-Storage Within the C-3 Zoning District at 2650 Plaza Drive – Councilman Frey made a motion to approve Bill #20-39/Ordinance #3005 granting a special use permit to Dwight Rutz for self-storage within the C-3 Zoning District at 2650 Plaza Drive as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #20-40/RESOLUTION Approving the Revised Preliminary Plat of Carbay Crest Subdivision, Phase II – Councilwoman Bellm made a motion to postpone until the next council meeting; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

## **REPORT**

Approve Warrants #1159 & #1160 – Councilwoman Bellm made a motion to approve Warrants #1159 & #1160 as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Frey. All council members voted aye, none nay. Motion carried and meeting adjourned at 7:40pm.

Joseph R. Michaelis, Mayor

Barbara Bellm, City Clerk