

**MINUTES OF REGULAR SESSION  
HIGHLAND CITY COUNCIL  
MONDAY, JUNE 6, 2022**

Mayor Hemann called the Regular Session to order at 7:00pm. Council members Sloan, Frey, Bellm, and Hipskind were present. Others in attendance were City Manager Conrad, City Attorney Michael McGinley, Directors Cook, Gillespie, Imming, Ohren, Rosen, and Vazquez, Police Chief Presson, Fire Chief Federer, EMS Chief Wilson, Treasurer Nicolaidis, Deputy City Clerk Hediger, City Clerk Bellm, 29 citizens and 1 member of the news media.

Mayor for the Day Vince Horstman lead everyone in attendance.

**MINUTES**

Councilman Frey made a motion to approve the minutes of the May 16, 2022 Regular Session as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

**SPECIAL RECOGNITIONS**

Mayor Hemann introduced Vince Horstman as Mayor for the Day. Mayor Hemann reported Vince has been traveling all around town today with me. We handed out service awards at the Public Safety Building. Vince sat in police car, got put in a jail cell, an EMT showed him how the ambulance worked. We went to Parks & Rec, where he got treated like a king and served an Icee. Then we went to Light & Power where he got to see the new bucket truck and the big chain saw, then Director Cook gave us a tour through the power plant, where he saw all the generators that keep the power going when supplemental power is needed. We were out at Glik Park where there was a recent dedication of a reflection garden. We had a very full day.

**PUBLIC FORUM**

Citizens' Requests and Comments:

*Highland School of Music Partnering with Louis Latzer Library – Learning Concert – Special Event Application* – Donna Plocher, Representative, stated I am representing Angela Kim for Louis Latzer Library. We are collaborating with the Highland School of Music, which provides a petting school of instruments, and the kids of Highland School of Music play for the kids in attendance. We have made this an outdoor event. Should it be raining, we will move it back inside the library. Councilwoman Bellm made a motion to approve Highland School of Music and Louis Latzer Library's request for use of the downtown square on Tuesday, June 7, 2022, from 4:45pm to approximately 7:30pm for a learning concert as requested. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

*St. Paul Catholic Church – Corpus Christi Mass Dismissal & Blessing – Special Event Application and Road Closure Request* – Dineen Czar, Executive Manager, stated we have submitted an application to have a procession on June 19, 2022, from the church to the Square.

The procession is for the Solemnity of Corpus Christi. Following the walk to the Square there will be a final blessing at the Square. We had a conversation with the police, earlier today, and they stated we will be on our own as far as crossing traffic. We are just asking for use of the sound system, restrooms and the downtown square during the blessing. Councilwoman Bellm made a motion to approve St. Paul Catholic Church's request for use of the Square on Sunday, June 19, 2022 for the Corpus Christi Mass dismissal and blessing, from approximately 11:00am – 12:20pm as requested. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

*Hard Road – Meet & Greet Descendants – Special Event Application* – Brian Knobloch, President of Hard Road Theatre, stated we have submitted an application for use of the Square on June 26, 2022, for the kids to do a mini performance and then allow the kids to have pictures taken with characters of the show. It was a good turnout and way to promote the show, last year. The upcoming show is July 17-21. We will be doing the show at the Weinheimer Building, and we are very excited to be able to use that space. We would love to use the Square to promote the show. Councilwoman Bellm made a motion to approve use of the downtown Square facilities on Sunday, June 26, 2022, from 12:00pm – 3:00pm for Hard Road Theatre's Meet & Great The Descendants as requested. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

*Highland Optimist – Treats on the Streets – Special Event Application* – Marshall Rinderer, Representative, stated the Optimists are our biggest sponsor of this event; however, all the businesses that participate in the event are what make this happen. We are requesting use of the Square and bathroom facilities, for October 28, 2022. Councilman Frey made a motion to approve Highland Optimist's request to hold Treats on the Streets, Friday, October 28, 2022, from 1:00pm – 5:00pm as requested. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Dennis Foehner, 230 Coventry Way, asked Vince Horstman if he took a nap today. Vince shook his head no. Mr. Foehner stated he would have needed one. He explained he is here on behalf of Highland Lions to thank the city for their support of the Lions' Day Biathlon, over the years. Thank you to City Manager Chris Conrad, Chief Presson, Chief Federer, and Director Angela Imming for trying to bring the Highland Lions into the 21<sup>st</sup> century with the use of technology. Craig Virgin won our first race over 30 years ago, which was 5 miles long. We do not bring the large number of people in like The Art in the Park. We had 85 people from the metro east and 40 people from Missouri. I need to tell the city that we get a lot of compliments about our community. All the races begin near the primary school and Lindenthal is the most wonderful finishing half mile of the race.

Daniel Ruppel, 1123 New Trenton Road, stated we have had trouble with noise pollution from 501 Blues since the new ownership has taken over. According to county statute [53.04 Noise Prohibitions](#), 'It shall be unlawful and a nuisance for any person to make, continue or cause to be made or continued any loud, unreasonably loud, disturbing, unnecessary or excessive noise which unreasonably interferes with the comfort, health or safety of others.' He expressed I do not find it unreasonable to ask them to turn the music down. As a member of the military, I need to get up at 3:30am. It is the intersection of the county limits and city limits at this intersection. I am looking at filling a complaint. After five different calls to police over this issue, it seems nothing gets resolved. If this is how you want to treat the residents, then I will take my complaints to other authorities. Mayor Hemann asked was the music inside. Mr. Ruppel stated it was the first two times outside. Councilwoman Sloan acknowledged they have started having bands outside. Mr. Ruppel stated if they have to turn the music up that loud, then they are

not that good. I have lived across the street from this place for five years. The previous owners would turn the music down when I called them. On May 22, I had to call at 9:30pm. On May 26, on a Thursday night, they only laughed at me. The police department's response was, 'well, you live across the street from a bar.' Mr. Ruppel stated it is well over 35 feet across the street and at 10:00pm. It is a residential area across the street. I am asking as a formal request and compliant to have this addressed. Have an ordinance passed that prohibits this. City Manager Conrad reported we do have a noise ordinance, which is in effect 11:00pm – 6:00am on the weekends. We have had to enforce with the racetrack and when they start their last race. Mayor Hemann stated we will look into this. Mr. Ruppel stated I bought this property as my retirement home and I am tired of the noise. I am considering this a hostile environment in this town. I am just asking for common decency.

Mayor Hemann stated there are several items on the agenda, this evening. If anyone is here to speak on any of these items, now is the time.

Requests of Council:

No comments or requests presented.

Staff Report:

At 7:30pm, Mayor Hemann dismissed Mayor for the Day Vince Horstmann and thanked him for his day.

## **NEW BUSINESS**

Approve Mayor's Appointment of Steven S. Aebischer and Reappointment of William Sloan to the Liquor Control Commission – Councilman Frey made a motion to approve the mayor's appointment of Steven S. Aebischer and the re-appointment of William Sloan to the Liquor Control Commission, with terms to expire, June 2024 and June 2025, respectively. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Frey, Bellm and Hipskind voted aye, none nay. Councilwoman Sloan abstained. Motion carried.

Bill #22-78/RESOLUTION Authorizing Allocation of Hotel/Motel Tax Funding for LOL Night at the Races and 24 Hour Laps for Leaps – Councilwoman Bellm made a motion to approve Bill #22-78/Resolution #22-06-2937 authorizing allocation of Hotel/Motel Tax Funding for LOL Night at the Races, in the amount of \$2,000, and \$2,400 for the 24 Hour Laps for Leaps as attached. Motion seconded by Councilman Frey. Councilwoman Bellm asked are we okay with funds? Director Ohren replied yes. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-79/ORDINANCE Approving and Authorizing the City Manager to Execute a Development Agreement Pursuant to 65 ILCS 5/8-1-2.5, with Eagle Inn Highland, LLC, and Other Actions Related Thereto – Councilman Frey made a motion to approve Bill #22-79/Ordinance #3193 approving and authorizing the City Manager to execute a development agreement pursuant to 65 ILCS 5/8-1-2.5, with Eagle Inn Highland, LLC, and other actions related thereto as attached. Motion seconded by Councilwoman Bellm. Mayor Hemann reported the owner of Eagle Inn Highland, LLC was not able to attend, this evening. Director Breann Vazquez will provide overview on his half. Director Vazquez reported Gayle Frey and Ralph Korte are teaming together for this project. The Kinne Lofts was one of the last major projects on the Square. The city is very eager to see this going forward due to number of complaints regarding current building status and occupants. This project will transform the building into 4-6 luxury apartments. It will be about a two-year timeline. Mr. Frey wanted to thank the other investors on the Square: TJO Holdings, Roy Wells, and Schlafley for their investments in the downtown area. Director Vazquez reported what we have put together is a TIF agreement for 10 years at 75% and waiving

of tap on water and sewer. The project involves a \$400,000 purchase price and about one million dollars in renovations. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Mayor Hemann reported we are tabling Item G, Bill #22-80/Ordinance Repealing and Replacing Chapter 78 – Utilities, Article VII. – Fiber-to-the-Premises System (Highland Communication Services), Sec.78-732. City Attorney Mike McGinley advised pulling this from the agenda, since it needs to be re-drafted.

Bill #22-81/ RESOLUTION Waiving Competitive Bidding Requirement and Authorizing Purchase of Itron Electric Meters from Anixter Power Solutions, LLC – Councilwoman Bellm made a motion to approve Bill #22-81/ Resolution #22-06-2938 waiving competitive bidding requirement and authorizing purchase of 500 Itron Electric Meters from Anixter Power Solutions, LLC, in the amount of \$57,500 as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-82/ RESOLUTION Waiving Competitive Bidding Requirement and Authorizing Purchase of Meter Communication Modules with Associated Licenses from Tantalus Systems, Inc. – Councilman Frey made a motion to approve Bill #22-82/ Resolution #22-06-2939 waiving competitive bidding requirement and authorizing purchase of meter communication modules with associated licenses from Tantalus Systems, Inc. as attached, in the amount of \$44, 080. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-83/ RESOLUTION Authorizing the City to Enter a Contract with Moran Economic Development, LLC for Purposes of Amending Business District A – Councilwoman Sloan made a motion to approve Bill #22-83/ Resolution #22-06-2940 authorizing the city to enter a contract with Moran Economic Development, LLC for purposes of amending Business District A as attached. Motion seconded by Councilman Frey. Councilwoman Bellm asked what we are putting in. Director Breann Vazquez stated we do not have any specific territory. We are looking at areas along the southern borders. If we feel it is necessary we would add. Councilwoman Bellm stated I would ask that we get to see it. The first time around there was some properties that were not included that the council felt should have been included, and it became a mess. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-84/ORDINANCE Declaring Real Property of the City Surplus and Authorizing its Sale Pursuant to 65 ILCS 5/11-76-1 and 65 ILCS 5/11-76-2, Specifically the Old Police Station at 820 Mulberry Street – Councilwoman Bellm made a motion to approve Bill #22-84/Ordinance #3194 declaring real property of the city surplus and authorizing its sale pursuant to 65 ILCS 5/11-76-1 and 65 ILCS 5/11-76-2, specifically the old police station at 820 Mulberry Street as attached. Motion seconded by Councilman Frey. Mayor Hemann stated this gives anyone interested in making an offer to purchase this property thirty days to place a bid. City Attorney McGinley stated bids would be opened at the second meeting in July. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-85/ORDINANCE Amending Zoning Classification from “R-3” Multiple Family Residential to “I” Industrial for 904 Cedar Street – Councilman Frey made a motion to approve Bill #22-85/Ordinance #3195 amending zoning classification from “R-3” Multiple Family Residential to “I” Industrial for 904 Cedar Street as attached. Motion seconded by Councilwoman Bellm.

One citizen stated I personally oppose this. My father and I own 925 Cedar Street. Mr. Engelmann has misstated some things in his application, which states ‘lot is intended for multiple family, but best use is for Industrial.’ He also states it was used for industrial purposes in the past; that is not true. It had two mobile homes on the property at one time. There was a house built by the Jacobers at the corner of Cedar and Madison Streets. There is going to be a tremendous size building that is going to be placed on that lot. I would like you to consider looking out the side of your windows and in your backyard having a BBQ with this huge building to look at. As a child, I remember playing in the yard and I could see all the way down Madison Street. I cannot see this happening in this neighborhood.

Mary Jacober, 901 Cedar Street, stated we built in 1972. The other side of the street was commercial and our side of the street is residential. There are children running around down there. I don’t see where they need all this. I really do not see why we have to put up with all the noise and traffic.

Patrick stated I work at St. Louis County Courthouse as an issue clerk. I drive an hour each way and I deal with stressful situations all day long, issuing warrants and dealing with mental health issues all day. I live at 916 Cedar Street. Every day, when I get up, I will have to look at this building and deal with the noise coming from the building. At 10:40pm, Saturday, a semi-trailer coming down the street at 30-40 mph. Those are minor issues. Let’s say Mr. Engelmann owns it for ten years, and then he decides to sell it. What do they decide to use the building for? That is why I am opposed.

Councilman Frey explained these things go through several steps. The first process is for people go to Planning & Zoning with what they want to do and how it fits into the zoning. Then it goes before the Planning & Zoning Board, which speaks to the codes. The third step is to come to the council. Planning and rezoning is a nine to ten block area. This is an area of town that is multi-use with apartments, condos, stores, gas station, manufacturing, automotive repair, meat processing, greenhouse, and residential. It is a mix of everything. We have seen things turn from businesses to homes; homes to businesses. To me, this would be spot zoning. This location is a block east. This area is quieter now than it was 20-30 years ago when there was automotive repair, Highland Recycling, larger operations by Red-E-Mix, and trucking companies. What this is going to be used for would be for warehousing with some fencing for parking for their employees. Because this area has been used as a mixed-use area for so long, I don’t have an issue with it.

Councilman Hipskind asked if we approved this could this be drafted to provide some landscaping to the area. He asked Mr. Engelmann if he would agree to that. Sean Engelmann responded there are eyesores all over in that area. I have cleaned up the area. Councilman Hipskind agreed. Councilwoman Sloan asked is there any way to avoid driving down Cedar Streets. Mr. Engelmann stated I can guarantee that not all the trucks are my; especially not at 10:00pm on a Saturday. Director Breann Vazquez advised this is for control over use of the property. Enforcing special conditions beyond this would be difficult since this is a rezoning and not a special use permit. Councilwoman Bellm recalled it has always been a mix area. Growing up we had Barth Welding across the street. I understand what you are saying about the view, but since it is just going to be a warehouse, I don’t see that being an issue. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried. Councilman Hipskind stated I am voting yes; however, while we cannot make you put the trees in, I am asking you to consider it.

Bill #22-86/ RESOLUTION Making Separate Statement of Findings of Fact in Connection with Ordinance Granting Special Use Permit for Short-Term Rental within the “C-2” Zoning District – Councilwoman Bellm made a motion to approve Bill #22-86/ Resolution #22-06-2941 making Separate Statement of Findings of Fact in connection with ordinance granting Special Use Permit for Short-Term Rental within the “C-2” Zoning District as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-87/ORDINANCE Granting a Special Use Permit to Catherine Weber to Allow a Short-Term Rental within the C-2 Zoning District at 914 Broadway – Councilman Frey made a motion to approve Bill #22-87/Ordinance #3196 granting a Special Use Permit to Catherine Weber to allow a Short-Term Rental within the C-2 Zoning District at 914 Broadway as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-88/ORDINANCE Amending the Code, Section 90-201, Table 3.1.A, to Allow a Special Use Permit for Short-Term Rental in the “I” Industrial Zoning District – Councilwoman Bellm made a motion to approve Bill #22-88/Ordinance #3197 amending the Code, Section 90-201, Table 3.1.A, to allow a Special Use Permit for Short-Term Rental in the “I” Industrial Zoning District as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-89/RESOLUTION Making Separate Statement of Findings of Fact in Connection with Ordinance Granting Special Use Permit for Short-Term Rental within the “I” Industrial Zoning District - Councilman Frey made a motion to approve Bill #22-89/Resolution #22-06-2942 making Separate Statement of Findings of Fact in connection with ordinance granting Special Use Permit for Short-Term Rental within the “I” Industrial Zoning District as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-90/ORDINANCE Granting a Special Use Permit to Matthew Korte to Allow a Short-Term Rental within “I” Zoning District at 810 Mulberry Street – Councilwoman Bellm made a motion to approve Bill #22-90/Ordinance #3198 granting a Special Use Permit to Matthew Korte to allow a short-term rental within the “I” Zoning District at 810 Mulberry Street as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-91/ORDINANCE Amending Zoning Classification from “R-2-B” Multiple Family Residential to “R-3” Multiple Family Residential for Real Property in and Around Colonial Manor – Councilman Frey made a motion to approve Bill #22-91/Ordinance #3199 amending Zoning Classification from “R-2-B” Multiple Family Residential to “R-3” Multiple Family Residential for real property in and around Colonial Manor as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #22-92/ RESOLUTION Issuing a “D1” Liquor License to BS Merkle LLC, Pursuant to Chapter 6, of the Code, Entitled Alcoholic Liquor – Councilwoman Bellm made a motion to approve Bill #22-92/ Resolution #22-06-2943 issuing a “D1” Liquor License to BS Merkle LLC, pursuant to Chapter 6, of the Code, entitled Alcoholic Liquor as attached. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

## **REPORT**

Accepting Expenditures Report #1220 for May 14, 2022 through June 3, 2022 – Councilman Frey made a motion to accept Expenditures Report #1220 for May 14, 2022 through June 3, 2022 as attached. Motion seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to temporarily adjourn this regular session to enter into executive session under the Illinois Open Meetings Act under the following exemption: 5 ILCS 120/2(c)(21) to discuss approval of executive session minutes. Motion seconded by Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried. Open Meeting temporarily adjourned at 8:15pm.

Mayor Hemann reconvened the Regular Session at 8:22pm. Council members Sloan, Bellm, Frey and Hipskind were present. Others in attendance were City Manager Conrad, City Attorney McGinley, Deputy City Clerk Hediger, and City Clerk Bellm.

Mayor Hemann stated there would be no action taken on anything that was discussed in the Executive Session.

Councilwoman Bellm made a motion to adjourn. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Hipskind, Bellm, Frey, and Sloan voted aye, none nay. Motion carried. Meeting adjourned at 8:22pm.

Kevin B. Hemann, Mayor

Barbara Bellm, City Clerk